



INVER GROVE HEIGHTS CITY COUNCIL AGENDA
MONDAY, SEPTEMBER 10, 2012
8150 BARBARA AVENUE
7:00 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PRESENTATIONS**
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. i) Minutes – August 27, 2012 Council Work Session _____
ii) Minutes – August 27, 2012 Regular Council Meeting _____
 - B. Resolution Approving Disbursements for Period Ending September 5, 2012 _____
 - C. Pay Voucher No. 2 for City Project No. 2010–41, T.H. 3 Turn Lanes at Autumn Way _____
 - D. Pay Voucher No. 1 for City Project No. 2012–09D, Urban Street Reconstruction 65th St. Neighborhood & Cahill Ct., for Borden Way Backyard Storm Sewer Improvements _____
 - E. Accept Agreement Relating to Landowner Improvements within City Easement on Lot 12, Block 5, Woodland Preserve (11684 Aileron Court) _____
 - F. Resolution Accepting Bid and Awarding Contract for 2012 Storm Water Facility Maintenance Program – City Project No. 2012–15, Sediment Removal from Basin at 79th Street and Blanchard Way _____
 - G. Resolution Approving a MPCA Environmental Assistance Grant Agreement for City Project No. 2012–15, Sediment Removal Project Storm Water Management Basin at 79th Street and Blanchard Way _____
 - H. Resolution Authorizing the Submittal of a Clean Water Fund Application for the Construction of City Project No. 2011–02, Concord Boulevard Storm Water Management Basin at 78th Street _____
 - I. Approve Contractor for Bituminous Work at Skyview Park _____
 - J. Appoint Council members to Represent the City in Mediation _____
 - K. Approve Company Fire Inspection Program _____
 - L. Adopt Fire Relief Association Five (5) Year Plan _____
 - M. Approve Multi–Agency Law Enforcement Joint Powers Agreement with the Minnesota Bureau of Criminal Apprehension for participation in Minnesota Internet Crimes against Children Task Force _____

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**:

7. **REGULAR AGENDA**:

A. **CITY OF INVER GROVE HEIGHTS**; Consider Third Reading of an Ordinance Amending Inver Grove Heights City Code Title 5, Chapter 6, Section 1(B) regarding Use of Firearms

COMMUNITY DEVELOPMENT:

B. **LESLIE SCHWEGEL**; Consider a Resolution relating to a Variance to allow construction of a six (6) foot high solid wood fence 22 feet from the front property line for property located at 7807 Cooper Avenue

C. **CLARK ROAD PROPERTIES**; Consider a Resolution relating to an Interim Use Permit to Allow a Mini-Storage Facility with Metal Portable Shipping Containers for Property Located on the West Side of Clark Road across from 11305 Clark Road

D. **160 INVESTMENTS, LLC (ARGENTA HILLS 5TH)**; Consider the following resolutions for property located on the north side of Amana Trail across from Target:

- i) An Comprehensive Plan Amendment to change the land use designation from MDR, Medium Density Residential to LMDR, Low Medium Density Residential
- ii) A Rezoning of the property from A, Agricultural to R-1C/Planned Unit Development
- iii) A Planned Unit Development Amendment to the Argenta Hills PUD to change the original 44 unit townhouse development to a 39 unit single family development
- iv) A Preliminary and Final Plat and Preliminary and Final Planned Unit Development for a 39 unit detached single family development

FINANCE:

E. **CITY OF INVER GROVE HEIGHTS**; Consider Resolution Adopting Proposed 2013 Tax Levies, Proposed 2013 Budgets, and Setting the Date and Time of a Regularly Scheduled Meeting where the Budget will be Discussed

ADMINISTRATION:

F. **CITY OF INVER GROVE HEIGHTS**; Consider Approval of Contract for Remediation of Bio Retention Basin D

8. **MAYOR & COUNCIL COMMENTS**:

9. **ADJOURN**

**INVER GROVE HEIGHTS CITY COUNCIL STUDY SESSION
MONDAY, AUGUST 27, 2012 – 8150 BARBARA AVENUE**

1. CALL TO ORDER The City Council of Inver Grove Heights met in study session on Monday, August 27, 2012, in the City Hall Lower Level Training Room. Councilmember Piekarski Krech called the meeting to order at 6:00 p.m. Present were Council members Grannis, Klein, and Madden; City Administrator Lynch, Assistant City Administrator Teppen, Public Works Director Thureen, Parks & Recreation Director Carlson, Finance Director Smith, Fire Chief Thill, Police Chief Stanger, and Deputy Clerk Kennedy.

2. CITY CAMPUS CONCEPT

Administrator Lynch presented the concept of a City Campus to the Council to obtain input and feedback. The concept involved the reconstruction of Barbara Avenue with new access points off of 80th Street and Barnes Avenue. An additional parking lot would be constructed at the corner of 80th Street and Barbara Avenue that would primarily serve the needs of the VMCC. He noted at this point the concept would require further negotiations with private property owners for potential property acquisitions, as well as cooperation from the County with respect to the new access points.

Councilmember Piekarski Krech stated she liked the concept, but it was all predicated on the County allowing the new access points. She commented that the proposed roundabout in front of City Hall would create access issues for Roberts Funeral Home and it would only work if they were willing to relocate their business.

Mr. Lynch stated staff has been in constant communication with Roberts Funeral Home about possible solutions to the problem and a number of ideas have been discussed. He noted those discussions would continue to see if any alternatives could be worked out. He explained with respect to the County, their preference is to have limited access points.

Councilmember Grannis stated he thought the idea of a City Campus was a good concept that should be pursued.

Councilmember Madden stated the costs need to be factored into the discussion as well.

Mr. Lynch stated the next step would be to bring the concept to a City Council meeting for authorization to have preliminary design plans developed. He noted that the design plans could be put together relatively cheap and they would then be able to better estimate the costs of the project going forward.

Councilmember Piekarski Krech stated they needed to know the status of the contiguous properties because the City would be locked into the design if they started with the reconstruction of Barbara Ave. She added that she would also like to see the results of the Fire Station study to see how that may tie into the discussion.

Councilmember Klein stated he would like to see some commitment from the County on the access points before moving to far forward.

3. FIRE INSPECTIONS – MULTIPLE DWELLING UNITS

Fire Chief Thill explained the department lost their part-time inspector 4.5 years ago due to budget constraints and the position was never replaced. After the part-time inspector's departure a number of inspections, including those for liquor license establishments and multiple family dwellings, have not been able to be completed. She stated she and the Fire Marshall developed a plan to start a company inspection program that would utilize current paid-on-call firefighters to perform basic fire inspections. The Fire Marshall would train existing firefighters on inspections of multi-family dwellings. The firefighters would be trained and provided with check lists to complete for each inspection and would be under the direct supervision of the Fire Marshall. She explained the main focus of the program would be to encourage owners to engage in preventative maintenance and the goal would be education through compliance.

Councilmember Madden questioned if additional funding would be needed for training.

Chief Thill responded in the negative.

Councilmember Klein questioned how many buildings had not been inspected in 4.5 years.

Fire Marshall Schadegg explained that physical visits have been lacking. He noted that third party inspections are conducted annually and the results are submitted to the Fire Department.

Councilmember Piekarski Krech questioned what the cost would be, and how much time personnel would spend doing extra work. She stated her concern is that at some point the people who take on the extra work are going to want to be paid differently and offered benefits.

Fire Marshall Schadegg stated ideally 4-6 individuals, who have already gone through basic fire inspections training, would be utilized. The program would be specific and controlled in that he would train the staff on the specific items to look for. He explained the program would be an important step to ensure the safety of first responders and encourage building owners to engage in preventative maintenance. It would get fire personnel physically inside the buildings to help build and maintain relationships with building management. He estimated that 3 people, working 1 day a week, could get through all of the inspections in 2 years, including the liquor establishments.

Chief Thill acknowledged that at some point in the future a part-time or full-time position would need to be added, but until the funding is available this plan would be a way to bridge that gap. She explained personnel would be compensated at the same wage as a paid-on-call fire fighter and this could be done with no increase to the budget.

The Council acknowledged the program's worth and agreed it would be worth trying.

4. FIRE RELIEF ASSOCIATION – VOLUNTARY CONTRIBUTION

Administrator Lynch explained in the 2012 budget Council allocated a \$25,000 voluntary contribution to the Fire Relief Association as the start of planning for more consistent funding from the City that would serve as a recruitment and retention tool for firefighters. He stated each year an audit is performed that demonstrates the value of the investment asset of the Fire Relief Association. A plan has been proposed whereby the City would continue to make annual, voluntary contributions of \$25,000 for fiscal years 2012-2016. The contributions would come from the Fire Department budget and would be at the discretion of the Council. If the City were required to make a contribution, either because of poor performance of the investment asset or an unusually high number of retirements, the voluntary municipal contribution would be reduced by the amount of the required contribution or eliminated if the requirement is equal to or greater than the request. In order to determine its effectiveness in meeting its intent and purpose, the plan would be reevaluated at the end of five years or earlier if economic conditions change or major changes occur in fire department staffing. He noted the proposed 2013 budget includes a \$25,000 contribution.

Chief Thill reviewed the possible scenario for maximum benefit level over the next five years with the proposed annual City contribution of \$25,000. She noted that each year's maximum benefit level is based on financial information from the previous year and there are many variables that can affect the calculation including state aid funding, staffing levels within the department, and investment returns.

The meeting was adjourned at 6:55 p.m.

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

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, August 27, 2012, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:00 p.m. Present were Council members Grannis, Klein, and Madden; City Administrator Lynch, Assistant City Administrator Teppen, City Attorney Kuntz, Public Works Director Thureen, Parks & Recreation Director Carlson, Community Development Director Link, Finance Director Smith, Police Chief Stanger, Fire Chief Thill and Deputy Clerk Kennedy

3. PRESENTATIONS:

- A.** Proclamation Designating Tuesday, August 28, 2012 as Inver Wood Golf Course Day in the City of Inver Grove Heights

Mayor Tourville read a proclamation commemorating the 20th anniversary of Inver Wood Golf Course. He declared August 28, 2012 Inver Wood Golf Course Day in the City and discussed the events that would be held at the golf course to celebrate the anniversary.

4. CONSENT AGENDA:

Councilmember Piekarski Krech removed Item 4A(i) from the Consent Agenda.

Citizen Allan Cederberg requested that Item 4F be removed from the Consent Agenda.

Citizen Dian Piekarski requested that Item 4N be removed from the Consent Agenda.

- A.** ii) Minutes – August 13, 2012 Council Work Session
iii) Minutes – August 13, 2012 Regular Council Meeting
- B. Resolution No. 12-131** Approving Disbursements for Period Ending August 22, 2012
- C.** Approve Various Americans with Disabilities Policies
- D.** Change Order No. 1 for City Project No. 2012-09D, Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court
- E.** Pay Voucher No. 3 fro City Project No. 2012-09D, Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court
- G. Resolution No. 12-133** Calling for Hearing on Proposed Assessments and **Resolution No. 12-134** Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessments for City Project No. 2009-11, Concord Boulevard Improvement – Phase 3 from 65th Street East to the Corporate Boundary with the City of South St. Paul
- H.** Approve Affidavit Concerning Real Property Contaminated with Hazardous Substances at Heritage Village Park
- I.** Approve Purchase of Spinning Bikes for Veterans Memorial Community Center
- J.** Award Contract for Installation of Door Access Control System at each Fire Station to Low Voltage Contractors
- K. Resolution No. 12-135** Authorizing Participation in Auto Theft Prevention Grant with the State of Minnesota
- L.** Approve Letter to MPCA regarding Proposed Waste Disposal Restrictions
- M.** Personnel Actions

Motion by Madden, second by Klein, to approve the Consent Agenda**Ayes: 5****Nays: 0 Motion carried.****A. (i) Minutes – July 23, 2012 Council Work Session**

Councilmember Piekarski Krech stated she was unable to attend the work session on July 23rd.

Motion by Madden, second by Grannis, to approve the Minutes of the July 23, 2012 Council Work Session**Ayes: 4****Nays: 0****Abstain: 1 (Piekarski Krech) Motion carried.****F. Resolution Accepting Amendment No. 4 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 Neighborhood and Cahill Court**

Allan Cederberg, 1162 82nd St. E., stated the funds should be designated before the item is voted on so everyone knows exactly where the money is coming from. He commented that the Engineering department should be focused on field work for projects and the finance department should be handling the budgets for each project.

Mayor Tourville stated every department has a budget that the head of the department is responsible for managing throughout the year. He explained engineering is responsible for their projects and engineering staff are better equipped to handle the budget throughout the course of a project because they are directly involved in the project from start to finish. He noted the current process has worked very well.

Mr. Thureen stated the engineers are in the best position to determine reasonable costs throughout the course of a project.

Motion by Klein, second by Madden, to adopt Resolution No. 12-132 accepting Amendment No. 4 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 Neighborhood and Cahill Court**Ayes: 5****Nays: 0 Motion carried.****N. Approve Limited Hunting of Canada Geese within the City**

Dian Piekarski, 7609 Babcock Trail, asked for more details about the program. She questioned if anyone had ever been injured and if there was a protocol for citizen notification.

Chief Stanger stated the program has been in place for close to ten (10) years and it is brought to the City Council for approval on an annual basis. He explained detailed information about the program, including a map of areas that are allowed to be hunted, can be found on the City's website. He stated an officer is sent to inspect each site to ensure that it is safe for hunting and their report is forwarded to his office for approval or denial of the permit. He noted some sites do not get approved because of safety concerns. He stated notification of the program is done annually at a City Council meeting and to the best of his knowledge nobody has ever been injured. He clarified there is no separate notification for each approved site. He reiterated that the map, posted on the City's website, shows the areas that are proposed to allow hunting provided the sites are deemed to be safe and approved by his office.

Motion by Madden, second by Grannis, to approve limited hunting of Canada Geese within the City**Ayes: 5****Nays: 0 Motion carried.**

5. PUBLIC COMMENT:

Allan Cederberg, 1162 82nd St. E., stated Alberta Ave. runs parallel with South Robert Trail and is part pavement and part gravel. He questioned if Alberta Avenue was a public or private road because the neighbors were not sure.

Mr. Thureen explained the issue would take a little bit of research because the City's records show it as being a private road, but since he has been with the City he knows street maintenance has been involved with the maintenance of the road. He stated if the city maintains a street for a certain number of continuous years the road may be designated as "public".

Mayor Tourville asked Mr. Thureen to research the questions and work with the City Attorney to make a determination as to whether the road is public or private. He directed staff to provide the City Council and Mr. Cederberg with the final answer once a determination has been made.

6. PUBLIC HEARINGS:**A. CITY OF INVER GROVE HEIGHTS; Consider Application of St. Patrick's Catholic Church for a Temporary On-Sale Intoxicating Liquor License**

Ms. Kennedy explained St. Patrick's applied for a temporary liquor license to serve alcohol in conjunction with events occurring during the Church's annual fall festival.

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

Ayes: 5

Nays: 0 Motion carried.

Mayor Tourville questioned if the liability insurance certificate was provided to the City.

Ms. Kennedy responded in the affirmative.

Motion by Madden, second by Klein, to approve application of St. Patrick's Catholic Church for a Temporary On-Sale Intoxicating Liquor License

Ayes: 5

Nays: 0 Motion carried.

7. REGULAR AGENDA:**COMMUNITY DEVELOPMENT:****A. WILLIAM KRECH; Consider Resolution relating to a Vacation of a portion of a Drainage and Utility Easement for Property Located at 10118 Adam Ave.**

Mr. Link explained the applicant proposed an addition onto his house that extends into a City storm water easement. He stated the applicant has requested that a portion of the easement, on the east side, be vacated to allow for the addition. In exchange, the applicant would add a stretch of property to the easement on the north side to make up for the loss. He noted the Engineering department supported the request provided the applicant deeds the additional easement and enters into agreements with the City regarding custom grading landowner improvements, and the drainage easement itself. Planning staff and the Planning Commission recommended approval of the request.

Councilmember Klein asked if the applicant agreed with the conditions of approval.

William Krech, 10118 Adam Ave., responded in the affirmative.

Motion by Klein, second by Madden, to adopt Resolution No. 12-136 relating to a Vacation of a portion of a Drainage and Utility Easement for property located at 10118 Adam Ave.

Ayes: 5

Nays: 0 Motion carried.

B. VANCE GRANNIS, JR.; Consider the Third Reading of an Ordinance Amendment to allow a DNR Gun Safety Program with Outdoor Shooting

Mr. Lynch explained the reason they are able to do this is because the City Council has adopted a set of policies and practices for meeting management, and as a part of that they operate according to Robert's Rules of Order. Procedurally the Council can ask for reconsideration on a vote, even if it ended in a tie. Councilmember Klein asked for reconsideration of the vote on the allowance of a DNR Gun Safety Program with Outdoor Shooting as a permitted use. He noted additional information was provided by Mr. Grannis which proposed additional language and reconfigured the site to change the direction of the shooting.

Mr. Kuntz stated at the meeting on August 13, 2012 there was a motion by Councilmember Madden, seconded by Councilmember Piekarski Krech, to approve the third reading of an ordinance amendment to allow a DNR Gun Safety Program with Outdoor Shooting as a permitted use with the various conditions that were included with the ordinance. The motion incorporated a couple of changes which the Council discussed during the meeting. One of the changes was the addition of a paragraph requiring a certificate of coverage provided by the State to demonstrate that the program was covered in terms of liability. The other change was the substitution of CCI quiet .22 caliber rifle as the form of ammunition. He stated the motion subsequently failed due to a lack of a majority with the vote of two (2) in favor, two (2) opposed, and one abstention. He clarified that for the meeting on August 27th the Council was provided with the ordinance as it had been amended during the course of the meeting on August 13th.

Mr. Kuntz explained the City Code contains a provision under section 1-5-2 that a motion to reconsider a matter which has already been voted upon can be made at the same meeting at which the action was taken or at the next regular City Council meeting. A motion to reconsider could be made by a person on the prevailing side of the motion and can be seconded by any member of the Council. If a motion to reconsider is seconded and approved, the motion on the floor is then the motion from August 13th to approve the program as a permitted use.

Motion by Klein, second by Madden, to reconsider motion to approve the third reading of an Ordinance Amendment to allow a DNR Gun Safety Program with Outdoor Shooting as a permitted use with the added conditions.

Ayes: 3 (Klein, Piekarski Krech, Madden)

Nays: 1 (Tourville)

Abstain: 1 (Grannis) Motion carried.

Mr. Kuntz stated a handout was provided by the applicant that proposed the addition of one sentence to paragraph D that reads "the location of the target and backstop shall be such that the direction of fire shall only be toward land for a distance of at least ¼ mile, owned by or under the same control as the land where the target and backstop are located".

Councilmember Klein questioned if that meant the direction of fire would be towards land owned entirely by Mr. Grannis.

Mr. Kuntz explained the additional sentence meant when the shooter is lined up with the target there has to be, in back of the target, at least a ¼ mile distance to the boundary of the property line controlled by the same person who controls the land where the target and backstop are located. He stated the applicant provided a map to demonstrate the reconfigured orientation of the site.

Mayor Tourville noted the applicant's letter also indicated if the reconfiguration were approved the Lindberg family would no longer object to the ordinance to allow the DNR Gun Safety program.

Motion by Klein, second by Madden, to receive correspondence from Vance Grannis, Jr. and Dale Suckstorff

Ayes: 4

Nays: 0

Abstain: 1 (Grannis) Motion carried.

Councilmember Madden confirmed that the motion to approve the ordinance amendment to allow the DNR Gun Safety program as a permitted use was still on the floor.

Mr. Kuntz reiterated that the motion on the floor was the original motion from the August 13th meeting made by Councilmember Madden and seconded by Councilmember Piekarski Krech to approve the ordinance amendment to allow the DNR Gun Safety Program as a permitted use subject to conditions A-I.

He explained the applicant has asked the Council to amend that motion to include the sentence that was proposed to be added to condition D.

Motion by Madden, second by Klein, to amend the motion to approve the Third Reading of the Ordinance Amendment to allow the DNR Gun Safety Training Program with Outdoor Shooting as a Permitted Use subject to Conditions A-I with the addition of the proposed language to Condition D as submitted by the applicant.

Mayor Tourville stated it was suggested at the last meeting that a condition be amended to require all ammunition to be removed.

Mr. Kuntz stated that a provision was added to require that at the end of each session the ammunition contained in the target and backstop be removed. He questioned if the intent was to say that ammunition in the target, backstop and all other ammunition used during the exercise shall be removed at the end of each session.

Mayor Tourville stated that was his intent.

Mr. Kuntz asked the Council if that change would be viewed as a friendly amendment.

The Council responded in the affirmative.

Mayor Tourville suggested that Condition I also be amended to have the insurance certificate submitted to the City Clerk rather than the Chief of Police because all other certificates of insurance are retained by the clerk.

Ayes: 4

Nays: 0

Abstain: 1 (Grannis) Motion carried.

Kirk Lindberg, 8799 Audubon Road, stated his family owns the 100 plus acres immediately north and adjacent to the Grannis property. He opined that this issue was tearing apart families and long standing friendships. He stated he shared the concerns raised by his family and neighbors. He explained after further discussion with Mr. Grannis they worked together to draft a new map was proposed to reconfigure the direction of the shooting while still meeting all of the proposed requirements of the ordinance. In addition, Mr. Grannis agreed to a site visit with the DNR, the Chief of Police, and himself to establish GPS coordinates and permanent markers of the exact location of the point of firing and the location of the targets. He stated although this addressed the major concerns of his family the neighbors still felt some there concerns were not addressed, particularly with respect to notification of the dates and times of the classes. He explained the DNR agreed to purchase signs to be placed on trails on the days on which classes would be held. He noted he also requested that the DNR set up an email notification that residents could sign up for to receive when classes are scheduled, and he was told it would be looked into further. He discussed concerns that a full fledge gun range would be instituted over time and stated Mr. Grannis indicated that he had not and would not ask for a full gun range on the property.

Mr. Lindberg explained while he would still rather not see the gun safety course in his neighborhood, he did want to see Mr. Grannis succeed in his vision for the Darvan Acres nature center and outdoor skills education program. He noted Mr. Grannis believes he needs the gun safety course to improve his chances of securing the funding needed for his conservation easement. He explained he would no longer oppose the application for a DNR Gun Safety Training Program on the Grannis property because he believed Mr. Grannis listened to the concerns that were raised and made significant accommodations to work with the neighbors to alleviate their concerns. He noted to show that his family really does support

Mr. Grannis' vision he and his father secured \$25,000 in anonymous pledges to be put towards a future indoor gun range on the Grannis property.

Kristine Zellmer, 8988 Aralia Ct., opined that Mr. Grannis should be responsible for notifying residents. She stated signs being posted on the day of the class was not good enough because the neighbors need to know in advance when the classes are occurring. She commented that it shouldn't be hard for Mr. Grannis to send an email for something that is happening six (6) times a year.

Mayor Tourville stated if the classes are scheduled weeks to months in advance the applicant would know when the classes are going to be held on his property. He noted there is so much lead time in terms of scheduling the classes that it seems reasonable that some type of notification system could be set up. He stated if the City needs to help figure it out, they would. He asked for DNR cooperation in terms of letting someone know when classes are scheduled.

Lt. Gutierrez, DNR Safety Training and Education, stated he did not have the authority to promise that the DNR would implement a notification system. He explained the classes are posted on the DNR website after the volunteer firearm safety instructors select the dates. He noted it is the instructors' responsibility to check the availability of the location for the class.

Mr. Lindberg stated he spoke with Donna Schultz at the DNR about the possibility of setting up an email group to notify people when a class is scheduled and posted on the DNR website. He explained that Ms. Schultz indicated it seemed to be a reasonable request but that she would have to check with her superiors to see if it was feasible.

Dian Piekarski, 7609 Babcock Trail, stated she was confused because the Council just approved a program for the hunting of geese that would occur eight (8) days out of the year and no separate notification was required other than what was posted on the City's website. She opined that residents are responsible for obtaining the information if they are interested in when & where the hunting is occurring. She stated she failed to see why the DNR program was of a greater concern than the goose hunt because residents would likely be much more aware of someone hunting on or near their property. She commended both Lindberg and Grannis families for coming up with a compromise.

Mayor Tourville stated with respect to the goose hunt the neighbors are aware of when it occurs and have not requested any additional notification. He noted the hunting often occurs on their own property because the resident is the one hunting or they have given written permission for someone else to hunt on their property. He explained in this instance the neighbors are asking for notification because they use the trails regularly.

Ms. Piekarski stated most people with acreage find people on their property without permission.

Damon Roth, 8418 College Trail, opposed the proposed ordinance amendment. He stated he belongs to several gun clubs and went through the safety training program himself. He explained he understood the DNR was having trouble finding locations for the program and suggested that they find locations that are not in residential areas.

Lori Lindberg-Schaffer, 8943 Aralia Ct., questioned how the neighbors will know the dates and times of the classes. She stated they own and pay taxes for their property and feel they should be able to go out and enjoy it. She questioned where the program participants get the guns they will use.

Mayor Tourville stated the DNR provides the guns that are used for the firing portion of the program. Steve Sandberg, 11802 Akron Ave., explained when they do the field training the kids can use their own unloaded firearms. He stated are only allowed to use the guns provided by the instructors for the firing portion of the training.

Dave Moline, 9260 Arnold Ave., reiterated that communication with the neighbors was an important issue. He suggested that Council include as a condition of approval that there be notification to the neighbors of when the classes would occur.

Councilmember Klein asked Lt. Gutierrez to review the firing protocol for the program.

Lt. Gutierrez reviewed the instruction manual that is provided by the DNR to the instructors and discussed the procedure that is followed for the firing component of the program.

Councilmember Klein asked if there had ever been an accident in the 50 years that the DNR has sponsored the program.

Lt. Gutierrez responded in the negative. He clarified that the DNR was willing to put up barricade signs on the two main trails that lead to the Grannis property from the Lindberg property. He explained there are over 5,000 safety instructors in the State of Minnesota and in his opinion it is not feasible that the sole employee responsible for posting state-wide program information on the DNR website to remember that a separate email is required for the courses at Darvan Acres. He noted the property is private and will essentially be closed on the days when the program is held.

Councilmember Klein stated what Mr. Grannis wants to do on his private property is his business.

Mayor Tourville stated someone will have to be responsible for coordinating the notification process.

Councilmember Klein suggested Mr. Grannis may be willing to send out an email when he is notified that a class has been scheduled.

Dave Schaffer, 8943 Aralia Court, clarified it is the volunteer DNR instructors that schedule the classes.

Councilmember Piekarski Krech stated they are volunteers who are trained to be instructors by the DNR and conduct the training programs under the auspices of the DNR.

Mr. Cederberg expressed concern with the use of lead ammunition. He opined that the issue should be discussed by the Environmental Commission prior to approval. He asked what commercial liability insurance was.

Mr. Kuntz explained commercial liability is the type of coverage provided by the DNR.

Maria Carlson, 9250 Courthouse Boulevard Court, stated she belongs to a gun club and there are many people watching the students during the course. She opined that people that send their kids to the program want to be responsible parents. She stated the program is very safe and very controlled.

Ms. Zellmer questioned what the process would be for stopping the program if there are problems. She opined that some sort of process should be documented to stop the program other than leaving it up to the discretion of the Chief of Police.

Councilmember Piekarski Krech stated she has full confidence that the Chief of Police is going to watch out for the safety of the community. She explained if there are complaints that there are safety issues the Chief will take care of the problem.

Ms. Zellmer asked what would happen if it was a nuisance issue, not a safety issue.

Mayor Tourville stated the neighborhood could come to the City Council to express their concerns and the Council would determine how to best address the concerns at that time.

Barry Leafman, 1900 96th St. E., asked how much lead time instructors were required to give when scheduling courses.

Mr. Sandberg stated as far as he knows they can set it up anytime they want. He explained the head instructor notifies the DNR generally 6 weeks to 2 months in advance and then it is posted on the website.

Mayor Tourville stated even though he was going to vote against the ordinance amendment he would still help in any way possible to achieve Mr. Grannis' vision for Darvan Acres. He explained he simply disagreed with the gun safety program because he did not feel that it fit with the overall vision for the property. He stated he believes there are other locations within the City that the DNR could use for the program.

Motion by Madden, second by Piekarski Krech, to adopt Ordinance 1256 approving a DNR Gun Safety Program with Outdoor Shooting as a Permitted Use subject to Conditions A-I as previously amended.

Ayes: 3 (Klein, Madden, Piekarski Krech)

Nays: 1 (Tourville)

Abstain: 1 (Grannis) Motion carried.

C. BITUMINOUS ROADWAYS; Consider the following resolutions for property located at 11201 Rich Valley Boulevard (*the applicant requests the item be tabled until further notice*):

- i) An Ordinance Amendment for the renewal of a five year sand and gravel overlay permit
- ii) A Conditional Use Permit Amendment for the mining and processing of sand and gravel and to operate an asphalt plant and contractors yard with open storage

Mr. Lynch said the city would like to get a neighborhood meeting on the bituminous roadways so that will be tabled.

No action was taken on this item.

FINANCE:

D. CITY OF INVER GROVE HEIGHTS; Approve the 2012 Budget for the Storm Water Fund

Ms. Smith stated the Council was asked to approve a budget for the 2012 Storm Water Utility Fund. She explained the budget was not previously approved due to the timing of the establishment of the funds. She noted the City had begun billing for the fees and the revenues were starting to come into the fund.

Councilmember Klein clarified staff had already started billing for the storm water utility fee.

Ms. Smith responded in the affirmative.

Councilmember Klein asked if the first billing had gone out in July.

Ms. Smith responded in the affirmative.

Councilmember Klein questioned if any phone calls were received after the first billing.

Ms. Smith stated a few calls were received in regards to what the fees entailed and requests for more information about the program.

Councilmember Piekarski Krech questioned if the whole program had been implemented.

Ms. Smith stated billing had begun, but not all customers were billed in July.

Councilmember Piekarski Krech stated she would have liked to see the fee schedule again and what was actually being billed because she did not remember the definitive numbers.

Councilmember Klein questioned who had been billed.

Mr. Thureen explained the first billing cycle covered the multi-family residential properties and few others. He noted staff had considerable discussion with that group because they were the first group to be billed and they were unique in that they were given options for how they wanted to be billed. He stated in the very near future in-depth fee information would be posted on the City's website. He explained the Council did adopt a fee schedule that was used to generate the first billing cycle.

Motion by Klein, second by Grannis, to adopt Resolution No. 12-137 approving the 2012 Budget for the Storm Water Fund

Ayes: 5

Nays: 0 Motion carried.

ADMINISTRATION:**E. CITY OF INVER GROVE HEIGHTS;** Consider First Reading of an Ordinance to Amend City Code, Title 2, Chapter 5, Aircraft Noise Abatement Commission

Mayor Tourville stated this change was suggested to the Council by members of the Aircraft Noise Abatement Commission at the August 13th study session and the Council were generally in favor of the change.

Councilmember Madden stated he would support the new operation, but wanted it to be noted that he was not in favor of the new approach that was discussed at the August 13th study session. He opined that no progress had been made in the last 30 years primarily because the City Council, both past and present, did not take enough action to get viable results at the airport. He stated he hoped the new approach would work, but was skeptical that it would produce a different result.

Councilmember Piekarski Krech stated short of putting a lot of money into it, the only course of action left would be to work through the elected officials because it is a federal issue. She opined that the elected officials had to start working for the City's interests a little bit more.

Mayor Tourville stated everyone realizes that the City is part of a group that has no power because of the difficulties with the federal regulations. He gave the group credit for wanting to continue moving forward.

Councilmember Madden agreed that the group should get credit for continuing their efforts. He reiterated that he would support the commission in any way possible.

Councilmember Piekarski Krech suggested adopting the ordinance in one reading.

Motion by Klein, second by Piekarski Krech, to adopt Ordinance No. 1255 amending City Code Title 2, Chapter 5, Aircraft Noise Abatement Commission and to adopt the ordinance in one reading.

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR & COUNCIL COMMENTS:

The Council encouraged residents to participate in Inver Grove Heights Days activities.

9. ADJOURN: Motion by Madden, second by Piekarski Krech, to adjourn. The meeting was adjourned by a unanimous vote at 9:00 p.m.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: September 10, 2012
 Item Type: Consent
 Contact: Bill Schroepfer 651-450-2516
 Prepared by: Bill Schroepfer, Accountant
 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

Approve the attached resolution approving disbursements for the period of August 23, 2012 to September 5, 2012.

SUMMARY

Shown below is a listing of the disbursements for the various funds for the period ending September 5, 2012. The detail of these disbursements is attached to this memo.

General & Special Revenue	\$325,965.58
Debt Service & Capital Projects	490,530.64
Enterprise & Internal Service	118,244.04
Escrows	6,194.87
	<hr/>
Grand Total for All Funds	<u><u>\$940,935.13</u></u>

If you have any questions about any of the disbursements on the list, please call Shannon Battles, Accountant at 651-450-2488 or Bill Schroepfer, Accountant at 651-450-2516.

Attached to this summary for your action is a resolution approving the disbursements for the period August 23, 2012 to September 5, 2012 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

**RESOLUTION APPROVING DISBURSEMENTS FOR THE
PERIOD ENDING September 5, 2012**

WHEREAS, a list of disbursements for the period ending September 5, 2012 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 Revenue	\$325,965.58
Debt Service & Capital Projects	490,530.64
Enterprise & Internal Service	118,244.04
Escrows	6,194.87
Grand Total for All Funds	<u><u>\$940,935.13</u></u>

Adopted by the City Council of Inver Grove Heights this 10th day of September, 2012.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk



City of Inver Grove Heights

Expense Approval Report

By Fund

Payment Dates 8/23/2012 - 9/5/2012

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ACE PAINT & HARDWARE	512608/5	08/29/2012	8/2/12	101.42.4200.423.40040	36.15
ACE PAINT & HARDWARE	512794/5	08/29/2012	8/15/12	101.43.5200.443.60016	20.26
ACTION ROOFING & SIDING LLC	2012-1511	09/05/2012	REFUND PERMIT 2012-1511 6968 DAWN	101.45.0000.3221000	79.60
AFSCME COUNCIL 5	INV0012774	08/24/2012	UNION DUES (AFSCME FAIR SHARE)	101.203.2031000	39.54
AFSCME COUNCIL 5	INV0012775	08/24/2012	UNION DUES (AFSCME FULL SHARE)	101.203.2031000	707.04
AFSCME COUNCIL 5	INV0012776	08/24/2012	UNION DUES (AFSCME FULL SHARE-PT)	101.203.2031000	58.92
APA	057566-1256	09/05/2012	MEMBERSHIP	101.45.3000.419.50070	565.00
APMP OF MINNESOTA	2012 APMP CONFERENCE	09/05/2012	2012 APMP CONFERENCE WED AUG 29	101.41.1100.413.50080	25.00
ARAMARK UNIFORM SERVICES	629-7560022	08/29/2012	15353001	101.43.5200.443.60045	20.90
ARAMARK UNIFORM SERVICES	629-7560022	08/29/2012	15353001	101.44.6000.451.60045	33.36
ARAMARK UNIFORM SERVICES	629-7564770	08/29/2012	15353001	101.44.6000.451.60045	33.36
ARAMARK UNIFORM SERVICES	629-7564770	08/29/2012	15353001	101.43.5200.443.60045	35.17
ARROW MOWER, INC.	16637	09/05/2012	GROVEINVE	101.44.6000.451.60040	44.42
ARROW MOWER, INC.	16659	09/05/2012	GROVEINVE	101.44.6000.451.60040	3.20
ARROW MOWER, INC.	16661	09/05/2012	GROVEINVE	101.44.6000.451.60040	54.44
BAUER, CORA L	9/4/12	09/05/2012	REIMBURSE-MILEAGE	101.41.2000.415.50065	74.49
CENTRAL TURF & IRRIGATION SUPPLY	5029405-00	09/05/2012	112659	101.44.6000.451.40047	2,041.09
CENTURY LINK	8/13/12 651 453 0219 660	09/05/2012	651 453 0219 660	101.44.6000.451.50020	42.25
CENTURY LINK	8/13/12 651 552 0672 975	09/05/2012	651 552 0672 975	101.44.6000.451.50020	42.25
CENTURY LINK	8/19/12 651 455 9072 782	09/05/2012	651 455 9072 782	101.42.4200.423.50020	41.87
CENTURY LINK	8/22/12 651 457 7671 869	09/05/2012	651 457 7671 869	101.44.6000.451.50020	42.25
CENTURY LINK	8/22/12 651 457 7674 999	09/05/2012	651 457 7674 999	101.44.6000.451.50020	42.34
CITY OF SAINT PAUL	124055	08/29/2012	JULY 2012	101.43.5200.443.60016	3,169.49
COLLINS ELECTRICAL CONST.	1231199.01	09/05/2012	8/27/12	101.43.5200.443.40046	346.00
COPY RIGHT	55966	09/05/2012	8/27/12	101.42.4000.421.50030	768.71
CUB FOODS	8/16/12	08/29/2012	CHARGE STORE 3151 8/16/12	101.43.5200.443.60016	42.13
CUSTOM AIR HEATING & AC INC	29828 REFUND	08/29/2012	CONTRACTOR LICENSE REFUND	101.45.0000.3219500	50.00
DAKOTA COMMUNICATIONS CENTER	IG2012-09	08/29/2012	SEPTEMBER 2012	101.58.9100.580.70650	1,022.50
DAKOTA COMMUNICATIONS CENTER	IG2012-09	08/29/2012	SEPTEMBER 2012	101.42.4200.423.70501	3,950.15
DAKOTA COMMUNICATIONS CENTER	IG2012-09	08/29/2012	SEPTEMBER 2012	101.42.4000.421.70300	35,551.35
DANNER LANDSCAPING	9532	09/05/2012	BLACK DIRT	101.44.6000.451.60016	564.30
DANNER LANDSCAPING	9547	09/05/2012	BLACK DIRT	101.44.6000.451.60016	165.66
DLT SOLUTIONS INC	4212401A	09/05/2012	4212401	101.43.5100.442.40044	4,541.16
EARL F ANDERSEN INC	0099876-IN	08/29/2012	0004094	101.43.5200.443.60016	114.73
EFTPS	INV0012778	08/24/2012	FEDERAL WITHHOLDING	101.203.2030200	42,193.74
EFTPS	INV0012780	08/24/2012	MEDICARE WITHHOLDING	101.203.2030500	12,430.06
EFTPS	INV0012781	08/24/2012	SOCIAL SECURITY WITHHOLDING	101.203.2030400	34,475.51
EMC	38623	09/05/2012	INVERG	101.42.4200.423.40042	625.00
EMERALD HILLS VILLAGE	2012-1165	09/05/2012	REFUND 8550 ATLANTIC AVE	101.41.0000.3226000	40.00
FIRST IMPRESSION GROUP, THE	49872-P	09/05/2012	POSTAGE SEPT/OCT	101.41.1100.413.50035	2,250.00
FRANKLINCOVEY	9/5/12	09/05/2012	CLASSIC-ORIGINAL 43754	101.43.5100.442.60010	37.35
GERTENS	263654	09/05/2012	103566	101.44.6000.451.60016	49.15
HANCE UTILITY SERVICES INC	18968	09/05/2012	ROCK ISLAND SWING BRIDGE	101.44.6000.451.30700	190.00
HOISINGTON KOEGLER GROUP INC.	012-031-1	09/05/2012	6/1/12-6/30/12	101.45.3000.419.30600	423.87
HOME DEPOT CREDIT SERVICES	8/13/12 6035 3225 0255 4813	09/05/2012	6035 3225 0255 4813	101.42.4200.423.60018	159.07
ICMA RETIREMENT TRUST - 457	INV0012729	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	135.00
ICMA RETIREMENT TRUST - 457	INV0012730	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	276.11
ICMA RETIREMENT TRUST - 457	INV0012731	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	75.00
ICMA RETIREMENT TRUST - 457	INV0012732	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	528.86
ICMA RETIREMENT TRUST - 457	INV0012733	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	175.00
ICMA RETIREMENT TRUST - 457	INV0012734	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	261.92
ICMA RETIREMENT TRUST - 457	INV0012735	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	915.00
ICMA RETIREMENT TRUST - 457	INV0012736	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	116.12
ICMA RETIREMENT TRUST - 457	INV0012737	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	150.00
ICMA RETIREMENT TRUST - 457	INV0012738	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	646.65
ICMA RETIREMENT TRUST - 457	INV0012739	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	75.00
ICMA RETIREMENT TRUST - 457	INV0012740	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	180.18
ICMA RETIREMENT TRUST - 457	INV0012741	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	1,553.84
ICMA RETIREMENT TRUST - 457	INV0012742	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	304.27
ICMA RETIREMENT TRUST - 457	INV0012743	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	40.00
ICMA RETIREMENT TRUST - 457	INV0012744	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	365.58
ICMA RETIREMENT TRUST - 457	INV0012745	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	690.00
ICMA RETIREMENT TRUST - 457	INV0012746	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	460.72
ICMA RETIREMENT TRUST - 457	INV0012747	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	450.00
ICMA RETIREMENT TRUST - 457	INV0012748	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	130.96
ICMA RETIREMENT TRUST - 457	INV0012749	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	125.00
ICMA RETIREMENT TRUST - 457	INV0012750	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	36.79
ICMA RETIREMENT TRUST - 457	INV0012751	08/24/2012	ICMA (AGE 49 & UNDER)	101.203.2031400	550.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ICMA RETIREMENT TRUST - 457	INV0012752	08/24/2012	ICMA (AGE 50 & OVER)	101.203.2031400	200.24
ICMA RETIREMENT TRUST - 457	INV0012753	08/24/2012	ICMA (AGE 50 & OVER)	101.203.2031400	325.00
ICMA RETIREMENT TRUST - 457	INV0012754	08/24/2012	ICMA (AGE 50 & OVER)	101.203.2031400	93.85
ICMA RETIREMENT TRUST - 457	INV0012755	08/24/2012	ICMA (AGE 50 & OVER)	101.203.2031400	150.00
ICMA RETIREMENT TRUST - 457	INV0012756	08/24/2012	ICMA (AGE 50 & OVER)	101.203.2031400	676.07
ICMA RETIREMENT TRUST - 457	INV0012757	08/24/2012	ICMA (AGE 50 & OVER)	101.203.2031400	872.63
ICMA RETIREMENT TRUST - 457	INV0012758	08/24/2012	ICMA (AGE 50 & OVER)	101.203.2031400	76.54
ICMA RETIREMENT TRUST - 457	INV0012759	08/24/2012	ICMA (AGE 50 & OVER)	101.203.2031400	4,387.19
ICMA RETIREMENT TRUST - 457	INV0012760	08/24/2012	ICMA (EMPLOYER SHARE ADMIN)	101.203.2031400	70.79
ICMA RETIREMENT TRUST - 457	INV0012770	08/24/2012	ROTH IRA (AGE 49 & UNDER)	101.203.2032400	432.70
ICMA RETIREMENT TRUST - 457	INV0012771	08/24/2012	ROTH IRA (AGE 50 & OVER)	101.203.2032400	230.77
IGH FIREFIGHTERS RELIEF ASSOCIATION	INV0012762	08/24/2012	MONTHLY DUES FOR RELIEF ASSOCIATIO	101.203.2032600	678.50
INFINITY WIRELESS	32066	09/05/2012	8/22/12	101.42.4200.423.60040	2,475.24
INTOXIMETERS	369194	08/29/2012	MNINVO	101.42.4000.421.60065	64.13
INVER GROVE FORD	8/24/12 94917	09/05/2012	8/24/12	101.42.4000.421.70300	267.81
KEN BURNS INC.	8142012	09/05/2012	REMU SCREENING BUCKET	101.44.6000.451.40050	1,200.00
LEAGUE OF MN CITIES	9/5/12 2012 DIRECTORY ORDER	09/05/2012	2012 MN CITY OFFICIALS DIRECTORY ORD	101.43.5100.442.60010	54.61
LILLIE SUBURBAN NEWSPAPERS	7/31/12 001363	09/05/2012	001363	101.41.1100.413.50025	184.38
LILLIE SUBURBAN NEWSPAPERS	7/31/12 001363	09/05/2012	001363	101.41.1200.414.50025	21.88
LISA LYNN CONSULTING	IGH:2:12	09/05/2012	PROFESSIONAL COACHING	101.45.3300.419.30700	187.50
LISA LYNN CONSULTING	IGH:3:12	09/05/2012	PROFESSIONAL COACHING	101.45.3300.419.30700	125.00
LOCAL GOVERNMENT INFORMATION SYSTEM	35470	08/29/2012	7/31/12	101.42.4000.421.70300	1,419.00
M & J SERVICES, LLC	275	08/29/2012	66TH AVE AND CONCORD	101.43.5200.443.40046	974.09
M & J SERVICES, LLC	279	09/05/2012	SWING BRIDGE PARK	101.44.6000.451.40047	1,722.00
M & J SERVICES, LLC	281	08/29/2012	BLAINE AVE AND 75TH	101.43.5200.443.40046	861.38
M & J SERVICES, LLC	282	08/29/2012	6TH AVE AND UPPER 55TH	101.43.5200.443.60016	346.38
M & J SERVICES, LLC	282	08/29/2012	6TH AVE AND UPPER 55TH	101.43.5200.443.40046	1,475.00
MENARDS - WEST ST. PAUL	55714	08/29/2012	30170270	101.43.5200.443.60016	140.70
MERCHAK, JOE	8/22/12	08/29/2012	REIMBURSE-HOME DEPOT	101.45.3300.419.60040	35.97
MINNESOTA DEPARTMENT OF HUMAN SERVICE	INV0012727	08/24/2012	RICK JACKSON FEIN/TAXPAYER ID: 41600	101.203.2032100	318.41
MINNESOTA DEPARTMENT OF HUMAN SERVICE	INV0012728	08/24/2012	JUSTIN PARRANTO FEIN/TAXPAYER ID: 41	101.203.2032100	484.54
MIRACLE RECREATION EQUIPMENT	727512	09/05/2012	5507A05	101.44.6000.451.40047	1,293.74
MN CHIEFS OF POLICE ASSOCIATION	3475	09/05/2012	LEADERSHIP ACADEMY 10/22-10/25	101.42.4000.421.50080	500.00
MN DEPT OF REVENUE	INV0012779	08/24/2012	STATE WITHHOLDING	101.203.2030300	17,839.21
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.44.6000.451.20620	95.54
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.42.4200.423.20620	57.54
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.45.3200.419.20620	31.27
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.43.5000.441.20620	24.05
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.45.3300.419.20620	60.88
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.42.4000.421.20620	548.18
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.43.5200.443.20620	80.93
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.43.5100.442.20620	127.49
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.45.3000.419.20620	30.90
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.41.1100.413.20620	79.56
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.41.2000.415.20620	89.62
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	101.203.2030900	2,195.01
MN MAYOR'S ASSN	9/5/12 MEMBERSHIP	09/05/2012	ANNUAL DUES 9/1/12	101.41.1000.413.50070	30.00
MN NCPERS LIFE INSURANCE	SEPTEMBER 2012	09/05/2012	SEPTEMBER 2012	101.203.2031600	320.00
MN PIPE & EQUIPMENT	0287653	09/05/2012	2195	101.44.6000.451.40047	623.53
NATURE CALLS, INC.	16085	09/05/2012	8/1/12	101.44.6000.451.40065	882.44
OPTUMHEALTH FINANCIAL SERVICES	INV0012772	08/24/2012	HSA ELECTION-SINGLE	101.203.2032500	2,045.47
OPTUMHEALTH FINANCIAL SERVICES	INV0012773	08/24/2012	HSA ELECTION-FAMILY	101.203.2032500	3,653.70
PERA	INV0012761	08/24/2012	EMPLOYER SHARE (EXTRA PERA)	101.203.2030600	2,514.07
PERA	INV0012764	08/24/2012	EMPLOYER SHARE (PERA COORDINATED I	101.203.2030600	16,525.97
PERA	INV0012765	08/24/2012	PERA COORDINATED PLAN	101.203.2030600	15,299.17
PERA	INV0012766	08/24/2012	EMPLOYER SHARE (PERA DEFINED PLAN)	101.203.2030600	44.23
PERA	INV0012767	08/24/2012	PERA DEFINED PLAN	101.203.2030600	44.23
PERA	INV0012768	08/24/2012	EMPLOYER SHARE (POLICE & FIRE PLAN)	101.203.2030600	14,798.65
PERA	INV0012769	08/24/2012	PERA POLICE & FIRE PLAN	101.203.2030600	9,865.76
PUBLIC AGENCY TRAINING COUNCIL	156313	09/05/2012	SEMINAR ID# 10779	101.42.4200.423.50080	520.00
RY-MAK PLUMBING & HEATING, INC	8/1/12	09/05/2012	1841 105TH ST EAST	101.44.6000.451.40040	105.00
RY-MAK PLUMBING & HEATING, INC	8/1/12 8199 BARBARA AVE	09/05/2012	SKATE PARK RPZ	101.44.6000.451.40040	105.00
SAM'S CLUB	8/23/12 7715 0900 6184 5624	09/05/2012	7715 0900 6184 5624	101.43.5200.443.60016	29.78
SAM'S CLUB	8/23/12 7715 0904 0133 4891	09/05/2012	7715 0904 0133 4891	101.42.4200.423.40042	92.90
SAM'S CLUB	8/23/12 7715 0904 0133 4891	09/05/2012	7715 0904 0133 4891	101.42.4200.423.60065	116.34
SHERWIN-WILLIAMS	7186-7	09/05/2012	6682-5453-5	101.44.6000.451.60016	423.14
SHERWIN-WILLIAMS	8311-2	09/05/2012	6682-5453-5	101.44.6000.451.60016	736.48
SOLBERG AGGREGATE CO	FC 506	08/29/2012	FINANCE CHARGES INV 7888	101.43.5200.443.60016	46.20
SPRINT	603079272-011	08/29/2012	603079272	101.41.1100.413.50020	58.98
SPRINT	603079272-011	08/29/2012	603079272	101.45.3000.419.50020	58.98
ST CROIX TREE SERVICE	74861	09/05/2012	8/7/12	101.44.6000.451.30700	480.94
ST CROIX TREE SERVICE	74865	09/05/2012	8/7/12	101.44.6000.451.30700	737.44
ST PAUL STAMP WORKS INC	259308	08/29/2012	INVER004	101.42.4000.421.60065	15.39
STATE OF MN - DEPT. OF TRANS.	P00000444	09/05/2012	0000001298	101.43.5400.445.40042	99.07
STATE OF MN - GAMBLING CONTROL BOARD	8/27/12	08/27/2012	LG220 EXEMPT GAMBLING PERMIT	101.41.0000.3226000	50.00
STATE OF MN - GAMBLING CONTROL BOARD	8/27/12	08/27/2012	LG220 EXEMPT GAMBLING PERMIT	101.41.1100.413.30700	50.00
STRAIGHT RIVER MEDIA	1273	09/05/2012	IGH NEWLESTTER SEPT/OCT 2012	101.41.1100.413.50032	900.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
T MOBILE	8/7/12 494910368	09/05/2012	494910368	101.43.5100.442.50020	49.99
TOTAL CONSTRUCTION & EQUIP.	54703	09/05/2012	CIT001	101.44.6000.451.40040	2,769.64
TOTAL CONSTRUCTION & EQUIP.	54725	09/05/2012	EQUIPMENT RENTAL 00176	101.44.6000.451.40050	587.82
TRACTOR SUPPLY CREDIT PLAN	77310	08/29/2012	6/22/12	101.42.4200.423.60065	96.39
TRACTOR SUPPLY CREDIT PLAN	73981	09/05/2012	8/9/12	101.44.6000.451.60065	194.81
TRACTOR SUPPLY CREDIT PLAN	82466	08/29/2012	8/14/12	101.43.5200.443.60016	12.83
TRACTOR SUPPLY CREDIT PLAN	82472	08/29/2012	8/14/12	101.43.5200.443.60016	63.68
TRACTOR SUPPLY CREDIT PLAN	82599	09/05/2012	8/15/12	101.43.5200.443.60016	6.41
TRACTOR SUPPLY CREDIT PLAN	82629	08/29/2012	8/15/12	101.42.4200.423.60065	257.06
TRACTOR SUPPLY CREDIT PLAN	83399	09/05/2012	8/24/12	101.43.5200.443.60016	15.00
TWIN CITIES OCCUPATIONAL HEALTH PC	101951704	08/29/2012	N26-1251001589	101.41.1100.413.30500	25.00
TWIN CITIES OCCUPATIONAL HEALTH PC	101954373	08/29/2012	N26-1251001589	101.41.1100.413.30500	130.00
UNITED WAY	INV0012777	08/24/2012	UNITED WAY	101.203.2031300	160.00
UNIVERSITY NATIONAL BANK	INV0012763	08/24/2012	STEVE HER FILE #62-CV-07-3401	101.203.2031900	391.94
UPS	0000V4650V302	09/05/2012	574Q	101.43.5200.443.60016	13.89
US BANK	8/30/12	09/05/2012	SEPTEMBER 1, 2012 DCC WIRE PMT	101.42.4000.421.70530	6,379.17
VANDERHEYDEN LAW OFFICE, P.A.	INV0012726	08/24/2012	BRIAN HENDEL FILE #62-CV-08-11330	101.203.2031900	369.67
WAL-MART BUSINESS	8/22/12 6032 2025 3025 7113	09/05/2012	6032 2025 3025 7113	101.42.4000.421.60065	10.65
WIRTH PROPERTIES MANAGEMENT	666	08/29/2012	1585 102NS ST	101.45.3000.419.30700	573.12
WIRTH PROPERTIES MANAGEMENT	667	08/29/2012	3596 70TH ST	101.45.3000.419.30700	156.30
WIRTH PROPERTIES MANAGEMENT	668	09/05/2012	MOW LAWN	101.45.3000.419.30700	130.26
WSB & ASSOCIATES, INC.	8/27/12 2	09/05/2012	01702-240	101.43.5100.442.30300	2,511.00
XCEL ENERGY	335545577	09/05/2012	51-4779167-3	101.44.6000.451.40020	1,388.03
XCEL ENERGY	335545577	09/05/2012	51-4779167-3	101.44.6000.451.40010	135.09
XCEL ENERGY	335545577 B	09/05/2012	51-4779167-3	101.43.5400.445.40020	(939.45)
ZOYA, KENT	8/22/12	09/05/2012	REIMBURSE-COAT HANGERS	101.42.4200.423.60065	14.24

Fund: 101 - GENERAL FUND

285,866.45

ENSEMBLE CREATIVE & MARKETING	IGHCVB05302012	09/05/2012	COVER	201.44.1600.465.50025	2,737.72
ENSEMBLE CREATIVE & MARKETING	IGHCB08152012	09/05/2012	BROCHURE	201.44.1600.465.50025	2,668.36
ENSEMBLE CREATIVE & MARKETING	IGH08162012	09/05/2012	JULY 2012	201.44.1600.465.50025	1,680.00
ENSEMBLE CREATIVE & MARKETING	IGHCB08172012	09/05/2012	COVER	201.44.1600.465.50025	2,239.24
LONE OAK COMPANIES	55928	08/29/2012	7/26/12	201.44.1600.465.50035	70.20

Fund: 201 - C.V.B. FUND

9,395.52

BELL, JON	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
CAIN, COLIN	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
CORCORDIA MENS CLUB	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
CORNELL, ETHAN	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
DAULTON, JOSH	8/21/12	08/29/2012	LEAGUE CHAMPION TUESDAY MENS	204.44.6100.452.60009	115.00
DAULTON, JOSH	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
ELDRIDGE, JEREMIAH	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
EYCON INTERNATIONAL	8/29/12	09/05/2012	REFUND-SOFTBALL TOURNAMENT FEE	204.44.0000.3471000	150.00
FLEMING, MEGAN	8/21/12	08/29/2012	LEAGUE CHAMPION CO-REC	204.44.6100.452.60009	115.00
GROTH, MICHAEL	8/21/12	08/29/2012	LEAGUE CHAMPION THURSDAY MENS	204.44.6100.452.60009	115.00
HEIMERL, JEFF	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
HOWARD, WAYDE	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
IGH SOFTBALL FEDERATION	8/20/12	08/29/2012	LITTLE SPARTANS SOFTBALL AGREEMENT	204.44.6100.452.30700	380.00
IGH/SSP COMMUNITY EDUCATION	1320	08/29/2012	1205-0009	204.44.6100.452.40065	310.00
ILLETSCO, BILL	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
KANE, SEAN	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
KOESTER, NICK	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
KRUMRIE, MATT	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
LAUREN, JEAN	8/22/12	08/29/2012	REFUND-SENIOR TRIP RED WING	204.227.2271000	54.00
LIPINSKI, LEONARD	8/20/12	08/29/2012	2012 CONDUCT FEE	204.44.0000.3471000	51.34
LIPINSKI, LEONARD	8/20/12	08/29/2012	2012 CONDUCT FEE	204.207.2070300	3.66
LOPEZ, JESSE	8/27/12	09/05/2012	REIMBURSE-SHELTER REFUND	204.207.2070300	3.66
LOPEZ, JESSE	8/27/12	09/05/2012	REIMBURSE-SHELTER REFUND	204.44.0000.3471000	51.34
MAD SCIENCE OF MN	WREG-592612	08/29/2012	SAFETY SHOW	204.44.6100.452.30700	295.00
MINNESOTA DEVELOPMENTAL BASKETBALL	7/30/12	09/05/2012	JULY 23-26	204.44.6100.452.30700	554.00
MINNESOTA DEVELOPMENTAL BASKETBALL	8/28/12	09/05/2012	AUG 13-17	204.44.6100.452.30700	1,080.00
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	204.44.6100.452.20620	63.62
NEXT LEVEL SPORTS, LLC	120018	09/05/2012	SPARKS AND FLAMES	204.44.6100.452.30700	1,045.50
OLD WORLD PIZZA	8/30/12	09/05/2012	172/92/270/170	204.44.6100.452.60009	165.98
OLD WORLD PIZZA	8/30/12	09/05/2012	172/92/270/170	204.44.6100.452.60009	120.13
QUIGGLE, BRAD	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
ROBERT BEALKE INDUSTRIES	8/29/12	09/05/2012	DJ SERVICES FOR IGH DAYS SKATE JAM OI	204.44.6100.452.30700	300.00
ROBINETTE, ELIZABETH	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
SALAVA, JOE	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
SAM'S CLUB	8/23/12 7715 0900 6570 2540	09/05/2012	7715 0900 6570 2540	204.44.6100.452.60009	53.56
SAM'S CLUB	8/23/12 7715 0900 6570 2540	09/05/2012	7715 0900 6570 2540	204.44.6100.452.60009	10.00
SCHROEDER, ANGELA	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
SKYHAWKS SPORTS ACADEMY, INC.	309221511	08/29/2012	309	204.44.6100.452.30700	458.15
SKYHAWKS SPORTS ACADEMY, INC.	309221511	08/29/2012	309	204.44.6100.452.30700	510.00
SOUTH ST PAUL UMPIRES ASSOC	8/6/12 JULY 2012	08/29/2012	JULY 2012	204.44.6100.452.30700	2,884.00
SPRINT	302193319-129	08/29/2012	302193319	204.44.6100.452.50020	90.73
STRAND, MIKE	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
TARGET BANK	8/18/12 00028954117	08/29/2012	00028954117	204.44.6100.452.60009	9.15

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
WARD, STEPHANIE	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
WEIMER, CASEY	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
WELCH, KURT	8/27/12 CONDUCT FEE	08/29/2012	2012 CONDUCT FEE	204.228.2280100	50.00
WONICK, JUDY	8/27/12	09/05/2012	REIMBURSE-RUBBER BANDS	204.44.6100.452.60010	5.08
Fund: 204 - RECREATION FUND					9,993.90
ACE PAINT & HARDWARE	512828/5	08/29/2012	8/17/12	205.44.6200.453.60016	8.54
ACE PAINT & HARDWARE	512832/5	08/29/2012	8/17/12	205.44.6200.453.60016	14.94
ACE PAINT & HARDWARE	512866/5	08/29/2012	8/21/12	205.44.6200.453.40040	41.13
AIM ELECTRONICS	35566	08/29/2012	30409	205.44.6200.453.40040	540.42
AMERICAN RED CROSS - HEALTH & SAFETY SERV	10126821	08/29/2012	23193-11-60008LTS	205.44.6200.453.50070	129.00
AMERICAN RED CROSS - HEALTH & SAFETY SERV	10129219	08/29/2012	23193-11-60008LTS	205.44.6200.453.50070	33.00
COMCAST	8/12/12 8772 10 591 0127188	08/29/2012	8772 10 591 0127188	205.44.6200.453.50070	270.49
COMMON SENSE BUILDING SERVICES, INC.	29645	08/29/2012	MONTHLY CONTRACT	205.44.6200.453.40040	7,233.14
DAKOTA GLASS & GLAZING INC	2012419	08/29/2012	ICE ARENA GLASS	205.44.6200.453.40040	1,242.00
GRAINGER	9908914659	08/29/2012	806460150	205.44.6200.453.60011	289.52
GRAINGER	9908914659	08/29/2012	806460150	205.44.6200.453.60011	289.53
GRAINGER	9909326739	09/05/2012	806460150	205.44.6200.453.60016	34.11
HILLYARD INC	600351691	08/29/2012	274069	205.44.6200.453.60011	715.96
HILLYARD INC	600351691	08/29/2012	274069	205.44.6200.453.60011	715.96
HOME DEPOT CREDIT SERVICES	8/8/12 6035 3220 1712 8343 B	09/05/2012	6035 3220 1712 8343	205.44.6200.453.60016	92.41
HOME DEPOT CREDIT SERVICES	8/8/12 6035 3220 1712 8343 B	09/05/2012	6035 3220 1712 8343	205.44.6200.453.60016	47.21
KIMBALL MIDWEST	2582750	09/05/2012	226819	205.44.6200.453.60012	132.91
KIMBALL MIDWEST	2582750	09/05/2012	226819	205.44.6200.453.60012	132.92
M & J SERVICES, LLC	274	09/05/2012	8055 BARBARA AVE	205.44.6200.453.80300	1,920.00
M & J SERVICES, LLC	280	09/05/2012	COMMUNITY CENTER	205.44.6200.453.80300	1,915.00
MAD SCIENCE OF MN	WREG-587757	08/29/2012	8/7/12 SA SCIENCE OF MAGIC	205.44.6200.453.30700	520.00
MN CHILDREN'S MUSEUM	33736	08/29/2012	8/8/12 GROUP VISIT	205.44.6200.453.50090	190.00
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	205.44.6200.453.20620	6.64
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	205.44.6200.453.20620	22.30
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	205.44.6200.453.20620	12.58
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	205.44.6200.453.20620	22.30
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	205.44.6200.453.20620	12.58
MONEY MAILER OF THE TWIN CITIES	6959	08/29/2012	7/11/12	205.44.6200.453.50025	400.00
NAC MECHANICAL & ELECTRICAL SERVICE	83702 B	09/05/2012	8712-1	205.44.6200.453.40040	30.00
OLD WORLD PIZZA	8/30/12	09/05/2012	172/92/270/170	205.44.6200.453.60065	72.28
OLD WORLD PIZZA	8/30/12	09/05/2012	172/92/270/170	205.44.6200.453.76050	24.43
OXFORD, KATHRINE	8/14/12	08/29/2012	REFUND-POWER OUTAGE	205.44.0000.3496000	35.00
RIVER HEIGHTS CHAMBER OF COMMERCE	2724	08/29/2012	ANNUAL MEMBERSHIP INVESTMENT	205.44.6200.453.50070	1,225.70
SAFE-WAY BUS COMPANY	4631	09/05/2012	MN CHARTER 7/11/12 & 7/25/12	205.44.6200.453.76100	1,230.50
SAM'S CLUB	8/23/12 7715 0900 6570 2540	09/05/2012	7715 0900 6570 2540	205.44.6200.453.60065	20.32
SAM'S CLUB	8/23/12 7715 0900 6570 2540	09/05/2012	7715 0900 6570 2540	205.44.6200.453.60065	565.30
SCHINDLER ELEVATOR CORPORATION	7151663799	08/29/2012	1077364	205.44.6200.453.40040	480.26
THONE, ANDREA	8/14/12	08/29/2012	REFUND-POWER OUTAGE	205.44.0000.3496000	36.25
WONICK, JUDY	8/27/12	09/05/2012	REIMBURSE-RUBBER BANDS	205.44.6200.453.60065	5.08
Fund: 205 - COMMUNITY CENTER					20,709.71
WSB & ASSOCIATES, INC.	8/16/12 1	08/29/2012	01702-230	402.44.6000.451.30700	457.00
Fund: 402 - PARK ACQ. & DEV. FUND					457.00
MCGHIE BETTS, INC	21632	08/29/2012	N0165	428.72.5900.728.70600	1,395.00
Fund: 428 - 2008 IMPROVEMENT FUND					1,395.00
SHORT ELLIOTT HENDRICKSON, INC.	259598	09/05/2012	116692	431.73.5900.731.30300	1,346.70
SPS COMPANIES, INC.	52581713.001	09/05/2012	487383319	431.73.5900.731.80300	2,004.50
Fund: 431 - 2011 IMPROVEMENT FUND					3,351.20
DAKOTA CTY SOIL & WATER	2282	09/05/2012	7/23/12	432.73.5900.732.30700	3,705.00
JUST RITE CONST INC	484694	09/05/2012	CHAIN LINK FENCE	432.73.5900.732.80300	16,800.00
JUST RITE CONST INC	484696	09/05/2012	TENNIS COURT	432.73.5900.732.80300	1,250.00
SGC HORIZON LLC	71114	08/29/2012	6661	432.73.5900.732.50025	222.25
SGC HORIZON LLC	71389	08/29/2012	66661	432.73.5900.732.50025	222.25
Fund: 432 - 2012 IMPROVEMENTS					22,199.50
GARTZKE CONSTRUCTION INC	PAYMENT VOUCHER NO. 1	09/05/2012	CITY PROJECT NO 2012-09D	440.74.5900.740.80300	21,706.68
KENNEDY & GRAVEN	109890	09/05/2012	NV125-0004	440.74.5900.740.30440	598.50
Fund: 440 - PAVEMENT MANAGEMENT PROJ					22,305.18
ACE BLACKTOP, INC.	10655	09/05/2012	IGH003	444.74.5900.744.80300	21,570.00
PINE BEND PAVING, INC.	3781-1	09/05/2012	011517	444.74.5900.744.80300	57,260.00
Fund: 444 - PARKS MTCE & REPLACEMENT					78,830.00
MAX STEININGER, INC.	PAYMENT VOUCHER NO. 2	09/05/2012	CITY PROJECT NO. 2010-41	446.74.5900.746.80300	340,048.80
STATE OF MN - DEPT. OF TRANS.	P00000444	09/05/2012	0000001298	446.74.5900.746.80300	744.33
WSB & ASSOCIATES, INC.	8/27/12 3	09/05/2012	02108-000	446.74.5900.746.30300	21,199.63
Fund: 446 - NW AREA					361,992.76

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ACE PAINT & HARDWARE	512756/5	08/29/2012	8/13/12	501.50.7100.512.60016	8.53
ACE PAINT & HARDWARE	512905/5	08/29/2012	8/23/12	501.50.7100.512.60011	11.19
CRAWFORD DOOR SALES COMPANY	7255	09/05/2012	4840	501.50.7100.512.40040	368.00
GOODIN COMPANY	02945908-00	09/05/2012	1001619	501.50.7100.512.40040	11.63
GOODIN COMPANY	02945908-01	09/05/2012	1001619	501.50.7100.512.40040	54.01
GOODIN COMPANY	02946212-00	09/05/2012	1001619	501.50.7100.512.40040	117.02
GOODIN COMPANY	02947491-00	09/05/2012	1001619	501.50.7100.512.40040	144.91
HAWKINS, INC.	3374232	08/29/2012	804974	501.50.7100.512.60019	569.00
HD SUPPLY WATERWORKS LTD	4667266	08/29/2012	099872	501.50.7100.512.75500	334.36
HD SUPPLY WATERWORKS LTD	5283087	08/29/2012	099872	501.50.7100.512.75500	1,109.66
HD SUPPLY WATERWORKS LTD	5283135	08/29/2012	099872	501.50.7100.512.75500	1,247.94
HD SUPPLY WATERWORKS LTD	5287605	08/29/2012	099872	501.50.7100.512.60016	95.88
HD SUPPLY WATERWORKS LTD	5285283	08/29/2012	099872	501.50.7100.512.40043	236.47
HD SUPPLY WATERWORKS LTD	5241957	09/05/2012	099872	501.50.7100.512.40043	3,384.22
HOME DEPOT CREDIT SERVICES	8/13/12 6035 3225 0269 1268	08/29/2012	6035 3225 0269 1268	501.50.7100.512.60016	50.79
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	501.50.7100.512.20620	52.37
NORTHWESTERN POWER EQUIPMENT CO.	120137DJ	09/05/2012	8/22/12	501.50.7100.512.40043	48,922.03
PLANT & FLANGED EQUIPMENT COMPANY	0059500-IN	09/05/2012	INV5000	501.50.7100.512.60016	164.27
RY-MAK PLUMBING & HEATING, INC	8/1/12 2015 75TH ST	08/29/2012	2015 75TH ST	501.50.7100.512.40040	420.00
RY-MAK PLUMBING & HEATING, INC	8/1/12 2990 75TH ST	08/29/2012	2990 75TH ST	501.50.7100.512.40040	105.00
RY-MAK PLUMBING & HEATING, INC	8/1/12 3800 70TH ST	08/29/2012	3800 70TH ST	501.50.7100.512.40040	105.00
RY-MAK PLUMBING & HEATING, INC	8/1/12 6857 CAHILL AVE	08/29/2012	6857 CAHILL AVE	501.50.7100.512.40040	105.00
RY-MAK PLUMBING & HEATING, INC	8/1/12 7400 BABCOCK TRL	08/29/2012	7400 BABCOCK TRK	501.50.7100.512.40040	105.00
RY-MAK PLUMBING & HEATING, INC	8/1/12 7733 SOUTH ROBERT TRL	08/29/2012	7733 SOUTH ROBERT TRL	501.50.7100.512.40042	210.00
RY-MAK PLUMBING & HEATING, INC	8/1/12 8815 BRODERICK BLVD	08/29/2012	8815 BRODERICK BLVD	501.50.7100.512.40040	105.00
VOSS LIGHTING	15208694-01	08/29/2012	173652	501.50.7100.512.40040	24.41
VOSS LIGHTING	15208694-02	08/29/2012	173652	501.50.7100.512.40040	128.78
Fund: 501 - WATER UTILITY FUND					58,190.47
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	502.51.7200.514.20620	36.98
SHERWIN-WILLIAMS	7968-0	08/29/2012	6682-5453-5	502.51.7200.514.40042	122.72
W W GOETSCH ASSOC INC	89102	09/05/2012	LIFT STATION 7733 ROBERT TRL S	502.51.7200.514.40042	300.00
Fund: 502 - SEWER UTILITY FUND					459.70
AA PARTY & TENT RENTAL	16803	09/05/2012	GOLF COURSE	503.52.8500.526.50025	555.17
AA PARTY & TENT RENTAL	16803	09/05/2012	GOLF COURSE	503.52.8300.524.60065	978.50
ACE PAINT & HARDWARE	512733/5	08/29/2012	8/11/12	503.52.8500.526.40040	34.55
ACE PAINT & HARDWARE	512877/5	08/24/2012	8/21/12	503.52.8400.525.40041	28.30
ACE PAINT & HARDWARE	512915/5	09/05/2012	8/24/12	503.52.8600.527.60021	96.16
ACE PAINT & HARDWARE	512929/5	09/05/2012	8/25/12	503.52.8500.526.60065	6.94
ALL STAR PRO GOLF, INC.	226352	08/29/2012	210365	503.52.8200.523.76450	475.04
ARCTIC GLACIER, INC.	461223100	08/29/2012	1726134	503.52.8300.524.60065	105.88
ARCTIC GLACIER, INC.	388223410	08/29/2012	1726134	503.52.8300.524.60065	139.00
ARCTIC GLACIER, INC.	438223814	09/05/2012	1726134	503.52.8300.524.60065	155.56
ARCTIC GLACIER, INC.	461224017	09/05/2012	1726134	503.52.8300.524.60065	89.32
ARCTIC GLACIER, INC.	3882241003	09/05/2012	1726134	503.52.8300.524.60065	45.16
COCA COLA BOTTLING COMPANY	0188512712	08/29/2012	8/16/12	503.52.8300.524.76100	530.17
COCA COLA BOTTLING COMPANY	0188513110	09/05/2012	8/23/12	503.52.8300.524.76100	459.85
COLLEGE CITY BEVERAGE	318918	08/29/2012	03592	503.52.8300.524.76150	432.80
COLLEGE CITY BEVERAGE	320066	09/05/2012	03592	503.52.8300.524.76150	627.20
COVERALL OF THE TWIN CITIES INC	7070181164	09/05/2012	707-2469	503.52.8500.526.40040	580.55
DEX MEDIA EAST	8/20/12 110360619	09/05/2012	110360619	503.52.8500.526.50025	103.75
DRAFT TECHNOLOGIES	0820126J	08/29/2012	8/20/12	503.52.8300.524.40042	40.00
FOREI RESERVATIONS INC	49148	09/05/2012	9/22/12	503.52.8500.526.60042	2,300.00
G & K SERVICES	1182890126	08/29/2012	17194	503.52.8600.527.60045	99.45
G & K SERVICES	1182101198	09/05/2012	17194	503.52.8600.527.60045	99.45
GRAINGER	9905575339	09/05/2012	855256939	503.52.8500.526.60065	26.21
GRANDMA'S BAKERY	261494	08/29/2012	24400	503.52.8300.524.76050	38.60
GRANDMA'S BAKERY	261789	08/29/2012	24400	503.52.8300.524.76050	41.49
GRANDMA'S BAKERY	262085	08/29/2012	24400	503.52.8300.524.76050	44.38
GRANDMA'S BAKERY	262384	08/29/2012	24400	503.52.8300.524.76050	44.35
GRANDMA'S BAKERY	262638	08/29/2012	24400	503.52.8300.524.76050	38.57
GRANDMA'S BAKERY	262927	08/29/2012	24400	503.52.8300.524.76050	38.57
GRANDMA'S BAKERY	263256	08/29/2012	24400	503.52.8300.524.76050	38.57
GRANDMA'S BAKERY	263549	09/05/2012	24400	503.52.8300.524.76050	38.54
GRANDMA'S BAKERY	263907	09/05/2012	24400	503.52.8300.524.76050	44.32
GRANDMA'S BAKERY	264187	09/05/2012	24400	503.52.8300.524.76050	55.08
GRANDMA'S BAKERY	264475	09/05/2012	24400	503.52.8300.524.76050	44.31
GRANDMA'S BAKERY	264755	09/05/2012	24400	503.52.8300.524.76050	97.93
GRANDMA'S BAKERY	265062	09/05/2012	24400	503.52.8300.524.76050	98.46
HARDLINE CONCRETE & MASONRY	76	08/29/2012	8/21/12	503.52.8600.527.80200	900.00
HEGGIES PIZZA	1046672	08/29/2012	1708	503.52.8300.524.76050	149.20
JJ TAYLOR DIST. COMPANY OF MN	1888607	08/29/2012	00834	503.52.8300.524.76150	267.00
LITIN	390072	08/29/2012	INV0200	503.52.8600.527.60020	408.07
M. AMUNDSON LLP	137483	08/29/2012	902858	503.52.8300.524.76050	205.15
M. AMUNDSON LLP	137934	09/05/2012	902858	503.52.8300.524.76050	231.00
MENARDS - WEST ST. PAUL	50928	08/29/2012	30170265	503.52.8600.527.60020	29.20
MENARDS - WEST ST. PAUL	55079	09/05/2012	30170265	503.52.8600.527.60020	151.14

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	503.52.8600.527.20620	44.97
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	503.52.8500.526.20620	23.87
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	503.52.8000.521.20620	23.86
REINDERS, INC.	3016742-00	08/29/2012	326799	503.52.8600.527.60020	88.46
SEVEN CORNERS HARDWARE, INC.	100091	09/05/2012	8/23/12	503.52.8600.527.60008	106.86
SPRINT	100978019	08/29/2012	JULY 10-AUGUST 9 2012 ACCOUNT 10097	503.52.8500.526.50020	254.98
SUMMIT FACILITY & KITCHEN SERVICE	71550	09/05/2012	827	503.52.8300.524.40042	259.83
US FOODSERVICE	5217804	08/29/2012	03805983	503.52.8300.524.76050	1,110.02
US FOODSERVICE	5217804	08/29/2012	03805983	503.52.8300.524.60065	528.14
WINFIELD SOLUTIONS, LLC	000058080934	09/05/2012	07884532	503.52.8600.527.60030	2,186.93
WINFIELD SOLUTIONS, LLC	000058081681	09/05/2012	07884532	503.52.8600.527.60035	603.47
WIRTZ BEVERAGE MN BEER INC	942262	08/29/2012	75606	503.52.8300.524.76150	82.50
XCEL ENERGY	337267246	09/05/2012	51-5877511-0	503.52.8600.527.40020	23.42
XCEL ENERGY	337960332	09/05/2012	51-5754364-1	503.52.8500.526.40020	1,557.74
XCEL ENERGY	337960332	09/05/2012	51-5754364-1	503.52.8600.527.40010	26.72
XCEL ENERGY	337960332	09/05/2012	51-5754364-1	503.52.8500.526.40010	36.40
YOCUM OIL COMPANY, INC.	00000507637	09/05/2012	506975	503.52.8400.525.60021	1,457.49
YOCUM OIL COMPANY, INC.	00000508864	09/05/2012	506975	503.52.8600.527.60021	2,073.42
YOCUM OIL COMPANY, INC.	00000508863	09/05/2012	506975	503.52.8600.527.60021	1,965.97
Fund: 503 - INVER WOOD GOLF COURSE					23,467.99
KENNEDY & GRAVEN	109784	09/05/2012	NV125-00045	602.00.2100.415.30420	5,072.58
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	602.00.2100.415.20620	2.17
Fund: 602 - RISK MANAGEMENT					5,074.75
ACE PAINT & HARDWARE	512885/5	08/29/2012	8/22/12	603.00.5300.444.40041	13.86
ARAMARK UNIFORM SERVICES	629-7560022	08/29/2012	15353001	603.00.5300.444.60045	37.45
ARAMARK UNIFORM SERVICES	629-7560022	08/29/2012	15353001	603.00.5300.444.40065	72.94
ARAMARK UNIFORM SERVICES	629-7564770	08/29/2012	15353001	603.00.5300.444.40065	72.94
ARAMARK UNIFORM SERVICES	629-7564770	08/29/2012	15353001	603.00.5300.444.60045	23.18
BOYER TRUCKS - PARTS DISTRIBUTION	661626	08/29/2012	C20390	603.00.5300.444.40041	667.49
BOYER TRUCKS - PARTS DISTRIBUTION	663675	08/29/2012	c20390	603.140.1450050	338.90
CARQUEST AUTO PARTS STORES	1596-181272	08/29/2012	614420	603.00.5300.444.40041	89.34
CARQUEST AUTO PARTS STORES	1596-181439	08/29/2012	614420	603.00.5300.444.40041	60.68
CARQUEST AUTO PARTS STORES	1596-181444	08/29/2012	614420	603.00.5300.444.40041	6.03
CARQUEST AUTO PARTS STORES	1596-181464	08/29/2012	614420	603.00.5300.444.40041	22.83
CARQUEST AUTO PARTS STORES	1596-181477	08/29/2012	614420	603.00.5300.444.40041	16.00
CARQUEST AUTO PARTS STORES	1596-181511	08/29/2012	6144220	603.00.5300.444.40041	29.51
CARQUEST AUTO PARTS STORES	1596-181524	08/29/2012	614420	603.00.5300.444.40041	16.44
CARQUEST AUTO PARTS STORES	1596-181526	08/29/2012	614420	603.00.5300.444.60012	99.51
CARQUEST AUTO PARTS STORES	1596-181692	08/29/2012	614420	603.00.5300.444.60012	45.69
CARQUEST AUTO PARTS STORES	1596-181704	09/05/2012	614420	603.00.5300.444.40041	67.97
CARQUEST AUTO PARTS STORES	1596-181722	09/05/2012	614420	603.00.5300.444.40041	11.93
CARQUEST AUTO PARTS STORES	1596-181790	09/05/2012	614420	603.00.5300.444.40041	88.48
CARQUEST AUTO PARTS STORES	1596-181796	09/05/2012	614420	603.00.5300.444.40041	5.97
CARQUEST AUTO PARTS STORES	1596-181902	09/05/2012	614420	603.140.1450050	8.30
CARQUEST AUTO PARTS STORES	1596-181987	09/05/2012	614420	603.140.1450050	23.23
CARQUEST AUTO PARTS STORES	1596-181987	09/05/2012	614420	603.00.5300.444.40041	5.32
CARQUEST AUTO PARTS STORES	1596-182016	09/05/2012	614420	603.140.1450050	53.85
CARQUEST AUTO PARTS STORES	1596-182016	09/05/2012	614420	603.00.5300.444.60012	37.10
CARQUEST AUTO PARTS STORES	1596-182016	09/05/2012	614420	603.00.5300.444.60040	19.28
CARQUEST AUTO PARTS STORES	1596-182018	09/05/2012	614420	603.00.5300.444.40041	23.60
CARQUEST AUTO PARTS STORES	1596-182028	09/05/2012	614420	603.00.5300.444.40041	5.90
CARQUEST AUTO PARTS STORES	1596-182030	09/05/2012	614420	603.00.5300.444.40041	36.75
CARQUEST AUTO PARTS STORES	1596-182292	09/05/2012	614420	603.140.1450050	34.79
CARQUEST AUTO PARTS STORES	1596-182297	09/05/2012	61420	603.00.5300.444.60012	20.63
CARQUEST AUTO PARTS STORES	1596-182301	09/05/2012	614420	603.140.1450050	17.78
CENTENNIAL GLASS	w00002887	09/05/2012	8/20/12	603.00.5300.444.40041	166.92
COMMON SENSE BUILDING SERVICES, INC.	29645	08/29/2012	MONTHLY CONTRACT	603.00.5300.444.40040	292.58
CUB FOODS	8/20/12	08/29/2012	CHARGE STORE 3151 8/20/12	603.00.5300.444.60011	18.06
FACTORY MOTOR PARTS COMPANY	1-3966957	08/29/2012	10799	603.00.5300.444.40041	185.58
FACTORY MOTOR PARTS COMPANY	1-3970199	09/05/2012	10799	603.140.1450050	79.96
FACTORY MOTOR PARTS COMPANY	1-3970199	09/05/2012	10799	603.00.5300.444.40041	198.41
FACTORY MOTOR PARTS COMPANY	1-3970696	09/05/2012	10799	603.00.5300.444.40041	(38.48)
FACTORY MOTOR PARTS COMPANY	1-3971068	09/05/2012	10799	603.00.5300.444.40041	386.99
FACTORY MOTOR PARTS COMPANY	1-3971330	09/05/2012	10799	603.00.5300.444.40041	386.99
FACTORY MOTOR PARTS COMPANY	1-3972537	09/05/2012	10799	603.00.5300.444.40041	62.70
FACTORY MOTOR PARTS COMPANY	1-3974234	09/05/2012	10799	603.00.5300.444.40041	367.74
FORCE AMERICA, INC.	01389820	08/29/2012	366100	603.00.5300.444.40041	38.18
FORCE AMERICA, INC.	01389917	08/29/2012	366100	603.00.5300.444.40041	111.03
INVER GROVE FORD	6099111/1	08/29/2012	8/15/12	603.00.5300.444.40041	117.73
LANO EQUIPMENT, INC.	247471	08/29/2012	CITYINVERG	603.00.5300.444.40041	670.05
LARSON COMPANIES	F-222280095	08/29/2012	14649	603.140.1450050	40.52
MN DEPT OF REVENUE	JULY 2012	08/23/2012	JULY 2012 PETROLEUM TAX PAYMENT	603.00.5300.444.60021	290.42
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	603.00.5300.444.20620	21.10
NAPA OF INVER GROVE HEIGHTS	309051	09/05/2012	BAT FILL	603.00.5300.444.40041	20.48
OXYGEN SERVICE COMPANY, INC	01009195	08/29/2012	04393	603.00.5300.444.60012	208.41
POMP'S TIRE SERVICE, INC.	450001800	09/05/2012	4502557	603.00.5300.444.40041	149.98

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
R & R CARPET SERVICE	3124	08/29/2012	7/23/12	603.00.5300.444.40065	41.15
RY-MAK PLUMBING & HEATING, INC	8/1/12 8168 BARBARA AVE	08/29/2012	8168 BARBARA AVE	603.00.5300.444.40040	753.46
SHERWIN-WILLIAMS	8312-0	09/05/2012	6682-5453-5	603.00.5300.444.40040	37.27
SHERWIN-WILLIAMS	8313-8	09/05/2012	6682-5453-5	603.00.5300.444.40040	9.20
SHERWIN-WILLIAMS	8323-7	09/05/2012	6682-5453-5	603.00.5300.444.40040	212.05
TRACTOR SUPPLY CREDIT PLAN	82318	08/29/2012	8/13/12	603.00.5300.444.60040	16.06
WESTERN PETROLEUM COMPANY	97105783-41801	08/29/2012	112741	603.140.1450050	1,544.65
Fund: 603 - CENTRAL EQUIPMENT					8,462.86
COMMON SENSE BUILDING SERVICES, INC.	29645	08/29/2012	MONTHLY CONTRACT	605.00.7500.460.40040	3,717.55
ELECTRIC FIRE & SECURITY	80596	08/29/2012	123405	605.00.7500.460.40040	318.49
HOME DEPOT CREDIT SERVICES	8/8/12 6035 3220 1712 8343 B CREDIT	09/05/2012	6035 3220 1712 8343	605.00.7500.460.60016	(69.63)
HUEBSCH SERVICES	2932813	08/29/2012	100075	605.00.7500.460.40065	102.14
INTEGRA TELECOM	9994538	08/29/2012	645862	605.00.7500.460.50020	859.51
J.H. LARSON COMPANY	S100187795.001	08/29/2012	29039	605.00.7500.460.60016	22.42
LONE OAK COMPANIES	56332	09/05/2012	MAILING PROCESS	605.00.7500.460.50035	1,806.68
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	605.00.7500.460.20620	8.51
NEOPOST USA INC	13739562	09/05/2012	12601470	605.00.7500.460.50035	493.76
Fund: 605 - CITY FACILITIES					7,259.43
IDEAL SYSTEM SOLUTIONS, INC.	ISSQ2184	09/05/2012	8/17/12	606.00.1400.413.30700	12,849.00
LOGISOLVE LLC	43772 B	08/29/2012	7/31/12	606.00.1400.413.30700	2,400.50
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	606.00.1400.413.20620	20.36
SPRINT	603079272-011	08/29/2012	603079272	606.00.1400.413.50020	58.98
Fund: 606 - TECHNOLOGY FUND					15,328.84
ARAMARK REFRESHMENT SERVICES	78034	09/05/2012	39398	702.229.2286500	173.31
CAPSTONE HOMES	14412	09/05/2012	7553 ALPINE CT	702.229.2299800	2,500.00
CAPSTONE HOMES	17158	09/05/2012	7516 AUTUMN WAY	702.229.2299800	2,500.00
KENNEDY & GRAVEN	109890	09/05/2012	NV125-00020	702.229.2284000	682.57
KENNEDY & GRAVEN	109890	09/05/2012	NV125-00040	702.229.2283800	283.50
LILLIE SUBURBAN NEWSPAPERS	7/31/12 001363	09/05/2012	001363	702.229.2289600	25.00
LILLIE SUBURBAN NEWSPAPERS	7/31/12 001363	09/05/2012	001363	702.229.2294000	28.13
Fund: 702 - ESCROW FUND					6,192.51
MN LIFE INSURANCE CO	SEPTEMBER 2012	09/05/2012	POLICY #0027324	703.43.5500.446.20620	2.36
Fund: 703 - LANDFILL ABATEMENT					2.36
Grand Total					940,935.13

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Pay Voucher No. 2 for City Project No. 2010-41 – TH 3 Turn Lanes at Autumn Way

Meeting Date: September 10, 2012
 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

TJK
 SDT
 ST

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: Developer Cost-share Agreement, Municipal State Aid Funds, and Mn/DOT Cooperative Agreement

PURPOSE/ACTION REQUESTED

Consider Pay Voucher No. 2 for City Project No. 2010-41 – TH 3 Turn Lanes at Autumn Way.

SUMMARY

The improvements were ordered in conjunction with the Argenta Hills residential development. The contract was awarded in the amount of \$480,706.00 to Max Steininger, Inc., on May 14, 2012 for City Project No. 2010-41 – TH 3 Turn Lanes at Autumn Way.

The contractor has completed the work through August 16, 2012 in accordance with the contract plans and specifications. A five (5) percent retainage will be maintained until the project is completed.

I recommend approval of Payment Voucher No. 2 in the amount of \$340,048.80 for work on City Project No. 2010-41 – TH 3 Turn Lanes at Autumn Way.

TJK/me
 Attachments: Pay Voucher No. 2



Owner: City of Inver Grove Heights
 8150 Barbara Ave
 Inver Grove Hghts, MN 55077-3410

Date: 8/16/2012

For Period: 6/16/2012 to 8/16/2012

Request No.: 2

Contractor: Max Steininger, Inc.
 3080 Lexington Avenue South
 Eagan, MN 55121

Pay Voucher

IGH - TH 3 Construction Services SP 1908-85

Client Contract No.:

Project No.: 02108-00

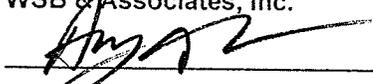
Client Project No.:

Project Summary

1	Original Contract Amount		\$480,706.01
2	Contract Changes - Addition	\$5,406.90	
3	Contract Changes - Deduction	\$0.00	
4	Revised Contract Amount		\$486,112.91
5	Value Completed to Date		\$482,727.57
6	Material on Hand		\$0.00
7	Amount Earned		\$482,727.57
8	Less Retainage 5%		\$24,136.38
9	Subtotal		\$458,591.19
10	Less Amount Paid Previously		\$118,542.39
11	Liquidated Damages		\$0.00
12	AMOUNT DUE THIS PAY VOUCHER NO. 2		\$340,048.80

THIS IS TO CERTIFY THAT THE ITEMS OF WORK SHOWN IN THIS CERTIFICATE OF PARTIAL PAYMENT HAVE BEEN ACTUALLY FINISHED FOR THE WORK COMPRISING THE ABOVE MENTIONED PROJECTS IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS HERETOFORE APPROVED.

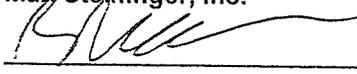
Recommended for Approval by:
 WSB & Associates, Inc.



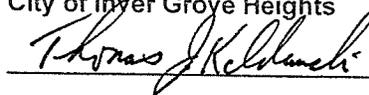
Construction Observer:



Approved by Contractor:
 Max Steininger, Inc.



Approved by Owner:
 City of Inver Grove Heights



Specified Contract Completion Date:

Date:

Comment:

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Gartzke Construction, Inc. Pay Voucher No. 1 for City Project No. 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court, for Borden Way Back Yard Storm Sewer Improvements

Meeting Date: September 10, 2012
 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

SAK *ST*

Fiscal/FTE Impact:

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other: Pavement Management Fund, Special Assessments, MSA Funds, Water Fund, Sewer Fund

PURPOSE/ACTION REQUESTED

Consider Pay Voucher No. 1 for City Project No. 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court, for Borden Way Back Yard Storm Sewer Improvements.

SUMMARY

The improvements were ordered as part of the 2012 Pavement Management Program. The contract was awarded in the amount of \$23,149.14 to Gartzke Construction Inc., on August 13, 2012 for City Project No. 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court, for Borden Way Back Yard Storm Sewer Improvements.

I recommend approval of Gartzke Construction, Inc. Payment Voucher No. 1 in the amount of \$21,706.68 for work on City Project No. 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court, for Borden Way Back Yard Storm Sewer Improvements.

TJK/kf

Attachments: Pay Voucher No. 1

PROJECT 2012-09D - URBAN STREET RECONSTRUCTION, 65TH STREET NEIGHBORHOOD AND CAHILL COURT
BORDEN WAY BACK YARD STORM SEWER IMPROVEMENTS

BASE BID

ITEM NO.	MN/DOT NO.	DESCRIPTION	UNITS	ESTIMATED QUANTITY	QUANTITY TO DATE	UNIT PRICE	TOTAL ESTIMATED COST	CONTRACT COST TO DATE
1	2105.526	SELECT TOPSOIL BORROW (LV)	CY	100.0	91.0	\$ 20.00	\$ 2,000.00	\$ 1,820.00
2	2573.540	FILTER LOG TYPE COMPOST BIOROLL	LF	150.0	150.0	\$ 5.00	\$ 750.00	\$ 750.00
3	2576.580	HYDRAULIC SOIL STABILIZER, TYPE SPECIAL (FLEX TERRA)	LB	150.0	375.0	\$ 4.00	\$ 600.00	\$ 1,500.00
4	2576.505	SODDING, TYPE LAWN	SY	225.0	0.0	\$ 4.00	\$ 900.00	\$ -
5	2575.605	SEEDING, MNDOT MIX NO. 350	ACRE	0.1	0.05	\$ 1,000.00	\$ 100.00	\$ 50.00
6		REMOVE AND REPLACE LANDSCAPING	LS	1.0	1.0	\$ 700.00	\$ 700.00	\$ 700.00
7		CLEARING AND GRUBBING	LS	1.0	1.0	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
8	2105.501	COMMON EXCAVATION (P)	CY	50.0	50.0	\$ 10.00	\$ 500.00	\$ 500.00
9	2503.541	15" RC PIPE SEWER DESIGN 3006 CLASS V	LF	211.0	211.0	\$ 43.74	\$ 9,229.14	\$ 9,229.14
10	2506.602	CONNECT TO EXISTING STORM SEWER	EA	1.0	1.0	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
11	2506.502	CONSTRUCT DRAINAGE STRUCTURE, DESIGN H	EA	1.0	1.0	\$ 2,100.00	\$ 2,100.00	\$ 2,100.00
12	2506.502	CONSTRUCT DRAINAGE STRUCTURE, DESIGN 48-4020	EA	2.0	2.0	\$ 2,100.00	\$ 4,200.00	\$ 4,200.00
13	2575.504	EROSION STABILIZATION MAT	SY	7.0	0.0	\$ 10.00	\$ 70.00	\$ -
							\$ 23,149.14	\$ 22,849.14

CONTRACT WORK COMPLETED TO DATE:	\$ 22,849.14
RETAINAGE (5%):	\$ 1,142.46
PREVIOUS PAYMENTS:	\$ -
PAYMENT #1 FINAL TOTAL:	\$ 21,706.68

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Acceptance of Agreement Relating to Landowner Improvements within City Easement on Lot 12, Block 5, Woodland Preserve (11684 Aileron Court)

Meeting Date: September 10, 2012
 Item Type: Consent
 Contact: Thomas J. Kaldunski, City Engineer
 Prepared by: Thomas J. Kaldunski, 651.450.2572
 Reviewed by: Scott D. Thureen, Public Works Director

SDT

	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 acceptance of agreement relating to landowner improvements within City easement on Lot 12, Block 5, Woodland Preserve (11684 Aileron Court).

SUMMARY

The City has received a request from Mr. and Mrs. Crane, owners Lot 12, Block 5, Woodland Preserve (11684 Aileron Court) related to construction of a boulder retaining wall. This wall would encroach on an existing City easement.

City staff has been working closely with the affected property owners on this proposal. The project has been discussed many times with the landowner. The City Attorney has prepared documents associated with the project including an encroachment agreement. A copy of the agreement is attached.

The property owners have proposed the construction of a new home with a deck. The existing utility easement is a few feet away from the house. They are proposing a deck approximately 6 feet above the ground. Posts/piers to support the deck will be built off the easement per MN State Building Code. The deck will not affect drainage. A boulder retaining wall will be constructed two to three feet onto the existing drainage and utility easement. Part of the retaining wall will be off the easement.

The City typically avoids encroachments on drainage and utility easements; however, the owners have accepted the Encroachment Agreement drafted by the City. This Agreement preserves the City use and rights to the easement. The owners have agreed to cover any City cost related to the deck's affect on the easement if the City does a project on the easement. The owner would cover any cost differential on the project. The owner's retaining wall will not affect the flood storage volume of the basin. The house and deck will not be on the easement.

A copy of the signed Agreement is attached. The Engineering Division recommends approval of the Agreement and resolution as presented.

TJK/kf

- Attachments: Resolution
- Landowner Agreement
- Site plan
- Certificate of Survey

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

**RESOLUTION APPROVING AGREEMENT RELATING TO LANDOWNER IMPROVEMENTS WITHIN
CITY EASEMENT ON LOT 12, BLOCK 5, WOODLAND PRESERVE (11684 AILERON COURT)**

RESOLUTION NO. _____

WHEREAS, the City needs to preserve its easement rights for the project; and

WHEREAS, adjacent residents have requested permission to construct portions of a rock retaining wall up to three feet onto City easements, to facilitate construction of a new home and deck; and

WHEREAS, the City has negotiated with the landowner, Mr. and Mrs. Crane at 11684 Aileron Court, for such agreement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS, MN DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council approves the Agreement Relating to Landowner Improvements within City Easement on Lot 12, Block 5, Woodland Preserve (11684 Aileron Court).
2. The Mayor and Deputy Clerk are authorized to execute the Agreement Relating to Landowner Improvements within City Easement on Lot 12, Block 5, Woodland Preserve (11684 Aileron Court) between the City of Inver Grove Heights and landowner.

Adopted by the City Council of the City of Inver Grove Heights this 10th day of September 2012.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

**AGREEMENT RELATING TO
LANDOWNER IMPROVEMENTS
WITHIN CITY EASEMENT ON
LOT 12, BLOCK 5, WOODLAND PRESERVE,
IN THE CITY OF INVER GROVE HEIGHTS,
DAKOTA COUNTY, MINNESOTA**

**AGREEMENT RELATING TO LANDOWNER
IMPROVEMENTS WITHIN CITY EASEMENT ON
LOT 12, BLOCK 5, WOODLAND PRESERVE,
IN THE CITY OF INVER GROVE HEIGHTS,
DAKOTA COUNTY, MINNESOTA**

THIS AGREEMENT, made this 13th day of August, 2012, by and between the City of Inver Grove Heights (hereafter referred to as “City”), a Minnesota municipal corporation, and Richard Crane and Lynette Crane, husband and wife, (hereafter referred to as “Landowners”). Based on the covenants, agreements, representations and recitals herein contained, the parties agree as follows:

ARTICLE 1
TERMS

1.1 Terms. Unless specifically defined elsewhere in this Agreement, the following terms shall have the following meanings.

1.2 City. “City” means the City of Inver Grove Heights, a Minnesota municipal corporation.

1.3 Subject Lot. “Subject Lot” means Lot 12, Block 5, Woodland Preserve, according to the plat thereof on file and of record in the office of the Dakota County Recorder, Dakota County, Minnesota. The Subject Lot is located in the City of Inver Grove Heights, Dakota County, Minnesota.

1.4 City Easement. “City Easement” means, individually and collectively, the following easements on the Subject Lot:

The permanent drainage and utility easement lying on the northerly portion of the Subject Lot dedicated on the recorded plat of Woodland Preserve, Dakota County, Minnesota.

1.5 Landowners. “Landowners” means Richard Crane and Lynette Crane, husband and wife, and their assigns and successors in interest with respect to the Subject Lot.

1.6 Formal Notice. “Formal Notice” means notice given by one party to the other if in writing and if and when delivered or tendered either in person or by depositing it in the United States mail in a sealed envelope, by certified mail, return receipt requested, with postage prepaid, addressed as follows:

IF TO CITY:

City of City of Inver Grove Heights
Attention: Director of Public Works
8150 Barbara Avenue
Inver Grove Heights, MN 55077

IF TO LANDOWNER

Richard Crane and Lynette Crane
11684 Aileron Court
Inver Grove Heights, MN

or to such other address as the party addressed shall have previously designated by notice given in accordance with this Section. Notices shall be deemed to have been duly given on the date of service if served personally on the party to whom notice is to be given, or on the third day after mailing if mailed as provided above, provided, that a notice not given as above shall, if it is in writing, be deemed given if and when actually received by a party.

1.7 Landowner Improvements. “Landowner Improvements” means the structural retaining walls.

1.8 City Easement Improvements. “City Easement Improvements” means all existing and future sanitary sewer, municipal water and storm water pipes, conduits, culverts, ditches, ponds, catch basins, water collection mechanisms, drainage facilities, maintenance access routes and other utility appurtenances lying within the City Easement now or in the future.

1.9 Construction Plan. “Construction Plan” means the Site Plan relating to Landowners Improvements. The Construction Plan is on file with the City.

1.10 City Utility Costs. “City Utility Costs” means all costs incurred by the City, (whether performed by the City or its agents or contractors), for the inspection of and access to and repair, maintenance and replacement of the City’s Easement Improvements located in the City Easement and the placement of additional City Easement Improvements in the City Easement. City Utility Costs, include, without limitation: excavation costs, labor costs, costs of removing fill, costs of re-burying the City Easement Improvements, re-compacting the soils over the City Easement Improvements, restoring the City Easement area, and all engineering and attorneys’ fees incurred in connection therewith. City Utility Costs also include the costs of temporarily removing the Landowner Improvements and subsequently replacing the Landowner Improvements in the City Easement, if such costs have not already been paid by the Landowners.

1.11 Pre-Encroachment Costs. “Pre-Encroachment Costs” means a reasonable estimate by the City of the costs the City would have incurred for City Utility Costs if the Landowner Improvements did not exist.

1.12 Cost Differential. “Cost Differential” means the difference between the Pre-Encroachment Costs and the City Utility Costs caused by the existence of the Landowner Improvements. The City’s reasonable determination of the amount of the Cost Differential shall be binding on the Landowners. The City’s reasonable determination shall be appropriately supported by cost estimates obtained from independent contractors or engineers.

ARTICLE 2
RECITALS

Recital No. 1. The undersigned Landowners are the fee title owners of the Subject Lot located in Inver Grove Heights, Dakota County, Minnesota.

Recital No. 2 The City Easement is on the Subject Lot. The City owns the City Easement. The City Easement Improvements are within the City Easement and future City Easement Improvements may be located within the City Easement.

Recital No. 3. Landowners have requested permission from the City to place Landowner Improvements within the City Easement.

Recital No. 4. Subject to the terms of this Agreement, the City is willing to allow the Landowner Improvements to be placed within the within the City Easement if the following conditions are met:

- a.) The Landowners maintain the Landowner Improvements;
- b.) The Landowners agree to pay the City any Cost Differential relating to inspections, access, repair, maintenance and replacement of the existing City Easement Improvements and the placement of any future City Easement Improvements in the City Easement.

NOW, THEREFORE, THE CITY OF INVER GROVE HEIGHTS AND THE UNDERSIGNED LANDOWNERS, FOR THEMSELVES, AND THEIR SUCCESSORS, HEIRS AND ASSIGNS DO HEREBY AGREE:

ARTICLE 3
AGREEMENTS

3.1 Construction And Maintenance Of Landowner Improvements. Under the terms and conditions stated herein, the Landowners, at their own cost, are hereby authorized by the City to make the Landowner Improvements within the City Easement. The Landowner Improvements shall only be placed at the locations specified in the Construction Plan. The Landowner Improvements must be constructed according to the Construction Plan. The Landowner Improvements shall not encroach more than three (3) feet into the City Easement.

The Landowners shall not place any other structures, irrigation systems, buildings, fences, landscaping, trees or shrubs within the City Easement, except for the Landowner Improvements. After construction, the Landowners, at their own expense, shall maintain and repair the Landowner Improvements.

The Landowners shall not grade any land within the City Easement except for backfilling of the retaining walls on the side of the retaining walls closest to the home on the Subject Lot.

3.2 City Not Responsible For Landowner Improvements. Nothing contained herein shall be deemed an assumption by the City of any responsibility for construction, maintenance, replacement or repair of the Landowner Improvements.

3.3 Continuing Right To City Easement. Nothing contained herein shall be deemed a waiver or abandonment or transfer of the right, title and interest that the City holds to the City Easement.

3.4 Subordinate Position Of Landowner Improvements. The Landowner Improvements are subordinate to the rights of the City in the City Easement and in the City Easement Improvements.

3.5 Risk Of Loss. The Landowners understand and agree that the Landowner Improvements within the City Easement may be adversely affected by use of the City Easement. The parties agree that the City is not responsible for such events; the City shall have no liability to the Landowners for such events. The Landowners assume the risk of installing the Landowner Improvements in the City Easement area.

3.6 Cost Differential. If a Cost Differential occurs relating to the access to or inspection, maintenance, repair or replacement of the City Easement Improvements or relating to construction of new City Easement Improvements in the future, then the Landowners shall pay the Cost Differential to the City. The Landowners must make payment for the Cost Differential within 30 days after the City has sent a written invoice for the Cost Differential to the Landowners.

3.7 Remedies. If the Landowners fail to perform their obligations under this Agreement, then the City may avail itself of any remedy afforded by law or in equity and any of the following non-exclusive remedies:

- a.) The City may specifically enforce this Agreement.
- b.) If the Landowners fail to make payments under Section 3.6, then the City may certify to Dakota County the amounts due as payable with the real estate taxes for the Subject Lot in the next calendar year; such certifications may be made under Minnesota Statutes, Chapter 444 in a manner similar to certifications for unpaid utility bills. The Landowners waive any and all procedural and substantive objections to the imposition of such usual and customary charges on the Subject Lot.

Further, as an alternate means of collection, if the written billing is not paid by the Landowners, the City, without notice and without hearing, may specially assess the Subject Lot for the costs and expenses incurred by the City. The Landowners hereby waive any and all procedural and substantive objections to special assessments for the costs including, but not limited to, notice and hearing requirements and any claims that the charges or special assessments exceed the

benefit to the Subject Lot. The Landowners waive any appeal rights otherwise available pursuant to Minnesota Statute § 429.081. The Landowners acknowledge that the benefit from the performance of tasks by the City equals or exceeds the amount of the charges and assessments for the costs that are being imposed hereunder upon the Subject Lot.

No remedy herein conferred upon or reserved to the City shall be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient.

3.08 Indemnification. The Landowners shall indemnify, defend and hold the City, its council, agents, consultants, attorneys, employees and representatives harmless against and in respect of any and all claims, demands, actions, suits, proceedings, losses, costs, expenses, obligations, liabilities, damages, recoveries, and deficiencies including interest, penalties and attorneys' fees, that the City incurs or suffers, which arise out of, result from or relate to any of the following:

- a.) The Landowner Improvements;
- b.) Installation and maintenance of the Landowners Improvements;
- c.) Failure by the Landowners to observe or perform any covenant, condition, obligation or agreement on their part to be observed or performed under this Agreement; and
- d.) Use of the City Easement for Landowner Improvements.

3.09 City Duties. Nothing contained in this Agreement shall be considered an affirmative duty upon the City to perform the Landowners' obligations contained in Article 3 if the Landowners does not perform such obligations.

3.10 No Third Party Recourse. Third parties shall have no recourse against the City under this Agreement.

3.11 Recording. The Landowners shall record this Agreement with the Dakota County Recorder against the Subject Lot and within 30 days after the date of this Agreement, the Landowners shall present evidence to the City that this Agreement has been recorded.

3.12 Binding Agreement. The parties mutually recognize and agree that all terms and conditions of this recordable Agreement shall run with the Subject Lot and shall be binding upon the heirs, successors, administrators and assigns of the parties.

This Agreement shall also be binding upon all after-acquired rights, interests and title of the parties that may be acquired from and after the date of this Agreement.

3.13 Amendment And Waiver. The parties hereto may by mutual written agreement amend this Agreement in any respect. Any party hereto may extend the time for the performance of any of the obligations of another, waive any inaccuracies in representations by another contained in this Agreement or in any document delivered pursuant hereto which inaccuracies would otherwise constitute a breach of this Agreement, waive compliance by another with any of the covenants contained in this Agreement and performance of any obligations by the other or waive the fulfillment of any condition that is precedent to the performance by the party so waiving of any of its obligations under this Agreement. Any agreement on the part of any party for any such amendment, extension or waiver must be in writing. No waiver of any of the provisions of this Agreement shall be deemed, or shall constitute, a waiver of any other provisions, whether or not similar, nor shall any waiver constitute a continuing waiver.

3.14 Governing Law. This Agreement shall be governed by and construed in accord with the laws of the State of Minnesota.

3.15 Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

3.16 Headings. The subject headings of the sections this Agreement are included for purposes of convenience only, and shall not affect the construction of interpretation of any of its provisions.

[The remainder of this page has been intentionally left blank.]

IN WITNESS WHEREOF, the parties have executed this Agreement the year and day first set forth above.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville
Its Mayor

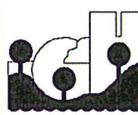
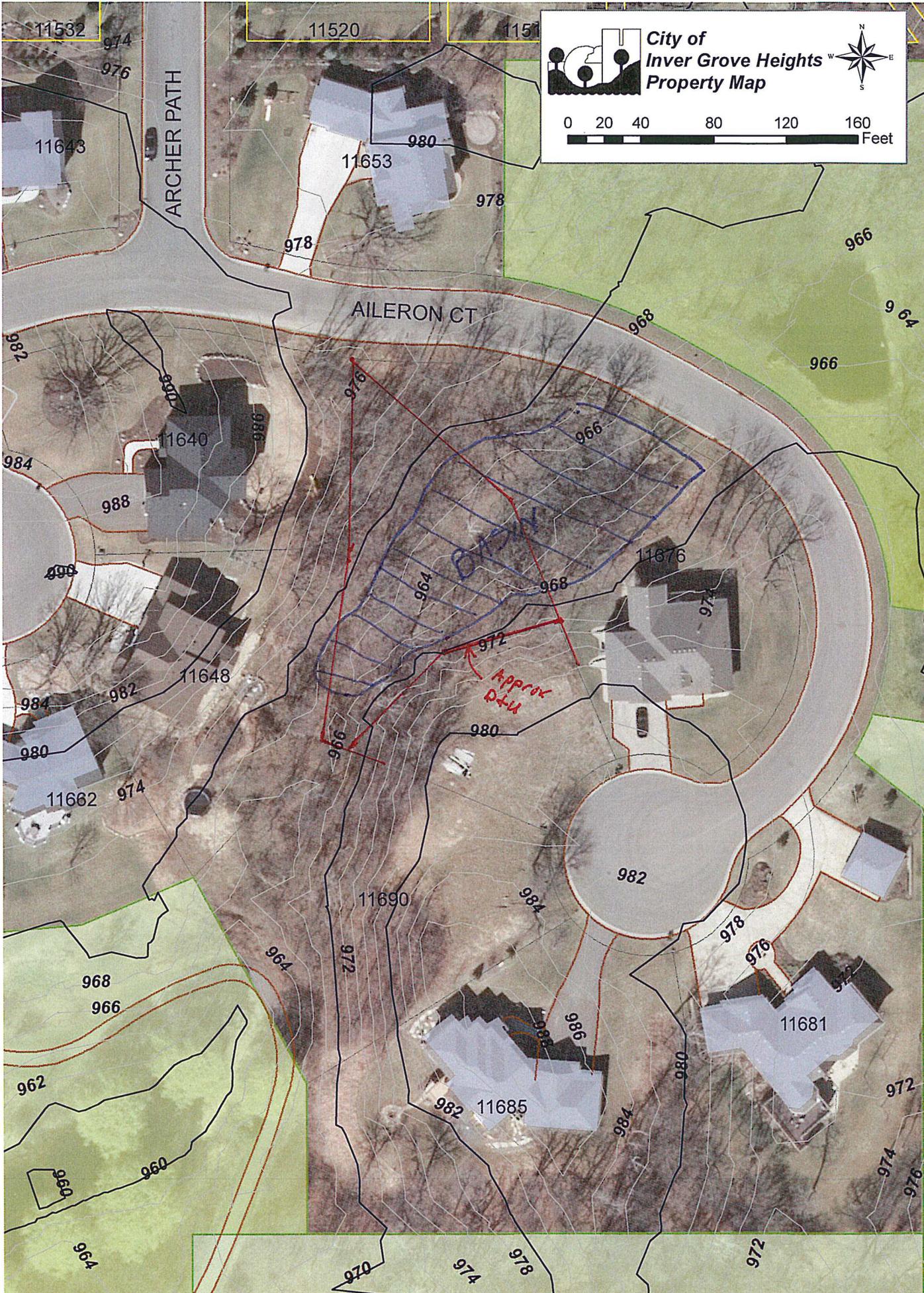
ATTEST:

Melissa Kennedy, Deputy City Clerk

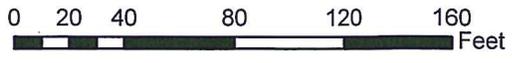
STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this 13th day of August, 2012, before me a Notary Public within and for said County, personally appeared George Tourville and Melissa Kennedy, to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and Deputy City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said municipality by authority of its City Council and said Mayor and Deputy City Clerk acknowledged said instrument to be the free act and deed of said municipality.

Notary Public



City of
Inver Grove Heights
Property Map



CERTIFICATE OF SURVEY for: CUDDIGAN CUSTOM BUILDERS

DESCRIBED AS: Lot 12, Block 5, WOODLAND PRESERVE, Dakota County, MN
 ADDRESS: 11684 Aileron Ct., Eagan, MN

PROPOSED ELEVATIONS

Garage Floor at drive = 982.0
 Top of Foundation = 982.40
 Lowest Floor = 972.7

SETBACK REQUIREMENTS

Front = 30 feet
 House Side = 10 feet
 Garage Side = 5 feet

BENCHMARK

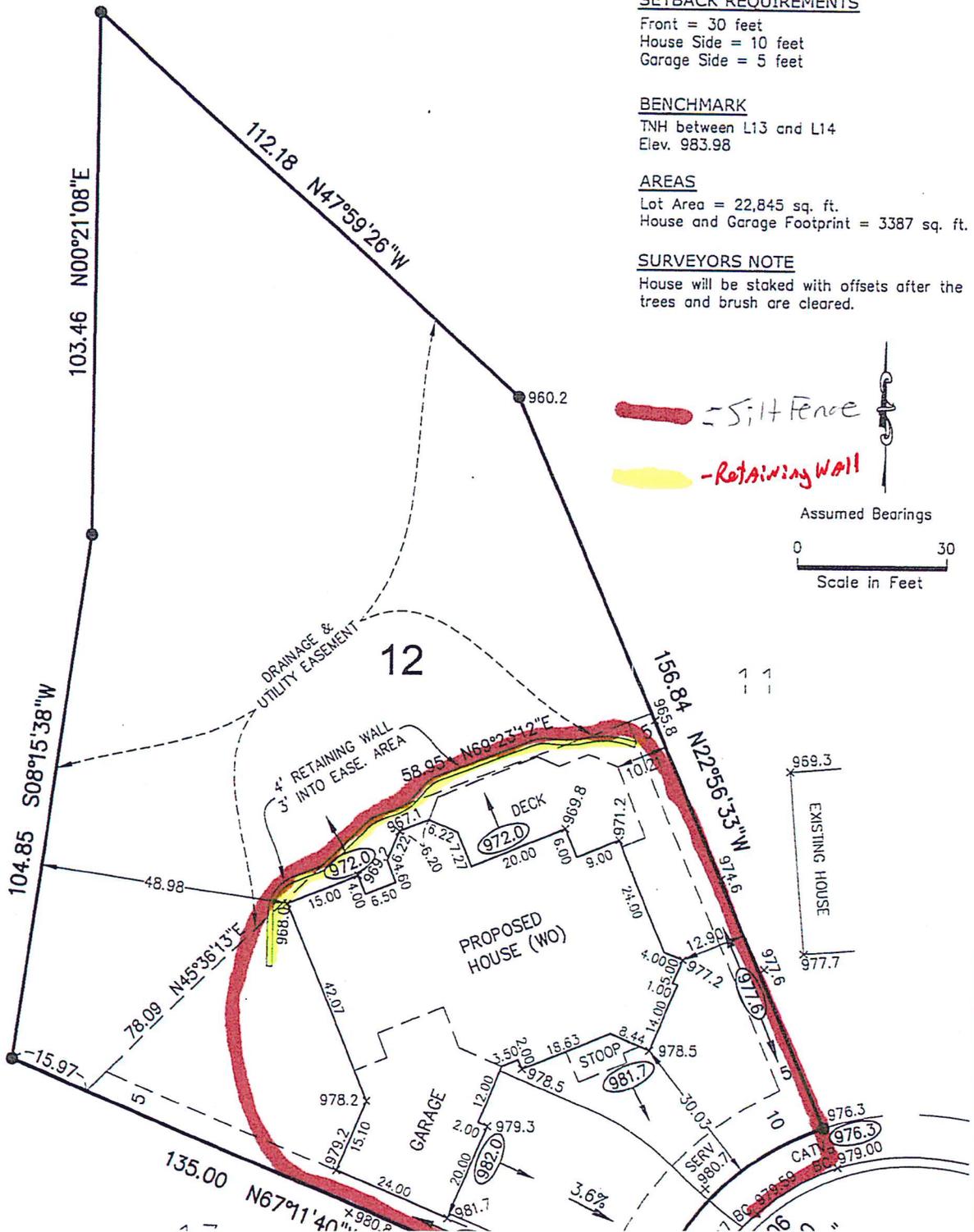
TNH between L13 and L14
 Elev. 983.98

AREAS

Lot Area = 22,845 sq. ft.
 House and Garage Footprint = 3387 sq. ft.

SURVEYORS NOTE

House will be staked with offsets after the trees and brush are cleared.



Item No. 4F

Resolution Accepting Bid and Awarding Contract for 2012 Storm Water Facility Maintenance Program – City Project No. 2012-15, Sediment Removal from Basin at 79th Street and Blanchard Way

This item will be included in Friday's packet.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Resolution Approving a MPCA Environmental Assistance Grant Agreement for City Project No. 2012-15 – Sediment Removal from Storm Water Management Basin at 79th Street and Blanchard Way

Meeting Date: September 10, 2012
 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: Other, Storm Water Utility Fund, MPCA Grant

PURPOSE/ACTION REQUESTED

Consider resolution approving a MPCA Environmental Assistance Grant Agreement for City Project No. 2012-15 – Sediment Removal from Storm Water Management Basin at 79th Street and Blanchard Way.

SUMMARY

The City has been inspecting storm water facilities as part of its MS4 Permit. These inspections have resulted in the development of City Project No. 2012-15 – Sediment Removal from Storm Water Management Basin at 79th Street and Blanchard Way. The project consists of removing PAH and arsenic-laden sediments to improve the hydrologic efficiency of the basin, along with repairs to a storm sewer inlet.

The City Council authorized the bidding of City Project No. 2012-15. Bids were received on August 29, 2012. The MPCA has indicated that they will provide a grant to the City for the cost of disposing of the contaminated material in an approved landfill facility. The original grant offer of \$75,000 will be increased to \$75,991.04. A copy of the draft agreement between the City and MPCA is attached. The City will provide matching funds from its storm water utility to complete some of the matching requirement. The City will also provide engineering and construction services via its staff to cover the balance of the match requirement with in-kind services.

It is recommended that the City Council adopt a resolution authorizing the execution of the attached Environmental Assistance Grant Program Agreement. The MPCA requires that the City adopt a resolution indicating the City concurs with the project and the City matching funds. The MPCA will execute the agreement after receiving the agreement and resolution from the City. Funding will be encumbered at that point.

TJK/kf
 Attachments: Resolution
 MPCA Agreement

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

**RESOLUTION AUTHORIZING EXECUTION OF MPCA ENVIRONMENTAL ASSISTANCE GRANT
AGREEMENT FOR THE CONSTRUCTION OF CITY PROJECT NO. 2012-15 – SEDIMENT REMOVAL
FROM STORM WATER MANAGEMENT BASIN AT 79TH STREET AND BLANCHARD WAY**

RESOLUTION NO. _____

WHEREAS, as part of the City's MS4 permit, the City desires to remove sediment laden with polycyclic aromatic hydrocarbon (PAH) contaminants from a storm water management facility near 79th Street and Blanchard Way as part of City Project No. 2012-15; and

WHEREAS, in order to improve the water quality and remove sediment with level 3 PAHs to a landfill, the City is seeking an MPCA Environmental Assistance Grant for the excavation, transportation and disposal of sediments in the storm water management basin; and

WHEREAS, the City and the Minnesota Pollution Control Agency have worked as partners in developing a concept for City Project No. 2012-15; and

WHEREAS, the City prepared an application to the MPCA requesting a grant in the amount of \$75,000 through the MPCA Environmental Assistance Grant, General Application Program following an MPCA review of the original application; and

WHEREAS, the City has agreed to provide its share of matching funds by providing the engineering services of the City Engineering Division and its consultant (Barr Engineering) and construction funding, up to an estimated value of \$83,200.

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

1. The City Council authorizes the Mayor to execute the MPCA Environmental Assistance Grant Agreement to fund construction of City Project No. 2012-15 – Sediment Removal from Water Management Basin at 79th Street and Blanchard Way Storm Water Management Basin using the MPCA Environmental Assistance Grant and the City Storm Water Utility Funds.

Adopted by the City Council this 10th day of September 2012

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

STATE OF MINNESOTA
ENVIRONMENTAL ASSISTANCE GRANT PROGRAM
GRANT AGREEMENT

This Grant Agreement is between the State of Minnesota, acting through its Commissioner of the MINNESOTA POLLUTION CONTROL AGENCY, 520 Lafayette Road No., St. Paul, MN 55155 ("State" or "MPCA") and the CITY OF INVER GROVE HEIGHTS, 8150 Barbara Avenue, Inver Grove Heights, MN 55077 ("Grantee").

Recitals

1. WHEREAS, the STATE, pursuant to Minn. Stat. § 115A.0716 and Minn. Rules Parts 9210.0800 - 9210.0855, administers an Environmental Assistance Grant Program and is empowered to enter into this Grant Agreement; and
2. WHEREAS, the City of Inver Grove Heights applied to the MPCA for an Environmental Assistance Grant to remove PAH contaminated sediment from the 79th Street Pond. Approximately 2,300 cubic yards of sediment will be dredged and disposed of at the Pine Bend Landfill located in the City of Inver Grove Heights; and
3. WHEREAS, after reviewing the full proposal and all supplemental documentation submitted by the Grantee, it was found that the application satisfied the requirements of Minn. Stat. § 115A.0716 and Minn. Rules Parts 9210.0800 - 9210.0855; and
4. WHEREAS, the Grantee has been approved for a one-time grant award in an amount not to exceed Seventy Five Thousand Nine Hundred Ninety One Dollars and Four Cents (\$75,991.04); and
5. WHEREAS, the Grantee represents that it is duly qualified and agrees to perform all services described in this Grant Agreement to the satisfaction of the State.
6. NOW THEREFORE, the MPCA and the Inver Grove Heights enter into this Grant Agreement (Agreement) and agree as follows:

1. **TERMS OF AGREEMENT**

1.1 Effective Date: September 20, 2012 or the date the State obtains all required signatures under Minnesota Statutes Section 16C.05, subdivision 2, whichever is later. The Grantee must not begin work under this Agreement until the Agreement is fully executed and the Grantee has been notified by the State's Authorized Representative to begin work.

1.2 Expiration Date: June 30, 2014 or until all obligations have been satisfactorily fulfilled, whichever occurs first.

1.3 Survival of Terms: The following Parts of this Agreement shall survive the expiration or cancellation of this Agreement: Governing Law, Jurisdiction, and Venue; Publicity and Endorsement; State Audits; Indemnification; Government Data Practices and Intellectual Property; and Data Disclosure.

2. **GRANTEE'S DUTIES**

The Grantee, who is not a State employee, is obligated and expressly agrees to undertake and complete the Project as described in Grantee's Final Application and supplemental documentation related thereto (on file at the MPCA and incorporated into this Agreement by reference) in the time and manner set forth in the project Work Plan and Budget (**Attachment A**) and in accordance with the requirements of this Agreement. The Work Plan and Budget in Attachment A shall, if in conflict with those described in the Grantee's application, supersede those parts of Grantee's application. Grantee shall make no changes in the tasks or schedules set forth in Attachment A without the written consent of the MPCA as provided under the Amendments and Change Orders part of this Agreement, as applicable.

3. **TIME**

The Grantee must comply with all the time requirements described in this Agreement. In the performance of this Agreement, time is of the essence.

4. **GOVERNING LAW, JURISDICTION, AND VENUE**

Minnesota law, without regard to its choice-of-law provisions, governs this Agreement. Venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota. All representations made by the Grantee to induce the MPCA to award this Grant constitute material representations of fact upon which the MPCA relied in awarding this Grant and entering into this Agreement.

5. **AUTHORIZED REPRESENTATIVES**

For purposes of administering this Agreement, the State's Authorized Representative is **Don Berger**, MPCA, 520 Lafayette Road No., St. Paul, MN 55155 at 651-757-2223 or Donald.Berger@state.mn.us, and the Grantee's Authorized Representative is **Tom Kaldunski**, City Engineer, City of Inver Grove Heights, 8150 Barbara Avenue, Inver Grove Heights, MN 55077 at tkaldunski@invergroveheights.org or 651-450-2572. To the extent possible, communication between the parties shall be made through the authorized representatives. The parties may substitute authorized representatives, as necessary, by written notification to each other.

6. **ASSIGNMENT, WAIVER, AND AGREEMENT COMPLETE**

6.1 Assignment. The Grantee may neither assign nor transfer any rights or obligations under this Agreement without the prior consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties, or their successors in office, who approved and executed this Agreement. In the event that the Grantee becomes aware that there will be a change in its ownership or control, the Grantee shall promptly notify the State's Authorized Representative, in writing, of the pending change.

6.2 Waiver. If the State fails to enforce any provision of this Agreement, that failure does not waive the provision or the right to enforce it.

6.3 Agreement Complete. This Agreement contains all negotiations and agreements between the State and the Grantee. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

7. **AUTHORITY TO CONTRACT**

To the extent specified in **Attachment A**, Grantee is authorized to enter into agreements needed to complete the work specified in this Agreement. Before using any contractor other than those specified in Attachment A to complete work specified in this Agreement, Grantee must first obtain the written consent of the State's Authorized Representative.

8. **CONSIDERATION**

The MPCA will pay for all services performed by the Grantee under this Agreement as follows:

8.1 Compensation. The Grantee will be paid according to the breakdown of costs contained in **Attachment A**, which is attached and incorporated into this Agreement.

8.2 Travel Expenses. Reimbursement for travel and subsistence expenses actually and necessarily incurred by the Grantee as a result of this Agreement will be in the same manner and in no greater amount than provided in the current "Commissioner's Plan" promulgated by the commissioner of Minnesota Management and Budget which is incorporated into this Agreement by reference. The Grantee will not be reimbursed for travel and subsistence expenses incurred outside Minnesota unless it is provided for in Attachment A, or Grantee has received the State's prior written approval for such out of state travel. Minnesota will be considered the home state for determining whether travel is out of state.

8.3 Total Obligation. The total obligation of the State for all compensation and reimbursements to the Grantee under this Agreement will not exceed **Seventy Five Thousand Nine Hundred Ninety One Dollars and Four Cents (\$75,991.04)**.

9. **PROJECT FUNDING AND DISBURSEMENTS**

9.1 Condition of Payment. All services provided by the Grantee under this Agreement must be performed to the MPCA's satisfaction, as determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law. Disbursements shall not be construed as a waiver by the State of any authority it may have to remedy Grantee's noncompliance with this Agreement.

- A. The MPCA shall disburse to the Grantee a maximum total of **Seventy Five Thousand Nine Hundred Ninety One Dollars and Four Cents (\$75,991.04)** or fifty percent (50%) of the total project costs incurred by the Grantee, whichever is less. Unless the Grantee advises the MPCA to the contrary, in writing, all disbursements by the MPCA shall be made to Grantee at the following address:

City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077
Tom Kaldunski: 651-450-2572

- B. The MPCA shall reimburse the Grantee for only those expenditures incurred during the Term of this Agreement or at the time of the MPCA approval of the final project report, whichever occurs first. No funds shall be disbursed by the MPCA in the absence of adequate documentation as determined by the MPCA. Grant funds shall be disbursed as follows:
1. The MPCA shall make the first disbursement of funds only after confirming the Grantee's submission of documentation evidencing the commitment of matching funds necessary to fund the entire Project. At that time, the MPCA shall disburse up to **Eighty percent (80%)** of the Grant funds within thirty (30) days after the MPCA approves the documentation; and
 2. To be eligible for disbursement beyond eighty percent (80%), the Grantee must submit a Final Report, inclusive of change orders/amendments and budget expenditures. The MPCA shall disburse up to the remaining **Twenty percent (20%)** of the funds within thirty (30) days after the MPCA approves the Final Report. Grantee must submit an itemized list of expenditures as part of the final report, and if requested, Grantee must submit receipts for each non-salary expense category which in aggregate is \$500 or more. The Final Report must demonstrate that the monies claimed conform to the Project budget as specified in Attachment A and will not exceed the total Grant award.

9.2 Grantee Commitment of Financing

- A. Grantee shall provide matching funds necessary for the completion of the Project of not less than Fifty percent (50%) of total project costs.
- B. Grantee shall ensure that sufficient funding is available to the Project to assure its satisfactory completion. Grantee shall not reduce the monetary amount it has committed to the Project through its own or other funds, as specified in Attachment A, without written consent of the MPCA.
- C. Grantee shall bear the sole responsibility for cost overruns in completing this Project.

10. USE OF GRANT FUNDS AND REPAYMENT OF GRANT

1. Grantee shall use Grant funds solely for eligible costs, as defined in Minn. Rules Parts 9210.0800 - 9210.0855 and as identified in Attachment A.
2. Grantee shall use Grant funds solely for eligible costs incurred within the term of this Agreement.
3. The MPCA has determined the amount of the Grant award to the Grantee based on the Grantee's estimate of eligible costs. If at the conclusion of the Agreement it is determined that the MPCA's contribution to the Project costs exceeds the specified percentage of eligible costs, the Grantee shall promptly return to the MPCA the difference between the disbursed funds and the percentage of eligible costs authorized under this Agreement.
4. Grantee shall reimburse the State, upon demand, for the following:
 1. Any amounts paid by the State for which the Grantee's books, records and other documents are not sufficient to substantiate that those amounts were used by the Grantee to perform the Project.

2. Any amounts received by Grantee from the State for Project costs which have been inaccurately reported.
3. Any amounts paid by the Grantee to a Contractor not authorized in writing by the State.
4. Any amount paid by the State for Project costs which either duplicate costs covered by other specific Grants or Agreements, or costs determined by the State as ineligible.
5. Any amount identified as a financial audit exception.

11. EQUIPMENT (if applicable)

The Grantee must use equipment purchased under this Agreement for as long as it is needed for the Project and must not encumber the equipment. If Grantee ceases to use any equipment purchased for the Project under this Agreement during the term of this Agreement, Grantee must sell the equipment for fair market value and reimburse the State fifty percent (50%) of the sale proceeds or, if the State's commitment of funding to the Project is less than fifty percent (50%), reimburse the State the percentage of the sale proceeds that equal the State's commitment of funding to the Project. If the equipment cannot be sold, Grantee must obtain MPCA's written approval for appropriate disposition of the equipment.

12. COMPLIANCE WITH THE LAW

The Grantee shall conduct the Project in compliance with all applicable provisions of federal, state, and local laws.

13. PREVAILING WAGE (if applicable)

It is the Grantee's or subcontractor's responsibility to pay prevailing wages on construction projects which State and Federal prevailing wage laws apply. All laborers and mechanics employed by grantee and subcontractors funded directly or assisted in whole or in part with funding under this grant shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor (DOL) in accordance with subchapter IV of chapter 31 of title 40, United States Code. If the Contractor has any questions about the application of prevailing wage rates, the Contractor should call the Minnesota Department of Labor and Industry (DOLI) at 651-284-5091. The Grantee is solely responsible for payment of all required Prevailing Wage rates.

14. PERMITS AND APPROVALS

The Grantee and Grantee's agents shall obtain all federal, state and local permits, licenses and authorizations necessary to implement and operate the Project.

15. REPORTING REQUIREMENTS (Attachments B)

All reporting must be provided to the MPCA's Authorized Representative. **All reporting must be electronically submitted and must follow the format of the Final Report (Attachment B)** which incorporates the approved project Work Plan and Budget (Attachment A). In accordance with Minnesota Session Laws 2009, chap. 37, sec 3, information provided by the Grantee on project expenditures and measurable outcomes will be posted on the MPCA's Web site. Grantees with active

Web sites must either post the information on their Web site as well, or make reference to the MPCA Web site.

15.1 Monthly Reports. The Grantee shall, if requested by the MPCA's Authorized Representative, provide an oral or written monthly update on the progress of the Project. These requested updates may require such information as tasks accomplished, financial expenditures, and other information deemed necessary by the MPCA's Authorized Representative.

15.2 Final Report (Attachment B)

1. **Final Report.** Within thirty (30) days after completion of tasks as specified in Attachment A, Grantee shall submit a final report to the MPCA. The Final Report shall describe, in detail, the history of and conclusions reached from implementing the Project, the technical and economic feasibility of the Project, and the total expenses incurred in implementing the Project.

If the Project is terminated prior to the scheduled completion, the Final Report shall also discuss the conclusions that led to the termination of the Project, results achieved on all tasks completed and recommendations on how these results could be used in future projects.

If the MPCA determines that the information submitted in the Final Report is inadequate, the Grantee shall prepare and submit additional information reasonably requested by the MPCA. The Final Report shall not be approved by the MPCA and final payment shall not be disbursed unless the Report contains the specified information to the satisfaction of the MPCA.

15.3 Treatment of Data. All data (information) related to this Project and Agreement that is maintained by the MPCA is public unless the Minnesota Data Practices Act, Minn Stat. ch.13, or other applicable state or federal law provides otherwise. Grantee shall use its best efforts to provide all information required to be submitted to the MPCA in a form which can be released as public information. Grantee shall use its best efforts to prepare reports and other information without disclosing trade secret or sales information. If Grantee determines that it must disclose trade secret or sales information and Grantee wishes to keep that information from being subject to disclosure under the law, Grantee shall do the following:

- 1) In its report, Grantee shall segregate all information Grantee believes to not be subject to disclosure under the law from all other information.
- 2) Grantee shall submit a written request for the information to be treated as not subject to disclosure under the law, citing the reasons for such treatment. Grantee shall submit the request to the MPCA at the same time it submits the report containing the information in question.

The MPCA shall not consider a request to treat data as not subject to disclosure under the law unless it is made in accordance with the above two requirements. If a request is made in accordance with the above requirements, the MPCA shall promptly determine whether the information qualifies for nonpublic or private data treatment under Minn. Stat. §§ 13.37 and 115A.06. If the MPCA determines that the information may be treated as nonpublic or private data, the MPCA shall use its best efforts to treat the information accordingly.

16. AMENDMENTS and CHANGE ORDERS

16.1 Amendments. Any amendments to this Agreement must be in writing and will not be effective until it has been approved and executed by the same parties, or their successors in office, who approved and executed the original Agreement. A written amendment is required for requests of changes in the overall scope of the project, extensions beyond the term of the Agreement, and/or increases in the amount of the Agreement.

16.2 Change Orders. Requests for work plan or line item budget changes must be in writing. If the State's or Grantee's Authorized Representative identifies minor changes needed in the work plan or budget, either party may initiate a Change Order. The Change Order must be approved by both the Grantee and State Authorized Representatives. The State's Authorized Representative may approve work plan and line item budget changes in Attachment A if: (1) the change is requested in a timely manner; (2) good cause exists for the change; (3) the change will not jeopardize the success of the Project or reduce the Grantee's expenditures to an amount less than the required matching amount; (4) the change will not alter the overall scope of the Project; (5) the change will not increase the amount of the Agreement; and (6) requests for work plan time extensions will not cause or necessitate an extension of the term of this Agreement. Change Orders shall become an integral and enforceable part of this Agreement once approved by both the Grantee and State Authorized Representatives.

17. FAILURE TO COMPLY

17.1 Suspension or Termination Failure of Grantee to comply with the terms and conditions of this Agreement shall constitute default under the terms of this Agreement unless the MPCA agrees to an amendment or change order. Upon default, the MPCA may immediately suspend or terminate the Agreement and cease making further disbursements. Upon receipt of written notice of suspension or termination, Grantee shall immediately cease any expenditure of Grant funds and immediately cease incurring any expenditure for which Grant funds would be requested. Grantee shall return, upon demand, all unspent Grant funds disbursed by the MPCA. If the MPCA finds that the default is based on a serious breach of the terms and conditions of this Agreement such as substantial nonperformance of the Project, fraud, theft of funds, or gross negligence in the use of funds, the Grantee shall repay, upon demand, the Grant in full. Upon termination, the Grantee shall summarize in a written report the work completed prior to termination. In addition to termination, the MPCA reserves the right to exercise all other available remedies.

17.2 Notice of Default. In the event of default, the MPCA shall send written notice to Grantee describing Grantee's failure to comply with the terms and conditions of this Agreement. At the MPCA's election, Grantee may be provided an opportunity of not less than seven (7) nor more than thirty (30) days to correct the default. If no response is received by the MPCA within the applicable time period, or if Grantee shall fail to satisfactorily correct the default, the MPCA may immediately terminate the Agreement.

17.3 Response to Notice of Default. The MPCA may agree to amend the terms and conditions of this Agreement if the Grantee submits a written response supported by documentation that establishes that a change order or amendment is justified.

18. TERMINATION

18.1 Termination for Insufficient Funding. The State may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, or other funding sources, or if funding cannot be continued at a level sufficient to allow for the payments provided herein. Termination must be by written notice to the Grantee. The State is not obligated to pay for any costs of the Project that are incurred after the notice and effective date of termination. The State will not be assessed any penalty if the Agreement is terminated because of the decision of the Minnesota Legislature, or other funding sources, to not appropriate funds. The State must provide the Grantee notice of the lack of funding within a reasonable time of the State's receiving that notice.

18.2 Termination by the State. The State or commissioner of Minnesota Management and Budget may cancel this Agreement at any time, with or without cause, upon thirty (30) days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for satisfactory performance of the Project. The State's payment is limited to the State's percentage of unreimbursed eligible Project costs incurred by Grantee.

19. WORKERS' COMPENSATION

The Grantee certifies that it is in compliance with Minn. Stat. § 176.181, subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

20. PUBLICITY AND ENDORSEMENT

20.1 Publicity. Any publicity given to the program, publications, or services provided resulting from this Agreement, including, but not limited to notices, informational pamphlets, press releases, research, reports, signs and similar public notices prepared by or for the GRANTEE or its employees individually or jointly with others or any subcontractors, shall identify the STATE as the sponsoring agency and shall not be released without the written approval of the State's authorized representative. Publication of methods and results derived from this project in theses, academic or professional journals or their presentation at symposia or scholarly meetings is hereby authorized, provided they contain the required acknowledgment of state support and necessary steps have been taken to protect copyright and other intellectual property rights resulting from the project.

20.2 Endorsement. The Grantee must not claim that the State endorses its products or services.

21. HEALTH AND SAFETY

The Grantee is responsible for taking all acts necessary to ensure the health and safety of personnel performing tasks associated with work funded under this Agreement. Contractors shall be responsible for providing insurance to cover risks associated with work performed by Contractors, including, but not limited to, workers' compensation and unemployment insurance.

22. HUMAN RIGHTS, EQUAL EMPLOYMENT OPPORTUNITY, AFFIRMATIVE ACTION

The Grantee, in the conduct of the Project, shall comply with all applicable state and federal laws relating to nondiscrimination, affirmative action, and equal opportunity, now or hereafter enacted and any amendments thereto, including, but not limited to, Minnesota Statutes ch. 363 (the Minnesota

Human Rights Act), Minnesota Statutes § 181.59 (applicable to Agreements for materials, supplies, and construction for or on behalf of the State), and the Americans with Disabilities Act of 1990 (P.L. 100-336).

23. STATE AUDITS

The Grantee shall retain receipts for and maintain detailed records of all expenditures related to this Agreement. When requested by the State's Authorized Representative, the Grantee shall produce all records relevant to work performed under this Agreement, and submit those records to the MPCA. Under Minn. Stat. §16C.05, subd. 5, the Grantee's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Agreement, or as long as requested by the State's Authorized Representative, whichever establishes a greater length of time. In addition, the Grantee shall permit representatives of the State to visit the site of the Project during regular business hours to review the status of the Project and verify expenditures made under this Agreement.

24. INDEMNIFICATION

In the performance of this Agreement by the Grantee, or Grantee's agents or employees, the Grantee must indemnify, save and hold harmless the State, its agents, and employees, from any claims or causes of action, including attorney's fees incurred by the State, to the extent caused by Grantee's:

1. Intentional, willful, or negligent acts or omissions; or
2. Actions that give rise to strict liability; or
3. Breach of contract or warranty.

The indemnification obligations of this section do not apply in the event the claim or cause of action is the result of the State's sole negligence. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligation under this Agreement.

25. GOVERNMENT DATA PRACTICES AND INTELLECTUAL PROPERTY

25.1 Government Data Practices. The Grantee agrees to comply with the Minnesota Government Data Practices Act, Minn. Stat. ch. 13, as it applies to all data provided by the State in accordance with this Agreement and as it applies to all data created, collected, received, stored, used, maintained or disseminated by Grantee in accordance with this Agreement. The civil remedies of Minn. Stat. §13.08 apply to the release of the data referred to in this Part by either the Grantee or the State. In the event the Grantee receives a request to release the data referred to in this Part, the Grantee must immediately notify the State. The State will give the Grantee instructions concerning the release of the data to the requesting party before the data is released.

25.2 Intellectual Property Rights

A. **Rights to Property.** All rights, title, and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks, and service marks in the WORKS and DOCUMENTS created and paid for under this Grant shall be jointly owned by the Grantee and the State. WORKS shall mean all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, and disks conceived, reduced to practice, created or originated by the Grantee, its employees, agents, and Contractors, either individually or jointly with others in the

performance of this Agreement. WORKS shall include "DOCUMENTS." DOCUMENTS are the originals of any databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks, or other materials, whether in tangible or electronic forms, prepared by the Grantee, its employees, agents, or contractors, in the performance of this Agreement. The ownership interests of the State and the Grantee in the WORKS and DOCUMENTS shall equal the ratio of each party's contributions to the total costs described in the budget of this Agreement, except that the State's ownership interests in the WORKS and DOCUMENTS shall not be less than Fifty percent (50%). The parties' ownership interest in the WORKS and DOCUMENTS shall not be reduced by any royalties or revenues received from the sales of the products or the licensing or other activities arising from the use of the WORKS and DOCUMENTS. Each party hereto shall, at the request of the other, execute all papers and perform all other acts necessary to transfer or record the appropriate ownership interests in the WORKS and DOCUMENTS.

B. Obligations

1. Notification. Whenever any invention, improvement, or discovery (whether or not patentable) is made or conceived for the first time or actually or constructively reduced to practice by the Grantee, including its employees and contractors, in the performance of this Agreement, the Grantee shall immediately give the State's Authorized Representative written notice thereof, and shall promptly furnish the Authorized Representative with complete information and/or disclosure thereon. All decisions regarding the filing of patent, copyright, trademark or service mark applications and/or registrations shall be the joint decision of the Grantee and the State, and costs for such applications shall be divided as agreed by the parties at the time of the filing decisions. In the event the parties cannot agree on said filing decisions, the filing decision will be made by the State.

2. Representation. The Grantee shall perform all acts, and take all steps, necessary to ensure that all intellectual property rights in the WORKS and DOCUMENTS are the sole property of the Grantee and the State, as agreed herein, and that no Grantee employee, agent, or contractor retains any interest in and to the WORKS and DOCUMENTS. The Grantee represents and warrants that the WORKS and DOCUMENTS do not and shall not infringe upon any intellectual property rights of other persons or entities. The Grantee shall indemnify, defend, to the extent permitted by the attorney general, and hold harmless the State, at the Grantee's expense, from any action or claim brought against the State to the extent that it is based on a claim that all or parts of the WORKS or DOCUMENTS infringe upon the intellectual property rights of others. The Grantee shall be responsible for payment of any and all such claims, demands, obligations, liabilities, costs, and damages including, but not limited to, attorney's fees. If such a claim or action arises, or in the Grantee's or the State's opinion is likely to arise, the Grantee shall, at the State's discretion, either procure for the State the right or license to use the intellectual property rights at issue or replace or modify the allegedly infringing WORKS or DOCUMENTS as necessary and appropriate to obviate the infringement claim. This remedy of the State shall be in addition to, and not exclusive of, other remedies provided by law.

C. Uses of the WORKS and DOCUMENTS. The State and Grantee shall jointly have the right to make, have made, reproduce, modify, distribute, perform, and otherwise use the works, including documents, produced under this Agreement for non-commercial research, scholarly work, government purposes, and other non-commercial purposes without payment or accounting to the other party. No commercial development, manufacture, marketing, reproduction, distribution, sales

or licensing of the WORKS, including DOCUMENTS, shall be authorized without a future written contractual agreement between the parties.

D. Possession of DOCUMENTS. The DOCUMENTS may remain in the possession of the Grantee. The State may inspect any of the DOCUMENTS at any reasonable time. The Grantee shall provide a copy of the DOCUMENTS to the State without cost upon the request of the State.

E. Reversion of Rights. All rights or title to any intellectual property arising from the performance of the Project that are vested in Grantee shall revert to the State under any of the following circumstances unless Grantee repays to the State those funds provided by the State under this Agreement within ninety (90) days of receipt of a notice in writing from the State of a claim under this paragraph:

1. Grantee fails or is unable to market in Minnesota a product, process or service resulting from the Project successfully within one year of the expiration of this Agreement, unless Grantee is continuing to make good faith efforts to bring the product, process or service to market; or

2. Grantee dissolves, becomes inoperative or abandons the intellectual property resulting from the Project.

3. Grantee shall execute all documents necessary for the reversion and transfer of ownership of the intellectual property rights to the State.

F. Damages. If Grantee acts in a manner inconsistent with this Part, the State may seek damages from Grantee. This clause is not intended to stand in lieu of any other remedy the State may have for breach of Agreement of this or any other term of this Agreement.

26. DATA DISCLOSURE

Under Minn. Stat. § 270C.65, subd. 3, and other applicable law, the Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement intending to be bound thereby.

APPROVED:

1. STATE ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Stat. §§ 16A.15 and 16C.05.

Signed: _____

Date: _____

SWIFT Contract No. _____

Purchase Order No. _____

2. CITY OF INVER GROVE HEIGHTS

The Grantee certifies that the appropriate person(s) has executed the Agreement on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances (attached).

By: _____

Title: _____

Date: _____

3. MINNESOTA POLLUTION CONTROL AGENCY

By: _____
(with delegated authority)

Title: _____

Date: _____

-Need Executed Resolution-

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution Ratifying the Submittal of a MPCA Environmental Assistance Grant Application for the Construction of City Project No. 2012-15 - Sediment Removal Project Storm Water Management Basin at 79th Street and Blanchard Way

Meeting Date: June 25, 2012
 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

	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, MPCA Environmental Assistance Grant

PURPOSE/ACTION REQUESTED

Consider a resolution ratifying the submittal of a MPCA Environmental Assistance Grant Application to the Minnesota Pollution Control Agency (MPCA) to secure funding for portions of City Project No. 2012-15 – Sediment Removal Project Storm Water Management Basin at 79th Street and Blanchard Way.

SUMMARY

The City of Inver Grove Heights and the MPCA have been working together to improve water quality related to the discharge of urban storm water runoff into the Mississippi River. The City is working toward compliance with its MS4 permit and the MPCA non-degradation guidelines for the Mississippi River. Our MS4 inspection program has identified a storm water basin with polycyclic aromatic hydrocarbons (PAHs). The MPCA has a grant program to help cities with the cost of removal of Level 3 PAH-laden sediments from storm water ponds.

A cost estimate has been prepared for the removal of sediment from the storm water pond at 79th Street and Blanchard Way (see attached). The City is eligible to apply for this grant because it adopted an ordinance prohibiting the use of coal tar-based sealer.

The program requires the City to provide cost matching of at least 50% of the construction costs. The total sediment removal project cost is estimated at \$470,000. The City will be applying for \$100,000 grant to conduct a partial removal within a \$150,000 budget. A concept plan for the basin sediment removal is also attached. The City's match for the construction will be fulfilled by providing an up to \$50,000, including value of the City engineering and construction services.

A copy of the MPCA grant application is attached. It consists of a grant narrative illustrating the project and grant request, applicant information, a funding source detail spreadsheet and a budget spreadsheet.

It is recommended that the City Council approve the resolution ratifying the submittal of the grant application to MPCA. Staff submitted the application to meet the June 14, 2012 deadline. The City will

SWIFT#: _____
FY2012-13 ID#: 1746
Award: \$75,199.04
City of Inver Grove Heights

be told if we are successful by the end of 2012. Final design would start at that time, with a tentative construction start in the spring of 2013. The grant requires project completion by the end of 2013.

TJK/kf

Attachments: Resolution
 Concept Plan
 MPCA Grant Application
 City estimate

DRAFT

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION RATIFYING THE SUBMITTAL OF MPCA ENVIRONMENTAL ASSISTANCE GRANT
APPLICATION FOR THE CONSTRUCTION OF CITY PROJECT NO. 2012-15 – SEDIMENT REMOVAL
FROM WATER MANAGEMENT BASIN AT 79TH STREET AND BLANCHARD WAY

RESOLUTION NO. _____

WHEREAS, as part of the City's MS4 permit, the City desires to remove sediment laden with polycyclic aromatic hydrocarbon (PAH) contaminants from a storm water management facility near 79th Street and Blanchard Way as part of City Project No. 2012-15; and

WHEREAS, in order to improve the water quality and remove sediment with level 3 PAHs to a landfill, the City Council is seeking an MPCA Environmental Assistance Grant for the excavation of sediments in the storm water management basin; and

WHEREAS, the City and the Minnesota Pollution Control Agency have worked as partners in developing a concept for City Project No. 2012-15; and

WHEREAS, the City and the Barr Engineering have jointly prepared an application to the MPCA requesting a grant in the amount of \$100,000 through the MPCA Environmental Assistance Grant, General Application Program; and

WHEREAS, the City has agreed to provide its share of matching funds by providing the engineering services of the City Engineering Division and its consultant (Barr Engineering) and construction funding, up to \$50,000 in value.

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

1. The City Council ratifies the City Engineer's submittal of a grant application seeking funds to construct City Project No. 2012-15 – Sediment Removal from Water Management Basin at 79th Street and Blanchard Way Storm Water Management Basin to the MPCA Environmental Assistance Grant Program.

Adopted by the City Council this 25th day of June, 2012.

AYES:
NAYS:

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy Clerk

GRANT AGREEMENT ATTACHMENTS

ATTACHMENT A: Project Work Plan and Budget

- Focus Area/Preferred Project
- Goal Statement
- Project Description
- Work Plan/Budget Summary

ATTACHMENT B: REPORTING

- Final Work Plan/Budget/Expenditures Report
- Change Orders/Amendments

ATTACHMENT A

Project Work Plan and Budget

Project Title: 79th Street Pond, PAH Contaminated Sediment Removal

- **Focus Area 1C:** Polycyclic Aromatic Hydrocarbons (PAH) Contaminated Stormwater Pond Sediment
- **Preferred project proposal 1C1:** Removal and management of stormwater pond sediments contaminated with PAH.
- **Goal Statement:** the Legislature (Minnesota Session Laws 2009, Chapter 172, Article 2, Section 4, and Minnesota Session Laws 2010, Chapter 361, Article 2, Section 4) appropriated funding for grants to municipalities for implementation of best management practices in treating or cleaning up contaminated sediments in stormwater ponds or other waters of the state. Funding is limited to municipalities that have adopted ordinances for the restricted use of undiluted coal tar sealants.
- **Project Description:** The city needs to remove sediment from the 79th Street Pond because accumulated sediment is causing runoff to back up into the storm sewer system. The City plans to dredge approximately 2,300 cubic yards of sediment from the Pond and will dispose of the contaminated sediments at the Pine Bend Landfill located in the City of Inver Grove Heights.

Work Plan and Budget Summary

Anticipated timeline/schedule of work

General Contractor

-company name, address, contact name/phone/email

Subcontractor

-company name, address, contact name/phone/email

City staff responsible for project oversight

- contact name/phone/email

Disposal location

Pine Bend Sanitary Landfill
 Inver Grove Heights, MN 55077

<u>Item</u>	<u>Unit</u>	<u>Est. Qty</u>	<u>Unit Price</u>	<u>Estimated Total Amount</u>	<u>Estimated Grant Amount</u>	<u>Estimated Match Amount</u>
1. MOBILIZATION	LS	1.00	\$ 5,000.00	\$ 5,000.00		
2. CLEARING	ACRE	0.50	\$15,000.00	\$ 7,500.00		
3. GRUBBING	ACRE	0.50	\$15,000.00	\$ 7,500.00		
4. REMOVE EXISTING 15" RC APRON	EA	1.00	\$ 300.00	\$ 300.00		
5. COMMON EXCAVATION (P)	CY	500.00	\$ 10.00	\$ 5,000.00		
6. EXCAVATE, HAUL, AND DISPOSE OF CONTAMINATED MATERIAL (EV)	CY	2,150.00	\$ 35.00	\$ 75,250.00		
7. SELECT TOPSOIL BORROW (LV)	CY	100.00	\$ 20.00	\$ 2,000.00		

SWIFT#: _____
 FY2012-13 ID#: 1746
 Award: \$75,199.04
 City of Inver Grove Heights

8. STREET SWEEPER WITH PICKUP BROOM	HR	20.00	\$ 100.00	\$ 2,000.00		
9. AGGREGATE BASE CLASS 5	TON	100.00	\$ 15.00	\$ 1,500.00		
10. CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	EA	2.00	\$ 4,000.00	\$ 8,000.00		
11. 15" RC PIPE APRON	EA	1.00	\$ 2,000.00	\$ 2,000.00		
12. 15" RC PIPE SEWER DESIGN 3006 CLASS III	LF	106.00	\$ 40.00	\$ 4,240.00		
13. CONNECT TO EXISTING STORM SEWER	EA	1.00	\$ 300.00	\$ 300.00		
14. RANDOM RIPRAP - CLASS IV	CY	35.00	\$ 70.00	\$ 2,450.00		
15. STORM DRAIN INLET PROTECTION	EA	4.00	\$ 100.00	\$ 400.00		
16. FILTER LOG, TYPE COMPOST	LF	1,000.00	\$ 3.00	\$ 3,000.00		
17. EROSION CONTROL SUPERVISOR	EA	1.00	\$ 1,000.00	\$ 1,000.00		
18. NATIVE SEED MIX	LB	65.00	\$ 35.00	\$ 2,275.00		
19. EROSION STABILIZATION MAT	SY	150.00	\$ 17.00	\$ 2,550.00		
20. BLOWN COMPOST WITH NATIVE SEED MIX	SY	150.00	\$ 3.00	\$ 450.00		
			Total	\$ 132,715.00		
TOTAL CONSTRUCTION COST				\$ 132,715.00		
10% CONSTRUCTION CONTINGENCY				\$ 13,272.00		
			\$ 23,197.00	\$ 23,197.00		
TOTAL PROJECT COST				\$169,184.00		
Estimated Expenditures: EA Grant: \$75,991.04 Match: \$83,192.96 Total: \$169,184						

ATTACHMENT B FINAL REPORT

Project Title: 79th Street Pond, PAH Contaminated Sediment Removal

- **Focus Area 1C:** Polycyclic Aromatic Hydrocarbons (PAH) Contaminated Stormwater Pond Sediment
- **Preferred project proposal 1C1:** Removal and management of stormwater pond sediments contaminated with PAH.
- **Goal Statement:** the Legislature (Minnesota Session Laws 2009, Chapter 172, Article 2, Section 4, and Minnesota Session Laws 2010, Chapter 361, Article 2, Section 4) appropriated funding for grants to municipalities for implementation of best management practices in treating or cleaning up contaminated sediments in stormwater ponds or other waters of the state. Funding is limited to municipalities that have adopted ordinances for the restricted use of undiluted coal tar sealants.
- **Project Description:** The city needs to remove sediment from the 79th Street Pond because accumulated sediment is causing runoff to back up into the storm sewer system. The City plans to dredge approximately 2,300 cubic yards of sediment from the Pond and will dispose of the contaminated sediments at the Pine Bend Landfill located in the City of Inver Grove Heights.

Work Plan/Budget/Expenditures Report

<u>Item</u>	<u>Unit</u>	<u>Est. Qty</u>	<u>Unit Price</u>	<u>Estimated Total Amount</u>	<u>Actual Grant Amt</u>	<u>Actual Match Amt</u>	<u>Actual Total Amount</u>
1. MOBILIZATION	LS	1.00	\$ 5,000.00	\$ 5,000.00			
2. CLEARING	ACRE	0.50	\$15,000.00	\$ 7,500.00			
3. GRUBBING	ACRE	0.50	\$15,000.00	\$ 7,500.00			
4. REMOVE EXISTING 15" RC APRON	EA	1.00	\$ 300.00	\$ 300.00			
5. COMMON EXCAVATION (P)	CY	500.00	\$ 10.00	\$ 5,000.00			
6. EXCAVATE, HAUL, AND DISPOSE OF CONTAMINATED MATERIAL (EV)	CY	2,150.00	\$ 35.00	\$ 75,250.00			
7. SELECT TOPSOIL BORROW (LV)	CY	100.00	\$ 20.00	\$ 2,000.00			
8. STREET SWEEPER WITH PICKUP BROOM	HR	20.00	\$ 100.00	\$ 2,000.00			
9. AGGREGATE BASE CLASS 5	TON	100.00	\$ 15.00	\$ 1,500.00			
10. CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	EA	2.00	\$ 4,000.00	\$ 8,000.00			
11. 15" RC PIPE APRON	EA	1.00	\$ 2,000.00	\$ 2,000.00			
12. 15" RC PIPE SEWER DESIGN 3006 CLASS III	LF	106.00	\$ 40.00	\$ 4,240.00			

SWIFT#: _____
 FY2012-13 ID#: 1746
 Award: \$75,199.04
 City of Inver Grove Heights

13. CONNECT TO EXISTING STORM SEWER	EA	1.00	\$ 300.00	\$ 300.00			
14. RANDOM RIPRAP - CLASS IV	CY	35.00	\$ 70.00	\$ 2,450.00			
15. STORM DRAIN INLET PROTECTION	EA	4.00	\$ 100.00	\$ 400.00			
16. FILTER LOG, TYPE COMPOST	LF	1,000.00	\$ 3.00	\$ 3,000.00			
17. EROSION CONTROL SUPERVISOR	EA	1.00	\$ 1,000.00	\$ 1,000.00			
18. NATIVE SEED MIX	LB	65.00	\$ 35.00	\$ 2,275.00			
19. EROSION STABILIZATION MAT	SY	150.00	\$ 17.00	\$ 2,550.00			
20. BLOWN COMPOST WITH NATIVE SEED MIX	SY	150.00	\$ 3.00	\$ 450.00			
			Total	\$ 132,715.00			
TOTAL CONSTRUCTION COST				\$ 132,715.00			
10% CONSTRUCTION CONTINGENCY				\$ 13,272.00			
				20% LEAF	\$ 23,197.00		
TOTAL PROJECT COST				\$ 169,184.00			

Estimated Expenditures: EA Grant: \$75,991.04 Match: \$83,192.96 Total: \$169,184

Actual Expenditures: EA Grant: \$ _____ Match: \$ _____ Total: _____

Date: _____ Project Summary: _____

ATTACHMENT B (continued)
Change Orders/Amendments

No, there have been no formal or informal changes/amendments to the Agreement or the Project Work Plan and Budget as outlined in Attachment A.

Yes, there have been formal and/or informal changes/amendments to the Agreement and/or the Project Work Plan and Budget as outlined in Attachment A.

If yes, complete the following record of change orders/amendments. In addition to being electronically submitted as part of the Report, this page must be signed and faxed (651/215-0246) or mailed to the MPCA's Authorized Representative.

#	Date Requested	Requested By	Date Approved	Approved By	Objective Impacted	Description of and Reason for the change/amendment
1						
2						
3						
4						
5						

SIGNATURES:

The signatures below authorize the Grantee to proceed with the items identified above:

Grantee's Authorized Representative: _____ Date _____

MPCA's Authorized Representative: _____ Date _____

Any major change to the Agreement (i.e., project scope, timeline beyond Agreement expiration date, etc.) must be requested and executed as a formal Amendment (requiring execution by all parties). Formal Amendments are prepared for processing by the MPCA's Authorized Representative and must be executed prior to implementation of requested changes.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution Authorizing the Submittal of a Clean Water Fund Application for the Construction of City Project No. 2011-02 – Concord Boulevard Storm Water Management Basin at 78th Street

Meeting Date: September 10, 2012
 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

SST

	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, SWCD Clean Water Grants Revolving Improvement Fund

PURPOSE/ACTION REQUESTED

Consider a resolution authorizing the submittal of a Clean Water Fund Grant Application to the Board of Water and Soil Resources (BWSR) to secure construction funding for City Project No. 2011-02 - Concord Boulevard Storm Water Management Basin at 78th Street for the 2013 Grant Program.

SUMMARY

The City of Inver Grove Heights and the Dakota County SWCD have been working together to improve water quality related to the discharge of urban storm water runoff into the Mississippi River. The City is working toward compliance with its MS4 permit and the MPCA non-degradation guidelines for the Mississippi River. The SWCD has identified grant funding for the City for storm water facility improvements.

On April 11, 2011, the City Council accepted a feasibility study for the construction of a storm water management basin near the intersection of 78th Street and Concord Boulevard – City Project No. 2011-02. The cost estimate has been updated for the construction of a wet basin that will meet National Urban Runoff Protection (NURP) standards. A NURP pond will be the most effective storm water facility at this location, per the SWCD. It will provide the greatest reduction in pollutants (total suspended solids and total phosphorus), add storage volume to the system and provide an aesthetic vegetative perimeter.

The City applied for a grant in 2012 for this project. It is a competitive grant program and the City did not make it to the funding levels in fiscal year 2012 for several items such as:

- 1) The City site acquisition was not completed
- 2) The local water plan did not include the project
- 2) The cost of pollutant removal was on the higher end

These items have been addressed in the 2013 fiscal year grant application as follows:

- 1) The site acquisition was completed in August 2012
- 2) The City and LMRWMO have approved an addendum to the local water plan to include this project and others
- 3) The treatment basin has been modified to a five foot deep NURP basin with an iron filtration trench along the edge of the basin. This reduced the project cost and increased the efficiency of removing soluble phosphorous making the project more competitive

The program requires the City to provide cost matching of at least 25% of the construction costs. The project cost is estimated at \$384,524. This includes the construction cost estimate and land values. The City's match for the construction will be fulfilled by the site acquisition (estimated value of \$60,500) plus the City Engineering and Construction Services (estimate of \$65,744) for a total of \$126,244.

A copy of the grant application is also attached. It consists of a grant narrative illustrating the project and grant request, applicant information, a funding source detail spreadsheet and a budget spreadsheet.

It is recommended that the City Council authorize submittal of the grant application to BSWR before the September 14, 2012 deadline. The City will be told if we are successful by the end of 2012. Final design would start in early 2013 with a tentative construction start in the spring of 2013. Completion could take until the end of 2014, if needed.

TJK/kf

Attachments: Resolution
Grant application
Location map

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

**RESOLUTION AUTHORIZING THE SUBMITTAL OF A 2013 CLEAN WATER FUND APPLICATION
FOR THE CONSTRUCTION OF CITY PROJECT NO. 2011-02 – CONCORD BOULEVARD STORM
WATER MANAGEMENT BASIN AT 78TH STREET**

RESOLUTION NO. _____

WHEREAS, as part of the City's MS4 permit, the City desires to construct a storm water management facility near 78th Street and Concord Boulevard as part of City Project No. 2011-02 – Concord Boulevard Storm Water Management Basin; and

WHEREAS, in order to improve the water quality, the City Council ordered and received a feasibility study for the construction of the storm water management basin; and

WHEREAS, the City and the Dakota County Soil & Water Conservation District (SWCD) have worked as partners in developing City Project No. 2011-02; and

WHEREAS, the City and the SWCD have jointly prepared an application to the Board of Water and Soil Resources (BWSR) requesting a 2013 grant in the amount of \$250,855 through the BWSR Clean Water Assistance (CWA) Grant, General Application Program for fiscal year 2013; and

WHEREAS, the City has agreed to provide its share of matching funds by purchasing the site and providing the engineering services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Inver Grove Heights that:

1. The City Engineer is authorized to submit a 2013 grant application seeking funds to construct City Project No. 2011-02 – Concord Boulevard Storm Water Management Basin to the BWSR Clean Water Assistance Grant Program.

Adopted by the City Council this 10th day of September 2012.

AYES:

NAYS:

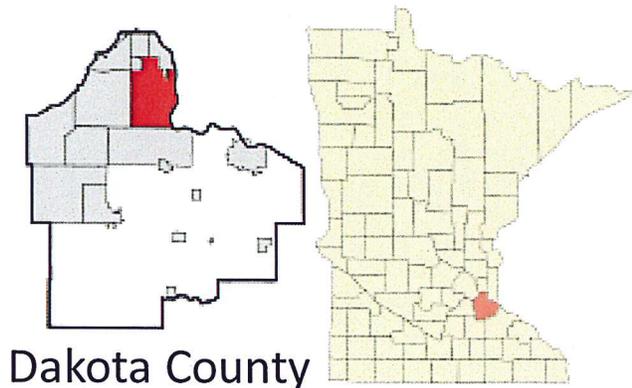
George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk



Inver Grove Heights Stormwater Retrofit Project at Concord and 78th



Dakota County

Location of Inver Grove Heights, Minnesota
Coordinates:  44°50'15"N 93°3'8"W

Project Location Map For Clean Water Assistance Grant Application

With assistance from:
The Metro Conservation Districts
Landscape Restoration Program
www.metrocd.org

FY 2013 Clean Water Fund
Clean Water Assistance
Project Description
Form FY13-A



The entire project description portion of the application should be no more than 6 pages in length, use no less than 10 point font, and must include the following topics as section headings. Applications containing a project description longer than 6 pages (page number does not include a map or photos) will not be accepted by BWSR.

1. Project Description

a. Title (10 words or less):

Inver Grove Heights Stormwater Retrofit Project at Concord and 78th

b. Project Abstract (300 words or less): What are you trying to achieve and how do you intend to achieve those results? Keep this brief and high level – *imagine a paragraph on the BWSR website describing your project to members of the public.*

This project will construct a wet sediment pond with an iron enhanced sand filter outlet on a 1.0 acre site owned by the City of Inver Grove Heights near the intersection of Concord Boulevard and 78th Street. The pond will provide water quality treatment for stormwater runoff from 89 acres of existing urban area that currently discharges directly into the Mississippi River untreated. The pond will be designed using a state of the art treatment train approach to remove pollutants based on particle size distribution. Sediment and particulate phosphorous will be removed through settling in the pond. The low flow discharge from the pond will be routed through a special iron enhanced sand filter to remove dissolved phosphorous. This project will annually remove 6.3 tons (37%) of total suspended solids (TSS) and 45.1 lbs (60%) of total phosphorus from urban stormwater runoff reaching the Mississippi River, according to model predictions.

If funded, the City will install this project in 2013. The land, engineering, project administration and construction oversight needed to complete the project will be used as grant match. The Dakota County Soil and Water Conservation District (SWCD) will assist the City with technical recommendations and Elink reporting.

2. Water Plan and/or Completed TMDL Relationship and Prioritization

a. Identify the specific comprehensive local water management plan reference by title, section and page number.

On May 14th, 2012 the City Council of Inver Grove Heights passed Resolution No. 12-74 adding this proposed project to the City's approved 2008 Water Resource Management Plan as City Project No. 2011-02 Concord Boulevard Storm Water Quality Treatment Pond (Appendix B page 5-6). The project is consistent with the Lower Mississippi River Watershed Management Organization's water quality goals and is in collaboration with the SWCD. The "City of Inver Grove Heights Pollutant Load Analyses" (June 2011), page 4 lists this project as a priority recommendation; page 35-36 provides additional details on this recommended project.

b. Based on the State approved and locally adopted comprehensive local water plan referenced above, explain why this project is a priority for your organization.

The project is a priority because it is an opportunity for the City to achieve treatment of a significant amount of storm water by retrofitting a cost effective water quality practice in a high priority watershed consistent with their stormwater management planning. The project site is located at the junction of two storm sewer trunks lines with a contributing drainage area of 89 acres that directly discharges to the sediment impaired Mississippi River without treatment. The project can be installed and operational without delay because the City owns the property and would provide all the engineering and construction oversight needed.

The City of Inver Grove Heights (City) is listed as an MS4 community in the draft South Metro Mississippi River TSS TMDL which states that all MS4 communities shall reduce their sediment loads to the Mississippi River by 25%. In response, the City engaged the Dakota County SWCD in 2011 to complete pollutant load analyses for three subwatersheds (1,953 acres) that contributed untreated stormwater runoff into the Mississippi River. The analyses resulted in five recommendations for Best Management Practices (BMPs) based on feasibility and cost benefit. To date, the City has installed two of the five BMP recommendations (17 street side raingardens and a 3,350 square foot bioretention cell) and amended its Water Resource Management Plan (WRMP) to list the priority projects recommended for future installation.

The third BMP recommended by the analyses was for a retrofit wet sedimentation pond located at the discharge point of an 89 acre catchment area within the Skyline Village subwatershed. Pollutant load modeling predicted a wet sediment pond fitted with an iron enhanced sand filter outlet could reduce the catchment's pollutant load to the Mississippi River for TSS by 37% (6.3 tons) and TP by 60% (45.1 pounds) annually. To secure an installation site, the City purchased 1.0 acre of land near the intersection of 78th Street and Concord Boulevard in 2012.

c. Is the water resource identified in this application of regional or State significance? If yes, briefly describe that significance; including identification in basin-level, regional or statewide conservation and/or water quality plans.

The Mississippi River is of local, regional, state and national significance due to its use for water supply, recreation, habitat, and transportation. The stretch of the Mississippi River from Lock and Dam 1 to Upper Lake Pepin is impaired for turbidity with a site-specific water quality standard of 32 mg/l TSS. The draft TSS TMDL for this impairment is complete and pending submittal to the EPA in 2011. The proposed project will reduce TSS and TP load contributions into the River and downstream to Lake Pepin, which is impaired for nutrients.

The City is listed as an MS4 community in the draft South Metro Mississippi River TSS TMDL. The draft TMDL states that all MS4 communities shall reduce their sediment loads to the Mississippi River by 25%. This project would reduce annual TSS loads to the Mississippi River by approximately 6.3 tons.

Water quality improvements in this stretch of the Mississippi River are cited as necessary in many documents and reports including the Lower Vermillion River Turbidity TMDL (2009) and Implementation Plan (2011), the Mississippi Makeover Plan for Restoration (2011), the Lower Mississippi River Watershed Management Organization 3rd Generation Watershed Management Plan (2011) and the River Resources Forum Environmental Pool Plans (2004).

d. Describe the methods and results of inventory and source targeting done to date to identify the most critical pollution sources within the project area that are responsible for causing impairments or threats to surface and/or ground water quality.

The "City of Inver Grove Heights Pollutant Load Analyses" (June 2011) reports the results of a study by the SWCD and the City using pollutant source load analyses to evaluate critical pollution sources and prioritize BMPs. Three urbanized subwatersheds totaling 1,953 acres that send untreated runoff directly to the Mississippi River were analyzed for pollutant loads. Protocol from the Center for Watershed Protection's Urban Stormwater Retrofit Practices, Manuals 2 and 3 (Schueler, 2005, 2007) and the MPCA's Minnesota Stormwater Manual, 2005 applied in a WinSlamm V 9.4.0 was used to prioritize retrofit opportunities and determine optimum best management practices based on cost and pollution removal effectiveness. Two recommended retrofit projects have been completed. If funded, this project would be the third.

The "City of Inver Grove Heights Pollutant Load Analyses" study was instrumental in finding an appropriate site for this project by thoroughly analyzing all pertinent data to determine the best practice in the best location. This study can and should be used as a model to for other urbanized cities to retrofit needed projects in ideal locations.

It should also be noted that adjacent landowners and residents are in favor of this project, indicating they would be proud to have a project that improves the Mississippi River located in their neighborhood.

e. Describe additional inventory and source targeting that is needed, including qualitative and quantitative tools you will use to identify the most critical pollution sources within the project area.

No further study is needed. Subwatershed pollutant load analyses have been completed and the project is a priority project in the City's Water Resource Management Plan. All inventory and source targeting needed to implement the project is complete. Following final design and permitting, the project is ready to install.

3. Integrated Water Resource Management

a. Explain the importance of the outcomes identified in the spreadsheet and how they will protect the identified water resource(s) from future water quality impairments or help restore the identified water resource(s) to State water quality standards.

This project would treat stormwater from approximately 89 acres of currently untreated urban development and would reduce annual pollutant loads to the Mississippi River by 6.3 tons total suspended solids (TSS) and 45.1 lbs total phosphorus (TP). These reductions would help restore downstream resources including the TSS-impaired Mississippi River and the nutrient-impaired Lake Pepin.

b. Describe any hydrologic benefits of this project. If your project intends to keep water on the land by infiltrating runoff, describe why this activity will not be a threat to groundwater quality.

The primary function of the wet sediment basin is for TSS and TP removal to improve water quality. The proposed project will provide some ancillary hydrologic benefits by attenuating peak flow rates and reducing the overall volume of runoff through evaporation and exfiltration.

The statewide map of vulnerable drinking water supply indicates the project location is in an area of low vulnerability. The City is responsible to review their surface water management plans and groundwater plans to ensure coordination and compatibility with the project design.

This project will not be a threat to groundwater quality. The proposed project is a wet sedimentation basin that relies on a permanent pool of water for particle settling. Some exfiltration may occur through the bottom soils but runoff infiltration is not planned for this project. There are no known interactions

between surface water and groundwater resources or any conditions that indicate such interactions exist at the project site.

- c. Will the overall project have additional secondary benefits, including those that enhance aquatic and terrestrial wildlife, improve native habitats, or protect rare and native species? If so, please specifically describe what will be done.**

The side slopes of the wet sediment basin will be planted in native berry shrubs, grasses and wildflowers to provide some habitat around the perimeter of the basin.

4. Project Management, Partnerships, and Readiness

- a. Describe the strength of staff qualifications and other collaborating organizations, including the participation of appropriate local, state, or federal government, to the success of this project.**

City Engineer, Thomas Kaldunski, P.E. would oversee the preparation of project plans and specifications and would directly supervise the construction administration. City engineering staff shall also provide onsite inspections and verifications to ensure proper installation. Throughout the design and construction process, technical assistance from the SWCD urban conservationists shall be available to the City through a Joint Powers Agreement.

Inver Grove Heights staff capacity includes:

3 professional engineers

1 engineer in training

3 senior engineering technicians

SWCD staff capacity includes:

1 certified professional in stormwater quality;

3 certified professionals in erosion and sediment control;

1 certified professional in wetland delineation;

Accredited research "Bioretention Performance and Design Criteria for Cold Climates" Water Environment Research Foundation (WERF) Project 04-Dec-13SG;

MPCA 319: Thermal Reduction of Stormwater Inputs within the Vermillion River Watershed;

Multiple USDA-Natural Resource Conservation Service Technical Approval Authority under ecological and engineering sciences.

- b. Will construction start by the end of calendar year 2013? Provide an anticipated timeline when implementation activities are to begin, including project development and construction.**

Immediately following the executed grant agreement (anticipated spring 2013), design and construction documentation for the proposed project would begin. December 2013 is the estimated early completion date for the project. If project completion is suspended over the winter, or if the City decides to postpone the bid letting until the following construction season, the anticipated completion date would be no later than December 2014.

- c. Identify how this project provides assurance that the practice(s) will remain in place for practice(s) effective life.**

The City proposes to operate and maintain the wet sediment basin as part of its existing storm sewer operation and maintenance program in compliance with all applicable local, state and federal requirements. Such requirements include regularly scheduled inspections and annual reporting to the

MPCA to ensure the practice will remain in place for the duration of its effective life of more than 25 years.

- d. List and provide the status of any permits (federal, state, or local) that may be required for this project (for example, NPDES construction permit applied for on January 1, 2010, etc.).**

Prior to beginning construction, the City shall review all applicable federal, state and local permit requirements. Obtaining the required permits will be the responsibility of the City. The permits shall include, but are not limited to an NPDES General Construction Permit and any applicable Land Disturbance, Grading and Utility permits as may be required by the City of Inver Grove Heights. An Environmental Assessment Worksheet (EAW) and/or Wetland Conservation Act (WCA) are not anticipated to be required for the project.

- e. If the project participants choose to consider the conservation value of land where Clean Water Fund conservation practices will be installed as local match, please describe the valuation methods of the land and how this value will be applied as match (answer if applicable).**

The conservation value of the land used as local match was determined by the documented sale price of \$60,500 paid by the City to acquire the parcels used for the proposed project. The sale price was determined through the City's formal land appraisal process as approved by the City Council.

As an additional \$28,160 match, the City will provide legal, engineering, administration and financial management for the project, for a total proposed match of \$88,660.

5. Supplementing Traditional Funding

The Constitutional Amendment requires that Amendment funding must not substitute traditional funding. Briefly describe how this project will provide water quality benefits to the State of Minnesota without substituting existing funding.

Without funding from the Clean Water Assistance Grant, this project will not be constructed. Clean Water Funds for this project will not substitute any traditional funding. The funds will only be used to complete the project proposed and will not be used to supplant funding for any other purpose.

Project Location Map and Photos

- **Required:** Attach an 8.5" x 11" map (required) in image (jpg, gif, tiff, bmp, png) or pdf formats showing both the specific project location and the general location in the State. **Optional:** Applicants may attach a photo of the project area in ONLY image (jpg, gif, tiff, bmp, png) format.

FY2013 Clean Water Fund Competitive Grants

Remember to Complete Narrative Form FY13-A

1B. Clean Water Assistance Grants

BUDGET

Total BWSR Grant Request \$250,855

Task Number	Project Outputs (list)	Grant Request										Sub-Total BWSR Grant Request:	
		BWSR Grant: Grant Management and Reporting			BWSR Grant: Project Development			BWSR Grant: Technical Assistance and Engineering			BWSR Grant: Construction, Materials, Contracted Labor, and Equipment Purchases		
		Estimated Hours	Hourly Rate	Amount \$	Estimated Hours	Hourly Rate	Amount \$	Estimated Hours	Hourly Rate	Amount \$			
1	Construction of a retrofit wet sediment basin with iron enhanced sand filter outlet near 78th Street and Concord Boulevard in Inver Grove Heights.	35	\$68	\$2,380				156	\$68	\$10,620		\$237,855	\$250,855
2													
3													
4													
5													
6													
7													
8													
9													
10													

FY2013 Clean Water Fund Competitive Grants

Remember to Complete Narrative Form FY13-A

1B. Clean Water Assistance Grants

BUDGET

Total BWSR Grant Request **\$250,855**

Task Number	Project Outputs (list)	Grant Request										Sub-Total BWSR Grant Request			
		BWSR Grant: Grant Management and Reporting			BWSR Grant: Project Development			BWSR Grant: Technical Assistance and Engineering			BWSR Grant: Construction, Materials, Contracted Labor, and Equipment Purchases				
		Estimated Hours	Hourly Rate	Amount \$	Estimated Hours	Hourly Rate	Amount \$	Estimated Hours	Hourly Rate	Amount \$					
30												\$10,620	\$237,855	\$250,855	
				\$2,380											

FY2013 Clean Water Fund Competitive

1B. Clean Water Assistance Grants

BUDGET

Task Number	Project Outputs (list)	Match		Non-Match
		MDA AgBMP Loan Request	Match	Other Funds
1	Construction of a retrofit wet sediment basin with iron enhanced sand filter outlet near 78th Street and Concord Boulevard in Inver Grove Heights.		\$88,660	
2				
3				
4				
5				
6				
7				
8				
9				
10				

FY2013 Clean Water Fund Competitive (

1B. Clean Water Assistance Grants

BUDGET

Task Number	Project Outputs (list)	Match	Non-Match
20		MDA AgBMP Loan Request	Match
			Other Funds
			\$88,660

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Contactor for Bituminous Work at Skyview Park

Meeting Date: September 10, 2012
 Item Type: Consent Agenda
 Contact: Mark Borgwardt-651-450-2581
 Prepared by: Mark Borgwardt
 Reviewed by: Eric Carlson

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 awarding contract to Pine Bend Paving not to exceed \$16,000 for construction of bituminous trails at Skyview Park to provide ADA access, as required by DNR grant, to newly installed playground, drinking fountain and soccer field and existing tennis court, tennis lighting controls, parking lot and park building.

SUMMARY

Construction of new irrigated soccer field and playground at Skyview Park is nearly completed. The DNR grant used to help pay for the project requires ADA access to all park features and amenities. Two quotes were received to provide bituminous trails:

Pine Bend Paving Inc.	\$13,750.00
Ace Blacktop Inc.	\$14,954.00

Recommend hiring Pine Bend Paving Inc. for \$13,750.00 to pave ADA accessible bituminous trails at Skyview Park using funding from DNR grant and Fund 444.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Appoint Council Members to Represent the City in Mediation

Meeting Date: September 10, 2012
Item Type: Consent
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 type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED Consider appointing two members of the City Council to represent the City in mediation.

SUMMARY As the Council will recall, the City is proceeding to mediation with the general contractor of the Public Safety/Addition/City Hall Renovation project; Shaw Lundquist.

The attorney representing the City has requested that two City Council members be present during the mediation along with staff representatives. The mediation is scheduled for Tuesday, October 9.

Staff recommends the City Council appoint Mayor Tourville and Council member Piekasrki Krech.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: September 10, 2012
Item Type: Consent
Contact: Judy Thill, 651-450-2495
Prepared by: Judy Thill, Fire Chief
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 Staff requests that Council approve the Company Fire Inspection Program.

SUMMARY

At the August 27, 2012 Council Work Session, a proposed Company Fire Inspection Program (CFIP) for the IGH Fire Department was discussed. This program would utilize present paid-on-call Firefighters to assist the Fire Marshal by providing inspections in specific occupancies that, due to lack of available resources, are not presently receiving regular inspections. An additional benefit of this program would be to familiarize the Firefighters with the occupancies they may be required to respond to.

As discussed, the Company Fire Inspectors would be present IGH Firefighters, many of who already have basic training in fire inspections. Any additional training that might be needed would be provided through our internal training program. Also as discussed, the inspections selected for the CFIP would begin with multiple dwelling residential units as these are important buildings that have had little visual fire inspections throughout the last 5 years.

There would be no increase to the budget as Company Fire Inspectors would be compensated at their regular Firefighter wage out of funds already budgeted for paid-on-call personnel.

Inver Grove Heights Fire Department Company Fire Inspection Program

Intent:

To begin a Company Fire Inspections Program utilizing paid-on-call Firefighters to perform basic fire inspections.

Purpose:

Assist the IGH Fire Marshal by providing inspections in occupancies that may otherwise not be inspected routinely due to hazard ranking and/or the lack of available personnel resources. This program will also familiarize the Firefighters with occupancies they may be required to respond to.

- The Company Fire Inspectors (CFI) would be Firefighters who most likely have limited training and expertise in fire inspection.
 - o Any additional training needed would be provided through our internal training program and would be focused on a specific occupancy.
 - o The CFI would work off a check list prepared for them by the Fire Marshal.
- The inspections selected for the CFIP would begin with multiple dwelling residential units as these are important buildings that have had little to no visual fire inspections throughout the years.
- The CFI would have constant direct access to the Fire Marshal while in the field should questions arise.
- We realize this is a temporary program that will be re-evaluated regularly based on need and budget.

Goals:

- Ensure safety of responders
- Ensure safety of residents
- Encourage owners to develop a regular maintenance program to prevent issues
- Educate owners, so they understand why the codes are in place and their advantages

Compensation:

The CFI would be compensated at the same wages as a paid-on-call IGH Firefighter. This would be done with no increase to the budget.

Inver Grove Heights Fire Department Company Fire Inspection Program

Plan:

1. Mail apartment owners a letter to inform of our plans
 - a. Provide owners specific check list that will be used
2. Invite owners/ reps to attend informational meeting
 - a. Will afford them a chance to hear exact process and ask questions
 - b. Offer several dates where they can choose one to attend
3. Company Inspector will schedule appointments with owner/rep for walk-through
 - a. Will provide owner/rep another copy of the specific checklist when appointment is made
4. Company Inspector will meet with owner/rep for walk-through
 - a. Will use same checklist that was mailed to them
5. Company Inspector will note and discuss any deficiencies on walk-through with owner/rep
6. Company Inspector will input data into records management system
7. Company Inspector will discuss list of any deficiencies with Fire Marshal
8. Company Inspector will generate Inspection report which will be mailed to the owner/rep
9. Report will allow a reasonable timeframe to fix issues
 - a. Bigger issues may get longer time frames
10. Company Inspector will schedule a second walkthrough with owner/rep to determine if deficiencies corrected
 - a. If not corrected, owner/rep will get another inspection report giving additional time to correct issues
 - b. Severity of the issue will determine timeframe to correct deficiencies on the second attempt
11. If not corrected after second letter, Fire Marshal would get involved
 - a. Fire Marshal would sit down with owner/rep to try and determine why things have not been fixed
12. Fire Marshal would work with owner/rep to develop a compliance plan
13. If total refusal, could go to a citation/court type issue

Stopgap

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: September 10, 2012
Item Type: Consent
Contact: Judy Thill, 651-450-2495
Prepared by: Judy Thill, Fire Chief
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: Staff requests that Council adopt the Firefighter Relief Association 5 Year Plan for Voluntary Municipal Contributions.

SUMMARY

At the August 27, 2012 Council Work Session, the proposed 5 Year plan for voluntary municipal contributions was presented. As you recall, these are contributions that would become part of the IGH Firefighter’s Relief Association (IGHFRA) retirement special fund account. The IGHFRA retirement program is valuable tool in helping to attract and retain people who are willing to serve this community as paid-on-call firefighters, which helps keep the overall cost of fire protection lower than cities that employ full-time firefighters. .

In past years, there was no formal planning for municipal contributions and as a result, the amounts requested from year-to-year fluctuated greatly. The intent of this plan is to reasonably predict annual funding from the City and determine the ability to raise the benefit level in order to continue to attract and retain paid-on-call firefighters.

It is understood this is simply a plan. A city contribution to the special fund is only one of three factors in the health of the IGHFRA special fund and the IGH Fire Relief Association’s ability to pay pension benefits for the city’s paid-on-call firefighters. The other two include the annual state contribution along with earnings on investments. As a result, the plan and calculated benefit levels contained in the plan are subject to change. The plan itself will be reevaluated at the end of five years, or earlier if economic conditions change or major changes occur in the fire department.

Staff recommends adoption of this 5 year plan.

Voluntary Municipal Contributions A Five-Year Plan

INTENT

- To reasonably predict annual funding from the city
- To determine ability to raise benefit level to continue to attract and retain firefighters

PURPOSE

The purpose of this plan is to provide a reliable source of funding to the Inver Grove Heights Firefighters' Relief Association in furtherance of its mission to provide a pension benefit to the City of Inver Grove Heights' paid-on-call firefighters. This pension, which is available to firefighters after ten years of active service, provides compensation for their service to the city. It is also used by the fire department as an incentive for retention.

A city contribution to the special fund is a factor in the health of the special fund and the relief association's ability to pay pension benefits for the city's paid-on-call firefighters. It is one of only three sources of income for the special fund, the other two being the annual state contribution and earnings on investments.

PLAN

The relief association is requesting a voluntary municipal contribution of \$25,000 per year for fiscal years 2012 through 2016. The contributions will come from the fire department budget. The determination of each year's contribution will be performed in conjunction with the annual budget process, starting in May and concluding in December. Final determination of the contribution will be at the discretion of the city council, city administrator, and fire chief.

The request for a contribution will be coordinated with the funding ratio of the relief association's special fund, as calculated by the association's audit at the end of each fiscal year. The association will attempt to keep the funding ratio in the range of 100% – 110%. However, the state's maximum benefit formula might limit the association's ability to do so.

The state's Maximum Benefit Worksheet, which is completed each year by the relief association, sets a limit on the benefit level that the relief association can approve. The table below shows a possible scenario for the maximum benefit level over the next five years with an annual city contribution of \$25,000. Note that each year's maximum benefit level is based on financial information from previous years. There are many variables that factor into this calculation, the most unpredictable of which is investment returns, so this table should be viewed as a guideline only.

Inver Grove Heights Firefighters' Relief Association

Aug. 21, 2012

Year	2012	2013	2014	2015	2016	2017
City contribution	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	
Maximum benefit level		\$6,000	\$6,200	\$6,200	\$6,300	\$6,300
Possible benefit level request		\$5,800	\$5,900	\$6,000	\$6,100	\$6,200

Assumptions made in this table for years 2012 – 2016: state aid = \$124,000, city contribution = \$25,000, special fund surplus = \$550,000, department size = 60 firefighters. The *maximum benefit level* and *possible benefit level request* listed in this table may vary from the amounts listed if these assumptions do not hold true.

If in any year a municipal contribution is required, the voluntary municipal contribution will be reduced by the amount of the required contribution or eliminated if the requirement is equal to or greater than the request.

This plan will be reevaluated at the end of five years—or earlier if economic conditions change or major changes occur in fire department staffing—to determine its effectiveness in meeting its intent and purpose.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: September 24, 2012
 Item Type: Consent
 Contact: Lt. Sean Folmar (651) 450-2465
 Prepared by: Lt. Sean Folmar
 Investigative Commander
 Reviewed by: Chief Larry Stanger
 Chief of Police

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 to enter into a Multi-Agency Law Enforcement Joint Powers Agreement, with the Minnesota Bureau of Criminal Apprehension, for the participation in the Minnesota Internet Crimes against Children Task Force for the period of June 1, 2012 through May 31, 2013.

SUMMARY:

The Internet Crimes against Children Program (ICAC) is a national network of over 100 coordinated local task forces and their 1,800 local and regional affiliated agencies engaged in both proactive and reactive investigations, forensic examinations, effective prosecutions and community education. The ICAC Program was developed in response to the increasing number of children and teenagers using the Internet, the proliferation of child pornography, and the heightened online activity by predators searching for unsupervised contact with underage victims. By helping state and local law enforcement agencies develop effective and sustainable responses to online child victimization and child pornography, the ICAC program delivers national resources at the local level.

By partnering with the ICAC program they will provide federally funded training, computers and software for our officers to help in the forensic analysis of seized computers. In exchange, we will agree to handle cases in our area and educate parents and youth of our community about the potential dangers online and offering safety tools for them to utilize.

**LEVANDER,
GILLEN &
MILLER, P.A.**

ATTORNEYS AT LAW

TIMOTHY J. KUNTZ
DANIEL J. BEESON
*KENNETH J. ROHLF
◊STEPHEN H. FOCHLER
◊JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
*KORINE L. LAND
ANN C. O'REILLY
◻*DONALD L. HOEFT
DARCY M. ERICKSON
DAVID S. KENDALL
BRIDGET McCAULEY NASON
DAVID B. GATES
•
HAROLD LEVANDER
1910-1992
•
ARTHUR GILLEN
1919-2005
•
• ROGER C. MILLER
1924-2009
•
*ALSO ADMITTED IN WISCONSIN
◊ALSO ADMITTED IN NORTH DAKOTA
◊ALSO ADMITTED IN MASSACHUSETTS
◻ALSO ADMITTED IN OKLAHOMA

MEMO

TO: Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: September 6, 2012
RE: Third Reading of Ordinance Amending Inver Grove Heights City Code, Title 5, Chapter 6, Section 1 (B) Regarding Use of Firearms – September 10, 2012 Council Meeting

Section 1. Background. The third reading of the zoning ordinance was reconsidered and passed at the August 27, 2012 Council meeting.

City Code, Section 5-6-1 prohibits the discharge of any rifle in the City except in limited circumstances. Since the Council proceeded with the zoning change, Section 5-6-1 also has to be addressed.

Section 2. Amendment. The attached ordinance creates the following exception to the general prohibition against discharge of a rifle in the City:

By a person shooting or carrying an unencased and undismantled .22 caliber rifle with CCI Quiet .22 caliber long rifle ammunition only when such shooting and carrying occurs while participating in a gun safety instructional program administered and sponsored by the Minnesota Department of Natural Resources on land zoned E-1 where the zoning requirements for the program have been met and where the landowner has given written consent and only at specific locations on the land that have been approved and designated in writing by the City's Chief of Police. In granting approval of the specific locations, the City's Chief of Police may impose conditions, limitations and restrictions with respect to the number of participants, the number of instructional sessions, the times and dates of the instructional sessions, the number and placement of warning signs and the duration of the program.

Section 3. Council Action. The Council is asked to consider the third and final reading of the attached ordinance amendment at the September 10, 2012 Council meeting.

Attachment

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 5, CHAPTER 6, SECTION 1 (B) REGARDING USE OF FIREARMS**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS FOLLOWS:

Section One. Amendment. Title 5, Chapter 6, Section 1 (B) of the Inver Grove Heights City Code is hereby amended to read as follows:

5-6-1: USE OF FIREARMS AND BOWS AND ARROWS:

B. Rifles, Pistols, Air Rifles And Air Pistols: The shooting or carrying of rifles, pistols, air rifles and air pistols which are not encased or dismantled is prohibited in the city except in the following circumstances:

1. By law enforcement officers in the line of duty; or
2. By a person discharging any rifle or pistol when in the lawful defense of person, property or family, or the necessary enforcement of the law; or
3. By any person discharging a rifle or pistol on a licensed shooting range within the city- (1974 Code § 925.04); or
4. By a person shooting or carrying an unencased and undismantled .22 caliber rifle with CCI Quiet .22 caliber long rifle ammunition only when such shooting and carrying occurs while participating in a gun safety instructional program administered and sponsored by the Minnesota Department of Natural Resources on land zoned E-1 where the zoning requirements for the program have been met and where the landowner has given written consent and only at specific locations on the land that have been approved and designated in writing by the City's Chief of Police. In granting approval of the specific locations, the City's Chief of Police may impose conditions, limitations and restrictions with respect to the number of participants, the number of instructional sessions, the times and dates of the instructional sessions, the number and placement of warning signs and the duration of the program.

Section Two. Effective Date. This Ordinance shall be in full force and effect upon its publication as provided by law.

Passed in regular session of the City Council on the 10th day of September, 2012.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

By: _____
Melissa Kennedy, Deputy City Clerk

LESLIE SCHWEGL – CASE NO. 12-25V

REQUEST FOR COUNCIL ACTION

CITY OF INVER GROVE HEIGHTS

Meeting Date: September 10, 2012
 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 requests for property located at 7807 Cooper Avenue:

- a) A Resolution relating to a **Variance** to allow construction of a six (6) foot high solid wood fence 22 feet from the front property line.
 - Requires 3/5th's vote.
 - 60-day deadline: October 5, 2010 (first 60-days)

SUMMARY

The applicant is requesting to construct a fence that would encroach into the front yard on a corner lot. Code requires fences in the first 30 feet back from property line to be no higher than 42 inches and be at least 75% open (chain link, picket). This requirement is in place to help with traffic visibility at corner intersections, keep open views of front of houses for emergency vehicle access. In this instance, while the fence is on a “corner side” yard, it would encroach into the front yard of the residence to the east. That property would be required to meet the height and open design criteria, so this property must follow the same standards.

ANALYSIS

The fence is a typical accessory structure to a residential property, so it is consistent with the comprehensive plan and it does not impede any traffic visibility from the street corner. It is however, not a unique situation as this type of corner lot arrangement exists in many areas of the city. There is practical use of the property without the need for a fence variance. Staff finds that the request does not meet all of the strict standards to meet a “practical difficulty”.

The applicant spoke and commented on how a solid fence would help deaden sound from street traffic, would help protect his garden and would block his wood pile. He has also planted new shrubs that will help futher screen once they mature.

The Planning Commission discussed the physical features of the site and issues with compliance with the practical difficulties variance criteria. Commission Gooch made some suggestions on possible alternatives for the fence location. The commission all agreed that the addition of the fence would be aesthetically pleasing and makes sense. They did however agree that the request did not meet all of the practical difficulty criteria.

RECOMMENDATION

Planning Staff: Recommends denial of the request as it does not meet all of the variance criteria.

September 10, 2012
Council Memo – Leslie Schwegel
Page 2

Planning Commission: Recommends denial of the request as well as there appeared to be other alternatives, the location was not unique and all of the variance criteria were not met (9-0).

Attachments: Variance Denial Resolution
Planning Commission Recommendation not available
Planning Report

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

RESOLUTION NO. _____

**RESOLUTION DENYING A VARIANCE TO ALLOW A SIX (6) FOOT HIGH SOLID
WOOD FENCE 22 FEET FROM THE FRONT PROPERTY LINE WHEREAS 30 FEET IS
REQUIRED**

**CASE NO. 12-25V
(Leslie Schwegel)**

Property located at 7807 Cooper Avenue and legally described as follows:

**Lot 1, Block 2, Inver Grove No. 2, according to the recorded plat, Dakota County,
Minnesota**

WHEREAS, an application has been received for a Variance to allow a six (6) foot high solid wood fence 22 feet from the front property line whereas 30 feet is required;

WHEREAS, the afore described property is zoned R-1C, Single Family Residential;

WHEREAS, a Variance may be granted by the City Council from the strict application of the provisions of the City Code Title 10, Chapter 3-4 and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code 10-3-4 D;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on September 4, 2012 in accordance with City Code Section City Code 10-3-3: C;

WHEREAS, a practical difficulty or uniqueness was not found to exist based on the following findings:

- a. The property can still be used in a reasonable manner without the need for the front yard setback.
- b. Does not meet the criteria for "practical difficulty".
- c. The property configuration is not unique and many other situations like this exist throughout the city.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to allow a six (6) foot high solid wood fence 22 feet from the front property line is hereby denied.

BE IT FURTHER RESOLVED that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this ____ day of _____, 2012.

George Tourville, Mayor

Ayes:

Nays:

ATTEST:

Melissa Kennedy, Deputy Clerk

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: August 29, 2012

CASE NO: 12-25V

HEARING DATE: September 4, 2012

APPLICANT: Mr. Leslie Schwegel

PROPERTY OWNER: Mr. Leslie Schwegel

REQUEST: Variance

LOCATION: 7807 Cooper Avenue

COMPREHENSIVE PLAN: Low Density Residential

ZONING: R-1C, Single-family Residential

REVIEWING DIVISIONS: Planning

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant is requesting a Variance from setbacks to allow the construction of a six foot high solid wood fence 22 feet from the front property line whereas 30 feet is required. The property is a corner lot at 78th and Cooper.

The code requires any fence within a front yard to be no higher than 42 inches and be at least 75% open. The reasons for the rule appear to be mainly visibility for traffic at corners and along street/driveways, and emergency vehicles to front of houses. A second reason would be aesthetics, both in uniformity along front views and visual appeal. The code does not differentiate how the fronts are used in a corner lot. Both frontages are considered "front yards" by definition, not by how they are used. In this case, the area the fence is proposed acts as a side yard. However, the yard on the lot to the west acts as their front yard and they would not be allowed to place a solid fence in the front yard.

Staff has interpreted the code such that if all lots on the same block are all sides or rears and face a street, they have been allowed solid fences to the property line since they act as side or rear yards. The problem arises when the property next door is an actual front yard. Then the conflict occurs. If those lots are not allowed a solid fence, then corner lots should not be allowed one either.

EVALUATION OF THE REQUEST

SURROUNDING USES: The subject site is surrounded by the following uses:

- North - Residential; zoned R-1C, single-family; guided LDR, Low Density Residential
- East - Residential; zoned R-1C, single-family; guided LDR, Low Density Residential
- West - Residential; zoned R-1C, single-family; guided LDR, Low Density Residential
- South - Residential; zoned R-1C, single-family; guided LDR, Low Density Residential

VARIANCE REVIEW

City Code Title 11, Chapter 3. **Variations**, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

The general intent of this standard is to limit the precedent that could be set if the variance was granted. The area is developed with single family homes, some with fences. Allowing a fence on the property would be in harmony with the general purpose and intent of the comp plan which is a single family detached housing neighborhood on 12,000 square foot lots that would contain typical accessory structures or improvements such as fences.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

The applicant's request is to encroach into the front yard eight feet for the fence. The location of the fence would be out of any traffic sight lines. The fence would only be in a portion of the yard and the applicant has already modified his original plan and pulled the fence further back from the street. Again, the conflict in this instance is that the property to the west fronts along 78th Street and they would not be able to construct a solid fence closer than 30 feet from the front property line. For the applicant's corner lot, this line functions as a side yard.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

While the conflict with how the code addresses fences in yards may seem unique, there are many instances throughout the city with this same lot configuration and therefore would have the same issues with fence placement.

4. *The variance will not alter the essential character of the locality.*

Staff does not believe this limited fence proposal would alter the essential character of the locality. There are fences in all residential neighborhoods, and depending upon lot configuration, there could be solid fences along streets. There are fences that exist in yards on lots with this same configuration, some built without permits and others allowed based on different interpretations of the code over the years. The fence does not encroach into any traffic safety sight lines. Only may have an impact on visibility from a “street view” from the neighboring property.

5. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do not appear to be a basis for this request.

ALTERNATIVES

The Planning Commission has the following alternatives for the requested action:

Approval: If the Planning Commission finds the Variance to be acceptable, the Commission has the following options:

A. Approval of the Variance to allow the construction of a six foot high solid wood fence 22 feet from the front property line whereas 30 feet is required subject to the following condition:

1. The fence location shall be in substantial conformance with the site plan dated 8/6/12 on file with the Planning Department.

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

RECOMMENDATION

The request is not out of character of the neighborhood and is consistent with the comp plan . The problem is that the site and situation is not unique and do not appear to pass the strict interpretation of practical difficulties. Based on a determination following the practical difficulties criteria, staff would recommend denial of the request.

Attachments: Location Map
 Site Plan
 Applicant Narrative
 Neighbors Consent



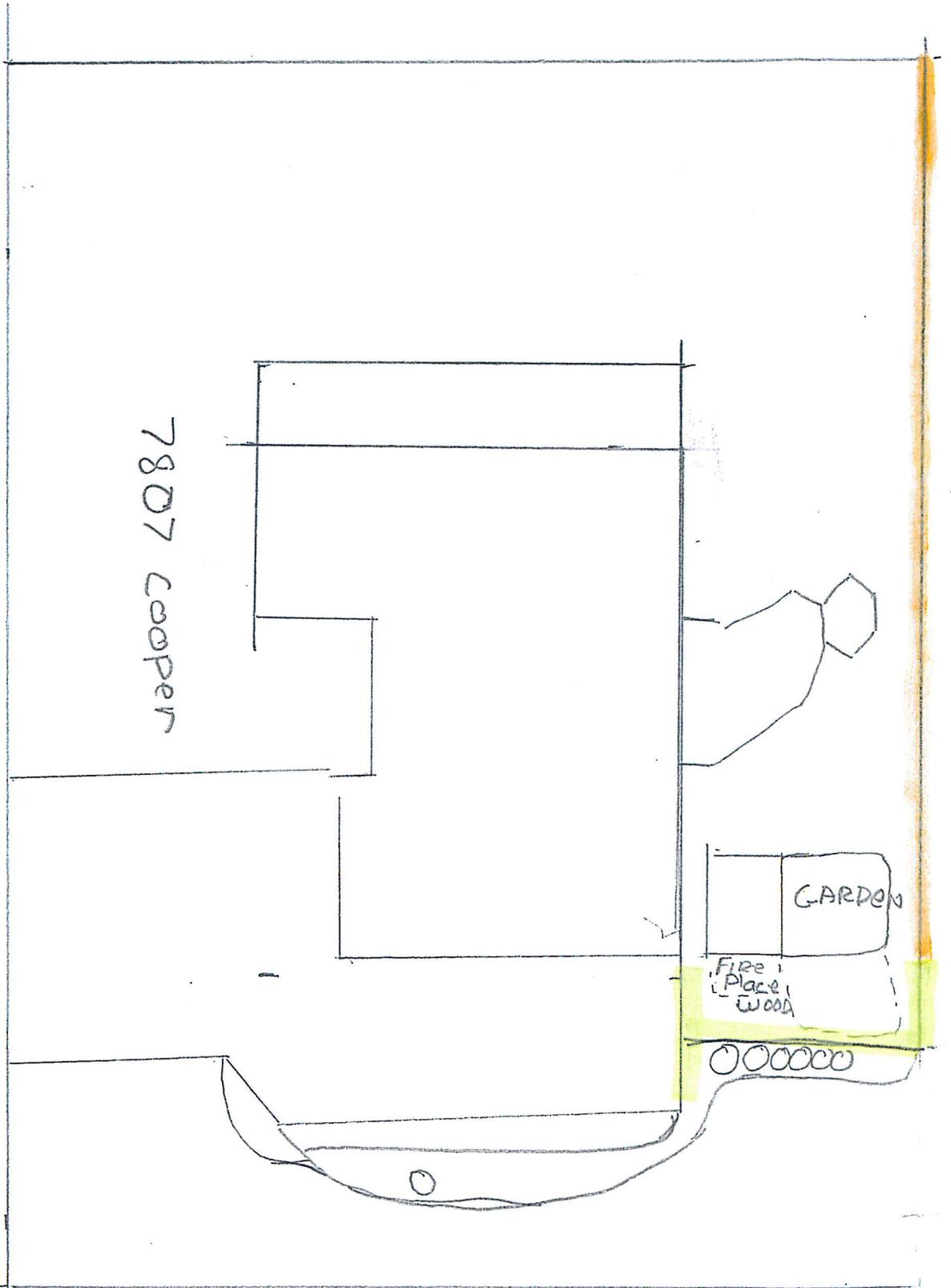
Location Map

Case No. 12-25V



COOPER

7807 COOPER



78

August 4th, 2012

Subject: Fence Variance for my neighbor
Leslie Schwegel
7807 Cooper Ave
Inver Grove Heights, MN 55076

To the City of Inver Grove Heights,

With my discussion with Leslie Schwegel I agree that his request for the 6 foot fence set back 22 feet from the property line will not obstruct anyone visability, will reduce the noise from the traffic and loud music from the cars passing on 78th Street.

With the remove of Leslie's three large evergreens this fence will also provide the same privacy and prevent any distruction to his garden. The replacement of the large overgrown evergreen trees with the new 16 inch retaining wall and new shubs with the pending 6 foot fence will improve the look of the neighborhood.

Thank you.

Roland Paul Freeman
3801 78th Street E.
Inver Grove Heights

Jeffrey Muench
3772 78th Street E.
Inver Grove Heights,

Michael Wirkus
3820 78th Street E.
Inver Grove Heights



Roland Paul Freeman



Jeffrey Muench



Michael Wirkus

Allan Hunting

From: cschwegel7807@comcast.net
Sent: Monday, August 06, 2012 9:57 PM
To: Allan Hunting
Subject: Fence Variance Leslie Schwegel 7807 Cooper Ave Inver Grove Heights

WRITTEN FENCE VARIANCE STATEMENT

We are requesting a fence variance on our property located at 7807 Cooper Avenue, Inver Grove Heights. The request is for a 6 foot fence set back 22 feet from the property line. This fence will not obstruct anyones visibility, and will allow a place to have our fire wood hidden, increase our garden and have access to replace the paint on our current shed.

It will also reduce the noice from the traffic and loud music from the cars passing on 78th Street. With the remove of our three large evergreen trees this fence will also provide the same privacy and prevent any distruction to our garden. The replacement of the large overgrown evergreen trees with the new 16 inch retaining wall and the new shubs with the pending 6 foot fence will improve the look of our neighborhood.

Our neighbors all agree with this request.

Thank you for your consideration in this matter.

Leslie Schwegel
Cell Phone: 651-895-0493
Home Phone: 651-528-7126

CLARK ROAD PROPERTIES – CASE NO. 12-22IUP REQUEST FOR COUNCIL ACTION

CITY OF INVER GROVE HEIGHTS

Meeting Date: September 10, 2012
 Item Type: Regular Agenda
 Contact: Allan Hunting 651.450.2554
 Prepared by: Allan Hunting, City Planner
 Reviewed by:

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

PURPOSE/ACTION REQUESTED

Consider the following requests for property located on the west side of Clark Road across from the Steinger gravel pit:

- a) A Resolution relating to An **Interim Use Permit** to allow a mini-storage facility with metal portable shipping containers for storage.
 - Requires 4/5th's vote.
 - 60-day deadline: November 6, 2010 (second 60-days)

SUMMARY

The applicant is requesting an interim use permit to operate a mini-storage on a portion of the property. The total area used for the mini-storage would be just under one acre. There would be space for storage of boats, trailers, campers, RV's, etc and the front half of the site would contain metal storage containers to be used for rental storage units. The applicant is requesting a period of 10 years. The applicant would like to utilize a portion of the property for this temporary operation to help generate some revenue on the site.

ANALYSIS

The request is similar to the mini-storage interim use located north of this location on Clark Road. The Council also just granted a 20 year extension to a mini-storage along Hwy 52/55 to allow the continued use of storage containers just like the ones proposed here.

Planning and Engineering have reviewed the site plan and do not find any issues with the request.

RECOMMENDATION

Planning Staff: Recommends approval of the request as presented with the conditions listed in the attached resolutions.

Planning Commission: The commission reviewed the request and asked some general questions on the operation of the business. Mr. Allan Sachwitz spoke inquiring about the hours of operation. The applicant indicated the operation would be open from 6:00 to 8:00 p.m.

The Commission recommends approval of the request with an added condition relating to no for sale signs allowed on fencing or around property (9-0).

Attachments: Interim Use Permit Resolution Planning Commission Recommendation not available
 Planning Report

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

RESOLUTION NO. _____

**A RESOLUTION APPROVING AN INTERIM USE PERMIT TO ALLOW A TEMPORARY
MINI-STORAGE FACILITY WITH METAL SHIPPING CONTAINERS IN THE I-2
ZONING DISTRICT FOR THE PROPERTY LOCATED ON THE WEST SIDE OF CLARK
ROAD, ACROSS FROM 11305 CLARK ROAD**

**CASE NO. 12-22IUP
(Clark Road Properties)**

WHEREAS, an interim use permit application has been submitted to the City for property legally described as;

**Outlot A, Addition, Inver Grove Heights, according to the plat on file and of record in the
office of the County Recorder, Dakota County, Minnesota**

WHEREAS, a public hearing concerning the interim use permit was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on September 4, 2012;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE
HEIGHTS that, an interim use permit 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 herein:

Site/Grading/Landscape Plan dated 08/09/12

2. The applicant shall comply with the conditions listed in the City Engineers memo dated 8/24/12.
3. The outside storage area shall be kept in a neat and orderly manner. Maintenance or repair of items stored in the outside storage shall not be permitted. All

licensable equipment and vehicles must have a current license and be in operable condition.

4. The Interim Use Permit shall be valid for the duration of 10 years from the approval date.
5. Where violations of the conditions of this permit are noted, the City is authorized to immediately terminate the uses approved in this permit.
6. The outdoor storage area may be surfaced with recycled asphalt or an approved equivalent. The surface shall be maintained to prevent deterioration, dust and erosion.
7. No "For Sale" shall be allowed outside of the fenced area surrounding the property. "For sale" signs shall be allowed to be posted only in or on the vehicle, RV, boat, etc. No "For sale" vehicles or signs advertising vehicles

Passed this _____ day of _____, 2012.

AYES:
NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

plan shows a chain link fence that surrounds the property and a security gate near the entrance off of Clark Road.

The proposed use would not create pollution, ground vibrations, high noise levels, or other adverse physical impacts upon the neighborhood. The proposed use is a low intensity transitional use. Views of the storage area are planned to be minimized with landscaping and drainage would follow the system approved with the original plat in 1999.

SURROUNDING USES: The subject site is surrounded by the following zoning:

North	Zoned I-2, General Industrial; guided General Industrial
West	Zoned I-2, General Industrial; guided General Industrial
South	Zoned I-2, General Industrial; guided General Industrial
East	Zoned I-2, General Industrial; guided General Industrial

INTERIM USE ORDINANCE AMENDMENT

An interim use is defined as a temporary use of a property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permits. Interim uses are typically uses that are not appropriate based upon strict application of Zoning Code restrictions, existing development and proposed future land-use plans, however, they may have merit as uses for some intermediary period of time.

The Interim Use Ordinance is set up so that each allowed use is listed specifically in the ordinance. Therefore the ordinance must be amended each time a new use is approved. In this case, the ordinance already provides; "Allow a temporary mini-storage facility with outdoor storage as an interim use in the I-1 and I-2 zoning districts." No changes to the ordinance are necessary with this request.

INTERIM USE PERMIT

The interim use of a mini-storage facility on this particular site would not have an impact on public health or existing or planned City facilities. It would not have a negative impact on any new development since it is industrial in nature and is only proposed as an interim use. The applicant has stated he would like the Interim Use Permit to expire 10 years from the approval date. It is generally compatible with the existing uses of the surrounding properties. Access to the storage area would be off of Clark Road. This is not a high traffic road; additional traffic the storage area may produce will not negatively impact the surrounding businesses.

Setbacks. The proposed parking lot and building meets and exceeds the required perimeter setbacks for the site.

Lot Coverage. The I-1 and I-2 zoning districts allows a maximum of 30% of the lot to be covered by buildings. The building footprint coverage would be less than 1%, which complies with code standards.

Parking. The Zoning Code does not have any special parking requirements for self-storage facilities. Parking while someone is in facility would occur in front of the unit. Most activity on site would be short term, that of either dropping off or picking up personal belongings. There would be no office on site. Rental of the units would take place at the applicant's main office in Eagan. Therefore, no dedicated parking spaces are proposed. Staff is comfortable with this arrangement.

Surfacing. The site plan indicates the front half of the site where the storage units would be would be covered with bituminous surface. The back half of the lot with the open storage would be surfaced with recycled asphalt. This is similar to the other mini-storage that was approved as an interim use north of this site on Clark Road. Since the use would be temporary, the gravel surface could be allowed as part of the interim use permit. Both Planning and Engineering staff have no objections to the surfacing proposed.

Building Materials. The zoning ordinance requires that at least 50% of the exterior vertical surface shall consist of one of a combination of the following: brick veneer; concrete block or panels; natural wood siding; steel, aluminum or vinyl lap siding; or natural stone or glass. The proposed storage pods do not comply with this standard. Council has approved these type of units for another mini-storage located along Hwy 52/55 north of this site. Council just approved a 20 year extension to an interim use permit to allow the units to remain on that site. Staff then feels that the units proposed should be treated the same and be allowed by the interim use permit. They are not directly visible from the highway and would have much less of a visual impact than the ones approved on the highway.

Lighting. The applicant has shown two lights along the front of the property. Both are a shoebox style that would meet code requirements. Lighting is acceptable.

Landscaping. The applicant is proposing to plant 10 over story trees along the front of the property to break up sight lines. While this does not fully comply with landscaping standards, staff recognizes the interim nature of the use and finds a limited planting plan acceptable.

ALTERNATIVES

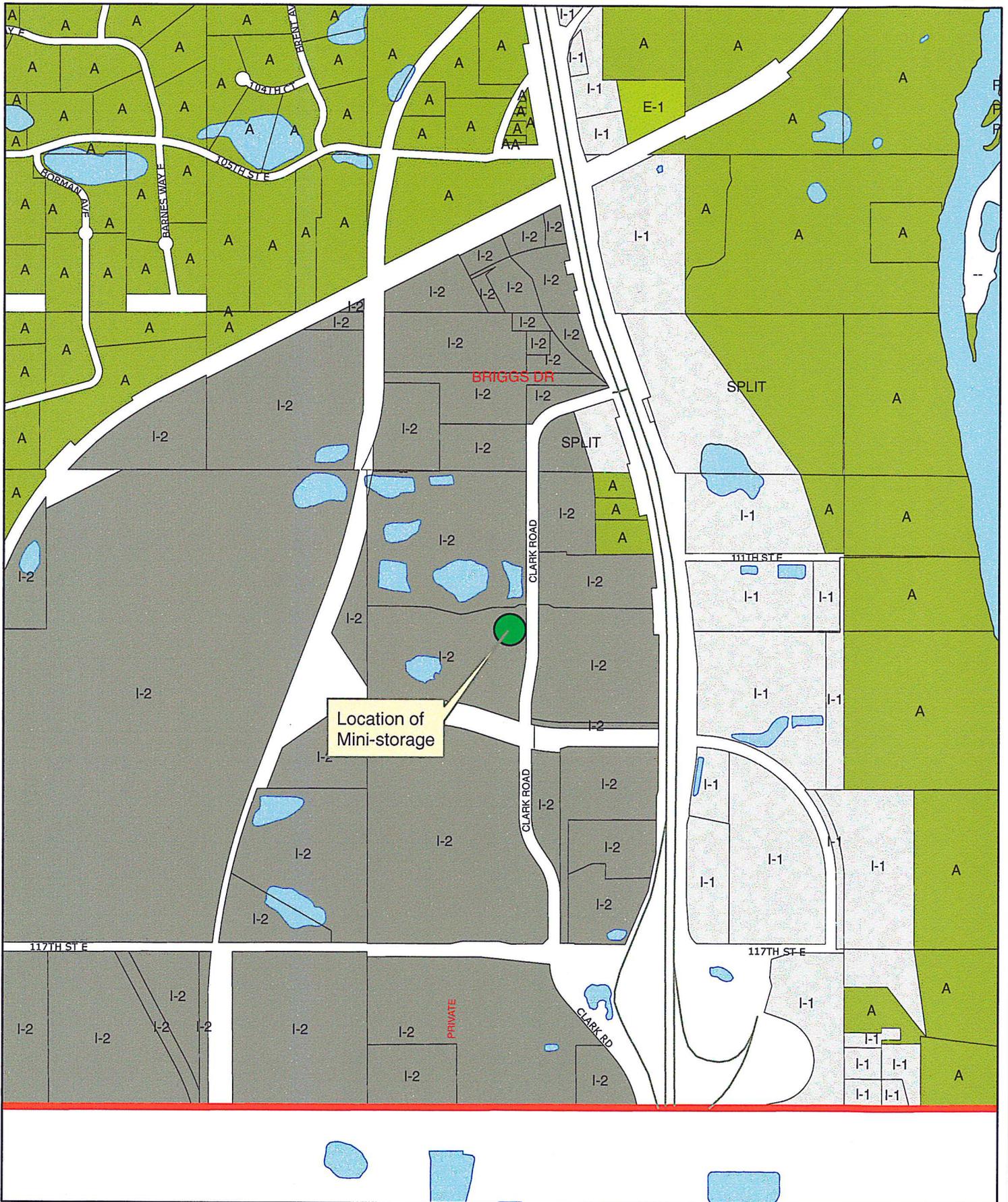
The Planning Commission has the following actions available on the following requests:

- A. **Approval.** If the Planning Commission finds the application to be acceptable, the following actions should be recommended for approval:
- Approval of an **Interim Use Permit** to allow a temporary mini-storage facility with outdoor storage as an interim use in the I-2 zoning district subject to the following conditions:



Location Map

Case No. 12-22IUP



June 15, 2012

City of Inver Grove Heights
8150 Barbara Avenue
IGH., MN 55077

Attention: Mr. Allan Hunting,

RE: Interim Use Permit
Clark Road Properties-Outlot B, Gainey Addition

Gentlemen,

We are proposing a one acre non-attended storage facility using metal Conex storage containers. We will also be storing trailers, recreational vehicles and boats. The proposed area would be fenced with an electric gate, paved and lighted. The hours of operation would be 6:00am to 8:00pm..

We are requesting a ten year renewable permit. The land is for sale and if sold the zoning would return to the current status.

Sincerely,

A handwritten signature in black ink, appearing to read 'Max Steininger', written in a cursive style.

Max Steininger

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Allan Hunting, City Planner
FROM: Thomas J. Kaldunski, City Engineer *TJK*
DATE: August 24, 2012
SUBJECT: Steininger Storage Facility 12-22 IUD

The Engineering Division has completed its review of the latest plan submittals for this Interim Use Permit. The plans were prepared by Sunde Engineering and dated August 9, 2012. They have addressed the items outlined in my earlier review letter (dated July 25, 2012). The Engineering Division recommends approving the IUP subject to the following conditions:

1. Plans dated August 9, 2012, approved on August 23, 2012 shall be utilized for the project.
2. The owner is authorized to remove 7400 CY of material from this site per the terms of the Mining Permit and the Interim Use Permit.
3. Silt fence shall be installed as noted on the approved plan.
4. An engineering cash escrow of \$3000 shall be provided.
5. A Letter of Credit or cash deposit shall be provided as surety. The City Engineer will determine the amount based upon his review of the cost estimate to be provided by the developer.
6. An as-built survey meeting City requirements shall be provided after the construction is completed.
7. All storm water management shall meet the conditions outlined in the approved Mining Permit.

TJK/kf

cc: Max Steininger
Sunde Engineering

160 INVESTMENTS, LLC (ARGENTA HILLS 5TH)

REQUEST FOR COUNCIL ACTION

CITY OF INVER GROVE HEIGHTS

Meeting Date: September 10, 2012
 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 requests for property located north of Amana Trail across from Target:

- a) A Resolution relating to a **Comprehensive Plan Amendment** to change the land use designation from MDR, Medium Density Residential to LMDR, Low Medium Density Residential.
 - Requires 4/5th's vote.
- b) An Ordinance **Rezoning** the property from A, Agricultural to R-1C/Planned Unit Development.
 - Requires 3/5th's vote.
- c) A Resolution relating to a **Preliminary Plat and Preliminary PUD** Amendment to change the original 44 unit townhouse development into a of 39 unit single family development.
 - Requires 3/5th's vote.
- d) A Resolution relating to a **Final Plat and Final PUD** plan approval for Argental Hills 5th Addition, consisting of 24 single family lots and 4 outlots.
 - Requires 3/5th's vote.
 - 60-day deadline: November 6, 2010 (second 60-days)

SUMMARY

The applicant is requesting a modification to the approved PUD development plan for the Argenta Hills development. The original PUD, approved in 2007 was for 154 residential units and 410,000 square feet of commercial. In 2010, the Council approved a change to the neighborhood in the far northeast corner of the development. Unit totals were reduced from 60 to 45. No other changes are being proposed for any other part of the PUD.

The applicant is also requesting Final PUD plan approval for Argenta Hills 5th Addition, a 24 lot single family subdivision which is phase I. If the project is approved, construction would begin immediately following council approval.

ANALYSIS

A brief summary of the proposed changes include:

- Changing the townhouse pad from 44 units to 39 detached single family homes.
- Buildings maintain a minimum 10 foot separation as originally approved.
- Open space remains virtually unchanged. Still proposing more than twice the number of acres required.
- Park dedication would be \$4,011 per lot for the 39 platted lots.

- Additional segments of the trail system will be installed with this phase. Two connections to Amana will be created.
- Streets would be 28 feet wide allowing parking on one side.

While the applicant is proposing to reduce the number of lots from 44 to 39 in this neighborhood, they are willing to pay the northwest area plat and building permit fees for the original number of lots approved. The city would not be out any fees if the reduced lot count is approved. Overall density is reduced in this neighborhood from 5.7 to 5.3 units per acre. Overall density in Argenta Hills is reduced from 2.3 to 2.1 units per acre.

The applicant is requesting flexibility from two Northwest Area standards; 1) allowing driveways greater than 20 feet without installing pervious pavement beyond 20 feet, 2) allow Lots 12, 13 and 29 to have driveways longer than 30 feet. Both requirements were established to reduce impervious surface. The applicant has provided a drawing that shows all of the residential neighborhoods are under the maximum 25% impervious surface allowed. Based on this analysis, staff is comfortable with the flexibility requests.

RECOMMENDATION

Planning Staff: Recommends approval of the requests as presented with the conditions listed in the attached resolutions.

Planning Commission: Recommends approval of the request with added language to condition #4 to clarify that no private improvements are allowed in the open space area (5-1).

Attachments: Comprehensive Plan Resolution
Rezoning Ordinance
Preliminary Plat and Preliminary PUD Amendment Resolution
Final Plat and Final PUD Resolution
Final Plat
Planning Commission Recommendation
Planning Report

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION APPROVING A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF THE PROPERTY DESCRIBED BELOW FROM MDR, MEDIUM DENSITY RESIDENTIAL TO LMDR, LOW-MEDIUM DENSITY RESIDENTIAL

CASE NO. 12-23PUD
(160 Investments)

WHEREAS, an application has been submitted for property legally described as;

Lots 1-24, Block 1 and Outlot E, Argenta Hills 5th Addition, according to the recorded plat, Dakota County, Minnesota

WHEREAS, an amendment to change boundaries of any district may be granted by the City Council on an affirmative vote of 4/5ths of the Council as per City Code Title 10, Chapter 3, Section 10-3-5, A;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on August 21, 2012, in accordance with City Code Title 10, Chapter 3, Section 10-3-5, D;

WHEREAS, the change to the Comprehensive Plan was found by the City Council to be consistent with the existing and proposed uses in the area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the Comprehensive Plan Amendment is hereby approved subject to the following conditions:

1. The plan shall not become effective until all approvals have been granted by the Met Council and the City.

2. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.
3. The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.

BE IT FURTHER RESOLVED that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights on this ____ day of _____ 2012.

Ayes:

Nays:

ATTEST:

George Tourville, Mayor

Melissa Kennedy, Deputy Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 10, CHAPTER 4 (ZONING MAP) OF THE
INVER GROVE HEIGHTS CITY CODE

CASE NO. 12-23PUD
(160 Investments)

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 from A, Agricultural to R-1C/Planned Unit Development, to wit:

Lots 1-24, Block 1 and Outlots A-E, Argenta Hills 5th Addition, according to the recorded plat, 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 _____, 2012.

Ayes:
Nays:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

A RESOLUTION APPROVING A PRELIMINARY PLAT AND PRELIMINARY PUD
DEVELOPMENT PLAN AMENDMENT FOR A MULTI-LOT 134 UNIT RESIDENTIAL
AND APPROXIMATELY 410,000 SQUARE FOOT COMMERCIAL PLANNED UNIT
DEVELOPMENT KNOWN AS ARGENTA HILLS

CASE NO. 12-23PUD)
(160 Investments)

WHEREAS, the City Council approved a preliminary plat and preliminary PUD development plan for a seven (7) lot and seven (7) outlot subdivision and an approximately 410,000 square foot retail and 154 unit residential development on October 22, 2007;

WHEREAS, the City Council approved a preliminary PUD amendment altering the lot number and design of one of the residential neighborhoods in the northeast corner resulting in a reduction in the housing number to 139 units on September 13, 2010;

WHEREAS, a preliminary plat and preliminary PUD development plan amendment application has been submitted to the City for property legally described as;

SEE EXHIBIT A

WHEREAS, a revised preliminary PUD development plan has been submitted altering one of the residential neighborhoods in the original preliminary PUD from a 44 unit townhouse development to a 39 unit detached single family development on the north side of Amana Trail;

WHEREAS, a public hearing concerning the preliminary plat and preliminary PUD development plan was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on August 21, 2012;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that, the Preliminary Plat and Preliminary PUD development plan amendment for a Seven (7) lot and Seven (7) outlot plat and approximately 410,000 square foot retail and 134 unit residential development is hereby approved subject to the following conditions:

1. The final plat and accompanying site plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	10/12/2007, 6/30/10 and 8/10/12
Preliminary Site Layout Plan	6/25/2007 and 7/19/10
Preliminary Grading and Drainage Plan	6/25/2007, 7/19/10 and 8/10/12
Preliminary Overall Utility Plan	6/25/2007
Preliminary Landscape Plan	6/25/2007, 8/10/10 and 8/10/12
Preliminary Tree Inventory and Preservation Plan	6/25/2007, 8/11/10 and 7/9/12
Building Elevations	6/25/2007
Trail Plan	6/25/2007
Signage Location Site Plan	10/11/2007
Open Space Plan	6/25/2007, 7/19/10 and 7/6/12
Development Capacity Plan	6/25/2007
Preliminary Phasing Plan	6/25/2007 and 7/19/10
Trails, Walks and Green Framework Plan	6/25/2007
Roadway and Trail Plan	6/25/2007
East-West Pedestrian Connection	6/25/2007
Concept Signage Sketches	9/17/2007
Main Street - Argenta Perspective Sketch	
Target View Perspective Sketch	
Commercial Buildings Schematic Elevations	8/7/2007
Argenta Hills Design Guidelines Outline	
Design Features (9 sheets)	6/25/2007
Overall Stormwater Plan (2 sheets)	
Stormwater Details (3 sheets)	
Grading and Drainage Plans (9 sheets)	6/25/2007
Landscape Plans (8 sheets)	6/25/2007
Residential Lot Design Layout (3 sheets)	9/25/2007
Argenta Hills Residential Overall Impervious Surface Illustration	8/10/12

2. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
3. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
4. The ownership of all of the natural area/open space to be owned in private ownership by the property owner. A conservation easement shall be required by the City restricting the

use of the open space. No private homeowner improvements shall be allowed in the open areas.

5. All rooftop equipment shall be completely screened from view from the public streets. Screening materials shall be compatible with the building's overall design. If the mechanical equipment is found to be visible after construction, the applicant shall provide screening subject to the approval of the City.
6. Park dedication shall consist of a cash contribution in the amount of the rates in effect at the time the final plat is approved.
7. All parking lot and building lighting on site shall be a down cast "shoe-box" style and the bulb shall not be visible from property lines. The design of the fixtures shall be subject to further staff review prior to final plan approval.
8. All plans shall be subject to the review and approval of the Fire Marshal.
9. The approval of the preliminary Plat and PUD development plans are subject to the review and comment from MnDOT and Dakota County.
10. The Agreement shall stipulate the storm water improvements shall be maintained by the following entities; in instances where the City is not responsible for maintenance of the storm water improvements, the City shall nonetheless have the right to repair, maintain and replace the improvements if the responsible party does not fulfill its responsibility and the City shall have the right to charge the costs to the responsible party and impose the charges on the property if the responsible party fails to pay the costs.
11. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Owner shall execute a Boulevard Maintenance Agreement with the City whereby the owner of the lots shall be responsible for the maintenance of boulevard improvements on such lots; the City shall nonetheless have the right to repair, maintain and replace the improvements if the responsible party does not fulfill its responsibility and the City shall have the right to charge the costs to the responsible party and impose the charges on the property if the responsible party fails to pay the costs.
12. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Developer must pay the City utility plat connection fees consisting of a Water Utility Fee, Sanitary Sewer Utility fee and Storm Water Sewer Utility fee according to the formulas adopted by city ordinance.
13. In the Development Contract, the Developer and Owner shall acknowledge that at the time the building permits are obtained additional connection fees for the water utility system and sanitary sewer utility system are due and owing.

14. In the Development Contract, the Developer and Owner shall agree that the following elements of the Planned Unit Development shall not be altered, changed or removed without first obtaining the following consents:

Site Plan Element	Consent Required By
Building Location	City Council
Driveways and Private Roads	Planning Department
Landscaping	Planning Department
Location of Utilities	Engineering Department
Location of Conservation Easement and Open Space	City Council
Parking Areas	City Council
Signage Location Plan	City Council

15. The Developer and Owner shall execute an Acknowledgement of Planned Unit Development Zoning. This Acknowledgement shall state that property within the plat is subject to the approved PUD plans and PUD zoning and that the development on the property must conform to the PUD plans and PUD zoning. This Acknowledgement shall be recorded when the plat is recorded.
16. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract which is part of the Administrative Code, taking into account the particular requirements of the Planned Unit Development plans.
17. The Development Contract shall provide that parking lots associated with specific buildings are completed before a Certificate of Occupancy is issued.
18. The following documents shall be recorded when the plat is recorded:
- Development Contract;
 - Storm Water Facilities Maintenance Agreement;
 - Conservation Open Space Easement; and
 - Acknowledgement of PUD Zoning.
19. All private streets shall be maintained by the Home Owners Association.
20. Prior to City Council review of final PUD development plans in residential areas, the plans shall be modified such that visitor parking shall be accommodated in the single family and town home neighborhoods.
21. Prior to City Council review of final PUD development plans of any phase, the landscape plan shall identify quantities of plant materials proposed for verification of code compliance.

22. Prior to City Council review of final PUD development plans of any phase, the reforestation plan shall be updated indicating the location of replacement trees on site in addition to the landscaping requirements described by the ordinance.
23. Prior to City Council review of final PUD development plans of any phase, wetland buffers shall be provided around the perimeter of all wetlands. The developer shall describe the proposed seed mix, installation and erosion control measures for the buffer areas on the landscape plan.
24. All signage for all future proposed development shall be subject to review and approval by the City.
25. Prior to City Council review of final PUD development plans of residential portions, a noise assessment of the proposed development from the major roadways (State and County) including Highway 55, Robert Street and the proposed CSAH 28 shall be required. This analysis should outline areas of concern and detail mitigation strategies for reducing noise pollution on site.
26. Residential neighborhoods located within the boundary of the Noise Abatement Overlay district shall conform to the noise mitigation measures as defined in the Airport Noise Abatement Overlay District, Section 515.80. Subd. 34 of the City Code.
27. Prior to City Council review of final PUD development plans for appropriate phases, the Developer must demonstrate how grading of the custom lots, streets and retaining walls function for the long term, realizing the development of individual lots and construction timing.
28. Prior to City Council review of PUD development plans, the Developer must demonstrate how the trail system can be graded through the open space area. Benches for proper trail widths and cross culverts for drainage shall be designed and implemented into the grading and drainage plans and shall respond to the stormwater ponding and infiltration network.
29. The private streets shown at 24' in the custom single family and small lot single family neighborhoods and in the townhouse neighborhood do not allow for on-street parking. If no other guest parking areas are being provided within these neighborhoods, these streets shall be modified to 28' width to accommodate parking on one side of the street.
30. Street lighting shall be required within the single family neighborhoods and along all public streets. The street lighting plans shall be approved by the City and Dakota County or MnDOT where appropriate prior to installation.
31. Separate trail easements shall be granted to the City for the trail system through the development. The City shall be responsible for the maintenance of the trail and trail easement area.

32. The boundaries of the designated natural area/open space and conservation easement areas shall be clearly delineated on the approved final PUD plans and shall be clearly marked and delineated in the field before grading begins and after final grading is completed with signage approved by the City.
33. The re-platting of Outlot F shall be consistent with the approved preliminary PUD development plans dated 6/25/07, 7/19/10 and 8/10/12 unless a revised plan has been approved by the City Council. All conditions, restrictions, covenants, contributions and dedications must occur at time of re-platting Outlot F. This provision shall be included in the approved and recorded development contract.
34. At the time the City signs the plat, the owner must fully pay the City of Inver Grove Heights for all planning, engineering review and legal fees that have been incurred up to the date the City signs the final plat, and the owner must further escrow with the City an amount determined by the City of Inver Grove Heights for future planning and engineering review fees and for legal fees, except for such fees as may already otherwise be taken into account in the calculations or engineering inspection escrow made a part of the Development Agreement. Further, at the time the City signs the final plat, the owner must pay the City the fees prescribed by the ordinance (to be enacted prior to final plat) to defray the costs incurred by the City in preparation of the planning studies, engineering analysis, storm water analysis, environmental review, alternative urban areawide review, natural resource inventory and transportation modeling as such studies, analysis, reviews, inventories and modeling relate to the review, investigation and administration of the owner's applications.
35. This PUD Amendment resolution replaces Resolution No. 10-142 and is now the guiding resolution for the overall Preliminary PUD Plan Approval for Argenta Hills.
36. An additional 1,700 caliper inches shall be required to be planted in the overall development of the Argenta Hills PUD.

Passed this ____ day of _____, 2012.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

EXHIBIT A

PROPERTY LEGAL DESCRIPTIONS

1. AREGNTA HILLS Final Plat Legal Description:

The following described properties situated in the County of Dakota, State of Minnesota, to wit;

That part of the South one-half of the South one-half of the Southeast Quarter of the Northeast Quarter of Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota and that part of the Southeast Quarter of said Section 7 described as follows:

Beginning at the Northwest corner of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of said Section 7; thence East along the North line of said Southeast Quarter a distance of 1,999.71 feet, more or less, to the East line of said Section 7; thence South along the East line of said Section 7 a distance of 523 feet; thence West a distance of 895 feet; thence South 80 degrees 25 minutes West a distance of 810.6 feet; thence West a distance of 303.4 feet to the Southwest corner of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter of said Section 7; thence North a distance of 655.7 feet to the point of beginning.

Which lies Westerly, Southerly and Southeasterly of the following described line:

Beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 7; thence Southerly along the West line of said Northeast Quarter of the Southeast Quarter, a distance of 56.25 feet; thence Easterly, parallel with the North line of said Northeast Quarter of the Southeast Quarter, a distance of 790.00 feet; thence deflect to the left 18 degrees 07 minutes 00 seconds a distance of 494.00 feet; thence deflect to the right 18 degrees 07 minutes 00 seconds a distance of 71.32 feet to the East line of the Southeast Quarter of the Northeast Quarter of said Section 7 and there terminating.

EXCEPTING therefrom all that part of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota, described as follows: Commencing at the northeast corner of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter; thence on an assumed bearing of South 00 degrees 22 minutes 51 seconds East, along the easterly line of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter, for 256.29 feet; thence South 89 degrees 37 minutes 09 seconds West for 46.94 feet to the actual point of beginning; thence South 18 degrees 25 minutes 35 seconds West for 203.64 feet; thence North 71 degrees 34 minutes 25 seconds West for 191.01 feet; thence North 01 degrees 59 minutes 28 seconds East for 187.96 feet; thence South 88 degrees 00 minutes 32 seconds East for 41.03 feet; thence easterly for 56.66 feet along a tangential curve concave to the south, radius 213.00 feet and central angle 15 degrees 14 minutes 32 seconds; thence South 72 degrees 46 minutes 00 seconds East, tangent to said curve, for 149.04 feet to the point of beginning.

Together with a non-exclusive permanent utility easement as contained in Grant of Permanent Easement dated August 10, 1998, recorded November 12, 1998 as Document No. 1550254 in the Office of the County Recorder, Dakota County, Minnesota.

Being more particularly described as follows:

That part of the South one-half of the South one-half of the Southeast Quarter of the Northeast Quarter of Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota and that part of the Southeast Quarter of said Section 7 described as follows:

Beginning at the Northwest corner of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of said Section 7; thence East along the North line of said Southeast Quarter a distance of 1,999.71 feet, more or less, to the East line of said Section 7; thence South along the East line of said Section 7 a distance of 523 feet; thence West a distance of 895 feet; thence South 80 degrees 25 minutes West a distance of 810.6 feet; thence West a distance of 303.4 feet to the Southwest corner of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter of said Section 7; thence North a distance of 655.7 feet to the point of beginning.

Which lies Westerly, Southerly and Southeasterly of the following described line:

Beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 7; thence Southerly along the West line of said Northeast Quarter of the Southeast Quarter, a distance of 56.25 feet; thence Easterly, parallel with the North line of said Northeast Quarter of the Southeast Quarter, a distance of 790.00 feet; thence deflect to the left 18 degrees 07 minutes 00 seconds a distance of 494.00 feet; thence deflect to the right 18 degrees 07 minutes 00 seconds a distance of 71.32 feet to the East line of the Southeast Quarter of the Northeast Quarter of said Section 7 and there terminating.

EXCEPTING therefrom all that part of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota, described as follows: Commencing at the northeast corner of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter; thence on an assumed bearing of South 00 degrees 22 minutes 51 seconds East, along the easterly line of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter, for 256.29 feet; thence South 89 degrees 37 minutes 09 seconds West for 46.94 feet to the actual point of beginning; thence South 18 degrees 25 minutes 35 seconds West for 203.64 feet; thence North 71 degrees 34 minutes 25 seconds West for 191.01 feet; thence North 01 degrees 59 minutes 28 seconds East for 187.96 feet; thence South 88 degrees 00 minutes 32 seconds East for 41.03 feet; thence easterly for 56.66 feet along a tangential curve concave to the south, radius 213.00 feet and central angle 15 degrees 14 minutes 32 seconds; thence South 72 degrees 46 minutes 00 seconds East, tangent to said curve, for 149.04 feet to the point of beginning.

Also excepting therefrom all that part of the hereinbefore described property that is described as Parcel B by Document No. 1550253, as filed in the Office of the County Recorder, Dakota County, Minnesota.

Together with a non-exclusive permanent utility easement as contained in Grant of Permanent Easement dated August 10, 1998, recorded November 12, 1998 as Document No. 1550254 in the Office of the County Recorder, Dakota County, Minnesota.

TOGETHER WITH

That part of the South one-half of the South one-half of the Southeast Quarter of the Northeast Quarter and that part of the Northeast Quarter of the Southeast Quarter all in Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota, which lies north of the following described line:

Commencing at the Northwest corner of said Northeast Quarter of the Southeast Quarter, thence Southerly along the West line of said Northeast Quarter of the Southeast Quarter, a distance of 56.25 feet to the point of beginning of the line to be described; thence Easterly, parallel with the North line of said Northeast Quarter of the Southeast Quarter, a distance of 790.00 feet; thence deflect to the left 18 degrees 07 minutes 00 seconds a distance of 494.00 feet; thence deflect to the right 18 degrees 07 minutes 00 seconds a distance of 71.32 feet to the East line of said Southeast Quarter of the Northeast Quarter and there terminating, according to the United States Government Survey thereof, Dakota County, Minnesota.

TOGETHER WITH

The Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, except the following described tract:

Commencing at the intersection of the North line of State Trunk Highway No. 55 with the west line of the Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, said point being 505 feet North of the Southwest corner of said Southeast Quarter of the Southeast Quarter; thence North along said West line of the Southeast Quarter of the Southeast Quarter 77 feet; thence South 79 degrees 30 minutes East 657.5 feet to the West line of the cut-off from State Trunk Highway No. 218; thence South 56 degrees 30 minutes West 242 feet to the Southwest corner of the intersection of the said West line of said cut-off with the aforesaid North line of State Trunk Highway No. 55; thence Westerly along the North line of said Highway No. 55, 480 feet to the point of beginning;

And except as follows:

Beginning at the point of the West line of the Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, said point being 582 feet North of the Southwest corner of said Southeast Quarter of the Southeast Quarter; thence North along the West line of said Southeast Quarter of the Southeast Quarter a distance of 732.38 feet to the Northwest corner of said Southeast Quarter of the Southeast; thence East along the North line of said Southeast Quarter of the Southeast, a distance of 380 feet; thence South and parallel with the West line of said Southeast Quarter of the Southeast Quarter, a distance of 607 feet; thence East 200 feet; thence South and parallel with the aforesaid West line of the Southeast Quarter of the Southeast Quarter a distance of 234.1 feet; thence North 79 degrees 30 minutes West, 589.9 feet to the point of beginning.

And except as follows:

Parcel 410A as shown on the Minnesota Department of Transportation Right of Way Plat No. 19-122 acquired by the State of Minnesota in Final Certificate dated November 13, 1996, recorded February 3, 1997 as Document No. 1403330.

Being more particularly described as follows:

All that part of the Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, Dakota County, Minnesota lying northerly, northwesterly and westerly of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 19-122, according to the recorded plat thereof;

EXCEPT:

Beginning at the point of the West line of the Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, said point being 582 feet North of the Southwest corner of said Southeast Quarter of the Southeast Quarter; thence North along the West line of said Southeast Quarter of the Southeast Quarter a distance of 732.38 feet to the Northwest corner of said Southeast Quarter of the Southeast; thence East along the North line of said Southeast Quarter of the Southeast, a distance of 380 feet; thence South and parallel with the West line of said Southeast Quarter of the Southeast Quarter, a distance of 607 feet; thence East 200 feet; thence South and parallel with the aforesaid West line of the Southeast Quarter of the Southeast Quarter a distance of 234.1 feet; thence North 79 degrees 30 minutes West, 589.9 feet to the point of beginning.

TOGETHER WITH

All that part of the Northeast Quarter of the Southeast Quarter, the Northwest Quarter of the Southeast Quarter, the Southwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter Section 7, Township 27 North, Range 22, lying Northerly and Easterly of Minnesota State Highway No. 55.

Excepting therefrom the following:

Commencing at the Northwest corner of the Northeast Quarter, Northwest Quarter, Southeast Quarter Section 7, Township 27 North, Range 22 West; thence East along the North line of said Southeast Quarter 1,884.71 feet to the West line of State Trunk Highway No. 218; thence South along said Highway line 523 feet; thence West 780 feet; thence South 80 degrees 25 minutes West 810.6 feet; thence West 305.4 feet to the Southwest corner of said Northeast Quarter, Northwest Quarter, Southeast Quarter; thence North 655.7 feet to the point of beginning

Commencing at the northwest corner of said NE 1/4 of the SW 1/4; thence southerly along the west line of said NE 1/4 of the SW 1/4 a distance of 50.00 feet; thence North 89 degrees 48 minutes 29 seconds East, assumed bearing, parallel with the north line of said NE 1/4 of the SW 1/4 a distance of 452.36 feet to the point of beginning of the parcel to be described; thence South 60 degrees 51 minutes 45 seconds East, 153.25 feet; thence South 28 degrees 51 minutes 45 seconds East, 420.13 feet; thence South 0 degrees 08 minutes 15 seconds West, 489.01 feet to the northeasterly right-of-way line of S.T.H. No. 55; thence North 42 degrees 54 minutes 59 seconds West along said right-of-way line 958.83 feet; thence North 27 degrees 43 minutes 39 seconds East along the easterly right-of-way line of S.T.H. No. 55 a distance of 258.38 feet to the intersection with a line which bears South 89 degrees 48 minutes 29 seconds West from the aforesaid point of beginning; thence North 89 degrees 48 minutes 29 seconds East, 197.19 feet to the point of beginning and there terminating.

That part of the Northwest Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, Dakota County, Minnesota which lies southerly of the northerly 1095.65 feet of said Northwest Quarter of the Southeast Quarter of Section 7 and which lies northeasterly of the northeasterly line of State Trunk Highway No. 55 per MnDOT Final Certificate Parcel 8 Rev. (55=116-21) recorded in Book 47 of Miscellaneous Records, Page 153

and per MnDOT Final Certificate Parcel 208A S.P. 1909 (55=116-21) recorded in Book 67 of Miscellaneous Records, Page 620, Doc. No. 324766, Dakota County, Minnesota.

Parcel 308A as shown on Minnesota Department of Transportation Right of Way Plats Nos. 19-121, 19-122 and 19-126 acquired by the State of Minnesota in Final Certificate dated November 13, 1996, recorded February 3, 1997 as Document No. 1403330

TOGETHER WITH

That part of the Northwest Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, Dakota County, Minnesota which lies southerly of the northerly 1095.65 feet of said Northwest Quarter of the Southeast Quarter of Section 7 and which lies northeasterly of the northeasterly line of State Trunk Highway No. 55 per MnDOT Final Certificate Parcel 8 Rev. (55=116-21) recorded in Book 47 of Miscellaneous Records, Page 153 and per MnDOT Final Certificate Parcel 208A S.P. 1909 (55=116-21) recorded in Book 67 of Miscellaneous Records, Page 620, Doc. No. 324766, Dakota County, Minnesota.

Excepting therefrom Parcel 308A as shown on Minnesota Department of Transportation Right of Way Plat No. 19-122 acquired by the State of Minnesota in Final Certificate dated November 13, 1996, recorded February 3, 1997 as Document No. 1403330.

TOGETHER WITH

Beginning at a point on the West line of the Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, said point being 582 feet North of the Southwest corner of said Southeast Quarter of Southeast Quarter; thence North along the West line of said Southeast Quarter of Southeast Quarter a distance of 732.38 feet to the Northwest corner of said Southeast Quarter of Southeast Quarter; thence East along the North line of said Southeast Quarter of Southeast Quarter a distance of 380 feet; thence South and parallel with the West line of said Southeast Quarter of Southeast Quarter a distance of 607 feet; thence East 200 feet; thence South and parallel with the aforesaid West line of the Southeast Quarter of Southeast Quarter a distance of 234.1 feet; thence North 79 degrees 30 minutes West, 589.9 feet to the point of beginning.

Excepting therefrom the following:

Parcel 308A as shown on Minnesota Department of Transportation Right of Way Plat No. 19-122 acquired by the State of Minnesota in Final Certificate dated November 13, 1996, recorded February 3, 1997, as Document No. 1403330.

~~2. Phase I Final Planned Unit Development Legal Description (Development Tract):
All that part of the south half of Section 7, Township 27, Range 22, Dakota County, Minnesota described as follows:
Commencing at the southeast corner of said Section 7, said southeast corner also being the southeast corner of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 19-122, according to the recorded plat thereof; thence North 00 degrees 18~~

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

RESOLUTION NO. _____

**A RESOLUTION APPROVING A FINAL PLAT AND FINAL PUD DEVELOPMENT PLAN
FOR A 24 LOT SINGLE FAMILY SUBDIVISION TO BE KNOWN AS ARGENTA HILLS 5th
ADDITION**

**CASE NO. 12-23PUD
(160 Investments)**

WHEREAS, a final plat and final PUD development plan application has been submitted to the City for property legally described as;

**Lots 1-24, Block 1 and Outlots B-E, Argenta Hills 5th Addition, according to the recorded plat,
Dakota County, Minnesota**

WHEREAS, a public hearing concerning the preliminary and preliminary PUD development plan was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on August 21, 2012;

WHEREAS, the final plat application satisfies the conditions of preliminary plat and preliminary PUD approval and conforms to all applicable zoning and subdivision regulations (City Code Sections 10-13A and 11-1) and other standards applied by the City in the platting of property.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that, the Final Plat and Final PUD development plan for a 39 lot plat to be known as Argenta Hills 5th Addition is hereby approved subject to the following conditions:

1. The final plat and accompanying site plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Final Plat of Argenta Hills 5 th Addition	
Final Site Plan	dated 8/10/12
Final Grading and Drainage Plans	dated 8/10/12
Landscape Plan	dated 8/10/12

2. Prior to any work commencing on the site, the developer shall enter into a development contract with the City. The development contract will address all other preliminary conditions of approval relating to other agreements required, park dedication, and other pertinent specific performance standards for this PUD.

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 _____, 2012.

AYES:

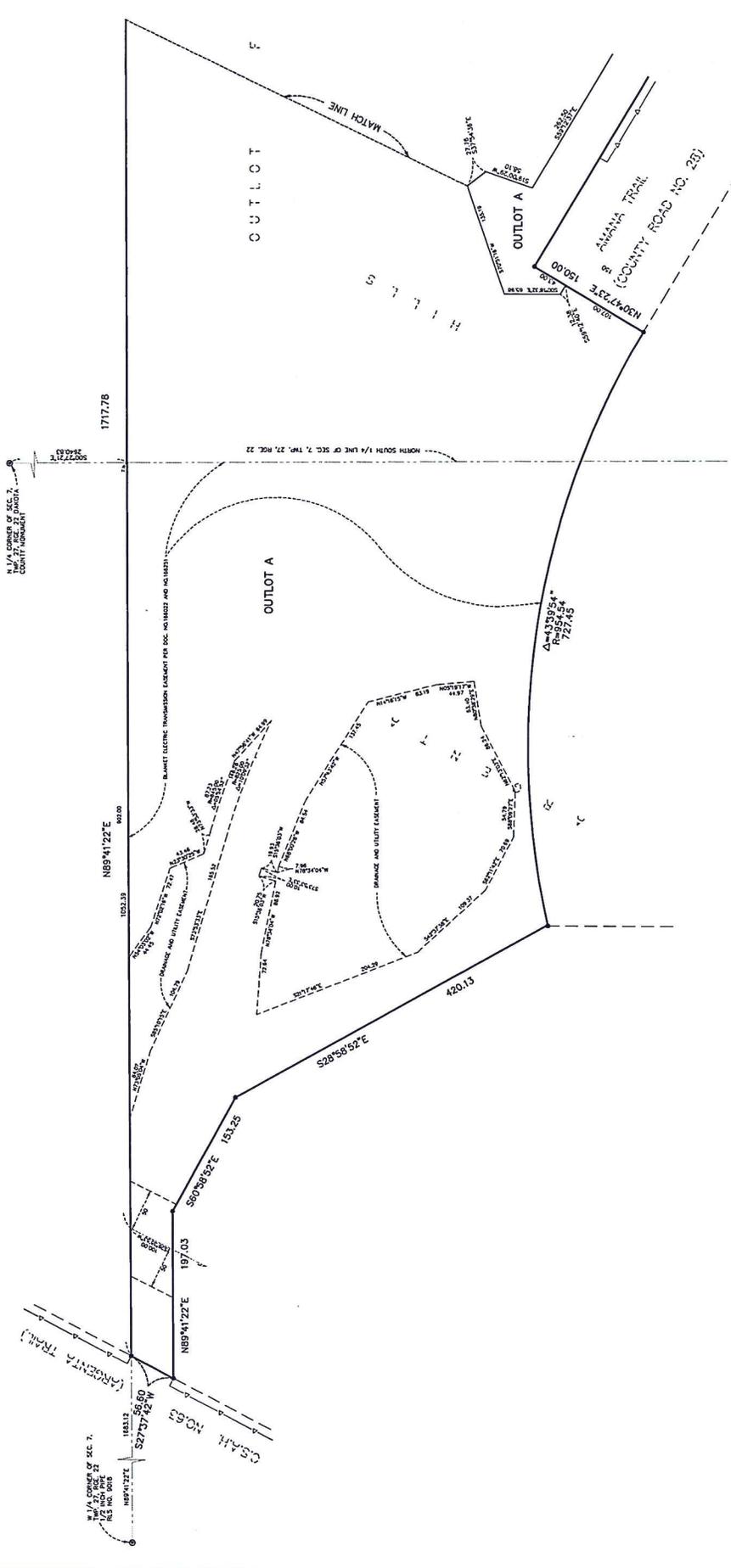
NAYS:

George Tourville, Mayor

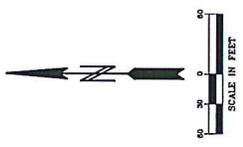
ATTEST:

Melissa Kennedy, Deputy Clerk

ARGENTA HILLS 5TH ADDITION

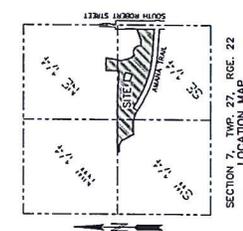


- DENOTES RESTRICTED ACCESS TO DAKOTA COUNTY FOR THE PLAT OF ARGENTA HILLS
 - DENOTES FOUND IRON MONUMENT.
 - DENOTES DAKOTA COUNTY MONUMENT.
- NO MONUMENT SYMBOL SHOWN AT ANY STATUTE THAT WILL BE SET AND WHICH SHALL BE IN PLACE WITHIN ONE YEAR OF THE FILING OF THE PLAT. SAID MONUMENTS MARKED BY LICENSE NUMBER 42259.
- BEARINGS ARE BASED ON THE NORTH LINE OF OUTLOT F, ARGENTA HILLS, WHICH IS ASSUMED TO HAVE A BEARING OF R89°41'22\"/>

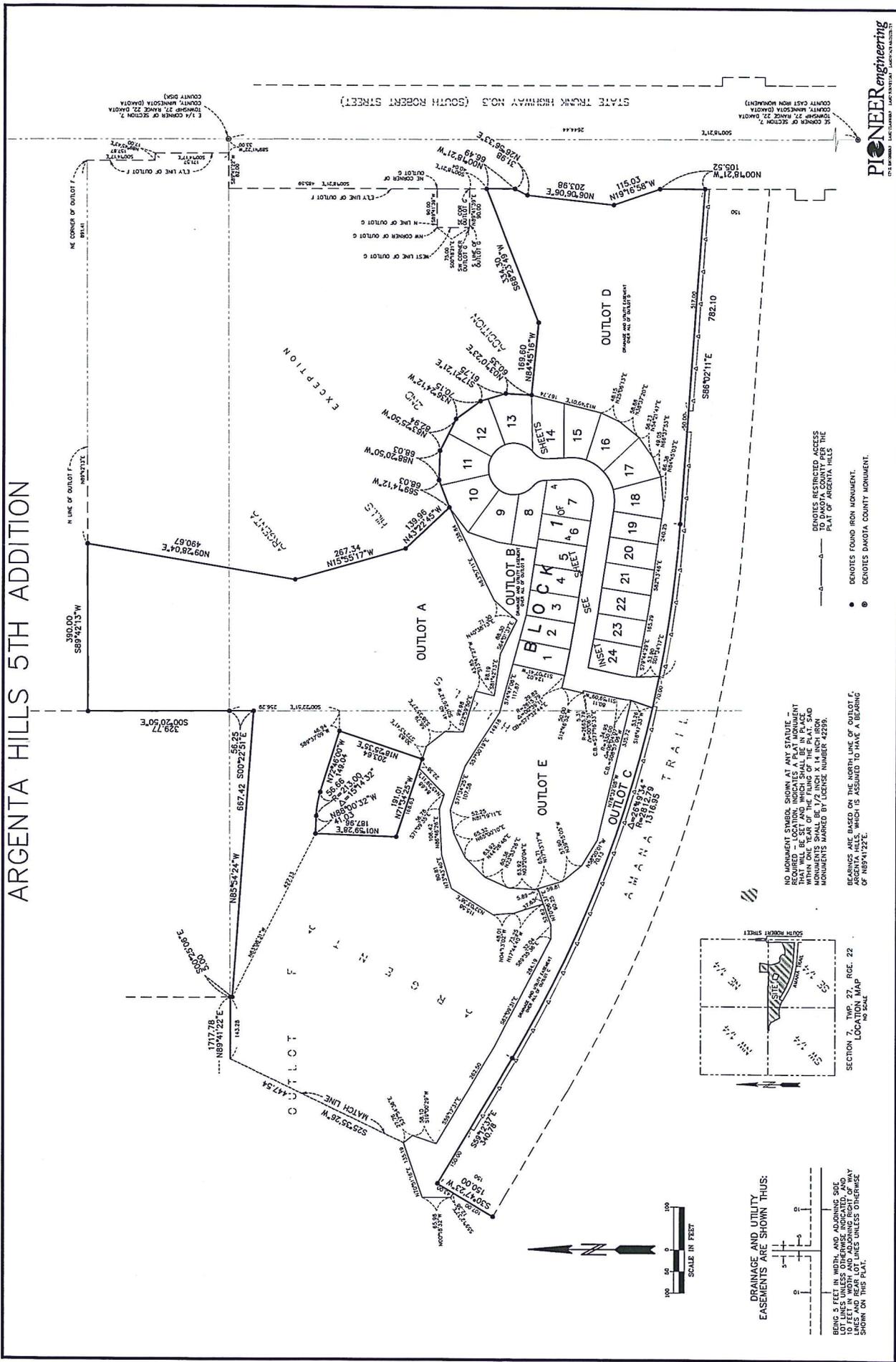


DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

BEING 5 FEET IN WIDTH, AND ADJOINING SIDE TO THE NEAREST ADJACENT LOT, AND 10 FEET IN WIDTH AND ADJOINING BOTH FRONT AND REAR LOT LINES UNLESS OTHERWISE SHOWN ON THIS PLAT.



ARGENTA HILLS 5TH ADDITION



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

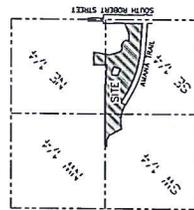
BEING 5 FEET IN WIDTH AND ADJOINING SIDE LOT LINES UNLESS OTHERWISE INDICATED, AND EASEMENTS ARE SHOWN UNLESS OTHERWISE SHOWN ON THIS PLAT.

NO MONUMENT SHOWN AT ANY STATUTE - REQUIRED - LOCATION INDICATES A PLAT MONUMENT WITHIN ONE YEAR OF THE FILING OF THE PLAT. SAID MONUMENTS SHALL BE 7/2 INCH X 1 1/4 INCH IRON MONUMENTS MARKED BY UTILITY NUMBER 4229.

BEARING AND DISTANCE ON THE NORTH LINE OF OUTLOT 1 ARGENTA HILLS 5TH ADDITION TO DAKOTA COUNTY MONUMENT OF 1894122'E.

● DENOTES FOUND IRON MONUMENT.
 ○ DENOTES DAKOTA COUNTY MONUMENT.

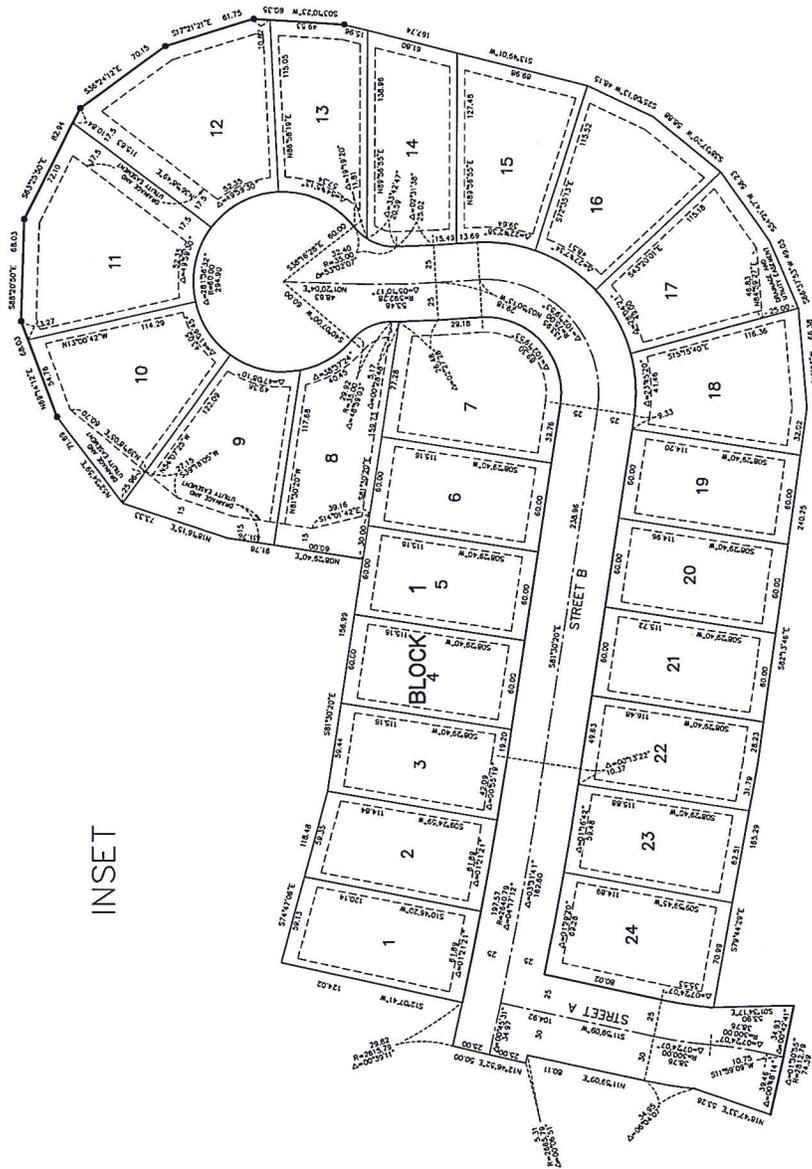
--- DENOTES EASEMENT ADDRESS TO DAKOTA COUNTY PER THE PLAT OF ARGENTA HILLS



SECTION 7, PLS. 27, PGE. 22
 LOCATION MAP
 NO SCALE

ARGENTA HILLS 5TH ADDITION

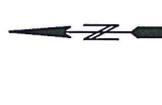
INSET



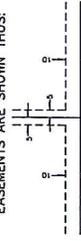
• DENOTES FOUND IRON MONUMENT.

NO MONUMENT SHOWN AT ANY STATION -
 THAT WILL BE SETTING MONUMENTS IN THE
 WITHIN ONE YEAR OF THE FILING OF THE PLAT SAID
 MONUMENTS MARKED BY LEGISE NUMBER 4228.

BEARINGS ARE BASED ON THE NORTH LINE OF QUAD E,
 ARGENTA HILLS, WHICH IS ASSUMED TO HAVE A BEARING
 OF N89°41'22"E.



DRAINAGE AND UTILITY
 EASEMENTS ARE SHOWN THUS:



BEING 5 FEET IN WIDTH AND ADJOINING SIDE
 LOT LINES UNLESS OTHERWISE INDICATED, AND
 FRONT AND REAR LOT LINES UNLESS OTHERWISE
 SHOWN ON THIS PLAT.

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: August 21, 2012

160 INVESTMENTS, LLC (ARGENTA HILLS 5TH) – CASE NO. 12-23PUD

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a 1) Comprehensive Plan Amendment to change the land use category from MDR, Medium Density Residential to LMDR, Low-Medium Density Residential, 2) Rezoning of a property from A, Agricultural to R-1C/PUD, Single Family, 3) Preliminary and Final Plat for a 39 lot single family subdivision, 4) Preliminary PUD Development Plan Amendment to modify the original plan from a 44 unit townhouse development to a 39 lot single family development, and 5) Final PUD Development Plan for the plat of Argenta Hills 5th Addition, consisting of 39 lot single family lots and a series of outlots, for the property located north of Amana Trail and west of South Robert Trail and identified as PID No. 20-12050-00-061. 19 notices were mailed.

Presentation of Request

Mr. Hunting explained the request as detailed in the report. He advised that the applicant is requesting various approvals for the fifth phase of the residential development in the Argenta Hills PUD. Based on market demands, the applicant is requesting a change from the original plan of 44 townhome units to 39 detached single family homes on lots approximately 60 feet in width. He advised that the neighborhood was originally approved at 5.7 units per acre; the proposed density would be 5.3 units per acre. He advised that the proposed plat has the same general configuration and main access point as originally proposed. The applicant is requesting flexibility from two standards found in the Northwest Overlay District Ordinance. The first is to allow three driveways to be longer than 30 feet, and the second is to have the driveways be allowed to be wider than 20 feet without having to use pervious materials. Staff supports the two flexibility requests. The applicant has agreed to pay the connection fees for the additional five lots that were originally proposed. He advised that the Fire Marshal has determined that a second access is no longer necessary with the reduced lots, and the plat will have a minimum of 10 foot spacing between units. Staff recommends approval of the request with the conditions listed in the report.

Chair Bartholomew stated it appeared as if the density would be minimally affected.

Mr. Hunting agreed, stating the density decrease could be made up in future developments.

Chair Bartholomew asked what the recourse would be if City Council did not approve the request.

Mr. Hunting replied the applicant would have to revise the plan to something that would achieve the same density as originally proposed. It would be difficult, however, because of the physical constraints of the property.

Commissioner Hark asked if this addition would include sidewalks.

Mr. Hunting replied it would not.

Commissioner Maggi asked how far they were into the Argenta Hills development.

Mr. Hunting advised that this is essentially the second neighborhood in the residential portion; the west section of the residential area is yet to be developed. In regards to the commercial area, the Target store is complete and three Main Street buildings are currently under construction. The remainder of the commercial area is yet to be developed.

Commissioner Maggi noted that only 519 caliper inches of trees will have been planted with this addition, leaving a balance of 1,700 caliper inches of additional tree reforestation. She questioned why they were behind on the reforestation this far into the development.

Mr. Hunting explained that the 2,219 caliper inch requirement was for the entire Planned Unit Development and that they were not behind as there were a number of additional trees to be planted with the remaining undeveloped residential and commercial phases.

Commissioner Maggi asked if the expectation would be that the applicant would meet the 2,219 caliper inch requirement when the development was complete.

Mr. Hunting replied in the affirmative.

Commissioner Wippermann asked what the lot widths were in the residential neighborhood along Autumn Way.

Mr. Hunting replied they were 66 feet wide.

Commissioner Simon asked if they needed to make mention in the conditions that the Fire Marshal is no longer requiring the second access.

Mr. Hunting replied that by approving the plan as presented the Planning Commission would be recognizing that the second access is no longer necessary.

Commissioner Simon asked if staff received any comments from neighbors.

Mr. Hunting replied they did not.

Commissioner Simon asked for clarification of the proposed driveway widths.

Jacob Fick, 160 Investments, advised that the driveways would be 20 feet wide at the street connection point and would taper out to a three-car garage width. It would not affect any street parking. They are requesting flexibility to allow the amount over 20 feet to not be done in pervious materials. He stated the intent of the requirement is to minimize the overall impervious surface of the site to 25%; without using pervious materials they will be between 21-23%.

Commissioner Simon stated that when drafting the Northwest Area Ordinance they never

discussed constructing 20 foot wide driveways and then tapering them out.

Mr. Hunting stated the Code states that a 20 foot driveway is the maximum width allowed; however, it can be wider providing the additional width be done in pavers. He interprets that as it was anticipated there would be three-car garages built in that area. He advised that requirement was based solely on storm water, and in this case they are well under the 25% impervious surface maximum.

Chair Bartholomew asked if Engineering was agreeable with not requiring pervious pavers.

Mr. Hunting replied in the affirmative.

Commissioner Wippermann referred to Condition 4 on page 6 of the report which states that improvements were allowed in the open space areas. He asked how 'improvements' would be defined.

Mr. Hunting replied that referred to City improvements such as trails.

Commissioner Simon suggested clarifying that only 'City' improvements were allowed.

Mr. Hunting stated the Planning Commission could specify that only public improvements were allowed. He advised that the City Attorney would draft specific documents for those areas which would spell out what was allowed in the disturb and undisturbed areas.

Mr. Link advised that he has heard from developers and representatives from other cities that the trend throughout the metropolitan area is that there is no market for townhomes while single family homes seem to be selling.

Opening of Public Hearing

Jacob Fick, 160 Investments, 16972 Brantdjen Farms Drive, Lakeville, said he was available to answer any questions.

Chair Bartholomew asked if the applicant was in agreement with the conditions listed in the report.

Mr. Fick replied in the affirmative. He advised the reason for the request is that currently the market demand is for single-family homes whereas existing townhomes can be purchased for less than they can build them for.

Chair Bartholomew asked if the proposed three-car garages were market driven.

Mr. Fick replied in the affirmative.

Commissioner Lissarrague asked what the estimated price range would be.

Mr. Fick replied \$325,000 - \$425,000.

Commissioner Wippermann asked if the builder would be the same one that built the first

addition on Autumn Way.

Mr. Fick replied it would be a different builder.

Commissioner Wippermann stated that originally the townhome concept was proposed as a buffer from the commercial to the single family residential areas, and asked what would now be used as a buffer for the homes that back up to the commercial site.

Mr. Fick replied there would be a set of ponds along Amana Trail in back of the addition which would be embellished with trees, etc.

Commissioner Wippermann asked if there was any thought given to fencing along that area.

Mr. Fick replied they preferred to use landscaping as a buffer as opposed to fencing and planned to put in a substantial amount of landscaping. He noted that the homes along Amana Trail were walkouts so putting in fencing would buffer mostly the basement view. He added that residents, however, would be allowed to install fencing on their properties.

Commissioner Wippermann stated he was concerned about the potential for each homeowner to install a different type of fence which could end up being aesthetically displeasing. He noted they could require that any fencing be constructed of a certain type of material.

Commissioner Simon asked if this would be part of a homeowners association.

Mr. Fick replied that the addition would be part of a very minimal homeowners association. He stated their intent was to have any potential fencing hidden by trees and landscaping.

Commissioner Lissarrague stated the association could prohibit fencing.

Mr. Fick stated they were trying to limit any restrictions.

Chair Bartholomew noted there was 40 to 53 feet between the back lot line and Amana Trail.

Mr. Fick agreed, stating the water, topography and landscaping should adequately buffer the area. In regards to Commissioner Maggi's earlier comment regarding total tree numbers, Mr. Fick stated that once the sewer line and permanent trail was in place they plan to soften the experience with tree plantings, and stated that once they start planting large trees the remaining balance would dwindle fairly quickly.

An unknown gentleman advised he was here for the William Krech request.

Chair Bartholomew advised the gentleman that the item had already been discussed but the public hearing could be viewed on the City's website, he could speak with the applicant who was still in City Hall, or he could attend the City Council meeting on August 27.

Planning Commission Discussion

Chair Bartholomew stated he supported the request.

Commissioner Wippermann expressed concern over the small sized lots in this addition and stated that allowing 60 foot lots was too much of a deviation from the R-1C standard of 85 foot minimum lot widths. He noted that the Northwest Area guidelines indicate a 20 foot separation between homes, however, only 10 feet is being proposed. Because of this he does not support the request.

Commissioner Lissarrague stated he supported the request and understood the need to change from single family homes to multifamily.

Commissioner Hark asked if the word 'public' should be added to Condition 4.

Mr. Hunting asked for clarification of where the verbiage should be inserted.

Commissioner Hark replied on page 6 of the report, Condition 4, right before the word 'improvements'.

Mr. Hunting replied that the language referred to by Commissioner Hark was not the actual condition, but rather a description of the intent of the condition. He advised that the City Attorney will draft two documents spelling out specifically what would and would not be allowed in those areas, however, he could add some language to specify only public improvements.

Chair Bartholomew stated the Planning Commission's intent was to make it clear that no private improvements were allowed within those areas.

Commissioner Maggi asked what the rationale was for allowing the smaller width lots in this development.

Mr. Hunting advised that the vision for the Northwest Area from the beginning was to cluster development and have smaller lots, thus the Northwest Area has no minimum lot size or width requirements. This area was designed to retain all the stormwater in the general area. In order to do that a significant amount of land needs to be left in open space for stormwater retention and preservation of some of the natural features. To do that and yet achieve the desired density, developments are consolidated into a smaller area which results in smaller lots. He advised there is a reference in the Ordinance to a 20 foot separation; however, that was written assuming there would be rain gardens installed between lots. The City has since discovered that would result in maintenance issues; therefore rain gardens will not be placed between lots but rather in common areas and within City easements so the City can ensure they are maintained properly. He advised it is unlikely the Northwest Area will have any 85 foot wide, standard R-1C lots.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Lissarrague, to approve on a white ballot the request for a 1) Comprehensive Plan Amendment to change the land use category from MDR, Medium Density Residential to LMDR, Low-Medium Density Residential, 2) Rezoning of a property from A, Agricultural to R-1C/PUD, Single Family, 3) Preliminary and Final Plat for a 39 lot single family subdivision, 4) Preliminary PUD Development Plan Amendment to modify the original plan from a 44 unit townhouse development to a 39 lot single family development, and 5) Final PUD Development Plan for the plat of Argenta Hills 5th

Recommendation to City Council
August 21, 2012
Page 6

Addition, consisting of 39 lot single family lots and a series of outlots, for the property located north of Amana Trail and west of South Robert Trail, with the conditions listed in the report and **additional verbiage to Condition 4 specifying that only public improvements are allowed in the open space areas.**

Motion carried (5/1 – Wippermann). This item goes to the City Council on September 10, 2012.

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: August 12, 2012

CASE NO: 12-23PUD

APPLICANT: 160 INVESTMENTS LLC (ARGENTA HILLS 5th)

REQUEST: Comp Plan Amendment, Rezoning, Preliminary Plat, Preliminary PUD Development Plan Amendment and Final Plat and Final PUD Development Approval for Argenta Hills 5th Addition

HEARING DATE: August 21, 2012

LOCATION: West side of Hwy 3, north of Amana Trail

COMPREHENSIVE PLAN: MDR, Low Density Residential

ZONING: A, Agricultural

REVIEWING DIVISIONS: Planning
Engineering
Park and Recreation
Fire Marshall

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant has submitted an application which consists of an amended preliminary PUD development plan and plat for the fifth phase of residential development in the overall Argenta Hills PUD. The applicant is also requesting a Final Plat and Final PUD Development approval for 39 single family lots. This amendment is only for the neighborhood that was originally approved for a multiple family/townhouse project that is directly across from Target on the north side of Amana Trail. When the original overall PUD was approved, it was designed so that as each phase came forward, that particular property would be rezoned consistent with the development type. In this case, the property is still zoned A, Agricultural and is being requested to be rezoned to R-1C/PUD, Single Family. A Comprehensive Plan amendment is also needed since the density of the development is not consistent with the current designation. A change from MDR to LMDR is being requested.

Marketing of the first 4 phases have been very successful and a number of homes have been and are being built. The developer is requesting approval for the next phase and based on market demands, is requesting a change from the original plan. A quick summary of the proposed changes are:

1. Change the neighborhood from a 44 unit townhouse development to a 39 lot detached single family home development.

2. Minor changes to the proposed trail system to better fit trail locations with the natural topography.
3. Request flexibility from driveway widths and front yard setbacks.

These specific changes vary enough from the approved plan that a new preliminary plat and preliminary PUD plan approval are required.

The specific applications being requested are:

1. Comprehensive Plan Amendment to change the land use designation from MDR, 6-12 units/acre to LMDR, 3-6 units per acre.
2. Rezoning of the property from A, Agricultural to R-1C/Planned Unit Development
3. Preliminary Plat approval of Argenta Hills 5th Addition resulting in 39 lots and the balance of the residential area in outlots for future phases.
4. Preliminary PUD Development Plan Amendment of the Argenta Hills PUD as required by the Northwest Overlay District.
5. Final Plat and Final PUD Development Plan Approval for Argenta Hills 5th Addition, consisting of 39 platted lots and a series of outlots.

The applicant is also requesting flexibility from the following two standards found in the Northwest Overlay District Ordinance:

1. The applicant is requesting flexibility from the maximum driveway width requirement in order to provide for standard three car garage driveways without installing pervious pavement. Maximum driveway width is 20 feet. Reason for requirement is to minimize impervious surface. Additional width is allowed provided that driveway portion beyond 20 feet is constructed of pervious materials. This will be discussed later in the report.
2. To allow Lots 12, 13 and 29 to have driveways longer than 30 feet. The Ordinance establishes a minimum driveway length of 20 feet and maximum at 30 feet. Reason for requirement is to minimize impervious surface. Applicant is requesting 40 foot driveways for two lots and 35 feet for the other.

There are no other changes being proposed to any other portion of the approved Preliminary PUD. The approved development contract allows for a 10 year approval period for development before the applicant would be required to either ask for an approval extension or resubmit a new PUD plan.

The Northwest Area Overlay District was established to encourage development that provides such features as:

- Cluster development practices which preserve significant natural features,
- Pedestrian connections,
- Innovative storm water management practices,
- Reduction in impervious surface cover to maximize natural storm water infiltration,

- Provide on-site retention of storm water and,
- Open space areas as development amenities.

EVALUATION OF THE REQUEST

COMPREHENSIVE PLAN

As stated earlier, the current designation of the area in question is MDR, Medium Density Residential (6-12 units/acre). This neighborhood was specifically redesignated with the overall PUD approval in 2007 to ensure a higher density development would occur in this location. At the time the development was approved, the 2020 Comp Plan was in place. The MDR designation in that plan was 3-6 units/acre. The overall density of this area of the project was approved at 5.7 units/acre. This was consistent with that designation. When the 2030 plan was approved in 2009, the MDR designation changed to 6-12 units/acre. The proposed density is 5.3 units/acre. This is not consistent with the MDR designation and therefore a change to LMDR, 3-6 units/acre is being proposed.

During the initial planning stages of the whole Northwest Area, it was anticipated that based on projected land use designations, an overall density of 4.5 units/acre could be achieved. The LMDR designation would be consistent with this density mark. Achieving overall density in the Northwest Area has always been a concern since the city must work to maintain Met Council's goal of at least 3 units/acre overall and to make sure there are enough units to pay for the sewer and water infrastructure. The overall density of the Argenta Hills PUD was approved at 2.3 units/acre. In 2010, the developer requested and received an amendment to the first phase of residential development in the northeast corner of the site. The proposed change reduced the number of single family lots in that neighborhood from 60 to 45. This changed the overall density to 2.1 units/acre. The reduction of 5 more lots would reduce the overall density to 2.1 units/acre.

The original PUD approval was granted knowing the project was below the anticipated density levels. The original development fell short of this objective for a number of reasons: the challenging topography of the site, current market conditions that do not support a stacked residential housing type, the ability to protect an intact, contiguous green corridor and the location of a major regional storm water basin on the site (east side).

The density of this particular neighborhood achieves or exceeds the overall goal of 4.5 units/acre with a proposed density of 5.3 units/acre. The neighborhood with the original 44 units was at 5.6 units/acre.

The 5th phase would be consistent with the proposed change to the comprehensive plan and would also be consistent with the overall density goals for the area. While there is a loss of 5 units, this neighborhood still achieves its goal of being a higher density node in the development.

In 2010, the City approved a land use change to property across Hwy 3, on the north side of 80th Street. The land acreage of this request was approximately 80 acres. The land use designation was changed from Medium Density Residential to High Density Residential which increased the potential unit density by approximately 100 units. No development has occurred on the property to date. However, while there is a proposed density decrease in the Argenta Hills project, there has been a density increase approved in another area in the Northwest Area. If all projects are developed at their potential density, this has provided greater density to address the overall density issue in the Northwest Area.

The comprehensive plan still needs to go through the Met Council review process which will take approximately an additional 60 days. The applicant has requested the city conduct their review and if the project is acceptable, they are comfortable with a condition that the comp plan does not become effective until all plans have been approved by Met Council and the City. Staff also recommends that this condition be put in place to ensure that the density proposed is approved before an amendment becomes effective.

REZONING

The property is currently zoned A, Agricultural. The Northwest PUD ordinance states that as parcel development is approved, it must also be rezoned to a PUD designation. In this case, a rezoning to R-1C/Planned Unit Development would be consistent with the product type.

The LMDR designation indicates it is intended for a combination of single family attached and single family detached that is generally at a greater density than traditional single family housing. Traditional single family house is approximately 3 units/acre. The proposed 5 units/per acre is a greater density and is consistent with the intent of the land use designation.

PRELIMINARY AND FINAL PLAT AND PUD DEVELOPMENT PLAN

Because the revised preliminary plat and PUD changes are small, the report will combine the review of the preliminary and final together and concentrate on a review of the plans against the preliminary plat conditions of approval for compliance. The review will address each of the 36 conditions. A copy of the resolution approving the preliminary plans, including the conditions is attached.

A revised preliminary plat and PUD development plan is required because the product type is being changed from attached townhouse style to a single family detached unit and the number of units would be reduced from 44 to 39. The street pattern and access are all consistent with the approved plan. The applicant is requesting flexibility from the maximum driveway width requirement in order to provide for standard three car garage driveways without installing pervious pavement. This will be discussed later in the report.

Condition #1 relating to consistency with preliminary plans. The submitted preliminary and final plans are generally consistent with the original preliminary plans approved by Council. The following provides some additional detail on some of the individual approved plans:

Revised Preliminary Plat and final plat. The proposed plat further divides the original outlot into 39 lots, public street right-of-way, outlots for stormwater and open space, and the balance in an outlot for future development. The basic configuration and access remain. The lots are generally 60 feet wide and are on average 8,200 square feet. These lots are slightly smaller than those in the first 4 phases.

Additional links to the trail system are proposed with connections from the first phases to Amana Trail.

Open Space. The Northwest Area Overlay District establishes requirements for open space preservation within the Northwest Area Overlay. Based on the net developable area the project contains the following:

	Required Acres	Proposed Acres 2007	Proposed Acres 2010	Proposed Acres 2012
<i>Total Net Developable Area</i>	120.9	NA	NA	
Minimum Open Space Required = 20% of net area	24.2	43.7	42.7	40.4
Required contiguous area = 75% of required open space with a minimum 100 foot corridor width	18.2	18.9	20.4	18.2
Area to be undisturbed = 50% of required open space	12.1	19.6	21.1	18.9
Disturbed Open Space	12.1	23.6	21.4	21.5

Based on refined numbers from both the revised preliminary PUD plan and final grading plans, total open space proposed would be reduced by approximately 2 acre. Contiguous open space is now at its allowed minimum. The distance between the westerly portion of this phase and the future phase cul-de-sac further west were reduced down to the minimum 100 feet. In all cases, the project far exceeds and provides almost twice as much open space as required.

Building Setbacks and Separation. The current preliminary PUD allowed for varying building separation standards in the residential areas down to 10 feet. The proposed plans are consistent with this allowed separation. In this development, there are no storm water features needed or proposed in side yards. All storm water is addressed with larger infiltration basins and in the regional pond to the east.

The pads on lots 12 and 13 are proposed at a 40 foot setback and lot 29 at 35 feet in order for a better transition around the cul-de-sac. If the lots were pushed up to the maximum setback, they would protrude quite far out compared to the house next to them. Staff recognizes this problem is more noticeable with the smaller lots and is not concerned with the additional driveway length for these lots. The entire neighborhood will still be under the overall required 25% impervious surface coverage.

Condition #2 relating to approval of the final grading, drainage and erosion control plans. Engineering has been working with the developer on the grading and erosion control plans. There are just a few minor tweaks that need to be done. The City Engineer finds the plans satisfy the conditions of the Northwest Storm Water Manual.

Condition #3 relating to drainage and utility easements provided on the plat. The plat provides for easements over the main drainage areas. The City Engineer has reviewed the plat and finds the necessary easements are in place. The outlots set aside for the stormwater systems will be owned by the city for maintenance purposes. There will be more review and refinement as we discuss the development contract and if any other easements are required, they will be shown on the final plat prior to City Council review.

Condition #4 relating to ownership of natural area/open space. Outlots B, C and D constitute open space in this phase and will be private except for the storm areas that are shown in outlot D. Conservation easements will be placed over all of the open space and undisturbed areas. These areas will be owned and maintained by the homeowners association. The open space areas are allowed to be mowed, maintained and can have improvements installed. The undisturbed areas must be left natural with no mowing or maintenance. The removal of dead, diseased, dangerous or downed trees would be allowed. Any marking of trails would also be allowed.

Condition #5 relating to rooftop and ground mounted equipment being screened. Not applicable to this phase.

Condition #6 relating to park dedication. Park dedication will consist of a cash payment of \$4011.00 per lot for the 39 lots being final platted at this time. The remaining lots will pay the current rate in place at the time the lots are final platted. The park dedication fees are collected at time of final plat release.

Condition # 7 relating to parking lot and building lighting being downcast. Not applicable to this phase.

Condition #8 relating to plans reviewed by the Fire Marshall. The Fire Marshall has reviewed the plans and did not provide any correction comments at this time.

Condition #9 relating to MnDOT and County Review. The final plans have been sent to MnDOT for their review. All of the required turn lane work has been completed. We do not expect any additional comments from MnDOT.

Condition #10 relating to storm water facilities maintenance agreement and responsibilities. The developer will be required to enter into a maintenance agreement with the City for all of the storm water features. The details of the agreement will be addressed during the development contract meeting which is currently in progress. The City Engineer is involved in the drafting of the agreements to insure all of the design elements of the Northwest Storm Water Manual are incorporated into the maintenance agreement. The City Council will review and take action on the maintenance agreement with the development contract.

Condition #11 relating to entering into a boulevard maintenance agreement. This is a standard condition that will be included in all projects in the Northwest Area where appropriate. The maintenance agreement will be addressed during the development contract meetings and will be approved by the City Council.

Condition #12 relating to payment of plat utility fees. The developer has agreed to pay the equivalent fees for the five connections that would be lost. There would be no loss in revenue with the proposed development.

The development contract will address the specific fees that the developer must pay before plat release as part of the funding for the infrastructure of the sewer and water for the Northwest Area. The Council adopted an ordinance which specifies fees to be paid at time of final plat release. There will also be additional fees collected at time of building permit for all commercial and residential structures. This condition was intended to state the developer's responsibility for paying these fees.

Condition #13 relating to payment of building permit fees. This condition is intended to state the developers are responsible for payment of northwest area building permit fees similar to what is noted in as noted in condition #12. These fees are collected at time of building permit issuance. The developer has also agreed to pay these same fees for the five lot reduction.

Condition #14 relating to acknowledgment of future city approvals. This condition was drafted by the City Attorney to clarify in all developments in the Northwest Area what changes require administrative or Council review. This language will be carried over into the development contract.

Condition # 15 relating to acknowledgement of PUD zoning. This condition was drafted by the City Attorney to indicate an acknowledgement will be recorded with the County for each development indicating the zoning and regulations placed on the property. It puts on record for any future land owners that there are special regulations on the property. This same type of notification was used in Arbor Pointe.

Condition #16 relating to entering into a development contract. This process will begin shortly. A development contract will be drafted and reviewed by the City Council during their review of the final plan set.

Condition #17 relating to conditions of building occupancy. Not applicable to this phase.

Condition #18 relating to recording of documents. A standard condition notifying all parties of what documents must be recorded with the final plat. The City Attorney's office will work with the developer and city staff to insure all documents are recorded.

Condition #19 relating to private street maintenance. This condition is not applicable to this phase. The street is proposed to be a public street.

Condition #20 relating to second access to townhomes. When the original PUD was reviewed, it was noted that the city typically requires two access points for residential developments. Based on the original 44 unit proposal, it was anticipated that a second access to the development would be required. As project design continued, it was evident that a second access was not possible from the neighborhoods to the north or west due to the steep topography. It most likely would come from Amana Trail. The County even constructed a curb opening based on their spacing standards. The actual planning and design was to be determined when this neighborhood was proposed. During the review of the amendment in 2010, the Fire Marshal recognized that a permanent second access point would be very difficult due to the topography. He had recommended that an access with a curb drop and heavy duty asphalt across the boulevard would be adequate. Based on review of the revised plans with the reduced number of lots, the Fire Marshal is no longer requiring a second emergency access. Both Planning and Engineering recognize the steep topography and that it is not possible to make a connection to the curb cut on the east side because it would have a significant negative impact on the regional basin. Both departments are comfortable with removing the second access condition and removing the curb cut permanently since it would serve no function. Staff recommends this condition be eliminated.

Condition #21 relating to guest parking in the residential neighborhoods. The project is proposed with 28 foot wide public streets which would allow for parking on one side of the street. Required parking is satisfied with the driveway and garage. Due to the narrow lots and close proximity of driveways to each other, staff asked the developer to produce a drawing that showed possible on-street parking areas. The exhibit shows the north side of the street with 28 possible spaces as the location to provide the most number of on street parking spaces. This would comply with the Northwest Standards and provides for the necessary parking for the neighborhood.

Condition #22 and #23 relating to landscape and reforestation plans. The developer has submitted a landscape plan with details for this phase and tree reforestation information. The applicant has provided a detailed tree inventory and summary by geographic location over the entire PUD.

In this phase of the development, the applicant is proposing a total of 519 inches or 148 trees to be planted along the front yards, cul-de-sac islands and along Amana Trail. The tree reforestation requirement is currently 2,219 caliper inches. With the planting of 519 inches, that leaves a balance of 1,700 caliper inches. This additional tree reforestation will be required with all subsequent phases of the development.

Condition #24 relating to providing wetland buffers. There are no wetlands in this area of the development.

Condition #25 relating to signage. Condition not applicable to this phase of the development.

Condition #26 and #27 relating to a noise assessment along the major roadways and noise mitigation. This condition stems from the standard condition found in both the State's and County's review that noise is a concern for homes along major roadways and that some type of noise mitigation is recommended because both these agencies do not provide any mitigation for roadway noise. The applicant is proposing to plant a number of trees along Amana Trail to mitigate noise from the roadway. The proposed landscape plan shows a continuous row planting of 8 foot black hills spruce and clump birch trees along the back yards of the lots abutting Amana Trail. The buildings themselves would be setback from the road surface approximately 130 feet. Both these measures should provide adequate noise attenuation and will be more effective as the trees mature.

This phase of the development is not located within the Met Council Noise Abatement Overlay District and therefore no specific noise mitigation measures are required with the construction of the homes.

Condition #28 relating to grading of the custom lots. Not applicable to this phase. This will be addressed with future development of Outlot F.

Condition #29 relating to grading of trail system. Additional segments of the trail system will be constructed with this phase. The loop system started in the first phases will be extended to have two access points connecting to Amana Trail. With these links, there is now connection from all the approved neighborhoods to streets and additional trail segments.

Condition #30 relating street widths. All of the streets proposed and constructed have been 28 feet wide which provide for parking on one side and are consistent with the Northwest Area standards.

Condition #31 relating to street lighting. Street lights will be installed per city and utility company spacing standards.

Condition #32 relating to trail easements through the development. All trails that are in the boundaries of this development are either in outlots that will be deeded to the city or will have trail easements under them.

Condition #33 relating to boundaries of open space shown on final grading plans. The plans are being revised to show the actual location of the marker posts. These areas will be inspected by Engineering as part of the silt fence installation review.

Condition #34 relating to future development of Outlot F must be consistent with approved preliminary PUD plans. The intent of this condition is to let any future party who may develop the site that Outlot F must be developed consistent with the approved plans unless changes are approved by the City Council. In this case, since there was a modification to right-of-way and street design, a new public hearing has been ordered.

Condition #35 relating to payment of all fees and escrows incurred by the city during the review process. The intent of this condition is to let the developer know of their financial responsibility of payment of fees. The development contract will also address this issue and state all outstanding fees must be paid prior to release of the final plat.

Condition #36 relating to the current governing resolution. This condition will be updated to reflect the latest resolution number.

Condition #37 relating to reforestation calculations. The developer has and will be planting an extra tree in each of the lots in the first phases to address the additional 45 tree requirement. With the 519 caliper inches being planted in this phase, the outstanding balance is now 1,700 caliper inches.

ALTERNATIVES

The Planning Commission has the following actions available for the request:

- A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be taken:
- Approval of the Comprehensive Plan Amendment to change the land use designation from MDR, Medium Density Residential (6-12 units/acre) to LMDR, Low Medium Density Residential (3-6 units/acre) subject to the following conditions:
 1. The plan shall not become effective until all approvals have been granted by the Met Council and the City.
 2. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.

3. The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.
- Approval of the rezoning of the property from A, Agricultural to R-1C/Planned Unit Development.
 - Approval of the Preliminary Plat and Preliminary PUD Amendment to Argenta Hills subject to the following conditions:
 1. The final plat and accompanying site plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	10/12/2007, 6/30/10 and 8/10/12
Preliminary Site Layout Plan	6/25/2007 and 7/19/10
Preliminary Grading and Drainage Plan	6/25/2007, 7/19/10 and 8/10/12
Preliminary Overall Utility Plan	6/25/2007
Preliminary Landscape Plan	6/25/2007, 8/10/10 and 8/10/12
Preliminary Tree Inventory and Preservation Plan	6/25/2007, 8/11/10 and 7/9/12
Building Elevations	6/25/2007
Trail Plan	6/25/2007
Signage Location Site Plan	10/11/2007
Open Space Plan	6/25/2007, 7/19/10 and 7/6/12
Development Capacity Plan	6/25/2007
Preliminary Phasing Plan	6/25/2007 and 7/19/10
Trails, Walks and Green Framework Plan	6/25/2007
Roadway and Trail Plan	6/25/2007
East-West Pedestrian Connection	6/25/2007
Concept Signage Sketches	9/17/2007
Main Street – Argenta Perspective Sketch	
Target View Perspective Sketch	
Commercial Buildings Schematic Elevations	8/7/2007
Argenta Hills Design Guidelines Outline	
Design Features (9 sheets)	6/25/2007
Overall Stormwater Plan (2 sheets)	
Stormwater Details (3 sheets)	
Grading and Drainage Plans (9 sheets)	6/25/2007
Landscape Plans (8 sheets)	6/25/2007
Residential Lot Design Layout (3 sheets)	9/25/2007
Argenta Hills Residential Overall Impervious Surface Illustration	8/10/12

2. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
3. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
4. The ownership of all of the natural area/open space to be owned in private ownership by the property owner. A conservation easement shall be required by the City restricting the use of the open space.
5. All rooftop equipment shall be completely screened from view from the public streets. Screening materials shall be compatible with the building's overall design. If the mechanical equipment is found to be visible after construction, the applicant shall provide screening subject to the approval of the City.
6. Park dedication shall consist of a cash contribution in the amount of the rates in effect at the time the final plat is approved.
7. All parking lot and building lighting on site shall be a down cast "shoe-box" style and the bulb shall not be visible from property lines. The design of the fixtures shall be subject to further staff review prior to final plan approval.
8. All plans shall be subject to the review and approval of the Fire Marshal.
9. The approval of the preliminary Plat and PUD development plans are subject to the review and comment from MnDOT and Dakota County.
10. The Agreement shall stipulate the storm water improvements shall be maintained by the following entities; in instances where the City is not responsible for maintenance of the storm water improvements, the City shall nonetheless have the right to repair, maintain and replace the improvements if the responsible party does not fulfill its responsibility and the City shall have the right to charge the costs to the responsible party and impose the charges on the property if the responsible party fails to pay the costs.
11. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Owner shall execute a Boulevard Maintenance Agreement with the City whereby the owner of the lots shall be responsible for the maintenance of boulevard improvements on such lots; the City shall nonetheless have the right to repair, maintain and replace the improvements if the responsible party does not fulfill its responsibility and the City shall have the right to charge the costs to the responsible party and impose the charges on the property if the responsible party fails to pay the costs.

12. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Developer must pay the City utility plat connection fees consisting of a Water Utility Fee, Sanitary Sewer Utility fee and Storm Water Sewer Utility fee according to the formulas adopted by city ordinance.
13. In the Development Contract, the Developer and Owner shall acknowledge that at the time the building permits are obtained additional connection fees for the water utility system and sanitary sewer utility system are due and owing.
14. In the Development Contract, the Developer and Owner shall agree that the following elements of the Planned Unit Development shall not be altered, changed or removed without first obtaining the following consents:

Site Plan Element	Consent Required By
Building Location	City Council
Driveways and Private Roads	Planning Department
Landscaping	Planning Department
Location of Utilities	Engineering Department
Location of Conservation Easement and Open Space	City Council
Parking Areas	City Council
Signage Location Plan	City Council

15. The Developer and Owner shall execute an Acknowledgement of Planned Unit Development Zoning. This Acknowledgement shall state that property within the plat is subject to the approved PUD plans and PUD zoning and that the development on the property must conform to the PUD plans and PUD zoning. This Acknowledgement shall be recorded when the plat is recorded.
16. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract which is part of the Administrative Code, taking into account the particular requirements of the Planned Unit Development plans.
17. The Development Contract shall provide that parking lots associated with specific buildings are completed before a Certificate of Occupancy is issued.
18. The following documents shall be recorded when the plat is recorded:
 - Development Contract;
 - Storm Water Facilities Maintenance Agreement;
 - Conservation Open Space Easement; and
 - Acknowledgement of PUD Zoning.

19. All private streets shall be maintained by the Home Owners Association.
20. Prior to City Council review of final PUD development plans in residential areas, the plans shall be modified such that visitor parking shall be accommodated in the single family and town home neighborhoods.
21. Prior to City Council review of final PUD development plans of any phase, the landscape plan shall identify quantities of plant materials proposed for verification of code compliance.
22. Prior to City Council review of final PUD development plans of any phase, the reforestation plan shall be updated indicating the location of replacement trees on site in addition to the landscaping requirements described by the ordinance.
23. Prior to City Council review of final PUD development plans of any phase, wetland buffers shall be provided around the perimeter of all wetlands. The developer shall describe the proposed seed mix, installation and erosion control measures for the buffer areas on the landscape plan.
24. All signage for all future proposed development shall be subject to review and approval by the City.
25. Prior to City Council review of final PUD development plans of residential portions, a noise assessment of the proposed development from the major roadways (State and County) including Highway 55, Robert Street and the proposed CSAH 28 shall be required. This analysis should outline areas of concern and detail mitigation strategies for reducing noise pollution on site.
26. Residential neighborhoods located within the boundary of the Noise Abatement Overlay district shall conform to the noise mitigation measures as defined in the Airport Noise Abatement Overlay District, Section 515.80. Subd. 34 of the City Code.
27. Prior to City Council review of final PUD development plans for appropriate phases, the Developer must demonstrate how grading of the custom lots, streets and retaining walls function for the long term, realizing the development of individual lots and construction timing.
28. Prior to City Council review of PUD development plans, the Developer must demonstrate how the trail system can be graded through the open space area. Benches for proper trail widths and cross culverts for drainage shall be designed and implemented into the grading and drainage plans and shall respond to the stormwater ponding and infiltration network.

29. The private streets shown at 24' in the custom single family and small lot single family neighborhoods and in the townhouse neighborhood do not allow for on-street parking. If no other guest parking areas are being provided within these neighborhoods, these streets shall be modified to 28' width to accommodate parking on one side of the street.
30. Street lighting shall be required within the single family neighborhoods and along all public streets. The street lighting plans shall be approved by the City and Dakota County or MnDOT where appropriate prior to installation.
31. Separate trail easements shall be granted to the City for the trail system through the development. The City shall be responsible for the maintenance of the trail and trail easement area.
32. The boundaries of the designated natural area/open space and conservation easement areas shall be clearly delineated on the approved final PUD plans and shall be clearly marked and delineated in the field before grading begins and after final grading is completed with signage approved by the City.
33. The re-platting of Outlot F shall be consistent with the approved preliminary PUD development plans dated 6/25/07, 7/19/10 and 8/10/12 unless a revised plan has been approved by the City Council. All conditions, restrictions, covenants, contributions and dedications must occur at time of re-platting Outlot F. This provision shall be included in the approved and recorded development contract.
34. At the time the City signs the plat, the owner must fully pay the City of Inver Grove Heights for all planning, engineering review and legal fees that have been incurred up to the date the City signs the final plat, and the owner must further escrow with the City an amount determined by the City of Inver Grove Heights for future planning and engineering review fees and for legal fees, except for such fees as may already otherwise be taken into account in the calculations or engineering inspection escrow made a part of the Development Agreement. Further, at the time the City signs the final plat, the owner must pay the City the fees prescribed by the ordinance (to be enacted prior to final plat) to defray the costs incurred by the City in preparation of the planning studies, engineering analysis, storm water analysis, environmental review, alternative urban areawide review, natural resource inventory and transportation modeling as such studies, analysis, reviews, inventories and modeling relate to the review, investigation and administration of the owner's applications.
35. This PUD Amendment resolution replaces Resolution No. 10-142 and is now the guiding resolution for the overall Preliminary PUD Plan Approval for Argenta Hills.
36. An additional 1,700 caliper inches shall be required to be planted in the overall development of the Argenta Hills PUD.

- Approval of the Final Plat and Final PUD Development Plan for Argenta Hills 5th Addition subject to the following conditions:

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

Final Plat	
Final Site Plan	dated 8/10/12
Final Grading and Drainage Plans	dated 8/10/12
Landscape Plan	dated 8/10/12

2. Prior to any work commencing on the site, the developer shall enter into a development contract with the City. The development contract will address all other preliminary conditions of approval relating to other agreements required, park dedication, and other pertinent specific performance standards for this phase of the PUD.

- B. Denial.** If the Planning Commission does not find the application to be acceptable, a recommendation of denial should be made. Specific findings supporting a basis for denial must be stated by the Commission if such a recommendation is made.

RECOMMENDATION

Our recommendation is based on the following:

The townhouse market is soft metro wide and is expected to be so for a number of years. Staying with the original plan as proposed would mean this property would remain vacant for a number of years.

While the density of the project drops slightly, the density of this neighborhood remains high at over 5 units/acre.

The developer has agreed to pay all connection fees to the equivalent of the original 44 units.

Overall, this site has had constraints with achieving density including a large portion being needed for a regional basin.

Continued residential development will help stimulate further residential and retail development and will also support the newly built retail. Keeps the momentum going and will help show the PUD and overall area is a healthy, thriving area.

Based on this review, the Planning Division recommends approval of the for Argenta Hills 5th Addition subject to the conditions stated above.

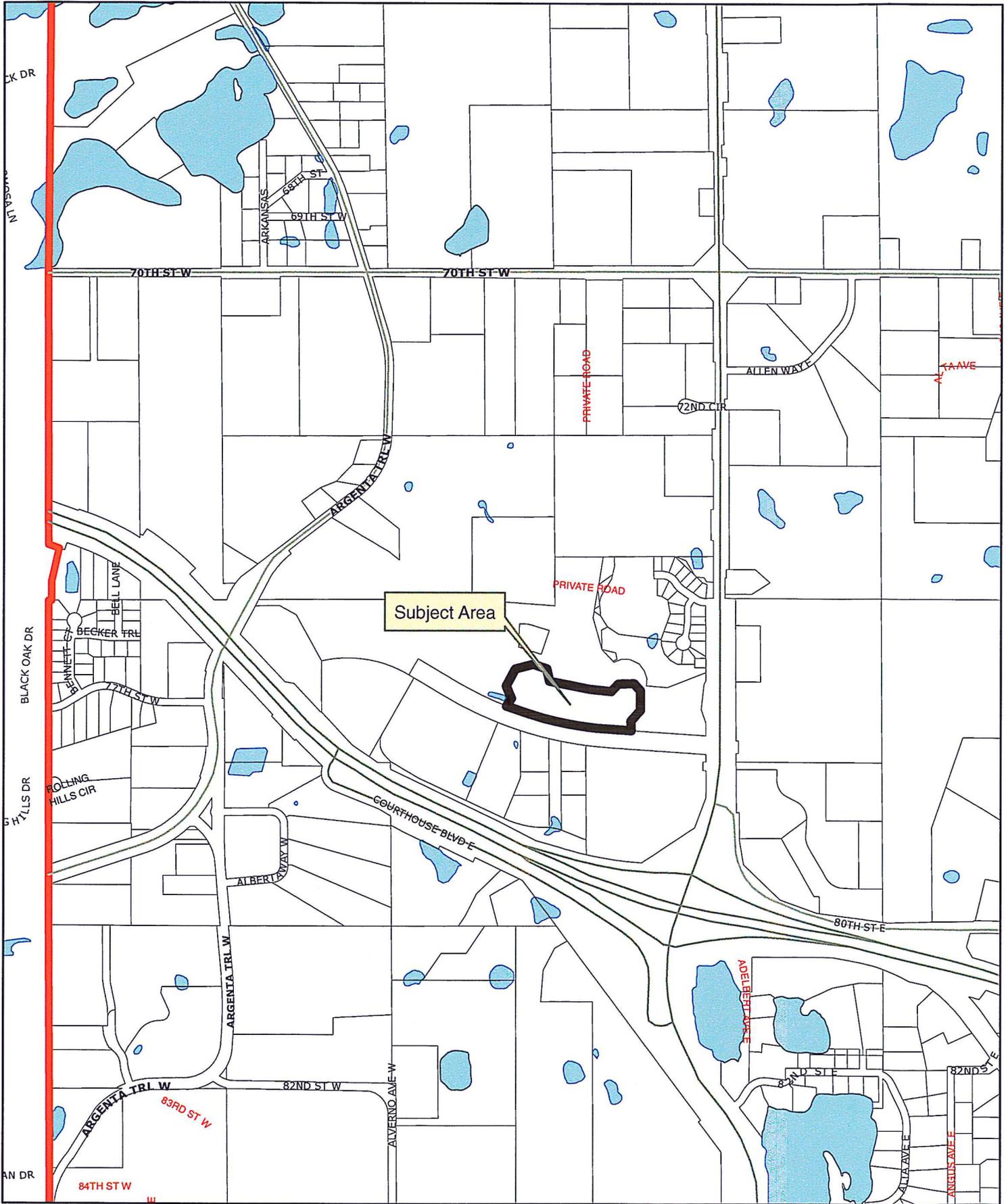
ATTACHMENTS:

- Location Map
- Comp Plan Map
- Project Narrative
- Preliminary PUD conditions of approval and site plan
- Proposed PUD Site Plan
- Preliminary Plat
- Grading Plan
- Revised Natural area/open space and undisturbed area plan
- Landscape Plan for Argenta Hills 5th Addition
- Argenta Hills Impervious Surface Exhibit
- Argenta Hills 5th Addition Parking Exhibit
- 2007 Approved PUD Site Plan
- 2010 Approved PUD Site Plan



Location Map

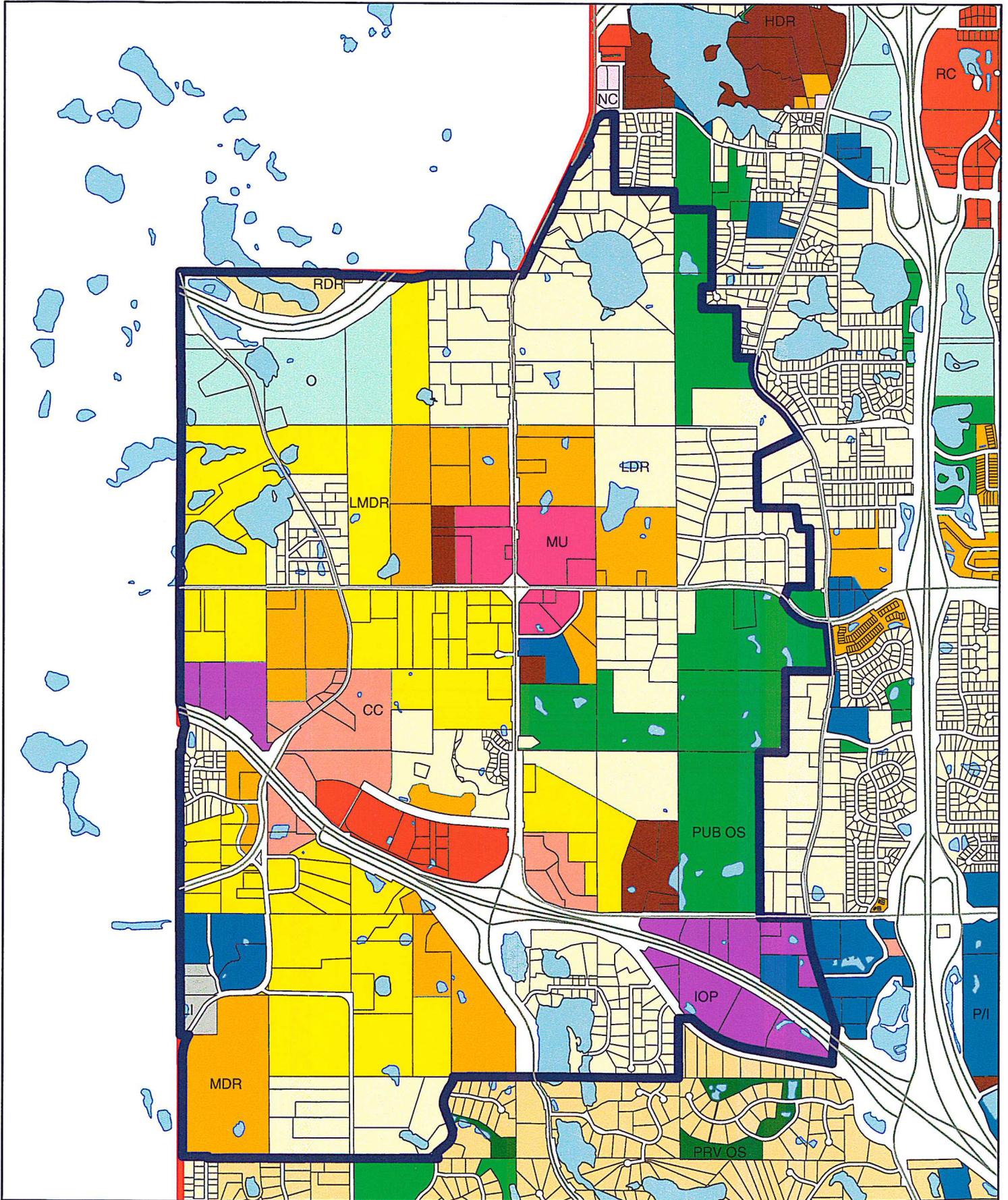
Case No. 12-23PUD





Comp Plan Map

Case No. 12-23PUD





TRADITION *Development*

August 10, 2012

Allan Hunting, AICP
City Planner
City of Inver Grove Heights
Inver Grove Heights, MN

Re: Revised Argenta Hills 5th Preliminary and Final Plat

Dear Mr. Hunting

We are excited to submit a revised preliminary plat plan set for Consideration by City Council, Planning Commission and City staff. In 2008 the City of Inver Grove Heights approved the Argenta Hills preliminary plat which included a commercial and residential component. Since that time the market has changed dramatically and we've learned a number of things regarding site conditions, market conditions and product specifics.

Our proposed plan asks that the area that was previously approved as 45 townhomes now be platted as 39 single family homes. The request to change this site from townhome to single family homes is solely based on the market conditions. It has been our experience in every one of our residential communities across the metro area that the economics of building new townhome just don't work. In fact, those where we are building new townhomes there's no pace of sales to warrant building additional lots. This is primarily due to the fact that the consumer can purchase existing inventory far below what it costs to develop and build new townhomes.

With those items in consideration the proposed plan maximizes the density by building 39-60' single family lots on this parcel creating a density slightly higher than 5 units per acre. We've included in our packet sample elevations of the proposed homes which will be built by Robert Thomas Homes. These homes will average around 2800 square feet with stone and hard board fronts and vinyl sides. Like the approved townhome plan all the homes will be serviced by public sewer, water and streets, as well as address any of the retention and infiltration of storm water requirements on site. As part of our study we've provided staff with an impervious surface study which shows that the layouts are below the 25% maximum impervious coverage including standard 3 car wide driveways, therefore we are asking the City for flexibility from the NW Area guidelines to allow for this. Another item that staff brought to us as a concern was the reduced number of NW Area fees due to fewer units on the new plan. The proposed plan does include fewer lots than was originally approved 45 TH units vs. 39 – 60' lots, yet we still propose to cover the fees for all 45 townhome units.

We feel our revised site plan still meets the purpose and intent behind the City's Northwest Area Overlay

A TRADITION COMPANY

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District as well if not better than the approved plan. The layout maximizes the natural features and topography of the site as an integral part of the design. All of the homes except a very few either back up to or have clear views of the natural areas and open space. The street configuration remains consistent with townhome layout utilizing the two cul-de-sacs. As part of the original approval though a condition was placed to explore the use of a second entrance on this parcel the design of Amana Trail provided an access point but if you look at the grading plan or take a trip to the site you'll see this could only be accomplished through the loss of lots and storm water capacity due to a considerable amount grading/fill into the regional basin. We have worked with staff on this issue and all feel for 39 homes that this single access point is the best solution. This plan, like the approved plan, also provides for pedestrian connections to the open space and trails as well as providing a sidewalk connection between this neighborhood and Amana Trail and the Argenta Hills Commercial area. The trails will be constructed with our initial phase of construction as we intend to grade the site all at one time but intend to install the streets and utilities in two phases. Our hope is to be able to beat Mother Nature and have streets in before snow flies which will allow the builder to have a home in the Spring Parade of Homes Tour to kick off the marketing of the new neighborhood. This plan minimizes the street widths while still allowing for parking on one side, maximizes the granular soils on site to create filtration and infiltration ponds and on the lot drainage features all to minimize the discharge to the regional storm water infiltration basin.

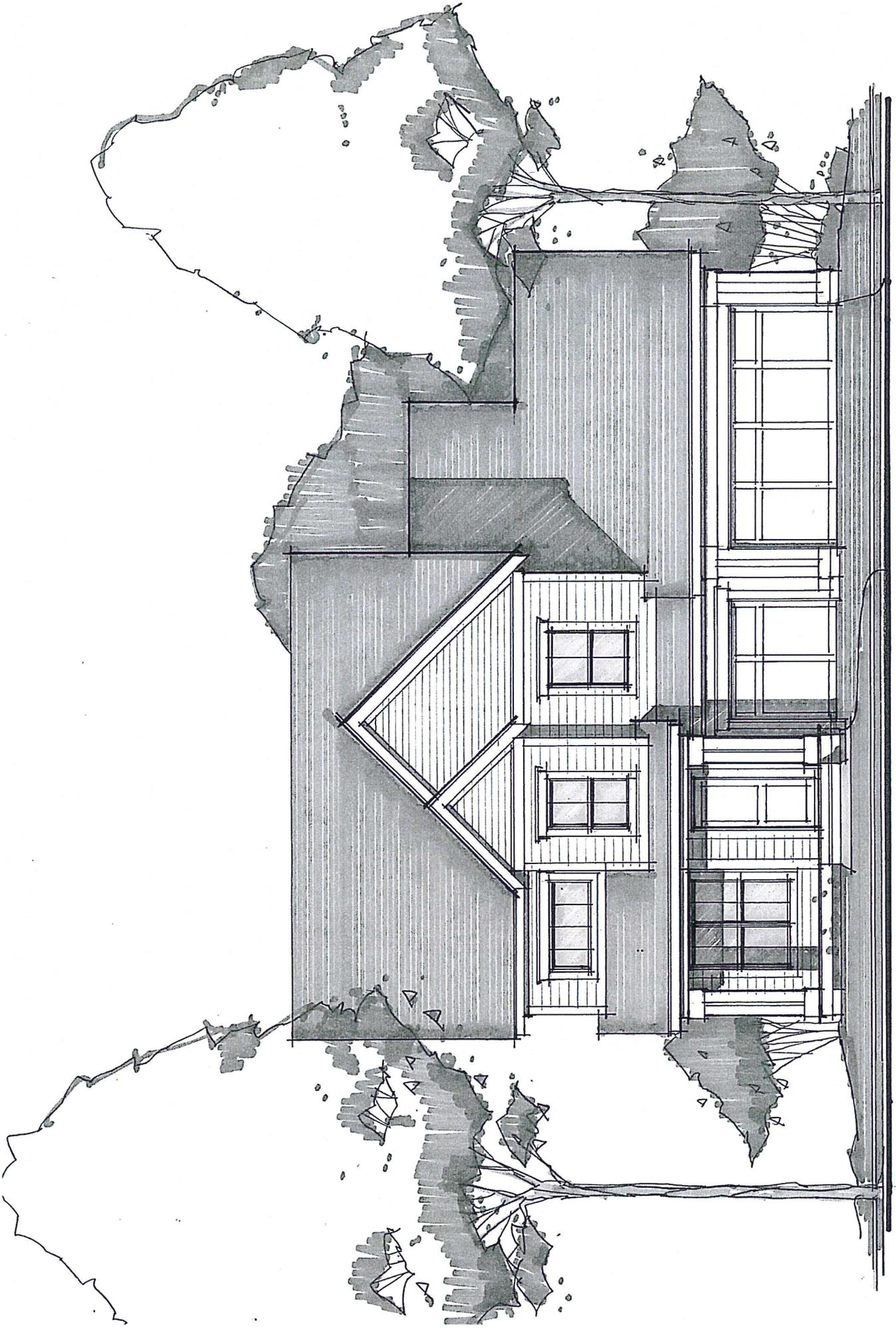
Overall we feel that while this revise layout is slightly different than what was approved back in 2008, this new plan allows us to build, market and sell a product that has been received very well in Inver Grove Heights. We are confident that this product will sell and that will allow us and the City to continue to make progress by building more roof tops, otherwise we'll have to wait until the townhome market recovers and would have to proceed with the previously approved plan. We feel that the plan we present to still meets or exceeds the standards the City as set within the Northwest Area Overlay District and will be a great addition to Argenta Hills and the City of Inver Grove Heights.

Thank you for your consideration and we look forward to hearing the Councils, Commissions and Staff's comments regarding this new addition to Inver Grove Heights.

Sincerely,



Jacob H. Fick
Project Manager
Tradition Development
160 Investments LLC



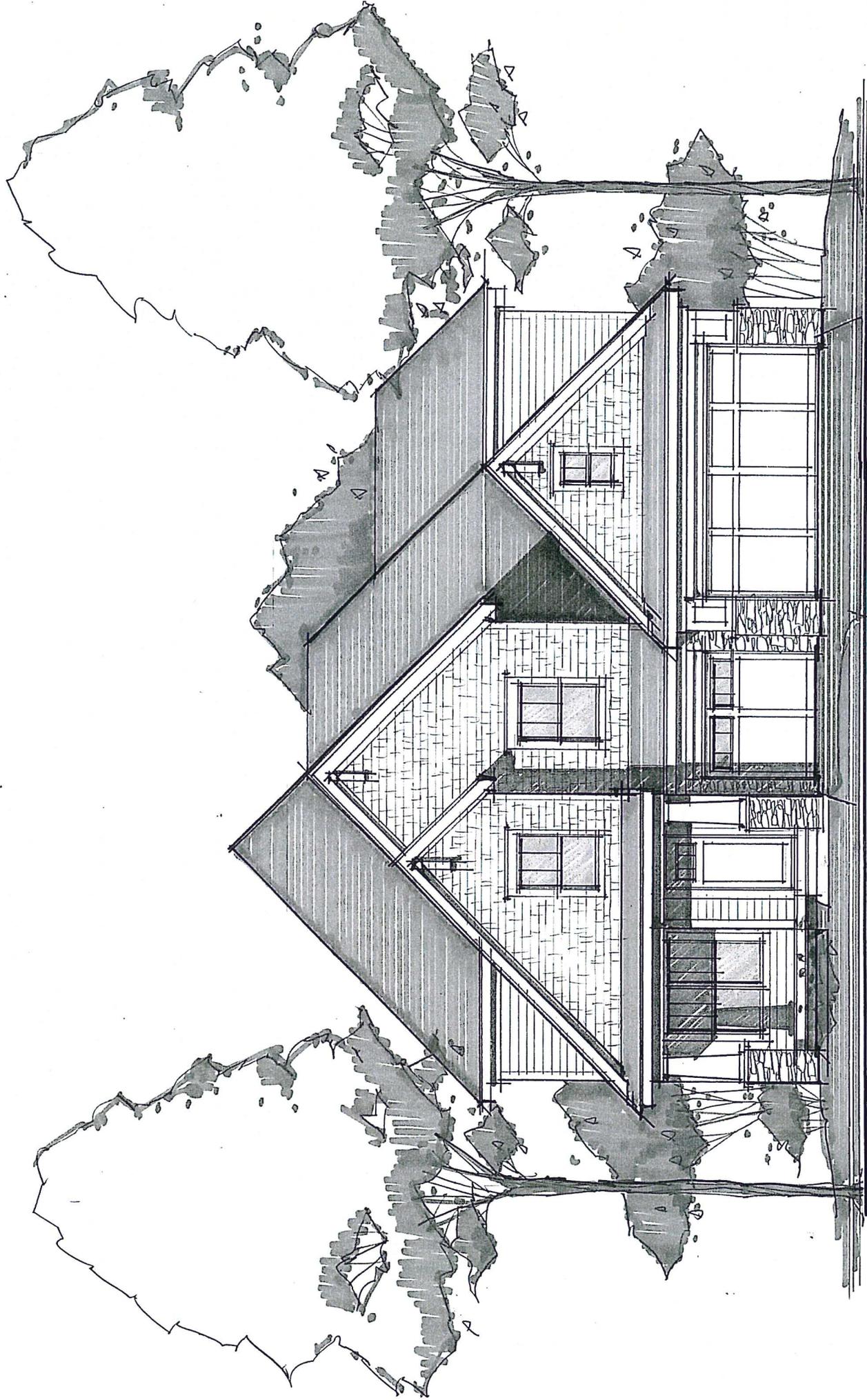
SOMERSET. A

3.1.12



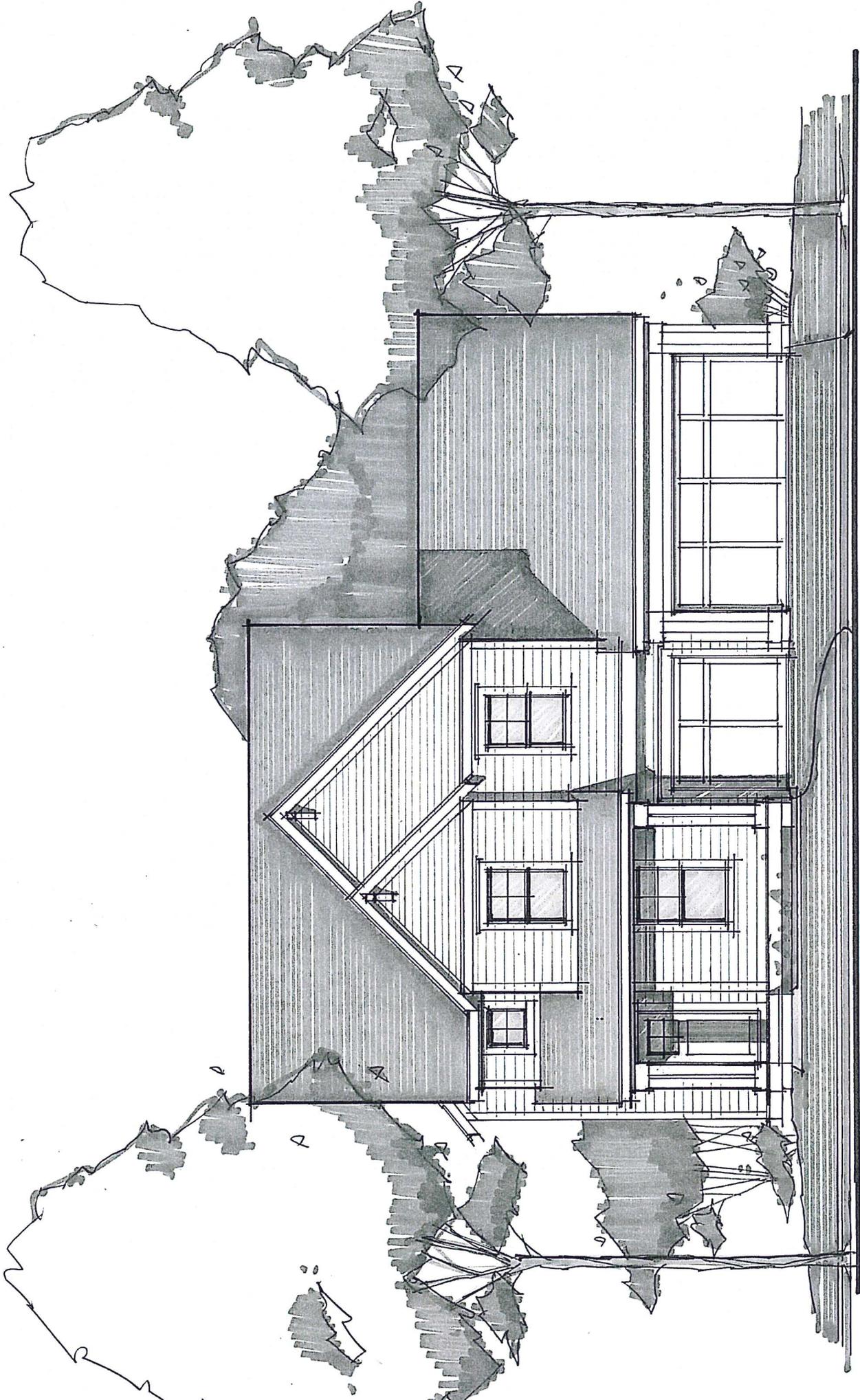
SOMERSET . P

4.2.12



SOMERSET.

1.19.12



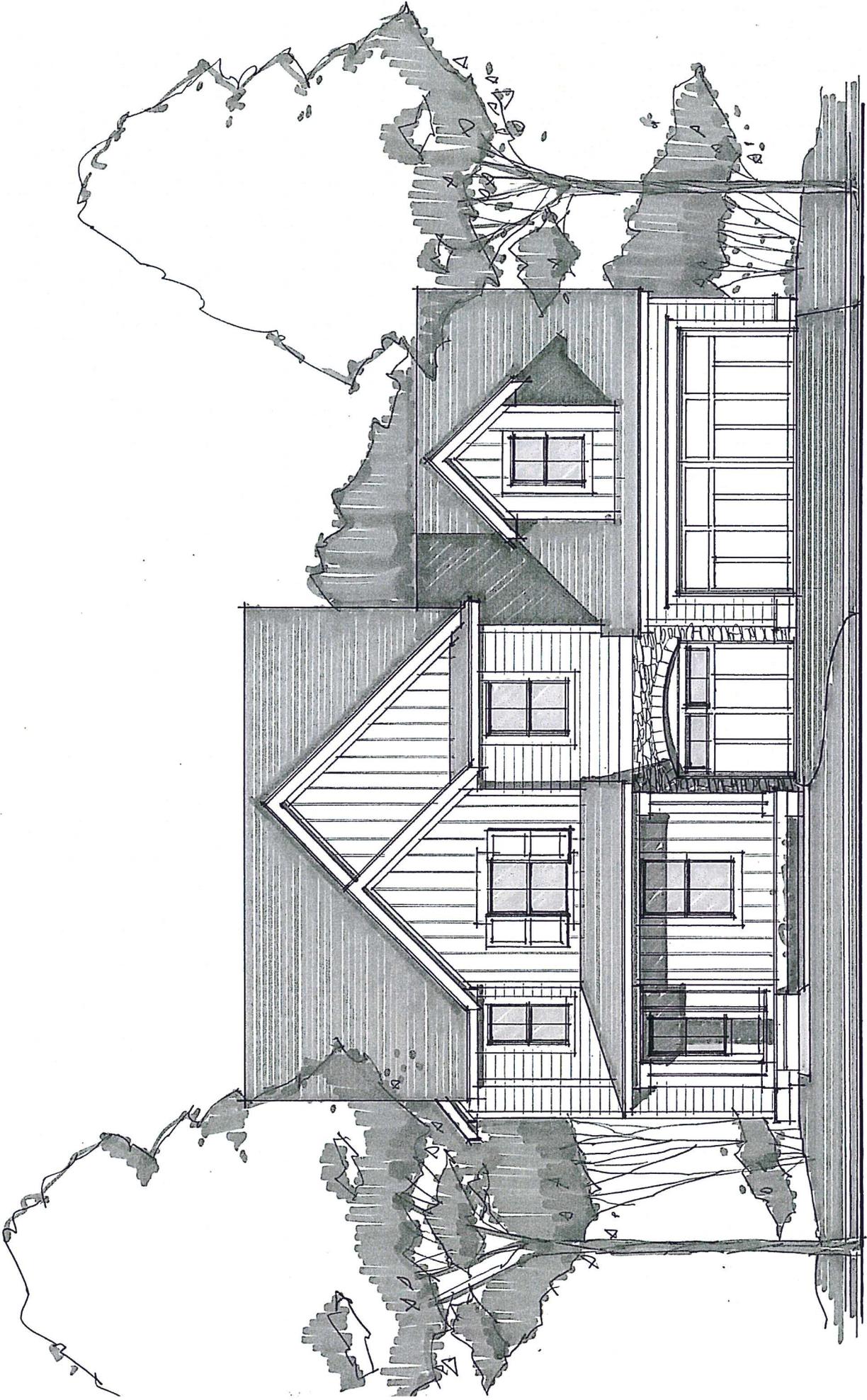
WOODBRIDGE · A

2.1.12



WOOD PARADISE . B

4.2.12



· WOODBRIDGE ·



DELLWOOD · A

3.1.12

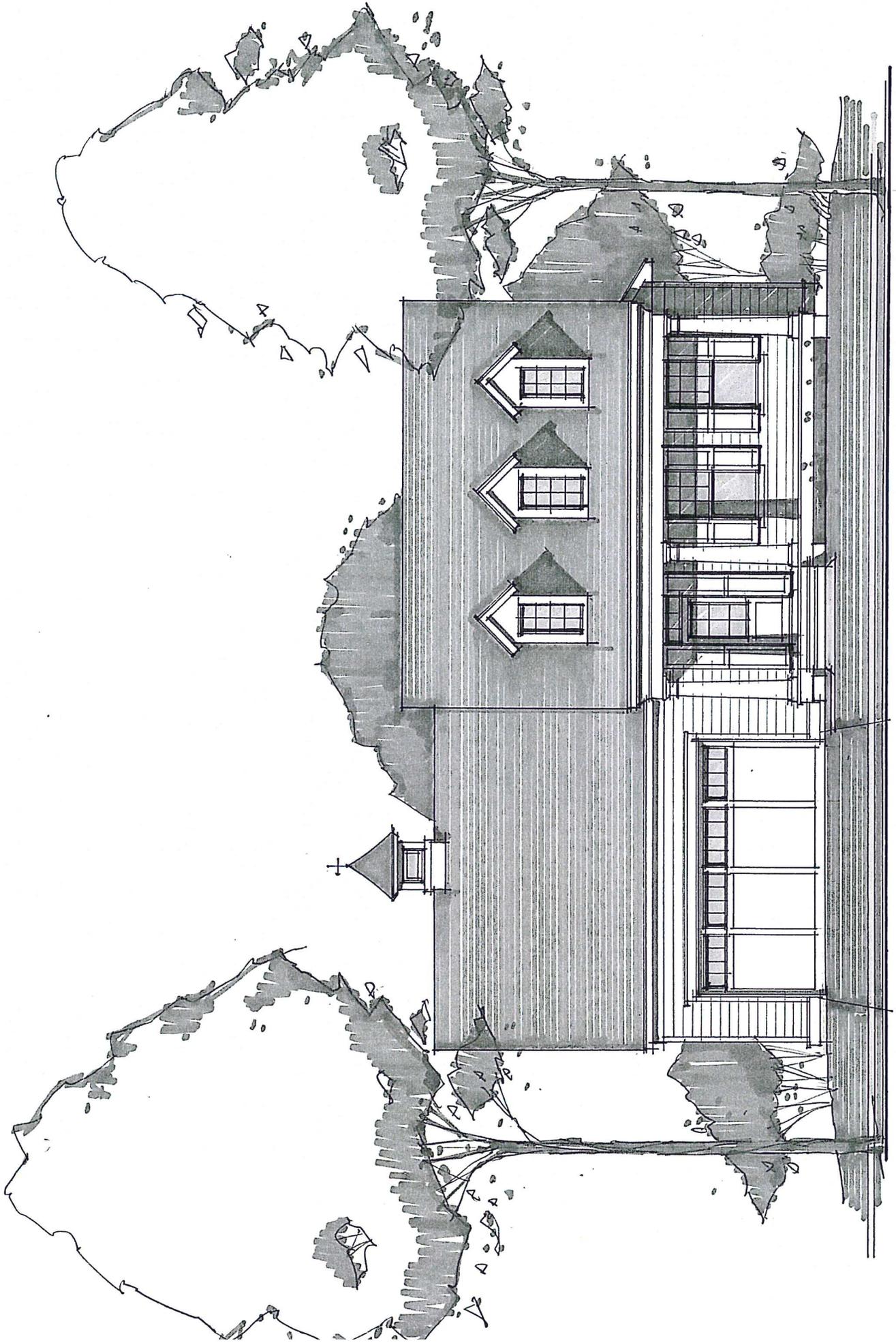


DEANWARD . P

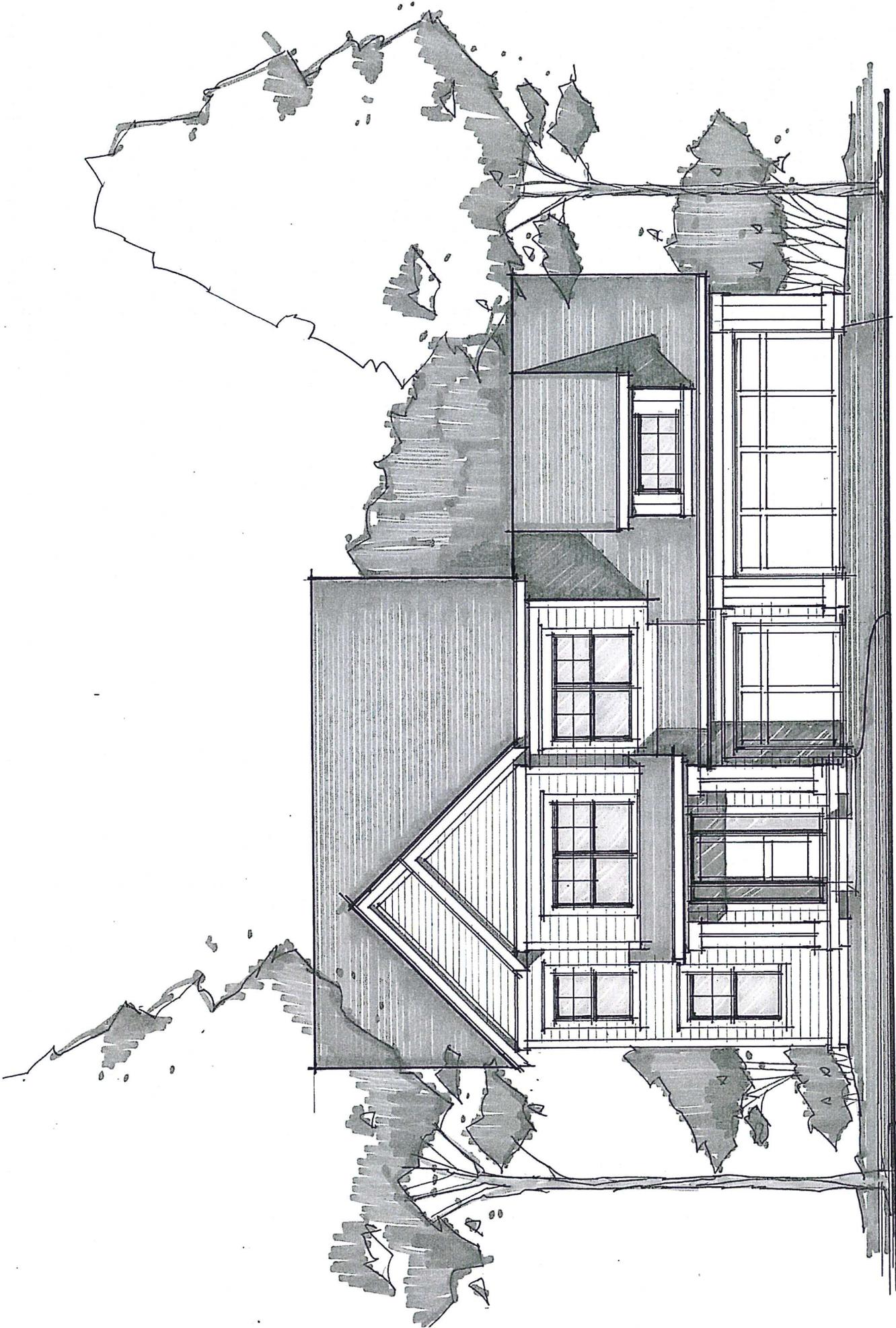
4-2-12



DELLWOOD



BROOKVIEW.



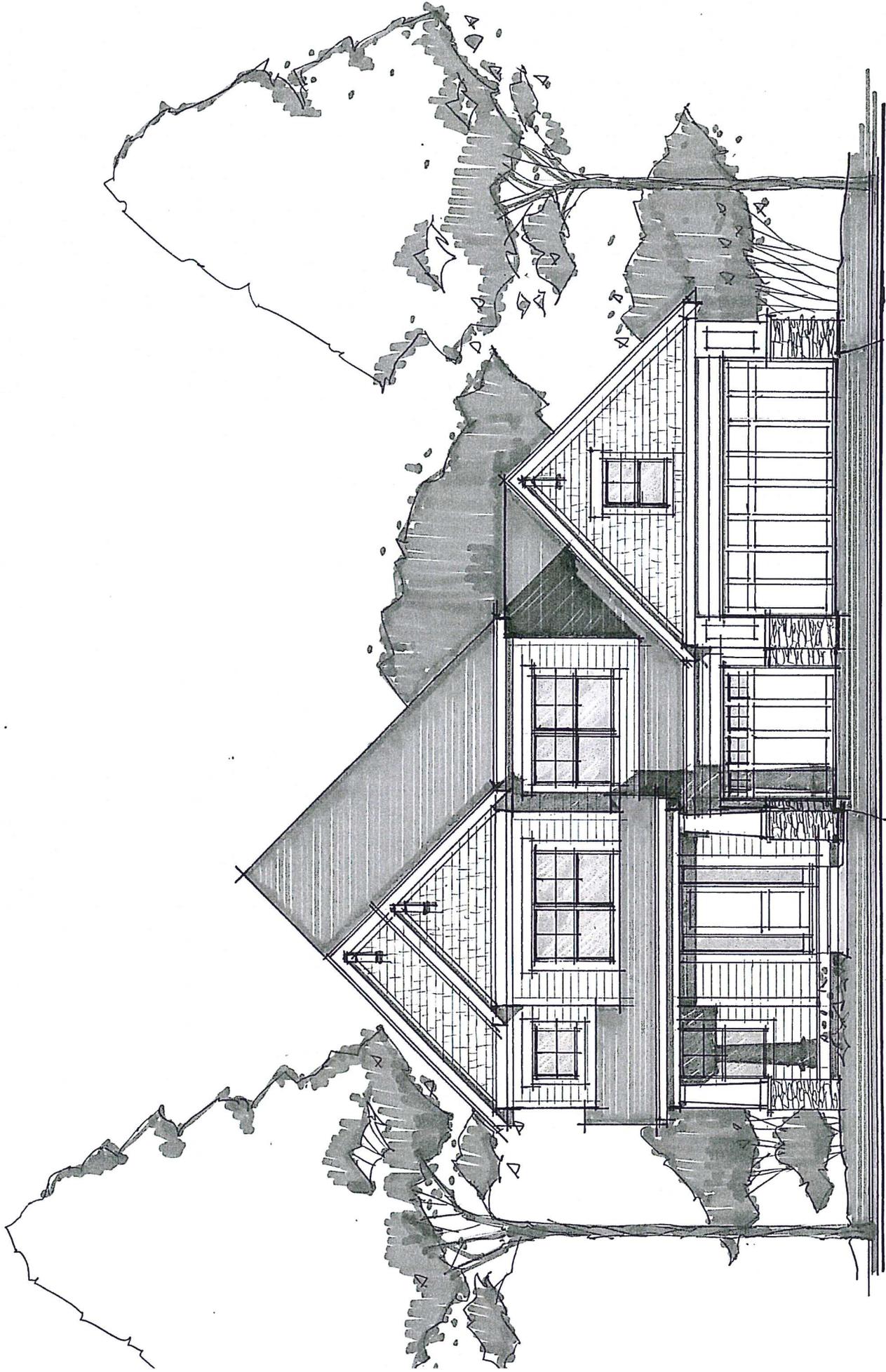
BIRCHWOOD . A

3.1.12



PIRETHOOD . P

4-2-12



BIRCHWOOD

1.15.12

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

RESOLUTION NO. 10-142

**A RESOLUTION APPROVING A PRELIMINARY PLAT AND PRELIMINARY PUD
DEVELOPMENT PLAN AMENDMENT FOR A MULTI-LOT 139 UNIT RESIDENTIAL
AND APPROXIMATELY 410,000 SQUARE FOOT COMMERCIAL PLANNED UNIT
DEVELOPMENT KNOWN AS ARGENTA HILLS**

**CASE NO. 10-28PUD)
(IGH Investments)**

WHEREAS, the City Council approved a preliminary plat and preliminary PUD development plan for a seven (7) lot and seven (7) outlot subdivision and an approximately 410,000 square foot retail and 154 unit residential development on October 22, 2007;

WHEREAS, a preliminary plat and preliminary PUD development plan amendment application has been submitted to the City for property legally described as;

SEE EXHIBIT A

WHEREAS, a revised preliminary PUD development plan has been submitted altering the lot number and design of one of the residential neighborhoods resulting in a reduction in housing units to 139;

WHEREAS, a public hearing concerning the preliminary plat and preliminary PUD development plan was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on August 17, 2010;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that, the Preliminary Plat and Preliminary PUD development plan amendment for a Seven (7) lot and Seven (7) outlot plat and approximately 410,000 square foot retail and 139 unit residential development is hereby approved subject to the following conditions:

1. The final plat and accompanying site plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	10/12/2007 and 6/30/10
Preliminary Site Layout Plan	6/25/2007 and 7/19/10
Preliminary Grading and Drainage Plan	6/25/2007 and 7/19/10
Preliminary Overall Utility Plan	6/25/2007
Preliminary Landscape Plan	6/25/2007 and 8/10/10
Preliminary Tree Inventory and Preservation Plan	6/25/2007 and 8/11/10
Building Elevations	6/25/2007
Trail Plan	6/25/2007
Signage Location Site Plan	10/11/2007
Open Space Plan	6/25/2007 and 7/19/10
Development Capacity Plan	6/25/2007
Preliminary Phasing Plan	6/25/2007 and 7/19/10
Trails, Walks and Green Framework Plan	6/25/2007
Roadway and Trail Plan	6/25/2007
East-West Pedestrian Connection	6/25/2007
Concept Signage Sketches	9/17/2007
Main Street - Argenta Perspective Sketch	
Target View Perspective Sketch	
Commercial Buildings Schematic Elevations	8/7/2007
Argenta Hills Design Guidelines Outline	
Design Features (9 sheets)	6/25/2007
Overall Stormwater Plan (2 sheets)	
Stormwater Details (3 sheets)	
Grading and Drainage Plans (9 sheets)	6/25/2007
Landscape Plans (8 sheets)	6/25/2007
Residential Lot Design Layout (3 sheets)	9/25/2007

2. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
3. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
4. The ownership of all of the natural area/open space to be owned in private ownership by the property owner. A conservation easement shall be required by the City restricting the use of the open space.
5. All rooftop equipment shall be substantially screened from view from the public streets. Screening materials shall be compatible with the building's overall design. If the mechanical equipment is found to be visible after construction, the applicant shall provide screening subject to the approval of the City.

6. Park dedication shall consist of a cash contribution in the amount of the rates in effect at the time the final plat is approved.
7. All parking lot and building lighting on site shall be a down cast "shoe-box" style and the bulb shall not be visible from property lines. The design of the fixtures shall be subject to further staff review prior to final plan approval.
8. All plans shall be subject to the review and approval of the Fire Marshal.
9. The approval of the preliminary Plat and PUD development plans are subject to the review and comment from MnDOT and Dakota County.
10. The Agreement shall stipulate the storm water improvements shall be maintained by the following entities; in instances where the City is not responsible for maintenance of the storm water improvements, the City shall nonetheless have the right to repair, maintain and replace the improvements if the responsible party does not fulfill its responsibility and the City shall have the right to charge the costs to the responsible party and impose the charges on the property if the responsible party fails to pay the costs.
11. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Owner shall execute a Boulevard Maintenance Agreement with the City whereby the owner of the lots shall be responsible for the maintenance of boulevard improvements on such lots; the City shall nonetheless have the right to repair, maintain and replace the improvements if the responsible party does not fulfill its responsibility and the City shall have the right to charge the costs to the responsible party and impose the charges on the property if the responsible party fails to pay the costs.
12. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Developer must pay the City utility plat connection fees consisting of a Water Utility Fee, Sanitary Sewer Utility fee and Storm Water Sewer Utility fee according to the formulas adopted by city ordinance.
13. In the Development Contract, the Developer and Owner shall acknowledge that at the time the building permits are obtained additional connection fees for the water utility system and sanitary sewer utility system are due and owing.
14. In the Development Contract, the Developer and Owner shall agree that the following elements of the Planned Unit Development shall not be altered, changed or removed without first obtaining the following consents:

Site Plan Element	Consent Required By
Building Location	City Council
Driveways and Private Roads	Planning Department
Landscaping	Planning Department

Location of Utilities	Engineering Department
Location of Conservation Easement and Open Space	City Council
Parking Areas	City Council
Signage Location Plan	City Council

15. The Developer and Owner shall execute an Acknowledgement of Planned Unit Development Zoning. This Acknowledgement shall state that property within the plat is subject to the approved PUD plans and PUD zoning and that the development on the property must conform to the PUD plans and PUD zoning. This Acknowledgement shall be recorded when the plat is recorded.
16. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract which is part of the Administrative Code, taking into account the particular requirements of the Planned Unit Development plans.
17. The Development Contract shall provide that parking lots associated with specific buildings are completed before a Certificate of Occupancy is issued.
18. The following documents shall be recorded when the plat is recorded:
 - Development Contract;
 - Storm Water Facilities Maintenance Agreement;
 - Conservation Open Space Easement; and
 - Acknowledgement of PUD Zoning.
19. All private streets shall be maintained by the Home Owners Association.
20. Prior to City Council review of the final PUD development plans, a second access to the town home development shall be provided based on the Fire Marshall's comments. This access shall include a drop curb and minimum 12' wide heavy duty asphalt surface.
21. Prior to City Council review of final PUD development plans in residential areas, the plans shall be modified such that visitor parking shall be accommodated in the single family and town home neighborhoods.
22. Prior to City Council review of final PUD development plans of any phase, the landscape plan shall identify quantities of plant materials proposed for verification of code compliance.
23. Prior to City Council review of final PUD development plans of any phase, the reforestation plan shall be updated indicating the location of replacement trees on site in addition to the landscaping requirements described by the ordinance.

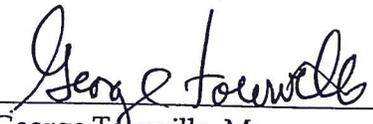
24. Prior to City Council review of final PUD development plans of any phase, wetland buffers shall be provided around the perimeter of all wetlands. The developer shall describe the proposed seed mix, installation and erosion control measures for the buffer areas on the landscape plan.
25. All signage for all future proposed development shall be subject to review and approval by the City.
26. Prior to City Council review of final PUD development plans of residential portions, a noise assessment of the proposed development from the major roadways (State and County) including Highway 55, Robert Street and the proposed CSAH 28 shall be required. This analysis should outline areas of concern and detail mitigation strategies for reducing noise pollution on site.
27. Residential neighborhoods located within the boundary of the Noise Abatement Overlay district shall conform to the noise mitigation measures as defined in the Airport Noise Abatement Overlay District, Section 515.80. Subd. 34 of the City Code.
28. Prior to City Council review of final PUD development plans for appropriate phases, the Developer must demonstrate how grading of the custom lots, streets and retaining walls function for the long term, realizing the development of individual lots and construction timing.
29. Prior to City Council review of PUD development plans, the Developer must demonstrate how the trail system can be graded through the open space area. Benches for proper trail widths and cross culverts for drainage shall be designed and implemented into the grading and drainage plans and shall respond to the stormwater ponding and infiltration network.
30. The private streets shown at 24' in the custom single family and small lot single family neighborhoods and in the townhouse neighborhood do not allow for on-street parking. If no other guest parking areas are being provided within these neighborhoods, these streets shall be modified to 28' width to accommodate parking on one side of the street.
31. Street lighting shall be required within the single family neighborhoods and along all public streets. The street lighting plans shall be approved by the City and Dakota County or MnDOT where appropriate prior to installation.
32. Separate trail easements shall be granted to the City for the trail system through the development. The City shall be responsible for the maintenance of the trail and trail easement area.
33. The boundaries of the designated natural area/open space and conservation easement areas shall be clearly delineated on the approved final PUD plans and shall be clearly marked and delineated in the field before grading begins and after final grading is completed with signage approved by the City.

34. The re-platting of Outlot F shall be consistent with the approved preliminary PUD development plans dated 6/25/07 and 7/19/10 unless a revised plan has been approved by the City Council. All conditions, restrictions, covenants, contributions and dedications must occur at time of re-platting Outlot F. This provision shall be included in the approved and recorded development contract.
35. At the time the City signs the plat, the owner must fully pay the City of Inver Grove Heights for all planning, engineering review and legal fees that have been incurred up to the date the City signs the final plat, and the owner must further escrow with the City an amount determined by the City of Inver Grove Heights for future planning and engineering review fees and for legal fees, except for such fees as may already otherwise be taken into account in the calculations or engineering inspection escrow made a part of the Development Agreement. Further, at the time the City signs the final plat, the owner must pay the City the fees prescribed by the ordinance (to be enacted prior to final plat) to defray the costs incurred by the City in preparation of the planning studies, engineering analysis, storm water analysis, environmental review, alternative urban areawide review, natural resource inventory and transportation modeling as such studies, analysis, reviews, inventories and modeling relate to the review, investigation and administration of the owner's applications.
36. This PUD Amendment resolution replaces Resolution No. 07-201 and is now the guiding resolution for the overall Preliminary PUD Plan Approval for Argenta Hills.
37. An additional 45 trees plus 2,219 caliper inches shall satisfy tree preservation reforestation for the overall PUD.

Passed this 13th day of September 2010.

AYES: 4

NAYS: 1 (Grannis)

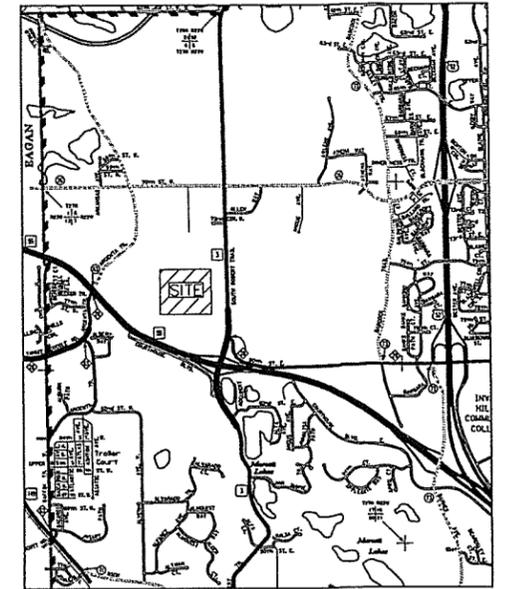
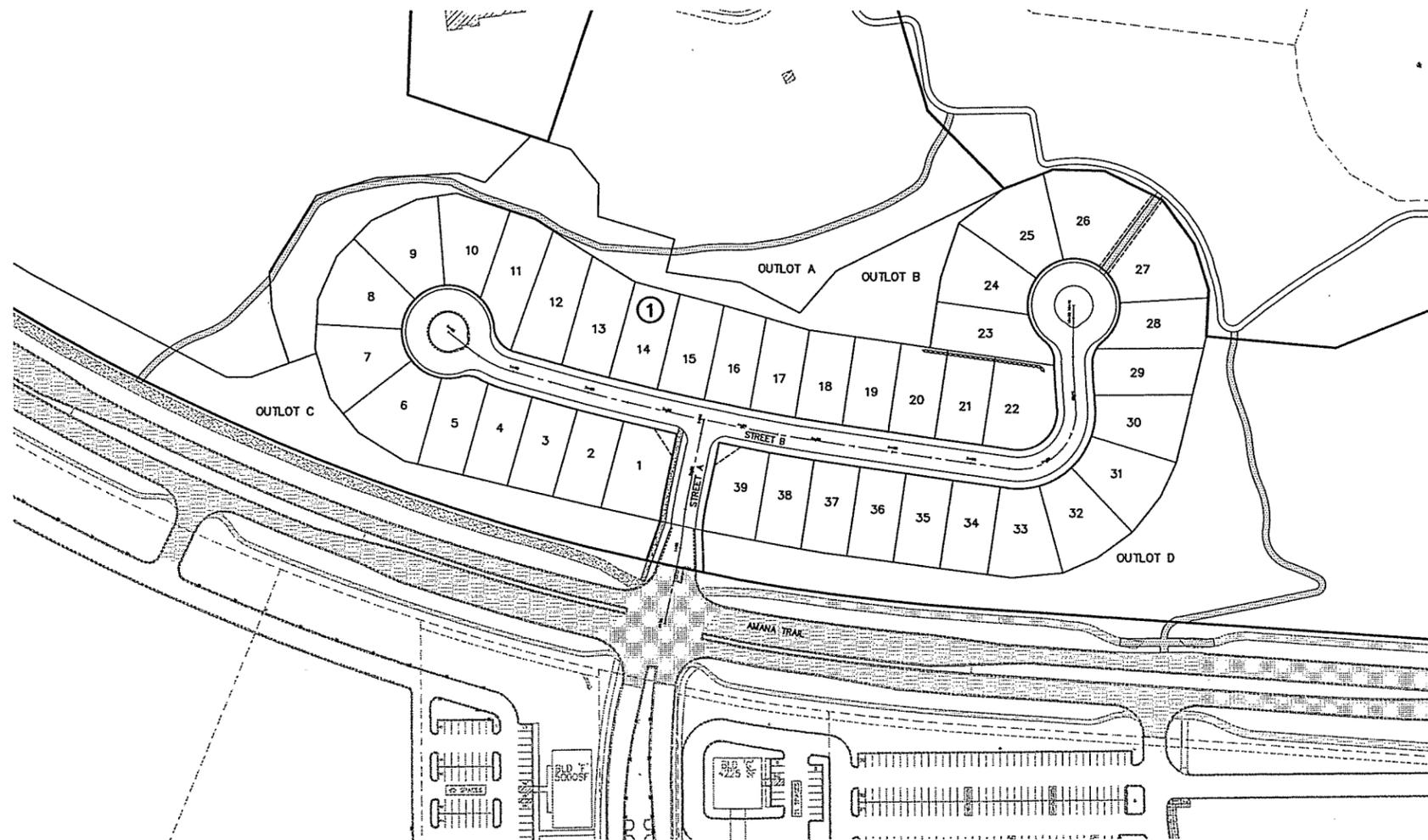

George Tourville, Mayor

ATTEST:

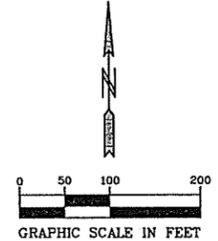

Melissa Rheume, Deputy Clerk

ARGENTA HILLS 5TH ADDITION PRELIMINARY PLAT INVER GROVE HEIGHTS, MINNESOTA

EXISTING	PROPOSED	FUTURE	DESCRIPTION
○	●	○	SANITARY MANHOLE
—	—	—	EXISTING SANITARY SEWER
—	—	—	PROPOSED SANITARY SEWER
—	—	—	FUTURE SANITARY SEWER
—	—	—	HYDRANT
—	—	—	GATE VALVE
—	—	—	REDUCER
—	—	—	EXISTING WATERMAIN
—	—	—	PROPOSED WATERMAIN
—	—	—	FUTURE WATERMAIN
—	—	—	CATCH BASIN
—	—	—	BEEHIVE
—	—	—	STORM MANHOLE
—	—	—	FLARED END SECTION
—	—	—	CONTROL STRUCTURE
—	—	—	EXISTING STORM SEWER
—	—	—	PROPOSED STORM SEWER
—	—	—	FUTURE STORM SEWER
—	—	—	SURMOUNTABLE CURB & GUTTER
—	—	—	B-STYLE CURB & GUTTER
—	—	—	RIBBON CURB & GUTTER
—	—	—	PHASE LINE
—	—	—	EASEMENT LINE
—	—	—	EXISTING 2' CONTOUR LINE
—	—	—	EXISTING 10' CONTOUR LINE
—	—	—	PROPOSED 2' CONTOUR LINE
—	—	—	PROPOSED 10' CONTOUR LINE
—	—	—	POND OUTLET LINE
—	—	—	POND HIGH WATER LINE
—	—	—	PROPOSED SPOT ELEVATION
—	—	—	EMERGENCY OVERFLOW
—	—	—	DELINEATED WETLAND LINE
—	—	—	FEMA FLOODPLAIN BOUNDARY
—	—	—	STANDARD EROSION CONTROL
—	—	—	HEAVY-DUTY EROSION CONTROL
—	—	—	TREE FENCE
—	—	—	RETAINING WALL
—	—	—	CONSERVATION AREA SIGN
—	—	—	WETLAND BUFFER SIGN
—	—	—	EX. CULVERT
—	—	—	EX. OVERHEAD UTILITY LINES
—	—	—	EX. UNDERGROUND TELEVISION LINE
—	—	—	EX. UNDERGROUND TELEPHONE LINE
—	—	—	EX. UNDERGROUND FIBER OPTIC LINE
—	—	—	EX. UNDERGROUND ELECTRIC LINE
—	—	—	EX. UNDERGROUND GAS LINE
—	—	—	EX. FENCE (BARBED WIRE)
—	—	—	EX. FENCE (CHAIN LINK)
—	—	—	EX. FENCE (WOOD)
—	—	—	EX. CAST IRON MONUMENT
—	—	—	EX. ELECTRIC BOX
—	—	—	EX. FLAG POLE
—	—	—	EX. NATURAL GAS METER
—	—	—	EX. HAND HOLE
—	—	—	EX. FOUND IRON PIPE
—	—	—	EX. JUDICIAL LAND MARK
—	—	—	EX. LIGHT POLE
—	—	—	EX. PK NAIL
—	—	—	EX. UTILITY POLE
—	—	—	EX. LAWN SPRINKLER VALVE
—	—	—	EX. LAWN SPRINKLER HEAD
—	—	—	EX. SEMAPHORE
—	—	—	EX. SERVICE
—	—	—	EX. TELEPHONE BOX
—	—	—	EX. TEST HOLE
—	—	—	EX. TELEVISION BOX
—	—	—	EX. WATER WELL
—	—	—	EX. MONITORING WELL
—	—	—	EX. MAILBOX
—	—	—	EX. CONTROL POINT
—	—	—	EX. SPIKE
—	—	—	EX. SIGN
—	—	—	EX. CLEANOUT
—	—	—	EX. SIGNIFICANT TREE
—	—	—	EX. TREE LINE
—	—	—	EX. GRAVEL SURFACE
—	—	—	EX. BITUMINOUS SURFACE
—	—	—	EX. CONCRETE SURFACE
—	—	—	SELECT BACKFILL MATERIAL
—	—	—	GRAVEL CONST. ENTRANCE



LOCATION MAP



- SHEET INDEX**
1. COVER/PHASING PLAN
 2. EXISTING CONDITIONS
 3. PRELIMINARY PLAT
 4. PRELIMINARY GRADING
 5. PRELIMINARY UTILITIES/SITE PLAN
 6. UTILITY DETAILS
 7. STORM DETAILS
 8. STREET DETAILS
- L1. LANDSCAPE PLAN

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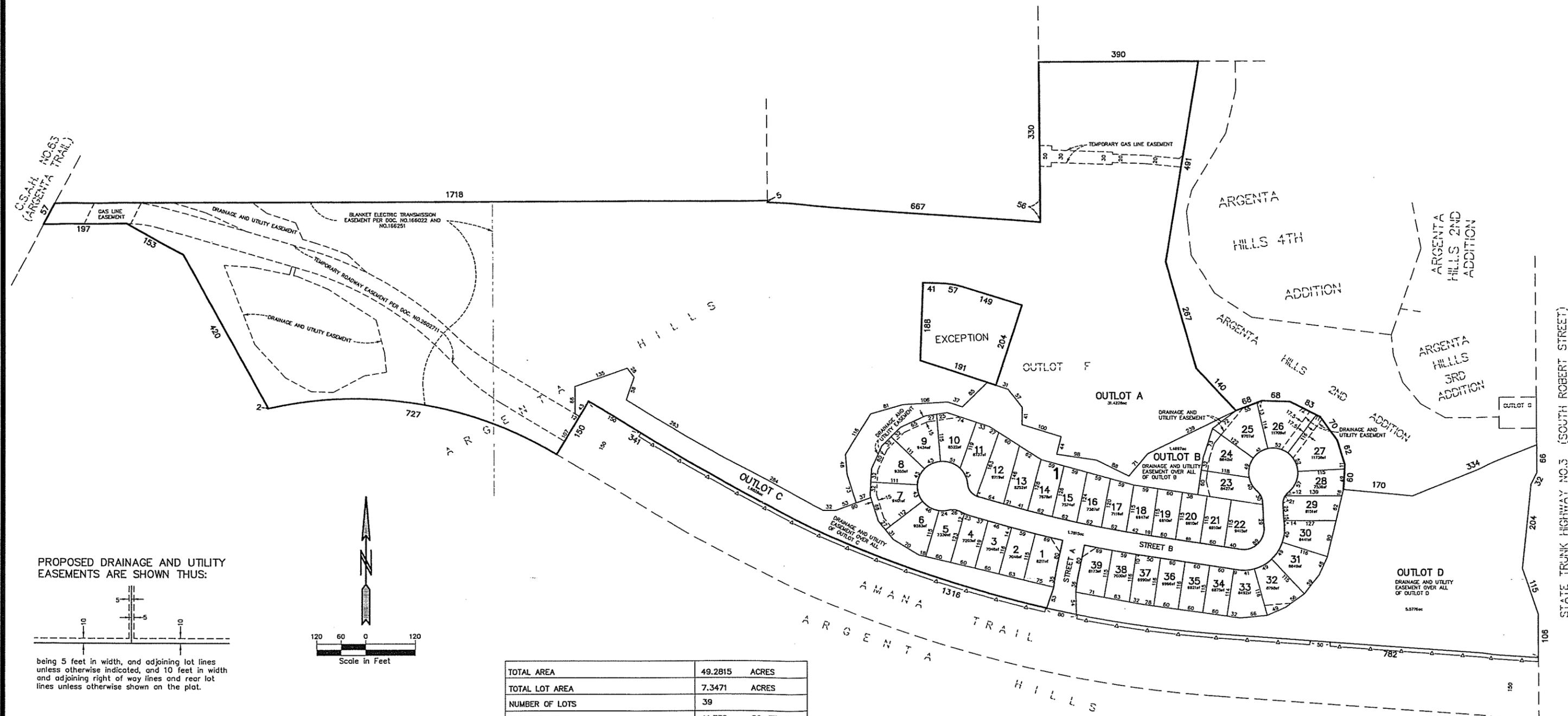
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
Name: Brian N. Molinaro
Reg. No.: 47504
Date:

Revisions:
1. 8-10-2012 CITY COMMENTS
Date: 7-9-12
Designed: PIC/BNM
Drawn: ENM

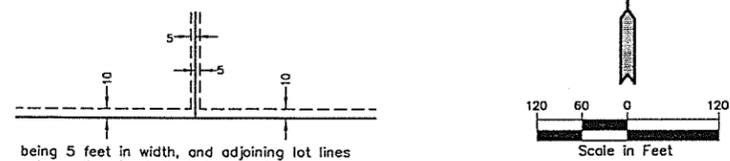
COVER

IGH INVESTMENTS, LLC
16972 BRANDTJEN FARM DR.
LAKEVILLE, MINNESOTA 55044

ARGENTA HILLS 5TH ADDITION
INVER GROVE HEIGHTS, MINNESOTA



PROPOSED DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



being 5 feet in width, and adjoining lot lines unless otherwise indicated, and 10 feet in width and adjoining right of way lines and rear lot lines unless otherwise shown on the plat.

LEGAL DESCRIPTION
 Outlot F, ARGENTA HILLS, according to the recorded plat thereof, Dakota County, Minnesota except that part thereof described as follows:
 Beginning at the northwest corner of Outlot G ARGENTA HILLS, according to the recorded plat thereof, Dakota County, Minnesota; thence on an assumed bearing of South 00 degrees 21 seconds East along the west line of said Outlot G, a distance of 75.00 feet to the southwest corner of said Outlot G; thence North 89 degrees 41 minutes 39 seconds East, along the south line of said Outlot G, a distance of 90.00 feet to the southeast corner of said Outlot G; thence South 00 degrees 18 minutes 21 seconds East, along the easterly line of said Outlot F, a distance of 40.04 feet; thence South 68 degrees 23 minutes 48 seconds West, a distance of 334.30 feet; thence North 84 degrees 45 minutes 15 seconds West, a distance of 169.60 feet; thence North 03 degrees 10 minutes 23 seconds East, a distance of 60.35 feet; thence North 17 degrees 21 minutes 21 seconds West, a distance of 61.75 feet; thence North 06 degrees 24 minutes 12 seconds West, a distance of 70.15 feet; thence North 63 degrees 25 minutes 50 seconds West, a distance of 82.94 feet; thence North 08 degrees 20 minutes 50 seconds West, a distance of 68.03 feet; thence South 69 degrees 14 minutes 12 seconds West, a distance of 68.03 feet; thence North 43 degrees 22 minutes 45 seconds West, a distance of 139.96 feet; thence North 15 degrees 55 minutes 17 seconds West, a distance of 267.34 feet; thence North 09 degrees 28 minutes 04 seconds East, a distance of 490.67 feet to the north line of said Outlot F; thence North 89 degrees 42 minutes 13 seconds East along said north line, a distance of 891.41 feet to the northeast corner of said Outlot F; thence South 00 degrees 14 minutes 17 seconds East along said easterly line of Outlot F, a distance of 157.67 feet to an angle point in said easterly line; thence North 89 degrees 45 minutes 43 seconds East along said easterly line, a distance of 17.00 feet to an angle point in said easterly line; thence South 00 degrees 14 minutes 17 seconds East along said easterly line, a distance of 171.57 feet to an angle point in said easterly line; thence South 89 degrees 41 minutes 22 seconds West along said easterly line, a distance of 82.00 feet to an angle point in said easterly line; thence South 00 degrees 18 minutes 21 seconds East along said easterly line, a distance of 485.59 feet to the northeast corner of said Outlot G; thence South 89 degrees 41 minutes 39 seconds West along the north line of said Outlot G, a distance of 90.00 feet to the point of beginning.

TOTAL AREA	49.2815	ACRES
TOTAL LOT AREA	7.3471	ACRES
NUMBER OF LOTS	39	
LARGEST LOT	11,738	SQ. FT.
SMALLEST LOT	6,875	SQ. FT.
AVERAGE LOT	8,206	SQ. FT.
TOTAL OUTLOT AREA	40.1529	ACRES
NUMBER OF OUTLOTS	4	
TOTAL RIGHT OF WAY AREA	1.7715	ACRES
GROSS DENSITY (EXCLUDES OUTLOTS)	4.2723	LOTS/ACRE
NET DENSITY (EXCLUDES OUTLOTS & R/W)	5.3082	LOTS/ACRE
PROPOSED ZONING	PUD	
EXISTING ZONING	PUD	
UTILITIES	AVAILABLE	

PIONEERengineering
 CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS
 2422 Enterprise Drive
 Mendota Heights, MN 55120
 (651) 681-1914
 Fax: 681-9488
 www.pioneereng.com

I hereby certify that this plan 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.
 Name: PETE HAWKINSON
 Reg. No. _____ Date _____

Revisions
 1. 8-10-2012 CITY COMMENTS

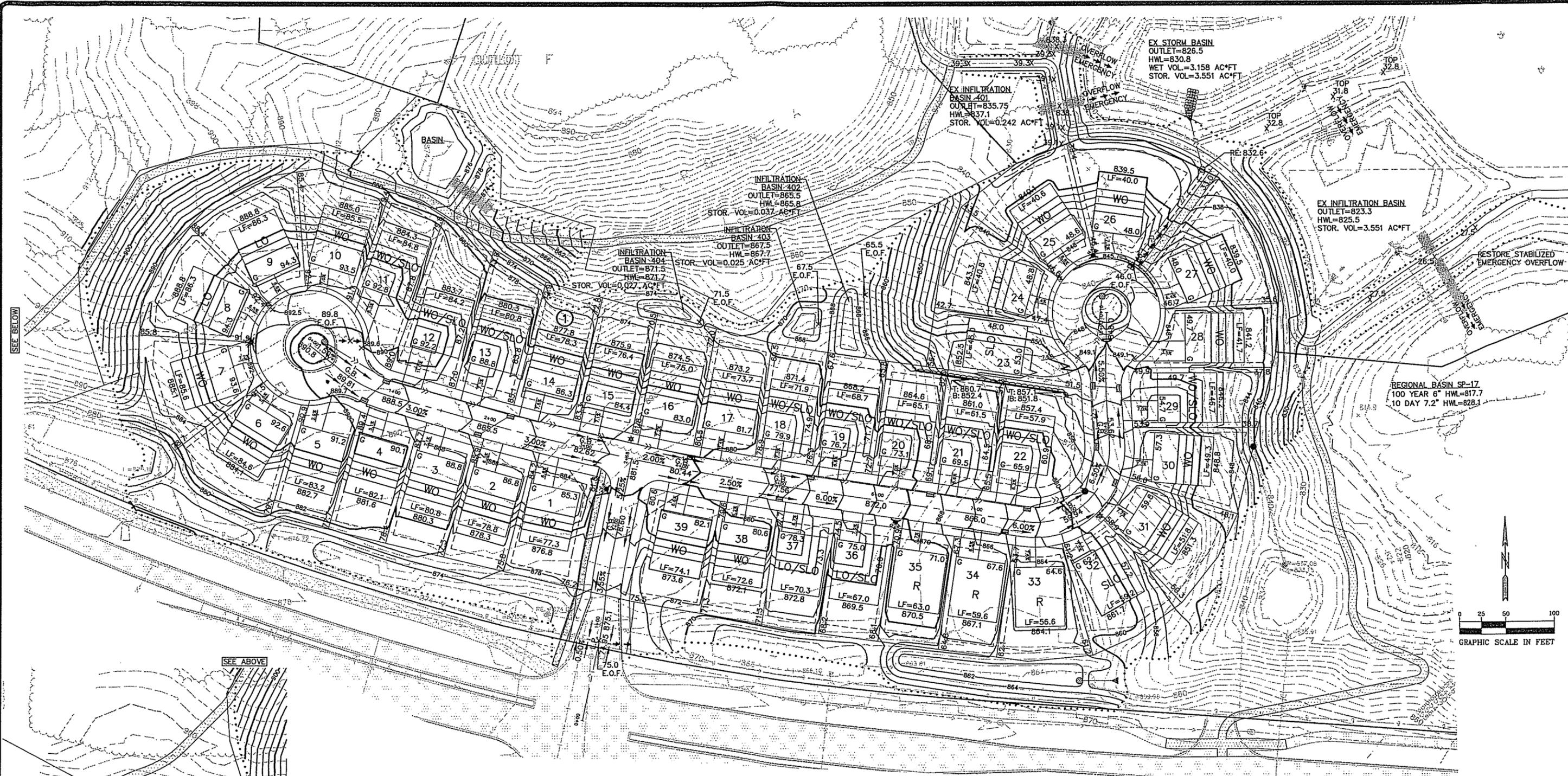
Date _____
 Designed _____
 Drawn _____

PRELIMINARY
 PLAT

IGH INVESTMENTS, LLC
 16972 BRANDTJEN FARM DR.
 LAKEVILLE, MINNESOTA 55044

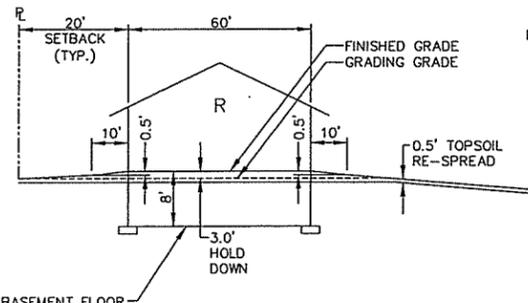
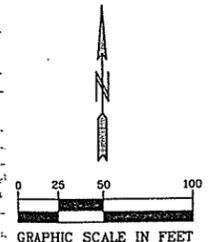
ARGENTA HILLS 5TH ADDITION
 INVER GROVE HEIGHTS, MINNESOTA

112118-PREPLAT OVERALL
 3 OF 8

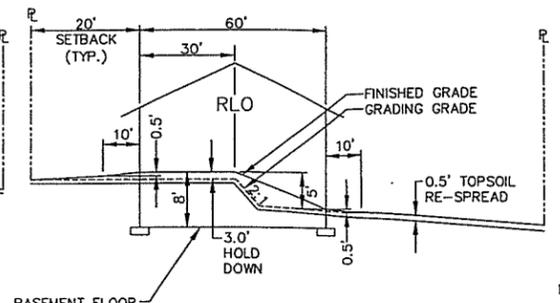


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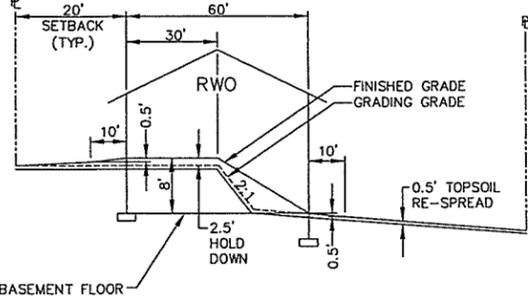
SEE ABOVE



RAMBLER-1
(TYPICAL SECTION NOT TO SCALE)



RAMBLER LOOKOUT
(TYPICAL SECTION NOT TO SCALE)



RAMBLER WALKOUT
(TYPICAL SECTION NOT TO SCALE)

LOT DATA	
3	BLOCK NO.
7	LOT NO.
897.5	GROUND ELEVATION @ BUILDING
LF=895.0	LOWEST FLOOR ELEVATION
LO(1)	DENOTES STEP CONDITION (IN FEET)
G 901.5	GROUND ELEVATION @ BUILDING
64.4	GROUND ELEVATION @ LOT CORNER

PROJECT SETBACKS	
60'	Wide Single Family Lots
Front:	Garage foundation to R-O-W = 20
	House foundation to R-O-W = 20
	Foundation to side street R-O-W = 15
Side:	Garage = 5'
	Building = 5'
Rear:	30'
Wetland:	40'

HOUSE TYPES	
R	RAMBLER
LO	RAMBLER LOOKOUT
WO	WALKOUT
SE	SPLIT ENTRY
SLO	SIDE WALKOUT
SWO	SIDE WALKOUT
CG	CUSTOM GRADING

PIONEER engineering
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

2422 Enterprise Drive
Mendota Heights, MN 55120
(651) 681-1914
Fax: 681-9468
www.pioneereng.com

I hereby certify that this plan 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.
Name: Brian N. Molinaro
Reg. No.: 47504
Date:

Revisions:
1. 8-10-2012 CITY COMMENTS

Date: 7-9-12
Designed: PIC/BNM
Drawn: BNM

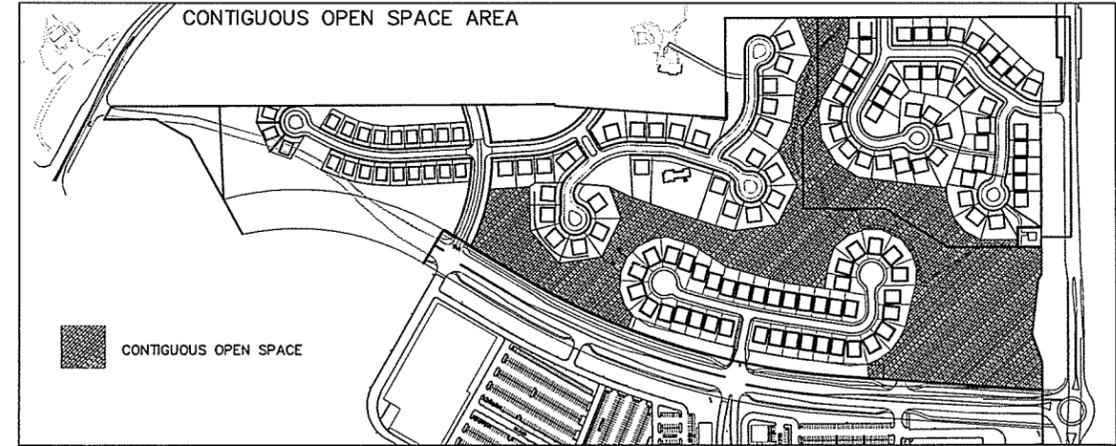
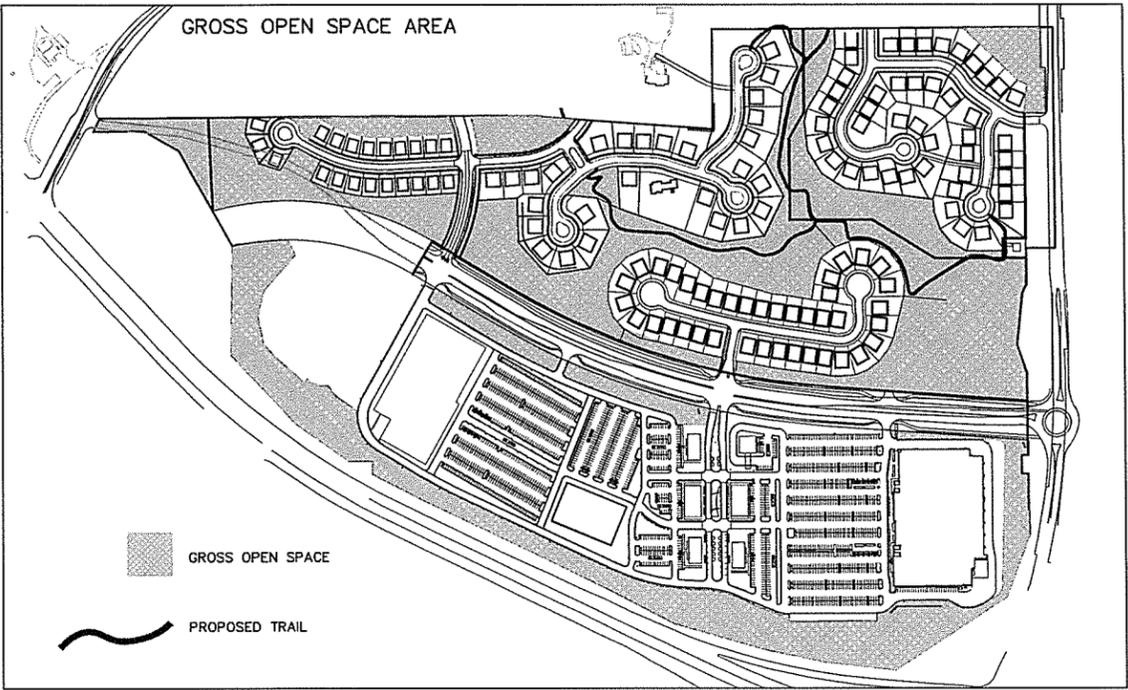
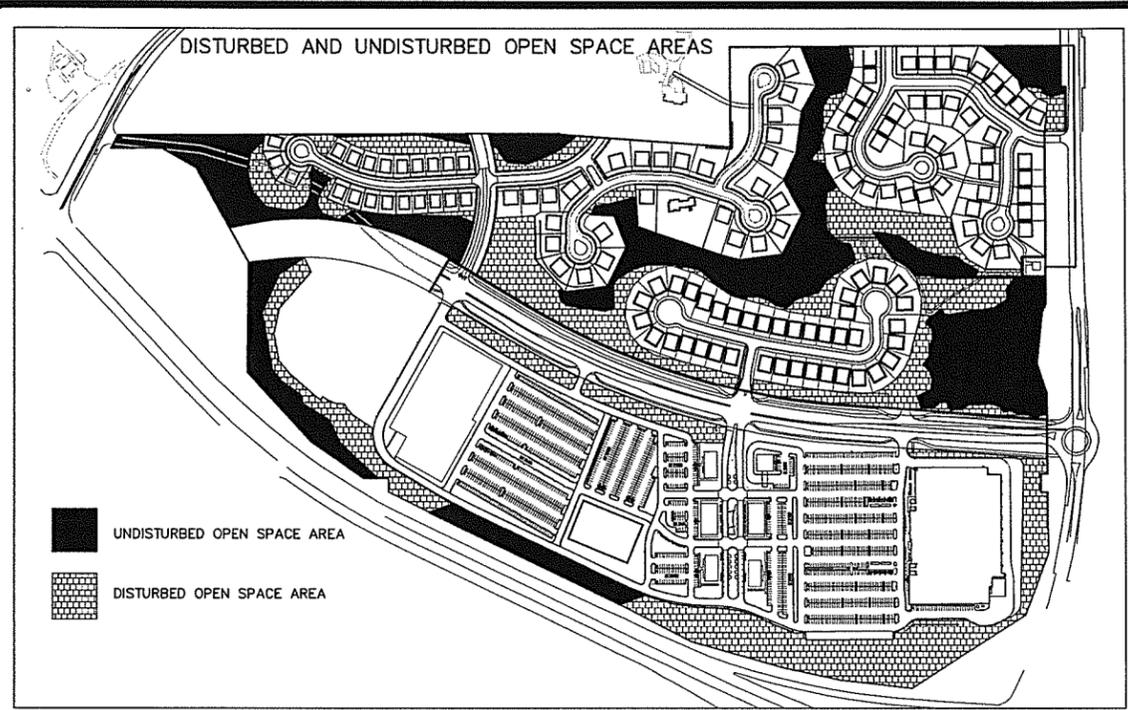
PRELIMINARY GRADING PLAN

IGH INVESTMENTS, LLC
16972 BRANDTJEN FARM DR
LAKEVILLE, MINNESOTA 55044

ARGENTA HILLS 5TH ADDITION
INVER GROVE HEIGHTS, MINNESOTA

4 OF 8

00-ENG-112118-SHEET-GRAD.DWG



NO SCALE

OPEN SPACE TYPES	REQUIRED ACRES**	PROPOSED ACRES 2007	PROPOSED ACRES 2010	PROPOSED ACRES JULY 9, 2012
GROSS OPEN SPACE	24.2	43.7***	42.7	40.4
UNDISTURBED OPEN SPACE	12.1	19.6	21.1	18.9
DISTURBED OPEN SPACE	12.1	23.6	21.4	21.5
CONTIGUOUS OPEN SPACE*	18.2	18.9	20.4	18.2
COMMERCIAL OPEN SPACE (NUMBERS BELOW ARE INCLUDED IN TOTALS ABOVE)				
GROSS OPEN SPACE		13.1	13.1	13.1
UNDISTURBED OPEN SPACE		3.2	3.2	3.2
DISTURBED OPEN SPACE		9.9	9.9	9.9

*CONTIGUOUS OPEN SPACE SHALL BE A MINIMUM OF 100' WIDE AT ANY POINT.
CONTIGUOUS OPEN SPACE SHALL CONSTITUTE A MINIMUM OF 75% OF TOTAL REQUIRED OPEN SPACE AREA.

**REQUIRED ACRES TAKEN FROM PREVIOUSLY APPROVED DEVELOPMENT PLANS

***PREVIOUSLY APPROVED OPEN SPACE PLANS SHOW 45.5 ACRES PROPOSED GROSS OPEN SPACE AREA. 1.8 ACRES OF UNDISTURBED PRIVATE OPEN SPACE HAVE BEEN SUBTRACTED FROM THIS NUMBER AS IT IS UNREQUIRED DATA.

PIONEERengineering
CIVIL ENGINEERING LAND PLANNING LAND SURVEYING LANDSCAPE ARCHITECTURE
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Fax: (651) 948-8888
www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota

Name: Kristin L. Thorspoe
Exp. No.: 41160 Date: _____

Revision: 7-6-12: see notes for table address

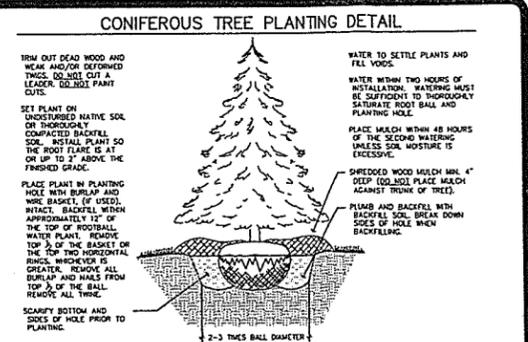
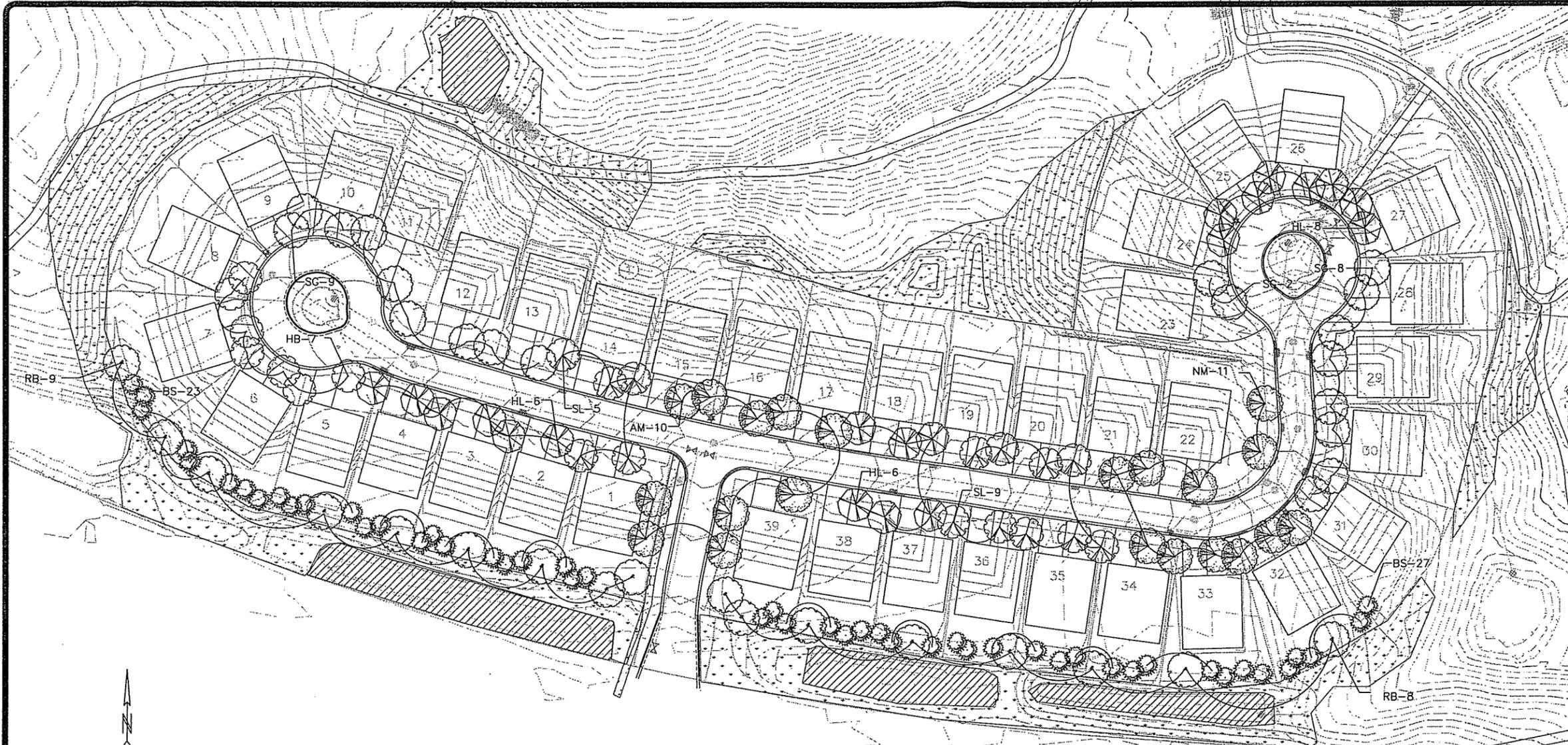
Date: 7/19/12
Designed: ALT
Drawn: ALT

OPEN SPACE AND TRAIL PLAN

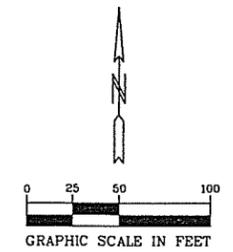
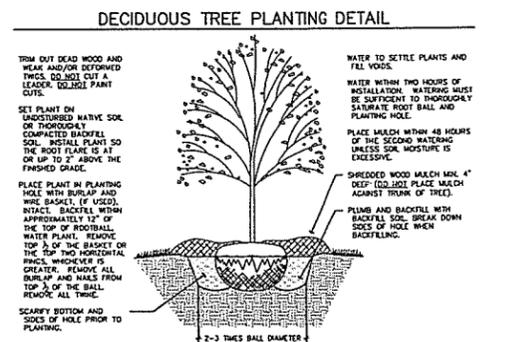
IGH INVESTMENTS, LLC
16971 BRANDTJEN FARM DRIVE
LAKEVILLE, MINNESOTA 55041

ARGENTA HILLS
INVER GROVE, MINNESOTA

1 OF 1



- LANDSCAPE NOTES**
- THE LANDSCAPE CONTRACTOR SHALL VISIT THE PROJECT SITE TO BECOME FAMILIAR WITH THE EXISTING CONDITIONS PRIOR TO SUBMITTING A BID.
 - THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF PROPOSED PHYSICAL START DATE AT LEAST 7 DAYS IN ADVANCE.
 - THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FIELD VERIFICATION OF ALL EXISTING UTILITY LOCATIONS ON THE PROJECT SITE WITH COMPASS STATE ONE CALL 1-800-252-1166 PRIOR TO COMMENCING WORK. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF EXISTING UTILITIES DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER. NOTIFY THE LANDSCAPE ARCHITECT OF ANY CONFLICTS TO FACILITATE PLANT RELOCATION.
 - GRADING TO BE PERFORMED BY OTHERS.
 - NO PLANT MATERIAL SHALL BE INSTALLED UNTIL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
 - ALL PLANT MATERIAL SHALL MEET THE STANDARDS FOUND IN THE AMERICAN ASSOCIATION OF NURSERMEN-AMERICAN STANDARD FOR NURSERY STOCK.
 - ALL CONTAINER MATERIAL TO BE GROWN IN THE CONTAINER A MINIMUM OF SIX (6) MONTHS PRIOR TO PLANTING ON SITE.
 - DECIDUOUS AND CONIFEROUS TREES SHALL NOT BE STAKED, BUT THE LANDSCAPE CONTRACTOR MUST GUARANTEE STABILITY TO A WIND SPEED OF 60 M.P.H.
 - THE LANDSCAPE CONTRACTOR SHALL PROVIDE A MINIMUM GUARANTEE OF ONE YEAR ONE TIME REPLACEMENT ON NEW PLANT MATERIALS. GUARANTEE SHALL BE AGREED UPON BY DEVELOPER/BUILDER AND LANDSCAPE CONTRACTOR.
 - THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANTS WHICH ARE DEEMED UNSATISFACTORY BEFORE, DURING OR AFTER INSTALLATION.
 - IF THERE IS A DISCREPANCY BETWEEN THE NUMBER OF PLANTS SHOWN ON THE PLAN AND THE NUMBER SHOWN ON THE PLANT LIST, THE NUMBER SHOWN ON THE PLAN WILL TAKE PRECEDENCE.
 - THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MULCHES AND PLANTING SOIL QUANTITIES TO COMPLETE WORK SHOWN ON THE PLAN. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL QUANTITIES SHOWN ON THE PLAN SCHEDULE.
 - COMMERCIAL GRADE POLY LAWN EDGING SHALL BE INSTALLED WHERE NOTED.
 - THE LANDSCAPE CONTRACTOR SHALL REPAIR ALL DAMAGE TO THE SITE CAUSED BY THE PLANTING OPERATION AT NO COST TO THE OWNER.
 - THE LANDSCAPE CONTRACTOR SHALL KEEP PAVEMENTS CLEAN UNDISTAINED. ALL PEDESTRIAN AND VEHICLE ACCESS TO BE MAINTAINED THROUGHOUT CONSTRUCTION PERIOD. ALL WASTES SHALL BE PROMPTLY REMOVED FROM THE SITE. ANY DAMAGE TO EXISTING FACILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE CODES, REGULATIONS AND PERMITS GOVERNING THE WORK.
 - STORAGE OF MATERIALS OR SUPPLIES ON-SITE WILL NOT BE ALLOWED.



INFILTRATION BASIN

NATIVE WET PRAIRIE
(STATE SEED MIX 34-262 FORMERLY W3)

Common Name	Scientific Name	Rate (kg/ha)	Rate (lb/acre)	% of Mix (% by wt)	Seeds/ sq ft
big bluestem	<i>Andropogon gerardi</i>	1.12	1.00	8.80%	3.67
tripped brome	<i>Bromus ciliatus</i>	1.68	1.50	10.38%	6.08
bluejoint	<i>Calamagrostis canadensis</i>	0.04	0.04	0.27%	4.00
Virginia wild rye	<i>Elymus virginicus</i>	1.98	1.75	12.07%	2.70
tall meadow grass	<i>Cynosura grandis</i>	0.17	0.15	1.00%	3.80
low meadow grass	<i>Cynosura abata</i>	0.12	0.11	0.73%	3.50
switchgrass	<i>Panicum virgatum</i>	0.84	0.75	5.18%	3.85
low bluegrass	<i>Poa palustris</i>	0.22	0.20	1.39%	8.80
Indian grass	<i>Sorghastrum nutans</i>	0.56	0.50	3.44%	2.20
prairie cordgrass	<i>Sporobolus pectinatus</i>	0.56	0.50	3.41%	1.20
	Total Grasses	7.29	6.50	44.78%	40.60
wooly sedge	<i>Carex pedata</i>	0.06	0.05	0.32%	0.47
tussock sedge	<i>Carex stricta</i>	0.02	0.02	0.17%	0.48
fox sedge	<i>Carex vulpocarpa</i>	0.11	0.10	0.69%	3.50
dark green bulrush	<i>Scirpus atrovirens</i>	0.11	0.10	0.72%	17.74
woolgrass	<i>Scirpus cyperinus</i>	0.03	0.03	0.18%	16.00
	Total Sedges and Rushes	0.34	0.30	2.00%	38.19
Canada anemone	<i>Anemone canadensis</i>	0.03	0.03	0.21%	0.09
marsh milkweed	<i>Asclepias tuberosa</i>	0.02	0.02	0.15%	0.14
Canada tick sedge	<i>Distichlis canadensis</i>	0.56	0.50	3.41%	1.00
flat-topped aster	<i>Doszingeria umbellata</i>	0.06	0.05	0.34%	1.20
common bonset	<i>Eupatorium perfoliatum</i>	0.03	0.03	0.23%	2.00
grass-leaved goldenrod	<i>Euthamia graminifolia</i>	0.02	0.02	0.11%	2.00
rough meadow	<i>Eupatorium maculatum</i>	0.04	0.04	0.23%	1.50
autumn sneezeweed	<i>Helenium autumnale</i>	0.06	0.05	0.35%	2.30
sawtooth sunflower	<i>Helianthus grosseserratus</i>	0.09	0.05	0.38%	0.30
great blazing star	<i>Liatris pycnostachya</i>	0.02	0.02	0.17%	0.10
great lobelia	<i>Lobelia spicata</i>	0.01	0.01	0.05%	1.40
blue monkey flower	<i>Mimulus lewisii</i>	0.01	0.01	0.05%	6.40
Virginia mountain mint	<i>Pycnanthemum virginicum</i>	0.09	0.08	0.56%	6.50
red-stemmed aster	<i>Symphoricarpos punctatum</i>	0.09	0.08	0.56%	2.40
blue vervain	<i>Verbena hastata</i>	0.17	0.15	1.09%	5.25
branched ironweed	<i>Veronica fasciculata</i>	0.03	0.03	0.23%	0.30
Colony's root	<i>Veronicastrum virginicum</i>	0.02	0.02	0.14%	6.00
golden alexanders	<i>Zizia aurea</i>	0.29	0.25	1.76%	1.03
	Total Forbs	1.68	1.50	10.45%	40.00
Date of winter wheat (see note at beginning of list for recommended dates)		6.95	6.20	42.74%	2.78
	Total Cover Crop	6.95	6.20	42.74%	2.78
	Totals	16.25	14.50	100.00%	121.55

Purpose: Wet prairie reconstruction for wetland mitigation or ecological restoration.
Planting Area: Tailgrass Aspen Parkland, Prairie Parkland, and Eastern Broadleaf Forest Provinces. MnDOT Districts 2(west), 3, 4, Metro, 6, 7 & 8.

DISTURBED UPLAND

NATIVE DRY PRAIRIE SOUTHEAST
(STATE SEED MIX 35-621 FORMERLY U8)

Common Name	Scientific Name	Rate (kg/ha)	Rate (lb/acre)	% of Mix (% by wt)	Seeds/ sq ft
side-oats grama	<i>Bouteloua curtipendula</i>	1.27	1.13	10.23%	2.48
blue grama	<i>Bouteloua gracilis</i>	0.76	0.68	6.19%	10.00
hairs bromes	<i>Bromus horridus</i>	0.35	0.31	2.78%	0.90
nodding wild rye	<i>Elymus canadensis</i>	1.88	1.50	13.81%	2.86
slender wheatgrass	<i>Elymus trachycaulis</i>	1.32	1.18	10.76%	3.00
lunegrass	<i>Koeleria macrantha</i>	0.48	0.41	3.71%	30.00
little bluestem	<i>Schizachyrium scoparium</i>	1.69	1.51	13.70%	6.30
sand dropseed	<i>Sporobolus cryptandrus</i>	0.25	0.22	1.88%	16.00
prairie dropseed	<i>Sporobolus heterolepis</i>	0.29	0.26	2.32%	1.50
	Total Grasses	8.07	7.20	65.28%	75.04
butterfly milkweed	<i>Asclepias tuberosa</i>	0.07	0.06	0.52%	0.09
whorled milkweed	<i>Asclepias verticillata</i>	0.01	0.01	0.11%	0.05
bird's foot clover	<i>Carex palmata</i>	0.06	0.05	0.50%	0.20
white prairie clover	<i>Dalea candida</i>	0.10	0.09	0.78%	0.60
purple prairie clover	<i>Dalea purpurea</i>	0.17	0.15	1.32%	0.80
ox-eye	<i>Helopsis helianthoides</i>	0.07	0.06	0.51%	0.13
round-headed bush clover	<i>Lespedeza capitata</i>	0.03	0.03	0.31%	0.10
rough blazing star	<i>Liatris aspera</i>	0.02	0.02	0.17%	0.11
dotted blazing star	<i>Liatris punctata</i>	0.02	0.02	0.23%	0.06
wild bergamot	<i>Monarda fistulosa</i>	0.03	0.03	0.30%	0.85
horsemint	<i>Monarda punctata</i>	0.02	0.02	0.12%	0.90
soft goldenrod	<i>Chrysopsis rigidum</i>	0.07	0.06	0.59%	0.98
large-flowered beard tongue	<i>Pentstemon grandiflorus</i>	0.04	0.04	0.35%	0.20
black-eyed susan	<i>Rudbeckia hirta</i>	0.10	0.09	0.86%	3.20
gray goldenrod	<i>Solidago nemoralis</i>	0.01	0.01	0.14%	1.65
skyblue aster	<i>Symphoricarpos oenanthifolius</i>	0.01	0.01	0.05%	0.20
silky aster	<i>Symphoricarpos sericeum</i>	0.02	0.02	0.19%	0.20
bracted spiderwort	<i>Tradescantia bracteata</i>	0.01	0.01	0.12%	0.05
heart-leaved alexanders	<i>Zizia aurea</i>	0.02	0.02	0.21%	0.10
	Total Forbs	0.90	0.80	7.49%	10.37
Date of winter wheat (see note at beginning of list for recommended dates)		3.36	3.00	27.23%	1.33
	Total Cover Crop	3.36	3.00	27.23%	1.33
	Totals	12.33	11.00	100.00%	86.75

Purpose: Regional dry prairie reconstruction for wetland mitigation, ecological restoration, or conservation program planning.
Planting Area: Eastern Broadleaf Forest Province excluding Hardwood Hills subsection. MnDOT Districts Metro & 6.

KEY	COMMON NAME/SCIENTIFIC NAME	ROOT	QUANTITY
OVERSTORY TREES			
AM	AUTUMN BLAZE MAPLE/ACER X FREEMANII 'AUTUMN BLAZE'	3" B&B	10
HL	THORNLESS HONEYLOCUST/GLEDITSIA TRIACANTHOS INERMIS	3" B&B	20
NM	NORTHWOODS MAPLE/ACER RUBRUM 'NORTHWOODS'	3" B&B	11
RB	RIVER BIRCH/BETULA NIGRA 'HERITAGE' (CLUMP)	12" B&B	17
HB	HACKBERR/CELTIS OCCIDENTALIS	3" B&B	7
SL	SENTRY LINDEN/TILIA AMERICANA 'SENTRY'	3" B&B	14
SG	SIENNA GLEN MAPLE/MAPLE X FREEMANII 'SIENNA GLEN'	3" B&B	19
EVERGREEN TREES			
BS	BLACK HILLS SPRUCE/PICEA GLAUCA DENSATA	8" B&B	50

TREE MITIGATION NOTES:
PROPOSED TREE MITIGATION INCHES: 519 CALIFER INCHES (98 DECIDUOUS TREES AT 3" AND 50 CONIFEROUS TREES AT 4.5").
EACH 8" CONIFER COUNTS AS 4.5 CALIFER INCHES AS PER CITY ORDINANCE (2.5" FOR FIRST 6' IN HEIGHT, 1" FOR EACH FOOT THEREAFTER).

SEE ARGENTA HILLS TREE PRESERVATION PLAN ADDENDUM JULY 9, 2012 FOR TREE MITIGATION REQUIREMENTS

TYPE 3 MULCH APPLIED AT 1 TON PER ACRE (OR TYPE 2 BLANKET ON SLOPES)

- 3-YEAR MAINTENANCE PLAN FOR INFILTRATION BASINS AND UPLAND SEEDING:**
- YEAR 1-3**
1. MOWING SHOULD OCCUR AS NECESSARY THROUGHOUT THE GROWING SEASON FOR THE FIRST TWO SEASONS TO PREVENT NOXIOUS WEEDS FROM TAKING HOLD
 2. WEEDS SHOULD BE HAND PULLED OR SPOT SPRAYED AS NECESSARY.
 3. TYPE 3 MULCH SHOULD BE USED IN BASIN BOTTOM AND TYPE 2 BLANKET SHOULD BE USED ON SLOPES UNLESS THE AREAS ARE HYDRO SEEDED WITH A HEAVY TACKIFIER IN WHICH CASE NO BLANKET OR MULCH WILL BE NECESSARY.
 4. IF THE INFILTRATION AREA BECOMES SATURATED WITH ANY FREQUENCY, REED CANARY GRASS OR OTHER NOXIOUS WEEDS CAN BECOME A PROBLEM. SETHOXDIM (OR EQUIVALENT) OR OTHER HERBICIDES WILL BE EFFECTIVE IN CONTROLLING REED CANARY GRASS AND OTHER NOXIOUS WEEDS WITHOUT HARMING SEDGES, RUSHES, AND FORBS.
 5. TREES AND SHRUBS SHOULD ONLY BE PRUNED IN THE EVENT OF DAMAGED OR BROKEN BRANCHES.
 6. INLETS MUST BE KEPT CLEAR OF DEBRIS.
 7. ANY DEBRIS OBSERVED IN INFILTRATION GARDEN SHALL BE REMOVED.
 8. NO HEAVY MACHINERY TO BE USED IN INFILTRATION BASINS IN ORDER MAINTAIN THE INTEGRITY OF INFILTRATION

INFILTRATION NOTES:
INFILTRATION BASINS TO BE SEEDED WITH SEED MIX 34-262 (FORMERLY W3) OR EQUIVALENT.
SEE GRADING PLANS FOR MORE INFILTRATION BASIN DETAILS

PIONEER engineering
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2422 Enterprise Drive
Mendota Heights, MN 55120
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Fax: 681-9488
www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota.
Name: Jennifer L. Thompson
Reg. No.: 44763
Date:

Revisions:
8-10-12-city comments

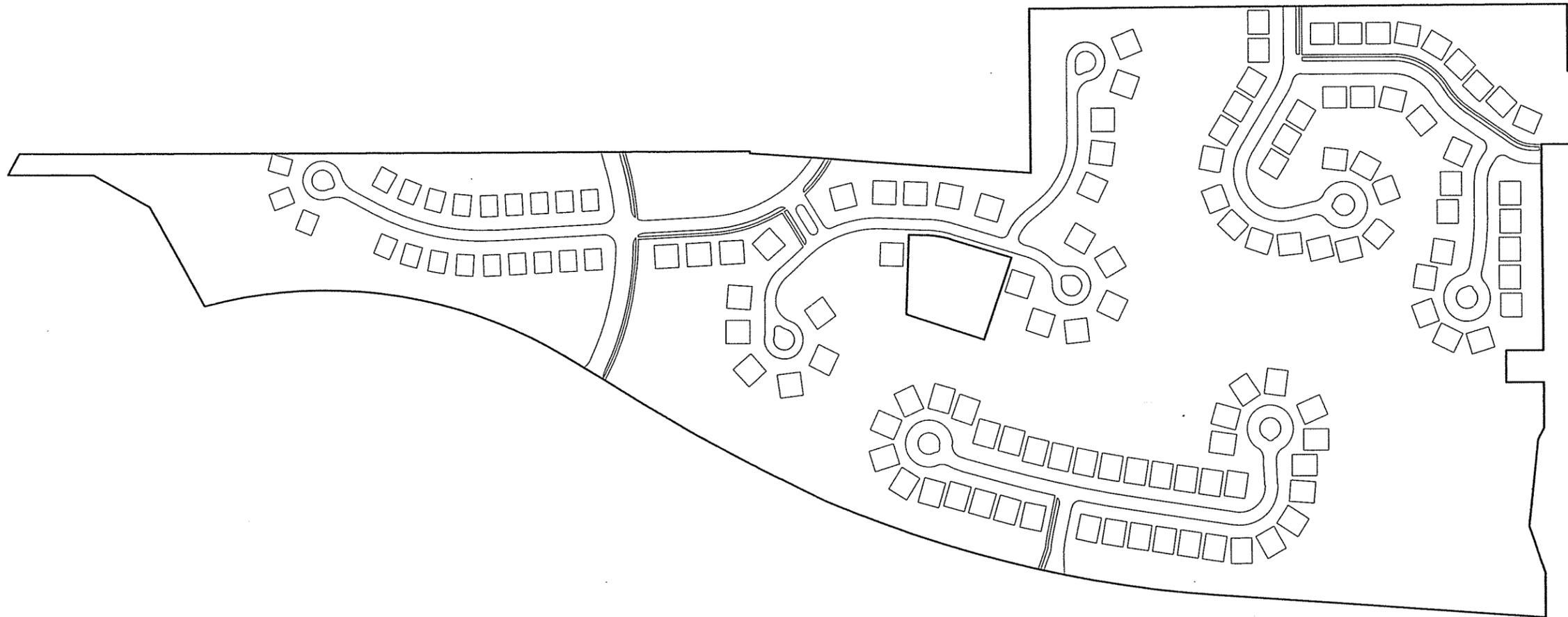
Date: 7-9-12
Designed: JLT
Drawn: JLT

LANDSCAPE PLAN

IGH INVESTMENTS, LLC
16972 BRANDTJEN FARM DR.
LAKEVILLE, MINNESOTA 55044

ARGENTA HILLS FIFTH ADDITION
INVER GROVE HEIGHTS, MINNESOTA
1 OF 1

ARGENTA HILLS IMPERVIOUS EXHIBIT INVER GROVE HEIGHTS, MINNESOTA



IMPERVIOUS AREA SUMMARY
 TOTAL AREA: 65.4 AC
 IMPERVIOUS AREA: 15.5 AC
 PERVIOUS AREA: 49.9 AC
 % IMPERVIOUS: 23.7%

LOT IMPERVIOUS AREA ASSUMPTIONS
 (INCLUDES DRIVEWAY)

2ND, 3RD & 4TH ADDITIONS
 3300 SF PER LOT (INCLUDES PORCH)

5TH ADDITION
 3300 SF PER LOT (INCLUDES PORCH)

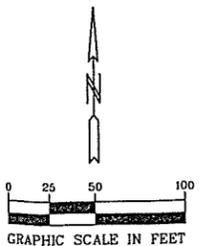
FUTURE LARGE FOOTPRINT LOTS
 3750 SF PER LOT

FUTURE SMALL FOOTPRINT LOTS
 2800 SF PER LOT

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AUG 10 2012

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I hereby certify that this plan 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

Name: Erin N. Molinaro
 Reg. No. 47504 Date _____

Revisions
 1. 8-10-2012 CITY COMMENTS

Date: 7-9-12
 Designed: PIC/BNM
 Drawn: BNM

IMPERVIOUS EXHIBIT

IGH INVESTMENTS, LLC
 16972 BRANDTIEN FARM DR.
 LAKEVILLE, MINNESOTA 55044

ARGENTA HILLS 5TH ADDITION
 INVER GROVE HEIGHTS, MINNESOTA

1 OF 1

00-ENG-112118-EXHIBIT-IMP/PERVIOUS.DWG

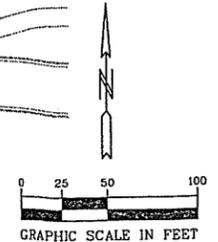
ARGENTA HILLS 5TH ADDITION STREET PARKING EXHIBIT INVER GROVE HEIGHTS, MINNESOTA



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I hereby certify that this plan 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.
Name: Erian N. Molinaro
Reg. No. 47504 Date

Revisions
1. 8-10-2012 CITY COMMENTS

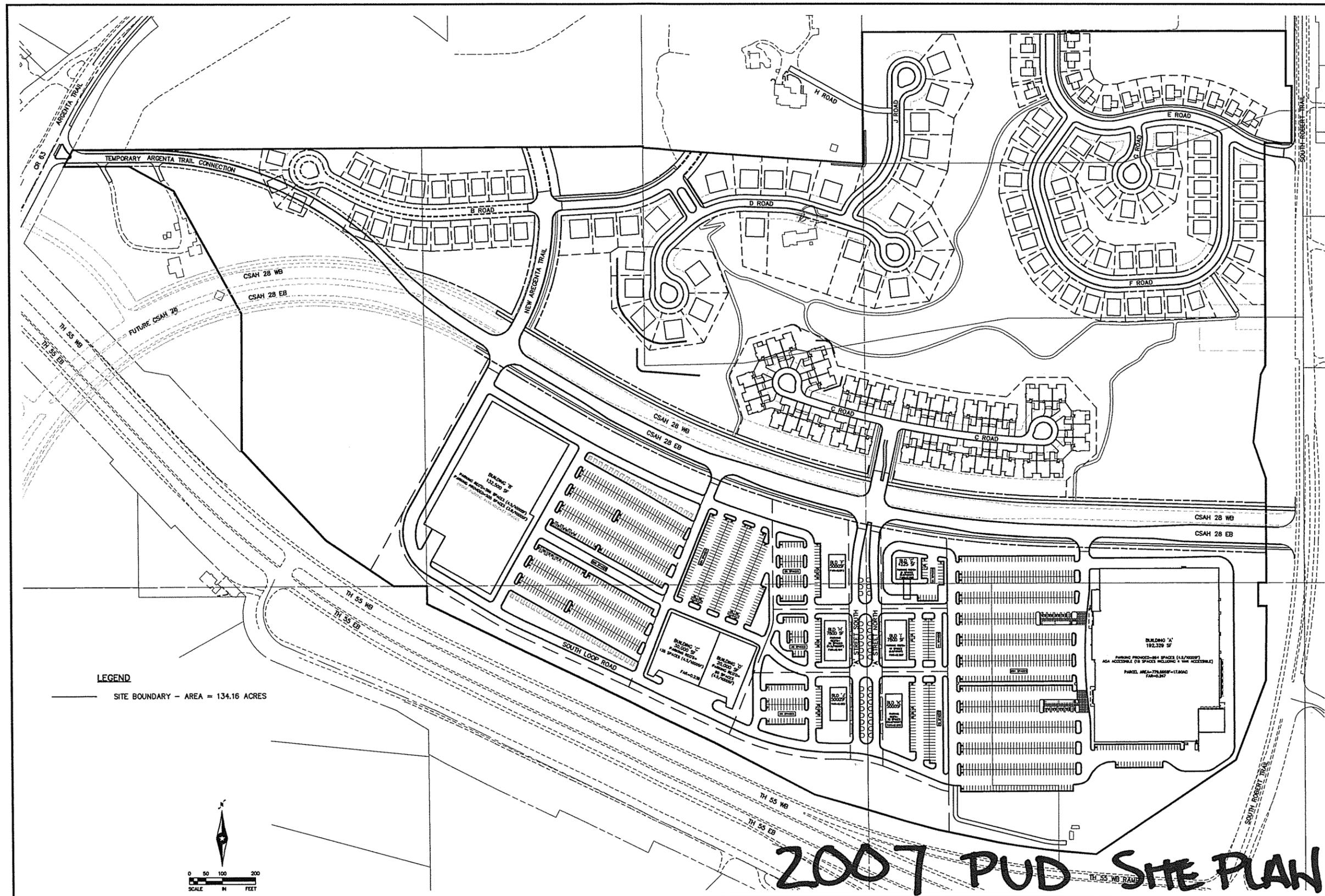
Date: 7-9-12
Designed: PIC/BNM
Drawn: BNM

STREET PARKING EXHIBIT

IGH INVESTMENTS, LLC
16972 BRANDTJEN FARM DR
LAKEVILLE, MINNESOTA 55044

ARGENTA HILLS 5TH ADDITION
INVER GROVE HEIGHTS, MINNESOTA

1 OF 1



DEVELOPER
MGT DEVELOPMENT, INC.

DESIGN FILE:	REV. NO.	BY	DATE	REVISIONS DESCRIPTION
31809970				
DRAWN BY: RMC	DESIGN BY: RMC			
CHECKED BY: DWG. NAME:	T.J.L.			
DATE: 06/07/2007				



Thresholt Square
 700 Third Street South
 Minneapolis, MN 55415
 612.310.0700 Tel
 612.310.0718 Fax

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.

DATE: _____ MN. LIC. NO. _____

ARGENTA HILLS
SITE LAYOUT PLAN
 INVER GROVE HEIGHTS, MN

CITY PROJECT	XXXXX	SHEET NO.	1
COUNTY PROJECT	XXXXX		
S.P.	XXXXX		
S.A.P.	XXXXX		

MINNESOTA BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS

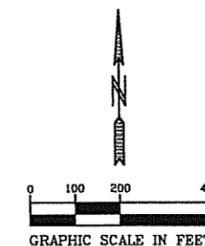
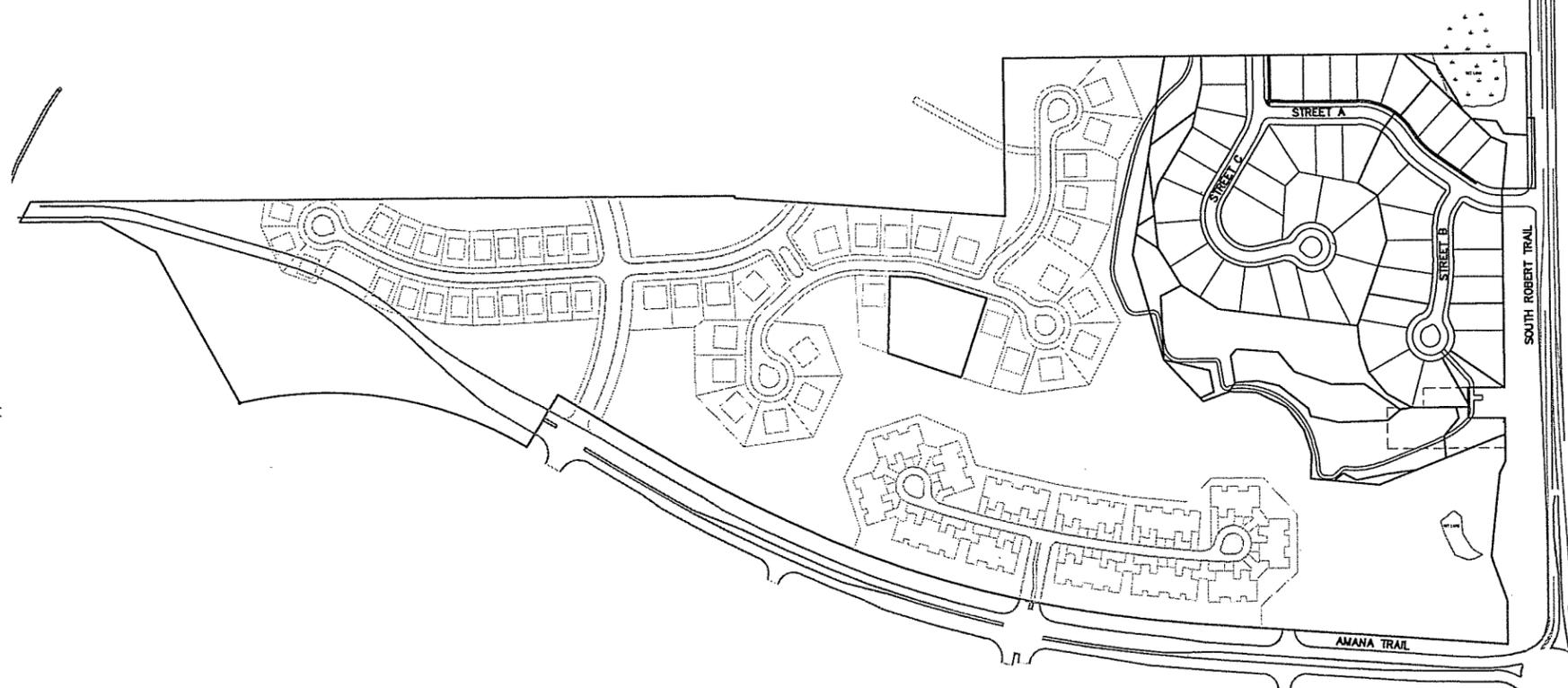
LEGEND

EXISTING	PROPOSED	DESCRIPTION
		HYDRANT(S)
		GATE VALVE(S)
		REDUCER(S)
		EXISTING WATERMAIN PROPOSED WATERMAIN
		FUTURE WATERMAIN
		EXISTING SANITARY SEWER PROPOSED SANITARY SEWER
		FUTURE SANITARY SEWER
		CATCH BASIN
		MANHOLE
		FLARED END
		BEEHIVE
		EXISTING STORM SEWER PROPOSED STORM SEWER
		FUTURE STORM SEWER
		EXISTING 2' CONTOUR LINE PROPOSED 2' CONTOUR LINE
		EXISTING 10' CONTOUR LINE PROPOSED 10' CONTOUR LINE
		POND OUTLET LINE
		POND HIGH WATER LINE
		PROPOSED SPOT ELEVATION
		EMERGENCY OVERFLOW
		DELINEATED WETLAND LINE
		PROPOSED/EX. RET WALLS
		EROSION CONTROL FENCE
		EASEMENT LINE
		GRAVEL SURFACE
		BITUMINOUS SURFACE
		CONCRETE SURFACE
		EX. SERVICE
		EX. LAWN SPRINKLER VALVE
		EX. LAWN SPRINKLER HEAD
		EX. WATER WELL
		EX. CULVERT
		EX. TREE LINE
		EX. MAJOR TREE
		EX. OVERHEAD UTILITY LINES
		EX. UNDERGROUND TELEVISION
		EX. UNDERGROUND TELEPHONE
		EX. FIBER OPTIC LINE
		EX. ELECTRIC LINE
		EX. UNDERGROUND GAS
		EX. FENCE LINE
		EX. ELECTRIC BOX
		EX. MONITORING WELL
		EX. TELEPHONE BOX
		EX. TELEVISION BOX
		EX. UTILITY POLE
		EX. LIGHT POLE
		EX. TEST HOLE
		EX. MAILBOX
		EX. SIGN
		BITUMINOUS PATH
		CURB LINE
		CONCRETE WALK
		RIGHT-OF-WAY LINE
		SETBACK LINE

ARGENTA HILLS PRELIMINARY PLAT/PUD AMENDMENT INVER GROVE HEIGHTS, MINNESOTA



LOCATION MAP



SHEET INDEX

1. COVER SHEET
2. EXISTING CONDITIONS
3. PRELIMINARY PLAT
4. PRELIMINARY SITE PLAN
5. PRELIMINARY GRADING PLAN
6. STREET PROFILE
7. PHASING PLAN
8. DETAILS
9. DETAILS
10. DETAILS
11. DETAILS
- L1. PRELIMINARY LANDSCAPE PLAN
- L2. PRELIMINARY LANDSCAPE PLAN
- L3. OPEN SPACE & TRAIL PLAN
- T1-13. TREE PRESERVATION PLAN

2010 PUD SITE PLAN

PIONEER Engineering

CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS
2422 Enterprise Drive
Mendota Heights, MN 55120
(651) 681-1914
Fax: 681-9488
www.pioneereng.com

I hereby certify that this plan 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

Name: *Paul J. Chene*
Paul J. Chene
Reg. No. 19860 Date: 7-19-10

Revisions

Date: 7-19-10
Designed: PJC
Drawn: JAM

COVER SHEET

IGH INVESTMENTS, LLC
16972 BRANDTJEN FARM DR.
LAKEVILLE, MN 55044

ARGENTA HILLS
INVER GROVE HEIGHTS, MINNESOTA

1 OF 11

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Approval of the Proposed 2013 Tax Levies, Proposed 2013 Budgets, and Set the Date and Time for the Regularly Scheduled Meeting where the Budget will be Discussed

Meeting Date: September 10, 2012
 Item Type: Regular Agenda
 Contact: Kristi Smith, 651.450.2521
 Prepared by: Kristi Smith, Finance Director
 Reviewed by: Joe Lynch, City Administrator

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 – 2013 Budget

PURPOSE/ACTION REQUESTED

To approve resolutions adopting proposed 2013 tax levies and budgets and set the date and time for the regularly scheduled meeting where the budget will be discussed.

SUMMARY

The City must adopt the proposed 2013 tax levies and proposed budgets on or before September 17, 2012. The tax levies and the date for the regularly scheduled public meeting where the budget will be discussed must be certified to Dakota County by the same date.

The budgets at this point are still proposed and may change during the forthcoming budget meetings and prior to final adoption in December. The General Fund budget as proposed is a 0.2% decrease from the 2012 amended budget. The General Fund is mainly supported by the tax levy. The tax levies can be reduced, but not increased after the proposed levies have been certified. The General Fund budget also relies on transfers from the Host Community Fund, Central Stores Fund, and Risk Management Fund and General Fund fund balance. Reliance on these sources may not be sustainable long-term.

The proposed budget was distributed to the City Council on July 20 and a study session was held on July 23. The proposed budget showed the tax levy, special levy for Police & Fire Salary & Benefits and the various debt service levies. At the study session direction was given to present a proposed budget with a three percent increase in the tax rate. At this time the 2013 proposed budget remains the same as was presented at the study session.

Attached are Exhibit A, Market Value and Net Tax Capacity Comparisons; Exhibit B, Proposed Tax Levy with a 3% increase in the tax rate; Exhibit C which calculates the estimated tax rate; and Exhibit D which shows the impact to the properties we have been following. Also attached are the Summary pages for each of the funds that are budgeted.

In addition to approving the resolutions for the 2013 proposed tax levies and proposed budget the Council also needs to state the time and place of the regularly scheduled meeting at which the budget and levy will be discussed and the final budget and levy determined. This meeting must be held after 6:00 p.m. between November 27 and December 26. The public must be allowed to speak. We are proposing this be done at the regularly scheduled meeting on December 10, 2012. Council will be able to adopt the final budgets and tax levy after allowing the public to speak. The final levy must be certified to Dakota County by December 28.

We will be discussing these budgets at several study meetings between now and the regularly scheduled public meeting where the budget will be discussed.

Staff recommends setting the regularly scheduled meeting where the budget will be discussed as Monday, December 10, 2012 at 7:00 p.m. and approval of the following resolutions:

- Resolution adopting the proposed tax levy for the year 2013
- Resolution adopting the proposed 2013 budgets
- Resolution adopting the proposed watershed management taxing districts' tax levies for the year 2013

**CITY OF INVER GROVE HEIGHTS
2013 BUDGET**

MARKET VALUE COMPARISON

	2012		Preliminary 2013		\$ Change	% Change	New Construction	% Change w/o New
		%		%				
Residential	2,145,557,134	74.14%	1,968,447,155	72.24%	(177,109,979)	-8.3%	7,868,400	-8.62%
Commercial	309,128,100	10.68%	309,083,000	11.34%	(45,100)	0.0%	3,424,200	-1.12%
Industrial	73,976,700	2.56%	73,874,200	2.71%	(102,500)	-0.1%	45,600	-0.20%
Utility	58,952,900	2.04%	58,896,700	2.16%	(56,200)	-0.1%	0	-0.10%
Agricultural	18,262,075	0.63%	17,712,387	0.65%	(549,688)	-3.0%	0	-3.01%
Rural Vacant	8,674,900	0.30%	8,620,600	0.32%	(54,300)	-0.6%	0	-0.63%
Apartments	238,239,400	8.23%	247,210,100	9.07%	8,970,700	3.8%	300,000	3.64%
Railroads	7,538,300	0.26%	7,538,300	0.28%	0	0.0%	0	0.00%
	2,860,329,509		2,691,382,442		(168,947,067)	-5.9%	11,638,200	-6.31%
Personal Prop.	33,570,600	1.16%	33,603,100	1.23%	32,500	0.1%	0	0.10%
	<u>2,893,900,109</u>	<u>100.00%</u>	<u>2,724,985,542</u>	<u>100.00%</u>	<u>(168,914,567)</u>	<u>-5.8%</u>	<u>11,638,200</u>	<u>-6.24%</u>

NET TAX CAPACITY COMPARISON

	2012		Preliminary 2013		\$ Change	% Change	New Construction	% Change w/o New
		%		%				
Residential	21,665,266	63.23%	19,868,383	61.01%	(1,796,883)	-8.3%	92,356	-8.72%
Commercial	5,987,144	17.47%	5,986,810	18.38%	(334)	0.0%	51,484	-0.87%
Industrial	1,453,559	4.24%	1,451,508	4.46%	(2,051)	-0.1%	912	-0.20%
Utility	1,178,308	3.44%	1,177,184	3.61%	(1,124)	-0.1%	0	-0.10%
Agricultural	165,239	0.48%	157,979	0.49%	(7,260)	-4.4%	0	-4.39%
Rural Vacant	77,621	0.23%	77,007	0.24%	(614)	-0.8%	0	-0.79%
Apartments	2,919,501	8.52%	3,029,430	9.30%	109,929	3.8%	3,750	3.64%
Railroads	150,766	0.44%	150,766	0.46%	0	0.0%	0	0.00%
	33,597,404		31,899,067		(1,698,337)	-5.1%	148,502	-5.50%
Personal Prop.	664,866	1.94%	665,191	2.04%	325	0.0%	0	0.05%
	<u>34,262,270</u>	<u>100.00%</u>	<u>32,564,258</u>	<u>100.00%</u>	<u>(1,698,012)</u>	<u>-5.0%</u>	<u>148,502</u>	<u>-5.39%</u>

2013 Preliminary per Dakota County updated as of 3/9/12

**CITY OF INVER GROVE HEIGHTS
2013 BUDGET
PROPOSED TAX LEVY
3% INCREASE IN TAX RATE**

	2009 Adopted	2010 Adopted	2011 Adopted	2012 Adopted	2013 Estimated Tax Levy	2012 - 2013	
						\$ Change as Percentage	\$ Change
Operating Levies -							
General Tax Levy (subject to Levy Limit)	9,065,817	9,217,316	9,550,561	8,776,400	8,317,952 *	-5.22%	(458,448)
Levy Reductions:							
<i>Community Projects Fund</i>		(65,000)	(65,000)	(65,000)	-	-100.00%	65,000
<i>City Facilities Fund</i>		(50,000)	(50,000)	(50,000)	-	-100.00%	50,000
<i>Host Community Fund</i>		(60,000)	(60,000)	(60,000)	-	-100.00%	60,000
<i>WMO costs to Storm Water Utility</i>		(31,000)					-
							-
							-
General Fund Surplus			(313,500)			100.00%	-
Levies Outside of Levy Limits -							
Police & Fire Salary & Benefits	5,259,100	4,529,100	4,779,900	4,896,000	4,800,000	-1.96%	(96,000)
PERA Employer Contribution	67,700	73,100	79,000	-	-		-
							-
2008 Aid Unallotment		263,211	-	-	-		-
2009 Aid Unallotment		510,860	-	-	-		-
2010 Aid Unallotment			612,485	-	-		-
							-
Subtotal Operating Levies	14,392,617	14,387,587	14,533,446	13,497,400	13,117,952	-2.81%	(379,448)
Debt Levies							
326 MN Armory Bldg Comm.	63,735	63,735	63,735	63,735	63,735	0.00%	-
City Share of Assessments	69,847	66,681	61,632	109,912	96,944	-11.80%	(12,968)
335 2002A PIR Bonds	-	5,200	6,300	-	-		-
346 2006A G.O. Improvement Bonds	84,600	84,900	85,300	85,600	-	-100.00%	(85,600)
345 2006B Certificates of Indebtedness	313,206	338,600	-	-	-		-
101 2007 G.O. Public Safety Revenue	-	81,480	81,309	81,848	78,908	-3.59%	(2,940)
348 2007A Certificates of Indebtedness	141,960	142,170	147,420	-	-		-
349 2007B G.O. Improvements Bonds	-	-	-	75,000	150,000	100.00%	75,000
<i>(Contribution from Closed Bond Fund for Reduction to 2007B Debt Levy)</i>					(65,000)		(65,000)
351 2008B Certificates of Indebtedness	146,300	91,698	94,533	97,217	-	-100.00%	(97,217)
352 2008A G.O. Improvement Bonds	-	11,545	4,582	75,000	150,000	100.00%	75,000
<i>(Contribution from Closed Bond Fund for Reduction to 2008A Debt Levy)</i>					(65,000)		(65,000)
353 2009A G.O. Capital Improvement Bonds	-	404,200	577,400	584,500	590,400	1.01%	5,900
<i>(Contribution from Closed Bond Fund for Reduction to 2009A Debt Levy)</i>		(202,000)	(179,861)	(200,000)	(200,000)	0.00%	-
355 2010B G.O. Improvement Bonds	-	-	-	283,332	283,044	-0.10%	(288)
356 2010C PIR Refunding Bonds	-	-	-	48,144	51,303	6.56%	3,159
358 2011A G.O. Improvement Refunding Bonds	-	-	-	-	170,000	100.00%	170,000
							-
Subtotal City-wide Debt Levies	819,648	1,088,209	942,350	1,304,288	1,304,334	0.00%	46
City-Wide Levies	15,212,265	15,475,796	15,475,796	14,801,688	14,422,286	-2.56%	(379,402)
WMTD Levies -							
1998B Storm Water Bonds							
Skyline Village	63,208	60,494	-	-	-		-
336 2002A Storm Water Bonds							
Simley Lake	41,700	42,100	-	-	-		-
344 2012A Storm Water Refunding Bonds							
Cuneen Trail/College Trail	103,800	111,600	113,400	115,100	113,295	-1.57%	(1,805)
357 2010C Storm Water Bonds							
Simley Lake	-	-	43,600	41,903	51,303	22.43%	9,400
							-
	208,708	214,194	157,000	157,003	164,598	4.84%	7,595
Total	15,420,973	15,689,990	15,632,796	14,958,691	14,586,884	-2.49%	(371,807)

2013 Levy amounts based on 2011 Debt Service Study with some adjustments

* Levy Limit Amount

CITY OF INVER GROVE HEIGHTS
2013 BUDGET
COMPARISON OF 2010, 2011, 2012 ACTUALS AND 2013 ESTIMATED
CITY TAX CAPACITY RATES

	FINAL PAY 2010	FINAL PAY 2011	FINAL PAY 2012	OPTION 1 Estimated Tax Levy With Change to Levies To Keep Tax Rate the Same as 2012 ESTIMATED PAY PAY 2013	OPTION 2 Estimated Tax Rate To Keep Tax Levy \$ the Same as 2012 ESTIMATED PAY PAY 2013	RECOMMENDED OPTION 3 Estimated Tax Levy With Change to Levies To Keep Tax Rate 2012 w/ 3% increase ESTIMATED PAY PAY 2013
TOTAL TAX CAPACITY	\$38,716,047	\$36,659,468	\$34,262,270	\$32,564,258	\$32,564,258	\$32,564,258
LESS: TAX INCREMENT (3)	(2,195,958)	(2,005,776)	(1,969,930)	(1,969,930)	(1,969,930)	(1,969,930)
LESS: FISCAL DISPARITIES CONTRIBUTION VALUE (2)	(3,745,086)	(3,792,994)	(3,690,824)	(3,690,824)	(3,690,824)	(3,690,824)
NET CITY TAX CAPACITY	\$32,775,003	\$30,860,698	\$28,601,516	\$26,903,504	\$26,903,504	\$26,903,504
GROSS CITY-WIDE TAX LEVY	\$15,475,796	\$15,475,796	\$14,801,688	\$14,060,088	\$14,801,688	\$14,422,286
LESS CITY-WIDE FISCAL DISPARITIES DISTRIBUTION (2)	(1,892,593)	(2,222,621)	(1,984,933)	(1,984,933)	(1,984,933)	(1,984,933)
NET CITY-WIDE TAX LEVY	\$13,583,203	\$13,253,175	\$12,816,755	\$12,075,155	\$12,816,755	12,437,353
CITY TAX CAPACITY RATE	0.41757	0.43169	0.44883	0.44883	0.47640	0.46229
RATE INCREASE (DECREASE)	0.03879	0.01412	0.01714	0.00000	0.02757	0.01346
PERCENT INCREASE (DECREASE) IN RATE	10.24%	3.38%	3.97%	0.00%	6.14%	3.00%
CHANGE FROM 2012 TAX LEVY				(\$741,600)	\$0	(\$379,402)

ASSUMPTIONS:

- (1) THE ESTIMATE OF TAX CAPACITY FOR 2013 IS DAKOTA COUNTY'S DATA AS OF 3/9/12.
- (2) THE FISCAL DISPARITIES INFORMATION IS FROM SPRINGSTED AS OF 11/23/11.
- (3) THE TAX INCREMENT INFORMATION IS FROM SPRINGSTED FOR 2011 TAX LEVY AS OF 11/23/11.
- (4) ASSUMES NO CHANGE IN FISCAL DISPARITIES OR TAX INCREMENT FROM 2012 TO 2013.

CITY OF INVER GROVE HEIGHTS

TAX COMPARISON 2012 VS 2013 CITY TAXES ONLY (3% tax rate increase)

RESIDENTIAL HOMESTEAD VALUE =	\$	139,400
2012 TAXABLE MARKET VALUE =	\$	114,706
2012		
Tax Capacity -		
1.00% of \$ 114,706 =		1,147
Tax Capacity		1,147
x 2012 Rate		0.44883
Est. 2012 City Tax		\$514.83
RESIDENTIAL HOMESTEAD VALUE =	\$	128,100
8.11% Decrease in value		
2013 TAXABLE MARKET VALUE =	\$	102,389
2013		
Tax Capacity -		
1.00% of \$ 102,389 =		1,024
Tax Capacity		1,024
x Est. 2013 Rate		0.46229
Est. 2013 City Tax		\$473.33
Difference		(\$41.50)
Percent change		-8.06%

RESIDENTIAL HOMESTEAD VALUE =	\$	251,500
2012 TAXABLE MARKET VALUE =	\$	236,895
2012		
Tax Capacity -		
1.00% of \$ 236,895		2,369
Tax Capacity		2,369
x 2012 Rate		0.44883
Est. 2012 City Tax		\$1,063.26
RESIDENTIAL HOMESTEAD VALUE =	\$	228,000
9.34% Decrease in value		
2013 TAXABLE MARKET VALUE =	\$	221,280
2013		
Tax Capacity -		
1.00% of \$ 221,280 =		2,213
Tax Capacity		2,213
x Est. 2013 Rate		0.46229
Est. 2013 City Tax		\$1,022.96
Difference		(\$40.30)
Percent change		-3.79%

BUSINESS VALUE =	\$	583,200
2012		
Tax Capacity -		
1.5% of 1st \$ 150,000 =		2,250
2.0% of \$ 433,200 =		8,664
Tax Capacity		10,914
Less Fiscal Disparities		(4,269)
		6,645
x 2012 Rate		0.44883
Est. 2012 City Tax		\$2,982.48
BUSINESS VALUE =	\$	583,200
No Change in value		
2013		
Tax Capacity -		
1.5% of 1st \$ 150,000		2,250
2.0% of \$ 433,200		8,664
Tax Capacity		10,914
Less Fiscal Disparities Est.		(4,269)
		6,645
x Est. 2013 Rate		0.46229
Est. 2013 City Tax		\$3,071.92
Difference		\$89.44
Percent change		3.00%

BUSINESS VALUE =	\$	3,080,800
2012		
Tax Capacity -		
1.5% of 1st \$ 150,000 =		2,250
2.0% of \$ 2,930,800 =		58,616
Tax Capacity		60,866
Less Fiscal Disparities		(23,811)
		37,055
x 2012 Rate		0.44883
Est. 2012 City Tax		\$16,631.42
BUSINESS VALUE =	\$	3,080,800
No Change in value		
2013		
Tax Capacity -		
1.5% of 1st \$ 150,000		2,250
2.0% of \$ 2,930,800		58,616
Tax Capacity		60,866
Less Fiscal Disparities Est.		(23,811)
		37,055
x Est. 2013 Rate		0.46229
Est. 2013 City Tax		\$17,130.18
Difference		\$498.76
Percent change		3.00%

CITY OF INVER GROVE HEIGHTS

TAX COMPARISON 2012 VS 2013 CITY TAXES ONLY (3% tax rate increase)

RESIDENTIAL HOMESTEAD VALUE = \$ 375,600	
2013 TAXABLE MARKET VALUE = \$ 372,164	
2012	
Tax Capacity -	
1.00% of \$ 372,164 =	3,722
Tax Capacity	3,722
x 2012 Rate	0.44883
Est. 2012 City Tax	\$1,670.38
RESIDENTIAL HOMESTEAD VALUE = \$ 341,100	
9.19% Decrease in value	
2013 TAXABLE MARKET VALUE = \$ 334,559	
2013	
Tax Capacity -	
1.00% of \$ 334,559 =	3,346
Tax Capacity	3,346
x Est. 2013 Rate	0.46229
Est. 2013 City Tax	\$1,546.63
Difference	(\$123.75)
Percent change	-7.41%

RESIDENTIAL HOMESTEAD VALUE = \$ 2,339,300	
2013 TAXABLE MARKET VALUE = \$ 2,339,300	
2012	
Tax Capacity -	
1.00% of \$ 500,000	5,000
1.25% of \$ 1,839,300	22,991
Tax Capacity	27,991
x 2012 Rate	0.44883
Est. 2012 City Tax	\$12,563.31
RESIDENTIAL HOMESTEAD VALUE = \$ 2,243,300	
4.10% Decrease in value	
2013 TAXABLE MARKET VALUE = \$ 2,243,300	
2013	
Tax Capacity -	
1.00% of \$ 500,000 =	5,000
1.25% of \$ 1,743,300 =	21,791
Tax Capacity	26,791
x Est. 2013 Rate	0.46229
Est. 2013 City Tax	\$12,385.33
Difference	(\$177.99)
Percent change	-1.42%

RESIDENTIAL HOMESTEAD VALUE = \$ 339,200	
2012 TAXABLE MARKET VALUE = \$ 332,488	
2012	
Tax Capacity -	
1.00% of \$ 332,488 =	3,325
Tax Capacity	3,325
x 2012 Rate	0.44883
Est 2012 City Tax	\$1,492.31
RESIDENTIAL HOMESTEAD VALUE = \$ 311,400	
8.20% Decrease in value	
2013 TAXABLE MARKET VALUE = \$ 302,186	
2013	
Tax Capacity -	
1.00% of \$ 302,186	3,022
Tax Capacity	3,022
x Est. 2013 Rate	0.46229
Est 2013 City Tax	\$1,396.98
Difference	(\$95.33)
Percent change	-6.39%

**City of Inver Grove Heights
Proposed General Fund Budget Summary
For Fiscal Year 2013**

Account Description	Actual 2009	Actual 2010	Actual 2011	Amended Budget 2012	2013 Department Request	Change	* Change	% Change
GENERAL FUND REVENUES								
TAX REVENUE	13,985,899	13,945,436	13,923,847	13,497,400	13,160,952	(336,448)		-2.6%
LICENSES AND PERMITS	635,156	515,397	815,422	597,100	581,900	(15,200)		-2.6%
INTERGOVERNMENTAL	443,644	498,438	539,338	429,100	446,200	17,100		3.8%
CHARGES FOR SERVICES	1,087,582	1,061,867	1,093,595	858,700	926,000	67,300		7.3%
FINES & PENALTIES	211,425	141,962	115,075	150,000	150,000	-		0.0%
MISC. REVENUES	336,957	244,486	271,014	203,000	202,200	(800)		-0.4%
OTHER SOURCES	650,000	913,000	938,000	1,813,000	1,367,748	(445,252)		-32.6%
CONTRIBUTION FROM (TO) FUND BALANCE	-	-	-	187,390	649,000	461,610		71.1%
TOTAL GENERAL FUND REVENUES	17,350,663	17,320,586	17,696,291	17,735,690	17,484,000	(251,690)		-0.2%
GENERAL FUND EXPENDITURES								
MAYOR-COUNCIL	320,431	227,743	216,057	208,100	203,600	(4,500)		-2.2%
ADMINISTRATION	729,286	691,812	660,545	680,200	667,000	(13,200)		-2.0%
ELECTIONS	6,931	40,991	1,751	62,400	-	(62,400)	#DIV/0!	
FINANCE	903,247	907,573	919,038	871,100	787,900	(83,200)		-10.6%
COMMUNITY DEVELOPMENT	246,024	324,840	350,808	321,300	332,700	11,400		3.4%
PLANNING	398,652	335,897	310,362	342,600	318,800	(23,800)		-7.5%
INSPECTIONS	579,602	552,628	551,272	567,300	521,800	(45,500)		-8.7%
POLICE	5,313,699	5,352,233	5,440,251	5,901,000	5,795,100	(105,900)		-1.8%
FIRE	1,788,467	1,870,718	1,885,795	2,030,900	1,865,500	(165,400)		-8.9%
PUBLIC WORKS	463,548	288,180	305,235	262,000	257,600	(4,400)		-1.7%
ENGINEERING	868,719	904,024	892,083	908,400	893,300	(15,100)		-1.7%
STREETS	1,757,369	2,118,451	2,238,673	2,153,900	2,117,600	(36,300)		-1.7%
STREET LIGHTING	135,633	135,984	142,104	177,090	165,400	(11,690)		-7.1%
PARKS	1,530,091	1,588,057	1,598,728	1,625,200	1,628,600	3,400		0.2%
CONTINGENCY	-	-	52,271	105,000	198,000	93,000		47.0%
TRANSFERS	1,995,417	1,901,599	1,773,120	1,769,200	1,731,100	(38,100)		-2.2%
TOTAL GENERAL FUND EXPENDITURES	17,037,116	17,240,730	17,338,093	17,985,690	17,484,000	(501,690)		-0.2%
NET REVENUES OVER EXPENDITURES	313,547	79,856	358,198	(250,000)	-			

* Change between 2012 Amended and 2013 Dept. Request

City of Inver Grove Heights Proposed 2013 Budget

Recreation Summary

Acct Number	Account Description	2010 Actual	2011 Actual	2012 Actual	2012 Amended Budget	06/30/12 Actual	2012 Forecast	2013 Department Request	2013 Admin Recommended	City 2013 Council Adopted
	Intergovernmental	0	5,500	0	0	3,500	3,500	0	0	0
	Charges for Services	253,375	242,525	252,100	252,100	177,580	243,000	248,100	0	0
	Misc. Revenues	17,205	16,825	6,500	6,500	6,725	9,600	8,500	0	0
	Other Sources	459,300	459,100	495,200	495,200	217,402	459,927	412,100	0	0
	Total Revenue	729,880	723,950	753,800	753,800	405,207	716,027	668,700	0	0
	Personnel	500,422	512,210	519,200	519,200	257,319	493,250	441,900	0	0
	Prof/Tech Services	38,306	37,852	39,000	39,000	9,266	38,216	36,700	0	0
	Purch. Svcs - Prop/Equipment	51,412	48,238	56,100	56,100	21,961	50,800	57,000	0	0
	Other Purchased Services	29,285	30,126	37,100	37,100	12,501	31,514	35,500	0	0
	Supplies	80,658	77,564	96,300	96,300	41,563	89,450	91,500	0	0
	Other Expenses/Expenditures	10,915	6,069	6,100	6,100	9,821	12,797	6,100	0	0
	Capital Outlay	0	0	0	0	0	0	0	0	0
	Transfers	0	0	0	0	0	0	0	0	0
	Total Expense	711,000	712,060	753,800	753,800	352,430	716,027	668,700	0	0

City of Inver Grove Heights Proposed 2013 Budget

Community Center Summary

Acct Number	Account Description	2010 Actual	2011 Actual	2012 Actual	2012 Amended Budget	06/30/12 Actual	2012 Forecast	2013 Forecast	Department Request	2013 Admin Recommended	City 2013 Council Adopted
	Charges for Services	1,961,923	1,992,875	2,001,300	2,001,300	1,070,874	1,997,700	1,997,700	2,021,900	0	0
	Misc. Revenues	137,045	142,899	129,300	129,300	17,337	128,100	128,100	130,600	0	0
	Other Sources	347,632	1,053,556	906,900	906,900	0	994,800	994,800	681,200	0	0
	Total Revenue	2,446,600	3,189,330	3,037,500	3,037,500	1,088,211	3,120,600	3,120,600	2,833,700	0	0
	Personnel	1,564,071	1,560,578	1,590,100	1,590,100	767,709	1,602,300	1,602,300	1,504,700	0	0
	Prof/Tech Services	7,487	51,087	7,300	7,300	4,139	8,800	8,800	91,000	0	0
	Purch. Svcs - Prop/Equipment	585,288	723,236	579,500	579,500	270,975	582,500	582,500	579,700	0	0
	Other Purchased Services	87,412	98,762	111,000	111,000	45,463	102,000	102,000	105,500	0	0
	Supplies	204,479	183,842	199,000	199,000	144,329	186,500	186,500	209,600	0	0
	Other Expenses/Expenditures	36,741	31,564	37,600	37,600	10,626	32,500	32,500	35,200	0	0
	Capital Outlay	14,375	401,852	513,000	513,000	7,300	606,000	606,000	308,000	0	0
	Debt Service	0	0	0	0	0	0	0	0	0	0
	Transfers	0	0	0	0	0	0	0	0	0	0
	Total Expense	2,499,853	3,050,922	3,037,500	3,037,500	1,250,540	3,120,600	3,120,600	2,833,700	0	0

City of Inver Grove Heights Proposed 2013 Budget

EDA Summary

Act Number	Account Description	2010 Actual	2011 Actual	2012 Actual	2012 Amended Budget	06/30/12 Actual	2012 Forecast	2013		City Council Adopted
								Department Request	2013 Admin Recommended	
Other Sources		0	0	0	49,800	500,033	1,399,900	55,200	0	0
Total Revenue		0	0	0	49,800	500,033	1,399,900	55,200	0	0
Personnel		0	0	0	14,400	7,307	14,400	14,500	0	0
Prof/Tech Services		0	0	0	8,000	36	8,000	14,500	0	0
Other Purchased Services		0	0	0	25,400	25,075	25,300	26,000	0	0
Supplies		0	0	0	2,000	0	200	200	0	0
Capital Outlay		0	0	0	0	1,352,000	1,352,000	0	0	0
Total Expense		0	0	0	49,800	1,384,418	1,399,900	55,200	0	0

City of Inver Grove Heights

Proposed 2013 Budget

Storm Water Summary

Acct Number	Account Description	2010 Actual	2011 Actual	2012 Actual	Amended Budget 06/30/12	2012 Actual 06/30/12	2012 Forecast	2013 Department Request	2013 Admin Recommended	City Council Adopted
	Charges for Services	1,102	1,199	150,000	159,700	5,072	159,700	309,600	0	0
	Misc. Revenues	0	0	0	0	0	0	0	0	0
	Other Sources	0	0	0	0	0	0	0	0	0
	Total Revenue	1,102	1,199	150,000	159,700	5,072	159,700	309,600	0	0
	Prof/Tech Services	263	0	31,000	31,000	0	31,000	31,000	0	0
	Purch. Svcs - Prop/Equipment	0	0	100,800	110,400	0	110,400	211,200	0	0
	Other Purchased Services	0	0	0	0	0	0	0	0	0
	Supplies	0	0	0	0	0	0	0	0	0
	Other Expenses/Expenditures	0	0	18,200	18,200	0	18,200	67,400	0	0
	Transfers	0	0	0	0	0	0	0	0	0
	Total Expense	263	0	150,000	159,600	0	159,600	309,600	0	0

City of Inver Grove Heights

Proposed 2013 Budget

Water Summary

Acct Number	Account Description	2010		2011		2012		2012		2013		City Council Adopted
		Actual	Actual	Actual	Amended Budget	06/30/12 Actual	2012	Forecast	Department Request	2013 Admin Recommended	City	
Misc. Revenues		2,841,667	2,976,433	2,833,700	2,833,700	1,214,903	2,834,900	2,834,900	2,872,500	0	0	0
Other Sources		1,710,217	1,857,416	567,600	567,600	0	589,300	589,300	447,250	0	0	0
Total Revenue		4,551,884	4,833,848	3,401,300	3,401,300	1,214,903	3,424,200	3,424,200	3,319,750	0	0	0
Personnel		425,608	432,900	486,600	486,600	239,784	486,600	486,600	484,400	0	0	0
Prof/Tech Services		66,698	62,182	79,500	79,500	26,745	79,500	79,500	81,200	0	0	0
Purch. Svcs - Prop/Equipment		679,450	717,142	936,900	936,900	264,223	953,700	953,700	780,400	0	0	0
Other Purchased Services		44,527	42,267	51,400	51,400	19,962	50,400	50,400	52,850	0	0	0
Supplies		104,849	75,473	112,700	112,700	70,701	115,500	115,500	115,400	0	0	0
Other Expenses/Expenditures		1,046,126	1,063,594	1,046,700	1,046,700	527,301	1,051,000	1,051,000	1,113,500	0	0	0
Transfers		0	226,667	0	0	0	0	0	0	0	0	0
Transfers		2,478,451	674,249	706,500	706,500	614,684	706,500	706,500	692,000	0	0	0
Total Expense		4,845,709	3,294,475	3,420,300	3,420,300	1,763,400	3,443,200	3,443,200	3,319,750	0	0	0

City of Inver Grove Heights

Proposed 2013 Budget

Sewer Summary

Acct Number	Account Description	2010		2011		Actual		2012		Amended		06/30/12		Actual		2012		Forecast		2013		2013		City			
		Actual	2011	Actual	2011	Actual	Amended	06/30/12	Actual	2012	Forecast	2013	Admin Recommended	City	2013	City											
	Intergovernmental	0		0		0		0		0		0		0		0		0		0		0		0		0	
	Misc. Revenues	2,749,187		2,806,808		2,811,000		1,402,674		2,811,000		2,958,600		2,811,000		2,958,600		2,811,000		2,958,600		2,958,600		2,958,600		2,958,600	
	Other Sources	761,969		8,044,204		29,300		0		(61,977)		302,600		(61,977)		302,600		(61,977)		302,600		302,600		302,600		302,600	
	Total Revenue	3,511,156		10,851,012		2,840,300		1,402,674		2,749,023		3,261,200		2,749,023		3,261,200		2,749,023		3,261,200		3,261,200		3,261,200		3,261,200	
	Personnel	345,712		339,808		304,100		152,390		304,100		306,700		304,100		306,700		304,100		306,700		306,700		306,700		306,700	
	Prof/Tech Services	1,367		4,128		200		20,734		18,800		200		18,800		200		18,800		200		200		200		200	
	Purch. Svcs - Prop/Equipment	1,673,527		1,964,229		1,764,600		823,660		1,654,800		1,895,400		1,654,800		1,895,400		1,654,800		1,895,400		1,895,400		1,895,400		1,895,400	
	Other Purchased Services	7,823		6,126		8,200		4,523		8,223		8,200		8,223		8,200		8,223		8,200		8,200		8,200		8,200	
	Supplies	14,765		14,410		26,700		11,855		26,700		29,400		26,700		29,400		26,700		29,400		29,400		29,400		29,400	
	Other Expenses/Expenditures	685,743		689,494		736,500		368,543		736,500		856,300		736,500		856,300		736,500		856,300		856,300		856,300		856,300	
	Capital Outlay	0		0		0		0		0		165,000		0		165,000		0		165,000		165,000		165,000		165,000	
	Transfers	442,354		57,259		0		0		0		0		0		0		0		0		0		0		0	
	Total Expense	3,171,291		3,075,455		2,840,300		1,381,705		2,749,023		3,261,200		2,749,023		3,261,200		2,749,023		3,261,200		3,261,200		3,261,200		3,261,200	

City of Inver Grove Heights

Proposed 2013 Budget

Golf Summary

Acct Number	Account Description	2010 Actual	2011 Actual	2012 Actual	Amended Budget	06/30/12 Actual	2012 Forecast	2013 Forecast	Department Request	2013 Admin Recommended	City Recommended	2013 Council Adopted
	Charges for Services	1,435,930	1,401,053	1,480,600	1,480,600	595,360	1,672,500	1,672,500	1,650,600		0	0
	Misc. Revenues	546	37,678	5,000	5,000	1,485,207	1,357,000	1,357,000	5,000		0	0
	Other Sources	79,699	0	755,200	755,200	0	0	0	207,400		0	0
	Revenue Total	1,516,175	1,438,731	2,240,800	2,240,800	2,080,567	3,029,500	3,029,500	1,863,000		0	0
	Personnel	1,003,948	1,029,688	953,300	953,300	471,503	968,400	968,400	995,200		0	0
	Prof/Tech Services	432	2,445	300	300	4,733	4,821	4,821	400		0	0
	Purch. Svcs - Prop/Equipment	118,399	127,718	103,700	103,700	37,675	103,200	103,200	110,500		0	0
	Other Purchased Services	119,246	126,679	104,500	104,500	70,871	107,800	107,800	96,400		0	0
	Supplies	193,397	228,437	202,900	202,900	109,392	200,100	200,100	234,900		0	0
	Other Expenses/Expenditures	368,655	411,388	393,600	393,600	168,612	371,500	371,500	424,300		0	0
	Capital Outlay	0	0	425,000	425,000	4,884	33,000	33,000	0		0	0
	Debt Service	101,351	88,308	452,500	452,500	98,594	16,500	16,500	1,300		0	0
	Expense Total	1,905,428	2,014,663	2,240,800	2,240,800	966,262	1,805,321	1,805,321	1,863,000		0	0

City of Inver Grove Heights Proposed 2013 Budget

Risk Management Summary

Acct Number	Account Description	2010 Actual	2011 Actual	2012 Actual	Amended Budget	06/30/12 Actual	2012 Actual	2012 Forecast	2013 Request	Department Request	2013 Admin Recommended	City Recommended	2013 Council Adopted	City
	Charges for Services	585,200	598,200	604,900	604,900	429,100	604,900	604,900	603,300	603,300	0	0	0	0
	Misc. Revenues	69,383	84,310	15,000	15,000	40,849	55,000	55,000	14,600	14,600	0	0	0	0
	Other Sources	0	0	58,800	58,800	0	85,300	85,300	194,374	194,374	0	0	0	0
	Total Revenue	654,583	682,510	678,700	678,700	469,949	745,200	745,200	812,274	812,274	0	0	0	0
	Personnel	15,066	16,119	15,400	15,400	5,783	12,000	12,000	14,800	14,800	0	0	0	0
	Prof/Tech Services	10	12	0	0	4	0	0	0	0	0	0	0	0
	Purch. Svcs - Prop/Equipment	0	0	0	0	0	0	0	0	0	0	0	0	0
	Other Purchased Services	605,826	676,047	660,000	660,000	459,414	720,700	720,700	715,300	715,300	0	0	0	0
	Supplies	0	0	3,300	3,300	0	3,300	3,300	3,300	3,300	0	0	0	0
	Other Expenses/Expenditures	79,557	68,047	0	0	9,627	9,200	9,200	0	0	0	0	0	0
	Capital Outlay	0	0	0	0	0	0	0	0	0	0	0	0	0
	Transfers	0	0	0	0	0	0	0	78,874	78,874	0	0	0	0
	Expense Total	700,458	760,225	678,700	678,700	474,828	745,200	745,200	812,274	812,274	0	0	0	0

City of Inver Grove Heights

Proposed 2013 Budget

Central Equipment Summary

Acct Number	Account Description	2010	2011	2012	2013	Forecast	2013 Department Request	2013 Admin Recommended	City	City
		Actual	Actual	Actual	Amended Budget					
	Charges for Services									
		2,192,300	2,192,300	2,192,300	2,192,300	2,192,300	2,192,300	0	0	0
	Misc. Revenues	157,052	172,363	15,330	104,300	104,300	100,000	0	0	0
	Other Sources	0	0	4,581	472,300	472,300	(445,500)	0	0	0
	Total Revenue	2,349,352	2,364,663	1,116,061	2,768,900	2,768,900	1,846,800	0	0	0
	Personnel	310,693	292,832	154,099	308,900	308,900	314,400	0	0	0
	Prof/Tech Services	8	88	42	0	0	0	0	0	0
	Purch. Svcs - Prop/Equipment	337,569	339,622	170,176	320,500	320,500	312,000	0	0	0
	Other Purchased Services	13,194	17,177	7,310	15,600	15,600	15,600	0	0	0
	Supplies	286,734	317,739	140,970	435,300	435,800	449,800	0	0	0
	Other Expenses/Expenditures	553,702	470,196	281,663	560,000	561,700	755,000	0	0	0
	Capital Outlay	0	0	107,441	938,400	938,400	0	0	0	0
	Transfers	188,000	188,000	0	188,000	188,000	0	0	0	0
	Total Expense	1,689,900	1,625,654	861,700	2,756,700	2,768,900	1,846,800	0	0	0

City of Inver Grove Heights Proposed 2013 Budget

Central Stores Summary

Acct Number	Account Description	2010 Actual	2011 Actual	2012 Actual	2012 Amended Budget	06/30/12 Actual	2012 Forecast	2013 Admin Request	2013 Admin Recommended	City Council Adopted
	Charges for Services	151,200	151,200	151,200	151,200	75,600	151,200	82,900	0	0
	Misc. Revenues	4,215	5,904	4,000	4,000	495	4,000	4,000	0	0
	Other Sources	0	0	(11,400)		0	0	78,874	0	0
	Total Revenue	155,415	157,104	143,800	143,800	76,095	155,200	165,774	0	0
	Personnel	7,507	1,765	5,100	5,100	0	0	0	0	0
	Prof/Tech Services	0	2	0	0	0	0	0	0	0
	Purch. Svcs - Prop/Equipment	26,661	42,769	25,000	25,000	18,555	39,000	39,000	0	0
	Other Purchased Services	0	0	0	0	0	0	0	0	0
	Supplies	37,259	32,447	61,700	61,700	12,143	33,500	47,900	0	0
	Other Expenses/Expenditures	1,399	13,500	2,000	2,000	1,000	0	0	0	0
	Capital Outlay	0	0	0	0	0	0	0	0	0
	Transfers	50,000	50,000	50,000	50,000	0	50,000	78,874	0	0
	Total Expense	122,827	140,482	143,800	143,800	31,698	122,500	165,774	0	0

City of Inver Grove Heights

Proposed 2013 Budget

City Facilities Summary

Acct Number	Account Description	2010 Actual	2011 Actual	2012 Actual	Amended Budget	06/30/12 Actual	2012 Forecast	2013 Department Request	2013 Admin Recommended	City Council Adopted
	Charges for Services	340,900	340,900	340,900	340,900	170,450	340,900	340,900	0	0
	Misc. Revenues	8,320	8,226	10,000	10,000	28,585	37,600	8,000	0	0
	Other Sources	0	0	553,500	553,500	0	515,500	466,700	0	0
	Total Revenue	349,220	349,126	904,400	904,400	199,035	894,000	815,600	0	0
	Personnel	69,242	69,529	67,900	67,900	35,334	67,900	68,300	0	0
	Prof/Tech Services	3,957	12,709	0	0	9,213	4,000	2,000	0	0
	Purch. Svcs - Prop/Equipment	88,568	185,614	218,700	218,700	47,565	126,700	126,700	0	0
	Other Purchased Services	63,338	79,964	78,400	78,400	45,962	87,400	57,400	0	0
	Supplies	20,099	33,906	15,400	15,400	71,839	89,900	26,200	0	0
	Other Expenses/Expenditures	113,175	178,841	497,000	497,000	248,500	497,000	535,000	0	0
	Capital Outlay	0	0	27,000	27,000	41,312	21,100	0	0	0
	Transfers	250,000	50,000	0	0	0	0	0	0	0
	Total Expense	608,379	610,563	904,400	904,400	499,725	894,000	815,600	0	0

City of Inver Grove Heights

Proposed 2013 Budget

Technology Summary

Acct Number	Account Description	2010 Actual		2011 Actual		2012 Amended Budget		2012 Forecast		2013 Department Request		2013 City Council Adopted	
	Charges for Services	300,200	300,200	300,200	520,400	260,200	520,400	520,400	650,200	0	0	0	0
	Misc. Revenues	6,683	2,814	143	10,000	10,000	10,000	10,000	2,500	0	0	0	0
	Other Sources	0	0	0	(10,000)	0	(5,000)	(5,000)	35,900	0	0	0	0
	Total Revenue	306,883	303,014	260,343	520,400	260,343	525,400	525,400	688,600	0	0	0	0
	Personnel	150,884	204,964	109,860	257,900	109,860	257,900	257,900	277,400	0	0	0	0
	Prof/Tech Services	81,845	131,676	47,923	75,000	47,923	75,000	75,000	66,000	0	0	0	0
	Purch. Svcs - Prop/Equipment	39,791	67,347	6,365	28,100	6,365	28,100	28,100	38,100	0	0	0	0
	Other Purchased Svcs	7,659	1,410	9,925	72,100	9,925	72,100	72,100	112,100	0	0	0	0
	Supplies	285,252	59,363	21,448	57,300	21,448	57,300	57,300	55,900	0	0	0	0
	Other Expenses/Expenditures	77,039	21,516	7,500	15,000	7,500	15,000	15,000	65,000	0	0	0	0
	Capital Outlay	0	0	30,309	15,000	30,309	20,000	20,000	74,100	0	0	0	0
	Transfers	200,000	0	0	0	0	0	0	0	0	0	0	0
	Total Expense	842,470	486,276	233,331	520,400	233,331	525,400	525,400	688,600	0	0	0	0

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

RESOLUTION NO. _____

RESOLUTION ADOPTING THE PROPOSED TAX LEVY FOR THE YEAR 2013

BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS AS FOLLOWS: There is a proposed tax levied upon taxable property in the City of Inver Grove Heights payable in 2013 for the following purposes in the following amounts:

General Operating Fund	\$ 8,317,952
Police & Fire Special Levy	4,800,000

Bond Retirement:

MN Armory Building Commission	\$63,735
City Share of Special Assessments	96,944
G.O. Public Safety Revenue, 2007	78,908
G.O. Improvement Bonds, 2007B	85,000
(Levy of \$150,000 less transfer from Closed Bond Fund of \$65,000)	
G.O. Improvement Bonds, 2008A	85,000
(Levy of \$150,000 less transfer from Closed Bond Fund of \$65,000)	
G.O. Capital Improvement Bonds, 2009A	390,400
(Levy of \$590,400 less transfer from Closed Bond Fund of \$200,000)	
G.O. Improvement Bonds, 2010B	283,044
PIR Refunding Bonds, 2010C	51,303
G.O. Improvement Refunding Bonds, 2011A	170,000
Total Bond Retirement	<u>1,304,334</u>
 Total Levy	 <u>\$14,422,286</u>

Adopted this 10th day of September, 2012, by the City Council of Inver Grove Heights.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Kennedy
Deputy Clerk

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

RESOLUTION NO. _____

RESOLUTION ADOPTING THE PROPOSED 2013 BUDGETS

BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS
AS FOLLOWS:

The following proposed funds' Budgets for the City of Inver Grove Heights for
fiscal year 2013 are hereby approved:

General Fund	\$17,484,000
Recreation Fund	688,700
Community Center Fund	2,833,700
EDA Fund	55,200
Storm Water Fund	309,600
Water Fund	3,319,750
Sewer Fund	3,261,200
Golf Course Fund	1,863,000
Risk Management Fund	812,274
Central Equipment Fund	1,846,800
Central Stores Fund	165,774
City Facilities Fund	815,600
Technology Fund	688,600

Adopted this 10th day of September, 2012, by the City Council of Inver Grove Heights.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Kennedy
Deputy Clerk

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

RESOLUTION NO. _____

**RESOLUTION ADOPTING THE PROPOSED WATERSHED MANAGEMENT
TAXING DISTRICTS' TAX LEVIES FOR THE YEAR 2013**

BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS AS FOLLOWS: There is a proposed special property tax levied upon the taxable property within each of the following respective Watershed Management Taxing Districts (W.M.T.D.) in the City of Inver Grove Heights payable in 2013 for the following purposes in the following amounts:

Bond Retirement

Cuneen Trail W.M.T.D. G.O. Storm Water Refunding Bonds 2005D (Project No. 9501, Arbor Pointe Area Stormwater Pump/Lift)	\$113,295
Simley Lake W.M.T.D. G.O. Storm Water Bonds 2002A (Project No. 1993-27, Cahill Ave.)	\$51,303

Adopted this 10th day of September, 2012, by the City Council of Inver Grove Heights.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Kennedy
Deputy Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

APPROVE A CONTRACT WITH M & J SERVICES OF MINNESOTA, LLC TO COMPLETE THE WORK ASSOCIATED WITH REMEDIATION OF BIORETENTION BASIN D AT CITY HALL

Meeting Date: September 10, 2012
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 approving a contract with M & J Services of Minnesota, LLC to complete the work associated with Bioretention Basin D at City Hall.

SUMMARY As the Council will recall, an outstanding issue with respect to the City Hall project is the completion of Bioretention Basin D which is located on the south side of the building.

The basin hasn't functioned since it was originally installed by the general contractor. There was a considerable amount of speculation as to why it never functioned properly, all of which needed to be tested by outside experts. The testing was done and the Architect has determined that the basin in its current condition "complies with the requirements of the plans and specifications as recommended by Dakota County at the time of contracting." The Architect further states that "The basin does not function as intended because it does not empty in 48 hours despite the fact that the infiltration rates exceed those in the Stormwater Management Report." The Architect can't identify a reason why the basin does not function as intended.

City Staff does not agree with this determination but according to the contract between the City and Shaw Lundquist, the Architect is the final decision maker on these issues. We will pursue this matter with legal counsel.

In the meantime we are left with a basin that not only doesn't function but leaves the grounds in a state of disrepair. In order to complete the basin before the winter, Staff recommends that the City contract with M & J Services of MN to make repairs to the basin to current Dakota County Soil and Water Conservation standards, including removal of the top two layers of fill and replace it with fresh organic material to ensure that no silt or clay materials remain in the soils to impede infiltration. Planting materials are included in the bid from the contractor which are a fundamental part of a proper functioning bioretention basin.

The bid from M & J Services of MN for this work is \$29,728.65. BKV had provided an estimate of \$44,000 for the same work. Staff recommends that the funds for this contract do not come out of the construction contract (the bonds). The funds come from the internal sources the Council previously discussed; the MIS Fund, the City Facilities Fund, the Water and Sewer Funds, the Closed Bond Fund and the Host Community Fund.

Again, we will pursue our options with legal counsel regarding the Architect's decision and attempt to recoup the full cost of the repair.