INVER GROVE HEIGHTS CITY COUNCIL AGENDA
-REVISED-
MONDAY, DECEMBER 9, 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. Receive Quotes and Award Contract for Water Treatment Facility Filter Rehabilitation _____

B. Resolution Approving Disbursements for Period Ending December 4, 2013 _____

C. Resolution Adopting the 2014-2018 Capital Improvement Plan (CIP) _____

D. Change Order No. 33 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation _____

E. Pay Voucher No. 2 for City Project No. 2012-07, Bohrer Pond NW Pre-treatment Basin _____

F. Pay Voucher No. 10 for City Project No. 2012-09D, Urban Street Reconstruction 65th Street Neighborhood and Cahill Court _____

G. Approve Plan of Dissolution and Distribution of Assets of the Gun Club Lake Watershed Management Organization _____

H. Resolution Approving New Joint Powers Agreement between Inver Grove Heights and Eagan that Establishes the Eagan-Inver Grove Heights Watershed Management Organization _____

I. Resolution Receiving Feasibility Report, Scheduling a Public Hearing and Authorizing Preparation of Plans and Specifications for the 2014 Pavement Management Program, City Project No. 2014-09D College Trail Reconstruction and Barbara Avenue Partial Reconstruction _____

J. Resolution Accepting Engineering Services from Kimley-Horn and Associates, Inc. for City Project No. 2014-06 – Blaine Avenue Retaining Wall Replacement _____

K. Approve Whistletree Woods Settlement Agreement _____

L. Approve Community Development Block Grant Application for Fiscal Year 2014 _____

M. Approve Joint Powers Agreement with Dakota County CDA for Open to Business Program _____

N. Approve Proposal from Peer Engineering to Conduct a Phase II Environmental Site Assessment _____

O. Accept Donation to the Inver Grove Heights Fire Department from the Inver Grove Heights Fire Department Auxiliary _____

P. Approve Request of Inver Grove Heights Fire Department Relief Association to Raise the Retirement Benefit Level _____

Q. 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; Consider Modification to TIF District No. 2-1 _____

B. CITY OF INVER GROVE HEIGHTS; Consider Application of Pawn America, LLC dba Pawn America for Renewal of Pawnbroker's License for premises located at 5300 South Robert Trail _____

C. CITY OF INVER GROVE HEIGHTS; Consider Approval of Liquor License Renewals for 2014 Calendar Year _____

7. REGULAR AGENDA:

FINANCE:

A. CITY OF INVER GROVE HEIGHTS; Consider Approval of Final 2014 Tax Levies and 2014 Budgets _____

ADMINISTRATION:

B. CITY OF INVER GROVE HEIGHTS; Consider First Reading of an Ordinance Amending Inver Grove Heights City Code Title 4, Chapter 1, Articles A, B, C, and D related to Alcoholic Beverages _____

C. CITY OF INVER GROVE HEIGHTS; Consider Second Reading of an Ordinance Amending City Code Title 3, Chapter 4, Sections 3-4-2-2 and 3-4-2-3 and 10-3-8 Adjusting Development Fees _____

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

AGENDA ITEM __ 4A

CITY OF INVER GROVE HEIGHTS REQUEST FOR COUNCIL ACTION

Receive Quotes and Award Contract for Water Treatment Facility Filter Rehabilitation

Meeting Date:	December 9, 2013		Fiscal/FTE Impact:
Item Type:	Consent		None
Contact:	Jim Sweeney, 651-450-2565	X	Amount included in current budget
Prepared by:	Jim Sweeney, Utility Superintendent		Budget amendment requested
Reviewed by:	Scott D. Thureen, Public Works Director		FTE included in current complement
	SDT		New FTE requested – N/A
			Other: Pavement Management Fund, State-Aid Funds

PURPOSE/ACTION REQUESTED

Receive quotes and award contract for Water Treatment Facility filter rehabilitation.

SUMMARY

The Water Treatment Facility has been in operation since 1998. The four rapid sand gravity filter cells are due for maintenance. In addition, some revisions will be made to the controls, pipe and valves to improve operations. This work needs to be completed during the winter and early spring when the demand for water is lowest. The attached memo from Jim Sweeney, the Utilities Superintendent, provides additional details.

Quotes were solicited for the work. Two proposals were received:

Shank Constructors, Inc.	$94,000
Magney Construction, Inc.	$99,875

I recommend that the City Council accept the proposal from Shank Constructors, Inc. in the amount of $94,000. The project is included in the 2013 Water Fund budget (501.50.7100.512.40042).

SDT/kf
Attachment: Memo
Plans
Quotes

City of Inver Grove Heights
UTILITY DIVISION

MEMORANDUM

TO : Scott Thureen

FROM : Jim Sweeney

SUBJECT : **Water Treatment Facility Filter Rehabilitation**

DATE : December 2, 2013

The Water Treatment Facility went into operation in July of 1998 employing four rapid sand gravity filter cells for iron and manganese removal. These four filter cells have been in continuous operation since that time with only minor modifications and repairs as necessary. In the interest of maintaining that service record well into the future, the Utility Division identified several improvements and rehabilitations that should be made to the original 1998 filter cells and equipment.

The filter improvements and rehabilitation include relocated piping and valve operators, filter media addition, minor electrical and control modifications, sandblasting and painting. This work will begin immediately and continue through the winter and spring seasons with completion scheduled before our water demand increases for the summer months.

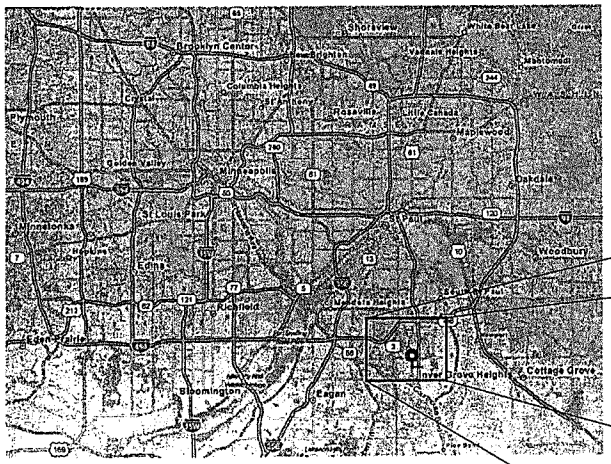
Attached are two proposals for the work from Shank Constructors and Magney Construction. Utilities Division recommends accepting the proposals and awarding the work to Shank Constructors in the amount of $ 94,000. Funds for this work are budgeted in Water Utility Fund account # 501-50-7100-512-40042.

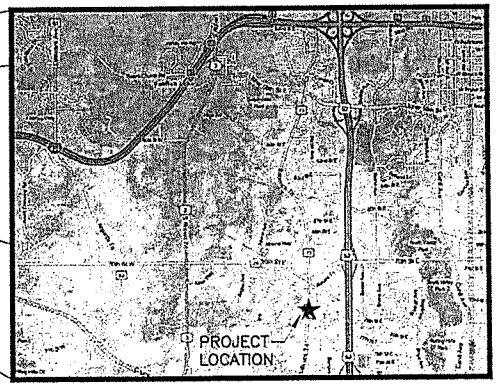
CONSTRUCTION DRAWINGS FOR

WATER TREATMENT FACILITY FILTER IMPROVEMENTS

CITY OF

INVER GROVE HEIGHTS, MINNESOTA





N PROJECT LOCATION MAP
NOT TO SCALE

SHEET NUMBERING LEGEND

SHEET P1

- CONSECUTIVE SEQUENCE DRAWING NUMBER
- DISCIPLINE
  - G GENERAL
  - R REMOVAL
  - P PROCESS

SHEET INDEX

G1 TITLE SHEET, LOCATION MAP AND SHEET INDEX
R1 UPPER LEVEL FLOOR PLAN - REMOVALS
P1 UPPER LEVEL FLOOR PLAN - PROCESS PIPING
P2 SECTIONS - PROCESS PIPING
P3 PROCESS DETAILS

SEH
3535 VADNAIS CENTER DR
ST PAUL, MN 55110
PHONE 651.490.2000
FAX 651.490.2150
WATS 800.325.2055
www.sehinc.com

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

JOHN G. DALBECK, PE
DATE 11-30-12 LICENSE NO. 43125

WATER TREATMENT FACILITY
FILTER IMPROVEMENTS PROJECT
INVER GROVE HEIGHTS, MINNESOTA

MARK	DATE	DESCRIPTION
		REVISIONS

SEH FILE NO. INVER 122227
CITY PROJECT NO.
ISSUE DATE 11-30-12
DESIGNED BY JDC
DRAWN BY JDA
Short Elliott Hendrickson, Inc. © (SEH)

SHEET TITLE
TITLE SHEET, LOCATION MAP AND SHEET INDEX

SHEET
G1

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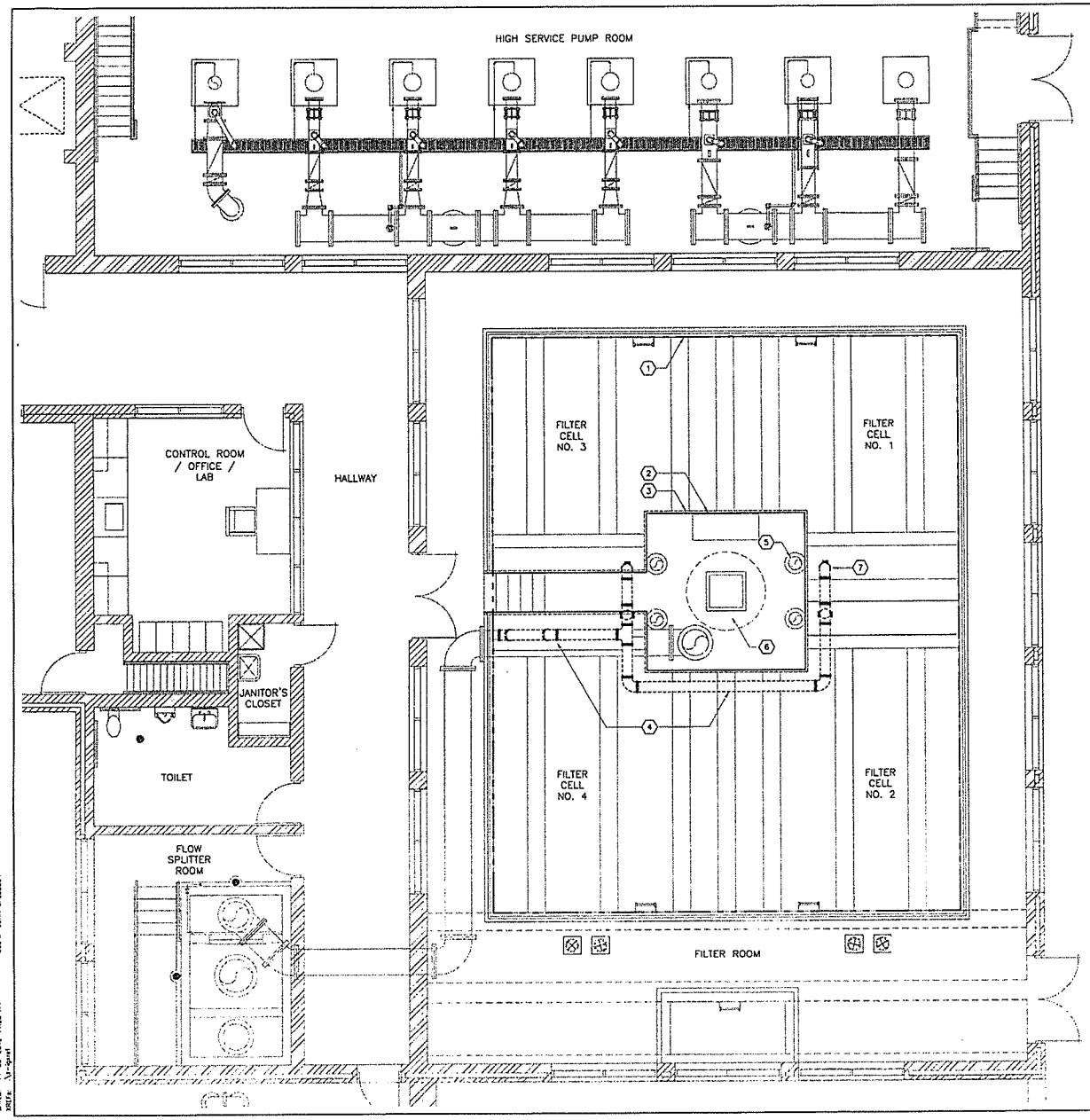
PREFIX: 30-Sheet



KEYNOTES:

1. CONSTRUCT CONTAINMENT WALLS FROM TOP OF CURB TO CEILING ON INSIDE OF HANDRAIL AROUND THE ENTIRE FILTER BASIN
2. REMOVE HANDRAIL FROM ACCESS BRIDGE AND FILTER CONTROL PLATFORM FOR REINSTALLATION AFTER PAINTING
3. REMOVE ALL DECKING FROM ACCESS BRIDGE AND FILTER CONTROL PLATFORM FOR REINSTALLATION AFTER PAINTING OR REMOVE AND REPLACE PER ALTERNATE 1
4. REMOVE 8" VICTAULIC AIR PIPING AND FITTINGS BACK TO FIRST JOINT WITHIN FILTER – CONTRACTOR CAN SALVAGE EXISTING MATERIALS FOR REINSTALLATION WHERE THERE IS NO EVIDENCE OF METAL LOSS
5. REMOVE 12" VALVE ACTUATORS AND SALVAGE FOR REINSTALLATION – TYPICAL OF 4 LOCATIONS
6. SEE DETAIL A/P3 FOR REMOVALS WITHIN THE FILTER DISTRIBUTION BOX VALVE TUBE CHASE – SALVAGE ACTUATORS TO OWNER
7. REMOVE VERTICAL AIR PIPE DOWN TO ELEVATION 982.0 – TYPICAL OF 4 LOCATIONS

N UPPER LEVEL FLOOR PLAN

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XREFS: X3-qual
USER: JOHN DALEBECK

SEH
3535 NORTHS CENTER OF ST PAUL, MN 55110
PHONE: 651.490.2000
FAX: 651.490.2150
WEBSITE: WWW.SEH.COM

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JOHN C. DALEBECK, PE
DATE 11-30-12 LICENSE NO. 47125

WATER TREATMENT FACILITY
FILTER IMPROVEMENTS PROJECT
INVER GROVE HEIGHTS, MINNESOTA

MARK	DATE	DESCRIPTION
		REVISIONS

SEH FILE NO. INVER 122227
CITY PROJECT NO.
ISSUE DATE 11-30-12
DESIGNED BY JDC
DRAWN BY JDA
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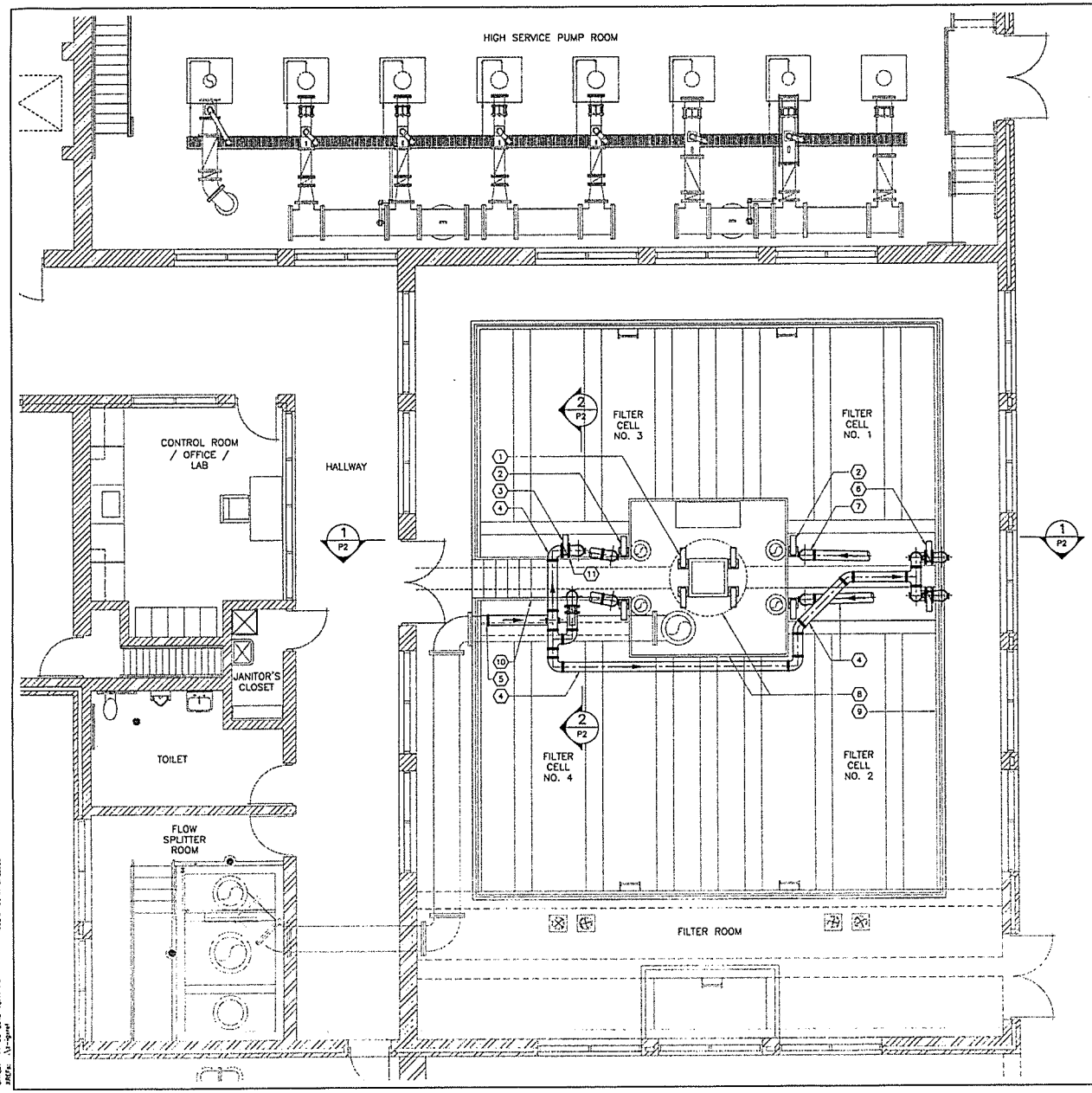
SHEET TITLE
UPPER LEVEL FLOOR PLAN
REMOVALS

SHEET
R1



KEYNOTES:

1. INSTALL FLOORSTAND MOUNTED PNEUMATIC OPERATOR WITH EXTENSION PARTS FOR EXISTING 20" BACKWASH WASTE BUTTERFLY VALVE BELOW. CUT FLOOR DECKING TO BRING EXTENSION STEM THROUGH FLOOR PER DETAIL A/P3. REINSTALL EXISTING PNEUMATIC OPERATOR. VALVE EXTENSION PARTS SUPPLIED BY OWNER AS DETAILED IN 40 23 20. TYPICAL OF 4 LOCATIONS.
2. REINSTALL SALVAGED PNEUMATIC OPERATOR WITH EXTENSION PARTS FOR 12" INLET VALVE ON FLOORSTAND. ROTATE VALVE 90-DEGREES. WELD STEEL MOUNTING BRACKET TO OPERATING PLATFORM STEEL BEAM FOR MOUNTING FLOORSTAND SIMILAR TO EXISTING SOUTH FILTER INSTALLATION. VALVE EXTENSION PARTS SUPPLIED BY OWNER AS DETAILED IN 40 23 20. TYPICAL OF 4 LOCATIONS.
3. REINSTALL SALVAGED 8" FLANGED BUTTERFLY VALVE AND PNEUMATIC OPERATOR ON EXTENSION BONNET. VALVE EXTENSION PARTS SUPPLIED BY OWNER AS DETAILED IN 40 23 20. TYPICAL OF 2 LOCATIONS.
4. 8" VICTAULIC DUCTILE IRON AIR SUPPLY PIPE – CONTRACTOR CAN REINSTALL SALVAGED PIPE WHERE THERE IS NO EVIDENCE OF METAL LOSS.
5. CONNECT TO EXISTING PIPE.
6. REINSTALL SALVAGED 8" FLANGED BUTTERFLY VALVE AND PNEUMATIC OPERATOR ON EXTENSION BONNET. VALVE EXTENSION PARTS SUPPLIED BY OWNER AS DETAILED IN 40 23 20. TYPICAL OF 2 LOCATIONS.
7. 8" VICTAULIC 90° BEND.
8. BLAST AND PAINT INTERIOR AND EXTERIOR OF INLET DISTRIBUTOR BOX AND CONTROL COLUMN / ACCESS TUBE PER SPECIFICATION SECTION 09 97 23 – BY OTHERS.
9. BLAST AND PAINT CONCRETE FILTER CELL WALLS TO THE EXTENT INDICATED IN SECTION 1/P2 PER SPECIFICATION SECTION 09 97 23 – BY OTHERS.
10. BLAST AND PAINT ALL STRUCTURAL STEEL IN FILTER BASIN, INCLUDING SUPPORT TRUSSES FOR WALKWAY, DISTRIBUTION BOX / OPERATING PLATFORM AND STEEL BRACKETS / PIPE HANGERS PER SPECIFICATION SECTION 09 97 23 – BY OTHERS.
11. 8" VICTAULIC FLANGE ADAPTER – TYP.

GENERAL NOTES:

1. FOR EACH SALVAGED AND REINSTALLED PNEUMATIC OPERATOR, REPLACE LIMITS SWITCH, AIR LINE, SPEED CONTROL, AND SOLENOID VALVE PER SPECIFICATIONS. PARTS PROVIDED BY OWNER.
2. REPLACE ALL PNEUMATIC AIR LINES WITHIN LIMITS OF CONTAINMENT AREA PER SPECIFICATION SECTION 40 95 26.
3. BLAST AND PAINT ALL EXISTING AND SALVAGED PIPING PER SPECIFICATION SECTION 09 97 20 – BY OTHERS.

N UPPER LEVEL FLOOR PLAN

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USER: JOHN CHLEBECK
DATE: 11-Nov-12

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3535 VADNAIS CENTER DR
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www.sehinc.com

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JOHN D. CHLEBECK, PE
DATE 11-30-12 LICENSE NO. 43125

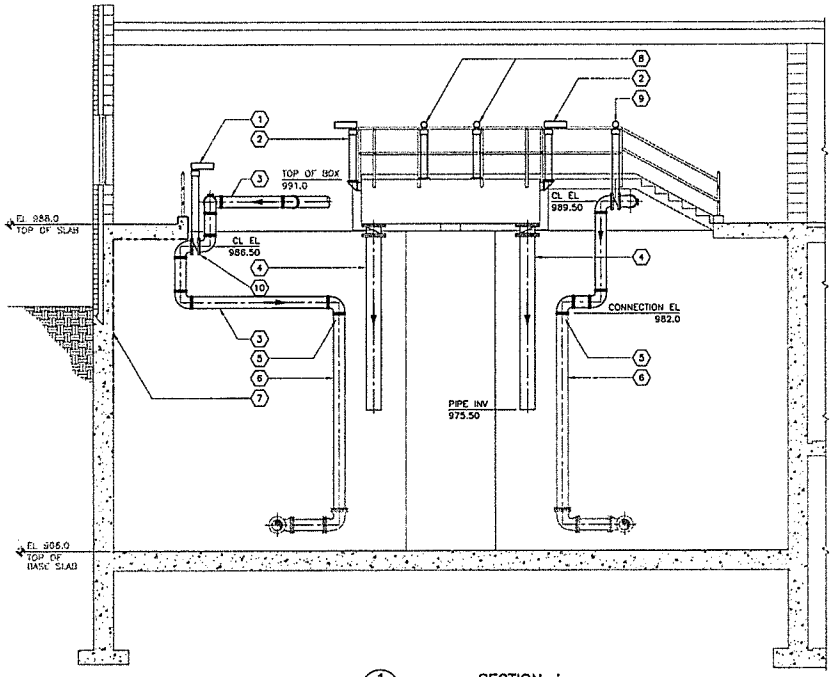
WATER TREATMENT FACILITY
FILTER IMPROVEMENTS PROJECT
INVER GROVE HEIGHTS, MINNESOTA

MARK	DATE	DESCRIPTION
		REVISIONS

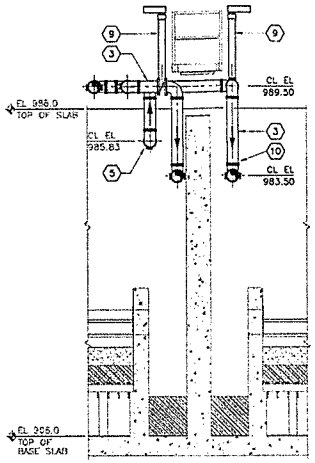
SEH FILE NO. INVER 122227
SEH PROJECT NO. 11-30-12
ISSUE DATE
DESIGNED BY JDC
DRAWN BY JDA
Short Elliott Hendrickson, Inc. ® (SEH)

SHEET TITLE
UPPER LEVEL FLOOR PLAN
PROCESS PIPING

SHEET
P1



1 / P2 SECTION



2 / P2 SECTION

KEYNOTES:

1. REINSTALL SALVAGED 8" FLANGED BUTTERFLY VALVE AND PNEUMATIC OPERATOR ON EXTENSION BONNET. VALVE EXTENSION PARTS SUPPLIED BY OWNER AS DETAILED IN 40 23 20. TYPICAL OF 2 LOCATIONS.
2. REINSTALL SALVAGED PNEUMATIC OPERATOR WITH EXTENSION PARTS FOR 12" INLET VALVE ON FLOORSTAND. ROTATE VALVE 90-DEGREES. WELD STEEL MOUNTING BRACKET TO OPERATING PLATFORM STEEL BEAM FOR MOUNTING FLOORSTAND SIMILAR TO EXISTING SOUTH FILTER INSTALLATION. VALVE EXTENSION PARTS SUPPLIED BY OWNER AS DETAILED IN 40 23 20. TYPICAL OF 4 LOCATIONS.
3. 8" VICTAULIC DUCTILE IRON AIR SUPPLY PIPE – CONTRACTOR CAN REINSTALL SALVAGED PIPE WHERE THERE IS NO EVIDENCE OF METAL LOSS.
4. REMOVE EXISTING 12" INFLUENT PIPE AND REPLACE WITH 12" STAINLESS STEEL PIPE PER SPECIFICATION SECTION 40 23 10. TYPICAL OF 4 LOCATIONS.
5. CONNECT TO EXISTING PIPE WITH RESTRAINED JOINT – TYPICAL OF 4 LOCATIONS
6. EXISTING 8" VICTAULIC DUCTILE IRON AIR SUPPLY PIPE
7. EXTENT OF COATING WORK ON EXISTING WALLS – TYPICAL OF ALL WALLS IN FILTER BASIN – BY OTHERS
8. INSTALL FLOORSTAND MOUNTED PNEUMATIC OPERATOR WITH EXTENSION PARTS FOR EXISTING 20" BACKWASH WASTE BUTTERFLY VALVE BELOW. CUT FLOOR DECKING TO BRING EXTENSION STEM THROUGH FLOOR PER DETAIL A/P3. REINSTALL EXISTING PNEUMATIC OPERATOR. VALVE EXTENSION PARTS SUPPLIED BY OWNER AS DETAILED IN 40 23 20. TYPICAL OF 4 LOCATIONS.
9. REINSTALL SALVAGED 8" FLANGED BUTTERFLY VALVE AND PNEUMATIC OPERATOR, WITH MODIFICATIONS PER 40 23 20, ON EXTENSION BONNET. VALVE EXTENSION PARTS SUPPLIED BY OWNER AS DETAILED IN 40 23 20. TYPICAL OF 2 LOCATIONS.
10. 8" VICTAULIC FLANGE ADAPTER – TYP.

GENERAL NOTES:

1. FOR EACH SALVAGED AND REINSTALLED PNEUMATIC OPERATOR, REPLACE LIMITS SWITCH, AIR LINE, SPEED CONTROL, AND SOLENOID VALVE PER SPECIFICATIONS. PARTS PROVIDED BY OWNER.
2. REPLACE ALL PNEUMATIC AIR LINES WITHIN LIMITS OF CONTAINMENT AREA PER SPECIFICATION SECTION 40 95 26.
3. BLAST AND PAINT ALL EXISTING AND SALVAGED PIPING PER SPECIFICATION SECTION 09 97 20 – BY OTHERS.

SEH
SEH, INCORPORATED
3535 VADNAIS CENTER DR
ST. PAUL, MN 55110
PHONE: 651.490.2000
FAX: 651.490.2150
WEB: WWW.SEH.COM

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JOHN D. CICLEBECK, P.E.
DATE 11-30-12 LICENSE NO. 47123

WATER TREATMENT FACILITY
FILTER IMPROVEMENTS PROJECT
INVER GROVE HEIGHTS, MINNESOTA

MARK	DATE	DESCRIPTION
		REVISIONS

SEH FILE NO. INVER 122227
ISSUE PROJECT NO. 122227
ISSUE DATE 11-30-12
DESIGNED BY JDC
DRAWN BY JDA
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SHEET TITLE
SECTIONS
PROCESS PIPING

SHEET
P2

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USER: JOHN CICLEBECK
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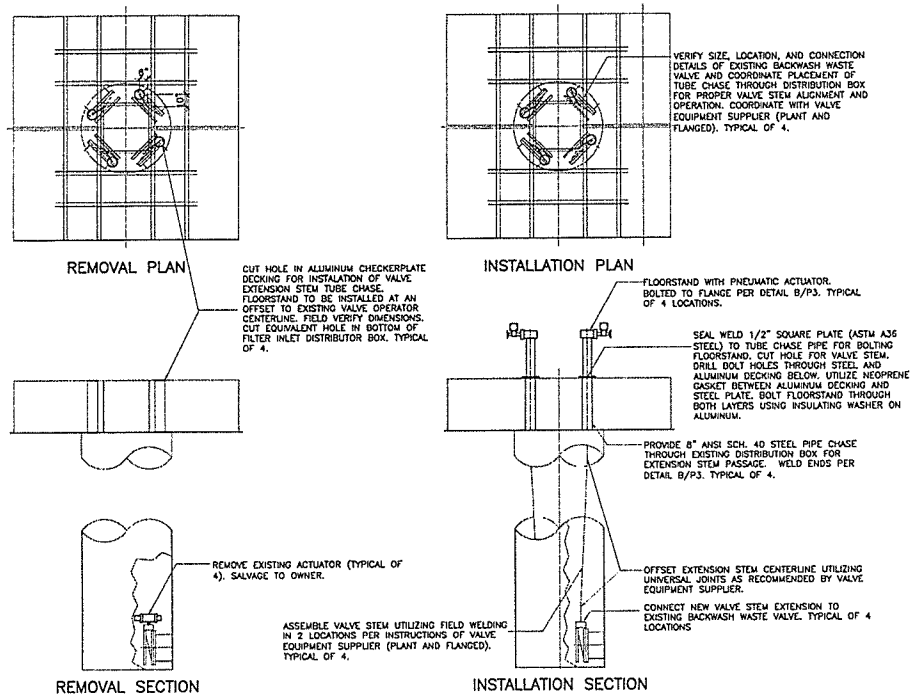

A / P3 FILTER DISTRIBUTION BOX VALVE TUBE CHASE DETAIL

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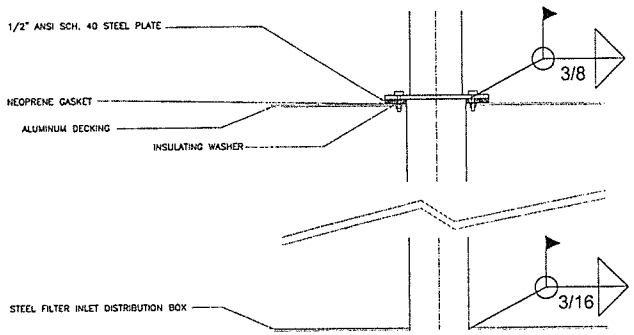

B / P3 WELDING / CONNECTION DETAILS

SCALE: NONE

GENERAL NOTES:

1. VALVE EXTENSION PARTS SUPPLIED BY OWNER AS DETAILED IN 40 23 20.

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ST PAUL, MN 55110
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JOHN G. CHASEL, PE
DATE 11-30-12 LICENSE NO. 41725

WATER TREATMENT FACILITY
FILTER IMPROVEMENTS PROJECT
INVER GROVE HEIGHTS, MINNESOTA

MARK	DATE	DESCRIPTION
		REVISIONS

SEH FILE NO. INVER 122227
CITY PROJECT NO.
ISSUE DATE 11-30-12
DESIGNED BY JDG
DRAWN BY JDA

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SHEET TITLE
PROCESS DETAILS

SHEET
P3

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XREFS: S:\MN\B\INOPA\106372\3-DSGN\31-CADD\BASE\X106372.
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The Bid is to be submitted on photocopies of this Bid Form and the attachments provided.

DOCUMENT 00 41 00 - REVISED

REVISED - QUOTE FORM

Total Amount of Quote $ 94,000.00

Contractor Name Shank Constructors Inc

PROJECT IDENTIFICATION: **Water Treatment Facility Filter Improvements**
City of Inver Grove Heights, Minnesota
SEH No. INVER 122227

BIDS TO BE RECEIVED: **2:00 PM, Monday, December 2, 2013**

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Article 7 – Attachments To This Quote	3
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ARTICLE 1 – QUOTE RECIPIENT

This Quote is submitted to: **Mr. Jim Sweeney**
City of Inver Grove Heights
Public Works Garage | 8168 Barbara Avenue
Inver Grove Heights, MN 55077-3410

1.01 The undersigned Bidder (provider of this Quote) proposes and agrees, if this Quote is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Quote and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders. The Quote will remain subject to acceptance for 60 days after the due date of Quote, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER REPRESENTATIONS

3.01 In submitting this Quote, Bidder represents, as set forth in the Agreement, that:

A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of all which is hereby acknowledged.

Addendum No.	Addendum Date
1	11/27/13

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) that have been identified in S.C. 4.02 as containing reliable "technical data", and (2) reports and drawings of a Hazardous Environmental Condition, if any, that have been identified in S.C. 4.06 as containing reliable "technical data".

E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.

F. Based on the information and observations referred to in Paragraph 3.01 above, Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Quote for performance of the Work at the price(s) Quoted and within the times and in accordance with the other terms and conditions of the Bidding Documents.

G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.

I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Quote is submitted.

ARTICLE 4 – BIDDER CERTIFICATION

4.01 Bidder certifies that:

A. This Quote is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;

B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Quote;

C. Bidder has not solicited or induced any individual or entity to refrain from quoting; and

D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;

2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish Quote prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Quote prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF QUOTE

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

LUMP SUM QUOTE

LUMP SUM QUOTE PRICE $ 94,000.00

ARTICLE 6 – TIME OF COMPLETION

6.01 Bidder agrees that the Work will be substantially complete and completed and ready for final payment in accordance with Paragraph 14.07.B of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS QUOTE

7.01 The following documents are attached to and made a condition of this Quote:

A. List of Proposed Subcontractors.
B. List of Proposed Suppliers.
C. Affidavit of Non-Collusion.

ARTICLE 8 – DEFINED TERMS

8.01 The terms used in this Quote with initial capital letters have the meanings indicated in the the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – QUOTE SUBMITTAL

9.01 This Quote submitted by:

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____ (SEAL)
(Individual's signature)

Doing business as: _____

A Partnership

Partnership Name: _____ (SEAL)

By: _____
(Signature of general partner - attach evidence of authority to sign)

Name (typed or printed): _____

A Joint Venture

Name of Joint Venturer: _____

First Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of first joint venture partner - attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venturer Name: _____ (SEAL)

By: _____
(Signature - attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

A Corporation

Corporation Name: Shank Constructors Inc (SEAL)

State of Incorporation: Minnesota

Type (General Business, Professional, Service, Limited Liability): General Business

By: _____

(Signature - attach evidence of authority to sign)

Name (typed or printed): Michael A Shank

Title: Vice-President

(CORPORATE SEAL)

Attest: _____ Kenneth L Shank

(Signature of Corporate Secretary)

Date of Qualification to do business in Minnesota is 07/08/65.

(State Where Project is Located)

9.02 Contact Information

Bidder's Business Address: 3501 85th Ave N

Brooklyn Park MN 55443

Phone: 763-424-8300 Facsimile: 763-424-8303 E-mail: mike@shankconstructors.com

Submitted on December 2, 2013.

State Contractor License No. _____. (If applicable)

The Bid is to be submitted on photocopies of this Bid Form and the attachments provided.

DOCUMENT 00 41 00 - REVISED

REVISED - QUOTE FORM

Total Amount of Quote $ 99,875.00

Contractor Name Magney Construction, Inc.

PROJECT IDENTIFICATION: **Water Treatment Facility Filter Improvements**
City of Inver Grove Heights, Minnesota
SEH No. INVER 122227

BIDS TO BE RECEIVED: **2:00 PM, Monday, December 2, 2013**

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Article 6 – Time of Completion	3
Article 7 – Attachments To This Quote	3
Article 8 – Defined Terms	3
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ARTICLE 1 – QUOTE RECIPIENT

This Quote is submitted to: **Mr. Jim Sweeney**
City of Inver Grove Heights
Public Works Garage | 8168 Barbara Avenue
Inver Grove Heights, MN 55077-3410

1.01 The undersigned Bidder (provider of this Quote) proposes and agrees, if this Quote is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Quote and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders. The Quote will remain subject to acceptance for 60 days after the due date of Quote, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER REPRESENTATIONS

3.01 In submitting this Quote, Bidder represents, as set forth in the Agreement, that:

A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of all which is hereby acknowledged.

Addendum No.	Addendum Date
1	11-27-13

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) that have been identified in S.C. 4.02 as containing reliable "technical data", and (2) reports and drawings of a Hazardous Environmental Condition, if any, that have been identified in S.C. 4.06 as containing reliable "technical data".

E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.

F. Based on the information and observations referred to in Paragraph 3.01 above, Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Quote for performance of the Work at the price(s) Quoted and within the times and in accordance with the other terms and conditions of the Bidding Documents.

G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.

I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Quote is submitted.

ARTICLE 4 – BIDDER CERTIFICATION

4.01 Bidder certifies that:

A. This Quote is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;

B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Quote;

C. Bidder has not solicited or induced any individual or entity to refrain from quoting; and

D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;

2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish Quote prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Quote prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

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LUMP SUM QUOTE PRICE $ 99,875.00

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C. Affidavit of Non-Collusion.

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8.01 The terms used in this Quote with initial capital letters have the meanings indicated in the the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – QUOTE SUBMITTAL

9.01 This Quote submitted by:

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____ (SEAL)
(Individual's signature)

Doing business as: _____

A Partnership

Partnership Name: _____ (SEAL)

By: _____
(Signature of general partner - attach evidence of authority to sign)

Name (typed or printed): _____

A Joint Venture

Name of Joint Venturer: _____

First Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of first joint venture partner - attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venturer Name: _____ (SEAL)

By: _____
(Signature - attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

A Corporation

Corporation Name: Magney Construction Inc ~~(SEAL)~~

State of Incorporation: Minnesota

Type (General Business, Professional, Service, Limited Liability): General Business

By: _____
(Signature - attach evidence of authority to sign)

Name (typed or printed): Mark Magney

Title: President
(~~CORPORATE SEAL~~)

Attest: _____
(Signature of ~~Corporate Secretary~~)

Date of Qualification to do business in Minnesota is 5/16/94.
(State Where Project is Located)

9.02 Contact Information

Bidder's Business Address: 1401 Park Road
Chanhassen, MN 55317

Phone: 952-474-1674 Facsimile: 952-474-1679 E-mail: Mark@magneyconstruction.com

Submitted on December 2, 2013.

State Contractor ~~License~~ Registration No. IR651884. (If applicable)

AGENDA ITEM _____4B_____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Meeting Date:	December 9, 2013		**Fiscal/FTE Impact:**
Item Type:	Consent		None
Contact:	Kristi Smith 651-450-2521	X	Amount included in current budget
Prepared by:	Bill Schroepfer, Accountant		Budget amendment requested
Reviewed by:	N/A		FTE included in current complement
			New FTE requested – N/A
			Other

PURPOSE/ACTION REQUESTED

Approve the attached resolution approving disbursements for the period of November 21, 2013 to December 4, 2013.

SUMMARY

Shown below is a listing of the disbursements for the various funds for the period ending December 4, 2013. The detail of these disbursements is attached to this memo.

General & Special Revenue	$305,024.63
Debt Service & Capital Projects	628,264.27
Enterprise & Internal Service	86,387.97
Escrows	900.00
Grand Total for All Funds	$1,020,576.87

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 November 21, 2013 to December 4, 2013 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION APPROVING DISBURSEMENTS FOR THE PERIOD ENDING December 4, 2013

WHEREAS, a list of disbursements for the period ending December 4, 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	$305,024.63
Debt Service & Capital Projects	628,264.27
Enterprise & Internal Service	86,387.97
Escrows	900.00
Grand Total for All Funds	$1,020,576.87

Adopted by the City Council of Inver Grove Heights this 9th day of December, 2013.

Ayes:

Nays:

_____
George Tourville, Mayor

ATTEST:

_____
Melissa Kennedy, Deputy City Clerk

City of Inver Grove Heights

Expense Approval Report

By Fund

Payment Dates 11/21/2013 - 12/4/2013

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ACE PAINT & HARDWARE	517540/5	12/04/2013	501126	101.42.4200.423.60065	16.02
ACE PAINT & HARDWARE	518192/5	12/04/2013	501126	101.42.4000.421.60065	46.85
ACE PAINT & HARDWARE	518211/5	12/04/2013	50126	101.43.5200.443.60016	15.58
ACE PAINT & HARDWARE	518224/5	12/04/2013	501126	101.42.4200.423.40040	44.18
ACE PAINT & HARDWARE	516939/5	12/04/2013	501126	101.42.4000.421.60018	10.63
ACE PAINT & HARDWARE	517047/5	11/26/2013	501126	101.43.5200.443.60016	5.33
ACE PAINT & HARDWARE	517223/5	12/04/2013	501126	101.42.4200.423.60065	7.47
AFSCME COUNCIL 5	11/15/13	11/25/2013	11/15/13 UNIO DUES	101.203.2031000	825.05
AMERICAN TEST CENTER	2133081	11/26/2013	FIRE	101.42.4200.423.40042	1,080.00
ARROW MOWER, INC.	24809	11/26/2013	6424	101.43.5200.443.60016	88.75
AT & T MOBILITY	287237771092X11122013	11/26/2013	287237771092	101.41.1100.413.50020	77.79
AT & T MOBILITY	287237771092X11122013	11/26/2013	287237771092	101.43.5100.442.50020	30.93
AT&T ST. PAUL	287237771092X11122013	12/04/2013	10/5/13-11/4/13	101.41.1000.413.50020	79.76
AT&T ST. PAUL	287237771092X11122013	12/04/2013	10/5/13-11/4/13	101.41.1000.413.50020	80.79
AT&T ST. PAUL	287237771092X11122013	12/04/2013	10/5/13-11/4/13	101.43.5100.442.50020	26.93
AT&T ST. PAUL	287237771092X11122013	12/04/2013	10/5/13-11/4/13	101.43.5100.442.50020	30.93
BELLEISLE, MONICA	11/27/13	12/04/2013	11/27/13	101.42.4200.423.50065	64.07
CA DEPT OF CHILD SUPPORT SERVICES	INV0025009	11/29/2013	MIGUEL GUADALAJARA FEIN/T	101.203.2032100	279.69
CITY OF MINNEAPOLIS RECEIVABLES	400413004341	11/26/2013	612005356	101.42.4000.421.30700	2,487.60
CITY OF SAINT PAUL	129898	12/04/2013	11/14/13	101.43.5200.443.60016	1,858.41
CITY OF SAINT PAUL	130014	12/04/2013	11/22/13	101.42.4000.421.40042	179.61
COLLINS ELECTRICAL CONST.	1331827.01	11/26/2013	11/20/13	101.43.5200.443.40046	123.50
COLLINS ELECTRICAL CONST.	1331863.01	11/26/2013	11/20/13	101.43.5200.443.40046	178.50
DAKOTA COMMUNICATIONS CENTER	IG2013-12	12/04/2013	DEC 2013-MONTHLY DCC FEE	101.42.4000.421.70502	38,846.70
DAKOTA COMMUNICATIONS CENTER	IG2013-12	12/04/2013	DEC 2013-MONTHLY DCC FEE	101.42.4200.423.70501	4,316.30
DAKOTA CTY PHYSICAL DEVELOPMENT	10/31/13	12/04/2013	2733	101.43.5200.443.30700	4,086.68
EFTPS	INV0025052	11/29/2013	FEDERAL WITHHOLDING	101.203.2030200	37,704.20
EFTPS	INV0025054	11/29/2013	MEDICARE WITHHOLDING	101.203.2030500	10,247.40
EFTPS	INV0025055	11/29/2013	SOCIAL SECURITY WITHHOLDI	101.203.2030400	30,431.38
EFTPS	INV0025091	12/02/2013	FEDERAL WITHHOLDING	101.203.2030200	8.22
EFTPS	INV0025093	12/02/2013	MEDICARE WITHHOLDING	101.203.2030500	16.00
EFTPS	INV0025094	12/02/2013	SOCIAL SECURITY WITHHOLDI	101.203.2030400	68.38
FIRST IMPRESSION GROUP, THE	55036	11/26/2013	4363	101.41.1100.413.50035	2,007.97
FORMS & SYSTEMS OF MN	134560	11/26/2013	11619	101.42.4000.421.50030	528.86
GALLS/QUARTERMASTER	001207950	12/04/2013	5291308	101.42.4000.421.60040	93.47
GENESIS EMPLOYEE BENEFITS ACH ONLY	11/29/13	11/29/2013	MEDICAL FLEX AND DEPEND C	101.203.2031500	3,125.06
GENESIS EMPLOYEE BENEFITS ACH ONLY	11/29/13	11/29/2013	MEDICAL FLEX AND DEPEND C	101.203.2031500	5,580.86
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0025049	11/29/2013	HSA ELECTION-SINGLE	101.203.2032500	3,355.21
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0025050	11/29/2013	HSA ELECTION-FAMILY	101.203.2032500	3,828.10
HEALTHEAST MEDICAL TRANSPORTATION	11/20/13	12/04/2013	13-40969	101.42.4000.421.30700	85.00
HOME DEPOT	11/13/13 60353225025548:	11/26/2013	6035322502554813	101.42.4200.423.40042	142.22
ICMA RETIREMENT TRUST - 457	INV0025010	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	150.00
ICMA RETIREMENT TRUST - 457	INV0025011	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	267.16
ICMA RETIREMENT TRUST - 457	INV0025012	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	225.00
ICMA RETIREMENT TRUST - 457	INV0025013	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	586.87
ICMA RETIREMENT TRUST - 457	INV0025014	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	175.00
ICMA RETIREMENT TRUST - 457	INV0025015	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	423.28
ICMA RETIREMENT TRUST - 457	INV0025016	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	815.00
ICMA RETIREMENT TRUST - 457	INV0025017	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	106.86
ICMA RETIREMENT TRUST - 457	INV0025018	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	250.00
ICMA RETIREMENT TRUST - 457	INV0025019	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	772.03
ICMA RETIREMENT TRUST - 457	INV0025020	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	75.00
ICMA RETIREMENT TRUST - 457	INV0025021	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	257.68
ICMA RETIREMENT TRUST - 457	INV0025022	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	900.00
ICMA RETIREMENT TRUST - 457	INV0025023	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	123.41
ICMA RETIREMENT TRUST - 457	INV0025024	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	40.00
ICMA RETIREMENT TRUST - 457	INV0025025	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	382.83
ICMA RETIREMENT TRUST - 457	INV0025026	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	590.00
ICMA RETIREMENT TRUST - 457	INV0025027	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	441.83
ICMA RETIREMENT TRUST - 457	INV0025028	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	500.00
ICMA RETIREMENT TRUST - 457	INV0025029	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	267.16
ICMA RETIREMENT TRUST - 457	INV0025030	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	125.00
ICMA RETIREMENT TRUST - 457	INV0025031	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	37.76
ICMA RETIREMENT TRUST - 457	INV0025032	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	475.00
ICMA RETIREMENT TRUST - 457	INV0025033	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	133.58
ICMA RETIREMENT TRUST - 457	INV0025034	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	25.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ICMA RETIREMENT TRUST - 457	INV0025035	11/29/2013	ICMA (AGE 49 & UNDER)	101.203.2031400	69.51
ICMA RETIREMENT TRUST - 457	INV0025036	11/29/2013	ICMA (AGE 50 & OVER)	101.203.2031400	299.93
ICMA RETIREMENT TRUST - 457	INV0025037	11/29/2013	ICMA (AGE 50 & OVER)	101.203.2031400	150.00
ICMA RETIREMENT TRUST - 457	INV0025038	11/29/2013	ICMA (AGE 50 & OVER)	101.203.2031400	642.39
ICMA RETIREMENT TRUST - 457	INV0025039	11/29/2013	ICMA (AGE 50 & OVER)	101.203.2031400	4,921.48
ICMA RETIREMENT TRUST - 457	INV0025040	11/29/2013	ICMA (EMPLOYER SHARE ADM	101.203.2031400	72.23
ICMA RETIREMENT TRUST - 457	INV0025048	11/29/2013	ROTH IRA (AGE 49 & UNDER)	101.203.2032400	482.70
INVER GROVE FORD	11/25/13	12/04/2013	11/25/13	101.42.4000.421.70300	267.81
INVERCITY PRINTING INC	113105	11/26/2013	BLDG DEPT	101.45.3300.419.60040	218.03
INVERCITY PRINTING INC	131104	11/26/2013	BLDG DEPT	101.45.3300.419.60040	157.14
INVERCITY PRINTING INC	131110	12/04/2013	MONICA	101.42.4200.423.50030	220.38
LEAGUE OF MN CITIES	192006	11/26/2013	16732	101.45.3200.419.50080	40.00
LINK, THOMAS	11/25/13	11/26/2013	COMMUNITY DEVELOP	101.45.3000.419.50065	159.91
LINK, THOMAS	11/25/13	11/26/2013	COMMUNITY DEVELOP	101.45.3000.419.60065	42.84
M & J SERVICES, LLC	543	11/26/2013	11/18/13	101.43.5200.443.40046	895.00
M & J SERVICES, LLC	545	11/26/2013	113513	101.43.5200.443.40046	1,000.00
M & J SERVICES, LLC	547	11/26/2013	11/20/13	101.43.5200.443.40046	1,250.00
MADISON NATIONAL LIFE INSURANCE CO\	11/20/13	11/26/2013	DEC 2013 012439	101.203.2031700	2,535.63
MINNESOTA DEPARTMENT OF HUMAN SEF	INV0025007	11/29/2013	RICK JACKSON FEIN/TAXPAYE	101.203.2032100	318.41
MINNESOTA DEPARTMENT OF HUMAN SEF	INV0025008	11/29/2013	JUSTIN PARRANTO FEIN/TAXP	101.203.2032100	484.54
MN BCA/CRIMINAL JUSTICE TRAINING & EI	2317	11/26/2013	26314	101.42.4000.421.50080	75.00
MN BCA/CRIMINAL JUSTICE TRAINING & EI	2318	11/26/2013	26315	101.42.4000.421.50080	75.00
MN BCA/CRIMINAL JUSTICE TRAINING & EI	2319	11/26/2013	26316	101.42.4000.421.50080	75.00
MN BCA/CRIMINAL JUSTICE TRAINING & EI	2320	11/26/2013	26318	101.42.4000.421.50080	75.00
MN BCA/CRIMINAL JUSTICE TRAINING & EI	2321	11/26/2013	26319	101.42.4000.421.50080	75.00
MN BCA/CRIMINAL JUSTICE TRAINING & EI	2322	11/26/2013	26320	101.42.4000.421.50080	75.00
MN BCA/CRIMINAL JUSTICE TRAINING & EI	2323	11/26/2013	26321	101.42.4000.421.50080	75.00
MN BCA/CRIMINAL JUSTICE TRAINING & EI	2324	11/26/2013	26322	101.42.4000.421.50080	75.00
MN BCA/CRIMINAL JUSTICE TRAINING & EI	2325	11/26/2013	26323	101.42.4000.421.50080	75.00
MN BCA/CRIMINAL JUSTICE TRAINING & EI	2326	11/26/2013	26324	101.42.4000.421.50080	75.00
MN BCA/CRIMINAL JUSTICE TRAINING & EI	2327	11/26/2013	26326	101.42.4000.421.50080	75.00
MN DEPT OF REVENUE	INV0025053	11/29/2013	STATE WITHHOLDING	101.203.2030300	15,688.65
MN DEPT OF REVENUE	INV0025092	12/02/2013	STATE WITHHOLDING	101.203.2030300	8.61
MN LIFE INSURANCE CO	DECEMBER 2013	12/04/2013	0027324	101.203.2030900	2,925.24
MN NCPERS LIFE INSURANCE	DEC 2013	12/04/2013	DEC 201 PREMIUM	101.203.2031600	288.00
PERA	INV0025041	11/29/2013	EMPLOYER SHARE (EXTRA PE	101.203.2030600	2,380.02
PERA	INV0025042	11/29/2013	EMPLOYER SHARE (PERA COC	101.203.2030600	14,875.08
PERA	INV0025043	11/29/2013	PERA COORDINATED PLAN	101.203.2030600	14,875.08
PERA	INV0025044	11/29/2013	EMPLOYER SHARE (PERA DEF	101.203.2030600	57.69
PERA	INV0025045	11/29/2013	PERA DEFINED PLAN	101.203.2030600	57.69
PERA	INV0025046	11/29/2013	EMPLOYER SHARE (POLICE &	101.203.2030600	15,433.08
PERA	INV0025047	11/29/2013	PERA POLICE & FIRE PLAN	101.203.2030600	10,288.71
RED BARN INNOVATIONS	131	11/26/2013	IGHFD2013-56	101.42.4200.423.60040	4,675.00
RIDLER HEATING & COOLING INC.	10/29/13	12/04/2013	DUPLICATE PERMIT MH 2013-2	101.45.0000.3224000	64.00
SCHROEPFER, WILLIAM	12/4/13	12/04/2013	MILEAGE	101.41.2000.415.50065	32.32
SETS DESIGN	12676	12/04/2013	11/22/13	101.42.4000.421.60065	26.95
SIRCHIE FINGER PRINT LABORATORIES	01444616-IN	12/04/2013	00-0055077	101.42.4000.421.60065	450.59
SOUTH EAST TOWING	186087	12/04/2013	10/9/13	101.42.4000.421.60065	101.53
SOUTH METRO SPORTS	11/14/13	12/04/2013	11/14/13	101.43.5200.443.60045	96.00
T. A. SCHIFSKY & SONS, INC.	55924	11/26/2013	11/19/	101.43.5200.443.60016	3,601.26
TIMESAVER OFF SITE SECRETARIAL INC	#M20155	11/26/2013	11/14/12	101.41.1100.413.30700	232.80
TRACTOR SUPPLY CREDIT PLAN	6035301200183679	11/26/2013	NOV. 15 6035301200183679	101.43.5200.443.60016	263.04
TRACTOR SUPPLY CREDIT PLAN	6035301200183679	11/26/2013	NOV. 15 6035301200183679	101.44.6000.451.40040	19.28
TRACTOR SUPPLY CREDIT PLAN	6035301200183679	11/26/2013	NOV. 15 6035301200183679	101.44.6000.451.40040	19.28
TRACTOR SUPPLY CREDIT PLAN	6035301200183679	11/26/2013	NOV. 15 6035301200183679	101.44.6000.451.60040	9.62
TRACTOR SUPPLY CREDIT PLAN	6035301200183679	11/26/2013	NOV. 15 6035301200183679	101.44.6000.451.60040	10.70
TWIN CITIES OCCUPATIONAL HEALTH PC	102140906	11/26/2013	11/14/13	101.41.1100.413.30500	512.00
TWIN CITIES OCCUPATIONAL HEALTH PC	102140068	11/26/2013	N26-1251001589	101.41.1100.413.30500	25.00
UNIFIRST CORPORATION	090-0183423	12/04/2013	11/26/13	101.43.5200.443.60045	34.48
UNIFIRST CORPORATION	090-0183423	12/04/2013	11/26/13	101.44.6000.451.60045	25.41
UNITED WAY	11/15/13	11/25/2013	11/15/13 PLEDGE	101.203.2031300	105.00
UNITED WAY	PR 11/29	12/04/2013	PLEDGE	101.203.2031300	105.00
US BANK	11/27/13	11/27/2013	DEC 1, 2013 DCC WIRE PMT	101.42.4000.421.70530	2,381.27
US BANK	11/27/13	11/27/2013	DEC 1, 2013 DCC WIRE PMT	101.42.4200.423.70530	264.56
VERSA-LOK	2561831	12/04/2013	6514502500	101.43.5200.443.60016	544.53
VICTORY CORPS	537284	11/26/2013	IFD5507	101.42.4200.423.60065	476.17
WAL-MART BUSINESS	6032202530257113	12/04/2013	6032202530257113	101.41.2000.415.70600	31.76
WAL-MART BUSINESS	6032202530257113	12/04/2013	6032202530257113	101.42.4000.421.60065	37.59
XCEL ENERGY	387994770	11/26/2013	51-9359857-3	101.43.5400.445.40020	389.38
XCEL ENERGY	3907077110	11/26/2013	51-4779167-3	101.44.6000.451.40010	192.94
XCEL ENERGY	3907077110	11/26/2013	51-4779167-3	101.44.6000.451.40020	1,242.19
Fund: 101 - GENERAL FUND					**268,156.26**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
LONE OAK COMPANIES	61293	12/04/2013	GUIDES 11/12	201.44.1600.465.50035	170.76
MALL OF AMERICA - SALES DEPARTMENT	11/21/13	11/26/2013	11/21/13 GIFT CARDS	201.44.1600.465.50025	1,325.00
RIVER HEIGHTS CHAMBER OF COMMERCE	4248	12/04/2013	11/27/13	201.44.1600.465.30700	1,666.65
RIVER HEIGHTS CHAMBER OF COMMERCE	4248	12/04/2013	11/27/13	201.44.1600.465.40065	200.00
Fund: 201 - C.V.B. FUND					**3,362.41**
BARCODES LLC	600962	12/04/2013	495383	204.44.6100.452.60040	220.00
FIRST IMPRESSION GROUP, THE	53959-P	12/04/2013	11/22/13	204.44.6100.452.50035	1,160.00
ROSELLA SCHONES	11/26/13	12/04/2013	11/26/13	204.227.2271000	28.00
SAM'S CLUB	0087	12/04/2013	VMCC	204.44.6100.452.60009	8.53
SAM'S CLUB	0087	12/04/2013	VMCC	204.44.6100.452.60009	17.05
TAHO SPORTSWEAR	13TF2236	11/26/2013	11/7/13	204.44.6100.452.60045	622.20
TAHO SPORTSWEAR	13TF1214	11/26/2013	6/21/13	204.44.6100.452.60045	51.90
Fund: 204 - RECREATION FUND					**2,107.68**
2ND WIND EXERCISE, INC.	022022490	11/26/2013	11/11/13	205.44.6200.453.80800	10,943.56
ACE PAINT & HARDWARE	518156/5	12/04/2013	501126	205.44.6200.453.60012	8.06
APEC	119029	12/04/2013	11/20/13	205.44.6200.453.60016	503.62
BARCODES LLC	600962	12/04/2013	495383	205.44.6200.453.60040	220.00
COMCAST	11/12/13 87721059101271	11/26/2013	8772105910127188	205.44.6200.453.50070	243.79
FIRST IMPRESSION GROUP, THE	53959-P	12/04/2013	11/22/13	205.44.6200.453.50035	1,160.00
GARTNER REFRIGERATION & MFG, INC	14478	12/04/2013	VETE01	205.44.6200.453.40040	1,953.75
GARTNER REFRIGERATION & MFG, INC	43401	12/04/2013	VETE01	205.44.6200.453.40040	334.82
GRAINGER	9291415033	11/26/2013	806460150	205.44.6200.453.60016	9.62
GRAINGER	9294274858	11/26/2013	9294274858	205.44.6200.453.60016	25.69
GRAINGER	9294274866	11/26/2013	806460150	205.44.6200.453.60016	38.54
GRAINGER	9295991443	11/26/2013	806460150	205.44.6200.453.60016	13.28
GRAINGER	9295991443	11/26/2013	806460150	205.44.6200.453.60016	13.27
GRAINGER	9296881007	11/26/2013	806460150	205.44.6200.453.60016	84.22
GRAINGER	9297088495	11/26/2013	806460150	205.44.6200.453.60016	31.24
HAWK PERFORMANCE SPECIALITIES LLC	2790	12/04/2013	11/11/13	205.44.6200.453.40040	1,373.34
HILLYARD INC	600936398	12/04/2013	274069	205.44.6200.453.60011	1,098.52
HILLYARD INC	600936398	12/04/2013	274069	205.44.6200.453.60011	1,098.53
HUEBSCH SERVICES	3171415	12/04/2013	92965	205.44.6200.453.40040	213.90
HUEBSCH SERVICES	3171415	12/04/2013	92965	205.44.6200.453.40040	59.12
MADISON NATIONAL LIFE INSURANCE CO	11/20/13	11/26/2013	DEC 2013 012439	205.44.6200.453.20630	9.17
MENARDS - WEST ST. PAUL	40205	12/04/2013	30170270	205.44.6200.453.60016	3.18
MENARDS - WEST ST. PAUL	40262	11/26/2013	30170270	205.44.6200.453.60012	78.19
MENARDS - WEST ST. PAUL	40262	11/26/2013	30170270	205.44.6200.453.60012	78.19
MICHAEL OMODT LOPEZ	11/15/13	11/26/2013	PR 11/15 ACH RTN	205.44.6200.453.10300	94.32
MILL CITY SIGN LLC	11/21/13	12/04/2013	14100	205.44.6200.453.40050	213.75
MN CRICKET ASSOCIATION	11/19/13	11/26/2013	REFUND	205.44.0000.3492500	871.21
MN DEPT OF LABOR & INDUSTRY	ALR000344861	12/04/2013	0000170372	205.44.6200.453.50070	100.00
MN LIFE INSURANCE CO	DECEMBER 2013	12/04/2013	0027324	205.44.6200.453.20620	(28.25)
MONEY MAILER OF THE TWIN CITIES	8661	12/04/2013	10/12/13	205.44.6200.453.50025	450.00
MONEY MAILER OF THE TWIN CITIES	8609	12/04/2013	11/16/13	205.44.6200.453.50025	450.00
NAC MECHANICAL & ELECTRICAL SERVICE	96822	12/04/2013	8712-1	205.44.6200.453.40040	4,869.82
PBBS EQUIPMENT CORPORATION	124433	11/26/2013	504490	205.44.6200.453.40040	1,220.90
PUSH PEDAL PULL	103170	11/26/2013	3603615	205.44.6200.453.40042	162.42
RIVER HEIGHTS CHAMBER OF COMMERCE	3583	12/04/2013	9/23/13	205.44.6200.453.60065	90.00
SAM'S CLUB	0087	12/04/2013	VMCC	205.44.6200.453.60065	27.98
SAM'S CLUB	0087	12/04/2013	VMCC	205.44.6200.453.76050	20.98
SAM'S CLUB	7635	12/04/2013	11/12/13	205.44.6200.453.60016	17.08
SAM'S CLUB	7635	12/04/2013	11/12/13	205.44.6200.453.60065	17.07
SAM'S CLUB	6463	12/04/2013	VMCC	205.44.6200.453.40042	55.93
SIGNSNOW-MINNESOTA GRAPHIC SOLUTI	SN-26129	12/04/2013	11/19/13	205.44.6200.453.60016	2,653.07
TRACTOR SUPPLY CREDIT PLAN	6035301200183679	11/26/2013	NOV. 15 6035301200183679	205.44.6200.453.60016	21.40
Fund: 205 - COMMUNITY CENTER					**30,903.28**
EDAM	12/2/13	12/04/2013	CONFERENCES COMMUNITY D	290.45.3000.419.50070	250.00
EDAM	12/2/13	12/04/2013	CONFERENCES COMMUNITY D	290.45.3000.419.50080	245.00
Fund: 290 - EDA					**495.00**
WELLS FARGO BANK	1006607 B	11/26/2013	INVE101QAGOS	354.57.9000.570.90300	400.00
Fund: 354 - G0 SEWER REV BONDS 2010A					**400.00**
WELLS FARGO BANK	1006607 A	11/26/2013	INVE101BGOI	355.57.9000.570.90300	400.00
Fund: 355 - G.O. IMPR BONDS 2010B					**400.00**
DAKOTA CTY DISTRICT COURT	1121/13	11/26/2013	05568	402.44.6000.451.30420	30,538.48
MACKALL, CROUNSE & MOORE PLC	11/21/13	11/26/2013	IGH VS KLADEK SETTLEMENT	402.44.6000.451.30420	47,964.89
Fund: 402 - PARK ACQ. & DEV. FUND					**78,503.37**
SHORT ELLIOTT HENDRICKSON, INC.	274933	11/26/2013	PROJECT 123899 INVER ASHE	426.72.5900.726.30300	14,688.03
Fund: 426 - 2006 IMPROVEMENT FUND					**14,688.03**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
SUNRAM CONSTRUCTION INC	PAY VOUCHER #2	12/04/2013	CITY PROJECT NO 2012-07	432.73.5900.732.80300	209,204.72
Fund: 432 - 2012 IMPROVEMENT FUND					**209,204.72**
FRIEDGES CONTRACTING INC.	PAY VOUCHER #10	12/04/2013	CITY PROJECT #2012-09D	440.74.5900.740.80300	320,329.82
Fund: 440 - PAVEMENT MANAGEMENT PROJ					**320,329.82**
M & J SERVICES, LLC	544	11/26/2013	11/18/13	441.74.5900.741.40066	350.00
Fund: 441 - STORM WATER MANAGEMENT					**350.00**
LIGHTNING DISPOSAL INC	236782	11/26/2013	10269	454.43.5500.446.40025	4,388.33
Fund: 454 - LANDFILL ABATEMENT					**4,388.33**
ACE PAINT & HARDWARE	518161/5	11/26/2013	501126	501.50.7100.512.60016	36.32
ACE PAINT & HARDWARE	516455/5	11/26/2013	501126	501.50.7100.512.60016	30.27
ACE PAINT & HARDWARE	516471/5	11/26/2013	501126	501.50.7100.512.60016	15.19
ACE PAINT & HARDWARE	516418/5	11/26/2013	501126	501.50.7100.512.60016	14.94
ACE PAINT & HARDWARE	57120/5	11/26/2013	502216	501.50.7100.512.60016	22.95
ACE PAINT & HARDWARE	517400/5	11/26/2013	501126	501.50.7100.512.60016	4.26
HOME DEPOT CREDIT SERVICES	11/13/13 60353225026912(	11/26/2013	6035322502691268	501.50.7100.512.60011	47.00
HOME DEPOT CREDIT SERVICES	11/13/13 60353225026912(	11/26/2013	6035322502691268	501.50.7100.512.60016	68.13
KLM ENGINEERING INC	5049	11/26/2013	MN3132 AT&T	501.50.7100.512.30700	1,500.00
MN PIPE & EQUIPMENT	0307796	11/26/2013	2195	501.50.7100.512.60016	361.00
TKDA	002013003550	11/26/2013	0014026.007	501.50.7100.512.30700	1,408.43
TKDA	002013003552	11/26/2013	0014026.007	501.50.7100.512.30700	410.48
TKDA	002013002473	12/04/2013	0014026.007	501.50.7100.512.30700	1,389.80
Fund: 501 - WATER UTILITY FUND					**5,308.77**
AUTOMATIC SYSTEMS CO.	26907S	11/26/2013	INVE01	502.51.7200.514.40043	27,783.10
AUTOMATIC SYSTEMS CO.	26907S	11/26/2013	INVE01	502.51.7200.514.80300	26,663.09
Fund: 502 - SEWER UTILITY FUND					**54,446.19**
CHECKVIEW CORPORATION	300080567	11/26/2013	64035	503.52.8500.526.50055	267.81
DEX MEDIA EAST	11/20/13 110360619	12/04/2013	110630619	503.52.8500.526.50025	47.50
MADISON NATIONAL LIFE INSURANCE CO\	11/20/13	11/26/2013	DEC 2013 012439	503.52.8000.521.20630	34.02
MADISON NATIONAL LIFE INSURANCE CO\	11/20/13	11/26/2013	DEC 2013 012439	503.52.8600.527.20630	(2.88)
MCMURCHIE, AL	11/26/13	12/04/2013	11/26/13	503.52.8500.526.50080	75.00
XCEL ENERGY	388118245	11/12/2013	51-5877511-0	503.52.8600.527.40020	21.42
XCEL ENERGY	392103287	11/26/2013	51-5877512-1	503.52.8600.527.40020	800.93
Fund: 503 - INVER WOOD GOLF COURSE					**1,243.80**
KENNEDY & GRAVEN	11/11/13 117020	11/26/2013	NV125-00045 CITY HALL CONS	602.00.2100.415.30420	722.70
Fund: 602 - RISK MANAGEMENT					**722.70**
ACE PAINT & HARDWARE	518191/5	12/04/2013	501126	603.00.5300.444.40041	6.20
AMERICAN TEST CENTER	2133081	11/26/2013	FIRE	603.00.5300.444.40041	950.00
CARQUEST OF MSP-ROSEMOUNT	1596-203644	11/26/2013	614420	603.140.1450050	16.06
CARQUEST OF MSP-ROSEMOUNT	1596-203648	11/26/2013	614420	603.140.1450050	25.55
CARQUEST OF MSP-ROSEMOUNT	1596-203814	11/26/2013	614420	603.140.1450050	26.40
CARQUEST OF MSP-ROSEMOUNT	1596-203817	11/26/2013	614420	603.140.1450050	19.92
CARQUEST OF MSP-ROSEMOUNT	1596-204789	11/26/2013	614420	603.00.5300.444.40041	15.06
CARQUEST OF MSP-ROSEMOUNT	1596-204818	11/26/2013	614420	603.00.5300.444.40041	10.24
CARQUEST OF MSP-ROSEMOUNT	1596-204824	11/26/2013	614420	603.00.5300.444.40041	6.43
CARQUEST OF MSP-ROSEMOUNT	1596-205012	11/26/2013	614420	603.00.5300.444.40041	13.94
CARQUEST OF MSP-ROSEMOUNT	1596-205030	11/26/2013	614420	603.00.5300.444.40041	168.14
CARQUEST OF MSP-ROSEMOUNT	1596-205062	11/26/2013	614420	603.140.1450050	69.83
CARQUEST OF MSP-ROSEMOUNT	1596-205073	11/26/2013	614420	603.00.5300.444.60040	34.69
CARQUEST OF MSP-ROSEMOUNT	1596-205100	11/26/2013	614420	603.00.5300.444.40041	(36.34)
CARQUEST OF MSP-ROSEMOUNT	1596-205148	11/26/2013	614420	603.140.1450050	69.83
CARQUEST OF MSP-ROSEMOUNT	1596-205156	11/26/2013	614420	603.140.1450050	8.27
CARQUEST OF MSP-ROSEMOUNT	1596-205158	11/26/2013	614420	603.140.1450050	6.09
CARQUEST OF MSP-ROSEMOUNT	1596-205170	11/26/2013	614420	603.00.5300.444.60040	174.20
CARQUEST OF MSP-ROSEMOUNT	1596-205174	11/26/2013	614420	603.00.5300.444.60040	27.92
CARQUEST OF MSP-ROSEMOUNT	1596-205222	11/26/2013	614420	603.00.5300.444.60012	19.37
CARQUEST OF MSP-ROSEMOUNT	1596-205223	11/26/2013	614420	603.00.5300.444.60012	4.16
CARQUEST OF MSP-ROSEMOUNT	1596-205225	11/26/2013	614420	603.140.1450050	331.91
CARQUEST OF MSP-ROSEMOUNT	1596-205236	11/26/2013	614420	603.140.1450050	25.55
CARQUEST OF MSP-ROSEMOUNT	1596-205242	11/26/2013	614420	603.00.5300.444.40041	27.96
CARQUEST OF MSP-ROSEMOUNT	1596-205244	12/04/2013	614420	603.00.5300.444.40041	23.13
CARQUEST OF MSP-ROSEMOUNT	1596-205292	11/26/2013	614420	603.00.5300.444.40041	7.63
CARQUEST OF MSP-ROSEMOUNT	1596-205309	11/26/2013	614420	603.140.1450050	23.02
CARQUEST OF MSP-ROSEMOUNT	1596-205336	12/04/2013	614420	603.00.5300.444.40041	(13.94)
CARQUEST OF MSP-ROSEMOUNT	1596-205467	12/04/2013	614420	603.00.5300.444.40041	26.01
CARQUEST OF MSP-ROSEMOUNT	1596-204392	11/26/2013	614420	603.00.5300.444.40041	6.75
CARQUEST OF MSP-ROSEMOUNT	1596-204393	11/26/2013	614420	603.00.5300.444.40041	5.47
CRAWFORD DOOR SALES COMPANY	12307	12/04/2013	4840	603.00.5300.444.40040	213.25
ELECTRIC FIRE & SECURITY	87395	12/04/2013	134893	603.00.5300.444.40040	318.49
FACTORY MOTOR PARTS COMPANY	1-4314375	11/11/2013	RA3978039	603.00.5300.444.40041	(51.30)

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
FACTORY MOTOR PARTS COMPANY	I-4324358	12/04/2013	10799	603.00.5300.444.40041	556.90
KIMBALL MIDWEST	3271386	11/26/2013	222006	603.00.5300.444.60012	517.32
METRO JANITORIAL SUPPLY INC	11012580	11/26/2013	11/14/13	603.00.5300.444.60012	97.55
MN DEPT OF REVENUE	10/31/13	10/31/2013	OCT 2013	603.00.5300.444.60021	235.70
MTI DISTRIBUTING CO	936442-00	11/26/2013	91180	603.00.5300.444.40041	377.72
MUNICIPAL/COMMERCIAL SEWER SERVICI	6083	12/04/2013	11/21/13	603.00.5300.444.40040	479.25
RALPH'S CAR & TRACTOR SERVICE	PHONE	11/26/2013	HT-C5780	603.00.5300.444.40040	213.72
SNAP-ON INDUSTRIAL	ARV/21188025	11/26/2013	200100474	603.00.5300.444.60040	503.11
SOUTH ST PAUL STEEL SUPPLY CO	01130058	12/04/2013	0100202	603.00.5300.444.40041	112.69
TOWMASTER TRAILERS INC	353290	12/04/2013	2946	603.00.5300.444.40041	219.70
TRACTOR SUPPLY CREDIT PLAN	6035301200183679	11/26/2013	NOV. 15 6035301200183679	603.00.5300.444.40041	68.53
TRACTOR SUPPLY CREDIT PLAN	6035301200183679	11/26/2013	NOV. 15 6035301200183679	603.00.5300.444.60012	16.07
TRACTOR SUPPLY CREDIT PLAN	6035301200183679	11/26/2013	NOV. 15 6035301200183679	603.00.5300.444.60045	43.98
TRUCK UTILITIES, INC.	0260881	11/26/2013	0272498	603.00.5300.444.40041	213.75
TWIN SOURCE SUPPLY	00435542	12/04/2013	11/19/13	603.00.5300.444.60011	301.30
UNIFIRST CORPORATION	090-0183423	12/04/2013	11/26/13	603.00.5300.444.40065	73.54
UNIFIRST CORPORATION	090-0183423	12/04/2013	11/26/13	603.00.5300.444.60045	28.17
ZARNOTH BRUSH WORKS	0146688-IN	11/26/2013	INV1669	603.140.1450050	1,599.92
Fund: 603 - CENTRAL EQUIPMENT					**8,238.81**
ALPHA VIDEO & AUDIO INC.	INV91814	12/04/2013	INV004	605.00.7500.460.60040	3,711.03
BLOOMINGTON ELECTRIC CO.	00032662	11/26/2013	11/20/13	605.00.7500.460.40040	2,202.00
HORWITZ NS/I	C003019	11/26/2013	CITYOFIGH 7146-R3	605.00.7500.460.40040	2,580.00
HUEBSCH SERVICES	3161765	12/04/2013	100075	605.00.7500.460.40065	0.50
HUEBSCH SERVICES	3171416	11/26/2013	100075	605.00.7500.460.40065	114.88
HUEBSCH SERVICES	3085179	12/04/2013	100075	605.00.7500.460.40065	27.97
HUEBSCH SERVICES	3113999	12/04/2013	100075	605.00.7500.460.40065	0.50
HUEBSCH SERVICES	3130058	12/04/2013	100075	605.00.7500.460.40065	0.50
HUEBSCH SERVICES	3144534	12/04/2013	100075	605.00.7500.460.40065	0.50
J.H. LARSON COMPANY	S100538146.001	11/26/2013	29039	605.00.7500.460.60016	125.14
J.H. LARSON COMPANY	S100538922.001	11/26/2013	29039	605.00.7500.460.60016	187.89
LONE OAK COMPANIES	61141	12/04/2013	UTILITY BILLS	605.00.7500.460.50035	347.84
LONE OAK COMPANIES	11-25-13	11/25/2013	11/25/13	605.00.7500.460.50035	1,385.04
M & J SERVICES, LLC	536	11/26/2013	2013-03-SP-27	605.00.7500.460.30700	845.00
VISUAL COMMUNICATIONS	10570	11/26/2013	110103K	605.00.7500.460.30700	840.00
Fund: 605 - CITY FACILITIES					**12,368.79**
ADVANCED TECHNOLOGY SYSTEMS, INC.	71057	12/04/2013	11/11/13	606.00.1400.413.60010	307.11
AT & T MOBILITY	287237771092X11122013	11/26/2013	287237771092	606.00.1400.413.50020	25.93
AT&T ST. PAUL	287237771092X11122013	12/04/2013	10/5/13-11/4/13	606.00.1400.413.50020	25.93
AT&T ST. PAUL	287237771092X11122013	12/04/2013	10/5/13-11/4/13	606.00.1400.413.50020	26.93
GTS	1238425-62655265	12/04/2013	2013 MN GOVERN IT SYMPOSII	606.00.1400.413.50080	1,440.00
INTEGRA TELECOM	11477924	11/26/2013	645862	606.00.1400.413.50020	863.01
US INTERNET	110-080034-0001	12/04/2013	10/27/13	606.00.1400.413.30700	220.00
WORKS COMPUTING, INC.	20818	12/04/2013	INVER	606.00.1400.413.30700	1,150.00
Fund: 606 - TECHNOLOGY FUND					**4,058.91**
HENNEPIN COUNTY DISTRICT COURT	11/26/13	12/04/2013	DONTE JAMAL CALDWELL	702.229.2291000	900.00
Fund: 702 - ESCROW FUND					**900.00**
Grand Total					**1,020,576.87**

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Consider Resolution Adopting the City of Inver Grove Heights 2014-2018 Capital Improvement Plan (CIP)

Meeting Date:	December 9, 2013		**Fiscal/FTE Impact:**
Item Type:	Consent	X	None
Contact:	Kristi Smith 651-450-2521		Amount included in current budget
Prepared by:	Kristi Smith, Finance Director		Budget amendment requested
Reviewed by:	Joe Lynch, City Administrator		FTE included in current complement
			New FTE requested – N/A
			Other

PURPOSE/ACTION REQUESTED

Consider a resolution adopting the City of Inver Grove Heights 2014-2018 Capital Improvement Plan (CIP).

SUMMARY

The CIP reflects the list of projects departments would like to accomplish over a five year period totaling more than $27,500.000. The CIP provides information regarding the financial implications of the projects on the City's budgets and funds. Staff has worked with Ehlers and Associates in preparing the 2014-2018 CIP.

I recommend that the City Council adopt the attached resolution approving the City of Inver Grove Heights 2014-2018 Capital Improvement Plan (CIP).

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION ADOPTING THE 2014-2018 CAPITAL IMPROVEMENT PLAN (CIP)

WHEREAS, The City of Inver Grove Heights has prepared a five-year Capital Improvement Plan, and

WHEREAS, the plan identifies improvements and needs of the City for the years 2014-2018, and

WHEREAS, possible funding sources for the improvements have been identified.

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS THAT: The 2014-2018 Capital Improvement Plan (CIP) is hereby adopted.

Adopted this 9th day of December, 2013, by the City Council of Inver Grove Heights.

Ayes:

Nays:

_____
George Tourville, Mayor

ATTEST:

_____
Melissa Kennedy
Deputy Clerk

November 2013

Financing Plan for the 2014 – 2018 Capital Improvement Plan

City of Inver Grove Heights, Minnesota

Prepared By:

City Staff
And
Ehlers

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Introduction and Summary

The City of Inver Grove Heights has developed a multi-year financing plan for its capital improvement plan (CIP). Going beyond the basic "what, when, where and cost" that is typical of many CIPs, this CIP financing plan incorporates cash and debt funding sources so City leaders can determine the appropriate future fiscal impacts of those funding choices. The goal of this CIP financing plan is to optimize the use of the City's resources in funding capital projects, and to develop a coherent, equitable framework that helps to explain the City's spending decisions to Inver Grove Heights residents and taxpayers.

The purpose of this study is to create a 2014-2018 CIP financing plan that reflects all relevant capital project information, matches anticipated project expenditures with cash and/or debt funding sources, and identifies the impact of future debt service and property tax rates over the next five years. The 2014-2018 CIP study will comply with the capital improvement plan requirements of Minnesota Statutes 475.521, thereby facilitating the future issuance of G.O. Capital Improvement Plan Bonds, as appropriate or necessary.

The Capital Improvement Plan as shown below includes capital as presently anticipated for non-utility related funds. We have included the Golf Course Special Revenue Fund in the analysis because of its ongoing financial condition. We have not included Water or Sewer Enterprise Funds because these funds operate similar to a business and capital projects are funded by rates and charges, rather than general property taxes.

The 2014 CIP financing plan includes detailed assumptions and forecasts for the City General Fund revenues and expenditures in 2014 through 2018. This detail should help the City monitor the overall accuracy of the General Fund cashflow estimates in future years and better positions the City to make adjustments as necessary. The detailed analysis includes estimations of changes in tax base.

The City's 2014-2018 Capital Improvement Plan anticipates $27.5 million of non-utility City capital expenditures over the 5-year planning period. This compares to the $22.8 million over the five year period of 2013 to 2017 in the prior year report. Many of the projects scheduled for parks and recreation have been scaled back pending the completion of a Park and Recreation System Capital Plan. This Plan is expected to be completed in 2014 for capital projects in 2015. It is expected that full Parks and Recreation capital needs will be included in the next update of this report.

The funds that are part of the CIP include: General Fund, Park Acquisition, Park Capital Replacement, Host Community, Community Projects, Pavement Management, Closed Bond, City Facilities, Golf Course, Local Improvement and the Community Center. Expected capital expenditures for the years 2014 through 2018 are as follows:

•	2014:	$ 4,226,057
•	2015:	$ 3,917,000
•	2016:	$ 6,875,200
•	2017:	$ 8,948,600
•	2018:	$ 3,564,500
	Total:	**$*** 27,531,357

*The amounts listed are not inflated and are based on staff estimates. The proposed capital costs for the projects are increased for inflation within each of the fund summaries, that are found in Exhibits B-M

The same $27.5 million of non-utility CIP expenditures grouped by fund are as follows:

•	Parks Acquisition**	$ -
•	Park Capital Replacement**	$ 989,000
•	Host Community	$ 930,000
•	Community Projects	$ 196,200
•	Pavement Management	$ 6,495,800
•	Closed Bond Fund	$ 80,000
•	City Facilities	$ 5,378,857
•	Golf Course	$ 685,000
•	Local Improvement	$ 11,192,500
•	Community Center	$ 1,584,000
	Total:**	**$** 27,531,357

**-Pending completion of the Parks and Recreation System Capital Improvement Plan

The Exhibits that follow this report include bonded debt for projects as shown.

We have not assumed any use of the City's General Fund balance or the City's annually budgeted operating contingency to "buy down" the estimated impact on future property taxes.

The property tax rate and dollar amount estimates that follow incorporate several assumptions that each have a significant impact on the calculated results for Tax Years 2014 through 2018.

- 2% annual increases in non-property tax revenues;
- 3% annual increase in General Fund operating costs;
- 4% inflation on Capital Project costs, starting from the $27.5 million in costs identified in the City's 2014-2018 CIP.
- The 2014 taxable tax capacity for the City is expected to be $28,473,936, which represents a 5.35% increase in tax capacity over 2013, with the additional tax capacity of an expired TIF district. We are assuming that City's tax capacity will increase 1% in 2015 and 3% per year thereafter. Exhibit A shows the estimated tax capacity being returned to the general tax rolls for two TIF Districts that are decertifying in 2013 and 2015 for taxes payable in 2014 and 2016.
- General Fund balance remains stable at approximately $7.3 million. In the past, an effort was made to reduce the levy impact on taxpayers by using existing funds from other sources. These transfers are expected to decline from $1.8 million amended budget in 2012 to $500,000 in 2015 and beyond. (This is shown as transfers in on line 10 of Exhibit A.) The tax rate table below shows the anticipated tax rates in future years.

The table below illustrates the effect of capital improvement projects and the related debt levy on the tax rate, given the assumptions for debt and tax base. Currently, a negative balance exists in the Local Improvement Fund. It is expected that the Economic Development Fund will be negative by year end 2018. The table that is shown on page 12 shows the effect on the tax rate for solving the negative balances in these funds if the Council were to prioritize capital projects or increase transfers at various levels. Staff has identified future sources that will resolve the deficit in the Local Improvement Fund, such as special assessments and other revenues. A source needs to be identified to solve the expected negative in the Economic Development Fund.

General Fund	***2013***	***2014***	***2015***	***2016***	***2017***	***2018***
City Tax Capacity Rate	*46.312%*	*46.306%*	*48.227%*	*48.874%*	*50.144%*	*51.795%*
% Change in Rate	*2.12%*	*-0.01%*	*4.15%*	*1.34%*	*2.60%*	*3.29%*
City Property Tax on Residential Property	*$739*	*$736*	*$776*	*$815*	*$867*	*$928*
Example Residential Market Value	*$180,600*	*$180,000*	*$181,800*	*$187,254*	*$192,872*	*$198,658*
	(taxes paid based on excluded residential market value)					

Finally, it is important to point out that while the City has developed a Capital Improvement Plan, the plan represents a conceptual overview of the City's capital improvement needs over the next 5 years and as such is a planning tool. The presence of any particular capital expenditure and the designation of an anticipated funding source or sources do not authorize the acquisition of an asset or construction of a project. The actual asset/project must be specifically authorized by the City Council as part of each year's formal budgeting process or project authorization process.

The conclusions and recommendations resulting from this study are based on information provided to Ehlers. The City will periodically review and update the Capital Improvement Plan to reflect the actual cost of capital projects as they are completed and to incorporate any changes in anticipated future capital improvements (e.g. timing, cost, funding sources).

The discussion that follows provides a summary of capital project activity by fund and how proposed capital improvement is anticipated to affect the General Fund.

The summary table that follows identifies the proposed capital projects, by year. These amounts have not been inflated. The impact of inflation is found on the Fund Summaries that are shown on Exhibits B through L.

	General Fund	Park Acquisition	Park Capital Replacement	Host Community	Community Projects	Pavement Management	Closed Bond	City Facilities	Golf Course	Local Improvement	Community Center	Yearly Total
Exhibit	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	
2014												
Park equipment			140,000									
Park Trail and Parking Lot			124,000									
Public Safety/City Hall Addition Projects								55,357				
Property acquisition				300,000								
Pavement Management Program						1,780,000						
Orchard Trail Stormwater Improvements							80,000					
Golf Driving Range Phase 1 and 2									100,000			
Election Equipment					31,200							
Emerald Ash Borer					33,000							
Akron Avenue										200,000		
Argenta/TH55										180,000		
Seidl's Lake Outlet										250,000		
Turn lanes at Cliff Rd/Allison										67,500		
Broderick						60,000						
Cracksealing and sealcoating						400,000						
Future maintenance									35,000			
CIP				6,000							384,000	
Total Year (not inflated)	**-**	**-**	**264,000**	**306,000**	**64,200**	**2,240,000**	**80,000**	**55,357**	**135,000**	**697,500**	**384,000**	**4,226,057**
2015												
Park equipment												
Park Trail and Parking Lot						243,000						
Property acquisition				300,000								
80th St-east of TH 3										625,000		
Akron Avenue										765,000		
117th/Cliff Road										360,000		
Argenta/TH55										360,000		
Broderick						200,000						
Cracksealing and sealcoating						400,000						
Emerald Ash Borer					33,000							
Future maintenance			100,000									
Golf Driving Range Phase 1 and 2									100,000			
CIP			125,000	6,000							300,000	
Total Year (not inflated)	**-**	**-**	**225,000**	**306,000**	**33,000**	**843,000**	**-**	**-**	**100,000**	**2,110,000**	**300,000**	**3,917,000**

	General Fund	Park Acquisition	Park Capital Replacement	Host Community	Community Projects	Pavement Management	Closed Bond	City Facilities	Golf Course	Local Improvement	Community Center	Yearly Total
Exhibit	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	
2016												
70th St/TH3 roundabout										655,000		
Argenta/TH55										1,800,000		
Argenta/Amana to 70th										130,000		
117th/Cliff Rd										500,000		
Fire Station								2,016,000				
Cracksealing and sealcoating						400,000						
Upper 55th St						90,000						
Park equipment			140,000									
Park Trail and Parking Lot						118,600						
Property acquisition				150,000								
Pavement Management Program						276,600						
Future maintenance			100,000									
Emerald Ash Borer					33,000							
CIP			60,000	6,000					100,000		300,000	
Total Year (not inflated)	**-**	**-**	**300,000**	**156,000**	**33,000**	**885,200**	**-**	**2,016,000**	**100,000**	**3,085,000**	**300,000**	**6,875,200**
2017												
80th St - East of TH 3										1,150,000		
Argenta/Amana to 70th										620,000		
Maintenance facility expansion								3,307,500				
117th/Cliff Rd										2,000,000		
Cracksealing and sealcoating						400,000						
Upper 55th St						135,000						
Park Trail and Parking Lot						200,000						
Property acquisition				150,000								
Pavement Management Program						297,100						
Future maintenance			100,000									
Emerald Ash Borer					33,000							
CIP				6,000					250,000		300,000	
Total Year (not inflated)	**-**	**-**	**100,000**	**156,000**	**33,000**	**1,032,100**	**-**	**3,307,500**	**250,000**	**3,770,000**	**300,000**	**8,948,600**

	General Fund	Park Acquisition	Park Capital Replacement	Host Community	Community Projects	Pavement Management	Closed Bond	City Facilities	Golf Course	Local Improvement	Community Center	Yearly Total
Exhibit	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	
2018												
Argenta/Amana to 70th										1,530,000		
Cracksealing and sealcoating						400,000						
Park Trail and Parking Lot						200,000						
Pavement Management Program						895,500						
Future maintenance			100,000									
Emerald Ash Borer					33,000							
CIP				6,000					100,000		300,000	
Total Year (not inflated)	**-**	**-**	**100,000**	**6,000**	**33,000**	**1,495,500**	**-**	**-**	**100,000**	**1,530,000**	**300,000**	**3,564,500**
Total All (not inflated)	**-**	**-**	**989,000**	**930,000**	**196,200**	**6,495,800**	**80,000**	**5,378,857**	**685,000**	**11,192,500**	**1,584,000**	**27,531,357**

Funds

General Fund (Exhibit A)

Exhibit A shows the General Fund operations and property tax levy. Included are existing levies for debt, which include Permanent Improvement Revolving debt, equipment certificates, and Improvement projects. The model also includes the above mentioned assumptions for tax base. The model shows transfers out to other funds and does include any specific capital improvement project to be funded out of the General Fund. It should be noted that equipment replacement is funded through the operating budgets and a separate schedule is not included here. We have not assumed any increase in ending fund balance for the General Fund.

Park Acquisition Fund (Exhibit B)

The Park Acquisition and Development Fund accounts for park dedication fees, related revenues and park and trail improvements. This fund has a beginning fund balance of $1,318,727 for 2013. We are not assuming any park dedication fees or any revenues other than interest. It is expected that future parks acquisition needs will be further refined after completion of the Parks and Recreation System Capital Plan.

Park Capital Replacement Fund (Exhibit C)

This fund accounts for the cost to maintain existing parks. This fund will receive an annual transfer from the General Fund in the amount of $200,000 per year. Park dedication fees cannot be used for maintaining existing parks. The inflated capital costs from 2014 to 2018 equal $1.09 million. It is expected that future parks acquisition needs will be further refined after completion of the Parks and Recreation System Capital Plan

Host Community Fund (Exhibit D)

This fund accounts for revenues received from agreements related to solid waste disposal/storage. This fund has received approximately $1.8 million per year from these agreements, but the revenue is expected to decline to $1.6 million per year. The proposed projects include property acquisition. This fund also accounts for annual transfers to the General Fund, to the Community Center Fund, the ADA Fund, the Park Capital Replacement Fund, the Golf Course Fund, and to the Pavement Management Fund. The Host Community Fund will have adequate cash balances with the proposed capital expenditures and transfers as shown.

Community Projects (Exhibit E)

This fund accounts for resources reserved for future community improvement projects. Expenditures for the Emerald Ash Borer project are programmed from 2014 to 2018. Election equipment will be funded through the Community Projects Fund in 2014.

Pavement Management (Exhibit F)

This fund accounts for the project costs and the related special assessment revenue used to finance the City's yearly Pavement Management Program. This fund receives an annual transfer from the Host Community Fund and various utility funds. The projections show franchise fee revenues, implemented for 2015. Projects include the Pavement Management Program, park trails and parking lots and crack sealing and sealcoating. This fund will continue to have positive cash balances given the assumptions for project costs and special assessment revenues.

Closed Bond (Exhibit G)

This fund accounts for monies that remain in debt service funds after the debt has been fully paid. The model shows adequate cash balances after contributions to reduce the debt levy and could pay for storm water improvements.

City Facilities (Exhibit H)

This fund accounts for costs related to maintaining City Hall and the Fire Stations. The projects slated for this fund are the Maintenance Facility Expansion in 2017 and a Fire Station in 2016. Sufficient cash does not exist for these projects so this plan assumes they will be financed with bonds to be repaid with a property tax levy. The model includes debt levies for these projects.

Golf Course (Exhibit I)

This fund accounts for the revenues and expenditures related to operating the Golf Course as a special revenue fund. Exhibit I shows the projected cash flow of this fund. Some discussions have occurred regarding reclassifying the fund from an enterprise fund to a special revenue fund. The accounting change will affect whether depreciation is expensed or not. This is a non-cash expense and will not affect the projections shown on Exhibit I. The projects in the model include Phase 1 and 2 of the driving range. This fund's historical operations have not been sufficient to cover operating expenditures. This fund was obligated to pay the $3,940,000 Golf Course Refunding Bonds of 2003. These bonds have been defeased with cash on hand from the sale of unused golf course land to the City's EDA. Ongoing obligations include a golf cart lease payment. Operations have not been sufficient to pay prior debt and the fund has a negative beginning cash balance. Funds are projected to be insufficient to pay the capital projects proposed for this fund.

Local Improvement (Exhibit J)

This fund accounts for the revenues and expenses related to construction projects that are not accounted for in the Pavement Management Fund. The fund currently has a negative fund balance. The ending balance will improve over time as deferred special assessments and other revenues are collected. The model doesn't show anticipated higher special assessment collections or additional other revenues, in order to present a conservative projection for this fund. The model assumes all future projects will be paid with a combination of bond proceeds and state aid funds. The debt service to repay the bonds is assumed to be paid by a debt levy, as shown in the model. The projects scheduled for this fund include improvements to 80th street, Akron Avenue, 70th Street, Argenta, and Seidl's Lake Outlet, Cliff Road and 117th Street. There is a projected future debt levy starting in 2016 and increasing for the next two years shown in the model.

Community Center (Exhibit K)

This fund accounts for the revenues and expenses related to the operation of the Community Center. The model shows the actual 2012 ending fund balance and annual transfer from various funds in order to make up the shortage of operating revenues as compared to expenses. The model includes various improvements to the Community Center and transfers required to finance improvements.

Capital Facilities (Exhibit L)

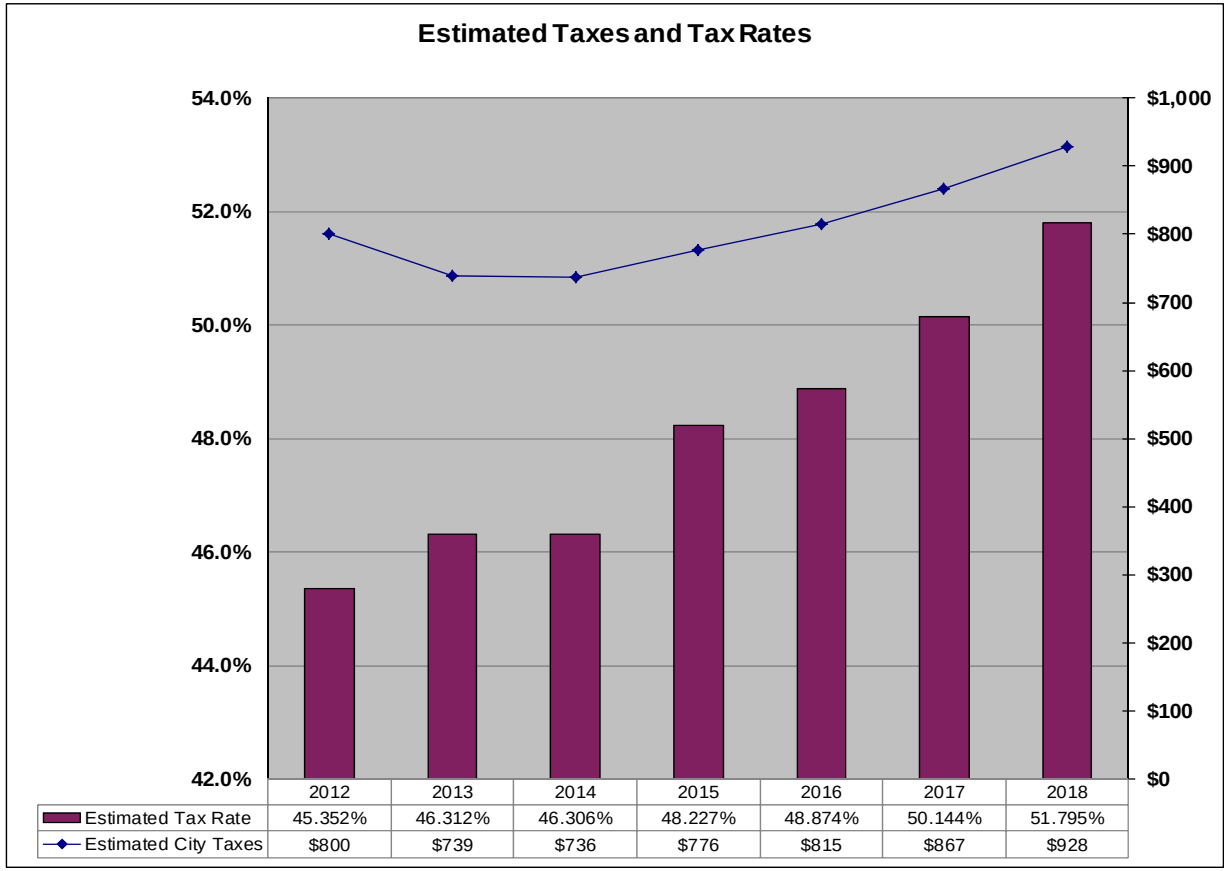
This fund accounts for the revenues and expenses reserved for future City capital projects. Currently, the model shows no future outlays of funds for capital. The existing cash balance is being drawn down with annual transfers to the Community Center Fund.

Economic Development (Exhibit M)

This fund accounts for the revenues and expenses related economic development activities in the city. The model shows a transfer in from the Host Community Fund as well as future DEED grants. This fund is expected to experience a negative balance due to economic development activities. We would recommend that the City determine a funding source for this expected deficit.

Tax Rate Impact

The resulting tax rate considering projected debt for road improvements, existing debt and operations is shown in the chart below.



	2012	2013	2014	2015	2016	2017	2018
Estimated Tax Rate	45.352%	46.312%	46.306%	48.227%	48.874%	50.144%	51.795%
Estimated City Taxes	$800	$739	$736	$776	$815	$867	$928

Taxes in 2012 and forward are calculated factoring in the market value exclusion, calculated on a median value homestead residential property valued at $196,100 in 2012 and $180,600 in 2013 and $180,000 in 2014.

Policy Considerations

The Local Improvement Fund currently has a deficit. As was stated above, staff has identified future funding sources for the deficit in the Local Improvement Fund. Deficits are expected in the Economic Development Fund. A source needs to be identified to solve this negative. The chart below shows the incremental tax that would be required on the average valued home, given the assumptions for tax base and tax rate for payable 2014, at different expenditure levels.

The Council can prioritize the various capital projects or additional transfers by using the table below as a decision guide. Using payable 2014 estimated tax rate and tax base, the table shows the impact of an increase in the levy at $50,000, $100,000, $200,000, $300,000 and $400,000, the resulting incremental increase in the tax rate and the effect on taxes.

Expenditure Level	Additional Taxes	Additional Tax Rate
$50,000	$2.80	0.176%
$100,000	$5.60	0.351%
$200,000	$11.20	0.702%
$300,000	$16.80	1.054%
$400,000	$22.30	1.405%

The table illustrates that the resulting increase on estimated taxes would be $5.60 on the example home if the tax levy were to increase by $100,000. Annual debt payments on a $1,100,000 debt issue over 15 years are projected to be approximately $100,000 per year.

Recommendations

We recommend that the City Council of the City of Inver Grove Heights:

- Determine a funding source for those funds which are expected to experience negative cash, which include the Golf Course and the Economic Development Funds. Monitor the cash balance in the Local Improvement Fund and determine if it appears that future special assessment collections will be insufficient.
- Complete the Parks and Recreation System Capital Plan and incorporate into this study
- Prioritize the Capital Improvement Project list
- Update this CIP study periodically and incorporate refined operating and tax base estimates.

Exhibits

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Economic Development Fund	28

City of Inver Grove Heights
General Fund -Exhibit A

EHLERS & ASSOCIATES INC

	Inflation Assumptions-non property tax revenues	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
	Inflation Assumptions-expenditures	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
									5.00%
				AMENDED					
	GENERAL FUND	2011 ACTUAL	2012 ACTUAL	2013 BUDGET	2014 PROPOSED	2015	2016 PROJECTED	2017	2018
1	**REVENUE**								
2	GENERAL PROPERTY TAX	14,139,907	13,624,213	11,343,012	11,953,400	12,648,491	13,101,983	13,569,597	14,051,766
	FISCAL DISPARITIES		-	1,750,000	1,750,000	1,750,000	1,750,000	1,750,000	1,750,000
	OTHER levy		8,114	10,000	10,000	10,000	10,000	10,000	10,000
3	FRANCHISE FEES	88,755	90,442	90,400	93,000	94,860	96,757	98,692	100,666
4	LICENSES & PERMITS	815,420	750,483	581,900	713,900	728,178	742,742	757,596	772,748
5	OTHER INTERGOVERNMENTAL	539,339	608,745	461,200	444,200	453,084	462,146	471,389	480,816
6	CHARGES FOR SERVICES	1,004,840	1,140,478	835,600	848,700	865,674	882,987	900,647	918,660
7	FINES & FORFEITS	115,075	125,164	150,000	120,000	122,400	124,848	127,345	129,892
8	INTEREST	66,674	45,343	45,000	45,000	45,900	46,818	47,754	48,709
9	MISC. REVENUE	204,338	313,304	157,200	270,500	275,910	281,428	287,057	292,798
10	TRANSFERS	938,000	1,813,000	761,388	602,000	500,000	500,000	500,000	500,000
11									
12	**TOTAL REVENUE**	**17,912,348**	**18,519,286**	**16,185,700**	**16,850,700**	**17,494,497**	**17,999,709**	**18,520,077**	**19,056,056**
13									
14	**EXPENDITURES**								
15	GENERAL GOVERNMENT	1,847,389	1,683,309	1,651,800	1,776,400	1,829,692	1,884,583	1,941,120	1,999,354
16	PUBLIC SAFETY	7,304,412	7,630,656	7,731,200	8,060,900	8,302,727	8,551,809	8,808,363	9,072,614
17	PUBLIC WORKS	3,577,891	3,471,265	3,432,600	3,623,300	3,731,999	3,843,959	3,959,278	4,078,056
18	PARKS	1,598,729	1,631,753	1,628,600	1,738,700	1,790,861	1,844,587	1,899,924	1,956,922
19	COMMUNITY DEVELOPMENT	1,212,442	1,241,806	1,178,700	1,150,600	1,185,118	1,220,672	1,257,292	1,295,010
20	TRANSFER OUT								
21	to Park Cap Repl Fund 444	83,000	150,000	150,000	150,000	200,000	200,000	200,000	200,000
22	to Rec Fund 204	454,100	426,700	379,100	380,600	454,100	454,100	454,100	454,100
23	to Pavement Mgmt Fund 440	1,234,720	1,200,000						
24	to other funds	8,800		300	500				
25	to Local Improvements		146,373						
26	CAPITAL OUTLAY	16,611	879						
27									
28	CONTINGENCY			148,000					
29									
30		-	-	-	-	-	-	-	-
31	**OPERATING EXPENDITURES**	**17,338,094**	**17,582,741**	**16,300,300**	**16,881,000**	**17,494,497**	**17,999,709**	**18,520,077**	**19,056,056**
32									

City of Inver Grove Heights
General Fund -Exhibit A

	GENERAL FUND	2011 ACTUAL	2012 ACTUAL	2013 BUDGET	2014 PROPOSED	2015	2016 PROJECTED	2017	2018
	Inflation Assumptions	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
		3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
									5.00%
33									
34	**GENERAL FUND OPERATING TAX LEVY**	14,139,907	13,624,213	13,093,012	13,703,400	14,398,491	14,851,983	15,319,597	15,801,766
35	**OTHER LEVIES**	0	0	0	0	0	0	0	0
36									
37	Unallotments								
38	PERA LEVY		0	0	0	0			
39	Total Other Levies						0	0	0
40	TOTAL LEVY	14,139,907	13,624,213	13,093,012	13,703,400	14,398,491	14,851,983	15,319,597	15,801,766
41	ANNUAL INCREASE	-1.7%	-3.6%	-3.9%	4.7%	5.1%	3.1%	3.1%	3.1%
42	**TOTAL EXPENDITURES**	**17,338,094**	**17,582,741**	**16,300,300**	**16,881,000**	**17,494,497**	**17,999,709**	**18,520,077**	**19,056,056**
43									
44	**SPECIAL LEVIES**								
45	**Bonds**								
46	**MN Armory Bldg (final pymt 2016)**	**63,735**	**63,735**	**63,735**	**63,735**	**63,735**	**63,735**		
47	**City share of assessments**	**61,632**	**109,912**	**96,944**	**127,828**	**116,653**	**111,835**	**95,468**	**71,150**
48	**~~2002A~~ 2010C PIR Bonds**	**6,300**	**48,144**	**51,303**	**56,985**	**56,308**			
49	**~~2006A~~ 2011A Improvements Bonds (final pymt 2019)**	**85,300**	**85,600**	**170,000**	**150,000**	**150,000**	**125,000**	**125,000**	**0**
50	**2007 GO Public Safety (final pymt 2014)**	**81,309**	**81,848**	**78,908**	**80,719**				
51	**2006B Certificates (final pymt 2011)**								
52	**2007A Certificates (final pymt 2012)**	**147,420**							
53	**2007B Improvements (final pymt 2019)**		**75,000**	**150,000**	**150,000**	**150,000**	**150,000**	**125,000**	
54	**2008 Certificates (final pymt 2013)**	**94,533**	**97,217**						
55	**2008A Improvements (final pymt 2020)**	**4,582**	**75,000**	**150,000**	**200,000**	**250,000**	**250,000**	**245,000**	**245,000**
56	**2009 Capital Improvements (final pymt 2034)**	**577,400**	**584,500**	**590,400**	**600,300**	**559,800**	**674,000**	**642,800**	**600,000**
57	**2010B GO Improvements**		**283,332**	**283,044**	**282,755**	**225,000**	**200,000**	**175,000**	**175,000**
58	**2012 GO Improvements**			**0**	**0**	**0**		**0**	**0**
59	**Offset from Closed Bond Fund**	**0**	**(200,000)**	**(330,000)**	**(330,000)**	**(200,000)**	**(200,000)**	**(200,000)**	**(200,000)**
60	**EXISTING DEBT LEVIES**	**1,122,211**	**1,304,288**	**1,304,334**	**1,382,322**	**1,371,496**	**1,374,570**	**1,208,268**	**891,150**
61									
61	**FUTURE LEVIES**								
62	**Public Facilities**								
63	**Park Acquisition**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
64	**City Facilities**	**0**	**0**	**0**	**0**	**0**	**0**	**159,503**	**434,751**
65	**Local Improvement**	**0**	**0**	**0**	**0**	**0**	**232,644**	**598,227**	**1,141,063**
66	**Pavement Management**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
67									
68	**TOTAL SPECIAL LEVY**	**1,122,211**	**1,304,288**	**1,304,334**	**1,382,322**	**1,371,496**	**1,607,214**	**1,965,998**	**2,466,964**
69									
70	**Beginning Fund Balance**	**5,776,317**	**6,350,571**	**7,287,116**	**7,320,516**	**7,290,216**	**7,290,216**	**7,290,216**	**7,290,216**
71	**Ending Fund Balance**	**6,350,571**	**7,287,116**	**7,320,516**	**7,290,216**	**7,290,216**	**7,290,216**	**7,290,216**	**7,290,216**
72	TOTAL TAX LEVY	15,262,118	14,936,615	14,397,346	15,085,722	15,769,987	16,459,197	17,285,595	18,268,731
73	ADJUSTMENTS -FD Distribution	(2,200,000)	(1,965,000)	(1,880,130)	(1,900,473)	(1,900,473)	(1,900,473)	(1,900,473)	(1,900,473)
74	NET LEVY TO TAXPAYERS	13,062,118	12,971,615	12,517,216	13,185,249	13,869,514	14,558,724	15,385,122	16,368,258
75									
76	EXISTING TAX BASE	30,753,676	28,602,337	27,027,925	28,200,502	28,758,675	29,621,436	30,681,845	31,602,300
77	TIF District Decertifying-TIF 3-1 Springwood Ponds						166,763		
78	TIF District Decertifying-TIF 2-1 Southridge				273,434				
79	TOTAL TAX CAPACITY	30,753,676	28,602,337	27,027,925	28,473,936	28,758,675	29,788,199	30,681,845	31,602,300
80									
81	TAX RATE ON TAX CAPACITY	42.473%	45.352%	46.312%	46.306%	48.227%	48.874%	50.144%	51.795%
82	**TAX RATE % CHANGE**	**1.72%**	**6.78%**	**2.12%**	**-0.01%**	**4.15%**	**1.34%**	**2.60%**	**3.29%**

City of Inver Grove Heights
Park Acquisition Fund 402 - Exhibit B

Inflation for capital items			4.00%	4.00%	4.00%	4.00%	4.00%
	2012	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**
Beginning Fund Balance	**1,183,310**	**1,318,727**	**1,428,178**	**1,602,960**	**1,618,990**	**1,635,180**	**1,651,531**
Sources of Funds							
Charges for services	187,053	96,264	160,500				
Other	132,378						
Transfer in	29,137						
Interest	**12,186**	**13,187**	**14,282**	**16,030**	**16,190**	**16,352**	**16,515**
Total Sources of Funds	**360,754**	**109,451**	**174,782**	**16,030**	**16,190**	**16,352**	**16,515**
Expenditures							
Current	60,530						
Future projects							
Capital outlay							
Rock Island swing bridge	72,848						
Transfer out	91,959						
Transfer to Community Center							
Total Expenditures	**225,337**	**0**	**0**	**0**	**0**	**0**	**0**
Inflation-capital only	**225,337**	**0**	**0**	**0**	**0**	**0**	**0**
Ending Fund Balance	**1,318,727**	**1,428,178**	**1,602,960**	**1,618,990**	**1,635,180**	**1,651,531**	**1,668,047**

City of Inver Grove Heights
Park Capital Replacement Fund 444 - Exhibit C

Inflation for capital items			4.00%	4.00%	**4.00%**	**4.00%**	**4.00%**
	2012	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**
Beginning Fund Balance	**684,228**	**720,065**	**627,266**	**569,538**	**650,234**	**656,736**	**856,736**
Sources of Funds							
Franchise fees				100,000	100,000	100,000	100,000
Transfer from General Fund	150,000	150,000	150,000	200,000	200,000	200,000	200,000
Transfer from Capital Facilities	25,000	25,000	25,000	0	0	0	0
Transfer from Host Community	25,000	25,000	25,000	0	0	0	0
Other	32,303						
Interest	**6,411**	**7,201**	**6,273**	**5,695**	**6,502**		**8,567**
Total Sources of Funds	**238,714**	**207,201**	**206,273**	**305,695**	**306,502**	**300,000**	**308,567**
Expenditures							
Current	7,258						
Capital outlay	140,619			125,000	60,000		
Park Trail and Parking Lot		160,000	124,000				
Park equipment		140,000	140,000		140,000		
Maintenance				100,000	100,000	100,000	100,000
Transfer out	55,000						
Total Expenditures	**202,877**	**300,000**	**264,000**	**225,000**	**300,000**	**100,000**	**100,000**
Inflation-capital only	**202,877**	**300,000**	**274,560**	**243,360**	**337,459**	**116,986**	**121,665**
Ending Fund Balance	**720,065**	**627,266**	**569,538**	**650,234**	**656,736**	**856,736**	**1,065,303**

City of Inver Grove Heights
Host Community Fund 451- Exhibit D

Inflation for capital items			4.00%	4.00%	**4.00%**	**4.00%**	**4.00%**
	2012	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**
Beginning Fund Balance	**3,742,344**	**2,636,717**	**2,318,482**	**2,311,327**	**2,388,871**	**3,016,981**	**3,893,152**
Sources of Funds							
Repayment from EDA for land sale					300,000	700,000	
Land fill agreements	1,969,419	1,869,750	1,800,000	1,700,000	1,600,000	1,600,000	1,600,000
Other	2,498						
Transfer in	38,530						
Interest	**30,006**	**26,367**	**23,185**	**23,113**	**23,889**	**30,170**	**38,932**
Total Sources of Funds	**2,040,453**	**1,896,117**	**1,823,185**	**1,723,113**	**1,923,889**	**2,330,170**	**1,638,932**
Expenditures							
Capital Outlay/Misc.	171,173	35,575	6,000	6,000	6,000	6,000	6,000
Property Acquisition	150,000	150,000	300,000	300,000	150,000	150,000	
Public Safety/City Hall Addition		355,824					
Transfer out -VMCC	311,290	373,200	465,300	500,000	500,000	500,000	550,000
Transfer out -Golf Course Fund		110,141	100,000	100,000	100,000	250,000	100,000
Transfer out-Economic development	1,000,000						
Transfer out-Park Capital Replacement	25,000	25,000	25,000				
Transfer out-Local Improvement	13,128	44,472					
Transfer out-ADA		16,500	21,800	14,600	20,300	21,500	19,700
Transfer out-General Fund	960,000	603,640	400,000	200,000			
Transfer out-PMP Fund Street Recon	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Transfers to other funds	15,489						
Total Expenditures	**3,146,080**	**2,214,352**	**1,818,100**	**1,620,600**	**1,276,300**	**1,427,500**	**1,175,700**
Inflation-capital only	**321,173**	**185,575**	**318,240**	**330,970**	**175,479**	**182,498**	**7,300**
Ending Fund Balance	**2,636,717**	**2,318,482**	**2,311,327**	**2,388,871**	**3,016,981**	**3,893,152**	**4,355,084**

City of Inver Grove Heights
Community Projects Fund 450- Exhibit E

Inflation for capital items			4.00%	4.00%	**4.00%**	**4.00%**	**4.00%**
	2012	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**
Beginning Fund Balance	**1,062,883**	**669,601**	**290,297**	**227,680**	**194,264**	**159,086**	**122,072**
Sources of Funds							
Interest	**9,402**	**6,696**	**2,903**	**2,277**	**1,943**	**1,591**	**1,221**
Total Sources of Funds	**9,402**	**6,696**	**2,903**	**2,277**	**1,943**	**1,591**	**1,221**
Expenditures							
Capital Outlay							
Emerald Ash Borer		33,000	33,000	33,000	33,000	33,000	33,000
Election Equipment			31,200				
Transfer out to VMCC	337,684	353,000					
Transfer out to General Fund	65,000						
Total Expenditures	**402,684**	**386,000**	**64,200**	**33,000**	**33,000**	**33,000**	**33,000**
Inflation-capital only	**0**	**33,000**	**34,320**	**35,693**	**37,121**	**38,605**	**40,150**
Ending Fund Balance	**669,601**	**290,297**	**227,680**	**194,264**	**159,086**	**122,072**	**83,143**

City of Inver Grove Heights
Pavement Management Fund 440 - Exhibit F

Inflation for capital items			4.00%	4.00%	**4.00%**	**4.00%**	**4.00%**
	Actual	Budget			Projected		
	2012	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**
Beginning Fund Balance	**2,975,045**	**2,867,044**	**673,398**	**627,126**	**895,231**	**1,600,837**	**1,577,595**
Sources of Funds							
Franchise fees				200,000	200,000	200,000	200,000
Transfer from Host Community Fund	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Transfer from General Fund	700,000						
State aid construction and maintenance	2,810,167	922,628	1,616,000	318,000	824,726	318,000	1,241,139
Other	46,685	11,469					
Special assessments (20% of construction)	368,982	167,253	160,594	155,623	167,657	150,161	149,561
Transfers in	257,412						
Interest	**26,748**	**28,670**	**6,734**	**6,271**	**8,952**	**16,008**	**15,776**
Total Sources of Funds	**4,709,994**	**1,630,020**	**2,283,327**	**1,179,894**	**1,701,335**	**1,184,169**	**2,106,476**
Expenditures							
Capital Outlay	4,569,462	3,175,666					
PMP Program		248,000	1,780,000		276,600	297,100	895,500
Broderick			60,000	200,000			
Upper 55th Street					90,000	135,000	
Park trails and parking lots				243,000	118,600	200,000	200,000
Cracksealing, sealcoating		400,000	400,000	400,000	400,000	400,000	400,000
Bond principal and interest	0	0	0	0	-	-	-
Transfers out	248,533						
Total Expenditures	**4,817,995**	**3,823,666**	**2,240,000**	**843,000**	**885,200**	**1,032,100**	**1,495,500**
Inflation-capital only	**4,569,462**	**3,823,666**	**2,329,600**	**911,789**	**995,730**	**1,207,411**	**1,819,504**
Ending Fund Balance	**2,867,044**	**673,398**	**627,126**	**895,231**	**1,600,837**	**1,577,595**	**1,864,567**

City of Inver Grove Heights
Closed Bond Fund 399- Exhibit G

Inflation for capital items			4.00%	4.00%	**4.00%**	**4.00%**	**4.00%**
	2012	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**
Beginning Fund Balance	**3,596,547**	**3,593,173**	**3,201,881**	**2,820,700**	**2,648,907**	**2,475,396**	**2,300,150**
Sources of Funds							
Transfer from closed debt service funds	312,989						
Other	37,709						
Property tax levy	111,804	-	-	-	-	-	-
Interest	**(58,323)**	**35,932**	**32,019**	**28,207**	**26,489**	**24,754**	**23,001**
Total Sources of Funds	**404,179**	**35,932**	**32,019**	**28,207**	**26,489**	**24,754**	**23,001**
Expenditures							
Current	10,678						
Orchard Trail Stormwater Improvements			80,000				
Transfer to Debt Service for City Spec. Assmt	169,452						
Public Safety/City Hall Addition		55,824					
Debt service for storm water bonds		41,400	33,500	25,000			
Debt service reduction to debt levy	200,000	330,000	330,000	200,000	200,000	200,000	200,000
Transfers out	27,423						
Transfers out to EDA	52	326,948					
Total Expenditures	**407,605**	**754,172**	**443,500**	**225,000**	**200,000**	**200,000**	**200,000**
Inflation-capital only	**180,130**	**97,224**	**83,200**	**0**	**0**	**0**	**0**
Ending Fund Balance	**3,593,173**	**3,201,881**	**2,820,700**	**2,648,907**	**2,475,396**	**2,300,150**	**2,123,151**

City of Inver Grove Heights
City Facilities Internal Service Fund 605- Exhibit H

Inflation for capital items			4.00%	4.00%	4.00%	4.00%	4.00%
	2012	2013	2014	2015	2016	2017	2018
Beginning Cash Balance	**713,248**	**398,655**	**319,713**	**249,638**	**233,355**	**207,501**	**223,319**
Sources of Funds							
Charges for services	368,807	340,900	332,200	338,844	345,621	352,533	359,584
Bond proceeds					2,260,000	3,900,000	
Special assessments (20% of construction)		0	0	0	0	0	0
Property tax levy	0	0	0	0	0	159,503	434,751
Interest	**6,219**	**3,987**	**3,197**	**2,496**	**2,334**	**2,075**	**2,233**
Total Sources of Funds	**375,026**	**344,887**	**335,397**	**341,340**	**2,607,954**	**4,414,111**	**796,568**
Expenditures							
Operations	487,368	280,600	336,200	342,924	349,782	356,778	363,914
Mte Facility Expansion						3,307,500	
Public Safety/City Hall Addition Projects	202,251	114,429	55,357				
Park and Rec System Plan		14,400					
Fire Station					2,016,000		
Transfer to ADA Fund		14,400	11,700	14,700	16,300	20,300	32,300
Bond principal and interest		0	0	0	0	151,907	414,049
Total Expenditures	**689,619**	**423,829**	**403,257**	**357,624**	**2,382,082**	**3,836,486**	**810,262**
Inflation-capital only	**202,251**	**128,829**	**57,571**	**0**	**2,267,726**	**3,869,307**	**0**
Ending Cash	**398,655**	**319,713**	**249,638**	**233,355**	**207,501**	**223,319**	**209,625**

City of Inver Grove Heights
Golf Course Fund 503- Exhibit I

Inflation for capital items			4.00%	4.00%	**4.00%**	**4.00%**	**4.00%**
	2012	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**
Beginning Cash Balance (restricted and unrest	**(3,027,461)**	**(3,007,682)**	**(3,007,682)**	**(2,954,082)**	**(2,879,075)**	**(2,820,301)**	**(2,774,721)**
Sources of Funds							
Transfer from Host Community	0	110,141	100,000	100,000	100,000	250,000	100,000
Land sale proceeds	1,352,000						
Operations	1,562,618	1,574,800	1,586,600	1,634,198	1,683,224	1,733,721	1,785,732
Other	673,281						
Interest							
Total Sources of Funds	**3,587,899**	**1,684,941**	**1,686,600**	**1,734,198**	**1,783,224**	**1,983,721**	**1,885,732**
Expenditures							
Operations	2,248,639	1,480,337	1,463,000	1,521,520	1,582,381	1,645,676	1,711,503
Capital Outlay					100,000	250,000	100,000
Turf replacement			35,000				
Driving range, phase I and II			100,000	100,000			
Bitumonous replacement		110,141					
IFL payment to Central Equip		64,863					
Bond/capital lease prin/int	1,319,481	29,600	29,600	29,511	29,583	-	-
Total Expenditures	**3,568,120**	**1,684,941**	**1,627,600**	**1,651,031**	**1,711,964**	**1,895,676**	**1,811,503**
Inflation-capital only	**0**	**110,141**	**140,400**	**108,160**	**112,486**	**292,465**	**121,665**
Ending Cash (restricted)							
Ending Cash (unrestricted)	**(3,007,682)**	**(3,007,682)**	**(2,954,082)**	**(2,879,075)**	**(2,820,301)**	**(2,774,721)**	**(2,722,157)**

City of Inver Grove Heights
Local Improvement Fund - Exhibit J

Inflation for capital items			4.00%	4.00%	**4.00%**	**4.00%**	**4.00%**
	2012	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**
Beginning Fund Balance	**(1,303,894)**	**(1,491,567)**	**(1,238,833)**	**(1,688,471)**	**(1,872,385)**	**(1,653,250)**	**(1,416,868)**
Sources of Funds							
Transfer in	1,344,895	44,472					0
Bond proceeds				1,890,000	2,970,000	4,410,000	2,100,000
State aid	726,779		67,500		500,000		
Other	1,004,154						
Special assessments	482,479	208,262	208,262	208,262	208,262	208,262	208,262
Property tax levy	0	0	0	0	232,644	598,227	1,141,063
Interest	**26,953**						
Total Sources of Funds	**3,585,260**	**252,734**	**275,762**	**2,098,262**	**3,910,906**	**5,216,489**	**3,449,325**
Expenditures							
Capital Outlay	2,914,001						
80th St-east of TH 3				625,000		1,150,000	
Akron Ave			200,000	765,000			
70th St/TH3 roundabout					655,000		
Argenta/TH55			180,000	360,000	1,800,000		
Argenta/Amana to 70th					130,000	620,000	1,530,000
Seidl's Lake Outlet			250,000				
Turnlanes at Cliff Rd/Allison			67,500				
117th/Cliff Rd				360,000	500,000	2,000,000	
Bond principal and interest	0	0	0	0	221,566	569,740	1,086,727
Transfers out	858,932						
Total Expenditures	**3,772,933**	**0**	**697,500**	**2,110,000**	**3,306,566**	**4,339,740**	**2,616,727**
Inflation-capital only	**2,914,001**	**0**	**725,400**	**2,282,176**	**3,470,205**	**4,410,367**	**1,861,479**
Ending Fund Balance	**(1,491,567)**	**(1,238,833)**	**(1,688,471)**	**(1,872,385)**	**(1,653,250)**	**(1,416,868)**	**(915,748)**

City of Inver Grove Heights
Community Center Special Revenue Fund 205- Exhibit K

Inflation for capital items			4.00%	4.00%	**4.00%**	**4.00%**	**4.00%**
	2012	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**
Beginning Fund Balance	**138,409**	**145,566**	**146,722**	**168,029**	**188,729**	**184,957**	**155,649**
Sources of Funds							
Transfer from Host Community Fund	311,290	373,200	465,300	500,000	500,000	500,000	550,000
Transfer from Community Projects	337,684	353,000	0	0	0	0	0
Transfer from Capital Facilities	53,855	50,000	384,000	300,000	300,000	300,000	296,528
Operations							
Charges	2,032,775	2,021,900	2,054,000	2,079,900	2,121,500	2,163,900	2,207,244
Miscellaneous	137,254	130,300	130,200	130,200	130,200	130,200	130,200
Interest	**500**	**1,456**	**1,467**	**1,680**	**1,887**	**1,850**	**3,113**
Total Sources of Funds	**2,873,358**	**2,929,856**	**3,034,967**	**3,011,780**	**3,053,587**	**3,095,950**	**3,187,085**
Expenditures							
Operations	2,464,663	2,525,700	2,614,300	2,666,600	2,719,900	2,774,300	2,829,800
Capital Outlay	347,683						
CIP		403,000	384,000	300,000	300,000	300,000	300,000
Transfer out	53,855						
Total Expenditures	**3,213,884**	**2,928,700**	**2,998,300**	**2,966,600**	**3,019,900**	**3,074,300**	**3,129,800**
Inflation-capital only	**347,683**	**403,000**	**399,360**	**324,480**	**337,459**	**350,958**	**364,996**
Ending Fund Balance	**145,566**	**146,722**	**168,029**	**188,729**	**184,957**	**155,649**	**147,938**

City of Inver Grove Heights
Capital Facilities Capital Projects Fund 400- Exhibit L

Inflation for capital items			4.00%	4.00%	**4.00%**	**4.00%**	**4.00%**
	2012	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**
Beginning Cash Balance	**1,821,907**	**1,535,535**	**1,493,246**	**1,139,111**	**861,893**	**579,131**	**290,713**
Sources of Funds							
Other	24,131						
Interest	**16,409**	**30,711**	**29,865**	**22,782**	**17,238**	**11,583**	**5,815**
Total Sources of Funds	**40,540**	**30,711**	**29,865**	**22,782**	**17,238**	**11,583**	**5,815**
Expenditures							
Capital Outlay	8,850	55,875					
Transfer out	239,207						
Transfer to EDA		23,000					
Transfer to VMCC	53,855	50,000	384,000	300,000	300,000	300,000	296,528
Transfer to Park Capital Replacement	25,000	25,000	25,000				
Total Expenditures	**326,912**	**153,875**	**409,000**	**300,000**	**300,000**	**300,000**	**296,528**
Inflation-capital only	**248,057**	**23,000**	**0**	**0**	**0**	**0**	**0**
Ending Cash	**1,535,535**	**1,493,246**	**1,139,111**	**861,893**	**579,131**	**290,713**	**0**

City of Inver Grove Heights
Economic Development Fund 290- Exhibit M

	2012	2013	2014	4.00% 2015	4.00% 2016	4.00% 2017	4.00% 2018
Beginning Fund Balance	0	341,417	289,631	232,127	171,113	106,954	39,520
Source of Funds							
Transfer in General Fund		300	500	0	0	0	0
Transfer In Closed Bond Fund		326,948	0	0	0	0	0
Transfer in Host Community Fund	1,000,000	0	0	0	0	0	0
Transfer in Capital Facilities Fund		23,000	0	0	0	0	0
DEED Grant		400,000	400,000	400,000	400,000		
Interest/Other	1,999	3,414	2,896	2,321	1,711	1,070	395
Total	1,001,999	753,662	403,396	402,321	401,711	1,070	395
Use of Funds							
Economic development operations	56,272	55,500	60,900	63,336	65,869	68,504	71,244
Development Activities	604,310	749,948	400,000	400,000	400,000		
Total	660,582	805,448	460,900	463,336	465,869	68,504	71,244
Excess (Use) of Funds	341,417	(51,786)	(57,504)	(61,015)	(64,158)	(67,435)	(70,849)
Ending Fund Balance	341,417	289,631	232,127	171,113	106,954	39,520	(31,329)

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

CONSIDER CHANGE ORDER NO. THIRTY THREE FOR CITY PROJECT 2008-18 PUBLIC SAFETY ADDITION/CITY HALL RENOVATION

Meeting Date:	December 9, 2013		Fiscal/FTE Impact:
Item Type:	Consent	[ ]	None
Contact:	JTeppen, Asst City Admin	[ ]	Amount included in current budget
Prepared by:		[ ]	Budget amendment requested
Reviewed by:		[ ]	FTE included in current complement
		[ ]	New FTE requested – N/A
		[x]	Other – Project Budget

PURPOSE/ACTION REQUESTED Consider the attached Change Order No. 33 for City Project 2008-18 Public Safety Addition/City Hall Renovation.

SUMMARY The attached Change Order/Deduct is submitted to the Council for the reconstruction of the east parking lot and the associated costs.

The total will be withheld from payment to Shaw Lundquist as a result of the mediated settlement agreement.

The Contract amount is reflected to decrease $63,472.38 for a revised contract total of $11,959,071.72.

CHANGE ORDER

OWNER	___
ARCHITECT	___
CONTRACTOR	___
FIELD	___
OTHER	___

AIA DOCUMENT G701

THIS DOCUMENT HAS IMPORTANT LEGAL CONSEQUENCES; CONSULTATION WITH AN ATTORNEY IS ENCOURAGED WITH RESPECT TO ITS COMPLETION OR MODIFICATION. AUTHENTICATION OF THIS ELECTRONICALLY DRAFTED AIA DOCUMENT MAY BE MADE BY USING AIA DOCUMENT D401.

PROJECT:	Inver Grove Heights Public Safety & City Hall Remodel	**CHANGE ORDER NO.:**	**Thirty Three (33)**
		DATE:	November 14, 2013
TO CONTRACTOR:	Shaw-Lundquist Associates	**ARCHITECT'S PROJECT #:**	1643.01
	2757 West Service Road St. Paul, MN 55121	**CONTRACT DATE:**	May 19, 2009
		CONTRACT FOR:	General Construction

The contract is changed as follows:

	Description	Cost	Days
1.	Deduct costs associated with repairs to east parking lot:		
	a) 10/10/2012 McGhie & Betts, Inc.- 3rd Party Testing of in situ- ($2,068.00)		
	b) 7/12/2013 McGhie & Betts, Inc- 3rd Party Testing of in situ- ($2,410.00)		
	c) 10/15/2013 Ace Black Top, Inc- Asphalt Installation- ($57,419.38)		
	d) 11/23/2013 American Engineering Testing- Testing of new ($1,575.00)		
	Total:	**($63,472.38)**	0

The original Contract Sum was	$11,501,900.00
Net change by previously authorized Change Orders	$520,644.10
The Contract Sum prior to this Change Order was	$12,022,544.10
The Contract Sum will be ~~(increased)~~(decreased)(~~unchanged~~) by this change order in the amount of	($63,472.38)
The new Contract Sum including this Change Order will be	$11,959,071.72

The Contract time will be ~~(increased)(decreased)~~(unchanged).	0 Days
The dates of Substantial Completion therefore are ~~(increased)(decreased)~~(unchanged) . Phase IB: Construct Public Safety Addition (unchanged) Phase IIB: Construct City Hall Addition and Renovate Existing Building (Unchanged)	 Phase IB: July 25, 2010 Phase IIB: Oct. 9, 2011

CHANGE ORDER NO. 33
IGH Public Safety Addition & City Hall Remodel
1643.01

Authorized:

ARCHITECT	CONTRACTOR	OWNER
Boarman Kroos Vogel Group, Inc.	Shaw-Lundquist & Associates	City of Inver Grove Heights
Address	Address	Address
222 N. 2nd Street	2757 West Service Road	8150 Barbara Avenue
Minneapolis, MN 55401	St. Paul, MN 55121	Inver Grove Heights, MN 55077
BY Gregory Metz	BY	BY
Gregory Metz, Sr. Construction Admin.		
DATE 11/14/13	DATE	DATE

AIA DOCUMENT G701 * CHANGE ORDER * 1987 EDITION * AIA - COPYRIGHT 1987 *
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McGhie Betts, Inc.
Rochester Minnesota

Land Surveying
Urban - Land Planning
Consulting - Civil Engineering
Geotechnical Engineering
Construction Material Testing
Landscape Architecture

1648 Third Ave. S.E.
Rochester, MN 55904

Tel. 507.289.3919
Fax. 507.289.7333

Invoice # 22486
July 12, 2013

Client ID: N0165
Project ID: N13289

CITY OF INVER GROVE HEIGHTS
8150 BARBARA AVENUE
INVER GROVE HEIGHTS, MN 55077

Professional Services from May 19, 2013 through July 08, 2013

INVER GROVE HEIGHTS PUBLIC SAFETY CENTER, EAST PARKING LOT, 8150 BARBARA AVENUE, INVER GROVE HEIGHTS, MINNESOTA.

****SEE ATTACHED RECAP****

TOTAL INVOICE AMOUNT ***$2,410.00***

Aged Receivables:

Current	31-60 Days	61-90 Days	91-120 Days	>120 Days
$ 2,410.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00

All invoices are due upon receipt. A finance charge of 1.5% will be added to any unpaid balance after 30 days.

8.12.13

605.00.7500.460.30700

Equal Opportunity Employer

Detailed Invoice for June 2013

Project Name: **Inver Grove Heights Public Safety Center-East Parking Lot**

Project #: **N0165/N13289**

Client Name: **City of Inver Grove Heights**

Invoice #: 22486

Date: July 12, 2013

Item	# of Hrs or Units	Hrs or Unit Rate	Cost
1. Bituminous Paving: East and North Parking Lot-Wear Course			
MBI Field Technician-Lay-out Asphalt Core Locations/Site-Travel Time	5.00	$98/hr.	$490.00
Bituminous Coring Crew (Field Time/Equipment/Patching Core Locations) 12 Asphalt Core Locations=24-4" Cores Total	1.00	$500/ls.	$500.00
AET Bituminous Lab Manager-Observe Core Locations/Pick-up Asphalt Core Samples/Site Time/Travel	5.00	$98/hr.	$490.00
Bituminous Wear Course Density/Thickness Test-4" Bituminous Cores (ASTM D2726) (12-4" Cores Total)	12.00	$50/core.	$600.00

2. Project Management/Clerical			
Project Manager-Letter Report	3.00	$75/hr.	$225.00
Clerical/Report Preparation/Report Copies/Postage	3.00	$35/hr.	$105.00

TOTAL ***$2,410.00***

ACE BLACKTOP INC

7280 Dickman Trail
Inver Grove Heights, MN 55076

Invoice

Number: 11359
Date: 10/15/2013

City of Inver Grove Heights
8150 Barbara Ave.
Inver Grove Hts., MN 55077

stomer #	Due Date	Terms	Income Job	Job Site
IGH001	11/15/2013	NET 30	1308	Inver Grove Heights City Hall

Date	Description	Qty	UOM	Unit Price	Total
)/2/2013	Asphalt parking lot installed	1.00	LS	$57,419.38	$57,419.38
				Balance Due:	$57,419.38

* A charge of 1 1/2% will be applied to all accounts not paid within 30 days.
Please remit payment to: Ace Blacktop, Inc. 7280 Dickman Trail Inver Grove Heights, MN 55076
Phone: 651-450-1237 Fax: 651-450-9057 www.aceblacktop.com
Thank you for your business!

American Engineering Testing, Inc.
550 Cleveland Avenue North
St. Paul, Minnesota 55114
Phone: (651) 659-9001
Fax: (651) 659 1379
Federal Tax ID: 41-0977521

INVER GROVE HEIGHTS, CITY OF
8150 BARBARA AVE
INVER GROVE HEIGHTS, MN 55077-3410

DUE DATE: 11/23/2013		
INVOICE		CUSTOMER NUMBER
NUMBER	DATE	
60130	10/24/13	INV001

PROJECT MANAGER: GARY LARSON

BILLING CONTACT: MIKE EDWARDS

PROJECT NUMBER: 22-02529

SCOPE OF WORK:

PROJECT TESTING SERVICES

SEE ATTACHED ITEMIZATION

PROJECT:
CITY HALL PARKING LOT
8150 BARBARA AVE
INVER GROVE HEIGHTS, MN

For inquiries or additional information regarding this invoice, please contact 651-789-4651 or email accounting@amengtest.com

Remit payment to: 550 Cleveland Avenue North, St. Paul, MN 55114

Amount due this Invoice	$1,575.00

APPROVED FOR PAYMENT
OCT 29 2013
BY TJK
CODE 428.72.5900.728.30340
2008-18

FEE SCHEDULE
PROJECT TESTING SERVICES
CITY HALL PARKING LOT
INVER GROVE HEIGHTS, MINNESOTA
AET PROPOSAL No. 22-02529

SERVICE DESCRIPTION	PROJECT BUDGET			TOTAL AMOUNTS INVOICED TO DATE		Invoice Amount Through 10/6/13	
	ESTIMATED UNITS	UNIT RATE	BUDGET AMOUNT	# Units	Amount	# Units	Amount
Bituminous Testing							
1. Engineering Technician sampling of bituminous materials, nuclear density testing of bituminous control strip, **(services provided on a will-call basis - assumes 1 trip to the jobsite).**	4 hours	$70.00	$280.00	6.0	$420.00	6.0	$420.00
2. Personal or Company vehicle mileage (Engineers and Technicians).	70 miles	$0.65	$45.50	70.0	$45.50	70.0	$45.50
3. Removal of cores from finished bituminous surface. (minimum of 4 per trip)	4 cores	$90.00	$360.00	0.0	$0.00	0.0	$0.00
4. Thickness and density tests of bituminous core samples.	4 tests	$42.00	$168.00	0.0	$0.00	0.0	$0.00
5. Asphalt extraction and aggregate gradation tests of bituminous mixtures.	tests	$198.00	$0.00	0.0	$0.00	0.0	$0.00
6. Marshall density and Rice specific gravity tests of bituminous mixtures.	tests	$167.00	$0.00	0.0	$0.00	0.0	$0.00
7. Tests of Bituminous mixture properties (gyratory method).	1 tests	$500.00	$500.00	1.0	$500.00	1.0	$500.00
Project Management & Coordination							
1. Project Manager for coordination of AET personnel and activities, site visit during milling operations, consultation and report preparation.	4 hours	$115.00	$460.00	5.3	$609.50	5.3	$609.50
2. Principal Engineer for special consultation and report review.	1 hours	$156.00	$156.00	0.0	$0.00	0.0	$0.00
	ESTIMATED BUDGET		$1,969.50	TOTAL INVOICED TO DATE	$1,575.00	MONTHLY INVOICE TOTAL	$1,575.00

AGENDA ITEM 4E

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Pay Voucher No. 2 for City Project No. 2012-07 – Bohrer Pond NW Pre-treatment Basin

Meeting Date:	December 9, 2013		**Fiscal/FTE Impact:**
Item Type:	Consent		None
Contact:	Thomas J. Kaldunski, 651.450.2572		Amount included in current budget
Prepared by:	Thomas J. Kaldunski, City Engineer		Budget amendment requested
Reviewed by:	Scott D. Thureen, Public Works Director		FTE included in current complement
			New FTE requested – N/A
		X	Other: Storm Water Utility Fund, SWCD Grant

TJK

SDT

SB

PURPOSE/ACTION REQUESTED

Consider Pay Voucher No. 2 for City Project No. 2012-07 – Bohrer Pond NW Pre-treatment Basin

SUMMARY

The improvements were ordered as part of the 2013 Improvement Program. The contract was awarded in the amount of $284,792.00 to Sunram Construction, on August 26, 2013 for City Project No. 2012-07 Bohrer Pond NW Pre-treatment Basin

The contractor has completed the work through November 30, 2013 in accordance with the contract plans and specifications. A five (5) percent retainage will be maintained until the project is completed.

I recommend approval of Payment Voucher No. 2 in the amount of $ 209,204.72 for work on City Project No. 2012-07 Bohrer Pond NW Pre-treatment Basin

TJK/me
Attachments: Pay Voucher No. 2

CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAY VOUCHER

ESTIMATE NO: 2 (Two)

DATE: December 9, 2013

PERIOD ENDING: November 30, 2013

CONTRACT: 2013 Improvement Program

PROJECT NO: 2012-07 Bohrer Pond NW Pre-treatment Basin

TO: Sunram Construction
20010 75TH Avenue North
Corcoran, MN 55340

Original Contract Amount	$284,792.00
Total Addition	$0.00
Total Deduction	$0.00
Total Contract Amount	$284,792.00
Total Value of Work to Date	$270,423.69
Less Retained (5%)	$13,521.18
Less Previous Payment	$47,697.79
Total Approved for Payment this Voucher	$209,204.72
Total Payments including this Voucher	$256,902.51

Approvals:

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

Signed by: Thomas J. Kaldunski, City Engineer — December 9, 2013

Signed by: Sunram Construction — Date

Signed by: George Tourville, Mayor — December 9, 2013

PAY ESTIMATE NO.2
CITY PROJECT 2012-07
BOHRER POND NW PRETREATMENT BASIN

December 2,2013

ITEM NO.	Mn/DOT NO.	ITEM DESRIPTION	UNIT	EST. QUANTITY	QUANTITY TO DATE	UNIT PRICE	TOTAL ESTIMATED COST	TOTAL CONTRACT COST
1	2021.501	MOBILIZATION	LS	1	1	$26,500.20	$ 26,500.20	$26,500.20
2	2563.601	TRAFFIC CONTROL	LS	1	0	$250.00	$ 250.00	$0.00
3	2101.501	CLEARING	ACRE	2.4	2.4	$3,360.00	$ 8,064.00	$8,064.00
4	2101.506	GRUBBING	ACRE	2.4	2.4	$3,360.00	$ 8,064.00	$8,064.00
5	2105.501	COMMON EXCAVATION (P)	CY	5732	5732	$9.80	$ 56,173.60	$56,173.60
6	SPECIAL	STEEL SHEET PILING (WEIR STRUCTURE) INCLUDES DESIGN	SF	2560	2560	$44.00	$ 112,640.00	$112,640.00
7	2211.501	AGGREGATE BASE, CLASS 5 100% CRUSHED LIMESTONE	TON	120	90.61	$20.80	$ 2,496.00	$1,884.69
8	2104.501	REMOVE SEWER PIPE STORM	LF	44	44	$22.30	$ 981.20	$981.20
9	2104.521	SALVAGE SEWER PIPE STORM	LF	20	20	$50.00	$ 1,000.00	$1,000.00
10	2501.571	INSTALL SALVAGED SEWER PIPE STORM	LF	20	20	$75.00	$ 1,500.00	$1,500.00
11	2503.602	CONNECT TO EXISTING STORM SEWER	EA	1	1	$3,000.00	$ 3,000.00	$3,000.00
12	2506.502	CONSTRUCT DRAINAGE STRUCTURE 72-4020	EA	1	1	$7,600.00	$ 7,600.00	$7,600.00
13	2506.502	RECONSTRUCT MANHOLE	EA	1	1	$2,485.00	$ 2,485.00	$2,485.00
14	2501.602	SALVAGE AND REINSTALL PIPE APRON	EA	3	3	$1,485.00	$ 4,455.00	$4,455.00
15	2501.602	TRASH GUARD FOR 42" PIPE APRON	EA	1	1	$1,600.00	$ 1,600.00	$1,600.00
16	2503.541	15" RC PIPE SEWER	LF	56	56	$48.00	$ 2,688.00	$2,688.00
17	2501.515	15" RC PIPE APRON	EA	2	2	$1,350.00	$ 2,700.00	$2,700.00
18	2511.501	RANDOM RIPRAP CL III	CY	88	103	$91.00	$ 8,008.00	$9,373.00
19	2511.501	RANDOM RIPRAP CLIV	CY	51		$102.00	$ 5,202.00	$0.00
20	2573.55	EROSION CONTROL SUPERVISOR	LS	1		$1,200.00	$ 1,200.00	$0.00
21	2123.61	STREET SWEEPER (WITH PICK UP BROOM)	HR	10	0	$175.00	$ 1,750.00	$0.00
22	2573.502	SILT FENCE (HEAVY DUTY)	LF	90	566	$4.00	$ 360.00	$2,264.00
23	2573.505	FLOTATION SILT CURTAIN (WORK AREA TYPE)	LF	120	100	$13.50	$ 1,620.00	$1,350.00
24	2573.602	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EA	1	0	$800.00	$ 800.00	$0.00
25	2573.54	FILTER LOG TYPE COMPOST BIOROLL	LF	60	0	$8.00	$ 480.00	$0.00
26	2575.55	BLOWN COMPOST AND SEED	SY	2000	1383	$2.00	$ 4,000.00	$2,766.00
27	2575.56	HYDRAULIC SOIL STABILIZER, TYPE SPECIAL (FLEXTERRA)	LB	5800	4050	$1.90	$ 11,020.00	$7,695.00
28	2575.532	FERTILIZER TYPE 2	LB	100	0	$1.15	$ 115.00	$0.00
29	2575.605	SEEDING, MNDOT MIX NO. 310	ACRE	0.36	0.25	$4,000.00	$ 1,440.00	$1,000.00
30	2575.605	SEEDING, MNDOT MIX NO. 340	ACRE	1.65	1.16	$4,000.00	$ 6,600.00	$4,640.00

	Total Estimated Cost	Total Contract Cost
Total:	$ 284,792.00	$ 270,423.69
Change Orders Total:	$ -	$ -

Contract Amount to Date:	$ 284,792.00	
Contract Work Completed:		$ 270,423.69
5% Retainage:		$ 13,521.18
Previous Payments:		$ 47,697.79
Amount Due Payment 2:		$ 209,204.72

AGENDA ITEM 4F

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Pay Voucher No. 10 for City Project No. 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court

Meeting Date:	December 9, 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

SDT
SB

Fiscal/FTE Impact:

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

PURPOSE/ACTION REQUESTED

Consider Pay Voucher No. 10 for City Project No. 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court.

SUMMARY

The improvements were ordered as part of the 2012 Pavement Management Program. The contract was awarded in the amount of $4,715,686.33 to Friedges Contracting Co., LLC, on May 14, 2012 for City Project No. 2012-09D 65th Street Neighborhood and Cahill Court.

The project is substantially complete and the retainage is being reduced from 5% to 1%. This 1% retainage will be held until Final Payment is processed in 2014.

I recommend approval of Payment Voucher No. 10 in the amount of $320,329.82 for work on City Project No. 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court.

TJK/nh

Attachments: Pay Voucher No. 10

CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAY VOUCHER

ESTIMATE NO: 10 (Ten)

DATE: November 29, 2013

PERIOD ENDING: October 31, 2013

CONTRACT: 2012 Pavement Management Program

PROJECT NO: 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court

TO: Friedges Contracting Co., LLC.
21980 Kenrick Ave.
Lakeville, MN 55044

Original Contract Amount	$4,715,686.33
Total Addition	$120,126.34
Total Deduction	$0.00
Total Contract Amount	$4,835,812.67
Total Value of Work to Date	$4,333,231.64
Less Retained (1%)	$43,332.32
Less Previous Payment	$3,969,569.50
Total Approved for Payment this Voucher	$320,329.82
Total Payments including this Voucher	$4,289,899.32

Approvals:

Pursuant to our field observation, I hereby recommend for payment the above stated amount for work performed through October 31, 2013.

Signed by: Thomas J. Kaldunski, City Engineer — November 29, 2013

Signed by: Friedges Contracting Co., LLC — Date 11/21/13

Signed by: George Tourville, Mayor — December 9, 2013

PAYMENT DETAIL LIST

Contract: CP NO. 2012-09D
Owner: City of Inver Grove Heights
Project: 2012 Urban Street Reconstruction - 65th Street Neighborhood

BMI Job No: T18.103889

Schedule: A
Description: Street Improvements

Item No.	Mn/DOT No.	Item Description	Unit	Estimated Quantitiy	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
1	2013.601	ENVIRONMENTAL CLEANUP	LUMP SUM	1.00	1.00	$30,000.00	$ 30,000.00	$ 30,000.00
2	2021.501	MOBILIZATION	LUMP SUM	1.00	1.00	$58,000.00	$ 58,000.00	$ 58,000.00
3	2031.601	FIELD OFFICE	LUMP SUM	1.00	0.50	$12,500.00	$ 12,500.00	$ 6,250.00
4	2101.502	CLEARING	EACH	23.00	36.00	$300.00	$ 6,900.00	$ 10,800.00
5	2101.507	GRUBBING	EACH	23.00	39.00	$300.00	$ 6,900.00	$ 11,700.00
6	2104.501	REMOVE GUARD RAIL	LIN FT	465.00	487.00	$2.70	$ 1,255.50	$ 1,314.90
7	2104.501	REMOVE EXISTING CURB & GUTTER	LIN FT	27,306.00	27,982.00	$2.95	$ 80,552.70	$ 82,546.90
8	2104.505	REMOVE CONCRETE WALK	SQ YD	8,362.00	1,288.00	$0.55	$ 4,599.10	$ 708.40
9	2104.505	REMOVE CONCRETE DRIVEWAY PAVEMENT	SQ YD	1,880.00	1,286.00	$5.85	$ 10,998.00	$ 7,523.10
10	2104.505	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	3,140.00	3,338.00	$2.85	$ 8,949.00	$ 9,513.30
11	2104.505	REMOVE BITUMINOUS TRAIL	SQ YD	227.00	461.00	$3.35	$ 760.45	$ 1,544.35
12	2104.507	REMOVE CONCRETE RUBBLE	CU YD	120.00	111.00	$38.50	$ 4,620.00	$ 4,273.50
13	2104.509	REMOVE SIGN TYPE C	EACH	63.00	63.00	$25.00	$ 1,575.00	$ 1,575.00
14	2104.618	SALVAGE DRIVEWAY PAVERS	SQ FT	50.00	9.40	$7.50	$ 375.00	$ 70.50
15	2105.501	COMMON EXCAVATION (P)	CU YD	57,618.00	57,641.00	$8.00	$ 460,944.00	$ 461,128.00
16	2105.507	SUBGRADE EXCAVATION	CU YD	1,158.00		$9.00	$ 10,422.00	$ -
17	2105.525	TOPSOIL BORROW (LV)	CU YD	4,391.00	174.00	$15.00	$ 65,865.00	$ 2,610.00
18	2105.526	SELECT TOPSOIL BORROW (LV)	CU YD	7,058.00	5,057.00	$17.50	$ 123,515.00	$ 88,497.50
19	2105.541	STABLIZING AGGREGATE (2 1/2" MINUS)	CU YD	1,218.00		$0.01	$ 12.18	$ -
20	2105.602	EXCAVATION SPECIAL (POTHOLE EXISTING UTILITY)	HOUR	50.00	4.00	$135.00	$ 6,750.00	$ 540.00
21	2105.604	GEOTEXTILE FABRIC TYPE V	SQ YD	67,533.00	11,444.00	$1.00	$ 67,533.00	$ 11,444.00
22	2105.609	SELECT GRANULAR BORROW (CV)	CU YD	45,206.00	44,258.00	$11.95	$ 540,211.70	$ 528,883.10
23	2118.501	AGGREGATE SURFACING, CLASS 2 (DRIVEWAY)	TON	20.00		$25.00	$ 500.00	$ -

24	2123.61	STREET SWEEPER (WITH PICKUP BROOM)	HOUR	250.00	34.53	$100.00	$	25,000.00	$	3,453.00
25	2211.501	AGGREGATE BASE, CLASS 5	TON	6,760.00	1,928.31	$0.01	$	67.60	$	19.28
26	2211.501	AGGREGATE BASE, CLASS 5 (100% CRUSHED LIMESTONE)	TON	2,189.00	1,720.30	$14.75	$	32,287.75	$	25,374.43
27	2232.501	MILL BITUMINOUS SURFACE (EDGE MILL)	SQ YD	2,258.00	2,793.00	$2.65	$	5,983.70	$	7,401.45
28	2301.607	HIGH EARLY STRENGTH CONCRETE	CU YD	100.00	54.00	$14.25	$	1,425.00	$	769.50
29	2331.604	BITUMINOUS PAVEMENT. RECLAM.	SQ YD	58,312.00	58,312.00	$3.25	$	189,514.00	$	189,514.00
30	2357.502	BITUMINOUS MATERIAL FOR TACK COAT	GAL	4,826.00	2,375.00	$3.00	$	14,478.00	$	7,125.00
31	2360.501	TYPE SP 9.5 WEARING COURSE MIXTURE (3,C)	TON	6,749.00	6,347.05	$59.00	$	398,191.00	$	374,475.95
32	2360.501	TYPE SP 9.5 WEARING COURSE MIXTURE (3,B)	TON	461.00	169.61	$57.00	$	26,277.00	$	9,667.77
33	2360.502	TYPE SP 12.5 NON-WEARING COURSE MIXTURE (3,C)	TON	6,749.00	6,509.56	$60.00	$	404,940.00	$	390,573.60
34	2360.502	TYPE SP 12.5 NON-WEARING COURSE MIXTURE (3,B)	TON	3,499.00	3,787.76	$54.00	$	188,946.00	$	204,539.04
35	2360.604	FULL DEPTH BITUMINOUS PATCHING (STREET)	SQ YD	280.00		$21.00	$	5,880.00	$	-
36	2360.604	2.5" BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	3,295.00	5,131.00	$25.50	$	84,022.50	$	130,840.50
37	2502.541	4" PERF PVC PIPE DRAIN	LIN FT	15,681.00	16,249.00	$3.50	$	54,883.50	$	56,871.50
38	2502.541	6" PERF PVC PIPE DRAIN	LIN FT	11,547.00	11,720.00	$4.50	$	51,961.50	$	52,740.00
39	2503.602	CONNECT TO EXISTING DRAINAGE STRUCTURE (DRAIN TILE)	EACH	21.00	13.00	$205.00	$	4,305.00	$	2,665.00
40	2506.522	ADJUST FRAME AND RING CASTING (SANITARY)	EACH	32.00	31.00	$625.00	$	20,000.00	$	19,375.00
41	2506.522	ADJUST FRAME AND RING CASTING (STORM)	EACH	28.00	19.00	$415.00	$	11,620.00	$	7,885.00
42	2521.501	4" CONCRETE WALK	SQ FT	8,334.00	11,708.00	$3.45	$	28,752.30	$	40,392.60
43	2521.604	3" BITUMINOUS PATH PAVEMENT	SQ YD	256.00	432.00	$34.55	$	8,844.80	$	14,925.60
44	2531.501	CONCRETE CURB AND GUTTER (HAND POUR)	LIN FT	500.00	141.00	$14.55	$	7,275.00	$	2,051.55
45	2531.501	CONCRETE CURB AND GUTTER DESIGN B618	LIN FT	27,228.00	28,084.00	$9.35	$	254,581.80	$	262,585.40
46	2531.507	6" CONCRETE DRIVEWAY PAVEMENT (RESIDENTIAL)	SQ YD	1,019.00	1,025.00	$41.00	$	41,779.00	$	42,025.00
47	2531.507	8" CONCRETE DRIVEWAY PAVEMENT (COMMERCIAL)	SQ YD	997.00	698.00	$45.00	$	44,865.00	$	31,410.00
48	2531.602	PEDESTRIAN CURB RAMP	EACH	35.00	32.00	$450.00	$	15,750.00	$	14,400.00
49	2531.603	SPOT CURB REPLACEMENT	LIN FT	500.00	217.00	$14.00	$	7,000.00	$	3,038.00
50	2531.603	CONCRETE VALLEY GUTTER	LIN FT	189.00	217.00	$16.00	$	3,024.00	$	3,472.00

51	2531.618	CONCRETE WING APRON	SQ FT	1,291.00	1,990.00	$4.60	$	5,938.60	$	9,154.00
52	2540.601	MAILBOX MAINTENANCE	LUMP SUM	1.00	1.00	$15,000.00	$	15,000.00	$	15,000.00
53	2540.618	INSTALL SALVAGED DRIVEWAY PAVERS	SQ FT	50.00	9.40	$12.00	$	600.00	$	112.80
54	2554.501	TRAFFIC BARRIER DESIGN B8338	LIN FT	213.00	212.50	$18.15	$	3,865.95	$	3,856.88
55	2554.501	TRAFFIC BARRIER DESIGN SPECIAL	LIN FT	100.00	100.00	$74.75	$	7,475.00	$	7,475.00
56	2554.523	END TREATMENT - FLARED TERMINAL	EACH	4.00	4.00	$2,145.00	$	8,580.00	$	8,580.00
57	2563.601	TRAFFIC CONTROL	LUMP SUM	1.00	1.00	$17,000.00	$	17,000.00	$	17,000.00
58	2564.531	SIGN PANELS, TYPE C	SQ FT	252.00	277.50	$30.00	$	7,560.00	$	8,325.00
59	2564.602	SALVAGE AND RE-INSTALL SIGN	EACH	34.00	2.00	$50.00	$	1,700.00	$	100.00
60	2572.505	PRUNE TREES	HOUR	15.00		$75.00	$	1,125.00	$	-
61	2573.505	FLOTATION SILT CURTAIN (WORK AREA TYPE)	LIN FT	200.00	100.00	$22.00	$	4,400.00	$	2,200.00
62	2573.53	STORM DRAIN INLET PROTECTION	EACH	103.00	149.00	$115.00	$	11,845.00	$	17,135.00
63	2573.54	FILTER LOG TYPE COMPOST BIOROLL	LIN FT	4,013.00	1,261.00	$4.45	$	17,857.85	$	5,611.45
64	2573.55	EROSION CONTROL SUPERVISOR	LUMP SUM	1.00	1.00	$1,000.00	$	1,000.00	$	1,000.00
65	2573.601	DEWATERING (EXCAVATION)	LUMP SUM	1.00		$1.00	$	1.00	$	-
66	2573.602	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	7.00	1.00	$745.00	$	5,215.00	$	745.00
67	2575.505	SODDING, TYPE LAWN	SQ YD	22,865.00	21,180.00	$2.65	$	60,592.25	$	56,127.00
68	2575.511	MULCH MATERIAL TYPE 1	TON	10.00		$300.00	$	3,000.00	$	-
69	2575.523	EROSION CONTROL BLANKET CATEGORY 4	SQ YD	3,137.00	224.00	$1.45	$	4,548.65	$	324.80
70	2575.545	WEED SPRAYING	ACRE	8.70		$300.00	$	2,610.00	$	-
71	2575.56	HYDRAULIC SOIL STABILIZER, TYPE SPECIAL (FLEXTERRA)	POUND	6,485.00		$1.20	$	7,782.00	$	-
72	2575.602	RESTORATION OF STAGING AREAS	LUMP SUM	1.00	1.00	$7,500.00	$	7,500.00	$	7,500.00
73	2575.605	SEEDING, MNDOT MIX NO. 250	ACRE	0.45		$800.00	$	360.00	$	-
74	2575.605	SEEDING, MNDOT MIX NO. 260	ACRE	2.23	1.99	$850.00	$	1,895.50	$	1,691.50
75	2575.605	SEEDING, MNDOT MIX NO. 350	ACRE	2.60	1.32	$875.00	$	2,275.00	$	1,155.00
76	2582.502	4" SOLID LINE, WHITE EPOXY	LIN FT	9,802.00	11,124.00	$0.35	$	3,430.70	$	3,893.40
77	2582.502	4" DOUBLE SOLID LINE, YELLOW EPOXY	LIN FT	4,901.00	5,207.00	$0.75	$	3,675.75	$	3,905.25
78	2757.57	RAPID STABILIZATION, METHOD 2	ACRE	12.50	2.30	$1,575.00	$	19,687.50	$	3,622.50

Schedule A Subtotal: **$ 3,661,912.83** **$ 3,391,027.30**

Schedule: B
Description: Storm Sewer Improvements

Item No.	Mn/DOT No.	Item Description	Unit	Estimated Quantitiy	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
79	2104.501	REMOVE SEWER PIPE (STORM)	LIN FT	2,469.00	2,388.00	$9.50	$ 23,455.50	$ 22,686.00
80	2104.509	REMOVE MANHOLE OR CATCHBASIN	EACH	68.00	62.00	$215.00	$ 14,620.00	$ 13,330.00
81	2104.509	REMOVE CASTING AND RINGS (STORM)	EACH	2.00	1.00	$1.00	$ 2.00	$ 1.00
82	2104.509	REMOVE CONCRETE FLARED END SECTION	EACH	8.00	4.00	$300.00	$ 2,400.00	$ 1,200.00
83	2501.515	15" RC PIPE APRON	EACH	3.00	3.00	$1,075.00	$ 3,225.00	$ 3,225.00
84	2501.515	24" RC PIPE APRON	EACH	1.00	2.00	$1,445.00	$ 1,445.00	$ 2,890.00
85	2501.602	TRASH GUARD FOR 15" PIPE APRON	EACH	2.00		$1.00	$ 2.00	$ -
86	2501.602	SALVAGE AND RE-INSTALL FLARED END SECTION	EACH	1.00	1.00	$785.00	$ 785.00	$ 785.00
87	2501.602	EXISTING FLARED END SECTION RESTORATION	EACH	3.00	2.00	$785.00	$ 2,355.00	$ 1,570.00
88	2503.541	15" RC PIPE SEWER DESIGN 3006 CLASS V	LIN FT	3,329.00	3,077.00	$22.50	$ 74,902.50	$ 69,232.50
89	2503.541	18" RC PIPE SEWER DESIGN 3006 CLASS III	LIN FT	1,036.00	1,443.00	$25.50	$ 26,418.00	$ 36,796.50
90	2503.541	21" RC PIPE SEWER DESIGN 3006 CLASS III	LIN FT	27.00	40.00	$30.50	$ 823.50	$ 1,220.00
91	2503.541	24" RC PIPE SEWER DESIGN 3006 CLASS III	LIN FT	68.00	505.00	$34.50	$ 2,346.00	$ 17,422.50
92	2503.602	CONNECT TO EXISTING STORM SEWER	EACH	55.00	55.00	$900.00	$ 49,500.00	$ 49,500.00
93	2503.602	CUT-IN STORM MANHOLE	EACH	4.00	5.00	$2,150.00	$ 8,600.00	$ 10,750.00
94	2504.602	CONSTRUCT BULKHEAD (STORM)	EACH	4.00	6.00	$285.00	$ 1,140.00	$ 1,710.00
95	2506.502	CONSTRUCT DRAINAGE STRUCTURE DESIGN SPECIAL (CB-2'X3')	EACH	46.00	44.00	$1,450.00	$ 66,700.00	$ 63,800.00
96	2506.502	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4022	EACH	38.00	38.00	$2,550.00	$ 96,900.00	$ 96,900.00
97	2506.502	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	EACH	9.00	4.00	$2,550.00	$ 22,950.00	$ 10,200.00
98	2506.502	CONSTRUCT DRAINAGE STRUCTURE DESIGN 60-4020	EACH	1.00		$3,550.00	$ 3,550.00	$ -
99	2506.601	MANHOLE CONE SECTION	EACH	2.00	1.00	$2,050.00	$ 4,100.00	$ 2,050.00
100	2506.602	CONSTRUCT DRAINAGE STRUCTURE (SUMP BASKET)	EACH	6.00	5.00	$3,050.00	$ 18,300.00	$ 15,250.00
101	2506.602	INSTALL NEW RINGS AND CASTING (STORM)	EACH	7.00	4.00	$955.00	$ 6,685.00	$ 3,820.00
102	2506.602	RECONSTRUCT MANHOLES OR CATCH BASIN	EACH	4.00	12.00	$1,375.00	$ 5,500.00	$ 16,500.00
103	2506.602	RECONSTRUCT MANHOLES OR CATCH BASIN (SPECIAL)	EACH	6.00	7.00	$1,375.00	$ 8,250.00	$ 9,625.00
104	2511.501	RANDOM RIP RAP CLASS IV	CU YD	23.00	55.40	$80.00	$ 1,840.00	$ 4,432.00
105	2575.604	EROSION STABILIZATION MAT	SQ YD	100.00	17.00	$7.95	$ 795.00	$ 135.15
						Schedule B Subtotal:	**$ 447,589.50**	**$ 455,030.65**

Schedule: C
Description: Pond/Outfall Improvements

Item No.	Mn/DOT No.	Item Description	Unit	Estimated Quantitiy	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
106	2101.501	CLEARING	ACRE	1.93	2.20	$3,250.00	$ 6,272.50	$ 7,150.00
107	2101.506	GRUBBING	ACRE	1.93	2.20	$3,250.00	$ 6,272.50	$ 7,150.00
108	2104.501	REMOVE SEWER PIPE (STORM)	LIN FT	451.00	453.00	$10.50	$ 4,735.50	$ 4,756.50
109	2104.507	REMOVE CONCRETE RUBBLE	CU YD	60.00	83.00	$38.50	$ 2,310.00	$ 3,195.50
110	2104.509	REMOVE SURGE BASIN	EACH	3.00	3.00	$1,150.00	$ 3,450.00	$ 3,450.00
111	2104.509	REMOVE CONCRETE FLARED END SECTION	EACH	2.00	1.00	$295.00	$ 590.00	$ 295.00
112	2105.525	TOPSOIL BORROW (LV)	CU YD	1,537.00		$15.00	$ 23,055.00	$ -
113	2501.515	15" RC PIPE APRON	EACH	1.00		$1,075.00	$ 1,075.00	$ -
114	2501.515	24" RC PIPE APRON	EACH	3.00	1.00	$1,445.00	$ 4,335.00	$ 1,445.00
115	2501.515	30" RC PIPE APRON	EACH	1.00	1.00	$1,625.00	$ 1,625.00	$ 1,625.00
116	2501.602	TRASH GUARD FOR 15" PIPE APRON	EACH	1.00		$1.00	$ 1.00	$ -
117	2501.602	TRASH GUARD FOR 24" PIPE APRON	EACH	3.00	3.00	$1.00	$ 3.00	$ 3.00
118	2501.602	TRASH GUARD FOR 30" PIPE APRON	EACH	1.00	1.00	$1.00	$ 1.00	$ 1.00
119	2503.541	15" RC PIPE SEWER DESIGN 3006 CLASS V	LIN FT	37.00		$42.50	$ 1,572.50	$ -
120	2503.541	24" RC PIPE SEWER DESIGN 3006 CLASS III	LIN FT	626.00	180.00	$47.50	$ 29,735.00	$ 8,550.00
121	2503.541	30" RC PIPE SEWER DESIGN 3006 CLASS III	LIN FT	88.00	81.50	$54.50	$ 4,796.00	$ 4,441.75
122	2503.602	CONNECT TO EXISTING STORM SEWER	EACH	5.00		$900.00	$ 4,500.00	$ -
123	2504.602	CONSTRUCT BULKHEAD (STORM)	EACH	1.00		$285.00	$ 285.00	$ -
124	2506.502	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	EACH	6.00	6.00	$3,150.00	$ 18,900.00	$ 18,900.00
125	2511.501	RANDOM RIP RAP, CLASS IV	CU YD	38.00	24.60	$80.00	$ 3,040.00	$ 1,968.00
126	2575.523	EROSION CONTROL BLANKET CATEGORY 4	SQ YD	8,167.00	5,286.00	$1.45	$ 11,842.15	$ 7,664.70
127	2573.54	FILTER LOG TYPE COMPOST BIOROLL	LIN FT	1,860.00	1,689.00	$4.20	$ 7,812.00	$ 7,093.80
128	2575.604	EROSION STABILIZATION MAT	SQ YD	53.00	60.00	$6.95	$ 368.35	$ 417.00
129	2575.605	SEEDING, MNDOT MIX NO. 328	ACRE	1.90	0.14	$975.00	$ 1,852.50	$ 136.50

Schedule C Subtotal: $ 138,429.00 $ 78,242.75

Schedule: D
Description: Sanitary Sewer Improvements

Item No.	Mn/DOT No.	Item Description	Unit	Estimated Quantitiy	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
130	2104.501	REMOVE PIPE SEWER (SANITARY)	LIN FT	100.00		$1.00	$ 100.00	$ -
131	2104.509	REMOVE CASTING AND RINGS (SANITARY)	EACH	10.00	10.00	$1.00	$ 10.00	$ 10.00
132	2503.511	8" PVC PIPE SEWER SDR 26	LIN FT	100.00	25.00	$30.00	$ 3,000.00	$ 750.00
133	2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	3.00	2.00	$1,275.00	$ 3,825.00	$ 2,550.00
134	2506.602	REPLACE SANITARY SEWER SERVICE	EACH	2.00		$1,175.00	$ 2,350.00	$ -
135	2506.602	INSTALL NEW RINGS AND CASTING (SANITARY)	EACH	10.00	4.00	$995.00	$ 9,950.00	$ 3,980.00
136	2506.602	FURNISH AND INSTALL EXTERNAL MANHOLE CHIMNEY SEAL	EACH	32.00	46.00	$200.00	$ 6,400.00	$ 9,200.00
137	2506.602	RECONSTRUCT MANHOLES SANITARY SEWER	EACH	15.00	16.00	$735.00	$ 11,025.00	$ 11,760.00
						Schedule D Subtotal:	**$ 36,660.00**	**$ 28,250.00**

Schedule: E
Description: Watermain Improvements

Item No.	Mn/DOT No.	Item Description	Unit	Estimated Quantitiy	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
138	2103.507	DISCONNECT WATER SERVICE	EACH	10.00		$30.00	$ 300.00	$ -
139	2104.501	REMOVE WATERMAIN	LIN FT	400.00	125.00	$1.00	$ 400.00	$ 125.00
140	2104.509	REMOVE GATE VALVE	EACH	31.00	30.00	$275.00	$ 8,525.00	$ 8,250.00
141	2104.509	REMOVE GATE VALVE BOX	EACH	10.00	5.00	$275.00	$ 2,750.00	$ 1,375.00
142	2104.509	REMOVE HYDRANT AND GATE VALVE	EACH	26.00	24.00	$575.00	$ 14,950.00	$ 13,800.00
143	2104.509	REMOVE HYDRANT	EACH	1.00		$575.00	$ 575.00	$ -
144	2504.602	REMOVE AND REPLACE WATER SERVICE	EACH	1.00		$1,675.00	$ 1,675.00	$ -
145	2504.602	1" CORPORATION STOP	EACH	10.00		$75.00	$ 750.00	$ -
146	2504.602	RECONNECT WATER SERVICE	EACH	10.00		$145.00	$ 1,450.00	$ -
147	2504.602	WATERMAIN SERVICE ADJUSTMENT	EACH	20.00		$295.00	$ 5,900.00	$ -
148	2504.602	ADJUST VALVE BOX	EACH	11.00	4.00	$345.00	$ 3,795.00	$ 1,380.00
149	2504.602	WATERMAIN OFFSET	EACH	5.00		$3,275.00	$ 16,375.00	$ -
150	2504.602	CONNECT TO EXISTING WATER MAIN	EACH	10.00	10.00	$1,175.00	$ 11,750.00	$ 11,750.00
151	2504.602	HYDRANT AND GATE VALVE	EACH	28.00	24.00	$4,575.00	$ 128,100.00	$ 109,800.00
152	2504.602	CUT IN 6" GATE VALVE & BOX	EACH	1.00	1.00	$2,475.00	$ 2,475.00	$ 2,475.00
153	2504.602	6" GATE VALVE AND BOX	EACH	29.00	27.00	$1,575.00	$ 45,675.00	$ 42,525.00
154	2504.602	8" GATE VALVE AND BOX	EACH	5.00	6.00	$2,575.00	$ 12,875.00	$ 15,450.00
155	2504.602	INSTALL PRESSURE REDUCING VALVE	EACH	1.00	1.00	$11,000.00	$ 11,000.00	$ 11,000.00
156	2504.602	GATE VALVE BOX	EACH	20.00	5.00	$625.00	$ 12,500.00	$ 3,125.00
157	2504.602	CURB STOP AND BOX	EACH	15.00		$405.00	$ 6,075.00	$ -
158	2504.603	6" DIP WATERMAIN, CLASS 52	LIN FT	200.00	90.00	$40.00	$ 8,000.00	$ 3,600.00
159	2504.603	8" DIP WATERMAIN, CLASS 52	LIN FT	200.00	20.00	$50.00	$ 10,000.00	$ 1,000.00
160	2504.604	4" POLYSTYRENE INSULATION	SQ YD	50.00	33.74	$40.00	$ 2,000.00	$ 1,349.60
161	2504.608	DUCTILE IRON FITTINGS	POUND	800.00	525.00	$4.00	$ 3,200.00	$ 2,100.00
						Schedule E Subtotal:	**$ 311,095.00**	**$ 229,104.60**

Schedule: F
Description: Allowances

Item No.	Mn/DOT No.	Item Description	Unit	Estimated Quantitiy	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
162	2130.601	WATER USAGE ALLOWANCE	LUMP SUM	1.00		$15,000.00	$ 15,000.00	$ -
163	2504.601	IRRIGATION SYSTEM REPAIR ALLOWANCE	LUMP SUM	1.00	0.95	$20,000.00	$ 20,000.00	$ 19,000.00
164	2540.601	BOULEVARD LANDSCAPING ALLOWANCE	LUMP SUM	1.00	0.13	$25,000.00	$ 25,000.00	$ 3,250.00
165	2563.601	TRAFFIC CONTROL ALLOWANCE	LUMP SUM	1.00	0.23	$40,000.00	$ 40,000.00	$ 9,200.00
166	2573.601	ADDITIONAL STORM WATER MANAGEMENT ALLOWANCE	LUMP SUM	1.00		$20,000.00	$ 20,000.00	$ -

Schedule F Subtotal: $ 120,000.00 $ 31,450.00

COST SUMMARY

Contract: CP NO. 2012-09D

Owner: City of Inver Grove Heights

Project: 2012 Urban Street Reconstruction - 65th Street Neighborhood

Schedule	Description	Total Estimated Cost	Total Contract Cost To-Date
A	Street Improvements	$ 3,661,912.83	$ 3,391,027.30
B	Storm Sewer Improvements	$ 447,589.50	$ 455,030.65
C	Pond/Outfall Improvements	$ 138,429.00	$ 78,242.75
D	Sanitary Sewer Improvements	$ 36,660.00	$ 28,250.00
E	Watermain Improvements	$ 311,095.00	$ 229,104.60
F	Allowances	$ 120,000.00	$ 31,450.00
	Total Base Bid	$ 4,715,686.33	$ 4,213,105.30
	Change Order No. 3	$ 11,937.75	$ 11,937.75
	Change Order No. 4	$ 108,188.59	$ 108,188.59
	Total Contract Amount	$ 4,835,812.67	
	Contract Work Completed To Date		$ 4,333,231.64
	Retainage (1.0%)		$ 43,332.32
	Previous Payments		$ 3,969,569.50
	Amount Due This Partial Payment #10		$ 320,329.82

AGENDA ITEM 4G

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Plan of Dissolution and Distribution of Assets of the Gun Club Lake Watershed Management Organization

Meeting Date:	December 9, 2013
Item Type:	Consent
Contact:	Scott D. Thureen, 651.450.2571
Prepared by:	Scott D. Thureen, Public Works Director
Reviewed by:	SDT

Fiscal/FTE Impact:

X	None
	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
	Other: Pavement Management Fund, State-Aid Funds

PURPOSE/ACTION REQUESTED

Consider approval of a plan of dissolution and distribution of assets of the Gun Club Lake Watershed Management Organization.

SUMMARY

At its October 14, 2013 meeting, the City Council adopted a resolution terminating the Joint Powers Agreement for the Gun Club Lake Watershed Management Organization. The plan will be considered by the two other member cities, Eagan and Mendota Heights.

The attached plan was prepared by the City Attorneys for Inver Grove Heights and Eagan. It presents the necessary actions, and the individuals responsible for their implementation, to dissolve the Gun Club Lake Watershed Management Organization and to distribute the funds it holds.

I recommend approval of the plan. A companion agenda item and resolution will present a new Joint Powers Agreement between Inver Grove Heights and Eagan to establish a replacement watershed management organization.

SDT/kf
Attachment: Plan

PLAN OF DISSOLUTION AND DISTRIBUTION FOR GUN CLUB LAKE WATERSHED

WHEREAS, the Cities of Eagan, Inver Grove Heights and Mendota Heights (hereinafter collectively hereinafter referred to as the "Cities") created a watershed management organization known as the "Gun Club Lake Watershed Management Organization" (hereinafter the "WMO"); and

WHEREAS, pursuant to Section 11, Subdivision 2 of the Joint Powers Agreement establishing the WMO, the Cities have elected to dissolve the WMO and through their councils have adopted appropriate resolutions to dissolve the WMO effective January 14, 2014, or such later date as may be needed to carry out the duties of the WMO; and

WHEREAS, the Cities desire to adopt an orderly plan of dissolution and distribution of the assets of the WMO.

NOW, THEREFORE, in consideration of the foregoing, the Cities hereby agree to direct the WMO as follows:

1. RECORDS AND ACCOUNTS OF THE WMO. The Chair and Secretary-Treasurer of the WMO are directed to take all reasonable steps to transfer records and accounts of the WMO to the City of Eagan at the following address:

   City of Eagan
   Attn: Eric Macbeth, Water Resources Manager
   3830 Pilot Knob Road
   Eagan, MN 55122

2. FUNDS HELD BY THE WMO. All funds held by the WMO, after payment of all lawful debts, shall be distributed to the Cities in proportion to the contribution made by each City pursuant to the Joint Powers Agreement.

3. AUDIT. An annual report/audit is required to be presented to the Board of Water and Soil Resources (the "BWSR") and the Chair and Secretary-Treasurer of the WMO are directed to take such efforts as may be necessary to complete the audit and provide the same to the BWSR.

4. INSURANCE POLICY. The Chair and Secretary-Treasurer of the WMO shall notify the League of Minnesota Cities Insurance Trust of the dissolution of the WMO and any premiums refunded and dividend received shall be distributed to the Cities pursuant to Paragraph 2 above.

5. RESIGNATION. All board members shall tender their resignation at their next meeting. The Chair and Secretary-Treasurer of the WMO shall have the responsibility to complete their duties as part of the winding up of the WMO.

Dated: _____

CITY OF EAGAN

By: _____
Mike Maguire
Its: Mayor

By: _____
Christina M. Scipioni
Its: City Clerk

Dated: _____

INVER GROVE HEIGHTS

By: _____
George Tourville
Its: Mayor

By: _____
Melissa Kennedy
Its: Deputy City Clerk

Dated: _____

MENDOTA HEIGHTS

By: _____
Sandra Krebsbach
Its: Mayor

By: _____
Lorri Smith
Its: City Clerk

AGENDA ITEM 4H

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution to Approve a New Joint Powers Agreement between Inver Grove Heights and Eagan that Establishes the Eagan-Inver Grove Heights Watershed Management Organization

Meeting Date:	December 9, 2013
Item Type:	Consent
Contact:	Scott D. Thureen, 651.450.2571
Prepared by:	Scott D. Thureen, Public Works Director
Reviewed by:	SDT

Fiscal/FTE Impact:

X	None
	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
	Other: Pavement Management Fund, State-Aid Funds

PURPOSE/ACTION REQUESTED

Consider resolution to approve a new Joint Powers Agreement between Inver Grove Heights and Eagan that establishes the Eagan-Inver Grove Heights Watershed Management Organization.

SUMMARY

The Gun Club Lake Watershed Management Organization (GCLWMO) was dissolved by resolutions adopted by its three member cities (Eagan, Inver Grove Heights, Mendota Heights) to terminate the Joint Powers Agreement that established the GCLWMO. This action was taken at the request of Mendota Heights. Mendota Heights desired to move its portion of land that was in the GCLWMO to the Lower Mississippi River Watershed Management Organization.

Earlier Council action tonight (coupled with similar action by Eagan and Mendota Heights) officially dissolves the GCLWMO. The attached resolution approves a new joint powers agreement between Inver Grove Heights and Eagan to form a replacement watershed management organization to be known as the Eagan-Inver Grove Heights Watershed Management Organization.

The substantive changes from the GCLWMO Joint Powers Agreement are: (1) Inver Grove Heights has two regular board members, versus one on the GCLWMO Board, and (2) voting requirements were clarified.

I recommend approval of the resolution.

SDT/kf

JOINT POWERS AGREEMENT

BETWEEN

THE CITY OF EAGAN

AND

THE CITY OF INVER GROVE HEIGHTS

ESTABLISHING THE

EAGAN-INVER GROVE HEIGHTS

WATERSHED MANAGEMENT ORGANIZATION

2014

EAGAN-INVER GROVE HEIGHTS WATERSHED
JOINT POWERS AGREEMENT

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JOINT POWERS AGREEMENT
ESTABLISHING A WATERSHED MANAGEMENT ORGANIZATION
FOR THE EAGAN-INVER GROVE HEIGHTS WATERSHED

THE PARTIES TO THIS AGREEMENT are cities that have land within the Eagan-Inver Grove Heights Watershed. This Agreement is made pursuant to the authority conferred upon the parties by Minn. Stat. §§ 471.59 and 103B.211.

1. Name. The parties hereby create and establish the Eagan-Inver Grove Heights Watershed Management Organization.

2. Purpose. The purpose of this Agreement is to provide an organization to regulate the natural water storage and retention of the Eagan-Inver Grove Heights Watershed, according to Minn. Stat. § 103B.201, to: (1) protect, preserve, and use natural surface and groundwater storage and retention systems; (2) minimize public capital expenditures needed to correct flooding and water quality problems; (3) identify and plan for means to effectively protect and improve surface and groundwater quality; (4) establish more uniform local policies and official controls for surface and groundwater management; (5) prevent erosion of soil into surface water systems; (6) promote groundwater recharge; (7) protect and enhance fish and wildlife habitat and water recreational facilities; and (8) secure the other benefits associated with the proper management of surface and ground water.

3. Definitions.

Subdivision 1. Board means the Board of Managers of the WMO as hereinafter defined.

Subdivision 2. Council means the governing body of the City of Eagan or the City of Inver Grove Heights.

Subdivision 3. Eagan-Inver Grove Heights Watershed or watershed means the area within the boundary delineated on the map, as set forth on Appendix A, as may be amended.

Subdivision 4. Manager means an individual appointed by a member to comprise and serve on the Board.

Subdivision 5. Member means the City of Eagan or the City of Inver Grove Heights.

Subdivision 6. Watershed Management Organization (WMO) means the organization established by this Agreement--the full name of which is "Eagan-Inver Grove Heights Watershed Management Organization," which shall be a public agency of its respective member cities.

4. Membership. The membership of the WMO shall consist of the cities of Eagan and Inver Grove Heights. No change in governmental boundaries, structure, organizational status or character shall affect the eligibility of either city to be represented on the Board, so long as such city continues to exist as a separate political subdivision.

5. Advisory Committees.

Subdivision 1. Citizen Advisory Committee. The Board may establish a Citizen Advisory Committee from the public at large. The Board may consult the Citizen Advisory Committee on the development, content, and implementation of the watershed management plan.

Subdivision 2. Technical Advisory Committee. The Board may establish a Technical Advisory Committee to perform such duties as delegated by the WMO. Dakota County and the Dakota County Soil and Water Conservation District may be requested to appoint a nonvoting advisory person to assist the Board and/or to serve on the Technical Advisory Committee.

6. Board of Managers.

Subdivision 1. Appointment. The governing body of the WMO shall be its Board, which shall consist of five (5) managers. The City of Eagan shall appoint three (3) managers and the City of Inver Grove Heights shall appoint two (2) managers. Each city may designate alternates if necessitated by the absence of its respective manager(s).

Subdivision 2. Eligibility or Qualification. Each council shall comply with state laws in determining the eligibility or qualification of its manager(s) and alternate(s) on the Board.

Subdivision 3. Term. Managers and alternates shall serve a three (3) year term and until their successors are appointed and qualify. A manager or alternate may not be removed from the Board prior to the expiration of the manager's term, except for just cause by the council that made the appointment. The Board of Water and Soil Resources shall be notified of all appointments to the Board and of all vacancies as required by state law. All vacancies shall be filled within ninety (90) days after they occur. The Board shall comply with state laws regarding published notice of vacancies.

Subdivision 4. Compensation. Managers shall serve without compensation from the WMO, but this shall not prevent a member from providing compensation to a manager for serving on the Board.

Subdivision 5. Organization/Structure. At the Board's first meeting and annually thereafter, the Board shall elect from its managers a Chair, Vice Chair, Secretary, Treasurer, and any other officers it deems necessary to conduct its meetings and affairs. The Chair shall preside at Board meetings, and in the absence of the Chair, the Vice Chair shall perform this duty. In the absence of the Chair or Vice Chair, the Treasurer shall preside. The Chair shall retain all rights

of a manager to speak, make motions, and vote. The Vice Chair shall assume duties when the Chair is absent and shall automatically be promoted to complete the annual term of the Chair if the then current Chair resigns or is removed from the Board. The Secretary shall certify and record the proceedings and official actions of the Board and shall supervise performance of these duties if the Board delegates them to a non-manager. The Treasurer shall oversee the Board's fiscal affairs. Except for the Chair, any manager may be elected to more than one office. At the organizational meeting or as soon thereafter as it may be reasonably done, the Board shall adopt rules and regulations governing its meetings. Such rules and regulations may be amended from time to time at either a regular or a special meeting of the Board. Meetings must be held at least annually. Unless otherwise provided by public notice, Board meetings shall be held in the council chambers of one of the members. The dates, times, and locations of meetings of the Board and the subject matter of the meetings shall be posted on the bulletin board of each member at least ten (10) days prior to the date of the meeting.

Subdivision 6. Voting. Decisions by the Board shall require a majority vote of all managers present at each meeting, each of whom shall be entitled to one vote.

Subdivision 7. Quorum. A majority of the entire Board shall constitute a quorum, but less than a quorum may adjourn a scheduled meeting. In the absence of a quorum, a scheduled meeting shall not be started, and the meeting shall be re-scheduled.

Subdivision 8. Business Address. The Board shall maintain a business office at 3830 Pilot Knob Road, Eagan, Minnesota 55122. All notices to the Board shall be delivered or served to such office.

7. Powers and Duties of the WMO.

Subdivision 1. WMO. Except as otherwise qualified or modified by this Agreement, the WMO, acting by its Board, shall have and may perform all the powers and duties expressly set forth in and reasonably implied from Minn. Stat. §§ 103B.201 to 103B.253, including:

(A) Preparing, adopting, and implementing a watershed management plan according to Minn. Stat. § 103B.231.

(B) Reviewing and approving member's local water management plans per Minn. Stat. § 103B.235.

Subdivision 2. Employees. The WMO may employ such persons as it deems necessary to accomplish its duties and powers.

Subdivision 3. Location. The WMO may contract for the necessary space to carry on its activities either with a member or elsewhere.

Subdivision 4. Materials. The WMO may acquire necessary personal property, material, and supplies to carry out its activities, powers, and duties.

Subdivision 5. Surveys. The WMO may make necessary surveys, or use other reliable surveys and data, and develop projects to accomplish the purposes for which it is organized. The WMO may enter upon lands within or without the watershed to make these surveys and investigations.

Subdivision 6. Public/Private Organizations. The WMO may cooperate or contract with the State of Minnesota or any subdivision thereof or federal agency or private or public organization to accomplish the purposes for which it is organized.

Subdivision 7. Local Improvements. The WMO may order a member to carry out its local water management plan that has been approved by the Board.

Subdivision 8. Operation/Maintenance. The WMO may acquire, operate, construct, and maintain those capital improvements as delineated in the watershed management plan adopted by the Board.

Subdivision 9. Insurance. The WMO may contract for or purchase such insurance as the Board deems necessary for the protection of the WMO.

Subdivision 10. Testing/Measuring Devices. The WMO may establish and maintain devices for testing, acquiring, and recording hydrological and water quality data within the watershed.

Subdivision 11. Technical Assistance/Local Water Management Plans. The WMO may provide any member with technical data or any other information of which the WMO has knowledge that will assist the member in preparing land use classifications or local water management plans within the watershed.

Subdivision 12. Technical Assistance/Legal. The WMO may provide legal and technical assistance in connection with litigation or other proceedings between its members and any other political subdivision, commission, board or agency relating to the planning or construction of facilities to drain or pond storm waters or relating to water quality within the watershed. A majority vote of all managers entitled to vote is required before use of WMO funds for litigation.

Subdivision 13. Reserve Funds. The WMO may accumulate reserve funds for the purposes herein mentioned and may invest funds of the WMO not currently needed for its operations.

Subdivision 14. Revenue. The WMO may collect money, subject to the provisions of this Agreement, from its members, in such amounts approved by the members and

from any other source approved by a majority of its Board; provided, however, approval of the members is not required with respect to the annual general administrative budget of the WMO pursuant to Section 8, Subdivision 3. Notwithstanding, any tax levy must be approved by each member.

Subdivision 15. Contracts. The WMO may make contracts, incur expenses, and make expenditures necessary and incidental to the effectuation of its purposes and powers.

Subdivision 16. Information Availability. The WMO's books, reports, and records shall be available for and open to inspection by its members at all reasonable times.

Subdivision 17. Amendments. The WMO may recommend changes in this Agreement to its members. Any amendments shall require ratification by both members.

Subdivision 18. Additional Powers. The WMO may exercise all other powers necessary and incidental to the implementation of the purposes and powers set forth herein and as outlined and authorized by Minn. Stat. §§ 103B.211 and 103B.253.

Subdivision 19. Supplemental Studies. Each member reserves the right to conduct separate or concurrent studies or tests at its own expense on any matter under study by the WMO.

Subdivision 20. Pollution Abatement. The Board may investigate on its own initiation or shall investigate upon petition of any member all complaints relating to pollution within the watershed covered by this Agreement. Upon a finding that the watershed is being polluted, the Board may order the member to abate this nuisance and each member agrees that it will take all reasonable action available to it under the law to alleviate the pollution and to assist in protecting and improving the water quality of surface water in the watershed.

Subdivision 21. Newsletter. In accordance with Minn. Stat. § 103B.227, the Board shall publish and distribute at least one newsletter or other appropriate written communication at least annually to residents. The newsletter or other communication must explain the WMO's water management programs and list the officers and telephone numbers.

Subdivision 22. Proposals for Services. In accordance with Minn. Stat. § 103B.227, the Board shall at least every two (2) years solicit interest proposals for legal, professional, or technical consultant services before retaining the services of an attorney or consultant or extending an annual services agreement.

Subdivision 23. Planning Activities. The Board shall coordinate its planning activities with contiguous watershed management organizations and counties conducting water planning and implementation under Minn. Stat. Ch. 103B.

Subdivision 24. Annual Report. On or before April 1, the Board shall file with the Board of Water and Soil Resources and the clerk of each member a financial activity report, an activity report, and an audit report for the previous fiscal year meeting the requirements of Minn. Stat. § 103B.231 and Minnesota Rule Part 8410.0150.

8. Finances.

Subdivision 1. Depositories/Disbursements. WMO funds may be expended by the Board according to this Agreement in a manner determined by the Board. The Board shall designate one or more national or state bank or trust companies authorized to receive deposits of public monies to act as depositories for WMO funds. In no event shall there be a disbursement of WMO funds without the signature of at least two (2) managers, one of whom shall be the Treasurer.

Subdivision 2. General Administration. Each member agrees to contribute each year to a general fund to be used for general administration purposes including, but not limited to: salaries, rent, supplies, development of an overall plan, insurance, bonds, and to purchase and maintain devices to measure hydrological and water quality data. The annual contribution by each member shall be based fifty percent (50%) on the assessed valuation of all properties within the watershed and fifty percent (50%) on its proportional area within the watershed.

Subdivision 3. Budget. On or before July 1 of each year, the Board shall adopt a general administrative budget by a majority of the Board for the ensuing year. The Secretary shall certify the budget on or before July 1 to the clerk of each member, together with a statement of the proportion of the budget to be provided by each member. Each member agrees to provide the funds required by the budget and the determination shall be conclusive.

9. Special Assessments. The WMO shall not have the power to levy special assessments. All such assessments shall be levied by the member(s) wherein the benefited land is located.

10. Duration.

Subdivision 1. Agreement Binding. Except as provided below, each member agrees to be bound by the terms of this Agreement.

Subdivision 2. Termination. This Agreement may be terminated by either member, upon one year's written notice to the other, or at any time upon the written agreement of both members. Dakota County and the Board of Water and Soil Resources must be given at least ninety (90) days advance written notice of the intent to dissolve the WMO.

Subdivision 3. Allocation of Assets Upon Termination/Dissolution. Upon termination of this Agreement or dissolution of the WMO, all property of the WMO shall be sold

and the proceeds thereof, together with monies on hand, shall be distributed to the members of the WMO. Such distribution of WMO assets shall be made in proportion to the total contribution to the WMO required by the last annual budget.

11. Effective Date. This Agreement shall be in full force and effect when both cities have executed this Agreement. Both members need not sign the same copy. The signed Agreement shall be filed with the clerk of the City of Eagan, who shall notify the clerk of the City of Inver Grove Heights in writing that it has been adopted. Prior to the effective date of this Agreement, either signatory member may rescind its approval.

[Remainder of page left intentionally blank]

IN WITNESS WHEREOF, the undersigned cities, by action of their councils, have caused this Agreement to be executed.

Approved by the City Council

_____, 2014.

CITY OF EAGAN

BY:_____
Mike Maguire
Its Mayor

AND_____
Christina M. Scipioni
Its City Clerk

Approved by the City Council

_____, 2014.

CITY OF INVER GROVE HEIGHTS

BY:_____
Its Mayor

AND_____
Its City Clerk

AGENDA ITEM 4I

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Resolution Receiving Feasibility Report, Scheduling a Public Hearing and Authorizing Preparation of Plans and Specifications for the 2014 Pavement Management Program, City Project No. 2014-09D College Trail Reconstruction and Barbara Avenue Partial Reconstruction

Meeting Date:	December 9, 2013
Item Type:	Consent
Contact:	Thomas J. Kaldunski, 651.450.2572 TJK
Prepared by:	Steve W. Dodge, Assist. City Engineer
Reviewed by:	Scott D. Thureen, Public Works Director SDT

Fiscal/FTE Impact:

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

PURPOSE/ACTION REQUESTED

Consider resolution receiving feasibility report, scheduling a public hearing, and authorizing preparation of plans and specifications for the 2014 Pavement Management Program, City Project No. 2014-09D College Trail Reconstruction and Barbara Avenue Partial Reconstruction.

SUMMARY

The project was initiated by the City Council as part of the City's Pavement Management Program (PMP). At the September 9, 2013 regular meeting the Council accepted an engineering services proposal for preparation of the feasibility study, final design services and construction services by Kimley-Horn & Associates, Inc. The project involves street reconstruction, trail and sidewalk improvements along College Trail, street reconstruction of the College Heights area streets (Bower Path, 86th Street, Bower Court, and 87th Street), and a partial reconstruction of Barbara Avenue from 80th Street to the City Hall entrance drive. The trail and sidewalk improvements follow the recommendations of the Trail Gap Study. A detailed project description is included in the attached feasibility report.

The total estimated project cost is $3,199,200. A multi-faceted funding package has been prepared in the feasibility report which includes the Pavement Management Fund, Utility Funds, Municipal State Aid, and special assessments. A preliminary assessment roll has been prepared per City Policy and the independent appraiser's special benefit recommendations. The acquisition of permanent and temporary easements is necessary for construction of the proposed trail and sidewalk improvements. Assessment agreements will be obtained for the Inver Hills Community College and the Dakota County CDA parcels.

A neighborhood meeting was held with participating residents on September 25th at City Hall. Staff received input which was incorporated into the feasibility study.

A resolution is included with language that combines City Project No. 2011-09G Barbara Avenue Partial Reconstruction and City Project No. 2014-09D College Trail Reconstruction as one project under City Project No. 2014-09D.

I recommend passage of the resolution receiving the feasibility report, scheduling a public hearing, and authorizing preparation of plans and specifications for the 2014 Pavement Management Program, City Project No. 2014-09D College Trail Reconstruction and Barbara Avenue Partial Reconstruction.

Attachments: Resolution Combining Projects
Resolution Receiving Feasibility Report and Scheduling Hearing
Project Area Map
Feasibility Report

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION COMBINING CITY PROJECT NO. 2014-09D (COLLEGE TRAIL RECONSTRUCTION) AND CITY PROJECT NO. 2011-09G (BARBARA AVENUE PARTIAL RECONSTRICTION) INTO ONE PROJECT NAMED AS CITY PROJECT NO. 2014-09D (COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION)

WHEREAS, Minnesota Statute § 429.041, Subd. 1 allows a city to combine two or more improvements in a single set of plans and specifications or a single contract.

WHEREAS, Minnesota Statute § 429.021, Subd. 2 further allows a city to combine two or more improvements in the same project and to consider the combined improvements in one project as a single proceeding under Chapter 429 of the Minnesota Statutes. Minnesota Statute § 429.021, Subd. 2 states:

> Subd. 2. Combining Improvements. An improvement on two or more streets or two or more types of improvement in or on the same street or streets or different streets may be included in one proceeding and conducted as one improvement.

WHEREAS, the City of Inver Grove Heights has been studying and evaluating City Project No. 2014-09D (College Trail Reconstruction) and has ordered a feasibility report for this particular project. This project involves, among other things, street reconstruction, street milling, construction of retaining walls and construction of pedestrian trail or sidewalk.

WHEREAS, the City of Inver Grove Heights has been studying and evaluating City Project No. 2011-09G (Barbara Avenue Partial Reconstruction) and has ordered a feasibility report for this particular project. This project involves, among other things, street reconstruction, street milling, construction of retaining walls and construction of pedestrian trail or sidewalk.

WHEREAS, the two projects identified above have similar elements and improvements and both projects are anticipated to be constructed in the 2014 construction season. Since both projects have similar improvements, it appears that cost savings can be achieved by combining both projects into a single public improvement under Chapter 429.

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

1. Pursuant to Minnesota Statute § 429.041, Subd. 1 and Minnesota Statute § 429.021, Subd. 2, City Project No. 2014-09D (College Trail Reconstruction) and City Project No. 2011-09G (Barbara Avenue Partial Reconstruction) are hereby combined into a single project and proceeding under Chapter 429 and shall hereafter be conducted as one improvement. Without limiting the foregoing, there shall be one feasibility report, one public hearing to consider ordering the project, one construction contract, one assessment roll and one assessment hearing. The name and title of the resultant single project shall be City Project No. 2014-09D (College Trail Reconstruction and Barbara Avenue Partial Reconstruction).

Adopted by the City Council of Inver Grove Heights this 9th day of December, 2013.

AYES:
NAYS:

_____
George Tourville, Mayor

ATTEST:

_____
Melissa Kennedy, Deputy City Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION RECEIVING FEASIBILITY REPORT, SCHEDULING PUBLIC HEARING AND AUTHORIZING PREPARATION OF PLANS AND SPECIFICATIONS FOR THE 2014 PAVEMENT MANAGEMENT PROGRAM CITY PROJECT NO. 2014-09D – COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION

WHEREAS, on September 9th, 2013, the City Council approved an engineering services proposal for preparation of the feasibility study, final design services and construction services by Kimley-Horn & Associates, Inc. and authorized the preparation of a feasibility report for City Project No. 2011-09G Barbara Avenue Partial Reconstruction and Project No. 2014-09D College Trail Reconstruction; and

WHEREAS, a resolution was approved that combines City Project No. 2011-09G Barbara Avenue Partial Reconstruction and City Project No. 2014-09D College Trail Reconstruction as one project under City Project No. 2014-09D College Trail Reconstruction and Barbara Avenue Partial Reconstruction; and

WHEREAS, a feasibility report has been prepared by Kimley-Horn & Associates for the Public Works Director with reference to the 2014 Pavement Management Program, City Project No. 2014-09D College Trail Reconstruction and Barbara Avenue Partial Reconstruction for the following project:

Project No.	Improvements
2014-09D	Roadway improvements (bituminous removal, subgrade excavation/correction, grading, granular subgrade, aggregate base, bituminous pavement), milling, retaining wall, concrete curb and gutter removal and replacement, new curb and gutter, new concrete sidewalk, new trail, storm sewer, sanitary sewer repairs and addition, water main replacement, water main valve and hydrant replacements, appurtenances and restoration on the following streets: **Street Reconstruction Portion** College Trail from Broderick Boulevard to Cahill Avenue, Bower Path south of College Trail, 86th Street south of Bower Path, Bower Court north of Bower Path, and 87th Street from Bower Path to approximately 500 feet west of Brooks Boulevard. **Partial Reconstruction Portion** Barbara Avenue from 80th Street East to the City Hall entrance driveway.

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

Said report is hereby received by the City Council of the City of Inver Grove Heights on December 9, 2013.

1. The City Council will consider the above-mentioned improvements in accordance with the report and assess, or tax, the abutting properties for all or a portion of the cost of the improvements, pursuant to Chapter 429 of the Minnesota Statutes at an estimated cost of $3,199,200.
2. A public hearing will be held on such improvements at 7:00 p.m. on Monday, January 27, 2014 in the City Council Chambers at 8150 Barbara Avenue and the City Clerk shall give mailed and published notice of such hearing and improvements as required by law.
3. Preparation of Plans and Specifications by Kimley-Horn & Associates, Inc. are hereby authorized.

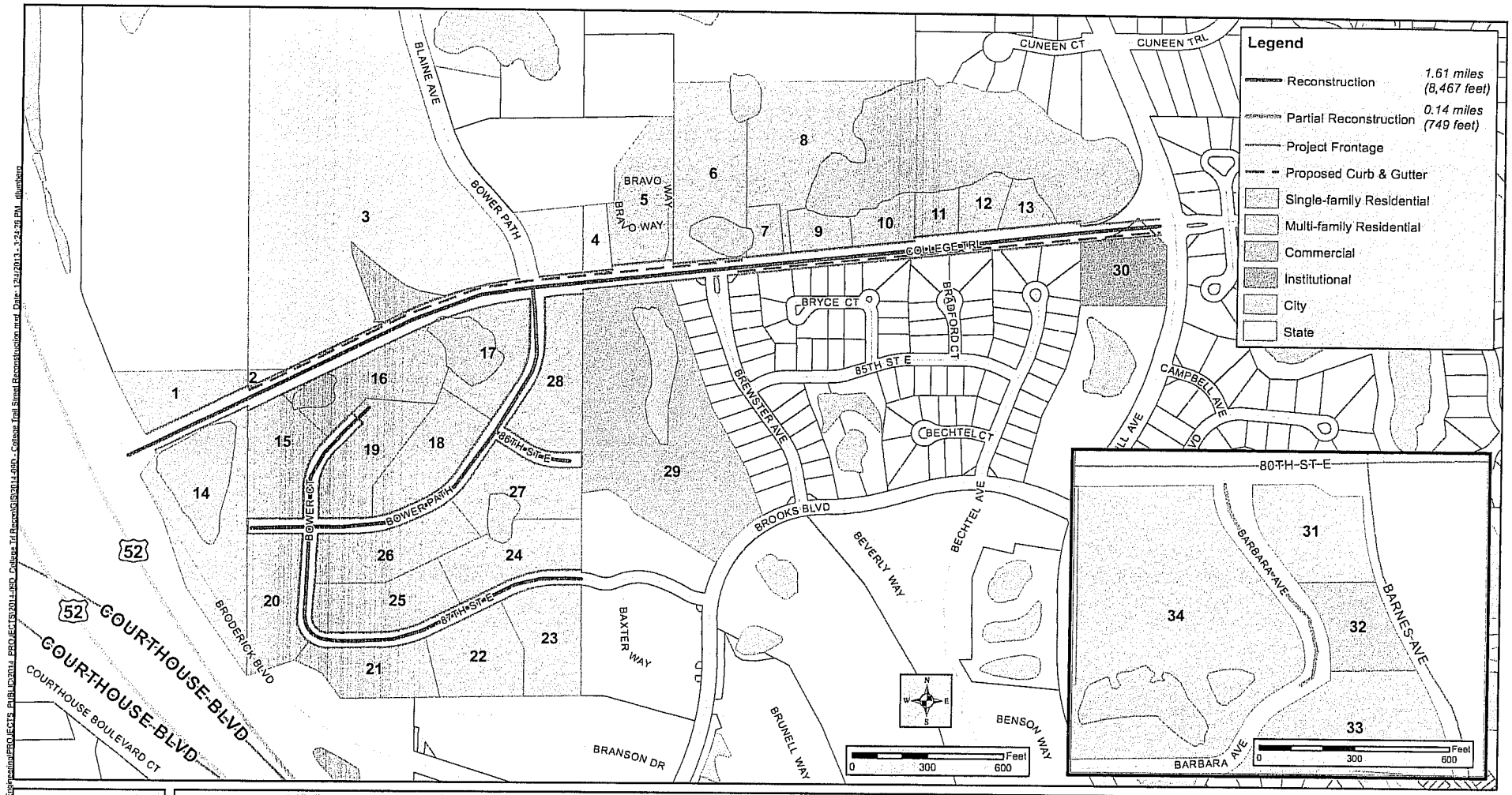
Adopted by the City Council of Inver Grove Heights this 9th day of December, 2013.

AYES:
NAYS:

_____
George Tourville, Mayor

ATTEST:

_____
Melissa Kennedy, Deputy Clerk



City of Inver Grove Heights, MN

City Project 2014-09D
College Trail Reconstruction and Barbara Avenue Partial Reconstruction

THIS DRAWING IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, INFORMATION AND DATA LOCATED IN VARIOUS CITY, COUNTY AND STATE OFFICES AND OTHER SOURCES AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE CITY OF INVER GROVE HEIGHTS IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED

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College Trail Reconstruction and Barbara Avenue Partial Reconstruction

City Project 2014-09D

Feasibility Study and Report

Prepared for:

City of Inver Grove Heights

December 2013

Kimley-Horn and Associates, Inc.

December 9, 2013

Honorable Mayor and Members of the City Council
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

Attn: Scott Thureen, P.E.
Director of Public Works

Re: Feasibility Study and Report
College Trail Reconstruction and Barbara Avenue Partial Reconstruction
City Project 2014-09D

Honorable Mayor and Members of the City Council:

The enclosed feasibility report has been prepared for the College Trail Reconstruction and Barbara Avenue Partial Reconstruction, City Project 2014-09D, as authorized at the September 9, 2013 City Council meeting. This report investigates reconstruction of roadway, utility extensions, trail construction and drainage improvements for the College Trail area. The proposed scope of work, estimated costs, financing, and schedule for the improvements are detailed in this report.

Information utilized in the preparation of this report included utility as-builts, information gathered through field reviews, GIS information, topographic survey, a public open house, property owner coordination meetings, preliminary design, and discussions with City staff. All available information was reviewed and considered to determine the feasibility of the proposed improvements.

We believe that the proposed improvements identified in this report are feasible, that they will benefit the properties in the project area, and that they will benefit the City of Inver Grove Heights.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.

Eric Fosmo

Eric Fosmo, P.E.
Project Manager

Enclosure
Cc: Tom Kaldunski, City Engineer
File 160509020

FEASIBILITY STUDY AND REPORT

FOR

CITY OF INVER GROVE HEIGHTS

COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION

CITY PROJECT 2014-09D

Kimley-Horn and Associates, Inc.
2550 University Avenue West
Suite 238N
St. Paul, MN 55114
(651) 643-0400

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am duly Licensed Professional Engineer under the laws of the State of Minnesota.

Signature: _____
Eric Fosmo, P.E.

Date: Dec. 9, 2013 Lic. No. 48761

File: 160509020

CITY OF INVER GROVE HEIGHTS
COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D

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APPENDIX A – EXHIBITS

Exhibit 1: Location Map
Exhibit 2: Proposed Improvements
Exhibit 3: Existing Typical Sections
Exhibit 4: Proposed Typical Sections
Exhibit 5: College Trail Improvements
Exhibit 6: Easement Acquisition Map
Exhibit 7: College Heights Area Reconstruction
Exhibit 8: Barbara Avenue Street Improvements

APPENDIX B – DETAILED COST ESTIMATES
APPENDIX C – COLLEGE TRAIL AREA DRAFT GEOTECHNICAL REPORT
APPENDIX D – BARBARA AVENUE GEOTECHNICAL REPORT
APPENDIX E – PRELIMINARY ASSESSMENT ROLL AND MAP
APPENDIX F – CITY TRAIL GAP STUDY MAP

CITY OF INVER GROVE HEIGHTS
COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D

EXECUTIVE SUMMARY

This feasibility study and report has been prepared for the College Trail Reconstruction and Barbara Avenue Partial Reconstruction, City Project 2014-09D. The proposed project includes the reconstruction of the following street segments:

- College Trail from Broderick Boulevard to Cahill Avenue
- Bower Path south of College Trail
- 86th Street south of Bower Path
- Bower Court north of Bower Path
- 87th Street from Bower Path to approximately 500 feet west of Brooks Boulevard
- Barbara Avenue from 80th Street East to City Hall entrance driveway

The estimated costs for the proposed improvements are detailed below. These costs include a 10% construction cost contingency and a 28% allowance for indirect costs.

College Trail Street Improvements	
Street, Trail, and Sidewalk Improvements	$2,275,500
Utility Improvements	$ 83,000
Temporary and Permanent Easement Acquisition	$ 26,500
Total College Trail Street Project Cost	**$2,385,000**
College Heights Area Street Improvements	
Street Reconstruction	$ 566,100
College Heights Area Improvements Project Cost	**$ 566,100**
Barbara Avenue Street Improvements	
Partial Street Reconstruction	$ 248,100
Total Barbara Avenue Improvements Project Cost	**$ 248,100**
Total C.P. 2014-09D Project Cost	**$3,199,200**

The improvements are proposed to be financed through a combination of Municipal State Aid (MSA) funds, City Pavement Management Program (PMP) funds, City utility funds, and assessments to benefitting property owners. The following is a preliminary financing plan:

Financing Source	**Amount**
PMP Funds	$ 810,157
MSA Funds	$1,300,000
City Utility Funds	$ 83,000
Street and Trail Assessments	$1,006,043
Total	**$3,199,200**

A more detailed financing plan is provided within the body of this report.

If the City Council chooses to accept this report and schedule a public hearing, we recommend that the following project schedule be followed:

City Council Receive Feasibility Report	December 9, 2013
Authorize Preparation of Plans and Specs	
Call Public Hearing	
Planning Commission	January 7, 2014
Neighborhood Information Meeting	January 15, 2014
Public Improvement Hearing	January 27, 2014
Council Order Project	
Approve Plans and Specs	
Authorize Advertisement for Bids	
Bid Opening	February 27, 2014
City Council Receives Revised Assessment Roll*	March 10, 2014
Call Assessment Hearing	
Neighborhood Information Meeting	April 2, 2014
Assessment Hearing	April 14, 2014
Council Awards Contract	
Begin Construction	May 5, 2014

* The proposed schedule may be modified to include an earlier contract award date and a delayed assessment hearing date based on input received at the initial public hearing on January 27, 2014.

Based upon the analysis completed as a part of this report, the proposed College Trail Reconstruction and Barbara Avenue Partial Reconstruction, City Project 2014-09D, is feasible, necessary, and cost effective, and would benefit the properties in the project area and the City of Inver Grove Heights.

We recommend the following:

A. The City Council accepts this feasibility report on December 9, 2013 and orders a public hearing for January 27, 2014.

B. After receiving the appropriate staff reports, staff information, and public hearing input, the Council makes a decision on the approval or rejection of the proposed improvements.

1. INTRODUCTION

As a part of the Pavement Management Program (PMP), the City of Inver Grove Heights is proposing to reconstruct College Trail and the College Heights area roadways. The streets within the project area were originally constructed 20-30 years ago and are in need of replacement. The City is also proposing to rehabilitate Barbara Avenue near City Hall as part of the project.

On September 9, 2013, the City Council authorized the preparation of a feasibility study for the College Trail Reconstruction and Barbara Avenue Partial Reconstruction, City Project 2014-09D. The proposed project includes the following street segments:

- College Trail from Broderick Boulevard to Cahill Avenue
- Bower Path south of College Trail
- 86th Street south of Bower Path
- Bower Court north of Bower Path
- 87th Street from Bower Path to approximately 500 feet west of Brooks Boulevard
- Barbara Avenue from 80th Street East to City Hall entrance driveway

The project location is shown in Appendix A, Exhibit 1. A proposed improvements map is provided in Appendix A, Exhibit 2.

2. PROPOSED PUBLIC IMPROVEMENTS

The following is a summary of the proposed improvements included as a part of this project.

A. <u>College Trail Improvements</u>

i. Street, Storm, Trail and Sidewalk Improvements

Based on the current condition ratings and age of College Trail, full reconstruction of the roadway from Broderick Boulevard to Cahill Avenue is recommended. Reconstruction of College Trail will generally follow the existing roadway alignment with slight modifications to the roadway profile to meet a 35 mph design speed, which is the current posted speed.

The segment of College Trail from Broderick Boulevard to Cahill Avenue is identified in the City's Trail Gap Study as a priority segment to provide continuity in the City's trail and sidewalk network. The City's Trail Gap Study Map is attached in Appendix F as a reference. This project represents an opportunity to fulfill that priority at the most economical time as it is included with the street reconstruction project.

The College Trail reconstruction will include the following improvements:

- Trail and Sidewalk

  The addition of a trail and sidewalk along one side of College Trail will require the roadway to be reconstructed as a partial urban section. The side where the trail or sidewalk is proposed will require the construction of curb and gutter with storm sewer to provide a barrier from the roadway traffic. The side without trail or sidewalk would be maintained as a rural section roadway configuration. Typical sections for the existing and proposed condition are shown in Appendix A, Exhibits 3 and 4.

  Multiple trail and sidewalk alignments were evaluated to determine the most feasible alignment for the proposed bike/pedestrian facilities. Based on preliminary level design, input from local residents, and input from City staff, the following alignment for the bike/pedestrian facilities is proposed along College Trail.

  a. Maintain the existing trail from Broderick Boulevard to the Inver Hills Community College (IHCC) along the north side of the roadway. No improvements are planned for this segment.
  b. Extend a 10-foot bituminous trail on the north side of College Trail from its current terminus at the IHCC to Brewster Avenue.
  c. Construct a pedestrian crossing at Brewster Avenue to connect into the existing and proposed sidewalks.
  d. Construct a 6-foot sidewalk on the south side of College Trail from Brewster Avenue to Cahill Avenue.

- Typical Street Section

  Generally, the existing College Trail section consists of a 24 foot wide roadway with 1 to 2 foot gravel shoulders and ditches on both sides of the roadway. The side of College Trail where no trail or sidewalk is proposed will be reconstructed as a rural section with a 12' bituminous travel lane and 4' gravel shoulder. The side of College Trail where a trail or sidewalk is proposed will be reconstructed as an urban section with curb and gutter to provide a barrier to the proposed sidewalk or trail. The proposed road section is consistent with the minimum State Aid funding requirement standards. Typical sections for the existing and proposed conditions are provided in Appendix A, Exhibits 3 and 4.

  Based on the geotechnical investigation and analysis, the proposed pavement section will include 6 inches of bituminous pavement over 6 inches of aggregate base and 24 inches of select granular borrow with drain tile. The proposed pavement sections are shown in Appendix A, Exhibit 4. The proposed bituminous trail section will consist of 3 inches of bituminous and the concrete sidewalk will consist of 6 inches of concrete. Both will be constructed over 6 inches of aggregate base.

- Bituminous Pavement Reclamation

  Consistent with previous roadway reconstruction projects in the City of Inver Grove Heights, the existing bituminous pavement will be reclaimed along with the top portion of the existing aggregate base. The reclamation process produces a material that can be used as aggregate base and can also be used as granular subgrade if properly screened. The pavement reclamation process decreases the subgrade construction costs by reusing on site materials in the new pavement section.

- Subgrade Excavation/Preparation

  The geotechnical report proposes that a sand sub-base be used in areas where the in-place soil is a clayey sand, lean clay, or sandy lean clay type. This approach includes a standard sub-cut of 2 feet, backfilled with 2 feet of select granular material below the aggregate base and bituminous pavement and drain tile. The granular material will come from on-site suitable material where possible, including reclaimed bituminous meeting the specifications, or hauled in from off-site. Where organic soils are exposed, they will be sub-cut to the underlying suitable soils with the sub-cut being backfilled with granular material. Soils found to be unstable will be corrected with sub-cutting and replacement or with scarification, drying, and re-compaction.

- Residential Driveway Reconstruction

  The reconstruction of the City streets will disturb residential driveways throughout the project area. As with other street reconstruction projects, it is the City's policy to replace a resident's driveway in-kind to the construction tie-in point which maintains a reasonable transition. All driveways will be constructed with a 6-inch crushed limestone base under a minimum of 6 inches of concrete or 2.5 inches of asphalt depending on the existing driveway material.

- No Parking Zones

  No parking zones will be implemented along College Trail to meet State Aid Standards. Separate council action to approve a no parking resolution will be required as a condition of State Aid approval.

Exhibit 5 in Appendix A shows the College Trail improvements. The geotechnical investigation report is provided in Appendix C.

ii. Drainage Improvements

Data was used to develop an existing drainage model for the project area. The existing model confirmed historic reports of flooding during large rain events and identified other deficiencies within the project area. In addition to potential expansion of ponding areas shown on Exhibit 5, additional drainage

improvements have been identified to maintain and improve the current drainage system in the area. The following are proposed to be constructed with the project:

- Driveway culvert replacements
- Sediment removal from obstructed culverts
- Box culvert replacement near new CDA development
- Culvert removal under Brewster Avenue
- The stormwater pond located at 8215 College Trail currently is a landlocked basin. Construction of an emergency overflow (EOF) culvert across College Trail will provide protection for the house to the east of the pond.
- Construction of an emergency overflow forcemain from the stormwater pond at the corner of College Trail and Bower Path to an outlet control structure located north of the Arbor Pointe Golf Course. The alignment of the proposed forcemain is shown on Exhibit 5 in Appendix A.
- Drain tile in select granular borrow material

iii. Sanitary Sewer and Watermain Improvements

A review of properties in the project area has indicated that one residence, 8271 College Trail, is not currently connected to City water or sanitary sewer service. Although a watermain stub is provided for the property, direct access to sanitary sewer is not provided as a stub to the property. As part of the project, a sanitary sewer line will be constructed and connect to the existing sanitary sewer stub from the Arbor Pointe Neighborhood.

The project improvements will also include standard upgrades and maintenance of the existing sanitary sewer and watermain infrastructure associated with the City's street reconstruction program. Sanitary sewer castings will be removed and replaced with the addition of chimney seals. Watermain gate valves and hydrants will be replaced as determined by the City's Utility Division to replace any outdated infrastructure in the project area.

The utility improvements are shown on Exhibit 5 in Appendix A.

B. <u>College Heights Area Street Improvements</u>

Bower Path, Bower Court, 86th Street and 87th Street within the College Heights neighborhood are proposed to be reconstructed consistent with the existing rural section. The proposed reconstruction of the College Heights Area roadways will include reclaiming 4 to 6 inches of the existing bituminous pavement and aggregate base section to be left in place as aggregate base. Bituminous pavement will be constructed on top of the reclaimed material layer. Bower Path west of Bower Court will not be reconstructed. After pavement removal, the area will be vegetated.

The majority of the existing ditches along the roadways are in good condition and do not require improvement. Based on field evaluations, some of the existing driveway culverts are proposed to be replaced as part of this project.

A proposed improvements map is provided as Exhibit 7 in Appendix A.

C. Barbara Avenue Improvements

Barbara Avenue is proposed to be partially reconstructed from 80th Street East to the City Hall entrance drive. As a part of the 80th Street East reconstruction project, Barbara Avenue was reconstructed to approximately 300 feet south of 80th Street East. This segment of Barbara Avenue is proposed as a 2" mill and overlay. The remaining 450' of Barbara Avenue is proposed as complete roadway removal to sub-base with new aggregate base and bituminous pavement. A portion of the curb and gutter along the project limits is in good condition and will not be reconstructed. Pedestrian ramps will be added to the City Hall driveway sidewalk.

The City is proposing a sidewalk addition along the west side of Barbara Avenue from 80th Street East to the City Hall entrance driveway. The City standard design for sidewalks is a 6' wide sidewalk with 6' of clear zone between face of curb and walk. Due to the steep slopes existing along the west side of Barbara Avenue, grading outside the right-of way within the Veteran's Memorial Community Center property is required. The existing trees along the west side of Barbara Avenue will also be relocated due to the sidewalk construction.

An improvements map is provided in Appendix A, Exhibit 8. The geotechnical investigation report is provided in Appendix D.

3. PUBLIC INVOLVEMENT

An open house meeting was held on September 25, 2013 to receive public input for the project. Meetings have also been conducted with the Dakota County Community Development Agency (CDA) and IHCC to discuss the project and gather additional input. Generally, the residents and other area stakeholders expressed their support for the proposed street improvements.

Support for the addition of a trail and/or sidewalk along College Trail was mixed amongst the area property owners. Many understood the need for pedestrian improvements along College Trail, but did not want the project to impact their property or their assessments. The CDA and IHCC expressed support for the trail as their tenants and students would use the trail on a regular basis. The CDA indicated that a trail connection to Blaine Avenue from their property would be important.

Following the public open house, the proposed trail alignment was selected to minimize property impacts and required easements to the extent possible. The proposed assessment roll shows no single family residential properties being assessed for trail and sidewalk improvements.

4. EASEMENT REQUIREMENTS

All street improvements will be constructed within existing City right-of-way. However, there are portions of the proposed trail, sidewalk and storm drainage improvements that will require the acquisition of permanent and temporary construction easements.

Exhibit 6 in Appendix A details the necessary easement acquisition for the project. Final easement limits will be identified during the final design phase on the project.

The following is an estimate of permanent and temporary easement acquisition costs for the project:

Storm Drainage
The permanent drainage easements are assumed to be dedicated at no cost to the City by the impacted property owners. Agreements with these property owners will be pursued during the final design process.

Street and Trail/Sidewalk Construction	
Permanent Easement	$ 5,000
Temporary Construction Easement	$ 21,500
Total Estimated Easement Costs	**$ 26,500**

5. ESTIMATED COSTS

The estimated costs for the College Trail Reconstruction and Barbara Avenue Partial Reconstruction, City Project 2014-09D, are detailed below. The estimated project costs include a 10% construction cost contingency and a 28% allowance for indirect costs. The indirect costs include the following items: 15% engineering, 1% fiscal, 1% legal, 3% administrative and 8% capitalized interest. Detailed cost estimates are provided in Appendix B.

	MSA Street (1) Improvements	Local Street (2) Improvements	Temporary and Permanent Easements	Total
Street, Storm, Trail, and Sidewalk Improvements	$2,275,500	$814,200	$26,500	$3,116,200
Sanitary Sewer Improvements	$32,500			$32,500
Water Main Improvements	$50,500			$50,500
Total Project Improvements	**$2,358,500**	**$814,200**	**$26,500**	**$3,199,200**

(1) College Trail Street Improvements
(2) College Heights Area and Barbara Avenue Street Improvements

6. METHOD OF FINANCING

The proposed project will receive funding from the City's Pavement Management Program fund, Municipal State Aid funds and assessments to benefitting properties as follows.

City Utility Funds

The standard maintenance improvements that are proposed for watermain and sanitary sewer will be funded out of appropriate City utility funds.

Municipal State Aid

College Trail is designated as a State Aid Route and will qualify for State Aid funding. For the purposes of this feasibility, it has been assumed that 75% of storm sewer costs and 100% of the roadway and trail/sidewalk improvements will be eligible for State Aid funding.

Pavement Management Fund

The proposed financing plan assumes a City contribution from the pavement management fund, consistent with City policy, as shown below.

Assessments

The property owners' share of the street reconstruction costs and a portion of the costs for the storm sewer construction will be funded by assessments in accordance with Minnesota Statutes Chapter 429. The City has contracted an independent benefit appraisal of the properties in the project area. The preliminary findings of the benefit appraisal are included in the assessment roll.

A preliminary assessment roll is attached in Appendix E. A summary of the proposed assessments is provided below.

	Proposed Assessments	Pavement Management Fund	Municipal State Aid	Water Utility Fund	Sewer Utility Fund	Total
Street, Storm, Trail, and Sidewalk Improvements	$1,006,043	$810,157	$1,300,000			$3,116,200
Sanitary Sewer Improvements					$32,500	$32,500
Water Main Improvements				$50,500		$50,500
Total Project Improvements	**$1,006,043**	**$810,157**	**$1,300,000**	**$50,500**	**$32,500**	**$3,199,200**

7. PROJECT SCHEDULE

If the City Council chooses to accept this report and schedule a public hearing, we recommend that the following project schedule be followed:

City Council Receive Feasibility Report	December 9, 2013
Authorize Preparation of Plans and Specs	
Call Public Hearing	
Planning Commission	January 7, 2014
Neighborhood Information Meeting	January 15, 2014
Public Improvement Hearing	January 27, 2014
Council Order Project	
Approve Plans and Specs	
Authorize Advertisement for Bids	
Bid Opening	February 27, 2014
City Council Receives Revised Assessment Roll*	March 10, 2014
Call Assessment Hearing	
Neighborhood Information Meeting	April 2, 2014
Assessment Hearing	April 14, 2014
Council Awards Contract	
Begin Construction	May 5, 2014

* The proposed schedule may be modified to include an earlier contract award date and a delayed assessment hearing date based on input received at the initial public hearing on January 27, 2014.

8. SUMMARY AND RECOMMENDATIONS

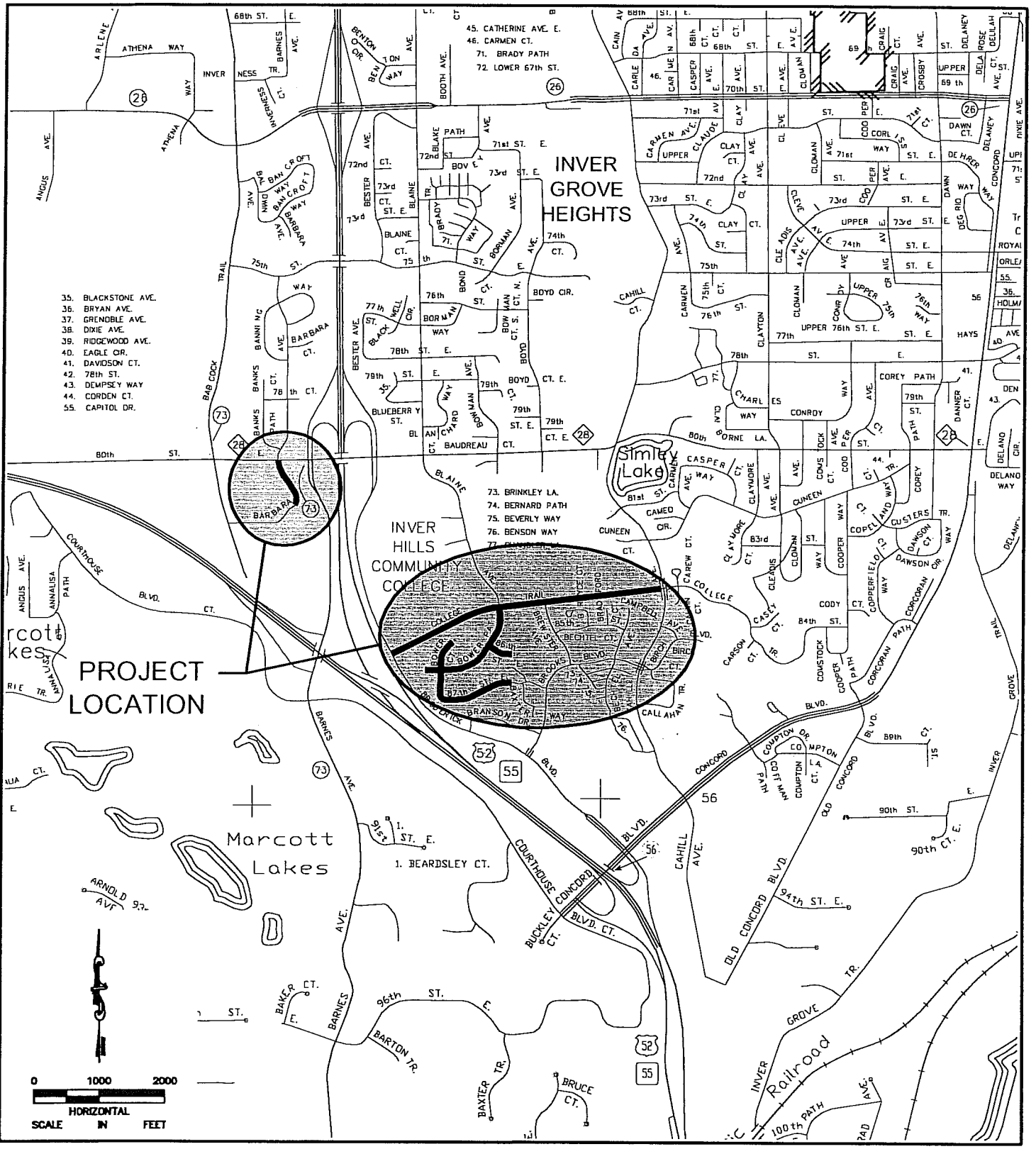
Based upon the analysis completed as a part of this report, the proposed College Trail Reconstruction and Barbara Avenue Partial Reconstruction, City Project 2014-09D are feasible, necessary, and cost effective, and will benefit the properties in the project area and the City of Inver Grove Heights.

We recommend the following:

A. The City Council accepts this feasibility report on December 9, 2013 and orders a public hearing for January 27, 2014.

B. After receiving the appropriate staff reports, staff information, and public hearing input, the Council makes a decision on the approval or rejection of the proposed improvements.

Appendix A – Exhibits



City of
Inver Grove Heights
8150 BARBARA AVENUE
INVER GROVE HEIGHTS, MN 55077-3412

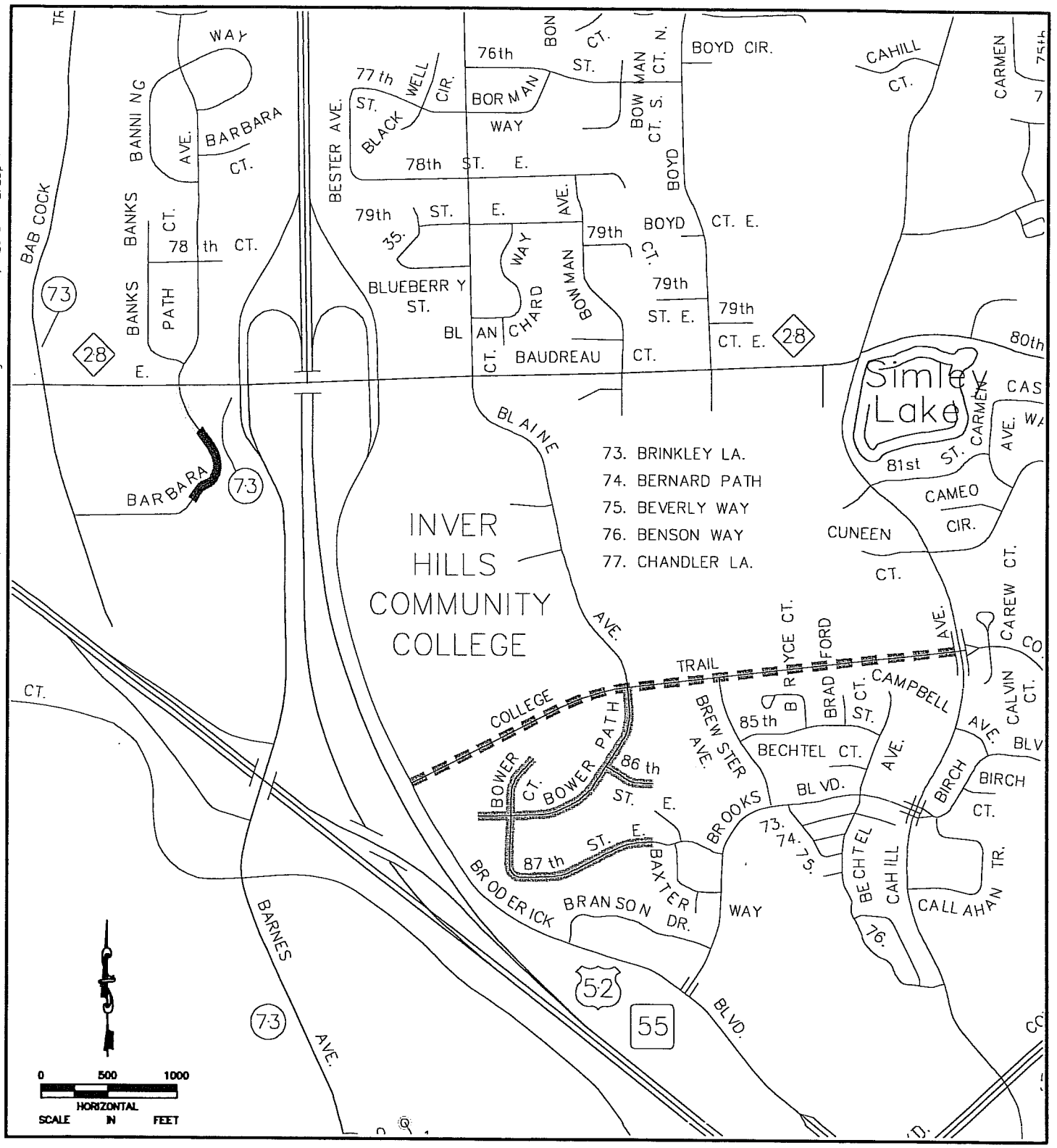
Kimley-Horn and Associates, Inc.

2550 UNIVERSITY AVE. WEST, SUITE 238N
ST. PAUL, MINNESOTA 55114

TEL. NO. (651) 645-4197

LOCATION MAP

COLLEGE TRAIL RECONSTRUCTION AND
BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D
EXHIBIT 1



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LEGEND

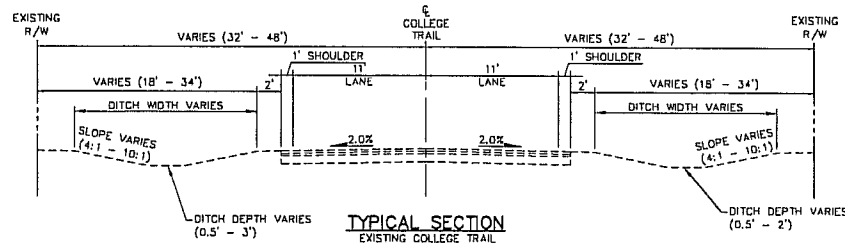
- STATE AID STREET RECONSTRUCTION
- CITY STREET RECONSTRUCTION
- CITY STREET PARTIAL RECONSTRUCTION
- CITY STREET MILL AND OVERLAY

City of
Inver Grove Heights
8150 BARBARA AVENUE
INVER GROVE HEIGHTS, MN 55077-3412

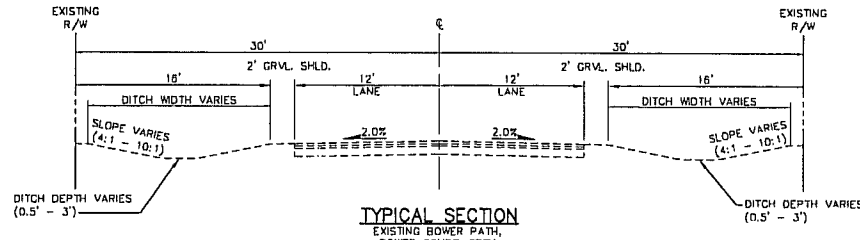
Kimley-Horn and Associates, Inc.
2550 UNIVERSITY AVE. WEST, SUITE 238N
ST. PAUL, MINNESOTA 55114
TEL. NO. (651) 645-4197

PROPOSED IMPROVEMENTS

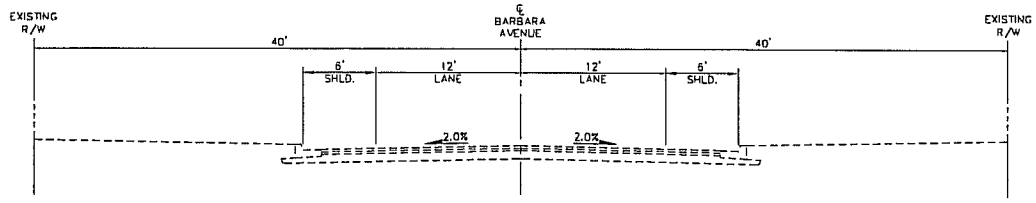
COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D
EXHIBIT 2



TYPICAL SECTION
EXISTING COLLEGE TRAIL



TYPICAL SECTION
EXISTING BOWER PATH, BOWER COURT, 87TH STREET EAST AND 86TH STREET EAST



TYPICAL SECTION
EXISTING BARBARA AVENUE

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HORIZONTAL
SCALE IN FEET

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City of
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8150 BARBARA AVENUE
INVER GROVE HEIGHTS, MN 55077-3412

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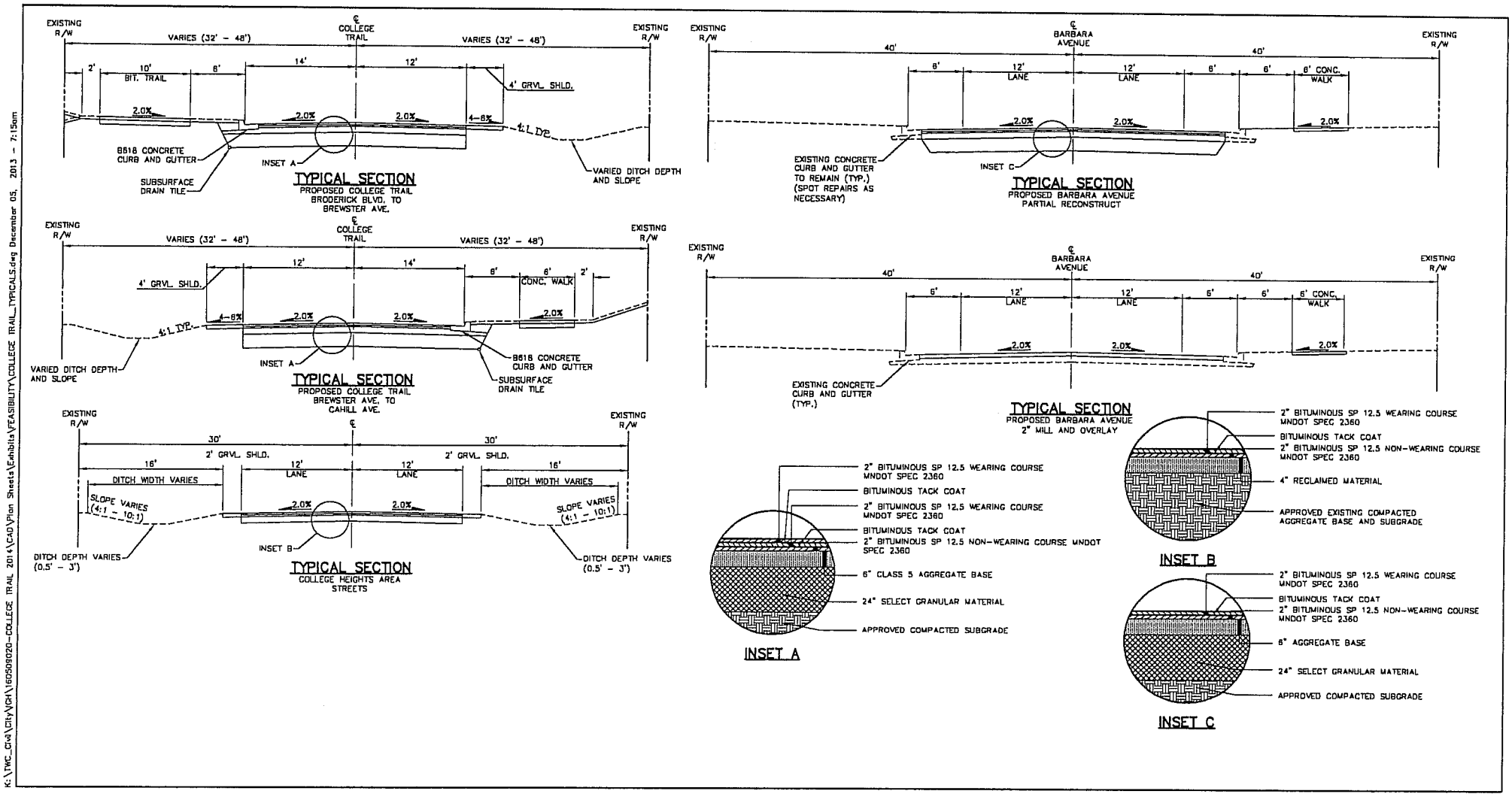
EXISTING TYPICAL SECTIONS

COLLEGE TRAIL RECONSTRUCTION AND
BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D
EXHIBIT 3



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City of
Inver Grove Heights
8150 BARBARA AVENUE
INVER GROVE HEIGHTS, MN 55077-3412

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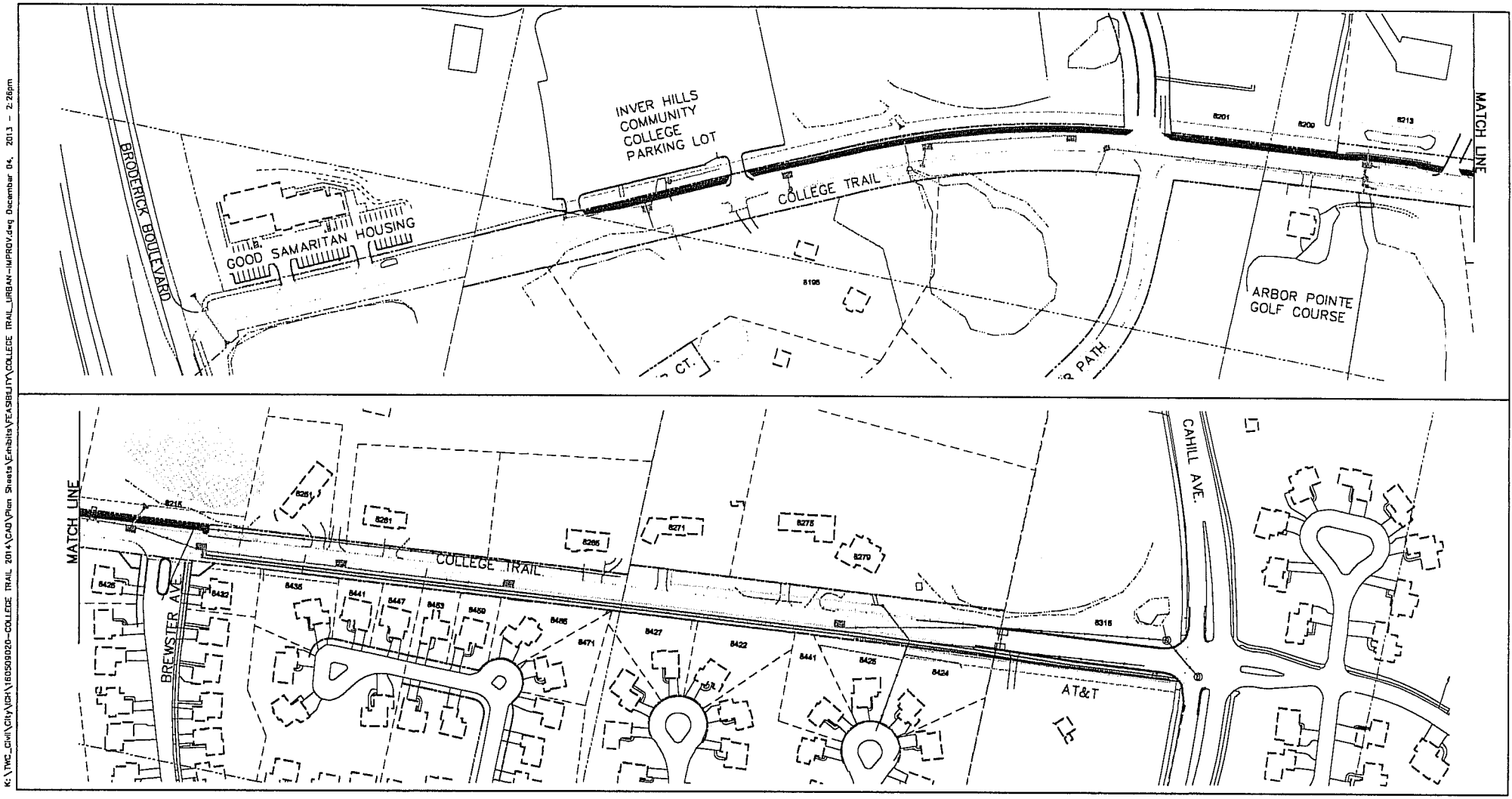
ST. PAUL, MINNESOTA 55114
TEL. NO. (651) 645-4197

0 5 10
HORIZONTAL
SCALE IN FEET

PROPOSED TYPICAL SECTIONS

COLLEGE TRAIL RECONSTRUCTION AND
BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D
EXHIBIT 4



City of
Inver Grove Heights
8150 BARBARA AVENUE
INVER GROVE HEIGHTS, MN 55077-3412

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ST. PAUL, MINNESOTA 55114
TEL. NO. (651) 645-4197

LEGEND

- PROPOSED ROAD IMPROVEMENTS
- PROPOSED ASPHALT TRAIL
- PROPOSED CONCRETE SIDEWALK
- PROPOSED CURB AND GUTTER
- PROPOSED RETAINING WALL
- PROPOSED DRAINAGE EASEMENT
- PROPOSED TEMPORARY CONSTRUCTION EASEMENT
- PROPOSED GUARD RAIL
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- STORMWATER POND/WETLAND WITH ADDITIONAL STORAGE CAPACITY
- PROPOSED PERMANENT EASEMENT

0 75 150 300
HORIZONTAL
SCALE IN FEET

COLLEGE TRAIL IMPROVEMENTS

COLLEGE TRAIL RECONSTRUCTION AND
BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D
EXHIBIT 5

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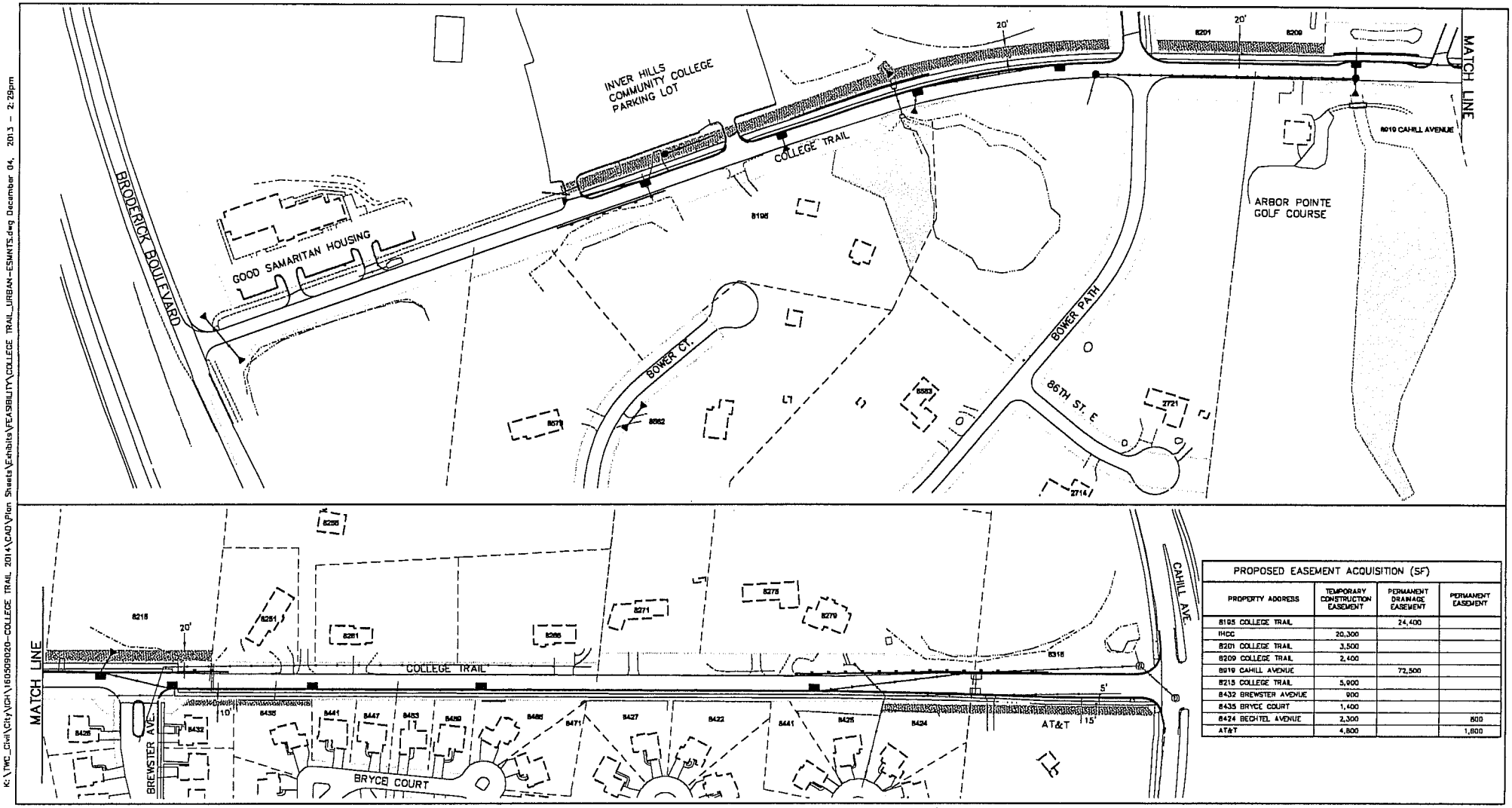

PROPOSED EASEMENT ACQUISITION (SF)			
PROPERTY ADDRESS	TEMPORARY CONSTRUCTION EASEMENT	PERMANENT DRAINAGE EASEMENT	PERMANENT EASEMENT
8195 COLLEGE TRAIL		24,400	
IHCC	20,300		
8201 COLLEGE TRAIL	3,500		
8209 COLLEGE TRAIL	2,400		
8019 CAHILL AVENUE		72,500	
8215 COLLEGE TRAIL	5,900		
8432 BREWSTER AVENUE	900		
8435 BRYCE COURT	1,400		
8424 BECHTEL AVENUE	2,300		600
AT&T	4,800		1,800

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City of
Inver Grove Heights
8150 BARBARA AVENUE
INVER GROVE HEIGHTS, MN 55077-3412

Kimley-Horn and Associates, Inc.
2550 UNIVERSITY AVE. WEST, SUITE 238N
ST. PAUL, MINNESOTA 55114
TEL. NO. (651) 645-4197

LEGEND

- EXISTING RIGHT OF WAY
- PERMANENT DRAINAGE EASEMEMENT
- TEMPORARY CONSTRUCTION EASEMENT
- PERMANENT EASEMENT

0 75 150 300
HORIZONTAL SCALE IN FEET

PROPOSED EASEMENT ACQUISITION MAP

COLLEGE TRAIL RECONSTRUCTION AND
BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D
EXHIBIT 6

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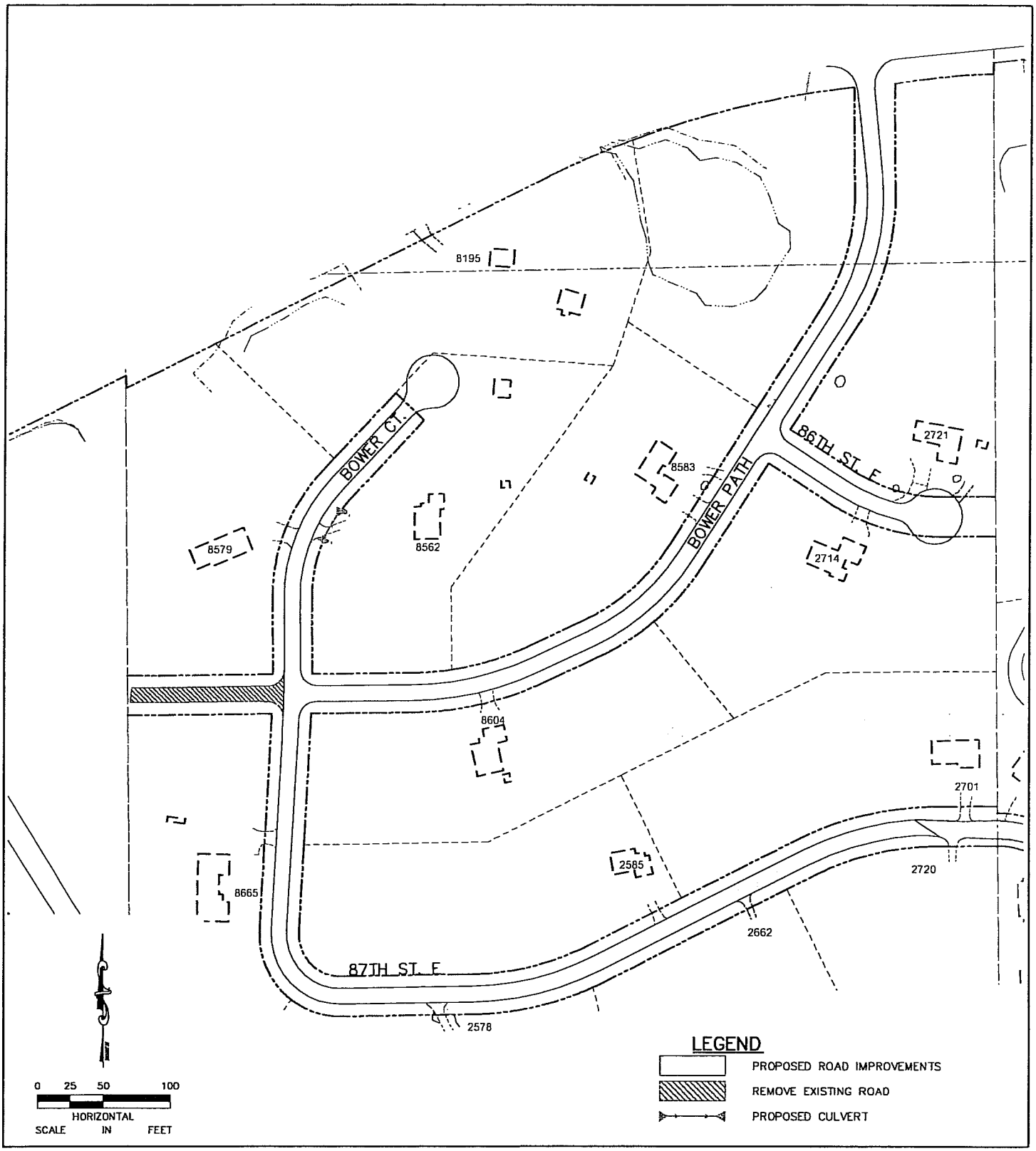

City of
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8150 BARBARA AVENUE
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Kimley-Horn
and Associates, Inc.

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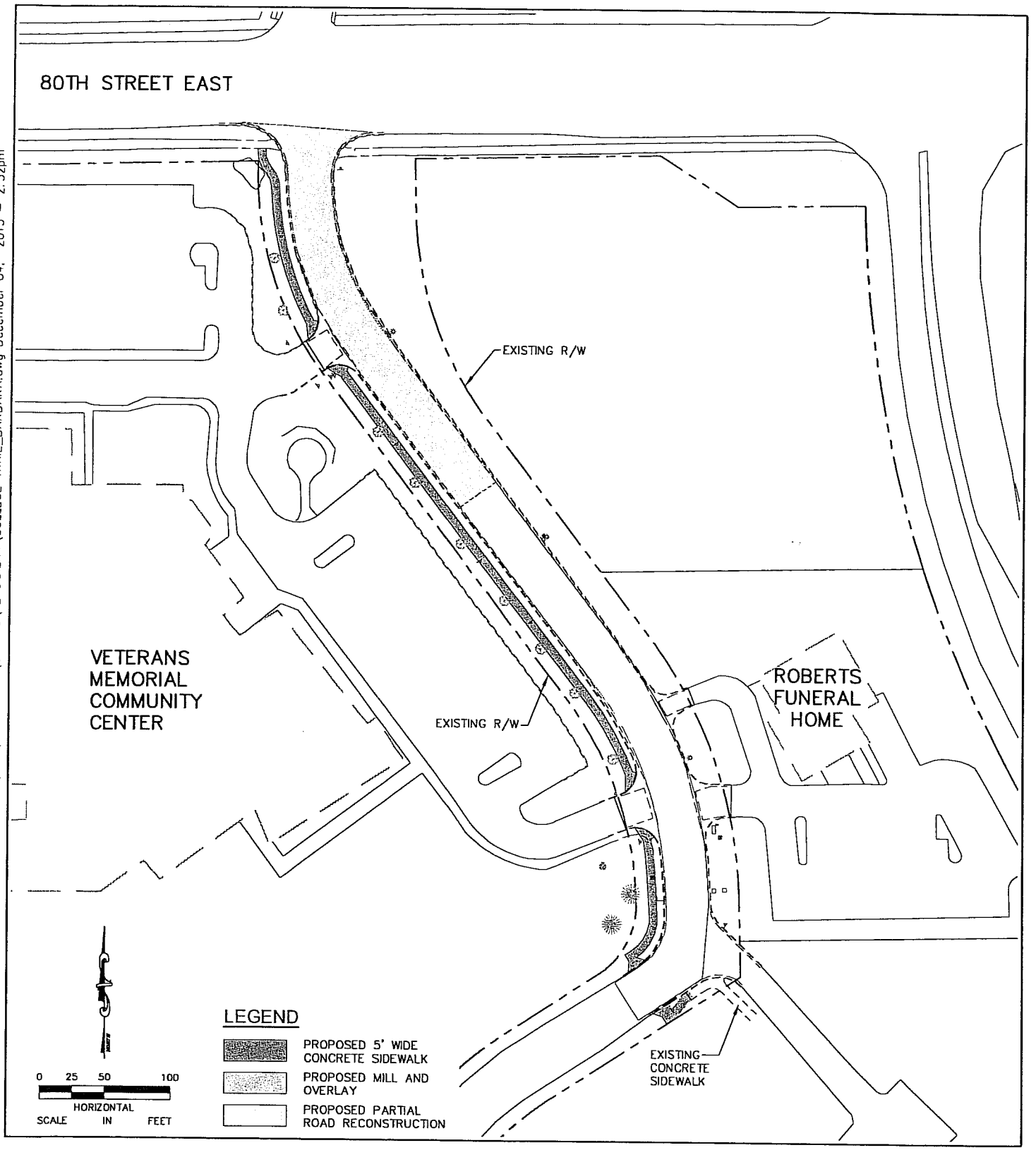
ST. PAUL, MINNESOTA 55114
TEL. NO. (651) 645-4197

COLLEGE HEIGHTS AREA RECONSTRUCTION

COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION

CITY PROJECT 2014-09D

EXHIBIT 7



City of
Inver Grove Heights
8150 BARBARA AVENUE
INVER GROVE HEIGHTS, MN 55077-3412

Kimley-Horn and Associates, Inc.
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ST. PAUL, MINNESOTA 55114
TEL. NO. (651) 645-4197

BARBARA AVENUE PARTIAL RECONSTRUCTION

COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D
EXHIBIT 8

Appendix B – Detailed Cost Estimates

FIGURE 1A

CITY OF INVER GROVE HEIGHTS
COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D

ESTIMATED COSTS
COLLEGE TRAIL IMPROVEMENTS

Item No.	Item	Units	Quantity	Unit Price	Amount
STREET IMPROVEMENTS					
1	MOBILIZATION	LS	1	$ 50,000	$ 50,000
2	CLEARING AND GRUBBING	LS	1	$ 2,500	$ 2,500
3	REMOVE BITUMINOUS CURB	LF	200	$ 5	$ 1,000
4	REMOVE BITUMINOUS PAVEMENT	SY	14,000	$ 2.50	$ 35,000
5	REMOVE PIPE CULVERTS	LF	300	$ 10	$ 3,000
6	REMOVE BOX CULVERT	LF	40	$ 50	$ 2,000
7	REMOVE DRIVEWAY PAVEMENT	SY	900	$ 5	$ 4,500
8	SAWING PAVEMENT (FULL DEPTH)	LF	700	$ 3	$ 2,100
9	MISCELLANEOUS REMOVALS	LS	1	$ 10,000	$ 10,000
10	COMMON EXCAVATION	CY	13,800	$ 9	$ 124,200
11	SELECT TOPSOIL BORROW	CY	1,100	$ 25	$ 27,500
12	SELECT GRANULAR BORROW WITH DRAIN TILE (CV) (24")	CY	9,300	$ 12	$ 111,600
13	AGGREGATE BASE, CLASS 5 (6")	CY	2,600	$ 30	$ 78,000
14	AGGREGATE SURFACING (8")	TON	800	$ 12	$ 9,600
15	TYPE SP 12.5 NON-WEARING COURSE MIXTURE (B) (2")	TON	1,700	$ 70	$ 119,000
16	TYPE SP 12.5 WEARING COURSE MIXTURE (B) (4" ROAD, 4" DRIVEWAY)	TON	3,500	$ 75	$ 262,500
17	CONCRETE DRIVEWAY PAVEMENT	SY	300	$ 35	$ 10,500
18	PIPE CULVERT	LF	300	$ 50	$ 15,000
19	18" RC PIPE SEWER DES 3006 CL III	LF	300	$ 35	$ 10,500
20	18" RC PIPE APRON	EACH	6	$ 550	$ 3,300
21	CLEAN OUT CULVERT	LF	200	$ 50	$ 10,000
22	GUARDRAIL	LF	800	$ 75	$ 60,000
23	MISCELLANEOUS CITY ALLOWANCES	LS	1	$ 15,000	$ 15,000
24	TRAFFIC CONTROL	LS	1	$ 10,000	$ 10,000
25	TURF ESTABLISHMENT	LS	1	$ 15,000	$ 15,000
26	EROSION CONTROL	LS	1	$ 15,000	$ 15,000
27	SIGNING/STRIPING	LS	1	$ 10,000	$ 10,000
	Subtotal				**$ 1,016,800**
	10% Construction Contingency				$ 101,700
	28% Indirect Cost				$ 284,800
	Total Street Improvements Cost				**$ 1,403,300**
STORM DRAINAGE IMPROVEMENTS					
1	MOBILIZATION	LS	1	$ 2,000	$ 2,000
2	ADJUST CASTING	EACH	2	$ 500	$ 1,000
3	8" FORCEMAIN	LF	542	$ 50	$ 27,100
4	CONSTRUCT DRAINAGE STRUCTURE DES 48-4020	EA	2	$ 3,000	$ 6,000
	Subtotal				**$ 36,100**
	10% Construction Contingency				$ 3,700
	28% Indirect Cost				$ 10,200
	Total Storm Drainage Improvements Cost				**$ 50,000**

FIGURE 1B

CITY OF INVER GROVE HEIGHTS
COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D

ESTIMATED COSTS
COLLEGE TRAIL IMPROVEMENTS

Item No.	Item	Units	Quantity	Unit Price	Amount
SIDEWALK AND TRAIL EXTENSION IMPROVEMENTS					
1	MOBILIZATION	LS	1	$ 16,000	$ 16,000
2	COMMON EXCAVATION	CY	3,800	$ 9	$ 34,200
3	CLEARING AND GRUBBING	LS	1	$ 7,500	$ 7,500
4	SELECT TOPSOIL BORROW	CY	400	$ 25	$ 10,000
5	BITUMINOUS TRAIL (3" BIT, 6" CLASS 5)	SF	17,900	$ 2.50	$ 44,750
6	6" CONCRETE SIDEWALK (6" CLASS 5)	SF	11,400	$ 5	$ 57,000
7	CHAIN LINK FENCE	LF	600	$ 25	$ 15,000
8	MODULAR BLOCK RETAINING WALL	SF	4,300	$ 35	$ 150,500
9	TURF ESTABLISHMENT	LS	1	$ 10,000	$ 10,000
	Subtotal				**$ 344,950**
	10% Construction Contingency				$ 34,500
	28% Indirect Cost				$ 96,600
	Total Sidewalk and Trail Extension Improvements Cost				**$ 476,100**
STORM SEWER AND POND IMPROVEMENTS FOR TRAIL/SIDEWALK					
1	MOBILIZATION	LS	1	$ 10,000	$ 10,000
2	15" RC PIPE SEWER DES 3006 CL V	LF	800	$ 30	$ 24,000
3	18" RC PIPE SEWER DES 3006 CL III	LF	900	$ 35	$ 31,500
4	24" RC PIPE SEWER DES 3006 CL III	LF	350	$ 40	$ 14,000
5	15" RC PIPE APRON	EACH	2	$ 500	$ 1,000
6	18" RC PIPE APRON	EACH	2	$ 550	$ 1,100
7	24" RC PIPE APRON	EACH	4	$ 750	$ 3,000
8	3' X 2' CATCH BASIN	EA	4	$ 2,500	$ 10,000
9	CONSTRUCT DRAINAGE STRUCTURE DES 48-4020	EA	6	$ 3,000	$ 18,000
10	CONSTRUCT DRAINAGE STRUCTURE DES 60-4020	EA	1	$ 5,000	$ 5,000
11	5X5 PRECASE CONCRETE BOX CULVERT	LF	20	$ 1,000	$ 20,000
12	STORMWATER POND IMPROVEMENTS	LS	1	$ 50,000	$ 50,000
13	CONNECT TO EXISTING STORM SEWER	EA	3	$ 650	$ 1,950
	Subtotal				**$ 189,550**
	10% Construction Contingency				$ 19,000
	28% Indirect Cost				$ 53,100
	Total Storm Sewer and Pond Improvements Cost				**$ 261,700**
CURB AND GUTTER IMPROVEMENTS FOR TRAIL/SIDEWALK					
1	MOBILIZATION	LS	1	$ 3,000	$ 3,000
2	CONCRETE CURB & GUTTER DES B618 (INCLUDES AGGREGATE BASE)	LF	4,300	$ 14	$ 58,050
	Subtotal				**$ 61,050**
	10% Construction Contingency				$ 6,200
	28% Indirect Cost				$ 17,100
	Total Curb and Gutter Improvements Cost				**$ 84,400**

FIGURE 1C

CITY OF INVER GROVE HEIGHTS
COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D

ESTIMATED COSTS
COLLEGE TRAIL IMPROVEMENTS

Item No.	Item	Units	Quantity	Unit Price	Amount
SANITARY SEWER IMPROVEMENTS					
1	MOBILIZATION	LS	1	$ 1,000	$ 1,000
2	8" PVC PIPE SEWER, SDR 35	LF	400	$ 30	$ 12,000
3	4" PVC SANITARY SERVICE PIPE, SCHEDULE 40	LF	50	$ 20	$ 1,000
4	SANITARY SEWER MANHOLE (48")	EACH	1	$ 6,500	$ 6,500
5	ADJUST CASTING WITH CHIMNEY SEAL	EACH	5	$ 500	$ 2,500
6	CONNECT TO EXISTING SANITARY SEWER	EACH	1	$ 500	$ 500
	Subtotal				**$ 23,500**
	10% Construction Contingency				$ 2,400
	28% Indirect Cost				$ 6,600
	Total Sanitary Sewer Improvements Cost				**$ 32,500**
WATERMAIN IMPROVEMENTS					
1	MOBILIZATION	LS	1	$ 2,000	$ 2,000
2	REPLACE HYDRANT	EACH	9	$ 3,500	$ 31,500
3	REPLACE GATE VALVE	EACH	2	$ 1,500	$ 3,000
	Subtotal				**$ 36,500**
	10% Construction Contingency				$ 3,700
	28% Indirect Cost				$ 10,300
	Total Watermain Improvements Cost				**$ 50,500**
	Total Permanemt and Temporary Easement Cost				**$ 26,500**
	TOTAL COLLEGE TRAIL RECONSTRUCTION IMPROVEMENTS				**$ 2,385,000**

FIGURE 2

CITY OF INVER GROVE HEIGHTS
COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D

ESTIMATED COSTS
COLLEGE HEIGHTS AREA IMPROVEMENTS

Item No.	Item	Units	Quantity	Unit Price	Amount
1	MOBILIZATION	LS	1	$ 20,000	$ 20,000
2	REMOVE DRIVEWAY PAVEMENT	SY	500	$ 5	$ 2,500
3	REMOVE PIPE CULVERTS	LF	200	$ 10	$ 2,000
4	SAWING PAVEMENT (FULL DEPTH)	LF	300	$ 3	$ 900
5	MISCELLANEOUS REMOVALS	LS	1	$ 5,000	$ 5,000
6	BITUMINOUS PAVEMENT RECLAMATION	SY	12,300	$ 2.50	$ 30,750
7	COMMON EXCAVATION	CY	4,100	$ 9	$ 36,900
8	SELECT GRANULAR BORROW (CV) (24")	CY	900	$ 12	$ 10,800
9	SELECT TOPSOIL BORROW	CY	300	$ 25	$ 7,500
10	AGGREGATE BASE, CLASS 5 (2")	CY	700	$ 30	$ 21,000
11	AGGREGATE SURFACING (8")	TON	700	$ 12	$ 8,400
12	TYPE SP 12.5 NON-WEARING COURSE MIXTURE (B) (2")	TON	1,500	$ 70	$ 105,000
13	TYPE SP 12.5 WEARING COURSE MIXTURE (B) (2" ROAD, 4" DRIVEWAY)	TON	1,600	$ 75	$ 120,000
14	CONCRETE DRIVEWAY PAVEMENT	SY	100	$ 35	$ 3,500
15	PIPE CULVERT	LF	110	$ 30	$ 3,300
16	TRAFFIC CONTROL	LS	1	$ 10,000	$ 10,000
17	TURF ESTABLISHMENT	LS	1	$ 10,000	$ 10,000
18	EROSION CONTROL	LS	1	$ 10,000	$ 10,000
19	SIGNING/STRIPING	LS	1	$ 2,500	$ 2,500
	Subtotal				**$ 410,050**
	10% Construction Contingency				$ 41,100
	28% Indirect Cost				$ 114,900
	TOTAL COLLEGE HEIGHTS AREA IMPROVEMENTS				**$ 566,100**

FIGURE 3

CITY OF INVER GROVE HEIGHTS
COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE PARTIAL RECONSTRUCTION
CITY PROJECT 2014-09D

ESTIMATED COSTS
BARBARA AVENUE IMPROVEMENTS

Item No.	Item	Units	Quantity	Unit Price	Amount
1	MOBILIZATION	LS	1	$ 9,000	$ 9,000
2	REMOVE BITUMINOUS PAVEMENT	SY	2,000	$ 2.50	$ 5,000
3	MISCELLANEOUS REMOVALS	LS	1	$ 5,000	$ 5,000
4	SAWING BIT PAVEMENT (FULL DEPTH)	LF	200	$ 3	$ 600
5	MILL BITUMINOUS SURFACE (2.0")	SY	1,400	$ 2.50	$ 3,500
6	COMMON EXCAVATION	CY	2,200	$ 9	$ 19,800
7	SELECT TOPSOIL BORROW	CY	200	$ 25	$ 5,000
8	SELECT GRANULAR BORROW (CV) (24")	CY	1,400	$ 12	$ 16,800
9	AGGREGATE BASE, CLASS 5 (6" ROADWAY, 4" SIDEWALK)	CY	400	$ 30	$ 12,000
10	TYPE SP 12.5 NON-WEARING COURSE MIXTURE (B) (2")	TON	300	$ 70	$ 21,000
11	TYPE SP 12.5 WEARING COURSE MIXTURE (B) (2")	TON	500	$ 75	$ 37,500
12	6" CONCRETE WALK	SF	4,400	$ 5	$ 22,000
13	TRAFFIC CONTROL	LS	1	$ 2,500	$ 2,500
14	TURF ESTABLISHMENT & LANDSCAPING	LS	1	$ 10,000	$ 10,000
15	IRRIGATION SYSTEM MODIFICATION	LS	1	$ 5,000	$ 5,000
16	EROSION CONTROL	LS	1	$ 2,500	$ 2,500
17	SIGNING/STRIPING	LS	1	$ 2,500	$ 2,500
	Subtotal				**$ 179,700**
	10% Construction Contingency				$ 18,000
	28% Indirect Cost				$ 50,400
	TOTAL BARBARA AVENUE IMPROVEMENTS				**$ 248,100**

Appendix C – College Trail Area Draft Geotechnical Report

DRAFT – Subject to Change

Geotechnical Evaluation Report

Proposed Street Reconstruction Project
College Trail
Bower Path, Bower Court & 87th Street
Inver Grove Heights, Minnesota

Prepared for

City of Inver Grove Heights

Professional Certification:
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Steven B. Martin, PE
Senior Engineer
License Number: 41271
November 8, 2013

Project BL-09-04603 (College Trail)
Project SP-13-06346 (Bower Path, Bower Court, 87th Street)

Braun Intertec Corporation

Appendix D – Barbara Avenue Geotechnical Report

AMERICAN ENGINEERING TESTING, INC.

CONSULTANTS
- ENVIRONMENTAL
- GEOTECHNICAL
- MATERIALS
- FORENSICS

REPORT OF GEOTECHNICAL AND PAVEMENT TESTING, ANALYSIS, AND REVIEW

Barbara Avenue Reconstruction

Inver Grove Heights, Minnesota

AET Report No. 28-00372

Date:

November 10, 2011

Prepared for:

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

www.amengtest.com

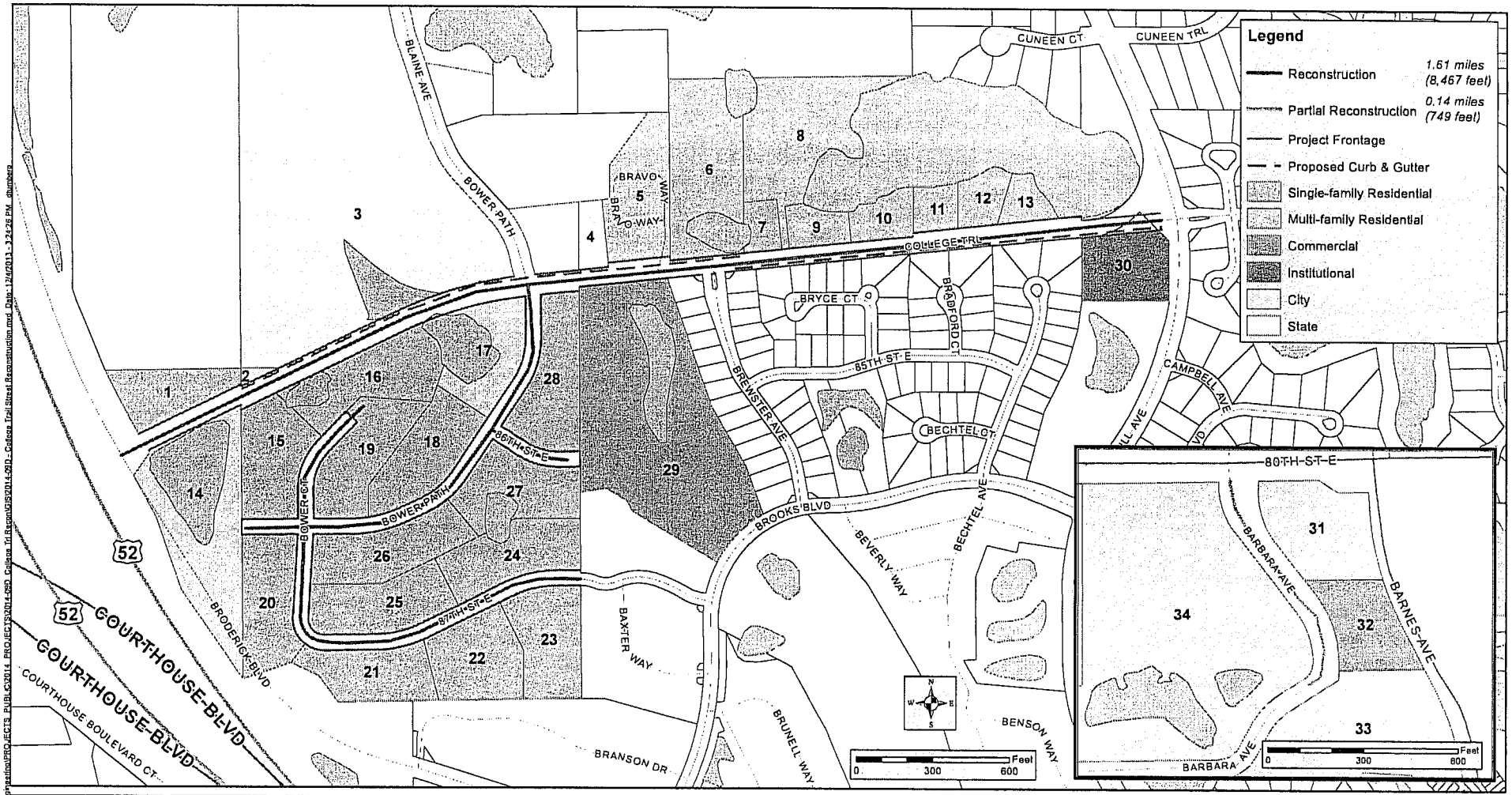
Appendix E – Preliminary Assessment Roll and Map

PREPARED BY: JDS

DATE: DECEMBER 9, 2013

2014-09D College Trail Reconstruction and Barbara Avenue Partial Reconstruction Preliminary Assessment Roll

Map ID	PID	Full Name	House Number	Street	Trail Assessment	SF Per Lot Street Assessment	NSF FF Street Assessment	Total Assessment Per-Policy	Benefit Appraisal Recommendation
1	203651501010	INVER GROVE HEIGHTS GOOD SAMARITAN	8121	COLLEGE TRL			$ 42,783	$ 42,783	$ 42,783
2	200160077020	STATE OF MN		COLLEGE TRL			$ 23,402	$ 23,402	$ 5,637
3	200160003012	STATE OF MN		COLLEGE TRL	$ 177,480		$ 158,436	$ 335,917	$ 335,917
4	200160004011	STATE OF MN		COLLEGE TRL			$ 16,120	$ 16,120	$ 16,120
5	202250101010	INVER HILLS FAMILY HOUSING LP	8360	BRAVO WAY	$ 65,996		$ 33,434	$ 99,430	$ 60,000
6	200160006022	JAMES KROMSCHROEDER	8215	COLLEGE TRL		$ 28,662		$ 28,662	$ 7,000
7	201820001010	RICHARD G & JANE M KAPLAN	8251	COLLEGE TRL		$ 28,662		$ 28,662	$ 7,000
8	201820001020	JAMES JR & HEATHER RILEY	8255	COLLEGE TRL		$ 28,662		$ 28,662	$ 7,000
9	201820001030	RICHARD D & SHARON A JACOBS	8261	COLLEGE TRL		$ 28,662		$ 28,662	$ 7,000
10	201820001040	JAMES M & LAUREEN M HANSEN	8265	COLLEGE TRL		$ 28,662		$ 28,662	$ 7,000
11	201825001060	PAUL D & SINDY A GOODWILL	8271	COLLEGE TRL E		$ 28,662		$ 28,662	$ 7,000
12	201825001071	ALAN S KELLOGG	8275	COLLEGE TRL		$ 28,662		$ 28,662	$ 7,000
13	201825001072	ROBERT J & CINDY R WILD	8279	COLLEGE TRL		$ 28,662		$ 28,662	$ 7,000
14	200160051015	CITY OF INVER GROVE HTS		COLLEGE TRL			$ 63,716	$ 63,716	$ 63,716
15	201820501010	JAMES K & BONITA J BERQUIST	8579	BOWER CT		$ 28,662		$ 28,662	$ 7,000
16	201820501020	SANDRA L TREITLINE	8195	COLLEGE TRL		$ 28,662		$ 28,662	$ 7,000
17	201820501030	CITY OF INVER GROVE HTS		COLLEGE TRL			$ 100,396	$ 100,396	$ 100,396
18	201820501040	CRAIG R DAHLKE	8583	BOWER PATH		$ 28,662		$ 28,662	$ 7,000
19	201820501050	DANIEL E & CHERYL L WEGMAN	8562	BOWER CT		$ 28,662		$ 28,662	$ 7,000
20	201820504010	RICHARD B & CAROL A BAXTER	8665	BOWER CT		$ 28,662		$ 28,662	$ 7,000
21	201820504020	GLORIA A LAWRENCE	2578	87TH ST E		$ 28,662		$ 28,662	$ 7,000
22	201820504030	SHARON K HOFFMAN	2662	87TH ST E		$ 28,662		$ 28,662	$ 7,000
23	201820504040	WILLIAM D SCOFIELD	2720	87TH ST E		$ 28,662		$ 28,662	$ 7,000
24	201820503030	MARK & CINDY NORDSTROM	2701	87TH ST E		$ 28,662		$ 28,662	$ 7,000
25	201820503040	JAN W TSTE JENSEN	2585	87TH ST E		$ 28,662		$ 28,662	$ 7,000
26	201820503010	JONG KWON & MYOUNG K CHOI	8604	BOWER PATH		$ 28,662		$ 28,662	$ 7,000
27	201820503020	ROYCE D & LYNNE M JOHNSON	2714	86TH ST E		$ 28,662		$ 28,662	$ 7,000
28	201820502010	TIMOTHY E & DIANE O RECHTZIGEL	2721	86TH ST E		$ 28,662		$ 28,662	$ 7,000
29	201187501010	ARBOR POINTE GOLF CLUB INC	8919	CAHILL AVE			$ 37,582	$ 37,582	$ 28,000
30	200150031015	FLORENCE A TSTE LUSHANKO		COLLEGE TRL	$ 38,948		$ 24,979	$ 63,927	$ 28,000
31	200160001430	CITY OF INVER GROVE HTS		BARBARA AVE			$ 39,375	$ 39,375	$ 39,375
32	200160001530	JAIME T AND JESSICA R ROBERTS	8108	BARBARA AVE			$ 34,359	$ 34,359	$ 34,359
33	203650501002	CITY OF INVER GROVE HTS		BARBARA AVE			$ 11,123	$ 11,123	$ 11,123
34	203650502001	CITY OF INVER GROVE HTS		BARBARA AVE	$ 15,200		$ 78,417	$ 93,617	$ 93,617
				TOTAL:	$ 297,624	$ 601,904	$ 664,122	$ 1,563,651	$ 1,006,043



City of Inver Grove Heights, MN

City Project 2014-09D
College Trail Reconstruction and
Barbara Avenue Partial Reconstruction

THIS DRAWING IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, INFORMATION AND DATA LOCATED IN VARIOUS CITY, COUNTY AND STATE OFFICES AND OTHER SOURCES AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE CITY OF INVER GROVE HEIGHTS IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED

Map produced by the City of Inver Grove Heights
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Document Path: Z:\PublicWorks\Engineering\PROJECTS\PROJECTS\2014-09D_College Trl\Bacon\GIS\2014-09D - College Trail Street Reconstruction.mxd Date: 12/4/2013 - 3:24:36 PM dbumberg

Appendix F – City Trail Gap Study Map

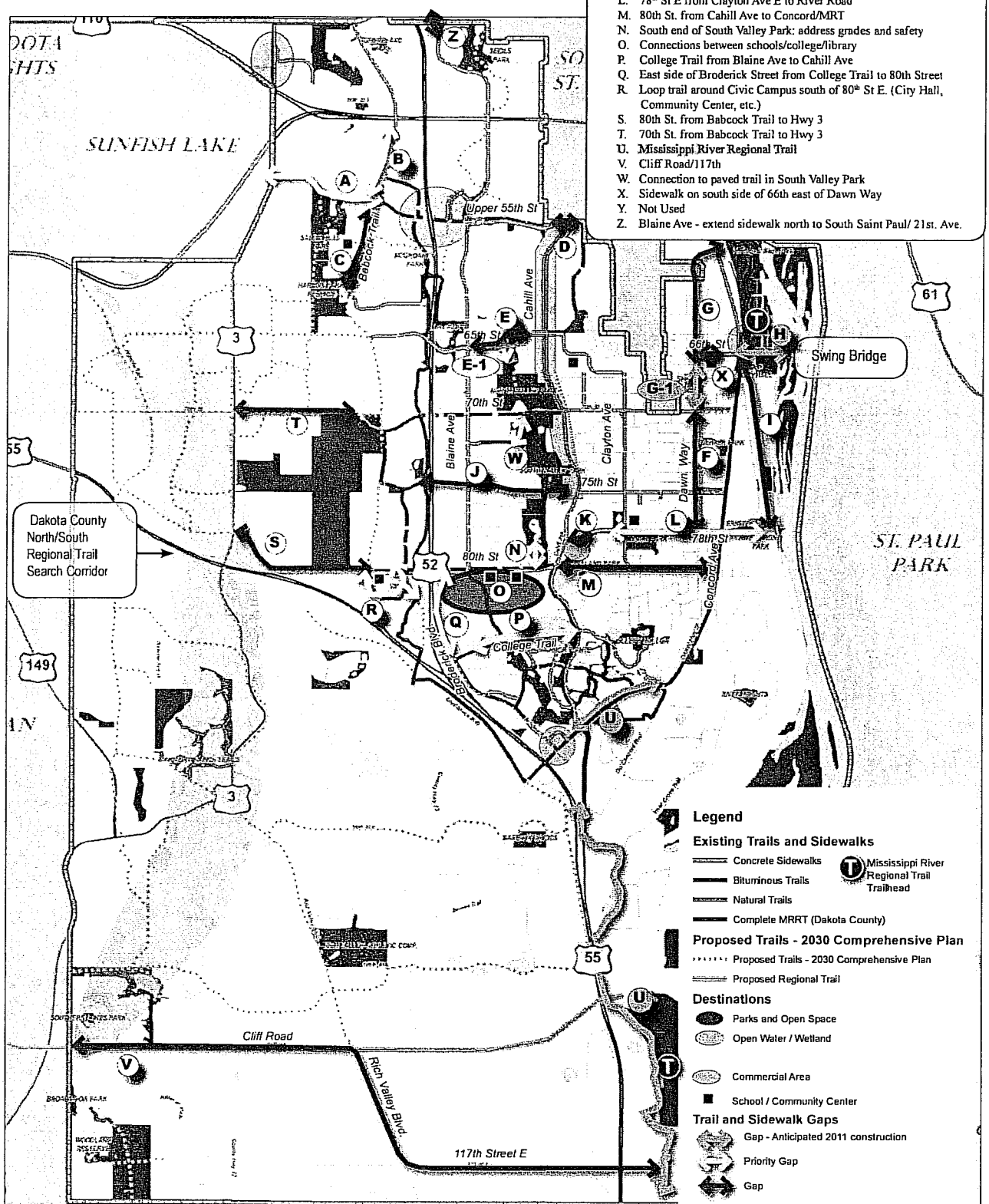
Inver Grove Heights Trail Gap Study

DRAFT 6/1/11

Trail + Sidewalk Gap Map

Pedestrian and Bicycle Gaps:

A. Upper 55th Street from Highway 3/South Robert Trail to County Highyway 73/Babcock Trail
B. County Highway 73/Babcock Trail from 494 Bridge to Upper 55th Street
C. County Highway 73/Babcock Trail Upper 55th St. to Upper 63rd St.
D. Upper 55th St. from Cahill Ave to 5th Ave South
E. Trail link between North Valley Park and Cahill: add trail on 65th St. between Blaine Ave. and Cahill Ave.
E-1 Trail link to North Valley Park: pave north end of North Valley Park Trail
F. Dawn Ave from 70th St E to 78th St E
G. Dawn Ave from 66th Street to Concord
G-1 Dawn Way from 70th St. to 65th St.
H. 66th St. from Dawn Way to the Swing Bridge
I. River Road from 66th St. E to 78th St E
J. 75th St E from Highway 52 Trail to Cahill Ave.
K. 78th St E just east of Cahill (south side sidewalk)
L. 78th St E from Clayton Ave E to River Road
M. 80th St. from Cahill Ave to Concord/MRT
N. South end of South Valley Park: address grades and safety
O. Connections between schools/college/library
P. College Trail from Blaine Ave to Cahill Ave
Q. East side of Broderick Street from College Trail to 80th Street
R. Loop trail around Civic Campus south of 80th St E. (City Hall, Community Center, etc.)
S. 80th St. from Babcock Trail to Hwy 3
T. 70th St. from Babcock Trail to Hwy 3
U. Mississippi River Regional Trail
V. Cliff Road/117th
W. Connection to paved trail in South Valley Park
X. Sidewalk on south side of 66th east of Dawn Way
Y. Not Used
Z. Blaine Ave - extend sidewalk north to South Saint Paul/ 21st. Ave.



Hoisington Koegler Group Inc.

AGENDA ITEM 4J

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Resolution Accepting Engineering Services from Kimley-Horn and Associates, Inc. for City Project No. 2014-06 – Blaine Avenue Retaining Wall Replacement

Meeting Date:	December 9, 2013		Fiscal/FTE Impact:
Item Type:	Consent	[ ]	None
Contact:	Thomas J. Kaldunski, 651.450.2572	[ ]	Amount included in current budget
Prepared by:	Thomas J. Kaldunski, City Engineer	[ ]	Budget amendment requested
Reviewed by:	Scott D. Thureen, Public Works Director	[ ]	FTE included in current complement
	SDT	[ ]	New FTE requested – N/A
		[X]	Other: Pavement Management Fund, State-Aid Funds

PURPOSE/ACTION REQUESTED

Consider resolution accepting engineering services proposal from Kimley-Horn for City Project No. 2014-06 – Blaine Avenue Retaining Wall Replacement.

SUMMARY

The existing retaining wall on the east side of Blaine Avenue (at its intersection with 80th Street East) was built in 1996, and it is leaning into the sidewalk. The attached aerial photo of the site and photo of the wall illustrate the need for the replacement of the retaining wall. The sidewalk has been temporarily closed for safety. The wall is about 360 feet long and four to eight feet tall. It extends from Blanchard Way to 80th Street. There is also a small section of the retaining wall north of Blanchard Way. Blaine Avenue is a Municipal State-Aid street.

Two firms were selected from the technical consulting pool and asked to prepare an engineering services proposal for City Project No. 2014-06 – Blaine Avenue Retaining Wall Replacement because of their experience and structural engineering services. AET will provide geotechnical services on the project. The two proposals ranged from $27,800 to $52,500.

Kimley-Horn has presented a proposal which will provide services including construction plans, assistance in securing easements, meeting state-aid standards and securing the necessary Mn/DOT/Dakota County approvals and permits. They have proposed to provide these services at a not to exceed budget of $22,800. AET has provided a proposal for geotechnical services with a budget of $5,000. A preliminary estimate indicates replacing the entire wall may cost $200,000 to $250,000, including sidewalk and boulevard restoration.

The City will provide the funding for the project through its Pavement Management Program. Mn/DOT funding allows the City to receive "after-the-fact" reimbursement for retaining walls and right-of-way on MSAS projects. These MSAS funds will reimburse the City approximately $2,700/year over the next 15 years as part of the City's annual MSAS allocation (estimated MnDOT total = $40,000).

It is recommended that the City Council authorize the engineering services as outlined in Kimley-Horn's proposal with a budget of $22,800 for engineering services and $5,000 for geotechnical services from AET. The work will be funded through the Pavement Management Fund. The Pavement Management Program fund will be reimbursed for approximately $40,000 of the cost by the City's Municipal State-Aid System (MSAS) via "after-the-fact" needs in subsequent years.

TJK/kf

Attachments: Resolution
Kimley-Horn Proposal
Site map
Wall pictures

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING CITY STAFF TO ACCEPT THE PROPOSAL OF KIMLEY-HORN AND ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES ON CITY PROJECT NO. 2014-06 – BLAINE AVENUE RETAINING WALL REPLACEMENT

WHEREAS, Kimley-Horn was retained as part of the City's professional engineering consultant pool in 2011; and

WHEREAS, the City has utilized Kimley-Horn for similar municipal projects and design proposals for street improvements; and

WHEREAS, Kimley-Horn has the professional knowledge and experience to design structural retaining walls on Municipal State-Aid projects; and

WHEREAS, staff requested, and Kimley-Horn provided, a proposal for professional engineering services on City Project No. 2014-06 – Blaine Avenue Retaining Wall Replacement with a not to exceed budget of $22,800; and

WHEREAS, AET has proposed a $5,000 budget for geotechnical services; and

WHEREAS, the funding for this work shall be provided from the Pavement Management Fund; and

WHEREAS, the Pavement Management Fund shall be partially reimbursed through the MSAS "after-the-fact" needs for retaining walls and right-of-way; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS, MINNESOTA THAT: the Public Works Director is authorized to accept the proposal of Kimley-Horn and geotechnical services by AET as outlined in the proposals.

Adopted by the City Council of Inver Grove Heights this 9th day of December 2013

AYES:
NAYS:

_____
George Tourville, Mayor

ATTEST:

_____
Melissa Kennedy, Deputy Clerk

Kimley-Horn
and Associates, Inc.

December 3, 2013

Mr. Tom Kaldunski
City Engineer
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

Re: Proposal for Engineering Services
City Project No. 2014-06 – Blaine Avenue Retaining Wall Replacement

Dear Mr. Kaldunski:

Kimley-Horn and Associates, Inc. is pleased to present this Proposal for Engineering Services for the above referenced project. Our project understanding, proposed scope of services, schedule, and estimated fee and expenses are detailed below.

Project Understanding

The City of Inver Grove Heights is seeking engineering services to design and prepare construction documents for the replacement of an existing retaining wall on the east side of Blaine Avenue from 80th Street to Blanchard Way (City Project No. 2014-06). We understand the wall is beginning to fail as indicated by the loss of wall batter and it is leaning towards the sidewalk.

The improvements are proposed to be constructed in the summer of 2014 with a completion date in mid-August 2014. We have assumed that this project will be combined with the plans and specifications for City Project 2014-09D, College Trail Area Street Improvements, and 2011-09G, Barbara Avenue Partial Street Reconstruction Improvements for bidding and construction purposes. Consistent with those projects, the Blaine Avenue Retaining Wall Replacement project will need to be approved for State Aid funding prior to bidding. The plan set will be combined as one bidding package for review by State Aid. We understand that 80th Street is a Dakota County roadway and work within the right-of-way will need to be reviewed and approved by Dakota County concurrent with the State Aid process.

The proposed retaining wall improvements will likely require temporary construction easements. Private landscaping and fencing behind the existing wall will also be impacted as part of the project. We have assumed that the City will lead the coordination with the adjacent property owners and that Gorman Surveying, as a sub-consultant to Kimley-Horn, will prepare the necessary easement exhibits and descriptions. We have also assumed that the City will perform the topographic survey work required for the design of the wall.

Kimley-Horn
and Associates, Inc.

Scope of Services

Kimley-Horn will provide the following services for the project.

Task 1 Existing Conditions

Kimley-Horn will evaluate the existing conditions of the project area through one field visit and kickoff meeting with City staff at the project site. We will review the location of the wall and gain more project specific background and understanding from City staff.

We will review the geotechnical report and design criteria that will be provided by AET. Based upon the site visit, review of the preliminary wall plans, and the geotechnical recommendations, we will determine if the wall will be a gravity wall or it will require geogrid reinforcing. We have assumed that AET will be contracted directly through the City for the geotechnical work.

Task 2 Design Retaining Wall

Kimley-Horn will design the retaining wall in accordance with MnDOT retaining wall guidelines and standard details. The retaining wall will be designed to sustain the appropriate soil loadings and will utilize the geotechnical information provided by AET. We have assumed that large block retaining wall will be utilized for the retaining wall design.

We will provide retaining wall plan development consisting of the following:

- Plan and profile for the proposed retaining wall
- Typical section for the retaining wall type anticipated
  - Large block retaining wall
- Railing details to provide pedestrian fall protection for the wall
- Structural retaining wall details including drainage and aesthetics

Exposed wall heights are anticipated to be from 0 to 6 feet, and we anticipate a 2-foot wall embedment for total wall heights of 2 to 8 feet. We anticipate two retaining wall design sections will be required to accommodate the anticipated wall heights and reinforcement. We have assumed that the wall will be a modular block wall type supported on native soils. We have assumed no soil correction will be necessary to construct the wall. We do not anticipate deep foundations for the wall.

We will submit one draft of the complete retaining wall plans to the City for review and incorporate one round of comments prior to the submission of the final certified plans. We will submit plans to MnDOT State Aid for review and will address any comments before final certification. We will provide construction quantities for each wall type for inclusion in the SEQ and bid form. We anticipate inclusion of one round of changes as a result of the Dakota County review process.

Task 3 Utility and Restoration Plans

We will prepare utility and restoration plans for infrastructure impacted by the construction of the proposed retaining wall. We have assumed these documents will include plans and details for the sidewalk construction, connection of wall drainage to the existing storm sewer, and turf establishment and restoration plans.

We will submit one draft of the plans to the City for review and incorporate one round of comments prior to the submission of the final plans. We will include quantities for inclusion in the SEQ and bid form. We will submit plans to MnDOT State Aid for review and will address comments prior to final approval. We anticipate inclusion of one round of changes as a result of the Dakota County review process.

Task 4 Easement Coordination

We have assumed this task will require coordination of temporary construction easements for up to three (3) separate parcels. We will be responsible for coordination and communication with the residents in the area including the negotiation of compensation for any easements. We will prepare up to three (3) exhibits and legal descriptions to be used in the easement agreements. We have assumed up to 20 hours of coordination time may be necessary with residents and City staff regarding any easement acquisitions required as part of the project.

Task 5 Prepare Special Provisions

We will prepare technical special provisions for the retaining wall construction and incorporate the special provisions into the project manual for City Projects 2014-09D and 2011-09G.

Task 6 Shop Drawing Review

Kimley-Horn will provide shop drawing review and conduct one site visit during the construction phase of the project. Kimley-Horn will review one round of contractor shop drawings for the retaining wall and railing. All project submittals will be transmitted and reviewed electronically in PDF format. We will conduct one site visit to observe the construction progress of the retaining walls.

Additional Services

Any services not specifically provided for in the above scope will be billed as additional services and performed at our then current hourly rates. Additional services we can provide include, but are not limited to, the following:

- Evaluation and cost estimation of alternatives
- Additional meetings other than those identified in the scope of services
- Permitting

Schedule

We will provide our services as expeditiously as practicable with the goal of meeting a mutually agreed upon schedule. We have assumed that the schedule will follow City Project 2014-09D which is currently scheduled for a bid opening date of March 27, 2014.

Kimley-Horn
and Associates, Inc.

Fee and Expenses

KHA will perform the services in Tasks 1-6 on an hourly basis with estimated costs as detailed below.

Task 1 Existing Conditions	*$ 1,000*
Task 2 Design Retaining Wall	*$ 7,500*
Task 3 Utility and Restoration Plans	*$ 4,000*
Task 4 Easement Coordination	*$ 6,000*
Task 5 Prepare Special Provisions	*$ 1,000*
Task 6 Shop Drawing Review	*$ 2,000*
Expenses	*$ 1,300*
Labor Fee plus Expense	**$ 22,800**

Kimley-Horn will not exceed the total amount identified above without authorization from the City. Individual task amounts are provided for budgeting purposes only. Kimley-Horn reserves the right to reallocate amounts among tasks as necessary.

Labor fee will be billed according to our standard rate schedule, which is subject to annual adjustment. A percentage of labor fee will be added to each invoice to cover certain other expenses including telecommunications, in-house reproduction, postage, supplies, and local mileage. All permitting, application, and similar project fees will be paid directly by the City.

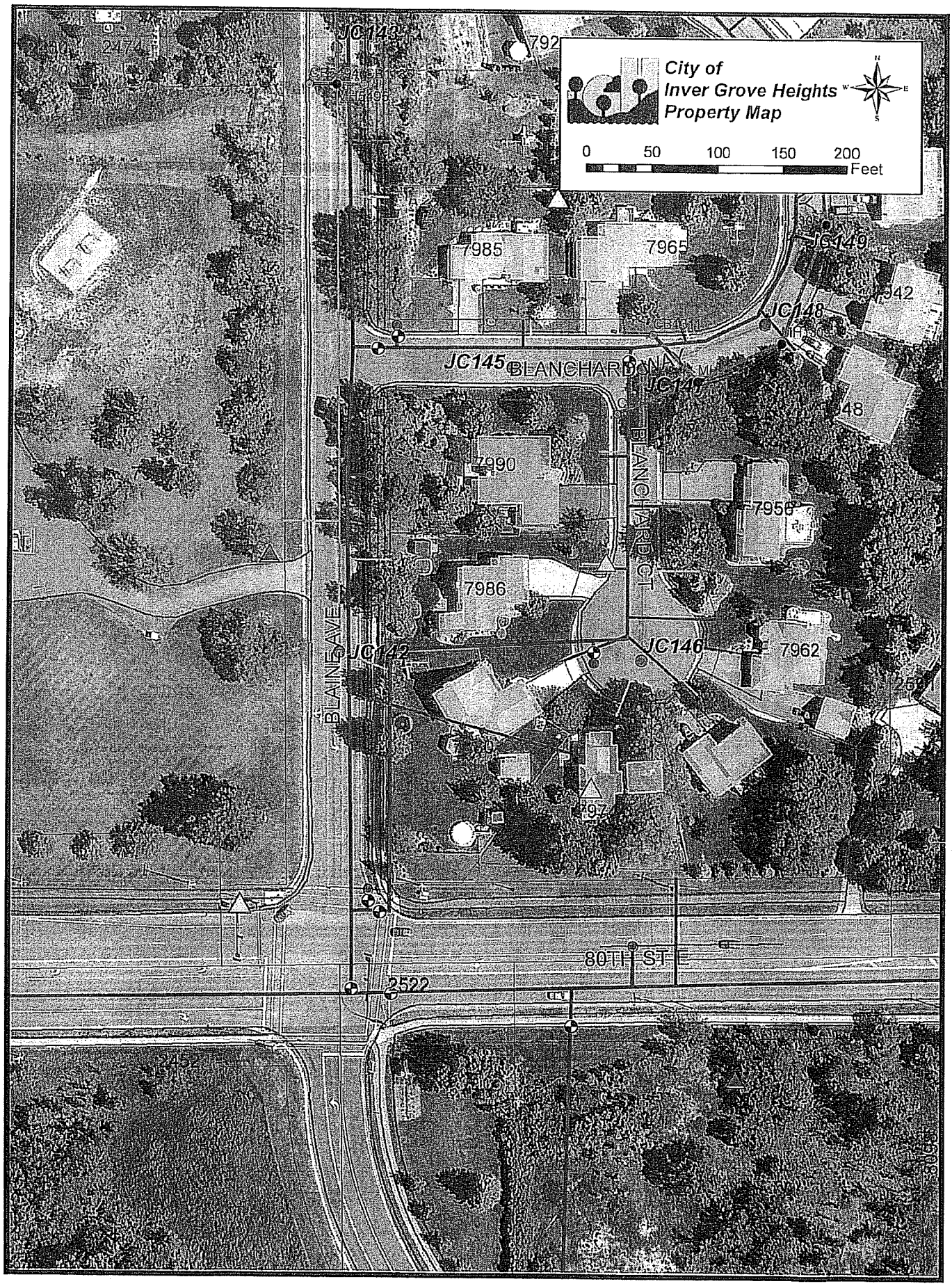
We appreciate the opportunity to provide these services to you. Please contact me if you have any questions.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

Eric Fosmo, P.E.
Project Manager

Jon B. Horn, P.E.
Vice President


City of
Inver Grove Heights
Property Map
0
50
100
150
200
Feet
JC143
JC149
JC148
JC145
BLANCHARD WAY
JC147
BLANCHARD CT
JC142
JC146
BLAINE AVE
80TH ST
7985
7965
7990
7956
7986
7962
2474
2522
2452

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: **Inver Grove Heights Mayor and Councilmembers**
FROM: **Timothy J. Kuntz, City Attorney**
DATE: **December 4, 2013**
RE: **Settlement of Dispute with WhistleTree Woods Home Owners Association - December 9, 2013 Council Meeting**

Section 1. **Background**. The WhistleTree Woods Home Owners Association (Association) filed a claim against the City with respect to certain documents that affected the plat of Whistletree Woods. The City retained attorney George Hoff as special legal counsel to represent the City. Attorney Hoff previously met with the City Council in an Executive Session covered by the attorney-client privilege. Attorney Hoff reviewed the outlines of a possible settlement with the Association. A settlement has now been reached.

Section 2. **Settlement Terms**. The salient points of the settlement are:

1. The City obtained a drainage and utility easement over Outlot D (the private road).
2. Outlot D (the private road) has been conveyed to the Association and the Association is responsible for the private road.
3. Outlots A, B and C have been conveyed to the Association and the Association has agreed to maintain the storm water ponds in Outlots A, B and C.
4. The developer still had $5,970.80 in escrow with the City. The City caused that money to be turned over to the City due to the developer default. That money will in turn be transferred to the Association to defray the Association's legal cost in correcting the Associations legal documents (which the developer was supposed to do but never did).
5. The Association, on behalf of itself and its members, releases the City from the claims that were made.
6. The City does not admit any liability.
7. The City, by its Administrator, will deliver a letter to the Association reciting that the Development Contract did in fact require the creation of an association and that all the lots owners were to be members of the Association.

633 SOUTH CONCORD STREET • SUITE 400 • SOUTH SAINT PAUL, MINNESOTA 55075 • 651-451-1831 • FAX 651-450-7384
OFFICE ALSO LOCATED IN SPOONER, WISCONSIN

Section 3. **Council Action**. This item is on the Council agenda for the December 9, 2013 meeting. The City Administrator, City Attorney and special legal counsel recommend approval.

Attachment

SETTLEMENT AGREEMENT

WHEREAS, the City of Inver Grove Heights (hereinafter "the City") approved a development entitled WhistleTree Woods, which resulted in the platting of property ultimately described as WhistleTree Woods, Lot 1, Block 1, Lots 1- 16, Block 2, and Outlots A, B, C and D (hereinafter "WhistleTree" or "the Property"); and

WHEREAS, the WhistleTree Woods Home Owners Association (hereinafter "the HOA") through attorney Rebecca Law made certain claims against the City, the City Attorney and City Planner alleging improper handling of the recording, review and administration of WhistleTree as more fully detailed in the letter of Ms. Law, dated November 10, 2012 and attached hereto as Exhibit A, which in response to, the City, its Attorney and Planner have expressly denied and continue to deny any claims of wrongdoing, of any kind or nature; and

WHEREAS, the City and the HOA have engaged in discussions concerning the claims and resolution of issues raised in Exhibit A, and all other claims to date between the HOA and the City, including the ownership of and responsibility for the Outlots; and

WHEREAS, the HOA has incurred expenses which would not have been incurred, but for the failure of the Developer of WhistleTree, WhistleTree Woods, LLC (hereinafter "the Developer"), to complete the work, principally legal fees with respect to organization of the HOA and related issues; and

WHEREAS, the City still retains approximately $6000 in cash deposited by the Developer to assure its performance under the Development Agreement between it and the City; and

WHEREAS, the HOA and the City desire by this Agreement to resolve all issues between them that exist as of this date, including, without limitation those set forth in Exhibit A, and the HOA Board of Directors, on behalf of the property owners who are members of the HOA, agrees to resolve issues between the City and the HOA on the terms set forth below.

NOW, THEREFORE, it is hereby agreed between the parties as follows:

1. **INCORPORATION.** The foregoing recitals are hereby incorporated into this Agreement.

2. **Representation and Warranty.** The HOA represents and warrants that the HOA is a duly organized non-profit corporation in good standing with the State of Minnesota and has the full authority to enter into this Agreement and make the same binding on itself and the members of the HOA.

3. **CITY LETTER.** The City shall provide to the HOA a letter on City stationery stating that the Development Agreement with the City requires that WhistleTree be a Common Interest Community under the governance of a Home Owners Association, substantially in the form attached hereto as Exhibit B. This Settlement Agreement is not intended to and does not change that requirement.

4. **OUTLOT D/UTILITY EASEMENTS.** Outlot D is the private roadway in WhistleTree, which on the date of this Agreement is owned by the HOA, subject to a drainage and utility easement in favor of the City.

5. **OUTLOTS A, B and C.** The City, at City's expense, shall deliver a Quit Claim Deed conveying Outlots A, B and C from the Developer to the HOA in the form attached as Exhibit C and the HOA shall accept and record the same. Beginning on the date of said conveyance, the HOA shall be responsible for the maintenance and improvement of Outlots A, B and C as Storm Water Facilities pursuant to the standard of maintenance set forth in the Storm Water Facilities Maintenance Agreement, recorded as Document 2106823 in Dakota County.

6. **ESCROW FUNDS.** The City shall pay to the HOA the remaining balance of the money being held in escrow for Whistletree in the amount of $5,970.80, up to the amount of the billings set forth below; provided, however, that no such payment shall be made until the HOA provides the City with billings to the HOA showing legal or other work necessary to complete the Developer's obligation under the Development Agreement, including without limitation, formation and administration of the HOA.

7. **RELEASE.** The HOA on behalf of itself and all of its members, hereby releases and discharges the City, its current and former council members, officers, attorneys, employees, agents and insurers, including without limitation the City Attorney and City Planner (hereinafter "Released Parties"), from any and all claims it may have, known or unknown, against the Released Parties which is in any way related to WhistleTree and the City approval process and administration of the same, including, without limitation claims set forth in Exhibit A. In addition, the HOA on behalf of itself and all of its members agrees that it will not at any point in the future, request or petition the City to take title to or any obligations related to Outlots A, B, C or D. Provided, however, that if any property damage occurs due to the installation, repair or maintenance of the City's public utility and drainage facilities within Outlot D, the City shall promptly replace any damaged property and/or restore any damaged part of Outlot D to its prior condition or better.

8. **NO ADMISSION OF LIABILITY.** The City, its agents, officers and employees, including the City Attorney and Planner, by entering into this Agreement are not

admitting liability or wrongdoing on their part; and expressly disclaims any such liability or wrongdoing.

9. **BINDING EFFECT.** This Agreement shall be binding upon the parties hereto, their successors and assigns and shall run with the Property in WhistleTree.

IN WITNESS WHEREOF, each party to this Settlement Agreement has caused it to be executed on the date indicated below:

WHISTLETREE WOODS HOME OWNERS ASSOCIATION,
A MINNESOTA NON-PROFIT CORPORATION

Dated: _____ , 2013.

_____

By Rebecca D. Law
the attorney-in fact for the
WhistleTree Woods Home Owners Association

State of Minnesota)

) ss

County of Dakota)

This instrument was acknowledged before me this _____ day of _____, 2013 by _____.

_____

Notary Public

CITY OF INVER GROVE HEIGHTS

Dated: _____ , 2013.

_____

By:
Its: Mayor

Dated: _____ , 2013.

_____

By:
Its: City Clerk

State of Minnesota)

ss

County of Dakota)

This instrument was acknowledged before me this _____ day of _____, 2013 by _____ and _____, the Mayor and City Clerk of the City of Inver Grove Heights, a municipal corporation under the laws of Minnesota on behalf of such municipal corporation.

_____

Notary Public

REBECCA LAW
& ASSOCIATES, LLC

Minneapolis & Suburban Real Estate
Website: www.rebeccalaw.net
2224 Sherwood Ct, Minnetonka, MN 55305-2409
Phone: 612.702.1414

rlaw@

MR

November 10, 2012

Mr. Joseph Lynch
City Administrator / City Clerk
City of Inver Grove Heights
8150 Barbara Ave
Inver Grove Heights, MN 55077

Re: Notice of Claim against City of Inver Grove Heights for Negligence and Nonfeasance

Dear Mr. Lynch,

This letter serves as notice that my clients, owners in the WhistleTree Woods plat ("WTW Owners"), have suffered damages in excess of $50,000 due to the City of Inver Grove Heights' ("City") negligence and nonfeasance which began in 2003 and has continued to the present.

As detailed below, City administrators, staff and attorneys repeatedly failed to monitor and enforce the City's Development Contract with Charles Schulz / WhistleTree Woods LLC ("Developer") for the WhistleTree Woods Plat ("Development"). In addition, the City failed to perform its own self-imposed duties required by that Development Contract. This Contract was drafted by City Attorney Timothy Kuntz and contains the notarized signatures of the Mayor George Tourville and Deputy Clerk Catherine Iago.

Due to the City's negligence and nonfeasance, the WTW Owners have none of the powers and rights of a Minnesota homeowner association and the Development is stuck in a legal quagmire. The legal problems outlined below have hurt the real estate market values of WTW Owners and their ability to sell their houses. This situation has also caused them immeasurable stress.

Although not an exhaustive list, the City's mistakes described below are the ones that have most heavily damaged the WTW Owners.

Issue #1: The City's release of the plat to the Developer.

The Development Contract repeatedly states that the City will NOT take certain actions until the Developer has complied with the requirements listed in its Exhibit E. One of the most important requirements mandates that the City shall not release the plat for recording until "the documents creating and governing the Homeowners Association have been approved by the City Attorney."

EXHIBIT A

The City apparently did release that plat because the Developer recorded it on September 10, 2003 as Document No. 2106819. So one of following scenarios must have happened immediately before that:

EITHER

1) The City improperly released the plat to the Developer for recording when the City Attorney had not approved the Homeowners Association documents. The recording of the plat enabled the Developer to then record the related Homeowners Association and other Development documents. The contents of those recorded documents caused the Development's legal problems.

OR

2) The plat was properly released to the Developer because the City Attorney did approve the Developer's Homeowners Association documents. *But those documents were so fundamentally flawed that they should never have been approved.*

Regardless of which scenario happened, the City is at fault for the legal problems that ensued.

Issue #2: Recorded documents required by the City as part of the Development were fatally flawed.

- The Declaration of Restrictions and Protective Covenants (Document No. 2106827) has no "Exhibit A" legal description of the affected real estate. Without that legal description, WTW Owners and subsequent purchasers are not bound by the Declaration and the Homeowners Association has no power to manage the Development.

- Under Minnesota law, new Homeowners Associations must be non-profit corporations. As mentioned above, the City Attorney was required to approve the documents creating the Development's Homeowners Association before the plat could be released. But the Developer never filed non-profit documents in the Minnesota Secretary of State's Office for the Homeowners Association. Instead, the Developer recorded Document No. 2106826 in the County's property records, attempting to create a for-profit corporation with shares! Therefore, all documents where the Developer signed as the President of the Homeowners Association are void because no such legal entity existed at the time. (Several years ago, the WTW Owners corrected this problem by creating a non-profit corporation.)

- The Storm Water Facilities Maintenance Agreement (Document No. 2106823) between the City and the Developer is unenforceable, due to the absence of a legal description. The document is also one example where the Developer signed as the President of a non-existent Homeowners Association. This Maintenance Agreement was drafted by City Attorney Timothy Kuntz and contains the notarized signatures of the City Mayor George Tourville and Deputy Clerk Catherine Iago.

Issue #3: The City took certain actions that exacerbated the legal problems.

The City repeatedly issued building permits and certificates of occupancy in violation of the Development Contract. These permits and certificates were specifically prohibited until the Developer had met all of the Exhibit E requirements. The City had a duty to verify that those Contract requirements had first been met before granting the permits and certificates. The City's failure to exercise proper care in this regard helped hide the City's prior mistakes, keeping the WTW Owners in the dark about the Development's legal issues.

Issue #4: The City failed to take certain actions that exacerbated the legal problems.

- The City Attorney failed to verify that the Developer had actually created a valid Homeowners Association, as required by the Development Contract and by Minnesota law. Verification would have required only a phone call or quick visit to the Secretary of State's website.

- The City failed to fulfill its own duties listed in the Development Contract. Among other things, the City failed to verify that the Developer transferred the Development's holding ponds and streets to a Homeowner Association. Earlier this year, the Developer sold the private street to a third party, further complicating matters. Several owners can testify that City staff knew about this title issue but failed to take action. Instead, some WTW Owners were told it was *their* responsibility to correct the situation.

- The City failed to timely enforce the Development Contract against the Developer, compounding the above errors. The City had several powerful enforcement mechanisms to ensure the Developer complied with that Contract, such as making claims against the Developer's multi-million dollar Letters of Credit and the withholding of building permits and certificates of occupancy.

How the WTW Owners have been Damaged by the City's Negligence and Nonfeasance.

•The City's negligence and nonfeasance regarding the Development Contract placed a cloud on the WTW Owners' title. It has been difficult for owners to sell their homes because of the Development's legal issues.

•The Development does not have a valid Homeowners Association. A Homeowners Association for the area cannot now be created unless all current owners agree and new association documents are recorded. Some WTW Owners are unwilling to be part of a Homeowners Association. Without 100% participation, an association is pointless and ineffective.

•It is unknown whether the current owners of the ponds and street outlots expect money in exchange for deeding that real estate to another entity. Regardless, WTW Owners have been paying since 2003 to maintain streets and ponds they have neither owned nor had a contractual obligation to maintain.

•WTW Owners have invested countless hours to uncover the above mistakes and to understand the consequences of the City's negligence and nonfeasance. Legal fees and other costs have been incurred. Implementing solutions to the problems caused by the City will create additional expenses.

What the WTW Owners Want from the City

1. Reimbursement of all legal fees and related costs, already incurred and to be incurred in resolving the above issues.

2. Reimbursement of all past Homeowner Association dues, property taxes, maintenance and insurance costs paid by WTW Owners to maintain the Development's holding ponds and streets.

3. The City needs to become the owner of the Development's holding ponds and streets (including street lights) and assume all future costs of maintenance and repair. The Development would then have no need for a Homeowners Association and all of the legal problems described above would be resolved.

The WTW Owners want to put this legal nightmare behind them as soon as possible. Please contact me to discuss how we can move forward to quick resolutions. Thank you.

Sincerely,

Rebecca D. Law
Rebecca Law & Associates, LLC
MN Attorney License #023526X

cc: Timothy J. Kuntz, Inver Grove Heights City Attorney
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, MN 55075

[to be placed on City letterhead]

November 13, 2013

WhistleTree Woods Home Owners
Association
c/o Rebecca Law, Attorney
Rebecca Law & Associates, LLC
2224 Sherwood Court
Minnetonka, MN 55305-2409

RE: WhistleTree Woods Home Owners Association / Plat of Whistletree Woods

To the above:

I am the City Administrator of the City of Inver Grove Heights (the City). With respect to the plat of Whistletree Woods, the City and WhistleTree Woods, L.L.C. (the Developer) entered into a Development Contract dated May 2, 2003 and recorded as Document No. 2106821 with the Dakota County Recorder (the Development Contract). At the time of the platting, the Developer was the owner of the property contained within the plat.

The Development Contract required that the Developer/Owner subject all the lots in the plat to a single homeowners association, to be stylized as the "Whistle Tree Woods Homeowners Association." By requiring all the lots in the plat of Whistletree Woods to be subject to the homeowners association, the Development Contract also required that the lots would be subject to the governing documents of the association, namely, the Bylaws and a Declaration of Restrictions and Protective Covenants, with the homeowners association responsible for the covenants and restrictions contained in the Declaration.

Very truly yours,

CITY OF INVER GROVE HEIGHTS

By: _____
Joseph Lynch
City Administrator

(Top 3 inches reserved for recording data)

QUIT CLAIM DEED
Business Entity to Business Entity

eCRV number: **N/A**

DEED TAX DUE: **$1.65**

DATE: **October 31, 2013**

FOR VALUABLE CONSIDERATION, **WhistleTree Woods, L.L.C.**, a limited liability company under the laws of Minnesota ("**Grantor**"), hereby conveys and quitclaims to **WhistleTree Woods Home Owners Association,** a nonprofit corporation under the laws of Minnesota ("**Grantee**"), real property in Dakota County, Minnesota, legally described as follows:

Outlots A, B and C, WHISTLETREE WOODS, Dakota County, Minnesota.

**The total consideration for this transfer is less than $500.00.
Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto.

Check applicable box:

☒ The Seller certifies that the Seller does not know of any wells on the described real property.

☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: **[...]**.)

☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

WhistleTree Woods, L.L.C.

By: Charles Schulz

Charles Schulz
Its: President

EXHIBIT C

QUIT CLAIM DEED

State of Minnesota, County of Dakota

This instrument was acknowledged before me on **October 31, 2013**, by Charles Schulz as President of **WhistleTree Woods, L.L.C.**, a Minnesota limited liability company.

(Stamp)

TIMOTHY J. KUNTZ
Notary Public-Minnesota
My Commission Expires Jan 31, 2015

(signature of notarial officer)

Title (and Rank): Notary Public

My commission expires: _____
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
Timothy J. Kuntz
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, MN 55075
(651) 451-1831
Atty ID: 58993

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:
WhistleTree Woods Home Owners Association
c/o Rona Schiltgen
8120 Clifford Circle
Inver Grove Heights, MN 55076

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Community Development Block Grant Application – Fiscal Year 2014

Meeting Date:	December 9, 2013		**Fiscal/FTE Impact:**
Item Type:	Consent		None
Contact:	Thomas J. Link: 651-450-2546		Amount included in current budget
Prepared by:	Tom Link, Director of Comm. Dev.		Budget amendment requested
Reviewed by:	NA		FTE included in current complement
			New FTE requested – N/A
		X	Other (Revenue)

PURPOSE/ACTION REQUESTED

The City Council is to consider the adoption of the attached Resolution Approving the Application for Fiscal Year 2014 Dakota County Community Development Block Grant Funding.

SUMMARY

The Community Development Block Grant (CDBG) is a federal program which benefits low and moderate income individuals and neighborhoods. The City annually makes application for these funds through the Dakota County Community Development Agency (CDA).

The amount of 2014 CDBG funding is uncertain. The Federal appropriation for the program has been shrinking in recent years and is expected to decrease again this year. The Dakota CDA's best estimate at this time is that Inver Grove Heights will receive about $95,000.

There continues to be a strong interest in both the Doffing Avenue Acquisition Program and the Housing Rehabilitation Program. The Doffing program is funded in part by the Department of Natural Resources (DNR) Floodplain Mitigation Grant. The DNR grant, however, requires equivalent matching funds. CDBG funds have been helpful in providing some of those matching monies. The CDBG rules state that no more than 50% of a year's grant can be used for acquisition programs. It would be wise if the City were to allocate the maximum amount, $47,500, to the Doffing Avenue Acquisition Program since the funds leverage the DNR grant.

The remaining CDBG allocation of $47,500 should be allocated to the Housing Rehabilitation Program since there is a continued need for housing rehabilitation funds. The program has provided assistance to 61 homeowners in the last seven years. A description of the program and income requirements can be found in the attachment.

Staff recommends the adoption of the Resolution Approving Application for Fiscal Year 2014 Dakota County Community Development Block Grant Funding and the allocation of $47,500 to the Doffing Avenue Acquisition Program and $47,500 to the Housing Rehabilitation Program.

TJL/kf

Enc: Resolution Approving Application for Fiscal Year 2014 Dakota County CDBG Funding
Memo regarding status of CDBG programs
Housing Rehabilitation Program information

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

A RESOLUTION APPROVING THE APPLICATION OF THE CITY OF INVER GROVE HEIGHTS FOR FISCAL YEAR 2014 DAKOTA COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

WHEREAS, the City of Inver Grove Heights is a participating jurisdiction with the Dakota County CDBG Entitlement Program for Fiscal Year 2014 (ending June 30, 2015); and

WHEREAS, the Dakota County CDA is a Subgrantee of Dakota County for the administration of the CDBG Program; and

WHEREAS, the Dakota County CDA has requested FY14 CDBG applications to be submitted by January 15, 2014.

WHEREAS, the City of Inver Grove Heights desires to make application for approximately $95,000, to be allocated as follows:

- Floodplain Acquisition and Clearance - $47,500
- Housing Rehabilitation - $47,500

NOW, THEREFORE, BE IT RESOLVED that the City of Inver Grove Heights hereby approves the following:

1. The FY14 CDBG application is approved by the City Council, and the City Administrator is authorized to execute it on behalf of the City.

2. The Dakota County CDA is designated as the administrative entity to carry out the CDBG program on behalf of the City, subject to future Subrecipient Agreements that may be required for specific CDBG-funded activities.

Adopted by the City Council of Inver Grove Heights on this _____ day of _____, 2013.

AYES:
NAYS:

_____
George Tourville, Mayor

ATTEST:

_____
Melissa Kennedy, Deputy Clerk

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Mayor and Council

FROM: Thomas J. Link, Director of Community Development

DATE: December 3 for City Council Meeting of December 9, 2013

SUBJECT: CDBG Activities – Status Update

The following is the current status of various CDBG projects:

Housing Rehabilitation Program

Historically, the City has spent a large amount of its CDBG funds on the Housing Rehabilitation Program. This is consistent with the main purpose of the CDBG program, which is to address community housing needs for low and moderate income households. The balance of the grants is $102,400 with seven loans being processed.

The program has assisted 61 homeowners in the past seven years. Attached, for Council information, is information that explains the Housing Rehabilitation Program.

Acquisition of Doffing Avenue Properties

This program allows the City to acquire, on a voluntary basis, properties on Doffing Avenue for floodplain purposes. Eventually it is the City's intent to use the properties as part of Heritage Park. This program is long-term and continues to require on-going financial commitments. There has been a strong interest in the program, as evident by the City's acquisition of 25 properties in the neighborhood.

The Minnesota Department of Natural Resources (DNR) has provided the City with $1.4 million for this acquisition program. The DNR grant requires a dollar-for-dollar match. The City has used a Minnesota Pollution Control Agency (MPCA) Supplemental Environmental Program Grant, City general funds, CDBG grants, and the sale proceeds from a tax forfeit property to match the full amount of the DNR grant. The balance of the MPCA grant and sales proceeds have been spent. The only funds remaining for matching DNR funds are the CDBG monies and the City's budgeted amount of $150,000 per year.

The current CDBG balance for this activity is $69,200. Since the City's floodplain acquisitions this next year may exceed this amount, additional funding is necessary.

Enclosure: CDA Information

Home Improvement Loans Available

Does your home need some upgrading but you're not sure how to finance it? The Dakota County Community Development Agency (CDA) may be able to help.

The CDA Home Improvement Loan Program is available to assist low- and moderate-income homeowners with making repairs and improvements to their homes. Funds are commonly used for insulation, electrical and plumbing repairs, roof replacement, furnace replacement and special needs improvements. Minimum loan amount is $15,000 and maximum is $25,000.

The loan features zero percent interest and no monthly payments. It is due when the house is sold or when the house is no longer the principal place of residence of the borrower.

To qualify, applicants must own their home, have sufficient equity in the property, a satisfactory credit history and a gross annual income that does not exceed specific limits as based on household size.

Household Size	Income Limit
1	$45,100
2	$51,550
3	$58,500
4	$64,400
5	$69,600
6	$74,750
7	$79,900
8	$85,050

The Home Improvement Loan Program is part of the CDA Homeownership Connection services that provide homebuyers and homeowners with resources to be successful. For more information or to request an application, contact Mark Hanson, Rehabilitation Loan Coordinator at (651) 675-4469 or visit www.dakotacda.org.

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Joint Powers Agreement with Dakota County CDA – Open to Business Program

Meeting Date:	December 9, 2013
Item Type:	Consent
Contact:	Thomas J. Link
Prepared by:	Tom Link, Director of Comm. Dev.
Reviewed by:	NA

Fiscal/FTE Impact:

	None
X	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
	Other (Revenue)

PURPOSE/ACTION REQUESTED

The City Council is to consider approving the Joint Powers Agreement between the Dakota County Community Development Agency (CDA) and the City of Inver Grove Heights Regarding the Open to Business Program.

ANALYSIS

The attached Joint Powers Agreement renews Inver Grove Heights' participation in the Open to Business program for 2014. The program is offered by the Metropolitan Consortium of Community Developers (MCCD) through the Dakota County CDA. The program provides free technical assistance to existing and startup businesses. That technical assistance can pertain to various issues, including business plan development, feasibility analysis, marketing, operational analysis, and regulatory assistance. The Open to Business program also provides financial assistance in the form of small business loans. The MCCD received a grant from the Minnesota Department of Employment and Economic Development (DEED) which will allow it to add a part-time person to the program who will focus on financial assistance.

The only changes to last year's agreement are the addition of Mendota Heights, changing 2013 dates to 2014 dates, and a few changes to reflect the fact that the program was implemented in 2013. The cost of the program in Inver Grove Heights is $13,000. However, the Dakota County CDA pays one half of those costs. Thus the City's share is $6,500, the same amount that is in the 2014 budget.

Also attached is the Third Quarter Open to Business Report. The program has not been used as extensively in Inver Grove Heights as in other cities. The City and Progress Plus will make a renewed effort to advertise the program through newsletters, websites, and staff. Advertisements will also be placed on the electronic billboard on Highway 52/55.

RECOMMENDATION

Staff recommends approval of the Joint Powers Agreement between the Dakota County Community Development Agency (CDA) and the City of Inver Grove Heights Regarding the Open to Business Program.

cc: Jennifer Gale, Progress Plus

Enc: Joint Powers Agreement
Quarterly Report

JOINT POWERS AGREEMENT

Open to Business Program

THIS JOINT POWERS AGREEMENT (this "**Agreement**"), is made as of January 1, 2014, by and between the DAKOTA COUNTY COMMUNITY DEVELOPMENT AGENCY (the "**CDA**"), a public body corporate and politic organized and existing under the laws of the State of Minnesota (the "**State**"), and each of the CITY OF BURNSVILLE, CITY OF LAKEVILLE, CITY OF MENDOTA HEIGHTS, INVER GROVE HEIGHTS ECONOMIC DEVELOPMENT AUTHORITY, APPLE VALLEY ECONOMIC DEVELOPMENT AUTHORITY, EAGAN ECONOMIC DEVELOPMENT AUTHORITY, HASTINGS ECONOMIC DEVELOPMENT AND REDEVELOPMENT AUTHORITY, ROSEMOUNT PORT AUTHORITY, FARMINGTON ECONOMIC DEVELOPMENT AUTHORITY, SOUTH ST. PAUL HOUSING AND REDEVELOPMENT AUTHORITY AND WEST ST. PAUL ECONOMIC DEVELOPMENT AUTHORITY, MINNESOTA (each individually a **"Local Government Entity"** and together the **"Local Government Entities"**), each a political subdivision of the State.

RECITALS:

A. In order to pursue common goals of fostering economic development, the CDA and the Local Government Entity Cities desire to engage the Metropolitan Consortium of Community Developers, a Minnesota non-profit corporation ("**MCCD**") to undertake the "Open To Business Program" (the "**Program**") within Dakota County (the "**County**").

B. Pursuant to the Program, MCCD will provide technical assistance and access to capital to small business and potential entrepreneurs in the County.

C. The CDA and the Local Government Entities propose to jointly exercise their common economic development powers to undertake the Program.

NOW, THEREFORE, in consideration of the mutual covenants and obligations of the CDA and each of the Local Government Entities, each party does hereby represent, covenant and agree with the others as follows:

Section 1. **Representations.** Each of the Local Government Entities and the CDA makes the following representations as to itself as the basis for the undertaking on its part herein contained:

(a) It is a political subdivision of the State of Minnesota with the power to enter into this Agreement and carry out its obligations hereunder.

(b) Neither the execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Agreement is prevented, limited by or conflicts with or results in a breach of, the terms, conditions or provisions of any restriction or any evidences of indebtedness, agreement or instrument of whatever nature to which it is now a party or by which it is bound, or constitutes an event of default under any of the foregoing.

Section 2. **Powers to be Exercised.** The powers to be jointly exercised pursuant to this Agreement are the powers of the CDA and the Local Government Entities under Minnesota Statutes, Chapter 469, to undertake activities to promote economic development within their respective jurisdictions.

Section 3. **Method for Exercising Common Powers; Funds.** The CDA, on its own behalf and on behalf of the Local Government Entities, will initially enter into an agreement with MCCD in substantially the form attached hereto as Exhibit A (the "**Agreement**") to engage MCCD to operate the Program within Dakota County. The CDA and each of the Local Government Entities will make payments to MCCD as described in Exhibit A of the Agreement.

The CDA may from time to time execute and deliver documents amending, modifying or extending the Agreement as it deems necessary or convenient, provided, that no such document will adversely affect services provided to, or amounts payable by, any Local Government Entity without the prior written consent of such Local Government Entity.

Section 4. **Limited Liability**. Neither the CDA nor the any of the Local Government Entities shall be liable for the acts or omissions of the other in connection with the activities to be undertaken pursuant to this Agreement. To the extent permitted by law, (a) the CDA hereby indemnifies the Local Government Entities for costs associated with claims made against the Local Government Entities directly relating to actions taken by the CDA, and (b) each Local Government Entity hereby indemnifies the CDA for costs associated with claims made against the CDA directly relating to actions taken by such Local Government Entity. Nothing herein shall be deemed a waiver by the indemnifying party of the limits on liability set forth in Minnesota Statutes, Chapter 466; and the indemnifying party shall not be required to pay, on behalf of the indemnified party, any amounts in excess of the limits on liability set forth in Minnesota Statutes, Section 466.04, less any amounts the indemnifying party is required to pay on behalf of itself, its officers, agents and employees for claims arising out of the same occurrence.

Section 5. **Conflict of Interests; Representatives Not Individually Liable.** The CDA and each of the Local Government Entities, to the best of its knowledge, represents and agrees that no member, official or employee of their respective bodies shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his or her personal interests or the interests of any corporation, partnership, or association in which he or she is directly or indirectly interested. No member, official or employee of the CDA or any Local Government Entity shall be personally liable with respect to any default or breach by any of them or for any amount which may become due to the other party or successor or on any obligations under the terms of this Agreement.

Section 6. **Term; Distribution of Property**. The term of this Agreement shall expire on December 31, 2014. There is no property which will be acquired by the CDA or any Local Government Entity pursuant to the Program which would need to be distributed at the end of the term hereof.

Section 7. **Notices and Demands**. A notice, demand or other communication under this Agreement by any party to another shall be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid, return receipt requested or delivered personally to the person and at the addresses identified on each signature page hereto, or at such other address with respect to either such party as that party may, from time to time, designate in writing and forward to the other as provided in this Section.

Section 8. **Counterparts**. This Agreement may be executed in any number of counterparts, each of which shall constitute one and the same instrument.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the CDA and the Local Government Entities have caused this Agreement to be duly executed in their respective names and behalf as of the date first above written, with actual execution on the dates set forth below.

DAKOTA COUNTY COMMUNITY
DEVELOPMENT AGENCY

Dated:_____

By _____
Its Executive Director

Notice Address:

Dakota County Community Development Agency
1228 Town Centre Drive
Eagan, MN 55123
Attn: Andrea Brennan, Director of Community and Economic Development

INVER GROVE HEIGHTS ECONOMIC
DEVELOPMENT AUTHORITY

Dated: _____

By _____
Its _____

By _____
Its _____

Notice Address:

8150 Barbara Avenue
Inver Grove Heights, MN 55077
Attn: _____

Contract for Services
for the
Open to Business Program

THIS AGREEMENT is dated January 12, 2014 and is between the **Dakota County Community Development Agency** ("CDA") and **Metropolitan Consortium of Community Developers**, a Minnesota nonprofit corporation ("**MCCD**").

WHEREAS, the CDA, on behalf of itself and the ten political subdivisions of the State of Minnesota listed on Exhibit A hereto (the "**Local Government Entities**"), which each have powers with respect to a city with a population over 10,000 (collectively the "**Municipalities**"), wishes to engage MCCD to render services under a model known as "**Open to Business,**" an initiative providing small business technical assistance services to existing businesses and residents and other parties interested in opening a business within Dakota County (the "**County**") (the "**Initiative**"); and

WHEREAS, MCCD has successfully provided the services required to administer and carry out the Initiative in Dakota County in 2013; and

WHEREAS, pursuant to CDA Resolution No. 13-5290, adopted on October 17, 2013 (the "**Resolution**"), the CDA is authorized to enter into this agreement with MCCD for the Initiative; and

WHEREAS, pursuant to the Resolution and certain joint powers agreements to be entered into between the CDA and the Local Government Entities (the "**Joint Powers Agreements**"), the CDA will act as fiscal agent for the Local Government Entities in connection with this Agreement; and

WHEREAS, the CDA will pay from its own funds 50% of the fee charged by MCCD for the Initiative in the Municipalities and 100% of the fee charged by MCCD for the Initiative in the small cities and townships within the County with populations of less than 10,000 people ("Small Cities and Townships"), as further described herein and in Exhibit A; and

WHEREAS, pursuant to the Joint Powers Agreements, the Local Government Entities will be required to pay a Participation Fee to the CDA in accordance with the schedule in Exhibit A, representing the remaining 50% of the fee charged by MCCD for the Initiative in the Municipalities.

Now therefore, for good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

TIME OF PERFORMANCE

The term of this Agreement and the period during which MCCD will provide services hereunder will commence upon execution and delivery of this Agreement and will end on December 31, 2014, subject to earlier termination as provided herein. MCCD will perform services necessary to carry out the Initiative as promptly as possible, and with the fullest due diligence.

COMPENSATION

Subject to reduction as provided below, the CDA will compensate MCCD for its services hereunder an amount equal to One Hundred Thirty-Five Thousand Dollars ($135,000) ("Contract Amount"). The CDA will pay such amount in two equal installments, the first no earlier than January 30, 2014 and the second no earlier than June 30, 2014, upon receipt of invoices from MCCD. Subject to the limits above, payments will be due within 15 days of receipt of the respective invoices. The portion of the Contract Amount payable from Participation Fees will be payable by the CDA only from and to the extent such Participation Fees are paid by the respective Local Government Entities.

In the event a Local Government Entity does not pay to the CDA its Participation Fee in amounts and by the deadline described in Exhibit A, the CDA will notify MCCD, and MCCD will immediately cease the Initiative in that Municipality. Upon such termination, the Contract Amount will be reduced by an amount equal to the Participation Fee which such Local Government Entity did not pay and the amount the CDA would have paid as a matching payment.

SCOPE OF SERVICES

MCCD will provide technical assistance to existing businesses, residents and those parties interested in starting a business in any of the Municipalities and Small Cities and Townships as further described on Exhibit B and Exhibit C attached hereto, which sets forth the Dakota Open to Business Program Scope of Services.

REPORTING

MCCD will submit quarterly reports to the CDA in form and substance acceptable to the CDA. Reports will provide information in the aggregate for the County and will include a subreport for each Municipality and each of the Small Cities and Townships. Reports will include the following information:

- Number of inquiries
- Hours of technical assistance provided
- Type of assistance provided
- Type of business
- Annual sales revenue
- Number of businesses opened

- Number of business expanded/stabilized
- Number and amounts of financing packages
- Demographic information on entrepreneurs
- Business address or resident address
- Number and wage of FTEs created
- Number and wage of FTEs retained

The required reporting schedule is as follows:
1st quarter January – March, report due April 30th
2nd quarter April – June, report due July 31st
3rd quarter July – September, report due October 31st
4th quarter October – December, report due January 31st of 2014

In addition to the foregoing, MCCD will provide additional reports as reasonably requested by the CDA.

PERSONNEL

MCCD represents that it has, or will employ or contract for, at its own expense, all personnel required to perform the services necessary to carry out the Initiative. Such personnel will not be employees of, or have any contractual relationship with, the County, the CDA or any of the Local Government Entities. No tenure or any other rights or benefits, including worker's compensation, unemployment insurance, medical care, sick leave, vacation pay, severance pay, or any other benefits available to the County's, the CDA's or any of the Local Government Entities' employees shall accrue to MCCD or employees of MCCD performing services under this agreement. The MCCD is an independent contractor.

All of the services required to carry out the Initiative will be performed by MCCD and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under State and local law to perform such work.

USE OF CDA OFFICE SPACE

The CDA will make available a cubicle space for MCCD personnel at the CDA office building for use by MCCD in carrying out the Initiative. MCCD personnel will have access to the CDA's meeting rooms, wireless internet service, copy machines and printers. MCCD personnel shall comply with all CDA office rules and policies regarding the use of CDA office space, equipment and internet access. If the CDA, in its sole discretion, determines that MCCD Personnel have failed to comply with CDA office rules and policies, MCCD Personnel will be required to vacate the CDA office and the CDA will cease to provide MCCD office space to carry out the Initiative.

INTEREST OF MEMBERS OF THE CDA AND OTHERS

No officer, member, or employee of the CDA and no member of its governing body, and no other public official or governing body of any locality in which the Initiative is situated or being carried out, who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of the Initiative, will participate in the decision relating to this Agreement which affects his/her personal interest or the interest of any corporation, partnership, or association in which he/she is, directly or indirectly, interested or has any personal or pecuniary interest, direct or indirect, in this Agreement.

ASSIGNABILTY

MCCD will not assign any interest in this Agreement, and will not transfer any interest in the same without the prior written approval of the CDA.

COMPLIANCE WITH LOCAL LAWS

MCCD agrees to comply with all federal laws, statutes and applicable regulations of the State of Minnesota and the ordinances of the Local Government Entities.

INSURANCE

MCCD agrees at all times during the term of this Agreement, and beyond such term when so required, to have and keep in force the following insurance coverages:

		Limits
1.	Commercial General Liability on an occurrence basis with contractual liability coverage:	
	General Aggregate	$2,000,000
	Products—Completed Operations Aggregate	2,000,000
	Personal and Advertising Injury	1,500,000
	Each Occurrence—Combined Bodily Injury and Property Damage	1,500,000
2.	Workers' Compensation and Employer's Liability:	
	Workers' Compensation In the event that MCCD should hire employees or subcontract this work, MCCD shall obtain the required insurance.	Statutory
	Employer's Liability. Bodily injury by:	
	Accident—Each Accident	500,000
	Disease—Policy Limit	500,000
	Disease—Each Employee	500,000

INDEMNIFICATION

MCCD agrees to defend, indemnify, and hold harmless the County, the CDA, the Local Government Entities, and each of their respective officials, officers, agents, volunteers and employees from any liability, claims, causes of action, judgments, damages, losses, costs, or expenses, including reasonable attorney's fees, resulting directly or indirectly from any act or omission of MCCD, its subcontractors, anyone directly or indirectly employed by MCCD or any of its subcontractors, and/or anyone for whose acts and/or omissions MCCD may be liable in the performance of the services required by this Agreement, and against all loss by reason of the failure of MCCD to perform any obligation under this Agreement.

NOTICES

A notice, demand, or other communication under the Agreement by either party to the other shall be sufficiently given or delivered if it is dispatched by mail, postage prepaid, return receipt requested, or delivered personally; and

(a) In the case of MCCD, is addressed or delivered personally to:

Metropolitan Consortium of Community Developers
3137 Chicago Avenue South
Minneapolis, MN 55407

(b) In the case of the CDA is addressed or delivered personally to:

Andrea Brennan, Director of Community and Economic Development
Dakota County Community Development Agency
1228 Town Centre Dr.
Eagan, MN 55123

or at such other address with respect to any party as that party may designate in writing and forward to the other as provide in the Section.

MODIFICATION

This Agreement may not be modified, changed, or amended in any manner whatsoever without the prior written approval of all the parties hereto.

NON-DISCRIMINATION

In connection with its activities under this Agreement, MCCD will not violate any Federal or State laws against discrimination.

DEFAULT AND CANCELLATION

Failure of the MCCD to perform any of its obligations under this Agreement to the satisfaction of the CDA will constitute a default hereunder.

Unless MCCD's default is cured within 15 days following notice by the CDA, the CDA

may (i) cancel this Agreement in its entirety by 5 additional days' written notice to MCCD, or (ii) withhold payment from MCCD as long as such default continues.

MINNESOTA LAWS GOVERN

The Laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this Agreement and the legal relations between the parties and their performance. The appropriate venue and jurisdiction for any litigation will be those courts located within the County. Litigation, however, in the federal courts involving the parties will be in the appropriate federal court within the State of Minnesota. If any provision of this Agreement is held invalid, illegal or unenforceable, the remaining provisions will not be affected.

DAKOTA COUNTY COMMUNITY
DEVELOPMENT AGENCY

By:_____
Executive Director
Date: _____

MCCD

By: _____

Printed Name: _____

Printed Title: _____

Date: _____

Exhibit A
Local Government Entity Participation Fee Schedule

Municipality	Local Government Entity	Total Fee	CDA Share of Fee	Local Government Entity Participation Fee Due 1/30/13
Eagan	Eagan Economic Development Authority	$15,000	$7,500	$7,500
Burnsville	City of Burnsville	$15,000	$7,500	$7,500
Lakeville	City of Lakeville	$15,000	$7,500	$7,500
Apple Valley	Apple Valley Economic Development Authority	$15,000	$7,500	$7,500
Inver Grove Heights	Inver Grove Heights Economic Development Authority	$12,500	$6,250	$6,250
Hastings	Hastings Economic Development and Redevelopment Authority	$10,000	$5,000	$5,000
Rosemount	Rosemount Port Authority	$10,000	$5,000	$5,000
Farmington	Farmington Economic Development Authority	$10,000	$5,000	$5,000
South St. Paul	South St. Paul Housing and Redevelopment Authority	$10,000	$5,000	$5,000
West St. Paul	West St. Paul Economic Development Authority	$10,000	$5,000	$5,000
Mendota Heights	City of Mendota Heights	$5,000	$2,500	$2,500
Small Cities and Townships	n/a	$7,500	$7,500	$0
Total		$135,000	$71,250	$63,750

Exhibit B
Dakota Open to Business Program Scope of Services

Open to Business ("OTB") Technical Assistance Services
MCCD will provide intensive one-on-one technical assistance to Municipalities' and Small Cities' and Townships' businesses, residents and aspiring entrepreneurs intending to establish, purchase, or improve a business in Municipalities and Small Cities and Townships within Dakota County (the "**County**"). MCCD will dedicate one full time staff person based in the County to provide the Technical Assistance Services ("Dakota OTB Staff"). In addition, MCCD will make available the expertise of all MCCD technical and support staff in the delivery of services to Dakota Open to Business Program. Technical assistance includes, but is not limited to, the following:

- Business plan development
- Feasibility analysis
- Marketing
- Cash flow and other financial projection development
- Operational analysis
- City and State licensing and regulatory assistance
- Loan packaging, and other assistance in obtaining financing
- Help in obtaining competent legal advice

MCCD Dakota OTB Staff will be available to meet clients at the CDA office building, various Municipality city halls or at the client's place of business. MCCD Dakota OTB Staff will provide technical assistance on a walk-in basis monthly in each Municipality, if requested. MCCD will also hold two-hour "Test Drive Your Business Idea" sessions once a month in various Municipality locations.

Open to Business Access to Capital
Access to capital will be provided to qualifying businesses through MCCD's Emerging Small Business Loan Program (see **Exhibit C** Small Business Loan Program Guidelines below). MCCD also provides it's financing in partnership with other community lenders, banks or Local Government Entities interested in making capital available to residents and/or businesses in their community.

EXHIBIT C

Small Business Loan Program Guidelines

Loan Amounts:

- Up to $25,000 for start-up businesses
- Larger financing packages for established businesses
- Designed to leverage other financing programs as well as private financing provided by the commercial banking community.

Eligible Projects:

- Borrowers must be a "for-profit" business.
- Business must be complimentary to existing business community.
- Borrowers must have equity injection as determined by fund management.

Allowable Use of Proceeds:

- Loan proceeds can be used for working capital, inventory, building and equipment and general business operations.

Interest Rates:

- Loan interest rate is dependent on use, term and other factors, not to exceed 10%.

Loan Term Length:

- Loan repayment terms will generally range from three to five years, but may be substantially longer for major asset financing such as commercial property.

Fees and Charges:

- Borrowers are responsible for paying all customary legal and other loan closing costs.

OPEN TO BUSINESS

Dakota County

Program Report - 1.1.13 to 9.30.13

Clients Served:

New/Existing Entrepreneurs	124
Existing Business (Of those clients served)	30

Inquiries: 232

(Inquiries are contacts by entrepreneurs requesting information who have not yet scheduled an appointment)

Industry Segment:

Retail	33
Service	86
Food	35
Manufacturing	1
Technology	1
Real Estate/Related Trades	3

Financing:

Provided:

Number	3
Amount	$165,000

Microgrants:

Number	2
Amount	$2,000

Requests/In Process:

Number	1
Total Request	$553,800
MCCD Portion	$30,000

Facilitated Loans:

Number	2
Amount	$50,000-100,000

Hours of Direct Service:

1st Quarter-	790.25
2nd Quarter-	587
3rd Quarter-	384.25
Total Contract-	1761.50

Office Hours/Events/Marketing:

1st Quarter-	567
2nd Quarter-	219
3rd Quarter-	258
Total Contract-	1044.00

Client City:

Apple Valley	6
Burnsville	14
Eagan	15
Farmington	8
Hastings	9
Inver Grove Hts	3
Lakeville	10
Rosemount	8
S. St. Paul	5
W. St. Paul	2
Other Municipalities	2
Other Dakota County	42

(Residents from other Counties who want to open a business in Dakota County)

Referral Source:

CDA Staff	9
City Staff	101
Internet	3
Chamber	5
Other (Banks, Schools, Etc.)	62

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Phase II Environmental Site Assessment for River Country Cooperative Property

		Fiscal/FTE Impact:
Meeting Date:	December 9, 2013	
Item Type:	Consent	☐ None
Contact:	Thomas J. Link	☐ Amount included in current budget
Prepared by:	Tom Link, Director of Comm. Dev.	☐ Budget amendment requested
Reviewed by:	NA	☐ FTE included in current complement
		☐ New FTE requested – N/A
		☐ Other (Revenue)

PURPOSE/ACTION REQUESTED

The City Council is to consider approving the proposal from Peer Engineering to conduct a Phase II environmental site assessment for the property owned by River Country Cooperative.

BACKGROUND

As previously discussed with the City Council, River Country Cooperative approached the City about selling their ten acre property, located along the west side of Dickman Trail. The property was previously owned by Bill McPhillips and was used as a contractor's yard. The property is located within one of the 'catalyst' redevelopment sites identified in the recent Concord Study.

The City has commenced its due diligence activities. Integra Realty Resources prepared an appraisal. The City solicited proposals from three firms to prepare the Phase I environmental assessment. All three firms submitted proposals but Peer Engineering was selected as being the least expensive. Peer Engineering recently completed the Phase I analysis.

ANALYSIS

The Phase I report 'identified the potential for soil and groundwater impacts based on the past use of the site for equipment and material storage'. The Phase II proposal would evaluate whether these past land use activities have caused environmental contamination. The scope of work would include drilling approximately 25 soil borings and conducting laboratory analysis of eight composite samples and one point source sample. The Phase II environmental site assessment would provide the City with a more detailed analysis of possible environmental contamination. This would be useful in negotiating the acquisition of the property and the future sale of the property to a developer. The Phase II would cost $7,000.

RECOMMENDATION

Staff recommends approval of the proposal from Peer Engineering to conduct a Phase II site environmental site assessment for the property owned by River Country Cooperative.

Enclosure: Peer Engineering Proposal for Phase II

Peer Engineering, Inc.
7615 Golden Triangle Drive, Suite N
Eden Prairie, MN 55344
952-831-3341 Fax 952-831-4552

Peer Engineering

Mr. Tom Link
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, Minnesota 55077

November 25, 2013

RE: Proposal for Phase II ESA
PID 20-01100-27-012
Southeast Corner of 70th Street East & Concord Boulevard
Inver Grove Heights, MN 55076 (the Site)

Dear Mr. Link:

Pursuant to your request, Peer Engineering, Inc. (**Peer**) has prepared this proposal for conducting a Phase II Environmental Site Assessment (**ESA**) of the Site. A Phase I ESA of the Site was recently completed by Peer, the results of which were presented in a report dated October 22, 2013 to the City of Inver Grove Heights.

The Phase I ESA report identified the potential for soil and groundwater impacts based on the past use of the Site for equipment and material storage, including the observed presence of an inactive 1,000-gallon above ground storage tank (AST). This Phase II ESA will be conducted to evaluate whether past land use activities have resulted in impacts to the Property.

Scope of Services

The following tasks describe Peer's proposed Scope of Services.

Task 1 – Phase II Environmental Site Assessment

As part of this task, Peer will complete the following:

- Clear public utilities using Gopher State One Call, and retain a utility locator to evaluate the boring locations for potential private utilities.
- Subcontract a licensed driller to complete approximately twenty-five (25) soil borings. The borings will be advanced using hydraulic direct-push drilling equipment. Based on soil borings recently completed by Peer at a nearby property, bedrock is expected to be present at approximately 4 to 8 feet below ground surface (bgs). Therefore, all twenty-five (25) soil borings are proposed to be installed to a maximum depth of 8 feet bgs.
- Local groundwater is estimated to be present at approximately 30 feet below ground surface; however, the expected presence of shallow bedrock will prevent installation of direct-push soil borings to a sufficient depth to encounter groundwater. Therefore groundwater sampling is not included in this proposal.

- Conduct continuous environmental monitoring during drilling, including organic vapor screening of soil samples using a photoionization detector (**PID**), and visual/olfactory observations of soil samples for evidence of contamination (i.e. odors, staining, intermixed debris, etc.). Collect representative soil samples and submit for analytical testing as described below.
    - Due to the large size of the Site and the non-localized nature of historical land use activities, eight separate "areas" have been selected for composite sampling (see **Attachment 3**). Each "area" will include three soil borings – equal mass samples will be collected from each of the three borings in each of the eight "areas" and then combined to create a single composite sample from each "area". In addition, one point source sample will be collected from the area near the discarded AST.
- Following sample collection, the licensed driller will seal the boreholes per Minnesota Department of Health (**MDH**) regulations.
- Analyze 9 representative soil samples from the borings (8 composite samples and 1 point source sample) for a combination of diesel range organics (DRO), polynuclear aromatic hydrocarbons (PAHs), Resource Conservation and Recovery Act (RCRA) metals, and volatile organic compounds (VOCs).
- Prepare a Letter Report of findings summarizing the investigation results and providing recommendations for any additional investigation or response actions that may be required to address contamination (if identified). The Letter Report will be provided to the City of Inver Grove Heights in "draft" for review/comment prior to issuance of the final.

Cost Estimate/Terms of Service

Peer's cost to complete the Phase II ESA is not-to-exceed **$7,000** unless prior written authorization is received. A cost breakdown is provided in the table below. Services will be provided in accordance with the terms and conditions stated in the Agreement of General Conditions, which are included in **Attachment 1**. Services will be invoiced monthly on a time and materials basis in accordance with the Schedule of Charges and Equipment Rates included in **Attachment 2**. Payment for services is net 30 days with interest added to unpaid balances. If additional services are required, Peer will notify the client to obtain authorization, and bill in accordance with the rates presented in **Attachment 2**.

Cost Breakdown	
Task 1 – Phase II Investigation Activities & Reporting	
- Professional Services	$ 2,800
- Field Equipment, Sampling Supplies, and Mileage	300
- Subcontract Drilling Services – Bergerson-Caswell (Cost + 10%)	2,100
- Subcontract Analytical Testing – TestAmerica (Cost + 10%)	1,800
Total Estimated Cost	**$7,000**

Scheduling

Services will be initiated immediately upon authorization. Analytical testing will be conducted on a standard turnaround basis (i.e. 5 to 7 business day turnaround). Peer will complete a draft Letter Report of findings within 14 days of receiving sample analytical results from the laboratory.

Closing Remarks

Please return a signed copy of this proposal as our authorization to proceed. If you have any questions regarding this proposal, please contact me at (952) 697-0577.

Sincerely,
Peer Engineering, Inc.

Imants Pone
Senior Project Manager

The undersigned authorizes Peer Engineering, Inc. to proceed in accordance with the above-stated terms and assumes responsibility for payment.

_____
Date

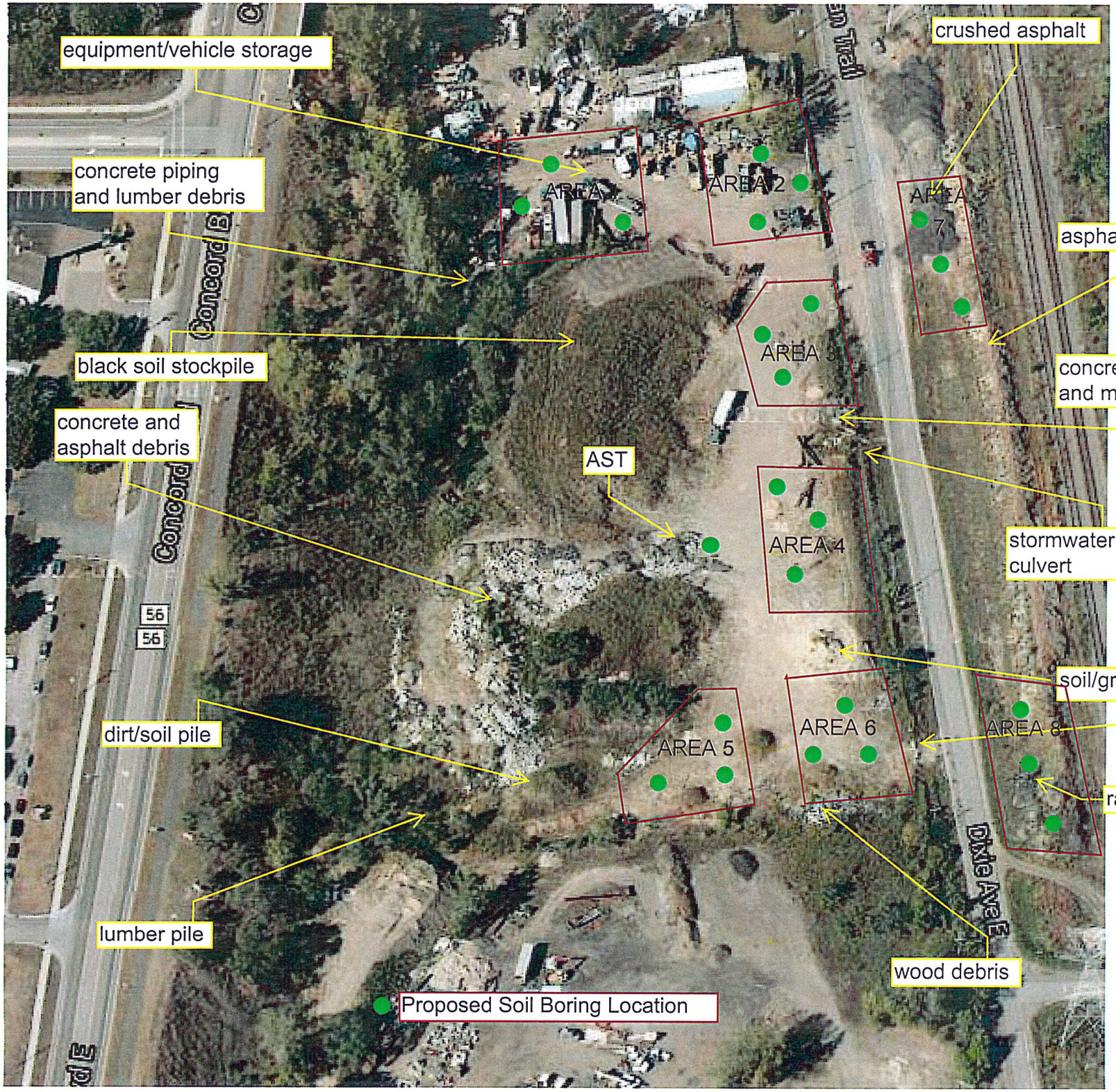
_____
Client's Name

_____
Title

_____
Authorized Signature

Attachments:

1 – Agreement of General Conditions
2 – Schedule of Charges and Equipment Rates
3 – Site Map


equipment/vehicle storage
crushed asphalt
concrete piping
and lumber debris
asphalt berm
black soil stockpile
concrete piping
and metal debris
concrete and
asphalt debris
AST
stormwater runoff
culvert
soil/gravel piles
dirt/soil pile
railroad ties
lumber pile
wood debris
Proposed Soil Boring Location
AREA 1
AREA 2
AREA 3
AREA 4
AREA 5
AREA 6
AREA 7
AREA 8
Concord Blvd
Dixie Ave E
56
56

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Meeting Date:	December 9, 2013
Item Type:	Consent
Contact:	Judy Thill, 651-450-2495
Prepared by:	Judy Thill, Fire Chief
Reviewed by:	n/a

Fiscal/FTE Impact:

x	None
	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
	Other

PURPOSE/ACTION REQUESTED Consider acceptance of a $1,554.84 donation from the Inver Grove Heights Fire Department Auxiliary.

SUMMARY

The Inver Grove Heights Fire Department Auxiliary has graciously donated $1,554.84 for the purchase of specialized fire department rehabilitation equipment. Rehabilitation equipment is used to assist firefighters after working at extremely hot emergency scenes so they can continue dealing with the emergency.

Staff recommends acceptance of this very generous donation.

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Meeting Date:	December 9, 2013
Item Type:	Consent
Contact:	Judy Thill
Prepared by:	Judy Thill, Fire Chief
Reviewed by:	n/a

Fiscal/FTE Impact:

x	None
	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
	Other

PURPOSE/ACTION REQUESTED Consider request of the Inver Grove Heights Fire Department Relief Association to raise the retirement benefit level.

SUMMARY

At a recent Relief Association membership meeting, the members of the IGHFD Relief Association passed a motion to raise the retirement benefit level from $5,800 per year of service to $5,900 per year of service, effective January 1, 2014. This will be the first time the benefit level has increased since January 1, 2011. This amount is permitted by the Minnesota State formula and falls within the guidelines of the Relief Association's 5-year plan that was adopted by Council in September 2012. As of October 31, 2013, the Relief fund balance is $4,131,302.03. After the 2012 audit, the most recent one completed, the funding ratio is at 118.74%.

In order to finalize this motion, the Association's Bylaws will need to be changed. The first step in revising the Bylaws is to have that change approved by the Association membership. Because that has taken place, the second step is to have this change approved by the City Council.

Staff requests approval of this increase.

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

PERSONNEL ACTIONS

Meeting Date:	December 9, 2013		**Fiscal/FTE Impact:**
Item Type:	Consent		None
Contact:	Jenelle Teppen, Asst. City Admin	X	Amount included in current budget
Prepared by:	Amy Jannetto, H.R. Coordinator		Budget amendment requested
Reviewed by:	n/a		FTE included in current complement
			New FTE requested – N/A
			Other

PURPOSE/ACTION REQUESTED Staff requests that the Council approve the personnel actions listed below:

Please confirm the seasonal/temporary employment of: Aquatics – Madeline Bauer, Lindsay Hoeft, Fitness – Robyn Deusterman.

Please confirm the employment of Dejanira Arreola, Evan Bohlman, Merrisa McLoughlin, Jason Colvin, Anthony LaForte, Brian Fier as Firefighters.

EHLERS
LEADERS IN PUBLIC FINANCE

Memo

To: Joe Lynch, City Administrator

From: Steve Apfelbacher and Jessica Cook, Ehlers

Cc: Kristi Smith, Finance Director

Date: December 4, 2013

Subject: Proposed Modification to TIF District 2-1

Background

In 1986, the City of Inver Grove Heights established Tax Increment Financing District 2-1 (the "TIF District") to facilitate redevelopment of the southeast corner of Robert Street and Mendota Road. In the mid-1990's, the City modified the TIF District to permit the use of increment to pay for a water treatment plant and the community center. The City issued general obligation bonds for those two projects, and pledged tax increment to repay the bonds. In 2001 tax law changed and reduced the amount of increment collected in the TIF District. Since then, tax increment from the TIF District has been insufficient to make the full bond payments, and the City has relied on increment from TIF District 4-1 to make up the shortfall.

To date, 100% of the debt service on the bonds has been paid with:

1) tax increment from TIF Districts 2-1;
2) tax increment pooled from TIF District 4-1; and
3) revenues from community center space leased to the school district.

TIF District 2-1 is scheduled to decertify on December 31, 2013. The term of the bonds extends to 2021.

Recently, and in response to changes in the Office of the State Auditor's (OSA) rulings about pooling between districts, we have worked with the City's counsel and determined that pooling from TIF District 4-1 will not be an option after the TIF District is decertified. Since this recent determination we have been evaluating revenue options for the debt service payments.

Option to Extend TIF District 2-1

One option provided for by state law to remedy the shortfall in the TIF District is to extend the district by four years. Extending the TIF District until 2017 will provide sufficient tax increment, together with school lease payments, to pay the bonds in full.

To extend the TIF District, the City Council must hold a public hearing and adopt a resolution approving modifications to the TIF Plan.

The proposed modification to TIF District 2-1 accomplishes the following:

1. Extends the term of the district by four years; and
2. Modifies the budget to be in conformance with current statute and OSA reporting requirements.

The proposed modification does not expand the geographic area of the district. No new development or redevelopment activities are contemplated and, in fact, the increment received after December 31, 2013 will be limited to payment of the outstanding debt.

Significantly, the proposed modification does not increase the total amount of increment authorized to be collected from the TIF District. The purpose of the proposed modification is to recapture increment lost due to tax rate compression. Extending the TIF District will allow the City to collect enough increment to make debt payments, but total receipt of increment will still be less than is authorized in the existing TIF Plan.

Draft for Public Hearing

Modification to the Development Program

For

Development District No. 2

And the

Modification to the Tax Increment Financing Plan

for

Tax Increment Financing District No. 2-1,

(a redevelopment district)

within

Development District No. 2

City of Inver Grove Heights
Dakota County
State of Minnesota

Originally Adopted:	July 14, 1986
Modification No. 1 Adopted:	May 26, 1987
Modification No. 2 Adopted:	May 8, 1995
Modification No. 3 Adopted:	March 24, 1997
Modification No. 4 Public Hearing:	December 9, 2013

EHLERS

Prepared by: EHLERS & ASSOCIATES, INC.
3060 Centre Pointe Drive, Roseville, Minnesota 55113-1105
651-697-8500 fax: 651-697-8555 www.ehlers-inc.com

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EXHIBIT II-A Findings of Blight

APPENDIX A Description of Various Projects to be Financed in Whole or in Part from Tax Increments

MENDOTA ROAD (CSAH 14) - TH52 TO TH110BABCOCK TRAIL (CSAH 73) - 1-494 TO MENDOTA ROAD (CSAH 14)

BLAINE AVENUE - 50TH STREET NORTH TO CITY LIMITS

70TH STREET (CSAH 26) - EAGAN CITY LIMITSTO BABCOCK TRAIL (CSAH 73)

VETERANS MEMORIAL COMMUNITY CENTER

CENTRAL INTERCEPTOR SANITARY SEWERBABCOCK TRAIL TO ROBERT STREET AND NORTH

80th STREET (CSAH 28) - CITY LIMITS TO BABCOCK TRAIL (CSAH 73)

PINE BEND ELEMENTARY SCHOOL SANITARY SEWER/ROAD ACCESS

WATER TREATMENT PLANT

SOUTH ROBERT TRAIL (TH 3) AND DIFFLEY ROAD (CSAH 30) ROADWAY AND INTERSECTION IMPROVEMENTS

APPENDIX B Boundary Map of Development District No. 2, Tax Increment Financing District No. 2-1

APPENDIX C Cash Flow Estimates for Development District No. 2, Tax Increment Financing District No. 2-1

APPENDIX D Class Rate Compression Analysis for Tax Increment Financing District No. 2-1

APPENDIX E Calculation of Maximum Extension of TIF Districts to Fund Deficits

MUNICIPAL ACTION TAKEN

Based upon the statutory authority described in the Development Program attached hereto, the public purpose findings by the City Council and for the purpose of fulfilling the City's development objectives as set forth in the Development Program, the City Council has created, established and designated Development District No. 2 pursuant to and in accordance with the requirements of Minnesota Statutes, Section 469.124 to 469.134.

The following municipal action was taken in connection therewith:

July 14, 1986: The Program for Development District No. 2 was adopted by the City Council.

May 8, 1995: The Program for Development District No. 2 was amended by the City Council.

March 24, 1997: The Program for Development District No. 2 was amended by the City Council.

(AS MODIFIED DECEMBER 9, 2013)

December 9, 2013: The Development Program for Development District No. 2 was modified by the City Council.

The following municipal action was taken with regard to the Tax Increment Financing District located within Development District No. 2:

Tax Increment Financing District No. 1:

July 14, 1986: The Tax Increment Financing Plan for Tax Increment District No. 2-1 was adopted by the City Council.

May 8, 1995: The Tax Increment Financing Plan for Tax Increment District No. 2-1 was amended by the City Council.

March 24, 1997: The Tax Increment Financing Plan for Tax Increment District No. 2-1 was modified by the City Council.

(AS MODIFIED DECEMBER 9, 2013)

December 9, 2013: The Tax Increment Financing Plan for Tax Increment District No. 2-1 was modified by the City Council to extend the term of the District, conform to statutory changes & OSA reporting requirements and to include certain lease revenues

SECTION I.

MODIFIED DEVELOPMENT PROGRAM FOR
DEVELOPMENT DISTRICT NO. 2

(AS MODIFIED DECEMBER 9, 2013)

The following text represents a Modification to the Development Program for Development District No. 2. This modification represents a continuation of the goals and objectives set forth in the Development Program for Development District No. 2. Generally, the substantive changes include the modification of Tax Increment Financing District No. 2-1.

The modifications below are intended to modify specific sections of the Development Program for Development District No. 2, established on July 14, 1986 and modified on May 8, 1995. The City of Inver Grove Heights has jurisdiction over the Development Program for Development District No. 2. This modified Development Program for Development District No. 2 is intended to replace any previous versions.

In general, the modifications below are intended to specify additional projects to be included in Development District No. 2, and to expand the boundaries of Development District No. 2 as indicated on the attached maps and described below.

Subsection 1.1. Definitions. The terms defined below shall, for purposes of this Development Program, have the meanings herein specified, unless the context otherwise specifically requires:

"City" means the City of Inver Grove Heights, a statutory municipal corporation and political subdivision of the State of Minnesota.

"Comprehensive Plan" means the City's Comprehensive Plan which contains the objectives, policies, standards and programs to guide public and private land use, development, redevelopment and preservation for all lands and water within the City.

"Council" means the City Council of the City, also referred to as the governing body (See "Governing Body" below).

"County" means the County of Dakota, Minnesota.

"Development District Act" means the statutory provisions of Minnesota Statutes, Sections 469.124 to 469.134, as amended and supplemented.

"Development District" means Development District No. 2 in the City, which is created and established pursuant to and in accordance with the Development District Act, and is geographically described in Section I, Subsection 1.11 of the Development Program.

"Development Program" means this Development Program for Development District No. 2, initially adopted by the Council on July 14, 1986 and amended by the Council on May 8, 1995. As defined in the Development District Act, a development program is a statement of objectives of the City for improvement of a development district which contains a complete statement as to the public facilities to be constructed within the district, the open space to be created, the environmental controls to be applied, the proposed reuse of private property and the proposed operations of the district after the capital improvements within the district have been completed.

"Governing Body" means the duly elected City Council.

"State" means the State of Minnesota.

"Tax Increment Bonds" means any general obligation or revenue bonds issued and to be issued by the City to finance the public costs associated with Development District No. 2 as stated in the Development Program and in the Tax Increment Financing Plan for Tax Increment Financing District No. 2-1 within Development District No. 2, which are payable in whole or in part from Tax Increments. The term "Tax Increment Bonds" shall also include any obligations issued to refund the Tax Increment Bonds.

"Tax Increment Financing District" means Tax Increment Financing District No. 2-1 established within Development District No. 2.

"Tax Increment Financing Act" means Minnesota Statutes 1986, Sections 273.71 through 273.78, inclusive, as amended, which has been recodified as Sections 469.174 to 469.179.

"Tax Increment Financing Plan" means the Tax Increment Financing Plan for the Tax Increment Financing District.

"Tax Increments" means ad valorem tax increments derived by the City from the Tax Increment Financing District, or the proceeds of Tax Increment Bonds issued in anticipation of Tax Increments.

Subsection 1.2. Statement and Finding of Public Purpose. The City Council (the "Council") of the City of Inver Grove Heights (the "City") determines that there is a need for development and redevelopment within the corporate limits of the City in the Development District to provide employment opportunities, to improve the tax base and to improve the general economy of the State. It is found that the area within the Development District is potentially more useful and valuable than is being realized under existing development, is less productive than is possible under this program and, therefore, is not contributing to the tax base to its full potential.

Therefore, the City has determined to exercise its authority to develop a program for improving the Development District of the City to improve impetus for private development, to maintain and increase employment, to utilize existing potential and to provide other facilities as are outlined in the Development Program adopted by the City.

The Council has also determined that the proposed developments would not occur solely through private investment in the foreseeable future; that the tax increment financing plan proposed herein is consistent with the Development Program; and that the tax increment plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the development or redevelopment of the Development District by private enterprise.

The Council finds that the welfare of the City as well as the State of Minnesota requires active promotion, attraction, encouragement and development of economically sound industry and commerce to carry out its stated public purpose objectives.

Subsection 1.3. Statutory Authority. The Council determines that it is desirable and in the public interest to establish, develop and administer a Development Program for Development District No. 2 (the "Development District") in the City to implement its Development District Plan, pursuant to the provisions of the Development District Act.

Funding of the necessary activities and improvements in the Development District shall be accomplished through tax increment financing in accordance with the Tax Increment Financing Act and other applicable laws, and through the use of other types of financing.

The City has designated the area shown in Exhibit I-A as Development District No. 2 in accordance with the Development District Act. Within the Development District, the City has established Tax Increment Financing District No. 2-1 as a "redevelopment district" pursuant to Section 273.73, Subdivision 10(a)(1), of the Tax Increment Act.

Subsection 1.4. Statement of Objectives. The Council determines that the establishment of the Development District will provide the City with the ability to achieve certain public purpose goals not otherwise obtainable in the foreseeable future without City intervention in the normal development process. The public purpose goals include: restore and improve the tax base and tax revenue generating capacity of the Development District; increase employment opportunities; realize comprehensive planning goals; remove blighted conditions; revitalize the property within the Development District to create an attractive, comfortable, convenient, and efficient area for industrial, commercial, and related uses; and provide necessary public infrastructure and facilities.

The City and Council seek to achieve the following Development District program objectives:

1. Promote and secure the prompt development of certain property in the Development District, which property is not now in productive use or in its highest and best use, in a manner consistent with the City's Comprehensive Plan and with a minimum adverse impact on the environment, and thereby promote and secure the development of other land in the City.

2. Promote and secure additional employment opportunities within the Development District and the City of residents of the City and the surrounding area, thereby improving living standards, reducing unemployment and the loss of skilled and unskilled labor and other human resources in the City.

3. Secure the increase of commercial property subject to taxation by the City, Independent School District No. 199, Dakota County, and other taxing jurisdictions in order to better enable such entities to pay for governmental services and programs required to be provided by them.

4. Provide for the financing and construction of public improvements in and adjacent to the Development District, necessary for the orderly and beneficial development of the Development District and adjacent areas of the City.

5. Promote the concentration of new desirable commercial, office, and other appropriate development in the Development District so as to maintain the area in a manner compatible with its accessibility and prominence in the City.

6. Encourage local business expansion, improvement, and development, whenever possible.

7. Create a desirable and unique character within the Development District through quality land use alternatives and design quality in new remodeled buildings.

8. Encourage and provide maximum opportunity for private redevelopment of

existing areas and structures which are compatible with the Development Program.

9. Provide for the construction of public infrastructure and facilities deemed necessary to support development and to provide for the health, safety and welfare of the residents of the City.

Subsection 1.5. Estimated Public Costs and Supportive Data. The estimated public redevelopment costs and public improvement costs to be incurred within Development District No. 2 and financed in whole or in part by Tax Increments derived from Tax Increment District No. 2-1 are as follows:

(AS MODIFIED MAY 8, 1995)

IN TAX INCREMENT FINANCING DISTRICT NO. 2-1

ON-SITE PUBLIC IMPROVEMENTS	$2,150,000
Soil Corrections	$750,000
Storm Drainage/Pond Improvements	100,000
Water Tower	1,300,000
OFF-SITE PUBLIC IMPROVEMENTS	$350,000
Road Improvements	
PROFESSIONAL SERVICES	
Estimated project costs for legal assistance, planning, design engineering, appraisals, marketing, bond issuance costs, and other project services	$ 380,000
CONTINGENCY	$ 120,000
BOND DISCOUNT	$ 76,100
INTEREST ON BONDS PRIOR TO RECEIPT OF TAX INCREMENT TO FULLY FUND PRINCIPAL AND INTEREST-assumes 10.5% interest rate	$ 835,000
TOTAL	$3,911,100

OUTSIDE TAX INCREMENT FINANCING DISTRICT NO. 2-1

Project	Estimated Total Project Cost	Amount Paid Tax Increments	Amount Paid Other Sources
Mendota Road (CSAH 14) - T.H. 52 to T.H. 110	700,000	600,000	100,000
Babcock Trail (CSAH 73) - I-494 to Mendota Road (CSAH 14)	300,000	250,000	50,000
Blaine Ave. - 50th Ave. to No. City Limits	1,500,000	950,000	550,000
70th St. (CSAH 26) - West City Limits to Babcock Trail (CSAH 73)	2,250,000	1,250,000	1,000,000
Veterans Memorial Community Center	4,500,000	2,500,000	2,000,000
Central Interceptor Sewer - Babcock Tr. to Robert St. & North	5,100,000	1,090,000	4,010,000
TOTAL	$14,350,000	$6,640,000*	$7,710,000

Detailed descriptions of the above-described projects and their locations are set forth in Appendix A. The estimated Tax Increments as shown in Appendix B are allocated to pay costs of the above-described projects as set forth above.

*Includes $1,793,566 of Tax Increments on hand and $4,846,434 of Tax Increment Bond proceeds and interest earning thereon.

(AS MODIFIED MARCH 24, 1997)

Outside Tax Increment Financing District No. 2-1

PROJECT	Estimated Total Project Cost	Amount Paid Tax Incr .	Amount Paid Other Sources
Mendota Road (CSAH 14) -- T.H. 52 to T.H. 110	$900,000	$750,000	$150,000
Babcock Trail (CSAH 73) -- I-494 to Mendota Road (CSAH 14)	300,000	250,000	50,000
Blaine Ave. -- 50th Ave. To North City Limits	1,500,000	950,000	550,000
70th Street (CSAH 26)-- West City Limits to Babcock Trail (CSAH 73)	2,250,000	1,250,000	1,000,000
Veterans Memorial Community Center	7,500,000	5,000,000	2,500,000
Central Interceptor Sewer-- Babcock Tr. To Robert St. & North	6,000,000	2,000,000	4,000,000
80th Street (CSAH 28) West City Limits to Babcock Trail (CSAH 73)	2,000,000	1,000,000	1,000,000
Pine Bend Elementary School Sanitary Sewer/Road Access	1,000,000	500,000	500,000
Water Treatment Plant	8,800,000	6,600,000	2,200,000
South Robert Trail (TH3) and Diffley Road (CSAH30) Roadway And Intersection Improvements	690,000	690,000	0
TOTAL	$30,940,000	$18,990,000	$11,950,000

SUPPORTIVE DATA FOR ESTIMATED COSTS OF
IMPROVEMENTS FOR DEVELOPMENT DISTRICT
UNDER DEVELOPMENT PROGRAM

It was necessary to make certain assumptions regarding income, costs and timing of the tax increment financing district. These assumptions are based on discussions with City and County staff, the developer and architects.

ITEM	BASIS FOR ESTIMATE
PUBLIC IMPROVEMENTS	Estimated by Developer, Architects and City Staff and Consultants
PROFESSIONAL SERVICES	Estimate of Project costs for legal assistance, bond issuance costs, planning, design engineering, appraisals, marketing
INTEREST ON BONDS PRIOR TO RECEIPT OF TAX INCREMENT TO FULLY FUND PRINCIPAL AND INTEREST	Estimated by the financial consultant to the City to be 6.40% on tax-exempt bonds, if any are issued.

Subsection 1.6. Environmental Controls. The proposed economic development in the Development District does not present significant environmental concerns. All municipal actions, public improvements and private development shall be carried out in a manner consistent with existing environmental standards.

Subsection 1.7. Proposed Reuse of Property. The public improvements needed to encourage new development include acquisition of land or acquisition of a leasehold in the land, site improvements, and general improvements. The Development Program does not contemplate the acquisition of private property until such time as a private developer presents an economically feasible program for the reuse of that property. It is the intent of the City to negotiate the acquisition of property whenever necessary. Appropriate restrictions regarding the reuse and redevelopment of property shall be incorporated into any land sale contract to which the City is a part. The Development Program does contemplate potential land acquisition in relation to Tax Increment Financing District No. 2-1. See Section I, Development Program, Subsection 1.12.

Subsection 1.8. Administration and Maintenance of Development District. Maintenance and operation of the public improvements will be the responsibility of the City Administrator of the City who shall serve as Administrator of the Development District.

The Administrator will administer the Development District pursuant to the provisions of the Development District Act; provided, however, that such powers may only be exercised at the direction of the Council. No action taken by the Administrator pursuant to the above-mentioned powers shall be effective without authorization by the Council.

Subsection 1.9. Rehabilitation. Owners of properties within the Development District will be encouraged to rehabilitate their properties to conform with the applicable state and local codes and ordinances, as well as any design standards. Owners of properties who purchase property within the

Development District from the City may be required to rehabilitate their properties as a condition of sale or land. The City will provide such rehabilitation assistance as may be available from federal, state or local sources.

Subsection 1.10. Relocation. The City accepts its responsibility for providing for relocation pursuant to the Development District Act.

Subsection 1.11. Boundaries of Development District.

The boundaries of Development District No. 2 are expanded as described by the legal description below. The new boundaries of Development District No. 2 are also shown on the map in Appendix B.

A. Boundaries of Development District No. 2 *as established on July 14, 1986.*

The Municipal Development District boundary for Development District No. 2 is legally described as the eastern one-half of the southwestern one-quarter of the southwestern one-quarter of Section 29, Township 28, Range 22 in the City of Inver Grove Heights, Minnesota; and is generally described as Mendota Road (45th Street East) to the north, U.S. Highway 110 to the south, the eastern property line of the abandoned drive-in movie theater to the east, and South Robert Trail to the west.

B. Boundaries of Development District No. 2 *as amended May 8, 1995*

Boundaries of Development District No. 2 as amended are:

Tract I

A parcel of land located in Sections 28, 29, 30, 32, and 33, Township 28 North, Range 22 West, City of Inver Grove Heights, Dakota County, Minnesota, which is bounded by the Inver Grove Heights/West St. Paul and Inver Grove Heights/South St. Paul municipal boundaries on the north, the Inver Grove Heights/South St. Paul municipal boundary on the east, the north right-of-way line of Interstate 494 on the south, and the Inver Grove Heights/Sunfish Lake municipal boundary on the west;

together with,

Tract II

A parcel of land located in Sections 32 and 33, Township 28 North, Range 22 West, City of Inver Grove Heights, Dakota County, Minnesota, beginning at the intersection of the north right-of-way line of Interstate 494 and the west section line of Section 32, thence east along the north right-of-way line of Interstate 494 to the west right-of-way of U.S. Highway 52 (Lafayette Freeway), thence south along the west right-of-way line of U.S. Highway 52 (Lafayette Freeway) to a line located 722.66 feet north of the south section line of Section 33, thence east along said line to the east right-of way line of Blaine Avenue, thence south along east right-of-way line of Blaine Avenue to the south line of Section 33, thence west along the south line of Section 33 and 32 to the Inver Grove Heights/Sunfish Lake municipal boundary, thence north along the Inver Grove Heights/Sunfish Lake municipal boundary to the point of beginning;

together with,

Tract III

A parcel of land located in Sections 4, 5, 6, 7, 8, 9, 16, 17, and 18, Township 27 North, Range 22 West, Inver Grove Heights, Dakota County, Minnesota, beginning at the northwest corner of Section 7 and thence east along the north section lines of Sections 7, 6, 5, and 4 to the east right-of-way line of Blaine Avenue, thence south along east right-of-way line of Blaine Avenue to the north right-of-way line of County Road

26 (70th Street East), thence west along the north right-of-way line of County Road 26 (70th Street East) to the west right-of-way line of U.S. Highway 52, thence south along the west right-of-way line of U.S. Highway 52 (Lafayette Freeway) to the north right-of-way line of State Trunk Highway 55, thence northwesterly along the north line of State Trunk Highway 55 to the centerline of the east half of Section 18, thence south along centerline of the east half of Section 18 to the centerline of the south half of Section 18, thence west along the centerline of the south half of Section 18 to the Inver Grove Heights/Eagan municipal boundary, thence north along the Inver Grove Heights/Eagan municipal boundary to the point of beginning and there terminating.

C. Boundaries of Development District No. 2 as amended March 24, 1997

PROPOSED EXPANSION AREAS:

I. A parcel of land located in Sections 17, 18, 19 and 30, Township 27, Range 22 West, Inver Grove Heights, Dakota County, Minnesota. Beginning at the intersection of Eagan boundary and 88th Street; thence south along the Eagan boundary to the intersection of C.M. St. Paul and P.R.R. right-of-way; thence north along C.M. St. Paul and P.R.R. to the intersection of South Robert Trail; thence northeast along and following South Robert Trail to the intersection of the north line of the SW 1/4 of Section 17; thence west to the east line of SE 1/4 of Section 18; thence south to the northwest corner of Meadowwood on Marcott plat; thence due west to the point of beginning and there terminating.

II. A parcel of land located in Sections 33 and 34, Township 28 North, Range 22 West, and Sections 3, 4, 9, 10, 15, 16, 21, and 22, Township 27 North, Range 22 West. Beginning at the intersection of Upper 55th Street and Blaine Avenue; thence south along and following Blaine Avenue to the intersection of Bester Avenue; thence westerly along and following Bester Avenue extended to the intersection of Highway 52 R/W; thence southerly along and following Highway 52 R/W to the intersection of Highway 55; thence easterly along and following Highway 55 to the intersection of Inver Grove Trail; thence northerly along and following Inver Grove Trail to the intersection of Concord Boulevard; thence northerly along Concord Boulevard to the intersection of 80th Street; thence westerly along and following 80th Street to the intersection of Dawn Avenue, thence northerly along Dawn Avenue to the intersection of 70th Street; thence westerly along and following 70th Street to the Municipal boundary line of South St. Paul and Inver Grove Heights; thence northerly along and following South St. Paul and Inver Grove Heights' Municipal boundary to the intersection of Carmen Avenue; thence northerly along and following Carmen Avenue to the intersection of Upper 55th Street; thence westerly along and following Upper 55th Street to Cahill Avenue; thence south along Cahill Avenue approximately 800 feet; thence westerly along a parcel line to the intersection of the Majestic Woodlands plat line; thence southerly and westerly along Majestic Woodlands plat line to the intersection of the Foresthaven plat line; thence northerly along the Forest Haven plat line to the intersection of the Upper 55th; thence westerly along Upper 55th Street to the point of beginning and there terminating.

Subsection 1.12. Parcels To Be Acquired or May Be Acquired In Whole or In Part Within the Development District.

(AS MODIFIED MAY , 1995)

In Tax Increment Financing District No. 2-1

The City is anticipating to either acquire a fee interest or a leasehold interest

in the property located within Tax Increment Financing District No. 2-1 identified in Section II, Tax Increment Financing Plan for Tax Increment Financing District No. 2-1, Subsection 2.3, in order to assist with the public costs of correcting soil deficiencies.

Outside Tax Increment Financing District No. 2-1

Project	Property to be Acquired
Mendota Road (CSAH 14) - T.H. 52 to T.H. 110	Minor additions to right-of-way
Babcock Trail (CSAH 73) - I-494 to Mendota Road (CSAH 14)	Minor additions to right-of-way
Blaine Ave. - 50th Ave. to North City Limits	Major additions to right-of-way
70th Street (CSAH 26) - West City Limits to Babcock Trail (CSAH 73)	Minor additions to right-of-way
Veterans Memorial Community Center	None
Central Interceptor Sewer - Babcock Trail to Robert Street & North	Easements along path of interceptor

(AS MODIFIED MARCH 24, 1997)

Outside Tax Increment Financing District No. 2-1

Project	Property to be Acquired
80th Street (CSAH 28) West City Limits to Major additions to Babcock Trail (CSAH 73)	Street right-of-way
Pine Bend Elementary School Sanitary Sewer/Road Access	Major additions to street and sewer right-of-way
Water Treatment Plant	Easements for water lines
South Robert Trail (TH3) and Diffley Road (CSAH30) Roadway and Intersection Improvements	Intersection improvement and major additions to street right-of-way

SECTION II.

MODIFIED TAX INCREMENT FINANCING PLAN FOR
TAX INCREMENT FINANCING DISTRICT NO. 2-1

(***AS MODIFIED DECEMBER 9, 2013)***

The modifications below are intended to modify specific sections of the Tax Increment Financing Plan (the "TIF Plan") for Tax Increment Financing District No. 2-1 (the "TIF District"), established on July 14, 1986 and modified on May 8, 1995 and March 24, 1997. This modified TIF Plan for TIF District No. 2-1 is intended to replace any previous versions.

In general, the modifications below are intended to modify the duration of TIF District No. 2-1 pursuant to *Minnesota Statutes Section 469.1794* and to bring the TIF Plan into conformance with current law and Office of the State Auditor (the "OSA") reporting requirements.

Subsection 2.1. Statement of Objectives. See Section I, Development Program for Development District No. 2, Subsection 1.4, Statement of Objectives.

Subsection 2.2. Development Plan. The development plan for Development District No. 2 originally provided for the new construction and full-lease occupancy of an approximately 205,000 square foot retail and wholesale shopping center. The proposed development is to occur on the site of a former drive-in movie theater located southeast of the intersection of Mendota Road and South Robert Street. The plan anticipates assistance to the developer for on-site and offsite public improvement costs which will be financed by tax increments generated as a result of this new development. The Development Program also contemplates the construction of various public improvements and public facilities described in Subsection 1.5 of the Development Program.

Subsection 2.3. Parcel to be Included in Tax Increment Financing District No. 2-1. The following parcel is located in the City of Inver Grove Heights, County of Dakota, State of Minnesota:

PIN	Owner
20-02910-11-50	F.A.I. Liquidated Limited Partnership 1916 IDS Center Minneapolis, MN 55402

Legal Description

Section 29, Township 28, Range 22, north 800' of northeast quarter of southwest quarter except part platted Fine Associates Addition except 0.46 acres in parcel 5 of State Trunk Highway right-of-way plat number 19-65.

FURTHER INFORMATION REGARDING THE IDENTIFICATION OF THE PARCEL TO BE INCLUDED IN TAX INCREMENT FINANCING DISTRICT NO. 2-1 CAN BE OBTAINED FROM THE OFFICE OF THE ADMINISTRATOR-CLERK.

(AS MODIFIED DECEMBER 9, 2013)

The parcels in this District have been replatted. The current parcel numbers are:

- **20-33400-01-010**
- **20-33400-01-020**

Subsection 2.4. Parcel(s) in Acquisition. The City intends to acquire and reconvey a fee or leasehold interest in the parcel identified in Section I, Subsection 1.12 of the Development Program.

The following are conditions under which properties not designated to be acquired may be acquired at a future date:

(1) The City may acquire property by gift, dedication, condemnation or direct purchase from willing sellers in order to achieve the objectives of the Tax increment Financing Plan; and

(2) Such acquisitions will be undertaken only when there is assurance of funding to finance the acquisition and related costs.

Subsection 2.5. Development Activity in Development District No. 2 for which Contracts have been Signed. The following contracts have been entered into by the City of Inver Grove Heights and the persons named below:

[Contracts entered into by the City of Inver Grove Heights will be inserted in this Subsection as they are consummated.]

Subsection 2.6. Other Specific Development Expected to Occur within Development District No. 2. Please refer to Appendix A for a complete listing of the projects expected to occur within Development District No. 2 and Tax Increment Financing District No. 2-1.

Subsection 2.7. Estimated Cost of Project. See Subsection 1.5 of the Development Program for estimated public redevelopment costs and public improvement costs associated with Development District. No. 2.

(AS MODIFIED ON DECEMBER 9, 2013)

The budget is being modified to:

1) **Conform with statutory changes and OSA reporting requirements; and**
2) **To include certain lease revenues which are classified as tax increment.**

The revised cumulative uses of tax increment funds is summarized in the table below:

USES OF TAX INCREMENT FUNDS	TOTAL
Land/Building Acquisition	**$100,000**
Site Improvements/Preparation	**$500,00**
Public Utilities	**$15,000,000**
Other Qualifying Improvements	**$6,000,000**
Administrative Costs (up to 10%)	**$400,000**
PROJECT COST TOTAL	**$22,000,000**
Interest	**$8,000,000**
PROJECT AND INTEREST COSTS TOTAL	**$30,000,000**

For purposes of OSA reporting forms, uses of funds include interfund loans, bond principal, TIF Note principal, and transfers, all in the principal amount of $22,000,000 These amounts are not cumulative, but represent the various forms of "bonds" included within the concept of bonded indebtedness under the TIF Act.

The total project cost, including financing costs (interest) listed in the table above does not exceed the total projected tax increments for the TIF District as shown in Section 2.9.

Estimated capital and administrative costs listed above are subject to change among categories by modification of the TIF Plan without hearings and notices as required for approval of the initial TIF Plan, so long as the total capital and administrative costs combined do not exceed the total listed above.

Subsection 2.8. Estimated Amount of Bonded Indebtedness.

(AS MODIFIED MAY 8, 1995)

The City has heretofore issued its $950,000 General Obligation Taxable Tax Increment Bonds, Series 1986A; its $1,900,000 General Obligation Tax Increment Bonds, Series 1987C; and its $1,545,000 General Obligation Tax Increment Refunding Bonds, Series 1992 D. The Series 1987C Bonds were refunded by 1992D Bonds and are no longer outstanding. Additional debt to be issued which will be payable from Tax Increment and other sources is estimated to be less than $5,000,000.

(AS MODIFIED MARCH 24, 1997)

Additional Tax Increment General Obligation, Revenue Capital Appreciation or Serial Bonds, or other bonded indebtedness (including pay-as-you-go notes) and related interest are authorized, in a cumulative principal amount not to exceed $15,900,000. The bonded indebtedness is authorized for any of the projects listed in Appendix A, and can be issued based on the timing of the project and availability of tax increment revenues.

(AS MODIFIED DECEMBER 9, 2013)

The City may issue bonds (as defined in the TIF Act) secured in whole or in part with tax increments from the TIF District in a maximum principal amount of $22,000,000. Such bonds may be in the form of pay-as-you go notes, revenue bonds or notes, general obligation bonds, or interfund loans. This estimate of total bonded indebtedness is a cumulative statement of authority under this TIF Plan as of the date of this Modification.

Subsection 2.9. Sources of Revenue. Public redevelopment costs and public improvement costs and other costs outlined in the Estimated Cost of Project (Subsection 2.7 above) will be financed through the annual collection of Tax Increments as described in Subsection 1.5 of the Development Program and Appendices A and B, as well as special assessments, utility revenues, project revenues and, only if necessary, ad valorem taxes.

(AS MODIFIED DECEMBER 9, 2013)

The total estimated tax increment revenues for the District are expected to be approximately $30,000,000, as shown in the table below:

SOURCES OF FUNDS	TOTAL
Tax Increment	$25,000,000
Interest	$5,000,000
Total	$30,000,000

Subsection 2.10. Original and Captured Tax Capacity and Estimate of Tax Increment. The original net tax capacity of Tax Increment Financing District No. 2-1 is $26,411. The captured net tax capacity of Tax Increment Financing District No. 2-1 is $339,955.

(AS MODIFIED DECEMBER 9, 2013)

The original net tax capacity of the TIF District is $11,212 and the captured net tax capacity of the TIF District is $273,434.

Subsection 2.11. Tax Capacity Rate. The tax capacity rate for taxes payable in 1994 is 128.887%.

(AS MODIFIED DECEMBER 9, 2013)

The tax rate for taxes payable in 2013 is 112.63%.

Subsection 2.12. Tax Increment. Tax Increment was originally calculated at approximately $305,350 per year assuming a static tax capacity rate and a valuation increased by zero percent (0%) compounded annually. The Tax Increment presently on hand and to be received in each year from 1995 through 2013 is estimated to be as shown in Appendix C, assuming a static tax capacity rate and a valuation increase of 3.00% per year, compounded annually.

Subsection 2.13. Capitalized Interest. Capitalized interest will cover interest payments on the Bonds prior to receipt of tax increment to fully fund the principal of and interest on the Bonds.

Subsection 2.14. Bond Interest Rate. The average interest rate on outstanding bonds is 8.70%. The interest rate on new bonds to be issued, if any, is expected not to exceed 6.50%.

Subsection 2.15. Investment Interest Rate. Investment interest is the estimated rate at which unspent but obligated funds will earn interest as well as any surplus tax increment funds within any given year. This rate is contingent upon rates paid on savings and upon arbitration considerations. Tax increments on hand from time to time are expected to earn interest at a rate of not less than 5% per annum.

Subsection 2.16. Type of Tax Increment Financing District. Tax Increment Financing District No. 2-1 is, pursuant to Minnesota Statutes 1986, Section 273.73, Subdivision 10(a)(1), a redevelopment district as defined below:

(1) 70 percent of the parcels in the district are occupied by buildings, streets, utilities or other improvements and more than 50 percent of the buildings, not including outbuildings, are structurally substandard to a degree requiring substantial renovation or clearance.

Subsection 2.17. Duration of Tax Increment Financing District No. 2-1. The duration of Tax Increment Financing District No. 2-1 is expected to be twenty-five (25) years from the receipt of the first tax increment. The date of receipt of the first partial tax increment was July, 1988. The date of receipt of the last tax increment is expected to be in 2013.

(AS MODIFIED DECEMBER 9, 2013)

The Minnesota Legislature in 2003 granted cities the ability to extend the term of a tax increment financing district to pay for deficits in the Tax Increment Financing district. Pursuant to *Minnesota Statutes, Section 469.1794,* a city may extend a district up to a maximum of four years to pay for qualifying obligations. The actual allowable duration extension is the lesser of four years or an amount determined by a formula which measures the amount of class rate compression resulting from property tax changes that affected the income of the district. The other factor in the formula is the remaining term of the TIF district beyond December 31, 2001. This formula results in a potential five year extension as shown in the calculations in Exhibit E. Since five years is a longer extension than allowed under state law, the extension of the District in this Modification is four years or until December 31, 2017.

Pursuant to *Minnesota Statues, Section 469.1794, Subdivision 8,* an extended district must be decertified at the end of the first calendar year when sufficient increments have been received to pay the qualified obligations of the extended district. Any remaining unspent increments must be distributed as excess increments under section 469.176, subdivision 2, paragraph (c), clause (4).

Pursuant to *Minnesota Statutes, Section 469.1794, Subdivision 3,* before an authority may extend the duration of district under this section, the following conditions must be met with regard to the district:

(1) the original local tax rate under section 469.177, subdivision 1a, does not apply under an election made under section 469.1792, subdivision 3, or under other operation of law;

(2) for a district in the metropolitan area or taconite tax relief area, the fiscal disparities contribution is computed under section 469.177, subdivision 3, paragraph (a);

(3) the municipality has transferred any available increments in other districts to pay qualified obligations of the district or other districts in the municipality under section 469.1763, subdivision 6; and

(4) the authority finds that, taking into account all of the increments that are available to pay qualifying obligations for the district, the increments from the district will be insufficient to pay the amount of qualifying obligations and that the insufficiency is a result of (i) the changes in the class rates and (ii) elimination of the state-determined general education property tax levy under Laws 2001, First Special Session chapter 5.

The City has undertaken the following actions to meet the conditions specified in *Minnesota Statutes, Section 469.174, Subdivision 3*:

(1) the original local tax rate under *Minnesota Statutes, Section 469.177, Subdivision 1A* does not apply because the TIF District was certified prior to May 1988.

(2) the fiscal disparities contribution is taken from outside the district, consistent with *Minnesota Statutes, Section 469.177, Subdivision 3a* because the City has not elected otherwise;

(3) the City has transferred all available increment from Tax Increment Financing District No. 3-1 and Tax Increment Financing District No. 4-1 to pay qualified obligations consistent with *Minnesota Statutes, Section 469.1763, Subdivision 6*; and

(4) the City has completed a Management Review and Analysis for each of its Tax Increment Financing districts in November of 2013 and found that, taking into account all of the increments that are available to pay for qualifying obligations, the increments from the TIF District will be insufficient to pay the qualifying obligations. The analysis of the class rate compression for TIF District No. 2-1 is attached in Appendix D.

Subsection 2.18. Estimated Impact on Other Taxing Jurisdictions. The estimated impact on other taxing jurisdictions assumes construction would have occurred without the creation of Tax Increment Financing District No. 2-1. If the construction is a result of tax increment financing, the impact is $0 to other entities. Notwithstanding the fact that the fiscal impact on the other taxing jurisdictions is $0 due to the fact that the financing would not have occurred without the assistance of the City, the following estimated impact of Tax Increment Financing District No. 2-1 would be as follows if the "but for" test was not met:

IMPACT ON TAX BASE

Entity	Tax Base	Original Tax Capacity	Future Tax Capacity	Captured Tax Capacity	District % of Entity
Inver Grove Heights	$16,612,428	$26,411	$366,366	$339,955	2.05%
Dakota Cty.	$229,994,905	$26,411	$366,366	$339,955	.15%
S.D. #199	$15,450,397	$26,411	$366,366	$339,955	2.20%

IMPACT ON TAX CAPACITY RATES

Entity	Current Tax Capacity Rate	Potential Tax Increment
Inver Grove Heights	24.046	$81,745
Dakota County	27.474	93,399
S.D. #199	58.239	197,986
Other	5.434	18,473
Total	115.193	391,603

(AS MODIFIED MARCH 24, 1997)

The estimated impact on other taxing jurisdictions assumes construction would have occurred without the creation of a Tax Increment Financing District. If the construction is a result of tax increment financing, the impact is $0 to other entities. Notwithstanding the fact that the fiscal impact on the other taxing jurisdictions is $0 due to the fact that the construction would not have occurred without the assistance of the City, the following estimated impact of the Tax Increment Financing District would be as follows if the "but for" test was not met. The captured tax capacity listed is the total captured tax capacity of District 2-1, including the portion currently being devoted to existing obligations. Fiscal implications for the total tax capacity are as follows:

Latest Net Tax Capacity Value and Rate of Each Governmental Unit

	1995/96 Tax Capacity	Estimated Captured Tax Capacity (CTC)	Percent of CTC to Entity Total
Dakota County	229,853,006	340,538	0.148%
I.S.D. No. 199	14,528,973	340,538	2.344%
City of Inver Grove Hts	15,502,700	340,538	2.197%

Obligations currently exist for Tax Increment Financing District No. 2-1. Therefore, a portion of the current captured tax capacity for the tax increment district and projects is being utilized for existing obligations.

If the new taxes estimated within Tax Increment Financing Districts Nos. 2-1 are captured for the duration of the District, taxes and values will experience no change during the life of the District. If the new taxes were not captured (and if the project could be done without tax increment financing), they would be distributed as follows:

	1995/96 Tax Extension Rates	Percentage of Total	CTC	Taxes
Dakota County	0.266260	26.31%	340,538	90,672
I.S.D. No. 199	0.476290	43.21%	340,538	162,195
City of Inver Grove Hts	0.303450	27.53%	340,538	103,336
Other Taxing Districts	0.056180	5.10%	340,538	19,131
	1.102180	100.00%		

In addition, the impacts on School District No. 199 do not include the effect of state aids for education upon school district funding. The tax rate used for the above calculations is the 1995/Pay 1996 rate. The total net capacity for the entities listed above are based on Pay 1996 figures. These estimates are being provided only for purposes of reference.

(AS MODIFIED DECEMBER 9, 2013)

IMPACT ON TAX BASE

	Pay 2013 Total Net Tax Capacity	**Estimated Captured Tax Capacity (CTC) Upon Completion**	**Percent of CTC to Entity Total**
Dakota County	**339,623,261**	**273,434**	**.0805%**
City of Inver Grove Heights	**27,027,925**	**273,434**	**1.0117%**
ISD No. 199	**21,720,840**	**273,434**	**1.2589%**

IMPACT ON TAX RATES

	Pay 2013 Extension Rates	**Percent of Total**	**CTC**	**Potential Taxes**
Dakota County	**0.334210**	**29.67%**	**273,434**	**$91,384**
City of Inver Grove Heights	**0.463120**	**41.12%**	**273,434**	**$126,633**
ISD No. 199	**0.275560**	**24.47%**	**273,434**	**$75,348**
Other	**0.053410**	**4.74%**	**273,434**	**$14,604**
Total	**1.126300**	**100.00%**		**$307,969**

The estimates listed above display the captured tax capacity when all construction is completed.

The tax rate used for calculations is the actual Pay 2013 rate. The total net capacity for the entities

listed above are based on actual Pay 2013 figures.

I. It is estimated that the total amount of tax increment that will be generated over the life of the District is $25,000,000;

II. No impact on police protection, fire protection and emergency medical services is expected as part of this modification.

III. It is estimated that the amount of tax increments over the life of the District that would be attributable to school district levies, assuming the school district's share of the total local tax rate for all taxing jurisdictions remained the same is $6,117,500;

IV. It is estimated that the amount of tax increments over the life of the District that would be attributable to county district levies, assuming the county's share of the total local tax rate for all taxing jurisdictions remained the same is $7,417,500;

Subsection 2.19. Tax Increment Financing Account for Tax Increment Financing District No. 2-1. The Tax Increment received with respect to payment of principal and interest for bonds issued for improvements made within Tax Increment Financing District No. 2-1 will be segregated by the City in a special account or accounts (the "Tax Increment Account") on its official books and records or as otherwise established by resolution of the City to be held by a trustee or trustees for the benefit of holders of the Bonds.

Subsection 2.20. Modification of Tax Increment District No. 2-1 and/or Tax Increment Financing Plan.

- The Tax Increment Financing Plan for Tax Increment Financing District No. 2-1 was modified on May 8, 1995.

- The Tax Increment Financing Plan for Tax Increment Financing District No. 2-1 was modified on March 24, 1997.

(AS MODIFIED DECEMBER 9, 2013)

- **The Tax Increment Financing Plan for Tax Increment Financing District No. 2-1 was modified on December 9, 2013.**

(AS MODIFIED ON DECEMBER 9, 2013)

Subsection 2.21. Limitation on the Use of Increment. *Minnesota Statutes 469.1794, Subdivision 7* limits the use of increments of an extended district. It reads:

(a) Tax increments of an extended district may only be used to pay preexisting obligations of the district and administrative expenses, effective upon the final required approval of the extension under this section. All tax increments that are attributable to an extension of the duration of a district under this section must be used only to pay qualified obligations of the district. If increments from a district subject to this subdivision are pledged to pay preexisting obligations that are not qualified obligations, increments received under the duration limit, determined without regard to this section, must be used to pay qualified obligations and preexisting obligations that are not qualified obligations in proportion to their relative shares of all payments due on all preexisting obligations.

(b) If the authority elects to extend the duration of a district under this section and if increments from one or more other districts are pledged to pay preexisting obligations of the extended district, increments from all of the districts may only be used to pay preexisting obligations and administrative expenses.

A "qualifying obligation" according to *Minnesota Statutes 469.1794, Subdivision 2(e)* means: (1) a preexisting obligation that is:

(i) a general obligation bond of the municipality;

(ii) a general obligation bond of the authority;

(iii) a revenue bond of the authority to which other revenues or money of the authority in addition to tax increments are pledged to pay;

(iv) an interfund loan, including an advance or payment made by the municipality or authority after June 1, 2002, to pay an obligation listed in items (i) to (iii);

(v) an obligation assumed by a developer before January 1, 2001, to repay a general obligation bond issued by a municipality to fund cleanup and development activities, if the developer assumed the obligation more than five years after the issuance of the bonds; or

(2) a bond issued to refinance a preexisting obligation under clause (1).

A "pre-existing obligation" according to *Minnesota Statutes 469.1792, Subdivision 2* means a bond or binding contract that:

(1)(i) was issued or approved before August 1, 2001, or was issued pursuant to a binding contract entered into before July 1, 2001; or

(ii) was issued to refinance an obligation under item (i), if the refinancing does not increase the present value of the debt service; and

(2) is secured by increments from a preexisting district.

A list of the outstanding qualifying obligations of the TIF District is below:

- **General Obligation Tax Increment Refunding Bonds, Series 2005A**
- **General Obligation Tax Increment Refunding Bonds, Series 2005B**

(AS MODIFIED ON DECEMBER 9, 2013 TO INCLUDE APPLICABLE LAWS ADOPTED SINCE 1997)

Subsection 2.22. <u>Business Subsidies</u>. Pursuant to *M.S., Section 116J.993, Subd. 3,* the following forms of financial assistance are not considered a business subsidy:

(1) A business subsidy of less than $150,000;
(2) Assistance that is generally available to all businesses or to a general class of similar businesses, such as a line of business, size, location, or similar general criteria;
(3) Public improvements to buildings or lands owned by the state or local government that serve a public purpose and do not principally benefit a single business or defined group of businesses at the time the improvements are made;
(4) Redevelopment property polluted by contaminants as defined in *M.S., Section 116J.552, Subd. 3;*
(5) Assistance provided for the sole purpose of renovating old or decaying building stock or bringing it up to code and assistance provided for designated historic preservation districts, provided that the assistance is equal to or less than 50% of the total cost;
(6) Assistance to provide job readiness and training services if the sole purpose of the assistance is to provide those services;
(7) Assistance for housing;
(8) Assistance for pollution control or abatement, including assistance for a tax increment financing hazardous substance subdistrict as defined under *M.S., Section 469.174, Subd. 23*;
(9) Assistance for energy conservation;
(10) Tax reductions resulting from conformity with federal tax law;
(11) Workers' compensation and unemployment compensation;
(12) Benefits derived from regulation;
(13) Indirect benefits derived from assistance to educational institutions;
(14) Funds from bonds allocated under chapter 474A, bonds issued to refund outstanding bonds, and bonds issued for the benefit of an organization described in section 501 (c) (3) of the Internal Revenue Code of 1986, as amended through December 31, 1999;
(15) Assistance for a collaboration between a Minnesota higher education institution and a business;
(16) Assistance for a tax increment financing soils condition district as defined under *M.S., Section 469.174, Subd. 19*;
(17) Redevelopment when the recipient's investment in the purchase of the site and in site preparation is 70 percent or more of the assessor's current year's estimated market value;
(18) General changes in tax increment financing law and other general tax law changes of a principally technical nature;
(19) Federal assistance until the assistance has been repaid to, and reinvested by, the state or local government agency;
(20) Funds from dock and wharf bonds issued by a seaway port authority;
(21) Business loans and loan guarantees of $150,000 or less;
(22) Federal loan funds provided through the United States Department of Commerce, Economic Development Administration; and
(23) Property tax abatements granted under M.S., Section 469.1813 to property that is subject to valuation under Minnesota Rules, chapter 8100.

(AS MODIFIED ON DECEMBER 9, 2013 TO INCLUDE APPLICABLE LAWS ADOPTED SINCE 1997)

Subsection 2.23. <u>Definition of Tax Increment Revenues</u>. Pursuant to *M.S., Section 469.174, Subd. 25,* tax increment revenues derived from a tax increment financing district include all of the following potential revenue sources:

1. **Taxes paid by the captured net tax capacity, but excluding any excess taxes, as computed under *M.S., Section 469.177*;**
2. **The proceeds from the sale or lease of property, tangible or intangible, to the extent the property was purchased by the City with tax increments;**
3. **Principal and interest received on loans or other advances made by the City with tax increments;**
4. **Interest or other investment earnings on or from tax increments;**
5. **Repayments or return of tax increments made to the City under agreements for districts for which the request for certification was made after August 1, 1993; and**
6. **The market value homestead credit paid to the City under *M.S., Section 273.1384*.**

(AS MODIFIED ON DECEMBER 9, 2013 TO INCLUDE APPLICABLE LAWS ADOPTED SINCE 1997)

Subsection 2.24. <u>Administrative Expenses.</u> In accordance with *M.S., Section 469.174, Subd. 14,* administrative expenses means all expenditures of the City*, other than*:

1. **Amounts paid for the purchase of land;**
2. **Amounts paid to contractors or others providing materials and services, including architectural and engineering services, directly connected with the physical development of the real property in the TIF District;**
3. **Relocation benefits paid to or services provided for persons residing or businesses located in the TIF District; or**
4. **Amounts used to pay principal or interest on, fund a reserve for, or sell at a discount bonds issued pursuant to *M.S., Section 469.178*; or**
5. **Amounts used to pay other financial obligations to the extent those obligations were used to finance costs described in clauses (1) to (3).**

For districts for which the request for certification were made before August 1, 1979, or after June 30, 1982, and before August 1, 2001, administrative expenses also include amounts paid for services provided by bond counsel, fiscal consultants, and planning or economic development consultants. Pursuant to *M.S., Section 469.176, Subd. 3,* tax increment may be used to pay any authorized and documented administrative expenses for the TIF District up to but not to exceed 10 percent of the total estimated tax increment expenditures authorized by the TIF Plan or the total tax increments, as defined by *M.S., Section 469.174, Subd. 25, clause (1),* from the TIF District, whichever is less.

Pursuant to *M.S., Section 469.176, Subd. 4h,* tax increments may be used to pay for the County's actual administrative expenses incurred in connection with the District and are not subject to the percentage limits of *M.S., Section 469.176, Subd. 3*. The county may require payment of those expenses by February 15 of the year following the year the expenses were incurred.

Pursuant to *M.S., Section 469. 177, Subd. 11,* the County Treasurer shall deduct an amount (currently .36 percent) of any increment distributed to the City and the County Treasurer shall pay

the amount deducted to the State Commissioner of Management and Budget for deposit in the state general fund to be appropriated to the State Auditor for the cost of financial reporting of tax increment financing information and the cost of examining and auditing authorities' use of tax increment financing. This amount may be adjusted annually by the Commissioner of Revenue.

(AS MODIFIED ON DECEMBER 9, 2013 TO INCLUDE APPLICABLE LAWS ADOPTED SINCE 1997)

Subsection 2.26. <u>Excess Increments</u>. Excess increments, as defined in *M.S., Section 469.176, Subd. 2,* shall be used only to do one or more of the following:

1. **Prepay any outstanding bonds;**
2. **Discharge the pledge of tax increment for any outstanding bonds;**
3. **Pay into an escrow account dedicated to the payment of any outstanding bonds; or**
4. **Return the excess to the County Auditor for redistribution to the respective taxing jurisdictions in proportion to their local tax rates.**

The City must spend or return the excess increments under paragraph (c) within nine months after the end of the year. In addition, the City may, subject to the limitations set forth herein, choose to modify the TIF Plan in order to finance additional public costs in Development District No. 2 or the TIF District.

Pursuant to *Minnesota Statues, Section 469.1794, Subdivision 8,* an extended district must be decertified at the end of the first calendar year when sufficient increments have been received to pay the qualified obligations of the extended district. Any remaining unspent increments must be distributed as excess increments under section 469.176, subdivision 2, paragraph (c), clause (4).

EXHIBIT II-A

Findings of Blight

The City Council of the City of Inver Grove Heights, Minnesota, in determining the need for a tax increment financing district in accordance with Minnesota Statutes 1986, Sections 273.71-273.78 inclusive, finds that the district to be established is a redevelopment district pursuant to Minnesota Statutes 1986, Section 273.73, Subdivision 10. It has been determined that the one parcel in the district (100 percent) is occupied by buildings, streets, utilities, or other improvements and more than 50 percent of the buildings, not including outbuildings, are structurally substandard to a degree requiring substantial renovation or clearance. The one parcel of land constituting the redevelopment district has been investigated by consultants. It has been found that this parcel of land was the former site of a drive-in movie theater. Currently, the site is deteriorated in nature and is functionally and structurally obsolete and substandard to a degree requiring clearance in order to remove existing blighting influences as a commercial building (former movie projection house/snack bar); fence; speaker stand poles and cement footings; and subsurface speaker wiring. In addition, the former nature of the site renders it is unusual terrain due to the inadequacy of the soil to support building foundations. Thus, the tax increment financing district appears to meet the statutory requirements of a redevelopment district and will henceforth be referred to as a redevelopment tax increment financing district. The parcel that has been used to establish eligibility as a redevelopment tax increment financing district is:

PIN	Owner
20-02910-011-50	F.A.I. Liquidation Limited Partnership 1916 IDS Center Minneapolis, MN 55402

Legal Description

Section 29, Township 28, Range 22, north 800' of northeast quarter of southwest quarter except part platted Fine Associates Addition except 0.46 acres in parcel 5 of State Trunk Highway right-of-way plat number 19-65.

APPENDIX A
Description of Various Projects to be Financed
in Whole or in Part from Tax Increments

MENDOTA ROAD (CSAH 14) - TH52 TO TH110
BABCOCK TRAIL (CSAH 73) - 1-494 TO MENDOTA ROAD (CSAH 14)

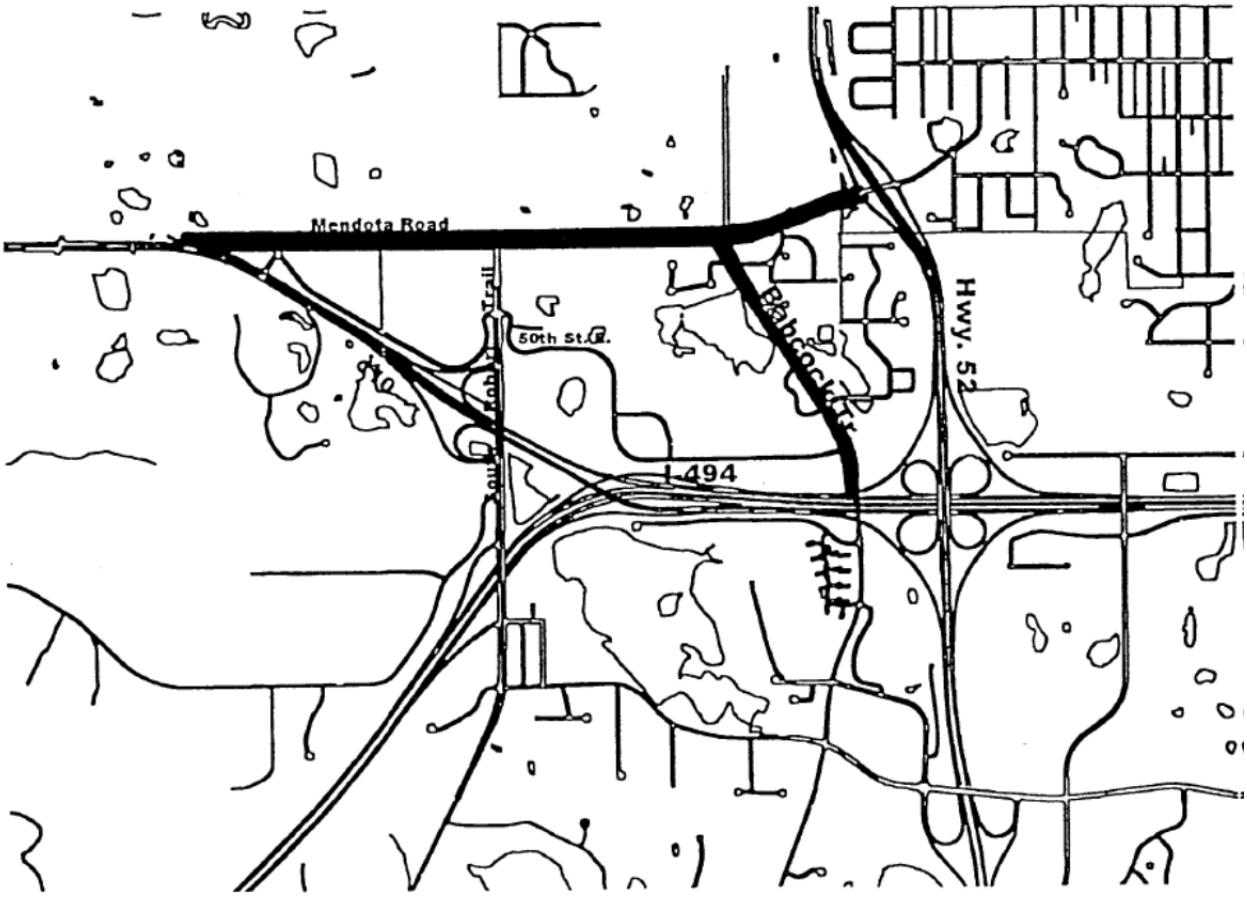
(AS MODIFIED MARCH 24, 1997)

Mendota Road (CSAH 14) is currently a two-lane County roadway on the City limits line between Inver Grove Heights and West St. Paul. The corridor is highly developed with commercial and multiple family properties. Increased traffic has created major capacity problems for the roadway. New construction includes widening the roadway, installing signalized traffic controls and providing for pedestrian traffic. Additional right-of-way will be required.

ESTIMATED COST - $700,000 as modified on May 8, 1995
ESTIMATED COST - $900,000 as modified on March 24, 1997

Babcock Trail (CSAH 73), between I-494 and Mendota Road (CSAH 14), is proposed to be widened in conjunction with the Mendota Road project. This two-lane County roadway needs to be widened to carry traffic, to match the widened roadways at the north and south ends, and to provide for pedestrian traffic. Additional right-of-way will be required.

ESTIMATED COST- $300,000 as modified on May 8, 1995



BLAINE AVENUE - 50TH STREET NORTH TO CITY LIMITS

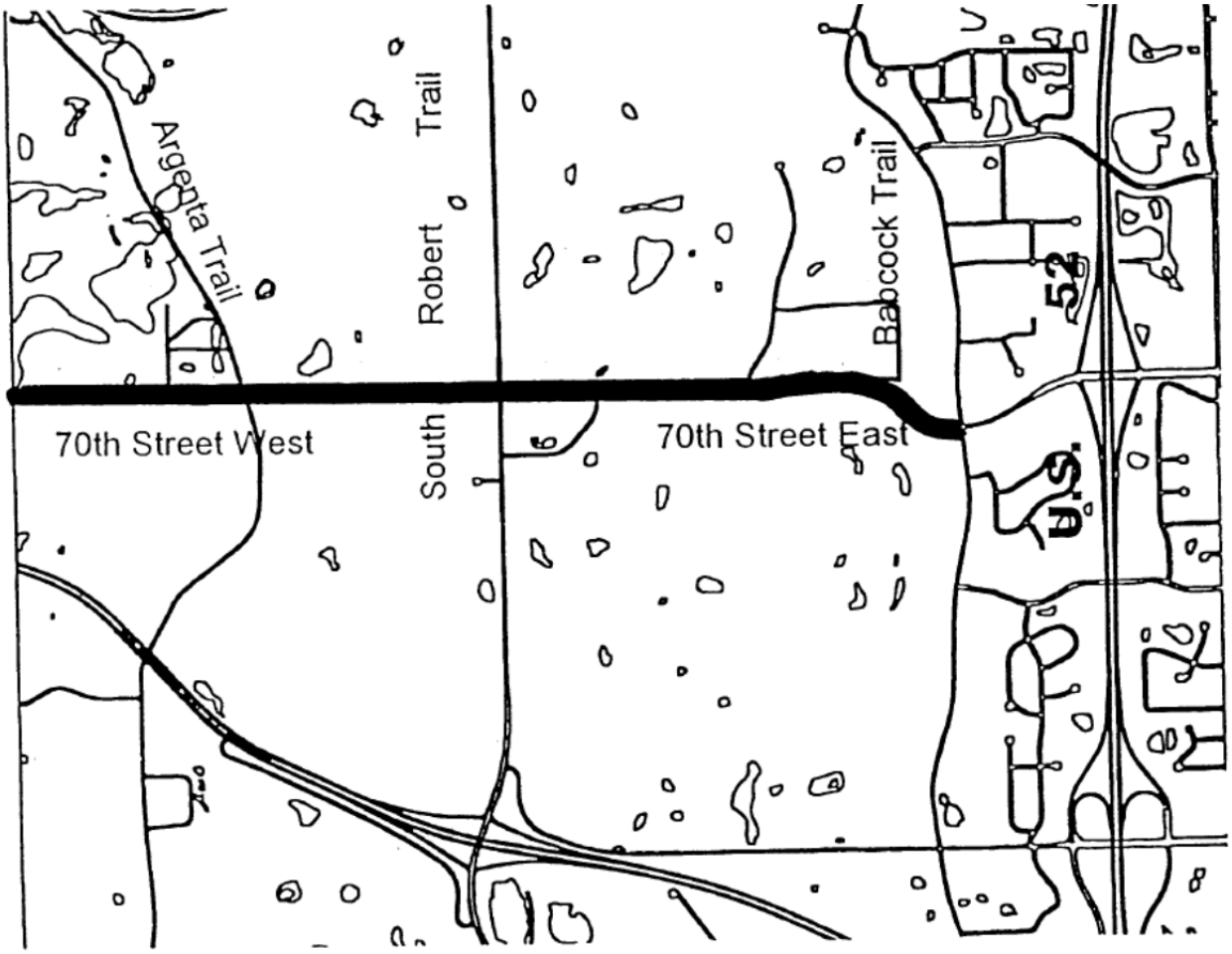
This proposed collector roadway extension would serve the undeveloped area in the City known as the Northeast Quadrant of TH 52 and I-494. The roadway is proposed to be an extension of the existing Blaine Avenue which serves the developing Southeast Quadrant and is proposed to be extended into the City of South St. Paul to connect with Southview Boulevard. Until this collector roadway is constructed, providing the undeveloped area with access is very difficult. Right-of-Way is required.

ESTIMATED COST - $1,500,000 as modified on May 8, 1995

70TH STREET (CSAH 26) - EAGAN CITY LIMITS
TO BABCOCK TRAIL (CSAH 73)

This two-lane County roadway is a major east-west arterial connection between the City's of Inver Grove Heights and Eagan. The roadway is currently improved part way through Eagan and from Concord Boulevard to Babcock Trail (CSAH 73) in Inver Grove Heights. Continued development in both communities requires the up-grading of this roadway. The roadway serves commercial, as well as developing residential areas, and intersects with major State Highways. Right-of-Way along the roadway will be required.

ESTIMATED COST - $2,250,000 as modified on May 8, 1995

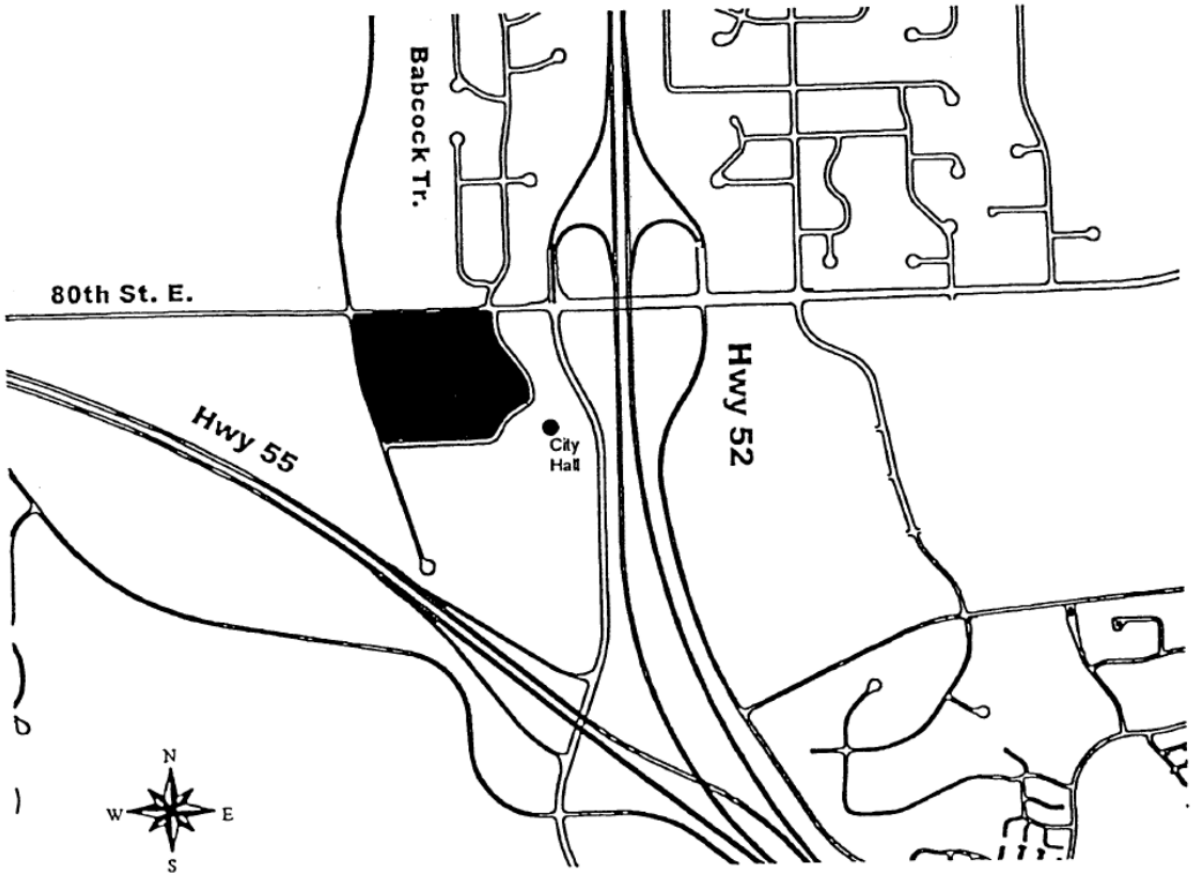


VETERAN'S MEMORIAL COMMUNITY CENTER

(AS MODIFIED MARCH 24, 1997)

This project consists of an eleven-month ice sheet, a five-month ice sheet, and other proposed recreation spaces including swimming and water features. The facility is adjacent to a National Guard Training and Community Center Armory at 80th Street and Barbara Avenue near City Hall. This multiple use recreational facility is designed for a variety of recreation uses, and is to be used by the Inver Grove Heights Schools for a wide variety of recreational uses and instructional programs. Property is already owned by the City for the structure. Site grading, drainage and other improvements are to be constructed in conjunction with the building.

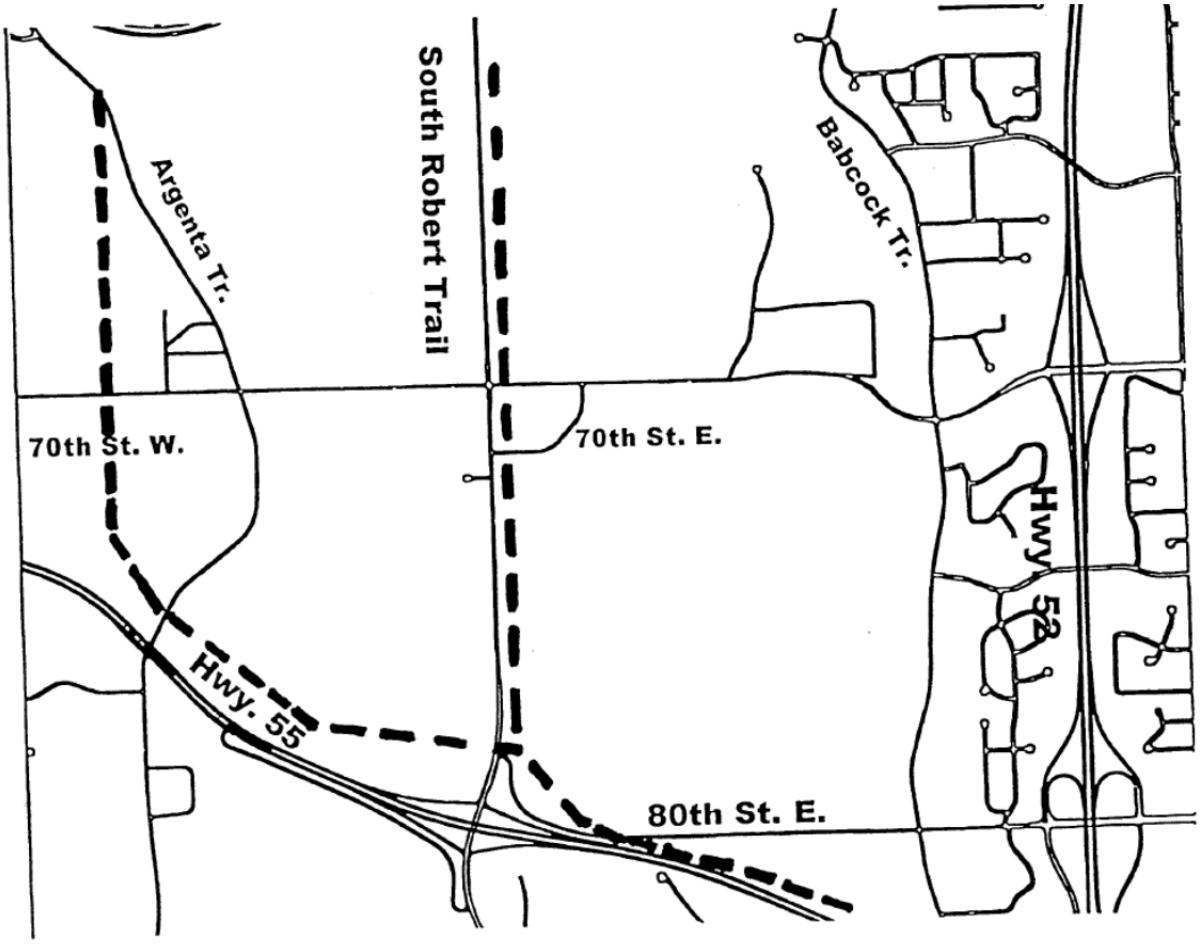
ESTIMATED COST - $4,500,000 as modified on May 8, 1995
ESTIMATED COST - $7,500,000 as modified on March 24, 1997



CENTRAL INTERCEPTOR SANITARY SEWER
BABCOCK TRAIL TO ROBERT STREET AND NORTH

The City's major trunk sanitary sewer is currently stubbed south of City Hall on Babcock Trail. In order for the City to extend the MUSA boundary and to provide sewer service to the Northwest part of the City, this trunk interceptor sanitary sewer needs to be extended. Because of difficult terrain and limited number of properties which can be assessed, funding of the sewer will be difficult. The sewer consists of 24-inch and smaller trunk mains, force mains, and lift stations. Easements will be required.

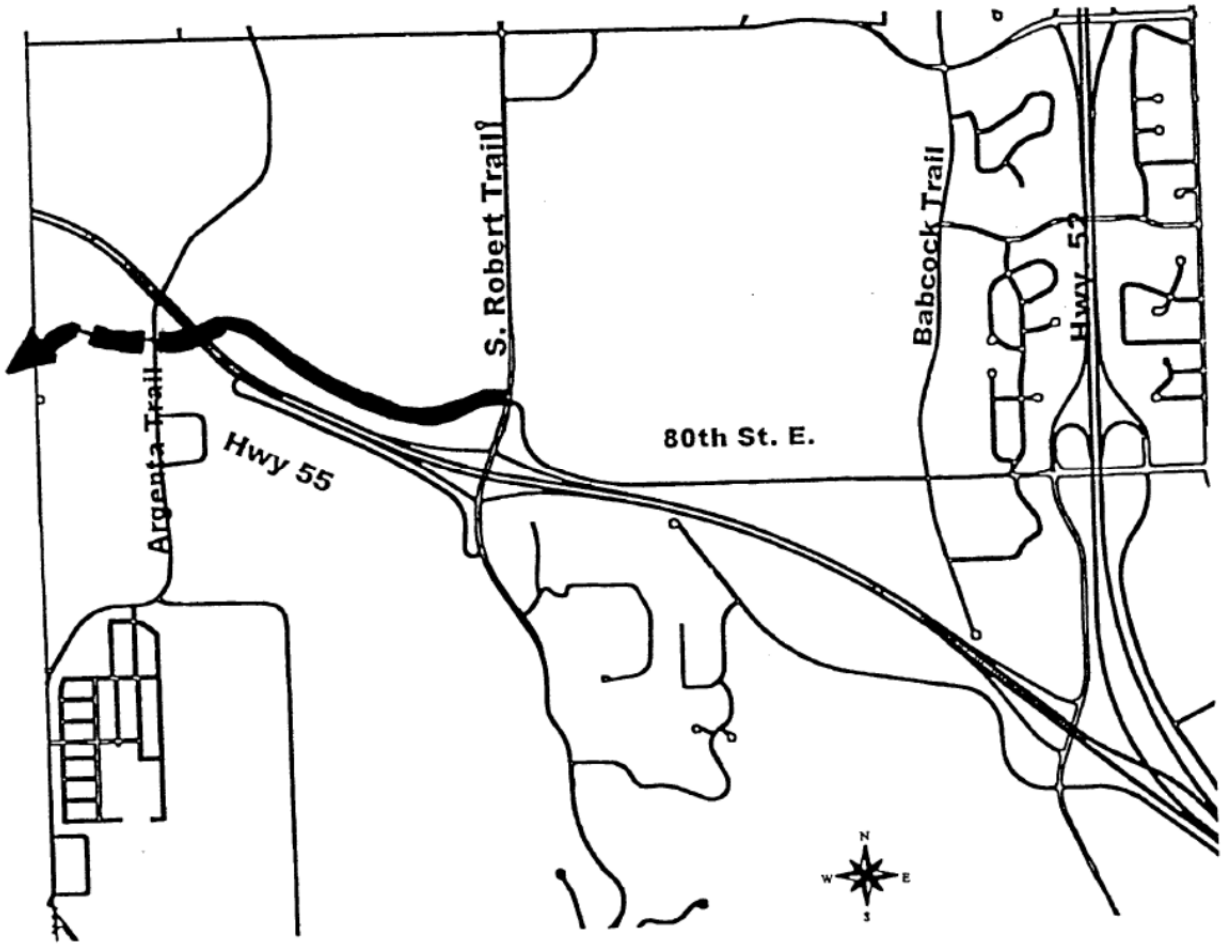
ESTIMATED COST - $5,100,000 as modified on May 8, 1995
ESTIMATED COST - $6,000,000 as modified on March 24, 1997



80th STREET (CSAH 28) - CITY LIMITS TO BABCOCK TRAIL (CSAH 73)

Since 1980, the extension of 80th Street (County Road 28) has been in the City's long range transportation plan. The roadway would connect to Yankee Doodle Road in Eagan on the west, and to Robert Street on the east, with further improvements on existing 80th easterly to Babcock Trail (County Road 73). This project involves Eagan, Dakota County and MnDOT. The four agencies are currently working together to develop one or more alternative alignments for the proposed extension. The project will require the acquisition by the City of road right-of-way.

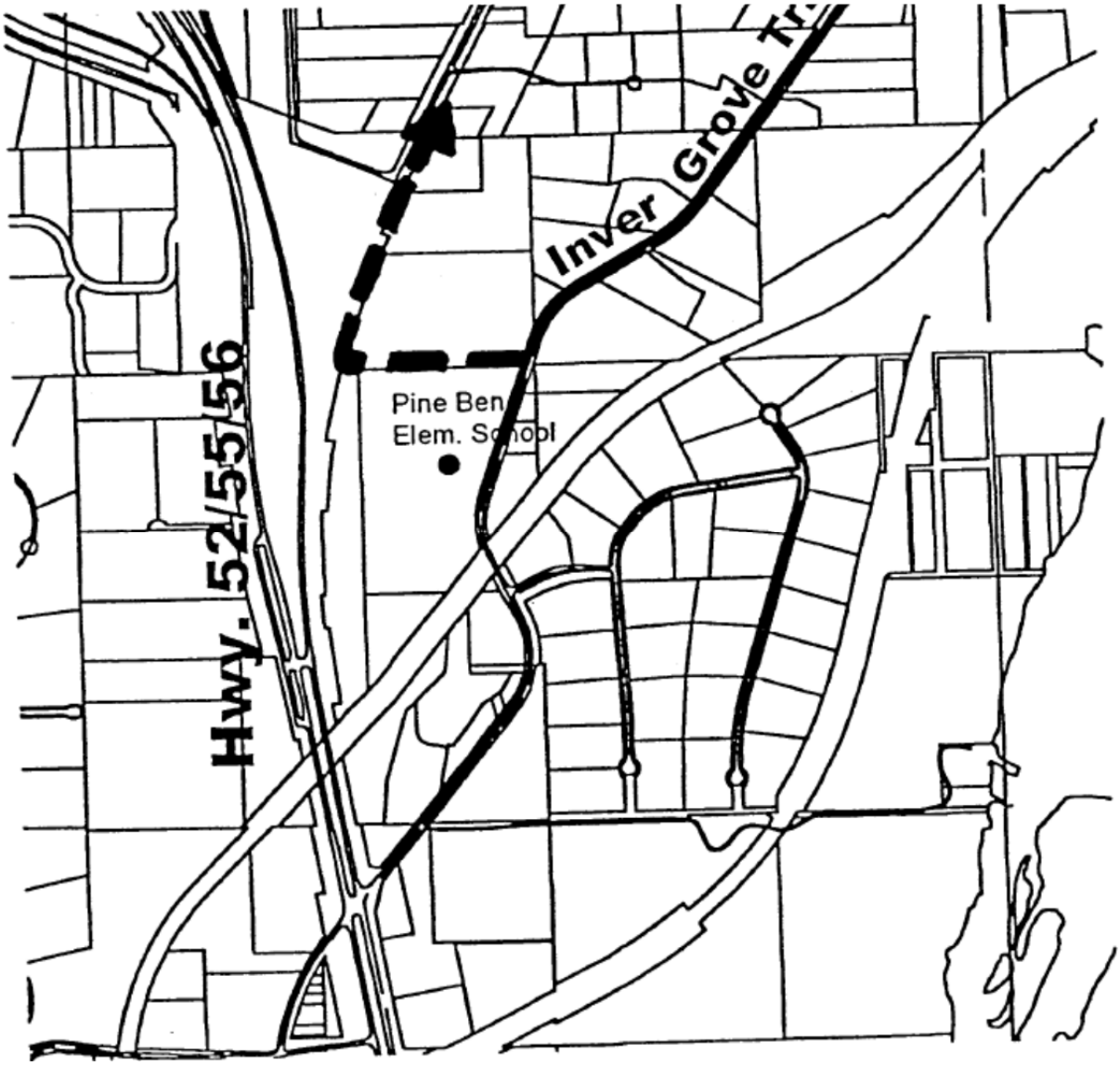
ESTIMATED COST - $2,000,000 as modified on March 24, 1997



PINE BEND ELEMENTARY SCHOOL SANITARY SEWER/ROAD ACCESS

This proposed project is contemplated to bring sanitary sewer service to the Pine Band Elementary School, replacing the current on-site disposal system. As part of this work, it is anticipated that the sewer routing will provide a secondary access to the school and to Inver Grove Trail, from Old Concord Blvd. thereby improving the safe ingress and egress to the school site for the bussing of students.

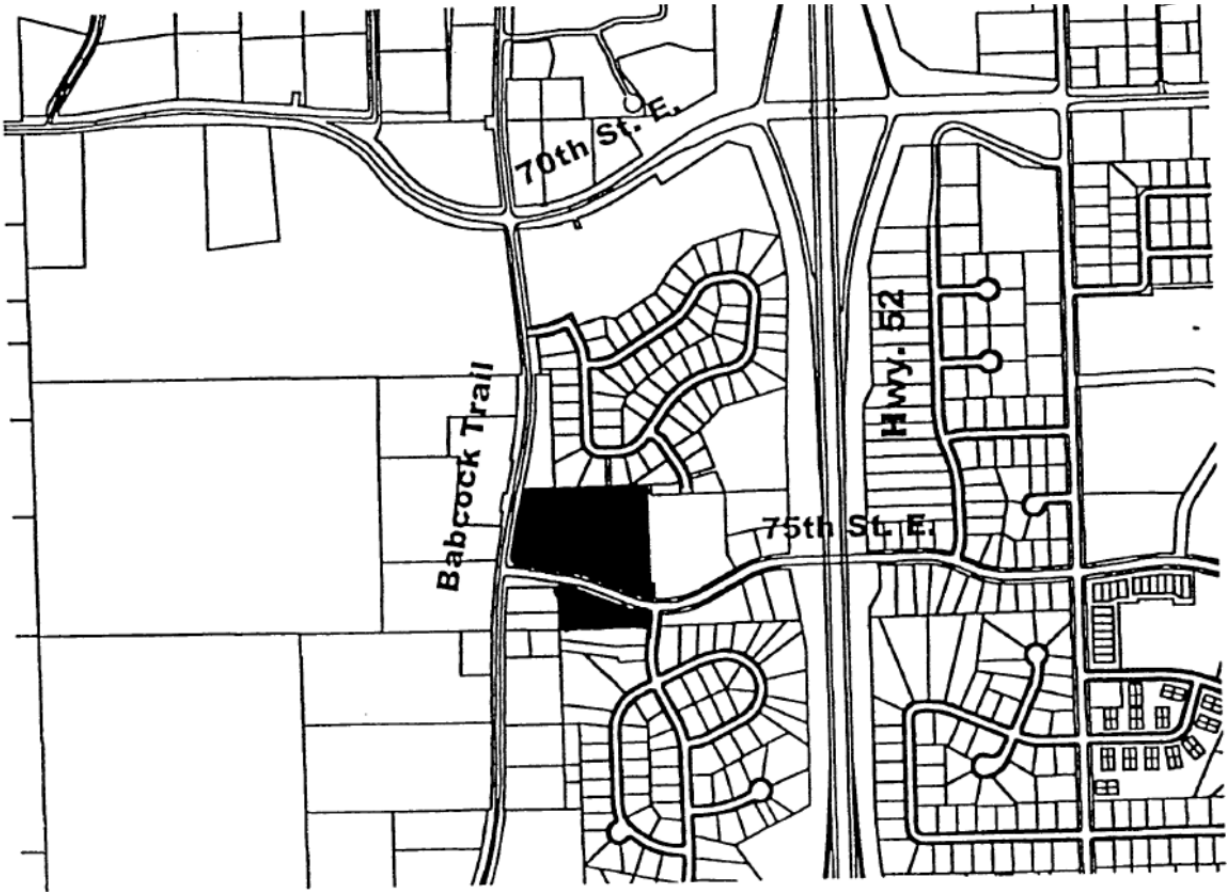
PRELIMINARY ESTIMATED COST - $1,000,000 as modified on March 24, 1997



WATER TREATMENT PLANT

This project consists of a new water treatment plant to meet the present and future growth of the City. The current City population is 20,905 with ultimate population projected to be 47,727 in 2040. The users are generally residential in nature. Existing residents within the District comprise about 60% of the total customers of the water supply system. When future anticipated development in the Northwestern part of the City is complete, approximately 75% of all water customers will reside within the District boundaries. Therefore, the City could use tax increment revenues from Development District No. 2 to pay for up to $6,600,000 of this project. Additionally, the Dakota County HRA has examined current census tract and block groups for Development District No. 2. Their independent review has concluded that 30.85% of the current residents within Development District No. 2 are low and moderate income residents. The City concludes that up to $2,035,000 of the cost of this project will benefit low or moderate income persons. The plant, with an original capacity of treating 6,000,000 gallons of water per day, with an opportunity to expand to 15,000,000 gallons per day, will be constructed on the corner of Babcock Trail and 75th Street, which is within Development District No. 2. Also included in the project are water lines to bring untreated water from the City's wells to the treatment plant. Property for the treatment plant is owned by the City, but an easement will be required for the construction of necessary water lines.

ESTIMATED COST - $8,800,000 as modified on March 24, 1997

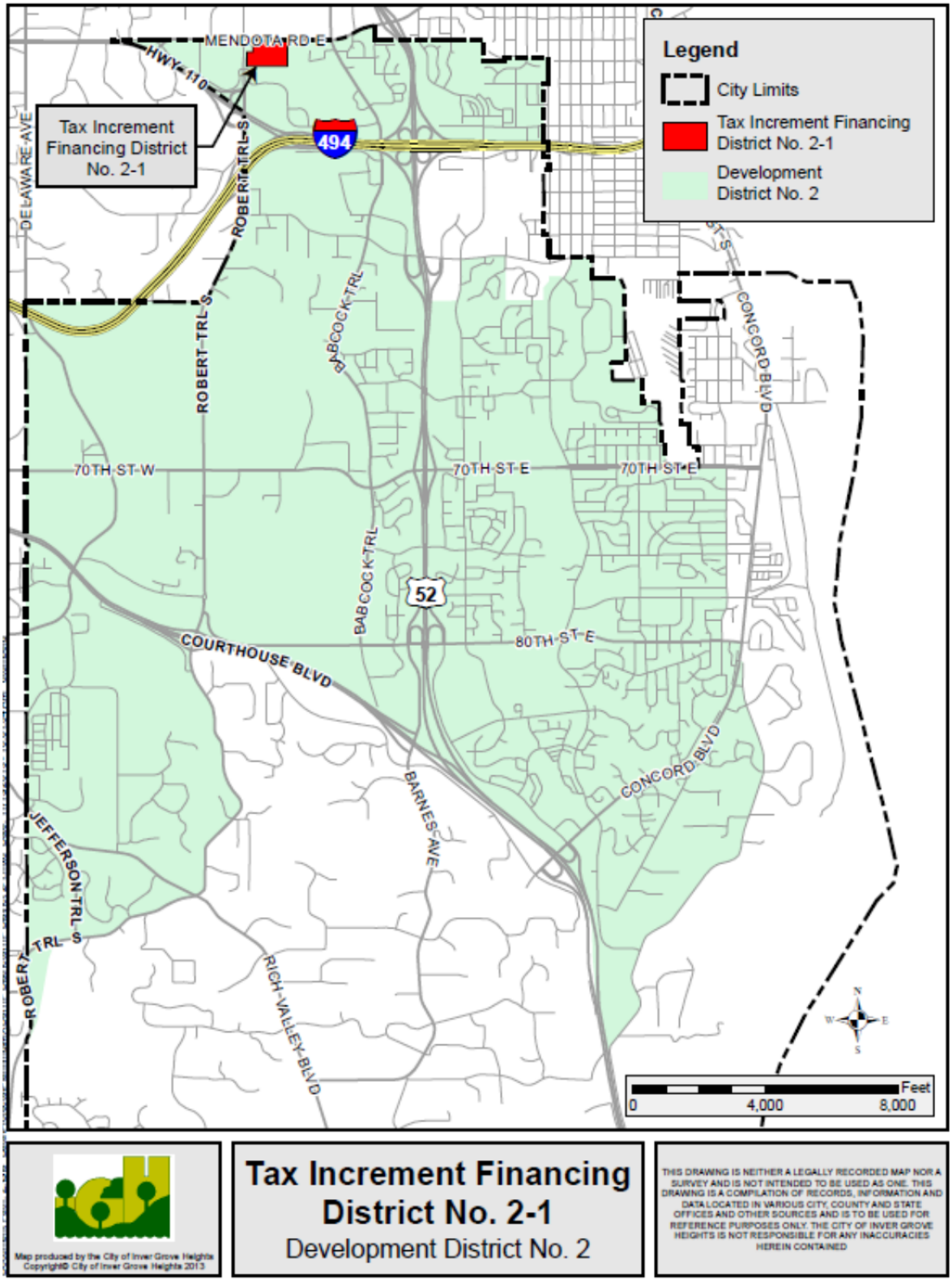


SOUTH ROBERT TRAIL (TH 3) AND DIFFLEY ROAD (CSAH 30) ROADWAY AND INTERSECTION IMPROVEMENTS

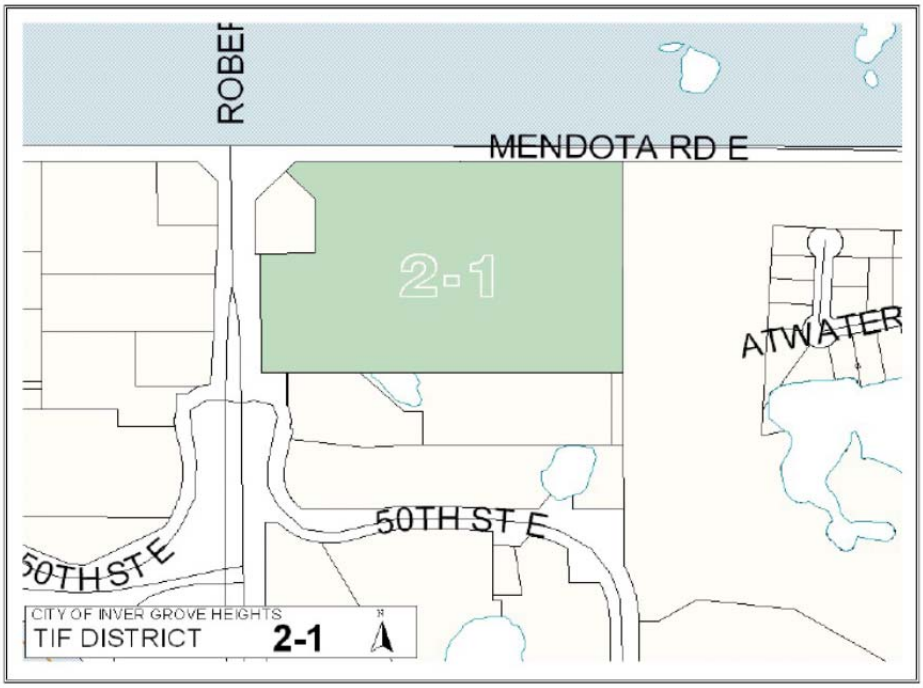
Private development interests have proposed a mixed-use development on a 20 acre parcel east of the intersection of Diffley Road (CSAH 30) and South Robert Trail (TH 3). They have suggested that the City establish a Tax Increment Financing district for some of the activities contemplated to take place in the development. Their anticipated needs from tax increment funds amount to $690,000. Of this sum, $250,000 is estimated to be required to improve the intersection of Diffley Road and South Robert Trail, including the installation of traffic signal lights, and $440,000 for the redevelopment of property on the northern portion of the site, including the construction of a new access to South Robert Trail.

ESTIMATED COST - $690,000 as modified on March 24, 1997

APPENDIX B
Boundary Map of
Development District No. 2,
Tax Increment Financing District No. 2-1



TIF District No. 2-1 Southridge Center



APPENDIX C
Cash Flow Estimates for
Development District No. 2,
Tax Increment Financing District No. 2-1

The revenue projections in this Appendix are based on current estimates of tax increment generated by Tax Increment Financing Districts Nos. 2-1 and 3-1. Actual revenue could vary significantly depending on the tax rate and tax capacity value of the projects. Additional project costs to be paid by this estimated revenue are authorized by this March 24, 1997 modification and are greater than the tax increment revenue currently expected. Additional revenue above and beyond these estimates will require a modification of the Tax Increment Financing Plans only if additional costs not authorized herein are expected to be incurred.

Tax Increment Cashflow Estimate

City of Inver Grove Heights
TIF District #2-1 (Vansouth/Vantage)
Redevelopment (12/86)

	Year	Tax Increment	Stripped T-Bonds	1986A Bonds	1992D Bonds	1995C Bonds	Annual Net Revenue
1	1997	357,095		83,050	193,750	0	80,295
2	1998	357,095		83,050	188,050	0	85,995
3	1999	357,095		83,050	192,050	15,000	66,995
4	2000	357,095		83,050	195,355	15,000	63,690
5	2001	357,095		83,050	192,935	15,000	66,110
6	2002	357,095		83,050	194,960	15,000	64,085
7	2003	357,095	150,000	233,050	191,280	15,000	67,765
8	2004	357,095	150,000	220,000	197,000	15,000	75,095
9	2005	357,095	650,000	706,950	196,500	15,000	88,645
10	2006	357,095				21,000	336,095
11	2007	357,095				28,000	329,095
12	2008	357,095				28,000	329,095
13	2009	357,095				28,000	329,095
14	2010	357,095				28,000	329,095
15	2011	357,095				28,000	329,095
16	2012	357,095				28,000	329,095
17	2013	357,095				28,000	329,095
	TOTALS	**6,070,615**	**950,000**	**1,658,300**	**1,741,880**	**322,000**	**3,298,435**

NOTES
1. Future tax increment is sensitive to changes in Tax Rate. This is an estimate only.
2. Use of future tax increment revenue is authorized by the March 24, 1997 TIF Plan modifications.

APPENDIX D

(AS MODIFIED DECEMBER 9, 2013)

Class Rate Compression Analysis for

Tax Increment Financing District No. 2-1

City of Inver Grove Heights

COMPRESSION ANALYSIS FOR PAY 2002

Dakota County	Market Value	Class Code Current Code	Sub	EMV Base	EMV Current	Tax Capacity Base	Tax Capacity 2002	Hypothetical Tax Capacity with 1997 Rates	Change Due To Compression	
TIF District 2-1										
20-02910-011-50	Total									
Base 233-0		233	3a		10,238,400		204,018	469,366	265,348	-56.53%
2002 TMV 233	10,238,400									
Base Net CPC										
Current Net CPC										

APPENDIX E

(AS MODIFIED DECEMBER 9, 2013)

Calculation of Maximum Extension of TIF Districts to Fund Deficits

City of Inver Grove Heights
Calculation of Maximum Extension of TIF Districts to Fund Deficits

	2001 Base TC	2001 Tax Rate	2001 Taxes on Base TC	2002 Base TC	2002 Tax Rate	2002 Taxes on Base TC	2003 Base TC	2003 Tax Rate	2003 Taxes on Base TC	Average of 2002-2003 Tax	Tax Reform Percentage	Years Remaining In District	Estimated Maximum Extension
TIF 2-1	18,835	1.01366	19,092	11,212	0.99584	11,165	11,212	0.93143	10,443	10,804	43.41%	12	5 years

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Consider Application of Pawn America LLC dba Pawn America for Renewal of Pawnbroker's License for Premises Located at 5300 South Robert Trail

Meeting Date: December 9, 2013
Item Type: Consent
Contact: 651.450.2513
Prepared by: Melissa Kennedy
Reviewed by: N/A

Fiscal/FTE Impact:

x	None
	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
	Other

PURPOSE/ACTION REQUESTED:

Conduct public hearing to consider the application of Pawn America LLC dba Pawn America for the renewal of a pawnbroker's license for the premises located at 5300 S. Robert Trail.

SUMMARY:

An application has been submitted by Pawn America, LLC dba Pawn America for renewal of a Pawnbroker's license for the 2014 calendar year. City Code requires the Council to conduct a public hearing prior to the issuance of a pawnbroker's license. The applicant provided the necessary license and background investigation fees, corporate surety bond, and insurance documentation. The application was reviewed by the Police Department and background investigation was completed. No basis for denial of the renewal application was found.

The Minnesota Department of Commerce notified the City that an application was submitted to their agency for renewal of the Currency Exchange License located at the same premises. The matter is being brought to your attention and included as a part of the public hearing in response to the request submitted by the Department of Commerce, a copy of which is attached for your review. The City has no regulations pertaining to this type of license contained in the City Code and is not the issuing authority for the license.

MINNESOTA
DEPARTMENT OF
COMMERCE

85 7th Place East, Suite 500
St. Paul, Minnesota 55101-2198
mn.gov/commerce/
651.296.4026 FAX 651.297.1959
An equal opportunity employer

November 4, 2013

City Clerk
City of Inver Grove Heights
8150 Barbara Ave.
Inver Grove Heights, MN 55077

CERTIFIED MAIL

RE: Pal Card Minnesota LLC – License #20631255
Currency Exchange License Renewal for 2014

Dear City Clerk:

The above-named currency exchange licensee has made application to renew its currency exchange license to operate at:

5300 South Robert Trail
Inver Grove Heights, MN 55077

Pursuant to Minnesota Statutes Chapter 53A.04, we are notifying your office that a complete currency exchange license renewal application has been filed with the Department of Commerce. The renewal application included the names of the officers and owners of the licensee, background checks on each of the owners and officers from the Minnesota Bureau of Criminal Apprehension, a fee schedule of all fees to be charged by the currency exchange office, a $10,000 surety bond valid through December 31, 2014, and the $550 renewal fee. If you wish to receive a copy of the complete currency exchange license renewal application form that was filed with this office, please contact Lynne at 651-539-1707 and it will be forwarded to you.

Minnesota Statutes Chapter 53A.04 requires the Department of Commerce to submit any application for licensure as a currency exchange to the governing body of the local unit of government in which the currency exchange business is located. The law further requires the governing body to give published notice of its intention to consider the issue and shall solicit testimony from interested persons, including those in the community in which the licensee is located. If the governing body has not approved or disapproved the issue within 60 days of receipt of the application, concurrence is presumed. The governing body shall have the sole responsibility for its decision. The state shall have no responsibility for that decision. Your cooperation in forwarding this information to the proper unit within your organization is appreciated.

Your reply must be received within 60 days of receipt of this letter. If you have any questions, please contact me at the telephone number listed below.

Very truly yours,

Robin H. Brown

Robin H. Brown
Financial Institutions Division
651-539-1721
651-539-1548 (Fax)

cc: Pal Card Minnesota, LLC

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Meeting Date: December 9, 2013
Item Type: Public Hearing
Contact: 651.450.2513
Prepared by: Melissa Kennedy
Reviewed by:

Fiscal/FTE Impact:

x	None
	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
	Other

PURPOSE/ACTION REQUESTED: Conduct a public hearing and consider approval of renewal applications for liquor licenses for the 2014 calendar year.

SUMMARY:

The City received applications for the renewal of 29 liquor licenses for 2014. The attached notice of public hearing was published in the South West Review on November 17, 2013.

Eddy's Bar & Grill, LLC did not submit an application and should be removed from the list of licensees eligible for renewal. The City has been informed that the ownership of the business has changed and an application for a new liquor license will be forthcoming after the new year. The business has been closed for several weeks while the ownership transition takes place. New ownership has been informed that no alcohol may be served at the restaurant until such time that a new license is approved by Council.

Aldi, Inc. did not submit renewal applications and should also be removed from the list of licensees eligible for renewal.

The owner of Old World Pizza notified the City it will be changing locations in January, 2014. Council is asked to renew the license for the existing location at 5816 Blaine Avenue so the business can continue to operate there through January 15, 2014. Council is also asked to approve the address change for the licensed premises to 5660 Bishop Avenue effective January 16, 2014 through December 31, 2014.

Each renewal application was accompanied by the necessary license fees and liability insurance certificates. Information regarding completion of alcohol server training was also provided to verify that all employees engaged in the serving/selling of alcohol received training within the last 24 months.

Background investigations are being processed by the Police Department and the results will be presented at the public hearing.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN:
That the City of Inver Grove Heights will hold a public hearing on Monday, December 9, 2013 at 7:00 p.m. in the City Council Chambers, 8150 Barbara Avenue, to consider renewal of the following liquor licenses, as required by City Code Section 4-1A-12:

ON-SALE/SUNDAY:

Apple Minnesota, LLC; **Applebee's Neighborhood Grill & Bar**; 5855 Blaine Avenue
Ashton, Inc.; **Jersey's Bar & Grill**; 6449 Concord Boulevard
Bakavole Hospitality, Inc.; **Celts Pub**; 6559 Concord Boulevard
Grove Bowl, Inc.; **Drkula's 32 Bowl**; 6710 Cahill Avenue
L.W.'s Bierstube, Inc.; **L.W.'s Bierstube**; 6434 Cahill Avenue
Mississippi Pub, Inc.; **Mississippi Pub**; 4455 66th Street East
Outback Midwest II Ltd Ptsp**; Outback Steakhouse**; 5723 Bishop Avenue
B & T Entertainment, Inc.; **Drifter's Bar & Grill;** 4455 E. 64th Street
RT Minneapolis Franchise, LLC; **Ruby Tuesday,** 9051 Buchanan Trail
EL Loro of Inver Grove Heights, LLC; **El Loro Mexican Restaurant**, 5681 Blaine Avenue
Eddy's Bar & Grill, LLC; **Eddy's Bar & Grill**; 7537 Concord Boulevard
BB Burger Adventures, LLC; **B-52 Burgers and Brew**; 5639 Bishop Avenue

ON-SALE: Kladek, Inc.; **King of Diamonds**; 6600 River Road

ON-SALE/SUNDAY/CLUB: Loyal Order of Moose Lodge #1088; 5927 Concord Boulevard

OFF-SALE:

Cameron's Warehouse Liqs, Inc.; **Cameron's Warehouse Liquors**; 6666 Cahill Avenue
F.T.L. Corporation; **MGM Liquor Warehouse**; 7804 Cahill Avenue
L-Y Enterprise, Inc.; **A & M Liquors**; 5709 Carmen Avenue
Trail West, Inc.; **Trail Liquor**; 9740 South Robert Trail
Market Liquor Corp; **Market Liquor;** 5866 Blaine Avenue
Arbor Pointe Liquors, LLC**; Arbor Pointe Liquor**; 9084 Buchanan Trail
J&J Vogt, Inc.; **Gold Palace Liquor**; 1330 Mendota Road
Signature Enterprises, Inc.; **Salem Liquor**; 5300 S. Robert Trail #600

ON-SALE WINE:

Bryde, Inc.; **Old World Pizza**; 5816 Blaine Avenue/5660 Bishop Avenue

3.2 ON-SALE:

City of Inver Grove Heights; **Inver Wood Golf Course**; 1850 70th Street East
Arbor Pointe Golf Club, Inc. **Arbor Pointe Golf Club**; 8919 Cahill Avenue

3.2 OFF-SALE:

Northern Tier Retail, LLC; **SuperAmerica #4411**; 7501 Concord Boulevard
Northern Tier Retail, LLC; **SuperAmerica #4548**; 5728 Bishop Avenue
RBF LLC of Wisconsin; **Rainbow Foods Store #8876;** 9015 Broderick Boulevard
Inver Grove Hts 2001 LLC**; Cub Foods;** 7850 Cahill Avenue
Aldi Inc.**; Aldi Foods #58,** 6520 Cahill Avenue
Aldi Inc.; **Aldi Foods #78,** 1414 Mendota Road East
Pilot Travel, LLC; **Pilot Travel Center #581**, 11650 Courthouse Boulevard

All written and oral statements will be considered at the public hearing and all those desiring to be heard will be heard at the public hearing.

Melissa Kennedy, Deputy City Clerk

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

2014 Tax Levies and Budgets

Meeting Date:	December 9, 2013		**Fiscal/FTE Impact:**
Item Type:	Regular Agenda		None
Contact:	Kristi Smith 651-450-2521		Amount included in current budget
Prepared by:	Kristi Smith, Finance Director		Budget amendment requested
Reviewed by:	Joe Lynch, City Administrator		FTE included in current complement
			New FTE requested – N/A
		X	Other-2014 Tax Levies and Budgets

PURPOSE/ACTION REQUESTED
To approve the 2014 tax levies and budgets.

SUMMARY
This meeting is the regularly scheduled meeting to discuss budgets and tax levies set by Council on September 9, 2013 when the proposed tax levies and budgets were adopted. While a public hearing is no longer required, the public must be allowed to speak.

Complete 2014 budgets were provided at the November 25, 2013 meeting. Included are revised Golf Course budget pages reflecting presentation as an enterprise fund. The proposed levies recommended include a General Fund Operating Levy of $13,518,400, General Bond Retirement Levies of $1,382,322, Watershed Management District Tax Levy for 2010C – Simley Lake of $44,843, and Watershed Management District Tax Levy for 2012A – Cuneen Trail/College Trail of $111,195.

The General Fund 2014 Budget is recommended at $16,698,300 and includes mayor and council, administration, elections, finance, community development, planning, inspections, police, fire, public works, engineering, streets, street lighting, parks, and transfers. Other budgets to be approved include three Special Revenue Funds: Recreation, Community Center, and EDA; two Capital Project Funds: Storm Water and ADA; three Enterprise Funds: Water, Sewer, and Golf Course; and five Internal Service Funds: Risk Management, Central Equipment, Central Stores, City Facilities, and Technology. The truth-in-taxation booklet and PowerPoint presentation are also included for your review.

Sales tax savings have been incorporated into all impacted budgets. The impact to the General Fund is $107,200 and the tax levy has been reduced accordingly.

Following adoption of the tax levies and budgets we will certify the taxes to the Dakota County Auditor and file the required reports with the Department of Revenue and the Office of the State Auditor and publish the Summary Budget in the South-West Review as required by the State Auditor.

I recommend that the City Council adopt the following resolutions approving the Final 2014 Tax Levies and Final 2014 Budgets:

- Resolution adopting the final tax levies for the year 2013, collectible in 2014
- Resolution adopting the final 2014 budgets
- Resolution adopting the final watershed management taxing districts' tax levies for the year 2014

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION ADOPTING THE FINAL TAX LEVIES FOR THE YEAR 2013, COLLECTIBLE IN 2014

BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS AS FOLLOWS: There is a final levy upon taxable property in the City of Inver Grove Heights for the year 2013, collectible in 2014, for the following purposes in the following amounts:

General Operating Fund		$13,518,400
Bond Retirement:		
MN Armory Building Commission	$63,735	
City Share of Special Assessments	127,828	
G.O. Public Safety Revenue, 2007	80,719	
G.O. Improvement Bonds, 2007B	85,000	
(Levy of $150,000 less transfer from Closed Bond Fund of $65,000)		
G.O. Improvement Bonds, 2008A	135,000	
(Levy of $200,000 less transfer from Closed Bond Fund of $65,000)		
G.O. Capital Improvement Bonds, 2009A	400,300	
(Levy of $600,300 less transfer from Closed Bond Fund of $200,000)		
G.O. Improvement Bonds, 2010B	282,755	
PIR Refunding Bonds, 2010C	56,985	
G.O. Improvement Refunding Bonds, 2011A	150,000	
Total Bond Retirement		1,382,322
Total Levy		$14,900,722

Adopted this 9th day of December, 2013, by the City Council of Inver Grove Heights.

Ayes:

Nays:

_____
George Tourville, Mayor

ATTEST:

_____
Melissa Kennedy, Deputy Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION ADOPTING THE FINAL 2014 BUDGETS

BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS AS FOLLOWS: The following final funds' Budgets for the City of Inver Grove Heights for fiscal year 2014 are hereby approved:

General Fund	$16,698,300
Recreation Fund	659,200
Community Center Fund	2,983,700
EDA Fund	60,900
Storm Water Fund	309,800
ADA Fund	41,100
Water Fund	3,414,300
Sewer Fund	3,248,300
Golf Course Fund	1,916,500
Risk Management Fund	795,500
Central Equipment Fund	2,489,900
Central Stores Fund	87,400
City Facilities Fund	827,200
Technology Fund	704,100

Adopted this 9th day of December, 2013, by the City Council of Inver Grove Heights.

Ayes:

Nays:

_____
George Tourville, Mayor

ATTEST:

_____
Melissa Kennedy, Deputy Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION ADOPTING THE FINALWATERSHED MANAGEMENT TAXING DISTRICTS' TAX LEVIES FOR THE YEAR 2014

BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS AS FOLLOWS: There is a proposed special property tax levied upon the taxable property within each of the following respective Watershed Management Taxing Districts (W.M.T.D.) in the City of Inver Grove Heights payable in 2014 for the following purposes in the following amounts:

Bond Retirement

Cuneen Trail/College Trail W.M.T.D. G.O. Storm Water Refunding Bonds 2012A (Project No. 9501, Arbor Pointe Area Stormwater Pump/Lift)	$111,195
Simley Lake W.M.T.D. G.O. Storm Water Bonds 2010C (Project No. 1993-27, Cahill Ave.)	$44,843

Adopted this 9th day of December, 2013, by the City Council of Inver Grove Heights.

Ayes:

Nays:

_____
George Tourville, Mayor

ATTEST:

_____
Melissa Kennedy, Deputy Clerk

City of Inver Grove Heights

Proposed 2014 Budget

Golf 503 Summary

Acct Number	Account Description	2011 Actual	2012 Actual	2013 Amended Budget	06/30/13 Actual	2013 Forecast	2014 Department Request	2014 City Admin Recommended	2014 City Council Adopted
Charges For Services		1,401,053	1,560,687	1,574,800	500,215	1,414,600	1,586,600	1,586,600	0
Miscellaneous Revenues		37,678	1,260,580	0	0	0	0	0	0
Other Financing Sources		0	177,259	280,000	0	320,649	330,600	329,900	0
Total Revenue		1,438,731	2,998,526	1,854,800	500,215	1,735,249	1,917,200	1,916,500	0
Personnel		1,029,688	962,145	924,900	397,770	909,849	950,800	953,800	0
Prof/Tech Services		2,445	5,968	400	610	200	3,500	500	0
Purch Svcs - Prop/Equip		126,630	131,018	102,700	33,956	98,000	104,000	103,800	0
Other Purchased Services		127,767	111,880	96,600	51,328	95,700	74,700	74,700	0
Supplies		228,437	204,873	215,800	77,848	207,400	207,100	206,600	0
Other Expenses/Expenditures		304,306	308,975	340,000	177,809	320,600	303,100	303,100	0
Costs Of Sales		107,052	104,803	109,500	27,420	103,900	109,500	109,500	0
Capital Outlay		0	0	0	0	0	135,000	135,000	0
Debt Service		88,308	96,733	64,900	0	0	29,500	29,500	0
Total Expense		2,014,633	1,926,395	1,854,800	766,741	1,735,649	1,917,200	1,916,500	0

City of Inver Grove Heights

Proposed 2014 Budget

Golf 503

Acct Number	Account Description	2011 Actual	2012 Actual	2013 Amended Budget	06/30/13 Actual	2013 Forecast	2014 Department Request	2014 City Admin Recommended	2014 City Council Adopted
3481000	18 HOLE GREEN FEES-REG.	798,842	889,115	910,000	280,092	800,000	889,000	889,000	
3483200	HANDICAP SERVICES	6,224	6,768	6,000	4,206	6,000	7,000	7,000	
3483400	CLUB RENTALS	4,814	4,967	6,300	2,296	5,000	5,800	5,800	
3483800	PATRON CARDS	8,499	6,354	9,100	5,512	6,000	7,600	7,600	
3484000	PRAC CEN-RANGE BALLS	105,030	135,703	142,400	52,382	120,000	153,800	153,800	
3484200	PRAC CEN-INSTR. INCOME	8,196	8,339	11,500	5,825	8,000	9,200	9,200	
3484400	PRAC CEN-MISC SALES	0	43	0	0	0	0	0	
3485000	GOLF SHOP-APPAREL	24,523	22,468	24,000	7,471	22,000	24,000	24,000	
3485200	GOLF SHOP-CLUBS	4,184	3,448	5,500	895	4,000	5,000	5,000	
3485400	GOLF SHOP-BALLS	13,451	13,320	13,000	3,858	12,500	14,000	14,000	
3485600	GOLF SHOP-GLOVES	6,216	6,617	6,800	2,338	6,500	6,800	6,800	
3485800	GOLF SHOP-BAGS	2,394	2,319	2,100	680	2,100	3,000	3,000	
3486000	GOLF SHOP-ACCESSORIES	4,099	3,837	4,000	1,664	4,000	4,000	4,000	
3486400	FOOD & BEV/FOOD-CLUBHOUSE	37,727	38,143	38,500	13,393	35,000	40,400	40,400	
3486800	FOOD & BEV/BEV-CLUBHOUSE	33,807	34,861	34,600	12,554	32,000	31,300	31,300	
3487200	BEER (3.2)	62,214	65,410	65,000	22,132	62,000	65,400	65,400	
3487400	FOOD & BEV/VENDING MACH	4,689	5,094	4,900	1,025	4,500	4,900	4,900	
3487600	GOLF CARS-18 HOLE RENTALS	276,144	313,880	291,100	83,892	285,000	315,400	315,400	
Charges For Services		**1,401,053**	**1,560,687**	**1,574,800**	**500,215**	**1,414,600**	**1,586,600**	**1,586,600**	**0**
3610000	INVESTMENT EARNINGS	0	1,449	0	0	0	0	0	
3650000	OTHER REVENUES	4,188	609	0	0	0	0	0	
3660000	OTHER REIMBURSEMENTS	0	341	0	0	0	0	0	
3670000	INSURANCE REIMBURSEMENTS	33,490	0	0	0	0	0	0	
3680000	GAIN ON DISPOSAL OF FIXED ASSET	0	1,258,181	0	0	0	0	0	
Miscellaneous Revenues		**37,678**	**1,260,580**	**0**	**0**	**0**	**0**	**0**	**0**
3970000	CAPITAL CONTRIBUTIONS	0	177,259	0	0	0	0	0	
3992000	CONTRIB FROM RETAINED EARNINGS	0	0	280,000	0	320,649	230,600	229,900	
3911000	OPERATING TRANSFERS IN	0	0	0	0		100,000	100,000	
Other Financing Sources		**0**	**177,259**	**280,000**	**0**	**320,649**	**330,600**	**329,900**	**0**
Total Revenue		**1,438,731**	**2,998,526**	**1,854,800**	**500,215**	**1,735,249**	**1,917,200**	**1,916,500**	**0**

City of Inver Grove Heights

Proposed 2014 Budget

Golf 503

Acct Number	Account Description	2011 Actual	2012 Actual	2013 Amended Budget	06/30/13 Actual	2013 Forecast	2014 Department Request	2014 City Admin Recommended	2014 City Council Adopted
10100	REGULAR FULL-TIME	459,050	495,118	346,200	204,702	349,200	360,200	360,200	0
10200	PART-TIME EMPLOYEES	16,130	0	113,800	0	108,100	107,600	107,600	0
10300	TEMPORARY EMPLOYEES	286,430	218,376	227,700	61,602	213,500	218,000	218,000	0
10400	OVERTIME	7,980	2,151	1,000	397	1,000	1,000	1,000	0
20100	FLEX. COMP. SPENDING	40,129	38,978	30,100	15,509	30,100	30,700	30,700	0
20300	EMPLOYER SOCIAL SECURITY	46,532	42,574	44,500	15,702	44,400	44,500	44,500	0
20350	EMPLOYER MEDICARE	11,071	9,959	10,400	3,672	10,400	10,400	10,400	0
20400	EMPLOYER PERA	47,742	43,527	49,900	17,445	49,800	49,700	49,700	0
20600	MEDICAL INSURANCE	65,524	68,069	51,400	28,057	51,400	72,100	75,100	0
20610	DENTAL INSURANCE	0	0	0	0	400	0	0	0
20620	LIFE INSURANCE	1,770	1,936	1,400	473	1,400	700	700	0
20630	LTD INSURANCE	2,103	2,188	2,400	697	2,400	2,400	2,400	0
20700	UNEMPLOYMENT COMPENSATION	27,361	34,326	31,600	35,015	31,600	36,100	36,100	0
20750	WORKERS COMPENSATION	9,700	9,800	14,500	14,500	14,500	15,200	15,200	0
20800	COMPENSATED ABSENCES	8,167	(7,039)	0	0	0	0	0	0
20850	OPEB	0	2,182	0	0	1,649	2,200	2,200	0
Personnel		**1,029,688**	**962,145**	**924,900**	**397,770**	**909,849**	**950,800**	**953,800**	**0**
30150	FISCAL CONSULTANTS	0	615	0	0	0	0	0	0
30420	CORPORATE	1,368	772	0	0	0	0	0	0
30440	BOND COUNSEL	536	200	0	0	0	0	0	0
30500	PERSONNEL SERVICES	8	0	0	0	0	0	0	0
30550	FLEX/COMP ACCOUNT FEE	533	592	400	208	200	3,500	500	0
30700	OTHER PROFESSIONAL SERVICES	0	3,790	0	402	0	0	0	0
Prof/Tech Services		**2,445**	**5,968**	**400**	**610**	**200**	**3,500**	**500**	**0**
40005	WATER UTILITY SERVICES	139	136	200	62	200	200	200	0
40010	GAS UTILITY SERVICES	3,619	2,930	4,000	2,498	3,500	4,000	4,000	0
40015	SEWER UTILITY SERVICES	650	3,151	1,200	0	1,200	1,200	1,200	0
40020	ELECTRIC UTILITY SERVICES	35,831	36,106	32,000	4,291	32,000	37,000	37,000	0
40025	REFUSE DISPOSAL	520	0	300	18	300	300	300	0
40030	STORM WATER UTILITY SERVICE	0	719	0	1,795	900	0	0	0
40040	REPAIR & MAINT-BUILDINGS	28,116	55,212	16,000	6,104	15,000	15,000	15,000	0
40041	REPAIR & MAINT.-VEHICLES	969	1,638	2,000	734	2,000	2,000	2,000	0
40042	REPAIR & MAINT.-EQUIPMENT	43,117	27,383	40,000	17,303	37,000	33,000	33,000	0
40043	REPAIR & MAINT.-UTILITIES	2,335	0	0	0	0	0	0	0
40045	REPAIR & MAINT.-FENCE	3,813	139	1,000	0	1,000	1,000	1,000	0
40047	REPAIR &MAINT-OTHER STRUCTURES	0	90	0	0	0	0	0	0
40050	RENTAL OF EQUIPMENT	4,376	1,471	2,000	336	2,000	2,000	2,000	0
40055	RENTAL CLUBS	1,235	840	1,000	815	900	1,000	1,000	0
40065	OTHER RENTALS	1,910	1,204	3,000	0	2,000	2,000	2,000	0
40075	CITY FACILITIES ALLOCATION	0	0	0	0	0	5,300	5,100	0
Purch Svcs - Prop/Equip		**126,630**	**131,018**	**102,700**	**33,956**	**98,000**	**104,000**	**103,800**	**0**

City of Inver Grove Heights

Proposed 2014 Budget

Golf 503

Acct Number	Account Description	2011 Actual	2012 Actual	2013 Amended Budget	06/30/13 Actual	2013 Forecast	2014 Department Request	2014 City Admin Recommended	2014 City Council Adopted
50014	LIQUOR (DRAM SHOP)	1,088	1,088	1,200	0	1,200	1,200	1,200	0
50019	INSURANCE ALLOCATION	69,300	69,300	69,300	34,650	69,300	47,200	47,200	0
50020	TELEPHONE	4,751	5,685	5,000	1,699	5,000	5,000	5,000	0
50025	ADVERTISING/PUBLISHED NOTICES	35,376	20,761	5,000	2,290	5,000	5,000	5,000	0
50030	PRINTING & BINDING	6,484	6,557	6,000	5,559	5,500	6,000	6,000	0
50035	POSTAGE/DELIVERY	24	3	500	0	100	200	200	0
50045	OUTSIDE LABOR	3,653	1,698	2,000	455	2,000	2,000	2,000	0
50050	SIGNAGE	119	0	0	132	0	0	0	0
50055	ALARM SERVICES / SYSTEMS	1,457	2,014	1,500	1,183	1,500	2,000	2,000	0
50065	TRAVEL	8	347	200	0	200	200	200	0
50070	DUES, LICENSES & SUBSCRIPTIONS	4,381	4,327	4,600	5,024	4,900	4,900	4,900	0
50075	MEALS AND LODGING	0	0	200	0	200	200	200	0
50080	CONFERENCES AND SEMINARS	1,128	102	1,100	337	800	800	800	0
Other Purchased Services		**127,767**	**111,880**	**96,600**	**51,328**	**95,700**	**74,700**	**74,700**	**0**
60008	IRRIGATION SUPPLIES	10,866	19,263	11,000	0	11,000	12,000	12,000	0
60010	SUPPLIES - OFFICE	1,526	682	2,100	796	1,600	2,100	2,100	0
60011	SUPPLIES-JANITOR/CLEANING	73	0	0	0	0	0	0	0
60012	SUPPLIES - SHOP	2,698	334	1,500	141	1,000	1,000	1,000	0
60014	SUPPLIES - TIRES	2,317	457	1,000	0	1,000	1,000	1,000	0
60015	SUPPLIES - EQUIPMENT	94	253	0	0	0	500	500	0
60017	SUPPLIES - PRICING	56	12	100	0	100	100	100	0
60018	SUPPLIES-TRAINING	961	728	1,000	440	1,000	1,000	1,000	0
60020	SUPPLIES - GOLF COURSE	21,796	14,906	13,000	5,578	12,500	15,000	15,000	0
60021	FUELS	35,908	26,187	32,000	8,789	31,000	32,000	32,000	0
60022	LUBRICANTS	1,581	4,420	2,500	966	2,500	2,500	2,500	0
60030	FERTILIZERS	38,533	25,187	30,000	14,673	28,000	28,000	28,000	0
60035	PESTICIDES	46,570	36,701	35,000	10,234	35,000	37,000	37,000	0
60040	SM TOOLS & MISC EQUIPMENT	9,135	5,199	4,000	150	3,000	4,000	4,000	0
60042	MISC-COMPUTER SOFTWARE	0	2,993	2,500	(135)	3,200	3,400	3,400	0
60045	UNIFORMS & CLOTHING	8,466	9,711	7,400	4,062	6,000	6,400	6,400	0
60050	GOLF COURSE ACCESSORIES	7,158	1,806	4,000	0	4,000	3,000	3,000	0
60060	GOLF BALLS-RANGE	5,233	2,407	5,000	4,707	4,800	4,000	4,000	0
60065	SUPPLIES - OTHER	24,367	18,026	20,000	5,599	18,000	18,700	18,700	0
60070	CENTRAL STORES ALLOCATION	1,100	1,100	600	300	600	0	0	0
60071	TECHNOLOGY ALLOCATION	10,000	34,500	43,100	21,550	43,100	35,400	34,900	0
Supplies		**228,437**	**204,873**	**215,800**	**77,848**	**207,400**	**207,100**	**206,600**	**0**

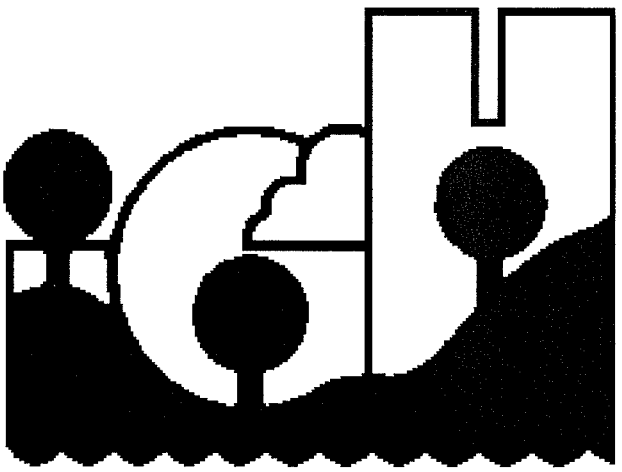
City of Inver Grove Heights

Proposed 2014 Budget

Golf 503

Acct Number	Account Description	2011 Actual	2012 Actual	2013 Amended Budget	06/30/13 Actual	2013 Forecast	2014 Department Request	2014 City Admin Recommended	2014 City Council Adopted
70100	DEPRECIATION EXPENSE	227,698	262,909	280,000	140,000	280,000	261,400	261,400	0
70250	HANDICAPS	5,168	5,566	5,000	4,092	5,000	5,600	5,600	0
70300	LEASE PAYMENTS	4,116	5,476	29,600	29,511	4,800	3,100	3,100	0
70400	GOLF SHOP FIXTURES	0	0	100	0	100	100	100	0
70440	BANK CHARGES / CREDIT CARD	27,478	31,922	25,000	4,504	30,000	32,000	32,000	0
70450	CASH OVER/SHORT	5,689	1,874	300	(298)	700	900	900	0
70501	MISCELLANEOUS CONTRACTS	1,265	0	0	0	0	0	0	0
70600	OTHER MISCELLANEOUS	24,441	1,228	0	0	0	0	0	0
70800	LOSS DISPOSAL FIXED ASSET	8,451	0	0	0	0	0	0	0
Other Expenses/Expenditures		**304,306**	**308,975**	**340,000**	**177,809**	**320,600**	**303,100**	**303,100**	**0**
75050	FOOD INVENTORY	27,183	31,718	30,000	7,440	29,000	32,000	32,000	0
75100	BEVERAGES	14,385	12,780	15,000	3,938	12,500	14,000	14,000	0
75150	BEER AND WINE	13,933	15,008	14,000	3,463	14,000	15,000	15,000	0
75200	GOLF COURSE RESALE-APPAREL	25,516	21,356	25,000	5,002	23,000	22,500	22,500	0
75250	GOLF COURSE RESALE-CLUBS	6,263	3,090	6,000	1,469	4,000	4,000	4,000	0
75300	GOLF COURSE RESALE-GLOVES	4,575	4,644	4,500	1,518	4,600	4,700	4,700	0
75350	GOLF COURSE RESALE-BAGS	2,533	2,787	2,000	988	2,800	2,800	2,800	0
75400	GOLF COURSE RESALE-ACCESS	1,773	2,902	2,000	101	3,000	3,000	3,000	0
75450	GOLF COURSE RESALE-BALLS	10,891	10,518	11,000	3,501	11,000	11,500	11,500	0
Costs Of Sales		**107,052**	**104,803**	**109,500**	**27,420**	**103,900**	**109,500**	**109,500**	**0**
80300	IMPROVEMENTS (NON-BLDG)	0	0	0	0	0	135,000	135,000	0
Capital Outlay		**0**	**0**	**0**	**0**	**0**	**135,000**	**135,000**	**0**
90100	PRINCIPAL PAYMENTS	0	0	0	0	0	25,200	25,200	0
90200	INTEREST PAYMENTS	87,958	95,883	64,900	0	0	4,300	4,300	0
90300	PAYING AGENT FEES	350	850	0	0	0	0	0	0
Debt Service		**88,308**	**96,733**	**64,900**	**0**	**0**	**29,500**	**29,500**	**0**
Total Expense		**2,014,633**	**1,926,395**	**1,854,800**	**766,741**	**1,735,649**	**1,917,200**	**1,916,500**	**0**

City of Inver Grove Heights



2014 Proposed Budgets

and

2014 Proposed Property Taxes

Monday, December 9, 2013
7:00 P.M.

CITY OF INVER GROVE HEIGHTS

2014 PROPOSED BUDGETS

Fund	2013 Amended	2014 Proposed 9/9/2013	2014 Proposed 12/9/2013
General	$ 16,300,000	$ 16,881,000	$ 16,698,300
Recreation	666,700	661,800	659,200
Community Center	2,928,700	2,998,300	2,983,700
EDA	55,500	60,900	60,900
Storm Water	309,600	309,800	309,800
ADA	36,600	41,100	41,100
Water	3,479,750	3,456,600	3,414,300
Sewer	3,309,200	3,251,100	3,248,300
Golf Course	1,854,800	1,917,200	1,916,500
Risk Management	812,274	795,900	795,800
Central Equipment	2,479,350	1,830,400 excluded capital outlay	2,489,900
Central Stores	165,774	91,700	87,400
City Facilities	815,600	827,400	827,200
Technology	710,600	715,700	704,100
	$ 33,924,448	$ 33,838,900	$ 34,236,500

CITY OF INVER GROVE HEIGHTS

2014 PROPOSED CITY TAX LEVY

	Amended 2013	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013	Percent Change
General Operating Fund	13,093,012	13,703,400	13,518,400	3.25%
General Bond Retirement	1,304,288	1,382,322	1,382,322	5.98%
Total City-Wide Tax Levy	$ 14,397,300	$ 15,085,722	$ 14,900,722	3.50%
Watershed Management District Tax Levies:				
2010C - Simley Lake	$ 41,168	$ 44,843	$ 44,843	8.93%
2012A - Cuneen Trail/College Trail	113,295	111,195	111,195	-1.85%
	$ 14,551,763	$ 15,241,760	$ 15,056,760	3.47%
City Tax Rate	0.46312	0.46312	0.46267	-0.10%

Notes:

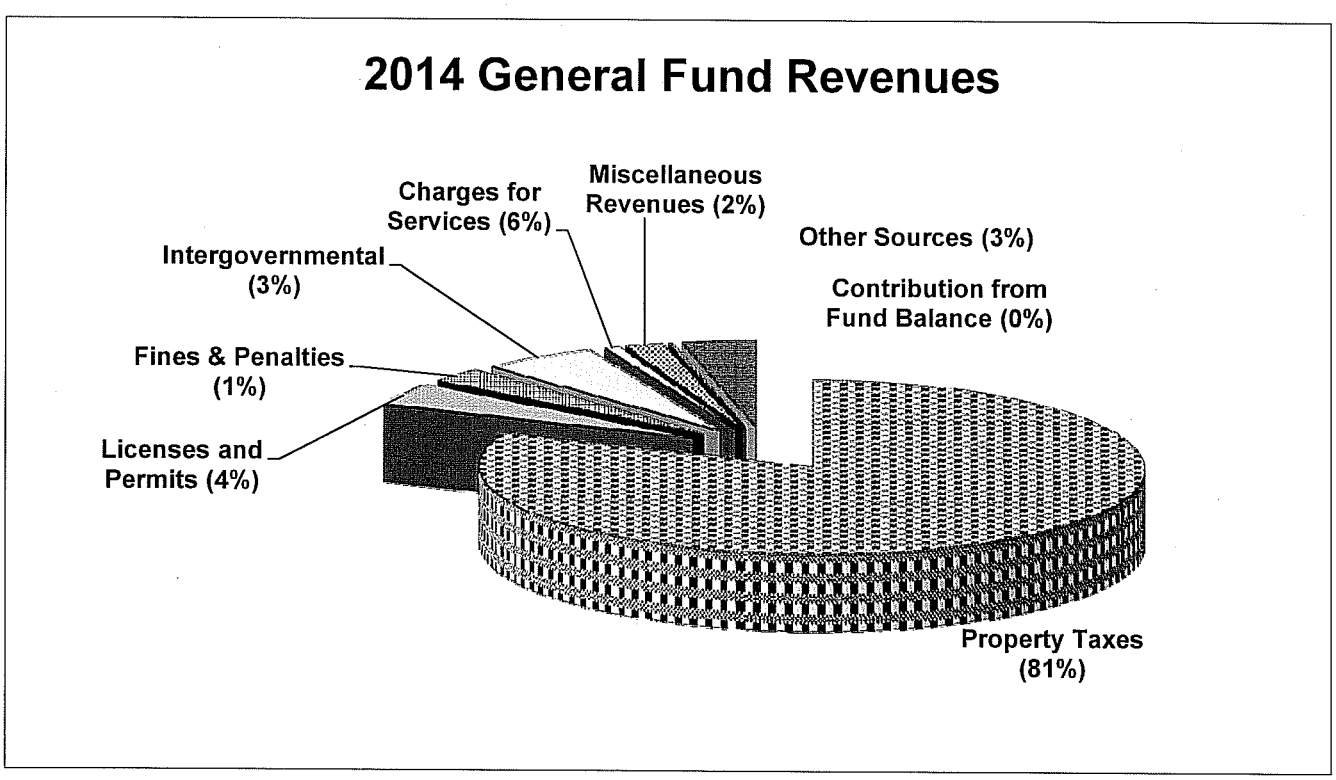
2013 Levy for General Bond Retirement reduced by $330,000 contribution from Closed Bond Fund.

2014 Levy for General Bond Retirement reduced by $330,000 contribution from Closed Bond Fund.

CITY OF INVER GROVE HEIGHTS

2014 General Fund Revenues

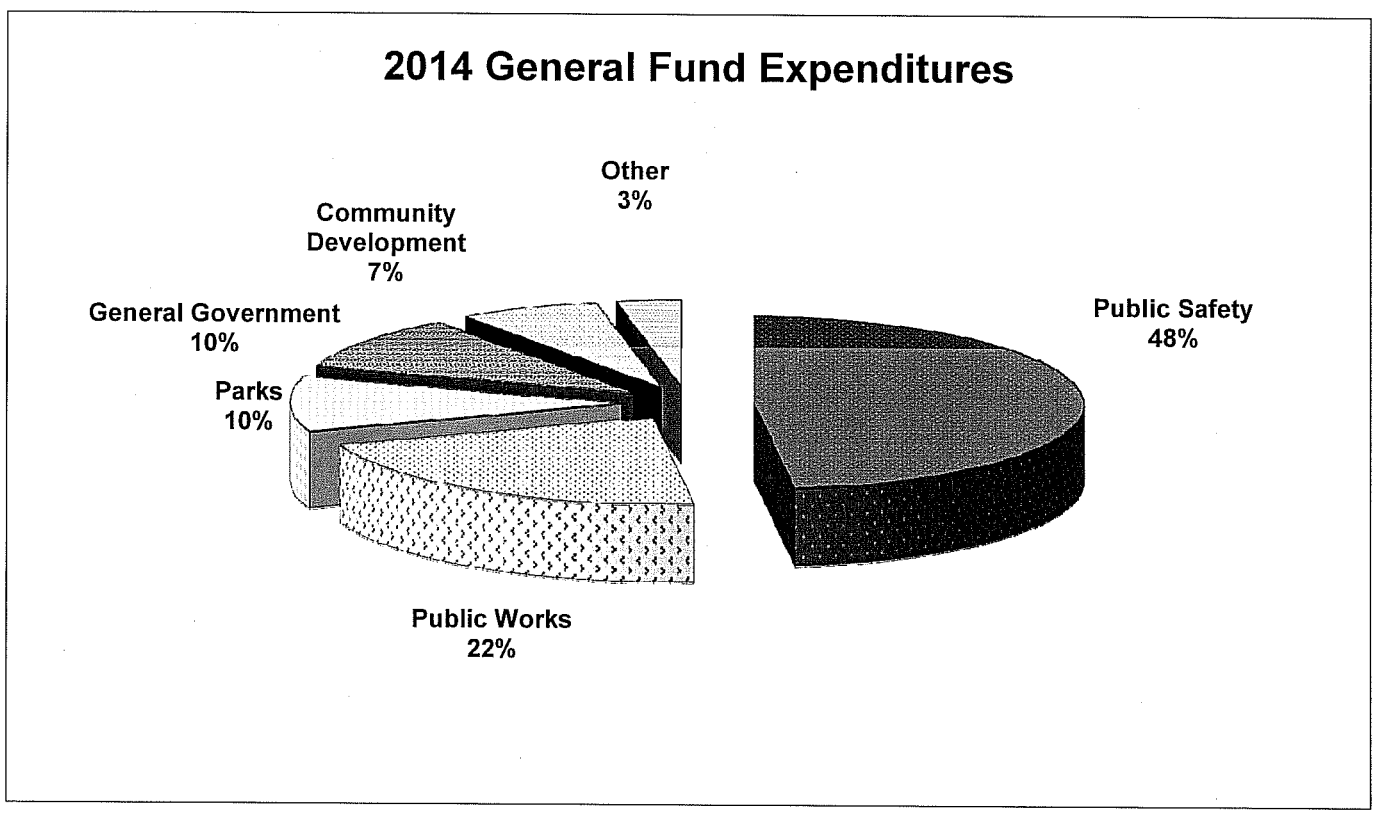
	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Property Taxes	$ 13,103,012	$ 13,713,400	$ 13,528,400
Licenses & Permits	581,900	713,900	713,900
Intergovernmental	461,200	444,200	444,200
Charges for Services	926,000	941,700	944,000
Fines & Penalties	150,000	120,000	120,000
Miscellaneous Revenues	202,200	315,500	315,500
Contribution From Fund Balance	114,300	30,300	30,300
Other Sources	761,388	602,000	602,000
TOTAL REVENUES	$ 16,300,000	$ 16,881,000	$ 16,698,300



CITY OF INVER GROVE HEIGHTS

2014 General Fund Expenditures

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Public Safety	$ 7,731,200	$ 8,060,900	$ 8,020,000
Public Works	3,432,600	3,623,300	3,578,700
Parks	1,628,600	1,738,700	1,716,800
General Government	1,651,800	1,776,400	1,710,600
Community Development	1,178,400	1,150,600	1,143,700
Other	677,400	531,100	528,500
TOTAL EXPENDITURES	$ 16,300,000	$ 16,881,000	$ 16,698,300



CITY OF INVER GROVE HEIGHTS

SPECIAL REVENUE FUNDS

2014 Proposed Recreation Fund Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Program Fees	$ 248,100	$ 241,700	$ 241,700
Other	8,500	8,500	8,500
Transfer In From General Fund	379,100	380,600	378,000
Contribution from (to) Fund Balance	31,000	31,000	31,000
TOTAL	$ 666,700	$ 661,800	$ 659,200
Expenditures -			
Current	$ 666,700	$ 661,800	$ 659,200
TOTAL	$ 666,700	$ 661,800	$ 659,200

2014 Proposed Community Center Fund Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Community Center Fees	$ 2,021,900	$ 2,054,000	$ 2,054,000
Contrib. & Donations	128,000	128,000	128,000
Other	2,600	2,200	2,200
Transfers in From			
Host Community Fund	373,200	430,100	415,500
Capital Facilities Fund	50,000	384,000	384,000
Comm. Projects Fund	353,000	-	-
TOTAL	$ 2,928,700	$ 2,998,300	$ 2,983,700
Expenditures -			
Current	$ 2,525,700	$ 2,614,300	$ 2,599,700
Capital Outlay	403,000	384,000	384,000
TOTAL	$ 2,928,700	$ 2,998,300	$ 2,983,700

CITY OF INVER GROVE HEIGHTS

2014 Proposed EDA Fund Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Other	$ -	$ 3,500	$ 3,500
Transfer in From General Fund	300	500	500
Contribution from (to) Fund Balance	55,200	56,900	56,900
TOTAL	$ 55,500	$ 60,900	$ 60,900
Expenditures -			
Current	$ 55,500	$ 60,900	$ 60,900
TOTAL	$ 55,500	$ 60,900	$ 60,900

CITY OF INVER GROVE HEIGHTS

CAPITAL PROJECT FUNDS

2014 Proposed Storm Water Fund Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Storm Water Fees	$ 309,600	$ 309,800	$ 309,800
TOTAL	$ 309,600	$ 309,800	$ 309,800
Expenditures -			
Current	$ 309,600	$ 309,800	$ 309,800
TOTAL	$ 309,600	$ 309,800	$ 309,800

2014 Proposed ADA Fund Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Transfers in From			
Host Community Fund	$ 16,500	$ 21,800	$ 21,800
City Facilities Fund	14,400	11,700	11,700
Water Fund	5,700	7,600	7,600
TOTAL	$ 36,600	$ 41,100	$ 41,100
Expenditures -			
Current	$ 36,600	$ 41,100	$ 41,100
TOTAL	$ 36,600	$ 41,100	$ 41,100

CITY OF INVER GROVE HEIGHTS

ENTERPRISE FUNDS

2014 Proposed Water Fund Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Water Fees	$ 2,787,500	$ 2,845,900	$ 2,845,900
Other	85,000	90,000	90,000
Contribution from (to) Retained Earnings	607,250	520,700	478,400
TOTAL	$ 3,479,750	$ 3,456,600	$ 3,414,300
Expenses -			
Current	$ 2,787,750	$ 2,761,000	$ 2,718,700
Transfer Out	692,000	695,600	695,600
TOTAL	$ 3,479,750	$ 3,456,600	$ 3,414,300

2014 Proposed Sewer Fund Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Sewer Fees	$ 2,898,600	$ 2,999,100	$ 2,999,100
Other	60,000	60,000	60,000
Contribution from (to) Retained Earnings	350,600	192,000	189,200
TOTAL	$ 3,309,200	$ 3,251,100	$ 3,248,300
Expenses -			
Current	$ 3,144,200	$ 3,231,100	$ 3,228,300
Capital Outlay	165,000	20,000	20,000
TOTAL	$ 3,309,200	$ 3,251,100	$ 3,248,300

CITY OF INVER GROVE HEIGHTS

2014 Proposed Golf Course Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Charges for Services	$ 1,574,800	$ 1,586,600	$ 1,586,600
Transfer in			
Host Community Fund	-	100,000	100,000
Contribution from (to)			
Retained Earnings	280,000	230,600	229,900
TOTAL	$ 1,854,800	$ 1,917,200	$ 1,916,500
Expenditures -			
Current	$ 1,789,900	$ 1,752,700	$ 1,752,000
Capital Outlay	-	135,000	135,000
Debt Service	64,900	29,500	29,500
TOTAL	$ 1,854,800	$ 1,917,200	$ 1,916,500

CITY OF INVER GROVE HEIGHTS

INTERNAL SERVICE FUNDS

2014 Proposed Risk Management Fund Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Internal Charges	$ 603,300	$ 716,000	$ 715,900
Other	14,600	79,900	79,900
Contribution from (to) Retained Earnings	194,374	-	-
TOTAL	$ 812,274	$ 795,900	$ 795,800
Expenses -			
Current	$ 733,400	$ 795,900	$ 795,800
Transfer to General Fund	78,874	-	-
TOTAL	$ 812,274	$ 795,900	$ 795,800

2014 Proposed Central Equipment Fund Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Internal Charges	$ 2,192,300	$ 2,303,200	$ 2,280,400
Other	100,000	124,700	124,700
Contribution from (to) Retained Earnings	187,050	(597,500)	84,800
TOTAL	$ 2,479,350	$ 1,830,400	$ 2,489,900
Expenses -			
Current	$ 1,846,800	$ 1,628,400	$ 1,605,600
Capital Outlay	632,550	not included	682,300
Transfer to General Fund	-	202,000	202,000
TOTAL	$ 2,479,350	$ 1,830,400	$ 2,489,900

CITY OF INVER GROVE HEIGHTS

2014 Proposed Central Stores Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Internal Charges	$ 82,900	$ 86,800	$ 82,500
Investment Earnings	4,000	4,900	4,900
Contribution from (to) Retained Earnings	78,874	-	-
TOTAL	$ 165,774	$ 91,700	$ 87,400
Expenses -			
Current	$ 86,900	$ 91,700	$ 87,400
Transfer to General Fund	78,874	-	-
TOTAL	$ 165,774	$ 91,700	$ 87,400

2014 Proposed City Facilities Fund Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Internal Charges	$ 340,900	$ 331,700	$ 319,800
Other	8,000	4,000	4,000
Contribution from (to) Retained Earnings	466,700	491,700	503,400
TOTAL	$ 815,600	$ 827,400	$ 827,200
Expenses -			
Current	$ 815,600	$ 827,400	$ 815,500
Transfer to ADA Fund	-	-	11,700
TOTAL	$ 815,600	$ 827,400	$ 827,200

CITY OF INVER GROVE HEIGHTS

2014 Proposed Technology Fund Budget

	2013 Amended Budget	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013
Revenues -			
Internal Charges	$ 657,500	$ 770,900	$ 761,400
Other	2,500	2,500	2,500
Contribution from (to) Retained Earnings	50,600	(57,700)	(59,800)
TOTAL	$ 710,600	$ 715,700	$ 704,100
Expenses -			
Current	$ 614,500	$ 627,700	$ 621,200
Capital Outlay	96,100	88,000	82,900
TOTAL	$ 710,600	$ 715,700	$ 704,100

City of Inver Grove Heights
2014 Tax Levies and Budgets

December 9, 2013

2014 Tax Levies and Budgets

- Preliminary levies and budgets were approved on September 9, 2013
- Dakota County mailed the 2014 proposed property tax notices on November 15, 2013
- December 9, 2013
  - Presentation of final budget
  - Public must be allowed to speak
  - Adoption of final levies and budgets
- Final levies and budgets must be certified to Dakota County on or before December 30, 2013

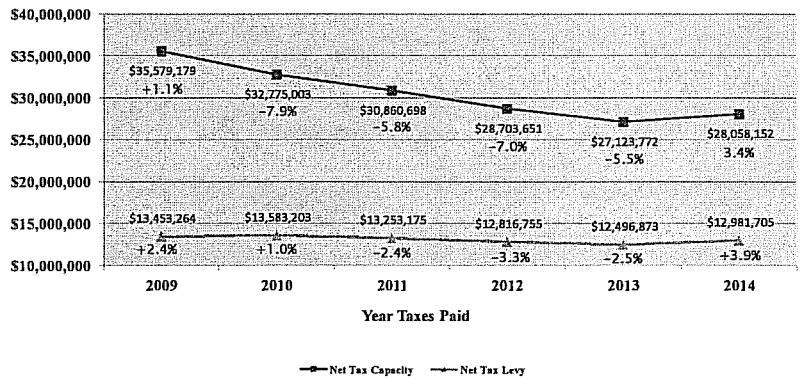
2014 Budgets

Fund	2013 Amended	2014 Proposed 9/9/2013	2014 Proposed 12/9/2013
General	$ 16,300,000	$ 16,881,000	$ 16,698,300
Recreation	666,700	661,800	659,200
Community Center	2,928,700	2,998,300	2,983,700
EDA	55,500	60,900	60,900
Storm Water	309,600	309,800	309,800
ADA	36,600	41,100	41,100
Water	3,479,750	3,456,600	3,414,300
Sewer	3,309,200	3,251,100	3,248,300
Golf Course	1,854,800	1,917,200	1,916,500
Risk Management	812,274	795,900	795,800
Central Equipment	2,479,350	1,830,400	2,489,900
		excluded capital outlay	
Central Stores	165,774	91,700	87,400
City Facilities	815,600	827,400	827,200
Technology	710,600	715,700	704,100
	$ 33,924,448	$ 33,838,900	$ 34,236,500

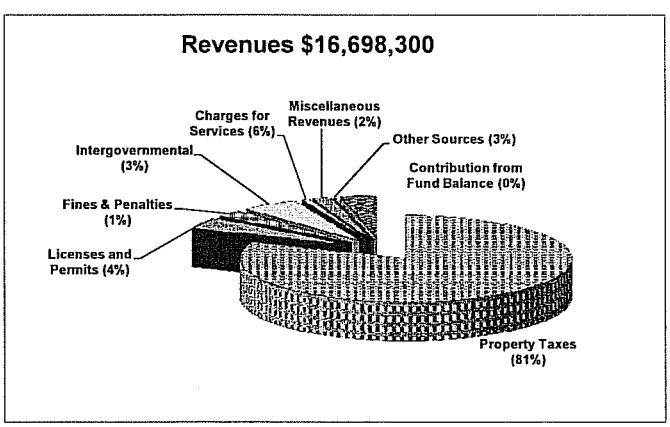
2014 Tax Levies

	Amended 2013	Proposed 2014 9/9/2013	Proposed 2014 12/9/2013	Percent Change
General Operating Fund	13,093,012	13,703,400	13,518,400	3.25%
General Bond Retirement	1,304,288	1,382,322	1,382,322	5.98%
Total City-Wide Tax Levy	$ 14,397,300	$ 15,085,722	$ 14,900,722	3.50%
Watershed Management District Tax Levies:				
2010C - Simley Lake	$ 41,168	$ 44,843	$ 44,843	8.93%
2012A - Cuneen Trail/College Trail	113,295	111,195	111,195	-1.85%
	$ 14,551,763	$ 15,241,760	$ 15,056,760	3.47%
City Tax Rate	0.46312	0.46312	0.46267	-0.10%

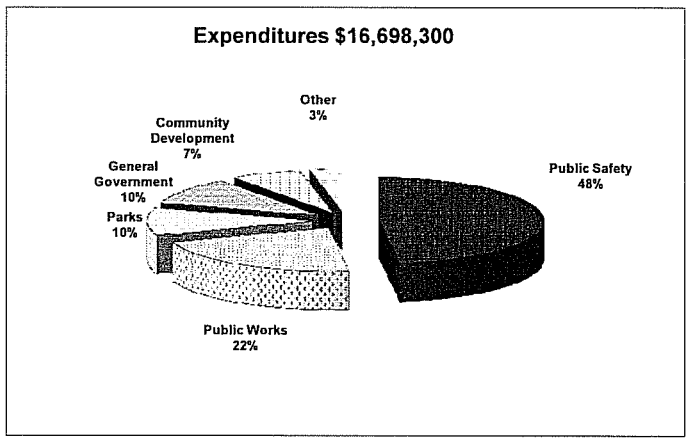
Net Tax Capacity and Net Tax Levy



2014 General Fund Revenues



2014 General Fund Expenditures



Questions?

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1919-2005
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• ROGER C. MILLER
1924-2009

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✧ALSO ADMITTED IN NORTH DAKOTA
○ALSO ADMITTED IN MASSACHUSETTS
□ALSO ADMITTED IN OKLAHOMA

MEMO

TO: **Mayor and Council**
FROM: **Timothy J. Kuntz**
DATE: **December 3, 2013**
RE: **Ordinance Amending City Code Provisions Related to Alcoholic Beverages**

Overview

Title 4, Chapter 1 of the City Code contains numerous provisions regulating the ability of various businesses, including restaurants, liquor stores, and golf courses, to sell alcoholic beverages. The current provisions are spread across four separate articles and can be cumbersome to navigate. Filled with antiquated terminology, confusing references, and redundancies, the current code provisions can create confusion for license applicants and other individuals tasked with interpreting the meaning of the various provisions. To address these concerns, City staff have worked with the City Attorney's Office to prepare a wholesale revision to Title 4, Chapter 1 of the City Code which combines all of the current articles into one chapter, eliminates redundancies, updates outdated terminology, and addresses issues which have arisen in the past with respect to the current city code language. Changes are also proposed which would allow for the issuance of additional types of liquor licenses, clarify when public hearings are required for the issuance of licenses, and update the procedural requirements for license issuance found in the City Code to match the processes actually implemented by city staff with respect to the issuance and enforcement of liquor licenses. Key proposed changes include the following:

- Adding provisions regarding consumption and display permits, culinary class limited on-sale licenses, on-sale brewer taproom licenses, and off-sale small brewer licenses
- Updating the hours of sale allowed via a Sunday on-sale intoxicating liquor license to permit sales until 2:00 a.m.
- Removing certain licensure requirements related to citizenship
- Deleting provisions which prohibit certain conduct by licensees that is currently prohibited by state statutes
- Specifying the information provided to the council as a result of a background investigation

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OFFICE ALSO LOCATED IN SPOONER, WISCONSIN

- Reducing the fee for a new on-sale intoxicating liquor license
- Clarifying when a public hearing is required before issuance or renewal of a license
- Changing the date for the Council's review of renewal licenses
- Removing unnecessary provisions regarding occupancy load limits
- Adding a section authorizing the temporary expansion of a premises for the on-sale of alcoholic beverages
- Updating various provisions related to the sale and consumption of alcoholic beverages at the National Guard Training and Community Center

The changes listed above represent some of the more substantial changes made to the Ordinance. In addition to the changes found in the draft Ordinance, the Council may wish to consider adding additional language to the Ordinance which would permit the City to allow the sale of alcoholic beverages at certain events within the city as noted in Minn. Stat. § 340A.404, subd. 4:

> Subd. 4. **Special provisions; sports, conventions, or cultural facilities; community festivals.**
>
> (a) The governing body of a municipality may authorize a holder of a retail on-sale intoxicating liquor license issued by the municipality or by an adjacent municipality to dispense intoxicating liquor at any convention, banquet, conference, meeting, or social affair conducted on the premises of a sports, convention, or cultural facility owned by the municipality or instrumentality thereof having independent policy-making and appropriating authority and located within the municipality. The licensee must be engaged to dispense intoxicating liquor at an event held by a person or organization permitted to use the premises, and may dispense intoxicating liquor only to persons attending the event. The licensee may not dispense intoxicating liquor to any person attending or participating in a youth amateur athletic event, for persons 18 years of age or younger, held on the premises.
>
> (b) The governing body of a municipality may authorize a holder of a retail on-sale intoxicating liquor license issued by the municipality to dispense intoxicating liquor off premises at a community festival held within the municipality. The authorization shall specify the area in which the intoxicating liquor must be dispensed and consumed, and shall not be issued unless the licensee demonstrates that it has liability insurance as prescribed by section 340A.409 to cover the event.

The Council needs to provide direction as to whether the authority granted in the statutory sections listed above should be implemented by inclusion in the City Code.

Finally, while a number of changes were made to the Ordinance itself, additional changes will need to be made to the City's Zoning Ordinance and fee schedule once the revised ordinance is

adopted. At this time, an Ordinance amending Title 4, Chapter 1, Articles A, B, C, and D is being brought to the Council for its review and discussion.

CITY OF INVER GROVE HEIGHTS

DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE REPEALING INVER GROVE HEIGHTS CITY CODE, TITLE 4, CHAPTER 1, ARTICLES A, B, C, AND D RELATED TO ALCOHOLIC BEVERAGES AND ENACTING INVER GROVE HEIGHTS CITY CODE TITLE 4, CHAPTER 1 RELATED TO ALCOHOLIC BEVERAGES

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

Section One. Repeal and Replacement. Title 4, Chapter 1, Article A, of the Inver Grove Heights City Code is hereby repealed in its entirety and replaced as follows and the following is hereby ordained and adopted:

4-1-1: STATE LAW ADOPTED:

The provisions of Minnesota statutes chapter 340A, commonly known as the Liquor Act, with reference to the definition of terms, application for license, granting of license, conditions of license, restrictions on consumption, provisions on sales, conditions of bonds of licensees, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of alcoholic beverages are hereby adopted and made a part of this chapter as if fully set forth herein, except as modified herein. Whenever there is an inconsistency between the provisions of Minnesota statutes chapter 340A and the provisions of this chapter, the more restrictive shall control. (Ord. 1078, 2-9-2004)

4-1-2: DEFINITIONS:

In addition to the definitions set forth in Minnesota statutes chapter 340A, the following words are defined for the purpose of this chapter as follows:

A. "Restaurant" means an establishment, other than a hotel, under the control of a single proprietor or manager, where meals are regularly served at tables to the general public and which also meets the following requirements:

1. Seating capacity for at least fifty (50) guests;

2. At least seven hundred fifty (750) square feet of seating area for guests;

3. Has a printed menu for each guest at the table;

4. Prepares and serves hot meals on the site of the establishment;

5. Has nonplastic eating utensils for guests;

6. Has on the site a conventional stove, oven or grill for preparation of hot meals and not just a microwave oven; and

7. Has a valid health department restaurant license. (Ord. 1078, 2-9-2004)

B. “Alcoholic beverage” means any beverage containing more than one-half of one percent alcohol by volume.

C. “Liquor,” when used without modification by the words “intoxicating” or “3.2 percent malt liquor,” includes all forms of alcoholic beverages.

4-1-3: LICENSE REQUIRED:

No person, except a wholesaler or manufacturer to the extent authorized under state law, shall directly or indirectly, on any pretense or by any device, deal in, sell, barter, keep for sale, charge for possession, or otherwise dispose of or deliver any alcoholic beverage as part of a commercial transaction without first having received a license or permit to do so as provided in this chapter and State law. (Ord. 1078, 2-9-2004)

4-1-4: TYPES OF LICENSES:

A. There shall be the following types of liquor licenses:

On-sale intoxicating liquor license

Off-sale intoxicating liquor license

On-sale wine license

Temporary off-sale wine license

Club intoxicating liquor license

Sunday on-sale intoxicating liquor license

Temporary on-sale intoxicating liquor license

Consumption and display permit

One day consumption and display permit

On-sale 3.2 percent malt liquor license

Off-sale 3.2 percent malt liquor license

Temporary on-sale 3.2 percent malt liquor license

Culinary class limited on-sale license

On-sale brewer taproom license.

Off-sale small brewer license.

B. Liquor licenses may be issued as follows:

1. On-Sale Intoxicating Liquor License: On-sale intoxicating liquor licenses may be issued to hotels that have an on-site restaurant as defined in this chapter, clubs or congressionally chartered veterans organizations with the approval of the Commissioner of Public Safety, theaters, restaurants and exclusive liquor stores and shall permit the on-sale of alcoholic beverages.

2. Off-Sale Intoxicating Liquor License: Off-sale intoxicating liquor licenses may be issued to exclusive liquor stores whose fixtures and structures, exclusive of land, have a fair market value of at least fifty thousand dollars ($50,000.00) and shall permit off-sales of alcoholic beverages.

3. On-Sale Wine License: On-sale wine licenses may be issued to theaters and restaurants and shall permit only the sale of wine not exceeding fourteen percent (14%) alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food. The holder of an on-sale wine license who is also licensed to sell 3.2 percent malt liquor on-sale pursuant to Minnesota statutes section 340A.411 and this chapter, has seating capacity for at least twenty-five (25) people at one time and whose gross receipts are at least sixty percent (60%) attributable to the sale of food may also sell intoxicating malt liquor on-sale without an additional license.

4. Temporary Off-Sale Wine License: Temporary off-sale wine licenses may be issued for the off-sale of wine at an auction with the approval of the Commissioner of Public Safety. A temporary off-sale wine license authorizes the sale of only vintage bottle wine that is at least five years old and is of a brand and vintage that is not commonly being offered for sale by any wholesaler in Minnesota. The license may authorize the off-sale of wine for not more than three consecutive days provided not more than six hundred cases of wine are sold at any auction. The licenses are subject to the terms, including license fee, imposed by the issuing city or county. Licenses issued under this subdivision are subject to all laws and ordinances governing the sale of intoxicating liquor except section 340A.409 and those laws and ordinances which by their nature are not applicable.

5. Club Intoxicating Liquor License: A club intoxicating liquor license may be issued to a club or congressionally chartered veterans' organization which has been in existence for at least three (3) years. Said club license shall permit the sale of alcoholic beverages to members and bona

fide guests only, except that a club may permit the general public to participate in a wine tasting conducted at the club under Minnesota statutes section 340A.419.

6. Sunday On-Sale Intoxicating Liquor License: A Sunday on-sale intoxicating liquor license may be issued only to hotels, clubs, and restaurants that hold an on-sale intoxicating liquor license and meet all state statutory requirements for issuance of a Sunday on-sale license. A Sunday on-sale intoxicating liquor license shall permit the sale of intoxicating liquor for consumption on the premises between the hours of ten a.m. (10:00 a.m.) on Sunday and two a.m. (2:00 a.m.) on Monday in conjunction with the sale of food.

7. Consumption and Display Permit: A consumption and display permit may be issued to an organization that complies with the requirements of Minnesota statutes section 340A 414 and that has obtained a permit from the Commissioner of Public Safety.

8. Temporary On-Sale Intoxicating Liquor License: Temporary on-sale intoxicating liquor licenses may be issued to a club, charitable, religious, or other nonprofit organizations in existence for at least three years, a political committee registered under Minnesota statutes section 10A.14, or a state university in connection with a social event within the city sponsored by the licensee. No license shall be for longer than four consecutive days, and the city shall issue no more than twelve (12) days' worth of temporary licenses to any one organization in one calendar year.

9. One Day Consumption and Display Permit: One day consumption and display permits may be issued to nonprofit organizations in conjunction with a social activity in the city sponsored by the organization. (Ord. 1242, 10-10-2011)

10. On-Sale Brewer Taproom License: On-sale brewer taproom licenses may be issued to the holder of a brewer's license under Minnesota statutes section 340A.301, subdivision 6, clauses (c), (i), or (j) and shall permit the sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to a brewery location owned by the brewer.

11. Off-Sale Small Brewer License: Off-sale small brewer licenses may be issued to a brewer licensed under Minnesota statutes section 340A.310, subdivision 6, clause (c), (i), or (j) and shall permit the off-sale of malt liquor at the brewer's license premises.

12. On-Sale 3.2 Percent Malt Liquor License: On-sale 3.2 percent malt liquor licenses may be issued only to golf courses, bona fide clubs, restaurants and hotels where food is prepared and served for consumption on the premises and establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco and soft drinks. On-sale 3.2 percent malt liquor licenses shall permit the sale of 3.2 percent malt liquor for consumption on the premises only.

13. Off-Sale 3.2 Percent Malt Liquor License: Off-sale 3.2 percent malt liquor licenses may be granted to general food stores and to gasoline service stations where nonalcoholic beverages are also sold. Off-sale 3.2 percent malt liquor licenses shall permit the sale of 3.2 percent malt liquor at retail in the original package for consumption off the premises only.

14. Temporary On-Sale 3.2 Percent Malt Liquor License: Temporary on-sale 3.2 percent malt liquor licenses may be issued to clubs, charitable, religious, and nonprofit organizations.

15. Culinary Class Limited On-Sale License: A limited on-sale intoxicating liquor license may be issued to a business establishment: (1) not otherwise eligible for an on-sale intoxicating liquor license; and (2) that, as part of its business, conducts culinary or cooking classes for which payment is made by each participant or advance reservation required. The license authorizes the licensee to furnish to each participant in each class, at no additional cost to the participant, up to a maximum of six ounces of wine or twelve ounces of intoxicating malt liquor, during and as part of the class, for consumption on the licensed premises only.

4-1-5: NUMBER OF LICENSES:

The following number of licenses and permits may be issued or approved by the city, although there is no obligation for the city to issue or approve any prescribed minimum number:

Type	Number
On-sale intoxicating liquor license for hotels	No maximum limit
On-sale intoxicating liquor license for theaters	No maximum limit
On-sale intoxicating liquor license for restaurants	No maximum limit
On-sale intoxicating liquor license for exclusive liquor stores	18
On-sale intoxicating liquor license for clubs/congressionally chartered veterans organizations	No maximum limit
On-sale wine license	No maximum limit
Sunday on-sale intoxicating liquor license	No maximum limit
Off-sale intoxicating liquor license	No maximum limit
Temporary on-sale intoxicating liquor license	No maximum limit
One day consumption and display permit	10 per year
On-sale brewer taproom license	No maximum limit
Off-sale small brewer license	No maximum limit
On-sale 3.2 percent malt liquor license	No maximum limit
Off-sale 3.2 percent malt liquor license	No maximum limit

Temporary on-sale 3.2 percent malt liquor license	No maximum limit
Culinary class limited on-sale license	No maximum limit
Consumption and display permit	No maximum limit

(Ord. 1242, 10-10-2011)

4-1-6: INELIGIBILITY FOR LICENSE; RESTRICTIONS ON ISSUANCE:

A. No license or permit shall be granted to any person, place, or business made ineligible for such license or permit by federal or state law or the provisions of the city code.

B. No license shall be granted to a person who is under twenty-one years of age or who is not of good moral character and repute, nor to any person who, within five (5) years prior to the application of such license, has been convicted of a felony or of any willful violation of the laws of the United States, of the state of Minnesota or of any local ordinance with regard to the manufacture, sale, distribution, or possession for sale or distribution of liquor, nor to any person whose license under the Liquor Act has been revoked for any willful violation of any such laws or ordinances.

C. No license shall be issued to any person in connection with the premises of another to whom no license could be issued under the provisions of the Liquor Act; provided that this subsection shall not prevent the granting of a license to a proper lessee by reason of the fact that he/she has leased the premises of a minor or a person who has been convicted of a crime other than a violation of the Liquor Act.

D. No more than one license shall be issued to any person in the city except as otherwise specifically provided for in the Liquor Act.

E. No license shall be granted for any premises which has a common entrance or exit between any two (2) establishments, except that a public concourse or public lobby shall not be construed as a common entrance or exit.

F. No license shall be granted to a corporation which has a manager who would be ineligible to receive a license as an individual pursuant to the provisions of this chapter or under state law.

G. No license shall be granted to an individual who, in the judgment of the council, is not the real party in interest or beneficial owner of the business operated or to be operated under the license.

H. No applicant for a license or licensee shall apply for or possess a federal wholesale liquor dealer's special tax stamp or a federal gambling stamp. (Ord. 1078, 2-9-2004)

I. No off-sale intoxicating liquor license may be granted for a facility located on a parcel which lies within five hundred feet (500') of a parcel on which a school or church is located. The distance established herein shall be measured between the nearest property lines of the parcels.

For the purposes of this subsection, "parcel" means the lots on which the subject building exists, plus the adjoining lots used in conjunction with the liquor facility, church or school including any parking areas.

Provided, however, the following exceptions and qualifications to the above stated distance requirement shall apply:

1. Licenses that existed on October 1, 1995, for locations that do not meet the requirements of this subsection may nonetheless be renewed or transferred for such locations.

2. If a school or church in the future expands or is built within five hundred feet (500') of a licensed location that did meet the requirements of this subsection, the license may nonetheless be renewed or transferred for such location.

3. If a government entity acquires a licensed location that was within five hundred feet (500') of a school parcel or church parcel, then the license may be transferred to another location within five hundred feet (500') of the same school parcel or the same church parcel as long as the relocation occurs within forty two (42) months after the acquisition by the government entity.

4. If a government entity acquires a licensed location that was within five hundred feet (500') of a school parcel or church parcel, then the license may be temporarily transferred to another location for a period up to thirty (30) months within five hundred feet (500') of any school parcel or any church parcel as long as the relocation occurs within six (6) months after the acquisition by the government entity; in such instance, the authorization for the temporary relocated site expires after thirty (30) months from the time that the city issued the license for the relocated site; after the thirty (30) month period, the relocated site is no longer eligible for an off-sale intoxicating liquor license. (Ord. 1233, 3-28-2011)

J. No license shall be granted or renewed for operation on any premises on which taxes, assessments, utility charges, service charges, or other financial claims of the city or any other government unit or agency are delinquent and unpaid.

4-1-7: APPLICATION FOR INITIAL LICENSE:

A. Verification: Every application for a liquor license shall be made on the form required by the city and shall be verified and filed with the clerk. No person shall make a false statement in any application.

B. Required Information for All Licenses Other than Temporary Licenses:

1. All Applicants:

a. In addition to any information required by the Minnesota Department of Public Safety, an initial application for a liquor license shall also contain the information required herein, as well as any other information that the council may require.

b. Whether the applicant is a natural person, corporation, partnership or other form of organization.

c. The type of license the applicant seeks.

d. The exact legal description of the premises to be licensed, together with a drawing of the area showing dimensions, location of buildings, street access, parking facilities and the locations of and distances of any nearby church building and school grounds.

e. The street number and address of the premises where the sale of liquor is to be conducted and the rooms where liquor is to be sold or consumed. An applicant for an on-sale license shall submit a floor plan of the dining room or dining rooms which shall be open to the public, shall show dimensions and shall indicate the number of persons intended to be served in each of the rooms.

f. If a permit from the federal or state government is required, whether or not such permit has been issued, and if so required, in what name issued and the nature of the permit.

g. The names and addresses of all persons, other than the applicant, who have any financial interest in the business, buildings, premises, fixtures, furniture, and stock in trade; the nature of such interest, amount thereof, and terms for payment or other reimbursement. This shall include, but not be limited to, any lessees, lessors, mortgagees, mortgagors, lenders, lien holders, trustees, trustors and persons who have cosigned notes or otherwise loaned, pledged or extended security for any indebtedness of the applicant.

h. The value of the fixtures and structures, exclusive of land, on the premises proposed to be licensed.

2. Natural Persons: If the applicant is a natural person, the following information shall be required:

a. True name, place and date of birth, and street residence address of applicant.

b. Whether applicant has ever used or been known by a name other than his/her true name, and if so, such name or names along with information concerning dates and places where used.

c. The name of the business if it is to be conducted under a designation, name or style other than the full individual name of the applicant. In such case, a copy of the certification, as required by Minnesota statutes chapter 333, certified by the clerk of the district court, shall be attached to the application.

d. Whether applicant is married or single. If married, true name, place and date of birth and street residence address of applicant's present spouse.

e. Street addresses at which applicant has lived during the preceding five (5) years.

f. Kind, name and location of every business or occupation applicant has been engaged in during the preceding five (5) years.

g. Names and addresses of applicant's employers and partners, if any, for the preceding five (5) years.

h. Whether the applicant has ever been convicted of any felony, crime, or violation of any ordinance, other than traffic tickets. If so, the applicant shall furnish information as to the time, place and offense for which convictions were had.

i. Whether applicant has ever been engaged as an employee or in operating a hotel, restaurant, cafe, tavern or other business holding a liquor license. If so, applicant shall furnish information as to the time, place and length of time of such employment or operation.

3. Partnerships: If the applicant is a partnership, the names and addresses of all partners, and all information concerning each partner as is required of a single applicant in subsection B2 of this section shall be provided. A managing partner or partners shall be designated. The interest of each partner in the business shall be disclosed. If the partnership is required to file a certificate as to a trade name under the provisions of Minnesota statutes chapter 333, a true copy of such certificate, certified by the clerk of the district court, shall be attached to the application.

4. Corporations, Limited Liability Companies, and Other Entities: If the applicant is a corporation, limited liability company, or other entity, the following shall be required:

a. Name, and if incorporated, the state of incorporation.

b. A true copy of the certificate of incorporation, articles of incorporation, articles of organization, or association agreement and bylaws and, if a foreign corporation, a certificate of authority, as described in Minnesota statutes chapter 303.

c. The name of the manager or proprietor or other agent in charge of the premises to be licensed, giving all the information about said person as is required of a single applicant in subsection B2 of this section.

d. A list of all persons who, alone or together with their spouse, or a parent, brother, sister or child of either of them, own or control an interest in said corporation, limited liability company, or entity or who are officers or directors of said corporation, limited liability company, or entity, together with their addresses and all information as is required of a single applicant in subsection B2 of this section.

5. Clubs: If an application is submitted by a club, whether for an on-sale or club license, the following information shall be submitted in addition to that required by Minnesota Department of Public Safety and by the previous provisions of this section:

a. The purpose for which the club was originally organized and for which it is now exists.

b. Date that club was first organized and place of such organization.

c. The number of members.

d. The name of the manager, proprietor or other person who shall be in charge of the licensed premises. (Ord. 1078, 2-9-2004).

e. A sworn statement by a responsible individual having personal knowledge of the facts or other documentation satisfactory to the city clerk shall be submitted with the application verifying that the club meets all the requirements of Minnesota statutes section 340A.101, subdivision 7. (Ord. 1078, 2-9-2004; amd. 2008 Code)

C. Plans Required For On-Sale Applications: Whenever the application for an on-sale license, or for a transfer thereof, is for premises either planned or under construction or undergoing substantial alteration, the application shall be accompanied by a set of preliminary plans showing the design of the proposed premises to be licensed.

D. Execution Of Application: If the application is by a natural person, it shall be signed and sworn to by such person; if by a corporation, by an officer thereof; if by a partnership, by all partners; if by an unincorporated association, by the manager or managing officer thereof. If the applicant is a partnership, the application, license and bond (or insurance policy) shall be made and issued in the name of all partners. (Ord. 1078, 2-9-2004)

E. License Transfer Applications: Whenever a licensee's ownership changes and council approval of the licensee transfer is required, an application for a new liquor license must be completed and submitted to the city council for review and approval in the same manner as an application for a new license.

4-1-8: RENEWAL APPLICATIONS:

A. Time For Renewal: Applications for the renewal of an existing license shall be made at least sixty (60) days prior to the date of the expiration of the license. If, in the judgment of the council, good and sufficient cause is shown by any applicant for his/her failure to file a renewal application within the time prescribed herein, the council may nevertheless receive such application.

B. Forms; Information Required: The renewal application shall be made on such forms as may be required by the city, the Minnesota Department of Public Safety and the Minnesota Bureau of Criminal Apprehension. In addition, the applicant shall provide the information required by

the city council on such abbreviated forms A foreign corporation shall also provide a current certificate of authority.

C. Statement Of Gross Sales; On-Sale Intoxicating Liquor Licenses: At the earliest practicable time after application is made for renewal of an on-sale intoxicating liquor license, and in any event prior to the time that the application is approved by the council, the applicant shall file with the city clerk a statement made by a certified public accountant that shows the gross liquor sales and the total food sales of the restaurant for the preceding twelve (12) month period beginning September 1 and ending on August 31. (Ord. 1078, 2-9-2004).

4-1-9: INVESTIGATION OF APPLICATIONS:

A. Initial Application: All initial applications for a license shall be referred to the city's police department for verification and investigation of the facts set forth in the application. The police department shall cause to be made such investigation of the information requested in section 4-1-7 of this chapter as shall be necessary and shall make a written recommendation to the city council including relevant information obtained as a result of the investigation. Upon an initial application or application for a transfer of an existing license, the police department shall also conduct a preliminary background and financial investigation of the applicant.

B. Renewal Application: All renewal applications shall be referred to the city police department for verification and investigation of the matters set forth in the abbreviated renewal application form. The police department shall make a written recommendation to the city council including relevant information obtained as a result of the investigation. If the city council deems it in the public interest to do so, the council may order that a renewal application be subjected to the same types of investigation as required for an initial application.

C. Results Of Investigations: Without limiting the discretion of the council to deny a license application for other reasons, no license shall be issued, transferred or renewed if the results of the investigation show, in the opinion of the city council, that issuance, transfer or renewal would not be in the public interest.

D. Investigation Fees:

1. Payment of Investigation Fee: Applicants shall pay the background investigation fee established by resolution of the city council.

2. Additional Fees: At any time that an additional investigation is required because of a change in the ownership or control of a corporation, a partnership or an association, or because there is a change in the officers, charter, articles or bylaws of a corporation, or because there is a change in the partnership or association agreement, or because of an enlargement, alteration or extension of premises previously licensed, the licensee shall pay an additional background investigation fee in the amount established by resolution of the city council. (Ord. 1078, 2-9-2004)

4-1-10: LICENSE FEES:

A. Amounts Established: The annual fees for the different types of licenses granted under this chapter are established by resolution of the city council. Computation of fees for on-sale intoxicating liquor licenses shall be based upon the amount of liquor sales on which a licensee is required to pay liquor tax as shown on the licensee's Minnesota sales and use tax returns for the most recent twelve (12) months beginning September 1 and ending August 31. Copies of the returns shall be verified by a certified public accountant and shall be filed along with the renewal application. Until a liquor sales base is established, the fee for a new license shall assume the gross annual liquor sales do not exceed two hundred and fifty thousand dollars ($250,000.00).

B. Payment: Payment of all license fees other than an on-sale intoxicating liquor license fee shall be due at the time of application. One-half of the annual license fee for a new on-sale intoxicating liquor license shall be paid before the application for the license is accepted with the remaining half of the license fee due six months later or thirty (30) days prior to the expiration of the license, whichever is sooner. The annual license fee for the renewal of an existing on-sale intoxicating license shall be paid one-half ($^1/_2$) thereof at least thirty (30) days prior to the expiration of the existing license and the other one-half ($^1/_2$) thereof on or before June 1 of the year for which the license is issued. All fees shall be paid into the general fund of the city.

C. Refunds:

1. Upon rejection of any application for a license or upon withdrawal of an application before approval of the issuance of a license by the council, the license fee shall be refunded to the applicant except where rejection is for a willful misstatement in the license application.

2. No part of the fee paid for any license shall be refunded except as authorized under Minnesota statutes section 340A.408, subdivision 5.

D. Proration Of Fee:

1. The fee for a license other than a temporary license granted after the commencement of the license year shall be prorated on a quarterly basis.

2. When the license is for a premises where the building is not ready for occupancy, the time fixed for computation of the license fee for the initial license period shall be the date the building is ready for occupancy or the date specified by the council at the time the license is granted, whichever is sooner.

E. Exception: Where a new application is filed as a result of incorporation by an existing licensee and the ownership control and interest in the license are unchanged, no additional license fee will be required. (Ord. 1078, 2-9-2004)

F. Fee Reduction, Off Sale intoxicating liquor licenses: Off-sale intoxicating liquor licensees may request a reduction in their annual license fee by the amount specified in Minnesota statutes section 340A.408 if the licensee provides proof of compliance with the requirements of Minnesota statutes section 340A.408 at the time of an initial or renewal application.

4-1-11: FINANCIAL RESPONSIBILITY REQUIREMENTS:

A. Proof Of Financial Responsibility; Amounts: An applicant for a license to sell alcoholic beverages at retail shall demonstrate at the time of filing a license application proof of financial responsibility with regard to liability imposed by Minnesota statutes section 340A.409. Proof of financial responsibility may be shown by filing: (Ord. 1078, 2-9-2004; amd. 2008 Code)

1. A certificate that there is in effect for the period covered by the license an insurance policy or pool providing the following minimum coverages:

a. Fifty thousand dollars ($50,000.00) because of bodily injury to any one person in any one occurrence, and subject to the limit for one person, in the amount of one hundred thousand dollars ($100,000.00) because of bodily injury to two (2) or more persons in any one occurrence, and in the amount of ten thousand dollars ($10,000.00) because of injury to or destruction of property of others in any one occurrence; and

b. Fifty thousand dollars ($50,000.00) for loss of means of support of any one person in any one occurrence, and subject to the limit for one person, and one hundred thousand dollars ($100,000.00) for loss of means of support of two (2) or more persons in any one occurrence; and

c. An annual aggregate policy limit for dramshop liability of not less than three hundred thousand dollars ($300,000.00) per policy year may be included in the policy provisions; or

2. A bond of a surety company with minimum coverages as provided in subsection A1 of this section; or

3. A certificate from the commissioner of management and budget that the licensee has deposited with the commissioner of management and budget one hundred thousand dollars ($100,000.00) cash or securities which may legally be purchased by savings banks or for trust funds having a market value of one hundred thousand dollars ($100,000.00). (Ord. 1078, 2-9-2004).

B. Exemptions:

1. The provisions of subsection A of this section shall not apply to: on-sale 3.2 percent malt liquor licensees with sales of less than twenty five thousand dollars ($25,000.00) of 3.2 percent malt liquor for the preceding year; off-sale 3.2 percent malt liquor licensees with sales of less than fifty thousand dollars ($50,000.00) of 3.2 percent malt liquor for the preceding year; holders of on-sale wine licenses with sales of less than twenty five thousand dollars

($25,000.00) of wine for the preceding year; holders of temporary wine licenses issued under law; or wholesalers who donate wine to an organization for a wine tasting conducted under Minnesota statutes sections 340A.418 or 340A.419. (Ord. 1078, 2-9-2004; amd. 2008 Code)

2. At the time of filing an application for license, or at such subsequent time as may be required by state law, a licensee claiming an exclusion from the requirements of subsection A of this section shall file with the city clerk for transmission to the Minnesota Department of Public Safety an affidavit from the applicant and the applicant's accountant that sales of 3.2 percent malt liquor or wine in the preceding calendar year did not exceed the maximums set by this section.

C. Approval Of Bond Or Insurance: The surety bonds or insurance policies required by subsection A of this section shall be subject to the approval of the city clerk.

D. Surety Or Insurance Companies: The surety on such bond or the insurer on such liability insurance policy shall be a surety company or insurance company, as the case may be, duly licensed to do business in the state of Minnesota, and the bond and liability insurance policy shall run to the city and be approved as to form and execution by the city clerk. All surety bonds or liability insurance policies, when approved by the proper city or state officers, shall be deposited with the city clerk.

E. Terms Of Bond: All such bonds shall be conditioned as provided in the Minnesota statutes and shall be for the benefit of those persons described in the statutes.

F. Failure To Have Insurance Or Bond: Compliance with the financial responsibility requirements of state law and this section is a continuing condition of any license. Failure to have insurance coverage or a bond as required by this section shall be grounds for immediate revocation of the license. (Ord. 1078, 2-9-2004).

4-1-12: ISSUANCE OF LICENSES:

A. Hearing Requirement:

1. Initial Application: Within twenty (20) day after the receipt of a completed application for a liquor license or permit other than a temporary license or permit, all required supporting documentation and the written recommendation by the police department, the city clerk shall cause to be published in the official newspaper, ten (10) days in advance, a notice of a public hearing to be held by the council, setting forth the day, time and place when the hearing will be held, the name of the applicant, the premises where the business is to be conducted, the nature of the business and such other information as the council may direct. At the hearing, opportunity shall be given to any person to be heard for or against the granting of the license. After such investigation and hearing, the council shall grant or deny the application in its discretion. The council may impose reasonable conditions on any license issued or renewed in order to promote the public health, safety, and welfare.

2. Renewal Application: The council shall hold a public hearing regarding renewal applications on the fourth Monday in November. Notice of the time and place of said hearing and the fact that renewal applications will be considered shall be published in the official newspaper ten (10) days in advance of the hearing. Opportunity shall be given to any person to be heard for or against the granting of a renewal license. The council shall grant or deny the application in its discretion.

3. Temporary License Applications and Permits: The council shall hold a hearing regarding applications for temporary liquor licenses and permits.

B. Vote Required: A four-fifths ($^4/_5$) vote shall be required for the granting of any new or renewal license or permit.

C. Conditions Of Issuance; Nontransferability: Each license shall be issued to the applicant only. Each license shall be issued only for the premises described in the application. No license may be transferred to another person or to another place without the prior approval of the council and without the filing of an application for a new license. Any transfer of stock of a corporate licensee, partnership interest in a partnership, or membership interest in a limited liability company shall be deemed to be a transfer of the license, and such transfer without prior council approval is grounds for revocation of the license.

D. Report To State: The clerk shall, within ten (10) days after the issuance of any license under this chapter, submit to the Minnesota Department of Public Safety the full name and address of each person granted a license, the trade name, the effective license date and the date of expiration of the license. He/she shall also submit to the Minnesota Department of Public Safety any change of address, transfer, cancellation or revocation of any license by the council during the license period.

E. Premises Under Construction: If, at the time of granting the license, actual use of said license cannot be made until a future date because the subject premises are under construction, remodeling or improvement or are otherwise not ready for occupancy, then the council shall set a date by which actual use of the license must be made. If actual use is not made by the council's specified date, then said license shall be null and void. In no event shall the city clerk issue the license until notified by the building official that the building is ready for occupancy.

F. Approval Of Minnesota Department of Public Safety: Licenses approved by the council shall not be effective until approved, together with the bond, by the Minnesota Department of Public Safety, if required by state statute. (Ord. 1078, 2-9-2004)

4-1-13: TERM OF LICENSE:

A. Term and Expiration: All licenses except for temporary licenses issued for specific dates shall expire on December 31st of each year. Licenses shall be issued for a period of one year, except that if a portion of the year has elapsed when application for a license is made, a license may be issued for the remainder of the year for a pro rata fee. In computing such fee, any unexpired fraction of a month shall be counted as one month. Temporary licenses expire

according to their terms. Consumption and display permits issued by the Commissioner of Public Safety and the accompanying city consent to the permits shall expire on March 31st of each year.

B. Corporate Licenses: Licenses issued to corporations, partnerships, limited liability companies, or other entities shall become invalid if there is a change in the officers, directors, governors, partners, charter, articles, bylaws, membership interests, or ownership of the entity unless said change is only a change to the titles of the officers, directors, governors, or partners without any change to the officers, directors, or partners themselves or any other change which is approved by the council, in which event, said license shall continue in force until the end of the current license year.

C. Report Of Changes: Corporations, partnerships, limited liability companies, or other entities holding licenses under this chapter shall submit written notice to the clerk of any of the changes listed in this subsection on or before thirty (30) days prior to the effective date of any such change. The licensee shall notify the clerk when a person not listed in the application acquires an interest which, together with that of a spouse, parent, brother, sister or child, exceeds five percent (5%), and shall give all information about said person and which is required of a person pursuant to this section, except that off-sale licensees shall report any change in interest. (Ord. 1078, 2-9-2004)

4-1-14: CONDITIONS OF LICENSE:

Every license shall be granted subject to the conditions of this section and of any other applicable city ordinance or state or federal law.

A. Posting License: Every license shall be posted in a conspicuous place in the premises for which it is issued.

B. Premises: No license shall be effective beyond the compact and contiguous space for which the same was granted. A person must not possess open containers of alcoholic beverages or consume alcoholic beverages on the premises under the licensee's control outside of the licensed structure or in any area of the licensed premises that was not designated for those activities in the license application.

C. Days And Hours Of Sales:

1. No liquor sales shall be made during the hours or days such sales are prohibited by state law.

2. The sale of intoxicating liquor shall be permitted only within the hours and only on the days fixed and allowed by Minnesota statutes. Not only must the sale of intoxicating liquor cease at the closing hour appointed each day by statute, but all persons other than employees of the licensee shall vacate the licensed premises within thirty (30) minutes of said closing hour. Notwithstanding anything contained in this subsection, a licensee may keep his/her premises open for his/her normal business purposes except the sale of liquor after the closing hour for

the sale of liquor, provided that such licensee has closed off all access to the bar in a manner approved by the council.

3. Under a Sunday on-sale license, a restaurant, club or hotel with a seating capacity for at least thirty persons which holds an on-sale intoxicating liquor license may serve intoxicating liquor between the hours of ten a.m. (10:00 a.m.) on Sunday and two a.m. (2:00 a.m.) on Monday in conjunction with the serving of food, provided the licensed establishment has a 2:00 a.m. permit issued by the Commissioner of Public Safety.

4. No holder of a 3.2 percent malt liquor license may conduct business on the premises between the hours of two (2:00) a.m. and eight (8:00) a.m. Monday through Saturday or on any Sunday between the hours of two (2:00) a.m. and ten (10:00) a.m. Notwithstanding the foregoing, a licensee may keep the licensed premises open for its normal business purposes, except for the sale of 3.2 percent malt liquor, after the closing hour for the sale of liquor, provided that such licensee has closed off all access to the 3.2 percent malt liquor in a manner approved by the city council.

5. No club shall sell alcoholic beverages to anyone other than members and bona fide guests in the company of members.

D. Sales To Certain Persons Prohibited: No intoxicating liquor shall be sold, furnished or delivered for any purpose to any person under the age of twenty one (21) years or to any person obviously intoxicated or to any other persons to whom sale is prohibited by state law.

E. Sales In Hotels: No sale of alcoholic beverages shall be made to or in guestrooms of hotels, unless the rules of such hotel provide for the service of meals in guestrooms, the sale of such alcoholic beverages is made in the manner on-sales are required to be made, such sale accompanies and is incident to the regular service of meals to guests therein, and the rules of such hotel and the description, location and number of such guestrooms are fully set out in the application for a license.

F. Conduct Of Business:

1. Every licensee shall be responsible for the conduct of his/her place of business and shall maintain conditions of sobriety and order therein.

2. No licensee shall keep, possess or operate, or permit the keeping, possession or operation of, on the licensed premises or in any room adjoining the licensed premises, any slot machine, dice or any gambling device or apparatus, nor permit any gambling therein, nor permit the licensed premises or any room in the same or in any adjoining building, directly or indirectly under the licensee's control, to be used for any illegal purpose. Notwithstanding the foregoing, gambling licensed and permitted by the Minnesota charitable gambling board is allowed in connection with temporary licenses and events, and sales sponsored by the Minnesota state lottery may be made at any licensed established allowed by state law.

G. Display Of Liquor In On-Sale Establishments: No on-sale liquor establishment shall display liquor to the public during hours when the sale of liquor is prohibited. No on-sale licensee shall permit any glass, bottle, or other container containing an alcoholic beverage to remain upon any table, bar, stool, or other place where customers are served within a licensed establishment more than thirty (30) minutes after the time when a sale can legally occur.

H. Receipt Required For Off-Sale Deliveries: No off-sale licensee or his/her agent or employee shall deliver any intoxicating liquor to or at any place or premises without obtaining a receipt therefor, signed by the person receiving such liquor and bearing the time, date and place of delivery. Such receipts shall be kept in the files of the licensee for a period of one year, and such files and receipts shall be kept available for inspection by the police department at all hours during which the licensed premises are open for business.

I. Ethyl Alcohol And Neutral Spirits: No licensee shall keep ethyl alcohol or neutral spirits on any licensed premises or permit their use on the premises as a beverage or mixed with a beverage. (Ord. 1078, 2-9-2004)

J. Alcohol Server Training Required.

1. For the purposes of this section, a "licensed establishment" means any premises holding any license issued by the city to sell or serve any alcoholic beverage, provided, however, that a licensed establishment shall not include any premises holding only a temporary on-sale license, one day consumption and display permit or a caterer's permit.

2. For the purposes of this section, a "liquor licensee" is the holder of any license issued by the city to sell or serve any alcoholic beverage, provided, however, that a liquor licensee shall not include the holder of only a temporary on-sale license, one day consumption and display permit or a caterer's permit.

3. Every liquor licensee shall require that anyone who serves or sells any alcoholic beverage at the licensed establishment must comply with the alcohol server training requirements of this section.

4. Anyone who serves or sells any alcoholic beverage at a licensed establishment shall complete a program of alcohol server training before they are allowed to serve or sell any alcoholic beverage.

5. No one shall serve or sell any alcoholic beverage at a licensed establishment unless that person has completed an alcohol server training program within the twenty four (24) month period prior to the date of serving or selling the alcoholic beverage.

6. The alcohol server training program must meet the standards hereafter set forth and must be provided by a business entity or association whose regular business includes providing such trainings and who is not owned by a license holder; provided, however, the training may be provided by a license holder if the training meets the standards hereafter set forth and the

training program is approved by the city's chief of police or designee. The standards for training must include the following:

A. Information regarding the laws pertaining to the sale of alcohol;

B. The rules for identification checks;

C. Responsibilities of establishments serving or selling alcoholic beverages;

D. Verification of age, forms of identification, and forms of false or misleading age identification;

E. The effect of alcohol on humans and the physiology of alcohol intoxication;

F. Recognition of the signs of intoxication;

G. Strategies for intervention to prevent intoxicated persons from consuming further alcohol;

H. Liability of the person serving alcohol; and

I. Identifying minors.

7. Liquor licensees shall keep on file proof that all persons serving or selling alcoholic beverages at the licensed establishment have completed the alcohol server training required by this section. Such proof shall be kept for at least three (3) years. Proof of a person's completion of alcohol server training shall be presented to a police officer upon request no later than three (3) days after the request, excluding holidays and weekends. Liquor licensees shall submit the following information about all persons who currently serve or sell alcoholic beverages at the licensed establishment with their liquor license renewal application: the person's name, date of birth, date of hire, and the date the person last completed alcohol server training.

8. No liquor licensee shall allow the sale or service of any alcoholic beverage by a person who has not complied with the alcohol server training requirements of this section. Any such sale or service shall constitute a violation of the licensee's liquor license.

9. No person shall serve or sell any alcoholic beverage at a licensed establishment without first complying with the alcohol server training requirements of this section. (Ord. 1201, 11-23-2009)

10. Every licensee shall allow any peace officer, health officer, building official, city employee, or any other person designated by the council to conduct compliance checks and to otherwise enter, inspect, and search the premises of the licensee during business hours and after business hours during the time customers remain on the premises without a warrant.

11. Death of Licensee: In the event of the death of a person holding a license, the personal representative of that person is allowed to continue to operate the business within the terms of the license for a period not to exceed 90 days after the death of the licensee.

12. Change in Required Information: Each licensee has the continuing duty to promptly notify the city clerk of any change in the information or facts required to be furnished on a license application. This duty continues throughout the period of the license.

4-1-15: BUILDING AND PREMISES:

A. Enlargement, Alteration Or Extension Of Premises: Proposed enlargement, alteration or extension of premises previously licensed shall be reported to the clerk at or before the time application is made for a building permit for any such change.

B. Occupancy Load Limits:

1. Intent And Purpose: In order to protect the safety of patrons, to allow safe evacuation in case of fire, and to prevent overcrowding, the Chief Building Official shall establish the maximum number of persons that may be allowed in any on-sale licensed premises, including clubs.

2. Floor Plan: As part of the original on-sale license application, including club applications, and each renewal application, the proposed licensee shall submit to the city a floor plan of the interior of the premises which shall be drawn on a clean sheet of paper and list all interior dimensions. The plan shall show the location of permanent fixtures, the seating arrangements and seating capacity, and the location and width of exitways and aisles. If, when a renewal application is made, the premises layout has not changed from the floor plan already on file with the city, then the licensee need not submit another copy of the floor plan, but the licensee shall state on the renewal application that the floor layout has not changed.

3. Number Of Occupants: The Chief Building Official shall determine the maximum number of occupants that can be allowed in the licensed premises. This determination shall be based on the floor plan and the building code.

4. Prevention Of Overcrowding: No licensee or employee thereof shall permit overcrowding or admittance of any person beyond the occupancy load limit set by the Minnesota State Building Code.

5. Posting Occupancy Load Limit: In plain sight and in prominent locations on the premises, the licensee shall post signs indicating the maximum occupancy load limit. The number and location of the signs shall be as required by the Minnesota State Building Code.

6. Right Of Entry: The Chief Building Official shall be permitted to inspect the premises of any on-sale liquor establishment, including clubs, during normal business hours to determine the maximum occupancy limit or seating capacity of the building or review an earlier determination of that

C. Temporary Expansion of Premises: After a hearing, the city council may approve a temporary amendment to an existing on-sale liquor license to allow the sale of alcoholic beverages in an area outside the licensed premises if the council determines in its sole discretion that the following criteria are met:

a. the area to be used must be immediately adjacent to the licensed premises;

b. the area will be used in connection with a special event no longer than two days in duration;

c. no more than three temporary amendments per year will be allowed for a licensee at any one establishment. A special license issued to a non-profit organization which contracts with the licensee for provision of service will be counted as part of this total;

d. adequate measures will be taken to control access to the additional area to ensure that alcoholic beverages are not sold to minors and are not carried outside of the licensed premises and the additional area;

e. adequate measures will be taken to ensure that there will be no violation of the city's noise ordinance;

f. the use of the additional area will not decrease available parking below that required by the zoning ordinance for the licensed premises;

g. the use of the additional area will not unreasonably impede traffic circulation;

h. the licensee has obtained adequate liability insurance for the additional area; and

i. the issuance of the temporary amendment would not be adverse to the public health, safety and welfare.

2. To obtain a temporary amendment, the licensee must submit an application accompanied by:

a. a diagram showing the expanded area to be used;

b. a detailed description of the special event for which the area will be used;

c. a detailed description of the security measures to be used;

d. evidence that the licensee has liability insurance to cover the additional area;

e. evidence that the licensee has the right to use the additional area; and

f. the fee specified in the city fee schedule.

3. The application for a temporary amendment to the liquor license shall be granted or denied by the city council in its discretion.

4-1-16: RESTRICTIONS ON SALES, PURCHASES AND CONSUMPTION:

A. Illegal Sales: No person shall give, sell, procure or purchase alcoholic beverages to or for any person to whom the sale of intoxicating liquor is forbidden by law.

B. Places Of Consumption And Sale: No person shall mix or prepare alcoholic beverages for consumption and no person shall consume alcoholic beverages in any public place subject to the following exceptions:

1. A person may consume or mix or prepare alcoholic beverages on premises appropriately licensed in accordance with the city ordinances and laws of the state. (Ord. 1078, 2-9-2004)

2. A person may consume 3.2 percent malt liquor at Inver Wood golf course, but only if such 3.2 percent malt liquor is consumed within the areas specifically prescribed by the license. (Ord. 1078, 2-9-2004; amd. 2008 Code)

3. Consumption, sale and dispensing of intoxicating liquor may occur at the National Guard Training And Community Center (NGTCC) but only under the conditions specified in section 4-1-17.

4. Persons of lawful age may possess and consume 3.2 percent malt liquor in South Valley Park but only in or within one hundred fifty feet (150') of the group picnic shelter located in the park, and only in conjunction with an event for which the sponsor has obtained a permit from the city to use the group picnic shelter, and only if the person possessing or consuming the 3.2 percent malt liquor is an invited guest of the event sponsor. (Ord. 1078, 2-9-2004)

5. Persons of lawful age may possess and consume 3.2 percent malt liquor in Rich Valley Park subject to such rules and regulations as the city council, by resolution, may from time to time impose. (Ord. 1236, 5-23-2011)

(Ord. 1078, 2-9-2004)

C. Parking Areas:

1. Except incident to a sale made pursuant to a temporary on-sale intoxicating, temporary on-sale 3.2 percent malt liquor license issued by the city, or one-day consumption and display permit, no person shall consume alcoholic beverages while in the parking area of any school, college, park, government facility, shopping center or commercial establishment.

2. Except incident to a sale made pursuant to a temporary on-sale intoxicating, temporary on-sale 3.2 percent malt liquor license, or one-day consumption and display permit issued by the city, no person in the parking area of any school, college, park, government facility, shopping center or commercial establishment shall have in his/her possession on his/her person any bottle or receptacle containing an alcoholic beverage which has been opened or the seal broken or the contents of which have been partially removed. (Ord. 1078, 2-9-2004; amd. 2008 Code)

4-1-17: NATIONAL GUARD TRAINING AND COMMUNITY CENTER REGULATIONS:

A. Purpose And Intent: By this section, the city seeks to control the conditions by which intoxicating liquor may be served, consumed and sold at the National Guard Training And Community Center (hereafter referred to as the NGTCC) located in the city. The city has a lease with the owner of the NGTCC, and it is expected that the city in turn will be renting the NGTCC to various individuals and organizations for meetings, social affairs, conventions, conferences, wedding and anniversary receptions and similar events.

B. Sales and Service: Alcoholic beverages may be sold or served at the NGTCC only under the following conditions:

1. Alcoholic beverages may only be served and sold by the holder of a caterer's permit. Users and guests are prohibited from bringing in and/or serving their own alcoholic beverages.

2. No sale or service shall occur between the hours of twelve (12:00) a.m. and eight (8:00) a.m. (Ord. 1078, 2-9-2004; amd. 2008 Code)

3. Sales and service shall only occur in conjunction with an event for which the sponsor has a rental agreement with the city to use the NGTCC.

4. At least two (2) weeks prior to the event, the holder of the caterer's permit shall deliver to the city a copy of the permit and certificate of insurance providing off premises liquor liability coverage in at least the amount of the statutory limits, naming the city of Inver Grove Heights as an additional insured.

5. No sale or service of alcoholic beverages shall occur unless the sponsor of the event has made arrangements at the sponsor's expense to have one or more Inver Grove Heights Police Officers, as determined by the rental agreement between the city and the sponsor, present at all times while sales or service are occurring. No sale or service shall occur unless the required number of Police Officers are present.

6. The event shall not be open to the public; the event shall only be open to invited guests of the event sponsor.

7. Sales and service of alcoholic beverages shall only be made to the invited guests of the event sponsor.

8. Sales and service of alcoholic beverages shall only be made in the areas of the NGTCC designated by the Facility Rental Coordinator. The designated areas shall be specified in the rental agreement. In no event shall sales occur in the parking lot or in the veterans memorial community center in the corridor that connects the NGTCC to the veterans memorial community center.

C. Consumption: No consumption of alcoholic beverages shall occur at the NGTCC except under the following conditions:

1. The consumption of alcoholic beverages shall only occur if the alcoholic beverage has been lawfully sold or served at the NGTCC pursuant to subsection B of this section.

2. No consumption shall occur between the hours of twelve (12:00) a.m. and eight (8:00) a.m.

3. Consumption shall only occur in conjunction with an event for which the sponsor has a rental agreement with the city to use the NGTCC.

4. Consumption shall only occur by invited guests of the sponsor of the event.

5. Consumption shall only occur in the areas of the NGTCC that the Facility Rental Coordinator designates. The designated areas shall be specified in the rental agreement. In no event shall any consumption occur in the parking lot, the veterans memorial community center, or in the corridor that connects the NGTCC to the veterans memorial community center.

6. Consumption shall only occur in compliance with the other statutes, ordinances, rules and regulations that govern consumption of alcoholic beverages. (Ord. 1078, 2-9-2004)

4-1-18: RIGHT OF INSPECTION:

Any duly authorized law enforcement officer, health officer, fire official or building official shall be allowed to inspect the licensed premises at reasonable times and hours to ensure compliance with all provisions of this chapter. Upon demand by any police officer, any person engaged in providing services in any licensed premises shall identify themself, giving his/her true legal name and his/her correct address. (Ord. 1078, 2-9-2004)

4-1-19: CIVIL PENALTIES AND SANCTIONS:

A. Civil Sanctions Imposed: Upon a finding by the council that a licensee has committed any of the following violations:

1. Sold alcoholic beverages to another retail licensee for the purpose of resale;

2. Purchased alcoholic beverages from another retail licensee for the purpose of resale;

3. Conducted or permitted the conduct of gambling on the licensed premises in violation of the law;

4. Failed to remove or dispose of alcoholic beverages when ordered by the chief of police to do so under Minnesota statutes section 340A.508, subdivision 3;

5. Failed to comply with an applicable statute, rule, or ordinance relating to alcoholic beverages; or

6. Failed to comply with any provisions of this chapter, the council may revoke the license, suspend the license for up to sixty (60) days, impose a civil penalty of up to two thousand

dollars ($2,000.00) for each violation, or impose any combination of these sanctions. If the council imposes a suspension, the council shall set the dates relating to the suspension.

B. Minimum Penalties: The following are the minimum penalties that the council shall impose upon a licensee for a violation listed in subsection A of this section. Based upon the nature, type, severity and circumstances of the violation, the council may impose penalties exceeding those stated in this subsection. The determination whether to impose penalties above the minimum penalties and the level and order of the penalties above the minimum penalties will be at the sole discretion of the council.

1. First violation within the last five (5) years: Seven hundred fifty dollar ($750.00) civil penalty.

2. Second violation within the last five (5) years: One thousand dollar ($1,000.00) civil penalty and a one day license suspension.

3. Third violation within the last five (5) years: Two thousand dollar ($2,000.00) civil penalty and a three (3) day license suspension.

4. More than three (3) violations in the last five (5) years: Two thousand dollar ($2,000.00) civil penalty and a suspension of more than three (3) days or the council shall revoke the license.

C. Hearing And Notice: The licensee shall be granted a hearing upon at least ten (10) days' notice before revocation or suspension is ordered by the council. For purposes of this subsection, "notice" shall mean written notice served upon the licensee personally or by leaving the same at the licensee's usual place of abode with some person of suitable age and discretion then residing therein or by leaving the same at the licensed premises with the person in charge thereof. The notice shall state the time and place of the hearing and shall state the nature of charges against the licensee. No suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing pursuant to Minnesota statutes sections 14.57 to 14.69 (the administrative procedures act). This subsection does not require the council to conduct the hearing before an employee of the office of administrative hearings. Imposition of a fine or suspension by either the council or the commissioner of public safety does not preclude the imposition of an additional fine or suspension by the other so long as the total fine or suspension does not exceed the maximum allowed by state statute. (Ord. 1161, 8-27-2007)

4-1-20: CONSUMPTION AND DISPLAY PERMIT.

A consumption and display permit may approved for an organization that complies with the requirements of Minnesota statutes section 340A.414 and that has obtained a permit from the commissioner of public safety. No business establishment or club that does not hold an on-sale intoxicating liquor license may directly or indirectly allow the consumption and display of alcoholic beverages or knowingly serve any liquid for the purpose of mixing with intoxicating liquor in the city without first obtaining a consumption and display permit. An applicant for a consumption and display permit approval shall submit an application for approval by the city to the city clerk and the City Council shall approve or deny the permit application in its discretion

after a hearing. Holders of a consumption and display permit shall comply with the financial responsibility requirements of this chapter and shall pay the fee set by the city council.

4-1-21: TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE:

A. Intent And Purpose: It is the intent and purpose of this section to effectuate the authorization to issue temporary on-sale intoxicating liquor licenses given to municipalities by Minnesota statutes section 340A.404, subdivision 10, and to supplement, but not repeal, any part of this chapter.

B. Authorized Licensees: Temporary on-sale intoxicating liquor licenses may only be issued to a club or charitable, religious or other nonprofit organization in existence for at least three (3) years, a political committee registered under Minnesota statutes section 10A.14, or a state university in connection with a social event within the city sponsored by the licensee.

C. Authorized Purposes: A temporary on-sale intoxicating liquor license shall permit the licensee to sell intoxicating liquor for consumption at a specific location. A temporary on-sale intoxicating liquor license may authorize on-sales of intoxicating liquor at premises other than the premises the licensee owns or permanently occupies.. The license may provide that the licensee may contract for intoxicating liquor catering services with the holder of a full year on-sale intoxicating liquor license issued by any municipality.

D. Duration Of License: The license may authorize the on-sale of intoxicating liquor for not more than four (4) consecutive days.

E. Application And Issuance Of License: An applicant for a temporary on-sale liquor license shall submit an application for approval by the city to the city clerk and the City Council shall approve or deny the license application in its discretion after a hearing.

F. License Fee: The fee for a temporary on-sale liquor license shall be established by resolution of the city council, and must be paid prior to issuance of such license.

G. Presence Of Police Officer: If the temporary on-sale liquor license allows the sale of alcoholic beverages on public property, the licensee shall hire a uniformed police officer to remain on the premises during the use of the license.

H. Approval By Commissioner Of Public Safety: A temporary on-sale liquor license issued under this section is not valid unless first approved by the commissioner of public safety.

I. Insurance: Applicants must provide proof of the same liability insurance coverage required for any other retail liquor license. (Ord. 1242, 10-10-2011)

4-1-22: TEMPORARY ON-SALE 3.2 PERCENT MALT LIQUOR LICENSE:

A. Intent And Purpose: It is the intent and purpose of this section to effectuate the authorization to issue temporary 3.2 percent malt liquor licenses as established by Minnesota statutes section 340A.403 and to supplement, but not repeal, any part of this chapter.

B. Authority Of License: A temporary on-sale 3.2 percent malt liquor license shall permit the licensee to sell 3.2 percent malt liquors for consumption at a designated location.

C. Establishments Qualified To Receive License: Temporary on-sale licenses may be issued to a club or charitable, religious, or nonprofit organization for the sale of 3.2 percent malt liquors. (1974 Code § 1215.31; amd. 2008 Code)

D. Application And Issuance Of License: An applicant for a temporary on-sale 3.2 percent malt liquor license shall submit an application for approval by the city to the city clerk and the City Council shall approve or deny the license application in its discretion after a hearing.

E. License Fee: The fee for temporary on-sale licenses required by this section is established by resolution of the city council.

F. Term Of License: The term of a temporary on-sale license shall not exceed seven (7) days, and the term thereof shall be specified in the application.

G. Presence Of Police Officer: If the temporary license is used on public property, the licensee shall hire a uniformed police officer to remain on the premises during the use of the license. (1974 Code § 1215.31)

H. Insurance: Applicants must provide proof of the same liability insurance coverage required for any other retail liquor license. (Ord. 1242, 10-10-2011)

4-1-23: ONE DAY CONSUMPTION AND DISPLAY PERMITS:

A. Intent And Purpose: It is the intent and purpose of this section to effectuate the authorization to issue one day consumption and display permits given to municipalities by Minnesota statutes section 340A.414, subdivision 9, and to supplement, but not repeal, any part of this chapter.

B. Authorized Licensees: One day consumption and display permits may only be issued to a nonprofit organization in conjunction with a social activity in the city sponsored by the organization.

C. Application And Issuance Of License: An applicant for a one day consumption and display permit shall submit an application for approval by the city to the city clerk and the City Council shall approve or deny the license application in its discretion after a hearing

D. License Fee: The fee for a one day consumption and display permit shall be established by resolution of the city council, and must be paid prior to issuance of such license.

E. Presence Of Police Officer: If the one day consumption and display permit is used on public property, the licensee shall hire a uniformed police officer to remain on the premises during the use of the license.

F. Approval By Commissioner Of Public Safety: A one day consumption and display permit issued under this section is not valid unless first approved by the commissioner of public safety.

G. Insurance: Since the one day consumption and display permit is not a retail permit for the sale of alcoholic beverages, no proof of liability insurance will be required for issuance of the permit. (Ord. 1242, 10-10-2011)

4-1-24: TEMPORARY OFF-SALE WINE LICENSES:

A. Intent And Purpose: It is the intent and purpose of this section to effectuate the authorization to issue temporary off-sale wine licenses given to municipalities by Minnesota statutes section 340A.405, subdivision 4, and to supplement, but not repeal, any part of this chapter.

B. Application And Issuance Of License: An applicant for a temporary off-sale wine license shall complete the application form prescribed by the city clerk. The city council shall review the application and grant or deny the issuance of the license in its discretion. No public hearing shall be required.

C. License Fee: The fee for a temporary off-sale wine license shall be established by resolution of the city council, and must be paid prior to issuance of such license.

D. Approval By Commissioner Of Public Safety: A temporary off-sale wine license issued under this section is not valid unless first approved by the commissioner of public safety.

E. Insurance: No proof of liability insurance will be required for issuance of the permit. (Ord. 1242, 10-10-2011)

Section Two. Repealed. Title 4, Chapter 1, Article B, of the Inver Grove Heights City Code is hereby repealed in its entirety.

Section Three. Repealed. Title 4, Chapter 1, Article C, of the Inver Grove Heights City Code is hereby repealed in its entirety.

Section Four. Repealed. Title 4, Chapter 1, Article D, of the Inver Grove Heights City Code is hereby repealed in its entirety.

Section Five. Effective Date. This Ordinance shall be in full force and effect beginning on _____, 2014.

Passed in regular session of the City Council on the ___ day of January, 2014.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

By: _____
Melissa Kennedy, Deputy City Clerk

CITY OF INVER GROVE HEIGHTS

DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE REPEALING INVER GROVE HEIGHTS CITY CODE, TITLE 4, CHAPTER 1, ARTICLES A, B, C, AND D RELATED TO ALCOHOLIC BEVERAGES AND ENACTING INVER GROVE HEIGHTS CITY CODE TITLE 4, CHAPTER 1 RELATED TO ALCOHOLIC BEVERAGES

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

Section One. Repeal and Replacement. Title 4, Chapter 1, Article A, of the Inver Grove Heights City Code is hereby repealed in its entirety and replaced as follows and the following is hereby ordained and adopted:

~~ARTICLE A. INTOXICATING LIQUOR~~

4-1~~A~~-1: STATE LAW ADOPTED:

The provisions of Minnesota statutes chapter 340A, commonly known as the Liquor Act, with reference to the definition of terms, application for license, granting of license, conditions of license, restrictions on consumption, provisions on sales, conditions of bonds of licensees, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of ~~intoxicating liquor~~alcoholic beverages are hereby adopted and made a part of this ~~article~~ chapter as if fully set forth herein, except as modified herein. Whenever there is an inconsistency between the provisions of Minnesota statutes chapter 340A and the provisions of this chapter, the more restrictive shall control. (Ord. 1078, 2-9-2004)

4-1~~A~~-2: DEFINITIONS ~~OF RESTAURANT~~:

In addition to the definitions set forth in Minnesota statutes chapter 340A, the following words are defined for the purpose of this chapter as follows:

A. ~~For purposes of this article, a~~ "~~r~~Restaurant" means an establishment, other than a hotel, under the control of a single proprietor or manager, where meals are regularly served at tables to the general public and which also meets the following requirements:

1~~A~~. Seating capacity for at least fifty (50) guests;

2~~B~~. At least seven hundred fifty (750) square feet of seating area for guests;

3~~C~~. Has a printed menu for each guest at the table;

4~~D~~. Prepares and serves hot meals on the site of the establishment;

5~~E~~. Has nonplastic eating utensils for guests;

6~~F~~. Has on the site a conventional stove, oven or grill for preparation of hot meals and not just a microwave oven; and

7~~G~~. Has a valid health department restaurant license. (Ord. 1078, 2-9-2004)

B. "Alcoholic beverage" means any beverage containing more than one-half of one percent alcohol by volume.

C. "Liquor," when used without modification by the words "intoxicating" or "3.2 percent malt liquor," includes all forms of alcoholic beverages.

4-1~~A~~-3: LICENSE REQUIRED:

No person, except a wholesaler or manufacturer to the extent authorized under state ~~license~~law, shall directly or indirectly, on any pretense or by any device, deal in, sell, barter, keep for sale, charge for possession, or otherwise dispose of or ~~or~~ deliver any ~~intoxicating liquor~~alcoholic

beverage as part of a commercial transaction without first having received a license or permit to do so as provided in this ~~article~~chapter and State law. (Ord. 1078, 2-9-2004)

4-1~~A~~-4: TYPES OF LICENSES:

A. There shall be the following ~~separate~~ types of ~~intoxicating liquor licenses~~liquor licenses:

On-sale intoxicating liquor license~~.~~

Off-sale intoxicating liquor license~~.~~

On-sale wine license~~.~~

Temporary off-sale wine license

~~Special c~~Club intoxicating liquor license~~.~~

Sunday on-sale intoxicating liquor license~~.~~

Temporary on-sale intoxicating liquor license~~.~~

Consumption and display permit

One day consumption and display permit~~.~~

On-sale 3.2 percent malt liquor license

Off-sale 3.2 percent malt liquor license

Temporary on-sale 3.2 percent malt liquor license

Culinary class limited on-sale license

On-sale brewer taproom license.

Off-sale small brewer license.

B. Liquor licenses may be issued as follows:

~~A~~1. On-Sale Intoxicating Liquor License: On-sale intoxicating liquor licenses ~~shall~~ may be issued ~~only~~ to hotels that have an on-site restaurant as defined in this chapter, clubs or congressionally chartered veterans organizations with the approval of the Commissioner of

Public Safety, theaters, restaurants and exclusive liquor stores and shall permit the on-sale of alcoholic beverages~~on-sale of liquor only~~.

~~B~~2. Off-Sale Intoxicating Liquor License: Off-sale intoxicating liquor licenses ~~shall~~ may be issued ~~only~~ to exclusive liquor stores whose fixtures and structures, exclusive of land, have a fair market value of at least fifty thousand dollars ($50,000.00) and ~~. Said license~~ shall permit off-sales of ~~liquor only~~ alcoholic beverages.

3~~C~~. On-Sale Wine License: On-sale wine licenses ~~shall~~ may be issued ~~only~~ to theaters and restaurants ~~meeting the qualifications of section 4-1A-2 of this article~~ and shall permit only the sale of wine not exceeding fourteen percent (14%) alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food. The holder of an on-sale wine license who is also licensed to sell 3.2 percent malt liquor on-sale pursuant to Minnesota statutes section 340A.411 and ~~pursuant to article C of this chapter~~this chapter, has seating capacity for at least ~~fifty (50)~~twenty-five (25) people at one time and whose gross receipts are at least sixty percent (60%) attributable to the sale of food may also sell ~~3.2 percent~~intoxicating malt liquor~~s~~ on-sale without an additional license.

4. Temporary Off-Sale Wine License: Temporary off-sale wine licenses may be issued for the off-sale of wine at an auction with the approval of the Commissioner of Public Safety. A temporary off-sale wine license authorizes the

sale of only vintage bottle wine that is at least five years old and is of a brand and vintage that is not commonly being offered for sale by any wholesaler in Minnesota. The license may authorize the off-sale of wine for not more than three consecutive days provided not more than six hundred cases of wine are sold at any auction. The licenses are subject to the terms, including license fee, imposed by the issuing city or county. Licenses issued under this subdivision are subject to all laws and ordinances governing the sale of intoxicating liquor except section 340A.409 and those laws and ordinances which by their nature are not applicable.

5

~~4D~~. ~~Special~~ Club Intoxicating Liquor License: A ~~special~~ club intoxicating liquor license ~~shall~~ may be issued ~~only~~ to a~~n~~ ~~incorporated bona fide~~ club or _ ~~to a~~ congressionally chartered veterans' organization which has been in existence for at least three (3) years. Said ~~special~~ club license shall permit the sale of ~~intoxicating liquors~~alcoholic beverages to members and bona fide guests only, except that a club may permit the general public to participate in a wine tasting conducted at the club under Minnesota statutes section 340A.419.

E56. Sunday On-Sale Intoxicating Liquor License: A Sunday on-sale intoxicating liquor license shall may be issued only to hotels, clubs, and restaurants that hold an on-sale intoxicating liquor license and meet all state statutory requirements for issuance of a Sunday on-sale license.:

1. Hotels, as defined by Minnesota statutes section 340A.101 that have a "restaurant" as defined in section 4-1A-2 of this article;

2. Clubs, as defined by Minnesota statutes section 340A.101, that have a "restaurant" as defined in section 4-1A-2 of this article;

3. Restaurants, as defined in section 4-1A-2 of this article, which establishments already have an on-sale intoxicating liquor license, and which establishments have facilities for serving not less than fifty (50) guests at one time.

A Sunday on-sale intoxicating liquor license shall permit the sale of intoxicating liquor to be consumedfor consumption on the premises between the hours of ten o'clock a.m. (10:00 a.m.) A.M. on Sunday and one two a.m.o'clock (12:00 a.m.) A.M. on Monday in conjunction with the serving sale of food., provided that the licensed establishment is in conformance with the Minnesota clean indoor air act[1].

76. Consumption and Display Permit: A consumption and display permit may be issued to an organization that complies with the requirements of Minnesota statutes section 340A 414 and that has obtained a permit from the Commissioner of Public Safety.

6F8. Temporary On-Sale Intoxicating Liquor License: Temporary on-sale intoxicating liquor licenses shall be governed by section 4-1A-20 of this articlemay be issued to a club, charitable, religious, or other nonprofit organizations in existence for at least three years, a political committee registered under Minnesota statutes section 10A.14, or a state university in connection with a social event within the city sponsored by the licensee. No license shall be for longer than four consecutive days, and the city shall issue no more than twelve (12) days' worth of temporary licenses to any one organization in one calendar year.

9

7G. One Day Consumption aAnd Display Permit: One day consumption and display permits shall may be governed by section 4-1A-21 of this articlebe issued to nonprofit organizations in conjunction with a social activity in the city sponsored by the organization. (Ord. 1242, 10-10-2011)

810. On-Sale Brewer Taproom License: On-sale brewer taproom licenses may be issued to the holder of a brewer's license under Minnesota statutes section 340A.301, subdivision 6, clauses (c), (i), or (j) and shall permit the sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to a brewery location owned by the brewer.

~~9~~11. Off-Sale Small Brewer License: Off-sale small brewer licenses may be issued to a brewer licensed under Minnesota statutes section 340A.310, subdivision 6, clause (c), (i), or (j) and shall permit the off-sale of malt liquor at the brewer's license premises.

12. On-Sale 3.2 Percent Malt Liquor License: On-sale 3.2 percent malt liquor licenses may be issued only to golf courses, bona fide clubs, restaurants and hotels where food is prepared and served for consumption on the premises and establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco and soft drinks. On-sale 3.2 percent malt liquor licenses shall permit the sale of 3.2 percent malt liquor for consumption on the premises only.

1~~1~~3. Off-Sale 3.2 Percent Malt Liquor License: Off-sale 3.2 percent malt liquor licenses may be granted to general food stores and to gasoline service stations where nonalcoholic beverages are also sold. Off-sale 3.2 percent malt liquor licenses shall permit the sale of 3.2 percent malt liquor at retail in the original package for consumption off the premises only.

~~K~~14. Temporary On-Sale 3.2 Percent Malt Liquor License: Temporary on-sale 3.2 percent malt liquor licenses may be issued to clubs, charitable, religious, and nonprofit organizations.

~~L~~15. Culinary Class Limited On-Sale License: A limited on-sale intoxicating liquor license may be issued to a business establishment: (1) not otherwise eligible for an on-sale intoxicating liquor license; and (2) that, as part of its business, conducts culinary or cooking classes for which payment is made by each participant or advance reservation required. The license authorizes the licensee to furnish to each participant in each class, at no additional cost to the participant, up to a maximum of six ounces of wine or twelve ounces of intoxicating malt liquor, during and as part of the class, for consumption on the licensed premises only.

4-1~~A~~-5: NUMBER OF LICENSES:

The following number of licenses and permits may be issued or approved by the city, although there is no obligation ~~on~~ for the city to issue or approve any prescribed minimum ~~amount~~number:

Type	Number
On-sale intoxicating liquor license for hotels	No maximum limit
On-sale intoxicating liquor license for theaters	No maximum limit
On-sale intoxicating liquor license for restaurants	No maximum limit
On-sale intoxicating liquor license for exclusive liquor stores	18

On-sale intoxicating liquor license for ~~special~~ clubs/congressionally chartered veterans organizations	No maximum limit
On-sale wine license	No maximum limit
Sunday on-sale intoxicating liquor license	No maximum limit
Off-sale intoxicating liquor license	No maximum limit
Temporary on-sale intoxicating liquor license	~~See Minnesota statutes, section 340A.404, subdivision 10~~No maximum limit
One day consumption and display permit	~~See Minnesota statutes, section 340A.414, subdivision 9~~10 per year
On-sale brewer taproom license	No maximum limit
Off-sale small brewer license	No maximum limit
On-sale 3.2 percent malt liquor license	No maximum limit
Off-sale 3.2 percent malt liquor license	No maximum limit
Temporary on-sale 3.2 percent malt liquor license	No maximum limit
Culinary class limited on-sale license	No maximum limit
Consumption and display permit	No maximum limit

(Ord. 1242, 10-10-2011)

4-1~~A~~-6: INELIGIBILITY FOR LICENSE; RESTRICTIONS ON ISSUANCE:

A. No license or permit shall be granted to any person, place, or business made ineligible for such license or permit by federal or state law or the provisions of the city code.

~~B. No license shall be granted for any place or any business ineligible for such a license under state law.~~

~~C~~B. No license shall be granted ~~to other than a citizen of the United States over nineteen (19) years of age who shall be~~to a person who is under twenty-one years of age or who is not -of

good moral character and repute, nor to any person who, within five (5) years prior to the application of such license, has been convicted of a felony or of any ~~wilful~~willful violation of the laws of the United States, of the state of Minnesota or of any local ordinance with regard to the manufacture, sale, distribution, or possession for sale or distribution of ~~intoxicating~~ liquor, nor to any person whose license under the ~~intoxicating liquor act of the state~~ Liquor Act[2] ~~shall be~~has been revoked for any ~~wilful~~willful violation of any such laws or ordinances.

~~D~~C. No license shall be issued to any person in connection with the premises of another to whom no license could be issued under the provisions of ~~the Minnesota intoxicating liquor act~~the Liquor Act; provided~~,~~ that this subsection shall not prevent the granting of a license to a proper lessee by reason of the fact that he/she ~~shall lease~~has leased the premises of a ~~minor, noncitizen, or~~minor or a person who has been convicted of a crime other than a violation of ~~the intoxicating liquor act~~the Liquor Act.

~~E~~D. No more than one license shall be issued to any person in the city except as otherwise specifically provided for in ~~the intoxicating liquor act~~the Liquor Act.

E

~~F~~E. No license shall be granted for any premises which has a common entrance or exit between any two (2) establishments, except that a public concourse or public lobby shall not be construed as a common entrance or exit.

~~F~~~~G~~F. No license shall be granted to a corporation which has a manager who would be ineligible to receive a license as an individual pursuant to the provisions of this ~~article~~ chapter or under state law.

~~G~~~~H~~G. No license shall be granted to an individual who, in the judgment of the council, is not the real party in interest or beneficial owner of the business operated or to be operated under the license.

H

~~I~~H. No applicant for a license or licensee shall apply for or possess a federal wholesale liquor dealer's special tax stamp or a federal gambling stamp. (Ord. 1078, 2-9-2004)

~~I. No off-sale license shall be issued for any place where 3.2 percent malt beverages shall be sold for consumption on the premises. This subsection shall not apply to those places where an on-sale and off-sale license or combination off-sale and on-sale licenses are specifically authorized by the intoxicating liquor act. (Ord. 1078, 2-9-2004; amd. 2008 Code)~~

~~J~~~~K~~I. No off-sale intoxicating liquor license may be granted for a facility located on a parcel which lies within five hundred feet (500') of a parcel on which a school or church is located. The distance established herein shall be measured between the nearest property lines of the parcels.

For the purposes of this subsection, "parcel" means the lots on which the subject building exists, plus the adjoining lots used in conjunction with the liquor facility, church or school including any parking areas.

Provided, however, the following exceptions and qualifications to the above stated distance requirement shall apply:

1. Licenses that existed on October 1, 1995, for locations that do not meet the requirements of this subsection may nonetheless be renewed or transferred for such locations.

2. If a school or church in the future expands or is built within five hundred feet (500') of a licensed location that did meet the requirements of this subsection, the license may nonetheless be renewed or transferred for such location.

3. If a government entity acquires a licensed location that was within five hundred feet (500') of a school parcel or church parcel, then the license may be transferred to another location within five hundred feet (500') of the same school parcel or the same church parcel as long as the relocation occurs within forty two (42) months after the acquisition by the government entity.

4. If a government entity acquires a licensed location that was within five hundred feet (500') of a school parcel or church parcel, then the license may be temporarily transferred to another location for a period up to thirty (30) months within five hundred feet (500') of any school parcel or any church parcel as long as the relocation occurs within six (6) months after the acquisition by the government entity; in such instance, the authorization for the temporary relocated site expires after thirty (30) months from the time that the city issued the license for the relocated site; after the thirty (30) month period, the relocated site is no longer eligible for an off-sale intoxicating liquor license. (Ord. 1233, 3-28-2011)

~~K. It is a gross misdemeanor for any person, partnership, or corporation to knowingly have or possess a direct or indirect interest in more than one license in the city, and upon conviction therefor, the council may immediately revoke all licenses in which such person, partnership or corporation has an interest. The term "interest" includes any pecuniary interest in the~~

~~ownership, operation, management or profits of a retail liquor establishment, but does not include: bona fide loans; bona fide rental agreements; bona fide open accounts or other obligations held with or without security arising out of the ordinary and regular course of business of selling or leasing merchandise, fixtures or supplies to such establishment; an interest in a corporation owning or operating a hotel but having at least one hundred fifty (150) or more rental units holding a liquor license in conjunction therewith; or ten percent (10%) or less interest in any other corporation holding a license. A person who received monies from time to time directly or indirectly from a licensee in the absence of a bona fide consideration therefor and excluding bona fide gifts or donations shall be deemed to have a pecuniary interest in such retail license. In determining "bona fides", the reasonable value of the goods or things received as consideration for any payment by the licensee and all other facts reasonably tending to prove or disprove the existence of any purposeful scheme or arrangement to evade the prohibitions of this subsection shall be considered.~~

~~L. No manufacturer or wholesaler shall either directly or indirectly own or control or have any financial interest in any retail business selling intoxicating liquor, but this restriction shall not be construed to deny such person the right to use or have his/her property rented for such purposes in any case where the manufacturer or wholesaler was a bona fide owner of the premises prior to November 1, 1933, nor to prohibit a licensed manufacturer of wine containing not more than twenty five percent (25%) of alcohol by volume nor less than fifty one percent (51%) wine manufactured from Minnesota grown agricultural products from selling at off-sale wines manufactured or processed by that manufacturer at not more than one location in conjunction with a winery without procuring a retail off-sale license. No manufacturer or wholesaler shall exact or require, by contract, understanding, or otherwise, any licensed retailer to handle or sell only the products of any particular manufacturer or wholesaler. (Ord. 1078, 2-9-2004)~~

~~K~~5J. No license shall be granted or renewed for operation on any premises on which taxes, assessments, utility charges, service charges, or other financial claims of the city or any other government unit or agency are delinquent and unpaid.

4-1~~A~~-7: APPLICATION FOR INITIAL LICENSE:

A. Verification: Every application for a liquor license -shall be made on the form required by the city and shall be verified and filed with the clerk. No person shall make a false statement in any application.

B. Required Information for All Licenses Other than Temporary Licenses:

1. All Applicants:

a. In addition to ~~the~~ any information required by the ~~state liquor control commission and Minnesota bureau of criminal apprehension~~Minnesota Department of Public Safety, ~~the~~ an initial application for a liquor license shall also contain the ~~further~~ information required herein, as well as ~~other~~any other information that the council may ~~from time to time~~ require.

b. ~~The application shall show whether~~Whether the applicant is a natural person, corporation, partnership or other form of organization.

c. The ~~application shall state the~~ type of license the applicant seeks.

d. The exact legal description of the premises to be licensed, together with a ~~plot plan~~drawing of the area showing dimensions, location of buildings, street access, parking facilities and the locations of and distances ~~to the nearest~~of any nearby church building and school grounds.

e. The street number and address of the premises where the sale of ~~intoxicating liquors~~liquor is to be conducted and the rooms where liquor is to be sold or consumed. An applicant for an on-sale license shall submit a floor plan of the dining room or dining rooms which shall be open to the public, shall show dimensions and shall indicate the number of persons intended to be served in each of the~~said~~ rooms.

f. If a permit from the federal or state government is required ~~by the laws of the United States~~, whether or not such permit has been issued, and if so required, in what name issued and the nature of the permit.

g. The names and addresses of all persons, other than the applicant, who have any financial interest in the business, buildings, premises, fixtures, furniture, and stock in trade; the nature of such interest, amount thereof, and terms for payment or other reimbursement. This shall include, but not be limited to, any lessees, lessors, mortgagees, mortgagors, lenders, lien holders, trustees, trustors and persons who have cosigned notes or otherwise loaned, pledged or extended security for any indebtedness of the applicant.

h. The ~~application shall provide the~~ value of the fixtures and structures, exclusive of land, on the premises proposed to be licensed.

2. Natural Persons: If the applicant is a natural person, the following information shall be required:

a. True name, place and date of birth, and street residence address of applicant.

b. Whether applicant has ever used or been known by a name other than his/her true name, and if so, ~~what was~~ such name or names~~, and~~ along with information concerning dates and places where used.

c. The name of the business if it is to be conducted under a designation, name or style other than the full individual name of the applicant. In such case, a copy of the certification, as required

by Minnesota statutes chapter 333, certified by the clerk of the district court, shall be attached to the application.

d. Whether applicant is married or single. If married, true name, place and date of birth and street residence address of applicant's present spouse.

~~e. Whether applicant and present spouse are registered voters, and if so, where.~~

~~f~~e. Street addresses at which applicant has lived during the preceding five (5) years.

~~g~~f. Kind, name and location of every business or occupation applicant has been engaged in during the preceding five (5) years.

~~h~~g. Names and addresses of applicant's employers and partners, if any, for the preceding five (5) years.

~~i~~h. Whether the applicant has ever been convicted of any felony, crime, or violation of any ordinance, other than traffic tickets. If so, the applicant shall furnish information as to the time, place and offense for which convictions were had.

~~j~~i. Whether applicant has ever been engaged as an employee or in operating a ~~saloon,~~ hotel, restaurant, cafe, tavern or other business ~~of similar nature~~ holding a liquor license. If so, applicant shall furnish information as to the time, place and length of time of such employment or operation.

3. Partnerships: If the applicant is a partnership, the names and addresses of all partners, and all information concerning each partner as is required of a single applicant in subsection B2 of this section shall be provided. A managing partner or partners shall be designated. The interest of each partner in the business shall be disclosed. If the partnership is required to file a certificate as to a trade name under the provisions of Minnesota statutes chapter 333, a true copy of such certificate, certified by the clerk of the district court, shall be attached to the application.

4. Corporations, Limited Liability Companies, and Other Entities: If the applicant is a corporation, limited liability company, or other ~~association and is applying for an on-sale or off-sale license,~~ entity, the following shall be required:

a. Name, and if incorporated, the state of incorporation.

b. A true copy of the certificate of incorporation, articles of incorporation, articles of organization, or association agreement and bylaws and, if a foreign corporation, a certificate of authority, as described in Minnesota statutes chapter 303.

c. The name of the manager or proprietor or other agent in charge of the premises to be licensed, giving all the information about said person as is required of a single applicant in subsection B2 of this section.

d. A list of all persons who, ~~single~~ alone or together with their spouse, or a parent, brother, sister or child of either of them, own or control an interest in said corporation, limited liability company, ~~-~~or ~~association~~ entity ~~-~~or who are officers or directors of said corporation, limited liability company, ~~-~~or ~~association~~ entity, together with their addresses and all information as is required of a single applicant in subsection B2 of this section~~, except that applications for off-sale shall list all persons who own or control any interest in said corporation~~.

5. Clubs~~3~~: If an application is submitted by a club, whether for an on-sale or ~~special~~ club license, the following information shall be submitted in addition to that required by ~~the state liquor control commissioner~~Minnesota Department of Public Safety~~,~~ and by the previous provisions of this section:

a. The purpose for which the club was originally organized and for which it is now ~~existing~~exists.

b. Date that club was first organized and place of such organization.

c. The number of members.

d. The name of the manager, proprietor or other person who shall be in charge of the licensed premises. (Ord. 1078, 2-9-2004).

e. A sworn statement by a responsible individual having personal knowledge of the facts or other documentation satisfactory to the city clerk shall be submitted with the application verifying that the club meets all the requirements of Minnesota statutes section 340A.101, subdivision 7. (Ord. 1078, 2-9-2004; amd. 2008 Code)

~~f. If an application is for a special club license, the sworn statement required by subsection B5e of this section shall include a statement that the club meets all the requirements imposed by Minnesota statutes. In the event no person can make this statement from personal knowledge of the facts, satisfactory documentary proof may be submitted to satisfy this requirement.~~

C. Plans Required For On-Sale Applications: Whenever the application for an on-sale license ~~license to sell intoxicating liquor~~, or for a transfer thereof, is for premises either planned or under construction or undergoing substantial alteration, the application shall be accompanied by a set of preliminary plans showing the design of the proposed premises to be licensed.

D. Execution Of Application: If the application is by a natural person, it shall be signed and sworn to by such person; if by a corporation, by an officer thereof; if by a partnership, by all partners; if by an unincorporated association, by the manager or managing officer thereof. If the applicant is a partnership, the application, license and bond (or insurance policy) shall be made and issued in the name of all partners. (Ord. 1078, 2-9-2004)

E.

License Transfer Applications: Whenever a licensee's ownership changes and council approval of the licensee transfer is required, an application for a new liquor license must be completed and submitted to the city council for review and approval in the same manner as an application for a new license.

4-1~~A~~-8: RENEWAL APPLICATIONS:

A. Time For Renewal: Applications for the renewal of an existing license shall be made at least sixty (60) days prior to the date of the expiration of the license. If, in the judgment of the council, good and sufficient cause is shown by any applicant for his/her failure to file a renewal application within the time prescribed herein, the council may nevertheless receive such application.

B. Forms; Information Required: The renewal application shall be made on such forms as may be required by the city, the ~~state liquor control commission~~Minnesota Department of Public Safety and the Minnesota B~~b~~ureau of ~~c~~Criminal ~~a~~Apprehension. In addition, the applicant shall provide the ~~that~~ information required by the city council on such abbreviated forms ~~as the council may from time to time approve. Such abbreviated form as is required by the city council shall include, but not be limited to, the information required by subsections 4-1A-7A, B1b, B1c, B1e, B1f, B1g and D of this article.~~ A foreign corporation shall also provide a current certificate of authority.

C. Statement Of Gross Sales; On-Sale Intoxicating Liquor Licenses: At the earliest practicable time after application is made for renewal of an on-sale intoxicating liquor license, and~~,~~ in any event~~,~~ prior to the time that the application is approved by the council, the applicant shall file with the city clerk a statement made by a certified public accountant that shows the gross liquor sales and the total food sales of the restaurant for the preceding twelve (12) month period beginning September 1 and ending on August 31. ~~A foreign corporation shall also file a current certificate of authority.~~ (Ord. 1078, 2-9-2004).

4-1~~A~~-9: INVESTIGATION OF APPLICATIONS:

A. Initial Application: All initial applications for a license shall be referred to the city's police department for verification and investigation of the facts set forth in the application. The police department shall cause to be made such investigation of the information requested in section 4-1~~A~~-7 of this ~~article~~ chapter as shall be necessary and shall make a written recommendation ~~and report~~ to the city council including relevant information obtained as a result of the investigation. ~~Said report shall include, but shall not be limited to, a list of all~~

~~violations of federal, state or city law committed by the applicant.~~ Upon an initial application or application for a transfer of an existing license, the police department shall also conduct a preliminary background and financial investigation of the applicant.

B. Renewal Application: All renewal applications shall be referred to the city police department for verification and investigation of the matters set forth in the abbreviated renewal application form. The police department shall make a written ~~report and~~ recommendation to the city council including relevant information obtained as a result of the investigation. ~~Said report shall include the police department's investigatory findings as well as a list of all violations of federal, state or city laws committed by the applicant.~~ If the city council deems it in the public interest to do so, the council may order that a renewal application be subjected to the same types of investigation as required for ~~the~~ an initial application.

~~C. Building And Premises: All new and renewal applications shall be referred to the city fire marshal for inspection to assure compliance with all applicable fire codes. The fire marshal shall make a written report, together with any recommendations, based on his/her findings. This report shall be presented to the city council when issuance of a new or renewal application is considered.~~

~~D~~C. Results Of Investigations: Without limiting the discretion of the council to deny a license application for other reasons, no license shall be issued, transferred or renewed if the results of the investigation show, ~~to the satisfaction~~in the opinion of the city council, that issuance, transfer or renewal would not be in the public interest.

~~E~~D. ~~Fees~~Investigation Fees:

1. Payment of Investigation Fee~~Amounts~~: Applicants shall pay the background investigation fee ~~The fees for investigation of an application are~~ established by resolution of the city council.

2. Additional Fees: At any time that an additional investigation is required because of a change in the ownership or control of a corporation, ~~or~~ a partnership or an association, or because there is a change in the officers, charter, articles or bylaws of a corporation, or because there is a change in the partnership or association agreement, or because of an enlargement, alteration or extension of premises previously licensed, the licensee shall pay an additional ~~minimum~~background investigation fee in the amount established by resolution of the city council. (Ord. 1078, 2-9-2004)

4-1~~A~~-10: LICENSE FEES:

A. Amounts Established: The annual fees for the different types of licenses granted under this chapter -are established by resolution of the city council. Computation of fees for on-sale intoxicating liquor licenses shall be based upon the amount of liquor sales on which a licensee is required to pay liquor tax as shown on the licensee's Minnesota sales and use tax returns for the most recent twelve (12) months beginning September 1 and ending August 31. Copies of the returns shall be verified by a certified public accountant and shall be filed along with the renewal application. Until a liquor sales base is established, the fee for a new license shall assume the gross annual liquor sales ~~to exceed five hundred thousand dollars ($500,000.00)~~ do not exceed two hundred and fifty thousand dollars ($250,000.00).

B. Payment: Payment of all license fees other than an on-sale intoxicating liquor license fee shall be due at the time of application. One-half of ~~T~~the annual license fee for a new on-sale intoxicating liquor license shall be paid ~~in full~~ before the application for the license is accepted with the remaining half of the license fee due six months later or thirty (30) days prior to the expiration of the license, whichever is sooner. The annual license fee for the renewal of an existing on-sale intoxicating license shall be paid one-half ($^1/_2$) thereof at least thirty (30) days prior to the expiration of the existing license and the other one-half ($^1/_2$) thereof on or before June 1 of the year for which the license is issued. All fees shall be paid into the general fund of the city.

C. Refunds:

1. Upon rejection of any application for a license or upon withdrawal of an application before approval of the issuance of a license by the council, the license fee shall be refunded to the applicant except where rejection is for a ~~wilful~~willful misstatement in the license application.

2. No part of the fee paid for any license shall be refunded except as authorized under Minnesota statutes section 340A.408, subdivision 5.

D. Proration Of Fee:

1. The fee for a license other than a temporary license granted after the commencement of the license year shall be prorated on a quarterly basis.

2. When the license is for a premises where the building is not ready for occupancy, the time fixed for computation of the license fee for the initial license period shall be the date the building is ready for occupancy or the date specified by the council at the time the license is granted, whichever is sooner.

EE. Exception: Where a new application is filed as a result of incorporation by an existing licensee and the ownership control and interest in the license are unchanged, no additional license fee will be required. (Ord. 1078, 2-9-2004)

F. Fee Reduction, Off Sale intoxicating liquor licenses: Off-sale intoxicating liquor licensees may request a reduction in their annual license fee by the amount specified in Minnesota statutes section 340A.408 if the licensee provides proof of compliance with the requirements of Minnesota statutes section 340A.408 at the time of an initial or renewal application.

4-1A-11: FINANCIAL RESPONSIBILITY REQUIREMENTS:

A. Proof Of Financial Responsibility; Amounts: An applicant for a license to sell sell intoxicating liquor, 3.2 percent malt liquor and winealcoholic beverages at retail shall demonstrate at the time of filing a license application, proof of financial responsibility with regard to liability imposed by Minnesota statutes section 340A.409. Proof of financial responsibility may be shown by filing: (Ord. 1078, 2-9-2004; amd. 2008 Code)

1. A certificate that there is in effect for the period covered by the license, an insurance policy or pool providing the following minimum coverages:

a. Fifty thousand dollars ($50,000.00) because of bodily injury to any one person in any one occurrence, and subject to the limit for one person, in the amount of one hundred thousand dollars ($100,000.00) because of bodily injury to two (2) or more persons in any one occurrence, and in the amount of ten thousand dollars ($10,000.00) because of injury to or destruction of property of others in any one occurrence; and

b. Fifty thousand dollars ($50,000.00) for loss of means of support of any one person in any one occurrence, and subject to the limit for one person, and one hundred thousand dollars ($100,000.00) for loss of means of support of two (2) or more persons in any one occurrence; and

c. An annual aggregate policy limit for dramshop liability of not less than three hundred thousand dollars ($300,000.00) per policy year may be included in the policy provisions; or

2. A bond of a surety company with minimum coverages as provided in subsection A1 of this section; or

3. A certificate of the state treasurerfrom the commissioner of management and budget that the licensee has deposited with the commissioner of management and budgethim one hundred thousand dollars ($100,000.00) cash or securities which may legally be purchased by savings banks or for trust funds having a market value of one hundred thousand dollars ($100,000.00). (Ord. 1078, 2-9-2004).

B. Exemptions:

1. The provisions of subsection A of this section shall not apply to: on-sale 3.2 percent malt liquor licensees with sales of less than twenty five thousand dollars ($25,000.00) of 3.2 percent malt liquor for the preceding year; ~~or to~~ off-sale 3.2 percent malt liquor licensees with sales of less than fifty thousand dollars ($50,000.00) of 3.2 percent malt liquor for the preceding year; ~~or to~~ holders of on-sale wine licenses with sales of less than twenty five thousand dollars ($25,000.00) of wine for the preceding year; holders of temporary wine licenses issued under law; or wholesalers who donate wine to an organization for a wine tasting conducted under Minnesota statutes sections 340A.418 or 340A.419. (Ord. 1078, 2-9-2004; amd. 2008 Code)

2. At the time of filing an application for license, or at such subsequent time as may be required by state law, a licensee claiming an exclusion from the requirements of subsection A of this section shall file with the city clerk for transmission to the ~~state liquor control division~~Minnesota Department of Public Safety~~, the following: A~~an affidavit from the applicant and the applicant's accountant that sales of ~~beer~~ 3.2 percent malt liquor or wine in the preceding calendar year did not exceed the maximums set by this section.

C. Approval Of Bond Or Insurance: The surety bonds or insurance policies required by subsection A of this section shall be subject to the approval of the ~~city council~~city clerk.

D. Surety Or Insurance Companies: The surety on such bond or the insurer on such liability insurance policy shall be a surety company or insurance company, as the case may be, duly licensed to do business in the state of Minnesota, and the bond and liability insurance policy shall run to the city and be approved as to form and execution by the city ~~attorney~~clerk. All surety bonds or liability insurance policies, when approved by the proper city or state officers, shall be deposited with the city clerk.

E. Terms Of Bond: All such bonds shall be conditioned as provided in the Minnesota statutes and shall be for the benefit of those persons described in the statutes.

F. Failure To Have Insurance Or Bond: Compliance with the financial responsibility requirements of state law and this section is a continuing condition of any license. Failure to have insurance coverage or a bond as required by this section shall be grounds for immediate revocation of the license. (Ord. 1078, 2-9-2004).

4-1~~A~~-12: ISSUANCE OF LICENSES:

A. ~~Public Hearing~~Hearing Requirement:

1. Initial Application: ~~In regard to initial applications,~~ Within twenty (20) day after the ~~upon~~ receipt of a completed application for a liquor license or permit other than a temporary license or permit, all required supporting documentation and the written ~~report and~~ recommendation by the police department, ~~and within twenty (20) days thereafter, the council shall instruct~~ the city clerk shall ~~to~~ cause to be published in the official newspaper, ten (10) days in advance, a notice of a public hearing to be held by the council, setting forth the day, time and place when the hearing will be held, the name of the applicant, the premises where the business is to be conducted, the nature of the business and such other information as the council may direct. At the hearing, opportunity shall be given to any person to be heard for or against the granting of the license. After such investigation and hearing, the council shall grant or deny~~refuse~~ the application in its discretion. The council may impose reasonable conditions on any license issued or renewed in order to promote the public health, safety, and welfare.

2. Renewal Application: ~~In regard to renewal applications, on the second Monday in December, t~~The council shall hold a public hearing regarding renewal applications on the fourth Monday in November. Notice of the time and place of said ~~meeting~~ hearing and the fact that renewal applications will be considered shall be published in the official newspaper ten (10) days in advance of the hearing. Opportunity shall be given to any person to be heard for or against the granting of a renewal license. The council shall grant or deny~~refuse~~ the application in its discretion.

3. Temporary License Applications and Permits: The council shall hold a hearing regarding applications for temporary liquor licenses and permits.

B. Vote Required: A four-fifths ($^4/_5$) vote shall be required for the granting of any new or renewal license or permit ~~whatsoever~~.

C. Conditions Of Issuance; Nontransferability: Each license shall be issued to the applicant only. Each license shall be issued only for the premises described in the application. No license may be transferred to another person or to another place without the prior approval of the council and without the filing of ~~a new application~~an application for a new license ~~having been filed~~. Any transfer of stock of a corporate licensee, partnership interest in a partnership, or membership interest in a limited liability company shall be deemed to be a transfer of the license, and such transfer without prior council approval is grounds for revocation of the license.

D. Report To State: The clerk shall, within ten (10) days after the issuance of any license under this ~~article~~chapter, submit to the ~~liquor control commissioner~~Minnesota Department of Public Safety the full name and address of each person granted a license, the trade name, the effective license date and the date of expiration of the license. He/she shall also submit to ~~the liquor control commissioner~~the Minnesota Department of Public Safety any change of address, transfer, cancellation or revocation of any license by the council during the license period.

E. Premises Under Construction: If, at the time of granting the license, actual use of said license cannot be made until a future date because the subject premises are under construction, remodeling or improvement or are otherwise not ready for occupancy, then the council shall set a date by which actual use of the license must be made. If actual use is not made by the council's specified date, then said license shall be null and void. In no event shall the city clerk issue the license until notified by the building official that the building is ready for occupancy.

F. ~~Off-Sale Licenses Require~~ Approval Of ~~Liquor Control Commissioner~~Minnesota Department of Public Safety: ~~Off-sale licenses that are~~Licenses approved by the council shall not be effective until approved, together with the bond, by the ~~liquor control commissioner~~Minnesota Department of Public Safety, if required by state statute. (Ord. 1078, 2-9-2004)

4-1~~A~~-13: TERM OF LICENSE:

A. ~~Uniform Expiration Date: Except as hereinafter provided, all licenses shall expire at the end of the current license year, which shall be coterminous with the calendar year.~~Term and Expiration: All licenses except for temporary licenses issued for specific dates shall expire on December 31st of each year. Licenses shall be issued for a period of one year, except that if a portion of the year has elapsed when application for a license is made, a license may be issued for the remainder of the year for a pro rata fee. In computing such fee, any unexpired fraction of a month shall be counted as one month. Temporary licenses expire according to their terms. Consumption and display permits issued by the Commissioner of Public Safety and the accompanying city consent to the permits shall expire on March 31st of each year.

B. Corporate Licenses: Licenses issued to corporations, partnerships, limited liability companies, or other entities shall become invalid if there is a change in the officers, directors, governors, partners, charter, articles, bylaws, membership interests, or ownership of the ~~corporation~~ entity unless said change is only a change to the titles of the officers, directors, governors, or partners without any change to the officers, directors, or partners themselves or any other

change which is approved by the council, in which event, said license shall continue in force until the end of the current license year.

~~C. Partnership Licenses: License issued to associations or partnerships shall become invalid if there is a change in the partnership or association agreement or in the ownership of said association or partnership unless such change is approved by the council, in which event, said license shall continue in force until the end of the current license year.~~

~~D.~~ C. Report Of Changes: Corporations, partnerships~~ or associations~~, limited liability companies, or other entities holding licenses under this chapter shall submit written notice to the clerk of ~~any such aforesaid changes~~any of the changes listed in this subsection on or before thirty (30) days prior to the effective date of any such change. ~~Notwithstanding the definition of interest as given in the case of a corporation, t~~The licensee shall notify the clerk when a person not listed in the application acquires an interest which, together with that of a spouse, parent, brother, sister or child, exceeds five percent (5%), and shall give all information about said person and which is required of a person pursuant to ~~section VI~~this section, except that off-sale licensees shall report any change in interest. (Ord. 1078, 2-9-2004)

4-1~~A~~-14: CONDITIONS OF LICENSE:

Every license shall be granted subject to the conditions of this section and of any other applicable city ordinance ~~and of every other applicable~~or state or federal law.

~~A. Federal Permit Required: No license shall be effective until a permit shall be issued to the licensee under the laws of the United States, if such a permit be required under such laws.~~

~~B~~A. Posting License: Every license shall be posted in a conspicuous place in the premises for which it is issued.

B~~C~~. Premises:

~~1.~~ No license shall be effective beyond the compact and contiguous space ~~named therein~~ for which the same was granted. A person must not possess open containers of alcoholic beverages or consume alcoholic beverages on the premises under the licensee's control outside of the licensed structure or in any area of the licensed premises that was not designated for those activities in the license application.

~~2. No intoxicating liquor shall be sold in any of the areas prescribed by state law.~~

~~D~~C. Days And Hours Of Sales:

1. No liquor sales shall be made during the hours or days such sales are prohibited by state law.

2. ~~Except as restricted under a Sunday on-sale license, sale~~The sale of intoxicating liquor shall be permitted only within the hours and only on the days fixed and allowed by Minnesota statutes. Not only must the sale of intoxicating liquor cease at the closing hour appointed each day by ~~the commissioner~~statute, but ~~also~~ all persons~~,~~ other than employees of the licensee~~,~~ shall vacate the licensed premises within thirty (30) minutes of said closing hour. Notwithstanding anything contained in this subsection ~~D1~~, a licensee may keep his/her premises open for his/her normal business purposes except the sale of liquor after the closing hour for the sale of liquor, provided that such licensee has closed off all access to the bar in a manner approved by the council.

3~~2~~. Under a Sunday on-sale license, ~~the licensed establishment~~a restaurant, club or hotel with a seating capacity for at least thirty persons which holds an on-sale intoxicating liquor license may ~~only~~ serve intoxicating liquor between the hours of ten ~~o'clock~~a.m. (10:00 a.m.) ~~A.M.~~ on Sunday and ~~one~~ two ~~o'clock~~ a.m. (2~~1~~:00 a.m.) ~~A.M.~~ on Monday in conjunction with the serving of food, provided the licensed establishment has a 2:00 a.m. permit issued by the Commissioner of Public Safety.

~~3~~4. No holder of a 3.2 percent malt liquor license may conduct business on the premises between the hours of two (2:00) a.m. and eight (8:00) a.m. Monday through Saturday or on any Sunday between the hours of two (2:00) a.m. and ten (10:00) a.m. Notwithstanding the foregoing, a licensee may keep the licensed premises open for its normal business purposes, except for the sale of 3.2 percent malt liquor, after the closing hour for the sale of liquor, provided that such licensee has closed off all access to the 3.2 percent malt liquor in a manner approved by the city council.

~~4~~5. No club shall sell alcoholic beverages to anyone other than members and bona fide guests in the company of members.

~~6~~

~~E~~D. Sales To Certain Persons Prohibited: No intoxicating liquor shall be sold, furnished or delivered for any purpose to any person under the age of twenty one (21) years or to any person obviously intoxicated or to any other persons to whom sale is prohibited by state law.

~~F~~E. Sales In Hotels: No sale of ~~intoxicating liquor~~alcoholic beverages shall be made to or in guestrooms of hotels, unless the rules of such hotel provide for the service of meals in guestrooms, ~~; nor unless~~ the sale of such ~~intoxicating liquor~~alcoholic beverages is made in the manner on-sales are required to be made~~; nor unless such~~, such sale accompanies and is incident to the regular service of meals to guests therein, and ~~; nor unless~~ the rules of such hotel and the description, location and number of such guestrooms are fully set out in the application for a license.

~~G~~F. Conduct Of Business:

1. Every licensee shall be responsible for the conduct of his/her place of business and ~~for~~ shall maintain conditions of sobriety and order therein.

2. No licensee shall keep, possess or operate, or permit the keeping, possession or operation of, on the licensed premises or in any room adjoining the licensed premises, any slot machine, dice or any gambling device or apparatus, nor permit any gambling therein, nor permit the licensed premises or any room in the same or in any adjoining building, directly or indirectly under the licensee's control, to be used ~~as a resort for prostitutes or other disorderly persons~~for any illegal purpose. Notwithstanding the foregoing, gambling licensed and permitted by the Minnesota charitable gambling board is allowed in connection with temporary licenses and events, and sales sponsored by the Minnesota state lottery may be made at any licensed established allowed by state law.

~~3. No person under eighteen (18) years of age shall be employed in any rooms constituting the place in which intoxicating liquors are sold at retail on-sale, except that persons under eighteen (18) years of age may be employed as musicians or to perform the duties of a busboy or dishwashing services in places defined as a restaurant or hotel or motel serving food in rooms in which intoxicating liquors are sold at retail on-sale. Persons under eighteen (18) years of age may be employed as waiters or waitresses in places defined as a restaurant, hotel or motel to serve food in rooms in which only wine is sold on-sale, provided they shall not be permitted to serve or sell wine[4].~~

~~H~~G. Display Of Liquor In On-Sale Establishments: No on-sale liquor establishment shall display liquor to the public during hours when the sale of liquor is prohibited. No on-sale licensee shall permit any glass, bottle, or other container containing an alcoholic beverage to remain

upon any table, bar, stool, or other place where customers are served within a licensed establishment more than thirty (30) minutes after the time when a sale can legally occur.

HI. Receipt Required For Off-Sale SalesDeliveries: No off-sale licensee, or his/her agent or employee, shall deliver any intoxicating liquor to or at any place or premises without obtaining a receipt therefor, signed by the person receiving such liquor and bearing the time, date and place of delivery. Such receipts shall be kept in the files of the licensee for a period of one year, and such files and receipts shall be kept available for inspection by the police department at all hours during which the licensed premises are open for business.

J. Tampering With Contents Of Containers:

1. It shall be unlawful for any person to sell, offer for sale, or keep for sale intoxicating liquors in any package or intoxicating liquor bottle which has been refilled or partly refilled.

2. It shall be unlawful for any person holding an intoxicating liquor license, directly or through any agent, employee, or other person, to dilute or in any manner tamper with the contents of any original package or bottle so as to change its composition or alcoholic content while in the original package or bottle; and possession on the licensed premises by any licensee of any intoxicating liquor in the original package or bottle differing in composition or alcoholic content from such liquor when received from the manufacturer or wholesaler from whom it was purchased shall be prima facie evidence that the contents of the original package or bottle have been diluted, changed or tampered with.

KJ. Equipment Ownership: No equipment or fixture in any licensed place shall be owned in whole or in part by any manufacturer or distiller of intoxicating liquor except such as shall be expressly permitted by state law.

LK. Federal Tax Stamps: No licensee shall apply for or possess a federal wholesale liquor dealer's special tax stamp or a federal gambling stamp.

MLI. Ethyl Alcohol And Neutral Spirits: No licensee shall keep ethyl alcohol or neutral spirits on any licensed premises or permit their use on the premises as a beverage or mixed with a beverage. (Ord. 1078, 2-9-2004)

LMJ. Alcohol Server Training Required.

1. For the purposes of this section, a "licensed establishment" means any premises holding any license issued by the city to sell or serve any alcoholic beverage, provided, however, that a licensed establishment shall not include any premises holding only a temporary on-sale license, one day consumption and display permit or a caterer's permit.

2. For the purposes of this section, a "liquor licensee" is the holder of any license issued by the city to sell or serve any alcoholic beverage, provided, however, that a liquor licensee shall not include the holder of only a temporary on-sale license, one day consumption and display permit or a caterer's permit.

3. Every liquor licensee shall require that anyone who serves or sells any alcoholic beverage at the licensed establishment must comply with the alcohol server training requirements of this section.

4. Anyone who serves or sells any alcoholic beverage at a licensed establishment shall complete a program of alcohol server training before they are allowed to serve or sell any alcoholic beverage.

5. No one shall serve or sell any alcoholic beverage at a licensed establishment unless that person has completed an alcohol server training program within the twenty four (24) month period prior to the date of serving or selling the alcoholic beverage.

6. The alcohol server training program must meet the standards hereafter set forth and must be provided by a business entity or association whose regular business includes providing such trainings and who is not owned by a license holder; provided, however, the training may be provided by a license holder if the training meets the standards hereafter set forth and the training program is approved by the city's chief of police or designee. The standards for training must include the following:

A. Information regarding the laws pertaining to the sale of alcohol;

B. The rules for identification checks;

C. Responsibilities of establishments serving or selling alcoholic beverages;

D. Verification of age, forms of identification, and forms of false or misleading age identification;

E. The effect of alcohol on humans and the physiology of alcohol intoxication;

F. Recognition of the signs of intoxication;

G. Strategies for intervention to prevent intoxicated persons from consuming further alcohol;

H. Liability of the person serving alcohol; and

I. Identifying minors.

7. Liquor licensees shall keep on file proof that all persons serving or selling alcoholic beverages at the licensed establishment have completed the alcohol server training required by this section. Such proof shall be kept for at least three (3) years. Proof of a person's completion of alcohol server training shall be presented to a police officer upon request no later than three (3) days after the request, excluding holidays and weekends. Liquor licensees shall submit the following information about all persons who currently serve or sell alcoholic beverages at the licensed establishment with their liquor license renewal application: the person's name, date of birth, date of hire, and the date the person last completed alcohol server training.

8. No liquor licensee shall allow the sale or service of any alcoholic beverage by a person who has not complied with the alcohol server training requirements of this section. Any such sale or service shall constitute a violation of the licensee's liquor license.

9. No person shall serve or sell any alcoholic beverage at a licensed establishment without first complying with the alcohol server training requirements of this section. (Ord. 1201, 11-23-2009)

~~M~~~~J~~10. Every licensee shall allow any peace officer, health officer, building official, city employee, or any other person designated by the council to conduct compliance checks and to otherwise enter, inspect, and search the premises of the licensee during business hours and after business hours during the time customers remain on the premises without a warrant.

~~N~~~~K~~11. Death of Licensee: In the event of the death of a person holding a license, the personal representative of that person is allowed to continue to operate the business within the terms of the license for a period not to exceed 90 days after the death of the licensee.

~~O~~12~~L~~. Change in Required Information: Each licensee has the continuing duty to promptly notify the city clerk of any change in the information or facts required to be furnished on a license application. This duty continues throughout the period of the license.

4-1~~A~~-15: BUILDING AND PREMISES:

A. Enlargement, Alteration Or Extension Of Premises: Proposed enlargement, alteration or extension of premises previously licensed shall be reported to the clerk at or before the time application is made for a building permit for any such change.~~, and the licensee shall also give such information as is required by section 4-1A-7 of this article. Any person who violates a provision of this subsection shall be deemed guilty of a misdemeanor. Each act of violation and every day on which a violation occurs or continues is a separate violation.~~

B. Occupancy Load Limits~~[5]~~:

1. Intent And Purpose: In order ~~T~~to protect the safety of patrons, to allow safe evacuation in case of fire, and to prevent overcrowding, the Chief Building Official ~~it is necessary to~~shall establish ~~a~~the maximum number of persons that ~~can~~ may be allowed in any on-sale licensed premises, including clubs.

2. ~~Architectural~~ Floor Plan: As part of the original on-sale license application, including ~~special~~ club applications, and each renewal application, the proposed licensee shall submit to the city a~~n~~ ~~architectural~~ floor plan of the interior of the premises which shall be drawn on a clean sheet of paper and list all interior dimensions. The plan shall show~~:~~ the location of permanent fixtures, the seating arrangements and seating capacity, and the location and width of exitways and aisles. If, when a renewal application is made, the ~~architectural floor~~premises layout has not changed from the floor plan already on file with the city, then the licensee need not submit another copy of the ~~architectural~~ floor plan, but the licensee shall state on the renewal application that the floor layout has not changed.

3. Number Of Occupants: ~~In conjunction with the building official and police chief, the fire chief~~The Chief Building Official shall determine the maximum number of occupants that can be allowed in the ~~on-sale, including clubs,~~ licensed premises. This determination shall be based on the ~~architectural~~ floor plan and the building code. ~~and the fire code in effect in the city. The number of persons in any building or portion thereof shall not exceed the amount specified in the building code and fire code, except that where such additional exit facilities are provided, the occupant load may be increased by not more than ten percent (10%) when approved by the fire chief, without being considered overcrowding. The maximum number of occupants determined by the fire chief shall be called the "occupancy load limit".~~

4. Prevention Of Overcrowding: No licensee or employee thereof shall permit overcrowding or admittance of any person beyond the occupancy load limit set by the ~~fire chief~~Minnesota State Building Code. ~~If there are overcrowding conditions or the obstruction of aisles, passageways, or other means of egress, or a condition which constitutes a serious menace to life, or if the occupants exceed the occupancy load limit, then the fire chief or any police officer may require that the licensee immediately close operation until the condition or obstruction or overcrowding is corrected, and the licensee shall cease operation until the same is corrected.~~

5. Posting Occupancy Load Limit: In plain sight and in prominent locations on the premises, the licensee shall post signs indicating the maximum occupancy load limit. The ~~fire chief shall~~

~~determine the~~ number and location of the signs shall be as required by the Minnesota State Building Code.

6. Right Of ~~Inspection~~Entry: The ~~fire chief, police chief and building official~~Chief Building Official shall be permitted to inspect the premises of any on-sale liquor establishment, including clubs, during normal business hours to determine the maximum occupancy limit or seating capacity of the building or review an earlier determination of that ~~limit. The fire chief, building official or any duly authorized law enforcement officer of the city shall be permitted to inspect the premises of any on-sale liquor establishment, including clubs, during any hours it is open for business to verify compliance with the maximum occupancy load limit.~~

~~7. Penalties: Failure by the licensee to comply with the occupancy load limit or failure to comply with any provision of this subsection shall be grounds for suspension or revocation of the license or nonrenewal thereof. Further, any person who violates this subsection shall be guilty of a misdemeanor and subject to the misdemeanor penalties set by statute. Each act of violation and every day on which a violation occurs or continues is a separate violation. (Ord. 1078, 2-9-2004)~~

C. Temporary Expansion of Premises: After a hearing, the city council may approve a temporary amendment to an existing on-sale liquor license to allow the sale of alcoholic beverages in an area outside the licensed premises if the council determines in its sole discretion that the following criteria are met:

—a. —~~t~~the area to be used must be immediately adjacent to the licensed premises;

—b.— the area will be used in connection with a special event no longer than two days in duration;

—c. —no more than three temporary amendments per year will be allowed for a licensee at any one establishment. A special license issued to a non-profit organization which contracts with the licensee for provision of service will be counted as part of this total;

—d.— adequate measures will be taken to control access to the additional area to ensure that alcoholic beverages are not sold to minors and are not carried outside of the licensed premises and the additional area;

—e.— adequate measures will be taken to ensure that there will be no violation of the city's noise ordinance;

—f.— the use of the additional area will not decrease available parking below that required by the zoning ordinance for the licensed premises;

—g.— the use of the additional area will not unreasonably impede traffic circulation;

—h.— the licensee has obtained adequate liability insurance for the additional area; and

—i.— the issuance of the temporary amendment would not be adverse to the public health, safety and welfare.

2. To obtain a temporary amendment, the licensee must submit an application accompanied by:

a. a diagram showing the expanded area to be used;

b. a detailed description of the special event for which the area will be used;

c. a detailed description of the security measures to be used;

d. evidence that the licensee has liability insurance to cover the additional area;

e. evidence that the licensee has the right to use the additional area; and

f. the fee specified in the city fee schedule.

3. The application for a temporary amendment to the liquor license shall be granted or denied by the city council in its discretion.

4

4-1A-16: RESTRICTIONS ON SALES, PURCHASES AND CONSUMPTION:

A. Illegal Sales: No person shall give, sell, procure or purchase intoxicating liquoralcoholic beverages to or for any person to whom the sale of intoxicating liquor is forbidden by law.

B. Places Of Consumption And Sale:[6]: No person shall mix or prepare alcoholic beverages for consumption and no person shall consume alcoholic beverages in any public place subject to the following exceptions:

1. A person may consume or mix or prepare alcoholic beverages on premises appropriately licensed in accordance with the city ordinances and laws of the state. (Ord. 1078, 2-9-2004)

2. A person may consume 3.2 percent malt liquor at Inver Wood golf course, but only if such 3.2 percent malt liquor is consumed within the areas specifically prescribed by the license. (Ord. 1078, 2-9-2004; amd. 2008 Code)

3. Consumption, sale and dispensing of intoxicating liquor may occur at the National Guard Training And Community Center (armoryNGTCC) but only under the conditions specified in section 4-1A-17 of this articlesection 4-1-17..

4. Persons of lawful age may possess and consume 3.2 percent malt liquor in South Valley Park but only in or within one hundred fifty feet (150') of the group picnic shelter located in the park, and only in conjunction with an event for which the sponsor has obtained a permit from

the city to use the group picnic shelter, and only if the person possessing or consuming the 3.2 percent malt liquor is an invited guest of the event sponsor. (Ord. 1078, 2-9-2004)

5. Persons of lawful age may possess and consume 3.2 percent malt liquor in Rich Valley Park subject to such rules and regulations as the city council, by resolution, may from time to time impose. (Ord. 1236, 5-23-2011)

~~C. Highways And Autos: No intoxicating liquor shall be sold or consumed on a public highway or in an automobile.~~ (Ord. 1078, 2-9-2004)

~~D~~C. Parking Areas:

1. Except incident to a sale made pursuant to a temporary on-sale intoxicating ~~or~~, temporary on-sale 3.2 percent malt liquor license issued by the city, or one-day consumption and display permit, no person shall consume ~~intoxicating liquor or 3.2 percent malt liquor~~alcoholic beverages while in the parking area of any school, college, park, government facility, shopping center or commercial establishment.

2. Except incident to a sale made pursuant to a temporary on-sale intoxicating ~~or~~, temporary on-sale 3.2 percent malt liquor license, or one-day consumption and display permit issued by the city, no person in the parking area of any school, college, park, government facility, shopping center or commercial establishment shall have in his/her possession on his/her person any bottle or receptacle containing ~~intoxicating liquor or 3.2 percent malt liquor~~ an alcoholic beverage which has been opened or the seal broken or the contents of which have been partially removed. (Ord. 1078, 2-9-2004; amd. 2008 Code)

4-1~~A~~-17: NATIONAL GUARD TRAINING AND COMMUNITY CENTER REGULATIONS:

A. Purpose And Intent: By this section, the city seeks to control the conditions by which intoxicating liquor may be served, consumed and sold at the National Guard Training And Community Center (hereafter referred to as the ~~armory~~NGTCC) located in the city. The city has a lease with the owner of the ~~armory~~NGTCC, and it is expected that the city in turn will be renting the ~~armory~~ NGTCC to various individuals and organizations for meetings, social affairs, conventions, conferences, wedding and anniversary receptions and similar events.

B. Sales and Service: ~~Intoxicating liquor~~Alcoholic beverages may be sold or served at the ~~armory~~ NGTCC only under the following conditions:

1. ~~The~~ Alcoholic beverages~~intoxicating liquor~~ may only be served and sold by the holder of a caterer's permit~~issued by the chief of police pursuant to Minnesota statutes section 340A.404, subdivision 12~~. Users and guests are prohibited from bringing in and/or serving their own alcoholic beverages.

~~2. The holder of the caterer's permit must comply with Minnesota statutes section 340A.404, subdivision 12 and the other statutes, ordinances, rules and regulations that govern sale of intoxicating liquor. (Ord. 1078, 2-9-2004)~~

~~3~~2. No sale or service shall occur between the hours of twelve ~~o'clock (12:00) midnight~~(12:00) a.m. and eight ~~o'clock~~ (8:00) ~~A.M.~~ a.m. (Ord. 1078, 2-9-2004; amd. 2008 Code)

~~4~~3. Sales and service shall only occur in conjunction with an event for which the sponsor has a rental agreement with the city to use the ~~armory~~NGTCC.

~~5~~4. At least two~~five~~ (~~5~~2) ~~days~~ weeks prior to the event, the holder of the caterer's permit shall deliver to the city a copy of the permit and certificate of insurance providing off premises liquor liability coverage in at least the amount of the statutory limits, naming the city of Inver Grove Heights as an additional insured.

~~6~~5. No sale or service of alcoholic beverages shall occur unless the sponsor of the event has made arrangements at the sponsor's expense to have ~~a peace officer or other security personnel approved by the city police chief~~ one or more Inver Grove Heights Police Officers, as determined by the rental agreement between the city and the sponsor, present at all times while sales or service are occurring. No sale or service shall occur unless the required number of ~~the peace officer or approved security personnel~~Police Officers are~~is~~ present.

~~7~~6. The event shall not be open to the public; the event shall only be open to invited guests of the event sponsor.

~~8~~7. Sales and service of alcoholic beverages shall only be made to the invited guests of the event sponsor.

~~9~~8. Sales and service of alcoholic beverages shall only be made in the areas of the ~~armory~~ NGTCC designated by the ~~that the director of parks and recreation~~Facility Rental Coordinator ~~so designates~~. The designated areas shall be specified in the rental agreement. In no event shall sales occur in the parking lot or in the veterans memorial community center in the corridor that connects the NGTCC~~armory~~ to the veterans memorial community center.

~~C. Dispensing Without Sale: Intoxicating liquor may be dispensed at the armory, provided there is no sale thereof, only under the following conditions:~~

~~1. The intoxicating liquor may not be sold either directly or indirectly to those attending the event. There shall be no direct or indirect charge to those attending the event for the~~

~~intoxicating liquor, and the dispensing of the liquor shall not be part of a commercial transaction between the sponsor of the event and the attendees.~~

~~2. The intoxicating liquor may only be dispensed by a holder of a retail on-sale intoxicating liquor license issued by the city or by an adjacent municipality. The sponsor of the event shall make arrangements with the retail on-sale intoxicating liquor licensee to dispense the liquor at no charge to the attendees of the event.~~

~~3. No dispensing shall occur between the hours of twelve o'clock (12:00) midnight and eight o'clock (8:00) A.M.~~

~~4. Dispensing shall only occur in conjunction with an event for which the sponsor has a rental agreement with the city to use the armory.~~

~~5. At least five (5) days prior to the event, the holder of the retail on-sale intoxicating liquor license must provide the city with a copy of the license and must also deliver to the city a certificate of insurance providing off premises liquor liability coverage in at least the amount of the statutory limits naming the city of Inver Grove Heights as an additional insured.~~

~~6. The retail on-sale intoxicating liquor licensee must comply with all statutes, ordinances, rules and regulations that govern the dispensing of intoxicating liquor.~~

~~7. No dispensing shall occur unless the sponsor of the event has made arrangements at the sponsor's expense to have a peace officer or other security personnel approved by the city police chief present at all times while dispensing of intoxicating liquor is occurring. No dispensing of intoxicating liquor shall occur unless the peace officer or approved security personnel is present.~~

~~8. The event shall not be open to the public; the event shall only be open to the invited guests of the event sponsor.~~

~~9. Dispensing of intoxicating liquor shall only be made to the invited guests of the event sponsor.~~

~~10. Dispensing of intoxicating liquor shall only occur in the area of the armory that the director of parks and recreation so designates. The designated areas shall be specified in the rental agreement. In no event shall any dispensing of intoxicating liquor occur in the parking lot or in the veterans memorial community center or in the corridor that connects the armory to the veterans memorial community center.~~

C~~D~~. Consumption: No consumption of ~~intoxicating liquor~~alcoholic beverages shall occur at the ~~armory~~ NGTCC ~~unless~~ except under the following conditions:

1. The consumption of ~~intoxicating liquor~~alcoholic beverages shall only occur if ~~the intoxicating liquor~~the alcoholic beverage has been lawfully sold or served at the ~~armory~~ NGTCC pursuant

to subsection B of this section~~ or if the intoxicating liquor has been lawfully dispensed pursuant to subsection C of this section.~~.

2. No consumption shall occur between the hours of ~~one o'clock (1:00) A.M.~~twelve (12:00) a.m. and eight ~~o'clock~~ (8:00) ~~A.M.~~a.m.

3. Consumption shall only occur in conjunction with an event for which the sponsor has a rental agreement with the city to use the ~~armory~~NGTCC.

4. Consumption shall only occur by invited guests of the sponsor of the event.

5. Consumption shall only occur in the areas of the ~~armory~~ NGTCC that the ~~director of parks and recreation~~Facility Rental Coordinator ~~so~~ designates. The designated areas shall be specified in the rental agreement. In no event shall any consumption occur in the parking lot, ~~or in~~ the veterans memorial community center, or in the corridor that connects the ~~armory~~ NGTCC to the veterans memorial community center.

6. Consumption shall only occur in compliance with the other statutes, ordinances, rules and regulations that govern consumption of ~~intoxicating liquor~~alcoholic beverages. (Ord. 1078, 2-9-2004)

4-1~~A~~-18: RIGHT OF INSPECTION:

Any duly authorized law enforcement officer, health officer, fire official or building official shall be allowed to inspect the licensed premises at reasonable times and hours to ensure compliance with all provisions of this ~~article~~chapter. Upon demand by any police officer, any person engaged in providing services in any licensed premises shall identify ~~himself~~themself, giving his/her true legal name and his/her correct address. (Ord. 1078, 2-9-2004)

4-1~~A~~-19: CIVIL PENALTIES AND SANCTIONS:

A. Civil Sanctions Imposed: Upon ~~the council finding~~a finding by the council that a licensee has committed any of the following violations:

1. Sold alcoholic beverages to another retail licensee for the purpose of resale;

2. Purchased alcoholic beverages from another retail licensee for the purpose of resale;

3. Conducted or permitted the conduct of gambling on the licensed premises in violation of the law;

4. Failed to remove or dispose of alcoholic beverages when ordered by the chief of police to do so under Minnesota statutes section 340A.508, subdivision 3;

5. Failed to comply with an applicable statute, rule, or ordinance relating to alcoholic beverages; or

6. Failed to comply with any provisions of this ~~article,~~

~~the~~chapter, the council may revoke the license, suspend the license for up to sixty (60) days, impose a civil penalty of up to two thousand dollars ($2,000.00) for each violation, or impose any combination of these sanctions. If the council imposes a suspension, the council shall set the dates relating to the suspension.

B. Minimum Penalties: The following are the minimum penalties that the council shall impose upon a licensee for a violation listed in subsection A of this section. Based upon the nature, type, severity and circumstances of the violation, the council may impose penalties exceeding those stated in this subsection. The determination whether to impose penalties above the minimum penalties and the level and order of the penalties above the minimum penalties will be at the sole discretion of the council.

1. First violation within the last five (5) years: Seven hundred fifty dollar~~s~~ ($750.00) civil penalty.

2. Second violation within the last five (5) years: One thousand dollar~~s~~ ($1,000.00) civil penalty and a one day license suspension.

3. Third violation within the last five (5) years: Two thousand dollar~~s~~ ($2,000.00) civil penalty and a three (3) day license suspension.

4. More than three (3) violations in the last five (5) years: Two thousand dollar~~s~~ ($2,000.00) civil penalty and a suspension of more than three (3) days or the council shall revoke the license.

C.

~~C. H~~Hearing And Notice: The licensee shall be granted a hearing upon at least ten (10) days' notice before revocation or suspension is ordered by the council. For purposes of this subsection, "notice" shall mean written notice served upon the licensee personally or by leaving the same at the licensee's usual place of abode with some person of suitable age and discretion then residing therein or by leaving the same at the licensed premises with the person in charge thereof. The notice shall state the time and place of the hearing and shall state the nature of charges against the licensee. No suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing pursuant to Minnesota statutes sections 14.57 to 14.69 (the administrative procedures act). This subsection does not require the council to conduct the hearing before an employee of the office of administrative hearings. Imposition of a fine or suspension by either the council or the commissioner of public safety does not preclude the imposition of an additional fine or suspension by the other so long as the total fine or suspension does not exceed the maximum allowed by state statute. (Ord. 1161, 8-27-2007)

4-1-20: CONSUMPTION AND DISPLAY PERMIT.

.A cCconsumption and display permit may approved for an organization that complies with the requirements of Minnesota statutes section 340A.414 and that has obtained a permit from the commissioner of public safety. No business establishment or club that does not hold an on-sale intoxicating liquor license may directly or indirectly allow the consumption and display of alcoholic beverages or knowingly serve any liquid for the purpose of mixing with intoxicating liquor in the city without first obtaining a consumption and display permit. An applicant for a consumption and display permit approval shall submit an application for approval by the city to the city clerk and the City Council shall approve or deny the permit application in its discretion after a hearing. Holders of a consumption and display permit shall comply with the financial responsibility requirements of this chapter and shall pay the fee set by the city council.

4-1A-201: TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE:

A. Intent And Purpose: It is the intent and purpose of this section to effectuate the authorization to issue temporary on-sale intoxicating liquor licenses given to municipalities by Minnesota statutes section 340A.404, subdivision 10, and to supplement, but not repeal, any part of this articlechapter.

B. Authorized Licensees: Temporary on-sale intoxicating liquor licenses may only be issued to a club or charitable, religious or other nonprofit organization in existence for at least three (3) years, a political committee registered under Minnesota statutes section 10A.14, or a state university in connection with a social event within the city sponsored by the licensee.

C. Authorized Purposes: A temporary on-sale intoxicating liquor license shall permit the licensee to sell intoxicating liquor for consumption at a specific premiseslocation. A temporary on-sale intoxicating liquor license may authorize on-sales of intoxicating liquor at premises other than the premises the licensee owns or permanently occupies. A temporary on-sale intoxicating liquor license may only be issued in connection with a social event within the municipality sponsored by the licensee. The license may provide that the licensee may contract for intoxicating liquor catering services with the holder of a full year on-sale intoxicating liquor license issued by any municipality.

D. Duration Of License: The license may authorize the on-sale of intoxicating liquor for not more than four (4) consecutive days.

E. Application And Issuance Of License: ~~A temporary on-sale liquor license shall be issued on an application form prescribed by the city clerk and issued by the city council after a public hearing.~~An applicant for a temporary on-sale liquor license shall submit an application for approval by the city to the city clerk and the City Council shall approve or deny the license application in its discretion after a hearing.

F. License Fee: The fee for a temporary on-sale liquor license shall be established by resolution of the city council, and must be paid prior to issuance of such license.

G. Presence Of Police Officer: If the temporary on-sale liquor license ~~is used~~allows the sale of alcoholic beverages on public property, the licensee shall hire a uniformed police officer to remain on the premises during the use of the license.

H. Approval By Commissioner Of Public Safety: A temporary on-sale liquor license issued under this section is not valid unless first approved by the commissioner of public safety.

I. ~~I.~~ Insurance: Applicants must provide proof of the same liability insurance coverage required for any other retail liquor license. (Ord. 1242, 10-10-2011)

4-1~~C~~-~~17~~22: TEMPORARY ON-SALE 3.2 PERCENT MALT LIQUOR LICENSE:

A. Intent And Purpose: It is the intent and purpose of this section to effectuate the authorization to issue temporary 3.2 percent malt liquor licenses as established by Minnesota statutes section 340A.403 and to supplement, but not repeal, any part of this chapter.

B. Authority Of License: A temporary on-sale 3.2 percent malt liquor license sha~~a~~ll permit the licensee to sell 3.2 percent malt liquors for consumption at a designated location.

C. Establishments Qualified To Receive License: Temporary on-sale licenses may be issued to a club or charitable, religious, or nonprofit organization for the sale of 3.2 percent malt liquors. (1974 Code § 1215.31; amd. 2008 Code)

D. Application And Issuance Of License: An applicant for a temporary on-sale 3.2 percent malt liquor license shall submit an application for approval by the city to the city clerk and the City Council shall approve or deny the license application in its discretion after a hearing.

E. License Fee: The fee for temporary on-sale licenses required by this section is established by resolution of the city council.

F. Term Of License: The term of a temporary on-sale license shall not exceed seven (7) days, and the term thereof shall be specified in the application.

G. Presence Of Police Officer: If the temporary license is used on public property, the licensee shall hire a uniformed police officer to remain on the premises during the use of the license. (1974 Code § 1215.31)

H. Insurance: Applicants must provide proof of the same liability insurance coverage required for any other retail liquor license. (Ord. 1242, 10-10-2011)

4-1~~A~~-2~~1~~3: ONE DAY CONSUMPTION AND DISPLAY PERMITS:

A. Intent And Purpose: It is the intent and purpose of this section to effectuate the authorization to issue one day consumption and display permits given to municipalities by Minnesota statutes section 340A.414, subdivision 9, and to supplement, but not repeal, any part of this ~~article~~chapter.

B. Authorized Licensees: One day consumption and display permits may only be issued to a nonprofit organization in conjunction with a social activity in the city sponsored by the organization.

C. Application And Issuance Of License: An applicant for a one day consumption and display permit shall submit an application for approval by the city to the city clerk and the City Council shall approve or deny the license application in its discretion after a hearing

~~A one day consumption and display permit shall be issued on an application form prescribed by the city clerk and issued by the city council. No public hearing shall be required.~~

D. License Fee: The fee for a one day consumption and display permit shall be established by resolution of the city council, and must be paid prior to issuance of such license.

E. Presence Of Police Officer: If the one day consumption and display permit is used on public property, the licensee shall hire a uniformed police officer to remain on the premises during the use of the license.

F. Approval By Commissioner Of Public Safety: A one day consumption and display permit issued under this section is not valid unless first approved by the commissioner of public safety.

G. Insurance: Since the one day consumption and display permit is not a retail permit for the sale of alcoholic beverages, no proof of liability insurance will be required for issuance of the permit. (Ord. 1242, 10-10-2011)

4-1~~A~~-2~~2~~4: TEMPORARY OFF-SALE WINE LICENSES:

A. Intent And Purpose: It is the intent and purpose of this section to effectuate the authorization to issue temporary off-sale wine licenses given to municipalities by Minnesota statutes section 340A.405, subdivision 4, and to supplement, but not repeal, any part of this chapter.

~~C~~B. Application And Issuance Of License: An applicant for a temporary off-sale wine license shall complete the application form prescribed by the city clerk. The city council shall review the application and grant or deny the issuance of the license in its discretion. No public hearing shall be required.

~~D~~C. License Fee: The fee for a temporary off-sale wine license shall be established by resolution of the city council, and must be paid prior to issuance of such license.

~~F~~D. Approval By Commissioner Of Public Safety: A temporary off-sale wine license issued under this section is not valid unless first approved by the commissioner of public safety.

~~G~~E. Insurance: No proof of liability insurance will be required for issuance of the permit. (Ord. 1242, 10-10-2011)

Section Two. **~~Amendment~~Repealed**. Title 4, Chapter 1, Article B, of the Inver Grove Heights City Code is hereby ~~amended to read as follows:~~repealed in its entirety.

~~ARTICLE B. CLUBS~~

~~4-1B-1: DEFINITIONS:~~

~~As used in this article, words shall have the same meanings as the statutory usage under Minnesota statutes chapter 340A, and where not given statutory construction, they shall have their ordinary usage. (1974 Code § 1205.01; amd. 2008 Code)~~

~~4-1B-2: STATE PERMIT AND CITY LICENSE REQUIRED:~~

~~It is unlawful for any private club or public place, directly or indirectly, or upon any pretense, or by any device, to allow the consumption or display of intoxicating liquor or the serving of any liquid for the purpose of mixing with intoxicating liquor without first having obtained a permit therefor from the liquor control commissioner as provided in Minnesota statutes chapter 340A, and a license from the city. (1974 Code § 1205.03; amd. 2008 Code)~~

~~4-1B-3: APPLICATION FOR LICENSE[1]:~~

~~Every application for a license under this article shall be made on a form supplied by the city and shall state the name of the applicant, his age, representations as to his character, with such reference as may be required, his citizenship, the business in connection with which the proposed~~

~~license will operate and its location, whether applicant is owner or operator of the business, how long he has been in that business in that place, and such other information that the council may require from time to time. It shall be unlawful to make any false statement in an application. Applications shall be filed with the clerk. (1974 Code § 1205.05)~~

~~4-1B-4: PAYMENT OF LICENSE FEE; REFUNDS:~~

~~An application for a license shall be accompanied by a receipt from the treasurer for payment in full of the required fee for the license. Upon rejection of any application for license, the treasurer shall refund the amount paid less twenty five dollars ($25.00) which shall be retained as a handling charge for such application. (1974 Code § 1205.09)~~

~~4-1B-5: TERM AND EXPIRATION OF LICENSE; PRO RATA FEE:~~

~~All licenses shall expire on March 31 in each year. Each license shall be issued for a period of one year, except if a portion of the license year has elapsed when the application is made, the license may be issued for the remainder of the year for a pro rata fee. In computing such fee, any unexpired fraction of a month shall be counted as one month. (1974 Code § 1205.09)~~

~~4-1B-6: HOURS OF OPERATION:~~

~~Notwithstanding anything contained in this article, a licensee may keep his premises open for his normal business purposes, except for the sale of liquor, after the closing hour for the sale of liquor; provided, that such licensee has closed off all access to the bar in a manner approved by the council. (1974 Code § 1205.13)~~

~~4-1B-7: OCCUPANCY LOAD LIMITS[2]:~~

~~A. Intent And Purpose: To protect the safety of patrons, to allow safe evacuation in case of fire, and to prevent overcrowding, it is necessary to establish a maximum number of persons that can be allowed in any licensed premises.~~

~~B. Architectural Floor Plan: As part of the original license application and each renewal application, the proposed licensee shall submit to the city an architectural floor plan of the interior of the premises. The plan shall show: the location of permanent fixtures, the seating arrangements, and the location and width of exitways and aisles. If, when renewal application is made, the architectural floor layout has not changed from the floor plan already on file with the city, then the licensee need not submit another copy of the architectural floor plan, but the licensee shall state on the renewal application that the floor layout has not changed.~~

~~C. Number Of Occupants: In conjunction with the building official and police chief, the fire chief shall determine the maximum number of occupants that can be allowed in the licensed~~

~~premises. This determination shall be based on the architectural floor plan and the building code and the fire code in effect in the city. The number of persons in any building or portion thereof shall not exceed the amount specified in the building code and fire code, except that where such additional exit facilities are provided, the occupant load may be increased by not more than ten percent (10%) when approved by the fire chief, without being considered overcrowding. The maximum number of occupants determined by the fire chief shall be called the "occupancy load limit".~~

~~D. Prevention Of Overcrowding: No licensee or employee thereof shall permit overcrowding or admittance of any person beyond the occupancy load limit set by the fire chief. If there are overcrowding conditions or the obstruction of aisles, passageways or other means of egress, or a condition which constitutes a serious menace to life, or if the occupants exceed the occupancy load limit, then the fire chief or any police officer may require that the licensee immediately cease operation until the condition or obstruction or overcrowding is corrected, and the licensee shall cease operation until the same is corrected.~~

~~E. Posting Occupancy Load Limit: In plain sight and in prominent locations on the premises, the licensee shall post signs indicating the maximum occupancy load limit. The fire chief shall determine the number and location of the signs.~~

~~F. Right Of Inspection: The fire chief, police chief and building official shall be permitted to inspect the premises of any establishment during normal business hours to determine the maximum occupancy limit of the building or review an earlier determination of that limit. The fire chief, building official or any duly authorized law enforcement officer of the city shall be permitted to inspect the premises of any establishment during any hours it is open for business to verify compliance with the maximum occupancy load limit.~~

~~G. Penalties: Failure by the licensee to comply with the occupancy load limit or failure to comply with any provision of this section shall be grounds for suspension or revocation of the license or nonrenewal thereof. Further, any person who violates this section shall be guilty of a misdemeanor and subject to the misdemeanor penalties set by statute. Each act of violation and every day on which a violation occurs or continues is a separate violation. (1974 Code § 1205.15)~~

~~4-1B-8: PERSONS UNDER NINETEEN:~~

~~No person under the age of nineteen (19) years shall be employed in a room where the consumption or display of intoxicating liquor or the serving of any liquid for the purpose of~~

~~mixing with intoxicating liquor is permitted hereunder, and no such person shall be allowed to be or remain in such room unless accompanied by his parent or guardian. (1974 Code § 1205.07)~~

~~4-1B-9: APPLICATION OF INTOXICATING LIQUOR PROVISIONS:~~

Section Three. **~~Amendment~~Repealed**. Title 4, Chapter 1, Article C, of the Inver Grove Heights City Code is hereby ~~amended to read as follows:~~repealed in its entirety.

~~ARTICLE C. 3.2 PERCENT MALT LIQUOR~~

~~4-1C-1: DEFINITIONS:~~

~~As used in this article, words shall have the same meanings as the statutory usage under Minnesota statutes chapter 340A, and where not given statutory construction, they shall have their ordinary usage. (1974 Code § 1215.01)~~

~~4-1C-2: LICENSE REQUIRED:~~

~~No person, except wholesalers and manufacturers to the extent authorized by law, shall deal in or dispose of by gift, sale, or otherwise, or keep or offer for sale, any 3.2 percent malt liquor within the city without first having received a license as hereinafter provided. (1974 Code § 1215.03; amd. 2008 Code)~~

~~4-1C-3: TYPES OF LICENSES:~~

~~Licenses shall be of three (3) kinds:~~

~~Retail on-sale license;~~

~~Retail off-sale license; and~~

~~Retail temporary on-sale license. (1974 Code § 1215.03)~~

~~A. Retail On-Sale License: On-sale licenses shall be granted only to bona fide clubs, restaurants and hotels where food is prepared and served for consumption and on the premises and establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco and soft drinks. On-sale licenses shall permit the sale of 3.2 percent malt liquor for consumption on the premises only.~~

~~B. Retail Off-Sale License: Off-sale licenses shall permit the sale of 3.2 percent malt liquor at retail, in the original package, for consumption off the premises only. Off-sale licenses shall be granted only to general food stores and to gasoline service stations where nonalcoholic beverages are also sold. (1974 Code § 1215.03; amd. 2008 Code)~~

~~C. Retail Temporary On-Sale License: Temporary on-sale licenses shall be governed by section 4-1C-17 of this article. (1974 Code § 1215.03)~~

~~4-1C-4: INELIGIBILITY FOR LICENSE:~~

~~A. Persons Ineligible: No license shall be granted to:~~

~~1. A person not a citizen of the United States or a resident alien;~~

~~2. A person under twenty one (21) years of age; (1974 Code § 1215.11)~~

~~3. A person who, within five (5) years of the license application, has been convicted of a wilful violation of a federal or state law or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution of intoxicating or 3.2 percent malt liquors;~~

~~4. A person who has had an intoxicating liquor or 3.2 percent malt liquor license revoked within five (5) years of the license application, or to any person who at the time of the violation owns any interest, whether as a holder of more than five percent (5%) of the capital stock of a corporation licensee, as a partner or otherwise, in the premises or in the business conducted thereon, or to a corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested; (1974 Code § 1215.11; amd. 2008 Code)~~

~~5. A person not of good moral character and repute; or~~

~~6. A person who is not the proprietor of the establishment for which the license is issued. (1974 Code § 1215.11)~~

~~B. Places Ineligible: No license shall be granted for sale on any premises where a licensee has been convicted of the violation of this article, or of the state 3.2 percent malt liquor or intoxicating liquor laws, or where any license hereunder has been revoked for cause until one year has elapsed after such conviction or revocation. (1974 Code § 1215.13; amd. 2008 Code)~~

~~4-1C-5: APPLICATION FOR LICENSE:~~

~~Application for a license to sell 3.2 percent malt liquor shall be made on a form supplied by the city and shall state the name of the applicant, his age, representations as to his character, with such references as may be required, his citizenship, whether the application is for on-sale or off-sale, the business in connection with which the proposed license will operate and its location, whether applicant is owner and operator of the business, how long he has been in that business at that place, and such other information as the council may require from time to time. It shall be unlawful to make any false statement in an application. Applications shall be filed with the clerk. (1974 Code § 1215.05; amd. 2008 Code)~~

~~4-1C-6: LICENSE FEES:~~

~~A. Fees Established: The annual fee for an on-sale license and the annual fee for an off-sale license are established by resolution of the city council.~~

~~B. Payment: Each application for a license shall be accompanied by a receipt from the treasurer for payment in full of the required fee for the license. All fees shall be paid into the general fund of the city.~~

~~C. Refunds:~~

~~1. Upon rejection of any application for a license, the treasurer shall refund the amount paid.~~

~~2. No part of the fee paid for any license issued under this article shall be refunded where a license is revoked, but there shall be refunded a pro rata portion of the fee for the unexpired period of the license upon cancellation. (1974 Code § 1215.07)~~

~~4-1C-7: INSURANCE REQUIREMENTS:~~

~~A. Insurance Required: An applicant for an on-sale, off-sale or temporary on-sale 3.2 percent malt liquor license shall meet the same liability insurance requirements and conditions and be afforded the same exemptions as prescribed by this code for intoxicating liquor licenses[1]; provided, however, if an applicant for a temporary 3.2 percent malt liquor license is exempt from liability insurance requirements under state law, the applicant shall nevertheless be required to file a certificate that there is in effect for the license period an insurance policy providing at least twenty five thousand dollars ($25,000.00) of coverage because of bodily injury to any one person in any one occurrence and at least fifty thousand dollars ($50,000.00) of coverage because of bodily injury to two (2) or more persons in any one occurrence. (1974 Code § 1215.08; amd. 2008 Code)~~

~~B. Approval Of Insurance: The insurance policy required by subsection A of this section shall be subject to the approval of the city council.~~

~~C. Insurance Companies: The insurer on such liability insurance policy shall be an insurance company duly licensed to do business in the state of Minnesota, and the liability insurance policy shall run to the city and be approved as to form and execution by the city attorney. All liability insurance policies, when approved by the proper city officer, shall be deposited with the clerk.~~

~~D. Conditions: All such liability insurance policies shall contain the same conditions and the same provisions as those required by state law or ordinance to be contained in such policies for on-sale intoxicating liquor licenses[2]. (1974 Code § 1215.08)~~

~~4-1C-8: GRANT OR DENIAL OF LICENSE:~~

~~The council shall investigate all facts set out in the application. After such investigation, the council shall grant or refuse the application in its discretion. (1974 Code § 1215.09)~~

~~4-1C-9: TERM AND EXPIRATION OF LICENSE; PRO RATA FEE:~~

~~All licenses shall expire on December 31 in each year. Each license shall be issued for a period of one year, except that if a portion of the license year has elapsed when the application is made, a license may be issued for the remainder of the year for a pro rata fee. In computing such fee, any unexpired fraction of a month shall be counted as one month. (1974 Code § 1215.07)~~

~~4-1C-10: NONTRANSFERABILITY OF LICENSE; CHANGE OF LOCATION:~~

~~Each license shall be issued to the applicant only and shall not be transferable to another holder. Each license shall be issued only for the premises described in the application. No license may be transferred to another place without the approval of the council. (1974 Code § 1215.09)~~

~~4-1C-11: DUAL LICENSES:~~

~~A. No off-sale 3.2 percent malt liquor license shall be issued to the holder of an on-sale 3.2 percent malt liquor license; no on-sale beer license shall be issued to holder of an off-sale 3.2 percent malt liquor license. (1974 Code § 1215.09; amd. 2008 Code)~~

~~B. Holders of on- and off-sale licenses on the effective date hereof shall retain their rights to dual licenses subject to the provisions of this article. (1974 Code § 1215.09)~~

~~4-1C-12: CONDITIONS OF LICENSE:~~

~~Every license shall be granted subject to the conditions in this section and all other provisions of this article and of any other applicable ordinance of the city or state law.~~

~~A. Posting License: All licensed premises shall have the license posted in a conspicuous place at all times. (1974 Code § 1215.15)~~

~~B. Sales To Certain Persons Prohibited: No 3.2 percent malt liquor shall be sold or served to any intoxicated person or to a person to whom sale is prohibited by state law.~~

~~C. Sale By Persons Under Eighteen Years Of Age: No person under the age of eighteen (18) years shall sell or serve 3.2 percent malt liquor in an off-sale 3.2 percent malt liquor premises.~~

~~D. Other Interests:~~

~~1. No manufacturer or wholesaler of 3.2 percent malt liquor shall have any ownership of or interest in an establishment licensed to sell at retail contrary to the provisions of Minnesota statutes chapter 340A. (1974 Code § 1215.15; amd. 2008 Code)~~

~~2. No retail licensee and manufacturer or wholesaler of beer shall be parties to any exclusive purchase contract.~~

~~3. No retail licensee shall receive any benefits contrary to law from a manufacturer or wholesaler of beer and no such manufacturer or wholesaler shall confer any benefits contrary to law upon a retail licensee. (1974 Code § 1215.15)~~

~~E. Federal Stamp: No licensee shall sell 3.2 percent malt liquor while holding or exhibiting in the licensed premises a federal retail liquor dealer's special tax stamp unless he is licensed under the laws of Minnesota to sell intoxicating liquors. (1974 Code § 1215.15; amd. 2008 Code)~~

~~F. Intoxicating Liquor:~~

~~1. Except as provided in subsection 4-1C-4A of this article, no licensee who is not also licensed to sell intoxicating liquor shall sell or permit the consumption or display of intoxicating liquors on the licensed premises or serve any liquids for the purpose of mixing with intoxicating liquor. The presence of intoxicating liquors on the premises of such a licensee shall be prima facie evidence of possession of intoxicating liquors for the purpose of sale, and the serving of any liquor for the purpose of mixing with intoxicating liquors shall be prima facie evidence that intoxicating liquor is being permitted to be consumed or displayed contrary to this article.~~

~~2. A licensee hereunder who is also licensed under the appropriate city ordinances to sell intoxicating liquor shall not sell or permit the consumption or display of intoxicating liquors on the premises licensed hereunder or serve any liquids for the purpose of mixing with intoxicating liquor upon said premises except within the hours prescribed by the Minnesota state liquor control commission for the sale of intoxicating liquor. The presence of intoxicating liquors on the premises of such a licensee at a time other than within the hours prescribed by the Minnesota state liquor control commissioner for the sale of intoxicating liquor shall be prima facie evidence that intoxicating liquor is being permitted to be consumed or displayed contrary to the provisions of this article.~~

~~3. Any peace officer shall have the unqualified right to enter, inspect and search the premises of a licensee during business hours without a search and seizure warrant and may seize all intoxicating liquors found on the licensed premises.~~

~~G. Conduct Of Business: Every licensee shall be responsible for the conduct of his place of business and shall maintain conditions of sobriety and order. (1974 Code § 1215.15)~~

~~H. Gambling: Notwithstanding Minnesota statutes chapter 349, no gambling or any gambling device shall be permitted on any 3.2 percent malt liquor licensed premises.~~

~~I. Separate Rooms For Banquets: An on-sale license shall entitle the holder to serve 3.2 percent malt liquor in a separate room of the licensed premises for banquets or dinners at which are present not less than twenty (20) persons. (1974 Code § 1215.15; amd. 2008 Code)~~

~~**4-1C-13: HOURS AND DAYS OF SALES:**~~

~~A. No sale of 3.2 percent malt liquor shall be made during the hours or on the days prohibited by state law. (1974 Code § 1215.17; amd. 2008 Code)~~

~~B. Every licensee, except a private club licensee, shall not conduct business on the premises between the hours of one o'clock (1:00) A.M. and eight o'clock (8:00) A.M., Monday through Saturday inclusive, or on any Sunday between the hours of one o'clock (1:00) A.M. and twelve o'clock (12:00) noon, nor permit the presence of customers on the premises between the hours of one thirty o'clock (1:30) A.M. and eight o'clock (8:00) A.M., Monday through Saturday inclusive, or on any Sunday between the hours of one thirty o'clock (1:30) A.M. and twelve o'clock (12:00) noon.~~

~~C. Notwithstanding anything contained in this section, a licensee may keep his premises open for his normal business purposes, except the sale of liquor, after the closing hour for the sale of liquor, provided that such licensee has closed off all access to the bar in a manner approved by the council. (1974 Code § 1215.17)~~

~~4-1C-14: SALES BY CLUBS:~~

~~No club shall sell 3.2 percent malt liquor except to members and to guests in the company of members. (1974 Code § 1215.19; amd. 2008 Code)~~

~~4-1C-15: RESTRICTIONS ON SALE AND CONSUMPTION OF INTOXICATING LIQUOR:~~

~~No person shall consume or display any intoxicating liquor on the premises of a licensee who is not also licensed to sell intoxicating liquors. (1974 Code § 1215.21)~~

~~4-1C-16: OCCUPANCY LOAD LIMITS[3]:~~

~~A. Intent And Purpose: To protect the safety of patrons, to allow safe evacuation in case of fire, and to prevent overcrowding, it is necessary to establish a maximum number of persons that can be allowed in any on-sale (including club) licensed premises.~~

~~B. Architectural Floor Plan: As part of the original on-sale license application, including club applications, and each renewal application, the proposed licensee shall submit to the city an architectural floor plan of the interior of the premises. The plan shall show: the location of permanent fixtures, the seating arrangements, and the location and width of exitways and aisles. If, when renewal application is made, the architectural floor layout has not changed from the floor plan already on file with the city, then the licensee need not submit another copy of the architectural floor plan, but the licensee shall state on the renewal application that the floor layout has not changed.~~

~~C. Number Of Occupants: In conjunction with the building official and police chief, the fire chief shall determine the maximum number of occupants that can be allowed in the on-sale (including club) licensed premises. This determination shall be based on the architectural floor plan and the building code and fire code in effect in the city. The number of persons in any building or portion thereof shall not exceed the amount specified in the building code and fire code, except that where such additional exit facilities are provided, the occupant load may be increased by not more than ten percent (10%) when approved by the fire chief, without being considered overcrowding. The maximum number of occupants determined by the fire chief shall be called the "occupancy load limit".~~

~~D. Prevention Of Overcrowding: No licensee or employee thereof shall permit overcrowding or admittance of any person beyond the occupancy load limit set by the fire chief. If there are overcrowding conditions or the obstruction of aisles, passageways, or other means of egress, or a condition which constitutes a serious menace to life, or if the occupants exceed the occupancy load limit, then the fire chief or any police officer may require that the licensee immediately cease operation until the condition or obstruction or overcrowding is corrected, and the licensee shall cease operation until the same is corrected.~~

~~E. Posting Occupancy Load Limit: In plain sight and in prominent locations on the premises, the licensee shall post signs indicating the maximum occupancy load limit. The fire chief shall determine the number and location of the signs.~~

~~F. Right Of Inspection: The fire chief, police chief and building official shall be permitted to inspect the premises of any on-sale liquor establishment (including clubs) during normal business hours to determine the maximum occupancy limit of the building or review an earlier determination of that limit. The fire chief, building official or any duly authorized law enforcement officer of the city shall be permitted to inspect the premises of any on-sale liquor establishment (including clubs) during any hours it is open for business to verify compliance with the maximum occupancy load limit.~~

~~G. Penalties: Failure by the licensee to comply with the occupancy load limit or failure to comply with any provision of this section shall be grounds for suspension or revocation of the license or nonrenewal thereof. Further, any person who violates this section shall be guilty of a misdemeanor and subject to misdemeanor penalties set by statute. Each act of violation and every day on which a violation occurs or continues is a separate violation. (1974 Code § 1215.25)~~

~~4-1C-17: TEMPORARY LICENSE:~~

~~A. Intent And Purpose: It is the intent and purpose of this section to effectuate the authorization to issue temporary 3.2 percent malt liquor licenses as established by Minnesota laws 1974, chapter 123 and to supplement, but not repeal, any part of this article.~~

~~B. Authority Of License: Retail temporary on-sale licenses shall permit the licensee to sell 3.2 percent malt liquors for consumption on the licensee's premises.~~

~~C. Establishments Qualified To Receive License: Temporary on-sale licenses may be issued to a club or charitable, religious, or nonprofit organization for the sale of 3.2 percent malt liquors. (1974 Code § 1215.31; amd. 2008 Code)~~

~~D. Application And Issuance Of License: A temporary on-sale license shall be issued on an application form prescribed by the city clerk and issued by the city council.~~

~~E. License Fee: The fee for temporary on-sale licenses required by this section is established by resolution of the city council.~~

~~F. Term Of License: The term of a temporary on-sale license shall not exceed seven (7) days, and the term thereof shall be specified in the application.~~

~~G. Presence Of Police Officer: If the temporary license is used on public property, the licensee shall hire a uniformed police officer to remain on the premises during the use of the license. (1974 Code § 1215.31)~~

~~4-1C-18: SUSPENSION OR REVOCATION OF LICENSE:~~

~~A. Grounds: The violation of any provision or condition of this article by a beer licensee or his agent shall be grounds for revocation or suspension of the license. The license of any person who holds a federal retail liquor dealer's special tax stamp without a license to sell intoxicating liquors at such place shall be revoked without notice and without hearing.~~

~~B. Hearing And Notice: In all other cases, a license granted under this article may be revoked or suspended by the council after written notice to the licensee and a public hearing. The notice shall give at least eight (8) days' notice of the time and place of the hearing and shall state the nature of the charges against the licensee. The council may suspend any license pending a hearing on revocation or suspension. (1974 Code § 1215.23)~~

~~Footnote 1: See section 4-1A-11 of this chapter.~~
~~Footnote 2: See section 4-1A-11 of this chapter.~~
~~Footnote 3: See also subsection 4-1A-15B and section 4-1B-7 of this chapter.~~

Section Four. **~~Amendment~~Repealed**. Title 4, Chapter 1, Article D, of the Inver Grove Heights City Code is hereby ~~amended to read as follows:~~repealed in its entirety.

~~ARTICLE D. PERSONS UNDER TWENTY ONE~~

~~4-1D-9: ALCOHOL SERVER TRAINING REQUIREMENTS:~~

~~A. For the purposes of this section, a "licensed establishment" means any premises holding an on-sale or off-sale liquor license, an on-sale or off-sale 3.2 percent malt liquor license, a wine license, a special club intoxicating liquor license, or any other license issued by the city to sell or serve any alcoholic beverage, provided, however, that a licensed establishment shall not include any premises holding only a temporary on-sale intoxicating or temporary 3.2 percent malt liquor license or a caterer's permit.~~

~~B. For the purposes of this section, a "liquor licensee" is the holder of any on-sale or off-sale liquor license, an on-sale or off-sale 3.2 percent malt liquor license, a wine license, a special club intoxicating liquor license, or any other license issued by the city to sell or serve any alcoholic beverage, provided, however, that a liquor licensee shall not include the holder of only a temporary on-sale intoxicating or temporary 3.2 percent malt liquor license or a caterer's permit.~~

~~C. Every liquor licensee shall require that anyone who serves or sells any alcoholic beverage at the licensed establishment must comply with the alcohol server training requirements of this section.~~

~~D. Beginning July 1, 2010, and continuing thereafter, anyone who serves or sells any alcoholic beverage at a licensed establishment shall complete a program of alcohol server training before they are allowed to serve or sell any alcoholic beverage.~~

~~E. Beginning July 1, 2010, and continuing thereafter, no one shall serve or sell any alcoholic beverage at a licensed establishment unless that person has completed an alcohol server training program within the twenty four (24) month period prior to the date of serving or selling the alcoholic beverage.~~

~~F. The alcohol server training program must meet the standards hereafter set forth and must be provided by a business entity or association whose regular business includes providing such trainings and who is not owned by a license holder; provided, however, the training may be provided by a license holder if the training meets the standards hereafter set forth and the training program is approved by the city's chief of police or designee. The standards for training must include the following:~~

~~1. Information regarding the laws pertaining to the sale of alcohol;~~

~~2. The rules for identification checks;~~

~~3. Responsibilities of establishments serving or selling alcoholic beverages;~~

~~4. Verification of age, forms of identification, and forms of false or misleading age identification;~~

~~5. The effect of alcohol on humans and the physiology of alcohol intoxication;~~

~~6. Recognition of the signs of intoxication;~~

~~7. Strategies for intervention to prevent intoxicated persons from consuming further alcohol;~~

~~8. Liability of the person serving alcohol; and~~

~~9. Identifying minors.~~

~~G. Liquor licensees shall keep on file proof that all persons serving or selling alcoholic beverages at the licensed establishment have completed the alcohol server training required by this section. Such proof shall be kept for at least three (3) years. Proof of a person's completion of alcohol server training shall be presented to a police officer upon request no later than three~~

~~(3) days after the request, excluding holidays and weekends. Liquor licensees shall submit the following information about all persons who currently serve or sell alcoholic beverages at the licensed establishment with their liquor license renewal application: the person's name, date of birth, date of hire, and the date the person last completed alcohol server training.~~

~~H. No liquor licensee shall allow the sale or service of any alcoholic beverage by a person who has not complied with the alcohol server training requirements of this section. Any such sale or service shall constitute a violation of the licensee's liquor license.~~

~~I. No person shall serve or sell any alcoholic beverage at a licensed establishment without first complying with the alcohol server training requirements of this section. (Ord. 1201, 11-23-2009)~~

~~Footnote 1: See also subsection 4-1A-14G3 and section 4-1B-8 of this chapter.~~

Section Five. **Effective Date**. This Ordinance shall be in full force and effect beginning on ~~January 1~~_____, 2014.

Passed in regular session of the City Council on the ___ day of ~~December, 2013.~~January, 2014.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

By: _____
Melissa Kennedy, Deputy City Clerk

AGENDA ITEM _____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

CONSIDER SECOND READING OF AN ORDINANCE AMENDING CITY CODE TITLE 3, CHAPTER 4, SECTIONS 3-4-2-2 and 3-4-2-3 and 10-3-8 ADJUSTING DEVELOPMENT FEES FOR 2014

Meeting Date:	December 9, 2013		Fiscal/FTE Impact:
Item Type:	Regular	x	None
Contact:	Jenelle Teppen, Asst. City Admin.		Amount included in current budget
Prepared by:			Budget amendment requested
Reviewed by:	Scott Thureen, PW Director		FTE included in current complement
	Allan Hunting, City Planner		New FTE requested – N/A
	Tom Link, CD Director		Other

PURPOSE/ACTION REQUESTED The Council is asked to consider the first reading of an ordinance to amend the City Code to adjust the fees and charges associated with development activities. This includes water and sanitary sewer connection fees, and fees associated with planning activities (such as rezoning, variance, conditional use permits, etc.).

SUMMARY Minnesota State Statues 462.353 sets forth the requirements with respect to a municipality's authority to prescribe fees associated with planning activities.

While Statute 462 does not speak to building permit fees or water or sanitary sewer connection fees, the City Attorney's advice is to set forth the fees in the Code given the scope of development that is anticipated to take place over the next several years in the northwest area.

The required public hearing has been set for January 13, 2014.

Staff proposes changes to the fees that address water and sanitary sewer connection fees, etc. The water and sewer connection fees are proposed to increase between 3.5% and 4.5%. These proposed fees are based on financial projections supplied by Ehlers and Associates.

Staff proposes to increase the escrow fees for a few items to cover the increasing costs and complexities of reviewing certain applications. This will reduce or eliminate the billing to the applicants for expenses that exceed the amount of escrow currently collected.

The proposed changes are reflected on the attached.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 3, CHAPTER 4, SECTION 3-4-2-2 AND SECTION 3-4-2-3 AND SECTION 3-4-3 AND TITLE 10, CHAPTER 3, SECTION 10-3-8 B OF THE INVER GROVE HEIGHTS CITY CODE RELATING TO FEES

The City Council of Inver Grove Heights does hereby ordain as follows:

Section 1. Amendment No. 1. Inver Grove Heights City Code Title 3, Chapter 4, Section 3-4-2-2 is hereby amended in its entirety to read as follows:

3-4-2-2: WATER, SANITARY SEWER AND STORM WATER SYSTEMS CONNECTION FEES:

A. Purpose and Intent. Minn. Stat. § 444.075, subd 3. and IGH City Code Title 8 allows the City to impose just and equitable charges for connection to the City water utility system to pay for the construction, reconstruction, repair, enlargement, improvement, or other obtainment, the maintenance, operation and use of the facilities, and of obtaining and complying with permits required by law.

Minn. Stat. § 444.075, subd. 3. and IGH City Code Title 8 allows the City to impose just and equitable charges for connection to the City sanitary sewer utility system to pay for the construction, reconstruction, repair, enlargement, improvement, or other obtainment, the maintenance, operation and use of the facilities, and of obtaining and complying with permits required by law.

Minn. Stat. § 444.075, subd. 3. and IGH City Code Title 8 allows the City to impose just and equitable charges for connection to the City storm sewer utility system to pay for the construction, reconstruction, repair, enlargement, improvement, or other obtainment, the maintenance, operation and use of the facilities, and of obtaining and complying with permits required by law.

The purpose and intent of this Title 3, Chapter 4, Section 3-4-2-2 is to impose connection fees for the water utility system and the sanitary sewer utility system and the storm water sewer utility system, also known as the storm water system.

B. Definitions. For purposes of this Title 3, Chapter 4, Section 3-4-2-2, the following terms shall have the following meanings:

Northwest Area means that certain geographic area within the City of Inver Grove Heights defined, established and referred to as the Northwest Area Overlay District pursuant to the City's zoning regulations.

Net Developable Area means the number of acres within a property remaining after excluding those portions that are either: a) encumbered by right of way for arterial roads as defined in the Inver Grove Heights Comprehensive Plan; or b) lying below the ordinary high water level of public waters as identified in the Shoreland Overlay District; or c) lying within the boundaries of wetlands delineated according to the Minnesota Wetland Conservation Act; or d) bluffs in Shoreland Overlay Districts abutting public waters; or e) land to be dedicated to the City of Inver Grove Heights for public park/recreation area purposes. Net Developable Area does not include outlots within a plat that are intended to be replatted at a later date into developable lots.

Gross Acres means the total acres within a plat, subdivision or parcel. Gross Acres do not include outlots within a plat that are intended to be replatted at a later date into developable lots.

SAC Unit means a unit as determined by the Metropolitan Council Environmental Services according to the Metropolitan Council Service Availability Charge Manual.

C. Connection Fees For Water Utility System For Land Outside of Northwest Area. The following connection fees for the water utility system are hereby imposed and required to be paid with respect to land outside of the Northwest Area that is within the Metropolitan Urban Service Area (MUSA).

Fees Payable At Time of Plat
The following fee must be paid when the property is subdivided or the property is platted or a building permit is obtained or when connection is made to the municipal water system, whichever occurs first. The fee is not payable if the property has been previously specially assessed on an area basis for a trunk water line.

Water Plat Connection Fee	~~$1,095~~ **$1,135** multiplied by a density factor of 3.5 multiplied by Gross Acres

Fees Payable At Time of Building Permit
The following fees must be paid by the landowner when a building permit is obtained or when connection is made to the municipal water system, whichever occurs first.

Water Building Permit Connection Unit Fee	~~$735~~ **$760** per SAC Unit
Water Treatment Plant Fee	~~$640~~ **$660** per SAC Unit
Water Core Connection Fee (based on water service size)	
1 inch	~~$1,525~~ **$1,580**
1 ½ inch	~~$3,415~~ **$3,535**
2 inch	~~$6,065~~ **$6,275**
3 inch	~~$14,190~~ **$14,865**
4 inch	~~$24,245~~ **$25,095**
6 inch (or larger)	~~$56,845~~ **$58,835**

D. Connection Fees For Sanitary Sewer Utility System For Land Outside of Northwest Area. The following connection fees for the sanitary sewer utility system are hereby imposed and required to be paid with respect to land outside of the Northwest Area that is within the Metropolitan Urban Service Area (MUSA).

Fees Payable At Time of Plat
The following fee must be paid when the property is subdivided or the property is platted or a building permit is obtained or connection is made to the municipal sanitary sewer system, whichever occurs first. The fee is not payable if the property has been previously specially assessed on an area basis for a trunk sanitary sewer line.

Sanitary Sewer Plat Connection Fee	~~$1,095~~ **$1,135** multiplied by a density factor of 3.5 multiplied by Gross Acres

Fees Payable At Time of Building Permit
The following fees must be paid by the landowner when a building permit is obtained or when connection is made to the municipal sanitary sewer system, whichever occurs first. The B-Line special connection charge only applies to that area of the City served by the B-Line sanitary system; for properties in the B-Line area, the B-Line special connection charge is payable in addition to the other fees set forth below.

M.C.E.S. SAC Unit Fee	~~$2,435~~ **$2,485** per SAC Unit
Sanitary Sewer Building Permit Connection Unit Fee	~~$385~~ **$400** per SAC Unit
B-Line Special Connection Charge	~~$1,030~~ **$1,065** per SAC Unit (applicable only to B-Line Area)
Sewer Core Connection Fee (based on building sewer service size)	
4 inch	~~$490~~ **$505**
6 inch	~~$830~~ **$860**
8 inch	~~$1,465~~ **$1,515**
10 inch	~~$2,295~~ **$2,375**
12 inch	~~$3,415~~ **$3,415**

E. Connection Fees For Water Utility System For Northwest Area. The following connection fees for the water utility system are hereby imposed and required to be paid with respect to land within the Northwest Area.

Fees Payable At Time of Plat
(Northwest Area)

The following fees must be paid when the property is subdivided or the property is platted or a building permit is obtained or when connection is made to the municipal water system, whichever occurs first. The fee is not payable if the property is being platted as an agricultural planned unit development with no connection to the municipal water system.

Water Plat Connection Fee (Northwest Area)	
In the R-1 and R-2 Zoning Districts	~~$955~~ **$1,000** multiplied by a density factor of 2.0 multiplied by the Net Developable Area
In the R-3A Zoning District	~~$955~~ **$1,000** multiplied by a density factor of 4.0 multiplied by the Net Developable Area
In the R-3B Zoning District	~~$955~~ **$1,000** multiplied by a density factor of 6.5 multiplied by the Net Developable Area
In the R-3C Zoning District	~~$955~~ **$1,000** multiplied by a density factor of 12.0 multiplied by the Net Developable Area
In the B-1 and Office Park Zoning Districts	The fee shall be calculated as follows. First, multiply the Net Developable Area by 0.25 (the minimum Floor Area Ratio – FAR required by the Northwest Area Overlay District). The result is the minimum building area required by the Northwest Area Overlay District. Divide the minimum building area by the density factor of 2,400 square feet to arrive at density units. Then multiply the density units by ~~$955~~ **$1,000**.
In the B-2, B-3 and B-4 Zoning Districts	The fee shall be calculated as follows. First, multiply the Net

	Developable Area by 0.25 (the minimum Floor Area Ratio – FAR required by the Northwest Area Overlay District). The result is the minimum building area required by the Northwest Area Overlay District. Divide the minimum building area by the density factor of 3,000 square feet to arrive at density units. Then multiply the density units by ~~$955~~ **$1,000.**
In the I-1 and I-2 and Industrial – Office Park Zoning Districts	The fee shall be calculated as follows. First, multiply the Net Developable Area by 0.25 (the minimum Floor Area Ratio – FAR required by the Northwest Area Overlay District). The result is the minimum building area required by the Northwest Area Overlay District. Divide the minimum building area by the density factor of 7,000 square feet to arrive at density units. Then multiply the density units by ~~$955~~ **$1,000**.
In the P-Institutional Zoning Districts	The fee shall be calculated as follows. First, multiply the Net Developable Area by 0.25 (the minimum Floor Area Ratio – FAR required by the Northwest Area Overlay District). The result is the minimum building area required by the Northwest Area Overlay District. Divide the minimum building area by the density factor of 2,400 square feet to arrive at density units. Then multiply the density units by ~~$955~~ **$1,000**.
In the Mixed Use – Residential and in the Mixed Use - Commercial Zoning Districts	The fee shall be calculated with respect to each pro-ratable area component of the mixed use development using the appropriate fee calculations set forth above in relation to the respective land use of the component. The respective fees for each component shall then be added to compute the total fee.

Fees Payable At Time of Building Permit
(Northwest Area)

The following fees must be paid by the landowner when a building permit is obtained or when connection is made to the municipal water system, whichever occurs first.

Water Building Permit Connection Unit	~~$2,640~~ **$2,760** per SAC Unit

Fee (Northwest Area)	
Water Treatment Plant Fee (Northwest Area)	~~$640~~ **$670** per SAC Unit
Water Core Connection Fee (based on water service size) (Northwest Area)	
1 inch	~~$1,575~~ **$1,645**
1 ½ inch	~~$3,530~~ **$3,690**
2 inch	~~$6,270~~ **$6,550**
3 inch	~~$14,095~~ **$14,730**
4 inch	~~$25,080~~ **$26,210**
6 inch (or larger)	~~$58,795~~ **$61,440**

F. Connection Fees For Sanitary Sewer Utility System For Northwest Area. The following connection fees for the sanitary sewer utility system are hereby imposed and required to be paid with respect to land within the Northwest Area:

Fees Payable At Time of Plat
(Northwest Area)

The following fee must be paid when the property is subdivided or the property is platted or a building permit is obtained or when connection is made to the municipal sanitary sewer system, whichever occurs first. The fee is not payable if the property is being platted as an agricultural planned unit development with no connection to the municipal water system.

Sanitary Sewer Plat Connection Fee (Northwest Area)	
In the R-1 and R-2 Zoning Districts	~~$1,525~~ **$1,595** multiplied by a density factor of 2.0 multiplied by the Net Developable Area
In the R-3A Zoning District	~~$1,525~~ **$1,595** multiplied by a density factor of 4.0 multiplied by the Net Developable Area
In the R-3B Zoning District	~~$1,525~~ **$1,595** multiplied by a density factor of 6.5 multiplied by the Net Developable Area
In the R-3C Zoning District	~~$1,525~~ $**1,595** multiplied by a density factor of 12.0 multiplied by the Net Developable Area
In the B-1 and Office Park Zoning Districts	The fee shall be calculated as follows. First, multiply the Net Developable Area by 0.25 (the minimum Floor Area Ratio – FAR required by the Northwest Area Overlay District). The result is the minimum building area required by the Northwest Area Overlay District. Divide the minimum building area by the density factor of 2,400 square feet to arrive at density units. Then multiply the density units by ~~$1,525~~ **$1,595**.
In the B-2, B-3 and B-4 Zoning Districts	The fee shall be calculated as follows. First, multiply the Net Developable Area by 0.25 (the minimum Floor Area Ratio – FAR required by the Northwest Area

	Overlay District). The result is the minimum building area required by the Northwest Area Overlay District. Divide the minimum building area by the density factor of 3,000 square feet to arrive at density units. Then multiply the density units by ~~$1,525~~ **$1,595**.
In the I-1 and I-2 and Industrial – Office Park Zoning Districts	The fee shall be calculated as follows. First, multiply the Net Developable Area by 0.25 (the minimum Floor Area Ratio – FAR required by the Northwest Area Overlay District). The result is the minimum building area required by the Northwest Area Overlay District. Divide the minimum building area by the density factor of 7,000 square feet to arrive at density units. Then multiply the density units by ~~$1,525~~ **$1,595**.
In the P-Institutional Zoning Districts	The fee shall be calculated as follows. First, multiply the Net Developable Area by 0.25 (the minimum Floor Area Ratio – FAR required by the Northwest Area Overlay District). The result is the minimum building area required by the Northwest Area Overlay District. Divide the minimum building area by the density factor of 2,400 square feet to arrive at density units. Then multiply the density units by ~~$1,525~~ **$1,595**.
In the Mixed Use – Residential and in the Mixed Use - Commercial Zoning Districts	The fee shall be calculated with respect to each pro-ratable area component of the mixed use development using the appropriate fee calculations set forth above in relation to the respective land use of the component. The respective fees for each component shall then be added to compute the total fee.

Fees Paid At Time of Building Permit
(Northwest Area)

The following fees must be paid by the landowner when a building permit is obtained or when connection is made to the municipal sanitary sewer system, whichever occurs first.

M.C.E.S. SAC Unit Fee (Northwest Area)	~~$2,435~~ **$2,485** per SAC Unit
Sanitary Sewer Building Permit Connection Unit Fee (Northwest Area)	~~$4,215~~ **$4,405** per SAC Unit
Sewer Core Connection Fee (based on building sewer service size)	

4 inch	~~$510~~ **$530**
6 inch	~~$860~~ **$900**
8 inch	~~$1,525~~ **$1,595**
10 inch	~~$2,390~~ **$2,500**
12 inch	~~$3,430~~ **$3,585**

G. Connection Fees For Storm Water Sewer Utility System For Northwest Area. The following connection fees for the storm water sewer utility system also known as the storm water system are hereby imposed and required to be paid with respect to land within the Northwest Area:

Fees Payable At Time of Plat
(Northwest Area)

The following fees must be paid by the landowner when the property is subdivided or the property is platted or a building permit is obtained, whichever occurs first.

The fees are not payable for outlots if the property is being platted as an agricultural planned unit development.

Storm Water Plat Connection Fee (Northwest Area)	
In the R-1 and R-2 and R-3A Zoning Districts	~~$10,355~~ **$10,870** per acre multiplied by the Net Developable Area
In the R-3B and R-3C Zoning Districts	~~$10,595~~ **$11,125** per acre multiplied by the Net Developable Area
In the B-1 and Office Park Zoning Districts	~~$11,890~~ **$12,485** per acre multiplied by the Net Developable Area
In the B-2, B-3 and B-4 Zoning Districts	~~$11,565~~ **$12,145** per acre ultiplied by the Net Developable Area
In the I-1, I-2 and I-Office Park Zoning Districts	~~$11,245~~ **$11,805** per acre multiplied by the Net Developable Area
In the P-Institutional Zoning District	~~$10,595~~ **$11,125** per acre multiplied by the Net Developable Area
In the Mixed Use - Residential Zoning District	~~$10,595~~ **$11,125** per acre multiplied by the Net Developable Area
In the Mixed Use - Commercial Zoning District	~~$11,245~~ **$11,805** per acre multiplied by the Net Developable Area

H. Outlots. With respect to calculating the fees payable at the time of platting, the acreage within the outlots that are intended to be replatted into buildable lots at a later date shall not be included within the calculations. When the acreage within the outlots are subsequently replatted into buildable lots, the fees for such acreage shall then be paid at the time of the replat.

Section 2. Amendment No. 2. Inver Grove Heights City Code Title 3, Chapter 4, Section 3-4-2-3 is hereby amended in its entirety to read as follows:

3-4-2-3: SANITARY SEWER AND WATER TRUNK AREA ASSESSMENTS: With respect to special assessments under Chapter 429 of the Minnesota Statutes, the assessments

rolls for sanitary sewer and water trunk lines shall initially be calculated using the following per acre assessment amounts for trunk line area benefit.

~~$3,825~~ **$3,960** per acre for water trunk line area benefit
~~$3,825~~ **$3,960** per acre for sanitary sewer trunk line area benefit

The Council may adjust the assessment roll and special assessments after public hearing pursuant to Minn. Stat. § 429.061 and the Council shall determine the final assessment roll and special assessments by resolution.

Section 3. Amendment No. 4. Inver Grove Heights City Code Title 3, Chapter 4, Section 10-3-8 is hereby amended to read as follows:

B. Fee Amounts and Escrow Deposit: The city may require that applicants deposit in escrow with the city, together with the application filing fees, the sums required by the city toward prepayment of the attorney, planning and engineering costs. The prepayment amounts shall be a credit toward the fees for the attorney, planning and engineering and other professional consultant fees to be reimbursed by the applicant. All such fees, if not paid by the escrow, shall be paid by the applicant within sixty (60) days of final action on the matter by the city council. If such fees are less than the escrowed amount, such escrow will be returned to the applicant within sixty (60) days of the final action on the matter by the city council. The following escrow amounts shall be deposited, together with land use approval applications: (Ord. 1098, 11-8-2004)

TYPE OF LAND USE APPROVAL	BASE FEE	GIS FEE	ESCROW
Conditional Use Permit, single family residential	$250		$0
Conditional Use Permit, other	$500		~~$1,250~~ **$3,000**
Conditional Use Permit, other – amendment	$150		~~$500~~ **$1,000**
Comprehensive Plan Amendment	$500	$50	$2,500
Comprehensive Plan Amendment - minor	$200		$250
Zoning Code Amendment	$500		$500
Zoning Code Amendment – minor	$100		$250
Rezoning	$500	$50	~~$0~~ **$500**
Variance - Residential	$200		$0
Variance - Commercial	$200		
Planned Unit Development Preliminary Final	 $1,000 + plat fees $500		 $5,000 ~~$2,500~~ **$3,000**
Planned Unit Development Amendment	$250		$1,000
Determination of Substantially Similar Use	$200		$200
Major Site Plan Review	$500		~~$2,000~~ **$3,000**
Preliminary Plat	$250/+ $5 per lot		$3,000
Final Plat – single family	$350	$25/lot	~~$2,000~~ **$3,000**
Final Plat - other	$200	$100/acre	$3,000
Waiver of Plat	$300	$25	
Administrative Subdivision	$100	$25/lot	
Street Easement Vacation	$150	$50	**$500**
Street Dedication	$150	$50	
Wetland Conservation Act Certification	$75		

Wetland Replacement Plan	$200	$100/acre	$2,500
Northwest Area Sketch Plan Review			$1,000
Northwest Area Environmental Studies Fee	$80/gross acre		
Abstract Fee	$46		
Interim Use Permit	$500		$1,250
Non Conforming Use Certificate	$500		$1,250

(Ord. 1180, 12-10-2007)

Section 4. **Effective Date.** This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 13th day of January, 2014.

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk