

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, JULY 25, 2011 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, July 25, 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 and Recreation Director Carlson, and Community Development Director Link.

3. PRESENTATIONS: None.

4. CONSENT AGENDA:

Mayor Tourville removed Item 4A, Minutes of July 11, 2011 Regular Council Meeting, from the Consent Agenda.

- B. Resolution No. 11-124** Approving Disbursements for Period Ending July 20, 2011
- C.** Pay Voucher No. 2 for City Project No. 2010-09H, South Grove Sod Repair Project
- D.** Change Order No. 1 and Pay Voucher No. 1 for City Project No. 2011-09D, South Grove Street Reconstruction – Area 6
- E.** Final Compensating Change Order No. 1, Final Pay Voucher No. 2, Engineer’s Final Report, and **Resolution No. 11-125** Accepting Work for City Project No. 2010-19, Storm Water Facility Maintenance Program – Zone 7
- F. Resolution No. 11-126** Approving Supplemental Letter Agreement with Short Elliott Hendrickson, Inc. for Engineering Services related to Annual Bridge Inspections
- G.** Approve **Resolution No. 11-127** Authorizing City to enter into an Agreement with the Union Pacific Railroad for Preliminary Engineering Services for the Railroad Crossing at 66th Street – City Project No. 2011-08
- H. Resolution No. 11-128** Accepting Proposal from American Engineering Testing, Inc. for Construction Materials Testing Services for the 2011 Pavement Management Program, City Project No. 2010-09I, Blaine Avenue Full Depth Mill & Repave
- I.** Approve Easement Encroachment Agreement for property located at 7666 Barbara Court
- J.** Recognize the Plan Update of the City of Inver Grove Heights Emergency Operation Plan
- K.** Approve Year Two (2011) of a Four Year (2010 through 2013) Golf Course Pavement Project
- L.** Approve Spa Heat Exchanger Replacement
- M.** Approve Replacement of Fitness Equipment
- N.** Approve 30-Day Suspension of Firefighter
- O.** Personnel Actions

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

Ayes: 5

Nays: 0 Motion carried.

A. Minutes – July 11, 2011 Regular Council Meeting

Mayor Tourville noted there were two changes suggested by the city attorney and bond counsel.

Motion by Grannis, second by Klein, to approve the Minutes of July 11, 2011 Regular Council Meeting

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

6. PUBLIC HEARINGS:

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

A. LEONARD LOUIS HEALTHCARE (Woodlyn Heights); Consider Resolution relating to a Conditional Use Permit for a Senior Living Facility to Add an Addition to the Main Entrance of the Existing Building and a Parking Lot Expansion for the property located at 2060 Upper 55th Street

Mr. Link stated the existing building was constructed in 1974 and is used for a senior living facility. He explained the applicant requested a conditional use permit to add a 532 square foot lobby addition with a canopy and a parking lot expansion. He advised that the parking lot expansion would involve the addition of 27 stalls to the property. The proposed request meets the Conditional Use Permit criteria relating to the Comprehensive Plan and zoning consistency, land use impacts such as setbacks, landscaping, aesthetics, environmental impacts, and public health and safety impacts. He stated access to the site is not changing and the applicant has been working with the Engineering Department to finalize stormwater and grading plans. He noted both Planning staff and the Planning Commission recommended approval of the request with the conditions as listed in the resolution.

Jill Krance, Elness Swenson Graham Architects, clarified that the request included a canopy over the rear entrance.

Councilmember Madden confirmed the canopy was part of the original proposal.

Motion by Klein, second by Madden, to adopt Resolution No. 11-129 approving a Conditional Use Permit for a Senior Living Facility to Add an Addition to the Main Entrance of the Existing Building and a Parking Lot Expansion for the property located at 2060 Upper 55th Street

Ayes: 5

Nays: 0 Motion carried.

B. GRACE CHURCH OF NAZARENE; Consider Resolution related to a Conditional Use Permit to Allow a Daycare Facility in an Existing Church for property located at 7950 Blaine Ave.

Mr. Link advised that the applicant's request is to operate a daycare facility out of the existing church. No changes to the interior of the building were proposed as the church contains existing classrooms that would be used for the daycare operation. He stated no other outdoor improvements were proposed except for a possible future fence. He explained the maximum number of children would range from 60-100 and, based on state standards for child to teacher ratio, 10-13 teachers or employees on site. He stated the site has ample parking and room for a drop off and pick up area. Planning staff and the Planning Commission recommended approval of the request.

Councilmember Piekarski Krech asked if only the classroom areas would be utilized or if other common areas of the church would be used for daycare activities as well.

Tony Robinette, Secretary of the Church Board, stated they anticipate utilizing two (2) or three (3) of the existing classrooms to start, but are applying for the total area of the church.

Councilmember Piekarski Krech asked if the applicants applied for state licensing.

Mr. Robinette responded that the request needed to be approved by the City before the state would consider their application.

Motion by Madden, second by Klein, to adopt Resolution No. 11-130 approving a Conditional Use Permit to allow a Daycare Facility in an Existing Church for property located at 7950 Blaine Ave.

Ayes: 5

Nays: 0 Motion carried.

ADMINISTRATION:

C. CITY OF INVER GROVE HEIGHTS; Consider Change Order No. 25 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation

Ms. Teppen stated Change Order No. 25 is comprised of two items totaling \$4,188. The revised contract total is \$12,043,059.10 and the project contingency balance is \$45,731.90

Councilmember Klein commented on the lettering on the exterior of the building, stating the letters were too small and do not stand out enough to be visible to the public.

Ms. Teppen stated she would bring the issue up to the architects at the next construction meeting.

Mayor Tourville agreed that the letters need to be larger.

Motion by Klein, second by Grannis, to approve Change Order No. 25 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation

Ayes: 4

Nays: 1 (Piekarski Krech) Motion carried.

Mayor Tourville stated there may need to be further discussion regarding the completion of the building and questioned if there was a schedule in place for completion of the wood work.

Mr. Lynch advised that a time table for completion of the wood work had not been established. He explained that the contractor was in the process of finding a new subcontractor to complete the wood work and the information that has been provided indicates that a new subcontractor may not be able to begin work on the project for 4-6 weeks, which could delay the completion of the new Council chambers. He stated more details would be known after the weekly meeting between the contractor, architects, and staff. He noted the City may have to consider accepting the building without the Council chambers completely finished. He explained that he understood the frustration and concern that would surround that scenario and indicated he was not sure that the City had the ability to get the work in the Council chambers done faster given the constraints with the subcontractor.

Mayor Tourville stated staff and the City Council need to meet to discuss the options going forward and determine if legal action needs to be taken. He opined that his first inclination would be to not accept the building if the Council chambers is not finished.

Councilmember Piekarski Krech stated the issue with the subcontractor is the contractor's responsibility, not the City's.

D. CITY OF INVER GROVE HEIGHTS; Consider Resolution Awarding the Sale of General Obligation Refunding Bonds, Series 2011A

Steve Apfelbacher, Ehlers and Associates, stated bids were taken earlier in the day for the refinancing of two existing debt issues that are outstanding. He explained one of the steps involved in debt issuance is to obtain a rating from Standard & Poor's. He noted the City's AA rating was reconfirmed. Nine bids were received, and the best bid was received from Janney Montgomery Scott, Inc. of Philadelphia, PA. He advised that the true interest rate bid was 1.74%, whereas 1.97% was projected. He explained based on the bid received the recommended amount to be issued is \$4,505,000. He stated when compared to the existing issue that is outstanding, the City's net present value savings is just under \$334,000, or approximately 6.7% in relation to the amount of principal debt that is outstanding.

Motion by Grannis, second by Madden, to adopt Resolution No. 11-131 Awarding the Sale of General Obligation Refunding Bonds, Series 2011A to Janney Montgomery Scott, Inc.

Ayes: 5

Nays: 0 Motion carried.

E. CITY OF INVER GROVE HEIGHTS; Consider the First Reading of an Ordinance Amending City Code Title 1, Chapter 5, Section 1 – Meetings

Mr. Lynch explained the Council asked staff to prepare an ordinance amendment to change the City Council's meeting start time from 7:30 p.m. to 7:00 p.m. He stated a notice of the proposed change was published in the July/August issue of Insights and was also posted on the City web site. He noted the proposed change would not go into effect until the first meeting in September.

Mayor Tourville reiterated the proposed change would take effect for the meeting scheduled on September 12, 2011.

Motion by Klein, second by Piekarski Krech, to adopt the first reading of an Ordinance Amending City Code Title 1, Chapter 5, Section 1 - Meetings

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR & COUNCIL COMMENTS:

Councilmember Grannis stated he received a request from a citizen asking if fall clean up day could include document shredding to allow residents to dispose of confidential materials.

Mayor Tourville asked staff to look into the costs associated with a shredding truck.

Councilmember Klein commented on the undulating nature of the sidewalk along Dawn Avenue and asked if staff had a chance to review the issue.

Mr. Lynch stated in order to keep project costs down the City installed the sidewalk in the existing right-of-way and encountered some grading issues as a result. He advised that once the dirt and sod are in place it should look better.

Mr. Thureen reviewed what was discussed at the neighborhood meeting.

Mayor Tourville explained the Council would reconvene in Executive Session and the only action they will take upon returning is to adjourn.

9. EXECUTIVE SESSION:

A. Union Negotiations

10. ADJOURN: Motion by Madden, second by Piekarski Krech, to adjourn. The meeting was adjourned by a unanimous vote at 8:27 p.m.