

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 12, 2011 - 8150 BARBARA AVENUE**

**CALL TO ORDER/ROLL CALL:** The City Council of Inver Grove Heights met in regular session on Monday, September 12, 2011, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:00 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, Parks and Recreation Director Carlson, and Community Development Director Link.

**3. PRESENTATIONS:** None.

**4. CONSENT AGENDA:**

Mayor Tourville removed Item 4J, Approve Documents related to the Foreclosure of Vacant Lots within the Plat of Summit Pines, from the Consent Agenda.

- A.** Minutes – August 22, 2011 Regular Council Meeting
- B.** **Resolution No. 11-151** Approving Disbursements for Period Ending September 7, 2011
- C.** Pay Voucher No. 27 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation
- D.** Approve Final Payment to Morcon Construction Co., Inc. for Repair of Water Intrusion Damage in Public Works Maintenance Building
- E.** **Resolution No. 11-152** Awarding Contract for 2011 Large Storm Sewer Televising Program
- F.** Accept Quotes and Award Rain Garden Plantings and Delivery to South Cedar Greenhouses for City Project No. 2011-09D, South Grove Area 6
- G.** Approve Contract for Geotechnical Services to Sample and Test Pond Sediments for City Project No. 2010-22, Ravine Pond Railroad Erosion Mitigation
- H.** **Resolution No. 11-153** Accepting Individual Project Order No. 18 from Kimley-Horn and Associates, Inc. for Design Services and Preparation of Contract Documents for City Project No. 2011-17, Blackberry Bridge Path Storm System Improvements
- I.** **Resolution No. 11-154** Accepting Proposal for Engineering Services from Bolton & Menk, Inc. for Preparation of the Feasibility Report for City Project No. 2012-09D, 65<sup>th</sup> Street from Babcock Trail to Cahill Avenue and Neighboring Streets
- K.** **Resolution No. 11-155** Approving Proposal from BRKW Appraisals Inc. for Appraisal Services for Excess Golf Course Properties
- L.** **Resolution No. 11-156** Authorizing the Engagement of Survey Services to Support the City's Torrens Registration Proceeding to Establish Title to the City's Old Town Hall Site
- M.** Approve Concession Agreement with Inver Grove Heights Youth Hockey
- N.** Approve Separation Agreement
- O.** Approve Appointment to Convention and Visitors Bureau Board
- P.** Personnel Actions
- Q.** Approve Agreement with Fluid Interiors, Inc. for Moving Services

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

**Ayes: 4**

**Nays: 0      Motion carried.**

**J. Approve Documents related to the Foreclosure of Vacant Lots within the Plat of Summit Pines**

Pat Hoffman, partner in IGH Development entity, stated his company is the owner of the property in question and they did not receive any formal notice that the item was going to be on the agenda. He formally objected the item being considered by the City Council, specifically the contract modifications that establish new conditions and void a development agreement that has not expired. He explained there is an ongoing contract dispute with the lender and consideration of the item is premature and violates their contract rights as the property owner. He asked that the Council not get in the middle of their dispute with the lender.

Mayor Tourville asked what would happen if the Council were to table consideration of the item until the next regular Council meeting.

Mr. Kuntz explained on or around August 24, 2011 the City's Public Works and Engineering departments were contacted by the foreclosing bank and notified that a sheriff sale had been scheduled and that the bank sought to have conversation with the City regarding the preservation of certain development documents that had been filed against the property. He stated the City was subsequently notified that the original sheriff sale was postponed until September 21<sup>st</sup> and the bank was going to proceed with the foreclosure sale and the bank wanted to preserve the open space and conservation easement, trail easement, and street light agreement. The bank agreed that if it should come into title with respect to the property, it would subordinate its interest to the three aforementioned documents. The bank did not propose changes to any of the documents, nor does it have the authority to do so. He explained the bank confirmed that the requirements outlined in the development contract for the installation of utilities, streets, and the payment of certain fees had been fulfilled by the developer. Because all of the requirements had been fulfilled it was also proposed that the property be released from the development contract. Mr. Kuntz clarified that neither he, nor the City, are privy to the details of the dispute between the developer and the bank. He stated the City's position in the matter is not to take sides, but to ensure that if the bank comes into title for the property that the three documents remain attached to the property because of their value to the development as a whole. In order to achieve that, the City suggested that the bank subordinate its interest to the three documents and the bank agreed to do so.

Mr. Hoffman contended that there are changes to the development agreement because it would result in their escrow funds being given to the City and the termination of their development contract. He stated if the property is not acquired by the bank the property would exist without a development contract.

Mayor Tourville stated even if the bank forecloses they may not end up in control of the property. He questioned what would happen to the obligations if another entity purchased the property. He opined that the City does not want to be in the middle of the dispute.

Mr. Kuntz agreed that the City has no desire to be in the middle of the dispute between the developer and the bank. The City's interest is purely the preservation of the three documents that were mentioned. He stated the bank is foreclosing on the mortgage and there is a scheduled sheriff sale. He explained that the Council could table the item and request that the bank postpone the sheriff sale so the City can obtain more information.

Councilmember Piekarski Krech expressed concern that if the bank refuses to postpone the sale the City is in jeopardy of losing the documents it wants to preserve and the integrity of the development.

Mayor Tourville opined that there are too many unanswered questions and suggested that the item be tabled until the next regular Council meeting and that the City request that the bank postpone the sheriff sale.

**Motion by Madden, second by Piekarski Krech, to table the item until September 26, 2011.**

**Ayes: 4**

**Nays: 0**

**Motion carried.**

**5. PUBLIC COMMENT:**

Allan Cederberg, 1162 E. 82<sup>nd</sup> St., referenced the Insights article regarding development in the Northwest Area. He opined that the article was incomplete and did not inform citizens of what is happening to the development of the area. He commented on the original density requirements that were established and opined that the developer was allowed to proceed with construction at a lesser density than what was originally established. He opined that residents in TIF District 4-1 do not know that money from that TIF district was used to spur development in the Northwest Area via a spending plan modification. He suggested that it would be beneficial to adopt a home rule charter to divide the City into wards and allow citizens to be represented by one Council member.

Mayor Tourville noted the City does not need to adopt a home rule charter in order to have wards.

Mr. Cederberg questioned why the developer needed funding for the commercial development if the company had money to begin the housing development and construct a turn lane. He asked if the road that was going to go through the Target development would be an extension of County Road 28.

Councilmember Piekarski Krech clarified that the plans have not been finalized and the county would have to decide if the road would be an extension of County Road 28.

Mr. Cederberg questioned what the roundabout was constructed for if the road was not going to be County Road 28.

Mayor Tourville explained the roundabout was constructed as a traffic control device for T.H. 3.

Mr. Lynch explained that South Robert Trail is a state trunk highway and County Road 28 is under county jurisdiction. The roundabout was constructed at the intersection of a state highway and a county road. He stated once the road is constructed, the right-of-way and the road would eventually be turned back to Dakota County. He noted at some point in time the road will be extended to the east.

Mr. Cederberg opined that the City should terminate the adopted spending plan and contract for private development with the developer.

Mayor Tourville stated during the work session prior to the meeting, a scheduled item did not get discussed due to time constraints and suggested that the item be discussed because Mr. Lethert was present.

Mr. Lynch explained that Mr. Lethert requested to be placed on the next available Council work session to discuss the City's intentions related to the purchase of his property located on Courthouse Boulevard Court.

Mayor Tourville noted that Mr. Lethert's septic system is also a part of the discussion.

David Lethert, 8485 Courthouse Boulevard, stated City staff informed him that his septic system needs to be replaced because it is a septic tank in a cesspool. The cost to replace just the septic system is approximately \$11,000 and the cost to repair the land and restore the yard around it is approximately \$4,000. He stated he reviewed the State EPA and County regulations regarding septic systems and could not find any requirements that his system had to be replaced. The regulations specific that non-conforming systems must be replaced. He contended that his system is performing and noted he has not had any problems since he has lived in the home. He commented that one of the authorized replacements is a drain field that would drain into the exact same spot, approximately five feet higher than the cesspool. He requested that the Council grant him an exemption from replacement.

Councilmember Piekarski Krech questioned how the City found out there was an issue with the system.

Mr. Lethert explained the City was considering the purchase of his property and the cesspool was found upon inspection.

Mr. Lynch stated the system was inspected and deemed to be non-compliant. He noted if the Council wanted to revisit the purchase of the property, the system would be removed because the City would not reuse the property.

Mayor Tourville clarified that compliance is not necessarily related to the performance of the system. He suggested that more information be gathered regarding the system requirements and that the item be placed on the next agenda for further discussion.

**6. PUBLIC HEARINGS:** None.

**7. REGULAR AGENDA:**

**COMMUNITY DEVELOPMENT:**

**A. DALE NELSON;** Consider Resolution relating to a Variance to allow an Accessory Structure 12 Feet from the Rear Property Line whereas 50 feet is required for property located at 9860 Rich Valley Boulevard

Mr. Link reviewed the location of the property on the east side of Rich Valley Boulevard. He stated the property is 2.4 acres in size and is zoned Agricultural. The applicant proposed to construct a 676 square foot accessory building, 12 feet from the rear property line whereas 50 feet is the required setback. The request is in harmony with the intent of the zoning code in terms of land use, size of the proposed structure, and number of accessory buildings on the property. The Zoning Code has greater setbacks in the Agricultural district to provide a buffer between structures, promote rural and agricultural uses of property and minimize potential impacts on neighboring properties. Staff expressed concern with setting a precedent for other rural lots in the City. The front of the property has a depression that provides some physical constraints, however the land near the home is relatively flat and an accessory building could be constructed elsewhere on the property to meet the setback requirements. Planning staff recommended denial of the variance because the applicant did not identify practical difficulties to comply with the ordinance as the accessory building could be constructed in another area of the property to meet the setback standards. The Planning Commission also recommended denial of the variance.

Dale Nelson, 9860 Rich Valley Boulevard, presented a revised site plan and stated he would be willing to construct the building 25 feet from the rear property line versus 12 feet. He stated the proposed location is the best area to build because other areas of the property were: not suitable topographically, were not in close proximity to a power source, were prone to flooding, required mature tree removal, additional impervious surface, and relocation of an existing deep water spigot. The building would not be noticeable behind the tree lines. He noted in 1998 a variance was granted for an accessory building in the same area.

Councilmember Madden asked why it was so imperative to put the building in the proposed location.

Mr. Nelson stated that the proposed location made the most sense because it required the least amount of work and eliminated access issues in the winter due to snow accumulation.

Mayor Tourville questioned if the accessory buildings that were approved in 1998 were removed.

Mr. Nelson responded in the affirmative.

Councilmember Piekarski Krech clarified that those buildings were approved because they were temporary greenhouse structures. She questioned what the setbacks would be if the property was zoned Estate.

Mr. Kuntz explained the rear setback for an accessory building in the E-1 and E-2 districts is also 50 feet.

Mayor Tourville questioned what side yard setback was.

Mr. Kuntz indicated that for a building greater than 1,000 square feet the side setback is 50 feet.

Mayor Tourville stated he could support a variance for 25 feet because the proposed structure would be less than 1,000 square feet and it is difficult to distinguish what should be considered the side, rear and front yard of the property.

Councilmember Madden expressed concern with setting a precedent.

Councilmember Piekarski Krech stated this case is unique because the property is accessed from 97<sup>th</sup> Street, not Rich Valley Boulevard, and the property is configured in such a way that the proposed location of the structure could be considered as the side yard.

Councilmember Madden agreed in this instance it may be better to go by the spirit of the law, not the letter of the law.

Councilmember Grannis stated that the easements also limit where the structure could be placed.

Mayor Tourville confirmed that all of the neighbors were notified of the request.

Mr. Nelson stated if the neighbors would have had a problem with the location of the structure he would have further modified his plan.

**Motion by Piekarski Krech, second by Grannis, to adopt Resolution No. 11-157 relating to a Variance to allow an accessory structure 25 feet from the rear property line whereas 50 feet is required for property located at 9860 Rich Valley Boulevard because of the orientation of the house on the property, driveway access is off of 97<sup>th</sup> Street, and the easements limit where the proposed structure could be placed.**

**Ayes: 4**

**Nays: 0      Motion carried.**

**B. CITY OF INVER GROVE HEIGHTS;** Consider the First Reading of an Ordinance Amendment to Chapter 10 of the City Code relating to Updates to the Floodplain Management District and Adoption of the New FEMA Floodplain Maps

Mr. Link explained all cities in Dakota County are required to adopt the new Federal Emergency Management Agency (FEMA) floodplain maps by December 2, 2011. The current maps for the City are dated August 1, 1980. FEMA updated the maps as part of a nationwide 5-year modernization effort. New flood data and topographic data were used to establish the new boundaries of the floodplain map. The maps are used as part of the Flood Insurance program to determine location of the floodplain. Flood insurance is federally mandated if the insurable structure is in a high risk flood zone. Local government participation is also mandatory for homeowners to be able to acquire flood insurance. The boundaries of the floodplain have stayed very similar to those established in 1980, and in some areas of the Concord neighborhood the boundary shrunk and moved closer to the river. The proposed ordinance language was reviewed by the DNR and was granted conditional approval pending final approval by the City. The changes and added language are required by FEMA and the DNR in order for the City to remain eligible for the flood insurance program. Both planning staff and the Planning Commission recommended approval of the ordinance amendment and adoption of the new floodplain maps.

**Motion by Madden, second by Piekarski Krech, to approve the First Reading of an Ordinance Amendment to Chapter 10 of the City Code relating to Updates to the Floodplain Management District and Adoption of the New FEMA Floodplain Maps**

**Ayes: 4**

**Nays: 0      Motion carried.**

#### **PUBLIC WORKS:**

**C. CITY OF INVER GROVE HEIGHTS;** Consider Resolution Authorizing the Purchase of a Storm Water Facility Site on Portions of 4075 and 4095 78<sup>th</sup> Street for City Project No. 2011-02

Mr. Kaldunski explained the City completed street reconstruction on 78<sup>th</sup> Street and storm sewer improvements in the area as part of City Project No 2010-09D. Both parcels being discussed are anticipated to be assessed \$4,000 for the project. The property owners agreed to an assessment waiver as partial payment for the basin site. The City agreed to fund the assessment payment in return for a portion of the sale price. The City hired Metzen Appraisals to determine the market value of each parcel and offers were made based on the appraisals. The terms of the purchase of the site for a storm water treatment facility were reviewed. The City has been working with the Dakota County SWCD for storm

water treatment in the South Grove Area, and this site was specifically identified in the subwatershed evaluation study. The report indicated that constructing a storm water treatment facility on these parcels would be an effective method to reduce pollutant loading into the Mississippi River. The SWCD indicated that the proposed storm water facility would be a competitive candidate for a Clean Water Assistant Project Grant. The City would become eligible for the grant after the site is acquired. The purchase is proposed to be funded from the Capital Improvement Revolving Fund.

Mayor Tourville asked if the neighbors were notified of the plans for the site.

Mr. Kaldunski indicated staff had discussions with some of the neighbors. He noted the final design had not been completed and there was still an opportunity to obtain more input from the neighborhood.

Mayor Tourville asked staff to schedule a neighborhood meeting to make sure the neighbors know what is being proposed for the site and what they can expect if the storm water facility site is constructed.

**Motion by Madden, second by Piekarski Krech, to adopt Resolution Nos. 11-158 and 11-159 Authorizing the Purchase of a Storm Water Facility Site on Portions of 4075 and 4095 78<sup>th</sup> Street for City Project No. 2011-02**

**Ayes: 4**

**Nays: 0            Motion carried.**

**D. CITY OF INVER GROVE HEIGHTS;** Resolution Authorizing the Submittal of a Clean Water Fund Application for the Construction of City Project No. 2011-02, Concord Boulevard Bioretention Basin at 78<sup>th</sup> Street

Mr. Kaldunski explained the City has been working with Dakota County SWCD to improve water quality related to the discharge of urban storm water runoff into the Mississippi River. The SWCD identified grant funding for the City for storm water facility improvements. The City accepted a feasibility study for the construction of a storm water management basin near the near the intersection of 78<sup>th</sup> Street and Concord Boulevard. The cost estimate was updated to reflect the construction of a wet basin that would meet National Urban Runoff Protection standards. The SWCD recommended a storm water facility at this location because it would provide the greatest reduction in pollutants, add storage volume to the system, and provide an aesthetic vegetative perimeter. The City Council authorized the purchase of the basin site and the City became eligible for Clean Water Act grants as the landowner of the site. The program requires the City to provide a cost match of at least 25% of the construction costs. The project cost is estimated at \$384,524 and the City’s match would be fulfilled via site acquisition costs plus City Engineering and Construction services. The City Council was asked to authorize an application for a grant up to \$270,000.

**Motion by Madden, second by Piekarski Krech, to adopt Resolution No. 11-160 Authorizing the Submittal of a Clean Water Fund Application for the Construction of City Project No. 2011-02, Concord Boulevard Bioretention Basin at 78<sup>th</sup> Street**

**Ayes: 4**

**Nays: 0            Motion carried.**

**ADMINISTRATION:**

**E. CITY OF INVER GROVE HEIGHTS;** Consider First Reading of an Ordinance Amending City Code Title 9, Chapter 5, Section 9-5-5 relating to Compliance Requirements for Land Alterations

Mr. Kuntz explained the City recently became aware that there are parcels of unimproved land in the City where there does not exist a recorded contract or agreement with the City which outlines the requirement that the landowner follow an approved grading, drainage, erosion control and stormwater plan when constructing improvements on the landowners property. City staff proposed to amend a portion of the City Code relating to Storm Water Management to impose regulations related to requiring approved grading, drainage, erosion control and stormwater plans for those parcels that do not have contracts or agreements recorded against them. The purpose of the proposed amendment is to ensure that individual landowners obtain an approved grading, drainage, erosion control, and stormwater plan before constructing new

buildings on their property.

**Motion by Grannis, second by Madden, to approve the First Reading of an Ordinance Amending City Code Title 9, Chapter 5, Section 9-5-5 relating to Compliance Requirement for Land Alterations**

**Ayes: 4**

**Nays: 0      Motion carried.**

**F. CITY OF INVER GROVE HEIGHTS;** Consider Approval of Proposed 2012 Tax Levies & Proposed 2012 Budgets

Mr. Lynch stated the City must adopt a preliminary tax levy and budget for 2012 on or before September 15, 2011. The date and time for the public meeting at which the 2012 budget will be discussed must also be certified to the County. He noted the proposed 2012 budgets and tax levies were preliminary and could change before their final adoption in December. As proposed the General Fund budget reflected a decrease of 0.2% from the amended 2011 budget. On August 8<sup>th</sup> the Council was presented with a proposed tax levy rate that was equivalent to the 2011 rate of .43169, which cut approximately \$292,000 from the operating budget. On August 22<sup>nd</sup> the City Council directed staff to include several positions in the 2012 budget, including: two (2) Police Officers, one (1) Public Works Street Maintenance worker, one (1) MIS Technician, and an Assistant Fire Chief. At that time Council also directed staff to allocate \$25,000 for the Fire Relief Association. Changes to the Homestead Market Value Exclusion program were reviewed, although the exact impact of the changes on the City were not known. Mr. Lynch recommended setting the tax levy at a level based upon the former levy limit, using numbers from the 2011 level. He explained this approach would allow enough flexibility to lower the number and the rate prior to final adoption in December.

Councilmember Piekarski Krech confirmed that the increased SAC charges were figured into the budget.

Councilmember Grannis asked which tax levy was being recommended.

Mr. Lynch responded that a 0.45646 tax capacity rate, a 5.74% increase, was recommended to allow for flexibility until the implications of the Homestead Market Value Exclusion program were known. The recommended total proposed tax levy for 2012 was \$15,736,146. He noted the preliminary rate could be decreased prior to final adoption in December but could not be increased.

Councilmember Madden clarified that the Council would continue to hold budget discussions prior to the meeting in December.

Councilmember Piekarski Krech opined that if the final rate in December is the same as the preliminary rate, she would not support it.

**Motion by Grannis, second by Madden, to approve Resolution No. 11-161 adopting the Proposed Tax Levy for the Year 2012, Resolution No. 11-162 adopting the Proposed Watershed Management Taxing Districts' Tax Levies for the Year 2012, and Resolution No. 11-163 adopting the Proposed 2012 Budgets**

**Ayes: 4**

**Nays: 0      Motion carried.**

**G. CITY OF INVER GROVE HEIGHTS;** Consider Time Extension for SE Quadrant TIF Contract for Private Development with Fine & Associates

Mr. Lynch stated the applicant has requested that the item be tabled until the next regularly scheduled City Council meeting on September 26, 2011.

**Motion by Madden, second by Piekarski Krech, to table consideration of the item until the September 26, 2011 Regular Council Meeting**

**Ayes: 4**

**Nays: 0      Motion carried.**

**H. CITY OF INVER GROVE HEIGHTS; Approve Proposals for New Carpet and Wall Repair/Paint**

Ms. Teppen explained there was very little remodeling done in the lower level of City Hall as part of the Public Safety Addition/City Hall Renovation. The only remodeling that was done was to combine two offices into one, removing two doorways, and sheet rocking over the spaces left, mechanical equipment upgrades to accommodate the geo-thermal system, and the installation of shelving units in various rooms for storage purposes. The existing carpet, installed in the early 1990's, remained untouched and the walls remain covered with wallpaper that has been painted over at least twice. She stated the lower level would primarily be used for storage, but would also house the Technology Department staff as well as the employee break room. The proposed work, including the removal of wallpaper, patching of holes in the walls, priming and painting, was estimated at \$5,892. The estimate to install new carpet in the office area, hallways, and break room was \$7,128. She noted the work is proposed to be funded via the City Facilities Fund.

Councilmember Piekarski Krech suggested installing linoleum or vinyl flooring in the break room instead of carpet because it is an area where people will be eating and it would be easier to maintain.

Ms. Teppen stated staff would look into that option. She suggested that the hallways and offices remain carpeted.

Councilmember Madden questioned what the size of the area proposed to be carpeted was.

Ms. Teppen explained that the old break room is now going to be used an entrance for engineering staff and was not included in the proposal, and the new break room would be the area where the investigators sat in the old Police Department space.

Mayor Tourville suggested that the approval say floor covering, wall repair and paint to allow for flexibility in the product that is chosen.

**Motion by Piekarski Krech, second by Madden, to approve proposals for work to repair and paint walls and install new floor covering in the lower level of City Hall**

**Ayes: 4**

**Nays: 0      Motion carried.**

**I. CITY OF INVER GROVE HEIGHTS; Approve Purchase of Equipment and Labor for Relocation of VoIP and Network Equipment for City Project No. 2008-18, Public Safety Addition/City Hall Renovation**

Ms. Teppen stated city staff would soon be moving back to the remodeled City Hall. The City will need to move the VoIP phone and network equipment to its permanent location. Because the size of the building has increased and a number of work spaces and rooms were added, additional phones are required. The proposal is for the purchase of 21 additional phones, a new 48 port switch, the move of existing equipment after regular business hours, and the purchase of new equipment to satisfy data and phone connections at new office locations and work stations. The quote from Integra was \$7,248.46 for the new equipment and \$2,730 for labor. Connection and documentation of all data ports to the appropriate switch, fiber connections, switch connections, system configuration and testing are all included in the proposal.

**Motion by Madden, second by Grannis, to approve the Purchase of Equipment and Labor for Relocation of VoIP and Network Equipment from Integra for City Project No. 2008-18, Public Safety Addition/City Hall Renovation**

**Ayes: 4**

**Nays: 0      Motion carried.**

**J. CITY OF INVER GROVE HEIGHTS; Consider First Reading of an Ordinance Amending City Code Title 4, Chapter 1, Article A, Section 4 relating to Types of Intoxicating Liquor Licenses and a Resolution Adopting Temporary On Sale Liquor License Fees**

Mr. Kuntz explained the City was recently made award that a local church would like to sell intoxicating liquor at a church festival. Current City Code provisions allow for the issuance of temporary on sale 3.2

liquor licenses, but do not currently permit the sale or giving away of intoxicating liquor at similar events. Minnesota Statutes, Sections 340A.404 and 340A.414 grant the City the authority to issue temporary on sale intoxicating liquor licenses and one day consumption and display permits to eligible non-profit organizations and similar entities, and the ordinance amendment would formally permit the City to issue such licenses as authorized by statute.

Mayor Tourville asked if this would apply to events held at the community center.

Ms. Rheaume stated the eligibility requirements are outlined in state statute, and temporary on sale intoxicating licenses would not be allowed for private entities that do not meet the eligibility requirements.

Councilmember Piekarski Krech confirmed that temporary on sale intoxicating liquor license holders would be subject to insurance requirements similar to those already set forth in the City Code.

**Motion by Madden, second by Piekarski Krech, to approve the First Reading of an Ordinance Amending City Code Title 4, Chapter 1, Article A, Section 4 relating to Types of Intoxicating Liquor Licenses and a Resolution Adopting Temporary On Sale Liquor License Fees**

**Ayes: 4**

**Nays: 0      Motion carried.**

**K. CITY OF INVER GROVE HEIGHTS;** Consider Appointing Representatives to Robert Street Transitway AA Study Steering & Technical Advisory Committees

Mr. Lynch stated a council member and alternated need to be appointed to the Robert Street transitway AA study steering and technical advisory committees. He noted that Community Development Director Link would be the staff representative and Public Works Director Thureen would be the alternate.

**Motion by Tourville, second by Grannis, to appoint Community Development Director Link and Councilmember Madden to the Robert Street Transitway AA Study Steering & Technical Advisory Committees and to appoint Public Works Director Thureen and Councilmember Piekarski Krech as alternates**

**Ayes: 3**

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

#### **8. MAYOR & COUNCIL COMMENTS:**

Ms. Teppen reviewed the details for Fall Clean Up day.

Mayor Tourville reminded citizens about the Harmon Farms Trail run scheduled for September 18<sup>th</sup> at Harmon Park reserve.

Mr. Thureen advertised the upcoming meetings for

**9. ADJOURN:** Motion by Grannis, second by Piekarski Krech, to adjourn. The meeting was adjourned by a unanimous vote at 9:05 p.m.