



INVER GROVE HEIGHTS CITY COUNCIL AGENDA
MONDAY, JANUARY 24, 2011
8150 BARBARA AVENUE
7:30 P.M.

1. CALL TO ORDER

2. ROLL CALL

3. PRESENTATIONS:

A. Recognition of Sudden Cardiac Arrest Champions _____

4. CONSENT AGENDA – All items on the Consent Agenda are considered routine and have been made available to the City Council at least two days prior to the meeting; the items will be enacted in one motion. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event the item will be removed from this Agenda and considered in normal sequence.

A. Minutes – January 10, 2011 Regular Council Meeting _____

B. Resolution Approving Disbursements for Period Ending January 19, 2011 _____

C. Approve Purchase of Replacement Equipment _____

D. Resolution Accepting Individual Project Order (IPO) No. 17A from Kimley–Horn and Associates, Inc. for Design Services and Preparation of Preliminary Plans for City Project No. 2011–09D – South Grove Street Reconstruction – Area 6 _____

E. Resolutions Calling for Hearing on Proposed Assessments and Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessments for 2010 Pavement Management Program, City Project No. 2010–09C – Blaine Avenue Mill and Overlay _____

F. Approve 2011 Seasonal/Temporary Compensation Plan _____

G. Approve Replacement of Golf Course Golf Car Fleet _____

H. Approve Temporary 3.2 Liquor License Request _____

I. Schedule Special City Council Meeting _____

J. Approve Contract with Dakota County for Sentence to Serve _____

K. Personnel Actions _____

5. PUBLIC COMMENT – Public comment provides an opportunity for the public to address the Council on items that are not on the Agenda. Comments will be limited to three (3) minutes per person.

6. PUBLIC HEARINGS:

A. **CITY OF INVER GROVE HEIGHTS;** Consider Amended and Restated Resolution Establishing an Economic Development Authority for the City of Inver Grove Heights _____

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

A. GERTENS GREENHOUSES; Consider the following actions for property located at 5500 Blaine Ave.:

- 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 _____

B. CITY OF INVER GROVE HEIGHTS; Consider the following actions:

- i) The Third Reading of an Ordinance Establishing Standards Regulating Dynamic Display Billboards _____
- ii) An Ordinance Creating Dynamic Display Billboard Overlay District to Allow Such Signs _____

ADMINISTRATION:

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

D. CITY OF INVER GROVE HEIGHTS; Consider Change Order No. 19 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation Project _____

E. CITY OF INVER GROVE HEIGHTS; Consider Award of Bid for Re-Roof of Existing City Hall _____

F. CITY OF INVER GROVE HEIGHTS; Approve Agreement for Periodic Construction Observation Services for Roofing & Related Sheet Metal Services for the Re-Roof of Existing City Hall _____

8. MAYOR AND COUNCIL COMMENTS

9. ADJOURN

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, JANUARY 10, 2011 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, January 10, 2011, 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:

A. Swearing in Ceremonies for Elected Officials

Supreme Court Justice Paul Anderson administered the Oath of Office to Council members Piekarski Krech, Madden, and Mayor Tourville.

B. Police Volunteer Recognition

Lieutenant Salmey introduced the police reserve officers. He discussed the role reserve officers play in the department and outlined the services they provide for the City.

C. CVB Annual Report

Nicole Bengston, Executive Director, Inver Grove Heights Convention & Visitors Bureau, reviewed several projects that took place in 2010 including the implementation of an e-mail marketing campaign, the launch of an enhanced website, visitigh.com, and a commercial spot with Charter Communications. She also provided a brief forecast for the 2011 calendar year.

4. CONSENT AGENDA:

Citizen Allan Cederberg requested that Item 4A, Minutes of December 13, 2010 Regular Council Meeting, be removed from the Consent Agenda.

Councilmember Grannis removed Item 4D, Approve 2010 Collective Bargaining Agreement with Law Enforcement Labor Services (LELS) Local 84, and Item 4L, Approve Consultant for the Splash Pool Air Exchanger Replacement, from the Consent Agenda.

- B. Resolution No. 11-01** Approving Disbursements for Period Ending January 5, 2011
- C.** Pay Voucher No. 19 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation
- E.** Accept Proposal from Keys Well Drilling Company for Well Pump No. 8 Rehabilitation
- F.** Accept Proposal from Keys Well Drilling for Water Treatment Facility High Service Pump No. 3 Rehabilitation
- G.** Accept Proposal from Vessco, Inc. for Water Treatment Facility Chlorination Equipment Replacement
- H.** Approve Joint Powers Agreement with Dakota County SWCD for Services Provided on City Project No. 2011-09D, South Grove Area 6
- I. Resolution 11-02** Authorizing Feasibility Report – 2011 Pavement Management Program, City Project No. 2011-09E, Inver Grove Trail and Surrounding Area Rural Street Reconstruction
- J. Resolution No. 11-03** Approving the Addition of Language to the 2011 Fee Schedule related to Right-of-Way Fees and Permits
- K.** Approve Feasibility Study Reimbursement Agreement relating to Cameron Addition
- M. Resolution No. 11-04** Accepting Delivery of Fire Truck

N. Accept Donation to Inver Grove Heights Police Department

O. Personnel Actions

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

Ayes: 5

Nays: 0 Motion carried.

A. Minutes – December 13, 2010 Regular Council Meeting

Allan Cederberg, 1162 E. 82nd Street, referenced an error in the proposed Community Center budget.

Ms. Lanoue stated there was an error in the handout that was provided at the meeting. She explained the resolution that was passed had the correct numbers.

Motion by Klein, second by Madden, to approve the minutes of the December 13, 2010 Regular Council meeting

Ayes: 5

Nays: 0 Motion carried.

D. Approve 2010 Collective Bargaining Agreement with Law Enforcement Labor Services (LELS), Local 84

Councilmember Grannis stated he pulled the item because of where the money is proposed to come from. He explained he would be in favor of not filling the recently vacated police officer position in an effort to offset the cost rather than take money out of the general fund reserves.

Mayor Tourville stated they would need to have further discussion on this topic because information had not been provided regarding that scenario and Chief Kleckner was not present.

Mr. Lynch explained this item relates to approval of the arbitrator's decision regarding the collective bargaining agreement. He indicated the Council could wait to make a decision on where the funds will come from and how to proceed with the vacant police officer position until the results from first half tax collections are known.

Motion by Grannis, second by Klein, to approve 2010 Collective Bargaining Agreement with Law Enforcement Labor Services (LELS), Local 84

Ayes: 5

Nays: 0 Motion carried.

K. Approve Feasibility Study Reimbursement Agreement relating to Cameron Addition

Councilmember Klein stated he would like to amend the agreement to reflect an amount not to exceed \$2,200.

Motion by Grannis, second by Klein, to reconsider approval of Feasibility Study Reimbursement Agreement relating to Cameron Addition with the amendment as proposed

Ayes: 5

Nays: 0 Motion carried.

Motion by Klein, second by Grannis, to approve Feasibility Study Reimbursement Agreement relating to Cameron Addition with an amount not to exceed \$2200

Ayes: 5

Nays: 0 Motion carried.

L. Approve Consultant for the Splash Pool Air Exchanger Replacement

Councilmember Grannis commented on the plans and specifications process and stated this would be a good opportunity to relocate the exhaust fan so it does not blow over the sidewalk. He suggested it be located on the east side of the building so ice build-up on the sidewalk is not an issue.

Mr. Carlson stated they will ask to have that option looked at in the plans and specifications.

Motion by Klein, second by Grannis, to approve Consultant for the Splash Pool Air Exchanger Replacement

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT: None.

6. PUBLIC HEARINGS: None.

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

A. CITY OF INVER GROVE HEIGHTS; Consider the second reading of an Ordinance establishing standards regulating dynamic display billboards and also the possibility of prohibiting dynamic display Billboards

Mr. Hunting stated staff made some recommended changes to the ordinance and summarized the five changes. He explained the display duration time was changed to eight (8) seconds because it was identified as an industry standard used by other cities. He noted the eight (8) second interval would allow for enough ad turn over for billboard operators to offer community service spots. He stated language was also added that would require a billboard owner to provide community service spots through an agreement approved by City Council. Staff recommended approval with the proposed changes.

Councilmember Grannis stated he heard from citizens that were not in favor of allowing dynamic display billboards because they found them to be very distracting.

Allan Cederberg asked if there would be a limit on billboard size.

Mr. Hunting responded that the size would be based on the maximum billboard.

Matt Olson, Clear Channel, clarified that the standard billboard size is 14'x48' or 672 square feet.

Councilmember Piekarski Krech stated she would support the ordinance because the billboards would only be located along Highway 52/55, in an industrial area.

Mayor Tourville opined he would also support the ordinance because of the proposed performance standards.

Councilmember Madden stated the community service spots would be very beneficial.

Motion by Piekarski Krech, second by Klein, to approve the second reading of an Ordinance establishing standards regulating dynamic display billboards and also the possibility of prohibiting dynamic display billboards

Ayes: 4

Nays: 1 (Grannis) Motion carried.

B. CITY OF INVER GROVE HEIGHTS; Consider Housing Committee Advisory Board Applications and Appointments

Mr. Hunting stated the Council approved a resolution creating a Housing Committee in September, 2010. He explained staff posted notices seeking volunteers in the Insights newsletter, Southwest Review, and on the City's website. He noted eight applications were received. He explained because this is a new

committee, the resolution established the initial term for three of the members to be three years and two members to be two years. He stated the Council would also need to determine term lengths for each appointed member.

Councilmember Piekarski Krech stated she was very impressed with the applicants and would be in favor of appointing all eight of them to the committee. She suggested names could be drawn at the first committee meeting to determine the staggering of terms.

Councilmember Grannis stated he would support appointing all eight applicants. He asked why the group is referred to as a “committee” rather than a “commission”.

Mr. Hunting stated the use of the term “committee” was chosen at the discretion of the Council.

Councilmember Piekarski Krech added that the Council chose the term “committee” because the group was going to primarily be advisory in nature.

Councilmember Madden stated he would prefer to limit the committee to five members as was originally discussed.

Allan Cederberg, 1162 82nd St. E., stated he is one of two applicants that were members of the Housing Task Force. He explained he spent almost eight months working with the task force and learning about housing issues in the City and throughout Dakota County. He asked that the Council appoint all eight applicants.

Tamara Kappauf, 1186 82nd St. E., stated she has been a licensed realtor since 1987 and is very familiar with programs other cities have put in place to maintain their housing stock.

Jim Zentner, 8004 Delano Way, stated he served on the Housing Task Force that developed a series of policy recommendations to the Council. He explained his family benefitted from affordable housing and he is committed to seeing the City adopt policies and practices that can help others realize the same benefit.

Mary T’Kach, 7848 Babcock Trail, stated her goal is to help City staff think about the bigger picture and ways to connect infrastructure.

Motion by Piekarski Krech, second by Grannis, to appoint all eight (8) applicants to the Housing Committee Advisory Board

Councilmember Klein opined that the committee should be limited to five members.

Councilmember Madden agreed that the committee should be limited to five members.

Ayes: 3

Nays: 2 (Klein, Madden) Motion carried.

PUBLIC WORKS:

C. CITY OF INVER GROVE HEIGHTS; Approve Selections for Technical Consulting Services Pool

Mr. Lynch stated this is the conclusion of a four year process to select experienced, knowledgeable, cost-effective consultants.

Mr. Thureen explained the policy provides for the selection of a pool of consultants, any of which could be called upon to perform recurring technical services for the City during the four-year term of the pool. He stated staff invited 41 consulting firms in a number of specialties to submit a statement of qualifications to the City if they desired to be considered for the selection pool. Of the 41 applicants, 33 firms responded and 22 were recommended for inclusion in the pool. He explained in reviewing the applications, the philosophy was to establish a pool of firms whose combined and overlapping areas of expertise and abilities would allow the City to utilize their services in the most cost-effective manner without becoming overly dependent on any one firm. He noted staff recommended entering into Professional Services Agreements with all of the firms included in the pool for a period of four years. He stated the fee schedules for the recommended firms were comparable to what has been seen recently, and the firms

agreed to a cap in fee increases of four percent annually.

Councilmember Klein asked if this would affect the City’s competitive bid requirements.

Mr. Kuntz responded that professional services do not require a competitive bid process.

Motion by Piekarski Krech, second by Madden, to approve selections for Technical Consulting Services Pool

Ayes: 4

Nays: 0

Abstain: 1 Motion carried.

D. CITY OF INVER GROVE HEIGHTS; Resolution Accepting Individual Project Order No. 17 from Kimley-Horn and Associates, Inc. for Drainage Analysis and Preparation of an Update to the Feasibility Report for City Project No. 2011-09D, South Grove Street Reconstruction – Area 6

Mr. Thureen explained as part of the Pavement Management Program, Area 6 of the South Grove neighborhood was identified for reconstruction in 2011 and an updated feasibility report is needed to review the options for the area. He stated the storm water management system from Area 6 covers a large area and will be interconnected to the existing system on 70th Street. He noted a comprehensive analysis of this system needs to be completed. He explained the project will include rain gardens and rapid infiltration basins for water quality, and an option to re-grade Skyview Park.

Motion by Piekarski Krech, second by Klein, to adopt Resolution No. 11-04 accepting Individual Project Order No. 17 from Kimley-Horn and Associates, Inc. for Drainage Analysis and Preparation of an Update to the Feasibility Report for City Project No. 2011-09D, South Grove Street Reconstruction – Area 6

Ayes: 5

Nays: 0 Motion carried.

ADMINISTRATION:

E. CITY OF INVER GROVE HEIGHTS; Consider Council Appointments for 2011:

- i) Official Newspaper
- ii) Official Depositories
- iii) Acting Mayor
- iv) Council Delegate to Association of Metropolitan Municipalities
- v) Northern Dakota County Cable Communications Commission Representatives
- vi) Dakota Communications Center Board of Directors Representatives
- vii) Deputy Weed Inspector

Motion by Klein, second by Piekarski Krech, to approve designation of Official Newspaper, Acting Mayor, Council Delegate to Association of Metropolitan Municipalities, Northern Dakota County Cable Communications Commission Representatives, Dakota Communications Center Board of Directors Representatives, & Deputy Weed Inspector as proposed

Ayes: 5

Nays: 0 Motion carried.

Mayor Tourville noted he would be abstaining because he is on the board of directors at Key Community Bank.

Motion by Klein, second by Piekarski Krech, to approve designation of Official Depositories as proposed

Ayes: 4

Nays: 0

Abstain: 1 Motion carried.

F. CITY OF INVER GROVE HEIGHTS; Consider Third 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 this is the third and final reading of an ordinance that would adjust development fees.

Motion by Klein, second by Grannis, to adopt Ordinance No. 1227 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.

8. MAYOR & COUNCIL COMMENTS:

Councilmember Klein thanked everyone involved with Holiday on Main Street.

Mayor Tourville announced a Feed My Starving Children event would be held at the Church of St. Patrick and stated more information would follow.

9. EXECUTIVE SESSION:

A. Doffing Avenue Property Acquisition

B. Discuss Collective Bargaining

10. ADJOURN: Motion by Klein, second by Piekarski Krech, to adjourn. The meeting was adjourned by a unanimous vote at 9:45 p.m.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: January 24, 2011
 Item Type: Consent
 Contact: Cathy Shea 651-450-2521
 Prepared by: Cathy Shea Asst. Finance Director
 Reviewed by: N/A

Fiscal/FTE Impact:

<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED

Approve the attached resolution approving disbursements for the period of January 6, 2010 to January 19, 2011.

SUMMARY

Shown below is a listing of the disbursements for the various funds for the period ending January 19, 2011. The detail of these disbursements is attached to this memo.

General & Special Reveune	\$226,120.22
Debt Service & Capital Projects	20,042.84
Enterprise & Internal Service	258,358.00
Escrows	4,919.51
	<hr/>
Grand Total for All Funds	<u><u>\$509,440.57</u></u>

If you have any questions about any of the disbursements on the list, please call Vickie Gray, Accounting Technician at 651-450-2515 or Cathy Shea, Asst. Finance Director at 651-450-2521.

Attached to this summary for your action is a resolution approving the disbursements for the period January 6, 2010 to January 19, 2011 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

**RESOLUTION APPROVING DISBURSEMENTS FOR THE
PERIOD ENDING JANUARY 19, 2011**

WHEREAS, a list of disbursements for the period ending January 19, 2011 was presented to the City Council for approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS: that payment of the list of disbursements of the following funds is approved:

General & Special Reveune	\$226,120.22
Debt Service & Capital Projects	20,042.84
Enterprise & Internal Service	258,358.00
Escrows	4,919.51
Grand Total for All Funds	<u><u>\$509,440.57</u></u>

Adopted by the City Council of Inver Grove Heights this 24th day of January, 2011.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy City Clerk

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/10/2011	104324	JIMMY JOHN'S SANDWICHES	work session	101-1000-413.50-75		1/2011	143.82
						* Total	143.82
01/12/2011	104325	ABRAMS & SCHMIDT LLC	114	101-4000-421.50-80		1/2011	350.00
						* Total	350.00
01/12/2011	104326	ACE PAINT & HARDWARE	504655	101-4200-423.60-40		1/2011	69.44
						* Total	69.44
01/12/2011	104329	AFSCME COUNCIL 5	january	101-0000-203.10-00		1/2011	804.22
						* Total	804.22
01/12/2011	104334	ATOM	2011 dues; chuck kleckner	101-4000-421.50-70		1/2011	25.00
						* Total	25.00
01/12/2011	104335	BAJA SOL GRILL & CANTIN	liquor license	101-0000-321.10-00		1/2011	4,500.00
			liquor license	101-0000-321.20-00		1/2011	200.00
						* Total	4,700.00
01/12/2011	104336	BARNA, GUZY, & STEFFEN	500003006	101-1100-413.30-43		1/2011	73.50
						* Total	73.50
01/12/2011	104337	BARR ENGINEERING COMPAN	23190328145	101-5100-442.30-30		1/2011	1,712.50
						* Total	1,712.50
01/12/2011	104338	BERGUM, ERIC	gas	101-4200-423.50-65		1/2011	60.72
						* Total	60.72
01/12/2011	104339	BERNARDY, DANIEL	EXPENSE REPORT	101-4200-423.50-75		1/2011	160.47
			EXPENSE REPORT	101-4200-423.60-65		1/2011	211.54
						* Total	372.01
01/12/2011	104344	CITY OF BURNSNVILLE	2011 DUES	101-1000-413.50-70		1/2011	6,840.00
						* Total	6,840.00
01/12/2011	104346	CLAREY'S SAFETY EQUIPME	136637	101-4200-423.40-42		1/2011	16,252.58
						* Total	16,252.58
01/12/2011	104348	COPY RIGHT	49736	101-4000-421.50-30		1/2011	236.81
						* Total	236.81
01/12/2011	104349	DAKOTA COMMUNICATIONS C	IG201101	101-4000-421.70-30		1/2011	26,178.00
			IG201101	101-4200-423.70-50		1/2011	13,090.00
						* Total	39,268.00
01/12/2011	104350	DAKOTA CTY CHIEFS OF PO	dues 2011	101-4000-421.50-70		1/2011	325.00
						* Total	325.00
01/12/2011	104352	DAKOTA CTY PROPERTY REC	september 2010	101-2000-415.30-70		1/2011	20.32
			september 2010	101-4000-421.30-70		1/2011	67.76
			september 2010	101-5100-442.30-70		1/2011	23.36
						* Total	111.44

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/12/2011	104359	FEDEX KINKO'S	acct 01663235190	101-4000-421.60-65		1/2011	57.01
						* Total	57.01
01/12/2011	104361	FIRE EQUIPMENT SPECIALT	6870 6892	101-4200-423.60-45 101-4200-423.60-45		1/2011 1/2011	1,066.81 1,858.44
						* Total	2,925.25
01/12/2011	104364	G & K SERVICES	1182746936 1182746936 acct 118275942 acct 118275942	101-5200-443.60-45 101-6000-451.60-45 101-5200-443.60-45 101-6000-451.60-45		1/2011 1/2011 1/2011 1/2011	16.89 63.39 16.89 25.48
						* Total	122.65
01/12/2011	104365	GLASSING FLORIST	DECEMBER	101-4000-421.60-65		1/2011	138.66
						* Total	138.66
01/12/2011	104367	GOVERNMENT FINANCE OFFI	0162001	101-2000-415.50-70		1/2011	225.00
						* Total	225.00
01/12/2011	104370	HEALTH EAST MEDICAL TRAN	1034844	101-4000-421.30-70		1/2011	85.00
						* Total	85.00
01/12/2011	104372	HINDMAN, PETE	safety boots	101-5100-442.60-45		1/2011	147.60
						* Total	147.60
01/12/2011	104375	IKON OFFICE SOLUTIONS	83859073	101-6000-451.40-65		1/2011	29.28
						* Total	29.28
01/12/2011	104376	IUOE	january	101-0000-203.10-00		1/2011	1,447.65
						* Total	1,447.65
01/12/2011	104381	LARSON COMPANIES	B202810113	101-4200-423.60-40		11/2010	65.02
						* Total	65.02
01/12/2011	104382	LELS	january	101-0000-203.10-00		1/2011	1,170.00
						* Total	1,170.00
01/12/2011	104383	LELS SERGEANTS	january	101-0000-203.10-00		1/2011	210.00
						* Total	210.00
01/12/2011	104384	LEXISNEXIS	13696352010	101-4000-421.50-20		1/2011	41.00
						* Total	41.00
01/12/2011	104387	MARTIN-MCALLISTER	7208	101-1100-413.30-50		1/2011	400.00
						* Total	400.00
01/12/2011	104388	MCPA	2011210	101-4000-421.50-70		1/2011	45.00
						* Total	45.00
01/12/2011	104392	MID STATE PLUMBING & HE	71223	101-4200-423.40-40		1/2011	2,550.00
						* Total	2,550.00
01/12/2011	104394	MINNEAPOLIS OXYGEN CO.	R12100410	101-4200-423.30-70		1/2011	14.58

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
						* Total	14.58
01/12/2011	104395	MN CHIEFS OF POLICE ASS	3100	101-4000-421.50-70		1/2011	265.00
			3200	101-4000-421.50-70		1/2011	130.00
			3201	101-4000-421.50-70		1/2011	130.00
						* Total	525.00
01/12/2011	104396	MN DNR - OMB	864221	101-6000-451.30-70		1/2011	110.00
						* Total	110.00
01/12/2011	104400	NEXTEL COMMUNICATIONS	acct 573073317	101-1100-413.50-20		1/2011	37.97
						* Total	37.97
01/12/2011	104401	NORTHERN STAR COUNCIL	RENEWAL	101-4000-421.50-70		1/2011	64.00
						* Total	64.00
01/12/2011	104407	PETTY CASH	BLDG MEETING	101-3300-419.50-80		1/2011	8.00
			MEAL	101-5100-442.50-80		1/2011	28.22
			NDCBO MTG	101-3300-419.50-80		1/2011	16.00
			PARKING	101-6000-451.50-65		1/2011	27.00
			POP & ICE	101-1000-413.50-75		1/2011	8.45
			SUPPLIES	101-1000-413.60-65		1/2011	12.96
						* Total	100.63
01/12/2011	104409	PLUNKETT'S PEST CONTROL	2544864	101-4200-423.40-40		1/2011	274.78
						* Total	274.78
01/12/2011	104414	ROGERS, CHRIS	emt refresher	101-4200-423.50-80		1/2011	70.00
						* Total	70.00
01/12/2011	104415	SAFE RIDE NEWS PUBLICAT	ORDER	101-4000-421.60-65		1/2011	36.20
						* Total	36.20
01/12/2011	104416	SAM'S CLUB	acct 7715090401334891	101-4200-423.50-75		1/2011	47.10
			acct 7715090401334891	101-4200-423.60-11		1/2011	24.94
			acct 7715090401334891	101-4200-423.60-65		1/2011	38.75
						* Total	110.79
01/12/2011	104420	SAVER, PAUL	REIMBURSEMENT	101-0000-341.30-00		1/2011	500.00
						* Total	500.00
01/12/2011	104421	SCHMELING, JOHN	safety boots	101-5100-442.60-45		1/2011	165.00
						* Total	165.00
01/12/2011	104429	SPRINT	acct 378740559	101-5100-442.50-20		1/2011	212.19
						* Total	212.19
01/12/2011	104432	ST. PAUL HARLEY-DAVIDSO	44051	101-4000-421.60-40		1/2011	5,022.01
						* Total	5,022.01
01/12/2011	104434	STERLING CODIFIERS	10496	101-1100-413.30-70		1/2011	500.00
						* Total	500.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/12/2011	104436	TIMESAVER OFF SITE SECR	DEC 13	101-1100-413.30-70		1/2011	358.50
						* Total	358.50
01/12/2011	104439	UNITED WAY	january	101-0000-203.13-00		1/2011	230.00
						* Total	230.00
01/12/2011	104440	US POSTMASTER - IGH	POLICE	101-4000-421.50-35		1/2011	132.00
						* Total	132.00
01/12/2011	104442	USA MOBILITY WIRELESS I	acct 03174091	101-4000-421.50-20		1/2011	26.64
						* Total	26.64
01/12/2011	104447	WHOLESALE FITNESS INC	8103	101-4200-423.60-65		1/2011	466.75
						* Total	466.75
01/12/2011	104448	WSB & ASSOCIATES, INC.	4	101-5100-442.30-30		1/2011	2,500.00
						* Total	2,500.00
01/12/2011	104449	XCEL ENERGY	acct 5170946691	101-5400-445.40-20		1/2011	36.45
						* Total	36.45
01/12/2011	104451	XCEL ENERGY	acct 5193598573	101-5400-445.40-20		1/2011	497.09
						* Total	497.09
01/12/2011	104452	XCEL ENERGY	acct 5183943582	101-5400-445.40-20		1/2011	34.44
						* Total	34.44
01/12/2011	104453	XCEL ENERGY	acct 5160255967	101-5400-445.40-20		1/2011	35.02
						* Total	35.02
01/12/2011	104454	XCEL ENERGY	acct 5197824361	101-5400-445.40-20		1/2011	30.89
						* Total	30.89
01/12/2011	104457	XCEL ENERGY	acct 5188494737	101-5400-445.40-20		1/2011	87.77
						* Total	87.77
01/12/2011	104458	XCEL ENERGY	acct 5198973045	101-5400-445.40-20		1/2011	28.13
						* Total	28.13
01/19/2011	104461	AVCAM	2011 membership	101-4000-421.50-70		1/2011	30.00
						* Total	30.00
01/19/2011	104466	CAPITOL CITY REG FIREFI	DUES 2011	101-4200-423.50-70		1/2011	50.00
						* Total	50.00
01/19/2011	104467	CARDIAC SCIENCE, INC.	1327956	101-4000-421.60-65		1/2011	171.40
						* Total	171.40
01/19/2011	104472	CULLIGAN	acct 157984591006	101-4200-423.60-65		1/2011	41.80
						* Total	41.80
01/19/2011	104473	DAKOTA CTY PROPERTY REC	october 2010	101-2000-415.30-70		1/2011	9.60
			october 2010	101-4000-421.30-70		1/2011	6.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/19/2011	104473	DAKOTA CTY PROPERTY REC	october 2010	101-5100-442.30-70		1/2011	29.84
						* Total	45.44
01/19/2011	104475	DISASTER RELIEF & INNOV	19011	101-5200-443.40-66		1/2011	16,922.89
						* Total	16,922.89
01/19/2011	104480	FIRE ENGINEERING	RENEWAL	101-4200-423.50-70		1/2011	21.00
						* Total	21.00
01/19/2011	104481	FIRSTSCRIBE	20982	101-5100-442.60-42		1/2011	1,500.00
						* Total	1,500.00
01/19/2011	104488	INVER HILLS COMMUNITY C	USE PERMIT	101-4200-423.30-70		1/2011	195.00
						* Total	195.00
01/19/2011	104490	KUENZI, KATIE	fleet farm ems training bag	101-4200-423.60-10 101-4200-423.60-18		1/2011	21.47
						1/2011	463.80
						* Total	485.27
01/19/2011	104493	LYNCH, JOE	LUNCH	101-1100-413.50-75		1/2011	26.24
						* Total	26.24
01/19/2011	104495	MIKE'S SHOE REPAIR, INC	01052011	101-4200-423.30-70		1/2011	162.00
						* Total	162.00
01/19/2011	104496	MINNEAPOLIS OXYGEN CO.	RI12100409	101-4200-423.30-70		1/2011	21.87
						* Total	21.87
01/19/2011	104497	MN DEPT OF LABOR & INDU	B42ABR0018217I	101-4200-423.30-70		1/2011	10.00
						* Total	10.00
01/19/2011	104499	NFPA	RENEWAL	101-4200-423.50-70		1/2011	832.50
						* Total	832.50
01/19/2011	104503	OPTUMHEALTH FINANCIAL S	DECEMBER	101-1100-413.30-55		1/2011	13.30
			DECEMBER	101-2000-415.30-55		1/2011	28.70
			DECEMBER	101-3000-419.30-55		1/2011	8.30
			DECEMBER	101-3200-419.30-55		1/2011	4.15
			DECEMBER	101-3300-419.30-55		1/2011	16.45
			DECEMBER	101-4000-421.30-55		1/2011	57.00
			DECEMBER	101-5000-441.30-55		1/2011	5.65
			DECEMBER	101-5100-442.30-55		1/2011	24.60
			DECEMBER	101-6000-451.30-55		1/2011	5.03
						* Total	163.18
01/19/2011	104504	PAPE, BILL	mailbox	101-5200-443.60-16		1/2011	63.04
						* Total	63.04
01/19/2011	104505	PARRANTO, JUSTIN	EXPENSE REPORT	101-4000-421.60-45		1/2011	224.97
						* Total	224.97
01/19/2011	104506	REGINA MEDICAL CENTER	POLICE	101-4000-421.30-70		1/2011	169.00
						* Total	169.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/19/2011	104509	SCHERFF INC	SNOW REMOVAL	101-5200-443.40-46		1/2011	17,192.91
						* Total	17,192.91
01/19/2011	104511	SOUTH RIVER HEATING & C	1115156	101-4200-423.40-40		1/2011	403.46
						* Total	403.46
01/19/2011	104518	U OF M - CCE REGISTRATI	REGISTRATION	101-5000-441.50-80		1/2011	275.00
						* Total	275.00
01/19/2011	104521	XCEL ENERGY	act 5164318574	101-4200-423.40-10		1/2011	3,683.50
			act 5164318574	101-4200-423.40-20		1/2011	1,214.76
						* Total	4,898.26
01/18/2011	800044	MN NURSERY & LANDSCAPIN	ELAN CARD	101-0000-143.00-00		1/2011	72.00
						* Total	72.00
01/18/2011	800045	COLONIAL MEDICAL ASSIST	ELAN CARD	101-4000-421.60-40		1/2011	568.59
						* Total	568.59
01/18/2011	800046	GALLS INC	ELAN CARD	101-4000-421.60-40		1/2011	47.11
						* Total	47.11
01/18/2011	800047	FOREMOST PROMOTIONS	ELAN CARD	101-4200-423.60-06		1/2011	1,445.68
						* Total	1,445.68
01/18/2011	800048	RESCUE TECH1 INC	ELAN CARD	101-4200-423.60-18		1/2011	1,936.25
						* Total	1,936.25
				88 Checks	** Fund Total		141,185.85
01/19/2011	104517	TWIN CITIES TOURISM	DUES	201-1600-465.50-70		1/2011	500.00
						* Total	500.00
				1 Checks	** Fund Total		500.00
01/19/2011	104478	EHLERS AND ASSOCIATES,	342373	399-9000-570.30-15		1/2011	2,802.50
						* Total	2,802.50
				1 Checks	** Fund Total		2,802.50
01/12/2011	104397	MN POLLUTION CONTROL AG	7700002752	402-6000-451.30-70		1/2011	75.00
						* Total	75.00
				1 Checks	** Fund Total		75.00
01/19/2011	104478	EHLERS AND ASSOCIATES,	REGISTRATION	405-9000-570.50-80		1/2011	170.00
			342374	405-9000-570.30-15		1/2011	63.33
						* Total	233.33
				1 Checks	** Fund Total		233.33
01/19/2011	104464	BRAUER & ASSOCIATES LTD	1202866	425-5907-725.30-70	0507	1/2011	1,500.00
						* Total	1,500.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
				1 Checks	** Fund Total		1,500.00
01/12/2011	104341	CARLSON, ERIC	parking	429-5924-729.50-65	0924	1/2011	8.00
						* Total	8.00
01/19/2011	104510	SHORT ELLIOTT HENDRICKS	239332	429-5924-729.30-70	0924	1/2011	2,622.35
						* Total	2,622.35
				2 Checks	** Fund Total		2,630.35
01/12/2011	104379	KIMLEY-HORN & ASSOCIATE	acct 01663235190	430-5922-730.30-30	1022	1/2011	6,178.49
						* Total	6,178.49
				1 Checks	** Fund Total		6,178.49
01/12/2011	104330	AMERICAN ENGINEERING TE	50019	440-5900-740.30-34	1009D	1/2011	464.40
						* Total	464.40
				1 Checks	** Fund Total		464.40
01/12/2011	104357	EAGAN, CITY OF	storm water	441-0000-207.05-00		1/2011	2,276.60
						* Total	2,276.60
				1 Checks	** Fund Total		2,276.60
01/19/2011	104484	GREAT RIVER GREENING	1809	444-5900-744.40-47		1/2011	1,360.00
						* Total	1,360.00
				1 Checks	** Fund Total		1,360.00
01/19/2011	104463	BOLTON & MENK, INC.	0137395	446-5915-746.30-30	0315	1/2011	2,055.50
						* Total	2,055.50
				1 Checks	** Fund Total		2,055.50
01/19/2011	104478	EHLERS AND ASSOCIATES,	REGISTRATION 342374	452-9000-570.50-80 452-9000-570.30-15		1/2011 1/2011	170.00 63.33
						* Total	233.33
				1 Checks	** Fund Total		233.33
01/19/2011	104478	EHLERS AND ASSOCIATES,	REGISTRATION 342374	453-9000-570.50-80 453-9000-570.30-15		1/2011 1/2011	170.00 63.34
						* Total	233.34
				1 Checks	** Fund Total		233.34
01/12/2011	104326	ACE PAINT & HARDWARE	505476	501-7100-512.60-16		1/2011	17.08
						* Total	17.08
01/12/2011	104343	CITY OF BLOOMINGTON	DECEMBER	501-7100-512.30-70		1/2011	400.00
						* Total	400.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/12/2011	104356	EAGAN, CITY OF	water-south robert trail	501-7100-512.40-05		1/2011	2,638.08
			water-south robert trail	501-7100-512.40-05		1/2011	2,711.16
			water-south robert trail	501-7100-512.40-05		1/2011	8,544.95
						* Total	13,894.19
01/12/2011	104357	EAGAN, CITY OF	water	501-7100-512.40-05		1/2011	22,451.67
						* Total	22,451.67
01/12/2011	104364	G & K SERVICES	1182746936	501-7100-512.60-45		1/2011	5.21
			acct 118275942	501-7100-512.60-45		1/2011	26.01
						* Total	31.22
01/12/2011	104366	GOPHER STATE ONE-CALL	0120608	501-7100-512.30-70		1/2011	171.10
						* Total	171.10
01/12/2011	104393	MINNEAPOLIS CONCRETE SA	017854	501-7100-512.40-40		1/2011	475.00
						* Total	475.00
01/12/2011	104422	SEELYE PLASTICS INC	42669	501-7100-512.60-16		1/2011	51.85
						* Total	51.85
01/12/2011	104445	VIKING INDUSTRIAL CENTE	261463	501-7100-512.60-16		1/2011	56.82
						* Total	56.82
01/12/2011	104456	XCEL ENERGY	acct 5160987097	501-7100-512.40-10		1/2011	2,149.29
			acct 5160987097	501-7100-512.40-20		1/2011	14,095.48
						* Total	16,244.77
01/19/2011	104462	BATTCHER & AERO ELECTRI	178	501-7100-512.40-40		1/2011	5,640.00
						* Total	5,640.00
01/19/2011	104473	DAKOTA CTY PROPERTY REC	october 2010	501-7100-512.30-70		1/2011	13.80
						* Total	13.80
01/19/2011	104478	EHLERS AND ASSOCIATES,	342375	501-7100-512.30-15		1/2011	332.50
						* Total	332.50
01/19/2011	104503	OPTUMHEALTH FINANCIAL S	DECEMBER	501-7100-512.30-55		1/2011	23.43
						* Total	23.43
				14 Checks	** Fund Total		59,803.43
01/12/2011	104353	DAKOTA CTY TREASURER	DECEMBER 2010	502-0000-207.01-00		1/2011	40.00
						* Total	40.00
01/12/2011	104356	EAGAN, CITY OF	sewer-south robert trail	502-7200-514.40-15		1/2011	5,075.59
			sewer-south robert trail	502-7200-514.40-15		1/2011	5,216.53
			sewer-south robert trail	502-7200-514.40-15		1/2011	59.63
						* Total	10,351.75
01/12/2011	104357	EAGAN, CITY OF	sewer	502-7200-514.40-15		1/2011	20,704.01
						* Total	20,704.01

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/12/2011	104364	G & K SERVICES	1182746936 acct 118275942	502-7200-514.60-45 502-7200-514.60-45		1/2011 1/2011 * Total	2.23 11.14 13.37
01/12/2011	104391	METROPOLITAN COUNCIL	949411	502-7200-514.40-15		1/2011 * Total	126,744.67 126,744.67
01/12/2011	104456	XCEL ENERGY	acct 5160987097	502-7200-514.40-20		1/2011 * Total	1,212.67 1,212.67
01/19/2011	104473	DAKOTA CTY PROPERTY REC	october 2010	502-7200-514.30-70		1/2011 * Total	13.80 13.80
01/19/2011	104477	DRISCOLL, PATTY	REQUESTED CREDIT REFUND	502-0000-116.00-00		1/2011 * Total	271.18 271.18
01/19/2011	104478	EHLERS AND ASSOCIATES,	342375	502-7200-514.30-15		1/2011 * Total	332.50 332.50
01/19/2011	104503	OPTUMHEALTH FINANCIAL S	DECEMBER	502-7200-514.30-55		1/2011 * Total	15.62 15.62
				10 Checks	** Fund Total		159,699.57
01/12/2011	104354	DEX MEDIA EAST	GOLF COURSE	503-8500-526.50-25		1/2011 * Total	102.05 102.05
01/12/2011	104364	G & K SERVICES	1182757943	503-8600-527.60-45		1/2011 * Total	86.30 86.30
01/12/2011	104389	MENARDS - WEST ST. PAUL	32031	503-8600-527.60-12		1/2011 * Total	67.36 67.36
01/12/2011	104390	MENARDS - WEST ST. PAUL	32776	503-8600-527.40-40		1/2011 * Total	31.54 31.54
01/12/2011	104428	SOUTH BAY DESIGN	JANUARY	503-8500-526.50-25		1/2011 * Total	255.00 255.00
01/12/2011	104444	VGM CLUB	427121	503-8500-526.50-70		1/2011 * Total	160.00 160.00
01/12/2011	104450	XCEL ENERGY	acct 5158775121	503-8600-527.40-20		1/2011 * Total	55.71 55.71
01/12/2011	104454	XCEL ENERGY	acct 5158775110	503-8600-527.40-20		1/2011 * Total	9.10 9.10
01/12/2011	104455	XCEL ENERGY	acct 5157543641 acct 5157543641	503-8500-526.40-10 503-8500-526.40-20		1/2011 1/2011 * Total	883.92 420.45 1,304.37
01/19/2011	104474	DAKOTA ELECTRIC ASSN	acct 2013605	503-8600-527.40-20		1/2011	192.23

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
						* Total	192.23
01/19/2011	104476	DON PIEHL	INVERWOOD	503-8600-527.60-40		1/2011	91.18
						* Total	91.18
01/19/2011	104479	FELIX, KEN	EXPENSE REPORT	503-8600-527.50-80		1/2011	48.00
						* Total	48.00
01/19/2011	104482	FOOTJOY	3518279	503-8200-523.76-20		1/2011	86.82
						* Total	86.82
01/19/2011	104483	G & K SERVICES	1182769002	503-8600-527.60-45		1/2011	91.94
						* Total	91.94
01/19/2011	104494	METZ, JOEL	EXPENSE REPORT	503-8600-527.50-80		1/2011	26.00
						* Total	26.00
01/19/2011	104498	MTI DISTRIBUTING CO	767313	503-8600-527.40-42		1/2011	52.97
						* Total	52.97
01/19/2011	104503	OPTUMHEALTH FINANCIAL S	DECEMBER	503-8500-526.30-55		1/2011	4.15
			DECEMBER	503-8600-527.30-55		1/2011	15.45
						* Total	19.60
01/19/2011	104508	RYAN-DUNCANSON INC	golf course	503-8600-527.80-40		1/2011	5,664.00
						* Total	5,664.00
01/19/2011	104514	SUN CONTROL OF MINNESOT	17629	503-8500-526.40-40		1/2011	326.00
						* Total	326.00
01/19/2011	104515	TDS METROCOM	ACCT 6514573667	503-8500-526.50-20		1/2011	259.52
						* Total	259.52
01/18/2011	800049	MN NURSERY & LANDSCAPIN	ELAN CARD	503-0000-143.00-00		1/2011	189.00
						* Total	189.00
01/18/2011	800050	OFFICEMAX INC	ELAN CARD	503-8500-526.60-10		1/2011	104.93
						* Total	104.93
				22 Checks	** Fund Total		9,223.62
01/12/2011	104362	FIRST IMPRESSION GROUP,	43391	504-6100-452.50-25	R90100	1/2011	23.74
			43391	504-6100-452.50-30	R90100	1/2011	2,386.86
						* Total	2,363.12
01/12/2011	104375	IKON OFFICE SOLUTIONS	83859073	504-6100-452.40-65	R90100	1/2011	263.56
						* Total	263.56
01/12/2011	104399	NEXTEL COMMUNICATIONS	acct 302193319	504-6100-452.50-20	R90100	1/2011	94.97
						* Total	94.97
01/12/2011	104407	PETTY CASH	PARKING	504-6100-452.50-65	R20100	1/2011	12.00
						* Total	12.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/12/2011	104419	SAM'S CLUB	acct 7715090065702540	504-6100-452.60-09	R90100	1/2011	207.40
						* Total	207.40
01/12/2011	104435	TARGET BANK	acct 9370	504-6100-452.60-09	R30600	1/2011	155.38
						* Total	155.38
01/19/2011	104486	INDEPENDENT SCHOOL DIST	SENIOR TRIP	504-0000-227.10-00		1/2011	1,320.00
						* Total	1,320.00
01/19/2011	104487	INVER GROVE HEIGHTS SEN	MEMBERSHIP	504-0000-227.10-00		1/2011	1,744.00
						* Total	1,744.00
01/19/2011	104492	LINDMAN, SUSAN	REFUND	504-0000-347.00-00	R40180	1/2011	4.00
						* Total	4.00
01/19/2011	104503	OPTUMHEALTH FINANCIAL S	DECEMBER	504-6100-452.30-55	R90100	1/2011	8.94
						* Total	8.94
01/18/2011	800051	SCIENCE MUSEUM OF MN	ELAN CARD	504-6100-452.50-90	R20100	1/2011	88.00
						* Total	88.00
01/18/2011	800052	WABASHA STREET CAVES	ELAN CARD	504-6100-452.50-90	R20100	1/2011	25.00
						* Total	25.00
01/18/2011	800053	APPLEBEE'S	ELAN CARD	504-6100-452.60-09	R50100	1/2011	50.00
						* Total	50.00
01/18/2011	800054	CARIBOU COFFEE	ELAN CARD	504-6100-452.60-09	R40900	1/2011	120.00
						* Total	120.00
01/18/2011	800055	CARIBOU COFFEE	ELAN CARD	504-6100-452.60-09	R40185	1/2011	105.00
						* Total	105.00
01/18/2011	800056	DOMINOS PIZZA	ELAN CARD	504-6100-452.60-09	R40180	1/2011	100.05
						* Total	100.05
01/18/2011	800057	NADA	ELAN CARD	504-6100-452.60-09	R20920	1/2011	403.70
						* Total	403.70
01/18/2011	800058	PLAY IT AGAIN SPORTS	ELAN CARD	504-6100-452.60-09	R55000	1/2011	64.21
						* Total	64.21
01/18/2011	800059	BAGGO	ELAN CARD	504-6100-452.60-40	R90100	1/2011	219.90
						* Total	219.90
				19 Checks	** Fund Total		7,349.23
01/12/2011	104326	ACE PAINT & HARDWARE	505471	505-6200-453.60-16	C21000	1/2011	11.97
			505510	505-6200-453.60-16	C21000	1/2011	27.21
			5363/5	505-6200-453.60-40	C50000	1/2011	21.35
						* Total	60.53
01/12/2011	104331	AQUA LOGIC, INC.	36252	505-6200-453.40-40	C25000	1/2011	1,650.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
						* Total	1,650.00
01/12/2011	104332	ARROW MOWER, INC.	5687	505-6200-453.60-16	C21000	1/2011	23.51
						* Total	23.51
01/12/2011	104333	ASCAP	RENEWAL	505-6200-453.50-70	C10000	1/2011	309.00
						* Total	309.00
01/12/2011	104340	BROADCAST MUSIC INC	VMCC	505-6200-453.50-70	C10000	1/2011	309.00
						* Total	309.00
01/12/2011	104347	COMCAST	acct8772105910127188	505-6200-453.50-70	C10000	1/2011	266.56
						* Total	266.56
01/12/2011	104351	DAKOTA CTY FINANCIAL SV	73717418	505-6200-453.50-80	C10000	1/2011	170.00
						* Total	170.00
01/12/2011	104358	ELECTRONIC COMMUNICATIO	4448	505-6200-453.50-55	C25000	1/2011	348.00
						* Total	348.00
01/12/2011	104360	FERRELLGAS	acct 7757735	505-6200-453.60-21	C21000	1/2011	722.60
						* Total	722.60
01/12/2011	104362	FIRST IMPRESSION GROUP,	43391	505-6200-453.50-25	C95000	1/2011	23.74-
			43391	505-6200-453.50-30	C95000	1/2011	4,098.14
						* Total	4,074.40
01/12/2011	104368	GRAINGER	9420538572	505-6200-453.60-16	C21000	1/2011	60.45
			9421277931	505-6200-453.60-11	C21000	1/2011	558.73
			9423241927	505-6200-453.60-16	C25000	1/2011	69.64
						* Total	688.82
01/12/2011	104369	HAWKINS INC	3186305	505-6200-453.60-15	C25000	1/2011	2,149.28
						* Total	2,149.28
01/12/2011	104374	HUEBSCH SERVICES	2639671	505-6200-453.40-40	C25000	1/2011	105.57
						* Total	105.57
01/12/2011	104375	IKON OFFICE SOLUTIONS	83859073	505-6200-453.40-65	C10000	1/2011	439.26
						* Total	439.26
01/12/2011	104377	JOHNSON CONTROLS	12038165533	505-6200-453.40-40	C25000	1/2011	2,528.40
			12090973271	505-6200-453.40-40	C25000	1/2011	2,377.72
			12148081220	505-6200-453.40-40	C25000	1/2011	2,956.17
						* Total	7,862.29
01/12/2011	104389	MENARDS - WEST ST. PAUL	32449	505-6200-453.60-16	C25000	1/2011	133.75
						* Total	133.75
01/12/2011	104400	NEXTEL COMMUNICATIONS	acct 573073317	505-6200-453.50-20	C50000	1/2011	376.97
						* Total	376.97
01/12/2011	104403	OFFICE DEPOT	acct 6011568510088883	505-6200-453.60-65	C10100	1/2011	27.34

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
						* Total	27.34
01/12/2011	104405	OLD WORLD PIZZA	155	505-6200-453.76-05	C16000	1/2011	24.93
			166	505-6200-453.76-05	C16000	1/2011	13.22
						* Total	38.15
01/12/2011	104407	PETTY CASH	BACKGROUD CK	505-6200-453.30-70	C70000	1/2011	15.00
			POSTAGE	505-6200-453.50-35	C10100	1/2011	5.25
						* Total	20.25
01/12/2011	104408	PETTY CASH - ATM	OCT - DEC	505-6200-453.70-44	C10000	1/2011	14.79
						* Total	14.79
01/12/2011	104411	PREMIER ELECTRICAL CORP	52097	505-6200-453.40-40	C25000	1/2011	278.00
						* Total	278.00
01/12/2011	104413	ROACH, RICK	EXPENSE REPORT	505-6200-453.50-65	C25000	1/2011	15.75
						* Total	15.75
01/12/2011	104417	SAM'S CLUB	VMCC	505-6200-453.60-40	C15000	1/2011	40.45
			VMCC	505-6200-453.60-65	C30300	1/2011	59.43
			VMCC	505-6200-453.76-05	C30300	1/2011	35.44
			VMCC	505-6200-453.76-10	C30300	1/2011	17.88
						* Total	153.20
01/12/2011	104419	SAM'S CLUB	acct 7715090065702540	505-6200-453.60-65	C10000	1/2011	121.72
			acct 7715090065702540	505-6200-453.76-05	C16000	1/2011	12.98
						* Total	134.70
01/12/2011	104427	SIMON'S APPLIANCE		505-6200-453.60-40	C21000	1/2011	327.81
						* Total	327.81
01/12/2011	104430	SPRUNG SERVICES	59346	505-6200-453.40-40	C25000	1/2011	679.00
						* Total	679.00
01/12/2011	104443	VANCO SERVICES LLC	4470969	505-6200-453.70-60	C10100	1/2011	138.00
						* Total	138.00
01/12/2011	104446	W W GOETSCH ASSOC INC	84311	505-6200-453.60-16	C25000	1/2011	3,014.55
						* Total	3,014.55
01/19/2011	104465	BUDGET SIGN AND GRAPHIC	49773	505-6200-453.60-65	C10000	1/2011	205.20
						* Total	205.20
01/19/2011	104468	COCO DUGAN DESIGN	00111	505-6200-453.30-70	C25000	1/2011	1,050.00
						* Total	1,050.00
01/19/2011	104469	COMCAST	acct 8772105910127188	505-6200-453.50-70	C10000	1/2011	256.38
						* Total	256.38
01/19/2011	104470	COMCAST	acct 8772105910277033	505-6200-453.50-70	C10000	1/2011	74.95
						* Total	74.95

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/19/2011	104471	COMDATA	cust rh172	505-6200-453.76-10	C16000	1/2011	11.40
						* Total	11.40
01/19/2011	104489	JPS ENTERTAINMENT	1001	505-6200-453.30-70	C15500	1/2011	200.00
						* Total	200.00
01/19/2011	104501	OFFICEMAX INC	917493	505-6200-453.60-40	C10000	1/2011	10.68
			917493	505-6200-453.60-65	C10000	1/2011	42.75
			917876	505-6200-453.60-65	C40000	1/2011	79.58
						* Total	133.01
01/19/2011	104503	OPTUMHEALTH FINANCIAL S	DECEMBER	505-6200-453.30-55	C50000	1/2011	42.18
						* Total	42.18
01/19/2011	104507	RESOURCES FOR CHILD CAR	room rental	505-0000-352.25-00	C15000	1/2011	44.33
						* Total	44.33
01/19/2011	104512	ST. CROIX VALLEY POPCOR	81035611	505-6200-453.60-65	C15500	1/2011	69.50
						* Total	69.50
01/19/2011	104513	STERICYCLE INC	4002223837	505-6200-453.40-25	C10000	1/2011	382.26
						* Total	382.26
01/19/2011	104516	THATCHER BUZZELL, JANES	REFUND	505-6200-453.70-45	C10000	1/2011	1.00
						* Total	1.00
01/19/2011	104520	XCEL ENERGY	acct 5168679487	505-6200-453.40-10	C25000	1/2011	23,408.50
			acct 5168679487	505-6200-453.40-20	C25000	1/2011	25,824.07
						* Total	49,232.57
01/18/2011	800060	GILL ATHLETICS	ELAN CARD	505-6200-453.60-40	C21000	1/2011	434.90
						* Total	434.90
01/18/2011	800061	HOLIDAY	ELAN CARD	505-6200-453.60-65	C70000	1/2011	350.00
						* Total	350.00
01/18/2011	800062	PARTY CITY	ELAN CARD	505-6200-453.60-65	C15500	1/2011	55.69
						* Total	55.69
01/18/2011	800063	TARGET STORES	ELAN CARD	505-6200-453.60-65	C60100	1/2011	4.27
						* Total	4.27
01/18/2011	800064	WALGREENS	ELAN CARD	505-6200-453.60-65	C70000	1/2011	6.42
						* Total	6.42
				47 Checks	** Fund Total		77,085.14
01/19/2011	104503	OPTUMHEALTH FINANCIAL S	DECEMBER	602-2100-415.30-55		1/2011	.70
						* Total	.70
				1 Checks	** Fund Total		.70
01/12/2011	104327	ADVANCED GRAPHIX, INC.	182732	603-5300-444.40-41		1/2011	561.09

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
						* Total	561.09
01/12/2011	104342	CARQUEST AUTO PARTS STO	1596141798	603-5300-444.60-12		1/2011	135.65
			1596142698	603-5300-444.40-41		1/2011	9.91
			1596142699	603-5300-444.40-41		1/2011	9.91
			1596142804	603-5300-444.40-41		1/2011	44.57
			1596142823	603-5300-444.60-12		1/2011	16.03
			189277	603-5300-444.40-41		1/2011	6.72
			189277	603-5300-444.60-12		1/2011	18.57
						* Total	241.36
01/12/2011	104355	DON PIEHL	158382	603-5300-444.60-40		1/2011	406.12
			158384	603-5300-444.60-40		1/2011	1,183.31
						* Total	1,589.43
01/12/2011	104364	G & K SERVICES	1182746936	603-5300-444.40-65		1/2011	83.01
			1182746936	603-5300-444.60-45		1/2011	23.04
			acct 118275942	603-5300-444.40-65		1/2011	83.01
			acct 118275942	603-5300-444.60-45		1/2011	23.04
						* Total	212.10
01/12/2011	104373	HOSE / CONVEYORS INC	15949	603-5300-444.40-41		1/2011	159.35
			15952	603-5300-444.40-41		1/2011	133.29
						* Total	292.64
01/12/2011	104378	KIMBALL MIDWEST	1765835	603-5300-444.60-12		1/2011	315.60
						* Total	315.60
01/12/2011	104380	KREMER SERVICES LLC	7601	603-5300-444.40-41		1/2011	3,053.24
			7852	603-5300-444.40-41		1/2011	3,420.58
						* Total	6,473.82
01/12/2011	104381	LARSON COMPANIES	duplicate pmt ck 102531	603-0000-145.50-00		11/2010	247.67-
			F202910035	603-0000-145.50-00		11/2010	78.63
			F203510073	603-0000-145.50-00		12/2010	92.72
			F203630085	603-0000-145.50-00		1/2011	302.54
						* Total	226.22
01/12/2011	104386	MACQUEEN EQUIPMENT INC	2110857	603-5300-444.40-41		1/2011	281.01
						* Total	281.01
01/12/2011	104398	MTI DISTRIBUTING CO	768455	603-5300-444.40-41		1/2011	250.82
						* Total	250.82
01/12/2011	104402	NS/I MECHANICAL CONTRAC	W21407	603-5300-444.40-40		1/2011	1,778.00
			W21408	603-5300-444.40-40		1/2011	590.00
						* Total	2,368.00
01/12/2011	104412	R & R CARPET SERVICE	DECEMBER	603-5300-444.40-65		1/2011	78.00
						* Total	78.00
01/12/2011	104423	SHARROW LIFTING PRODUCT	36409	603-5300-444.60-40		1/2011	966.13
						* Total	966.13

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/12/2011	104424	SHINGLEDECKER ENTERPRIS	72439	603-5300-444.40-41		1/2011	2,922.33
						* Total	2,922.33
01/12/2011	104425	SHINGLEDECKER ENTERPRIS	1073	603-5300-444.40-41		1/2011	470.40
						* Total	470.40
01/12/2011	104426	SIGNAL PRO EQUIPMENT	73350	603-5300-444.40-41		1/2011	137.36
						* Total	137.36
01/12/2011	104431	ST. JOSEPH EQUIPMENT, I	SI83470	603-5300-444.40-41		1/2011	25.75
						* Total	25.75
01/12/2011	104437	TOWMASTER TRAILERS INC	325981	603-5300-444.40-41		1/2011	216.43
						* Total	216.43
01/12/2011	104438	TRENCHERS PLUS, INC.	WT33984	603-5300-444.40-41		1/2011	1,569.76
						* Total	1,569.76
				19 Checks	** Fund Total		19,198.25
01/12/2011	104403	OFFICE DEPOT	acct 6011568510088883	604-2200-416.60-05		1/2011	216.41
			acct 6011568510088883	604-2200-416.60-10		1/2011	67.96
						* Total	284.37
01/12/2011	104404	OFFICE EQUIPMENT FINANC	167825728	604-2200-416.40-50		1/2011	454.69
						* Total	454.69
01/12/2011	104410	PRECISION DATA SYSTEMS	8423	604-2200-416.60-10		1/2011	1,063.61
						* Total	1,063.61
01/12/2011	104433	STEENBERG, LUKE	office supplies	604-2200-416.60-10		1/2011	5.78
						* Total	5.78
01/19/2011	104500	OFFICE EQUIPMENT FINANC	167904127	604-2200-416.40-50		1/2011	674.97
						* Total	674.97
				5 Checks	** Fund Total		2,483.42
01/12/2011	104371	HILLYARD INC	6575057	605-3100-419.60-11		1/2011	42.96
			6588609	605-3100-419.60-11		1/2011	198.98
						* Total	241.94
01/12/2011	104374	HUEBSCH SERVICES	2639672	605-3100-419.40-65		1/2011	49.15
						* Total	49.15
01/12/2011	104402	NS/I MECHANICAL CONTRAC	W21573	605-3100-419.40-40		1/2011	140.84
						* Total	140.84
01/12/2011	104441	USA MOBILITY WIRELESS I	acct 03174935	605-3100-419.40-65		1/2011	4.91
						* Total	4.91
01/12/2011	104453	XCEL ENERGY	acct 5142529960	605-3100-419.40-20		1/2011	690.57
						* Total	690.57

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/12/2011	104459	ZEE MEDICAL SERVICE	54189690	605-3100-419.60-65		1/2011	118.03
						* Total	118.03
01/19/2011	104485	HUEBSCH SERVICES	2646298	605-3100-419.40-65		1/2011	49.15
						* Total	49.15
				7 Checks	** Fund Total		1,294.59
01/12/2011	104328	ADVANCED TECHNOLOGY SYS	60418 60473	606-1400-413.80-61 606-1400-413.60-10		1/2011 1/2011	884.93 899.00
						* Total	1,783.93
01/12/2011	104345	CIVICPLUS	86537	606-1400-413.30-70		1/2011	1,750.50
						* Total	1,750.50
01/12/2011	104385	LOGISOLVE LLC	37618	606-1400-413.30-70		1/2011	1,806.25
						* Total	1,806.25
01/19/2011	104491	LEIGHTON, KEVIN	300008 31001	606-1400-413.30-70 606-1400-413.30-70		1/2011 1/2011	750.00 125.00
						* Total	875.00
01/19/2011	104503	OPTUMHEALTH FINANCIAL S	DECEMBER	606-1400-413.30-55		1/2011	6.65
						* Total	6.65
01/19/2011	104519	US INTERNET	917236	606-1400-413.30-70		1/2011	400.00
						* Total	400.00
01/18/2011	800065	WAL-MART - IGH	ELAN CARD	606-1400-413.60-65		1/2011	32.09
						* Total	32.09
				7 Checks	** Fund Total		6,654.42
01/12/2011	104337	BARR ENGINEERING COMPAN	23190328145	702-0000-229.28-00		1/2011	2,506.10
						* Total	2,506.10
01/12/2011	104359	FEDEX KINKO'S	acct 01663235190	702-0000-228.22-00		1/2011	303.70
						* Total	303.70
01/12/2011	104403	OFFICE DEPOT	acct 6011568510088883	702-0000-230.72-00		1/2011	17.96
						* Total	17.96
01/12/2011	104417	SAM'S CLUB	VMCC	702-0000-230.72-00		1/2011	479.57
						* Total	479.57
01/12/2011	104419	SAM'S CLUB	acct 7715090065702540	702-0000-230.72-00		1/2011	1,235.31
						* Total	1,235.31
01/19/2011	104460	ARAMARK REFRESHMENT SER	66149	702-0000-228.65-00		1/2011	148.58
						* Total	148.58
01/18/2011	800066	PARTY CITY	ELAN CARD	702-0000-230.72-00		1/2011	228.29
						* Total	228.29

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT

				7 Checks	** Fund Total		4,919.51
				260 Checks	*** Bank Total		509,440.57
				260 Checks	*** Grand Total		509,440.57

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Approve Purchase of Replacement Equipment

Meeting Date: January 24, 2011
 Item Type: Consent
 Contact: Scott D. Thureen, 651.450.2571
 Prepared by: Scott D. Thureen, Public Works Director
 Reviewed by: N/A *SDT*

- Fiscal/FTE Impact:**
- None
 - Amount included in current budget
 - Budget amendment requested
 - FTE included in current complement
 - New FTE requested – N/A
 - Other

PURPOSE/ACTION REQUESTED

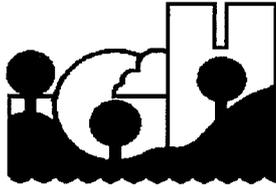
Consider approval of purchases of replacement equipment included in the 2011 budget as approved by the City Council on December 13, 2010.

SUMMARY

The attached memo from the Street Maintenance Superintendent presents the cost information for ten (10) pieces of equipment approved for replacement in 2011. All of the listed equipment is being purchased via the State of Minnesota Cooperative Purchasing Contract. The prices shown include the trade-in value, all necessary add-on equipment, and sales tax.

I recommend approval of these capital purchases that will be funded from the Central Equipment Fund.

SDT/kf
Attachment: Memo



City of Inver Grove Heights
Streets/Central Equipment

MEMORANDUM

TO : Scott Thureen
FROM : Barry Underdahl
SUBJECT : 2011 Equipment Replacement
DATE: January 18, 2011

The following is a partial list of vehicles and equipment scheduled for replacement in 2011. The total cost including trade value, all necessary equipment and sales tax is included in the acquisition cost. The list includes equipment from the Street Maintenance, Utilities and Parks Maintenance Divisions.

Street Maintenance Division:

<u>Equipment</u>	<u>Replacement</u>	<u>Budget</u>	<u>Acquisition Cost</u>
Street Sweeper #331 (1987)	Whirlwind	\$248,000	\$212,777.44
Dump Truck #302 (2000)	Mack/Towmaster	\$162,000	\$159,651.16
Skid Loader #332 (2003)	Bobcat	\$48,300	\$45,770.21
F550 pickup #330 (2000)	F550 4x4	\$61,900	\$61,016.42
Loader w/plow #333 (1990)	Caterpillar Loader	\$257,100	\$195,784.63

Utilities Division:

<u>Equipment</u>	<u>Replacement</u>	<u>Budget</u>	<u>Acquisition Cost</u>
Vactor/Jetter #403	Vactor/Jetter	\$299,934	\$296,915.85

Parks Maintenance Division:

<u>Equipment</u>	<u>Replacement</u>	<u>Budget</u>	<u>Acquisition Cost</u>
F250 pickup #502 (2001)	F250 pickup	\$40,900	\$25,829.00
F150 pickup #503 (2001)	1500 GMC pickup	\$31,600	\$18,675.61
Toro 72" mower #533 (2004)	Toro 72" mower	\$16,500	\$10,579.56
Toro 60" mower #539 (2004)	Toro 60" mower	\$10,900	\$10,152.06

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution Accepting Individual Project Order (IPO) No. 17A from Kimley-Horn and Associates, Inc. for Design Services and Preparation of Preliminary Plans for City Project No. 2011-09D – South Grove Street Reconstruction – Area 6

Meeting Date: January 24, 2011
Item Type: Consent
Contact: Thomas J. Kaldunski, 651.450.2572
Prepared by: Thomas J. Kaldunski, City Engineer
Reviewed by: Scott D. Thureen, Public Works Director

SJT

Fiscal/FTE Impact:

<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Pavement Management Fund, Special Assessments, State Aid Funds, Sewer Fund, Water Fund

PURPOSE/ACTION REQUESTED

Consider resolution accepting I.P.O. No. 17A from Kimley-Horn and Associates, Inc. for design services and preparation of preliminary plans for City Project No. 2011-09D – South Grove Street Reconstruction – Area 6.

As part of the Pavement Management Program, Area 6 of the South Grove neighborhood has been identified for reconstruction in 2011. A feasibility report was authorized at the January 10, 2011, Council meeting. This time frame was used in order to select a consultant in conjunction with the Engineering Consultant Pool which was brought before Council. The project schedule called for the feasibility report to be presented to the Council on January 24, 2011. However, during preparation of the feasibility report, engineering staff identified areas requiring further review prior to presenting to Council. The feasibility report will be completed and brought to the Council on February 14, 2011.

This IPO will provide the services needed to keep the project on schedule. Included in this IPO are: design services, preparation of preliminary plans, additional topographic survey, rain garden coordination, and concept design for the undeveloped agricultural land. A Final Design and Construction Services IPO will be presented with the feasibility report at the February 14 meeting.

I recommend that the Council adopt the resolution accepting IPO No. 17A from Kimley-Horn and Associates, Inc., for design services and preparation of preliminary plans for City Project No. 2011-09D – South Grove Street Reconstruction – Area 6.

TJK/kf

Attachments: Resolution
IPO No. 17A

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY**

**RESOLUTION ACCEPTING INDIVIDUAL PROJECT ORDER (IPO) NO. 17A FROM KIMLEY-HORN
AND ASSOCIATES, INC. FOR DESIGN SERVICES AND PREPARATION OF PRELIMINARY
PLANS CITY PROJECT NO. 2011-09D – SOUTH GROVE STREET RECONSTRUCTION – AREA 6**

RESOLUTION NO. _____

WHEREAS, as part of the City's Pavement Management Program, South Grove – Area 6 has been identified for reconstruction starting in 2011; and

WHEREAS, at the January 10, 2011, regular meeting, City Council authorized staff to enter into a contract with Kimley-Horn and Associates, Inc. for preparation of a Feasibility Report update for the Pavement Management Program – Urban Street Reconstruction Project, City Project No. 2011-09D (South Grove – Area 6).

WHEREAS, in order to complete the design and construction plans in a timely manner for the Pavement Management Program – Urban Reconstruction Project – City Project No. 2011-09D (South Grove Area 6), assistance of a consulting engineering firm is required for design services and preparation of preliminary plans, and

WHEREAS, City staff requested, and received, a proposal from Kimley-Horn and Associates, Inc.; and

WHEREAS, based on the experience of the firm, the scope and associated fee for the proposed services, it was decided that Kimley-Horn and Associates, Inc. be selected as the consulting firm for City Project No. 2011-09D (South Grove Area 6).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:

1. The proposal of Kimley-Horn and Associates, Inc. is accepted and staff is authorized to enter into a contract with Kimley-Horn and Associates, Inc. in the amount of \$59,400 for design services and preparation of preliminary plans for the Pavement Management Program – Urban Street Reconstruction Project, City Project No. 2011-09D (South Grove – Area 6).
2. The preparation of design services and preliminary plans is authorized.
3. Project funding is provided through the Pavement Management Fund, Special Assessments, State Aid Funds, the Sewer Fund and the Water Fund.

Adopted by the City Council of Inver Grove Heights, Minnesota this 24th day of January 2011.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy Clerk

INDIVIDUAL PROJECT ORDER NUMBER 17A

Describing a specific agreement between Kinley-Horn and Associates, Inc. (the Consultant), and City of Inver Grove Heights (the Client) in accordance with the terms of the Master Agreement for Continuing Professional Services dated October 31, 2005, which is incorporated herein by reference.

Identification of Project: South Grove Urban Street Reconstruction Area 6
City Project 2011-09D

General Category of Services: Design Phase Services for Area 6

Specific Scope of Basic Services: Design phase services including preparation of preliminary plans for Area 6. See attached Exhibit A for a more detailed summary of the scope of services.

Additional Services if Required: None identified at this time.

Schedule: We will provide the services described in this IPO on a mutually agreed upon schedule with City staff.

Deliverables: Preliminary Plans for Area 6
Undeveloped Parcel Concept Plan

Method of Compensation To be billed on an hourly (cost plus) basis as detailed in attached Exhibit B.

Special Terms of Compensation: None

Other Special Terms of Individual Project Order: None

ACCEPTED:

CITY OF INVER GROVE HEIGHTS

KIMLEY-HORN AND ASSOCIATES, INC.

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

EXHIBIT A
SCOPE OF SERVICES

INDIVIDUAL PROJECT ORDER (IPO) NO. 17A

SOUTH GROVE STREET RECONSTRUCTION AREA 6

Previous IPO No. 17 included feasibility study phase services for the South Grove Street Reconstruction Area 6, City Project 2011-09D. This IPO includes design phase services and preparation of preliminary plans. These services are detailed below.

1. Design Services

This Scope of Work assumes the following breakdown of street reconstruction and mill and overlay improvements:

Street Reconstruction

- Dawn Avenue E. – 66th Street E. to 70th Street E.
- 69th Street E. – Craig Court E. to Delarosa Court E.
- Craig Court E. – North of 69th Street E.
- Craig Avenue E. – 69th Street E. to 70th Street E.
- Crosby Avenue E. – 69th Street E. to 70th Street E.
- Delaney Avenue E. – 69th Street E. to 70th Street E.
- Upper 69th Street E. – Dawn Avenue E. to Delaney Avenue E.
- Dehrer Way E. – Degrio Way E. (south leg) to 75th Street E.

Mill and Overlay

- 69th Street E./Delilah Avenue E. – Delarosa Court E. to Concord Boulevard
- Degrio Way E. (loop) – West of Dehrer Way E.

To Be Determined

- Dehrer Way E. – Degrio Way E. (north leg) to Degrio Way E. (south leg)

A) Preparation of Preliminary Plans and Cross Sections

We will provide the City with 60% plans that include plan, profile, and cross section information for the roadway and storm water improvements. Preliminary plans will also include plan information for watermain and sanitary sewer improvements. We will provide the City with one full-size set and electronic files of the plans.

B) Rain Garden Coordination

We will identify rain garden candidate parcels and assist City staff and the Dakota Soil and Water Conservation District in the inventory of interested residents. Rain garden improvements will be incorporated into the contract documents. Based upon previous construction projects in the South Grove neighborhood, we have assumed up to 15 rain gardens will be constructed.

C) Topographic Survey

Additional topographic survey areas have been identified by City staff as a result of improvements added to scope of the Area 6 project. The additional survey will be obtained by Gorman Surveying, Inc.

D) Undeveloped Parcel Concept Plan

We will conduct an analysis of the public utility (sanitary sewer and water) and stormwater needs of the undeveloped parcel east of Dawn Avenue E. and north of 69th Street E. for the purpose of identifying infrastructure to be installed with the project to accommodate future development. Our analysis will include identification of existing and potential future drainage patterns and approximate runoff calculations. Based on our analysis and coordination with City staff we will prepare a concept plan identifying utility and stormwater improvements including stub sizing and locations. Any utility stub improvements deemed necessary will be incorporated into the final plans and specifications.

2. Project Management/Meetings

A) Meetings

We have assumed the following meetings will be necessary for the preliminary design phase of the project.

- Design review meetings (up to 2)
- Rain garden meetings (up to 2)

B) Private Utility Coordination

We will contact private utilities and obtain utility information for the project areas. We will also conduct one (1) meeting with private utility companies.

EXHIBIT B
ESTIMATED COSTS

INDIVIDUAL PROJECT ORDER (IPO) NO. 17A

SOUTH GROVE STREET RECONSTRUCTION AREA 6

Kimley-Horn proposes to perform all services included within this IPO on an hourly (cost plus) basis using our current standard hourly rate schedule. The following is a summary of our estimated costs for the services included as a part of this IPO:

<u>Work Task</u>	<u>Estimated Fee</u>
1 Design Services	\$ 50,400
2 Project Management/Meetings	\$ 5,800
Subtotal	\$ 56,200
Reimbursable Expenses	\$ 3,200
Total	\$ 59,400

Reimbursable expenses (copy/printing charges, plotting, mileage, delivery charges, faxes, etc.) will be charged as an office expense at 6.0% of the labor fee.

Our total estimated not-to-exceed cost for the scope of services included as a part of this IPO is, therefore, \$59,400 including all labor and reimbursable expenses. Please see the attached spreadsheet for a more detailed breakdown of costs.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolutions Calling for Hearing on Proposed Assessments and Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessments for 2010 Pavement Management Program, City Project No. 2010-09C – Blaine Avenue Mill and Overlay

Meeting Date: January 24, 2011
Item Type: Consent
Contact: Thomas J. Kaldunski, 651.450.2572
Prepared by: Thomas J. Kaldunski, City Engineer
Reviewed by: Scott D. Thureen, Public Works Director

SJT

Fiscal/FTE Impact:

<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Pavement Management Fund, Special Assessments, Sewer Fund

PURPOSE/ACTION REQUESTED

Consider a resolution calling for hearing on proposed assessments and a resolution declaring the costs to be assessed and ordering preparation of the proposed assessments for 2010 Pavement Management Program, City Project No. 2010-09C – Blaine Avenue Mill and Overlay.

SUMMARY

This project has been completed and an assessment hearing is proposed for March 14, 2011. The project included a mill and overlay on a portion of Blaine Avenue between Blackshire Path and 62nd Street East.

I recommend adopting the attached resolutions calling for a hearing on the proposed assessment, declaring the costs to be assessed and ordering preparation of the proposed assessments for City Project No. 2010-09C – Blaine Avenue Mill and Overlay. The total amount shown to be assessed in the resolution is based on assessing 80% of the non-City portions of the project costs. The assessment amount was adjusted to reflect non-assessable parcel adjustments due to state-owned land / right-of-way west of Blaine Avenue. These adjustments will result in 23.3% of the total project costs being assessed to the benefitted parcels.

TJK/kf

Attachments: Resolutions
Project Map

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF
PROPOSED ASSESSMENTS**

**2010 PAVEMENT MANAGEMENT PROGRAM
CITY PROJECT NO. 2010-09C – BLAINE AVENUE MILL AND OVERLAY**

RESOLUTION NO. _____

WHEREAS, by a resolution of the City Council on Monday, January 24, 2011, the City Clerk was directed to prepare proposed assessments of the costs of the improvements as follows:

**2010-09C Pavement Management Program
 City Project No. 2010-09C – Blaine Avenue Mill and Overlay**

WHEREAS, the total final project cost is \$155,380.43.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:

1. The amount to be specially assessed for City Project No. 2010-09C is hereby declared to be \$36,177.41.

2. The City Clerk, with the assistance of the Public Works Director, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall be filed in the City Clerk's office for public inspection.

Adopted by the City Council of Inver Grove Heights, Minnesota this 24th day of January 2011.

AYES:
NAYS:

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy Clerk

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION CALLING FOR HEARING ON PROPOSED ASSESSMENTS

**2010 PAVEMENT MANAGEMENT PROGRAM
CITY PROJECT NO. 2010-09C – BLAINE AVENUE MILL AND OVERLAY**

RESOLUTION NO. _____

WHEREAS, by a resolution of the City Council on Monday, January 24, 2011, the City Clerk was directed to prepare proposed assessments of the costs of the improvements as follows:

**2010 Pavement Management Program
City Project No. 2010-09C – Blaine Avenue Mill and Overlay**

WHEREAS, the City Clerk has notified the City Council that such assessments have been completed and filed in the City Clerk's Office for public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:

1. A hearing shall be held on the 14th day of March 2011, in the City Council Chambers, 8150 Barbara Avenue at 7:30 p.m., to pass upon the proposed assessments; and, at such time and place, all persons owning property affected by such improvements shall be given an opportunity to be heard with reference to such assessments.
2. The City Clerk is hereby directed to cause a notice of hearing on the proposed assessments to be published once in the official newspaper and to be mailed to the owner of each parcel described in the assessment roll.

Adopted by the City Council of Inver Grove Heights, Minnesota this 24th day of January 2011.

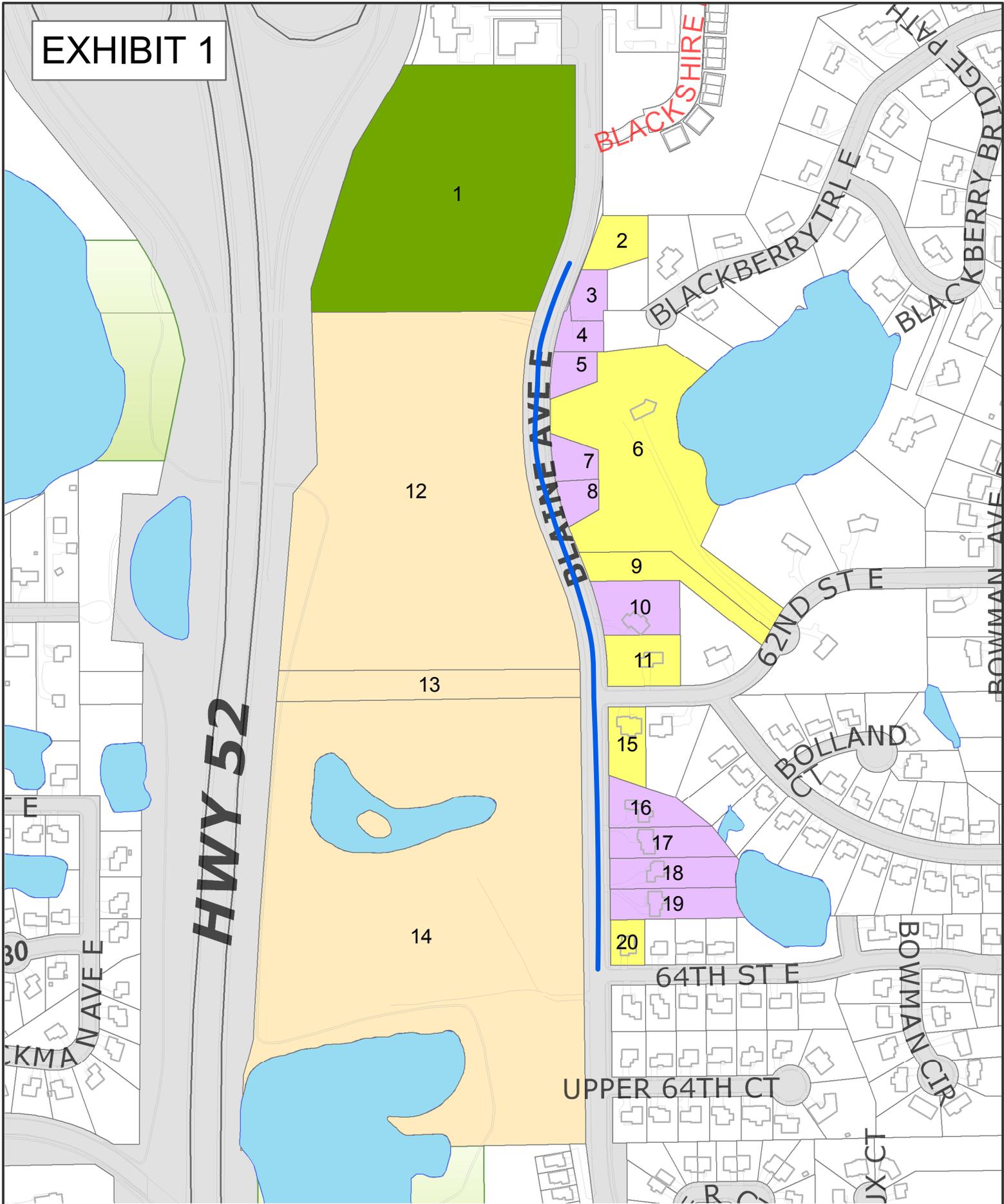
AYES:
NAYS:

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy Clerk

EXHIBIT 1



	SINGLE FAMILY (ASSESSED)
	NOT ASSESSED
	CITY
	MILL & OVERLAY
	SIDEWALK

2,104 ft mill & overlay

**SOUTH AREA
CITY PROJECT NO. 2010-09C
BLAINE AVE. MILL & OVERLAY**

0 250 500 1,000 Feet

Inver Grove Heights
 Public Works Engineering
 PROJECTS_PUBLIC\2010_PROJECT\2010-09C_BlaineAveMillOverlay\PDF EXHIBITS\2010-09C_SOUTH.pdf

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER THE 2011 SEASONAL/TEMPORARY COMPENSATION PLAN

Meeting Date: January 24, 2010
Item Type: Consent
Contact: JTeppen, Asst City Admin
Prepared by:
Reviewed by:

Fiscal/FTE Impact:	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED Consider the 2011 seasonal/temporary employee compensation plan.

SUMMARY City Ordinance provides that the City Council shall approve compensation plans for positions classified by the City each year. This includes seasonal/temporary part-time non-benefited positions.

The City traditionally sets a wage range for seasonal/temporary positions so that there is movement within a range to compensate for varying degrees of experience and education.

The ranges for these positions are based on the prevailing supply of employees within the overall job market and wage trends in the overall job market. There are just a few proposed changes; they are bolded on the attached compensation plan. These proposed changes are due to market rates and the desire to keep our rates competitive with other organizations. The changes are accounted for in budget/s.

Employees are compensated based on related experience, including any certifications that they bring to the position (First Aid, CPR, etc.). An employee may see an increase when they return to the position for a new season, or if they are employed year-round, they may receive an increase based on acquiring additional certifications, or increased levels of responsibility.

The minimum wage is currently \$7.25 per hour.

City of Inver Grove Heights
 Temporary/Seasonal Positions

Proposed 2011 Ranges

Cart person	\$7.25 - \$8.00
Starter	\$7.25 - \$11.00
Ranger	\$7.25 - \$11.00
Recreation Instructor	\$7.25 - \$23.50
Recreation Official	\$7.25- \$18.00
Skating Rink Attendant	\$7.25-\$12.00
Gym Supervisor	\$7.25 - \$15.00
Concessionaire	\$7.25-\$13.50
Skate Guard	\$7.25 - \$9.50
Skate Instructor	\$7.25 - \$22.00
Skate Assistant	\$8.00-\$14.00
Fitness Worker	\$7.25 - \$12.77 \$9.00 - \$13.00
Fitness Instructor	\$17.00 - \$25.20 \$16.50 - \$27.00
Guest Service Worker	\$8.50 - \$12.00 \$12.25
Dance Instructor	\$7.25 - \$22.00
Dance Assistant	\$7.25 - \$15.00
Kids Rock Assistant	\$7.75 - \$10.25
Custodial Helper	\$7.25 - \$12.50
Engineering Helper	\$10.00 - \$14.00
Concession Shift Leader	\$10.00- \$14.50
Building Supervisor	\$9.50 - \$13.50
Kids Rock Leader	\$11.00 - \$15.00
Manager on Duty	\$11.00 - \$15.00 \$15.25
Ice Programs Coordinator on ice	\$30.00 - \$40.00 \$22.00 - \$40.00
off ice (admin)	\$15.00 - \$18.00
Child Care Worker	\$7.25 - \$13.00
Pool Attendant	\$8.00- \$11.00
Lifeguard	\$9.50-\$12.50
WSI	\$11.75- \$15.60 \$15.50
Lead Lifeguard	\$10.50-\$14.00
Swim Lesson Manager	\$13.75-\$18.25
Instructor Trainer	\$13.00-\$17.50
Recording Secretary	\$13.00 - \$17.00
Kids Rock Coordinator	\$15.00 - \$20.00
Non-Certified Swim Instructor	\$9.75-\$13.50
Youth Leader	\$7.25 - \$10.00
Birthday Party Host	\$7.50 - \$9.50 \$10.00

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Approval of Golf Course Golf Car Fleet Replacement

Meeting Date: January 24, 2011
 Item Type: Consent Agenda
 Contact: Al McMurchie – 651.457.3667
 Prepared by: Al McMurchie
 Reviewed by: Eric Carlson – Parks & Recreation

Fiscal/FTE Impact:

<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED

Consider approval of bid for five (5) year lease of golf car fleet with sixth year buy-out option.

SUMMARY

The Inver Wood golf car fleet is scheduled for replacement this year as contemplated by the 2011 budget. The lease payment for 2011 was budgeted as \$40,000. The current fleet has been in use since 2004, seven (7) full seasons.

Bids were accepted on January 18, 2011 for the five year lease and sixth year buy-out of 68 golf cars, two (2) ranger cars, and two (2) beverage cars for the scheduled replacement of the Inver Wood fleet. The bid prices include the trade of 65 golf cars from our existing fleet. The low bidder is Yamaha Golf and Utility of Burnsville, MN. The chart below summarizes the proposals:

Dealer	Brand	Annual Years 1 thru 5	Total Years 1 thru 5	Buy-Out Year 6	Contract Total
Superior Golf Cars Eagan, MN	Club Car	\$ 36,724.72	\$ 183,623.60	\$ 36,724.72	\$ 220,348.32
Versatile Vehicles Savage, MN	EZ-GO	\$ 35,671.10	\$ 178,355.50	\$ 1.00	\$ 178,356.50
Yamaha Golf & Utility Burnsville, MN	Yamaha	\$ 29,511.22	\$ 147,556.10	\$ 29,583.22	\$ 177,139.32

The Golf Course Division recommends approval of the bid submitted by Yamaha Golf and Utility in the amount of \$29,511.22 annually for five (5) years with a buy-out the sixth year in the amount of \$29,583.22.

Total Contract Price for the six (6) year period, 2011 through 2016, equals \$177,139.32.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER REQUEST FOR TEMPORARY 3.2 LIQUOR LICENSE – ST. PATRICK’S CHURCH

Meeting Date: January 24, 2011
Item Type: Consent
Contact: 651.450.2513
Prepared by: Melissa Rheume
Reviewed by: N/A

Fiscal/FTE Impact:

- | | |
|-------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> | None |
| <input type="checkbox"/> | Amount included in current budget |
| <input type="checkbox"/> | Budget amendment requested |
| <input type="checkbox"/> | FTE included in current complement |
| <input type="checkbox"/> | New FTE requested – N/A |
| <input type="checkbox"/> | Other |

PURPOSE/ACTION REQUESTED:

Consider request from St. Patrick’s Church, 3535 72nd Street East, for a Temporary 3.2% Liquor License on September 16, 17 & 18, 2011.

SUMMARY:

St. Patrick’s Church has submitted its’ annual request for a temporary license to sell 3.2 liquor on September 16, 17 & 18, 2011 in conjunction with their Fall Festival events. The Fall Festival will be held on the church property located at 3535 72nd Street East. The Police Department will visit the site and approve the location for the sale of 3.2% liquor prior to the event. In the past, the City has waived the associated fee for the temporary license as this is a non-profit organization.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

SCHEDULE SPECIAL CITY COUNCIL MEETING

Meeting Date: January 24, 2011
Item Type: Consent
Contact: Joe Lynch, 651-450-2511
Prepared by: Melissa Rheaume
Reviewed by: N/A

Fiscal/FTE Impact:

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other

PURPOSE/ACTION REQUESTED:

Schedule the annual joint City Council meeting with the Independent School District #199 School Board.

SUMMARY:

The joint meeting with ISD 199 is scheduled for February 17, 2011 at 6:30 p.m. in Community Room #1 at Veterans Memorial Community Center.

Staff will post notice of the special meeting as required.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Approve Contract with Dakota County for Sentence to Serve

Meeting Date: January 24, 2011
 Item Type: Consent Agenda
 Contact: Mark Borgwardt
 Prepared by: Mark Borgwardt
 Reviewed by: Eric Carlson

Fiscal/FTE Impact:

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other

PURPOSE/ACTION REQUESTED

Approve the 2011 Contract with Dakota County for Sentence to Service Program Work Crews (STS). The contract will not exceed \$25,521.60 and is for minimum of 60 crew days of service. Parks Division to contract for 50 crew days with Streets and Utilities Divisions contracting for 5 days each. Each crew day will consist of 5-10 members working 6.5 hour days.

SUMMARY

The approved 2011 Budget anticipates expenditure in the Parks, Streets and Utilities Divisions budgets for Sentence to Service Work Crews. The expenditure guarantees minimum of 60 crew work days for the City work and the cost is approximately \$8.72 per hour per crew member. STS usually provides extra crew days at no additional charge. In 2010 STS provided a total of 63 work crew days, 50 days which were contracted and paid for. In 2010 the STS program also provided another 8 days of crew time to assist with cleaning the VMCC hockey rink and Inver Grove Heights Days events.

The Contract for STS Work Crews can be terminated with or without cause with thirty days written notice.

Examples of work projects include: spring clean up of trash and debris in parks, along Cahill Ave., trails, sidewalks and in boulevards; painting trash containers, picnic tables, signs, benches bleachers, tunnels and the interior and exterior of buildings; landscaping, rain garden and erosion control projects; removal of invasive plant species; trimming and chipping brush and trees; cutting back along trails; mulching trees and trails; placing engineered wood fiber in playgrounds; preparation and assistance for special projects and community events like Inver Grove Heights Days; equipment and infrastructure assembly.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

PERSONNEL ACTIONS

Meeting Date: January 24, 2011
Item Type: Consent
Contact: Jenelle Teppen, Asst. City Admin
Prepared by: Amy Brinkman, H.R. Coordinator
Reviewed by: n/a

Fiscal/FTE Impact:	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED Staff requests that the Council approve the personnel actions listed below:

Please confirm the seasonal/temporary employment of: Ashley Kirkland, Nora Nankivel, and Michael Martiny.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Amended and Restated Resolution Establishing An Economic Development Authority for the City of Inver Grove Heights

Meeting Date: January 24, 2011
 Item Type: Public Hearing
 Contact: Thomas J. Link, 651-450-2546
 Prepared by: Tom Link, Director of Comm. Dev.
 Reviewed by: NA

	Fiscal/FTE Impact:
	None
X	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
	Other

PURPOSE/ACTION REQUESTED

The City Council is to consider adoption of an Amended and Restated Resolution Establishing an Economic Development Authority for the City of Inver Grove Heights, as attached.

SUMMARY

Following recent discussions, the City Council, on December 13, directed staff to advertise for a public hearing to amend the enabling legislation establishing the Inver Grove Heights Economic Development Authority (EDA). That resolution reaffirms the previous City Council resolution of 1992 that established the EDA, as attached. The amended resolution also retains the City Council as the EDA board.

If the City Council adopts the amended resolution, the EDA’s bylaws, officers, and meeting dates would be considered at the first EDA meeting. That first meeting will probably be scheduled in later February.

Also attached, as requested by the City Council, is a brief summary of possible 2011 EDA activities.

cc: Steve Bubul, Kennedy & Graven

- Enclosures:
- Amended and Restated Resolution Establishing an Economic Development Authority
 - Enabling Resolution Establishing An Economical Development Authority for the City of Inver Grove Heights (1992)
 - Memo of Draft 2011 EDA Activities, dated January 20, 2011.

CITY OF INVER GROVE HEIGHTS

RESOLUTION NO. ____

**AMENDED AND RESTATED RESOLUTION ESTABLISHING AN
ECONOMIC DEVELOPMENT AUTHORITY FOR THE CITY OF INVER
GROVE HEIGHTS**

BE IT RESOLVED By the City Council of the City of Inver Grove Heights, Minnesota ("City") as follows:

Section 1. Background: Findings.

1.01. The City is authorized by Minnesota Statutes, Sections 469.090 to 469.1081 (the "EDA Act") to establish an economic development authority to conduct and administer economic development and redevelopment plans and programs of the City.

1.02. By Resolution No. 5477 approved August 10, 1992 (the "Enabling Resolution"), the City Council established the Inver Grove Heights Economic Authority (the "EDA").

1.03. The City Council has determined to amend the Enabling Resolution in certain respects.

1.04. The Council reaffirms its finding that the encouragement and financial support of economic development and redevelopment in the City is vital to the orderly development and financing of the City and in the best interests of the health, safety, prosperity and general welfare of the citizens of the City.

1.05. The City Council reaffirms its finding that it is in the best interest of the City and its residents to establish the EDA, whose purpose is to carry out certain economic development, redevelopment, and housing activities in accordance with the EDA Act and this amended Enabling Resolution.

1.06. The City Council has, in accordance with the EDA Act, provided published notice and conducted a public hearing on January 24, 2011, concerning this amended Enabling Resolution, at which all persons wishing to be heard expressed their views.

Section 2. Establishment of EDA .

2.01. The City Council reaffirms that there is created an economic development authority for the City, known as the "Inver Grove Heights Economic Development Authority."

2.02. The EDA may exercise all powers now or hereafter provided by law,

including without limitation all powers of an economic development authority under the EDA Act; all powers of a housing and redevelopment authority under Minnesota Statutes, Sections 469.001 to 469.047 (the "HRA Act:") and all powers of a city under Minnesota Statutes, Sections 469.124 to 469.134.

2.03. The board of commissioners of the EDA shall consist of five members, who shall be the Mayor and the four members of the City Council. The terms of the EDA commissioners shall coincide with their respective term of office as Mayor and councilmembers.

2.04. A vacancy is created in the membership of the EDA when a City Council member of the board of commissioners ends City Council membership. A vacancy for this or any other reason must be filled for a new term or the balance of the expired term, as the case may be, in the manner in which Councilmember vacancies are filled.

Section 3. Limitations.

3.01. The following limits apply to the EDA and its operation:

(a) The EDA must follow the budget process for City departments in accordance with City policies, ordinances, and resolutions and the City charter.

(b) Development and redevelopment actions of the EDA must be in conformance with the City comprehensive plan and official controls implementing the comprehensive plan.

(c) The EDA shall not hire permanent or temporary employees without prior approval by the City Council.

(d) Because the EDA board of commissioners consists of members of the City Council, the City Council determines that, notwithstanding anything to the contrary in Section 469.095, subd. 4, of the EDA Act, EDA commissioners shall not receive pay from the EDA for attending regular or special EDA meetings, other than amounts (if any) paid by the City to members in their role as councilmembers.

3.02. As provided in the EDA Act it is the intention of the City Council that nothing in this resolution nor any activities of the EDA are to be construed to impair the obligations of the City under any of its contracts or to affect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the City.

Section 4. Implementation.

4.01. The City Council will from time to time and at the appropriate time

adopt such ordinances and resolutions as are required and permitted by the Act to give full effect to this resolution.

4.02. The Mayor, City Administrator and other appropriate City officials are authorized and directed to take the actions and execute and deliver the documents necessary to give full effect to his resolution.

4.03. Nothing in this resolution is intended to prevent the City from modifying this enabling resolution in any way, including modifications to impose new or different limitations on the EDA as authorized by the EDA ACT.

Section 5. Effective Date. This resolution is effective upon approval, and supersedes in all respects the original Enabling Resolution approved on August 10, 1992.

Approved by the City Council of the City of Inver Grove Heights this 24th day of January 2011.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 5477

ENABLING RESOLUTION ESTABLISHING AN ECONOMIC
DEVELOPMENT AUTHORITY FOR THE
CITY OF INVER GROVE HEIGHTS

BE IT RESOLVED, by the City Council of the City of Inver Grove Heights, Minnesota, as follows:

Section 1. Recitals and Findings.

1.01. Minnesota Statutes, Sections 469.090 to 469.108 (the "EDA Act"), authorize the City to establish an economic development authority for the purpose of conducting various economic development, housing, and redevelopment programs and activities in and for the City, following the holding of a public hearing on the question of establishing the authority and adopting a proposed enabling resolution for this purpose.

1.02. This City Council has conducted a public hearing on the proposed establishment of an economic development authority and the adoption of this enabling resolution for this purpose, on published notice as required by the EDA Act, and now has authority to establish the Authority and adopt this resolution.

1.03. The City Council hereby finds and determines that it is necessary and in the best interests of the City and its residents to establish an economic development authority in and for the City, the purpose of which shall be to advise the City Council regarding economic development, housing, and redevelopment matters, and to exercise certain powers relating thereto as authorized by, and subject to the limitations provided by, this resolution.

Section 2. Creation of an Economic Development Authority
In and For the City of Inver Grove Heights.

2.01. There is hereby created an Economic Development Authority in and for the City of Inver Grove Heights (the "Authority"), to be known as the Inver Grove Heights Economic Development Authority, which may exercise all powers now or hereafter provided by law, including, without limitation, the powers contained in the EDA Act and the powers of a housing and

redevelopment authority pursuant to Minnesota Statutes, Sections 469.001 to 469.047 or other law, and of a city pursuant to Minnesota Statutes, Sections 469.124 to 469.134 or other law, subject to the following limitations and conditions:

- (a) the Authority may not undertake any new project or program without the prior approval of the City Council;
- (b) except when previously pledged by the Authority in accordance with law, the City Council may, by resolution, require the Authority to transfer to the debt service fund of the City any portion of the reserves generated by activities of the authority that the City Council determines is not necessary for the successful operation of the Authority, to be used solely to reduce tax levied for bonded indebtedness of the City;
- (c) the issuance and sale of all bonds or obligations proposed to be issued and sold by the Authority must be approved by the City Council;
- (d) the Authority must follow the budget process for the City departments as provided by the City and as implemented by the City Council and the Mayor;
- (e) all official actions of the Authority must be consistent with the adopted comprehensive plan of the City, and all ordinances, resolutions and regulations of the City implementing the comprehensive plan;
- (f) the Authority must submit all planned activities for influencing the action of any other governmental agency, subdivision or body to the City Council for approval;
- (g) the Authority must submit its administrative structure and management practices to the City Council for approval; and
- (h) the Mayor of the City shall be the President of the Authority.

2.02.

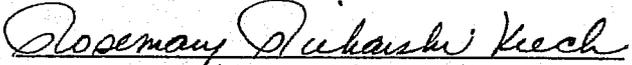
- (a) The Authority shall consist of five (5) Commissioners who shall be the Mayor and the four (4) Councilmembers of the City. The terms of the Commissioners shall coincide with their respective term of office as Mayor and Councilmembers.
- (b) A vacancy is created in the membership of the Authority when a member of the City Council who is a member of the Authority ends City Council membership. Vacancies

shall be filled for the balance of the unexpired term in the manner in which Councilmembers vacancies are filled.

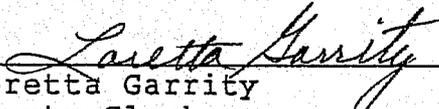
Passed this 10th day of August, 1992.

Ayes: 4

Nays: 0


Rosemary Piekarski-Krech
Rosemary Piekarski-Krech
Mayor

Attest:


Loretta Garrity
Loretta Garrity
Deputy Clerk

ID#6832K

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Draft 2011 EDA Activities

Meeting Date: January 24, 2011
 Item Type: Regular Meeting
 Contact: Thomas J. Link: 651-450-2546
 Prepared by: Tom Link, Director of Comm. Dev.
 Reviewed by: NA

Fiscal/FTE Impact:	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED

The City Council discussed possible 2011 Economic Development Authority (EDA) activities at its special meeting of November 29, 2010. At the conclusion of that meeting, the Council directed staff to prepare a summary of the discussion.

SUMMARY

The City Council discussed the EDA undertaking the following activities in 2011:

Acquisition Policy - The policy would define a public purpose, prioritize acquisitions, determine a process, and identify funding. The policy could be used in a wide variety of situations, including the Highway 52/Gun Club Site and Concord Neighborhood Redevelopment.

Finance Assistance Program - The program would assist small, existing businesses, especially, in older neighborhoods such as the Concord area. The work would identify funding, determine what improvements would be funded and to what extent, and set up a process and criteria for reviewing applications. Eligible improvements may include basic code improvements, such as mechanical or accessibility issues, and exterior building improvements.

Marketing - This would include a review of current Progress Plus marketing activities. This item also appears on Progress Plus' 2011 work plan.

Funding - This activity would explore various mechanisms for funding EDA activities. The work would include a review of other cities funding alternatives.

GERTEN GREENHOUSES

REQUEST FOR COUNCIL ACTION

CITY OF INVER GROVE HEIGHTS

Meeting Date: January 24, 2011
 Item Type: Regular Agenda
 Contact: Allan Hunting 651.450.2554
 Prepared by: Allan Hunting, City Planner
 Reviewed by:

Fiscal/FTE Impact:	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED

Consider the following actions for property located on the east side of Blaine Avenue at 5500 Blaine Avenue:

- a. 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 a greenhouse expansion.
 - Requires 3/5th's vote.
- b. A **Resolution** approving a PUD Amendment to the Gerten Greenhouse PUD to allow for greenhouse expansion.
 - Requires 3/5th's vote.
 - 60-day Deadline: January 31, 2011 (extended by applicant)

Gertens is proposing to add approximately 300,000 square feet of greenhouse on the property on the east side of Blaine. The addition would consist of approximately 250,000 square feet of new greenhouse structure located to the southerly portion of the lot and the remainder would be filling in the gaps between the existing greenhouses. The greenhouse addition would be done in phases over a period of time.

ANALYSIS

The property is located in the Southeast Quadrant (Bishop Heights) PUD and so is governed by its PUD ordinance and final PUD resolution. The ordinance would be amended to add the property under the greenhouse expansion to the PUD and add a new site plan.

Only the land under the new greenhouse addition would be rezoned to the Southeast Quadrant PUD. The balance of the growing field area would remain outside the Southeast Quadrant PUD boundaries. A revised legal description of the area to be rezoned must be submitted by the applicant before the ordinance is published.

The expansion of the business with greenhouses fronting along Blaine Avenue is consistent with the historical location of Gertens which has always fronted along Blaine. The Gerten property is guided Regional Commercial in the 2030 Comprehensive Plan. The intent for this area is to provide for a broad range of goods and services, provide employment and a broad tax base. The balance of the property fronting along Upper 55th Street that currently is used for growing fields is covered by two zoning districts; A, Agricultural and Comm PUD. In keeping with the goals of the Regional Commercial land use designation, Staff recommends Council look into initiating a change of zoning for the corner property along Upper 55th Street and Blaine Ave to Comm PUD. The applicant has recognized this issue in their letter (attached) and is willing to explore this request with the City.

The proposed greenhouses meet the performance standards of the Southeast Quadrant PUD. A wetland is proposed to be filled along the eastern boundary. An application for wetland fill has just been submitted by the applicant and will require Council approval before any construction can begin on site. The concept of wetland fill has been reviewed by wetland representatives from other government agencies and no issues appear to be present.

The applicant is proposing to construct a storm water pond to address storm water on site and to address overall storm water issues in the area. Staff is continuing to work with MnDOT and the applicant on the storm water design. There are still a couple of outstanding issues yet to be resolved and as such, Engineering is recommending a couple of more detailed conditions (15, 16, 17) be included with the PUD resolution.

Previous land use and transportation plans for the Southeast Quadrant showed a potential ring road that would connect Brent Avenue northward and loop back to Blaine Avenue. It is difficult to determine where this road may end up in the future because of topography, wetland and right-of-way constraints. As such, Staff points out that at such time the Gerten property redevelops, an alignment for this ring road must be considered.

RECOMMENDATION

Planning Division: Recommends approval of the ordinance amendment and PUD Amendment Resolution subject to the conditions listed.

Planning Commission: Also recommends approval of the request with the conditions listed and with the added condition that the fencing be installed on the Gerten side (inside) of the landscaping (5-0).

Attachment: Ordinance Amendment
PUD Resolution
Planning Commission Recommendation
Planning Report

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. _____

**A RESOLUTION APPROVING AN AMENDMENT TO THE FINAL DEVELOPMENT
PLANS FOR THE GERTEN GREENHOUSES, INC. PROPERTY LOCATED EAST OF
BLAINE AVENUE**

CASE NO. 10-32PUD

Property located at 5500 Blaine Avenue

WHEREAS, a Final PUD Development Plan Amendment application has been submitted to the City for property known as Tract F, but also includes all property legally described in Resolution No. 98-210 as;

SEE EXHIBIT A

WHEREAS, the subject property is located within the neighborhood known as the Southeast Quadrant, which is generally bounded on the south by Upper 55th Street, on the west by Hwy 52, on the north by Interstate 494, and on the east by South St. Paul;

WHEREAS, approval of all developments in this neighborhood since 1995 have been in conjunction with Planned Unit Developments and Final Development Plans;

WHEREAS, the City Council approved a Final Development Plan for property described in Resolution No. 98-210 on December 14, 1998;

WHEREAS, a public hearing concerning the Amendment to the Final Development Plan was held before the Inver Grove Heights Planning Commission on November 3, 2010;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that, the Amendment to the Final PUD development plan for Gerten Greenhouses,

Inc. property located east of Blaine Avenue is hereby approved subject to the following conditions:

1. The site shall be developed in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions herein:

Site Plan	dated 9/7/10
Grading Plan	dated 9/7/10
Landscape Plan	dated 10/21/10
Greenhouse Elevations	dated 9/7/10

All of the proposed greenhouse expansions may be constructed up to the maximum height limit of 30 feet.

2. The Planned Unit Development for which these Final Development Plans are being approved is subject to Ordinance No. ___ together with any other applicable codes.
3. The City's Code Enforcement Officer shall be granted right of access to the property at all reasonable times to ensure compliance with the terms and conditions of approval.
4. Site lighting shall be installed and maintained in such a manner as to prevent any direct source of light from being visible from the public right-of-way or adjacent property.
5. All signage must be consistent with standards found in the City Code.
6. Accessory buildings identified as P and Q on the attached exhibits are not to be used for retail purposes nor are they to be accessible to the public.
7. Unless specifically stated herein, development plan approval does not imply approval of any variances, nor does it grant exceptions from any Building Code or Fire Code requirements that may apply to the construction of use of improvements on the site.
8. Outdoor sales of only plan and landscaping materials shall be permitted on the site. Outdoor display of agricultural implements and machinery for sale on or from the site is prohibited. Screening requirements for the property shall be waived.
9. Open storage, other than specifically permitted herein shall be prohibited on the site.

10. A minimum 20 foot wide, unobstructed, all-weather surfaced access roadway must be provided, in accordance with the Fire Code, to within 150 feet of the exteriors of all buildings on the site. Approval by the Fire Marshal of all fire access roads and on-site water supply shall be required prior to issuance of any building permits.
11. The maximum peak p.m. hour traffic generation permitted for the site shall be 208 trips.
12. When the land upon which the 10'x10' business sign is located ceases to be leased as a contiguous parcel with the remainder of the Gerten Greenhouse parcels, the sign shall be removed within 90 days.
13. Any approval of this application must be contingent upon approval of a wetland replacement plan.
14. Prior to City Council approval, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.
15. All the City Engineer's comments in the October 7, 2010 letter and its supplement and also the January 21, 2011 letter shall be resolved before the construction plans are approved and construction can start.
16. The proposed plan requires Mn/DOT approval because it may send additional runoff to the Mn/DOT pond along I-494 (also known as the trailer court pond or T23). If Mn/DOT approves the drainage permit application submitted by Gerten's and if Gerten's increases the size of the infiltration basin and BMPs in the southeast corner of their site to provide sufficient capacity to reduce the volume of water being sent south of Upper 55th Street to predevelopment conditions, the drainage plan could be approved as modeled by the City's consultant, Barr Engineering.
17. If Mn/DOT does not allow additional flow into their pond (trailer court pond), Gerten's will be required to work with the City, Mn/DOT, and the City's consultant to provide alternative drainage solutions. A number of drainage solutions have been discussed with Gertens, some of which involve the use of the South St. Paul storm sewer system. If this system is used, a joint powers agreement with South St. Paul will be required. This document would need Council approval.
18. An improvement agreement shall be required and shall be approved by the City Council prior to any work commencing on the site.
19. Easements for drainage and utility shall be provided as required by the City Engineer.

20. Additional right-of-way or public easement shall be granted to the City for Blackberry Trail. Amount of easement to be determined and approved by the City Engineer.
21. Resolution #98-210 shall become null and void and replaced with the conditions contained in this resolution.
22. The proposed fencing shall be planted along the Gerten property in such a way that the vegetation would help screen the fence from the neighboring properties.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL, that the Mayor and Deputy Clerk are hereby authorized to execute the Final Plat and Development Contract.

Passed this ____ day of _____, 2010.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Rheame, Deputy Clerk

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 10 OF THE CITY CODE
RELATED TO THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT
IN THE SOUTHEAST QUADRANT OF HIGHWAYS 52 AND 494**

The City Council of Inver Grove Heights ordains as follows:

SECTION I. Rezoning Land to Planned Unit Development (PUD). Ordinance No. 1190 adopted July 27, 2009, entitled, "AN ORDINANCE ADOPTING THE RECODIFICATION OF THE INVER GROVE HEIGHTS CITY CODE INCLUDING THE CITY ZONING ORDINANCE, is hereby amended to rezone from Comm PUD to Planned Unit Development Zoning District No. 2010-01 the following described property:

See Exhibit A

SECTION II. The Zoning Map of the City of Inver Grove Heights referred to and described in said Ordinance No. 1190 as that certain map entitled "Inver Grove Heights Zoning Map, June 24, 2002", together with all amendments thereto, hereinafter referred to as the "zoning map", shall not be republished to show the aforesaid rezoning, but the Clerk shall appropriately mark the said zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance and all of the notations, references and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

SECTION III. Purpose and Intent. The above referenced property is hereby rezoned to Commercial Planned Unit Development Zoning District No. 2010-01, for the purposes of:

- A. Providing the means for greater creativity and flexibility in environmental design than is provided for under the strict application of the existing zoning code while at the same time preserving the health, safety, order, convenience, prosperity and general welfare of the City and its inhabitants.
- B. Recognizing the economic and cultural advantages that will accrue to the residents of a planned community.
- C. Encouraging the preservation and enhancement of desirable site characteristics and open space.
- D. Encouraging a development pattern in harmony with land use density, transportation facilities and community objectives of the comprehensive plan.
- E. Limiting development of tax exempt uses.
- F. Providing incentives and encouraging development that will create a desirable tax base.
- G. Prohibiting uses and developments that could be detrimental to the overall development of the area.

SECTION IV. Findings. In rezoning the above referenced property to Commercial Planned Unit Development No. 2010-01, the City Council has found the following:

- A. That the proposed Commercial Planned Unit Development is consistent with the City's 2030 Comprehensive Plan.
- B. That the proposed development has been designed as a complete and unified development within its own boundaries in terms of relationship of structures, patterns of circulation, visual character, interrelationship of utilities and drainage infrastructure, and overall architectural theme.
- C. That the proposed layout of land use within the development will result in compatible land uses with present and planned uses in the surrounding area.
- D. That the development is sufficient unto itself on the basis of size, composition, arrangement and the provision of municipal utilities.
- E. That the impacts of the proposed development on municipal services and facilities have been reviewed and that mitigative measures have been identified where needed.
- F. That the impacts of the proposed development on environmental quality and the reasonable enjoyment of surrounding property have been identified, analyzed and mitigative measures identified where needed.
- G. That the existing and proposed layout and land use for Tracts A-D have been heretofore regulated in part by a succession of Conditional Use Permit Resolutions. Resolution No. 4573 was adopted by the City Council on 9/25/89. It was rescinded and replaced on 11/20/89 by Resolution No. 4615, which was rescinded on 8/27/90 and replaced with Resolution No. 4847, which was rescinded on 6/13/94 and replaced by Resolution No. 6055, which was rescinded on 4/10/95 and replaced by Resolution No. 6276, which was rescinded on 2/24/97 and replaced by Resolution No. 6789, which was rescinded on 2/23/98 and replaced by Resolution No. 98-30. This PUD Ordinance now replaces Resolution No. 98-30.

SECTION V. Land Use Regulations. For the above referenced property contained within the Commercial Planned Unit Development District No. 2010-01, the following land use regulations shall apply:

- A. SITE PLAN
 Prior to commencement of any development or issuance of grading or building permits, the City Council shall approve final development plans, including but not limited to: final plat, site plan, grading plan, utility plan, landscape plan, elevation plan, signage plan, lighting plan.

- B. USES
 All development shall be restricted to the following uses:

Parcel No.	Legal Description*	Specific Use
1	Lot 1, Block 1, Bishop Heights	65,000 square foot, 16-screen theater

2	Lot 2/3, Block 1, Bishop Heights	7,400 square foot sit down restaurant
3	Lot 2/3, Block 1, Bishop Heights	36,371 square foot, 89 room motel
4	Lot 4, Block 1, Bishop Heights	25,292 square foot, 63 room motel
5	Lot 5 and part of Lot 4, Bishop Heights	6,163 square foot sit down restaurant
6	Lot 2, Block 2, Bishop Heights	6,500 square foot bank and office building
7	Lot 3, Block 2, Bishop Heights	4,271 square foot gas station convenience store
8	Lot 1, Block 1, Krech's Addition	15,120 square foot drug store
9	Tracts A-D, F	42,000 square foot lawn, garden, floral & nursery retail center (two buildings: 29,400 sf in one, 12,400 sf in other); 307,600 605,000 square feet of greenhouses and nursery buildings; 2,150 sf accessory structures (2 barns) for storage of materials and equipment; nursery fields and nursery field caretaker's residence; outside storage/display of nursery and landscaping stock and materials; nursery and landscaping services**
10	Lot 1, Block 1, Bishop Heights 2 nd Addition	1,710 sf quick service oil change store
11	Lot 1, Block 1, Bishop Heights 3 rd Addition	6,832 sf auto service center store
12	Lots 1-31, Block 1, Blackberry Town Office Park	65,415 net sf townoffice space, 31 units
13	Lot 1, Block 1, Blackberry Town Office Park Second Addition	4,950 gross sf veterinary clinic
14	Lot 1, Block 1, Inver Grove Market	14,009 square feet of general retail, 5,680 square feet of sit-down restaurant, and 1,516 square feet of fast food restaurant (without a drive through window)
15	Lots 6-10, Block 7, Warren and McDowell's Acre Lots No. 2	Rock and Block Yard for Gerten's Greenhouses
16	Lots 1-88, Brentwood Village	80 townhome units
17	Lot 1, Bk 2, Bishop Heights	7,200 sf sit down restaurant
18	Lots 1 & 2, Block 1, Outlot A Brentwood Village Apts.	219 apartment units
19	Outlot B, Bishop Heights	43,400 square foot medical/office building
20	Lot 2, Block 1, Inver Grove Market	5,200 square foot bank building
21	Lot 3, Block 1, Bishop Heights 4 th Addition	9,100 square feet of general retail
22***	Lot 1, Block 1, Bishop Heights 4 th Addition	10,400 square feet of general retail and 5,000 square foot sit-down restaurant
23	Lot 1, Block 1, Scenic Heights Addition	16,000 square foot office condominium
24	Outlot A, Brentwood Hills Apartments	24 multiple family townhome units
25	Lot 2, Block 1, Inver Grove Professional Addition	13,318 square foot office building

* More detailed legal descriptions available in Exhibit A

** Uses on Tracts A-D, **F** shall be governed not only by this ordinance, but also by the conditions found in Resolution No 98-210 and **Resolution 11-XX**.

***Parcel 22 shall be subject to the following conditions:

1. A Joint Parking Agreement affecting the restaurant in Lot 1, Block 1 Bishop Heights 4th Addition between Outlot B, Bishop Heights and Lot 3, Block 1, Bishop Heights 4th Addition. This document must be drafted by the City attorney's office, signed by the land owners, and recorded with the County.
2. If restaurant parking becomes a problem restaurant employees shall park off site at any of the locations listed in the Joint Parking Agreement.

C. PERFORMANCE STANDARDS

All development shall meet the following performance standards. Where a specific standard is not addressed herein, the appropriate land use regulations of the City Code shall apply.

1. Minimum lot width - 100'
2. Setbacks:

	Structures	Parking Lots	Driveways
Upper 55 th St., Blaine Ave. & Cahill Ave	50'	20'	10'
Other Public Streets	30'	20'	10'
Side Yard (adjacent to properties within PUD)	0'	0'	0'
Side Yard (adjacent to properties outside PUD)	30'	10'	10'

Internal private driveways (setbacks to be approved with final development plan).

3. Maximum Building Height:
 - a. Principal Structures - 35'
 - b. Accessory Structures - 30'
 - c. Greater building height shall be allowed by conditional use permit subject to City Code Section 515.59, Subd 10.
4. Minimum Open Space shall be 25% of lot area, with the lot area to be determined by the City. Ponding or steep slopes (in excess of 18%) shall not exceed 10% of the total lot area for purposes of this computation.
5. Parking/Circulation Requirements:
 - (a) All open off-street parking and loading areas shall have a perimeter continuous concrete curb barrier around the entire lot.
6. Landscaping, Signage and Architecture:

Development of all lots in Bishop Heights shall be in conformance with the design manual on file in the City Offices entitled Design Guidelines, Bishop Heights and Kerasotes Theaters, Inc., Planned Unit Development, Inver Grove Heights, dated June 23, 1997 and prepared by Damon Farber Associates and Abend Singleton Associates.

Development of all lots in Krech's Addition shall be in conformance with the Cahill Corridor Master Plan and those portions of the Design Guidelines, Bishop Heights and Kerasotes Theaters, Inc., Planned Unit Development, Inver Grove Heights which the City finds appropriate.

Development of Tracts A-D, as described in Exhibit A, shall be in conformance with those portions of the design manual on file in the City Offices entitled Design Guidelines, Bishop Heights and Kerasotes Theaters, Inc., Planned Unit Development, Inver Grove Heights which the City finds appropriate.

Development of all lots shall also be in conformance with the City landscape policy.

D. GENERAL PROVISIONS

All development, except Tracts A-D, shall meet the following general provisions. All development which occurs on Tracts A-D in accordance with Resolution No. 98-210, and which has occurred prior to the effective date of this Ordinance, shall not be required to meet General Provisions 1, 2, 3, 4, 5, 6 and 9. Where a specific provision is not addressed herein, the appropriate land use regulation of the City Code shall apply.

1. Loading Areas:

Loading and unloading areas shall be in compliance with the following:

- a. Any use which the City believes requires the provision of designated spaces for the loading, unloading or parking of trucks or semi-trailers shall provide such spaces and maneuvering area in the number and configuration which shall be deemed necessary by the City to prevent interference with the use of the public right-of-way and with vehicles entering onto or exiting from the public right-of-way.
- b. Screening shall be provided in accordance with provisions of Paragraph 2, below, of this Section.

2. Screens and Buffers:

- a. Definition and Purpose: Screens and buffers are designated yards or open areas where distance, planting, berming and fencing help minimize adverse impacts of public nuisances, such as: noise, glare, activity or dust; which are sometimes associated with parking, storage, signs or buildings.
- b. Screens and Buffer Requirements:
 - (i) All parking, loading, service, utility and outdoor storage areas shall be screened from all public streets and adjacent differing land use by a combination of any of the following: earth mounds, walls, fences, shrubs, deciduous overstory or coniferous trees or hedge materials. The height and depth of the screening shall be consistent with the height and size of the area to be screened. When natural materials, such as trees or hedges, are used to meet the screening requirements of this Paragraph, density and species of planting shall be such as to achieve seventy-five percent (75%) opacity year round at maturity.
- c. All plant materials required within a specified buffer yard shall be planted to completion within six (6) months from the date of issuance of a building permit unless otherwise approved by the City due to the time of the year or construction for a large

project. In no case shall the period exceed six (6) months from issuance of the certificate of occupancy.

3. Building Design Requirements:

a. Design Supervision by Architect: An architect shall be required for the construction of all buildings. The building plan, including site plan for such a building, shall be certified by an architect, registered by the State of Minnesota, stating that the individual personally viewed the site and has designed the building to fit the site as planned and to be harmonious with the adjacent buildings, topography and natural surroundings and in accordance with the purposes and objectives of this Chapter. This requirement shall not prohibit the preparation of the site by a professional site designer, or the landscape plan by a professional landscape architect or certified nurseryman.

b. Exterior Vertical Surface Design for Commercial Structures: All exterior vertical surfaces of any principal or accessory structure shall have an equally attractive or the same fascia as the front. At least 50% of the exterior vertical surface shall consist of one or a combination of the following or similar materials: brick veneer; sculptured, textured or concrete block or panels; natural wood siding; steel, aluminum or vinyl lap siding; natural stone or glass.

4. Site Design and Development Requirements:

a. Landscaping shall be in accordance with the provisions of the "Performance Standards" Section of this Planned Unit Development.

b. Interior curbs shall be constructed within the property to separate driving and parking surfaces from landscaped areas. Interior curbs required by this Section shall be Portland cement concrete construction.

c. Surfaced walkways shall be provided from parking, loading and recreational areas to the entrances of buildings.

d. All interior driveways, parking areas, and loading areas, etc. shall be of blacktop or concrete construction.

e. No exterior trash or garbage disposal or incineration shall be permitted. Any exterior storage shall be enclosed within a container and such container shall be completely screened by a wall or equivalent visual screen and shall be attached to the principal structure and be constructed of the same building material.

f. On-site lighting shall be provided as is necessary for security, safety and traffic circulation. Lighting shall not be directed upon public rights-of-way or adjacent properties. Such illumination shall be indirect and diffused.

g. Prior to the issuance of building permits, fire lanes shall be provided and identified as required by the City Fire Marshal.

5. Mechanical Equipment Screening:

All mechanical equipment possessing one or more of the following characteristics shall be physically screened, to the extent feasible, from all public streets and adjacent land

uses with either natural or artificial materials in a manner architecturally compatible to the building(s) on the site. Said screening shall pertain to, but not be limited to, exposed and/or protruding fans, grills, tubes, wires, vents, unfinished metal covering, exposed rivets and exposed seams.

6. Sidewalks, Trails and Pedestrian Walkways:

a. Sidewalks, trails and pedestrian walkways shall be provided and maintained in accordance with the Comprehensive Plan.

b. As a minimum, a pedestrian sidewalk and/or minimum eight (8) foot wide bituminous trail shall be provided by the developer or land owner along the north side of Upper 55th Street and an eight (8) foot wide bituminous trail along the west side of Blaine Avenue.

c. The developer shall install six (6) foot wide concrete sidewalks along both sides of Bishop Avenue and along both sides of the public roadway connecting Bishop Avenue and Blaine Avenue.

d. An interior pedestrian circulation; plan shall be submitted with each development for approval by the City.

7. Site Plan and Building Permit Review:

To ensure uniform development throughout the planned unit development area and development that is consistent with the provisions herein, all site and building plans required for building permits, grading permits, excavation permits or other similar permits issued by the City must be found by the Director of Community Development or assigns to be consistent with the approved PUD Plans, the provisions of this Ordinance, the Development Contract and all other applicable sections of the City Code.

8. Traffic:

The forecasted p.m. peak hour traffic generated by the developments shall not exceed:

Lot	Parcel #	Trips
Lot 1, Block 1, Bishop Heights	1	177
Parcel A, Bishop Heights (Described in Exhibit A)	2	72
Parcel B, Bishop Heights (Described in Exhibit A)	3	83
That part of Lot 4, Block 1, Bishop Heights described in Exhibit A.	4	38
Lot 5, Block 1, Bishop Heights and that portion of Lot 4 described in Exhibit A.	5	78
Lot 2, Block 2, Bishop Heights	6	120
Lot 3, Block 2, Bishop Heights	7	180
Lot 1, Block 1, Krech's Addition	8	116
Tracts A-D, <u>F</u> as described in Exhibit A	9	208
Lot 1, Block 1, Bishop Heights 2 nd Addition	10	18
Lot 1, Block 1, Bishop Heights 3 rd Addition	11	28
Lots 1-31, Block 1, Blackberry Town Office Park	12	141
Lot 1, Block 1, Blackberry Town Office Park Second Addition	13	20
Lot 1, Inver Grove Market	14	148
Lots 6-10, Block 7, Warren and McDowell's Acre Lots No. 2	15	40
Lots 1-88, Brentwood Village	16	43
Lot 1, Bk 1, Bishop Heights	17	78
Lots 1 & 2, Bk 1, Brentwood Village Apartments	18	136
Outlot B, Bishop Heights	19	146
Lot 2, Inver Grove Market	20	205
Lot 3, Block 1, Bishop Heights 4 th Addition	21	34
Lot 1, Block 1, Bishop Heights 4 th Addition	22	126
Lot 1, Block 1, Scenic Heights Addition	23	23
Outlot A, Brentwood Hills Apartments	24	19
Lot 2, Block 1, Inver Grove Professional Addition	25	20

The trips have been determined by the City using national or state traffic generation studies or reports prepared by engineering professionals, including the Trip Generation Report, prepared by the Institute of Transportation Engineers. This determination is being made by the City at the time of final development plan approval. Any change which effects the site plan or uses, as approved in Section V, A and B, including an increase in building size, shall require a redetermination by the City of forecasted p.m. peak hour trips, and shall not exceed the number of trips, as hereby approved.

9. Maintenance Agreements:

Contemporaneous with recording the plat of Bishop Heights, the owners of Lots 1,2,3, Block 1; Lots 1,2,3, Block 2, Bishop Heights, shall execute a stormwater maintenance agreement, a landscape maintenance agreement, and a street light maintenance agreement, in a form to be approved by the Director of Public Works, the Director of Community Development, and the City Attorney.

SECTION VI. The effective date of the Planned Unit Development Zoning District No. 2010-01 as amended shall be from and after publication of this Ordinance pursuant to City Code Section 110.03 Subd. 5. The Planned Unit Development shall be designated on the official City Zoning Map as "Planned Unit Development No. 2010-01" upon approval of the rezoning by the City Council.

THIS ORDINANCE NO. _____ RESTATES AND AMENDS ORDINANCE NOS. 891, 912, 915, 928, 946, 968, 976, 977, 985, 1022, 1056, 1058, 1062, 1064, 1074, 1101, 1106, 1112, 1133, 1135, 1136 and 1187.

The City Deputy Clerk is hereby authorized and directed to record a certified copy of this ordinance at the Dakota County Recorder's Office.

This ordinance shall be in full force and effect from and after its publication according to law.

Enacted and ordained into an Ordinance this _____ day of _____, 2010.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy City Clerk

EXHIBIT A

Parcel No.	Legal Description
1	Lot 1, Block 1, Bishop Heights, Dakota County, Minnesota
2	That part of Block 1, Lots 2 and 3, Bishop Heights, Dakota County, Minnesota which lies northerly and northeasterly of the following described line: Commencing at the northwest corner of said Lot 2; thence South 21 degrees 15 minutes 20 seconds East, bearing assumed, along the southwesterly line of said Lot 2 a distance of 24.16 feet to the point of beginning of the line to be described; thence South 89 degrees 25 minutes 07 seconds East 155.57 feet; thence South 0 degrees 34 minutes 53 seconds West 39.02 feet; thence South 20 degrees 40 minutes 09 seconds East 22.52 feet; thence South 89 degrees 25 minutes 07 seconds East 62.64 feet; thence South 0 degrees 34 minutes 53 seconds West 30.00 feet; thence South 89 degrees 25 minutes 07 seconds East 90.00 feet; thence South 0 degrees 34 minutes 53 seconds West 30.00 feet; thence South 89 degrees 25 minutes 07 seconds East 191.65 feet; thence South 76 degrees 45 minutes 56 seconds East 29.75 feet more or less to the westerly right of way line of Bishop Avenue, and there terminating.
3	That part of Block 1, Lots 2 and 3, Bishop Heights, Dakota County, Minnesota which lies southerly and southwesterly of the following described line: Commencing at the northwest corner of said Lot 2; thence South 21 degrees 15 minutes 20 seconds East, bearing assumed, along the southwesterly line of said Lot 2 a distance of 24.16 feet to the point of beginning of the line to be described; thence South 89 degrees 25 minutes 07 seconds East 155.57 feet; thence South 0 degrees 34 minutes 53 seconds West 39.02 feet; thence South 20 degrees 40 minutes 09 seconds East 22.52 feet; thence South 89 degrees 25 minutes 07 seconds East 62.64 feet; thence South 0 degrees 34 minutes 53 seconds West 30.00 feet; thence South 89 degrees 25 minutes 07 seconds East 90.00 feet; thence South 0 degrees 34 minutes 53 seconds West 30.00 feet; thence South 89 degrees 25 minutes 07 seconds East 191.65 feet; thence South 76 degrees 45 minutes 56 seconds East 29.75 feet more or less to the westerly right of way line of Bishop Avenue, and there terminating
4	Lot 4, Block 1, Bishop Heights, except that part lying south of the following described line: Commencing at the northwest corner of said Lot 4, thence southeasterly along the westerly line of said Lot 4 on an assumed bearing of South 21 degrees 15 minutes 20 seconds East 107.57 feet to the point of beginning of the line to be described; thence North 68 degrees 44 minutes 40 seconds East, a distance of 80.50 feet; thence South 21 degrees 15 minutes 20 seconds East, a distance of 17.04 feet; thence South 18 degrees 58 minutes 24 seconds East a distance of 65.59 feet; thence North 89 degrees 59 minutes 25 seconds East a distance of 216.22 feet; thence North 37 degrees 12 minutes 54 seconds East 28.52 feet; thence North 89 degrees 25 minutes 20 seconds East, a distance of 47.10 feet more or less to the Easterly line of Lot 4 and there terminating.
5	Lot 5, Block 1, Bishop Heights and that part of Lot 4, Lot 1, Bishop Heights lying south of the following described line: Commencing at the northwest corner of said Lot 4, thence southeasterly along the westerly line of said Lot 4 on an assumed bearing of South 21 degrees 15 minutes 20 seconds East 107.57 feet to the point of beginning of the line to be described; thence North 68 degrees 44 minutes 40 seconds East, a distance of 80.50 feet; thence South 21 degrees 15 minutes 20 seconds East, a distance of 17.04 feet; thence South 18 degrees 58 minutes 24 seconds East a distance of 65.59 feet; thence North 89 degrees 59 minutes 25 seconds East a distance of 216.22 feet; thence North 37 degrees 12 minutes 54 seconds East 28.52 feet; thence North 89 degrees 25 minutes 20 seconds East, a distance of 47.10 feet more or less to the Easterly line of Lot 4 and there terminating.
6	Lot 2, Block 2, Bishop Heights
7	Lot 3, Block 2, Bishop Heights
8	Lot 1, Block 1, Krech's Addition
9	Tract A, described as: The East Half of the Southwest Quarter of the Northeast Quarter; and the North 270 feet of the East Half of the Northwest Quarter of the Southeast Quarter, Section 33, Township 28, Range 22, according to the U.S. Government Survey thereof, Dakota County, Minnesota.

Tract B, described as:

Parcel 1: Lots 8 through 23, Block 3, Edgewood Addition to South St. Paul, Dakota County, Minnesota, the vacated alley in said Block 3, and that part of Boyd Avenue (formerly Hamilton Avenue) accruing thereto by reason of the vacation thereof, which lies South of the tract shown as parcel 240B on the plat designated as Minnesota Department of Transportation Right of Way Plat Numbered 19-46 on file and of record in the office of the County Recorder in and for Dakota County, Minnesota, and as said plat has been corrected by Certificate of Correction filed for record with said County Recorder on the 4th day of November 1982, at 9:00 a.m., as Document No. 610751;

Parcel 2: Block 4, Edgewood Addition to South St. Paul, Dakota County, Minnesota including the alley in said Block 4 and that part of Boyd Avenue (formerly Hamilton Avenue) accruing thereto by reason of the vacation thereof, Except that part of Lots 1 through 8 inclusive and Lots 23 through 30 inclusive, in said Block 4, and that part of the alley in said Block 4 and that part of vacated Boyd Avenue (formerly Hamilton Avenue) accruing thereto by reason of the vacation thereof, shown as Parcel 240A on the plat designated as Minnesota Department of Transportation Right of Way Plat Numbered 19-46 on file and of record in the office of the County Recorder in and or Dakota County, Minnesota, and as said plat has been corrected by Certificate of Correction filed for record with said County Recorder on the 4th day of November 1982, at 9:00 a.m., as Document No. 610751.

Tract C, described as:

Parcel 1: Lots 3, 6, 7 and the westerly 60 feet of Lot 2, Block 8, Warren and McDowell's Acre Lots No. 2, according to the plat thereof on file and of record in the office of the office of the Register of Deeds in and for Dakota County, Minnesota, except that part shown as Parcel 233B on the plat designated as Minnesota Department of Transportation Right of Way Plat Numbered 19-46 on file and of record in the office of the County Recorder in and for Dakota County, Minnesota, except the existing Right of Way of Trunk Highway 110. Torrens Property, Torrens Certificate No. 32372

Parcel 2: Lot 1 and Lot 2 less the westerly 60 feet thereof, Block 8, Warren and McDowell's Acre Lots No. 2, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Dakota County, Minnesota, except that part shown as Parcel 233C on the plat designated as Minnesota Department of Transportation Right of Way Plat Numbered 19-46 on file and of record in the office of the County Recorder in and for Dakota County, Minnesota, and except the existing Right of Way of Trunk Highway 110. Torrens Property, Torrens Certificate No. 101901.

Parcel 3: Lots 4, 5, 8, 9 and 10, Block 8, Warren and McDowell's Acre Lots No. 2, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Dakota County, Minnesota, except that part shown as Parcel 233A on the plat designated as Minnesota Department of Transportation Right of Way Plat Numbered 19-46 on file and of record in the office of the County Recorder in and for Dakota County, Minnesota, and except the existing Right of Way of Trunk Highway 110. Torrens Property, Torrens Certificate No. 101902.

Tract D, described as:

Lots 3, 4, 5, 26 and 27, Block 3, Glenwood, Dakota County, Minnesota, according to the recorded plat hereof, in Dakota County, Minnesota.

Insert Revised Tract F Description

10	Lot 1, Block 1, Bishop Heights 2 nd Addition
11	Lot 1, Block 1, Bishop Heights 3 rd Addition

12	Lots 1-31, Block 1, Blackberry Townoffice Park
13	Lot 1, Block 1, Blackberry Town Office Park Second Addition
14	Lot 1, Inver Grove Market
15	Lots 6, 7, 8, 9 and 10, Block 7, Warren and McDowell's Acre Lots No. 2, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Dakota County, Minnesota, except that part shown as Parcel 333 on the plat designated as Minnesota Department of Transportation Right of Way Plat Numbered 19-46 on file and of record in the office of the County Recorder in and for Dakota County, Minnesota.
16	Lots 1-88, Brentwood Village
17	Lot 1, Block 2, Bishop Heights
18	Lots 1 & 2, Bk 1, Outlot A, Brentwood Village Apartments
19	Outlot B, Bishop Heights
20	Lot 2, Block 1, Inver Grove Market
21	Lot 3, Block 1, Bishop Heights 4 th Addition
22	Lot 1, Block 1, Bishop Heights 4 th Addition
23	Lot 1, Block 1, Scenic Heights Addition
24	Outlot A, Brentwood Hills Apartments
25	Lot 2, Block 1, Inver Grove Professional Addition

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: November 3, 2010

SUBJECT: **GERTENS GREENHOUSES – CASE NO. 10-32PUD**

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for 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, and a PUD Amendment to change Resolution No. 98-210 to allow for the greenhouse expansion, for property located at 5500 Blaine Avenue. 32 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that Gertens is proposing to amend their existing PUD approval and request a rezoning to allow the construction of a phased project which includes combining the existing greenhouses with additions to fill in gaps and to construct an additional 250,000 square foot greenhouse over existing growing fields on the south side of the property toward Upper 55th Street, east of Blaine. The applicants have requested to rezone Tract F from Commercial PUD to PUD. Staff, however, recommends rezoning only the northern portion of Tract F in order to retain future commercial or office use on the Upper 55th Street frontage. Mr. Hunting advised that it is his understanding that the applicant has recently agreed to rezone only the northern portion of Tract F to the Bishop Heights PUD with the southern portion retaining the existing Commercial PUD designation. He advised that the dividing line would be approximately 50 feet south of the proposed full expansion of the greenhouse. Mr. Hunting advised that the applicants are proposing to provide landscape screening along the east boundary line from the proposed greenhouse to Upper 55th Street and then along Upper 55th Street in front of the proposed stormwater pond. He advised that there is an existing wetland located along the eastern boundary where the greenhouse is proposed. The applicant has indicated that they plan on filling the wetland to provide for the greenhouse. Because the wetland is governed under the Wetland Conservation Act, a wetland replacement plan would be required to be submitted and reviewed by the Environmental Commission and approved by the City Council. Mr. Hunting advised that the City Engineering Department and the applicant are currently working on a solution to the storm drainage volume control issue which may have an impact on the ultimate maximum size of the greenhouse. Engineering has recommended that a condition be put in place that the ultimate size of the greenhouse allowed be based on further studies of the storm water system. Mr. Hunting advised that the site is not in compliance with Condition 9 of Resolution 98-210 as the greenhouses in Tract B are set back 8 feet from the property line whereas 30 feet is required. The applicant is requesting flexibility to allow the greenhouses to remain in their current location. Staff recommends approval of Alternative B which rezones only the northern half of Tract F.

Chair Bartholomew asked if staff felt that the remaining southern portion of Tract F would be large enough for a future commercial/office development and associated parking, to which Mr.

Hunting replied in the affirmative.

Commissioner Wippermann asked if Alternative B (approval in part) included the 21 conditions listed in the report, to which Mr. Hunting replied in the affirmative.

Commissioner Wippermann asked if staff received any feedback from the applicant regarding the 21 conditions, to which Mr. Hunting replied he was not aware of any issues raised by the applicants regarding the conditions.

Commissioner Wippermann asked if staff's understanding was that the applicant was agreeable with Alternative B which rezones only the northern half, to which Mr. Hunting replied in the affirmative.

Commissioner Wippermann referred to an email received from Terry Mcnellis, one of the owners of the abutting Blackberry Pointe Apartment complex, and asked if the requests by Mcnellis were satisfied by the proposed landscaping plan.

Mr. Hunting replied in the affirmative, stating he was not completely clear, however, on the part regarding fencing.

Commissioner Wippermann asked if the submitted landscape plan showed the fencing to be toward the Gerten property so the trees and bushes would screen the fence from the neighboring apartment complex.

Mr. Hunting replied he could not see all the detail in the plan, but advised that the Commission could add that requirement as a condition.

Opening of Public Hearing

The applicant, Lewis Gerten, 5910 South Robert Trail, stated they contacted representatives from the Blackberry Pointe Apartment complex and believe they are comfortable with what is being proposed.

Chair Bartholomew asked if the applicant was in agreement with Alternative B, to which Mr. Gerten replied in the affirmative. He added that the request is a long-term plan for Gertens.

Peter Coyle, Larkin Hoffman, the applicant's legal counsel, stated they will resolve the outstanding technical issues to facilitate the City in meeting its future development objectives for Upper 55th Street. He advised that although their original request was for Alternative A, they have formally notified City staff that they are modifying their request to the proposed Alternative B, subject to the conditions listed in the report. Mr. Coyle advised that he was not able to review the report until yesterday and therefore had comments on several conditions. Mr. Coyle requested that Condition 1 be modified to allow a maximum greenhouse height of 30 feet rather than 22 feet as 30 feet is allowed by code. He requested that Condition 6 be removed as they have been using buildings P and Q for many years as seasonal outbuildings and they would like to keep them in place. Mr. Coyle requested that Condition 12 be removed as they felt it was no longer necessary. He stated if at some point in time the City decided to put a collector street through that area they could acquire the ROW at that time. In reference to Condition 13 regarding trip allocation, Mr. Coyle suggested that in planning jointly for the future development

of the properties adjoining Upper 55th Street, they should be thinking how best to allocate trips to those parcels to ensure something is put in that can be supported by traffic counts. Mr. Coyle requested the verbiage in Condition 17 be modified to make it clearer that they could pursue the entire greenhouse project, albeit in phases, subject to Council approval and resolution of the drainage issues.

Chair Bartholomew asked if staff was agreeable with modifying the verbiage in Condition 17 as requested by Mr. Coyle.

Mr. Hunting stated the intent was not to allow only one phase; therefore, staff would work with the applicant to modify that condition prior to it going to City Council.

Chair Bartholomew asked if staff could accommodate the other requests by Mr. Coyle on the aforementioned conditions, such as requesting that they be allowed a greenhouse height of 30 feet rather than 22 feet as listed in Condition 1.

Mr. Hunting replied he would be agreeable with the comments made on Condition 1. In regards to Condition 6, Mr. Hunting stated he believed the intent was for the public not to be allowed in buildings P and Q.

Commissioner Simon advised that Gertens does allow public in buildings P and Q.

Mr. Hunting stated he could not speak to that condition as it predated his history.

Mr. Gerten stated the historic buildings are used seasonally by the public, and he had no recollection as to why that condition was created.

Chair Bartholomew asked if allowing the public in buildings P and Q would violate any code standards.

Mr. Hunting replied that he would check with the Chief Building Official as to any possible code violations, but stated much of the history of that condition was gone as the City Planner and Building Official who originally worked on this project were no longer with the City.

Chair Bartholomew stated his only concern regarding that condition was if there was a public safety issue.

Mr. Coyle stated it was acceptable to the applicant to continue the conversation regarding Condition 6.

Chair Bartholomew asked if staff had a comment on Mr. Coyle's request to strike Condition 12 regarding the removal of certain buildings due to the construction of a future collector street.

Tom Link, Community Development Director, stated he was hesitant to strike Condition 12 as his recollection was that there was rationale for it. He believed it was either that the City objected to the buildings in question unless there was the ability to remove them at a later date, or perhaps some of the buildings were in City right-of-way. He stated he believed the condition was to accommodate Gertens for the time being while at the same time leaving the City's

options open for the development of the roadway system in the area.

Commissioner Simon questioned whether perhaps it was more of a ghost platting.

Mr. Link stated he recalled that at one point Gertens had requested that some of the unused street right-of-way be vacated. The City denied that application because they wanted to preserve their options in that area.

Chair Bartholomew asked if they could leave that condition in with the knowledge that there will be some discussion with the applicant as to the rationale.

Mr. Link recommended that both Conditions 6 and 12 remain with the understanding that the request has been made and will be reviewed by City staff.

Chair Bartholomew asked staff to comment on Mr. Coyle's request to revisit the trip count in Condition 13.

Mr. Link gave a brief background of the traffic studies done in the Southeast Quadrant in the 1990's, stating there is concern of the traffic constraints in that area, including the close proximity of Blaine Avenue to the freeway ramps. He advised that the studies they have done indicate there are enough trips remaining for the vacant property in the Southeast Quadrant, however, staff is considering doing another traffic study to review the current conditions and how they relate to the existing and future traffic system.

Chair Bartholomew asked if staff could review Condition 13 prior to it going to City Council.

Mr. Link stated that 208 trips would cause no issues with the current proposal. He stated the long-range question is what they want to see for commercial development along the Upper 55th frontage and whether there is enough traffic capacity to handle it.

Mr. Gerten stated originally he advised that this project would not generate additional jobs, however, he has since determined that it would likely generate additional hours from his current part-time employees.

Planning Commission Discussion

Chair Bartholomew clarified the discussion regarding the conditions addressed by Mr. Coyle, including the modification of Condition 1, to continue conversation regarding Condition 6, for staff to do further research regarding right-of-way as it relates to Condition 12, and the modification of Condition 17 to clarify that the entire greenhouse project would be approved, pending Council approval, not just Phase 1.

Commissioner Schaeffer questioned whether the Commission should add a requirement regarding the configuration of the fencing and landscaping plan to satisfy the email received from the Blackberry Pointe Apartments.

Chair Bartholomew stated he saw no issue with adding Condition 22 to ensure that the fence was installed on the Gerten side with the vegetation being planted closer to Upper 55th Street and Blackberry Trail so as to screen the fence from the neighboring property. He stated he

supported the request.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Wippermann, to approve the request for 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, and a PUD Amendment to change Resolution No. 98-210 to allow for the greenhouse expansion, with the conditions listed in the report, and the added verbiage and comments to the conditions as discussed, with the modification to Condition 1 to allow a greenhouse height up to 30 feet rather than 22, to continue conversation regarding Condition 6, for staff to do further research regarding right-of-way as it relates to Condition 12, the modification of Condition 17 to clarify that the entire greenhouse project would be approved pending Council approval rather than just Phase 1, and the addition of Condition 22 requiring that the proposed fencing be planted along the Gerten property in such a way that the vegetation would help screen the fence from the neighboring properties.

Motion carried (5/0). This item goes to the City Council on November 22, 2010.

P L A N N I N G R E P O R T
C I T Y O F I N V E R G R O V E H E I G H T S

REPORT DATE: October 29, 2010

CASE NO: 10-32PUD

APPLICANT: Gerten Greenhouses

PROPERTY OWNER: GLC Properties, LLC
Robert and Virginia Gerten

REQUEST: Rezoning Ordinance Amendment and PUD Plan Amendment

HEARING DATE: November 3, 2010

LOCATION: 5500 Blaine Avenue

COMPREHENSIVE PLAN: RC, Regional Commercial

ZONING: Commercial Planned Unit Development District Zoning 1998-05 and Comm PUD

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant is proposing to amend their existing PUD approval and request rezoning to allow the construction of a phased project which includes combining the existing greenhouses with additions to fill in gaps and to construct an additional 250,000 square foot greenhouse over existing growing fields on the south side of the property toward Upper 55th Street, east side of Blaine. The greenhouse expansion would occur over several years with additions occurring at different times. Gertens would also be constructing a storm water pond and making other improvements to the existing storm water system. The remainder of the operation and site plan would be unchanged. No other changes to the operation are being requested at this time.

The property on which the proposed greenhouse would be located is currently zoned Comm PUD. The current zoning does not allow greenhouses. The property would have to be rezoned to PUD in order to allow greenhouses. Gertens is requesting the entire Tract F (see attached map) to be rezoned to PUD which would expand the boundaries of the PUD all the way to Upper 55th Street. The property at the northeast corner of Upper 55th Street and Blaine that contains the monument sign and growing fields would not be rezoned with this application.

The specific requests consist of the following:

- a) Amending Ordinance #946 by rezoning Parcel F to Commercial Planned Unit Development District and to change the site plan and allowed uses for the greenhouse expansion.

- b) A Planned Unit Development Amendment to change Resolution No. 98-210 to allow for the greenhouse expansion.

EVALUATION OF THE REQUEST

The following land uses, zoning districts and comprehensive plan designations surround the subject property:

North Hwy 494

East Blackberry Apartments; zoned PUD; guided HDR

West Commercial multi-tenant building, office building; zoned PUD; guided RC

South Commercial buildings, office buildings; zoned PUD; guided RC, Office

HISTORY

Gertens has gone through a number of changes and expansions over the years. The first city approval was in 1989 and the latest approval occurred in 2003. Up until 1998, there were 9 conditional use permit approvals that governed the land use. The business has increased in size by expanding its retail store and expanded its greenhouses and growing fields, primarily on the east side of Blaine Avenue. In 1998, the City approved several ordinance changes and PUD approvals to govern the use through the Bishop Heights PUD rather than through conditional use permits. Currently, Gertens is governed primarily by Ordinance No. 946 which covers and regulates the facilities on the east side of Blaine. There is a separate ordinance that covers the facilities on the west side of Blaine, the "rock and block yard", a temporary use, and the professional services office building. A planned unit development was approved under Resolution #98-210 that provides additional conditions of approval for the business. There are some portions of the business that are not governed under any current city approvals. These areas include the two growing fields on the south side along Upper 55th Street (which were established around 2002) and growing fields on the far eastern portion of the site at the end of Brent Avenue. The use of these parcels has been the subject of much discussion over the years between the City and Gertens. No definitive land use policy decision has been made by the Council on this matter to date.

The Southeast Quadrant of Interstate 494 and the Lafayette Freeway (Highway 52) has been recognized as a premier gateway property to Inver Grove Heights. The City's vision for this area, including the Gerten Greenhouse property, is to encourage high quality commercial uses that would enhance the City's image, increase employment opportunities and create a substantial tax base, and provide a diversity of goods and services.

The City has anticipated regional commercial development in the Southeast Quadrant for many years. Planning for commercial development for this part of the City began back in 1985 when the first land use study which emphasized commercial development was completed. Further studies were done and comprehensive plan amendments were approved over the years to change

the emphasis of the quadrant from residential to provide substantially more retail and commercial uses. The City's goal throughout these planning efforts was consistent - to encourage significant commercial development in the Southeast Quadrant. The City's vision has materialized for much of the quadrant starting in 1997 when construction began on the 16-screen theater and hotel. Since that time, the quadrant has seen the construction of other hotels, restaurants, a gas station, bank, office building, automobile service stores and three strip center commercial buildings. There are still some highly visible parcels yet to redevelop in the quadrant with considerable commercial potential.

Before Gerten Greenhouses acquired the land abutting Upper 55th Street, there was a proposal submitted by the Minnesota Department of Revenue for a multiple story office building for the treasury offices on the property at the corner of Upper 55th and Blaine. That proposal was ultimately withdrawn. There were also concept plans prepared on at least two occasions for retail developments.

TAX INCREMENT FINANCING DISTRICT (TIF)

The City Council determined that encouraging development of high quality commercial development was such a high priority that it established the Redevelopment Tax Increment Financing District in May, 1991. The Tax Increment Finance District (TIF District 4-1) was certified in 1992 and the first tax increment was received in 1994. The TIF District will be able to collect tax increments up to 2019. The TIF plan contains the Council's position on the need and public purpose of the district. The Council stated: "Specifically, the City Council has determined that the property within the Development District is either underutilized or unused due to a variety of factors, including fragmented ownership of the property, inadequate and multiple zoning and ownership, excessive property cost compromising costs of clearance, grading, and soil correction, and inadequate public improvements to serve the property; all of which have resulted in a lack of private investment; that, as a result, the property is not providing adequate employment opportunities, and is not contributing to the tax base and general economy of the City". While over time some of these concerns have been lessened with development, there is still a significant amount of land in the quadrant that still has these same issues.

ROAD IMPROVEMENTS

In 1997, the Council adopted an amendment to the TIF plan to incorporate the new development activity including the theatre and hotel that started development in the quadrant. An ordinance was adopted to regulate the PUD developments in the area and this began what is now known as the Bishop Heights Addition.

To facilitate these developments, the City entered into financial assistance agreements with the developers to reimburse them for some of their development costs, and sold tax increment bonds to meet those obligations. In addition, the City undertook major roadway improvements to Upper 55th Street and Blaine Avenue in the amount of 4.3 million dollars to increase the capacity of these roads to meet the traffic needs of anticipated development within the Quadrant.

COMPREHENSIVE PLAN CONSISTENCY

All of the property subject to the ordinance and PUD for the east side of Blaine Avenue is guided RC, Regional Commercial. The 2030 Comprehensive Plan identifies the Regional Commercial designation as the following:

“Regional commercial areas are lots or parcels containing large-scale retail sales and services along arterial roadways that serve the region. As the name implies, goods and services offered in such areas appeal to a wide range of consumers, many whom are willing to travel a significant distance to patronize various business establishments. Regional Commercial districts are intended for large “big box” users. These types of uses serve as anchors for other small to mid-sized commercial uses that benefit by the traffic generated by the anchors.”

The Comprehensive Plan identifies this portion of the City (southeast quadrant) as a developing area bounded by I-494, the Lafayette Freeway and Upper 55th Street which has excellent exposure to regional transportation facilities.

Some of the Regional Commercial Areas Policies that are relevant to this application include:

- “1. Provide regional commercial areas to supply goods and services that appeal to a broad base of customers.”
- “6. Require high quality building materials for structures in regional commercial areas.”
- “9. Consider long term strategies for future reuse/reconfiguration of regional commercial centers during the initial planning stages.”
- “10. Encourage a mix of commercial uses within regional centers that share varying peak period traffic and parking patterns to help manage traffic congestion and allow for shared parking opportunities.”

The main question with this application is: what is the most appropriate land use for these parcels based on the goals and past planning for the Southeast Quadrant? The City has had a long standing goal of encouraging commercial development throughout the city and the Southeast Quadrant is recognized as one of the primary areas for such development.

Cities, including Inver Grove Heights, seek commercial development to achieve an expanded tax base, increase employment and provide a greater diversity of goods and services for the residents. In reviewing this application against these three benefits, Staff makes the following comments:

- 1) Expanded tax base. The proposed greenhouses would be constructed over land that is currently in green acres tax status, which means the land is taxed at a greatly reduced rate based

on the criteria established in Minnesota Statutes. The greenhouse house expansion would be considered an agricultural building and no additional tax generation would result from the value of the building.

2) Increase employment. Based on information provided by the applicant, no additional employees would be added as the greenhouse is not expanding the business. The Comprehensive Plan identifies employment estimates at one employee 330 to 500 square feet for commercial and office users.

3) Providing a diversity of goods and services. The greenhouse expansion would not provide any additional diversity of goods and services as the greenhouse would be covering existing growing fields. The area ultimately being covered by greenhouse is a significant area of potential commercial land that is visible from Upper 55th Street. There may be other uses of the property that could provide the opportunity of a greater diversity of goods and services, as evident by past development discussions.

Gertens Greenhouses is a regional draw and brings customers from the metro area. Having a regional retailer in the area brings in trade for some of the other retail users in the quadrant. Gertens has had a long standing relation and commitment with the City as they have expanded and improved their property over the years. Gertens is one of the largest employers in the City.

REZONING

Part of the change to Ordinance#946 would be rezone the land known as Tract F from Comm PUD to Commercial Planned Unit Development District #_____. The Comm PUD District was set up as the base zoning for properties in the Bishop Heights PUD. This designation provided a number of allowed uses, but all properties would be required to rezone to be included in the Bishop Heights PUD. As currently zoned, greenhouses are not a permitted use. With the proposed rezoning, all of the properties added to the overall PUD are approved with specific uses. In this case, Tract F would be rezoned and approved to allow for the proposed greenhouse expansion.

Staff is concerned that rezoning the entire Tract F will compromise the City's goal of obtaining the highest and best use for the property as laid out the in the Comprehensive Plan. At the same time, there does appear to be some merit in supporting the greenhouse expansion since it is consistent with previous city approvals. Therefore, Staff offers the idea of allowing the rezoning of only the north half of Tract F at this time. Rezoning only the north half would allow for the greenhouse expansion, but would retain the general Comm PUD zoning for the south half of Tract F. This same area would not be included in the PUD. This would allow for other commercial opportunities that the City has been encouraging for the quadrant.

Staff did a conceptual comparative analysis of the land area requested to be rezoned to determine the type and amount of commercial or office development that could occur on this area. Staff considered the land areas that would remain growing fields after the greenhouse expansion. Using aerial photography, staff overlaid two projects (Aspen Medical Building and strip center/ gas station, between Blaine and Bishop Avenue) on to the land that is used for growing fields along Upper 55th Street. Based on this conceptual analysis, there does appear to be enough space

along Upper 55th Street to have commercial or office development that would satisfy the primary goals of the City in this area to provide a good tax base, expanded employment and providing a diversity of goods and services. For my analysis, I excluded areas that will be used for storm water ponding and the pipeline easement that exists on this property. There are two buildable areas, approximately 3.6 acres on the west side and 2.7 acres on the east side. An office building of approximately 56,000 square feet could fit on the 3.6 acre area and would achieve a Floor Area Ratio (FAR) of .22. A retail strip center and gas/convenience store of approximately 14,000 square feet could fit on the 2.7 acre area and would achieve an FAR of .14. Floor to Area Ratios would be consistent with those identified in the Comprehensive Plan (range from .15-.35). The potential for employee growth could range from about 112 for the office building example to 41 for the retail/gas example. This analysis addresses the question of whether the current growing field use and the expansion of greenhouses is the highest and best use of this area of the Southeast Quadrant.

A review of the site plan indicates that establishing a zoning boundary 50 feet south of the southern limit of the greenhouse structure would provide enough room for the proposed access road and an additional 20 feet for buffer or other improvements. This measurement would allow the greenhouse to meet all setback requirements for structures or driveways from boundaries of individual PUD's.

With this modification to the request, staff would support the request. Gertens operation would be allowed to continue along the east side of Blaine as previously recognized and allowed by the City. This alternative would then allow office/retail development along Upper 55th Street consistent with the long established goals and previous City actions.

To further the City's goal of achieving retail/office uses in the quadrant and especially along Upper 55th Street, the parcel that is immediately west of Tract F at the corner of Upper 55th and Blaine should be looked at for rezoning to Comm PUD. The parcel is currently zoned A, Agricultural and has growing fields on it. In order to further protect the City's interests, The Council could consider initiating a rezoning of this parcel to Comm PUD to be consistent with the Comprehensive Plan designation which is RC, Regional Commercial and to be consistent with the goal of retail or office uses along the Upper 55th Street frontage. With this zoning, the site could remain as a growing field, but would not be allowed to expand with any other structures or greenhouses without Council approval of an amendment to the existing PUD.

PROJECT REVIEW OF CONDITIONS OF ORDINANCE #946 AND PUD RESOLUTION #98-210

Ordinance #946. In 1998, the City adopted Ordinance #946 which governs the Gertens operation east of Blaine Avenue. The ordinance rezoned the property to a commercial PUD zoning district and created a set of performance standards for the district. The ordinance replaced all of the previous CUP's that were approved over the years. The ordinance actually governs all of the Bishop Heights PUD which extends roughly from Hwy 52 as the west boundary, Hwy 494 as the north boundary, both sides of Upper 55th Street to the south and extends to Cahill Avenue to the east. All development within the Bishop Heights PUD is governed under this ordinance. The ordinance has been amended as each new development is approved. A specific use, size of building and unique characteristics is approved for each lot in the PUD. In Ordinance #946,

Gertens is listed under Tracts A-D. A separate PUD Development Plan Resolution is also approved for each project and contains specific conditions that pertain to that use. A review of the conditions of approval of the PUD resolution is contained later in this report.

The following reviews the proposed site plan against the applicable performance standards and general provisions found in the ordinance.

Setbacks. The proposed greenhouse addition at full build out would comply with all perimeter setbacks. The structure would be located 100 feet from Blaine at its closest point and 50 feet from the east property line. Required setbacks from Blaine are 50 feet and 30 feet for side yards.

Building Height. Maximum height for an accessory structure is 30 feet. The Greenhouse would be 22 feet high which complies with standards.

Minimum Open Space. Total area for the Tracts A-D and F equal approximately 46.8 acres. The Ordinance requires that a minimum of 25% open space be preserved. The existing and proposed impervious cover would equal 24 acres or approximately 52% of the site. With the greenhouse expansion, the site complies with the open space requirement.

Parking/Circulation. The proposed greenhouse would be constructed over existing growing fields which are separated from the main parking circulation of the retail business. The applicant has indicated that the addition does not require additional employees and therefore no additional parking is required. Access to the building would include utilizing the existing curb opening along Blaine and using the existing internal access. There would be a paved driveway around the south and east sides of the greenhouse to provide access to all sides of the building. Parking and access requirements have been met.

Landscaping, Signage and Architecture. Development in the Bishop Heights PUD is governed by the Bishop Heights Design Guideline Manual that was approved with the theater phase of the PUD. This manual covers all development in the PUD.

The zoning ordinance requires screening where a business or industrial use (structure, parking or storage) is adjacent to property zoned or developed for residential uses. In this instance there should be some screen plantings installed along the east property line the length of the full build out of the greenhouse. This would require plantings to the end of the cul-de-sac. Staff would recommend the full screen plantings be installed at one time in order to provide a uniform planting height and allow all to mature at the same rate as the greenhouse additions are installed. Gertens has submitted a landscape/screening plan which includes plantings along the east boundary line from the proposed greenhouse to Upper 55th Street and then along Upper 55th Street in front of the proposed storm water pond. The plantings consist of a mixture of deciduous and coniferous over story trees, flowering trees, shrubs and ornamental grasses. The plan shows a substantial amount of plantings along the property line to help break up the massing of the greenhouses. The plan submitted should meet the intent of the ordinance to provide landscape screening between the commercial and residential use.

No changes to signage are being proposed with the greenhouse addition.

The Bishop Heights Design Manual provides some criteria and guidance for acceptable materials in the PUD. The language includes that both principal and accessory structures shall be constructed of materials consistent with the overall quality and appearance of masonry building. A number of suitable materials are listed as acceptable including glass wall systems. The proposed greenhouse would be constructed with an aluminum framing with polycarbonate clear and frosted wall panels and an acrylic clear roof.

While the construction materials proposed do not appear to meet a strict interpretation of the acceptable materials list, the city has found the existing greenhouses and approved greenhouse expansions to comply with these similar materials. The Design Manual does contain a clause that other materials may be acceptable as deemed appropriate by City Staff. By its nature, a greenhouse must be made of clear lightweight materials to serve its function. It would seem reasonable to allow the proposed materials for the greenhouse if the proposed expansion is found acceptable.

Engineering. The Engineering Department and has Barr Engineering have reviewing the plans against the City's storm water management plan. The Gerten property drains both to the north into the MnDOT pond along 494 and south to the pond in the Forest Haven Development. Barr has noted some issues with total amount of volume leaving the Gerten property and that it could impact both end ponds. The City Engineering Department and the applicant are working on a solution to the storm drainage volume control and as of the date of this report, these issues have not yet been resolved. Options include adding more storm basins on site or minimizing the size of the greenhouse. Planning Staff would be concerned that the proposed storm water pond located in the southeast corner not be enlarged to a point that it makes the property that abuts Upper 55th Street not viable for any further commercial or office development. Engineering recommends that a condition be put in place that the ultimate size of the greenhouse allowed would be based on further studies of the storm water system. The greenhouse would most likely be built in phases that could be accommodated by the storm water system. The city would still have control that the maximum greenhouse size allowed would be based on the storm water system capacity and City Engineering Department approval.

Traffic. Ordinance No. 946 provides for a maximum trip generation that was determined from previous approvals. The current number in the code is 208 which represent forecasted p.m. peak hour trips. Since the proposed greenhouse additions would not add any more employees and they would not affect retail traffic, no changes to the traffic numbers are required. A traffic study was not required with this request since the greenhouse would be covering an existing portion of the operation. No changes would be made to the ordinance amendment.

Resolution 98-210. The Council adopted a resolution approving a PUD Development Plan relating to the Gertens property located on the east side of Blaine. This resolution addresses specific conditions of approval and also carried over all the conditions that were previously part of the old conditional use permits. This resolution would need to be amended to reflect the revised site plan showing the greenhouse additions. The resolution contains 14 conditions of approval. Some of the conditions have been satisfied and therefore would be removed from a revised resolution.

The site is not in compliance with one of the conditions. Condition #9 requires the greenhouse structure on Tract B to be altered to meet the required setback. According to the staff report from 1998, the greenhouses are setback eight (8) feet from the north property line. The PUD ordinance requires a 30 foot setback. The greenhouses were to be altered to meet the setback by July 1, 1999. Upon review of aerial photos and our GIS property line information, the greenhouses have not been moved.

Staff has discussed this issue with the applicant and reviewed its history. The previous 1998 planning report states only that the greenhouses do not meet the setback but does not provide detail on negative impacts to other properties. The greenhouses abut MnDOT property that is used for a regional storm pond. Leaving the existing greenhouses in their current location does not negatively impact property that could be further developed. Through a PUD process, the applicant can request flexibility from a performance standard without a variance. The applicant is requesting that the greenhouses remain in their current location as they have stood in their present state without any negative impact to either the MnDOT storm pond or to other property. Based on the location of the greenhouses next to MnDOT property, the greenhouses have been in existence for some time without any negative effects, Staff would support the existing location as shown on the proposed PUD site plan.

Wetlands. There is an existing wetland located along the eastern boundary where the greenhouse is proposed. The applicant has indicated that they plan on filling the wetland to provide for the greenhouse. Because the wetland is governed under the Wetland Conservation Act (WCA), a wetland replacement plan would be required to be submitted, reviewed by the Environmental Commission and approved by the City Council. The review analysis would be done by the Technical Evaluation Panel (TEP) as required by WCA. The TEP has met on site and discussed the issue with the applicant's engineer to determine impacts, if the wetland were filled. The current wetland has been altered when the apartment complex was constructed about five years ago. The wetland is a very deep and does not have good water quality. The type of wetland is not very high quality. Based on this initial review, the TEP did not find any issues with a replacement plan and would recommend approval. The replacement plan is to purchase wetland credits in a wetland bank at an undetermined location. Minnesota Board of Soil and Water Resources (BSWR) has found over time that purchasing credits in existing approved wetlands has been more successful in preserving total wetland area rather than creating wetlands on site. A wetland replacement plan is in the process of being submitted. Any approval of this application must be contingent upon approval of a wetland replacement plan. As stated, staff finds the replacement concept acceptable as the TEP does not see any issues.

ALTERNATIVES

The Planning Commission has the following actions available on the following requests:

- A. Approval.** If the Planning Commission finds the application to be acceptable, the following action should be taken:
- Approval of an Ordinance Amendment to PUD Ordinance #946 adding Tract F to the PUD area and Rezoning to Commercial Planned Unit Development District No. 2010-01 and allowing a total of 605,000 square feet of greenhouse on Tracts A-F.
 - Approval of a PUD Amendment to Resolution #98-210 adding Tract F to the PUD boundaries and allowing a total of 605,000 square feet of greenhouse subject to the following conditions:
 1. The site shall be developed in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions herein:

Site Plan	dated 9/7/10
Grading Plan	dated 9/7/10
Landscape Plan	dated 10/21/10
Greenhouse Elevations	dated 9/7/10
 2. The Planned Unit Development for which these Final Development Plans are being approved is subject to Ordinance No. ___ together with any other applicable codes.
 3. The City's Code Enforcement Officer shall be granted right of access to the property at all reasonable times to ensure compliance with the terms and conditions of approval.
 4. Site lighting shall be installed and maintained in such a manner as to prevent any direct source of light from being visible from the public right-of-way or adjacent property.
 5. All signage must be consistent with standards found in the City Code.
 6. Accessory buildings identified as P and Q on the attached exhibits are not to be used for retail purposes nor are they to be accessible to the public.
 7. Unless specifically stated herein, development plan approval does not imply approval of any variances, nor does it grant exceptions from any Building Code or Fire Code requirements that may apply to the construction of use of improvements on the site.

8. Outdoor sales of only plan and landscaping materials shall be permitted on the site. Outdoor display of agricultural implements and machinery for sale on or from the site is prohibited. Screening requirements for the property shall be waived.
9. Open storage, other than specifically permitted herein shall be prohibited on the site.
10. A minimum 20 foot wide, unobstructed, all-weather surfaced access roadway must be provided, in accordance with the Fire Code, to within 150 feet of the exteriors of all buildings on the site. Approval by the Fire Marshal of all fire access roads and on-site water supply shall be required prior to issuance of any building permits.
11. Turn-arounds or curb cuts shall be provided at the north and south ends of the parking lots. The design and construction of the turn-arounds or curb cuts shall be subject to the review and approval of the Fire Marshal and the Director of Public Works.
12. Should construct of a future collector street, with an alignment as generally shown in the 1995 Lafayette Area Land Use Plan, require removal of any or all of these buildings identified as J, K, L, M, N, O, P, Q on the attached exhibit, the applicant agrees to remove them at no cost to the City.
13. The maximum peak p.m. hour traffic generation permitted for the site shall be 208 trips.
14. When the land upon which the 10'x10' business sign is located ceases to be leased as a contiguous parcel with the remainder of the Gerten Greenhouse parcels, the sign shall be removed within 90 days.
15. Any approval of this application must be contingent upon approval of a wetland replacement plan.
16. Prior to City Council approval, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.
17. The ultimate size of the greenhouse expansion allowed shall be based on a storm water design that is approved by Engineering. A phased greenhouse expansion is acceptable, however, once the first phase of expansion is approved by the City Engineering Department, no further greenhouse expansion shall be allowed without the approval of the City Engineering Department.
18. An improvement agreement shall be required and shall be approved by the City Council prior to any work commencing on the site.

19. Easements for drainage and utility shall be provided as required by the City Engineer.
20. Additional right-of-way or public easement shall be granted to the City for Blackberry Trail. Amount of easement to be determined and approved by the City Engineer.
21. Resolution #98-210 shall become null and void and replaced with the conditions contained in this resolution.

B. Approval in Part. If the Planning Commission finds the application to be acceptable, the following action should be taken:

- Approval of an Ordinance Amendment to PUD Ordinance #946 adding a portion of Tract F described as the land northward of a line running east-west 50 feet south of the proposed greenhouse building to the PUD area and Rezoning the same area of Tract F to Commercial Planned Unit Development District No. 2010-01 and allowing a total of 605,000 square feet of greenhouse on Tracts A-F.
- Denial of the Rezoning request for that portion of Tract F lying south of a line running east-west 50 feet south of the proposed greenhouse building
- Approval of a PUD Amendment to Resolution #98-210 adding a portion of Tract F described as the land northward of a line running east-west 50 feet south of the proposed greenhouse building to the PUD boundaries and allowing a total of 605,000 square feet of greenhouse subject to the following conditions listed in Option A above:

C. Denial. If the Planning Commission does not favor the proposed application the above requests should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

RECOMMENDATION

Staff offers the following:

- Over the years as Gertens has expanded, the City has supported and approved these expansions. The proposed greenhouse expansion would be consistent with past city approvals.
- The expansion is located on the historical place of business, that is, the business was always on the east frontage of Blaine Avenue and this expansion is a continuation of growth on the east frontage.
- The expansion would be consistent with long established city plans (since 1985) including consistency with the 2030 Comp Plan, and consistent with many other city actions such as; establishment of the TIF District, public improvements to the road system and approval of

other commercial developments all to achieve commercial/office development in the quadrant.

- The greenhouse expansion does not provide additional employment nor does it provide for an expansion of goods and services.
- The greenhouses will not provide additional tax base.
- With staff's recommendation to rezone only the northern portion of Tract F, the City reserves the Upper 55th Street frontage for future commercial or office.
-

While the storm water ponding issue is not yet resolved, both parties are working on a solution and some determination will be made prior to City Council review. Staff is comfortable with moving this request forward with the condition listed that the ultimate size or phasing of the greenhouse shall be approved by the City Engineer based on the approved storm water system design.

Staff recommends Alternative B, Approval of the request with rezoning only the northern portion of Tract F. Staff would recommend denial of the rezoning of the entire Tract F.

Attachments: Comprehensive Plan Map
Zoning Map
Aerial Map
Applicant Narrative
Tract Identification Map
Building Identification Map
Site Plan
Grading Plan
Landscape Plan
Greenhouse Phasing Plan
Drawing of Proposed Zoning Line
Greenhouse Elevations



Gerten Greenhouses Comprehensive Plan Map

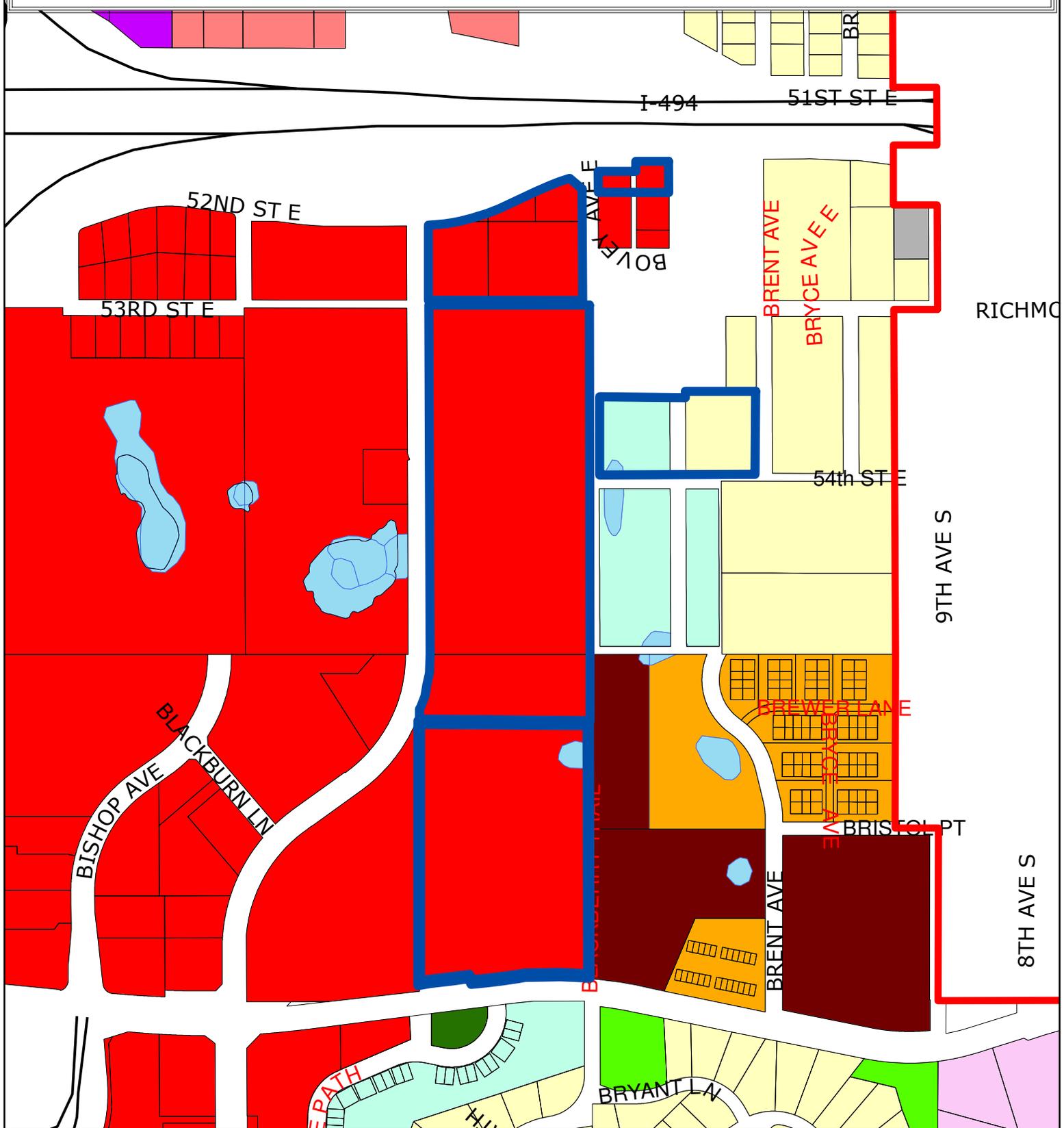


Legend

2030 Land Use Plan

parcels_051208.PPLU_HKGi

Low-Medium Density Residential	Community Commercial	Industrial Office Park	Public / Institutional	Open Water / Wetlands
Medium Density Residential	Regional Commercial	Light Industrial	Public Open Space	
Rural Density Residential	High Density Residential	Mixed Use	Private Open Space	
Low Density Residential	Neighborhood Commercial	Office	Refinery Buffer Area	Rail Road



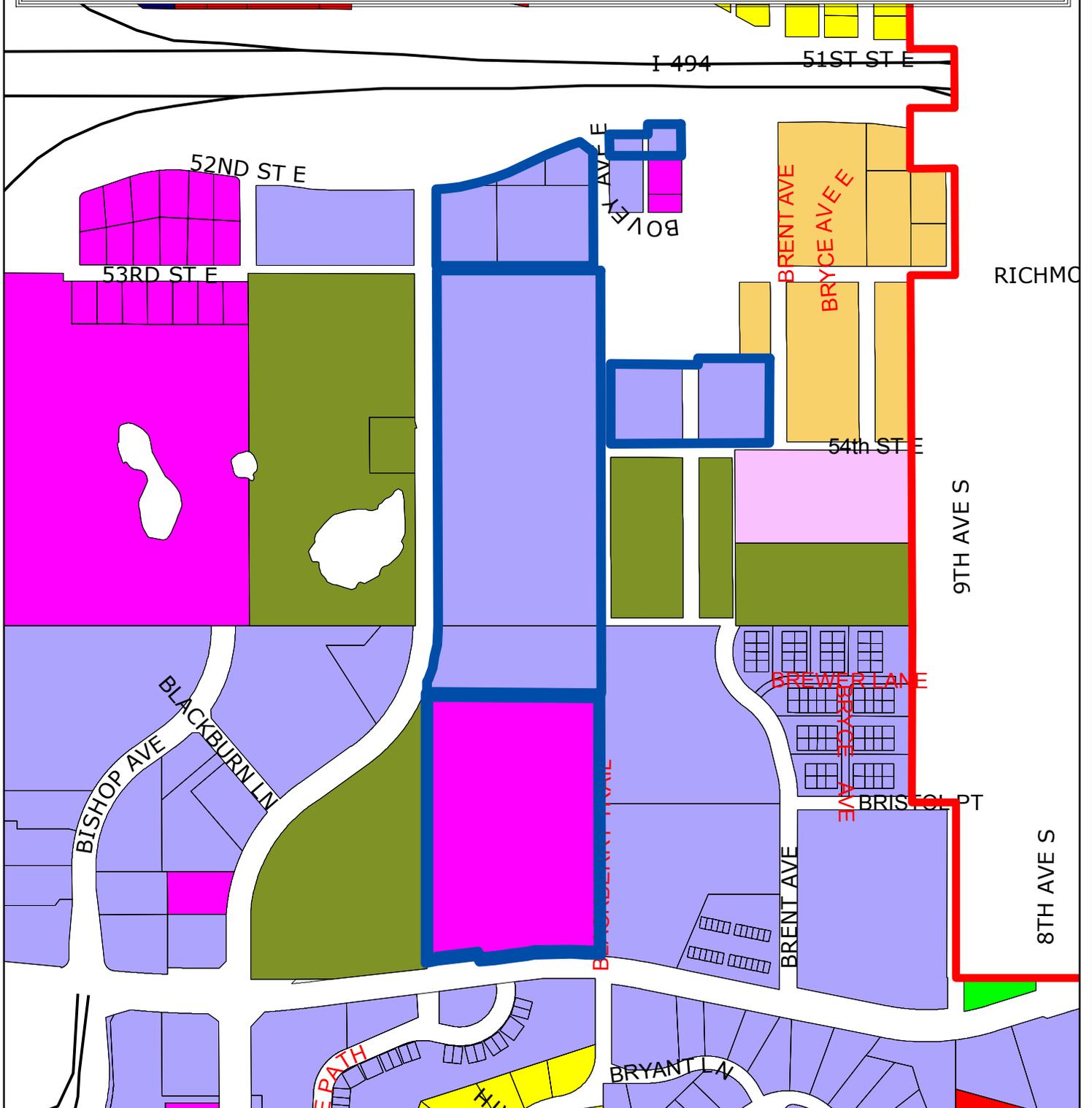


Gerten Greenhouses Zoning Map



Legend

A, Agricultural	R-1C, Single Family (0.25 ac.)	R-4, Mobile Home Park	OP, Office Park	I-1, Limited Industrial
E-1, Estate (2.5 ac.)	R-2, Two-Family	B-1, Limited Business	PUD, Planned Unit Development	I-2, General Industrial
E-2, Estate (1.75 ac.)	R-3A, 3-4 Family	B-2, Neighborhood Business	OFFICE PUD	P, Public/Institutional
R-1A, Single Family (1.0 ac.)	R-3B, up to 7 Family	B-3, General Business	Comm PUD, Commercial PUD	Surface Water
R-1B, Single Family (0.5 ac.)	R-3C, > 7 Family	B-4, Shopping Center	MF PUD, Multiple-Family PUD	ROW





Larkin Hoffman Daly & Lindgren Ltd.

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Minneapolis, Minnesota 55431-1194

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October 28, 2010

Tom Link
Community Development Director
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

Re: Gertens Greenhouse and Garden Center, Inver Grove Heights, Minnesota
Rezoning and PUD Amendment to allow for additional greenhouse use

Dear Mr. Link:

We represent Gertens Greenhouse and Garden Center ("Gertens"). Gertens has applied for a Planned Unit Development ("PUD") Amendment and rezoning for a portion of its property (the "Site") located in the City of Inver Grove Heights, Minnesota ("the City") to allow for an expansion of its existing greenhouse and retail operations. The Site is part of a 46.8 acre land area that is already used for Gertens' greenhouse operations. The Site currently is zoned Commercial PUD ("COMM PUD"). Gertens requests that the City rezone the Site and incorporate it into the existing Bishop Heights PUD. The rezoning would allow for the expansion of Gertens' greenhouse facilities, otherwise not allowed in the COMM PUD District. The southern half of the COMM PUD parcel would keep its COMM PUD zoning.

Gertens understands that the City is interested in rezoning the parcel at the corner of Blaine and Upper 55th Street East from AG District to COMM PUD; Gertens is willing to explore this request with the City. This would create a COMM PUD parcel that reaches from Blaine Avenue to Blackberry Trail.

In support of the application, Gertens has submitted a revised Site Plan, Landscaping Plan, Grading and Drainage Plan, Stormwater Management Plan and Utility Plan.

Project Summary

Gertens is a 4th-generation family-owned business. Gertens has thrived at its location in the City. The family is committed to the community and the region. As a part of its ongoing improvements, Gertens is seeking to expand its current greenhouse operations and create additional connections between its existing nursery buildings. This expansion is intended to occur over several phases, stretching over a number of years.

The expansion will include a new greenhouse on the Site (covering existing planting fields), constructed off of the south end of Gertens' existing greenhouses. (See attached Site Plan, Building G). Additional connections will be created between Buildings C – F in order to provide

a more effective layout. An existing wetland on the Site will be filled and mitigated in order to allow for expansion of greenhouse space. The City, acting as LGU, approved the wetland delineation by decision dated October 8, 2010. The greenhouse expansion request includes a new stormwater pond in the southeast corner of the Site. The pond will be sized appropriately to handle the Gertens expansion as well as any future development consistent with the COMM PUD District. An application to place the new pond as part of mitigation in the southeast corner will be filed with the City if the Gertens PUD re-zoning is acceptable to the City.

Expanding the existing Gertens greenhouses will assist in unifying the greenhouse space and provide more efficient operations. (See attached Site Plan, Buildings C – F). In addition, the expansion will allow Gertens to grow seasonal plantings for sale throughout the year. A circulation spine will provide convenient movement throughout the greenhouses.

Due to the City's zoning and Comprehensive Plan ("Comp Plan") changes in recent years, the Site is zoned in a way that does not currently permit its proposed use as a greenhouse. A rezoning of the Site and amendment to the Bishop Heights PUD will allow Gertens to move forward with its planned expansion based on the uses allowed in that zoning category.

As a part of the rezoning and Bishop Heights PUD amendment, Gertens requests that the City approve a total of 605,000 square feet of greenhouse area to allow for the additions to Buildings C – F and Building G. This will allow Gertens to expand as it is able based on business conditions, while providing a maximum building area that Gertens cannot exceed under the PUD. Gertens requests that the City grandfather the existing greenhouses located at the northeast corner into the gross building area of the Bishop Heights PUD. (See attached Site Plan, Building H). This request will resolve a setback discrepancy on a small portion of the north property line.

Comprehensive Plan

The City's 2030 Comp Plan was adopted in 2008. It guides the City's development over the next two (2) decades. While there are several zoning designations on the Gertens properties, the City has guided the entirety of the Gertens properties, with the exception of a portion on the eastern side of the property, as Regional Commercial ("RC"). *Comp Plan Future Land Use Map, April 2009*.

RC areas are intended for large-scale retail sales and services along arterial roadways that serve the region and appeal to a wide range of consumers, many of whom are willing to travel a significant distance to patronize various business establishments. *Comp Plan, Land Use, § 2-18*. These are considered "big box" users in the City's Comp Plan and are intended to serve as anchors for other small to mid-sized commercial users that benefit from the traffic generated by the anchors. *Id.*

The Gertens proposed expansion to allow for Buildings F and G will unify and improve the existing operations and use of the entire Gertens property. Gertens is a regional destination, drawing large numbers of visitors each year to the City. As noted, Gertens is willing to work

with the City on a future rezone of a portion of the Gertens' property currently zoned Agriculture to COMM PUD. The additional landscaping and improved access to the Gertens property will improve the overall design of the property and assist in preparing the COMM PUD property for future development.

Current and Proposed Zoning

There are several Gertens parcels relevant to this discussion. Tracts A-D are currently zoned Planned Unit Development ("PUD") and are part of the Bishop Heights PUD, which was approved by the City in 1998. The Site is zoned COMM PUD, which is essentially a holding zone. Tracts A-D currently hold the majority of the Gertens development, including the existing nursery operations, retail sales and greenhouses. (See attached Site Plan, Buildings A – F, J – Q). The Site is located south of Tracts A-D and Building E and is used for seasonal plantings.

Landscape nurseries are defined by the City as: "[a] business growing and selling trees, flowering and decorative plants and shrubs and which may be conducted within a building or without, for the purpose of landscape construction." *Code*, § 10-2-2. A commercial greenhouse is defined as a "retail business where the primary operations are the selling of landscaping and plant materials grown on site either in an enclosed building or outside." *Id.*

Within the AG District, commercial greenhouses and nurseries are allowed through a conditional use permit ("CUP"). A CUP is required only for retail operations. A CUP for Gertens was originally approved in 1989, with amendments to the CUP approved in 1989, 1990, 1995, 1997, and 1998. In 1998, a CUP amendment and rezoning to a part of the Bishop Heights PUD was approved. This rezoning established the existing retail/wholesale agricultural uses as permitted. The City's historical timeline reflects that the PUD approvals now supersede all of the old CUPs.

The COMM PUD District is a designation created by the City to provide for the comprehensive development of the Lafayette neighborhood. "As commercial uses or developments are proposed in the neighborhood and are found compatible by the City, the ordinance specific to the Lafayette neighborhood will be amended by adding the new use/development for the subject property." *Code*, § 10-10F-1.

A rezoning from Commercial PUD to Bishop Heights PUD requires a majority vote of the Council. *Code*, § 10-13A-11. The criteria that the City considers when reviewing a PUD rezoning are:

- *The consistency of the proposed PUD with the City's Comp Plan.*

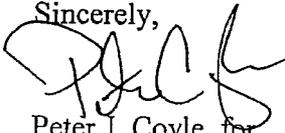
The Gertens expansion to allow for additions to Buildings C – F and the addition of Building G is consistent with the City's Comp Plan. Gertens serves a broad base of customers. While Gertens is not a typical "big box" retailer, Gertens is a destination shopping experience that draws a variety of consumers to the area, expanding opportunities for other existing and future retailers. Gertens is a true "anchor" business. A well-designed and thriving business, the Gertens expansion

Tom Link
October 28, 2010
Page 6

consistent with the City's Comp Plan for the area and will provide a unified development opportunity along Blaine Avenue and Upper 55th Street East to Blackberry Trail.

Please contact me with any questions regarding Gertens' rezoning and PUD amendment application.

Sincerely,

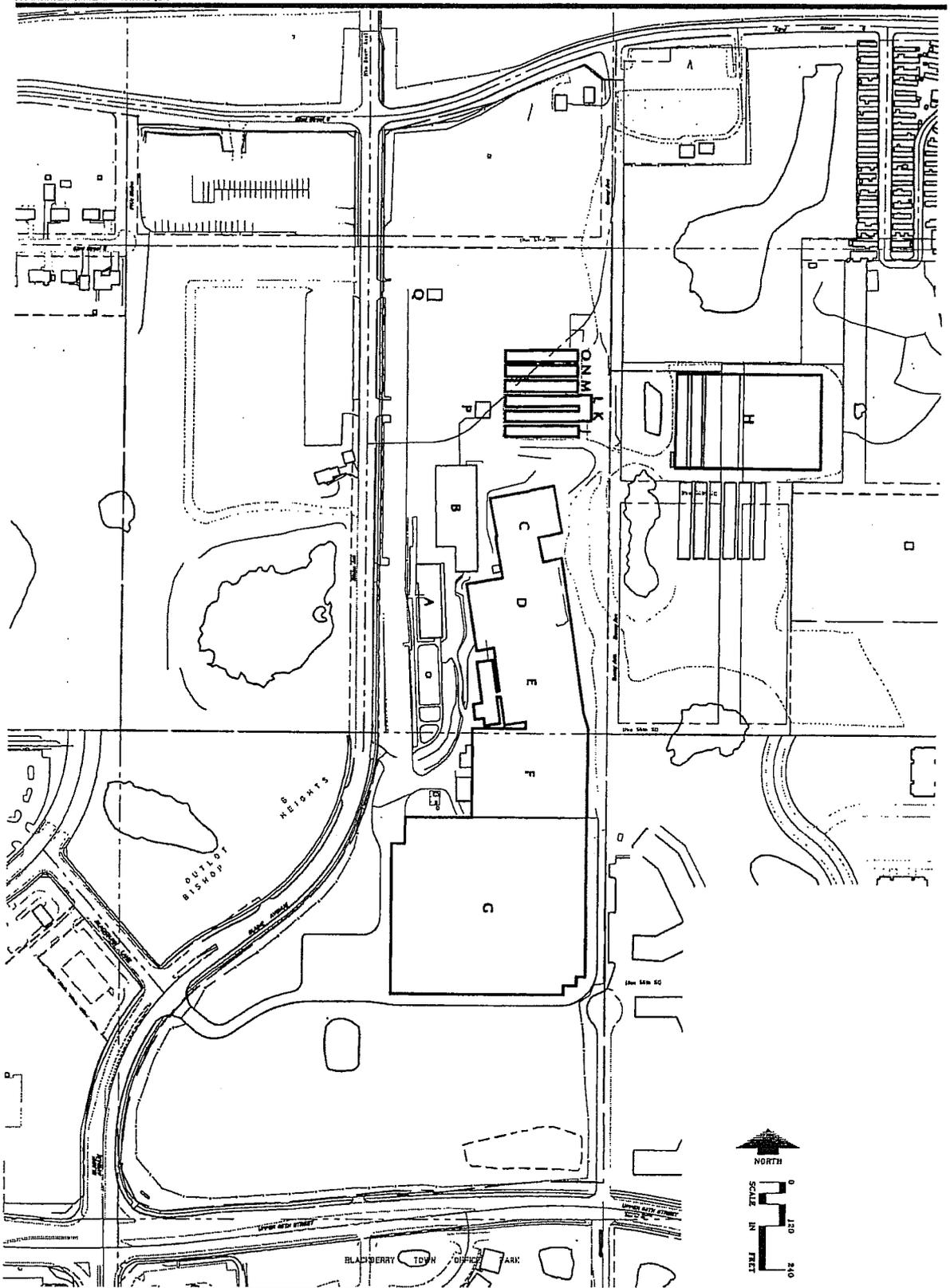


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cc: Lew Gerten
Allan Hunting

1327469.1



OWNER
**GERTEN
 GREENHOUSES, INC.**

PROJECT LOCATION
 Inver Grove Heights, Minnesota

DESIGNER
**LOUIE'S
 ASSOCIATES**
 10000 1/2 Oakdale Avenue, Suite 100
 Inver Grove Heights, Minnesota 56120
 Telephone: (612) 895-1100
 Telex: 251111 LOUIE S
 Fax: (612) 895-1100

DATE OF PLAN
 1/14/88

PROJECT NO.
 98864C

PROJECT NO.
 98864C

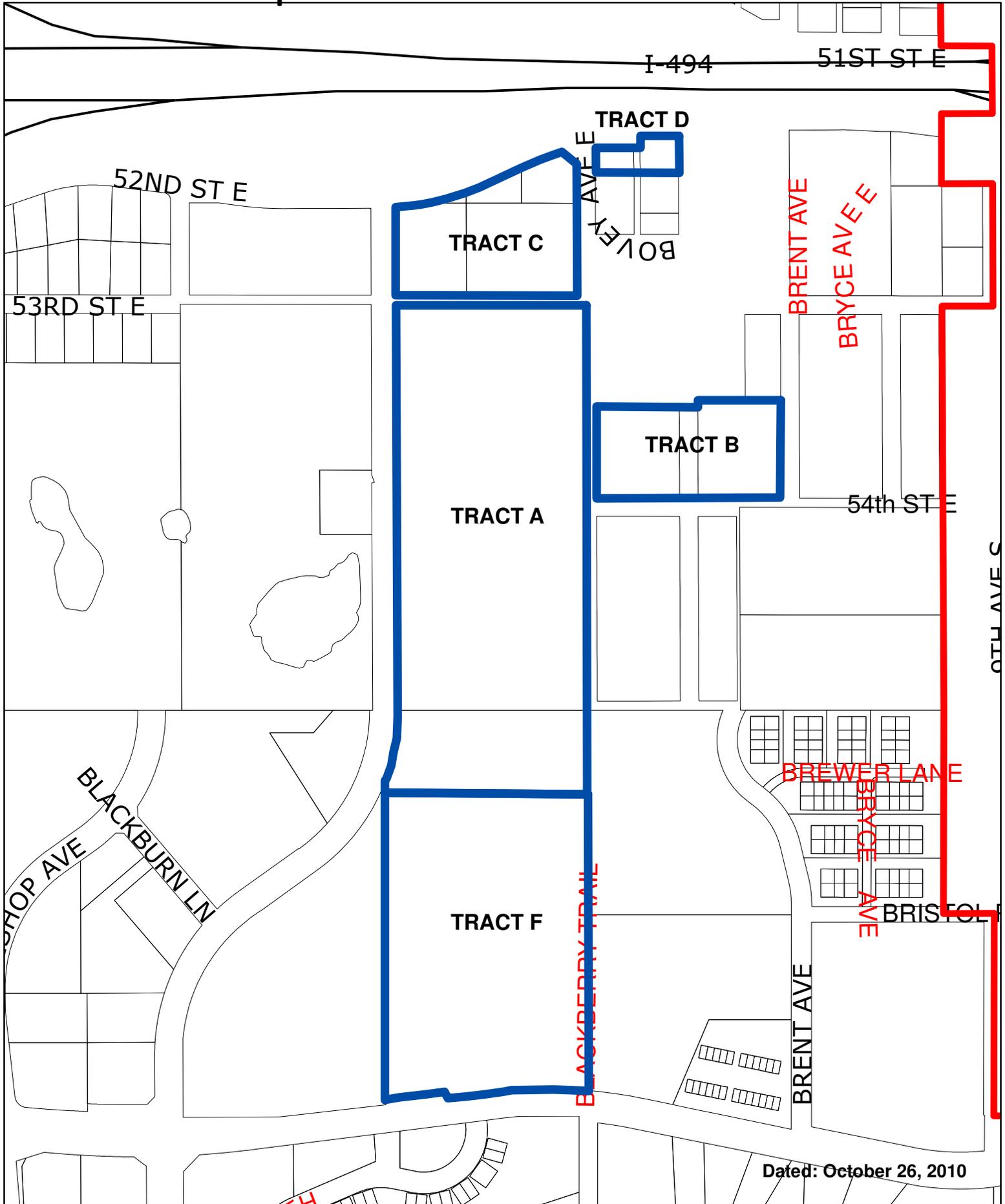
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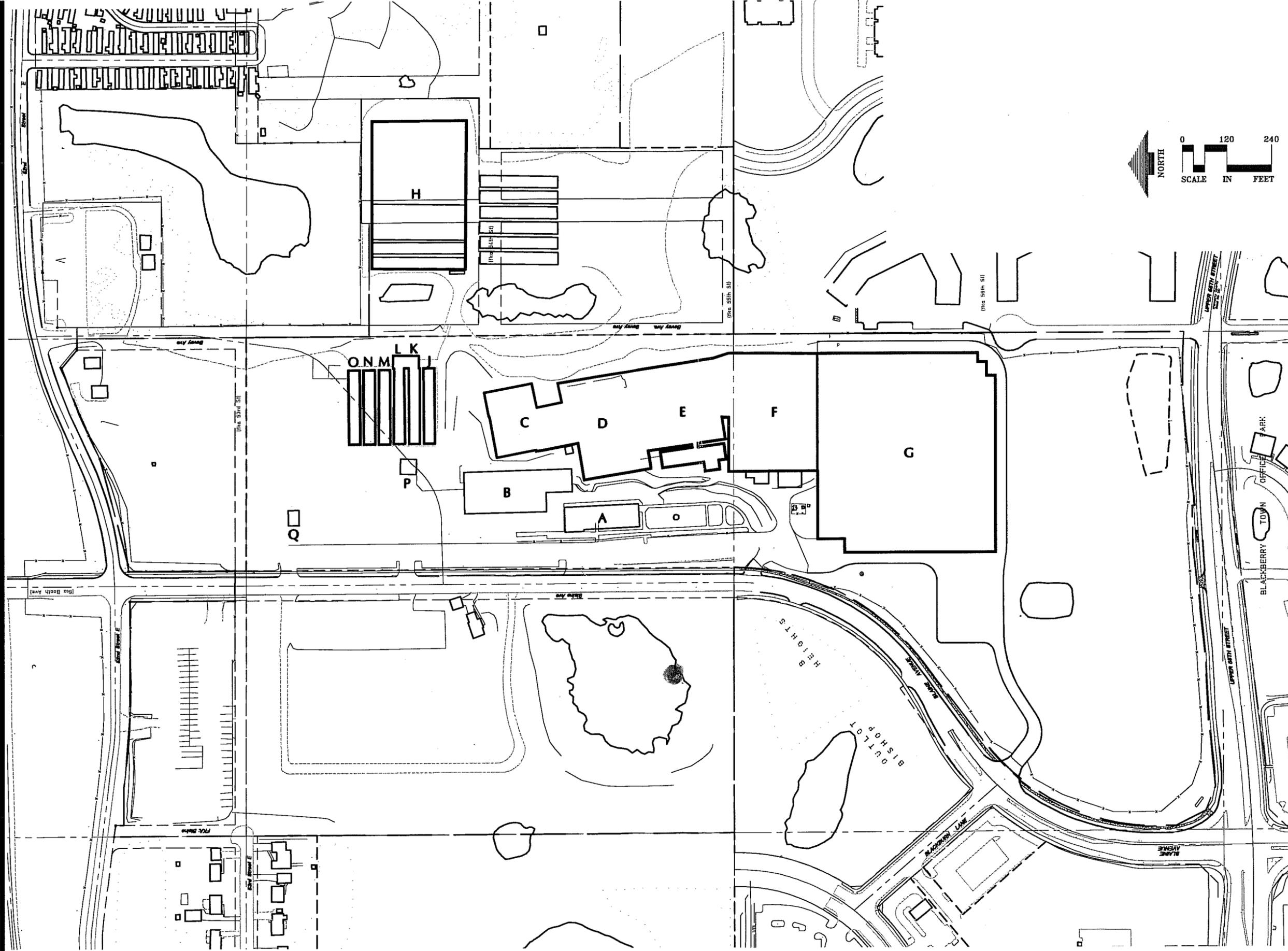
EXHIBIT B



Gerten Greenhouse Tract Identification Map Properties East of Blaine Avenue



Dated: October 26, 2010

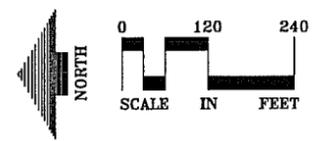


Project Name:

**GERTEN
GREENHOUSES, INC.**

Inver Grove Heights, Minnesota

Owner/Developer:



Professional Services:

**LOUCKS
ASSOCIATES**

Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental
7200 Hemlock Lane - Suite 300
Maple Grove, Minnesota 55389
Telephone: (763) 434-2905
www.LoucksAssociates.com

CADD Qualifications:

Created and prepared by the Consultant for the project as shown on the drawings. These drawings are not to be used for any other project, in whole or in part, without the written consent of the Consultant. The Consultant shall not be responsible for any errors or omissions on the drawings or for any consequences arising therefrom. The Consultant shall not be held responsible for any errors or omissions on the drawings or for any consequences arising therefrom. The Consultant shall not be held responsible for any errors or omissions on the drawings or for any consequences arising therefrom.

Revisions:

Professional Signature:

Quality Control:

Project Lead: _____
Checked By: _____

Sheet Title:

**BUILDING PLAN
FOR
RESOLUTION 98-210**

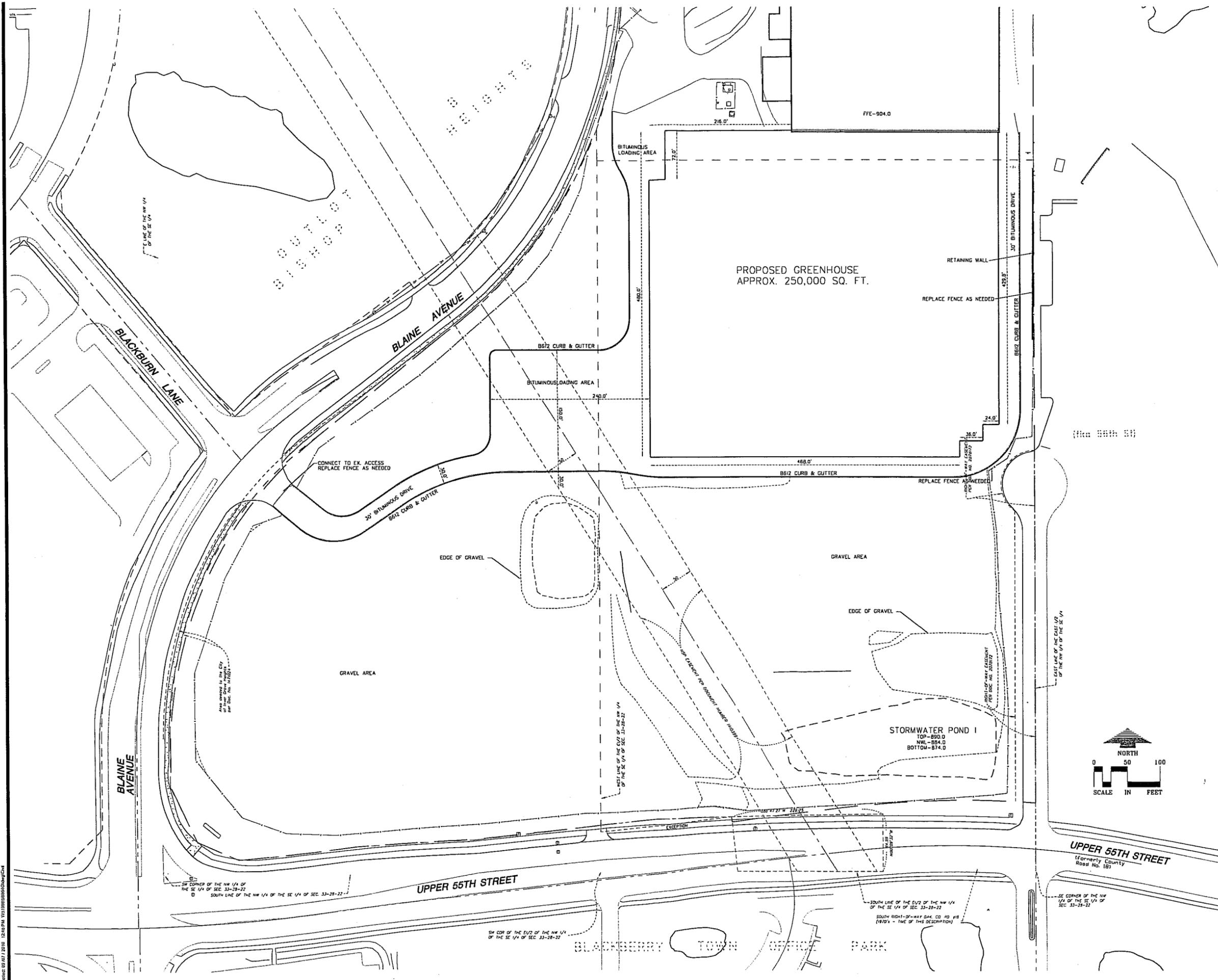
Project No:

98864G

Sheet No:

EXHIBIT B

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Project Name:
GERTENS GREENHOUSE EXPANSION

Location:
 Inver Grove Heights, Minnesota

Owner/Developer Name:
 Gertens
 550 Blaine Ave
 Inver Grove Heights, MN 55076

Professional Services:
LOUCKS ASSOCIATES
 Planning • Civil Engineering • Land Surveying
 Landscape Architecture • Environmental
 7200 Hennepin Lane - Suite 800
 Minneapolis, Minnesota 55425
 Telephone: (612) 424-7000
 www.Loucks.com

Scale:
 1" = 50'

North Arrow:
 NORTH

Scale:
 0 50 100
 IN FEET

Professional Seal:
 I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 License No. 15000 - PE

Quality Control:
 Checked by: _____
 Drawn by: _____

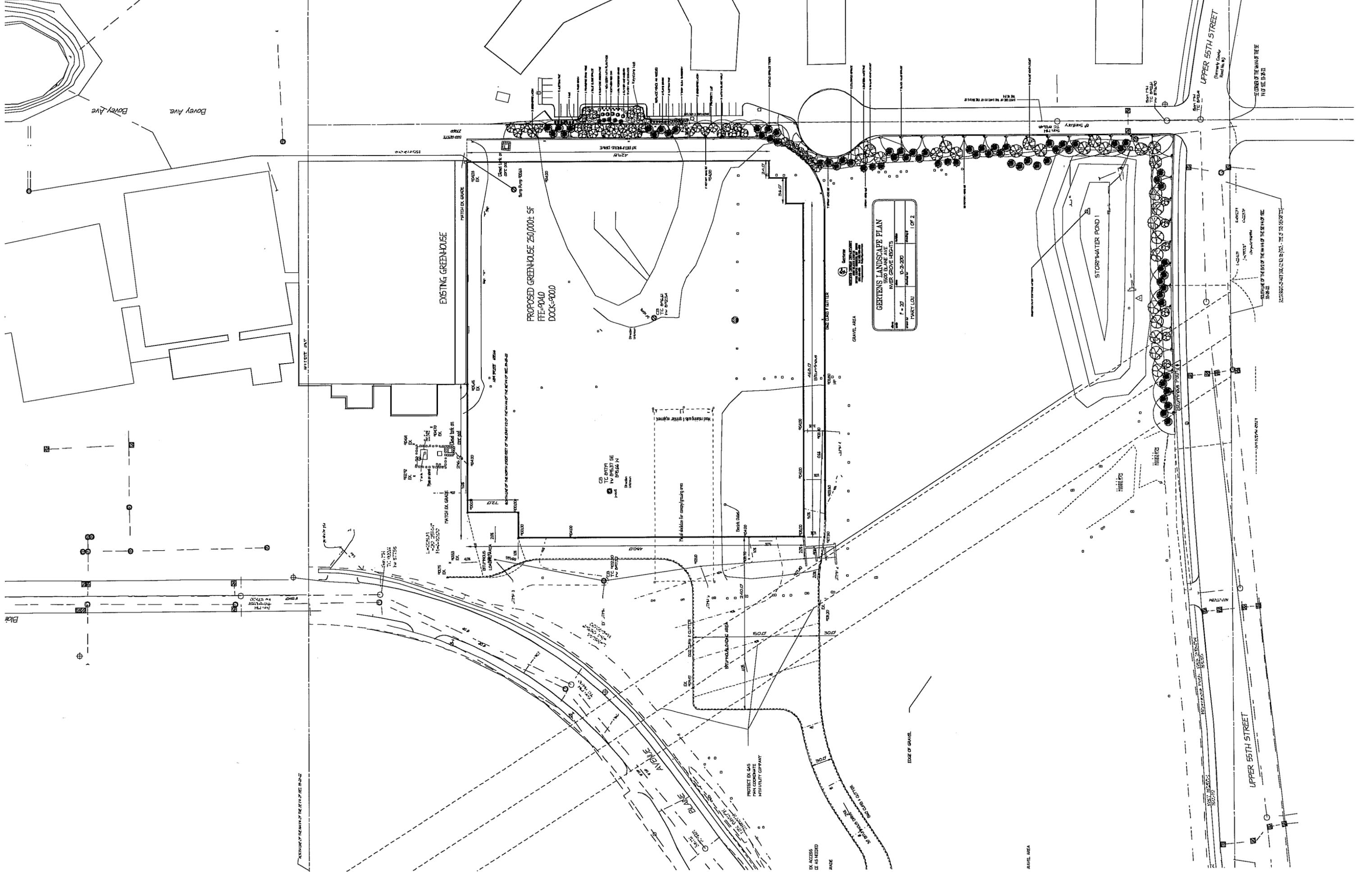
Sheet Index:

Sheet Title:
PRELIMINARY SITE PLAN

Project No.:
 98864G

Sheet No.:
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EXISTING GREENHOUSE

PROPOSED GREENHOUSE 250,000 SF
FFE=9040
DOCK=9000

GERTENS LANDSCAPE PLAN	
5520 BLANE AVE INVER GROVE HEIGHTS	
DATE: 1-20	PROJECT: 10-2-200
DRAWN BY: MARY LOU	SCALE: 1/8"=1'-0"
SHEET NO. 1 OF 2	

STORMWATER POND 1

BLANE AVENUE

UPPER 55TH STREET

UPPER 55TH STREET

Bovey Ave

EDGE OF GRAVEL

RAVEL AREA

EX ACCESS
CE AS NEEDED

PROTECT EX GAS
PUMP COORDINATE
UTILITY COMPANY

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RAVEL AREA

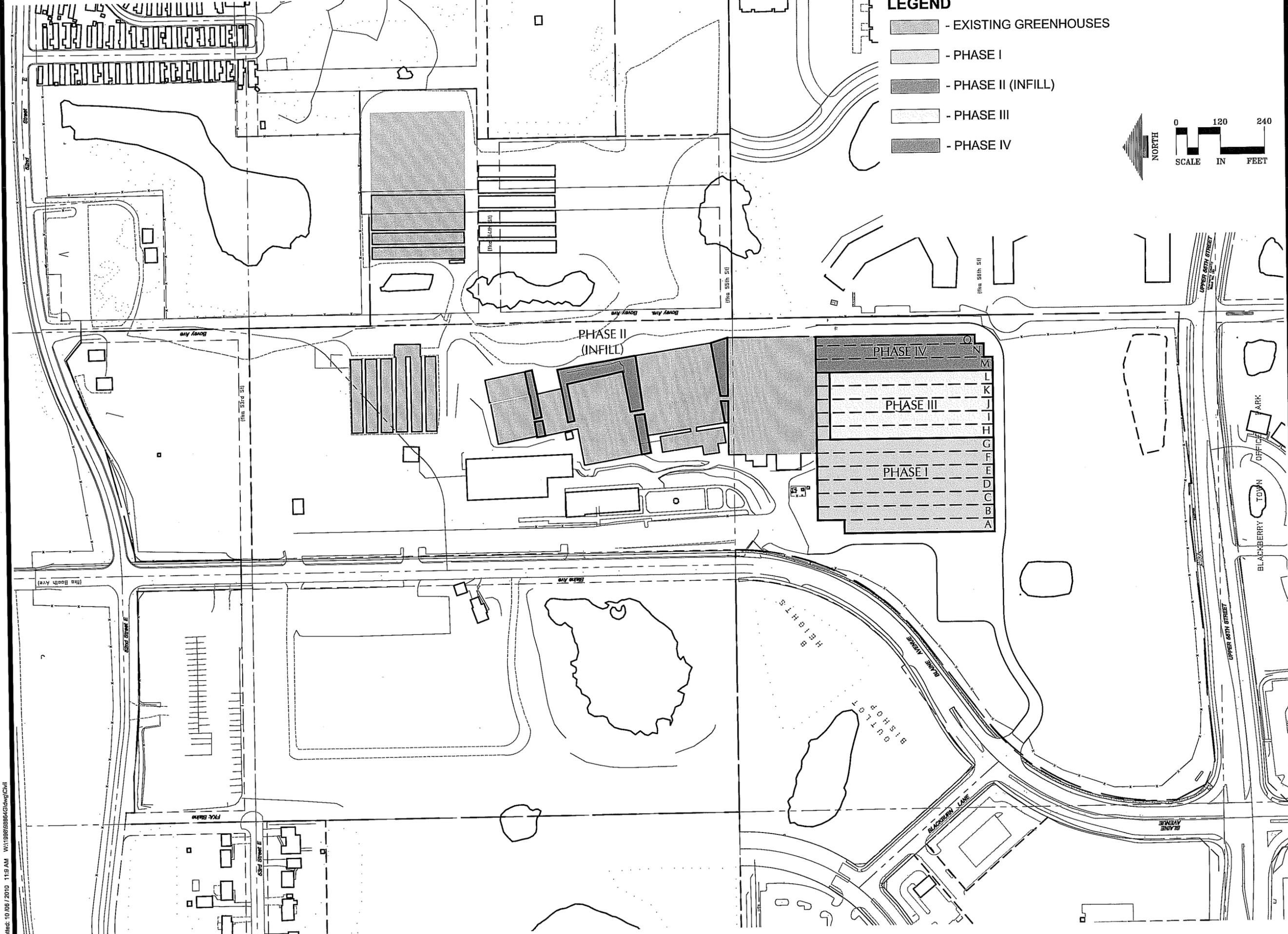
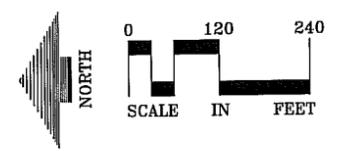
RAVEL AREA

RAVEL AREA

RAVEL AREA

Inver Grove Heights, Minnesota
 Owner/Developer:

- LEGEND**
-  - EXISTING GREENHOUSES
 -  - PHASE I
 -  - PHASE II (INFILL)
 -  - PHASE III
 -  - PHASE IV



Professional Services:

LOUCKS ASSOCIATES

Planning • Civil Engineering • Land Surveying
 Landscape Architecture • Environmental

7200 Hemlock Lane - Suite 300
 Maple Grove, Minnesota 55369
 Telephone: (763) 424-5505
 www.LoucksAssociates.com

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Revisions:

Professional Signature:

Quality Control:

Project Lead: _____ Drawn By: _____

Checked By: _____ Review Date: _____

Sheet Title:

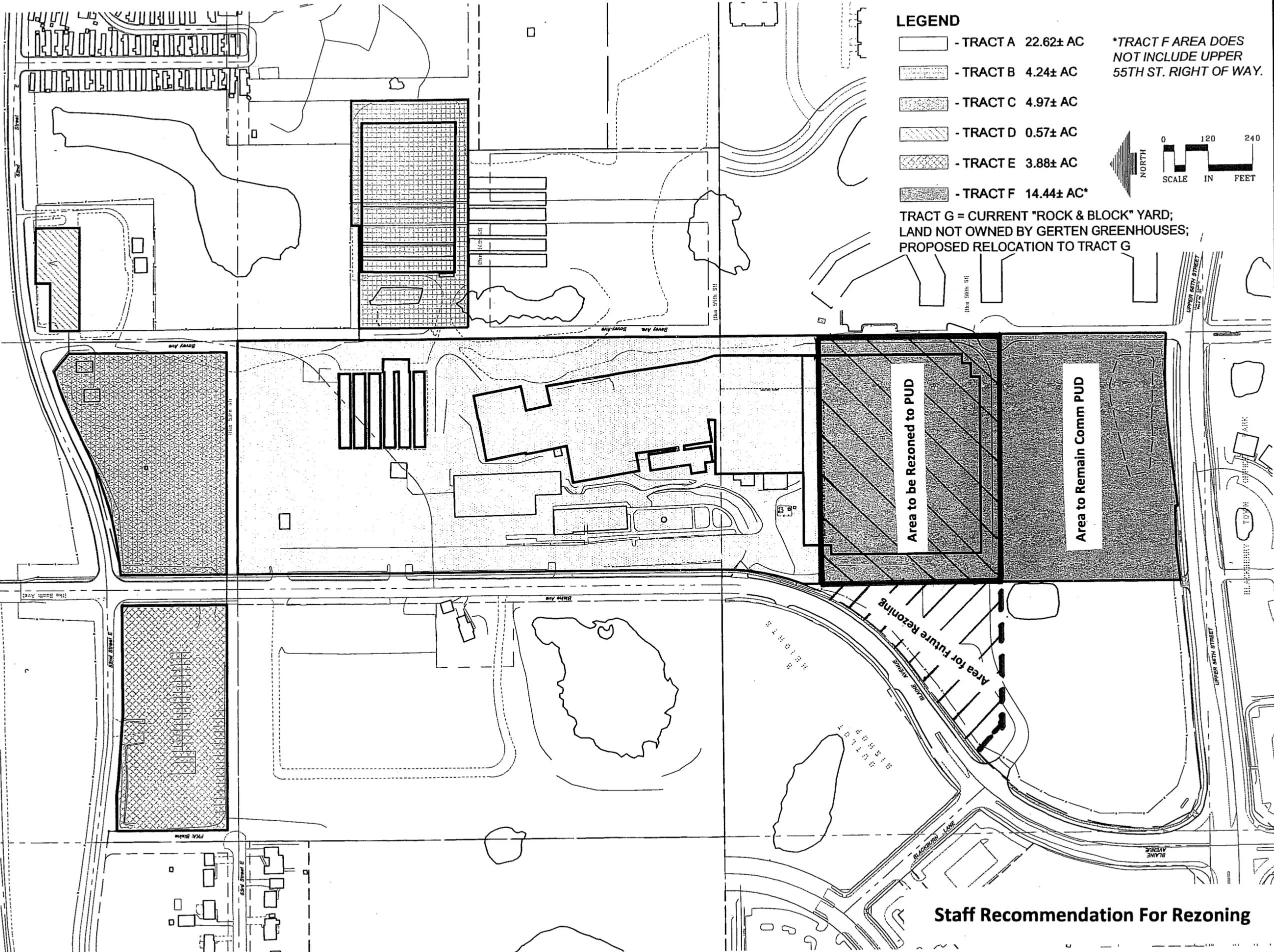
GREENHOUSE EXPANSION PHASING EXHIBIT

Project No.: _____

98864G

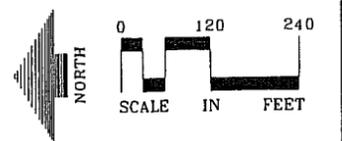
Sheet No.: _____

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- LEGEND**
- TRACT A 22.62± AC
 - TRACT B 4.24± AC
 - TRACT C 4.97± AC
 - TRACT D 0.57± AC
 - TRACT E 3.88± AC
 - TRACT F 14.44± AC*

*TRACT F AREA DOES NOT INCLUDE UPPER 55TH ST. RIGHT OF WAY.



TRACT G = CURRENT "ROCK & BLOCK" YARD;
LAND NOT OWNED BY GERTEN GREENHOUSES;
PROPOSED RELOCATION TO TRACT G

Project Name: **GERTEN GREENHOUSES, INC.**

Inver Grove Heights, Minnesota

Owner/Developer:

Professional Services:

LOUCKS ASSOCIATES

Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental

7200 Hamlock Lane - Suite 300
Maple Grove, Minnesota 55369
Telephone: (763) 424-5505
www.LoucksAssociates.com

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Revisions:

Professional Signature:

Quality Control:

Project Lead: _____ Drawn By: _____
Checked By: _____ Reviewed By: _____

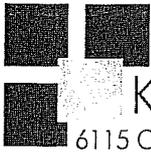
Sheet Title: **PROPERTY PLAN FOR RESOLUTION 98-210**

Project No.: **98864G**

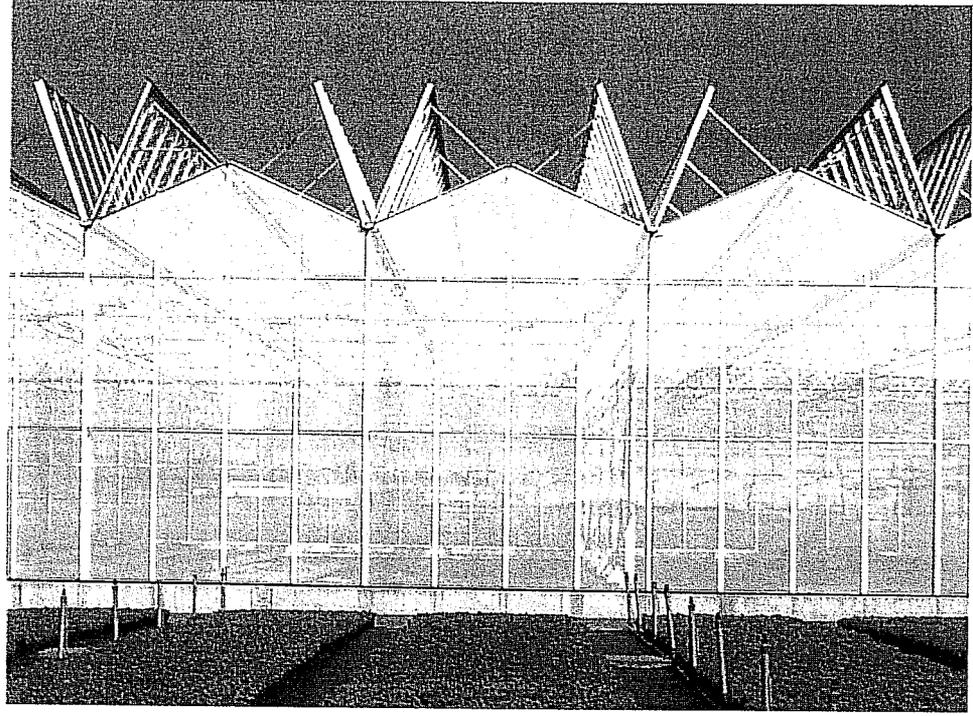
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EXHIBIT C

Staff Recommendation For Rezoning



9/07/09

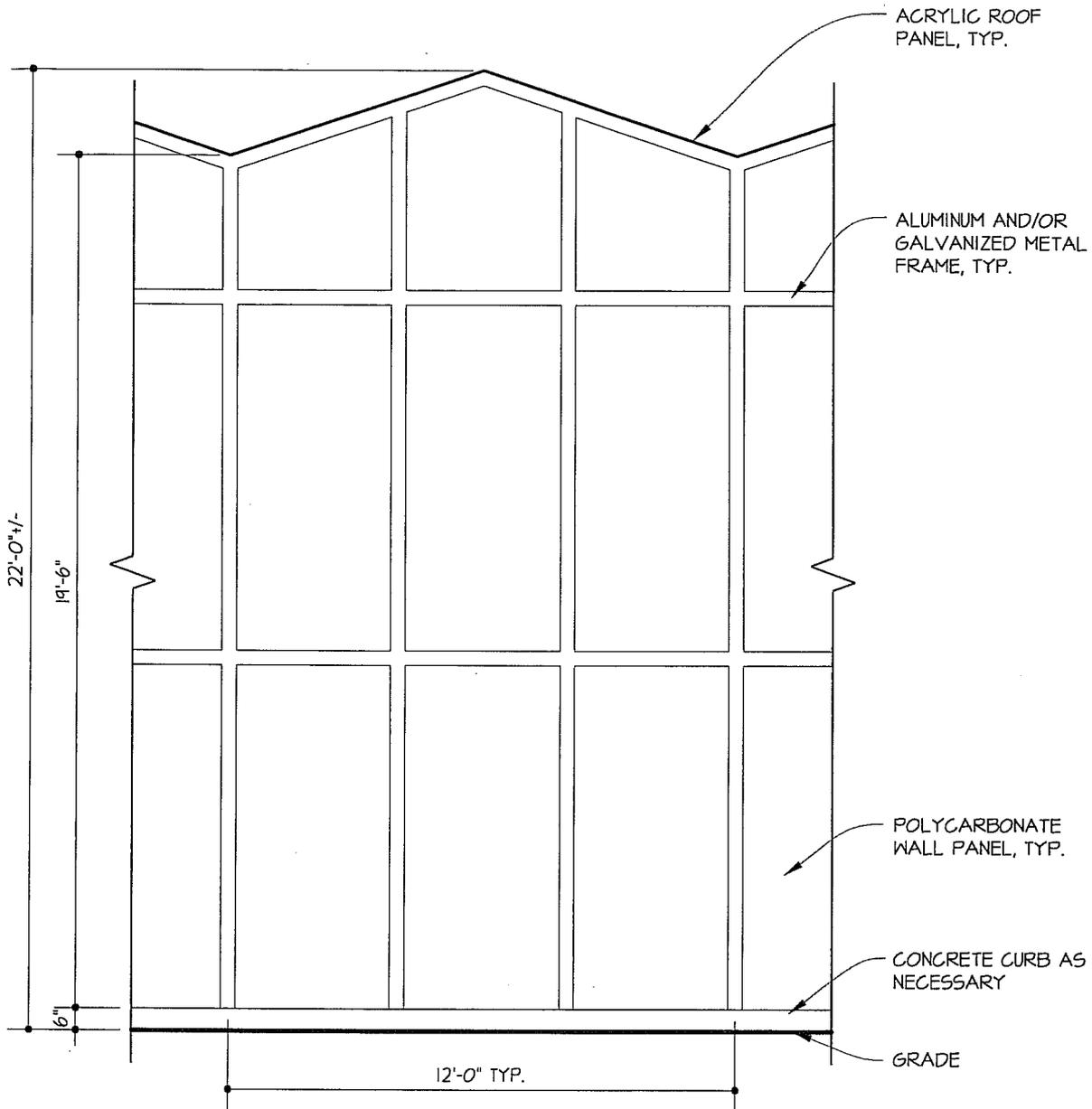


EXTERIOR IMAGE



INTERIOR IMAGE

These images are made available by the proposed greenhouse manufacturer, Max-Air Greenhouses



1 PARTIAL GREENHOUSE ELEVATION
 1/4" = 1'-0"

GERTENS

KRECH, O'BRIEN, MUELLER & ASSOCIATES, INC.
 Architecture Structural Engineering Interior Design
 6115 Cahill Avenue, Inver Grove Heights, Minnesota 55076
 651.451.4605 p 651.451.0917 f komainc@komainc.com

PROJECT #: 10044	EL-1
DRAWN BY: JML	
DATE: 09-07-10	

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Allan Hunting, City Planner
FROM: Thomas J. Kaldunski, City Engineer 
DATE: October 7, 2010
SUBJECT: Engineering Comments on Gerten's Expansion Proposal
Planning Case No. 10-32 PUD

This memo has been prepared in response to the September 10, 2010 submittal. These comments should be incorporated into the Conditional Use Permit for this project.

1. Engineering Division conducted a detailed review. A surety for all improvements will be required as determined by the City Engineer after the project scope is approved and a detailed cost estimate is received. A cash escrow will be required for City staff review time in an amount to be determined. It will include a \$3500 fee for storm water modeling of the City system by Barr Engineering. The Letter of Credit amount will be set once the Developer provides a construction cost estimate to the City Engineer. The Letter of Credit will be construction cost plus 25% as established by the Engineer. A minimum of \$7500/acre is required for the mass grading of the site per Code.

Additional items related to expansion and construction is as follows:

2. Permits for the retaining walls will be required from the Building Department. The proposer shall secure these permits before any grading begins on the site. The retaining walls shall be constructed in the early phases of the site grading.

The materials used for the retaining walls and soil tiebacks must be reviewed and approved by the City Engineer. No materials used in the wall construction can be installed on the street right-of-way. The Developer must provide sufficient detail and protection to ensure the street is not impacted by this work. The Developer will be responsible for any negative impacts to the street and its related infrastructure.

3. The site contains a DNR public water. The development must meet all DNR regulations. An easement shall be granted around the water to a point 20 feet beyond the high water level (HWL). An access easement is also required. Also show NWL and HWL on the treatment pond. Provide wetland delineation and mitigation plan report. A public easement would be required for this wetland or its mitigation.
4. The Developer shall identify impacts to DNR Public Water No. 64, downstream of the site. All impacts to this wetland shall be mitigated by the Developer. A model will be run by Barr Engineering.
5. Due to the DNR water, it is important to protect from the effects of pollution from the building and parking lot. A proposed treatment pond shall include the features requested in the earlier review. It is recommended that the Developer install sediment traps in portions of the project in a location that allows for routine maintenance and removal of these sediments.

It is understood that proposed treatment ponds will be constructed early in the project and it will serve as a temporary sediment basin until the site is vegetated and stabilized. After the construction is complete, the Developer shall provide an as-built survey to ensure the pond is at the planned grades. Any deposited sediments must be removed by the Developer.

6. All plans must be signed and certified by a Professional.

- Two to three Barr reports and SW model are being reviewed by staff. Further comments may follow.
- Storm sewer from SE pond has had issues in past; City has done some storm system maintenance and minor repairs to help that system. This proposal must not impact downstream systems.
- Consider using SE pond for irrigation and revise to keep water level down (similar to pond west of Blaine)
- MnDOT needs to see SWMM model from Barr report to get approval of a Mn/DOT drainage permit.
- Keep flow to Mn/DOT pond similar to current conditions; do not redirect additional flow to SE pond
- Need to have Barr review effects of SE pond on DNR pond 64 (south of Hwy 55)
 - Rate control important for storm sewer
 - What rise in high water level will occur with added runoff in DNR Pond 64.
- Water main extension project in 52nd Street – water main lowered; City needs as-built plan from this old project.
- Increase in impervious area will increase volume and runoff rates. A hydraulic study is required.
- Platting might be considered to provide complete right-of-way for the cul-de-sac north of Blackberry Trail and Upper 55th.
- Will need drainage and utility easement to 30' west of existing sanitary sewer
- Will need a 10' drainage and utility easement west of cul-de-sac.
- Will need erosion control plan plus others on list – SWPPP
- Need storm management plan and understanding of downstream effect of additional impervious surface
- Need easements for existing utilities (30 ft min.)
 - Water main loop on Bivens Court
 - Storm sewer across Tract A
 - Other misc. storm sewers
 - On existing and proposed ponds
 - Water main loop at 63rd Street and north toward Boyd
 - Need easement over proposed SE pond
- Does sanitary need to be extended from cul-de-sac to new buildings or will they use existing services?
- Looping of water system for fire protection of large building may be required by code and Fire Marshal
- Add additional fire hydrants to meet 350 feet spacing and building coverage may be required by Fire Marshal
- This is MPCA non-degradation site that will require the implementation of best management practices and treatment facilities for storm water management.
- Agreement for Blaine Avenue mill and overlay should be discussed.
- Agreement for sidewalk/trail repairs on Blaine Avenue should be discussed. The pre-existing agreement needs to be reviewed.
- Escrow for Barr Engineering review will be required. Escrow for City Engineer review will be required. Amount to be determined.
 - A storm pond will be needed near Upper 55th and Blackberry Trail – early in the construction schedule
- Storm water modeling and Mn/DOT permit for increase drainage to Interstate 94

- Storm water modeling for changes to storm system from Upper 55th/Blackberry all the way to downstream ponds including DNR Lake #64 and other existing ponds
- Provide field locates on large pipe line
 - ID pipeline owners
 - Need concurrence from pipeline owner for any work on easement (100 feet wide)
 - Show all existing easements on all drawings
 - May need updated ALTA survey
- Wetland delineations required and mitigation plan of all impacts since WCA of 1991 – typical 2:1 replacement
- Project needs review by:
 - Mn/DOT
 - Corps of Engineers
 - Mn/DOT
 - Dakota County SWCD
 - Watershed Management Organization
- Old 12" CIP water main may need to be replaced and existing sanitary sewers may need to be televised as part of this project
- Need info on sump pump near wetland
 - Use
 - Capacity
 - Map location
 - Discharge point and force main alignment
- Need to review tree removal that occurred before
 - Replacement may be an issue
- Need to protect wooded area in SE corner or consider replacements. Consider conservation easement on steep slope.
- Maintenance and improvement agreements will be required.
- How to deal with MEGA sprinkling system owned on-site. Gertens should provide map of demolition of existing system.
- Mn/DOT review will include reduction in storm water flow to Interstate 94
- Project includes 940,000 SF of buildings include minor infills and 250,000 SF greenhouse addition
- Environmental committee will need to review wetland impact and tree removals
- Look at setbacks to utilities on cul-de-sac, additional right-of-way, and easements required.
- Retaining wall on neighbor's site remains. This project proposes a new retaining wall. What will occur over existing utilities between walls. Needs adequate easement or agreements to protect utilities from encroachment.
- Gertens wants to fill gap between walls which will affect sewer and water that exist.
- City desire for road on east side has been discussed in the past. Should it be required?
- Sidewalk maintenance agreement from old PUD – Alan Hunting to find copy for review.
- Wetland replacement – SWCD and BSWR ~10,000 SF mitigation – TEP has meet

- Storm plan will reduce flow to SE
 - Reduce TSS and phosphorus – treatment
 - Proposed storm system to control 2, 10, 100-year runoff – hydraulic study required
 - Bounce increases (12 to 24 hrs drain down)
- Mn/DOT needs to approve study – Mn/DOT drainage permit – rate is issue
- Traffic analysis – no increases anticipated
- Need water main as-builts from previous property/agreement

The overall grading plan submitted has temporary stockpile grading elevations and drainage patterns shown to fit into the terrain of the area. The proposed stockpile 2:1 slopes are steeper than the 4:1 City standard; however, the stockpile and associated clean fill are needed for the future expansion. We have noticed the following items to consider:

Permanent Grading and Drainage: The hauled-in fill material will be rough graded into a stockpile to the elevations shown, dressed with an organic material (hydraulic stabilizer, topsoil, mulch, or compost, etc.), temporarily seeded and turf established. A grading, drainage, and sediment and erosion control plan is attached. The proposed grades for the stockpile are temporary. Provide cut/fill quantities on the plan.

Erosion Control and Turf Restoration: An NPDES general construction permit and a storm water pollution prevention plan (SWPPP) will be required since the site disturbance is about one acre and near a body of water. The measures to be considered are spelled out in the conclusions and recommendations.

Tree Preservation: The proposed temporary grading and temporary stockpiling will remove trees that would have been required to be removed with the proposed building and parking lot expansion. A complete tree inventory needs may be needed, completed and approved by Planning prior to receiving a land alteration permit or disturbing the area.

Wetlands/Lakes: DNR storm water pond is located on the property. Buffer areas (no disturbance setbacks) and erosion and sediment control measures will need to be incorporated into the grading plan to protect the storm water facilities.

Environmental: Owner shall provide a letter verifying that the site has had no illegal or hazardous materials placed. An environmental study may be needed prior to disturbing the area. Owners shall also provide model to reduce pollutants leaving the site, especially fertilizers.

Haul Routes and Hours of Operation: A route will be designated by the City and it must be followed. The owner or their contractor will operate between the permitted hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday.

Compacted Fill: Fill brought to the site will be **certified clean** fill as approved by a geotechnical engineer and in accordance with Title 9, Chapter 4, Excavation and Fills of the City Code.

Resident Notification: The adjacent land owners will be sent a letter of notification.

TJK/kf

cc: Lou Gerten, Gertens
Michael St. Martin & Chad Lockwood, Loucks Associates
Brady Mueller, Krech, O'Brien, Mueller & Associates
Scott D. Thureen, Public Works Director
Steve Dodge, Assistant City Engineer
Tim Kuntz, City Attorney

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Allan Hunting, City Planner
FROM: Thomas J. Kaldunski, City Engineer
DATE: October 7, 2010
SUBJECT: Engineering Comments on Gerten's Expansion Proposal
Planning Case No. 10-32 PUD
SUPPLEMENTAL COMMENTS

These supplemental comments should be included in the Conditional Use Permit for this project. They are from the meeting with Gerten's engineers.

1. A proposed treatment pond shall include features to treat runoff of 1" of rainfall from the impervious surfaces before the new project. These best management practices are needed to meet the MPCA non-degradation requirements for the City.
2. The hydraulic report includes outfall pipes and pond (NE of the proposed addition); also pond and basins W-2 (partial) need easements. Landlocked basins such as W-2 need easements based on the 10-day snow melt high water level.
3. Need an easement over existing wetland that remains after the project.
4. Testing of pond effluent to determine phosphorus levels and other pollutants in the floatable range should be required due to the proposed landscape.
5. Reduce drainage area to dock to reduce flooding at the dock in heavy storm events. Current 10-year design of storm sewer will flood dock about 2 feet deep until the water reaches an emergency overflow in a 100-year event. This is not acceptable.
6. Concern for emergency overflow on east side of the addition – does it flow to the neighboring parking lot? Developer should provide route for 100-year event to its discharge point into the landlocked basin, NE of this area.
7. The City needs to receive a \$3500 cash escrow as soon as possible to fund the storm water modeling to be done by Barr Engineering, the City's consultant. We need Barr Engineering to perform the model and review the proposed storm water management plan at Gertens within the next two weeks in time to submit City staff comments for the November 3, 2010 Planning Commission meeting. The current schedule is at the request of the owner (Gertens). Any delay in Barr's review will delay the project schedule. I can't authorize Barr to proceed without the escrow.

cc: Lou Gerten, Gertens
Michael St. Martin & Chad Lockwood, Loucks Associates
Brady Mueller, Krech, O'Brien, Mueller & Associates
Scott D. Thureen, Public Works Director
Steve Dodge, Assistant City Engineer
Tim Kuntz, City Attorney

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Allan Hunting, City Planner
FROM: Thomas J. Kaldunski, City Engineer *DK*
DATE: January 20, 2011
SUBJECT: Review of Gerten's Proposed Expansion PUD 10-32

The Engineering Division, along with our consultant, Barr Engineering has been further reviewing this proposed expansion on the Gerten's property. The project generally consists of construction of a 7-acre greenhouse addition, related site grading and drainage modifications. This project also is reviewed in an October 7, 2010 letter with conditions to be met. The following conditions must be met as part of the approval of the project:

- (a) All City engineering comments outlined in this memo, the October 2, 2010 memo and any subsequent agency correspondence must be met and approved by the City Engineer before any construction can begin. A revised set of plans must be submitted for final approval.
- (b) Drainage from this project will affect storm water management pond T23 (also known as the Trailer Court Pond) (see attached map). This pond is owned and operated by Mn/DOT. The developer shall secure all necessary permits, especially a drainage permit from Mn/DOT before any construction.
- (c) Barr Engineering has completed a XP-SWMM model of the drainage facilities affected by this proposal. All modeling and design criteria from this model shall be met by the development. The criteria for each storm water management facility is listed in this memo. All modeling is based on the 100-year, 24-hour SCS Type II storm event.
- (d) Pond T23 shall be maintained to the following criteria and activities related to this proposal shall not reduce the capacity of the existing system:
Design Storage Volume 56.0 ac-ft of live storage between elevations 810.70 and 826.0
- (e) N Pond shall be maintained to provide 1.75 ac-ft of live storage between elevations 844.05 and 852.00. A topographic survey will be needed to confirm that the existing pond infrastructure meets the criteria. It appears that sedimentation and grading activities may have affected the storage volume of this pond.
- (f) S Pond shall be maintained to provide 3.4 ac-ft of live storage between elevation 855.04 and 859.4. A topographic survey will be needed to confirm that the existing pond infrastructure meets the criteria. It appears that sedimentation and grading activities may have affected the storage volume of this pond.

- (g) Pond SE – this is a new pond that will be improved and graded as part of this project. All planned improvements on this plan shall be constructed and functional in the initial phase of the project. It must be built before WL3 is filled.

This pond shall be modified from the submitted plans as follows:

- Raise the pond outlet to elevation 888.5 to provide additional storage volume. A HWL of 889.9 is modeled. The modeling/design criteria from Barr shall be met. This will control runoff rates/volumes to protect homes affected by HWLs in Pond BP-12 and IP-01K1 south of Upper 55th Street E.
 - No other water from ponds serving the Gerten's site can be diverted to Pond SE
- (h) Pond T22 must provide 50.3 ac-ft of live storage between elevation 832 and 850. The developers shall install outlet pumping and/or irrigation facilities to maintain the NWL at or below 832 with automatic controls to ensure the basin has its full storage volume available before a storm event. This pond shall be surveyed to provide updated topographical data in the event that the pond is to be expanded to receive additional water from Pond T23, N Pond, S Pond. Diversions to this pond may be conditioned on the Mn/DOT permit and the need to reduce storm water runoff into Pond T23. Modeling the effects of any additional flows to Pond T23 will be the developer's responsibility and they shall provide adequate funds for the consultants modeling. Any diversion to this pond shall not affect the existing storm water management facilities to the south.

It is anticipated that this pond may require expansion due to the Mn/DOT permit on Pond T22. The developer will be required to construct a storm water management facility that can store runoff during the design event until a pumping facility is allowed to discharge non-peak flow rates in the range of 1 to 2 cfs into the existing South St. Paul storm sewer system. The developer and City will need to negotiate an agreement with the City of South St. Paul for this expansion to occur. South St. Paul representatives have indicated they are willing to enter into these negotiations. Off peak discharge rates shall be limited by the agreement executed with South St. Paul.

- (i) The Gerten's site will be authorized to discharge storm water into Pond BP-12 (south of Upper 55th Street) as part of this conditional approval. This storm water runoff to Pond BP-12 shall be limited to the following:

Peak Volume	8.3 ac ft
Peak Rate	3.0 cfs
100-year, 24-hour SCS Type II Storm Event	

These criteria and the information contained in the Barr table are required to protect homes around Pond BP-12 and the house at 5789 Bryant Avenue during the design events.

- (j) The developer shall provide a mass balance on earthwork quantities to confirm how the site will be graded. A revised grading plan is required for the City Engineer's approval before any work starts. Modified grading between Pond SE and the proposed greenhouse should not change drainage areas and outlets used in the model or additional modeling may be required at the developer's cost.
- (k) Water quality testing/monitoring of Pond SE and T22 with discharge to South St. Paul, if constructed, shall be required for the following:

Total phosphorus	Discharge concentration to remain below <u>100 mg/l</u>
Total suspended solids	Discharge concentration to remain below <u>1 mg/l</u>

These testings shall be conducted a minimum of 3 times/year with written reports submitted to the City Engineer. The testing regiment will require one test for the first storm in each quarter of warm weather conditions (i.e. April-June, July-September, October-December). The developer of this site is required, as a condition of this CUP, to do the testing following the requirements of the MPCA general permit for industrial storm water discharges (see attached). The City requires the submittal of a Storm Water Pollution Prevention Plan (SWPPP).

TJK/kf
Attachments

cc: Scott D. Thureen, Public Works Director
Chad Lockwood, Loucks
Rita Weaver, Barr Engineering
Karen Chandler, Barr Engineering
Peter Coyle



Minnesota Pollution Control Agency

GENERAL PERMIT

AUTHORIZATION TO DISCHARGE STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM/ STATE DISPOSAL SYSTEM PERMIT PROGRAM

EFFECTIVE DATE: April 5, 2010 **EXPIRATION DATE:** April 5, 2015

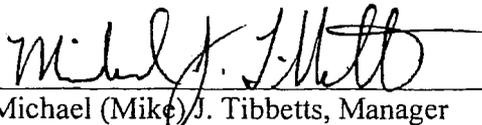
In compliance with the provisions of the federal Clean Water Act (CWA), as amended, (33 U.S.C. 1251 et. seq.; hereafter the Act), 40 CFR 122, 123, and 124, as amended, et. seq.; Minn. Stat. chs. 115 and 116, as amended, and Minn. R. chs. 7001 and 7090.

This permit addresses **stormwater discharges associated with industrial activity**, as defined in this permit, for facilities that discharge **stormwater to waters of the state**, including regulated **Municipal Separate Storm Sewer Systems**. This permit also addresses **stormwater discharges associated with industrial activity** at facilities that provide on-site infiltration of industrial **stormwater discharges** associated with the **facility**.

Upon approval by the **Commissioner**, applicants who submit a complete application (including the application fee, if any) in accordance with the requirements of this permit are authorized to discharge **stormwater** associated with **industrial activity**, under the terms and conditions of this permit.

This permit shall become effective on the **effective date** identified above, and supersedes the previous general permit MN G611000, with an expiration date of October 31, 2002, issued for these facilities.

Signature: _____

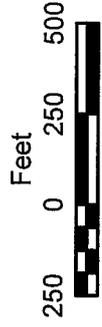

Michael (Mike) J. Tibbetts, Manager
Land and Water Quality Permits Section
Industrial Division

If you have questions on this permit, including the specific permit requirements, permit reporting, or permit compliance status, please contact the appropriate Minnesota Pollution Control Agency offices.

**Industrial Stormwater Program
Industrial Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194
Telephone: 651-296-6300 or Toll Free in Minnesota: 800-657-3864**

Legend

- Flow Direction
- Existing Subwatersheds
- Drains to the North
- Drains to the South
- Approximate Gertens Property Boundary



OPTIONS TO REDUCE VOLUME
TO MNDOT SYSTEM
Gertens Site Review
City of Inver Grove Heights

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CITY OF INVER GROVE HEIGHTS

Meeting Date: January 24, 2011
 Item Type: Regular Agenda
 Contact: Allan Hunting 651.450.2554
 Prepared by: Allan Hunting, City Planner
 Reviewed by:

Fiscal/FTE Impact:	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED

- a. Consider the third reading of an Ordinance establishing standards regulating dynamic display billboards.
 - Requires 3/5th's vote.

- b. Consider an Ordinance creating Dynamic Display Billboard overlay district to allow such signs.
 - Requires 3/5th's vote.

Council approved the second reading of the ordinance on January 10 and did not make any changes.

ANALYSIS

Staff has no further comment on the proposed ordinance. No changes to the ordinance are being proposed for the third reading.

The Council must also act on an ordinance rezoning the properties within Section 27 and 34 to Dynamic Display Overlay District.

RECOMMENDATION

Planning Division: Recommends approval of the third reading of the ordinance amendment allowing dynamic display billboards and the Rezoning Ordinance.

Attachment: Dynamic Display Billboard Ordinance (final version)
Ordinance Rezoning to Dynamic Display Billboard Overlay

Third Reading Version

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE TITLE 10,
CHAPTER 2, SECTION 2 AND TITLE 10, CHAPTER 15, ARTICLE E REGARDING
DYNAMIC DISPLAY BILLBOARDS

The City Council of Inver Grove Heights does hereby ordain:

Section 1. Amendment. Title 10, Chapter 2, Section 2 of the Inver Grove Heights City Code is hereby amended to add the following definition to Section 2:

Dynamic Display Billboard: A billboard or portion thereof that displays static or dynamic text, images, graphics, or pictures where the message change sequence is accomplished by any method other than physically or mechanically removing and replacing the sign face or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the billboard. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes, but is not limited to, any rotating, revolving, moving, flashing, blinking, projecting, or other animated display and any display that incorporates rotating panels, light bulbs, fiber optics, LED lights manipulated through digital input, "digital ink," or any other method or technology that allows the sign face to present a series of text, images, or displays.

Section 2. Amendment. Title 10, Chapter 15, Article E, Section 2, Subparts B and C of the Inver Grove Heights City Code are hereby amended as follows:

B. Permit Required; Application And Fee: Each of the signs or billboards permitted by this article, except those provided for in section 10-15E-11 of this article, shall be constructed, used and maintained only upon completion and City approval of a written permit application therefor and upon payment of the annual permit fee herein provided. Each person signing said application shall be deemed a permittee for the purposes of this article. Application for permits for signs or billboards shall be submitted to the building official who shall grant the permit if the applicant complies with the provisions of this article. No permit for the construction of a dynamic display billboard or the conversion of any portion of a non-dynamic display billboard to a dynamic display billboard shall be granted until the City

Council has approved an agreement with the permittee for the community and public service message display required in section 10-15-E-6-I-4-i.

C. Revocation Of Permit: The building official is authorized and empowered to revoke any permit issued under this article upon failure of the holder thereof to comply with the provisions of this article or the provisions of any permit issued pursuant to this article.

Section 3. Amendment. Title 10, Chapter 15, Article E, Section 6, Subsection I of the Inver Grove Heights City Code is hereby enacted as follows:

10-15E-6: BILLBOARDS:

I. Dynamic Display Billboards:

1. Findings, Purpose and Intent: The City Council finds it necessary for the promotion and preservation of the health, safety, welfare, and aesthetics of the community that the construction, location, size, conspicuity, brightness, legibility, operational characteristics and maintenance of Dynamic Display Billboards be controlled. Dynamic Display Billboards have a direct and substantial impact on traffic safety, pedestrian safety, community aesthetics and property values. The City Council recognizes that signs provide a guide to the physical environment and as such serve an important function in the community and economy. With respect to Dynamic Display Billboards, including video display billboards, the City Council finds that they are highly visible from long distances and at very wide viewing angles both day and night and are designed to catch the eye of persons in their vicinity and hold it for extended periods of time. If left uncontrolled, Dynamic Display Billboards, including video display signs, constitute a serious traffic safety threat. Studies such as "Dynamic" Signage: Research Related To Driver Distraction and Ordinance Recommendations by SRF Consulting Group, Inc. June, 7, 2007, reveal that electronic signs are highly distracting to drivers and that driver distraction continues to be a significant underlying cause of traffic accidents. The City Council intends by this subsection of the City Code to establish a legal framework for Dynamic Display Billboard regulation in the City. The regulations promulgated in this subsection are intended to facilitate an easy and agreeable communication between people while protecting and promoting the public health, safety, welfare and aesthetics of the community. It is not the purpose or intent of this subsection of the City Code to prefer or favor commercial messages or speech over non-commercial messages or speech or to discriminate between types of non-commercial speech or the viewpoints represented therein. Rather, the purpose of the Dynamic Display Billboard regulations promulgated in this subsection is:

- a. to eliminate potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights-of-way;
- b. to safeguard and enhance property values;

- c. to control nuisances;
 - d. to preserve and improve the appearance of the City through adherence to aesthetic principles, in order to create a community that is attractive to residents and to non-residents who come to live, visit, work, or trade;
 - e. to eliminate excessive and confusing sign displays;
 - f. to encourage signs which by their design are integrated with and harmonious to the surrounding environment and the buildings and sites they occupy; and
 - g. to promote the public health, safety, and general welfare.
2. Location of Dynamic Display Billboards: Notwithstanding anything to the contrary contained within this Code, Dynamic Display Billboards may be located only within the Billboard Overlay District. Dynamic Display Billboards are prohibited in all zoning districts of the City other than the Billboard Overlay District. Dynamic Display Billboards located in the Billboard Overlay District must comply with all Code requirements for permitted Dynamic Display Billboards.
3. Non-Conforming Billboards: Notwithstanding anything to the contrary contained within this Code, a legal non-conforming sign or billboard shall not be converted to a Dynamic Display Billboard unless the legal non-conforming sign or billboard is located in the Billboard Overlay District. A legal non-conforming sign or billboard may be continued through repair, replacement, restoration, maintenance, or improvement but shall not be expanded, enlarged, intensified or moved to a new location. Replacement, reconstruction, or restoration means construction that exactly matches pre-existing conditions. Expansion or intensification includes, but is not limited to, replacement of a static display with any type of dynamic display, including a display that consists of rotating, revolving, moving, flashing, blinking, or projecting items, or light bulbs, LED lights, fiber optics, or any other method of technology that allows the sign face to present a series of text, images, or displays. A legal non-conforming sign or billboard may be converted to a dynamic display billboard in the Billboard Overlay District subject to the requirements of the Billboard Overlay District Performance Standards.
4. Billboard Overlay District Performance Standards: The Billboard Overlay District is hereby established as a separate zoning district within the City. Within the Billboard Overlay District, Dynamic Display Billboards are permitted subject to the following conditions:

a. No dynamic display billboard shall be erected that, by reason of position, shape, movement or color, interferes with the proper functioning of a traffic signal or which constitutes a traffic hazard.

b. Dynamic display billboards must have minimum display duration of eight (8) seconds. Such display shall contain static messages only; change from one static message to another shall be instantaneous without any special effects, through dissolve or fade transitions, or with the use of another subtle transition technique that does not have the appearance of moving text or images.

c. Dynamic display billboards must be rectangular in shape and all messages must be contained within the billboard frame.

d. All dynamic display billboards shall have ambient light monitors installed as part of the billboard and shall, at all times, allow such monitors to automatically adjust the brightness level of the electronic sign based on light conditions.

e. Dynamic display billboards shall meet the following brightness standards:

1. No dynamic display may be brighter than is necessary for clear and adequate visibility, and shall not exceed 7,500 Nits (candelas per square meter) between the hours of civil sunrise and civil sunset and shall not exceed 500 Nits (candelas per square meter) between the hours of civil sunset and civil sunrise as measured from the face of the sign.

2. The lamp wattage and luminance level in Nits (candelas per square meter) shall be provided at the time of permit application from the owner or operator of the sign certifying that the sign shall at all times be operated in accordance with all relevant City Code provisions and that the owner or operator shall provide written proof of such conformity within five (5) business days after request from City Staff.

f. Dynamic display billboards shall have a fully functional monitoring off switch system that automatically shuts the dynamic display billboard off when the display deteriorates, in any fashion, 5% or greater until the dynamic display sign has been repaired to its fully functional factory specifications.

g. Dynamic display billboards shall maintain a minimum spacing of eight hundred (800) feet between any other dynamic display electronic billboard on the same side of the highway and five hundred (500) feet between signs on the opposite side of the highway.

- h. Dynamic display billboards must be part of the State of Minnesota's public safety alert system.
- i. Applicants for a dynamic display billboard permit shall enter into an agreement with the City to provide the City no less than five hours (provided in 2,250 eight-second spots) per month per dynamic display billboard face in the City for community and public service messages at such times as shall be determined by the City. This agreement must be approved by the City Council before a permit for the construction or conversion of a dynamic display billboard may be issued by the building official.
5. Rezoning of Property: Contemporaneous with the enactment of this subsection, the City has rezoned certain property within the City to the Billboard Overlay District by Ordinance Number _____ . The area rezoned to the Billboard Overlay District is the only appropriate area in the city for Dynamic Display Billboards because the City adopted an ordinance in 1993 regulating the location of billboards to an area along Hwy 52/55 in Sections 27 and 34, Township 27, Range 22. Supreme Court decisions and results from numerous safety studies have indicated that Dynamic Display Billboards and other forms of outdoor signage are intended to divert, and do divert, a driver's attention from the roadway. Dynamic Display Billboards have been considered a form of visual pollution that can detract from the positive features of a community.

The property located within the City of Inver Grove Heights which has been rezoned to be located in the Dynamic Display Billboard Overlay District is as follows: All of Sections 27 and 34, Township 27N, Range 22W, Dakota County, Minnesota.

SECTION 4. Effective Date. This ordinance shall be in force and effect upon its adoption and publication according to law.

Passed this ____ day of _____, 2011.

George Tourville, Mayor

ATTEST:

Melissa Rheame, Deputy City Clerk

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE TITLE 10,
CHAPTER 13, SPECIAL USE DISTRICTS, ARTICLE K, DYNAMIC DISPLAY
BILLBOARD OVERLAY DISTRICT**

CASE NO. 10-36ZA
(City of Inver Grove Heights)

The City Council of Inver Grove Heights ordains as follows:

SECTION I. Ordinance No. 1190 adopted July 27, 2009, entitled, "AN ORDINANCE ADOPTING THE RECODIFICATION OF THE INVER GROVE HEIGHTS CITY CODE INCLUDING THE CITY ZONING ORDINANCE, is hereby amended to rezone the following described property located within the City of Inver Grove Heights to Dynamic Display Billboard Overlay District to wit:

All of Sections 27 and 34, Township 27N, Range 22W, Dakota County, Minnesota

SECTION II. The Zoning Map of the City of Inver Grove Heights referred to and described in said Ordinance No. 1190 as that certain map entitled "Inver Grove Heights Zoning Map, June 24, 2002", together with all amendments thereto, hereinafter referred to as the "zoning map", shall not be republished to show the aforesaid rezoning, but the Clerk shall appropriately mark the said zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance and all of the notations, references and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

SECTION III. This Ordinance shall be in full force and effect from and after its publication according to law.

Ordinance No. _____

Page 2

Enacted and ordained into an Ordinance this _____ day of _____, 2011.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER CHANGE ORDER NO. EIGHTEEN FOR CITY PROJECT 2008-18 PUBLIC SAFETY ADDITION/CITY HALL RENOVATION

Meeting Date: January 24, 2011
 Item Type: Regular
 Contact: JTeppen, Asst City Admin *CS*
 Prepared by:
 Reviewed by:

	Fiscal/FTE Impact:
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED Consider the attached Change Order No. 18 for City Project 2008-18 Public Safety Addition/City Hall Renovation.

SUMMARY As the Council will recall, throughout the length of this project we will be asking the Council to consider any change orders at the second meeting of the month, with a Pay Voucher request from the Contractor on the first meeting of the month with a revised contract amount.

As Council will also recall, the amounts reflected in these Change Orders have already been approved – either by the Council or by staff if the amounts fall under \$15,000. This action item simply formally approves the amounts so that the contract amount can be changed.

ASI 093 Revisions to in-floor heat piping layout. Revisions to the in-floor heat piping layout at lobby and council chambers. Adjustments were necessary due to inclusion of basement bid alternate in the project. \$989

PR 106 Replace existing exterior sealant. Owner request for replacement of sealant at existing glazing and metal panels at south wall. \$7,109

PR 109 Miscellaneous demolition related items. 1. Epoxy injection to repair previously concealed concrete piers that support building columns. 2. Framing modifications to existing electrical room wall that was found to support existing Lower Level ceiling to remain. Wall and ceiling were not originally constructed as anticipated. 3. Patching of previously concealed wall and ceiling construction. \$4,727

PR 114 Add door to accommodate installation of City's safe. Provide for a larger door opening to Finance Workroom 2210 to accommodate over-sized safe. Cost includes performance of work out of sequence. \$3,602

PR 120R Ceiling modifications at Conference 2188. Modifications necessary to ceiling and glazing configuration in Conference 2188 to accommodate existing ductwork that was concealed prior to demolition. \$1,082

PR 125 Add lintels at masonry over north roof on Grid 8. Support lintels were not adequately indicated at these transition points (two locations). \$3,061

PR 130 Infill wall and deck at clerestory. 'Hidden rooms' were discovered at the roof level and demolished during clerestory demolition. Structural deck and wall infill were required to complete the building enclosure. Costs include temporary measures to maintain weather tightness, pending re-roofing. \$5,645

PR 131 R2 Modify curtain wall head at clerestory curtainwall. Existing construction at the penthouse is not per the original documents and does not accommodate the new work. Cost is for modifications to the head detail at curtain wall W1 to address this issue. Due to being on the critical path of construction activities a time extension of two days is included. \$4,599

PR 132R South soffit lighting maintenance and compressor power connection. Owner request to perform deferred maintenance for existing south soffit lighting including new ballasts and lamps, and connections to new controls. Also includes power connection for existing compressor required to run remaining modified HVAC controls at Lower Level. \$5,273

PR 133 Abandonment of flammable waste trap. Unforeseen site condition. Code requires removal and capping of old flammable waste trap not shown on original drawings. \$2,644

PR 136 Fin tube radiation mount. Wall mount fin tube was indicated at Hall 1199. Floor mount is required. Cost is for required mounting hardware. \$630

PR 137 Trash gate louver connection. Work wasn't included in previously approved PR 81 for trash enclosure modifications. This addresses issues related to connection of supplied louver to the trash enclosure gate frame. \$719

PR 139 Base at Juvenile 1114. Provide for rubber base at Juvenile Holding 1144. Base wasn't included on the drawings. \$126

The Contract amount is reflected to increase a total of \$40,206.00 for a revised contract total of \$11,942,558.10.

Change Orders are financed from the project contingency which started at \$613,601 and is now at \$161,232.90 with the above change/amount.

CHANGE ORDER

OWNER _____
ARCHITECT _____
CONTRACTOR _____
FIELD _____
OTHER _____

AIA DOCUMENT G701

THIS DOCUMENT HAS IMPORTANT LEGAL CONSEQUENCES; CONSULTATION WITH AN ATTORNEY IS ENCOURAGED WITH RESPECT TO ITS COMPLETION OR MODIFICATION. AUTHENTICATION OF THIS ELECTRONICALLY DRAFTED AIA DOCUMENT MAY BE MADE BY USING AIA DOCUMENT D401.

PROJECT:	Inver Grove Heights Public Safety & City Hall Remodel	CHANGE ORDER NO.:	Eighteen (18)
		DATE:	January 24, 2010
TO CONTRACTOR:	Shaw-Lundquist Associates 2757 West Service Road St. Paul, MN 55121	ARCHITECT'S PROJECT #:	1643.01
		CONTRACT DATE:	May 19, 2009
		CONTRACT FOR:	Addition & Remodel

The contract is changed as follows:

Description	Cost	Days
1. ASI 093 Revisions to in-floor heat piping layout	\$989	0
2. PR 106 Replace existing exterior sealant	\$7,109	0
3. PR 109 Miscellaneous demolition related items	\$4,727	0
4. PR 114 Add door to accommodate installation of City's safe	\$3,602	0
5. PR 120R Ceiling modifications at Conference 2188	\$1082	0
6. PR 125 Add lintels at masonry over north roof at Grid 8.	\$3,061	0
7. PR 130 Infill wall and deck at clerestory	\$5,645	0
8. PR 131R2 Modify curtain wall head at clerestory	\$4,599	2
9. PR 132R South soffit lighting maintenance, and compressor power connection	\$5,273	0
10. PR 133 Abandon flammable waste trap	\$2,644	0
11. PR 136 Fin tube radiation mount	\$630	0
12. PR 137 Trash gate louver connection	\$719	0
13. PR 139 Base at Juvenile Interview Room 1114	\$126	0
	\$40,206.00	

The original Contract Sum was	\$11,501,900.00
Net change by previously authorized Change Orders	\$400,452.10
The Contract Sum prior to this Change Order was	\$11,902,352.10
The Contract Sum will be (increased)(decreased)(unchanged) by this change order in the amount of	\$40,206.00
The new Contract Sum including this Change Order will be	\$11,942,558.10

The Contract time will be (increased)(decreased)(unchanged). 2 Days

The dates of Substantial Completion therefore are (increased)(decreased)(unchanged).

Phase IB: Construct Public Safety Addition

Phase IB: July 25, 2010

Phase IIB: Construct City Hall Addition and Renovate Existing Building

Phase IIB: Aug. 11, 2011

CHANGE ORDER NO. 18
IGH Public Safety Addition & City Hall Remodel
1643.01

Authorized:

ARCHITECT	CONTRACTOR	OWNER
Boarman Kroos Vogel Group, Inc.	Shaw-Lundquist & Associates	City of Inver Grove Heights
Address	Address	Address
222 N. 2nd Street	2757 West Service Road	8150 Barbara Avenue
Minneapolis, MN 55401	St. Paul, MN 55121	Inver Grove Heights, MN 55077

BY _____ BY _____ BY _____

Jack Boarman, President

DATE _____ DATE _____ DATE _____

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CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER CHANGE ORDER NO. NINETEEN FOR CITY PROJECT 2008-18 PUBLIC SAFETY ADDITION/CITY HALL RENOVATION

Meeting Date: January 24, 2011
Item Type: Regular
Contact: JTeppen, Asst City Admin ↵
Prepared by:
Reviewed by:

	Fiscal/FTE Impact:
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED Consider the attached Change Order No. 19 for City Project 2008-18 Public Safety Addition/City Hall Renovation.

SUMMARY As the Council will recall, throughout the length of this project we will be asking the Council to consider any change orders at the second meeting of the month, with a Pay Voucher request from the Contractor on the first meeting of the month with a revised contract amount.

As Council will also recall, the amounts reflected in some Change Orders have already been approved – either by the Council or by staff if the amounts fall under \$15,000. This particular item is over the \$15,000 threshold and is therefore before Council for their consideration.

PR 107 Main level insulation and gyp board replacement. Replacement of moisture damaged gypsum board and insulation that was discovered at the main level exterior walls after wall covering was removed during demolition. The work is being required by the Building Official for occupant health and safety reasons. It includes new moisture resistant insulation, vapor barrier and gypsum board (similar work at clerestories is covered under a subsequent PR and will be included in a future change order). \$18,917

The Contract amount is reflected to increase a total of \$18,917 for a revised contract total of \$11,961,475.10.

Change Orders are financed from the project contingency which started at \$613,601 and is now at \$142,315.90 with the above change/amount.

CHANGE ORDER

OWNER _____
ARCHITECT _____
CONTRACTOR _____
FIELD _____
OTHER _____

AIA DOCUMENT G701

THIS DOCUMENT HAS IMPORTANT LEGAL CONSEQUENCES; CONSULTATION WITH AN ATTORNEY IS ENCOURAGED WITH RESPECT TO ITS COMPLETION OR MODIFICATION. AUTHENTICATION OF THIS ELECTRONICALLY DRAFTED AIA DOCUMENT MAY BE MADE BY USING AIA DOCUMENT D401.

PROJECT:	Inver Grove Heights Public Safety & City Hall Remodel	CHANGE ORDER NO.:	Nineteen (19)
		DATE:	January 24, 2010
TO CONTRACTOR:	Shaw-Lundquist Associates 2757 West Service Road St. Paul, MN 55121	ARCHITECT'S PROJECT #:	1643.01
		CONTRACT DATE:	May 19, 2009
		CONTRACT FOR:	Addition & Remodel

The contract is changed as follows:

	Description	Cost	Days
I.	PR 107 Main Level insulation and gyp board replacement	\$18,917	0

The original Contract Sum was	\$11,501,900.00
Net change by previously authorized Change Orders	\$440,658.10
The Contract Sum prior to this Change Order was	\$11,942,558.10
The Contract Sum will be (increased)(decreased)(unchanged) by this change order in the amount of	\$18,917.00
The new Contract Sum including this Change Order will be	\$11,961,475.10

The Contract time will be (increased)(decreased)(unchanged). 0 Days

The dates of Substantial Completion therefore are (increased)(decreased)(unchanged) .

Phase IB: Construct Public Safety Addition

Phase IB: July 25, 2010

Phase IIB: Construct City Hall Addition and Renovate Existing Building

Phase IIB: Aug. 11, 2011

CHANGE ORDER NO. 19
IGH Public Safety Addition & City Hall Remodel
1643.01

Authorized:

ARCHITECT

Boarman Kroos Vogel Group, Inc.
Address
222 N. 2nd Street
Minneapolis, MN 55401

CONTRACTOR

Shaw-Lundquist & Associates
Address
2757 West Service Road
St. Paul, MN 55121

OWNER

City of Inver Grove Heights
Address
8150 Barbara Avenue
Inver Grove Heights, MN 55077

BY _____

BY _____

BY _____

Jack Boarman, President

DATE

DATE

DATE

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CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

ACCEPT BIDS AND AWARD CONTRACT FOR RE-ROOF OF EXISTING CITY HALL

Meeting Date: January 24, 2011
 Item Type: Regular
 Contact: JTeppen, Asst City Admin
 Prepared by:
 Reviewed by:

Fiscal/FTE Impact:	
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED Accept bids and award contract to re-roof the existing City Hall.

SUMMARY During the design phase of the Public Safety Addition/City Hall Renovation project, the existing roof of City Hall was evaluated and determined to be in less than good shape, but in an effort to keep the overall cost of the project low, the replacement of the roof was 'value engineered' out of the project.

We have re-visited the topic of the existing roof for a couple of reasons; first, the bids came in lower than expected, and; secondly, we experienced several leaks in the roof last winter.

Council authorized an inspection of the roof by Inspec, an independent testing firm. On September 22nd, they performed the inspection and found that among other things:

- The curb penetration flashings and scupper flashings are cracking and failing.
- The membrane field seams, penetration flashings and roof edge perimeter flashings have begun to delaminate at numerous locations.
- Many of the pipe penetrations are missing clamps and sealants.
- Seam fasteners are backing out and penetrating the roof membrane.
- The low sloped roof ponds 1 to 2 inches of water around four sleeper curbs and near the access door.
- Sealant is missing from the roof to wall termination bar and fastener heads.
- Sealant has been applied to a number of seam and lap locations indicating attempts were made to stop roof leaks.
- A number of fasteners are either missing, backing out of or of the wrong type in the sheet metal coping. Numerous holes were observed in the metal flashing indicating holes in the EPDM flashing.
- On all roof areas, the metal coping is not fully engaged to the continuous cleat. Possible wind blow off can occur.

Inspec's opinion was that if the roof were further repaired the repairs wouldn't extend the life of the roof, but that any repairs would be cosmetic and that we would be repairing previous repairs. With the age of the roof membrane at over 20 years, and with the interior remodel, Inspec recommends replacement of all roof areas.

Shaw Lundquist provided a price of \$180,571 in November of last year to replace the roof. Upon direction from City Council and advice from the City Attorney, we instead bid the project.

On December 12, 2010 the bid was let. On January 6, bids were opened and we received seven proposals. The base bid calls for completion of the re-roof within 60 days of notice to

proceed. An alternate bid for installation to begin on or about March 15 and complete by May 13 was also requested.

The Architect, the Owners Rep, Inspec (the roofing construction inspector's we have on contract), and staff recommend that the City Council award the bid with the alternate for spring construction.

BB Sheetmetal Roofing provided the low bid for both: \$149,000 for the base bid and \$134,000 for the spring construction.

Staff recommends that the funds to pay for the new roof come from the City Facilities Fund which has an unencumbered fund balance of \$736,800.

Minutes of Bid Opening on January 6, 2011

Re-Roof of Existing City Hall

Pursuant to an advertisement for bids for the Re-Roof of City Hall the bid opening was held on January 6, 2011. Bids were opened and read aloud.

Attending the meeting were:

John Love, BKV Group
Jenelle Teppen, Assistant City Administrator
Representatives from the Contractors were also present.

Bids were opened and read aloud as demonstrated on the attached.

Submitted by:

Jenelle Teppen, Assistant City Administrator

January
December 6, 2011

Inver Grove Heights City Hall Reroofing
Bid Tabulation

Bidder	Addendum 1	Base Bid	Alt-1 Spring	Notes
BB Sheetmetal Roofing	YES	\$149,000	\$134,000	
Berwald Roofing Co.	YES	\$223,921	\$199,921	
Dalco Roofing & Sheetmetal				
B. L. Dalsin Roofing				
John A. Dalsin & Son	YES	\$217,471	\$197,633	
Excel Companies	YES	\$212,000	\$202,000	
Lake Area Roofing	YES	\$154,930	\$141,330	
Omni Construction				
Palmer West Construction Co.				
Peterson Brothers Roofing	YES	\$159,000	\$144,393	
Roof Tech Inc	YES	\$199,975	\$167,945	
Stock Roofing				

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

APPROVE AGREEMENT FOR PERIODIC CONSTRUCTON OBSERVATION SERVICES FOR ROOFING AND RELATED SHEET METAL SERVICES FOR THE RE-ROOF OF EXISITNG CITY HALL

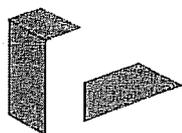
Meeting Date: January 24, 2011
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Fiscal/FTE Impact:	
<input type="checkbox"/>	None
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<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED Approve an agreement for periodic construction observation services for roofing and related sheet metal services for the Re-Roof of the existing City Hall.

SUMMARY Inspec, Inc has provided construction observation services on the Public Safety Addition/City Hall Renovation. Staff recommends that if the Council awards the bid to replace the existing roof at City Hall that Inspec provide construction observation services for \$3,960 as proposed in the attached contract.

Staff recommends that the funds for this contract come from the City Facilities fund.



INSPEC

Smart engineering of
roofs, walls, pavements
and waterproofing

December 16, 2010

Mr. Michael Pederson, AIA
Studio Five Architects
322 First Avenue North, Suite 600
Minneapolis, MN 55401

RE: Proposal for Periodic Construction Observation Services for
Reroofing and Related Sheet Metal Services for the
Inver Grove Heights City Hall Reroofing

Dear Mr. Pederson:

We are grateful to have been given the opportunity to submit this proposal on the above-referenced services.

A. DEFINITIONS

1. Inspec: INSPEC, INC., Engineers/Architects
2. Client: City of Inver Grove Heights
3. Owner's Representative: Studio Five Architects

B. PROJECT INFORMATION

1. Context

Reroofing of the Inver Grove Heights City Hall project located in Inver Grove Heights, Minnesota, involves existing roof removal and installation of new TPO roofing, sheet metal roofing and sheet metal flashings on the existing roof areas.

2. Client's Needs

The Client requires construction observation to help determine that the roofing and sheet metal designed by the architect is installed according to the construction documents and contractor submittals.

C. BASIC SERVICES

1. Periodic Construction Observation

Basic Services will be limited to a brief review of the construction documents, attendance at a preconstruction meeting, and a total of up to ten visits to the site during installation of roofing and roof-related sheet metal flashings. One final walkover at the completion of the roofing and sheet metal flashing is included. Daily reports summarizing the construction observations will be submitted with each visit to the site. Moisture testing of on-site roofing materials is included. The specification sections that are directly related to our services include sections 061053, 074213, 075400, 076200 and 079200.

5801 Duluth Street
Minneapolis, MN 55422
Ph. 763-546-3434
Fax 763-546-8669

Chicago

Milwaukee

Minneapolis

www.inspec.com

D. COMPENSATION – BASIC SERVICES

1. Inspec will provide Basic Services and mileage for a stipulated fee not to exceed \$3,960. Included in the Basic Services fee is all travel time between the project site and our office.

E. COMPENSATION – REIMBURSABLES

1. There are no reimbursables.

F. ADDITIONAL SERVICES

1. Based on our current knowledge of the existing conditions, we have, to the best of our ability, matched our Basic Services to the needs of your project. However, should the need arise for us to expand our services in response to conditions or events outside our control, we would, under your direction, submit a separate proposal covering such Additional Services.
2. Additional construction administration duties including, but not limited to, weekly reports, requests for information (RFI), architect's supplemental instructions (ASI), construction change directives (CCD), change orders (CO), and reviewing payment applications.
3. Any design, redesign, or drafting services.
4. Consultants (professional or otherwise) hired by Inspec, but not included under this proposal.
5. Additional meetings and/or site visits beyond those under Basic Services.
6. Material testing of membranes (etc.).
7. Preparation work and/or meetings related to arbitration, mediation, legal, or other conflict resolution proceedings of which Inspec is not a party.
8. Adapting the documents to modifications in the Scope of Work made necessary by situations or conditions outside of Inspec's control.
9. Adapting the documents to existing conditions discovered during construction (as-builts)
10. Submittal Review.
11. Observing construction outside of Specification Sections listed in Basic Services.
12. Parking fees, if applicable.

G. COMPENSATION – ADDITIONAL SERVICES

1. Compensation for Additional Services shall be established by separate Additional Services proposal(s) unless indicated otherwise herein.
2. Compensation for Additional Services provided directly by Inspec shall be based on Inspec's rate schedule that is current at the time that the Additional Services are provided.
3. Compensation for Additional Services that are provided by others but retained by Inspec shall be based on the amount billed to Inspec times a factor of 1.10.

H. CLIENT RESPONSIBILITIES

1. Client will return the signed proposal to Inspec prior to commencement of the above-mentioned services, and notify Inspec of commencement of roofing at least four days prior to said commencement.
2. Client will send copies of all document changes and reviewed roofing submittals to Inspec prior to the start of Inspec's field visits.

I. PAYMENT PROVISIONS

1. Progress payment invoices for Inspec services shall generally be submitted monthly and are payable upon receipt. Invoices shall be considered past due if not paid within thirty (30) days of invoice date.
2. Payment of invoices for Inspec services shall not be contingent on payments received by the Client from other parties.

J. SUSPENSION OR TERMINATION OF SERVICES

1. This Agreement may be terminated by either party in the event of substantial failure to perform in accordance with the terms of this Agreement through no fault of the terminating party, but only after written notice of the specific nature of the failure to perform has been submitted and after seven days opportunity to cure such failure. If this Agreement is terminated, Inspec shall be paid for services performed to the termination notice date including reimbursable expenses due.

K. DISPUTE RESOLUTION/RISK ALLOCATION

1. All claims, disputes, and controversies arising out of or in relation to the performance, interpretation, application, or enforcement of this Agreement, including, but not limited to, breach thereof, shall be referred for mediation under the then current Construction Industry Mediation Rules of the American Arbitration Association prior to any recourse to arbitration or litigation.

2. The Client agrees to compensate Inspec for reasonable expenses incurred if Inspec is required to respond to legal processes which are related to Inspec's services, but that arise out of a lawsuit or proceeding to which Inspec is not a party.
3. If the Client brings a lawsuit against Inspec that is dismissed or to which a verdict is rendered for Inspec, the Client will reimburse Inspec for costs of defense, including but not limited to reasonable attorney's fees.
4. In recognition of the relative risks and benefits of the project to both the Client and to Inspec, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit Inspec's total liability to the Client for any and all claims, losses, costs, damages of any nature whatsoever, or claims expenses from any cause or causes, including attorneys' fees and costs and expert witness fees and costs, so that the total aggregate liability of Inspec to the Client shall not exceed \$20,000 or the total amount actually paid by Client to Inspec under this proposal, whichever is greater. It is intended that limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law.

L. REMARKS

This proposal is valid for 30 days, after which time Inspec reserves the right to modify and resubmit.

This Agreement represents the entire and integrated agreement between Client and Inspec and supersedes all prior negotiation, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Inspec and Client. Nothing herein shall be construed to give any rights or benefits to anyone other than Client and Inspec.

This Agreement entered into as of the day and year first above written.

For Client

For Inspec

Signature

Signature

Jenelle Teppen



Chuck Schuh, RRO

Printed Name

Printed Name

Assistant City Administrator

Roof Observation and Testing Supervisor

Printed Title

Printed Title

City of Inver Grove Heights

INSPEC, INC.

CS/bap/kmh

Enclosure: Fee Schedule



CHICAGO
MILWAUKEE
MINNEAPOLIS

FEE SCHEDULE

Valid November 1, 2010 – October 31, 2011

1 PERSONNEL SERVICES		Regular Time Per Hour	Overtime Per Hour
01	Principal	\$175.00	
02	Professional Engineer/Registered Architect	\$145.00	
03	Registered Roof or Waterproofing Consultant, Supervisor	\$130.00	
04	Senior Project Manager	\$120.00	\$150.00
05	Project Manager	\$110.00	\$140.00
06	Registered Roof Observer, Senior Construction Observer	\$110.00	\$140.00
07	Spec Writer	\$95.00	
08	Construction Observer	\$90.00	\$120.00
09	CAD Operator	\$90.00	
10	Technical Staff	\$75.00	
2 EXPENSES			
01	Automobile Mileage, per mile..... \$0.72	04	Airfare, Car Rental, Parking, other job-related costs..... Actual cost x 1.10
02	Meals, per day \$40.00	05	Infrared Camera, per hour \$220.00
03	Per Diem, Meals-Motel, per day \$120.00	06	Additional Professional or Contractor Services..... Invoice x 1.10
3 FIELD SAMPLING			
01	Personnel Services as in #1 above		
02	Built-up Roof Sample Analysis for Material Quantities and Workmanship, per sample	\$140.00	
03	Single-ply Thickness Determination, per sample	\$75.00	
04	Fastener Withdrawal Test, each	\$100.00	
4 LABORATORY TESTING			
01	Built-up Roof Systems		
	A. Roof Samples		
	1. Without flood coat or gravel, Jennings Method	\$140.00	
	2. Without flood coat or gravel, ASTM D 3617 (12" x 12")	\$140.00	
	3. Surfacing inclusive, Jennings Method.....	\$320.00	
	4. Surfacing inclusive, ASTM D 2829, ASTM D 3617	\$320.00	
	B. Analysis of Bitumen		
	1. Softening Point, ASTM D 36.....	\$125.00	
	2. Penetration, ASTM D 5	\$115.00	
	3. Flash Point, ASTM D 92.....	\$125.00	
	C. Moisture Tests		
	1. Felt only, ASTM D95	\$100.00	
	2. Built-up Roof Membrane, ASTM D 95	\$160.00	
	3. Thermal Roof Insulation, oven dry method.....	\$160.00	
	D. Mineral Aggregate, ASTM D 1863, Sieve Analysis, ASTM C 136	\$80.00	
02	Single-ply Systems		
	A. Membrane Thickness	\$85.00	
	B. Insulation Density	\$85.00	
	C. Ballast-mineral Aggregate, Sieve Analysis, ASTM C 136.....	\$80.00	
03	Pavement Systems		
	A. Coarse and Fine Aggregate Sieve Analysis, ASTM C 136	\$80.00	
	B. Coarse and Fine Aggregate Wash Sieve, ASTM C 117.....	\$80.00	