

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, MARCH 25, 2013 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, March 25, 2013, in the City Council Chambers. Acting Mayor Piekarski Krech called the meeting to order at 7:00 p.m. Present were Council members Bartholomew, Madden, and Mueller; City Administrator Lynch, Assistant City Administrator Teppen, City Attorney Kuntz, Community Development Director Link, Public Works Director Thureen, Finance Director Smith, Parks and Recreation Director Carlson, Police Chief Stanger, and Deputy Clerk Kennedy

3. PRESENTATIONS: None.

4. CONSENT AGENDA:

Councilmember Madden removed Item 4A(ii), and Item 4J from the Consent Agenda.

Councilmember Mueller removed Item 4E from the Consent Agenda.

Acting Mayor Piekarski Krech removed Item 4H from the Consent Agenda.

A. i) Minutes – March 11, 2013 Council Study Session

B. Resolution No. 13-32 Approving Disbursements for Period Ending March 20, 2013

C. Agreement for 2013 Water Quality Sampling Program with Dakota County Soil and Water Conservation District (SWCD)

D. Accept Quote and Award Work to AET, Inc. for Soil Borings for Storm Water Infiltration Features

F. Resolution No. 13-33 Accepting Individual Project Order (IPO) No. 17E from Kimley-Horn and Associates, Inc. for Additional Construction Phase Services for City Project No. 2011-09D, South Grove Street Reconstruction – Area 6

G. Resolution No. 13-34 Rescinding Rescinding Resolution No. 99-147 relating to Correcting the Legal Description for a Rezoning in Arbor Pointe to Satisfy Park Land Dedication Requirements

I. Approve Tree Removal at River Heights Marina/RISB

J. Accept Amended 2013 City Council Meeting Schedule

K. Schedule Public Hearing

L. Accept Donation to Inver Grove Heights Police Department

M. Personnel Actions

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

Ayes: 4

Nays: 0 Motion carried.

A(ii). Minutes – March 11, 2013 Regular Council Meeting

Councilmember Madden noted two (2) corrections made to the revised draft of the minutes. The first, on page 4, was the correction of the final vote for Resolution No. 13-29 to 4-1 to reflect Councilmember Bartholomew's vote in opposition of approval. The second, on the last page, was the insertion of the time at which the meeting was adjourned.

Motion by Mueller, second by Bartholomew, to approve the Revised Minutes of the March 11, 2013 Regular Council Meeting

Ayes: 4

Nays: 0 Motion carried.

E. Approve Engineering Consultants Scope for City Project No. 2011-15, Orchard Trail

Councilmember Mueller stated his recollections was that this was going to be postponed until after the development was built out.

Mr. Lynch explained Council directed staff not to proceed with a capital improvement project. He stated this item was for engineering services related to the completion of the storm water management plan.

Mr. Thureen noted both public hearings on the issue were continued to the May 13th regular Council meeting with the direction for staff to move forward with the completion of the plans and specifications and to bid the project. He stated additional engineering services were required to prepare the plans and specifications for the bidding process. He added the proposed consultant was already familiar with the development.

Councilmember Mueller clarified the issue would be brought back to the Council to determine whether or not to order the project and the neighborhood would be notified in advance of the meeting.

Mr. Thureen reiterated that the public hearings were continued to May 13th and at that time the Council would be presented with bid information to determine if they want to move forward with the project.

Councilmember Piekarski Krech questioned if the additional engineering services were required to receive valid bids with concrete numbers.

Mr. Thureen responded in the affirmative.

Councilmember Bartholomew asked if staff was confident that the work by Emmons and Olivier would be good for a period of time.

Mr. Thureen stated the product would be valid for the foreseeable future.

Motion by Madden, second by Mueller, to approve Engineering Consultants Scope for City Project No. 2011-15, Orchard Trail

Ayes: 4

Nays: 0 Motion carried.

H. Approve Mendota Heights Par 3 Golf Course Maintenance Proposal

Mr. Lynch stated staff would like the item to be tabled to the next regular Council meeting on April 8th to allow for discussion with the entire Council at the April 1st work session. He explained staff would also make revisions to the proposal to correct some mathematical errors that were found.

Councilmember Madden recommended the item be tabled until the Mayor returns.

Councilmember Bartholomew stated it was an important issue and felt it was wise to wait until the full Council was present for discussion.

Councilmember Mueller asked staff to review the whole document before bringing it to the work session.

Motion by Madden, second by Bartholomew, to table consideration of the item until the April 8, 2013 Regular Council Meeting and to direct staff to place the item on the April 1, 2013 Council Work Session Agenda for Discussion

Ayes: 4

Nays: 0 Motion carried.

J. Accept Amended 2013 City Council Meeting Schedule

Councilmember Piekarski Krech clarified that the work session meetings would be held in the Council Chambers on the first Monday of every month at 6:00 p.m. She noted there would no longer be work sessions before regular Council meetings.

Councilmember Madden stated although he would attend the work sessions he was opposed to the new scheduling format.

Motion by Mueller, second by Bartholomew, to approve the amended 2013 City Council Meeting Schedule

Ayes: 3

Nays: 1 (Madden) Motion carried.

5. PUBLIC COMMENT:

Joe Harms, River Heights Marina, presented the Council with information regarding fund surplus availability from the Association of Marine Industries and Boat U.S. He stated the removal of trees from his property near the Rock Island Swing Bridge was previously approved by the Council and he believed it would be a good idea for the City and the marina to consider a public/private venture for a launch ramp and transient dockage. The funds available from the two sources mentioned could be used for such a project. He stated a boat launch would be a nice amenity for the City to offer at the park.

Councilmember Piekarski Krech questioned if Mr. Harms had provided the information to City staff.

Mr. Harms explained it was previously sent to City staff and the response was that the City wasn't interested in pursuing a boat launch at that time.

Councilmember Madden questioned why the City would not be interested in applying for funding.

Mr. Lynch stated the City had many things going on at that time with respect to Heritage Village Park and the Rock Island Swing Bridge. The Council was asked to prioritize the projects in terms of the order in which they would like them to be completed or pursued. At that time a boat launch was not in the top 3 or 4 priorities identified by Council. He noted staff could revisit the issue and get more information if Council so directed.

Councilmember Madden stated it would be a good idea to at least look into the funding opportunities.

Motion by Mueller, second by, to receive materials presented by Mr. Harms and direct staff to pursue the available funding

Ayes: 4

Nays: 0 Motion carried.

6. PUBLIC HEARINGS: None.

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

A. CITY OF INVER GROVE HEIGHTS; Consider First Reading of an Ordinance Amendment to Title 8, Chapter 5, Subsurface Sewage Treatment Systems Code

Mr. Link explained the ordinance amendment related to a requirement for a capacity compliance inspection for existing septic systems. The program requires a capacity inspection of the tank when a building is enlarged, a building or septic permit is pulled, or when a property is sold. If the system is found to be undersized, it is required to be expanded. He stated staff has run into several issues with the inspection requirement as it inadvertently included some cases the ordinance was not intended to address. He noted they also found that performing just the inspection has proven costly for residents. When the ordinance was adopted it was staff's understanding that other cities would adopt similar regulations and that did not occur. Staff did not believe that the capacity compliance inspection was necessary to protect the ground water because there were still inspections required by State regulations that would perform that function.

Councilmember Madden stated he appreciated staff backing off of a requirement that is not needed because it would take a major financial burden off of some residents.

Motion by Madden, second by Bartholomew, to approve the First Reading of an Ordinance Amendment to Title 8, Chapter 5, Subsurface Sewage Treatment Systems Code

Ayes: 4

Nays: 0 Motion carried.

PUBLIC WORKS:

B. CITY OF INVER GROVE HEIGHTS; Resolution Authorizing and Receiving Feasibility Report and Scheduling Public Hearing to Consider Ordering City Project No. 2013-09E, Henry Avenue Bituminous Removal and Replacement

Mr. Kaldunski stated the City was approached by representatives from the City of South St. Paul to participate in a joint project involving the partial reconstruction of Henry Avenue. He explained the City would potentially levy assessments against the properties owned by Frattalone's Landfill and Xcel Energy. The total estimated project cost was just under \$45,000 and 75% would be assessed against the benefitting properties. The remaining 25% would be paid by the City from the funds budgeted for mill and overlay projects. He noted South St. Paul would be the lead agency on the project.

Councilmember Piekarski Krech questioned if the City had enough funds available for the project to cover any assessment appeals that may be filed.

Mr. Kaldunski stated it is hard to predict what the amount of an appeal may be, but he felt that the City would be able to cover those costs.

Councilmember Bartholomew questioned if an assessment would also be levied against the Frattalone parcel for South St. Paul's portion of the project.

Mr. Kaldunski responded in the affirmative.

Motion by Mueller, second by Madden, to adopt Resolution No. 13-35 Authorizing and Receiving Feasibility Report and Scheduling Public Hearing to Consider Ordering City Project No. 2013-09E, Henry Avenue Bituminous Removal and Replacement

Ayes: 4

Nays: 0 Motion carried.

8. MAYOR & COUNCIL COMMENTS:

9. EXECUTIVE SESSION:

A. CITY HALL MEDIATION

B. COLLECTIVE BARGAINING UPDATE

10. ADJOURN: Motion by Bartholomew, second by Madden, to adjourn. The meeting was adjourned by a unanimous vote at 8:16 p.m.