

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, MARCH 14, 2011 - 8150 BARBARA AVENUE**

**CALL TO ORDER/ROLL CALL** The City Council of Inver Grove Heights met in regular session on Monday, March 14, 2011, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:30 p.m. Present were Council members Grannis, Madden, and Piekarski Krech; City Administrator Lynch, Assistant City Administrator Teppen, City Attorney Kuntz, Public Works Director Thureen, Finance Director Lanoue, and Deputy Clerk Rheaume.

**3. PRESENTATIONS:** None.

**4. CONSENT AGENDA:**

Councilmember Piekarski Krech removed Item 4I, Approve Contract for Surveying City Park Property, from the Consent Agenda.

- A. Minutes – February 28, 2011 Regular Council Meeting
- B. **Resolution No. 11-31** Approving Disbursements for Period Ending March 9, 2011
- C. Pay Voucher No. 21 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation
- D. Request Approval of Capital Asset Policy
- E. Receive Quotes and Award Contract for Repair of Water Intrusion Damage in the Public Works Maintenance Building
- F. **Resolution No. 11-32** Approving Release of Claims
- G. **Resolution No. 11-33** Receiving Petition and Ordering Preparation of a Feasibility Report for Street Improvements on 93<sup>rd</sup> Street, from 90<sup>th</sup> Street East to Abigail Ct.
- H. **Resolution No. 11-34** Receiving Feasibility Study for City Project No. 2010-20, North Argenta/Robert District Trunk Sanitary Sewer and Water Main Improvements
- J. Approve Plans/Spec for Splash Pool Air Handler
- K. Approve Turf Care Products in the Park System for 2011
- L. Accept Proposal for Splash Pool Ultraviolet Sanitation System
- M. Approve a Contract with Hoisington Koegler Group, Inc. for the Concord Boulevard Neighborhood Plan Update
- N. Approve Therapeutic Massage Business License for Premises Located at 7109 Cahill Ave
- O. Approve Therapeutic Massage Business License for Premises Located at 6775 Cahill Ave. #103
- P. Personnel Actions

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

**Ayes: 4**

**Nays: 0      Motion carried.**

- I. Approve Contract for Surveying City Park Property

Councilmember Piekarski Krech questioned why the civic campus needs to be surveyed and where the private property lines were that abut the City's property. She suggested that money could be used to survey other park property in the City.

Mr. Lynch explained the intention was to survey all City property, including the civic campus.

Mark Borgwardt, Parks Superintendent, stated there is a property line between City property and the funeral home that should be identified as well as a Mn/DOT property line and a private parcel to the south of the public works maintenance facility.

**Motion by Madden, second by Grannis, to approve Contract for Surveying City Park Property**

**Ayes: 4**

**Nays: 0      Motion carried.**

**5. PUBLIC COMMENT:**

Allan Cederberg, 1162 East 82<sup>nd</sup> Street, explained he would like to discuss the format of the upcoming town hall meeting. He opined that a real town hall meeting is one at which citizens can ask questions of all five Council members in an open forum. He commented that it is a waste of time to talk to the department heads because they ultimately answer to the Council.

Mayor Tourville stated that is not the format that has been established for town hall meetings and commented that the meetings are not meant to be debates. He explained that each department will discuss key issues affecting the City and residents, and attendees will have opportunities to ask questions. He noted the City would also host a meeting specific to local businesses.

Councilmember Piekarski Krech encouraged residents to contact members of the Council directly with questions or concerns. She noted that each Council member's phone number and email address is public information.

Councilmember Madden asked that residents call him if they have questions or issues that they would like him to look into.

**6. PUBLIC HEARINGS:**

**A. CITY OF INVER GROVE HEIGHTS;** Consider Approval of Change in On-Sale/Sunday Intoxicating Liquor Licensee Names for Premises located at 5639 and 5723 Bishop Ave.

Ms. Rheaume stated the proposed changes would only affect the names of the establishments and noted no ownership changes were proposed.

Mayor Tourville clarified that the establishment formerly known as Major's would be called B-52 Burgers & Brew and the only other change was to the corporate name for Outback Steakhouse.

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

**Ayes: 4**

**Nays: 0      Motion carried.**

**Motion by Madden, second by Grannis, to approve changes to On-Sale/Sunday Intoxicating liquor licensee names for premises located at 5639 and 5723 Bishop Ave.**

**Ayes: 4**

**Nays: 0**

**B. CITY OF INVER GROVE HEIGHTS;** Assessment Hearing for the 2010 Pavement Management Program, City Project No. 2010-09C, Blaine Avenue from 64th Street to 200 feet south of Blackshire Path, Mill and Overlay

Mr. Kaldunski stated the 2010 mill and overlay included a bituminous mill and overlay of Blaine Avenue, miscellaneous curb replacement, storm casting adjustments, miscellaneous street repair, new pedestrian ramps, and striping. He explained one City-owned property and ten (10) residential parcels are proposed to be assessed. He noted the total project cost was \$155,380.43. He explained according to the approved funding policy for the Pavement Management Program, the City portion must consist of at least 20% of the assessable project cost, plus extra bituminous width, corner credits, and items, such as striping, that are 100% covered by the City. He stated the total City portion is \$119,203.02, plus a \$5,493.74 assessment. He explained commercial properties are assessed on a front footage basis and

single family parcels are proposed to be assessed \$3,068.37 over a five (5) year term at a 5% interest rate. He noted the appraiser's recertification indicates the project provides added value to the properties up to \$4,000 per parcel. He stated the final assessment amount is \$36,177.44, or 23% of the project cost. He reviewed the assessment deferral policy and the criteria for qualification.

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

**Ayes: 4**

**Nays: 0      Motion carried.**

Mayor Tourville suggested that 20% of the project cost be assessed due to the fact that the project area included a large piece of state-owned property that could not be assessed. He stated that the calculated assessments for the single-family parcels would have been lower if the state-owned property had been developed with single-family homes.

Councilmember Piekarski Krech asked what single-family parcels were assessed for recent mill and overlay projects.

Mr. Kaldunski responded that assessments ranged from \$2,200 to \$2,600.

Councilmember Piekarski Krech clarified that the proposed assessment is equal to what it would be if everything was residential property.

Mr. Kaldunski explained the credit for the state aid property is included in the proposed assessments.

**Motion by Piekarski Krech, second by Grannis, to approve Resolution No. 11-36 adopting the Assessment Roll for City Project No. 2010-09C, Blaine Avenue from 64<sup>th</sup> Street to 200 feet South of Blackshire Path, Mill and Overlay**

**Ayes: 4**

**Nays: 0      Motion carried.**

**C. CITY OF INVER GROVE HEIGHTS;** Consider Resolution Ordering the Project, Approving the Plans and Specifications, and Authorizing Advertisement for Bids for the 2011 Pavement Management Program, City Project No. 2011-09D – Urban Street Reconstruction Project (South Grove Area 6)

Mr. Kaldunski stated the project was initiated by the City Council as part of the Pavement Management Program. He reviewed the proposed project area and stated the project would involve areas of both total and partial reconstruction, as well as areas of mill and overlay. He explained work would also include: curb and gutter removal/replacement, driveway reconstruction, sidewalk removal/replacement, drainage improvements, water main improvements, regrading of Skyview Park, soil disposal, rapid infiltration basins, restoration and appurtenances. He stated the total project cost is estimated to be \$4,377,300, including the cost to grade the rain gardens and install the soil. He noted the total amount proposed to be assessed is \$2,385,195 as per the Pavement Management Policy.

Mr. Kaldunski stated 111 single-family parcels are proposed to be assessed for street and drainage improvements, 42 single-family parcels for drainage improvements, 9 multi-family parcels and 6 Commercial/Institutional parcels. He explained if no credits were given and no assessment caps were considered by the Council, the estimated assessment for street reconstruction would be \$11,854.10 per single-family residential parcel and would increase from \$11,980 to \$20,885 when the assessment for drainage improvements is added. The estimated street assessment for multi-family parcels is estimated at \$11,598 per parcel when drainage assessments are added. Commercial property assessments would range from \$5,285 to \$46,300.

Mayor Tourville reiterated the amounts did not include any credits or caps.

Mr. Kaldunski explained the appraisal analysis that was completed by Metzen Appraisals presented the opinion that an assessment amount of \$4,000 per single-family residential parcel is sustainable. An assessment appraisal of \$4,000 per twin home parcels and \$6,000 assessments for duplex parcels could be sustained, and multi-family parcels have a suggested \$2,000/unit assessment cap. He stated the

commercial property assessments as presented were deemed to be fair and equitable, provided the amount is less than \$1.00 per square foot. He noted if the appraisal recommendations were followed, the proposed total project assessment would be reduced to \$1,093,462.83.

Mr. Kaldunski stated the Parks and Recreation Department sent notice to 107 residents seeking comment on the Skyview Park proposed modifications and a total of ten (10) residents attended the informational session on the park changes. He noted a separate public hearing would be held at the March 28<sup>th</sup> Council meeting to discuss the proposed modifications. He explained the Parks and Recreation Department believes the City should move forward with the park modifications because it benefits the street project by providing a nearby disposal site, thereby reducing hauling costs, and it would also provide rectangular space for fields (soccer, lacrosse) which is in line with the comprehensive plan.

Councilmember Madden clarified that other work is proposed to be done on Craig Ct. in addition to the street reconstruction.

Mr. Kaldunski stated in addition to the street reconstruction, extensive drainage improvements are also proposed.

Mayor Tourville stated the residents on Craig Ct. felt that the road did not need to be a full reconstruction.

Mr. Kaldunski explained a geotechnical firm obtained core samples from the street and their recommendation was that the road should be reconstructed at this time.

Jerome Grunstad, 3872 67<sup>th</sup> St. E., stated he has been assessed for drainage improvements in past projects and asked for clarification as to why he would be assessed again for similar work.

Mr. Kaldunski stated the prior assessment was for the installation of a trunk sanitary sewer line and the current proposal is for connection to that line. He noted that any amount previously paid would be taken off the total assessment for this project.

Gary Wiberg, 6830 Craig Ct., stated the street on Craig Ct. does not need to be completely reconstructed. He suggested that a mill and overlay be done for maintenance purposes and to reduce the assessments for property owners.

Bob Dahl, 6800 Craig Ct., disagreed with the recommendation from the geotechnical consultant. He opined that the condition of the street and curb is fine and noted he has not experienced any drainage issues. He suggested that a mill and overlay be done.

John Doffing, 4161 69<sup>th</sup> Street East, asked why a road that was installed in 1993 needs mill and Overlay work.

Mr. Kaldunski explained the street has bumps and cracks and they would like to smooth the road out and eliminate the opportunity for those issues to become worse.

Marrah Anderson, 6941 Dawn Avenue, asked when the last mill and overlay was done on Dawn Avenue. She stated they have major potholes and questioned why the City waited so long to fix the problem. She opined that the residents along Dawn Avenue do not want a sidewalk.

Mayor Tourville responded that the infrastructure of the City is very important and the Council implemented the Pavement Management Program to annually address the areas of the City that need work the most. He noted this project would be the final phase in the South Grove area.

Joe Taylor, 6950 Crosby Ave., asked if the eligibility for the deferment program was based on income.

Mr. Kaldunski responded that applicants must be over the age of 65, handicapped, or a veteran. He noted if applicants meet one of those criteria, eligibility for the program is based on income.

Mr. Taylor asked why the proposed sidewalk would not go down 69<sup>th</sup> Street. He stated it could still connect to Concord Boulevard and would not cut in to anyone's yard.

Mr. Kaldunski responded that construction of a new sidewalk is a public safety issue. He explained this project provides the City an opportunity to install a safe place for pedestrian traffic along a State Aid street. He noted the installation along Dawn Avenue also coincides with the results of the trail analysis completed by the Parks and Recreation Department.

Mayor Tourville noted that the trail plan has shown a sidewalk along Dawn Avenue for years.

Mr. Lynch stated the proposed modifications at Skyview Park should be included in any motion to approve the project because the City is pursuing a grant from the MN DNR. He explained the Council would have the option to remove the proposed modifications from the project after the public hearing on the 28<sup>th</sup>, but cannot add them back into the project and still apply for the grant.

Mayor Tourville questioned if the Council could approve the project but request that additional borings be done on Craig Court to verify that a complete reconstruction is needed right now.

Mr. Kaldunski stated the City could request alternate bids for partial reconstruction or mill and overlay work on Craig Court in order to keep the project moving forward while additional soil borings are obtained.

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

**Ayes: 4**

**Nays: 0      Motion carried.**

**Motion by Piekarski Krech, second by Grannis, to adopt Resolution No. 11-37 Ordering the Project, Approving the Plans and Specifications, and Authorizing Advertisement for Bids for the 2011 Pavement Management Program - City Project No. 2011-09D, Urban Street Reconstruction Project (South Grove Area 6) with the inclusion of bid alternates for the work on Craig Court and the Skyview Park modifications**

**Ayes: 4**

**Nays: 0      Motion carried.**

The City Council took a five minute break.

## **7. REGULAR AGENDA:**

### **COMMUNITY DEVELOPMENT:**

**A. CITY OF INVER GROVE HEIGHTS;** Consider the Second Reading of an Ordinance Amendment relating to Off-Sale Intoxicating Liquor Licenses

Mr. Kuntz explained the ordinance extends the time for relocation by six months. He noted there were no changes since the first reading.

**Motion by Grannis, second by Madden, to approve the Second Reading of an Ordinance Amendment relating to Off-Sale Intoxicating Liquor Licenses**

**Ayes: 4**

**Nays: 0      Motion carried.**

**B. CITY OF INVER GROVE HEIGHTS;** Consider the Third Reading of an Ordinance Establishing Timeframe for Completion of Exterior Work pursuant to a Building Permit

Mr. Kuntz explained the changes that were made between the first and second reading. He stated no changes were suggested after the second reading.

**Motion by Grannis, second by Madden, to adopt Ordinance No. 1232 Establishing Timeframe for Completion of Exterior Work pursuant to a Building Permit**

**Ayes: 3**

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

**ADMINISTRATION:**

**C. CITY OF INVER GROVE HEIGHTS;** Consider First Reading of an Ordinance related to Emergency Management

Mr. Lynch stated with the increased possibility of flooding along the river, the city code's section relating to emergency management was reviewed and slight modifications are proposed. He explained the significant changes address how the City deals with the deployment of resources on both local and national levels.

**Motion by Piekarski Krech, second by Grannis, to adopt the First Reading of an Ordinance related to Emergency Management**

**Ayes: 4**

**Nays: 0      Motion carried.**

**8. MAYOR & COUNCIL COMMENTS:**

**9. EXECUTIVE SESSION:**

**A.** Discuss Property Acquisition Associated with the Rock Island Swing Bridge

**B.** Doffing Avenue Property Acquisitions

**C.** Litigation Status Summary

i) Ades v. City of Inver Grove Heights

ii) Qwest v. City of Inver Grove Heights

iii) LCF Funding I, LLC v. City of Inver Grove Heights

iv) Grace Christian Reform Church v. City of Inver Grove Heights

**10. ADJOURN:** Motion by Grannis, second by Piekarski Krech, to adjourn. The meeting was adjourned by a unanimous vote at 10:21 p.m.