

INVER GROVE HEIGHTS CITY COUNCIL AGENDA
MONDAY, OCTOBER 28, 2013
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 of October 7, 2013 City Council Work Session _____

ii) Minutes of October 14, 2013 Regular City Council Meeting _____

B. Resolution Approving Disbursements for Period Ending October 23, 2013 _____

C. Certification of Delinquent Utility Bills _____

D. Approve Contract with Common Sense Building Services, Inc. _____

E. Pay Voucher No. 1 for City Project No. 2013-09C, Mill and Overlay _____

F. Resolution Accepting Proposal from Emmons and Olivier Resources, Inc. (EOR) for Updates to the Northwest Area Regional Basin Map _____

G. Approve Service Charge to Convention and Visitors Bureau _____

H. Approve Awarding Five Points to Inver Grove Heights Police Reserve Officers to 100-Point Scale _____

I. Approve Release of Lot 3 and Lot 4, Glenn Clarke Homestead from Development Contract Recorded as Dakota County Document No. 2371285 _____

J. Accept Donations to Inver Grove Heights Fire Department _____

K. Schedule Public Hearings (Liquor License & Pawnbroker License Renewals) _____

L. Personnel Actions _____

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:

A. CITY OF INVER GROVE HEIGHTS; Assessment Hearing for the 2013 Pavement Management Program, City Project No. 2013-09E, Henry Avenue Bituminous Pavement Removal and Replacement _____

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

A. BRUCE CORDS; Consider Resolution relating to a Vacation and Rededication of Certain Drainage and Utility Easements for Property Located at 2893 96th St. E. _____

B. POWER DYNAMICS, INC; Consider Resolution relating to a Determination of Substantially Similar Use Designation for a Use Not Specifically Listed as Permitted, Conditional or Accessory in the B-3, General Business District _____

C. VANCE GRANNIS; Consider the Following Requests for the Property Located on the West Side of Barnes Avenue in the General Vicinity of 9249 Barnes Avenue:

i) Comprehensive Plan Amendment to Change the Land Use Designation Providing a Dual Designation of RDR and PO and Text Amendments to Provide for the Nature Center Use _____

ii) Ordinance Amendment to Allow a Nature Center/Outdoor Skills Area in the E-1 District as a Permitted Use with Performance Standards _____

D. CITY OF INVER GROVE HEIGHTS; Consider an Ordinance Amendment to Allow Vertical Axis Wind Turbines as a Permitted Use in the A, E-1, and E-2 Districts _____

ADMINISTRATION:

E. CITY OF INVER GROVE HEIGHTS; Consider First Reading of an Ordinance Amending Inver Grove Heights City Code Title 4, Chapter 11, Sections 4-11-5(F) and 4-11-7(A) Regarding Payment of a Background Check Investigation Fee by Solicitors and the Grounds for Revocation, Suspension, or Denial of a License or Certificate of Registration _____

F. CITY OF INVER GROVE HEIGHTS; Consider Appointment of Auditors for the Fiscal Years Ending 2013, 2014, and 2015 _____

G. CITY OF INVER GROVE HEIGHTS; Consider Design and Cost of a Sign for the East Wall of City Hall _____

8. MAYOR & COUNCIL COMMENTS

9. ADJOURN

This document is available upon 3 business day request in alternate formats such as Braille, large print, audio recording, etc. Please contact Melissa Kennedy at 651.450.2513 or mkennedy@invergroveheights.org

**INVER GROVE HEIGHTS CITY COUNCIL STUDY SESSION
MONDAY, OCTOBER 7, 2013 – 8150 BARBARA AVENUE**

1. CALL TO ORDER The City Council of Inver Grove Heights met in study session on Monday, October 7, 2013, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:05 p.m. Present were Council members Bartholomew, Madden, Mueller and Piekarski Krech; City Administrator Lynch, Assistant City Administrator Teppen, City Attorney Kuntz, Community Development Director Link, Parks and Recreation Director Carlson, Finance Director Smith, Chief Stanger, Fire Chief Thill, and Deputy Clerk Kennedy

2. BUDGET – SPECIAL REVENUE FUNDS

Ms. Smith informed Council that updated budget sheets were provided for the EDA reflecting a decrease of \$4,200. The decrease was due to the fact that line items for training and conferences were not adjusted accordingly after the Economic Development Specialist position was removed from the budget.

Mr. Link reviewed the 2014 proposed budget for the Economic Development Authority. The \$25,000 expenditure for a membership with Progress Plus was removed, as well as the Economic Development Specialist position. Professional services were increased by \$30,000 to provide the City with flexibility to seek out expertise for help in particular situations that may arise. A portion of the Community Development Director's salary (10%) was also added back into the budget.

Councilmember Bartholomew clarified that specific uses for the \$30,000 allocation for Professional Services would require approval by the EDA.

Mr. Link responded in the affirmative.

Councilmember Piekarski Krech questioned what the remaining \$12,800 was budgeted for under Professional/Technical Services.

Mr. Link stated \$6,300 was the City's contribution towards the "Open to Business" program. The remaining amount was allocated for legal services (City Attorney and bond counsel), and fiscal consultant services as needed.

Councilmember Mueller asked if any feedback had been received on the "Open to Business" program.

Mr. Link stated the program had been received very well and was successful in its first year.

Mayor Tourville opined that the City should consider retaining their membership with Progress Plus if staff did not want to move forward with the Economic Development Specialist position. He stated removal of both would leave the City with no physical marketing programs at its disposal and he felt that would be a mistake.

Councilmember Piekarski Krech agreed, stating the whole purpose of adding an Economic Development Specialist was to have someone on staff with economic development/marketing experience that could dedicate the appropriate amount of time to such efforts. Without that position, the City would have limited representation in that area.

Councilmember Mueller questioned why the City could not contract with Progress Plus for certain services on an as needed basis.

Councilmember Madden explained Progress Plus was not interested in a cafeteria or pay-as-you-go program.

Mayor Tourville suggested the \$30,000 could still be set aside for professional services.

Councilmember Mueller suggested committing to a 6-month membership with Progress Plus.

Mayor Tourville stated he was not sure if Progress Plus would agree to a half-year membership.

Councilmember Bartholomew stated he would support reinstatement of the Progress Plus membership for \$25,000 if the Professional Services allocation was reduced to \$5,000.

Mayor Tourville questioned if there was flexibility throughout the year for the EDA to allocate additional funds if a specific project or opportunity arose that required professional services.

Mr. Lynch explained the EDA could petition for additional funding.

Councilmember Bartholomew questioned if such requests required EDA approval.

Mr. Lynch stated requests for additional funding would require both EDA and Council approval.

Ms. Smith suggested adding the Progress Plus membership to the line item for dues, licenses, and subscriptions for reporting purposes.

Mr. Carlson presented the ADA budget. He explained the City adopted the 2010 ADA standards in March of 2012. A consultant was hired to evaluate City programs and services against the 2010 standards. Identified areas and projects were prioritized and divided for implementation over a seven (7) year period of time. In 2014 it was proposed to make improvements totaling \$41,000.

Councilmember Bartholomew questioned why the year-to-date expenditures were so low compared to what was budgeted for 2013.

Mr. Carlson stated \$36,000 was budgeted for 2013 and several projects were still being completed. If not all identified projects were finished in 2013 they would be carried over and completed in 2014.

Councilmember Bartholomew questioned if there were specific projects identified for the entire amount budgeted for 2014.

Mr. Carlson responded in the affirmative.

Councilmember Bartholomew requested that the list of projects identified for completion in 2013 and 2014 be provided to the Council.

Mayor Tourville suggested it may also be helpful to provide a historical update to the entire Council. He questioned if there was a deadline by which the improvements had to be completed.

Mr. Carlson there was no specific deadline, the City was simply required to continue to make progress towards meeting the standards.

Mr. Carlson presented the proposed 2014 Recreation budget. Personnel costs increased by \$11,500 due to negotiated contract settlements. No additional FTE's were proposed. Allocation costs decreased \$1,500. A 38% cost recovery was realized for program expenses. No significant program changes were proposed for 2014.

Councilmember Madden questioned if less of a loss was expected to be realized at any point in time or if there was a percentage goal for cost recovery. He noted he understood 100% of the costs would never be recovered.

Mr. Carlson stated cost recovery had slowly improved over the past couple of years and staff continued to try to shrink the gap between costs and revenue without sacrificing programming.

Councilmember Bartholomew questioned if any new equipment or software was included in the \$30,000 technology allocation.

Mr. Carlson responded in the negative. He stated the technology allocation was solely to maintain what the technology currently being used.

Mayor Tourville stated the City was never going to make money on recreation and the goal should continue to be to operate programs as efficiently as possible. He opined the recreation programming provided value to the community.

Councilmember Mueller questioned where money was being lost.

Mr. Carlson stated the City's goal was to break even on youth sports programs (baseball, softball, basketball, soccer, etc.) and to make a small profit on adult programs (softball, volleyball, basketball, etc.). He noted the City the Recreation budget supported a number of community programs at no charge to participants such as the Boo Bash, Letters to Santa, Movies in the Park, and Holiday on Main Street.

Councilmember Bartholomew questioned if participation was increasing and, if so, had staff considered increasing program fees.

Mr. Carlson stated staff considers fee increases to recover costs if program expenses are anticipated to increase.

Mr. Carlson reviewed the proposed 2014 VMCC budget. Personnel costs increased \$66,000. He stated the addition of a non-benefitted 0.49 seasonal FTE was proposed in response to increased usage at the Community Center. He noted between 2007 and 2012 there was a 64% increase in the number of people using the facility, an average of 225 additional visitors per day. Additional staff was needed to cover additional fitness and guest service needs.

Councilmember Piekarski Krech requested staff provide information related to average daily to the Council.

Mr. Carlson explained the 2014 budget assumed the school district would continue to pay for practice ice and would make their final \$100,000 payment on December 15, 2014. The budget also included investments in facility improvements such as painting, pumps, heat exchangers, fitness equipment, and arena flooring. He stated staff was able to recover 84% of expenses with generated revenue.

Mr. Lynch noted the goal was 86% recovery.

Councilmember Madden stated 84% recovery of expenses was a great achievement considering where the budget was a few years ago.

Mayor Tourville stated the changes implemented as a result of the VMCC operational audit proved to be valuable. He noted it was a positive sign that the number of users was increasing.

Councilmember Bartholomew questioned where the budgeted contributions/donations came from.

Mr. Carlson stated \$100,000 was contributed by the school district at the end of the year and Inver Grove Heights Youth Hockey Association contributed \$14,000.

3. PARKS & RECREATION SYSTEM PLAN

Mr. Carlson explained the goal of the park plan process was to develop a 10 to 15 year vision for where Parks and Recreation is going and a five (5) year prioritized guide on how to get there. The plan would address parks, facilities, recreation programs, trails, open space, historic and cultural resources and provide a means to help prepare for a sustainable future that matches community priorities. During a previous meeting with the Park Champions group and Parks and Recreation Commission the City Council reviewed a presentation outlining four priorities; fully fund the Park Capital Replacement Fund, properly finance the existing system, develop a well connected park and trail system in the Northwest Area, and make key park and trail improvements in the next 5-10 years. He reviewed information regarding how Inver Grove Heights' park system compared to other cities of a similar size.

Mr. Carlson stated there was currently \$11,500,000 worth of park assets in the existing park and trail system. The assets have a useful life that will eventually require them to either be replaced or repurposed. He recommended saving \$500,000 annually for the future replacement of those assets. \$300,000 would be required annually to maintain existing park amenities such as playgrounds, buildings, shelters, basketball courts, and tennis courts. \$200,000 would be required annually to maintain existing bituminous amenities such as trails and parking lots. The Park Capital Replacement Fund is currently funded at \$200,000 annually via contributions from the General Fund, Host Community Fund, and Capital Facilities Fund. Council was asked to consider two concepts that could potentially yield the recommended

funding level to maintain the current assets in the system. The first concept was implementation of a franchise fee to supplement the Pavement Management Program for streets, parking lots and trails. All parcels in the City with electric or gas service would pay a fee. The fee could be based on a percentage or a flat rate, and revenue potential would increase as additional homes and businesses are constructed. Based on calculations provided by Xcel Energy and Dakota Electric from April of 2013, it was estimated that a 1% franchise fee could generate \$540,000 in revenue annually. The annual cost for a residential property would be \$20 - \$45. Other cities utilizing a franchise fee were South St. Paul, Cottage Grove, Burnsville, Apple Valley, West St. Paul, Mounds View, New Brighton, St. Paul, Stillwater, and Oakdale. The second concept involved increasing the contribution from the general fund in increments of \$25,000 in years 2015 through 2019. The 2014 proposed budget included a recommendation to change the vacant Recreation Programmer position from full-time to seasonal and to transfer the annual savings of \$50,000 beginning in 2014. The plan involved decreasing the transfers from the Host Community Fund and Capital Facilities Fund over a number of years until they are \$0. He noted consideration should be given to planning for an increase to the General Fund transfer to include an annual inflationary increase as well as an increase when new amenities are added to the system.

Councilmember Madden stated he would not support a franchise fee. He opined that if the Council determines that it is necessary to increase funding for the parks system they should have the courage to increase taxes to support that need. He stated the parks system was not at the same level of importance as the streets system because every citizen of the community uses the streets and not every citizen uses the parks system. He opined the City was not in a financial position to expand and felt that the expectations for the parks system should be tempered. He noted he recognized the importance of maintaining the current assets within the parks system, but did not want to charge residents another fee.

Mr. Lynch clarified that the franchise fee would go towards funding for the Pavement Management Program, which would include streets, trails, and parking lots. He explained the benefit of the franchise fee is that it would apply to all properties within the City whereas not all properties are subject to taxes. He encouraged the Council to consider that the franchise fee would go towards the maintenance of existing infrastructure, not park amenities.

Mr. Carlson reiterated the proposal was to maintain the existing trails within the system.

Councilmember Madden opined the Council should have the courage to increase taxes and be honest in their justification for the increase.

Dian Piekarski, 7609 Babcock Trail, questioned what the break down was of active versus passive parks within the City. She also questioned how other cities' costs or funding levels compare to those of Inver Grove Heights. She opined that government should provide streets, police, and fire, not necessarily parks. She questioned what percentage goes toward covering the deficit in recreation programs.

Councilmember Bartholomew stated the total amount of transfers in the 2014 budget was \$1,774,000.

Ms. Piekarski opined it was dishonest to add fees in order to maintain or promote low property taxes. She stated the costs to maintain the future Heritage Village Park should also be considered.

Willy Krech, 9574 Inver Grove Trail, stated he pays a lot of taxes and fees that provide no direct benefit to him as a resident or as a business owner. He encouraged the Council to implement a franchise fee if it would help repair and maintain the City's roads and infrastructure. He stated there were a number of items that legitimately needed to be addressed and it was the City's responsibility to provide residents with amenities they want. He noted he was primarily addressing the maintenance of what currently exists within the system, not adding new trails. He opined the City should be able to find the necessary funds to take care of the streets and park system and make them look nice. He stated it was unrealistic to think the City would ever make a profit at the Community Center.

Stan Johnson, 2040 100th Street, stated there was no easy way to come up with the money needed to maintain the current system. He encouraged the Council to implement a 1% franchise fee for something that is critical to society. He noted people in other cities pay a similar fee and don't mind because it is earmarked for a specific need.

Mary Hapka, 9330 Inver Grove Trail, stated the Park Champions group took the current economic conditions into consideration during development of the plan. She reiterated the funding was not to add to the system, it was to maintain what currently exists. She stated most residents do not know or understand how much amenities cost to implement and maintain and need to be educated. She explained the franchise fee was simply offered up as an option because the Park Champions and Parks Commission did not think raising taxes was a viable option. She stated the community does care and the City needed to preserve the parks systems because the residents appreciate it. She opined that the 1% franchise fee was a reasonable amount to ask residents to pay.

Chris Solberg, 7275 Bond Way, encouraged the Council to find a way to come up with the necessary funding. He opined that the City could not simply let the system deteriorate.

John Guy stated he was a heavy trail user and felt it was a bargain to have access to all of the park amenities. He opined he would be in favor of a franchise fee because the system needed to be maintained.

Ms. Piekarski commented that taxes used to pay for the basics and questioned why that was not enough now. She stated it really did not matter if it was called a tax or a fee and opined that parks were not a bigger priority than streets. She reiterated the City needed to consider future costs.

Deb Tix, 8391 Corcoran Circle, opined that Parks and Recreation programming does support the basic services because it provides the youth of the community with a means to occupy their time and keep them out of trouble, thereby reducing the number of Police calls. She encouraged the Council to find the money to maintain the current system.

Councilmember Mueller questioned how the 1% would be calculated and if businesses would be included.

Mr. Lynch stated more discussion and information was needed on the franchise fee mechanism. He noted the City would also have to compare the amount generated from a tax increase to the revenue generated from a franchise fee.

Councilmember Piekarski Krech stated the franchise fee would not cover the total shortfall for street repairs and maintenance. She encouraged community engagement to help solve the problem in the parks system. She opined maintaining streets was a top priority and the City had to be careful with the money available because many residents were on fixed incomes and could not afford to contribute more via taxes or fees. She explained she would only consider a franchise fee because of the equity issue in that all properties would be subject to the fee.

Mayor Tourville opined the City needed to develop a mechanism to maintain the streets and the parks because they contribute to a sense of community. He stated he would lean towards a franchise fee calculated as a percentage because it would be less than taxes as it would be spread out over all properties. He stated any franchise fee implemented should be disclosed as part of the budget process.

Councilmember Madden stated he supported parks and trails and maintaining the existing amenities, but was leery of the funding mechanism.

Councilmember Bartholomew stated a lot of money was being requested to support recreation and it was imperative that they find a way to cut costs to decrease the amount being transferred annually.

Councilmember Piekarski Krech questioned if the 1% was set in stone.

Mr. Lynch stated the percentage would be a Council decision. The estimate was prepared at 1% to be conservative. He noted the City currently had the ability to charge a franchise fee without drafting a new

agreement.

Jim Huffman, 4237 Denton Way, supported the franchise fee and stated it was important to maintain the amenities the City had.

4. POLICE OFFICER RECRUITMENT PROCESS

Mr. Lynch provided an overview of the current process used by staff for police officer recruitment. Staff did not support the proposal to grant a Police Reserve Officer an automatic interview but would support awarding an additional five (5) points to their overall score to recognize their experience.

Councilmember Mueller clarified he did not want to halt the current process to fill a vacant position.

Mayor Tourville opined it seemed fair to add five (5) points for experience.

Councilmember Madden questioned how many points were added for veterans.

Ms. Teppen responded either ten or fifteen points were added, depending on whether or not the veteran was disabled.

Councilmember Bartholomew questioned how the cutoff was determined for candidates to receive an interview.

Ms. Teppen stated a natural break in the scores has been identified to ensure a sufficient number of candidates are awarded an interview.

Councilmember Bartholomew stated it appeared to be an arbitrary number of candidates interviewed and questioned if it was also about finding the right mix of candidates for the interview pool.

Ms. Teppen responded in the affirmative. She stated formal Council action would need to be taken to implement the suggested scoring change.

5. ADJOURN

The meeting was adjourned at 9:20 p.m.

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, OCTOBER 14, 2013 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, October 14, 2013, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:00 p.m. Present were Council members Bartholomew, Madden, Mueller, and Piekarski Krech; City Administrator Lynch, Assistant City Administrator Teppen, City Attorney Kuntz, Public Works Director Thureen, Finance Director Smith, Parks and Recreation Director Carlson, Chief Stanger, Fire Chief Thill, and Deputy Clerk Kennedy.

3. PRESENTATIONS:

4. CONSENT AGENDA:

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

Councilmember Mueller removed Item 4F from the Consent Agenda.

Mayor Tourville removed Item 4K from the Consent Agenda.

- A. i) Minutes of September 3, 2013 City Council Work Session
ii) Minutes of September 9, 2013 Regular City Council Meeting
- B. **Resolution No. 13-136** Approving Disbursements for Period Ending October 9, 2013
- C. Pay Voucher No. 6 for City Project No. 2006-08, Asher Water Tower Replacement
- D. Final Pay Voucher No. 2, Engineer's Final Report, and **Resolution No. 13-137** Accepting Work for City Project No. 2013-09A, Cracksealing
- E. **Resolution No. 13-138** Accepting Proposal for Additional Engineering Services for City Project No. 2013-03, SP-27 Storm Water Facilities Maintenance and City Project No. 2013-06, South Robert Trail (TH 3) Storm Water Facilities Repairs
- G. Approve Custom Grading Agreement, Easement Encroachment Agreement, and Drainage and Utility Easement Agreement for Lot 2, Block 3, Marcott Woods, 2386 96th Street
- H. **Resolution No. 13-140** Approving a Storm Sewer System Maintenance Agreement with Dakota County
- I. **Resolution No. 13-141** Approving Dakota County's 2014-2018 Capital Improvement Program
- J. Approve Release of Lot 1, Block 1, Arbor Pointe Commons Second Addition from Development Contract Recorded as Dakota County Document No. 2396890 and Development Contract Recorded as Dakota County Document No. 2004030
- L. Approve Contract for Irrigation Work at Rich Valley Park
- M. Approve Concession Agreement with Inver Grove Heights Youth Hockey
- N. **Resolution No. 13-142** Approving the Improvement Agreement and Storm Water Maintenance Agreement and other related Agreements for the Office Building Project located along 117th Street
- O. **Resolution No. 13-143** Approving the Improvement Agreement, Storm Water Maintenance Agreement and other related agreements for the addition to Hilltop Elementary School
- P. Approve Temporary Liquor License Extension Request
- Q. Consent Agreement for Sublease – APT (T-Mobile) Monopole
- R. Approve Joint Powers Agreement with Dakota County for Emergency Management Services
- S. Personnel Actions

Motion by Madden, second by Bartholomew, to approve the Consent Agenda**Ayes: 5****Nays: 0 Motion carried.****A. iii) Minutes of September 23, 2013 Regular City Council Meeting**

Councilmember Piekarski Krech stated she would abstain because she was absent from the meeting.

Motion by Madden, second by Bartholomew, to approve Minutes of September 23, 2013 Regular City Council Meeting**Ayes: 4****Nays: 0****Abstain: 1 (Piekarski Krech) Motion carried.****F. Resolution Accepting Proposal from Braun Intertec for Additional Geotechnical Services for City Project No. 2014-09D, College Trail Reconstruction**

Councilmember Mueller expressed concerns regarding the cost of the additional geotechnical work. His recollection was that there would be further discussion regarding the project and questioned why additional work was needed at this time.

Mr. Thureen stated as staff proceeded with the preliminary engineering required for the feasibility study it became clear that not enough borings were taken to adequately examine all potential trail alignments. Additional borings of street segments were also ordered based on the results of the preliminary tests. He stated it is typical to order additional borings for projects to ensure that enough information is available to develop an appropriate project design.

Mayor Tourville clarified Council was being asked to authorize additional borings, not to order a project.

Councilmember Mueller questioned why they could not wait to do the borings until later in the year once the ground is frozen to avoid additional charges for special equipment.

Mr. Thureen stated the intent was to keep the project on schedule and potentially send it out for bid early if the Council decided to move forward. Staff recommended sending the project out for bid in early 2014 because they had witnessed price increases in the construction market.

Mayor Tourville stated the contractor may not take soil borings after the ground is frozen.

Motion by Madden, second by Tourville, to adopt Resolution No. 13-139 Accepting Proposal from Braun Intertec for Additional Geotechnical Services for City Project No. 2014-09D, College Trail Reconstruction**Ayes: 5****Nays: 0 Motion carried.****K. Resolution Authorizing Execution of the Declaration of Conditions and Restrictions related to the State Forest Bonding Grant upon Certain City Parks and other City Property**

Mayor Tourville stated this item needed to be tabled to November 12th at staff's request.

Motion by Piekarski Krech, second by Bartholomew, to table item to November 12, 2013.**Ayes: 5****Nays: 0 Motion carried.****5. PUBLIC COMMENT: None.****6. PUBLIC HEARINGS:**

Mr. Kuntz explained there was a mailed and published notice of an assessment hearing for the Henry Avenue project and the item did not appear on the agenda. Public Works and Engineering staff requested

that the hearing be held on October 28th. Because the hearing was properly noticed, it was recommended that the Council open the public hearing and continue it to the regular meeting scheduled on October 28th at 7:00 p.m. at City Hall.

Councilmember Piekarski Krech clarified the Council had to first add the item to the agenda.

Councilmember Bartholomew questioned if the public had been notified of the change.

Mr. Kuntz stated notice was sent to the two (2) affected land owners.

Mr. Thureen added that staff also personally contacted both property owners to notify them of the proposed change.

Motion by Piekarski Krech, second by Bartholomew, to add item related to Henry Avenue Assessment Hearing to the agenda under public hearings.

Ayes: 5

Nays: 0 Motion carried.

Motion by Piekarski Krech, second by Madden, to continue Henry Avenue Assessment Hearing to October 28, 2013 at 7:00 p.m. at City Hall

Ayes: 5

Nays: 0 Motion carried.

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

A. DAN VUJOVICH; Consider Resolution relating to a Conditional Use Permit to Exceed Maximum Impervious Surface allowed for property located at 9209 Chapman Ct.

Mr. Link reviewed the location of the property. The request was for a deck and porch addition on the back side of the house. The deck and porch would be 240 square feet. The applicant requested a 300 square foot increase in impervious surface. Engineering reviewed the plans and worked with the applicant on storm water design. A rain garden would be constructed by the property owner directly behind the porch to handle the additional storm water resulting from the increased impervious coverage. A storm water maintenance agreement would also be required. Planning staff, Engineering staff, and the Planning Commission recommended approval of the request.

Dan Vujovich, 9209 Chapman Court, thanked staff for their work on the project.

Councilmember Madden asked the applicant if he agreed with the conditions of the approval.

Mr. Vujovich responded in the affirmative.

Councilmember Madden questioned how the City ensures the terms of the storm water maintenance agreements are met.

Mr. Thureen explained engineering staff is on site during construction to make sure the facility is built to specifications. Following construction, regular inspections are conducted to ensure proper maintenance.

Motion by Bartholomew, second by Madden, to adopt Resolution No. 13-144 relating to a Conditional Use Permit to Exceed Maximum Impervious Surface allowed for property located at 9209 Chapman Ct.

Ayes: 5

Nays: 0 Motion carried.

B. DARREN AAMOT; Consider Resolution relating to a Conditional Use Permit to Allow Sheet Metal Siding on an Accessory Structure for property located at 1985 102nd St.

Mr. Link reviewed the location of the property. The conditional use permit was requested to allow the construction of an accessory building with sheet metal siding. The building would be 972 square feet in

size. The closest neighbor was approximately 250 feet away and the lots in the area are heavily wooded. Staff did not foresee any negative impact to the surrounding property owners. The application met the conditional use permit criteria. Both Planning staff and the Planning Commission recommended approval of the request.

Mayor Tourville questioned if the applicant agreed to the conditions of approval.

Darren Aamot, 1985 102nd Street, replied in the affirmative.

Motion by Madden, second by Bartholomew, to adopt Resolution No. 13-145 relating to Conditional Use Permit to Allow Sheet Metal Siding on an Accessory Structure for property located at 1985 102nd Street

Ayes: 5

Nays: 0 Motion carried.

C. LARRY SKOW; Consider the Following Requests for the Property Located at 2143 94th Court:

- i) Amendment to the Development Contract for Shamrock Oaks to allow more than 5,000 Square Feet of Impervious Surface for Lot 2, Block 1, Shamrock Oaks
- ii) Amendment to Resolution #06-61 Approving the Preliminary Plat for Shamrock Oaks to allow more than 5,000 Square Feet of Impervious Surface for Lot 2, Block 1, Shamrock Oaks

Mr. Link reviewed the location of the property. When the plat was approved, lots were limited to 5,000 square feet of impervious coverage. The applicant requested that condition be amended to allow 10,000 square feet of impervious coverage. The increase would allow the applicant to construct a new home, driveway, and additional impervious surface for various additions. He noted the zoning ordinance would allow a maximum of 16,000 square feet. The applicant proposed a storm water facility to be located in the rear of the property. The storm water pond would handle the storm water from the additional impervious surface. Engineering staff would continue to work with the applicant to develop storm water maintenance and custom grading agreements for approval at a later date. Both Planning staff and the Planning Commission recommended approval of the requests.

Councilmember Piekarski Krech questioned if the storm water pond would be able to handle all of the runoff from the steep lots.

Larry Skow, 2143 94th Court, responded in the affirmative. He noted that was one of the reasons he requested the additional impervious surface.

Mr. Link noted the pond was designed for the additional 5,000 square feet.

Mayor Tourville asked the applicant if he agreed with the conditions of approval.

Mr. Skow replied in the affirmative.

Motion by Madden, second by Piekarski Krech, to approve an Amendment to the Development Contract for Shamrock Oaks to allow more than 5,000 Square Feet of Impervious Surface for Lot 2, Block 1, Shamrock Oaks and to adopt Resolution No. 13-146, an Amendment to Resolution No. 06-61 Approving the Preliminary Plat for Shamrock Oaks to allow more than 5,000 Square Feet of Impervious Surface for Lot 2, Block 1, Shamrock Oaks

Ayes: 5

Nays: 0 Motion carried.

D. RICHARD LAMETTRY; Consider Resolution and other related documents pertaining to a Conditional Use Permit to allow an Automobile and Off Highway Vehicles Sales Lot for property located at 4700 South Robert Trail

Mr. Link reviewed the location of the property. The applicant proposed to relocate his existing business to the new site. The applicant would renovate the existing building, add 600 square feet to the front of the

building, and expand the parking lot. The access to the site would not change. The proposal met the conditional use permit criteria. The Engineering department worked with the applicant on the storm water and grading plans. Both Planning staff and the Planning Commission recommended approval of the request.

Councilmember Piekarski Krech questioned where the applicant's existing business was located.

Richard Lamettry, applicant, stated his existing business was located at 10 Mendota Road.

Councilmember Bartholomew questioned if staff felt confident that all existing storm water issues on the site had been addressed.

Mr. Thureen stated the applicant submitted a design that was beyond what would normally be required.

Mr. Kaldunski explained the applicant would construct an infiltration basin that would infiltrate the first one inch of runoff and capture 60% of the rainfall in a given year. This would significantly reduce the amount of water that ends up in the pond. The developer also proposed the installation of a series of large diameter pipes surrounded by gravel to help promote additional infiltration into the soil. The City's design criteria required the developer to build the infiltration basin and storage basin to treat 100% of the new runoff created by the additional impervious surface. He noted the developer designed a system that would capture the majority of the runoff from the site and reduce the amount of runoff from the existing impervious surface.

Councilmember Madden questioned what would happen if the terms of the various agreements were not met.

Mr. Kuntz explained commercial projects typically involve improvement and storm water maintenance agreements. This application also involved an encroachment agreement. The improvement agreement outlines and itemizes the improvements and a cost estimate of what it will cost to construct the improvements. The developer escrows with the City 125% of the estimated costs via a letter of credit. The letter of credit is not discharged unless the City Engineering and Inspections departments agree that the improvements have been constructed according to the approved plans. If the improvements are not constructed in accordance with the plans, the letter of credit can be drawn upon and the City can install the improvement to ensure that the system works. The storm water maintenance agreement places on the owner the ongoing and perpetual obligation to maintain those facilities. The City obtains from the landowner an operations and maintenance manual, along with an annual report to the engineering department outlining any deficiencies that were observed during the year. If the developer does not meet the maintenance standards, the City can perform the obligations and charge the landowner to recoup the costs.

Mayor Tourville asked the applicant to discuss his timing schedule.

Mr. Lamettry stated the purchase agreement provides the current tenant with six (6) weeks to vacate the property. During that period he would be allowed to begin construction of the storm water improvements. Remodeling of the building would begin after the six (6) week time period had elapsed.

Motion by Piekarski Krech, second by Mueller, to adopt Resolution No. 13-147 and other related documents pertaining to a Conditional Use Permit to allow an Automobile and Off Highway Vehicle Sales Lot for property located at 4700 South Robert Trail

Ayes: 5

Nays: 0 Motion carried.

PUBLIC WORKS:

E. CITY OF INVER GROVE HEIGHTS; Approve Resolution Terminating the Joint Powers Agreement for the Gun Club Lake Watershed Management Organization

Mr. Thureen explained watershed management organizations review and approve cities' water resources and management plans. Inver Grove Heights is covered by two (2) watershed management organizations. One of the three member cities of the Gun Club Lake Watershed Management

Organization, Mendota Heights, requested that action be taken that would allow them to move the land area in the Gun Club Lake WMO into the Lower Mississippi River WMO. After review, each of the remaining member cities (Inver Grove Heights and Eagan) and the Board of Water and Soil Resources supported the request to terminate the joint powers agreement. A new joint powers agreement would be drafted between Eagan and Inver Grove Heights for membership in the Gun Club Lake WMO. The impact would be a slight increase in dues for the Gun Club Lake WMO and a decrease in the dues for the Lower Mississippi River WMO. He noted the dues were paid through the storm water utility.

Mayor Tourville questioned what would happen if Eagan did not agree to terminate the agreement.

Mr. Thureen stated termination of the joint powers agreement only required approval of 2/3 of the member cities. Mendota Heights already approved the termination and Eagan was prepared to take similar action.

Mayor Tourville stated 90% of the watershed was located in Eagan.

Motion by Madden, second by Piekarski Krech, to adopt Resolution No. 13-148 Terminating the Joint Powers Agreement for the Gun Club Lake Watershed Management Organization

Ayes: 5

Nays: 0 Motion carried.

ADMINISTRATION:

F. CITY OF INVER GROVE HEIGHTS; Resolution Approving Agreement with the Dakota County Community Development Agency Regarding Bank Qualified Bonds

Ms. Smith explained the Dakota County Community Development Agency recently inquired if the City would be willing to allocate a portion of its bank qualification to the CDA. The request was made because Dakota County is slated to issue more than \$10 million in tax exempt bonds in 2013, putting them over the established threshold for a calendar year. The CDA requested that the City allocate \$3 million of its bank qualification. She noted the City has not and does not intend to issue any bonds in 2013, so the full allocation is available. If approved, the allocation would not affect the City's bond rating or taxing authority, and the City would assume no liability. The City's bond counsel reviewed the proposed agreement and supported the request. The biggest benefit for the CDA would be the ability to issue bonds at a reduced interest rate.

Mayor Tourville noted this request was directly related to the senior housing project in Inver Grove Heights. He clarified that if the CDA had to issue bonds at a higher interest rate the overall cost of the project would increase.

Ms. Smith responded in the affirmative.

Councilmember Madden questioned why the CDA needed to use the City for their bond issue.

Mr. Lynch explained the County would use the City's bank qualification/tax exempt status to issue bonds at a lower interest rate. He reiterated the City had not issued any bonds in 2013 and did not intend to do so.

Councilmember Madden clarified the only impact to the City would be a reduction in the amount available if the City did need to issue bonds.

Mr. Lynch stated if the City encountered an emergency situation whereby bonds needed to be issued prior to the end of the year, the City would only have \$7 million of its bank qualification available. He noted that scenario was extremely unlikely to occur at this late point in the year.

Motion by Piekarski Krech, second by Madden, to adopt Resolution No. 13-149 approving Agreement with the Dakota County Community Development Agency Regarding Bank Qualified Bonds

Ayes: 5

Nays: 0 Motion carried.

G. CITY OF INVER GROVE HEIGHTS; First Reading of Ordinance Amending Title 5, Chapters 3-7, Regulations on Registration of Installers of Alarm Systems

Lieutenant Folmar explained the Police Department reviewed this section of the City Code and determined they had not been retaining the information outlined in the ordinance for a number of years. He stated because of the information collected with the subscriber's permit, there is no longer a need for the regulations set forth in this section of the code.

Motion by Madden, second by Piekarski Krech, to adopt Ordinance No. 1270 Amending Title 5, Chapters 3-7, Regulations on Registration of Installers of Alarm Systems and to suspend the requirement for three (3) readings of the ordinance

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR & COUNCIL COMMENTS:

Councilmember Piekarski Krech stated the Fire Department Open House was a fun, successful event.

Mayor Tourville stated it was a full week of events for National Fire Prevention Week.

9. EXECUTIVE SESSION:

A. Property Acquisition

Mayor Tourville stated no action would be taken during the executive session. The only item to be discussed would be an update on property acquisitions.

10. ADJOURN: Motion by Madden, second by Piekarski Krech, to adjourn. The meeting was adjourned by a unanimous vote at 8:28 p.m.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: October 28, 2013
 Item Type: Consent
 Contact: Kristi Smith 651-450-2521
 Prepared by: Bill Schroepfer, Accountant
 Reviewed by: N/A

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 the attached resolution approving disbursements for the period of October 10, 2013 to October 23, 2013.

SUMMARY

Shown below is a listing of the disbursements for the various funds for the period ending October 23, 2013. The detail of these disbursements is attached to this memo.

General & Special Revenue	\$422,187.71
Debt Service & Capital Projects	237,014.31
Enterprise & Internal Service	131,378.10
Escrows	18,412.53
	<hr/>
Grand Total for All Funds	<u><u>\$808,992.65</u></u>

If you have any questions about any of the disbursements on the list, please call Kristi Smith, Finance Director at 651-450-2521.

Attached to this summary for your action is a resolution approving the disbursements for the period October 10, 2013 to October 23, 2013 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

**RESOLUTION APPROVING DISBURSEMENTS FOR THE
PERIOD ENDING October 23, 2013**

WHEREAS, a list of disbursements for the period ending October 23, 2013 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	\$422,187.71
Debt Service & Capital Projects	237,014.31
Enterprise & Internal Service	131,378.10
Escrows	18,412.53
Grand Total for All Funds	<u><u>\$808,992.65</u></u>

Adopted by the City Council of Inver Grove Heights this 28th day of October, 2013.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk



Expense Approval Report

By Fund

Payment Dates 10/10/2013 - 10/23/2013

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ACE PAINT & HARDWARE	517645/5	10/23/2013	501126	101.43.5200.443.60016	32.05
ACE PAINT & HARDWARE	517575/5	10/16/2013	501126	101.44.6000.451.60065	8.10
ACE PAINT & HARDWARE	517610/5	10/16/2013	501126	101.44.6000.451.40047	4.26
ACE PAINT & HARDWARE	517388/5	10/16/2013	501126	101.44.6000.451.60065	8.54
AFSCME COUNCIL 5	INV0023980	10/18/2013	UNION DUES (AFSCME FAIR SHARE)	101.203.2031000	28.48
AFSCME COUNCIL 5	INV0023981	10/18/2013	UNION DUES (AFSCME FULL SHARE)	101.203.2031000	752.02
AFSCME COUNCIL 5	INV0023982	10/18/2013	UNION DUES (AFSCME FULL SHARE-PT)	101.203.2031000	74.25
AMAZON.COM	9/18/13 A	10/18/2013	ELAN CC 10/18/13	101.42.4200.423.60018	6.34
AMAZON.COM	9/18/13	10/18/2013	ELAN CC 10/18/13	101.42.4200.423.60018	6.30
AMAZON.COM	9/27/13	10/18/2013	ELAN CC 10/18/13	101.42.4200.423.60018	15.73
AMAZON.COM	9/28/13	10/18/2013	ELAN CC 10/18/13	101.42.4200.423.60018	51.48
AMAZON.COM	9/7/13	10/18/2013	ELAN CC 10/18/13	101.42.4200.423.60018	76.92
AT&T ST. PAUL	2872377109X10122013	10/16/2013	287237771092	101.41.1000.413.50020	77.79
AT&T ST. PAUL	2872377109X10122013	10/16/2013	287237771092	101.43.5200.443.50020	30.93
BARNA, GUZY, & STEFFEN LTD	9/30/13	10/16/2013	122429	101.41.1100.413.30430	225.00
BERGUM, ERIC	10/13/13	10/23/2013	10/13/13	101.42.4200.423.60065	40.34
BITUMINOUS ROADWAYS, INC.	21521	10/16/2013	35265	101.43.5200.443.40046	116.15
BROWNELLS	9/12/13	10/18/2013	ELAN CC 10/18/13	101.42.4000.421.60018	14.99
BROWNELLS	9/4/13	10/18/2013	ELAN CC 10/18/13	101.42.4000.421.60018	30.93
CA DEPT OF CHILD SUPPORT SERVICES	INV0023938	10/18/2013	MIGUEL GUADALAJARA FEIN/TAXPAYER ID:	101.203.2032100	279.69
CENTURY LINK	9/22/13 A	10/16/2013	6514575524 959	101.44.6000.451.50020	65.31
CENTURY LINK	9/22/13	10/16/2013	6514574184746	101.44.6000.451.50020	58.94
CITY OF SAINT PAUL	129325	10/23/2013	RADIO SVC SEPT 2013	101.42.4000.421.40042	32.50
CROWN TROPHY	9/11/13	10/18/2013	ELAN CC 10/18/13	101.42.4000.421.60065	43.87
CUB FOODS	9/25/13	10/18/2013	ELAN CC 10/18/13	101.41.1100.413.50075	41.98
CUB FOODS	9/4/13	09/04/2013	ELAN CC 10/18/13	101.42.4000.421.50075	33.95
DAJ ENTERPRISES LLC	1817	10/16/2013	10/7/13	101.44.6000.451.60065	360.00
DAKOTA COMMUNICATIONS CENTER	IG2013-11	10/23/2013	NOV. 2013	101.42.4000.421.70502	38,846.70
DAKOTA COMMUNICATIONS CENTER	IG2013-11	10/23/2013	NOV. 2013	101.42.4200.423.70501	4,316.30
DAKOTA CTY FINANCIAL SVCS	10/4/13	10/16/2013	P0001753	101.44.6000.451.70501	12,760.80
DAKOTA CTY FINANCIAL SVCS	00008076	10/16/2013	P0001753	101.43.5400.445.40020	543.62
DAKOTA ELECTRIC ASSN	10/3/13 109394-7	10/16/2013	109394-7	101.43.5400.445.40020	1,243.30
DAKOTA ELECTRIC ASSN	9/26/13 246837-9	10/16/2013	246837-9	101.44.6000.451.40020	3,912.68
DAKOTA ELECTRIC ASSN	9/26/13 250165-8	10/16/2013	250165-8	101.44.6000.451.40020	735.86
DAKOTA ELECTRIC ASSN	9/26/13 393563-2	10/16/2013	393563-2	101.44.6000.451.40020	293.14
DAKOTA ELECTRIC ASSN	9/26/13 426713-4	10/16/2013	426713-4	101.43.5400.445.40020	73.96
DAKOTA ELECTRIC ASSN	9/26/13 443054-2	10/16/2013	443054-2	101.44.6000.451.40020	11.07
DATA FLOW	70391	10/23/2013	S-TAX	101.41.2000.415.50030	91.98
DPMS PANTHER ARMS	9/3/13	10/18/2013	ELAN CC 10/18/13	101.42.4000.421.60018	55.65
EFTPS	INV0023984	10/18/2013	FEDERAL WITHHOLDING	101.203.2030200	39,359.40
EFTPS	INV0023986	10/18/2013	MEDICARE WITHHOLDING	101.203.2030500	11,243.02
EFTPS	INV0023987	10/18/2013	SOCIAL SECURITY WITHHOLDING	101.203.2030400	35,257.36
EFTPS	INV0023989	10/18/2013	FEDERAL WITHHOLDING	101.203.2030200	1,233.78
EFTPS	INV0023991	10/18/2013	MEDICARE WITHHOLDING	101.203.2030500	161.30
EFTPS	INV0023992	10/18/2013	SOCIAL SECURITY WITHHOLDING	101.203.2030400	689.72
EHLERS AND ASSOCIATES, INC.	346988	10/16/2013	CAPTIVOL IMPROVEMENT PLAN, CONCORD M	101.45.3200.419.30600	250.00
FERRELLGAS	10/7/13	10/16/2013	7754787	101.43.5200.443.60016	107.80
FORGET ME NOT FLORIST	9/13/13	10/18/2013	ELAN CC 10/18/13	101.42.4000.421.60065	75.23
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0023978	10/18/2013	HSA ELECTION-SINGLE	101.203.2032500	2,700.21
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0023979	10/18/2013	HSA ELECTION-FAMILY	101.203.2032500	3,828.10
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	101.41.1100.413.30550	0.90
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	101.41.2000.415.30550	1.75
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	101.42.4000.421.30550	10.80
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	101.43.5000.441.30550	0.90
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	101.43.5100.442.30550	2.70
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	101.44.6000.451.30550	1.19
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	101.45.3300.419.30550	1.80
HELENA CHEMICAL COMPANY	134723247	10/16/2013	3248131	101.44.6000.451.60065	378.26
ICMA RETIREMENT TRUST - 457	INV0023939	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	150.00
ICMA RETIREMENT TRUST - 457	INV0023940	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	286.57
ICMA RETIREMENT TRUST - 457	INV0023941	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	225.00
ICMA RETIREMENT TRUST - 457	INV0023942	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	558.42
ICMA RETIREMENT TRUST - 457	INV0023943	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	175.00
ICMA RETIREMENT TRUST - 457	INV0023944	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	458.35
ICMA RETIREMENT TRUST - 457	INV0023945	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	815.00
ICMA RETIREMENT TRUST - 457	INV0023946	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	118.44
ICMA RETIREMENT TRUST - 457	INV0023947	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	250.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ICMA RETIREMENT TRUST - 457	INV0023948	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	772.15
ICMA RETIREMENT TRUST - 457	INV0023949	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	75.00
ICMA RETIREMENT TRUST - 457	INV0023950	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	260.10
ICMA RETIREMENT TRUST - 457	INV0023951	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	900.00
ICMA RETIREMENT TRUST - 457	INV0023952	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	123.41
ICMA RETIREMENT TRUST - 457	INV0023953	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	40.00
ICMA RETIREMENT TRUST - 457	INV0023954	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	385.33
ICMA RETIREMENT TRUST - 457	INV0023955	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	590.00
ICMA RETIREMENT TRUST - 457	INV0023956	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	450.93
ICMA RETIREMENT TRUST - 457	INV0023957	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	500.00
ICMA RETIREMENT TRUST - 457	INV0023958	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	301.00
ICMA RETIREMENT TRUST - 457	INV0023959	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	125.00
ICMA RETIREMENT TRUST - 457	INV0023960	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	37.76
ICMA RETIREMENT TRUST - 457	INV0023961	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	475.00
ICMA RETIREMENT TRUST - 457	INV0023962	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	148.05
ICMA RETIREMENT TRUST - 457	INV0023963	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	25.00
ICMA RETIREMENT TRUST - 457	INV0023964	10/18/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	65.81
ICMA RETIREMENT TRUST - 457	INV0023965	10/18/2013	ICMA (AGE 50 & OVER)	101.203.2031400	338.23
ICMA RETIREMENT TRUST - 457	INV0023966	10/18/2013	ICMA (AGE 50 & OVER)	101.203.2031400	150.00
ICMA RETIREMENT TRUST - 457	INV0023967	10/18/2013	ICMA (AGE 50 & OVER)	101.203.2031400	641.18
ICMA RETIREMENT TRUST - 457	INV0023968	10/18/2013	ICMA (AGE 50 & OVER)	101.203.2031400	4,771.48
ICMA RETIREMENT TRUST - 457	INV0023969	10/18/2013	ICMA (EMPLOYER SHARE ADMIN)	101.203.2031400	72.23
ICMA RETIREMENT TRUST - 457	INV0023977	10/18/2013	ROTH IRA (AGE 49 & UNDER)	101.203.2032400	532.70
ING DIRECT	INV0023988	10/18/2013	MSRS-HCSP	101.203.2032200	13,715.74
LANGUAGE LINE SERVICES	3244885	10/23/2013	9020909043	101.42.4000.421.50020	163.94
LARSON COMPANIES	9/3/13	09/03/2013	ELAN CC 10/18/13	101.42.4200.423.60011	64.28
LEAGUE OF MN CITIES	192155	10/23/2013	JESSICA BILLMEYER	101.42.4000.421.50080	30.00
LEVANDER, GILLEN & MILLER P.A.	9/30/13	10/23/2013	92000E	101.42.4000.421.30410	19,180.26
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	101.41.1000.413.30401	360.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	101.41.1000.413.30420	4,882.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	101.43.5000.441.30420	40.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	101.43.5100.442.30420	2,814.74
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	101.44.6000.451.30420	1,388.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	101.45.3200.419.30420	168.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	101.45.3200.419.30420	2,211.09
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	101.45.3300.419.30420	88.00
LOCAL GOVERNMENT INFORMATION SYST	37412	10/23/2013	9/30/13	101.42.4200.423.30700	108.00
METROPOLITAN COUNCIL	594	10/16/2013	SEPT 2013	101.41.0000.3414000	(267.85)
MIKE'S SHOE REPAIR, INC.	1092013	10/23/2013	10/15/13	101.42.4200.423.30700	71.00
MINNESOTA DEPARTMENT OF HUMAN SEF	INV0023936	10/18/2013	RICK JACKSON FEIN/TAXPAYER ID: 4160052!	101.203.2032100	318.41
MINNESOTA DEPARTMENT OF HUMAN SEF	INV0023937	10/18/2013	JUSTIN PARRANTO FEIN/TAXPAYER ID: 4160	101.203.2032100	484.54
MN COUNTY ATTORNEYS ASSOCIATION	9/9/13	10/18/2013	ELAN CC 10/18/13	101.42.4000.421.60065	42.86
MN DEPT OF REVENUE	INV0023985	10/18/2013	STATE WITHHOLDING	101.203.2030300	16,754.82
MN DEPT OF REVENUE	INV0023990	10/18/2013	STATE WITHHOLDING	101.203.2030300	377.82
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.207.2070300	(0.33)
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.207.2070300	93.01
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.42.4000.421.60018	3.16
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.42.4200.423.60018	0.43
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.42.4200.423.60018	0.44
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.42.4200.423.60018	1.08
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.42.4200.423.60018	3.54
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.42.4200.423.60018	3.98
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.42.4200.423.60018	8.00
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.42.4200.423.60018	5.29
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.42.4200.423.60018	1.99
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.44.6000.451.60065	45.19
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.44.6000.451.60065	49.57
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	101.44.6000.451.60065	32.91
MN FALL EXPO	10/12/13	10/23/2013	LISSA	101.43.5200.443.50080	200.00
MTI DISTRIBUTING CO	933061-00	10/16/2013	91180	101.44.6000.451.40047	8.28
MTI DISTRIBUTING CO	930843-00	10/16/2013	91180	101.44.6000.451.40047	371.93
NATURE CALLS, INC.	20364	10/16/2013	8/31/13	101.44.6000.451.40065	1,615.95
NATURE CALLS, INC.	20365	10/16/2013	9/30/13	101.44.6000.451.40065	1,977.19
O'REILLY AUTO PARTS	9/5/13	10/18/2013	ELAN CC 10/18/13	101.42.4200.423.40042	28.46
O'REILLY AUTO PARTS	9/6/13	10/18/2013	ELAN CC 10/18/13	101.42.4200.423.60065	6.85
O'REILLY AUTO PARTS	9/6/13 A	10/18/2013	ELAN CC 10/18/13	101.42.4200.423.60011	53.54
OTIS, JOSHUA M	10/4/13	10/16/2013	CAMERAS	101.42.4000.421.60040	2,800.91
OTTO LANDSCAPING, INC.	10/5/13	10/16/2013	10/5/13	101.44.6000.451.60066	475.00
PANERA BREAD	9/17/13 A	10/18/2013	ELAN CC 10/18/13	101.41.1100.413.50075	25.00
PANERA BREAD	9/17/13	10/18/2013	ELAN CC 10/18/13	101.41.1100.413.50075	152.70
PERA	INV0023970	10/18/2013	EMPLOYER SHARE (EXTRA PERA)	101.203.2030600	2,430.26
PERA	INV0023971	10/18/2013	EMPLOYER SHARE (PERA COORDINATED PI	101.203.2030600	15,189.06
PERA	INV0023972	10/18/2013	PERA COORDINATED PLAN	101.203.2030600	15,189.06
PERA	INV0023973	10/18/2013	EMPLOYER SHARE (PERA DEFINED PLAN)	101.203.2030600	57.69
PERA	INV0023974	10/18/2013	PERA DEFINED PLAN	101.203.2030600	57.69
PERA	INV0023975	10/18/2013	EMPLOYER SHARE (POLICE & FIRE PLAN)	101.203.2030600	15,544.85

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
PERA	INV0023976	10/18/2013	PERA POLICE & FIRE PLAN	101.203.2030600	10,363.29
SAFE KIDS WORLDWIDE	9/19/13	10/18/2013	ELAN CC 10/18/13	101.42.4000.421.50070	50.00
SAM'S CLUB	9/23/13 77150900535806	10/16/2013	7715090053580633	101.41.1100.413.50075	18.81
SCHADEGG, JEFFREY	10/22/13	10/23/2013	10/22/13	101.42.4200.423.60006	46.14
SCHADEGG, JEFFREY	10/22/13	10/23/2013	10/22/13	101.42.4200.423.60065	22.48
SPRINT	842483314-143	10/23/2013	842483314	101.41.1000.413.50020	71.66
SPRINT	842483314-143	10/23/2013	842483314	101.41.1100.413.50020	116.82
SPRINT	842483314-143	10/23/2013	842483314	101.41.1100.413.60040	780.18
SPRINT	842483314-143	10/23/2013	842483314	101.41.2000.415.50020	35.83
SPRINT	842483314-143	10/23/2013	842483314	101.42.4000.421.50020	1,165.43
SPRINT	842483314-143	10/23/2013	842483314	101.42.4000.421.60040	106.87
SPRINT	842483314-143	10/23/2013	842483314	101.42.4200.423.50020	649.63
SPRINT	842483314-143	10/23/2013	842483314	101.43.5000.441.50020	94.86
SPRINT	842483314-143	10/23/2013	842483314	101.43.5100.442.50020	293.44
SPRINT	842483314-143	10/23/2013	842483314	101.43.5200.443.50020	257.35
SPRINT	842483314-143	10/23/2013	842483314	101.44.6000.451.50020	519.31
SPRINT	842483314-143	10/23/2013	842483314	101.45.3000.419.50020	106.37
SPRINT	842483314-143	10/23/2013	842483314	101.45.3300.419.50020	211.08
ST CROIX RECREATION CO	17893	10/16/2013	PARKS	101.44.6000.451.60066	37.41
STANGER, LARRY	10/16/13	10/23/2013	10/16/13	101.42.4000.421.50075	22.31
TIMESAVER OFF SITE SECRETARIAL INC	M20064	10/16/2013	9/30/13	101.41.1100.413.30700	188.40
U OF M - CCE REGISTRATION	10/15/16	10/16/2013	SCOTT THUREEN 1301920	101.43.5000.441.50080	235.00
U OF M - CCE REGISTRATION	9/26/13	10/16/2013	9/26/13	101.43.5100.442.50080	470.00
UNIFIRST CORPORATION	090-0178483	10/23/2013	7940	101.43.5200.443.60045	34.48
UNIFIRST CORPORATION	090-0178483	10/23/2013	7940	101.44.6000.451.60045	25.41
UNIFORMS UNLIMITED	178587	10/23/2013	114866	101.42.4000.421.60045	141.99
UNITED WAY	INV0023983	10/18/2013	UNITED WAY	101.203.2031300	105.00
XCEL ENERGY	382183708	10/18/2013	51-6431857-4	101.42.4200.423.40010	237.63
XCEL ENERGY	382183708	10/18/2013	51-6431857-4	101.42.4200.423.40020	2,351.48
XCEL ENERGY	384490898 A	10/18/2013	51-7094669-1	101.43.5400.445.40020	89.32
XCEL ENERGY	385047163 A	10/18/2013	51-9782436-1	101.43.5400.445.40020	150.25
XCEL ENERGY	385645720 A	10/18/2013	51-5279113-0	101.43.5200.443.40020	319.17
XCEL ENERGY	385645720 A	10/18/2013	51-5279113-0	101.43.5400.445.40020	11,434.07
XCEL ENERGY	385699217 A	10/18/2013	51-8849473-7	101.43.5400.445.40020	67.43
XCEL ENERGY	385846580 A	10/23/2013	51-6431857-4	101.42.4200.423.40010	236.51
XCEL ENERGY	385846580 A	10/23/2013	51-6431857-4	101.42.4200.423.40020	2,415.40
XCEL ENERGY	386566422	10/23/2013	51-5285446-3	101.42.4000.421.40042	45.10
XCEL ENERGY	380675881A	10/23/2013	5-9359857-3	101.43.5400.445.40020	302.39
XCEL ENERGY	380632868 A	10/23/2013	51-6025596-7	101.43.5400.445.40020	41.98
XCEL ENERGY	380664584 A	10/23/2013	51-8394358-2	101.43.5400.445.40020	40.78
Fund: 101 - GENERAL FUND					328,852.65
ENSEMBLE CREATIVE & MARKETING	IGH100713	10/16/2013	CONV & VISITORS BUREAU CAMPAIGN 2013	201.44.1600.465.50025	4,107.59
RIVER HEIGHTS CHAMBER OF COMMERCE	3633	10/16/2013	ADMIN SVC SEPT 2013	201.44.1600.465.30700	1,666.65
RIVER HEIGHTS CHAMBER OF COMMERCE	3633	10/16/2013	ADMIN SVC SEPT 2013	201.44.1600.465.40065	200.00
RIVER HEIGHTS CHAMBER OF COMMERCE	3598	10/16/2013	9/25/13	201.44.1600.465.50020	100.00
Fund: 201 - C.V.B. FUND					6,074.24
BSN SPORTS	95614192	10/23/2013	5012989	204.44.6100.452.60009	288.56
CORNER STORE, THE	9/18/13	10/18/2013	ELAN CC 10/18/13	204.44.6100.452.60009	4.99
COSTUME CHARACTERS	10/8/13	10/16/2013	10/8/13	204.44.6100.452.30700	120.00
CUB FOODS	9/18/13	10/18/2013	ELAN CC 10/18/13	204.44.6100.452.60009	21.18
FAIRVIEW HEALTH SERVICES	9/7/13	10/18/2013	ELAN CC 10/18/13	204.44.6100.452.60009	6.00
FOREMOST PROMOTIONS	9/17/13	10/18/2013	ELAN CC 10/18/13	204.44.6100.452.60009	198.00
FOREMOST PROMOTIONS	9/17/13	10/18/2013	ELAN CC 10/18/13	204.44.6100.452.60040	335.25
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	204.44.6100.452.30550	0.38
IGH SOFTBALL FEDERATION	10/7/13	10/16/2013	10/7/13	204.44.0000.3471000	850.00
JERSEYS BAR & GRILL	9/6/13 A	10/18/2013	ELAN CC 10/18/13	204.44.6100.452.60009	20.00
JERSEYS BAR & GRILL	9/6/13	10/18/2013	ELAN CC 10/18/13	204.44.6100.452.60009	20.00
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	204.207.2070300	361.77
ROBERT BEALKE INDUSTRIES	7/21/13	10/16/2013	7/21/13	204.44.6100.452.30700	225.00
SOUTH ST PAUL UMPIRES ASSOC	9/10/13 A	10/23/2013	FINAL BILLING	204.44.6100.452.30700	336.00
SPRINT	842483314-143	10/23/2013	842483314	204.44.6100.452.50020	85.04
TOTAL ENTERTAINMENT/KIDSDANCE PROJ	1569 A	10/23/2013	HALLOWEEN EVENT	204.44.6100.452.30700	200.00
TOTAL ENTERTAINMENT/KIDSDANCE PROJ	1569	10/16/2013	10/9/13	204.44.6100.452.30700	100.00
TWIN CITIES INFLATABLES, INC.	10/16/13	10/23/2013	10/16/13	204.44.6100.452.40065	203.06
Fund: 204 - RECREATION FUND					3,375.23

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ACE PAINT & HARDWARE	517694/5	10/23/2013	501126	205.44.6200.453.60016	19.22
ACE PAINT & HARDWARE	517694/5	10/23/2013	501126	205.44.6200.453.60016	19.21
ACE PAINT & HARDWARE	517604/5	10/16/2013	501126	205.44.6200.453.60016	26.68
AMERICAN RED CROSS OF ST PAUL	9/20/13 A	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60018	38.00
AMERICAN RED CROSS OF ST PAUL	9/20/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60018	135.00
BECKER ARENA PRODUCTS, INC.	00095829	10/23/2013	INV000	205.44.6200.453.60040	1,629.78
COMMON SENSE BUILDING SERVICES, INC	32204	10/23/2013	10/15/13	205.44.6200.453.40040	7,233.14
CUB FOODS	9/10/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60065	65.44
CUB FOODS	CM0000521	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60065	(11.96)
CUB FOODS	9/28/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60065	48.05
FACEBOOK.COM	9/8/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.50025	30.00
FASTENAL COMPANY	MNTC6127600	10/16/2013	256016	205.44.6200.453.60016	234.38
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	205.44.6200.453.30550	3.78
GRAINGER	9266912188	10/23/2013	806460150	205.44.6200.453.60016	48.84
HAWKINS, INC.	3522747 RI	10/23/2013	108815	205.44.6200.453.60016	442.68
HAWKINS, INC.	3522747 RI	10/23/2013	108815	205.44.6200.453.60024	1,511.69
HAWKINS, INC.	3522748 RI	10/23/2013	108815	205.44.6200.453.60024	1,012.21
HILLYARD INC	600881767	10/23/2013	274069	205.44.6200.453.60011	8.39
HILLYARD INC	600883539	10/23/2013	274069	205.44.6200.453.60011	535.06
HOME DEPOT	9/02/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60040	10.60
HOME DEPOT	CM0000522	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60045	(10.60)
LAKESHORE LEARNING MATERIALS	9/9/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60065	65.34
MENARDS - WEST ST. PAUL	37129	10/16/2013	30170270	205.44.6200.453.60016	91.41
MENARDS - WEST ST. PAUL	9/19/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60065	40.51
M-F ATHLETIC	9/9/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60040	314.40
MILLS FLEET FARM	9/6/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.40042	25.55
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	205.207.2070300	6,531.05
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	205.44.6200.453.40040	8.94
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	205.44.6200.453.40042	4.47
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	205.44.6200.453.40042	100.71
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	205.44.6200.453.50070	2.06
NIHCA	3338	10/23/2013	12073	205.44.6200.453.50070	310.06
OFFICE MAX-IGH	9/17/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60065	41.23
PIONEER PRESS	0913414398	10/23/2013	414398	205.44.6200.453.50025	200.00
PLAY IT AGAIN SPORTS	9/8/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60040	7.86
RECREATION SUPPLY COMPANY	264472	10/16/2013	M09501	205.44.6200.453.60065	502.31
RUTTGER'S SUGAR LAKE LODGE	9/3/13	09/03/2013	ELAN CC 10/18/13	205.44.6200.453.50075	240.73
RUTTGER'S SUGAR LAKE LODGE	9/3/13	09/03/2013	ELAN CC 10/18/13	205.44.6200.453.50075	240.73
SCHOENFELDER RENOVATIONS, INC.	S2495	10/16/2013	P10752	205.44.6200.453.80200	27,488.00
SPRINT	842483314-143	10/23/2013	842483314	205.44.6200.453.50020	63.90
SPRINT	842483314-143	10/23/2013	842483314	205.44.6200.453.50020	88.50
SPRINT	842483314-143	10/23/2013	842483314	205.44.6200.453.50020	88.50
SPRINT	842483314-143	10/23/2013	842483314	205.44.6200.453.50020	25.86
TAHO SPORTSWEAR	13TF1951	10/16/2013	9/30/13	205.44.6200.453.60045	592.00
TARGET-IGH	9/3/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60016	11.77
WAL-MART - IGH	9/13/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.60040	24.32
ZUMPANO, VIC	9/21/13	10/18/2013	ELAN CC 10/18/13	205.44.6200.453.50070	30.00
Fund: 205 - COMMUNITY CENTER					50,169.80
CARL BOLANDER & SONS CO	7/18/13	10/16/2013	CONCORD BLVD DEMOS	290.45.3000.419.30700	33,715.00
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	290.45.3000.419.30550	0.79
Fund: 290 - EDA					33,715.79
FRIENDS OF THE MISSISSIPPI RIVER	10/3/13	10/16/2013	HABITAT REST. ROCK ISLAND SWING BRIDC	402.44.6000.451.30700	15,000.00
Fund: 402 - PARK ACQ. & DEV. FUND					15,000.00
METROPOLITAN COUNCIL	594	10/16/2013	SEPT 2013	404.217.2170000	26,785.00
Fund: 404 - SEWER CONNECTION FUND					26,785.00
EHLERS AND ASSOCIATES, INC.	346988	10/16/2013	CAPTIOL IMPROVEMENT PLAN, CONCORD M	405.57.9000.570.30150	1,283.84
Fund: 405 - NORTH SIDE WTR STOR. FAC.					1,283.84
DAKOTA CTY PROP TAXATION & RECORDS	10/14/13	10/14/2013	2ND 1/2 PROPERTY TAX PMT PID 20-18290-0	421.43.0000.3703000	625.01
Fund: 421 - 2001 IMPROVEMENT FUND					625.01
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	425.72.5900.725.30420	533.58
Fund: 425 - 2005 IMPROVEMENT FUND					533.58
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	428.72.5900.728.30420	238.00
Fund: 428 - 2008 IMPROVEMENT FUND					238.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	431.73.5900.731.30420	3,380.34
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	431.73.5900.731.30420	51.00
Fund: 431 - 2011 IMPROVEMENT FUND					3,431.34

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
MCNAMARA CONTRACTING INC	PAYMENT VOUCHER #	10/23/2013	PROJECT NO 2013-09C	440.74.5900.740.80300	161,645.69
Fund: 440 - PAVEMENT MANAGEMENT PROJ					161,645.69
LEAGUE OF MN CITIES	192344	10/16/2013	COALITION CONTRIBUTIONS	441.74.5900.741.30300	1,240.00
M & J SERVICES, LLC	524	10/16/2013	113474	441.74.5900.741.40066	2,970.00
Fund: 441 - STORM WATER MANAGEMENT					4,210.00
PINE BEND PAVING, INC.	4407	10/16/2013	GROVELAND PK	444.74.5900.744.40047	16,650.00
Fund: 444 - PARK CAPITAL REPLACEMENT					16,650.00
BARR ENGINEERING COMPANY	23190218.00-211	10/16/2013	5/18/13 - 7/12/13	451.75.5900.751.30700	893.50
Fund: 451 - HOST COMMUNITY FUND					893.50
EHLERS AND ASSOCIATES, INC.	346988	10/16/2013	CAPTIOL IMPROVEMENT PLAN, CONCORD M	452.57.9000.570.30150	1,283.33
Fund: 452 - SPRINGWOOD PONDS TIF#3-1					1,283.33
EHLERS AND ASSOCIATES, INC.	346988	10/16/2013	CAPTIOL IMPROVEMENT PLAN, CONCORD M	453.57.9000.570.30150	1,283.33
KENNEDY & GRAVEN	10/11/13	10/16/2013	116532	453.57.9000.570.30420	1,144.50
Fund: 453 - SE QUADRANT TIF DIST 4-1					2,427.83
CARIBOU COFFEE	9/9/13	10/18/2013	ELAN CC 10/18/13	454.43.5500.446.50075	25.69
FIRST-SHRED	9/19/13	10/18/2013	ELAN CC 10/18/13	454.43.5500.446.40025	601.80
J.R.'S APPLIANCE DISPOSAL, INC.	82115	10/18/2013	CLEANUP	454.43.5500.446.40025	1,334.70
JR'S APPLIANCE DISPOSAL	82295	10/23/2013	10/9/13	454.43.5500.446.40025	45.00
Fund: 454 - LANDFILL ABATEMENT					2,007.19
ACE PAINT & HARDWARE	517552/5	10/16/2013	501126	501.50.7100.512.60016	5.30
CITY OF BLOOMINGTON	8/30/13	10/16/2013	8-1-13 - 8-30-13	501.50.7100.512.30700	420.00
CUB FOODS	9/26/13	10/16/2013	9/26/13	501.50.7100.512.60016	34.25
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	501.50.7100.512.30550	2.58
GLASSING FLORIST	00335273	10/16/2013	00014099	501.50.7100.512.30700	81.94
HD SUPPLY WATERWORKS LTD	B578481	10/16/2013	099872	501.50.7100.512.75500	1,007.36
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	501.207.2070200	9,912.27
MWOA	10-4-13	10/11/2013	METRO SECTION MTG	501.50.7100.512.50080	40.00
SPRINT	842483314-143	10/23/2013	842483314	501.50.7100.512.50020	304.68
STANTEC CONSULTING SERVICES INC.	730075	10/16/2013	193802469	501.50.7100.512.30300	365.00
TOTAL TOOL	01920858	10/16/2013	10/7	501.50.7100.512.60016	664.15
WALKER LAWN CARE, INC.	4181	10/16/2013	NORTHSIDE WATER TOWER	501.50.7100.512.60016	143.21
WALKER LAWN CARE, INC.	4183	10/16/2013	WELL #9	501.50.7100.512.60016	398.64
WALKER LAWN CARE, INC.	4184	10/16/2013	WELL #7	501.50.7100.512.60016	50.23
WALKER LAWN CARE, INC.	4186	10/16/2013	WELL #4	501.50.7100.512.60016	89.78
WALKER LAWN CARE, INC.	4187	10/16/2013	COLLEGE TRAIL WATER TREATMENT	501.50.7100.512.60016	60.92
WALKER LAWN CARE, INC.	4188	10/16/2013	WELLS #4 & #6	501.50.7100.512.60016	99.39
WALKER LAWN CARE, INC.	4189	10/16/2013	WELL #3	501.50.7100.512.60016	91.91
WALKER LAWN CARE, INC.	4190	10/16/2013	ARBOR POINT WATER TOWER	501.50.7100.512.60016	123.98
XCEL ENERGY	385841228	10/18/2013	385841228	501.50.7100.512.40010	653.45
XCEL ENERGY	385841228	10/18/2013	385841228	501.50.7100.512.40020	27,450.10
Fund: 501 - WATER UTILITY FUND					41,999.14
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	502.51.7200.514.30550	1.86
ST CROIX TREE SERVICE	84095	10/16/2013	8/28/13	502.51.7200.514.40043	737.44
ST CROIX TREE SERVICE	84224	10/16/2013	8/29/13	502.51.7200.514.40043	106.88
XCEL ENERGY	385841228	10/18/2013	385841228	502.51.7200.514.40020	1,377.56
Fund: 502 - SEWER UTILITY FUND					2,223.74
ACE PAINT & HARDWARE	9-9-13	10/18/2013	ELAN CC 10/18/13	503.52.8500.526.60065	14.98
ARAMARK REFRESHMENT SERVICES	1091408	10/16/2013	48128	503.52.8300.524.76100	187.10
ARAMARK UNIFORM SERVICES	629-7851307	10/23/2013	792502342	503.52.8600.527.60045	31.77
ARAMARK UNIFORM SERVICES	629-7846744	10/23/2013	792502342	503.52.8600.527.60045	31.77
ARCTIC GLACIER, INC.	439328500	10/16/2013	1726134	503.52.8300.524.60065	132.48
BERGERSON-CASWELL INC	16405	10/23/2013	INVERWOOD	503.52.8600.527.60008	1,309.00
COPY RIGHT	10/7/13	10/16/2013	10/7/13	503.52.8000.521.50030	353.55
CROWN TROPHY - BLOOMINGTON	9/25/13	10/18/2013	Hello, Several weeks ago Patrick Sloan from our	503.52.8300.524.76050	29.98
CUB FOODS	9/23/13	10/18/2013	ELAN CC 10/18/13	503.52.8300.524.76050	3.98
CUB FOODS	9/26/13 A	10/18/2013	ELAN CC 10/18/13	503.52.8500.526.60065	8.72
DRAFT TECHNOLOGIES	101411304J	10/16/2013	10/14/13	503.52.8300.524.40042	50.00
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	503.52.8000.521.30550	1.22
GRANDMA'S BAKERY	388163	10/16/2013	24400	503.52.8300.524.76050	22.66
GRANDMA'S BAKERY	388471	10/16/2013	24400	503.52.8300.524.76050	22.64
GRANDMA'S BAKERY	388789	10/16/2013	2400	503.52.8300.524.76050	29.02
GRANDMA'S BAKERY	389061	10/16/2013	24400	503.52.8300.524.76050	25.83
GRANDMA'S BAKERY	389355	10/16/2013	24400	503.52.8300.524.76050	19.42
GRANDMA'S BAKERY	389649	10/16/2013	24400	503.52.8300.524.76050	19.43
GRANDMA'S BAKERY	390013	10/16/2013	24400	503.52.8300.524.76050	19.44
GRANDMA'S BAKERY	390621	10/23/2013	24400	503.52.8300.524.76050	22.66
GRANDMA'S BAKERY	390933	10/23/2013	24400	503.52.8300.524.76050	19.43
GRANDMA'S BAKERY	387827	10/16/2013	24400	503.52.8300.524.76050	22.59

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
HOME DEPOT	9/16/13	10/18/2013	ELAN CC 10/18/13	503.52.8500.526.60065	4.04
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	503.207.2070300	13,634.24
NATION'S RESTAURANT NEWS	9/28/13	10/23/2013	9/28/13	503.52.8500.526.50070	29.95
OFFICE MAX-IGH	9/20/13	10/18/2013	ELAN CC 10/18/13	503.52.8500.526.60010	17.44
SOUTH BAY DESIGN	10/8/13	10/16/2013	INVERWOOD	503.52.8500.526.50025	255.00
SPRINT	842483314-143	10/23/2013	842483314	503.52.8500.526.50020	122.64
TDS METROCOM	10/13/16	10/16/2013	6544573667	503.52.8500.526.50020	281.35
US FOODSERVICE	4084460	10/16/2013	03805983	503.52.8300.524.60065	94.10
US FOODSERVICE	4084460	10/16/2013	03805983	503.52.8300.524.76050	92.03
US FOODSERVICE	4221210	10/16/2013	10/16/13	503.52.8300.524.60065	200.92
US FOODSERVICE	4221210	10/16/2013	10/16/13	503.52.8300.524.76050	182.56
XCEL ENERGY	10/10/13	10/10/2013	REPLACEMENT FOR CK #204211	503.52.8600.527.40020	6,515.09
XCEL ENERGY	381493332 A	10/23/2013	51-5754364-1	503.52.8500.526.40010	67.41
XCEL ENERGY	381493332 A	10/23/2013	51-5754364-1	503.52.8500.526.40020	1,700.51

Fund: 503 - INVER WOOD GOLF COURSE

25,574.95

GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	602.00.2100.415.30550	0.05
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Fund: 602 - RISK MANAGEMENT

0.05

ACE PAINT & HARDWARE	517680/5	10/23/2013	501126	603.00.5300.444.60012	22.43
ACE PAINT & HARDWARE	517545/5	10/16/2013	501126	603.00.5300.444.40041	22.02
ARROW PEST CONTROL	10/10/13	10/16/2013	10/10/13	603.00.5300.444.40040	72.85
BOYER TRUCKS - PARTS DISTRIBUTION	787463	10/16/2013	10/8/13	603.00.5300.444.40041	13.34
BOYER TRUCKS - PARTS DISTRIBUTION	780475	10/16/2013	9/17/13	603.00.5300.444.40041	491.43
CARQUEST OF MSP-ROSEMOUNT	1596-203096	10/16/2013	10/10/13	603.00.5300.444.40040	34.84
CARQUEST OF MSP-ROSEMOUNT	1596-203154	10/16/2013	10/11/13	603.00.5300.444.40041	288.39
CARQUEST OF MSP-ROSEMOUNT	1596-203241	10/23/2013	614420	603.00.5300.444.40041	242.51
CARQUEST OF MSP-ROSEMOUNT	1596-203241	10/23/2013	614420	603.140.1450050	20.40
CARQUEST OF MSP-ROSEMOUNT	1596-203246	10/23/2013	614420	603.00.5300.444.40041	38.15
CARQUEST OF MSP-ROSEMOUNT	1596-203272	10/23/2013	614420	603.00.5300.444.40041	33.15
CARQUEST OF MSP-ROSEMOUNT	1596-203272	10/23/2013	614420	603.140.1450050	53.99
CARQUEST OF MSP-ROSEMOUNT	1596-203298	10/23/2013	614420	603.00.5300.444.40040	493.77
CARQUEST OF MSP-ROSEMOUNT	1596-203302	10/23/2013	61442220	603.00.5300.444.40040	45.70
CARQUEST OF MSP-ROSEMOUNT	1596-203319	10/23/2013	614420	603.140.1450050	69.83
CARQUEST OF MSP-ROSEMOUNT	1596-203329	10/23/2013	614420	603.00.5300.444.60012	18.78
CARQUEST OF MSP-ROSEMOUNT	1596-203329	10/23/2013	614420	603.140.1450050	77.67
CARQUEST OF MSP-ROSEMOUNT	1596-203336	10/23/2013	614420	603.140.1450050	27.57
CARQUEST OF MSP-ROSEMOUNT	1596-202959	10/16/2013	10/8/13	603.00.5300.444.40041	41.48
CARQUEST OF MSP-ROSEMOUNT	1596-203025	10/16/2013	10/9/13	603.00.5300.444.40041	4.65
CARQUEST OF MSP-ROSEMOUNT	1596-203027	10/16/2013	10/9/13	603.00.5300.444.60012	8.21
CARQUEST OF MSP-ROSEMOUNT	1596-202352	10/16/2013	614420	603.00.5300.444.40041	52.37
CARQUEST OF MSP-ROSEMOUNT	1596-202510	10/16/2013	9/30/13	603.00.5300.444.40041	36.28
CARQUEST OF MSP-ROSEMOUNT	1596-202519	10/16/2013	9/30/13	603.00.5300.444.40041	81.23
COMMON SENSE BUILDING SERVICES, INC	32204	10/23/2013	10/15/13	603.00.5300.444.40040	292.58
DOWNTOWNER DETAIL CENTER	00002-004109	10/16/2013	10/10/13	603.00.5300.444.40041	80.72
EHLERS AND ASSOCIATES, INC.	346988	10/16/2013	CAPTIOI IMPROVEMENT PLAN, CONCORD M	603.00.5300.444.70600	1,200.00
EMERGENCY APPARATUS MAINTENANCE	10/2/13 A	10/16/2013	70528	603.00.5300.444.40041	436.68
EMERGENCY APPARATUS MAINTENANCE	10/2/13 B	10/16/2013	70530	603.00.5300.444.40041	1,390.52
EMERGENCY APPARATUS MAINTENANCE	10/2/13 D	10/16/2013	70526	603.00.5300.444.40041	1,021.31
EMERGENCY APPARATUS MAINTENANCE	10/2/13	10/16/2013	70529	603.00.5300.444.40041	1,014.96
EMERGENCY AUTOMOTIVE TECHNOLOGIE	AW1007 13-4	10/13/2013	INVER GROVE JTS CTY	603.00.5300.444.40041	92.98
EMERGENCY AUTOMOTIVE TECHNOLOGIE	CS091913-1	10/16/2013	IGH FIRE	603.00.5300.444.40041	1,421.20
FACTORY MOTOR PARTS COMPANY	1-4294018	10/23/2013	10799	603.00.5300.444.40041	278.45
FACTORY MOTOR PARTS COMPANY	1-4294049	10/23/2013	10799	603.00.5300.444.40041	403.63
FACTORY MOTOR PARTS COMPANY	1-4283931	10/02/2013	10799	603.00.5300.444.40041	(24.78)
FACTORY MOTOR PARTS COMPANY	CM0000517	10/16/2013	10799	603.00.5300.444.40041	(46.30)
FACTORY MOTOR PARTS COMPANY	1-4287539	10/16/2013	10799	603.140.1450050	61.39
FACTORY MOTOR PARTS COMPANY	1-4277760	10/09/2013	10799	603.00.5300.444.40041	(392.82)
FACTORY MOTOR PARTS COMPANY	1/4280647	10/09/2013	10799	603.00.5300.444.40041	(16.03)
FACTORY MOTOR PARTS COMPANY	1-4280030	10/09/2013	10799	603.00.5300.444.40041	46.30
FACTORY MOTOR PARTS COMPANY	1-4280198	10/09/2013	10799	603.00.5300.444.40041	27.97
FACTORY MOTOR PARTS COMPANY	1-4280646	10/09/2013	10799	603.00.5300.444.40041	(16.03)
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	603.00.5300.444.30550	0.90
HANCO CORPORATION	692573	10/16/2013	332660	603.00.5300.444.40041	16.45
INTERSTATE POWERSYSTEMS	R001081560:01	10/16/2013	13468	603.00.5300.444.40041	610.32
INVER GROVE FORD	5126183	10/16/2013	10/10	603.00.5300.444.40041	50.61
J H LARSON CO	S100498365.001	10/16/2013	29039	603.00.5300.444.40040	285.19
KIMBALL MIDWEST	3215705	10/23/2013	222006	603.00.5300.444.60012	275.22
KIMBALL MIDWEST	3215705	10/23/2013	222006	603.140.1450050	190.24
LARSON COMPANIES	B-232820077	10/16/2013	1464	603.140.1450050	283.37
LARSON COMPANIES	B-232820084	10/16/2013	14649	603.140.1450050	45.96
MACQUEEN EQUIPMENT INC	2134869	10/23/2013	SHOP	603.00.5300.444.40041	589.24
METROMATS	7462	10/16/2013	9/19/13	603.00.5300.444.40065	41.15
METROMATS	7323	10/16/2013	9/5/13	603.00.5300.444.40065	41.15
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	603.00.5300.444.60040	22.03
MN FALL EXPO	10/12/13	10/23/2013	LISSA	603.00.5300.444.50080	75.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
MN REVENUE	10/3/13	10/23/2013	10/3/13	603.00.5300.444.60021	177.84
MTI DISTRIBUTING CO	932351-00	10/16/2013	SHOP	603.00.5300.444.40041	134.21
PAUL'S AUTO & TIRE, INC.	61508	10/23/2013	10/14/13	603.00.5300.444.40041	77.00
PAUL'S AUTO & TIRE, INC.	61511	10/23/2013	10/14/13	603.00.5300.444.40041	77.00
POMP'S TIRE SERVICE, INC.	980003318	10/23/2013	4502557	603.140.1450050	1,142.26
POMP'S TIRE SERVICE, INC.	980003319	10/16/2013	4502557	603.00.5300.444.40041	266.46
POMP'S TIRE SERVICE, INC.	980003233	10/23/2013	450257	603.00.5300.444.60014	532.92
POMP'S TIRE SERVICE, INC.	980002794	10/16/2013	4502557	603.00.5300.444.40041	534.17
PUMP AND METER SERVICE INC	19828-20939SO	10/16/2013	494500	603.00.5300.444.40040	107.72
RDO EQUIPMENT COMPANY	P05782	10/16/2013	2556007	603.00.5300.444.40041	236.64
SPRINT	842483314-143	10/23/2013	842483314	603.00.5300.444.50020	98.76
UNIFIRST CORPORATION	090-0178483	10/23/2013	7940	603.00.5300.444.40065	73.25
UNIFIRST CORPORATION	090-0178483	10/23/2013	7940	603.00.5300.444.60045	43.84
WESTERN PETROLEUM COMPANY	97125541-41801	10/23/2013	112741	603.140.1450050	158.10
XCEL ENERGY	385645720 A	10/18/2013	51-5279113-0	603.00.5300.444.40010	70.25
XCEL ENERGY	385645720 A	10/18/2013	51-5279113-0	603.00.5300.444.40020	1,809.34
YOCUM OIL COMPANY, INC.	584791	10/23/2013	502860	603.140.1450060	6,232.00
YOCUM OIL COMPANY, INC.	585281	10/23/2013	502860	603.140.1450060	13,431.88
Fund: 603 - CENTRAL EQUIPMENT					37,294.24
COORDINATED BUSINESS SYSTEMS, LTD	238014682	10/16/2013	923425	604.00.2200.416.40050	218.71
US BANCORP EQUIPMENT FINANCE, INC.	237816673	10/16/2013	923425	604.00.2200.416.40050	4,568.28
Fund: 604 - CENTRAL STORES					4,786.99
ADVANCED GRAPHIX, INC.	188583	10/16/2013	LT. OTIS	605.00.7500.460.60065	171.00
COMMON SENSE BUILDING SERVICES, INC	32204	10/23/2013	10/15/13	605.00.7500.460.40040	3,717.55
CULLIGAN	9/30/13 157-98503022-8	10/16/2013	157-98503022-8	605.00.7500.460.60011	121.01
ELECTRIC FIRE & SECURITY	86877	10/16/2013	132198	605.00.7500.460.40040	264.61
HILLYARD INC	600878136	10/16/2013	274069	605.00.7500.460.60011	241.68
HORWITZ NS/I	W29528	10/16/2013	CTYOFIGH	605.00.7500.460.40040	279.50
HUEBSCH SERVICES	3149681	10/16/2013	100075	605.00.7500.460.40065	141.32
LONE OAK COMPANIES	10/23/13	10/23/2013	10/23/13	605.00.7500.460.50035	1,435.50
MAS COMMUNICATIONS	1390	10/16/2013	10/1/13	605.00.7500.460.40040	50.02
MINNESOTA ELEVATOR, INC	290858	10/16/2013	5395	605.00.7500.460.40040	232.60
SIMPLEXGRINNELL	69393930	10/16/2013	337-47859340	605.00.7500.460.40040	482.00
SLUMBERLAND	9/11/13	10/18/2013	ELAN CC 10/18/13	605.00.7500.460.60065	706.98
TRI-MARK TIMBER, LLC	1242	10/16/2013	90/313	605.00.7500.460.60016	1,763.44
USA MOBILITY WIRELESS INC	W0317493J	10/16/2013	0317493-5	605.00.7500.460.40065	9.84
XCEL ENERGY	385645720 A	10/18/2013	51-5279113-0	605.00.7500.460.40020	8,011.01
ZEE MEDICAL SERVICE	54183101	10/16/2013	POLICE	605.00.7500.460.60065	152.70
Fund: 605 - CITY FACILITIES					17,780.76
AT&T ST. PAUL	2872377109X10122013	10/16/2013	287237771092	606.00.1400.413.50020	25.93
GENESIS EMPLOYEE BENEFITS, INC	20783	10/23/2013	QTR FEE 3Q 2013	606.00.1400.413.30550	0.90
INTEGRA TELECOM	11317819	10/16/2013	887115	606.00.1400.413.50020	1,173.67
MN DEPT OF REVENUE	10/20/13	10/20/2013	SEPT 2013	606.00.1400.413.60065	13.20
OFFICE OF ENTERPRISE TECHNOLOGY	DV13090465	10/16/2013	200B00171	606.00.1400.413.30700	311.81
SPRINT	842483314-143	10/23/2013	842483314	606.00.1400.413.50020	85.85
SPRINT	842483314-143	10/23/2013	842483314	606.00.1400.413.60040	106.87
Fund: 606 - TECHNOLOGY FUND					1,718.23
CLERK OF COURT	201354337	10/21/2013	ANGELA HERNANDEZ	702.229.2291000	300.00
CULLIGAN	9/30/13 157-98473242-8	10/16/2013	157-98473242-8	702.229.2286300	65.09
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2283600	406.22
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2283701	44.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2284001	811.83
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2284400	44.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2284501	44.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2287101	165.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2289001	44.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2291000	128.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2291000	52.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2291000	16.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2291000	680.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2291701	87.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2292101	352.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2293701	270.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2296201	11.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2296601	541.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2297001	55.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2297601	5,139.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2297900	387.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2298101	44.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2298701	1,011.39
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2299701	55.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2300201	132.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2300601	352.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2301001	132.00
LEVANDER, GILLEN & MILLER P.A.	INV0023933	10/16/2013	81000E	702.229.2301201	187.00
ROBERT THOMAS HOMES	10/10/13	10/16/2013	7645 ADDISON CT	702.229.2299800	2,500.00
ROBERT THOMAS HOMES	10/16/13	10/16/2013	REFUND ERROR 7699 ADDISON CT	702.229.2299800	2,500.00
SANTANDER	2818122	10/23/2013	VEHICLE FORFEITURE 10-0979	702.229.2291000	357.00
STONE COTTAGE CONSTRUCTION, INC.	10/15/13	10/16/2013	REFUND ESCROW OVERPAYMENT 2386 96T	702.229.2300601	1,500.00
Fund: 702 - ESCROW FUND					18,412.53

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Certification of Delinquent Utility Bills

Meeting Date: October 28, 2013
 Item Type: Consent
 Contact: Cora Bauer 651-450-2520
 Prepared by: Cora Bauer, Accounting Tech.
 Reviewed by: Kristi Smith, Finance Director

ASND

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 resolution certifying delinquent unpaid water, sewer, and storm water charges to the County to be collected with the other taxes on the property.

SUMMARY

It is our standard practice to certify unpaid, delinquent utility bills to the County to be levied against the respective properties for collection in one year. The City's Administrative Code, Chapter XVIII, Section 3, subdivision B states that delinquent utility bills shall be certified to the County Auditor. Before such certification, delinquencies will be notified by mail of the amount due and the fact that the delinquency will be certified if not paid by October 10th. The certification shall include a charge of 8% of the delinquent bill to cover administrative handling, plus 8% interest on the unpaid balance.

Each delinquent account was mailed a notice stating that the amount unpaid would be certified to the County Auditor for collection with property taxes. The unpaid balance would have 8% added as interest and 8% added as an administrative handling fee.

The delinquent notices are in addition to reminder notices of unpaid balances mailed monthly throughout the entire year. This procedure is consistent with past years.

The total amount to be certified this year (which includes the 8% administrative charge and the 8% interest) is \$198,447 which is \$24,034 more than the last year.

In comparing this to prior years, we certified in 2012, \$174,413, 2011, \$190,739, in 2010, \$464,166, and in 2009, \$405,186.

Attached to this summary for your action is a resolution certifying unpaid delinquent water, sewer, and storm water charges to the County Auditor to be collected with other taxes on said property.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO.

**RESOLUTION CERTIFYING UNPAID DELINQUENT WATER, SEWER, AND STORM WATER
CHARGES TO THE COUNTY AUDITOR TO BE COLLECTED WITH OTHER TAXES ON
SAID PROPERTY**

WHEREAS, City of Inver Grove Heights ordinances establish rules, rates and charges for water and sewer services, and

WHEREAS, the City's Administrative Code Chapter XVIII, Section 3, subdivision B states that delinquent utility bills shall be certified each year to the County Auditor, and

WHEREAS, Minnesota Statutes 444.075 provides that all delinquent water, sewer, and storm water charges not paid may be certified to the County Auditor with the taxes on such property, and

WHEREAS, each delinquent utility bill has been sent a delinquent notice and intent to certify, and

WHEREAS, an assessment roll will be prepared specifying the amount to be certified against each specific property.

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

1. There is hereby determined to be a total uncollected amount of delinquent water and/or sewer charges of \$198,447.
2. That such amount is hereby certified to the County Auditor for collection with other taxes on said properties.
3. That a copy of this resolution, together with the assessment roll, be sent to the Dakota County Auditor.

Adopted by the City Council of Inver Grove Heights this 28th day of October 2013.

Ayes:

Nays:

ATTEST:

George Tourville, Mayor

Melissa Kennedy, Deputy Clerk

PID	Special Assessment #	Amount	Effective Year
200020050031	654	\$ 318.00	2013
200020051020	654	\$ 416.00	2013
200030028015	654	\$ 1,625.00	2013
200090002030	654	\$ 135.00	2013
200090002051	654	\$ 87.00	2013
200100051060	654	\$ 761.00	2013
200110030090	654	\$ 98.00	2013
200110054020	654	\$ 230.00	2013
200160027012	654	\$ 103.00	2013
200270027050	654	\$ 1,545.00	2013
200291077014	654	\$ 594.00	2013
200321075050	654	\$ 480.00	2013
200321076020	654	\$ 590.00	2013
200321077150	654	\$ 139.00	2013
200321080020	654	\$ 88.00	2013
200331083020	654	\$ 607.00	2013
200341050040	654	\$ 108.00	2013
200341053010	654	\$ 473.00	2013
200341053020	654	\$ 700.00	2013
201142003050	654	\$ 263.00	2013
201142003060	654	\$ 587.00	2013
201170001050	654	\$ 314.00	2013
201177501060	654	\$ 1,669.00	2013
201185201060	654	\$ 1,291.00	2013
201210101250	654	\$ 1,034.00	2013
201210101670	654	\$ 256.00	2013
201210201170	654	\$ 331.00	2013
201235002030	654	\$ 1,660.00	2013
201235003050	654	\$ 182.00	2013
201325001030	654	\$ 65.00	2013
201325001310	654	\$ 771.00	2013
201325002110	654	\$ 1,124.00	2013
201325002140	654	\$ 1,212.00	2013
201325101021	654	\$ 386.00	2013
201325101052	654	\$ 153.00	2013
201325101091	654	\$ 144.00	2013
201325101092	654	\$ 727.00	2013
201370001010	654	\$ 1,146.00	2013
201410001060	654	\$ 124.00	2013
201415001031	654	\$ 8,432.00	2013
201507001240	654	\$ 61.00	2013
201509501570	654	\$ 88.00	2013
201509501590	654	\$ 200.00	2013
201640001040	654	\$ 122.00	2013
201640001080	654	\$ 666.00	2013
201640002080	654	\$ 673.00	2013
201640002120	654	\$ 93.00	2013

201710005050	654	\$ 1,083.00	2013
201775006030	654	\$ 400.00	2013
201821002111	654	\$ 315.00	2013
201821002207	654	\$ 133.00	2013
201821002208	654	\$ 390.00	2013
201821002213	654	\$ 79.00	2013
201821201010	654	\$ 582.00	2013
201821207012	654	\$ 336.00	2013
201821207020	654	\$ 643.00	2013
201829101430	654	\$ 225.00	2013
201829101470	654	\$ 236.00	2013
201830001030	654	\$ 214.00	2013
201840401080	654	\$ 696.00	2013
201840402040	654	\$ 200.00	2013
201840406030	654	\$ 11.00	2013
201840503070	654	\$ 262.00	2013
201885001040	654	\$ 128.00	2013
201885001070	654	\$ 616.00	2013
201885003020	654	\$ 1,012.00	2013
201885003090	654	\$ 135.00	2013
201885003110	654	\$ 923.00	2013
201885003150	654	\$ 964.00	2013
201885102150	654	\$ 222.00	2013
201885103040	654	\$ 1,122.00	2013
201885103050	654	\$ 640.00	2013
201940001030	654	\$ 1,461.00	2013
202010001020	654	\$ 137.00	2013
202105001010	654	\$ 92.00	2013
202210001130	654	\$ 461.00	2013
202440001021	654	\$ 722.00	2013
202740001070	654	\$ 230.00	2013
202740003070	654	\$ 547.00	2013
202950001060	654	\$ 453.00	2013
203025001080	654	\$ 62.00	2013
203025001141	654	\$ 216.00	2013
203025001151	654	\$ 542.00	2013
203030001091	654	\$ 533.00	2013
203100003051	654	\$ 200.00	2013
203110002070	654	\$ 450.00	2013
203110002080	654	\$ 513.00	2013
203110002150	654	\$ 740.00	2013
203110003010	654	\$ 564.00	2013
203110102010	654	\$ 137.00	2013
203110102030	654	\$ 110.00	2013
203110102080	654	\$ 418.00	2013
203110103010	654	\$ 370.00	2013
203110103090	654	\$ 950.00	2013
203270001010	654	\$ 731.00	2013

203550001010	654	\$	224.00	2013
203550001020	654	\$	1,281.00	2013
203640001190	654	\$	122.00	2013
203640002130	654	\$	215.00	2013
203640004061	654	\$	320.00	2013
203640004311	654	\$	731.00	2013
203640004330	654	\$	409.00	2013
203640005060	654	\$	1,055.00	2013
203650005240	654	\$	101.00	2013
203650009250	654	\$	956.00	2013
203650010271	654	\$	619.00	2013
203650011201	654	\$	64.00	2013
203650011291	654	\$	668.00	2013
203650011301	654	\$	115.00	2013
203650013040	654	\$	627.00	2013
203650015111	654	\$	150.00	2013
203650016020	654	\$	405.00	2013
203650017070	654	\$	856.00	2013
203650018190	654	\$	306.00	2013
203650021110	654	\$	70.00	2013
203650023110	654	\$	644.00	2013
203650023130	654	\$	206.00	2013
203650033070	654	\$	135.00	2013
203652001040	654	\$	361.00	2013
203652001080	654	\$	533.00	2013
203652102160	654	\$	313.00	2013
203652103040	654	\$	115.00	2013
203652104020	654	\$	67.00	2013
203652104080	654	\$	760.00	2013
203652105020	654	\$	686.00	2013
203652106040	654	\$	105.00	2013
203652107060	654	\$	103.00	2013
203655005141	654	\$	344.00	2013
203655005270	654	\$	221.00	2013
203655006111	654	\$	749.00	2013
203655006231	654	\$	763.00	2013
203655006241	654	\$	137.00	2013
203655007302	654	\$	526.00	2013
203795001070	654	\$	65.00	2013
203870000220	654	\$	147.00	2013
203990000081	654	\$	422.00	2013
204250100010	654	\$	695.00	2013
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204310003050	654	\$	630.00	2013
204310102100	654	\$	968.00	2013
204310201010	654	\$	122.00	2013
204310301081	654	\$	613.00	2013
204325000190	654	\$	698.00	2013

204325102110	654	\$	118.00	2013
204325104070	654	\$	254.00	2013
204325104080	654	\$	483.00	2013
204325104170	654	\$	162.00	2013
204402507006	654	\$	113.00	2013
204402509001	654	\$	87.00	2013
204432517010	654	\$	70.00	2013
204435202010	654	\$	415.00	2013
204435213020	654	\$	72.00	2013
204435213030	654	\$	146.00	2013
204435213040	654	\$	67.00	2013
204435218010	654	\$	168.00	2013
204470003080	654	\$	1,122.00	2013
204737502050	654	\$	163.00	2013
204769501030	654	\$	782.00	2013
204860101130	654	\$	227.00	2013
204860101140	654	\$	364.00	2013
204860101170	654	\$	345.00	2013
204860202090	654	\$	551.00	2013
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204862501030	654	\$	367.00	2013
204862501050	654	\$	470.00	2013
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204862504030	654	\$	152.00	2013
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205035002100	654	\$	371.00	2013
205100001050	654	\$	305.00	2013
205100002080	654	\$	547.00	2013
205100101020	654	\$	338.00	2013
205100102010	654	\$	111.00	2013
205100102100	654	\$	195.00	2013
205353001061	654	\$	413.00	2013
205353003031	654	\$	314.00	2013
205360000170	654	\$	487.00	2013
205365102010	654	\$	317.00	2013
205365102030	654	\$	291.00	2013
205365103010	654	\$	1,161.00	2013
205365103030	654	\$	106.00	2013
205365105030	654	\$	710.00	2013
205365106030	654	\$	659.00	2013
205365107050	654	\$	58.00	2013
205365108040	654	\$	200.00	2013
205365110010	654	\$	725.00	2013
205365111040	654	\$	624.00	2013
205365112010	654	\$	7.00	2013
205365202030	654	\$	262.00	2013
205365206010	654	\$	583.00	2013
205365206020	654	\$	508.00	2013

205365206040	654	\$	300.00	2013
205365209010	654	\$	133.00	2013
205365213020	654	\$	93.00	2013
205365215010	654	\$	132.00	2013
205365222010	654	\$	314.00	2013
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205365227020	654	\$	530.00	2013
205365227040	654	\$	720.00	2013
205365229030	654	\$	82.00	2013
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205370002200	654	\$	146.00	2013
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205480001080	654	\$	223.00	2013
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205750001050	654	\$	138.00	2013
205850003120	654	\$	172.00	2013
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206407502210	654	\$	214.00	2013
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206450401102	654	\$	656.00	2013
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206450402130	654	\$	1,319.00	2013
206595101100	654	\$	837.00	2013
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206595102060	654	\$	1,011.00	2013
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206760101050	654	\$	136.00	2013
206760201010	654	\$	202.00	2013
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206820000072	654	\$	822.00	2013
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206930001020	654	\$	89.00	2013
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206930007080	654	\$	132.00	2013
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207115001140	654	\$	658.00	2013
207115002040	654	\$	641.00	2013
207115002130	654	\$	867.00	2013
207115003060	654	\$	367.00	2013
207115003110	654	\$	101.00	2013

207115005080	654	\$	793.00	2013
207115006040	654	\$	342.00	2013
207115006050	654	\$	517.00	2013
207115101282	654	\$	989.00	2013
207115102150	654	\$	307.00	2013
207115104200	654	\$	513.00	2013
207115104240	654	\$	1,046.00	2013
207115105120	654	\$	1,592.00	2013
207115106170	654	\$	2,300.00	2013
207115201010	654	\$	98.00	2013
207115202050	654	\$	248.00	2013
207115202090	654	\$	98.00	2013
207115202200	654	\$	768.00	2013
207115202300	654	\$	338.00	2013
207115203080	654	\$	79.00	2013
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207115204120	654	\$	1,623.00	2013
207115205070	654	\$	1,351.00	2013
207115205180	654	\$	454.00	2013
207115205200	654	\$	569.00	2013
207115205210	654	\$	244.00	2013
207115207180	654	\$	623.00	2013
207115301010	654	\$	69.00	2013
207115301080	654	\$	920.00	2013
207115304020	654	\$	297.00	2013
207115304050	654	\$	969.00	2013
207115304060	654	\$	556.00	2013
207115304080	654	\$	90.00	2013
207115305050	654	\$	966.00	2013
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207115306160	654	\$	487.00	2013
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207115401200	654	\$	716.00	2013
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207115404012	654	\$	1,343.00	2013
207115405150	654	\$	680.00	2013
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207115702140	654	\$ 509.00	2013
207115702150	654	\$ 329.00	2013
207115702290	654	\$ 456.00	2013
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207115707070	654	\$ 90.00	2013
207115707110	654	\$ 181.00	2013
207115707130	654	\$ 105.00	2013
207116001050	654	\$ 842.00	2013
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207116001120	654	\$ 2,437.00	2013
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207116002180	654	\$ 1,009.00	2013
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207116005160	654	\$ 741.00	2013
207116006040	654	\$ 94.00	2013
207116008060	654	\$ 69.00	2013
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207116009030	654	\$ 227.00	2013
207116009070	654	\$ 533.00	2013
207116009150	654	\$ 232.00	2013
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207116103070	654	\$ 66.00	2013
207116103100	654	\$ 432.00	2013
207116105080	654	\$ 1,269.00	2013
207116106030	654	\$ 872.00	2013
207116301050	654	\$ 67.00	2013
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207116302060	654	\$ 704.00	2013
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207116303170	654	\$ 738.00	2013
207116303300	654	\$ 858.00	2013
207116304030	654	\$ 1,382.00	2013
207116304140	654	\$ 993.00	2013
207125701010	654	\$ 83.00	2013
207125702010	654	\$ 306.00	2013
207125702011	654	\$ 97.00	2013
207126003001	654	\$ 63.00	2013
207126003006	654	\$ 61.00	2013
207127501060	654	\$ 248.00	2013

207127501110	654	\$	809.00	2013
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207127502070	654	\$	561.00	2013
207129001541	654	\$	83.00	2013
207129001542	654	\$	150.00	2013
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207139505070	654	\$	1,399.00	2013
207139701060	654	\$	376.00	2013
207139703040	654	\$	709.00	2013
207139901040	654	\$	716.00	2013
207139901090	654	\$	1,389.00	2013
207139902250	654	\$	614.00	2013
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207325002140	654	\$	284.00	2013
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207720002402	654	\$	62.00	2013
207750001120	654	\$	129.00	2013
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208140302403	654	\$	215.00	2013
208150001300	654	\$	673.00	2013
208150001310	654	\$	545.00	2013
208150101050	654	\$	251.00	2013
208150101090	654	\$	161.00	2013
208210002060	654	\$	696.00	2013
208210002150	654	\$	301.00	2013
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208210004040	654	\$	173.00	2013
208210006022	654	\$	846.00	2013
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208210006250	654	\$	408.00	2013
208210006280	654	\$	797.00	2013
208210007100	654	\$	135.00	2013
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208430001110	654	\$	68.00	2013
208430001120	654	\$	102.00	2013
208430001130	654	\$	632.00	2013
208430003021	654	\$	871.00	2013
208460004050	654	\$	<u>1,213.00</u>	2013
		\$	198,447.00	

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Contract with Common Sense Building Services Inc.

Meeting Date: October 28, 2013
 Item Type: Consent Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by: Jenelle Teppen

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 a contract between the City of Inver Grove Heights and Common Sense Building Services Inc. for 2014-15 contracted custodial cleaning at City Hall, Public Works Maintenance, and the Veterans Memorial Community Center.

SUMMARY

In 2012 the City issued a RFP for contracted custodial services and we received seven responses. After careful consideration Common Sense Building Services Inc. was recommended to and approved by the Council. Common Sense Building Services Inc. has provided contracted custodial services for City Hall, Public Works Maintenance, and the Veterans Memorial Community Center since April of 2012.

The services provided by Common Sense Building Services have been reliable and it is recommended that the contract be extended for two more years. Common Sense Building Services is able to hold their 2014 pricing to the same cost as 2013 and are proposing a cost increase of 3% in 2015.

The City or the contractor can opt out of the contract with a 30-day written notice. The attached contract was originally created by the City Attorney’s Office and covers the necessary issues to protect the City. The only changes to the contract relate to the proposed cost and term of the agreement.

JANITORIAL SERVICES CONTRACT

THIS JANITORIAL SERVICES CONTRACT is made and entered into by and between the **CITY OF INVER GROVE HEIGHTS**, a municipal corporation located in Dakota County, State of Minnesota, and Common Sense Building Services, Inc., a 'S' corporation, located at 1300 Godward St NE, Minneapolis MN 55413.

WHEREAS, the City wishes to hire Contractor as an independent contractor to provide Janitorial Services to be performed in certain City facilities; and

WHEREAS, the parties wish to clearly delineate the responsibilities of each party to this Contract;

NOW, THEREFORE, in consideration of the mutual undertakings and agreements hereinafter set forth, the City and the Contractor agree as follows:

ARTICLE 1 **DEFINITIONS**

- 1.1 **Terms.** The following terms, unless elsewhere specifically defined herein, shall have the following meanings as set forth below.
- 1.2 **City.** City means the City of Inver Grove Heights, a Minnesota Municipal Corporation.
- 1.3 **Contractor.** Contractor means Common Sense Building Services Inc.
- 1.4 **Personnel.** Personnel means Contractor's employees who perform Janitorial Services in City facilities. Personnel are not employees of the City.
- 1.5 **Janitorial Services.** Janitorial Services means performance of maintenance, janitorial, and cleaning duties. The Janitorial Services are more fully described on the attached Exhibit A.
- 1.6 **Contract.** This Janitorial Services Contract.

ARTICLE 2 **TERM AND TERMINATION**

- 2.1 **Contract Term.** Contractor agrees to furnish services on behalf of the City during the period commencing January 1, 2014 and terminating December 31, 2015.
- 2.2 **Termination.** This Contract may be terminated by the City or Contractor at any time, with or without cause, upon not less than thirty (30) days written notice delivered by U.S. Mail or personally served and addressed as provided in Section 5 of the Specifications and Special Provisions for Janitorial Services Document. This Contract may be terminated by the City immediately upon delivery of written notice in the event of a violation of any of the provisions of Section 4.15 or Section 11 of the Specifications and Special Provisions for Janitorial Services document, which is attached hereto as Exhibit A.

ARTICLE 3
PAYMENT FOR JANITORIAL SERVICES

3.1 Payment Schedule. The Contractor shall be paid for cleaning services performed at the following locations in the City, as follows:

Service Location	2014 Monthly Fee	2015 Monthly Fee
INVER GROVE HEIGHTS CITY HALL, 8150 Barbara Ave.	\$1,706.32	\$1,757.51
INVER GROVE HEIGHTS MAINTENANCE BUILDING, 8168 Barbara Ave.	\$280.60	\$289.02
INVER GROVE HEIGHTS PUBLIC SAFETY BUILDING, 8150 Barbara Ave.	\$1,859.05	\$1,914.82
INVER GROVE HEIGHTS VETERANS MEMORIAL COMMUNITY CENTER, 8055 Barbara Ave.	\$6,937.04	\$7,145.15

3.2 Additional Work. Extra cleaning required by the City, such as cleaning after special events, carpet cleaning, and floor cleaning shall be performed by Contractor upon written request of the City. Such extra cleaning services shall be provided at an hourly rate of \$26.10 per hour.

3.3 Payment for Services. Payment for services completed, shall be made monthly, directly to the Contractor, based upon invoices submitted by the 10th day of the month for the preceding month's services.

ARTICLE 4
CONTRACTOR'S DUTIES

4.1 Provision of Janitorial Services. Contractor shall provide Janitorial Services in accordance with the requirements, plans, and specifications found in the attached Exhibit A, Specifications and Special Provisions for Janitorial Services. Contractor shall comply with all provisions in Exhibit A.

4.2 Supervision of Personnel. Contractor shall provide the Janitorial Services to the City through Personnel and shall supervise Personnel in the performance of Janitorial Services. Contractor shall be responsible for hiring, training, and controlling the means, manner, and method by which the Janitorial Services are performed by Personnel. Consistent with the relationship between the parties to this Janitorial Services Contract, Contractor and the Personnel shall not be represented to the public as employees of the City. Contractor shall provide all necessary information and consents from Personnel in order for City to conduct a criminal background investigation on Personnel. Contractor shall not permit any Personnel to perform Janitorial Services in any City Facilities until the City has completed a criminal background check on the Personnel, and has affirmative informed Contractor that the particular individual is approved by the City to provide Janitorial Services to the City.

4.3 Conduct of Business. Contractor agrees to secure any and all necessary licenses for

Contractor's business and operations and to conduct its business and operations in full compliance with all applicable laws, codes, and regulations.

4.4 Personnel Payroll and Benefit Administration. Contractor shall exclusively perform and administer all payroll, compensation, and fringe benefit functions for the Personnel. Contractor shall pay Personnel all wages and other compensation owed to Personnel for Janitorial Services performed by Personnel.

4.5 Invoices. Contractor shall submit an itemized invoice on a monthly basis to the City for Janitorial Services provided.

4.6 Indemnification. Unless incurred due to the negligence or intentional misconduct of the City or City's employees, Contractor shall indemnify, defend, and hold the City, its Council, agents, and employees 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:

- a. The Personnel's performance of Janitorial Services;
- b. The Personnel's failure to perform Janitorial Services;
- c. The Personnel's assertion of any claims, including but not limited to any claims under the Workers' Compensation Act of Minnesota, against the City;
- d. Contractor's failure to fully perform, in any respect, all obligations under this Contract;
- e. Contractor's performance of obligations under this Contract;
- f. The termination of this Agreement by the City.

4.7 Insurance. Contractor shall keep in force the following insurance policies in the following amounts at all times during the term of this Contract:

A.	<u>General Liability Insurance</u>	<u>Minimum Limits</u>
	Bodily Injury	\$1,500,000 each occurrence
	Property Damage	\$1,000,000 each occurrence
B.	<u>Automobile Insurance</u>	<u>Minimum Limits</u>
	Bodily Injury	\$1,500,000 each occurrence

Property Damage \$250,000 each occurrence

- C. Notice of Cancellation. Any policy obtained and maintained under this clause shall provide that it shall not be cancelled, materially changed, or not renewed without ten (10) days prior notice thereof to the City.
- D. Workers' Compensation Insurance. Contractor must maintain Workers' Compensation insurance in compliance with all applicable statutes. The policy shall also provide Employer's Liability coverage with limits of not less than \$500,000.00 Bodily Injury each accident, \$500,000.00 Bodily Injury by Disease, policy limit, and \$500,000.00 Bodily Injury by Disease, each employee.
- E. Additional Insured – Certificate of Insurance. Contractor shall list the City as an Additional Insured on the General Liability and Commercial Automobile Liability Policies.
- F. Copies of Certificates. Prior to the effective date of this contract, and as a condition precedent to this contract, the Contractor will furnish the City with Certificates of Insurance listing the City as a certificate holder.

4.8 Governmental Immunity. Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Contractor, its successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided in Minnesota Statutes Chapter 466.

ARTICLE 5 **CITY'S DUTIES**

5.1 Provision of Supplies. The City shall furnish the cleaning supplies, including all equipment, to Contractor that are necessary for Personnel to provide the Janitorial Services.

5.2 Payment of Invoices. The City shall pay the invoices it receives from Contractor for the Janitorial Services in the same manner and time as other similar claims made to the City.

ARTICLE 6 **MISCELLANEOUS**

6.1 Independent Contractor. Nothing contained in this Agreement is intended or should be construed as creating the relationship of co-partners or joint ventures within the City. No tenure or any rights or benefits, including Workers' Compensation, Unemployment Insurance, medical care, sick leave, vacation leave, severance pay, PERA, or other benefits available to City employees, shall accrue to the Contractor or employees of the Contractor performing services under this Agreement.

6.2 Data Privacy. Contractor shall comply with Minnesota Statutes Chapter 13, the Minnesota Government Data Practices Act. Contractor shall not disclose non-public information except as authorized by the Act. Contractor acknowledges and agrees that the City shall be entitled to disclose data related to this Contract as required by law. Information supplied by Contractor to City is subject to the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13. Such information shall become public data unless it falls into one of the exceptions of the Act. Contractor shall notify the City of any data that Contractor believes should be classified as non-public data.

6.3 Records Availability and Retention. Pursuant to Minnesota Statutes §16B.06, Subd. 4, the Contractor agrees that the City, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the Contractor and invoice transactions relating to this Agreement. Contractor agrees to maintain these records for a period of three (3) years from the date of termination of this Contract.

6.4 Merger and Modification. It is understood and agreed that the entire agreement between the parties is contained in this Contract, and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter. All items attached to this Contract as Exhibits are deemed to be part of this Agreement. Any material alterations, variations, modifications, or waivers of provisions of this Agreement shall be valid only when they have been reduced to writing as an amendment and signed by both parties.

6.5 Subcontracting and Assignment. Contractor shall not enter into any subcontract for performance of any services contemplated under this Contract without the prior written approval of the City and subject to such conditions and provisions as the City may deem necessary. The Contractor shall be responsible for the performance of all subcontractors. Neither party shall assign this Contract or any interest arising herein without the written consent of the other party.

6.6 Nondiscrimination. During the term of this Contract, the Contractor agrees to comply with all federal, state, and local antidiscrimination laws, and that no person or Personnel shall, on the grounds of race, color, religion, age, sex, disability, marital status, public assistance status, criminal record, creed or national origin be excluded from full employment rights in, participation in, be denied the benefits of or be otherwise subjected to discrimination under any and all applicable federal and state laws against discrimination.

6.7 Notices. Any notices required by this Contract must be in writing and shall be deemed validly given if hand delivered or sent by certified mail, return receipt requested addressed as follows:

If to Contractor: Common Sense Building Services, Inc.,
Attn: Mr. Jason Hallas
1300 Godward St NE
Minneapolis MN 55413

If to City: City of Inver Grove Heights
Attn: Mr. Joseph Lynch
8150 Barbara Ave.
Inver Grove Heights MN 55077

6.8 Binding Agreement. The parties mutually recognize and agree that all terms and conditions of this Contract shall be binding upon the parties and the successors and assigns of the parties.

6.9 Amendment. Any amendments to this Contract shall be in writing and signed by all parties hereto.

6.10 Governing Law and Venue. This Contract shall be governed by and construed in accordance with the laws of the State of Minnesota. Venue for all legal proceedings arising out of this Contract or its breach shall be in Dakota County, Minnesota.

6.11 Counterparts. This Contract 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.

6.12 No Partnership. This Contract does not create a partnership relationship between Contractor and City. Contractor does not have authority to enter into contracts on the City's behalf.

6.13 Validity. If any provision or provisions of this Contract shall be held to be invalid, illegal, or unenforceability of the remaining provision shall not in any way be affected or impaired thereby.

IN WITNESS WHEREOF the parties have caused this Agreement to be executed by their respective officials.

CITY OF INVER GROVE HEIGHTS

By: _____
Its: Mayor

Attest: _____
City Clerk

Dated: _____

CONTRACTOR

By: _____
Its: _____

Dated: _____

Contractor has signed this Agreement, and the City Council having duly approved this Agreement on the 28th day of October, 2013 and pursuant to such approval and the proper City officials having signed this Agreement, the parties hereto agree to be bound by the provisions herein set forth.

CITY OF INVER GROVE HEIGHTS

By _____
Mayor

By _____

Title

By _____
City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Pay Voucher No. 1 for City Project No. 2013-09C – Mill and Overlay

Meeting Date: October 28, 2013
 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
SNT sb

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, Special Assessments

PURPOSE/ACTION REQUESTED

Consider Pay Voucher No. 1 for City Project No. 2013-09C – Mill and Overlay.

SUMMARY

The improvements were ordered as part of the 2013 Pavement Management Program. The contract was awarded in the amount of \$226,050.00 to McNamara Construction on August 26, 2013 for City Project No. 2013-09C – Mill and Overlay.

I recommend approval of Payment Voucher No. 1 in the amount of \$161,645.69 for work on City Project No. 2013-09C – Mill and Overlay.

TJK/kf

Attachments: Pay Voucher No. 1

CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAY VOUCHER

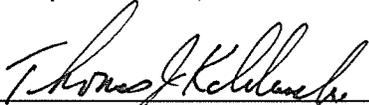
ESTIMATE NO: 1 (One)
DATE: October 22, 2013
PERIOD ENDING: September 30, 2013
CONTRACT: 2013 Pavement Management Program
PROJECT NO: 2013-09C – Mill and Overlay

TO: McNamara Contruction

Original Contract Amount\$266,050.00
Total Addition\$0.00
Total Deduction\$0.00
Total Contract Amount.....\$226,050.00
Total Value of Work to Date.....\$170,153.36
Less Retained (5%).....\$8,507.67
Less Previous Payment.....\$0.00
Total Approved for Payment this Voucher.....\$161,645.69
Total Payments including this Voucher.....\$161,645.69

Approvals:

Pursuant to our field observation, I hereby recommend for payment the above stated amount for work performed through September 30, 2013.

Signed by:  October 22, 2013
Thomas J. Kaldunski, City Engineer

Signed by: _____
Date

Signed by: _____
George Tourville, Mayor October 28, 2013

**2013 PAVEMENT MANAGEMENT PROGRAM
2013-09C MILL AND OVERLAY
PAY ESTIMATE 1**

BASE BID AND ALTERNATE A: EDGE MILL AND OVERLAY

ITEM NO.	MN/DOT NO.	DESCRIPTION	UNITS	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	CONTRACT AMOUNT	AMOUNT TO DATE
1	2021.501	Mobilization	LS	1	1	\$ 16,000.00	\$ 16,000.00	\$ 16,000.00
2	2104.501	Remove Curb & Gutter	LF	880	900	\$ 8.00	\$ 7,040.00	\$ 7,200.00
3	2104.505	Remove Bituminous Driveway Pavement	SY	75	71.64	\$ 15.00	\$ 1,125.00	\$ 1,074.60
4	2104.505	Remove Concrete Driveway Pavement	SY	25	0	\$ 24.00	\$ 600.00	\$ -
5	2104.505	Remove Concrete Sidewalk	SY	14	12.78	\$ 15.00	\$ 210.00	\$ 191.70
6	2105.526	Select Topsoil Borrow (LV)	CY	55	24	\$ 40.00	\$ 2,200.00	\$ 960.00
7	2105.601	Subgrade Correction (CV)	CY	160	10	\$ 69.00	\$ 11,040.00	\$ 690.00
8	2123.601	Street Sweeper with Pickup Broom	HR	15	3	\$ 80.00	\$ 1,200.00	\$ 240.00
9	2232.501	Mill Bituminous Surface (2" Edge Mill)	SY	4760	4206.11	\$ 1.00	\$ 4,760.00	\$ 4,206.11
10	2357.502	Bituminous Material for Tack Coat	GAL	730	375	\$ 2.00	\$ 1,460.00	\$ 750.00
11	2360.501	Type SP Wearing Course Mixture (3,B)	TON	1100	1001.01	\$ 41.00	\$ 45,100.00	\$ 41,041.41
12	2360.602	Crack Patching along Curb	LF	930	848	\$ 4.00	\$ 3,720.00	\$ 3,392.00
13	2360.602	Mill and Patch Transverse Cracks	LF	1200	588	\$ 3.00	\$ 3,600.00	\$ 1,764.00
14	2360.604	Bituminous Driveway Pavement (2.5" Min)	SY	75	71.64	\$ 40.00	\$ 3,000.00	\$ 2,865.60
15	2360.604	Miscellaneous Patching	SY	1800	971.56	\$ 35.00	\$ 63,000.00	\$ 34,004.60
16	2503.602	Furnish & Install External Chimney Seal	EA	10	15	\$ 150.00	\$ 1,500.00	\$ 2,250.00
17	2506.522	Adjust Frame & Ring Casting (New Rings)	EA	26	26	\$ 600.00	\$ 15,600.00	\$ 15,600.00
18	2506.601	Adjust Gate Valve	EA	5	10	\$ 400.00	\$ 2,000.00	\$ 4,000.00
19	2506.602	Install New Casting (Storm)	EA	1	1	\$ 850.00	\$ 850.00	\$ 850.00
20	2521.501	4" Concrete Sidewalk	SF	75	75	\$ 5.00	\$ 375.00	\$ 375.00
21	2531.501	Concrete Curb & Gutter Design D-412 Modified (Hand Pour)	LF	880	900	\$ 14.00	\$ 12,320.00	\$ 12,600.00
22	2531.507	6" Concrete Driveway Pavement	SY	25	0	\$ 60.00	\$ 1,500.00	\$ -
23	2531.602	Pedestrian Curb Ramp with Truncated Domes	EA	2	2	\$ 1,250.00	\$ 2,500.00	\$ 2,500.00
24	2563.602	Traffic Control	LS	1	1	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00
25	2573.602	Catchment Umbrella	EA	10	9	\$ 10.00	\$ 100.00	\$ 90.00
26	2575.505	Terraseeding	SY	300	145.66	\$ 9.00	\$ 2,700.00	\$ 1,310.94
27	SPECIAL	Irrigation Allowance	LS	1	0	\$ 3,000.00	\$ 3,000.00	\$ -
28	SPECIAL	Water Usage Allowance	LS	1	0	\$ 400.00	\$ 400.00	\$ -
TOTAL:							\$ 212,400.00	\$ 159,455.96

ALTERNATE B: RAIN GARDENS

ITEM NO.	MN/DOT NO.	DESCRIPTION	UNITS	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	CONTRACT AMOUNT	AMOUNT TO DATE
1	2571.618	Rain Garden Preparation, Sand and Compost Bedding	SF	500	399	\$ 5.25	\$ 2,625.00	\$ 2,094.75
2	2571.618	Rain Garden Preparation, Existing Soil and Compost Bedding	SF	500	399	\$ 5.25	\$ 2,625.00	\$ 2,094.75
3	2571.618	Rain Garden Retaining Wall, Modular Block	SF	40	34.24	\$ 105.00	\$ 4,200.00	\$ 3,595.20
4	2571.618	Rain Garden Retaining Wall, Boulder	SF	40	27.74	\$ 105.00	\$ 4,200.00	\$ 2,912.70
TOTAL:							\$ 13,650.00	\$ 10,697.40

	CONTRACT	AMOUNT TO DATE
BASE BID AND ALTERNATE A:	\$ 212,400.00	\$ 159,455.96
ALTERNATE B:	\$ 13,650.00	\$ 10,697.40
TOTAL:	\$ 226,050.00	\$ 170,153.36

CHANGE ORDER:	
CURRENT CONTRACT AMOUNT:	\$ 226,050.00

TOTAL AMOUNT TO DATE:	\$ 170,153.36
5% RETAINAGE:	\$ 8,507.67
PREVIOUS PAYMENTS:	\$ -
PAYMENT 1 TOTAL:	\$ 161,645.69

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution Accepting Proposal from Emmons and Olivier Resources, Inc. (EOR) for Updates to the Northwest Area Regional Basin Map

Meeting Date: October 28, 2013
 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
SOT

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

Resolution accepting proposal from Emmons and Olivier Resources, Inc. (EOR) for updates to the Northwest Area Regional Basin map.

SUMMARY

The City of Inver Grove Heights contracted with EOR to prepare the 2006 Storm Water Manual – Northwest Area. This document was approved by the Council in 2006. It is the design guide used for all storm water facilities related to new development in the Northwest Area. It included a Regional Basin Map that illustrates all the regional storm water basins to be preserved and improved as the NWA develops.

The Regional Basin Map (attached) was developed using a model prepared by EOR that used Dakota County’s 2006 contour mapping. At the time that the model and the map were developed, it was acknowledged that both would need to be updated on a regular basis as development occurred. The update would add the actual as-built storm water management system features.

The update is proposed at this time for a number of reasons. First, the Argenta Hills development resulted in some changes to the overall regional storm water basin plan. The original plan needs to be reviewed to determine if additional regional basin locations should be added to provide flexibility for future development. In addition, Dakota County updated its topographic mapping in 2012. The accuracy of the topographic mapping is much greater than that which was available when the original modeling and mapping were completed in 2006.

It is recommended that the City Council authorize the NW Area Regional Basin update as outlined in EOR’s October 23, 2013 proposal with a budget of \$16,000. The work will be funded through the 2013 Engineering Division Consultant Budget (101.43,5100.442.30300).

TJK/kf

Attachments: Resolution
 EOR Proposal
 2006 Regional Basin Map

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION AUTHORIZING CITY STAFF TO ACCEPT THE PROPOSAL OF EMMONS AND
OLIVIER RESOURCES, INC. (EOR) FOR THE NORTHWEST AREA (NWA) REGIONAL BASIN MAP
UPDATE

RESOLUTION NO. _____

WHEREAS, EOR was retained to prepare the City's 2006 Storm Water Manual for the NWA, including a Regional Basin Map; and

WHEREAS, the City has utilized EOR to review the storm water management design for development proposals in the NWA; and

WHEREAS, Dakota County developed new topographic mapping in 2012 that provides a much greater level of accuracy than the mapping available in 2006; and

WHEREAS, staff requested, and EOR provided, a proposal for updating the storm water model and the Regional Basin Map; and

WHEREAS, the funding for this work shall be provided from the 2013 Engineering Division budget.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA: the Public Works Director is authorized to accept the proposal of EOR.

Adopted by the City Council of Inver Grove Heights this 28th day of October 2013.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

Date | October 23, 2013

To | Tom Kaldunski, PE

Contact info | City of Inver Grove Heights

cc |

Contact info |

From | Brett Emmons, PE

Contact info | EOR

Regarding | Updates to NW Area Regional Basins (Initial Phase)

Background

The NW Area Guidelines were developed through various studies and documents using modeling and mapping to define the system of Regional Basins that are currently an integral part of the North West Area standards. Those efforts were carried out primarily in 2002-2006. As developments have been reviewed and approved under the North West area standards, the system has worked well. We have also learned much through this process and recognize there are some updates needed and improvements that could be made to make the process better and more streamlined.

Update

In recent development approvals, such as Argenta Hills additions, there are a few current items that need to be addressed, as well as addressing similar issues that likely will arise in the future. In particular, it is important to revisit the mapping of the Regional Basins with the new County LIDAR topographic data. We have found in some cases, the new data provides a better idea of where the Regional Basins exist, their overflows, and their storage. Wetland management standards that do not align with the stormwater volume standards, are among others, that could be addressed in a Stormwater Management Guide Plan.

Updates needed would utilize the new data to re-establish where the Regional Basins are located, their storage volumes, and re-issue the NW Area's Regional Basins map. While the Regional Basins are being updated, the regional model could also be updated with the new information, including recent developments. This phase focuses on only the basins changes identified in the mapping work. Updating the modeling has the advantage of streamlining the development process so there are less unknowns and it will be easier and quicker for the developers and city to process applications. It also has the potential to help address comments by developers about distributing the Regional Basins more uniformly across various land holdings.

We propose the following work and approximate costs, with some work to be funded later ("future"):

- | | |
|---|----------|
| 1. Obtain the new topographic data and revise the Regional Basin locations | \$ 7,000 |
| 2. Update the H&H model – limited to revised basins (rest of system - future) | \$ 6,000 |
| 3. Develop updated NW Area Stormwater/Regional Basin Map | \$ 3,000 |
| 4. Centralize info into a NW Area Stormwater Management Guide Plan | future |
| 5. Develop electronic, map-based database of key stormwater parameters | future |

Total = \$16,000

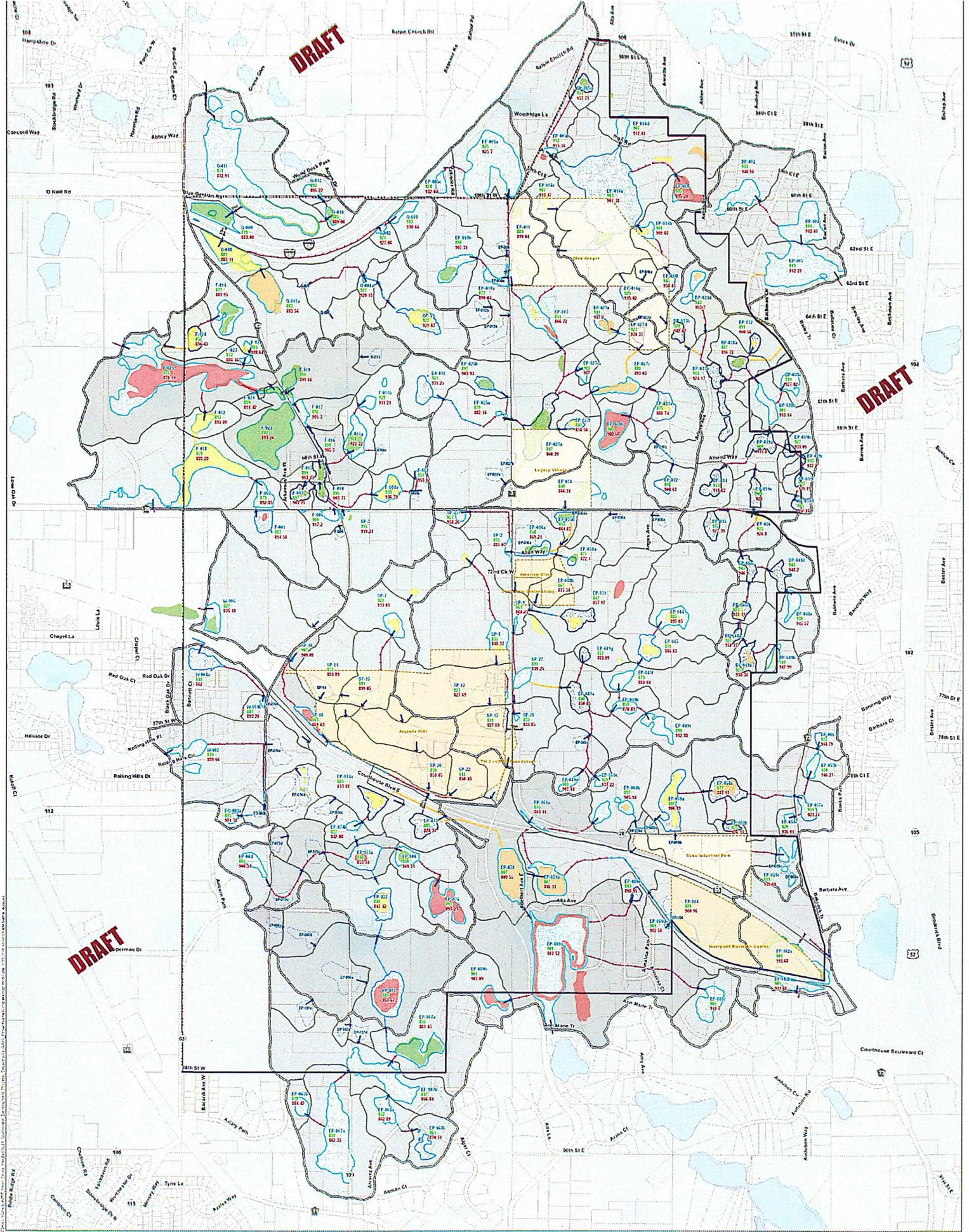
Requested Action

From past experience, this is a good value and will save **time** and **costs** when developments are being reviewed. It is requested that EOR be authorized to bill hourly up to \$16,000 to update the Regional Basins Map.

DRAFT

DRAFT

DRAFT



Legend

- Northwest Area of Inver Grove Heights
- Municipality
- Parcel
- Development Areas
- Final
- Preliminary
- Proposed Basin by Overflow Category
- Existing Basin Category 1
- Overflow Routes
- Existing Culvert
- Interstate Trunk Highway
- U.S. Trunk Highway
- Minnesota Trunk Highway

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

APPROVE SERVICE CHARGE TO CONVENTION AND VISITORS BUREAU

Meeting Date: October 28, 2013
Item Type: Consent
Contact: Jenelle Teppen, Asst. City Admin
Prepared by: n/a
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 service charge to the IGH Convention and Visitor's Bureau.

SUMMARY The Inver Grove Heights Convention and Visitor's Bureau (IGHCVB) was established by the City Council through ordinance and resolution effective December 1, 2001.

A 2% lodging tax is charged for every room rental in one of the City's three hotels. That lodging tax is then used by the CVB to market and promote Inver Grove Heights as a destination for persons looking for hotel lodgings.

The City acts as the fiscal agent for the CVB, collecting the lodging taxes, and disbursing payments to the various vendors and activities as directed by the CVB.

The resolution has a clause that sets forth the services the City provides (copied below).

8. CITY SERVICES. To assist the Bureau in its activities, the City shall provide the following services:

- **accounting, financial record keeping and audit services; and**
- **legal services**

Charges for such services shall be paid out of the C.V.B. Fund.

The Council may from time to time also direct that the City provide administrative and clerical services to the Bureau; charges for these services shall also be paid out of the C.V.B. Fund.

The City has not previously charged the CVB for services. City Staff provides services in the form of accounting (processing, payment and mailing of monthly invoices), monthly reporting on budget activity, and audit and legal services.

Staff notified the CVB Board Chair in August that beginning in January of 2014 and going forward, that the City will begin charging the CVB 5% of their annual budget to offset the cost of these services. Staff met with the CVB Board to discuss the service charge and the Board requested that the 5% phase

in over two years, with 2.5% in 2014 and the full 5% in 2015. As an example, the 2013 lodging tax revenues were budgeted at \$83,000, a 2.5% service charge equates to a \$2,075 annually.

Staff recommends Council approve the action to implement a 2.5% service charge in 2014, and the full 5% charge in 2015 and going forward.

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

APPROVE AWARDING FIVE POINTS TO INVER GROVE HEIGHTS POLICE RESERVE OFFICERS TO 100-POINT SCALE

Meeting Date: October 28, 2013
Item Type: Consent
Contact: Jenelle Teppen, Asst. City Admin
Prepared by: n/a
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 Consider awarding five points to Inver Grove Heights Police Reserve Officers during a recruitment process for Police Officer.

SUMMARY The City Council recently discussed the Police Officer recruitment process and specifically to award Inver Grove Heights Police Reserve Officers five points to be added to the 100-point scale. The 100-point scale is used to determine which candidates are interviewed.

Staff recommends Council direct staff to award an additional five points to Inver Grove Heights Police Reserve Officers during establishment of the 100-point scale.

**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
◻*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: October 23, 2013
RE: Release of Lot 3 and Lot 4, Glenn Clarke Homestead (Former Denny Hecker Volkswagen Site) from Development Contract Recorded as Dakota County Document No. 2371285 – October 28, 2013 Council Meeting

Section 1. Background. The former Denny Hecker Volkswagen site is located at 10 Mendota Road and legally described as Lot 3 and Lot 4 of Glenn Clarke Homestead (except the west 30 feet of Lot 4, Glenn Clarke Homestead). As part of a real estate transaction involving the sale of the property, the current fee owner of the property has requested that the Development Contract which was recorded against the property be released.

Under Section 8.4 of the Development Contract, the City agreed to execute a release of the Development Contract upon completion of all of the requirements and obligations required in the Development Contract.

The planning and engineering departments have reviewed the Development Contract and determined that all of the required work has been completed and that the obligations of the developer have been fulfilled. Thus, the Development Contract may be released.

Section 2. Council Action. The Council is asked to consider a motion to approve the following attached release:

1. Release of Lot 3 and 4, Glenn Clarke Homestead (Except for the West 30 Feet of Lot 4, Glenn Clarke Homestead) from the Development Contract Recorded as Dakota County Document No. 2371285.

Attachment

**RELEASE OF LOTS 3 AND 4, GLENN CLARKE HOMESTEAD (EXCEPT FOR THE
WEST 30 FEET OF LOT 4, GLENN CLARKE HOMESTEAD) FROM THE
DEVELOPMENT CONTRACT RECORDED AS
DAKOTA COUNTY DOCUMENT NO. 2371285**

THIS RELEASE OF LOTS 3 AND 4, GLENN CLARKE HOMESTEAD (EXCEPT FOR THE WEST 30 FEET OF LOT 4, GLENN CLARKE HOMESTEAD) FROM THE DEVELOPMENT CONTRACT RECORDED AS DAKOTA COUNTY DOCUMENT NO. 2371285 (“Release”) is executed and delivered as of the 28th day of October, 2013, by the City of Inver Grove Heights, a Minnesota municipal corporation (the “City”).

RECITALS

1. The City and Jacob Holdings of Mendota Road LLC, a Minnesota limited liability company (“Developer”) were parties to that certain *Development Contract for Lot 3 and Lot 4 of Glenn Clarke Homestead Except for the West 30 Feet of Lot 4, Glenn Clarke Homestead* dated September 10, 2004, and recorded with the Office of the County Recorder of Dakota County, Minnesota on October 17, 2005, as Dakota County Document No. 2371285 (the “Development Contract”).

2. The Development Contract established certain work that the Developer was required to complete in connection with obtaining site plan approval and a conditional use permit from the City relating to improvements proposed by the Developer on the subject property.

3. The Development Contract encumbered certain real property in Dakota County, Minnesota defined in the Development Contract as the “Development Site” and legally described as follows:

Lot 3 and Lot 4 of Glenn Clarke Homestead, except the west 30 feet of Lot 4, Glenn Clarke Homestead, according to the plat thereof on file and of record with the Dakota County Recorder, Dakota County, Minnesota,

(hereinafter the “Property”).

4. The current fee owner of the Property has requested that the City release the Property from the obligations of the Developer under the Development Contract.

5. Under Section 8.4 of the Development Contract, the City agreed to execute a release of the Development Contract upon completion of all of the requirements and obligations required in the Development Contract.

6. The City has confirmed that all of the requirements and obligations required in the Development Contract have been fulfilled.

7. The City has agreed to execute this Release and to release the Property from the Development Contract.

NOW, THEREFORE, the City hereby confirms that (a) the requirements and obligations required under the Development Contract have been fulfilled to the satisfaction of the City and (b) the obligations of the Developer under the Development Contract are hereby discharged and (c) the City hereby releases the Property from the Development Contract.

Nothing in this Release shall release, discharge or modify the following documents recorded against the Property:

1. Easement for sewer purposes in favor of the City of Inver Grove Heights as created in Easement Agreement dated April 30, 1970, filed April 1, 1971 as Dakota County Document No. 382253;
2. Easement for drainage and utility purposes in favor of the City of Inver Grove Heights as created in the Quit Claim Deed dated October 7, 2005, filed October 17, 2005 as Dakota County Document No. 2371284;
3. Terms and conditions of and easements contained in Utility, Drainage and Storm Water Easement Agreement dated September 10, 2004, filed October 17, 2005 as Dakota County Document No. 2371286;
4. Terms and conditions of Agreement Relating to Landowner Improvements Within City Easement dated September 10, 2004, filed October 17, 2005 as Dakota County Document No. 2371287;
5. Terms and conditions of and easements contained in Storm Water Facilities Maintenance Agreement dated September 10, 2004, filed October 17, 2005 as Dakota County Document No. 2371288; and
6. Terms and conditions of Conditional Use Permit approved by the City of Inver Grove Heights Resolution No. 04-112 filed September 20, 2006 as Dakota County Document No. 2462554 and Resolution No. 04-124 filed September 22, 2006 as Dakota County Document No. 2463441.

IN WITNESS WHEREOF, the undersigned has executed this Release as of the day and year first above written.

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 28th day of October, 2013, 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

THIS INSTRUMENT DRAFTED BY:

Timothy J. Kuntz
LeVander, Gillen, & Miller, P.A.
633 South Concord Street
Suite 400
South St. Paul, MN 55075
(651) 451-1831

**AFTER RECORDING PLEASE
RETURN TO:**

Timothy J. Kuntz
LeVander, Gillen & Miller, P.A.
633 South Concord Street
Suite 400
South St. Paul, MN 55075
(651) 451-1831

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: October 28, 2013
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 Consider acceptance of donations of \$500, \$300, \$500, and \$100 to the Inver Grove Heights Fire Department.

SUMMARY

The family of retired IGH Firefighter, Stan Bisch, has generously donated \$500 to the fire department in memory of Firefighter Bisch, who passed away August 24, 2013.

Mr. H. W. Michie, a friend and regular supporter of the Inver Grove Heights Fire Department and resident of Inver Grove Heights, has graciously made another donation of \$300 to our fire department.

The funds from Mr. Michie and the Bisch family will be used to purchase training props to continue the firefighters' education.

The Inver Grove Heights Animal Hospital has graciously donated \$500 to the fire department.

Alerus Mortgage, on behalf of IGH resident Matthew Anderson, has donated \$100 to the fire department as part of the refer-a-friend program.

The funds from both the IGH Animal Hospital and Alerus will be used to purchase a medical kit that has supplies specifically designed for the treatment of animals at emergency scenes.

Staff recommends acceptance of this generous donation.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

SCHEDULE PUBLIC HEARING TO CONSIDER RENEWAL OF LIQUOR LICENSES AND A PAWNBROKER'S LICENSE FOR THE 2014 CALENDAR YEAR

Meeting Date: October 28, 2013
Item Type: Consent
Contact: 651.450.2513
Prepared by: Melissa Kennedy
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:

Schedule public hearing on December 9, 2013 at 7:00 p.m. to consider renewal of liquor licenses and a pawnbroker's license for the 2014 calendar year.

SUMMARY:

Liquor license renewals for the 2014 calendar year, as per City Code, are to be considered at the first regular City Council meeting in December. Renewal of a pawnbroker's license similarly requires a public hearing and the City has been notified that Pawn America will seek renewal of its license. Notices of public hearing will be published in the official City newspaper and a list of liquor establishments requesting license renewals will be provided to the Council prior to the public hearing.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

PERSONNEL ACTIONS

Meeting Date: October 28, 2013
Item Type: Consent
Contact: Jenelle Teppen, Asst. City Admin
Prepared by: Amy Jannetto, H.R. Coordinator
Reviewed by: n/a

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 Staff requests that the Council approve the personnel actions listed below:

Please confirm the seasonal/temporary employment of: Aquatics, Michael Omodt-Lopez.

Please confirm the separation of employment of: Pahoua Yang, Customer Service Specialist.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Assessment Hearing for the 2013 Pavement Management Program, City Project No. 2013-09E – Henry Avenue Bituminous Pavement Removal and Replacement

Meeting Date: October 28, 2013
 Item Type: Public Hearing
 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: Pavement Management Fund, Special Assessments

PURPOSE/ACTION REQUESTED

Assessment Hearing for the 2013 Pavement Management Program, City Project No. 2013-09E – Henry Avenue Bituminous Pavement Removal and Replacement.

SUMMARY

The project was initiated by the City Council as part of the City's Pavement Management Program (PMP). The project involves full-depth removal of the existing bituminous pavement, subgrade correction where necessary, minor curb and gutter replacement, installation of four inches of new bituminous pavement, and boulevard restoration.

The street segment included in the project lies in Inver Grove Heights and South St. Paul, with its centerline on the corporate boundary. A joint powers agreement outlining each city's responsibility for the project was approved by Council.

Two properties in Inver Grove Heights are included for assessment per the Pavement Management Program funding policy. The project cost is \$38,110.11, and the proposed final assessments are \$28,582.56. The October 14, 2013 assessment hearing was opened and continued to October 28, 2013.

I recommend approval of the resolution adopting the assessment roll for City Project No. 2013-09E – Henry Avenue Bituminous Pavement Removal and Replacement.

TJK/kf

Attachments: Resolution
 Final Assessment Roll
 Assessment map

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION ADOPTING THE FINAL ASSESSMENT ROLL FOR THE 2013 PAVEMENT
MANAGEMENT PROGRAM, CITY PROJECT NO. 2013-09E – HENRY AVENUE BITUMINOUS
PAVEMENT REMOVAL AND REPLACEMENT

RESOLUTION NO. _____

WHEREAS, the assessment hearing was scheduled for October 14, 2013. On October 14, 2013, the City Council opened the public hearing and continued the public hearing until the October 28, 2013 Council meeting at 7:00 p.m. in the Council Chambers at 8150 Barbara Avenue, Inver Grove Heights, Minnesota. The date, time and place of the continued hearing were noted at the October 14, 2013 meeting and in the minutes of that meeting. The public hearing was resumed on October 28, 2013 and all interested parties were given an opportunity to present their views, comments and objections, if any; and

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met, heard and passed upon all objections to the proposed assessment for the improvements on City Project No. 2013-09E – Henry Avenue Bituminous Removal and Replacement. The street improved was as follows:

Henry Avenue from Airport Road to 813 feet north of Airport Road

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

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands herein, and each tract of land therein included is hereby found to be benefited by the proposed assessment levied against it.
2. Such assessment shall be payable in equal installments extending over a period of ten (10) years. The first of the installments shall be payable on or before the first Monday in January 2014, and shall bear interest at the rate of 4.8 percent per annum from the date of adoption of this assessment resolution. To the first installment shall be added interest for one year on all unpaid installments plus any interest accruing from the date of the assessment hearing.
3. The owner of any property, so assessed, may at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within thirty days from the adoption of this resolution; and the owner may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15, or interest will be charged through December 31 of the next succeeding year.
4. The Clerk, shall, forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over the same manner as other municipal taxes.

Adopted by the City Council of Inver Grove Heights this 28th day of October 2013.

AYES:
NAYS:

ATTEST:

George Tourville, Mayor

Melissa Kennedy, Deputy Clerk

21-Oct-13

FINAL ASSESSMENT ROLL

**CITY PROJECT NO. 2013-09E
HENRY AVENUE BITUMINOUS PAVEMENT REMOVAL AND REPLACEMENT**

MAP NO.	PID NO.	OWNER NAME	FINAL ASSESSMENT
1	200341075020	FRATTALONES DAWNWAY LLLP	\$21,311.66
2	200341077021	XCEL ENERGY	\$7,270.90
TOTAL ASSESSMENT			\$28,582.56

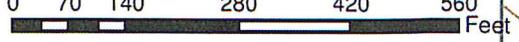
Terms: 10 years at 4.8% interest

EXHIBIT 1

*City of
Inver Grove Heights
Project 2013-09E*
Assessment Map



0 70 140 280 420 560 Feet



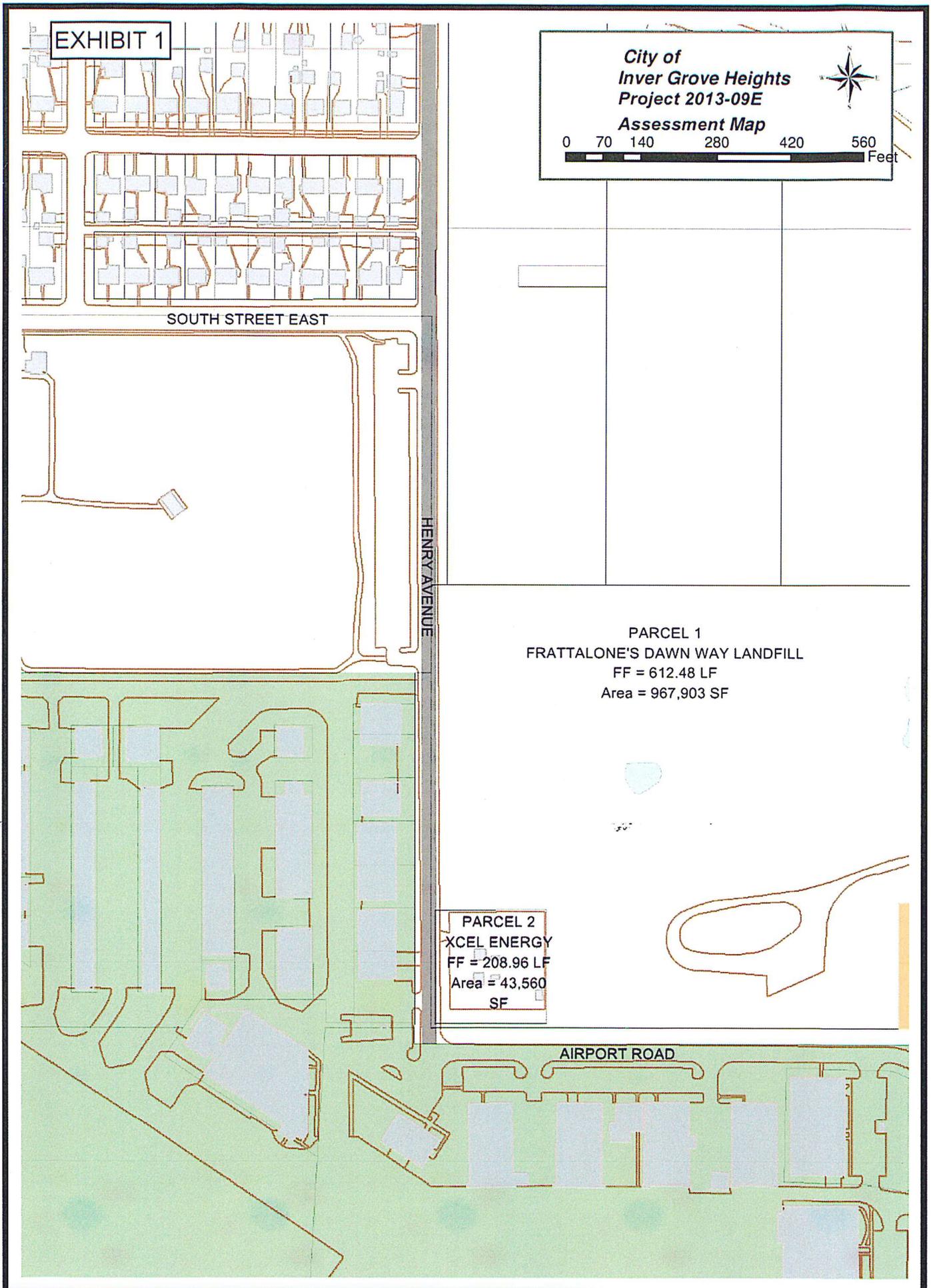
SOUTH STREET EAST

HENRY AVENUE

PARCEL 1
FRATTALONE'S DAWN WAY LANDFILL
FF = 612.48 LF
Area = 967,903 SF

PARCEL 2
XCEL ENERGY
FF = 208.96 LF
Area = 43,560 SF

AIRPORT ROAD



CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

BRUCE CORDS – Case No. 13-47VAC

Meeting Date: October 28, 2013
 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 a resolution relating to a Vacation and Rededication of certain drainage and utility easements for property located at 2893 96th Street.

- Requires 3/5th's vote.
- 60-day deadline: October 28, 2013 (first 60-days)

SUMMARY

The applicant is proposing to move a lot line between two lots they own as they prepare to sell one lot. There is a house on Lot 4 and Lot 3 is currently vacant. This process can be handled administratively and staff will conduct this review for the applicant. The lots in question are part of Marcott Woods 2nd Addition subdivision. The lots contain existing perimeter drainage and utility easements that were dedicated with the plat. As part of moving the lot line, these existing easements need to be vacated and new easements dedicated along the new lot boundary.

ANALYSIS

The applicant has provided a survey drawing showing the lot boundary changes and the easements to be vacated and dedicated. Engineering and Planning have both review the survey and new easements and have no issues.

RECOMMENDATION

Planning Staff: Recommends approval of the request as presented.

Planning Commission: Recommends approval of the request (7-0).

Attachments: Resolution Vacating and Rededicating Easements
 Planning Commission Recommendation
 Planning Report

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION APPROVING A VACATION AND REDEDICATION OF CERTAIN
PUBLIC DRAINAGE AND UTILITY EASEMENTS WITHIN THE PLAT OF
MARCOTT WOODS 2ND ADDITION

CASE NO. 13-47VAC
(Bruce Cords)

WHEREAS, a petition has been duly presented to the City of Inver Grove Heights, signed by the owner of the property of the following described drainage and utility easements situated in the City of Inver Grove Heights, Dakota County, State of Minnesota, to wit:

SEE EXHIBIT A

WHEREAS, a notice of hearing on said petition has been duly published and posted in accordance with the applicable Minnesota Statutes, and

WHEREAS, a public hearing was held on said petition on October 15, 2013, at the Council Chambers, 8150 Barbara Avenue, and

WHEREAS, the Planning Commission then proceeded to hear all persons interested in said petition and all persons interested were afforded an opportunity to present their views and objections to the granting of said petition, and

WHEREAS, the City Council of Inver Grove Heights has determined that the vacation and rededication of said public drainage and utility easements would be in the public interest.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA: That the above described public drainage and utility easements are hereby vacated and new easements dedicated pursuant to M.S.A. 412.851.

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 28th day of October, 2013.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

EXHIBIT A

PROPOSED LEGAL DESCRIPTION FOR VACATING DRAINAGE AND UTILITY EASEMENTS

The easterly 10.00 feet of Lot 3, Block 1, MARCOTT WOODS 2ND ADDITION, according to the recorded plat thereof, Dakota County, Minnesota lying south of the northerly 10.00 feet thereof and north of the southerly 10.00 feet thereof.

And,

The westerly 10.00 feet of Lot 4, Block 1, MARCOTT WOODS 2ND ADDITION, according to the recorded plat thereof, Dakota County, Minnesota lying south of the northerly 10.00 feet thereof and north of the southerly 10.00 feet thereof.

PROPOSED LEGAL DESCRIPTION FOR DRAINAGE AND UTILITY EASEMENT

A 20.00 wide easement for drainage and utility purposes lying over, under, and across Lots 3 and 4, Block 1, MARCOTT WOODS 2ND ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, the centerline of said easement described as follows:

Commencing at the northeast corner of said Lot 3; thence on an assumed bearing of South 89 degrees 03 minutes 32 seconds West, a distance of 16.00 feet to the point of beginning of the centerline to be described; thence South 27 degrees 48 minutes 32 seconds East, a distance of 440.36 feet to the southeast corner of said Lot 3 and there terminating.

The sidelines of said easement shall be prolonged or shortened to terminate on the south and north lines of said Lots 3 and 4.

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights
FROM: Planning Commission
DATE: October 15, 2013
SUBJECT: **BRUCE CORDS – CASE NO. 13-47VAC**

Reading of Notice

The public hearing notice was read at the October 1, 2013 Planning Commission meeting.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant owns two lots next to each other; there is a house on the east lot, the west lot is vacant. The applicant is proposing to shift the back lot line 16 feet; therefore, the perimeter drainage and utility easements need to be vacated and rededicated along the new boundary. Staff recommends approval of the request.

Opening of Public Hearing

Bruce Cords, 2893 – 96th Street East, advised he was available to answer any questions.

Chair Hark asked if the applicant understood the staff recommendations.

Mr. Cords replied in the affirmative.

Chair Hark closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Klein, second by Commissioner Simon, to approve the request for a vacation and rededication of certain public drainage and utility easements within the plat of Marcott Woods 2nd Addition.

Motion carried (7/0). This item goes to the City Council on October 28, 2013.

PLANNING REPORT CITY OF INVER GROVE HEIGHTS

REPORT DATE: October 10, 2013

CASE NO: 13-47VAC

HEARING DATE: October 15, 2013

APPLICANT/PROPERTY OWNER: Bruce Cords

REQUEST: Vacation and rededication of certain public drainage and utility easements

LOCATION: 2893 96th Street E

COMPREHENSIVE PLAN: RDR, Rural Density Residential

ZONING: E-1, Estate Residential

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant is proposing to move a lot line between two lots they own as they prepare to sell one lot. There is a house on Lot 4 and Lot 3 is currently vacant. This process can be handled administratively and staff will conduct this review for the applicant. The lots in question are part of Marcott Woods 2nd Addition subdivision. The lots contain existing perimeter drainage and utility easements that were dedicated with the plat. As part of moving the lot line, these existing easements need to be vacated and new easements dedicated along the new lot boundary.

EVALUATION OF THE REQUEST

ANALYSIS

The applicant will be shifting the lot line between the two lots approximately 16 feet to the west at the far back line of the lots. The intersecting line along the front will not shift. Each parcel will maintain a minimum 2.5 acre lot size.

Because the lot line shifts towards the rear, the dedicated drainage and utility easements must also be vacated and new easements dedicated to maintain a five foot drainage and utility easement along the entire length of the new lot line placement.

The applicant has provided a survey drawing showing the lot boundary changes and the easements to be vacated and dedicated. Engineering and Planning have both reviewed the survey and new easements and have no issues.

ALTERNATIVES

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

A. Approval If the Planning Commission finds the Vacation of the drainage and utility easements and rededication, as shown on the attached exhibit, to be acceptable, the Commission should recommend approval of the request with the following conditions:

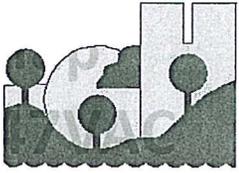
1. New easements shall be dedicated as shown on the survey drawing by Pioneer Engineering.

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

RECOMMENDATION

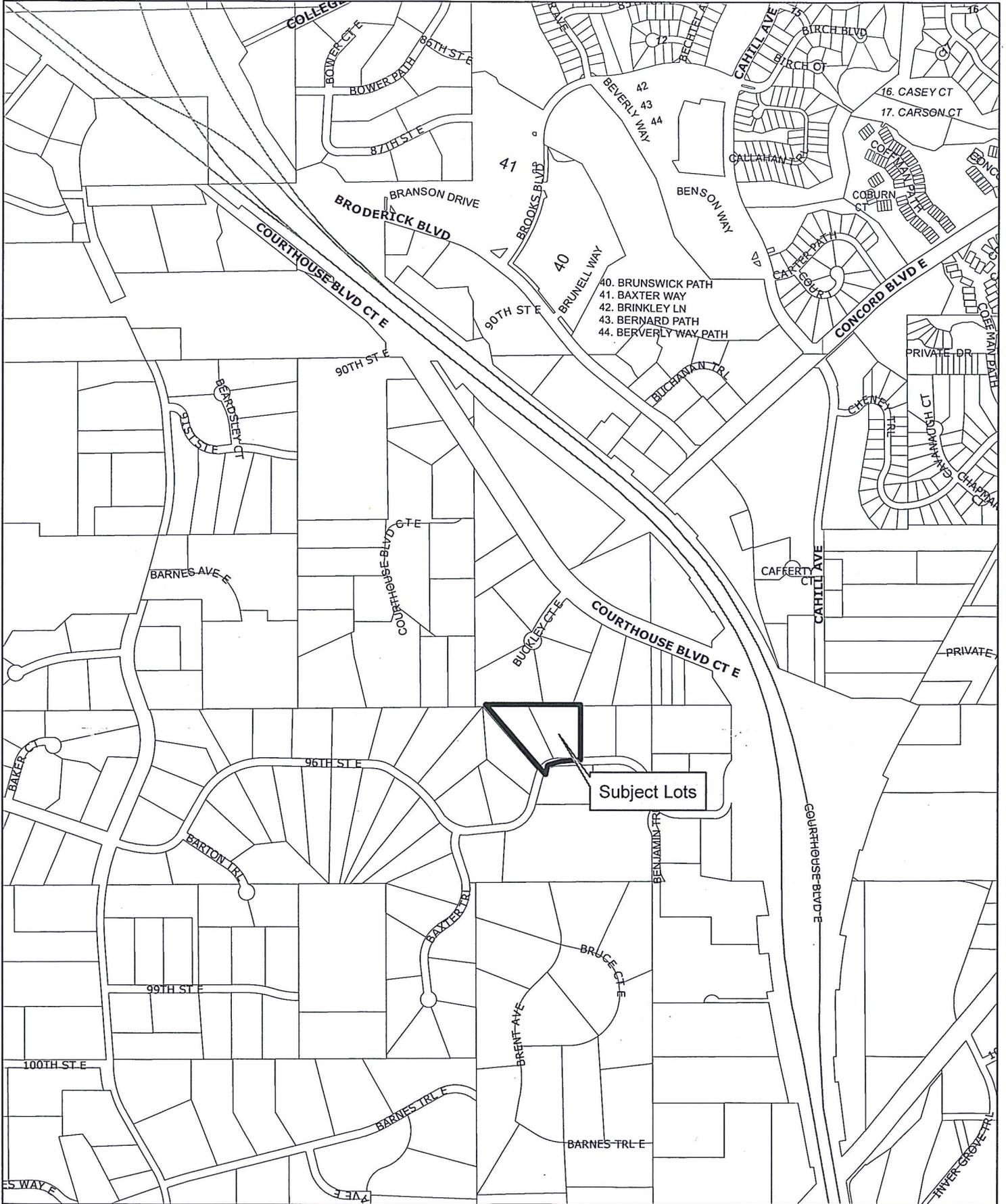
Based on the information in the preceding report, staff is recommending approval of the vacation and rededication of the drainage and utility easements with the condition listed.

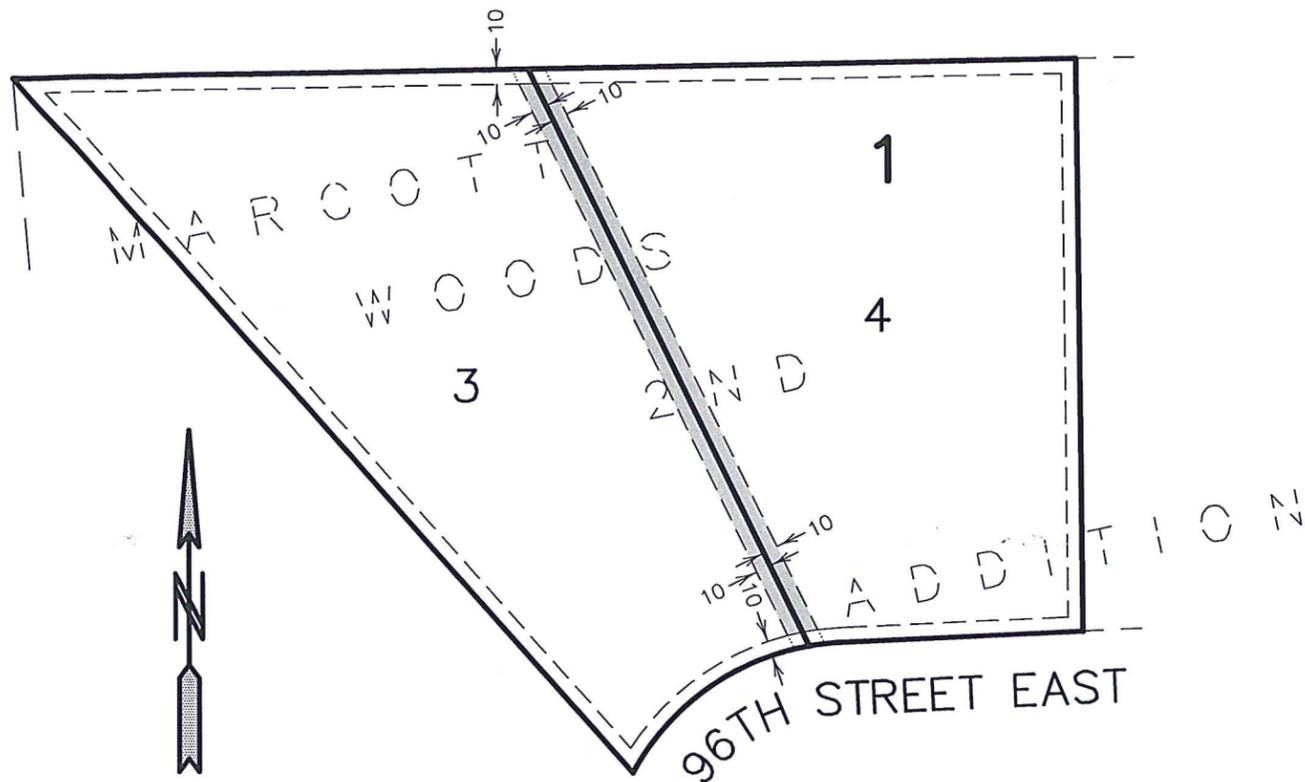
Attachments: Location Map
Survey Drawing Showing easements to be vacated



Location Map

Case No. 13-47VAC





Not to Scale

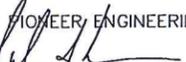
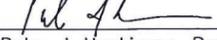
 DENOTES PROPOSED VACATED EASEMENTS

PROPOSED LEGAL DESCRIPTION FOR VACATING DRAINAGE AND UTILITY EASEMENTS

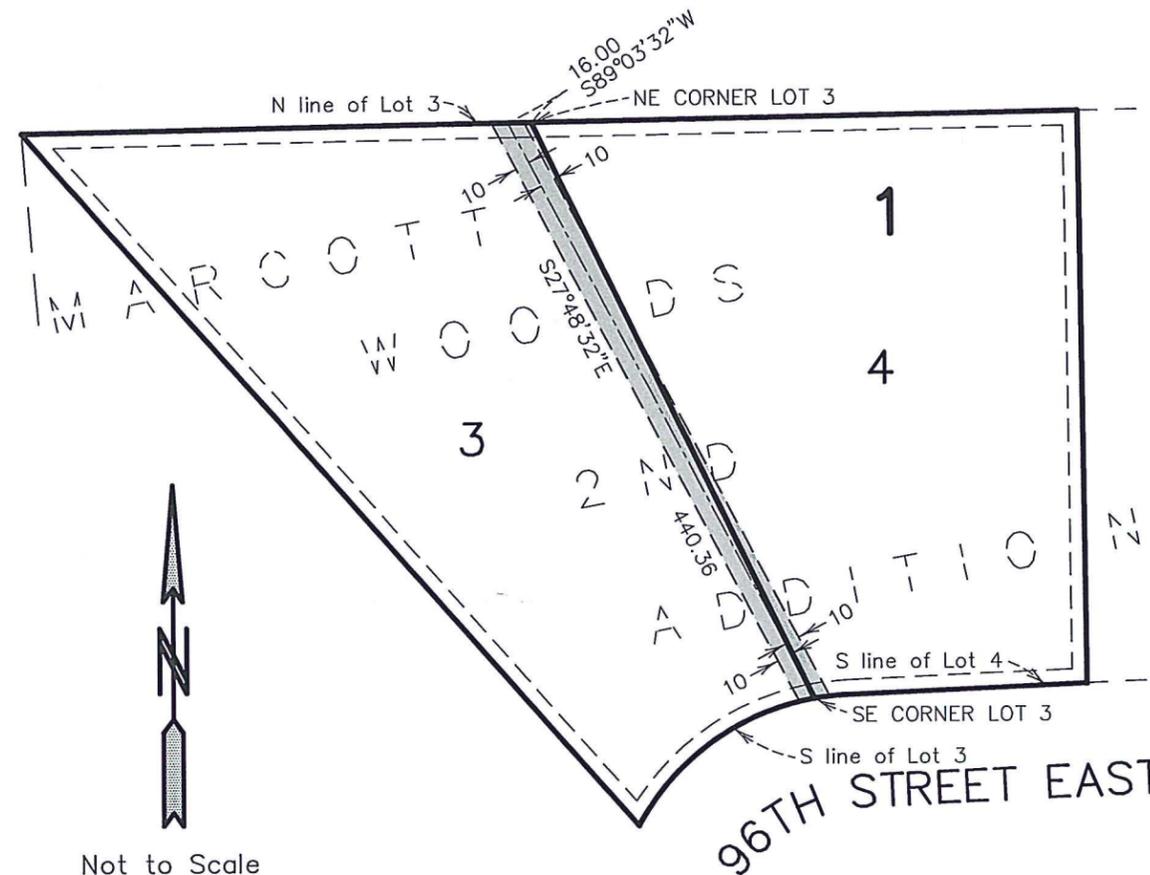
The easterly 10.00 feet of Lot 3, Block 1, MARCOTT WOODS 2ND ADDITION, according to the recorded plat thereof, Dakota County, Minnesota lying south of the northerly 10.00 feet thereof and north of the southerly 10.00 feet thereof.

And,

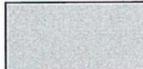
The westerly 10.00 feet of Lot 4, Block 1, MARCOTT WOODS 2ND ADDITION, according to the recorded plat thereof, Dakota County, Minnesota lying south of the northerly 10.00 feet thereof and north of the southerly 10.00 feet thereof.

SIGNED:  PIONEER ENGINEERING, P.A.
 BY: 
 Peter J. Hawkinson, Professional Land Surveyor
 Minnesota License No. 42299
 email-phawkinson@pioneereng.com

* THIS SKETCH DOES NOT PURPORT TO SHOW THE EXISTENCE OR NONEXISTENCE OF ANY ENCROACHMENTS FROM OR ONTO THE HEREON DESCRIBED LAND, EASEMENTS OF RECORD OR UNRECORDED EASEMENTS WHICH AFFECT SAID LAND OR ANY IMPROVEMENTS TO SAID LAND.



Not to Scale

 DENOTES PROPOSED EASEMENTS

PROPOSED DRAINAGE AND UTILITY EASEMENT LEGAL DESCRIPTION

A 20.00 wide easement for drainage and utility purposes lying over, under, and across Lots 3 and 4, Block 1, MARCOTT WOODS 2ND ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, the centerline of said easement described as follows:

Commencing at the northeast corner of said Lot 3; thence on an assumed bearing of South 89 degrees 03 minutes 32 seconds West, a distance of 16.00 feet to the point of beginning of the centerline to be described; thence South 27 degrees 48 minutes 32 seconds East, a distance of 440.36 feet to the southeast corner of said Lot 3 and there terminating.

The sidelines of said easement shall be prolonged or shortened to terminate on the south and north lines of said Lots 3 and 4.

Description Sketch for:

Karen Cords

Cad File: 113234000-VACATION
CREATION SKETCH

Folder #: 7585

Drawn by: mdp

PIONEERengineering

CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

(651) 681-1914

Fax: 681-9488

www.pioneereng.com

2422 Enterprise Drive
Mendota Heights, MN 55120

Sheet
1 of 1

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CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

POWER DYNAMICS, INC. – Case No. 13-49SU

Meeting Date: October 28, 2013
 Item Type: Regular Agenda
 Contact: Allan Hunting 651.450.2554
 Prepared by: Allan Hunting, City Planner
 Reviewed by:

Fiscal/FTE Impact:	
X	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 a resolution relating to a **Determination of Substantially Similar Use Designation**

- Requires 3/5th's vote.
- 60-day deadline: November 28, 2013 (first 60-days)

SUMMARY

The owners of the property, Inver City Printing, are planning on selling the property to another user. The property is zoned B-3, General Business. The other company is Power Dynamics, which sells and distributes gaskets to repair and contractor companies.

Power Dynamics operation would fall under the category of Wholesale Office and Showroom, which is a permitted use in the B-3 District. Part of the company's operation is the die cutting or manufacturing of gaskets. Manufacturing is not listed as a permitted use in the B-3 District. The making of gaskets is a small portion of the company's business and the equipment occupies a small portion of the floor area. Since this is not a major function of the operation, it could be considered accessory or ancillary to the warehouse distribution portion of the business.

In this instance, the Council is being asked to determine if the proposed use along with the manufacturing portion is substantially similar to Wholesale Office and Showroom which is a permitted use in the B-3 District.

ANALYSIS

Staff feels that since manufacturing is the issue, there should be a limit on the amount of floor space devoted to such use. This ultimately becomes a policy issue for the Council to determine what percentage should be used. During the Planning Commission discussion, they felt that a maximum of 20% of the floor area kept the manufacturing portion as accessory or ancillary to the main use of sales, warehouse and distribution.

RECOMMENDATION

Planning Staff: Recommends to the City Council to find the proposed use of selling, distributing, warehousing and manufacturing gaskets is deemed to be similar to Wholesale Office and Showroom which is a permitted use, with ancillary manufacturing provided the business operates under the restrictions listed in the attached resolution.

Planning Commission: Also recommends that the use be deemed similar to Wholesale Office Showroom. (6-1).

Attachments: Resolution of Substantially Similar Use Designation
 Planning Commission Recommendation
 Planning Report

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION APPROVING A DETERMINATION OF SUBSTANTIALLY SIMILAR USE
THAT A USE CONSISTING OF PRIMARILY OFFICE-SHOWROOM WITH A
COMPONENT OF WAREHOUSING, BUT WITH A COMPONENT OF
MANUFACTURING IS SUBSTANTIALLY SIMILAR TO WHOLESALE OFFICE
SHOWROOM WHICH IS A PERMITTED USE IN THE B-3, GENERAL BUSINESS
DISTRICT

CASE NO. 13-49SU
(Power Dynamics)

WHEREAS, an application for Substantially Similar Use Designation has been submitted in accordance with City Code regulations Title 10-Chapter 3-6;

WHEREAS, at the zoning administrators discretion, the application was referred to the board of adjustments and appeals to make a determination.

WHEREAS, the property is zoned B-3, General Business District and the site address is 7365 Concord Boulevard;

WHEREAS, the subject use consists of a fluid sealing products (gaskets) company that sells, distributes, warehouses and manufactures gaskets;

WHEREAS, a public hearing concerning the substantially similar use determination was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on October 15, 2013;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that a use consisting of primarily office-showroom with a component of warehousing, but with a component of manufacturing is substantially similar to Wholesale Office Showroom which is a permitted use in the B-3, General Business district, subject to the following conditions:

1. The site operates in conformance with the approved site plan for the on file with the Planning Department under Case No. 96-68V.
2. Area devoted to office space in the building shall maintain a minimum of 30% of the total floor area.
3. All operations shall occur within the building excepting shipping and receiving
4. The manufacturing portion of the business shall be limited to a maximum size of 20% of the floor area of the building.

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 28th day of October, 2013.

George Tourville, Mayor

Ayes:

Nays:

ATTEST:

Melissa Kennedy, Deputy Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights
FROM: Planning Commission
DATE: October 15, 2013
SUBJECT: POWER DYNAMICS (JIM MUELLER) - CASE NO. 13-49SU

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a determination of substantially similar use status for a use that is not specifically listed as permitted, conditional or accessory in the B-3, General Business district. The City is being asked to consider whether a business use that is primarily office-showroom with a component of warehousing, but with ancillary manufacturing, is substantially similar to office-showroom or is substantially similar to printing and publishing, for the property located at 7365 Concord Boulevard. 35 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the property is zoned B-3 and there is currently a printing business on-site, which is an approved use in the B-3. The owner is planning to sell the property to another company, Power Dynamics, which is essentially a sales/distribution company. The only issue is that they manufacture some gaskets. Manufacturing is not allowed in the B-3 district. The ordinance does not define a threshold of how much of a business's operation is manufacturing. In this case, manufacturing is a small portion of their operation, and the piece of equipment they use takes up only a small amount of the total floor area. The manufacturing could be considered ancillary to the office showroom use. The Planning Commission is being asked to determine if the proposed use, along with its manufacturing portion, is substantially similar to office-showroom which is a permitted use in the B-3 district. Staff suggests that the manufacturing portion be limited to a maximum size and are asking the Planning Commission to discuss a recommended percentage of floor area allowed. Staff recommends finding the proposed use substantially similar.

Commissioner Klein asked what staff recommended for maximum floor ratio.

Mr. Hunting replied perhaps 10-15% of the total floor area; definitely less than 25%.

Commissioner Simon noted that the case number on the public hearing notice was different than the one listed on the agenda and asked which was correct.

Mr. Hunting advised that the case number was 13-49SU.

Commissioner Simon asked if staff had heard from any of the neighbors.

Mr. Hunting replied he was aware of only one inquiry.

Opening of Public Hearing

Nick Wall and Bryan Rieken, 2971 Seneca Road, advised they were available to answer any questions.

Commissioner Klein asked the applicant what percentage of floor area they would recommend for the manufacturing portion.

Mr. Wall replied that 10% would be adequate.

Commissioner Klein suggested allotting more than that to allow for future expansion.

Chair Hark asked if the applicants would be melting anything or generating fumes.

Mr. Wall replied they would not. He stated the manufacturing was done on a small electronic die press.

Commissioner Simon asked the applicants how many gaskets they manufactured per day.

Mr. Wall replied approximately 500 a day.

Mr. Rieken advised they make gaskets from one inch to 30 inches in size. Of the 500, approximately ten would be the large ones.

Mr. Wall advised they were all dry gaskets; they do not mold anything.

Commissioner Simon asked how many employees were needed to run the electronic press.

Mr. Wall replied one.

Chair Hark closed the public hearing.

Planning Commission Discussion

Chair Hark suggested a limit of 20% of the total floor area.

Commissioner Klein supported 20% as well.

Commissioner Simon stated 10-15% should be sufficient since they were currently using only 3-4% of the proposed space.

Commissioner Gooch supported 20%, stating the proposed use was no different than printing presses.

Commissioner Lissarrague agreed with a 20% limit.

Commissioner Elsmore stated that 10-15% would allow for future expansion as it would allow almost 10 times more than what they were currently using.

Commissioner Simon asked if the applicant agreed with the four conditions listed in the report.

Mr. Wall replied in the affirmative.

Commissioner Lissarrague asked the applicant if he preferred 15% or 20%.

Mr. Wall replied he would like to be allowed 20%.

Commissioner Elsmore stated if the City was trying to make this as substantially similar as the other uses that are allowed in the B-3, it would make sense to limit this to ensure it maintains the statutory requirement of ancillary use. She pointed out that the applicant was not pleading for 20%.

Commissioner Klein asked if staff agreed with Commissioner Elsmore.

Mr. Hunting replied that staff was not suggesting a specific number; ultimately it would be a policy decision by Council to determine that number.

Commissioner Simon asked if this request would be specific to this particular business or to the property.

Mr. Hunting replied it was tied to the property. If another user came in and manufactured something different, as long as they met the conditions of approval and were proposing a substantially similar use, it would be acceptable.

Commissioner Simon noted that someone could come in with a use that was smellier and messier.

Mr. Hunting replied it would be possible; however, if something was proposed that produced noxious fumes the City might determine that was not Council's intent.

Planning Commission Recommendation

Motion by Commissioner Gooch, second by Commissioner Scales, to recommend to City Council to find the proposed use to be similar to Warehouse Office and Showroom which is a permitted use, with ancillary manufacturing, with the four conditions listed in the report, **including Condition 4 limiting the manufacturing portion of the business to 20% of the floor area of the building.**

Motion carried (6/1 - Simon). This item goes to the City Council on October 28, 2013.

PLANNING REPORT CITY OF INVER GROVE HEIGHTS

REPORT DATE: October 9, 2013 **CASE NO.:** 13-49SU

HEARING DATE: October 15, 2013

APPLICANT: Power Dynamics, Inc.

PROPERTY OWNER: James Mueller

REQUEST: Determination of Substantially Similar Use

LOCATION: 7365 Concord Boulevard

COMP PLAN: Community Commercial

ZONING: B-3, General Business District

REVIEWING DIVISIONS: Planning **PREPARED BY:** Allan Hunting
City Planner

BACKGROUND

The owners of the property currently operate Inver City Printing which is a printing business that is categorized as a permitted use in the B-3 District. The owner is planning to sell the property to another company. The other company, Power Dynamics is a sales/distribution company. They sell and distribute fluid sealing products (gaskets) to other repair or contractor companies. They stock product and sell either over the counter or ship product to customers. A unique function of the company is that they are able to make or manufacture gaskets on site with a die cutting machine that cuts out gaskets.

Within the B-3 District, a printing and publishing business is a permitted use. The current print shop is therefore a conforming permitted use. The applicant (Power Dynamics, Inc.) as they operate would fall under the category of "Wholesale Office and Showroom" which is a permitted use in the B-3 District. The definition that best fits **Wholesale Office and showroom** is called Office-Showroom is defined as the following:

"A building with gross floor area consisting of at least thirty percent (30%) finished office space, in addition to showroom, warehousing and distribution uses, including product display, storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions."

As the operation has been described to staff, the company has office space for office employees and sales staff and an order desk area where customers can pick up or place orders for product. The company is a wholesale and distribution business that sells and distributes manufactured products. The company does however produce or manufacture gaskets on site with the die cutting machine. The use of "manufacturing" is allowed in industrial districts, but not in the B-3 or other commercial districts. The ordinance does not define or produce a threshold of how much of a business's operation is manufacturing. Since there is manufacturing being conducted on site, all portions of the use cannot fall under the wholesale office and showroom definition. The amount of space utilized for manufacturing is very small since there is only one piece of equipment being used for manufacturing. Since this is not a major function of the operation, it could be considered accessory or ancillary to the warehouse distribution portion of the business.

Where a use, or portions of a use do not fit exactly any of the listed permitted or conditional uses identified in the use table in the Zoning Ordinance, there is a provision called Determination of Substantially Similar Use that is designed to address "gray areas" when deciding if a use fits within the use table. The Zoning Administrator may make a determination on a use question, or at his or her discretion, the request is referred to the City Council to make the determination. This process requires a public hearing with the Planning Commission who would then make a recommendation to Council. City Council would ultimately determine if a use is substantially similar.

In this case, the determination is to decide if the proposed use along with its manufacturing portion, is substantially similar to Wholesale Office and Show Room which is a permitted use in the B-3 District.

EVALUATION OF REQUEST:

The applicant has provided a sketch of the floor plan of the building and how their operation would utilize the space. The plan identifies approximately 3200 square feet devoted to office space and counter area which would be consistent with the requirement of needing at least 30% office space. The balance of the building is utilized for warehouse and distribution, approximately 4900 sq ft. The plan shows the die cutting machine in a corner of the building occupying approximately 150 square feet which covers the area of the machine plus employee operating space around the machine. In order for the manufacturing portion to be deemed accessory or ancillary, staff suggests some quantitative measure be used to limit the amount of manufacturing that occurs. This could be accomplished through establishing a maximum square footage or some other means. Staff suggests a limit of 10 to 15% of floor area.

The proposed use appears to operate in a similar fashion to the printing business. In both cases, the businesses take some raw material, produce a product (gaskets for Power Dynamics and brochures, folders, pamphlets for Inver City Printing) and then distribute the products to customers. Power Dynamics has indicated their operating hours are during normal business hours M-F and not open evenings or weekends.

ALTERNATIVES

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

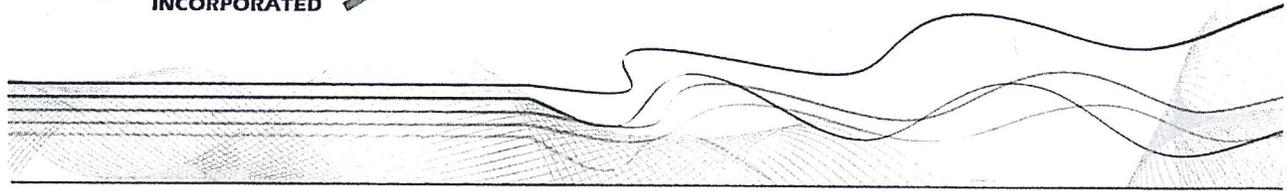
- A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be taken:
- o A Determination of Substantially Similar Use that the proposed use is primarily Office-Showroom and with component of warehousing, but with ancillary manufacturing is substantially similar to Wholesale Office Show Room which is a permitted use in the B-3 District.
- B. **Denial** If the Planning Commission does not favor the proposed request, it should be recommended for denial. A basis for the denial must be provided with a denial recommendation.

RECOMMENDATION

Staff makes a recommendation to City Council to find that the proposed use of a fluid sealing products (gaskets) company that sells, distributes, warehouses and manufactures gaskets is deemed to be similar to Wholesale Office and Showroom which is a permitted use, with ancillary manufacturing provided the business operates under the following restrictions:

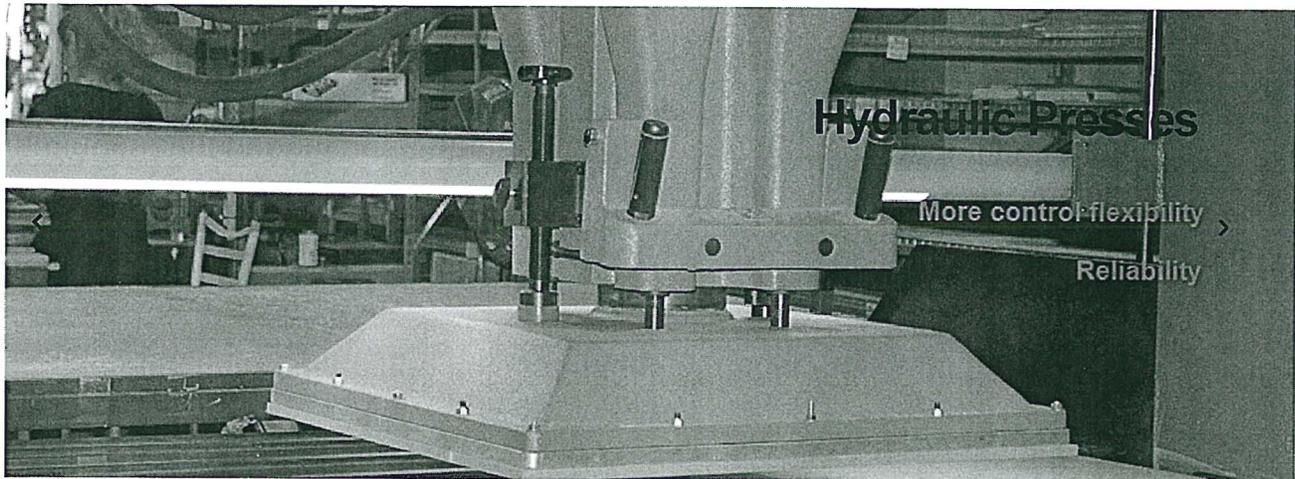
1. The site operates in conformance with the approved site plan for the on file with the Planning Department.
2. Area devoted to office space in the building shall maintain a minimum of 30% of the total floor area.
3. All operations shall occur within the building excepting shipping and receiving
4. The manufacturing portion of the business shall be limited to a maximum size of XX% of the floor area of the building (to be determined by Council).

Attachments: Exhibit A - Location Map
Exhibit B - Copy of Pages from Power Dynamics website
Exhibit C - Proposed floor plan



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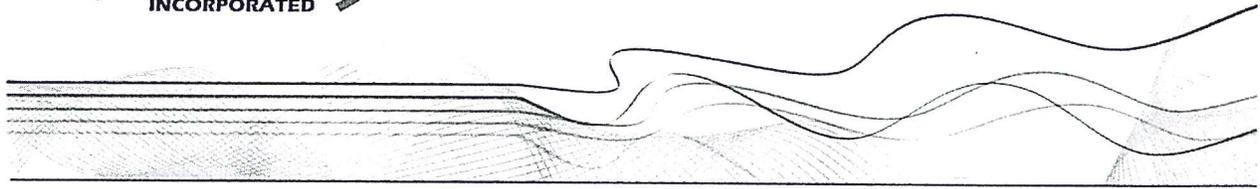


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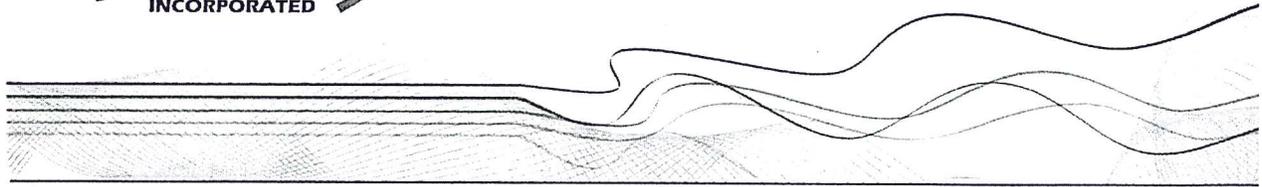
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Approximately 8262 total sq ft of space
Approximately 4911 sq ft of product storage

128.3

30.0

Approximately 957 sq ft of city desk area

31.5

Approximately 2244 sq ft of office space

97.2

64.4

Approximately 150sq ft of
manufacturing area

20.0

7.5

26.0

Bathroom

Bathroom

Storage

Office

Office

Office

Office

Office

Office

Office

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

VANCE GRANNIS, JR – Case No. 13-34ZA

Meeting Date: October 28, 2013
 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 actions for property located on the west side of Barnes Avenue in the general vicinity of 9249 Barnes Avenue;

- a) Resolution relating to a **Comprehensive Plan Amendment** to change the land use designation providing a dual designation of RDR and PO and text amendments to provide for a nature center/outdoor skills area.
 - Requires 4/5th's vote.
- b) Resolution relating to an **Ordinance Amendment** to allow a nature center/outdoor skills area as a permitted use with performance standards in the E-1, Estate Residential Zoning District.
 - Requires 3/5th's vote.
 - 60-day deadline: October 29, 2013 (second 60-days)

SUMMARY

Mr. Grannis is proceeding ahead with the nature center/outdoor skills area that he has been planning for some time. He has now submitted an application for a zoning code amendment and comprehensive plan amendment for the project.

The combined property area is approximately 133 acres that will be used for the entire nature center complex. Mr. Grannis is working with the County to place approximately 105 acres in a permanent conservation easement. The balance of the acreage would be used for future improvements which include an interpretive center building and a senior housing component.

ANALYSIS

The property is currently guided RDR, Rural Density Residential which is a category that is designed primarily for single family homes on minimum 2.5 acre lots. The category of Private Recreation/Open Space was created to allow, among other uses, provide nature centers. Since the time line for complete construction of the whole nature center complex is unknown, staff suggested this dual use designation as it leaves the existing category in place until development occurs and then the use of property is governed by the Private Recreation designation once the site is functioning as a nature center.

The request to allow a senior living facility on a private treatment system is a departure from the land use pattern in the rural area of the city consisting of large lot single family development. Currently, any type of multiple family housing requires connection to city services. This land use category dual designation and text amendments would allow a senior living facility when in conjunction with a nature center in the rural area of the city.

The zoning ordinance amendment would allow the nature center/outdoor skills area as a permitted use in the E-1 District with performance standards. There is specific minimum acreage amounts required which would make this a unique and limited operation. Any of the new proposed buildings including the interpretive center and senior housing building would be considered a permitted use but require a Major Site Plan approval which entails a public hearing and City Council approval.

This is a very unique request with a number of land use components in the category of nature center. With the additions to the comprehensive plan text and map changes, the use would be consistent with the comprehensive plan. The ordinance amendment provides performance standards for the use and requires city council approval for any new buildings on the site.

RECOMMENDATION

Planning Staff: Recommends approval of the requests as presented.

Planning Commission: Recommends approval of the request as presented. (6-1).

Attachments: Comprehensive Plan Resolution
Comp Plan Text Changes
Ordinance Amendment
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 FOR THE PROPERTY DESCRIBED BELOW CREATING A DUAL DESIGNATION OF RDR, RURAL DENSITY RESIDENTIAL AND PO, PRIVATE RECREATION/OPEN SPACE AND TEXT AMENDMENT TO PROVIDE FOR NATURE CENTER/OUTDOOR SKILLS AREA

CASE NO. 13-34ZA
(Grannis)

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

SEE EXHIBIT A

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 October 15, 2013, 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 Map Amendment and Text 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 _____ 2013.

Ayes:

Nays:

ATTEST:

George Tourville, Mayor

Melissa Kennedy, Deputy Clerk

Resolution No. _____

EXHIBIT A

SECTION 20 TWN 27 RANGE 22

E 565 FT OF S 100 FT OF N 1/2 OF NE 1/4 & E 565 FT OF N 950 FT OF SE 1/4 OF NE 1/4

and;

PT OF E 1/2 OF NE 1/4 LY N'LY & E'LY OF FOL DES L COM AT PT ON W L 600 FT S OF NW COR E 300 FT THENCE IN SE'LY DIR 550 FT M/L TO A PT 750 FT E OF W L & 1025 FT S OF N L & THERE TERM & LY W'LY OF FOL DES L COM AT PT OF TERM OF ABOVE L THENCE IN NE'LY DIR 900 FT M/L TO A PT ON E L 300 FT S OF NE COR N'LY 300 FT TO NE COR & THERE TERM SUBJ TO ESMNT

and;

NE 1/4 OF NE 1/4 LESS 5 A IN SW COR & EX E 565 FT OF S 100 FT SUBJ TO RD ESMNT EX PARCEL 20-02000-013-05

and;

5 ACS IN SW 1/4 OF NE 1/4 OF NE 1/4 ALSO SE 1/4 OF NE 1/4 EX E 565 FT OF N 950 FT & EX PT LYING S OF LINE COM SW COR N 755 FT TO BEG OF LINE S 75D 39M 31S E 540 FT SE TO SW COR OF E 565 FT OF N 950 FT & THERE TERM & LYING W OF LINE COM SE COR OF W 1/2 OF E 1/2 OF NE 1/4 N 110 FT N 36D 42M 10S E E TO S LINE OF N 990 FT N 40 FT TO S LINE OF N 950 FT & THERE TERM SUBJ TO FNAP ESMNT OVER 15.78 ACRES DOC NO 20808691

SECTION 21 TWN 27 RANGE 22

THAT PT OF S 1/2 OF NW 1/4 BEG AT PT ON W L 356.18FT N'LY OF SW COR NOD32M38S W 950.05FT TO NW COR N88D52M 14S E1603FT TO C/L CR#73 S 16D10M7S W AL C/L 617.58FT S88D52M14S W 485.98FT S46D 22M W 176.19FT S 88D52M14S W 310.77FT S 29D54M W132.36 FT S 45D24M 185.89FT S88D 52M14S W 299.30FT TO BEG ALSO THE W 700FT OF S 100FT OF N 1/2 OF NW 1/4

and;

W 3/4 OF NW 1/4 OF NW 1/4 EX W 700 FT OF S 100 FT

SECTION 16 TWN 27 RANGE 22

S 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4 & ALL W OF RD OF SW 1/4 OF SE 1/4 OF SW 1/4 LES CRTWY

and;

LOT 4 BLK 1 BIRCH POND, EX S 900 FT SUBJ TO FNAP ESMNT OVER ALL (1.02 ACRES) DOCUMENT NO 2808691

PROPOSED TEXT AMENDMENT TO
2030 COMPREHENSIVE PLAN

(Vance Grannis – Darvan Acres Nature Center Inc.)

Chapter 2 – Land Use

Rural Density Residential (RDR)

Page 2-9, add the following paragraph to the end of the section:

In addition to the above uses, the Rural Density Residential category may also include private nature center combining uses such as outdoor skills and environmental education center/open space that would be further defined in the zoning ordinance.

Rural Density Residential Policies

Page 2-12, add the following:

17. Any nature center including outdoor skills and environmental education center/open space shall be designed to be consistent with the Rural Density Residential policies creating a quality living environment that is adapted to the natural environment. A nature center may be allowed a senior independent/assisted care facility on a private treatment system as further defined by standards in the zoning ordinance.

Private Recreation/Open Space

Page 2-30, amend to add the following phrase:

Private Recreation/open space is a land use category that identifies private land areas which are used for recreational purposes and have the appearance of open lands (i.e. golf courses, gun clubs, nature areas/**nature centers** or common open space). The intent of the comprehensive plan is to guide these use as they are known today to ensure a public process for future re-guiding should the development intentions of such property change.

Private Recreation/Open Space Policies

Page 2-30, add the following:

3. Allow for private nature centers combining such uses as outdoor skills and environmental education center/open space with a senior independent/assisted care living component as defined by standards in the zoning ordinance.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 10, (ZONING ORDINANCE) REGARDING ADDING LANGUAGE
ADDRESSING OUTDOOR SKILLS AND ENVIRONMENTAL EDUCATION
CENTER OPEN AREA AND NATURE CENTERS

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

Section One. Amendment. Title 10, Chapter 2, RULES AND DEFINITIONS
of the Inver Grove Heights City Code is hereby amended to add the following:

10-2-2: **DEFINITIONS:**

OUTDOOR SKILLS AND ENVIRONMENTAL EDUCATION CENTER OPEN AREA AND NATURE CENTERS: An area of 120 or more contiguous or adjacent acres under the same ownership or control with at least 105 acres being subject to a Permanent Natural Area Conservation Easement dedicated to a governmental agency. Activities within the Outdoor Skills and Environmental Education Center include, but are not limited to the following: Preservation of environmentally sensitive natural areas; habitat restoration; providing opportunities for formal and informal environmental education and nature appreciation by people of all ages; wildlife observation areas; outdoor skill education such as identifying birds, plants and wildlife, wildlife photography, hiking, camping, portaging a canoe, fishing, hunting, archery, gun safety, organic farming and orchards. Snowshoeing, cross country skiing, wildlife art, beekeeping; maple syruping; with all appropriate facilities including, but not limited to pre-school facilities combined with senior independent/assisted care and hospice facilities of not more than 53 total living units. Facilities for treating and releasing orphaned and injured wildlife, intern/security housing, equipment storage and maintenance buildings, greenhouses, and interpretive center with offices.

Section Two. Amendment. Title 10, Chapter 6, LAND USE MATRICES of the Inver Grove Heights City Code is hereby amended to add the following:

10-6-1: **LAND USES IN ALL RESIDENTIAL DISTRICTS:**

Use	Zoning District												
	A	E-1	E-2	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-3C	R-4	MF-PUD	MU-PUD
Permitted Uses													
<u>Outdoor Skills and Environmental Education Center/Open Area and Nature Centers</u>		P											

Section Three. Amendment. Title 10, Chapter 15, PERFORMANCE STANDARDS, of the Inver Grove Heights City Code is hereby amended to add the following section:

10-15-35: **Outdoor Skills Area and Environmental Education Center Open Area and Nature Centers:** Where permitted, the use shall be subject to the following conditions:

- A. The use shall only be allowed on a site that contains at least 120 acres contiguous to each other or adjacent to under the same ownership or control. At least 105 of the total acres must be subject to a recorded permanent natural area conservation easement in favor of a governmental body.
- B. the interpretive center shall mean and include the following:
 - 1. Administrative offices.
 - 2. Activity/display/classrooms/storage.
 - 3. Restrooms.
 - 4. Open air shelters/pavilions.

5. Environmental pre-school.
 6. Indoor gun safety area.
 7. Parking lot and roadways in conformance with performance standards found in the zoning ordinance.
 8. Interpretive center shall be limited to no more than two new buildings.
 9. All new buildings, parking areas, roadways must be on a site plan approved by the city per Section 10-15J. Site Plan Review and meet performance standards of the city code.
- C. senior housing component shall mean and include the following:
1. independent/assisted care; hospice facilities combined with senior independent and assistance housing.
 2. environmental pre-school allowed only in combination with the senior housing component or the interpretive center.
 3. Must be constructed on a parcel that adjoins the nature center campus site provided no more than one building total shall be allowed over the entire use area.
 4. Not more than one building shall be allowed for senior housing described above.
 5. The building shall be limited to 53 living units.
 6. Must be subject to an agreement between the city and the owners of the facility that the building will be used for senior housing within the meaning of the Federal Housing For Older Persons Act of 1995, as amended from time to time and within the meaning of Minnesota Statute § 363A.21, as amended from time to time.
 7. Shall be allowed on a private treatment system and does not require the extension and connection to city sewer and water. If city services become available, the building must connect to city sewer per standards found in the city code.
 8. All buildings, parking areas, roadways must be on a site plan approved by the city per Section 10-15J. Site Plan Review and meet performance standards of the city code.
- D. the natural area conservation easement shall be permanent and cannot be terminated or removed without city consent.

Section Four. 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 ____ day of October, 2013.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights
FROM: Planning Commission
DATE: October 15, 2013
SUBJECT: VANCE GRANNIS JR – CASE NO. 13-34ZA

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for an ordinance amendment to Title 10 of the City Code (Zoning Ordinance) to allow 'Outdoor Skills and Environmental Education Center' as a permitted use with performance standards in the E-1 zoning district, and a Comprehensive Plan Amendment involving text change and land use map changes to add the designation of Private Recreation/Open Space to the subject property addressing the use of property as an Outdoor Skills and Environmental Education Center, for property located on the west side of Barnes Avenue in the general vicinity of 9249 Barnes Avenue. 80 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant is moving forward with his nature center project. The proposed amendments would allow him to try to seek funding and proceed with the conservation easement. Mr. Hunting displayed a diagram of the proposed site plan, including the Grannis homestead, the interpretive center site, as well as a future senior housing site. In order to accomplish this, some zoning code and comprehensive plan amendments are necessary. The applicant is requesting a comprehensive plan amendment to change the land use designation of the properties to a dual designation of RDR, Rural Density Residential and PO, Private Open Space. The Private Open Space category was included in the 2030 Comprehensive Plan and was created specifically for a use such as the one being proposed. Retaining the RDR as well would allow the property to develop as single family residential should the nature center not come to fruition. In order for both categories to specifically address the use, staff is suggesting text changes to both the RDR and PO districts. Since the use would involve a senior living facility on a private system, the RDR district has to identify this specific higher density use in conjunction with a nature center. More text is suggested in the PO district to further define the intent of nature centers. The applicant is also requesting an amendment to the zoning ordinance to allow the outdoor skills/nature center as a permitted use in the E-1 district. The nature center also proposes a senior housing component. New construction of the proposed facilities would require a site plan review by staff, the Planning Commission, and City Council. Staff recommends approval of the request with the conditions listed in the report.

Chair Hark asked if there were other areas in the City with 120 or more contiguous acres.

Mr. Hunting replied there were currently no such areas, and he doubted there were any properties that could combined in the future to equal 120 contiguous acres.

Chair Hark asked how staff arrived at a limit of 53 senior housing units.

Mr. Hunting replied that number was based on the density that would be allowed in the E-1 district, which is one unit per 2.5 acres. Dividing the gross acreage by 2.5 equaled 53 units.

Commissioner Klein supported the request and felt it would be beneficial to the City.

Commissioner Simon asked if Item D of the proposed zoning code amendment granted the City the power to remove or terminate the conservation easement.

Mr. Hunting replied it did not; it was meant to clarify that the easement was permanent and that any effort to remove it would require city consent.

Commissioner Simon stated it was her understanding that conservation easements were permanent.

Mr. Hunting stated this language was established as a safeguard in case there was a process by which someone could have it removed.

Commissioner Simon voiced concern that a future City Council could remove the conservation easement.

Commissioner Lissarrague asked for clarification of the senior housing timeframe.

Mr. Hunting advised that the senior housing would be a future phase and would require site plan approval, including a public hearing and Council approval.

Commissioner Scales was concerned about the precedent the senior housing would set in a rural area and the potential for others with acreage to make application to build multi-unit buildings.

Mr. Hunting noted that the language stipulates the senior center must be tied to a nature center so it would not be allowed anywhere else in the RDR.

Commissioner Scales asked if a property owner in the RDR could ask to develop their property into multiple-family but tie it to something else other than a nature center.

Mr. Hunting replied in theory anyone can ask for anything; it does not mean it would be approved.

Commissioner Gooch questioned whether allowing senior housing, which would be a medium or high density use, would prompt others in the RDR to request higher density uses.

Mr. Hunting replied that residents always have the option to do that.

Commissioner Gooch advised this would set a precedent, however.

Commissioner Klein stated it would be cost prohibitive because the area was not served by City sewer or water.

Mr. Link advised that initially staff had concerns about allowing multiple-family in the RDR district as well. However, after further review and discussion, staff is recommending approval because of the fact that the senior housing is tied to a nature center and the fact that it still adheres to the overall density of the property (one unit per 2 ½ acres). Staff looks at this as similar to the clustering being done in the Northwest Area.

In response to an inquiry from Commissioner Elsmore, Mr. Hunting explained that the senior housing and interpretive center sites, as well as the Grannis homestead, would not be part of the conservation easement.

Commissioner Lissarrague asked for confirmation that the neighbors in the area would be notified if the senior housing were to move forward.

Mr. Hunting replied that the neighbors would be notified of the public hearing, a notice would be put in the paper, and the request would be reviewed by the Planning Commission and the City Council.

Opening of Public Hearing

Vance Grannis Jr., 9249 Barnes Avenue, stated the conservation easement was permanent and it would take legislative action to remove it.

Jay Ross, 2120 – 96th Street East, asked what type of activities would take place in the outdoor skills area.

Chair Hark stated a list of possible activities could be found in the planning report.

Mr. Ross voiced his concern regarding a rifle range, and asked if the rifle range program could be expanded in the future.

Chair Hark advised that action had already been taken regarding the gun range and it was not part of this application.

Mr. Ross asked when the senior housing would be built.

Chair Hark stated that was unknown at this time as they were still in the pre-planning stages.

Mr. Ross was concerned about a senior building being built near his home as he purchased his property because of the quiet and rural nature of the area. He asked how many stories high the senior building would be.

Commissioner Klein advised a plan had not yet been submitted, but the maximum amount of units allowed was 53.

At Commissioner Klein's request, Mr. Ross pointed out his property location.

Commissioner Klein advised Mr. Ross that he was quite a distance from the senior housing location.

Mr. Ross responded that he would still have to drive by it every day. He supported the nature center but had concerns regarding the senior center.

Brandon Merrill, 8804 Brunell Way, stated he owned a lot in Shamrock Oaks and questioned if the senior center could potentially trigger sewer and extension to this area.

Mr. Hunting advised that this property would have to be on its own private system since municipal sewer was not planned for this area.

Commissioner Klein stated extending sewer and water to this area would be very difficult and would not be cost effective.

Mr. Merrill asked where the primary entrance would be located.

Mr. Hunting pointed out the location, stating that the primary entrance to the site would be in the general area of the existing dirt driveway.

Eileen Lee, 1900 – 86th Street East, stated last year the neighbors were told of the gun range, today they were being advised of the senior housing site; she questioned what else was planned for this site that they did not yet know about.

Chair Hark advised there could be no more building on the property once the conservation easement was put in place.

Dawn Nakashima, 2070 – 86th Street East, asked for more information regarding the rifle range and the type of outdoor skills being taught at the nature center.

Mr. Link advised there was no gun or rifle range on the property. What was approved is a DNR gun safety training program which takes place 3-4 times a year. It is supervised and takes place at a specific location on the property.

Ms. Nakashima asked where that would be located.

Mr. Hunting showed the general area of the gun safety training program.

Ms. Nakashima asked if precautions for public safety were put in place.

Chair Hark advised this had been discussed thoroughly and was approved last year. He suggested Ms. Nakashima contact Mr. Hunting after the meeting to get a list of outdoor skills to be taught at the nature center.

Ms. Nakashima was given a copy of the application.

Mr. Grannis advised they would be teaching beekeeping, maple syruping, decoy placement, camping, hiking, as well as many other skills as listed in the planning report. He added that a preschool is also being proposed in conjunction with the senior center. The senior living center building will be designed to be as environmentally friendly as possible, and the plan is to plant 20-30 foot tall trees which will help screen the building from Barnes Avenue.

Marsha Workman, 2465 – 91st Street, stated she lived across the street from the subject site and supported the proposal, stating it was a wonderful opportunity for the residents of Inver Grove Heights.

Chair Hark closed the public hearing.

Planning Commission Discussion

Chair Hark stated he was in favor of the request and felt a nature center would be beneficial to the City.

Commissioner Scales asked if the senior living center could be setback further from Barnes Avenue.

Mr. Hunting advised that the drawing in the packet was conceptual and did not represent a final plan.

Commissioner Lissarrague stated he supported the request with the knowledge that a public hearing would occur if and when the senior living facility was built.

Commissioner Elsmore stated she was not opposed to the nature center, but would be voting no as she did not support changing City ordinances for one specific proposal.

Commissioner Scales supported the request, stating there were so few areas like this left in the Twin Cities.

Commissioner Klein stated he was in favor of the request, noting that it would be reviewed by City Council as well as Met Council.

Planning Commission Recommendation

Motion by Commissioner Klein, second by Commissioner Simon, to approve the request for an ordinance amendment to Title 10 of the City Code (Zoning Ordinance) to allow 'Outdoor Skills and Environmental Education Center' as a permitted use with performance standards in the E-1 zoning district, and a Comprehensive Plan Amendment involving text change and land use map changes to add the designation of Private Recreation/Open Space to the subject property addressing the use of property as an Outdoor Skills and Environmental Education Center, for property located on the west side of Barnes Avenue in the general vicinity of 9249 Barnes Avenue.

Motion carried (6/1 – Elsmore). This item goes to the City Council on October 28, 2013.

P L A N N I N G R E P O R T
CITY OF INVER GROVE HEIGHTS

REPORT DATE: October 7, 2013

CASE NO: 13-34ZA

APPLICANT: Darvan Acres Nature Center (Vance Grannis, Jr.)

PROPERTY OWNER: Vance Grannis Jr. and other property owners

REQUEST: Comprehensive Plan Amendment and Zoning Ordinance Amendment

HEARING DATE: October 15, 2013

LOCATION: West side of Barnes Avenue between the 9000 and 9200 block

COMPREHENSIVE PLAN: RDR, Rural Density Residential

ZONING: E-1, Estate Residential

REVIEWING DIVISIONS: Planning

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant has made application to amend the comprehensive plan text and land use designation of the property and amend the zoning ordinance to allow a nature center use complex.

Darvan Acres outdoor Skills & Environmental Education Center (Darvan Acres) has been the subject of discussion in the city for over five years in connection with a conservation easement and other matters. The property is a combination of approximately 133 acres located on the west side of Barnes Avenue and includes part of the Marcott chain of lakes area.

Darvan Acres proposes to protect, preserve and enhance, via a conservation easement, over 130 acres of lakes, wetlands, oak forests with 150 to 200 year old oak trees, and prairie for the benefit of future generations. In addition the Education Center will educate both children and adults about the natural environment. The applicant hopes the creation of the nature center will provide educational opportunities for future generations.

The plan for the nature center includes an interpretive center which would consist of a campus of two new buildings for education and instruction. A senior housing component is also being requested to be part of the overall complex. Other physical improvements would include parking lots and access roads for the interpretive center and senior housing buildings. All would be constructed once funding is obtained.

The proposed zoning code and comp plan amendments would allow Darvan Acres to proceed with the conservation easement which would be considered “open space” under the amendments. In addition the amendments will allow the Education Center to commence operations and seek funding to support the Center’s activities.

EVALUATION OF THE REQUEST

The specific applications being requested are:

1. Comprehensive Plan Amendment to change the land use designation of the properties to a dual designation of RDR, Rural Density Residential and PO, Private Open Space
2. A Text Amendment to the Comprehensive Plan addressing the nature center use in the RDR and PO land use categories
3. An Ordinance Amendment to allow the Outdoor Skills/Nature Center use as a permitted use in the E-1, Estate Residential District.

COMPREHENSIVE PLAN

As stated earlier, the current designation of the area in question is RDR, Rural Density Residential (2.5 acre min lot size). Nearly the entire southern portion of the city is designated RDR and does not have city sewer or water.

The Comprehensive Plan includes the following to define the RDR district:

“The rural density residential category features lots or parcels of 2.5 acres or more containing detached single-family housing without public water or sanitary sewer facilities. In addition to housing units, lots in this area are likely to have accessory uses such as small storage buildings associated with hobby farms and other related uses.”

The Comprehensive Plan also identifies 16 polices that are to guide the district. I have selected those that seem the most relevant to this application:

- “1. Maintain the rural character of established neighborhoods.”
- “3. Allow development with private, on-site utility systems. The city does not plan to extend water or sanitary sewer in to rural development areas except in cases of environmental problems with existing on-site systems.”
- “4. Create a quality living environment that is adapted to the natural environment.”
- “7. Where possible and appropriate, encourage design patterns that integrate quality environmental resources such as wetlands or mature trees.”
- “9. Limit housing to single-family, detached house capable of being supported by on-site utility systems.”

The Comprehensive Plan includes the following to define the Private Recreation/Open Space district:

“Private Recreation/Open Space is a land use category that identifies private land areas which are used for recreation purposes and have the appearance of open lands (i.e. golf course, gun clubs, nature areas, or common open space.) The intent of the comprehensive plan is to guide these uses as they are known today to ensure a public process for future re-guiding should be development intentions of such property change.”

Policies for the district are as follows:

- “1. Ensure areas used for private recreation and open space areas are able to continue operating under current conditions.”
- “2. Ensure future redevelopment of private recreation and open space areas is conducted through an informed and transparent public planning process.”

The Parks and Recreation chapter of the Comprehensive Plan also has language on nature centers. The Natural Resources subheading in the chapter has the following text:

“The City should also encourage and support the development of private nature centers on private property as a means to preserve environmentally sensitive natural areas and further encourage residents to participate in nature-based activities and education.”

Staff sees that in order for nature centers to be allowed at the subject location, the land use category must be amended. The RDR District is intended to serve single family residential on minimum 2.5 acre lots on private well and septic systems. There is no reference to nature center/open space type uses.

The 2030 Comprehensive Plan identified the opportunities to allow for natural area/open space and nature center type uses that are private. The Private Recreation/Open Space category was created for just this type of use.

Since the time line for complete construction of the whole nature center complex is unknown, staff suggested this dual use designation as it leaves the existing category in place until development occurs and then the use of property is governed by the Private Recreation designation once the site is functioning as a nature center.

In order for both categories to specifically address the use, staff is suggesting text changes to both the RDR and PO districts. Since the use would involve a senior living facility on a private system, the RDR district has to identify this specific higher density use in conjunction with a nature center. More text is suggested in the PO district to further define the intent of nature centers.

With the changes suggested, staff believes the two categories allow for nature centers as recommended the comprehensive plan.

The comprehensive plan still needs to go through the Met Council review process which will take approximately an additional 60 days.

ZONING CODE AMENDMENT

The applicant is also requesting an amendment to the zoning ordinance to allow the nature center type use in the E-1 District. Staff has been working with the applicant on defining the use and providing some performance standards for the physical development of the site. All of the uses listed would be permitted uses. Although the Outdoor Skills & Environmental Education Center would be a permitted use, new construction of any of the proposed facilities will require a site plan review by planning staff, the Planning Commission and Council and must comply with the performance standards for setback, landscaping, drainage, parking, etc. that are required of similar facilities.

Staff anticipates this to be a unique use and opportunity in the city. We do not expect other such uses to pop-up after the code is adopted. The ordinance is designed to require a large portion of acreages and much of that must be in a permanent conservation easement dedicated to the County. This would preserve the natural features of the site and allow building construction only those areas that are not encumbered by the ordinance.

The nature center proposes a senior housing component that would consist of independent and assisted care housing. The applicant has indicated the senior housing component complements the open space nature center and provides the opportunity for the persons living there to volunteer to help at the nature center. Allowing a multiple family type development is a departure from the development pattern that exists in the southern half of the city. The zoning ordinance currently allows multiple family developments only in areas with city services. The code amendment would specifically allow senior housing only when in conjunction with a nature center. The amendment has been drafted so the senior component has been so narrowly defined; it could not be replicated elsewhere based on land ownership and lot patterns as they exist in the city today. Staff felt that if the senior multiple housing was to be allowed, it should be at the same density pattern as allowed in the E-1 District which is on 2.5 acres lots. The entire property that would be part of the nature center would be a total of 133 acres. This would allow a total 53 potential units or lots. Therefore, staff would recommend that the senior housing component be limited to no more than 53 living units. The proposed ordinance contains this provision. The applicant has been working with the Inspections Department on a private treatment system that is designed for multiple unit housing.

ALTERNATIVES

The Planning Commission has the following actions available on the following 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 providing a dual designation of RDR and PO and text amendments to provide for the nature center use in these categories 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 an Ordinance Amendment to allow nature center/outdoor skills in the E-1 Estate Residential District as a permitted use with performance standards listed in ordinance.
- B. **Denial.** If the Planning Commission does not favor the proposed application the above request should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

RECOMMENDATION

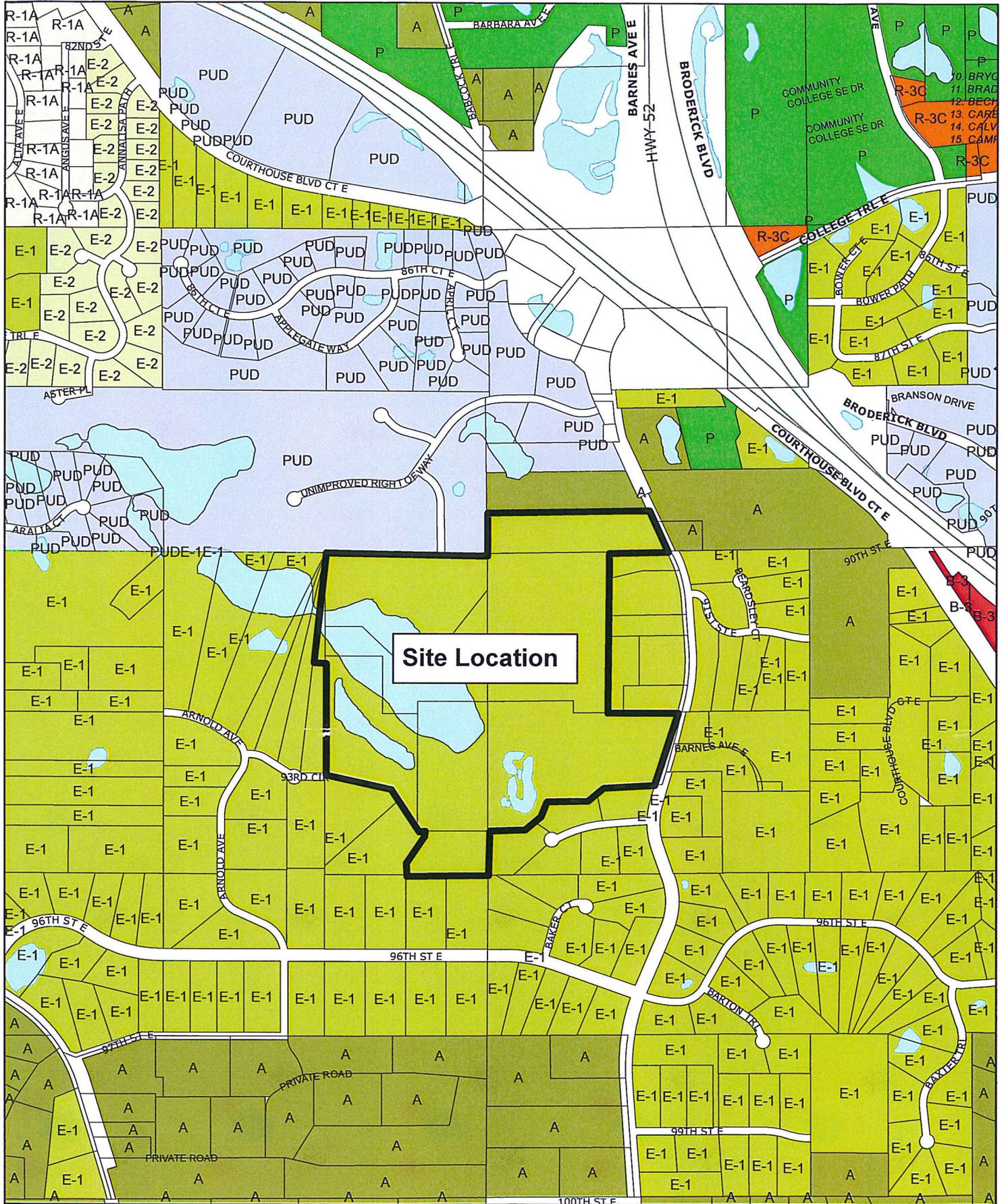
Based on existing language in the Comprehensive Plan that identifies the opportunity to provide for private nature centers/open space, staff supports the concept of a nature center at this location. Staff has worked with the applicant on the language of the ordinance amendment and text change to make sure it meets the needs of both parties. Staff recommends approval of the request as presented.

Attachments: Site Location Map
Comp Plan Map
Site Plan Detail Maps
Existing Trails Map
Senior Housing Site Details
Illustrations of Interpretive Center
Use Descriptions provided by Applicant
Proposed Ordinance
Proposed Comp Plan Text Changes
Letter from Resident



Location Map

Case No. 13-34ZA

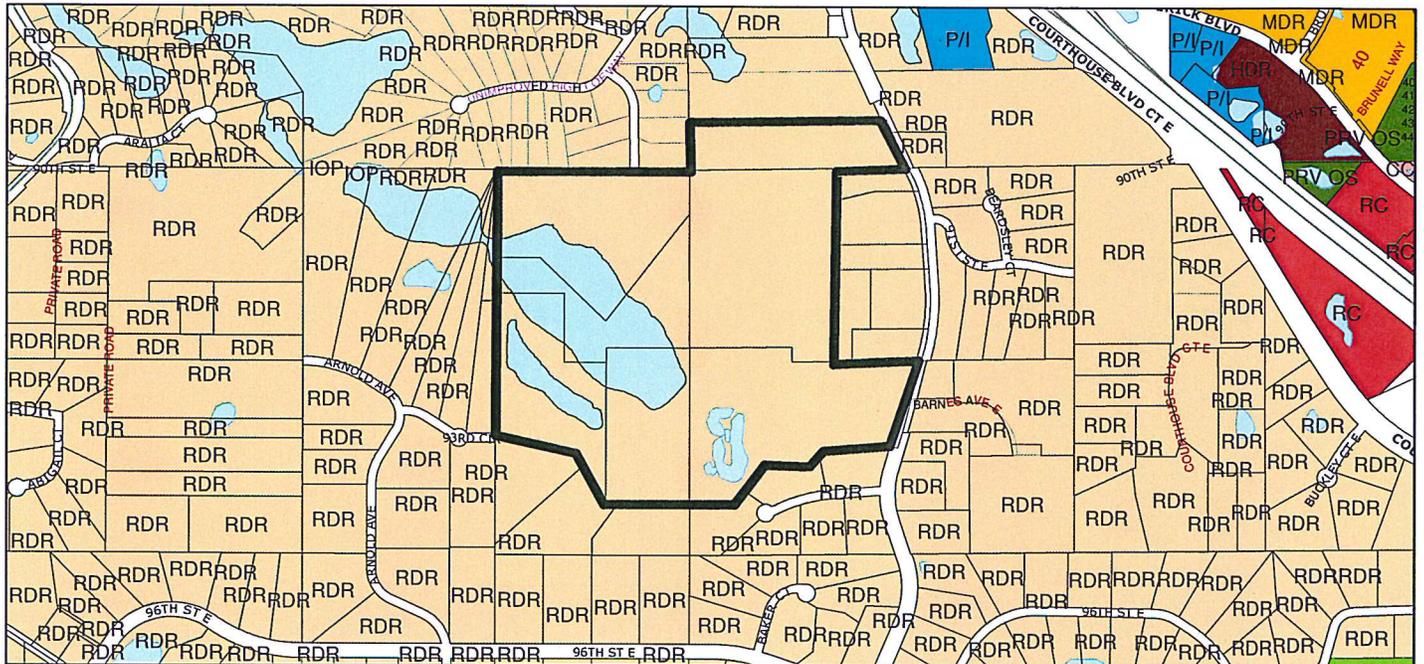




Darvan Nature Center Inc. Comprehensive Plan Amendment



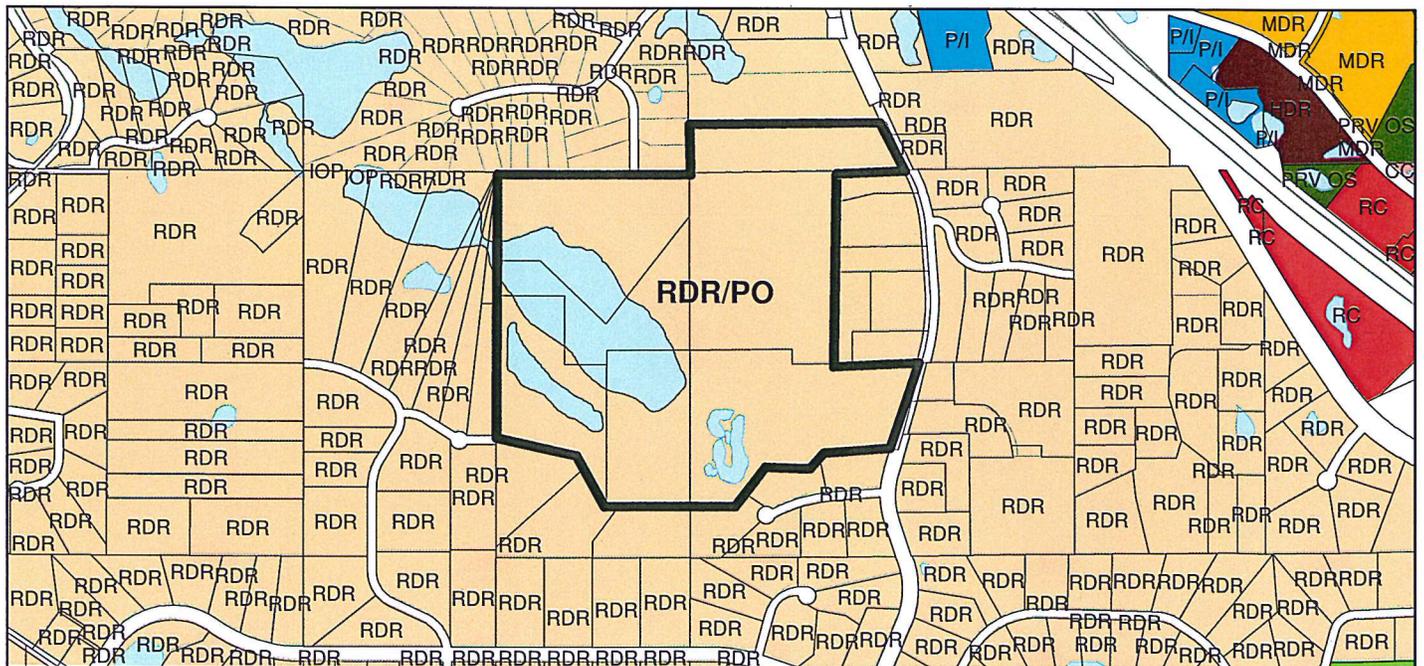
Existing



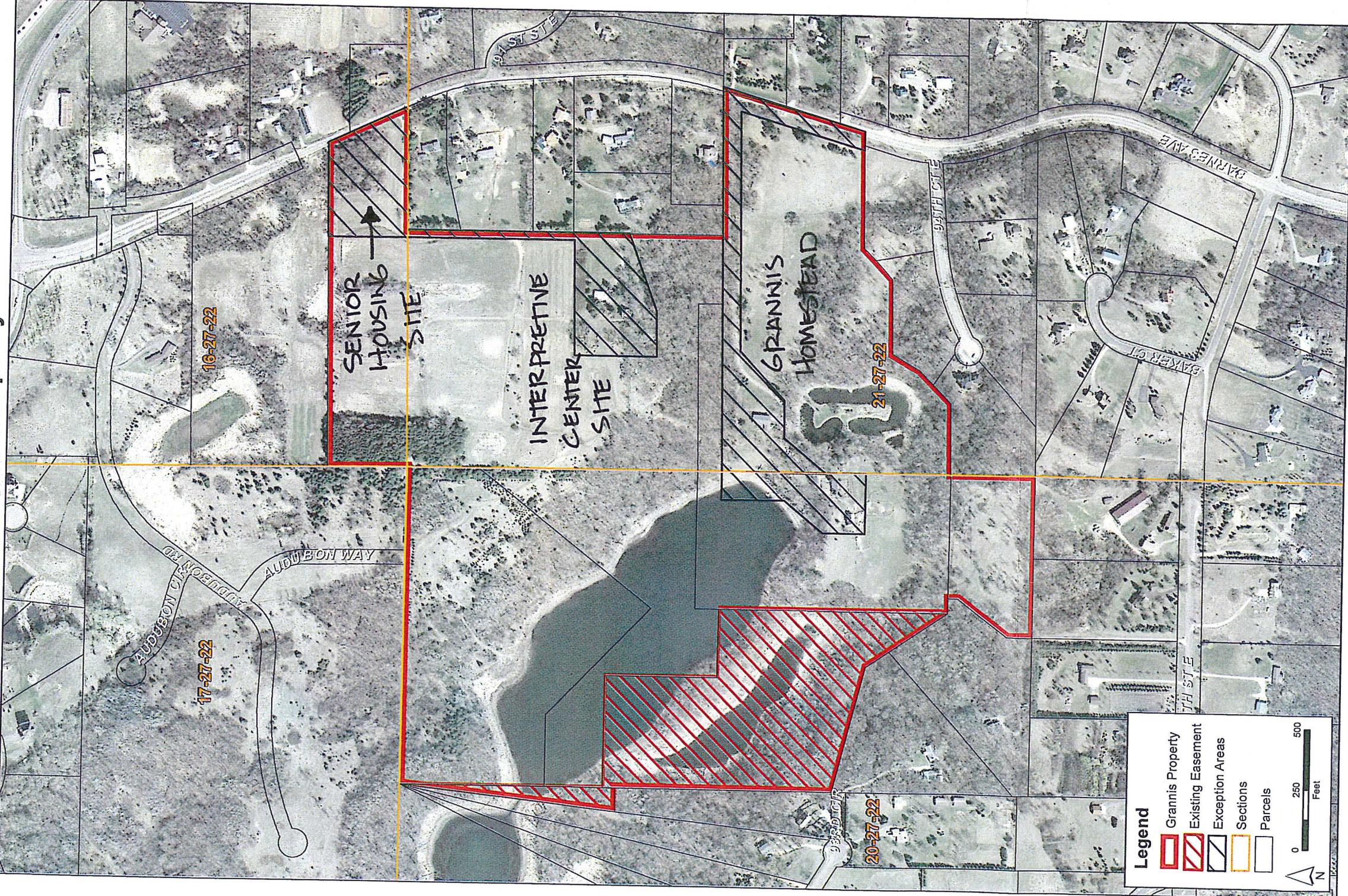
RDR = Rural Density Residential (2.5 acre lots)

PO = Private Open Space

Proposed



Grannis Property



Legend

- Grannis Property
- Existing Easement
- Exception Areas
- Sections
- Parcels

0 250 500 Feet

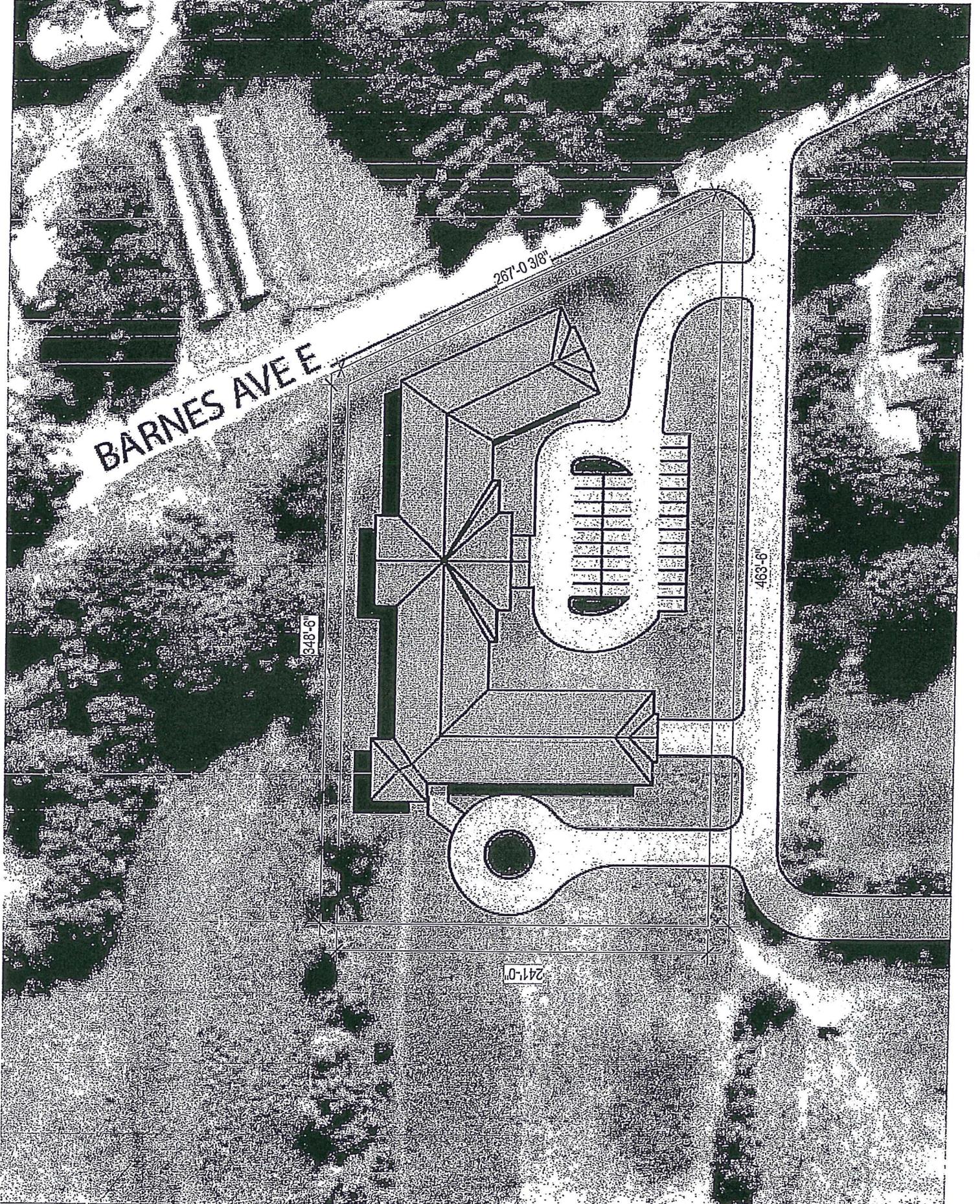
UNRATED AREAS EXISTING TRAIL SYSTEM 2013

Marcott Lakes

Winter Crossing ⚠ Winter Crossing



Google earth



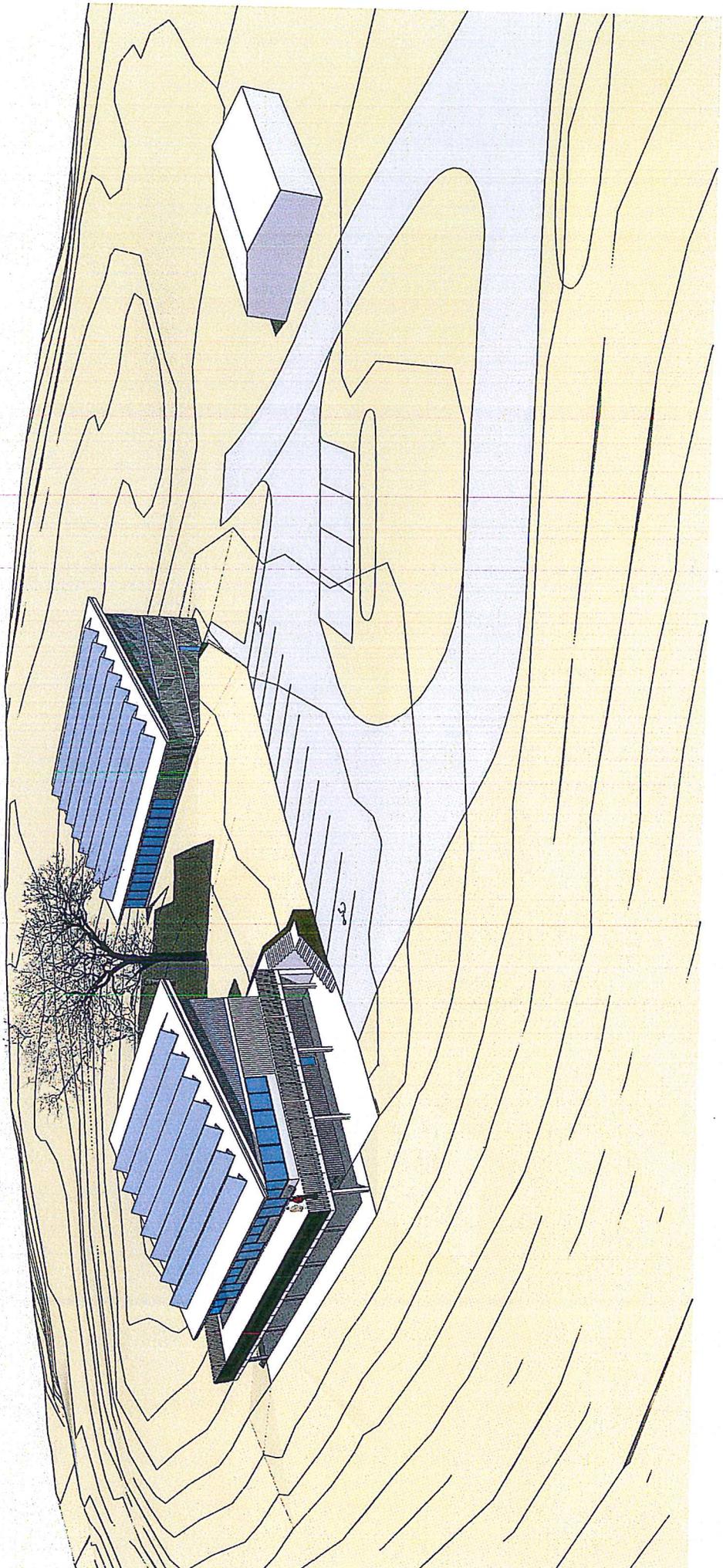
EXHIBIT

Scene 1

fabrics



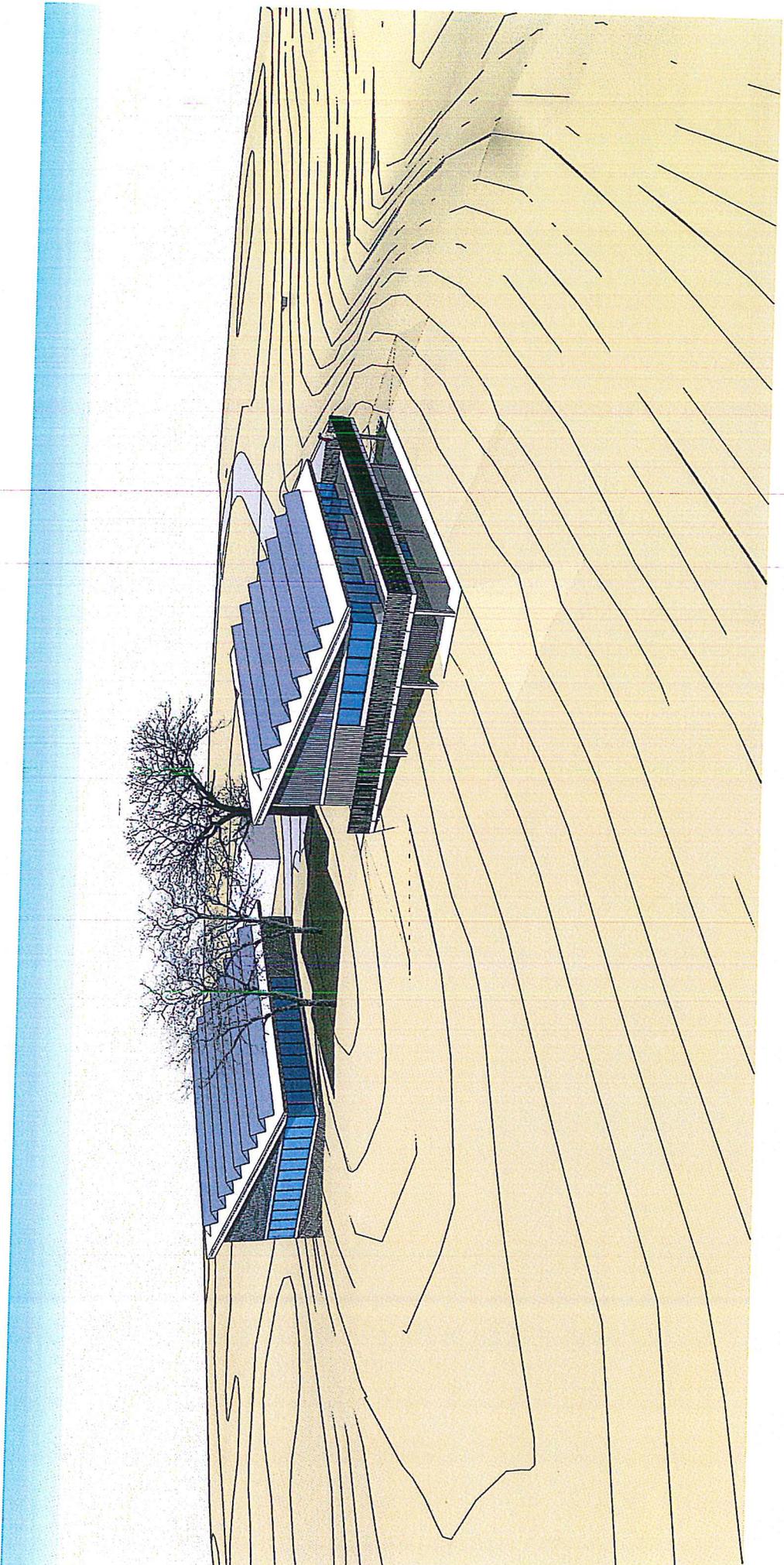
EXHIBIT
Scene 2
abbies



EXHIBIT

Scene 3

Tables



Darvan Acres Outdoor Skills and Environmental Education Center

Types of Classes: Some of these classes will not occur until funding is obtained to construct an Environmental Education Center on site.

- 1) Classes on innovative and problem solving environmental issues.
- 2) The Education Center will develop environmental programs that can be replicated elsewhere in Minnesota and the Nation.

Students will:

- Explore the Natural Environment in woods and ponds and learn the interactions of insects, birds, amphibians and animals in their natural environment.
- While hiking interpretive trails, learn to see and identify plants, insects, birds and other wildlife in their natural habitat.
- The book "Last Child in the Woods" by Richard Louv explains that many of today's youth are affected with "Nature Deficit Disorder." The Education Center is designed to help thousands of children avoid the "Nature Deficit Disorder."
- Educating children about the natural environment does much more than teach them about nature. It stimulates their thinking, sense of adventure and desire to learn more in other areas as well. Studies have shown that children exposed to the natural world make better engineers, doctors, teachers, scientists and lawyers. In conjunction with neighboring school districts, the Education Center will be a preparatory school for future scientists, engineers and innovators with a curricular focus on nature, math, science, engineering and technology aimed at the grades 4 to 9 level.
- A first-class environmentally immersed school where children (early childhood through K-12 and beyond) learn to recognize and identify plants, insects, birds, amphibians and other animals in their natural environment.
- Thousands of students, youth to seniors, immersed in natural surroundings as they value and learn the importance of environmental stewardship with a greater appreciation of our natural resources.

- Programs will allow adults and youths to capture nature's beauty through a variety of art mediums, including photography, painting, drawing and sculpting.
- Outdoor skills training for all ages to perpetuate Minnesota's Outdoor heritage, including camping, hiking, fishing, canoeing, survival skills, maple syrup gathering, gun safety, hunting and archery.
- Programs will be designed and taught by knowledgeable staff and volunteers with the requisite experience in their respective fields.
- In addition to on site naturalists, the Education Center will have experts with MA's in teaching and will partner with the local school district and community college so that students will have the benefit of these institutions as well. Also, many exceptionally qualified people have already volunteered to teach various outdoor skills classes.
- Scouts will practice outdoor skills and qualify for merit badges.
- Classes by the national organization "Leave No Trace" will teach environmental ethics in using national parks, forests and other natural public areas.
- The Center will take the lead in conservation by using best practices in energy and building integration and by meeting or exceeding LEED standards. The Center will showcase current technology in geothermal heating and cooling, solar energy and wind technology to assist in teaching classes on these subjects.
- The Center will utilize sustainable building practices with recycled products in construction and teach the public the benefit energy conservation provides for protecting the environment.
- The Center has already established a working partnership with the internationally recognized Wildlife Rehabilitation Center of Minnesota in releasing back to the natural habitat orphaned and injured wildlife.
- The Education Center will promote ecological preservation and sustainable land uses. Classes in organic farming will demonstrate the relationship between conservation and agriculture. Classes in bee keeping, which will teach the importance of bees to agriculture.

A combination of Pre-School/Independent Living Center will:

- Provide intergenerational interaction and provide a source of senior volunteers to assist at the Center.

Prior to construction of the Education Center indoor classroom instruction may be provided at Simley High School and Inver Hills College. The Center can provide "outdoor classrooms" in the natural environment to supplement the indoor classes.

Currently, there is more than adequate gravel parking areas for the limited use taking place. Composting satellite toilets are provided for this limited use.

As the use expands an expanded parking area will be developed and indoor toilet facilities will be provided in the Education Center when it is built.

The goals of the Outdoor Skills and Environmental Education Center ("Education Center") 501 (c) 3 non-profit corporation are:

Environmental Protection

Acquiring and Protecting 250 acres of incredibly pristine lakes, oak woods and prairie that abound with wildlife that offers tremendous opportunities to increase people's awareness, understanding and appreciation for our natural world.

- The Center's convenient metropolitan location in Inver Grove Heights will make the classes and natural environment readily accessible to many who do not have the time nor money to travel to outstate Minnesota to enjoy these benefits.
- Major funding for acquiring the 250 acres has already started through the Dakota County Farmland and Natural Areas Program, which is in the process of acquiring Conservation Easements over the land thereby making it possible for the Center to acquire the fee title by either donations or a reduced cost. Restoration is already being accomplished, largely through volunteer efforts and partnering with organizations such as Pheasants Forever and Ducks Unlimited. Many members of the Minnesota Outdoor Heritage Alliance (MOHA) have supported and assisted the Education Center in trying to achieve its goals.

Environmental Education

- The Education Center will foster innovation and problem solving for the environment as its core value.

The Education Center will be a preparatory school for future scientists, engineers and innovators with a curricular focus on nature, math, science, engineering and technology aimed at the grades 4 to 12 level.

- Programs will be developed at the Education Center that can be replicated elsewhere in Minnesota and The Nation.
- The widely acclaimed book "Last Child In The Woods" by Richard Louv explains that many of today's youth are affected with "Nature Deficit Disorder." There is a strong movement for "No Child Left Inside." The Education Center is designed to help thousands of children avoid the "Nature Deficit Disorder" and to see that they are not left inside.
- Educating children about the natural environment does much more than teach them about nature. It stimulates their thinking, sense of adventure and desire to

learn more in other areas as well. Studies have shown that children exposed to the natural world make better engineers, doctors, teachers, scientists and lawyers.

- A first-class environmentally immersed school where children (early childhood through K-12 and beyond) learn to recognize and identify plants, insects, birds, amphibians and other animals in their natural environment.
- Thousands of students, youth to seniors, immersed in natural surroundings as they value and learn the importance of environmental stewardship with greater appreciation of our natural resources.
- Programs will allow adults and youths to capture nature's beauty through a variety of art mediums including photography, painting, drawing and sculpting.
- Outdoor skills training for all ages designed to perpetuate Minnesota's Outdoor heritage.
- Programs will be designed and taught by knowledgeable staff and volunteers with the requisite experience in their respective fields.
- In addition to on site naturalists the Education Center will have experts with MA's in teaching and will partner with the local school district and community college so that students will have the benefit of these institutions as well. Also, many exceptionally qualified people have already volunteered to teach various outdoor skills classes.

Environmental Conservation/Renewable Energy

- The Center will take the lead in conservation by using best practices in energy and building integration and by meeting or exceeding LEED standards. The Center will showcase current technology in geothermal heating and cooling, solar energy and wind technology.
- The Center will utilize sustainable building practices with recycled products in construction and teach the public the benefit energy conservation provides for protecting the environment.
- The Center has already established a working partnership with the internationally recognized Wildlife Rehabilitation Center of Minnesota in releasing back to the natural habitat orphaned and injured wildlife.
- The Education Center will promote ecological preservation and sustainable land uses.

Hi, My name is Donald H. Bakken, I
live at 1905 96th St E ILL, my
property backs up to Vance Linn's Jas.
property on the south side. I
cannot make the Oct 15th meeting, so
I am writing this letter. I have
known Mr. Linn and his family
for many years, since grade school
actually. I just want to say
that I 100% support what Mr. Linn
is trying to do. I think it is
a wonderful opportunity for our
children & children to come. To
enjoy and learn about our environment.
and what a better place than here
in ILL. and yes I feel Linn's Safety
is very important. Sincerely Don
CELL # 612-845-6816

Allan Hunting

From: Workman, Dave [dworkman@tsi.com]
Sent: Tuesday, October 15, 2013 5:16 PM
To: Allan Hunting
Subject: grannis nature preserve

Dear Mr. Hunting

My wife and I would like to express our support for the nature preserve.

Thanks

Dave & Marsha Workman

2465 91st St E

Inver Grove

651 455-9723

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INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

REVIEW ORDINANCE ALLOWING VERTICAL ACCESS WIND TURBINES

Meeting Date: October 28, 2013
 Item Type: Regular Agenda
 Contact: Heather Botten 651.450.2569
 Prepared by:  Heather Botten, Associate 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 First Reading of an **Ordinance Amendment** to allow vertical access wind turbines as a permitted use in the A, E-1 and E-2 zoning districts:

- Requires 3/5th's vote.
- 60-day deadline: N/A

SUMMARY

City Council directed staff to prepare a draft ordinance to allow vertical access wind turbines (VAWT) in the A, E-1, and E-2 residential zoning districts as a permitted use based on comments received from Mr. Grannis at a Council worksession earlier this year.

Currently the City Code conditionally allows wind power converters in the A, E, I, and P districts. The code defines a wind power converter as a mechanical device that harnesses energy from the wind. By this definition vertical axis wind turbines would be allowed as a conditional use in the districts mentioned.

The proposed amendment would be to allow vertical axis wind turbines as a permitted use in the A, E-1 and E-2 residential districts, with the performance standards listed in the attached ordinance. The standards are a collaboration of what the zoning code currently allows, direction from the City Council, and language from other wind ordinances. The standards address: maximum height, setbacks, the number allowed on a property, aesthetics, permitting, utility connection, and abandonment. Regarding the number of VAWT allowed on a property, one vertical axis wind turbine would be allowed per lot on lots less than 15 acres. On lots greater than 15 acres, additional turbines would be allowed, provided they did not exceed a density of 15 acres per turbine (Example: 150 acre parcel would be allowed 10 free-standing or roof mounted VAWT's). The VAWT's could be clustered together.

At this time only vertical axis wind turbines are being considered for a permitted use in certain districts. The City of Inver Grove Heights does not take any position as to the efficiency or effectiveness of the VAWT design and operation. Council also directed staff to look at an alternative energy ordinance that would deal with both wind and solar; this will be done early 2014.

RECOMMENDATIONS

Planning Staff: Based on the information provided and the performance standards listed in the attached ordinance, staff is recommending **approval** of the amendment to allow vertical axis wind turbines as a permitted use in the A, E-1, and E-2 zoning districts.

Planning Commission: At their August 7, 2013 meeting the Commission recommended **denial** of the request based on there being no direct need and the problem could be corrected based on the current City ordinance (6/1 – Hark). Generally, the Planning Commission felt that VAWT were already allowed by a conditional use permit and that the CUP process was important to give neighbors an opportunity to express their concerns. Additionally, they felt an ordinance based on one citizen’s need seemed inappropriate since the use is allowed by CUP. Until there are numerous requests for VAWT or an alternative energy ordinance was created, the Commission did not see the purpose to change the ordinance.

Attachment: Draft Ordinance
PC recommendation
Planning Staff Report

DRAFT

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 10, (ZONING ORDINANCE) REGARDING ALLOWING VERTICAL
AXIS TURBINES AS A PERMITTED USE IN THE A, AGRICULTURAL AND E-
1 AND E-2, ESTATE RESIDENTIAL ZONING DISTRICTS

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

Section One. Amendment. Title 10, Chapter 6, LAND USE MATRICES of the Inver
Grove Heights City Code is hereby amended to add the following:

10-6-1: LAND USES IN ALL RESIDENTIAL DISTRICTS:

Use	Zoning District												
	A	E-1	E-2	R1A	R-1B	R-1C	R-2	R-3A	R-3B	R-3C	R-4	MF-PUD	MU-PUD
Permitted Uses													
Vertical Axis Turbines (see section 10-15G-7 of this title)	P	P	P										

Section Two. Amendment. Title 10, Chapter 2-2, DEFINITIONS, of the Inver Grove
Heights City Code is hereby amended to add the following:

Vertical Axis Turbine: A type of wind turbine where the main rotor shaft is set
vertically

Section Three. Amendment. Title 10, Chapter 10-15G-7, PERFORMANCE
STANDARDS, of the Inver Grove Heights City Code is hereby amended to add the following:

VERTICAL AXIS WIND TURBINES (VAWT): shall be allowed as a permitted use in the A, E-1, and E-2 districts provided the following criteria are met:

- a. Within all A, E-1 and E-2 zoning districts, the maximum height for a free-standing VAWT shall be 52.5 feet. Heights in excess of those allowed shall be permitted by conditional use permit.

The maximum height of the VAWT shall be 15 feet if attached to or placed on the roof of the principal structure.

Property located in the shoreland and critical area districts are limited to a maximum VAWT height of 35 feet, per state regulations.

- b. The base of the turbine shall be set back from all property lines a distance equal to the turbine height, measured to the highest point of the turbine or equal to the principal structure setback of the base zoning district, whichever is greater.
- c. On lots less than 15 acres in size, no more than one roof top or one free-standing turbine is permitted. On lots greater than 15 acres additional turbines are allowed provided they do not exceed a density of 15 acres per turbine. The location of the VAWT may be clustered together.
- d. VAWT's shall comply with all applicable state and federal regulatory standards including, but not limited to, the Federal Aviation Administration (FAA), Minnesota Pollution Control Agency (MPCA) and State Building Code. A building permit consisting of a completed application, site plan, two (2) sets of plans, and structural engineering is required for a VAWT prior to installation. VAWT's shall be certified by Underwriters Laboratories, Inc, the Small Wind Certification Council, Intertech, or other body as determined by the Chief Building Official. The City reserves the right to deny a building permit for a VAWT's deemed to have inadequate certification or testing for operation in a severe winter climate.
- e. The appearance of the VAWT shall be maintained throughout the life of the wind energy system pursuant to industry standards. The system shall not be used for displaying any advertising.
- f. All grid connected systems shall have an agreement with the local utility prior to the issuance of a building permit. A visible external disconnect must be provided if required by the utility company.
- g. If the VAWT remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure including foundation to below natural grade and transmission equipment.

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

DRAFT

Passed in regular session of the City Council on the ____ day of _____, 2013.

CITY OF INVER GROVE HEIGHTS

By: _____
- George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

DRAFT

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights
FROM: Planning Commission
DATE: August 7, 2013
SUBJECT: CITY OF INVER GROVE HEIGHTS – VAWT’S – CASE NO. 13-36ZA

Reading of Notice

Commissioner Simon read the public hearing notice to consider an ordinance amendment to Title 10 of the City Code (Zoning Ordinance) to allow vertical axis turbines in the A, E-1, E-2, I-1, I-2 and P zoning districts. No notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that Council directed staff to prepare a code amendment that would allow vertical axis wind turbines as a permitted use in the A, E-1 and E-2 zoning districts. Currently the City Code conditionally allows wind power converters in the A, E, I, and P districts. The code defines a wind power converter as a mechanical device that harnesses energy from the wind. By this definition vertical axis wind turbines would be allowed as a conditional use in the districts mentioned.

Commissioner Klein asked when the Council adopted that portion of the code.

Ms. Botten stated she was unsure, but that it had been in the code for at least 20 years. At this point they are looking at just vertical axis wind turbines to be a permitted use in the A, E-1 and E-2 districts, with the performance standards listed in the report. The standards are a collaboration of what the zoning code currently allows, what the direction was from City Council, and additional language from other wind ordinances. One of the performance standards would allow one vertical axis wind turbine per lot on lots less than 15 acres. On lots greater than 15 acres additional turbines would be allowed, provided they did not exceed a density of 15 acres per turbine. The maximum height allowed in each of the districts would be 52.5 feet. Vance Grannis suggested the company Intertech be added to the certified companies listed under the permitting section. Staff is agreeable to adding that language provided it is approved by the Chief Building Official. Staff recommends approval of the ordinance with the performance standards listed. Council directed staff to look at an alternative energy ordinance that would deal with both wind and solar; this will be done late 2013 or early 2014. At this time only vertical axis wind turbines are being considered for approval.

Chair Hark suggested the language be tightened up regarding the maximum height allowed on top of a structure so as to make it clearer that the maximum height of a VAWT shall be 15 feet from the roof to the top of the VAWT.

Commissioner Maggi asked if noise should be addressed in this ordinance.

Recommendation to City Council

August 7, 2013

Page 2

Ms. Botten replied that some cities stipulate a maximum dba while others require that all VAWT's comply with MPCA requirements; the latter is being recommended in the proposed ordinance. She stated the noise from a VAWT is likened to the sound of a refrigerator when standing 50 feet away from it.

Commissioner Maggi asked if there was a reason only this particular type of wind turbine was being addressed at this time.

Ms. Botten replied specifically because Mr. Grannis would like to have them on his property. At this point the City is trying to move this along and then they will do a more thorough review of all wind and solar approvals at a later date.

Commissioner Maggi asked if Mr. Grannis could request a conditional use permit for a VAWT.

Mr. Botten replied in the affirmative.

Commissioner Maggi asked if she understood it correctly that the City was moving this particular turbine option forward even though Mr. Grannis could have a VAWT if a conditional use permit was approved.

Ms. Botten replied in the affirmative.

Chair Hark stated that vertical axis turbines and the propeller type were completely different and perhaps that was another reason they were being dealt with separately.

Commissioner Lissarrague asked if the windmill type turbines were currently allowed in the E-2 district.

Ms. Botten replied they were allowed by conditional use permit.

Commissioner Klein asked how many VAWT's were in Inver Grove Heights at this time.

Ms. Botten replied none that she was aware of.

Commissioner Simon stated there used to be one off of 70th Street between Argenta and Robert.

Commissioner Gooch asked which other cities allow VAWT's.

Ms. Botten replied that some cities allow them with their wind ordinances but the only ordinance she was aware of in Minnesota that dealt specifically with vertical axis wind turbines was Cook County.

Commissioner Gooch asked if there were any VAWT's nearby where we might see one.

Chair Hark replied there were several at 1010 N. Dale Street in St. Paul.

Commissioner Lissarrague asked what major city was located in Cook County.

Mr. Grannis replied Grand Marais.

Commissioner Lissarrague stated they should keep that in mind.

Commissioner Elsmore stated that many different people make vertical axis turbines so likely the noise, size, energy, etc. would be different from turbine to turbine. She asked if this ordinance would allow all vertical axis turbines, thereby removing the City's ability to look at each one individually and potentially disallow one because of excessive noise, etc.

Ms. Botten replied that all VAWT's would be allowed as long as they met the performance standards, with one of them being that they have to meet the MPCA noise requirements.

Opening of Public Hearing

Vance Grannis Jr., 9249 Barnes Avenue E, addressed some of the previous questions. He advised that Councilman Madden stated at a meeting that he stood next to the VAWT's at 1010 N. Dale and stated they made no noise. Mr. Grannis stated the only ordinance he was aware of was in Cook County because other cities have not specifically addressed vertical axis turbines, and he felt a conditional use permit (CUP) would be very costly and was not necessary for this type of turbine. He stated it would likely cost \$2,000 for the CUP with perhaps an additional \$1,000 for a title company to do an address search of property owners within 1,000 feet. He stated a CUP may be necessary for the propeller driven turbines, however, because they were taller, noisier, could kill birds, and had potential fire problems. He suggested the language be removed regarding the City's ability to deny a building permit in regard to inadequate certification or testing for operation in a severe winter climate. He stated that language came from another ordinance and was related to the propeller turbines which have a tendency to get ice buildup. He showed photos of the turbines at 1010 N. Dale Street to demonstrate how small they could be and how they differed from the propeller type. He then showed a site plan of the proposed nature center, buildings, and proposed turbine location, stating they were all interconnected and the turbines were an important part of the overall plan.

Commissioner Klein asked if the County would be building any of the proposed buildings.

Mr. Grannis replied they would not.

Chair Hark asked Mr. Grannis if he had discussed the proposed turbines with his neighbors.

Mr. Grannis replied that most of them were aware of the proposal; however, he had not gone door-to-door to discuss it. He stated the turbines would be hard to see from neighboring properties.

Commissioner Klein stated the terrain seemed to be fairly flat in the middle of Mr. Grannis's property which would eliminate wind obstruction.

Mr. Grannis agreed. He stated the other issue he had with the proposed ordinance was the number of VAWT's allowed. Although the standard of one per 15 acres would not affect him, he did not see a problem with allowing more than one. He noted an error in the report, stating that a 150 acre parcel would be allowed 10 VAWT's rather than the 15 stated in the report. He added it was his understanding that the VAWT's could be clustered and that the ordinance was not requiring that one VAWT be allowed on each specific 15 acres of his property.

Commissioner Gooch questioned why Mr. Grannis would not utilize the existing ordinance and apply for as many VAWT's as he would like through the conditional use permit process rather than proposing an ordinance for the entire city.

Mr. Grannis replied because of the extra cost involved in a getting a CUP. He stated installing VAWT's was not a money-making proposition, but rather a matter of whether you favor alternative energy sources.

Commissioner Gooch stated the information he received claimed it took 10 to 40 years to recapture the investment, which is quite a long time.

Mr. Grannis agreed, stating adding an additional \$3,000-\$4,000 for the CUP process made it even more burdensome.

Commissioner Gooch stated that did not seem like very much to him.

Commissioner Maggi asked for clarification of the \$3,000-\$4,000 CUP fee.

Mr. Grannis replied that was the City application fee plus the cost for a title company to do a property search.

Ms. Botten advised she was unsure of the exact application fee amount, but stated City staff could assist with the neighboring addresses to help reduce the cost.

Mr. Grannis stated he did not think a CUP should be required as anyone wanting a VAWT would have to pay the application fee, escrow, and title search.

Commissioner Gooch questioned whether the proposed ordinance would work for Mr. Grannis as the way he understood it the VAWT's could not be clustered together, but rather only one would be allowed on each 15 acres.

Mr. Grannis agreed that he would like to locate the VAWT's all very close to one another or where the buildings were, and that others would likely want to do the same.

Ms. Botten clarified that the proposed ordinance would allow VAWT's to be placed next to each other, just that the overall number allowed was based on lot size.

Mr. Grannis stated this ordinance should not be written just for him; there were others in the city that may want to install a VAWT and the additional permit fees would greatly increase the cost.

Ms. Botten advised that she had found the information regarding the application fee, and she stated the fee for a single-family residential CUP would be \$296.

Mr. Grannis said he had been told he would be considered commercial because it's a nature center.

Commissioner Maggi asked what the smallest lot size allowed would be in the E-1, E-2, or A districts.

Ms. Botten stated the minimum lot size requirement for E-2 was 1.75 acres, although there could be some non-conforming lots in the city.

Commissioner Klein asked Mr. Grannis if he would run both AC and DC electricity.

Mr. Grannis stated he would leave that up to the electrician.

Commissioner Elsmore asked how many CUP requests the City has received for VAWT's.

Ms. Botten replied none that she was aware of.

Chair Hark closed the public hearing.

Planning Commission Discussion

Chair Hark stated he supported the request. He advised that he stood next to the VAWT's at 1010 N. Dale and did not hear any noise. He stressed that the propeller turbines had some noise associated with them and he wanted to make sure people were not getting those confused with the vertical axis turbines. He advised some of the benefits of VAWT's were that they did not make noise, they required much less wind to operate, and they could be put in tight spaces. VAWT's were less efficient, however, than the propeller types. He stated a person would not invest in a VAWT to get a return on electricity because the payback was so minimal and therefore he understood Mr. Grannis's concerns about the cost of a CUP. Chair Hark stated it was smart for the City to get ahead of the curve on this. He suggested they have a debate not on the merits of wind power, but rather on what the appropriate density should be.

Commissioner Maggi stated she was a big proponent of alternative energy sources, but she questioned why the City was looking at only one source of wind energy instead of evaluating all wind opportunities at the same time. She wanted to make sure they were stepping back as a Commission and doing their due diligence around the process.

Chair Hark stated Commissioner Maggi raised a valid point, however, on the other hand one could argue that they should be dealt with separately as vertical axis and propeller turbines were quite different.

Commissioner Maggi stated what she thought was important about the CUP process was that the neighbors were notified and given an opportunity to voice their opinion. She stated most

residents were likely in support of alternative energy sources; however, a wind turbine next door might be a different discussion.

Chair Hark stated a public hearing notice was published for this request and yet no one came to tonight's meeting.

Commissioner Elsmore stated most people do not necessarily read the public notices.

Commissioner Lissarrague asked if a representative from Minnesota Wind Technology had been invited to address the Council.

Ms. Botten replied they had not.

Commissioner Lissarrague stated it was his understanding that Grand Marais invited a representative from Minnesota Wind Technology to address their questions. He was concerned about the proposed density, stating if this were to go through as proposed there could be 42 – 52 foot wind turbines in his area alone. In addition, he was concerned about what would happen when the VAWT's were no longer in use, who would police them to ensure they were being used on a yearly basis, and how would they be disposed of when becoming inoperable and who would pay for that.

Chair Hark advised most of those questions were addressed in Item G.

Commissioner Klein replied that did not necessarily guarantee that is what would happen.

Commissioner Lissarrague stated he felt they were moving too fast on VAWT's. He recalled an issue a few years back regarding outdoor wood boilers, stating that was not thought through properly and it took years to correct. He stated his neighborhood had five acre parcels, but he would not want a VAWT on his or his neighbors' property. He stated he did not want the countryside to look like southwestern Minnesota or I-35 through Iowa.

Chair Hark asked what Commissioner Lissarrague thought was an appropriate density.

Commissioner Lissarrague replied in his opinion there should be a six acre minimum with a 300 foot setback. He stated he did not have a problem with Mr. Grannis having several of these on his property as long as they did not become a distraction to his neighbors. Although the ones at 1010 N. Dale were quiet, he was concerned there could be other units that were not. Although the noise level of a lawnmower was acceptable for an hour or so, he would not want to hear it 24/7.

Commissioner Elsmore expressed concern that since her short time on the Planning Commission this was the second time Mr. Grannis had requested an ordinance amendment that was drafted specific to the Grannis property. She stated if the City had been overrun with vertical axis CUP requests it would make sense to do an ordinance, however, staff has stated there were no other requests to their knowledge. She felt that writing an ordinance based on one citizen's need seemed inappropriate, and she had the same issue with the previous

shooting range request. She advised that the public should be made aware of this request and she felt it was unreasonable to say that because residents did not read the public notice in the local newspaper that their voice did not deserve to be heard. She hoped the City would find a way to help Mr. Grannis, perhaps by allowing him to apply for the single-family residential CUP rather than commercial, but she did not support the proposed ordinance.

Commissioner Klein stated he did not feel an ordinance was necessary, he had many questions about who would service and repair the VAWT's, what the cost would be, etc., and stated if there were a lot of these in the City it could be unattractive.

Commissioner Gooch stated Mr. Grannis would like to install vertical axis wind turbines and he could do so by applying for a CUP. Mr. Grannis stated he was concerned about the cost. Staff has informed us the cost for a residential CUP would be \$296; therefore, cost should no longer be an issue. Commissioner Gooch stated the way he hears it is that the intent for requesting VAWT's be a permitted use could be to circumvent notifying the neighbors as they may have an issue with it. Until there are streams of people requesting similar turbines, Commissioner Gooch did not see the purpose of a City ordinance and he suggested Mr. Grannis go through the CUP process using the existing regulations.

Chair Hark stated he supported the ordinance request and did not believe there was anything nefarious going on. He agreed that the three zoning districts identified were appropriate for VAWT's and that the cost of a CUP was prohibitive. He also felt it unlikely there would be many requests for them in the City.

Commissioner Simon stated rather than changing the ordinance she thinks the City should educate the public first about the various wind turbines through the *Insights* newsletter, open houses, etc. and then perhaps discuss some changes. She stated when she first heard about these she envisioned the propeller type turbine and felt they would be noisy. She visited 1010 N. Dale; however, and heard no noise. As it currently stands she would vote no because it was for one particular person and she believes the public needs to be more informed. She added that no one in her neighborhood receives the City's official newspaper, the *Southwest Review*, unless they purchase a subscription.

Commissioner Elsmore thanked staff for their work on this request, stating no one was saying it was a horrible idea, just that the ordinance may not be needed at this time.

Planning Commission Recommendation

Motion by Commissioner Elsmore, second by Commissioner Maggi, to deny an ordinance amendment to Title 10 of the City Code (Zoning Ordinance) to allow vertical axis turbines in the A, E-1, and E-2 zoning districts based on there being no direct need and that the problem that was put forth could be corrected based on how the City ordinances were currently written.

Commissioner Lissarrague stated if the City moved forward with things such as this he would encourage City Council to invite representatives of the technologies involved to address them so they and the public could ask questions. He stated they do not know enough about systems such as this and without further information he anticipated problems.

Recommendation to City Council

August 7, 2013

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Commissioner Klein encouraged Mr. Grannis to move forward and install VAWT's using the CUP process. He stated perhaps the City could help with the cost by allowing him to be treated as residential rather than commercial, and he advised this could be beneficial to the City as the public could then see what they looked like and how they worked.

Chair Hark invited Mr. Grannis to give some final comments.

Mr. Grannis clarified that he did not originally ask that this be something that applied only to him. He stated some members of the Council did not favor alternative energy and were against doing anything that was going to be broader and they directed it to go in the way being proposed. He stated he was done fighting for everybody else and if this was the only way he could get what he wanted he would go along with what was recommended. He stated he agreed with the Commission that all types of alternative energy ought to be considered. He advised that if the City would allow him to pay the fee for a residential CUP as opposed to a commercial that would make a difference.

Commissioner Gooch stated the comment he had been hearing about people not being in favor of this ordinance because they did not support alternative energy was an untrue statement. He stated the City Code already allows this to happen, so this is not a vote against alternative energy but rather a vote against a particular ordinance that changes the way the City approves these.

Motion passed (6/1 – Hark). This item goes to the City Council on August 26, 2013.

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: July 26, 2013 **CASE NO.:** 13-36ZA
HEARING DATE: August 7, 2013
APPLICANT: City of Inver Grove Heights
REQUEST: An Ordinance Amendment to allow vertical access turbines in certain districts
REVIEWING DIVISIONS: Planning **PREPARED BY:** Heather Botten
Associate Planner 

BACKGROUND

Vance Grannis spoke at a Council meeting a few months ago regarding his concern for vertical axis turbines not being a permitted use in the City. Following Mr. Grannis' presentation, the City Council discussed this item at a work session meeting. The Council directed staff to prepare a code amendment that would allow vertical access turbines with performance standards in the A, E-1, and E-2 zoning districts. There was some discussion about permitting the vertical axis turbines in the I and P districts as well. Staff believes that because these districts are located in urban areas the CUP permit process should be the avenue to go through for approval, which is what the code currently requires.

At this time, staff is only writing the ordinance permitting vertical axis wind turbines (VAWT's). The City of Inver Grove Heights does not take any position as to the efficiency or effectiveness of the VAWT design and operation. Staff will be reviewing an alternative energy ordinance addressing solar and wind this upcoming winter.

EVALUATION OF THE REQUEST

Currently the city code **conditionally** allows wind power converters in the A, E-1, E-2, I-1, I-2, and P zoning districts. The code defines a wind power converter as: *A mechanical device that harnesses energy from the wind.* By this definition vertical axis turbines would be allowed by CUP in the above mentioned zoning districts.

The definition of a vertical axis wind turbine is any type of wind turbine where the main rotor shaft is set vertically. Generally speaking the vertical axis turbines are a newer technology compared to the standard propeller type. VAWT can be mounted on roof tops or free-standing.

Staff believes the following performance standards should be included with the ordinance allowing vertical axis wind turbines as a permitted use in the A, E-1, and E-2 districts only. The performance standards are a collaboration of parts of the current zoning ordinance, direction from Council, and other wind ordinances.

- Height. Height limitations set forth elsewhere in this ordinance shall be increased fifty percent (50%) when applied to free-standing vertical axis turbines. Heights in excess of those allowed shall be permitted by conditional use permit. Example: Agricultural district allows the height of a principal structure to be 35 feet, a VAWT could be up to 52.5 feet in height.

The maximum height of the VAWT shall be 15 feet if attached to or placed on the roof of the principal structure.

Property located in the shoreland/critical area districts are limited to a maximum VAWT height of 35 feet, per state regulations. All structures in this overlay are limited to a 35 foot height limit. Anything above 35 feet would require a variance.

- Setbacks. The base of the turbine shall be set back from all property lines a distance equal to the turbine height, measured to the highest point of the turbine or equal to the principal structure setback of the base zoning district, whichever is greater.
- Number. On lots less than 15 acres, no more than one roof top or one free-standing turbine is permitted. On lots greater than 15 acres additional turbines are allowed provided they do not exceed a density of 15 acres per turbine. Example: 150 acre parcel is allowed 10 free-standing turbines or 10 roof mounted turbines or combination thereof.
- Permits. VAWT's shall comply with all applicable state and federal regulatory standards including, but not limited to, the Federal Aviation Administration (FAA), Minnesota Pollution Control Agency (MPCA) and State Building Code. A building permit consisting of a completed application, site plan, two (2) sets of plans, and structural engineering is required for a VAWT prior to installation. VAWT's shall be certified by Underwriters Laboratories, Inc, the Small Wind Certification Council or other body as determined by the Chief Building Official. The City reserves the right to deny a building permit for a VAWT's deemed to have inadequate certification or testing for operation in a severe winter climate.
- Aesthetics. The appearance of the VAWT shall be maintained throughout the life of the wind energy system pursuant to industry standards. The system shall not be used for displaying any advertising.

- **Utility Connection.** All grid connected systems shall have an agreement with the local utility prior to the issuance of a building permit. A visible external disconnect must be provided if required by the utility company.
- **Abandonment.** If the VAWT remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure including foundation to below natural grade and transmission equipment.

ALTERNATIVES

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

- A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be recommended for approval:
- Approval of an Ordinance Amendment that would allow vertical axis wind turbines in the A, E-1, and E-2 with the performance standards listed in the report.
- B. **Denial.** If the Planning Commission does not favor the proposed application, the above request or requests should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

RECOMMENDATION

Staff recommends approval of the zoning ordinance amendment allowing vertical axis wind turbines as a permitted use in the A, E-1, and E-2 zoning districts with the performance standards listed in the report.

Attachments: Draft Ordinance
 Information submitted by Vance Grannis
 Handout from the MN Department of Commerce

Minnesota Wind Technology's

400 Watt Vertical Axis Wind Turbine

Hybrid Light Pole Assembly

Retail Cost: \$5,990.00

To Include:

- Wind Turbine
- 120 watt PV Module
- Charge Controller
- 30 Watt LED Spotlight
- Pole
- Batteries
- Anchor Bolts



Accessories:

Typical Combined Cost - \$1,500.00 - \$2,000.00

To Include Any or All of the Following:

Permitting

Ground Mount - Footing

Installation

General Contractor

Install/Mount Unit

Electrical

Wire System Including Associated Parts

Submitted by V.G.

**COOK COUNTY
OFFICE OF
PLANNING & ZONING**

TIMOTHY NELSON
Planning Director
Solid Waste Officer

411 WEST 2ND STREET
COURT HOUSE, GRAND MARAIS, MN 55604
Phone 218-387-3630 FAX 218-387-3042

Bill Lane
*Planning & Zoning
Administrator*

January 11, 2013

Re: *Vertical Axis Wind Turbine Ordinance Provisions*

To Whom It May Concern:

I am writing this by request to elaborate on the process through which Cook County, Minnesota researched, drafted and adopted ordinance provisions specific to Vertical Axis Wind Turbines (VAWT), since they differ distinctly from the standard propeller-type Wind Energy Conversion Systems (WECS). In 2001, Cook County drafted and adopted a tower ordinance primarily due to the increased interest in the construction of wireless telecommunication towers along our major trunk highway system; however we decided to include standard WECS systems provisions into the ordinance simply as a pre-emptive measure in order to have provisions in place should some interest arise.

Since the time of the Tower Ordinance adoption until early in 2012, we had not had any inquiries regarding the construction of any WECS system until we were approached about how our existing regulations related to the newer technology of the vertical axis systems. A review of our provisions in comparison to the technological issues surrounding VAWT's made us aware that our adopted provisions did not adequately accommodate the construction of VAWT systems even though they seemed to present a lower profile alternative to the standard propeller design WECS system.

After some discussion with the Board of County Commissioners, it was determined that we would investigate the vertical axis wind turbine design along with inquiring what other governmental jurisdictions had in place with regards to possible regulatory provisions. Since the technology is relatively newer compared to the standard propeller type wind conversion systems, we did not find much in the way of existing ordinance provisions from other jurisdictions. On March 23, 2012, representatives of a company called Minnesota Wind Technology held a seminar at our Cook County Community Center to highlight the operational characteristics of the vertical axis system, and this seminar was attended by some members of our County Board of Commissioners. One of our County Commissioners personally visited a site where an operational vertical axis turbine was located and was impressed at the minimal level of noise associated with the turbine, and was also favorably impressed with the minimal overall size of the tower itself.

After further research, Cook County drafted, conducted public hearing on, and adopted the attached provisions specifically related to the vertical axis wind towers, determining that the impacts of the placement of the VAWT's were much less than they would be for the larger propeller type WECS. Specifically, all of the vertical axis towers less than 35 feet in height are now allowed in all zone districts without any administrative review provided that all of the appropriate setbacks would remain in conformance with the required distances.

Vertical Axis Wind Turbine Letter
January 11, 2013
Page 2

While Cook County cannot take any position as to the efficiency and effectiveness of the vertical axis wind turbine design and operation, we did feel that there was sufficient information in order for us to adopt new ordinance provisions that would better accommodate the installation and operation of these systems.

Please contact me with any questions as to our process or adopted ordinance provisions.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Nelson', with a long horizontal flourish extending to the right.

Timothy J. Nelson

Planning Director

Notice of Adoption. The Cook County Board of Commissioners adopted the following amendment into the Wind Tower Ordinance #47 at their regular meeting on Tuesday, November 27, 2012. The adopted amendment will be effective upon this final publication. The following are the amended provisions in accordance with MN. Statute 375.51, copies of the amended ordinance are available for review at the Cook County Auditor's Office, the Planning & Zoning Department in the Cook County Courthouse in Grand Marais, or on the Cook County website at www.co.cook.mn.us.

TOWER ORDINANCE #47 AMENDMENTS

Section II - Definitions

2.16 Vertical Axis Wind Turbine (VAWT) - Any type of wind turbine where the main rotor shaft is set vertically.

Section VI. Wind Energy Conversion Systems

- 6.01 General Permitting Requirements – The following WECS facilities will be deemed generally to be permitted in Cook County without having to make application, but must still meet the appropriate provisions regarding accessory structures and uses listed in the Cook County Zoning Ordinance and setback provisions contained herein:
- a. Any residential production phase WECS within the FAR-1, FAR-2 & FAR-3 zone districts where the lot size is conforming to the appropriate size requirement.
 - b. Any residential Vertical Axis Wind Turbine (VAWT) less than 35 feet in height in any zone district provided the greater of the setback distances identified within Section 4.01 of this Ordinance and Section 4 of the Cook County Zoning Ordinance are met.
- 6.02 Land Use Permits Required – The following WECS facilities will be given an administrative land use permit from the Cook County Planning & Zoning Office upon the completion of the application requirements and meeting the standards outlined within this ordinance:
- d. Any residential VAWT in excess of 35 feet, but less than 90 feet in height in the FAR-1, FAR-2 & FAR-3, R-1 and RC/R zone districts, excluding the North Shore Management Zone.
- 6.03 Conditional Use Permits – The following WECS facilities shall require a conditional use permit by the Cook County Board of Commissioners, which may be granted upon completion of the application requirements, having conditions placed upon the tower facility, and findings of fact that support the tower facility:
- e. Any VAWT in excess of 35 feet but less than 90 feet in height within the NSMZ area, any VAWT in excess of 90 feet in height within the FAR-1, FAR-2 & FAR-3, R-1 and RC/R zone districts, and any VAWT proposed within any other zone district not expressly identified within Sections 6.01(b) and 6.02(d).
- 6.04 WECS Prohibited – Commercial Wind Energy Conversion Systems, and any VAWT in excess of 90 feet in height, are prohibited within 1,000 feet from the Ordinary High Water Level from any classified lake or 300 feet from any protected stream.

- 6.05 WECS Performance Standards – All WECS and VAWT facilities, except for VAWT's below 35 feet in height, shall at a minimum conform to the following performance standards:
- l. The Except for VAWT's, the maximum height of the lowest extent of a WECS blade shall be 130 feet or thirty (30) feet above any obstacles within 300 feet from the WECS tower whichever is lower.
 - m. The maximum total height of a WECS or VAWT tower shall be 199 feet.
 - n. The Except for VAWT's, the minimum height of the lowest extent of a WECS blade shall be thirty (30) feet above the ground.
- 6.06 Conditional Use Permits – In addition to the general requirements for conditional use permit applications; all applications for new WECS and VAWT towers must also include the following:

Can I have a wind turbine, please?

How much money will I save?

Depending on your wind resource, and the size of the turbine, a small wind energy system can lower your electricity bill by 50-90%. If you generate 400 kWh/month (4800 kWh/yr) and you pay \$0.08/kWh, you can save \$384 per year in offset electricity costs. In Minnesota, if you generate more electricity than you use in a month, the utility must pay you the average retail rate for the excess electricity. If your excess electricity is 100 kWh/month and you pay \$0.08/kWh, then the utility will pay you \$8.00/month.

How long before my system is paying for itself?

It can take anywhere from ten to forty years to recapture costs of equipment and installation, depending on the size and complexity of your installation, the wind resource, price of electricity (or distance from the grid), electricity usage, finance rate, and available rebates or incentives.

Where do I find a good manufacturer/installer?

The Office of Energy Security does not endorse any particular manufacturer or installer, however, the OES can provide a list of renewable energy dealers and installers. You can also call or go to the manufacturer's website to see who distributes their equipment in Minnesota. When shopping for a wind turbine system, you should compare warranties, predicted lifetimes, and the manufacturer's and turbine model's reputation for quality and service.



How can I invest in wind systems?

Even if building a wind turbine on your property is not an option, there are a number of options to invest in wind power. Green Pricing programs are available from your utility so that you can offset your electricity usage by investing in new wind energy development. You can also purchase Renewable Energy Certificates from the Chicago Climate Exchange through a variety of brokers. See the Department of Energy's website at www.eere.energy.gov/greenpower/markets/ for more information. Communities can take advantage of Minnesota's Community-Based Energy Development (C-BED) tariffs that provide higher payments from utilities for community-based projects.

Why do I have to pay extra for Green Pricing?

Green pricing is an optional utility service that allows customers an opportunity to support a greater level of utility investment in renewable energy technologies. Participating customers pay a premium on their electric bills to cover the incremental cost of developing new renewable energy generation facilities. In Minnesota, utilities cannot use green pricing energy generation to satisfy renewable energy mandates, so the green pricing program is a way for customers and utilities to go above and beyond the minimum standard.

Aren't turbines noisy and dangerous to birds?

Wind turbine noise levels from small wind turbines are comparable to the noise level that a refrigerator or air conditioner would be from an adjacent room. Noise level issues from industrial size wind turbines are mitigated by setback requirements that specify an acceptable decibel level, comparable to natural background noise levels. Bird deaths due to wind development will never be more than a very small fraction of those caused by other commonly accepted human activities. The modern wind turbine is far less harmful to birds than are tall buildings & windows, domestic cats, vehicles, pesticides, radio towers, and airplanes. Summaries of available wind studies can be found at www.curryker-linger.com and at www.nationalwind.org. Wind power does not create any carbon dioxide or toxic byproducts, so compared to the noise levels and environmental effects of conventional fossil fuel energy sources, wind is an optimum environmental option.



85 7th Place East, Suite 500, St. Paul, MN 55101-2198
651-296-5175 800-657-3710 www.energy.mn.gov

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER THE FIRST READING OF AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE, TITLE 4, CHAPTER 11, SECTIONS 4-11-5(F) AND 4-11-7(A) REGARDING PAYMENT OF A BACKGROUND CHECK INVESTIGATION FEE BY SOLICITORS AND THE GROUNDS FOR REVOCATION, SUSPENSION, OR DENIAL OF A LICENSE OR CERTIFICATE OF REGISTRATION

Meeting Date: October 28, 2013
Item Type: Regular
Contact: Jenelle Teppen, Asst. City Admin
Prepared by: City Attorney
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 Consider the first reading of an ordinance amending City Code Title 4, Chapter 11, Sections 4-11-5(F) and 4-11-7(A) regarding payment of a background check investigation fee by solicitors and the grounds for revocation, suspension, or denial of a license or certificate of registration.

SUMMARY As Council will recall, a Peddler is defined as: A person who goes from house to house, door to door, business to business, street to street, or any other type of place to place, for the purpose of offering for sale, displaying or exposing for sale, selling or attempting to sell, and delivering immediately upon sale, the goods, wares, products, merchandise, or other personal property, that the person is carrying or otherwise transporting. The term "peddler" also includes the term "hawker".

A Solicitor is defined as: A person who goes from house to house, door to door, business to business, street to street, or any other type of place to place, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property, or services, of which a person may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur at a later time.

Peddlers must be licensed by the City while Solicitor’s must only register with us. A background investigation fee was implemented for the Peddler’s, but not for Solicitor’s. It was anticipated that a background investigation would be discretionary for Solicitor’s. Since the regulations were adopted in late 2009, staff has completed a background investigation on each Solicitor who has registered. Rather than arbitrarily choose who received a background investigation, staff felt it was more appropriate to do a background investigation on each applicant.

Only a very few have been denied the ability to solicit based on the results of their background investigation.

There continues to be more and more businesses that are registering; 71 people registered as a Solicitor in 2012, to date 100 people have registered in 2013. The increasing numbers from year to year increasingly drain staff resources.

Staff recommends Council amend the ordinance permitting a background investigation fee for those who register as a Solicitor with the City.

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

ORDINANCE NO. ____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 4, CHAPTER 11, SECTIONS 4-11-5(F) AND 4-11-7(A)
REGARDING PAYMENT OF A BACKGROUND CHECK INVESTIGATION
FEE BY SOLICITORS AND THE GROUNDS FOR REVOCATION,
SUSPENSION, OR DENIAL OF A LICENSE OR CERTIFICATE OF
REGISTRATION**

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

Section One. Amendment. Title 4, Chapter 11, Section 4-11-5(F), of the Inver Grove Heights City Code is hereby amended to read as follows:

F. Background Investigation: A background investigation of the applicant may be conducted at the discretion of the council, ~~but no fee shall be required of the applicant City Clerk. If a background investigation is conducted, the applicant shall pay the appropriate fee. Following completion of the background investigation, the police chief shall make a recommendation to the City Clerk regarding the applicant's fitness for approval.~~

Section Two. Effective Date. Amendment. Title 4, Chapter 11, Section 4-11-7(A), of the Inver Grove Heights City Code is hereby amended to read as follows:

A. Grounds For Denial, Suspension Or Revocation: A license or certificate of registration may be revoked, suspended or denied for one or more of the following reasons:

1. The proposed use does not comply with the zoning code.
2. The applicant has failed to pay any of the appropriate fees.
3. The applicant has made fraudulent statements, misrepresentations, or false statements on the application or as part of the background investigation.
- ~~4. Conviction of any crime directly related to the business or activity being applied and failure to show sufficient rehabilitation and present fitness to perform the duties of the business.~~
4. Conviction of a crime within the past five (5) years of the date of application for any violation of any federal or state statute or regulation, or of any local ordinance, which adversely reflects upon the person's ability to conduct the business for which the

license or registration is being sought in a professional, honest, and legal manner, unless the applicant provides competent evidence of sufficient rehabilitation and present fitness to perform the duties of the business. Such violations shall include, but are not limited to, burglary, theft, larceny, swindling, fraud, unlawful business practices, and any form of actual or threaten physical harm against another person.

5. If an applicant has a bad business reputation. Evidence of a bad business reputation shall include, but is not limited to, the existence of more than three (3) complaints against an applicant with the Better Business Bureau, the Office of the Minnesota Attorney General or other state attorney general's office, or other similar business or consumer rights office or agency, within the preceding twelve (12) months, or three (3) complaints filed with the city against an applicant within the preceding five (5) years.

6. 5: Conducting the business activity in such a manner as to constitute a breach of the peace, menace to the health, safety and welfare of the public, or a disturbance of the peace or comfort of the residents of the city, upon a recommendation of the police chief or an appropriate city official.

7. 6: Actions unauthorized or beyond the scope of the license or certificate of registration.

8. 7: The applicant's license or certificate of registration has been denied, revoked or suspended by the city or another governmental unit in the past.

9. 8: Violation of any regulation or provision of this code or zoning code applicable to the activity for which the license or certificate of registration has been granted, or any regulation or state law that may be applicable.

10. 9: Other good cause.

Section Three. 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 ____th day of November, 2013.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

By: _____
Melissa Kennedy, Deputy City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Appointment of Auditors for the Fiscal Years Ending 2013, 2014 & 2015

Meeting Date: October 28, 2013
 Item Type: Regular
 Contact: Kristi Smith 651.450.2521
 Prepared by: Kristi Smith, Finance Director
 Reviewed by: N/A

Kristi Smith

Fiscal/FTE Impact:	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in 2014 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 To appoint an auditing firm to provide professional auditing services for the years ending 2013, 2014 & 2015.

SUMMARY On August 14, 2013 staff issued a Request for Proposal (RFP) for Professional Auditing Services for Fiscal Years 2013, 2014, and 2015. The RFP was mailed to six CPA firms who are members of the Minnesota Government Finance Officers Association. In addition the RFP was placed on the City’s website.

We received six proposals from CPA firms. The RFP was structured so that each firm would be evaluated on mandatory/minimum requirements and technical quality including experience and performance of audits for comparable cities, additional services the firm provides, the firm’s experience with the GFOA Certificate of Achievement Program, the adequacy of staffing and experience of staff assigned to our audit and the ability to meet our scheduling requirements. Each firm was required to submit a separate sealed envelope with their price quote. A committee was formed to evaluate the proposals. The members were Shannon Battles, Senior Accountant; Carrie Isaacson, Accounting Technician-Payroll; and myself.

All firms were evaluated on the mandatory elements and scored for technical qualifications. Two firms did not comply with the requirements within the RFP. The Committee then opened the separate price quotes. Of the four remaining firms, the lowest price firm received the highest technical score. This firm was interviewed on Thursday, October 10th. Staff has completed reference checks.

The committee was unanimous in recommending Abdo, Eick & Meyers, LLP be appointed to provide professional auditing services for the City of Inver Grove Heights for the Fiscal Years ending 2013, 2014 and 2015. Attached is an engagement letter for 2013.

5201 Eden Avenue
Suite 250
Edina, MN 55436

Management, Honorable Mayor and City Council
City of Inver Grove Heights
Inver Grove Heights, Minnesota

To the appropriate representative of those charged with governance of the City of Inver Grove Heights (the City):

You have requested that we audit the financial statement of the City, which comprise the statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the City as of and for the year ended December 31, 2013.

We are pleased to confirm our understanding of the services we are to provide the City for the year ended December 31, 2013.

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the City as of and for the year ended December 31, 2013. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Schedule of Funding Progress for Other Post-employment Benefits

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

- 1) Combining and Individual Fund Financial Statements and Schedules



The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that other information. The Statistical Section is required to be presented when a Comprehensive Annual Financial Report (CAFR) is issued.

- 1) Introductory Section
- 2) Statistical Section

Audit Objective

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. You agree to assume all management responsibilities for any nonattest services we provide; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the City complies with applicable laws and regulations.



You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Audit Procedures - General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the City or to acts by management or employees acting on behalf of the City.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as an auditor is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures - Internal Control

Our audit will include obtaining an understanding of the City and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.



Audit Procedures - Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Engagement Administration, Fees, and Other

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

We expect to begin our audit in March 2014 and to issue our reports no later than June 30, 2014. Steven R. McDonald, CPA is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

Our fee for these services will be as follows:

Audit, including CAFR preparation	\$	35,030
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The fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, we will discuss it with you and arrive at a new fee before we incur the additional costs. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Amounts not paid within 30 days from the invoice date will be subject to a late payment charge of 1 percent per month (12 percent per year). If for any reason the account is turned over for collections, additional fees will be added to cover collections cost. In accordance with our Firm policies, work may be suspended if your account becomes 90 days or more overdue and will not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed your audit. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket expenditures through the date of termination.

Except in the event of your failure to make a payment when due, in the event of a dispute related in any way to our services, our Firm and you agree to discuss the dispute and, if necessary, to promptly mediate in a good faith effort to resolve. We will agree on a mediator, but if we cannot, either of us may apply to a court having personal jurisdiction over the parties for appointment of a mediator. We will share the mediator's fees and expenses equally, but otherwise will bear our own attorneys' fees and mediation cost. Participation in such mediation shall be a condition to either of us initiating litigation. In order to allow time for the mediation, any applicable statute of limitations shall be tolled for a period not to exceed 120 days from the date either of us first requests in writing to mediate the dispute. The mediation shall be confidential in all respects, as allowed or required by law, except our final settlement positions at mediation shall be admissible in litigation solely to determine the prevailing party's identify for purposes of the award of attorneys' fees. In the event you fail to make a payment for services or to reimburse for costs advanced by the Firm on your behalf, the Firm reserves the right to take all legally permissible action, including commencement of litigation in lieu of mediation, and shall have the right to collect its costs, including reasonable attorney's fees, incurred in any such collection or litigation activities.



We appreciate the opportunity to be of service to the City and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,

ABDO, EICK & MEYERS, LLP
Certified Public Accountants & Consultants

Steven R. McDonald, CPA
Managing Partner

RESPONSE:

This letter correctly sets forth the understanding of the City of Inver Grove Heights.

By: _____

Title: _____

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER DESIGN AND COST OF A SIGN FOR THE EAST WALL OF CITY HALL

Meeting Date: October 28, 2013
 Item Type: Regular
 Contact: Jenelle Teppen, Asst. City Admin
 Prepared by: n/a
 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 Consider the design and cost of a sign for the exterior east wall of City Hall.

SUMMARY During the discussion this past June on the exterior signage plan for City Hall Council directed staff to work with the sign consultant on a larger and lighted sign for the east exterior wall of City Hall.

I have attached the final proposed design. The proposed design removes the existing letters and replaces them with a cabinet measuring 1' 9", and 12" letters that would be illuminated.

The total cost which includes the sign, the electrical work and the design and coordination is \$16,390.

The Council expressed a desire that the sign identifying City Hall be readable from Highway 52. The distance from City Hall to northbound 52 is 540 feet, while the distance to southbound is 435 feet.

Maximum readable distance for a 12" letter is 525'. Readable distance for maximum impact for 12" letters is 120'.

For a sign to provide readable distance for maximum impact at 540', letters need to be 54" high. The scale of that against the east wall of City Hall makes that aesthetically undesirable.

Should the Council decide to move ahead with this design, it could be funded from the City Facilities fund which has an unencumbered fund balance of \$ 338,581. The Council should discuss and provide direction to staff.



K. EXISTING WALL ID FOR CITY HALL
 REMOVE AND REPLACE EXISTING



SCALE: 1/8"=1'-0'

PAINTED ALUMINUM SATIN
 BLACK/BROWN TO MATCH EXISTING
 MULLIONS

ROUTED LETTERS, PUSHED THROUGH,
 3/4" WHITE ACRYLIC, INTERNALLY
 ILLUMINATED LED

ELECTRICAL HOOK UP BY OTHERS



CITY OF
 INVER GROVE HEIGHTS

EXTERIOR

CITY OF INVER GROVE HEIGHTS
 8150 Barbara Ave
 Inver Grove Hts, MN 55077

Identification
 Design &
 Standards



**VISUAL
 Communications**

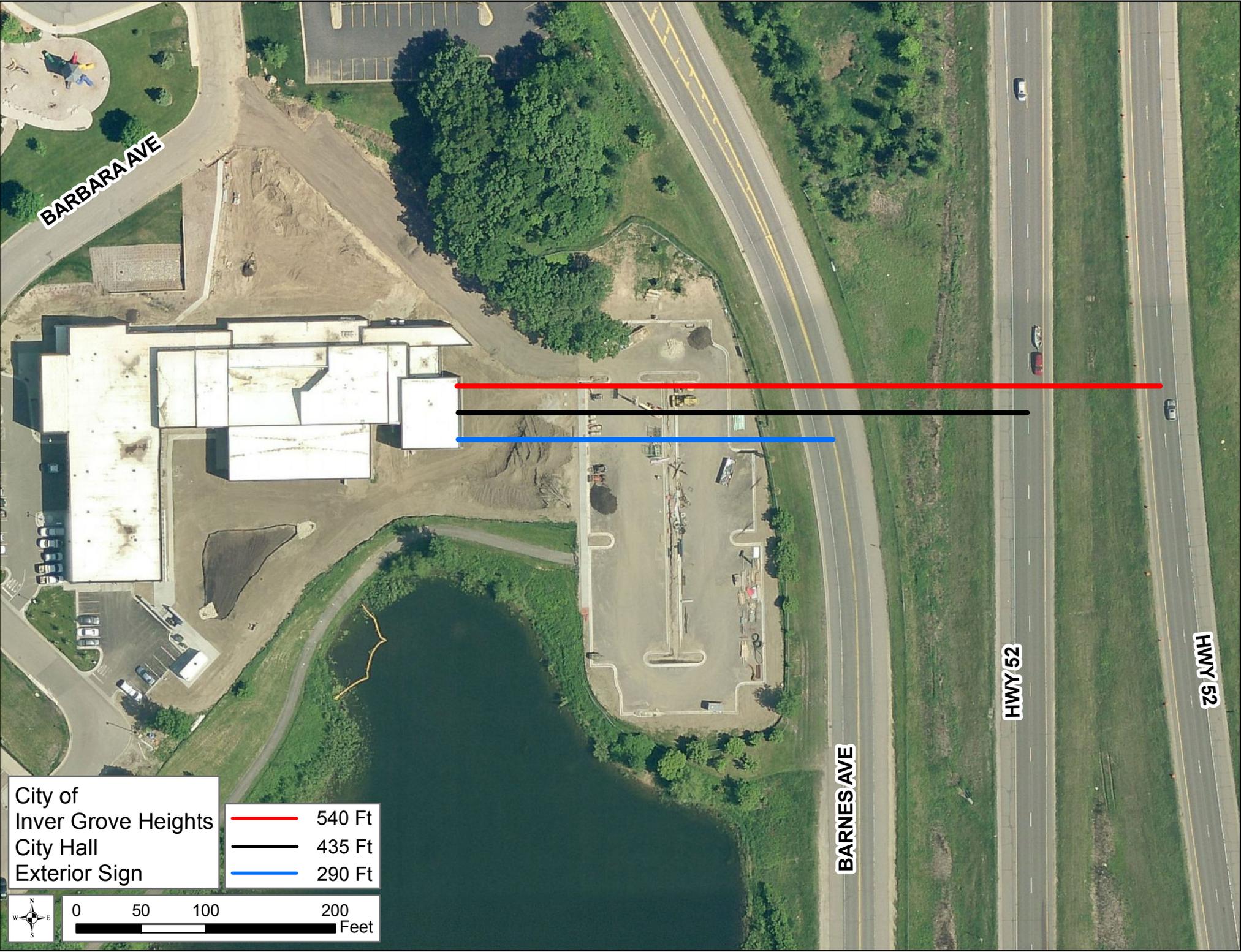
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 07/10/13 NV
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BARBARA AVE

BARNES AVE

HWY 52M/H

HWY 52

City of
Inver Grove Heights
City Hall
Exterior Sign

- 540 Ft
- 435 Ft
- 290 Ft



0 50 100 200 Feet