

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, FEBRUARY 27, 2012 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, February 27, 2012, 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 & Recreation Director Carlson, Community Development Director Link, Police Chief Stanger, Fire Chief Thill and Deputy Clerk Rheaume

3. PRESENTATIONS:

Jodi Royce, President of Inver Grove Heights Hockey Association, introduced the members of the U10B girls' hockey team who attended the meeting and led the Pledge of Allegiance. She stated the team participated in three tournaments throughout the course of the season and earned a trophy at each tournament.

A. Police Department Introductions – New Lieutenants, Sergeants, Police Officers

Mr. Lynch explained because there had been numerous changes within the Police Department over the previous six (6) months staff felt it would be a good idea to have Chief Stanger review the changes within the department and introduce new officers to the Council.

Chief Stanger introduced the newly promoted members of the Police Department's supervisory staff.

He stated Lieutenant Sean Folmar began working for the City as an officer in 1995. He also worked as an investigator from 1998-2000, and was promoted to the position of Sergeant in 2006 where he served as the patrol supervisor for five (5) years. Following the retirement of Lieutenant Jerry Salmey, Sean was promoted to the position of Lieutenant and currently serves as the Investigative Commander in charge of the Investigations and support services division of the department.

Sergeant Jessica Billmeyer began working for the City as an officer in 1998. In addition to serving as a patrol officer during her tenure, she also worked in the Investigations division from 2002-2004. Jessica was appointed to the position of Sergeant in 2011 and is currently assigned to the Patrol division as a patrol supervisor.

Lieutenant Josh Otis began working for the City as an officer in 2001 and also worked as an investigator from 2005-2007. He was promoted to the position of Sergeant in 2007 and served as a patrol supervisor for five (5) years. Following the retirement of Chief Kleckner, a lieutenant position was left vacant and Josh was promoted to the position in early 2012 and is currently the Patrol Commander in charge of patrol and uniform operations.

Sergeant Kasey Schrandt began working for the City as an officer in 2000 and was assigned to the investigative division from 2004-2006. He was promoted to the position of Sergeant in 2012 and currently serves as a patrol supervisor.

Chief Stanger congratulated Lieutenants Folmar and Otis, and Sergeants Billmeyer and Schrandt for the promotions within the Inver Grove Heights Police Department. He introduced Dane Winget and Nick Pedersen, two (2) newly hired officers.

Chief Stanger stated Officer Winget graduated from Normandale Community College with an Associate's Degree in law enforcement and completed his skills training through Hennepin County Technical College. Officer Winget's official start date with the City was February 7, 2012.

Chief Stanger stated Officer Pedersen graduated from North Hennepin Community College with an Associate's Degree in law enforcement and completed his skills training through Minneapolis Community and Technical College. Officer Pedersen's official start date with the City was scheduled on March 6, 2012.

4. CONSENT AGENDA:

Councilmember Madden removed Item 4J, Approve Charitable Gambling Premises Permit Application – AMVETS Post 1, from the Consent Agenda.

- A. Minutes – February 13, 2012 Regular Council Meeting
- B. **Resolution No. 12-25** Approving Disbursements for Period Ending February 22, 2012
- C. **Resolution No. 12-26** Adopting Final Assessment Roll for the 2011 Pavement Management Program, City Project No. 2010-09I, Blaine Avenue (North Area) Full Depth Mill and Repave
- D. **Resolution No. 12-27** Accepting Amendment No. 1 to Feasibility Report, Ratifying the Preparation of Plans and Specifications, and Authorizing Advertisement of Bids for the 2012 Pavement Management Program, City Project No. 2012-09D, Urban Street Reconstruction Project (65th Street Neighborhood and Cahill Ct.)
- E. **Resolution No. 12-28** Accepting Amendment No. 2 to the Proposal for Engineering Services from Bolton & Menk, Inc. for the 2012 Pavement Management Program, City Project No. 2012-09D, Urban Street Reconstruction – 65th Street Area (Babcock Trail to Cahill Avenue)
- F. **Resolution No. 12-29** Approving Local Trail Grant Application for North Valley Park
- G. Approve Extension of Contract for Financial Services from AEM
- H. Approve UV System for Spa Pool
- I. Approve Contract with Civic Plus for Redesign of City's Website
- K. Approve Application for Individual Massage Therapist License – Jacquelyn Lebeis
- L. Personnel Actions

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

Ayes: 4

Nays: 0 Motion carried.

- J. Approve Charitable Gambling Premises Permit Application – AMVETS Post 1

Councilmember Madden stated he was surprised at the decision to switch organizations given how long the American Legion had controlled the charitable gambling operations at Drkula's. He explained he was concerned about the change because the American Legion is a local organization and the AMVETS Post 1 was not. He noted the AMVETS Post 1 was a great organization and wished them luck. His primary concern was that the American Legion may not be able to continue to operate without charitable gambling operations.

James Grob, AMVETS Post 1 Gambling Manager, explained he was approached approximately four (4) months ago about the prospect of his organization taking over the charitable gambling operations at Drkula's. He stated his first instinct was to ask Drkula's to try to work with the American Legion to resolve the issues. He noted he agreed to take over the charitable gambling operations after it became apparent that a change was going to be made either way.

Mayor Tourville questioned where the organization's other operations were located.

Mr. Grob stated they operate locations in Bloomington, Mendota Heights, Hastings, and St. Paul.

Mayor Tourville confirmed that Mr. Grob was familiar with the City's charitable gambling regulations.

Mr. Grob stated he reviewed the ordinance and thought it was very similar to the regulations of the other cities his organization operated in. He stated with respect to expenditure requirements the organization has a goal that they will exceed the established standards in each community. He noted the organization

always looks to help the local schools and organizations.

Mayor Tourville explained the City does not have the authority to dictate which organization operates at each location, provided the licensee is eligible for a license from the State. He stated the AMVETS would have big shoes to fill because 100% of the American Legion's donations went to Inver Grove Heights organizations and programs.

Dale Larson, Post 424, stated his organization was only notified of the change one week ago. He felt that the process had been rushed. He questioned if the new organization would be able to keep up with the donations that the American Legion made within the community, such as scholarships.

Mayor Tourville explained the organization would be required to make a certain percentage of expenditures within the defined trade area. He stated they will have to abide by the regulations set forth in City Code. He noted the lease agreement between the licensed organization and the owner of the business only requires a 30 day notice if either party decides to terminate the lease. He reiterated that the City cannot control which organization is chosen to run charitable gambling operations at a specific location.

Mr. Larson stated it was unfortunate that his organization was not given the opportunity to resolve the issue with the business owner.

Motion by Madden, second by Grannis, to approve Charitable Gambling Premises Permit Application for the AMVETS Post 1 Organization

Ayes: 4

Nays: 0 Motion carried.

5. PUBLIC COMMENT: None.

6. PUBLIC HEARINGS:

A. CITY OF INVER GROVE HEIGHTS; Consider Application of Pawn America Minnesota LLC dba Pawn America for a Pawnbroker's License for premises located at 5300 S. Robert Trail, Suite 400

Ms. Rheaume stated Pawn America Minnesota LLC submitted an application for a pawnbroker's license amidst the process of amending the provisions of the City Code which regulate pawnbroker activity within the City. She explained the application was reviewed by the Police Department in accordance with the terms of the recently adopted ordinance amendment. The applicant submitted the required license fee, corporate surety bond, and insurance documentation. She noted the Police Department conducted the requisite background investigation and found no basis for denial of the request.

Motion by Madden, second by Grannis, to close the public hearing.

Ayes: 4

Nays: 0 Motion carried.

Motion by Madden, second by Grannis to approve the application of Pawn America Minnesota LLC dba Pawn America for a Pawnbroker's License for premises located at 5300 S. Robert Trail, Suite 400

Ayes: 4

Nays: 0 Motion carried.

B. CITY OF INVER GROVE HEIGHTS; Consider Application of Pilot Travel Centers LLC dba Pilot Travel Center #581 for a 3.2 Off-Sale Liquor License for premises located at 11650 Courthouse Boulevard

Ms. Rheaume stated the applicant recently purchased and took over operations of the business located on Courthouse Boulevard. The applicant obtained the necessary service station license and made application for a 3.2 Off-Sale Liquor License. She noted the previous business owner did not hold a liquor license for the premises. The applicant submitted proof of liquor liability insurance and the Police

Department found no basis for denial of the application following a background investigation.

Motion by Madden, second by Grannis, to close the public hearing.

Ayes: 4

Nays: 0 Motion carried.

Motion by Madden, second by Grannis, to approve the application of Pilot Travel Center LLC dba Pilot Travel Center #581 for a 3.2 Off-Sale Liquor License for premises located at 11650 Courthouse Boulevard

Ayes: 4

Nays: 0 Motion carried.

C. CITY OF INVER GROVE HEIGHTS; Consider Application of St. Patrick’s Catholic Church for a 1-day Temporary On-Sale Intoxicating Liquor License for premises located at 3535 72nd St. E.

Ms. Rheaume explained the Church made application for a one day temporary liquor license for an event scheduled on April 27th. She stated the City recently adopted an amendment to the City Code to allow for the issuance of temporary on-sale intoxicating liquor licenses to eligible organizations as defined by State statute.

Motion by Madden, second by Grannis, to close the public hearing

Ayes: 4

Nays: 0 Motion carried.

Motion by Madden, second by Grannis, to approve the application of St. Patrick’s Catholic Church for a 1-day Temporary On-Sale Intoxicating Liquor License on April 27, 2012 for premises located at 3535 72nd St. E.

Ayes: 4

Nays: 0 Motion carried.

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

A. INVER GROVE STORAGE; Consider Resolution relating to an Interim Use Permit Extension for property located at 10125 Courthouse Boulevard

Mr. Link reviewed the location of the property. He stated in 2004 an interim use permit was granted to the applicant to allow temporary metal portable shipping containers as part of their mini storage facility. The approval was for a period of eight (8) years and would expire on April 1, 2012. The applicant requested a one-time extension of the interim use permit as allowed by ordinance for a period of 20 years. He explained interim uses are defined as a temporary use because they are typically not appropriate based on a proposed future land use, but have some merit for an intermediate period of time. He noted staff felt more comfortable with a ten (10) year extension because it is believed that twenty years goes beyond the purpose and intent of a temporary interim use and becomes more like a permanent use. He stated a ten (10) year extension would also be consistent with an extension that was granted for a competing storage use located down the highway. He stated both Planning staff and the Planning Commission recommended approval of the request. The Planning Commission recommended an extension for a period of 20 years.

Councilmember Piekarski Krech stated she did not have a problem granting a 20 year extension because the applicant needs to get use of their property if no development happens in that time period. She explained there have been no complaints regarding the establishment and the business climate in the area is not where it was anticipated to be.

Councilmember Madden agreed that a 20 year extension was reasonable because if development was to occur in the area there would more than likely be changes made to the comprehensive plan and the zoning code that would eliminate the interim use. He reiterated that the applicant takes care of the property and there have been no issues with the operation thus far.

Councilmember Grannis asked if an applicant could renew an interim use permit more than once.

Mr. Link explained one extension is allowed by ordinance, and a second extension would require an amendment to the zoning code.

Larry Koland, 4813 Blaine Avenue, explained they originally built an outdoor storage facility because it would have a limited impact on the site and would be a good fit until the property could be redeveloped for a better, permanent use. He stated they would like to extend the interim use in order to retain their mortgage on the property. He noted their hope is that development occurs in this area of the City and they are able to redevelop the property for a better use sooner than 20 years. He explained if they aren't able to redevelop the property within 20 years the interim use would be removed. He stated the current use is quiet and they keep the site well maintained.

Motion by Piekarski Krech, second by Madden, to adopt Resolution No. 12-30 approving an Interim Use Permit Extension for a period of twenty years for property located at 10125 Courthouse Boulevard

Ayes: 4

Nays: 0 Motion carried.

B. CITY OF INVER GROVE HEIGHTS; Consider One-time Additional Wages for Paid On-Call Fire Officers

Mr. Lynch explained in 2011 the City budgeted for and began the process to hire an Assistant Fire Chief. He stated at that point in time fire officers had made plans to stop doing additional work in anticipation of the new position being filled. Once the hiring process was stopped, fire officers had to resume performing the additional work for the remainder of 2011. He explained during the 2012 budgeting process a council member suggested that staff consider adding money for additional compensation to recognize the additional work that was performed by the officers. He noted a spreadsheet was distributed that outlined the additional pay and clarified that the pay plan was for the period of August, 2011 through the end of February, 2012. He stated the Chief planned for a proration of the additional pay.

Councilmember Piekarski Krech stated the fire officers went above and beyond their required duties to help the department.

Councilmember Madden stated the officers put in a lot of hours in addition to their regular jobs.

Motion by Piekarski Krech, second by Madden, to approve one-time additional wages for paid on-call Fire officers

Ayes: 4

Nays: 0 Motion carried.

8. MAYOR AND COUNCIL COMMENTS:

Motion by Grannis, second by, to schedule a special meeting on March 19, 2012 at 6:00 p.m. to conduct department head meetings and a performance review of the City Administrator.

Ayes: 4

Nays: 0 Motion carried.

9. ADJOURN: Motion by Madden, second by Grannis, to adjourn. The meeting was adjourned by a unanimous vote at 7:42 p.m.