



Inver Grove Heights City Council

Monday, March 14, 2022, at 6:00 p.m.

8150 Barbara Avenue, Inver Grove Heights, MN 55077

A G E N D A

NOTICE TO RESIDENTS: Individuals may submit written public comments in advance of the meeting by emailing comments to Rebecca Kiernan (rkiernan@ighmn.gov). Comments received prior to 4:00 p.m. on Monday, March 14, 2022, will be provided to the Council at or before the March 14, 2022 meeting.

- 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 Councilmember or citizen so requests, in which event the item will be removed from this agenda and considered in normal sequence.

- A.**
 - i. Minutes from the February 14, 2022, City Council meeting
 - ii. Minutes from the February 26, 2022, City Council retreat
- B.** Resolution approving disbursements for period ending March 8, 2022
- C.** Approve personnel actions
- D.** Resolution approving establishment of precinct boundaries & polling locations
- E.** Authorization to enter into contract with Iverson Reuvers
- F.** Resolution Approving Plans & Specs & Authorize Bids for VMCC Pool Filters
- G.** Approve service contract with WSB to bring plans and specification to 100% for Heritage Village Park - Phase 4.
- H.** Resolution Accepting Construction and Inspection Oversight Proposal from Bolton & Menk for the Peltier Development
- I.** Resolution Accepting Construction and Inspection Oversight Proposal from Kimley-Horn for Highlands of Settlers Ridge
- J.** Resolution Accepting Construction and Inspection Oversight Proposal from EOR for Inver Point Business Park Second Addition
- K.** Final Compensation Change Order (Change Order No. 1), Final Pay Voucher (Payment No. 2), Engineer's Report of Acceptance and Resolution Accepting work for City Project No. 2021-08 Southern Trunk Watermain Improvements
- L.** Resolution Approving Final Plans and Specifications and Authorizing Advertisement for Bids for the 2022 Pavement Management Program, City Project No. 2022-09G - Albano Trail and Albright Court Rehabilitation
- M.** Resolutions Approving Budgets for City Project No. 2016-09F - Carleda Way Area Improvements and City Project No. 2021-16 - Cahill Trunk Drainage Improvements
- N.** Approve IAFF Contract

- O. Award Contract for Utility Rate Study
- P. Updated 2022 Legislative Platform

5. Public Hearing

- A. Public hearing and second reading of ordinance amending certain park dedication fees

6. Regular

- A. Consider the following actions for 1770 102nd Street (Osborn).
 - 1. A Resolution approving a Variance from setbacks for an accessory building.
 - 2. A Resolution denying a Variance to allow a second accessory structure.
- B. Consider approval of Rental Licenses (6)
- C. Consider approval of proposal from WSB for additional costs to perform 65th Street Feasibility Report Updates

7. 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.

8. Mayor and Council Comments

9. Adjourn

This document is available upon a three (3) business day request in alternate formats such as braille, large print, audio recording, etc. Please contact Rebecca Kiernan, City Clerk, at 651.450.2513 or rkiernan@ighmn.gov.

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, FEBRUARY 14, 2022 - 6:00 P.M. - 8150 BARBARA AVENUE**

1. CALL TO ORDER:

The City Council of Inver Grove Heights met in regular session on Monday, February 14, 2022, in person. Mayor Bartholomew called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

2. ROLL CALL:

Present In-Person: Mayor Bartholomew, Council Members: Murphy, Gliva, Piekarski Krech; City Administrator Wilson, City Attorney McCauley Nason, City Clerk Kiernan, City Planner Hunting, Community Development Director Rand, Public Works Director Connolly, Fire Chief Thill, and Parks and Recreation Director Lares.

Present via Zoom: Council Member Dietrich.

Also Present: Evan Bohlman, President, Inver Grove Heights Fire Relief Association

Mayor Bartholomew mentioned that Agenda Item 6D will be tabled and not considered this evening.

3. PRESENTATIONS:

4. CONSENT AGENDA:

- A.**
 - i.** Minutes from the January 3, 2022, City Council work session.
 - ii.** Minutes from the January 10, 2022, City Council meeting.
- B. Resolution 2022-022** approving disbursements for period ending February 8, 2022.
- C.** Approve personnel actions.
- D.** Authorize replacement of ESXI server hardware.
- E.** Final acceptance of fiscal year 2021 JAG Grant. **Resolution 2022-023**
- F.** Receive Planning Commission recommendation regarding proposed road improvement projects. **Resolution 2022-024**
- G.** Consider a **Resolution 2022-025** Approving Final Plans and Specifications and Authorizing Advertisement for Bids for the 2022 Pavement Management Program, City Project No. 2022-09E - Alison Way Area Street Rehabilitation.
- H.** Consider a **Resolution 2022-026** Approving Final Plans and Specifications and Authorizing Advertisement for Bids for the 2022 Pavement Management Program, City Project No. 2022-09F - Tyne Lane Area Street Rehabilitation.

Motion by Dietrich, second by Murphy, to approve the Consent Agenda.

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC HEARING:

A. Public Hearing to Consider Approval of 2022 3.2 Off-sale Liquor License renewals for Pilot Travel Center, Speedway #4411, and Speedway #4548

City Clerk Rebecca Kiernan stated the Council is asking to hold a Public Hearing to consider the renewal of the three remaining applications for Liquor Licenses for 3.2 alcohol. Those include:

- Pilot Travel Center

- Speedway #4411
- Speedway #4548

The city received renewal applications for the 2022 calendar year. A public notice was given. Information regarding the completion of their Alcohol Server Training was provided by the three Applicants to verify that all employees engaged in the selling of alcohol received training within the last 24 months. Staff recommends holding a Public Hearing approving the Liquor Licenses for:

- Pilot Travel Center
- Speedway #4411
- Speedway #4548

Mayor Bartholomew opened the Public Hearing at 6:03 PM.

Motion by Piekarski Krech, second by Gliva, to close the Public Hearing at 6:03 PM.

Ayes: 5

Nays: 0 Motion carried.

Motion by Piekarski Krech, second by Gliva, to approve the 2022 3.2 Off-sale Liquor License renewals for: Pilot Travel Center, Speedway #4411, and Speedway #4548.

Ayes: 5

Nays: 0 Motion carried.

6. REGULAR AGENDA:

A. Fire Relief Association benefit level and 2022 contribution. Resolution 2022-027

City Administrator Kris Wilson stated the request is from the Inver Grove Heights Fire Relief Association for an increase to the annual Pension Benefit. Two Officers are present from the Relief Association and can speak to the request.

Mayor Bartholomew stated the Council has received the package and the recommendation from Staff.

Evan Bohlman, President of the Inver Grove Heights Fire Relief Association, discussed projection options for a benefit increase. The current request is to go from \$10,000 per year of service to \$13,650. It would leave the fund at 112% funded, which is above the 105% in the Agreement with the city. He suggested keeping in mind that it does have projected voluntary contributions from the city in years 2022, 2023, 2024 to the end of the ten years. These projections are something that is in the city agreement. He said they have had discussions with City Administrator Wilson and Finance Director Hove regarding looking at different options at the end of the current agreement. They have 2022 and 2023 left. He said there may be some possibilities that some of those monies may be shifted over to hourly wages, which is one of the items that is on the table. He would like to see going forward, that there is still something going into the Relief Association from the city to help support the fund.

He stated the next projection shows if they were not to get a city contribution from 2024 going forward. The number they would want to disperse down to would be \$12,500. That amount would be the increase level they would like to go up to, it would leave the fund at 119% funded. He mentioned the contribution for this year is on the Agenda for this evening. The contribution next year would be the last one in the current agreement. He said he plans to meet with City Administrator Wilson and Finance Director Hove to discuss the next five- or six-year agreement, to get something in there for the next set

of years. He felt it appropriate to sit down at some point this year to start working on what the next agreement would look like.

He mentioned there was also a file on other cities data. He reached out to other Relief Associations and cities. He said City Administrator Wilson reached out to Prior Lake's City Administrator to get their Relief Association information. He said he tried to get as much information as he could such as: How they calculate benefit increases and how they go about the increase process. He found there are many different ways that cities are currently doing this.

Councilmember Murphy asked if there is any historical data on the Relief Associations overfunding rates/percentage prior to the market moving. Mr. Bohlman responded he did not believe they had anything like that for past years.

Councilmember Piekarski Krech said historically she believed it was always over. She was unsure what the scenario was in the year there was a mandated city contribution. She was unsure if it was because the funding was not there or because the numbers that the State required was not there. She said it was about \$29,000 or \$30,000 that the city had to put in. Up until that point she felt the city had sporadically put in, it had not been in any regularity. She said that was when they finally came to an agreement that there is a stable amount that goes in. Mr. Bohlman replied the stable amount helps avoid the required contributions. He could not recall what year that was but felt it may have been the only time he heard of there being a required contribution. He mentioned that one of the things in the city agreement is that they make all attempts to avoid a required contribution that is higher than the voluntary contribution.

Councilmember Dietrich asked what Mr. Bohlman's thoughts were on what City Administrator Wilson was proposing (included in the packets) and the feeling of the Firefighters around that. Mr. Bohlman replied he could explain to the membership why they went with the \$12,500. He said if nervous or hesitant that there might not be a city contribution in the future, that would be the option to go with. If going with that option, he would like an understanding of where that city contribution would be going. He would ask, before taking from the retirement contribution to fund an hourly wage, to please look at any other options of what could be done to increase the hourly wage without taking from the retirement compensation. He said it would be great if they could keep the compensation going in at the amount on the projected plan. He said if there was anything that could be done with the hourly wage. He has not been involved with hourly wage conversations.

City Administration Wilson summarized what was in the Council packets. The request from the Relief Association is for an increase from \$10,000 to \$13,650. It is a sizeable increase being requested and is dependent upon the city continuing to provide a growing, steadily increasing voluntary contribution. The city is under a 6-year agreement with the Relief Association, 2022 is year 5, 2023 is year 6. She stated the city should fulfill its commitment under the agreement and are budgeted to do so for this year. There is no reason to think that they would not budget for it next year. She recommends the Council keep its options open moving forward. The hourly wage for our Paid-on Call Firefighters has not kept pace or seen the same kind of increases this pension benefit has seen in recent years. She said it was important to keep options open to have the financial choice to make that kind of contribution.

She stated an increase to \$12,500 would make our per year of service benefit the largest of any Relief Association of our type in Minnesota to the best of their knowledge. She mentioned the Relief Association and herself have made efforts to reach out to other metro area Relief Associations. They have not sought out like plans in greater Minnesota because those generally tend to have a lower benefit. The recommendation to go to \$12,500 puts the city at the top benefit, keeps the fund reasonably healthy, and leaves options open for the future. Another increase can be considered next

year and in subsequent years. She said this is a sizeable increase, it is a 25% increase even at the reduced amount in one year. That extends well beyond the types of compensation increases provided to other city employees. The investment earnings in this fund allow for that. This fund is solely for the purpose of providing a pension. She recommends a slightly slower and steadier approach.

Councilmember Piekarski Krech asked how they got to \$12,500 and \$13,650. She asked if there was a reason it was not \$12,750. She said she was trying to incentivize our Fire personnel, while at the same time providing a balance. She said with the municipal contribution, in the next year they need to have serious conversations about the part to the Relief Association and what goes to hourly wage. She agrees that the hourly wage for Paid on Call is grossly lacking for the service they provide and the things they are being asked to do. She asked where they could get that balance. She knows the Fire Study is being done but was unsure if that would help with any of this. She wanted everybody fairly compensated for all of the things they have done. She understands that it seems like a big jump to the City Administrator, but for our Fire personnel, it is not considering the years they have gone with no increase in wages and no increase in the benefit of the Retirement Association. She would like to find a mutually beneficial balance, so they are incentivizing our Paid-on Call people to stay and still be financially sound.

Mayor Bartholomew asked Councilmember Piekarski Krech what that meant, if she is considering something different than the \$2,500 increase, and how they would approach the hourly wage. If making a verbal commitment or increasing the hourly wage in the next budget year. Councilmember Piekarski Krech responded there is a contribution, she questioned if it should go up that much, does it go up less into the Relief Association, and some of it goes into an hourly wage. She said there is already a commitment shown of about a million dollars for the next 10-11 years. She asked if that should be divided differently to keep people and get people who want to continue joining the Volunteer Fire Department. She said she does not have the answers but would like to make sure they are actively doing something and not putting this on the back burner again. She commented that they have said for years that Paid on Call wages need to be increased. It has only been done \$2.00 to \$3.00. It has not been the kind of increase that puts them at parity with the longer ones.

Mr. Bohlman addressed Councilmember Piekarski Krech's first question about the amounts that were \$12,500 and \$13,650, that is the numbers the Auditor pulled. Anything in between should be pretty safe. The State said up to \$15,000. They do more than that by running projections to see effects 10 years out. These projections have a lot of safeties built into them and are pretty conservative. By the increases they have been able to do, their fund has performed better than projected. There are numerous factors that go into that. One of those is with the individuals retiring in a couple of weeks to go full time Fire with Inver Grove Heights. The fund assumed they were going to stay in until they were 50, they are not. The fund is not having to fund their retirements that long anymore. When they rerun projections this year, a process they have already begun, he would expect they would return better than what is shown here.

Councilmember Piekarski Krech stated their time comes out now. For example: If on 20 years and it is \$10,000, gets \$200,000, that is locked. Mr. Bohlman responded yes; they are locked as liability. The individuals who are not 50 yet are moved to the deferred list, the "IOU" list, they are owed that money. Whenever they turn 50, they can request it at any time. The portion of these people's money is going to be sitting there for quite a few years collecting interest, which is how the fund works because they do not pay them interest. Their funding is locked at what would be set tonight and would receive at some point in the future. In the meantime, the fund makes interest off of their money sitting there.

Councilmember Dietrich stated this is something that is very near and dear to her heart. Public Safety is incredibly important and falls under our short list on our purview. She said this was their money, it is a tough one.

Mayor Bartholomew stated he believes Administration makes a great point, the \$2,500 increase is very generous, it puts them in a good position. He is concerned that they concentrate on the wages, he is missing that piece in this proposal. Address the hourly wage and get it in a position where they are competitive and not behind. He said he is missing where that discussion is.

City Administrator Wilson stated the action before the Council tonight does not change the hourly wage. They are not in a position to do so given the Operating Budget for the city and Fire Department have already been set. Funding for a wage increase like that was not provided for in this year's Operating Budget. They would look to it in future years. The recommendation coming from her office is that they make a benefit adjustment now that does not depend on continued increasing city contributions beyond our current agreement. The amount of \$12,500 is something the fund can support without assuming that. It does not prevent such contributions in the future. The next opportunity for conversation around wages would come with discussions around the 2023 Budget which would start in earnest the second half of the summer with Council, and with Staff a little bit earlier. She said the commitment with them includes a voluntary contribution with the Relief Association in 2023. Those factors would have to be balanced. Nothing before the Council tonight takes formal action, Staff is continuously listening to Council's discussion and taking those cues as they look to put together budgets.

Councilmember Piekarski Krech said she would go with \$12,750 because she believes they need to bump it up a little bit more. She suggested having discussions about how they do wages. She said the projections are assuming something they are not acting on tonight. Every year it has to come to the Council whether or not there is a raise. She believed they need to start showing their support a little more than what they have.

Councilmember Murphy agreed that wages are an issue. He was glad they changed the vesting schedule. He said without more data he does not know if they are fully appreciating what a strong economy has done to this overfunding. He said he looks at neighboring cities and likes where the city sits. He mentioned that there were a lot of old pension plans that were stronger today than they are going to be a few years from now. He struggles with what the future looks like and what that commits the taxpayers to from the city. He is struggling with the 25, 30, or 35% raise, it was better off on the hourly side of things. He liked the recommendation where they continue with the Contract and have a little time to reevaluate, especially around wages. He said this was a hard one for him and he wanted to share that.

Councilmember Piekarski Krech said she thought the big part of the taxpayer part of this is not in this fund. The State of Minnesota contributes to this fund, the city puts a voluntary contribution in. At \$12,500, the voluntary contribution goes away after 2023.

Councilmember Murphy commented that they do not know what they will be doing after 2023. He asked if they were obligated if it falls below 105. City Administrator Wilson responded it is possible to get to a situation where the city is obligated to make a contribution. That comes to the city from calculations the State does on how the fund is funded. She said she did not believe them going below 105 was not automatic that the city would owe a contribution.

City Administrator Wilson addressed Councilmember Piekarski Krech's point saying if doing an increase to \$12,500 now, it does not prevent from continuing to make future voluntary contributions. It prevents them from getting too far ahead in committing to doing so before they have analyzed a future contribution.

Mayor Bartholomew addressed Councilmember Murphy and asked if he was fine with Staff's recommendation of a \$12,500 increase or if he was for less than that. Councilmember Murphy responded he needs to better understand how it impacts the ability to raise the hourly wage. Councilmember Piekarski Krech replied it has nothing to do with it. The hourly wage comes from the city. The Retirement Association has nothing to do with the hourly wage. That is strictly their retirement benefit when they leave the Fire Service.

City Administrator Wilson respectfully disagreed with that a little and said they can afford the \$1250. The Relief Association can afford it based on current contributions. The city is currently putting a voluntary contribution into the Relief Association, it is just a bit under \$90,000 this year. That is property tax revenue the City Council can choose to put towards any function of the city. As an example: if that \$90,000 were to be put towards wages for the Relief Association, that would afford approximately a 15% wage increase to the Paid-on Call Firefighters. It is a choice that is available to the Council. She mentioned she is not recommending any such action be taken this year because they entered into an Agreement with the Relief Association to make these voluntary contributions. She believes the city should follow through on that agreement. It is a forecasting of the decisions to come when the Council considers a future multi-year agreement for a voluntary contribution. She questioned if they want to continue to make that level of contribution. If going to \$13,650 now, our ability to fund that is based on a projection that the contribution will continue and grow by a bit each year.

Councilmember Murphy said it is city money. City Administrator Wilson replied the voluntary contribution is city property tax revenue.

Councilmember Piekarski Krech said in the scenario they are looking at, and what Staff recommended, there is not that contribution in 2024 and beyond.

Councilmember Gliva asked if they were intending that would also benefit level increase in 2023 as stated. City Administrator Wilson replied they are not being asked to commit to an increase in 2023. The projections showed that a modest increase could be afforded in 2023. That would come back as a second action before this Council late this year, prior to the start of 2023.

Councilmember Piekarski Krech asked when the last benefit increase was. Mr. Bohlman replied the last benefit increase would have been January 1st of 2021, to the current \$10,000 level.

Councilmember Piekarski Krech asked when it was before that. Mr. Bohlman responded it would have been January 1st each year.

Councilmember Piekarski Krech asked if they had increased it each year. Mr. Bohlman responded not every single year. Some years have been like \$50.00.

Councilmember Piekarski Krech said she believed \$12,750 makes sense. It is not what the Relief Association is asking for, but it is a more modest amount. It starts getting some incentive out there to maintain our Volunteer Fire Department. They go up to \$12,800 in 2024 anyway based on the slide projection. She thought they would be safe at \$12,750. She said to start telling our volunteer

Firefighters that we do value them. She said a discussion on the wages and how to arrive at some kind of parity is needed.

Mayor Bartholomew said he was in favor of the \$2,500 increase and further discussion regarding wages and acknowledgement of underfunding. He said he would also support the \$2,750 as moving forward with some compromise. He believed the bottom line was that they should do something. He said Staff has done a good job of showing it. This is a very generous increase. He would be ok with the \$12,750 but did not think he would be comfortable with much after that. He asked how they assure the caveat that they are going to address these things in the future. They have to get some commitment.

Councilmember Piekarski Krech said she thought they would have to have that direction. She assumes Staff understands that. Because they would go to \$12,750 now, does not mean it has to be raised next year, they could look. She addressed Councilmember Murphy's point regarding numbers, projections, and what happens with the market saying they look at that every year, it can always be changed. She mentioned at this point there are assets there to cover that kind of an incentive. She said she has a hard time comparing this to our other employees. It is a whole different situation and the history of how they have been treated is different. She is looking to try to bring them to some parity now that in earlier years the city did not have.

Councilmember Murphy asked if there were any numbers available that show potential overfunding rates without city contributions based on market growth alone. Mr. Bohlman responded that would be the \$12,500 scenario that shows what would happen if there was not a city contribution after 2024. That gives a good representation of where they would be at if the city contribution stops then.

Mr. Bohlman stated as mentioned earlier with the individuals that are retiring out of the plan, they no longer have to fund them until 50. These projections would look a bit better when coming back later in the year to look at another potential benefit increase. He said it was somewhat like what happened last year, any surplus they do not distribute now is still sitting in the fund. He was sure they would be talking later this year or early next year about another benefit increase.

Mr. Bohlman addressed the question of what would happen if they went into a deficit stating when the State audits their fund, they get the MBW (Maximum Benefit Worksheet). If they determine they are in a deficit, which is not automatically 100% it could be 95% or 98% from his understanding of talking with the State Pension Director, if they issue and say they are in a deficit, then the city has to make a plan to amortize those payments over 10 years. As soon as the plan gets above a deficit level, they are off the hook for any other required contributions. That was what has been described to him. He said in talking with the State Pension Director and the Investor even in the 2008 crisis, the funds that did go into deficit (Inver Grove Heights was not one of them) they rebounded within a year to two. Then amortized payments stop once the fund gets back over the deficit level, which is not automatically 100%.

Councilmember Murphy questioned if the fund has never been underfunded. Mr. Bohlman replied he would have to check; it was a lot of years to double check. He has not been told they have been underfunded in the past.

Councilmember Piekarski Krech commented in her recollection, the only thing they came up with was because of how they figure. The city had to make a contribution to have some number work out. It was not because the fund was short.

Councilmember Dietrich agreed they could go to \$12,750. She would be in support.

Mayor Bartholomew said he likes the city's proposal at \$1250 but sees the rationale for \$12,750 to show good faith, get momentum, and recognition acknowledgement for Paid on Call.

Motion by Piekarski Krech, second by Dietrich, to make the contribution level at \$12,750.

City Administrator Wilson recommended Councilmember Piekarski Krech make the Motion that we adopt the enclosed Resolution "filling in the blank" to a benefit of \$12,750 per year of service.

Motion by Piekarski Krech, second by Dietrich, to adopt Resolution 2022-027 Approving a pension benefit increase for the Inver Grove Heights Fire Relief Association in the amount of \$12,750 per year of service, effective February 15, 2022.

Ayes: 5

Nays: 0 Motion carried.

Mayor Bartholomew thanked Mr. Bohlman for the input and Staff, and Councilmember Piekarski Krech for bringing the Council up to speed on some historical perspective.

B. Consider a Resolution approving a final plat and final PUD development plan for South Grove Townhomes 2nd Addition. Property located east of Clayton Avenue, north of 67th Street. Resolution 2022-028

City Planner Allan Hunting discussed the Final Plat and Final PUD Development Plan for South Grove Townhomes, 2nd Addition located on the old South Grove Elementary School property and Clayton Avenue. This is regarding the eastern side, Phase 2. Phase 1 was approved and consisted of the first set of townhomes (36), 10 single family homes, and the public street system. The streets are in, and units are being constructed. Tonight, the Council is looking at Phase 2, the final phase, consisting of 34 units of townhomes. They are the same as preliminarily proposed. Construction would be of the final grading of the site and constructing the private road system to serve those. As a part of the PUD, they would provide permanent open space. The first phase had some open space along the northern boundary. Phase 2 has open space that prohibits from constructing buildings but still allows to be mowed and maintained (this document will be coming forward at another meeting). Park Dedication would be in the form of Cash Contribution. This was the recommendation during the first Phase and would carry through to Phase 2.

He addressed concerns that were brought forward from the beginning regarding residents of the Oaks Development on the northern boundary. To get to their fences on the backside of their property, those residents used the School District's property to get to them and maintain them. The Developer has voluntarily provided a pedestrian easement so those residents can continue to get to the backside of their lots and to the fence. He mentioned that this is being worked through with Attorneys from both sides. He did not believe it has been completed, the Applicant can provide an update.

He stated there would be development agreements for this including: improvement costs for the project and the open space agreement. Those would be brought to the Council as a Consent Agenda Item with the next meeting. Staff and the Planning Commission recommend approval for the Final PUD Plan and Plat for the South Grove Townhome 2nd Addition.

Mayor Bartholomew referenced the easement and asked what the timeline was and when it would be resolved. He questioned if it were an agreement that would be resolved in the future. He mentioned it would be an agreement between the property owners and neighbors, there is a commitment that it

would be fulfilled. City Planner Allan Hunting replied yes, it is a private agreement between the two parties. The Development Contract for Phase 1 said it should be in place before CO's are issued for Phase 1. There is an escape clause in there in case the two parties cannot come to an agreement. It does not hold up occupancy of the buildings. The Applicant is to have good faith effort to get this easement done. He believed the Applicant can discuss further when they have the chance to speak.

John Rask, M/I Homes, 5354 Parkdale Avenue, Suite 100, St. Louis Park, MN 55416. He stated they have been in conversations with the Oaks about the easement. A draft of the easement was given in April 2021. It was sent again in December asking for their consent to it. To his knowledge they have no objection to the easement being provided. He mentioned that at one-point additional width was requested, which they agreed to give them because of concerns that they would need more room. He believed that information was sent to their Attorney on December 20th. They have not heard a response; he was unsure where the breakdown is. He said he has not heard an objection to it, it is a simple easement document that they are willing to grant to them, they are not asking for compensation or anything in return but need them to agree and acknowledge it. It is an easement which will be the future Homeowner's Association property to the Oaks Association because there are numerous properties that would benefit from the easement and have access rights to it. They need the Association to agree and sign off on it. He was unsure what the holdup was. He said he would follow-up again.

Councilmember Piekarski Krech was concerned about the easement. She said Mr. Rask's Association would own the property and maintain it. The Oaks would have the right to come to repair their fences. Mr. Rask responded it does not really give them use of the property, it gives them access.

Councilmember Piekarski Krech stated her concern was weeds growing on the back of the fence. Mr. Rask responded his Association would maintain up to their fences, which are on the lot line. If the Oaks residents ever need to get in there, they do not have to take their fences down. He said he was aware a few of the homeowners on the other side have projects they had in mind to do at some point. This would give them the right to come in that way. He said in the Oaks, in order to get into some of those yards they would have to come through their neighbors' yards, which also have fences. They are kind of landlocked.

Mayor Bartholomew asked if Mr. Rask has seen the Resolution and the three conditions and if he was fine with them. Mr. Rask responded he is in agreement.

Councilmember Dietrich stated she appreciated the collaboration between public and private.

Mayor Bartholomew stated the request is to approve the Final Plan and Final PUD as in the packet. He thought this was a good plan, well on course, and ties into the preliminary well. He was glad the easement was being worked out with the neighbors. It makes sense and shows good faith between the two Associations.

Motion by Piekarski Krech, second by Murphy, to approve Resolution 2022-028 approving a Final Plat and Final PUD Development Plan for South Grove Townhomes 2nd Addition. Property located east of Clayton Avenue, north of 67th Street.

Ayes: 5

Nays: 0 Motion carried.

C. Consider Variance for 6050 Concord Boulevard.

- 1. A Variance from exterior building material requirements to allow a structure with a canvas/poly exterior material. Resolution of Denial 2022-029**
- 2. A Variance from Side and Rear Yard setbacks for an accessory structure. Resolution 2022-030**

City Planner Hunting discussed property located at 6050 Concord Boulevard. This is a two-part variance request; one is for exterior siding from the I-1 District and one is for setbacks. The Applicant operates a landscaping business. Over the winter months the Applicant constructed a temporary hoop type structure to store their equipment. The structure was constructed without Permits; this is an after the fact variance. The first part of the variance is the hoop structure with plastic/poly type material that is not a permitted exterior material in either commercial or industrial zones, this is in the I-1. The second part of the variance is from setbacks. He referenced a drawing included in the Council packets that the Applicant had provided. He said the setbacks were not quite accurate. He referenced the structure in the drawing and said it is approximately 15 feet from the north property line, 27 from the rear along the railroad tracks, and 19 from the south side. In the I-1 District setbacks are 40 feet from side and rear for both principle and accessory. All regulations apply to structures whether permanent or temporary.

He stated the canvas/poly is not a permitted material. It is supposed to be something of a brick veneer, sculptured/textured concrete block or panels, natural wood siding, steel, aluminum, or vinyl lap siding, natural stone, or glass. The setbacks were 15, 19, and 27. He said the Planning Commission looked at this and did not find any Practical Difficulty to support the exterior surface material. The Planning Commission determined that should comply. The Planning Commission was supportive of the variance because of the smaller size of the lot. The lot itself is only about 100 feet wide, approximately 16,000 square feet, difficult to fit a structure on there that would meet setbacks. The Planning Commission felt there was Practical Difficulty in the size of the lot to support the variance. Staff has the same recommendation. He said presented for action is a Resolution to deny the exterior siding variance and a Resolution to approve the setback variance. The Planning Commission's recommendation was that they are allowed 15 feet side yard, either north and south, and 27 as proposed for the rear.

Mayor Bartholomew clarified the request stating that the variance proposed by the Planning Commission is 15 feet on the sides and 27. He asked if the existing footprint is that they are not in that zone at this point, or if they were in that. Mr. Hunting replied they would be meeting that on the north side they are further away on the south side. He was unsure of the Planning Commission's full rationale, they felt it made more sense to have the same setback, have it centered.

Mayor Bartholomew asked as the footprint currently sits, they are within the 27 and within the 15 on both sides of the drawing. Mr. Hunting replied yes.

Terry Trkla, owns Kaposia Tree Service, 6050 Concord Boulevard, said there was originally a second building there that was likely built in the 40's. They found that it was not structurally safe and tore it down. He is asking for a two-year variance. He is planning on buying the property from Jim Kamish, with whom he has been negotiating. If he receives a two-year variance on this building it would give him time to purchase the property, get plans, and build a building there. If the setbacks were ok, they would probably build in the same spot.

Mayor Bartholomew asked if Mr. Trkla was aware the Planning Commission set the setbacks. He commented that it looks like there would be plenty of room with 15, 15, and 27.

Mr. Trkla said those numbers were not accurate as the property line goes further north than what was on the drawing. Mayor Bartholomew replied he was being allowed a 15-foot variance from the

property line, that was his understanding from information provided by Mr. Hunting. He asked City Planner Hunting if that was correct. He said it seemed bigger from where Mr. Trkla was at currently, he does not see it as an issue.

Mayor Bartholomew said the issue for him is going to be the covering of the building. He does not see a Practical Difficulty, which is going to be an issue. He said there was a reason why they had those kinds of specifications. The reason is not to have buildings that are subject to wind damage.

Mr. Trkla commented that Wagner's Sod has the same type of buildings, they store their equipment in there, the same applies to Gertens. Mayor Bartholomew said he could not comment about how they got those and why. If they were grandfathered in, he was not aware. He only knows what is in front of the Council this evening.

Councilmember Piekarski Krech stated years ago when Mr. Kline was still on the Council there was an issue with these types of buildings and the poly siding. She said she thought they passed an Ordinance that made them illegal in the city. City Planner Hunting responded she may have been referring to an issue in a residential zone. Someone had a very large hoop structure with the poly plastic hoops. The Ordinance was amended to prohibit a hoop structure plus anything covered with plastic/poly in residential zoning districts. He said it was not addressed before in the business and industrial zones. The rules have always been that those are not allowed. The only zoning that is allowed/use is commercial greenhouse. They are not permitted in any other zoning district or any other type of structure in the city.

Mayor Bartholomew asked if they were not permitted in Ag. City Planner Hunting replied Ag was the only district they were allowed, as a commercial greenhouse. Just that type of a structure.

Mayor Bartholomew stated this is for consideration for a variance as mentioned. The Planning Commission is in agreement with the variance request for setbacks. He believes they are reasonable. He said he struggles with, and cannot support, a variance for the exterior material change/allowance, to other than what is provided in Statute.

Councilmember Piekarski Krech asked what the other Quonset huts down there were made of and if they were steel. City Planner Hunting replied there were at least two, he believed there was steel on there and wood on another. Due to the age of the structures, they would be non-conforming. There is a rigid material on them.

Councilmember Gliva said she does not see a Practical Difficulty. She mentioned the variance setback was fine and seems reasonable. She asked if the structure is already up, what that meant, if it meant it comes down. She questioned how that works. City Attorney Bridget McCauley Nason responded if the variance is denied, it would need to come down. There would be a moderate amount of time provided for that structure to be removed. If not removed, the city could take further enforcement action regarding what would be an illegal structure.

Mayor Bartholomew asked who sets the timing for removal, if it is the Council, Staff, or in Statute. City Attorney McCauley Nason replied it is not in Statute. In the past, the Council can give Staff direction on enforcement. She was unsure of what the logistics were of removing that type of structure. She understands there might be a request to build a permanent structure, that should probably be factored in as well.

Councilmember Piekarski Krech asked if the structure would have to be removed or just the cover. The issue is the poly cover. City Planner Hunting responded that is the issue, but the hoop structure does not have exterior vertical surface, which the Code requires up to a roof line. The intent was not to have the hoop because there are not sides, it is the same across. He thought there may be a base with some wood up to a certain height. Staff would look at it as being the entire structure because of the way it is constructed.

Mayor Bartholomew asked what has been done in the past, if something has been done in the past, and what kind of an agreement came with the property owners regarding removal or compliance. City Planner Hunting responded he could not recall one. He asked if it was reasonable to have 30 days.

City Attorney McCauley Nason stated if the city were to discover an illegal use, Code Enforcement would communicate and give a two week notice and then a 30-day notice. She would say 30-60 days would probably be reasonable to provide the property owner for removal of the structure.

Mayor Bartholomew agreed and said due to the weather, he would like to see 60 days. That would get them into spring and warmer weather. He did not want to see someone out there in 10-degree weather and force them into compliance. He thought it was unfair to the property owner and illogical to enforce something like that. Councilmember Murphy agreed.

Mayor Bartholomew said 60 days is appropriate. He asked Mr. Trkla if 60 days seemed reasonable.

Mayor Bartholomew stated this is for approval of the variance for the setbacks and denial of the variance for the hoop structure and the covering material with a 60-day compliance.

Mayor Bartholomew asked what the Council's thoughts were on 90 days. He said he was fine with 90 days but have to make sure the compliance is there. In the past they have given individuals, not saying that would happen in this case, a timeframe and they stretch it out. He wanted to make sure there was full understanding that 90 days means 90 days.

Motion by Piekarski Krech, second by Gliva, to approve Resolution 2022-029 to deny the variance including the findings of fact related thereof from the exterior building materials with the Council statement to Staff that enforcement action does not begin until 90 days from today's date of February 14, 2022 for property located at 6050 Concord Boulevard.

Ayes: 5

Nays: 0 Motion carried.

Motion by Gliva, second by Murphy, to approve Resolution 2022-030 for a variance and allow the structure with reduced sides and rear yard setbacks for property located at 6050 Concord Boulevard.

Ayes: 5

Nays: 0 Motion carried.

D. TABLED to 2/28/2022: Consider the following actions for At Home Apartments. Property located in the northwest quadrant of Hwy 3 and 70th Street.

1. A Resolution approving a Comprehensive Plan Amendment to change Lot 1, Block 2 from HDR (High Density Residential) to MDR (Medium Density Residential).

- 2. An Ordinance rezoning Lot 1, Block 1 and Lot 1, Block 2 from A (Agricultural District) to R-3B/PUD (Multiple Family Residential Planned Unit Development District).**
- 3. A Resolution relating to a Preliminary Plat for a three lot, four outlot plat and Preliminary PUD Development Plan for a 253-unit residential development over Lot 1, Block 1 and Lot 1, Block 2 to be known as At Home Apartments.**

This Agenda Item has been tabled.

City Attorney McCauley Nason requested the Council make a Motion to continue consideration of Agenda Item 6D. Consider the following actions for At Home Apartments. Property located in the northwest quadrant of Hwy 3 and 70th Street.

- 1. A Resolution approving a Comprehensive Plan Amendment to change Lot 1, Block 2 from HDR (High Density Residential) to MDR (Medium Density Residential).
- 2. An Ordinance rezoning Lot 1, Block 1 and Lot 1, Block 2 from A (Agricultural District) to R-3B/PUD (Multiple Family Residential Planned Unit Development District).
- 3. A Resolution relating to a Preliminary Plat for a three lot, four outlot plat and Preliminary PUD Development Plan for a 253-unit residential development over Lot 1, Block 1 and Lot 1, Block 2 to be known as At Home Apartments.

and continue the item to the February 28, 2022 City Council Meeting.

Motion by Piekarski Krech, second by Gliva, to continue the following Agenda Item to the February 28, 2022 City Council Meeting:

Agenda Item 6D. Consider the following actions for At Home Apartments. Property located in the northwest quadrant of Hwy 3 and 70th Street.

- 1. A Resolution approving a Comprehensive Plan Amendment to change Lot 1, Block 2 from HDR (High Density Residential) to MDR (Medium Density Residential).**
- 2. An Ordinance rezoning Lot 1, Block 1 and Lot 1, Block 2 from A (Agricultural District) to R-3B/PUD (Multiple Family Residential Planned Unit Development District).**
- 3. A Resolution relating to a Preliminary Plat for a three lot, four outlot plat and Preliminary PUD Development Plan for a 253-unit residential development over Lot 1, Block 1 and Lot 1, Block 2 to be known as At Home Apartments.**

Ayes: 5

Nays: 0 Motion Carried.

E. Approval of rental licenses (23).

Community Development Director Heather Rand said the city requires homes that are rented, be it single family, multi family, apartments, or townhomes, licenses. There is an application every two years that the owners must submit. Applications are reviewed by Community Development Staff for their thoroughness, BCA background checks are conducted, and the Police Department conducts their review. There is a list of 23 completed applications. Staff recommends approval of the following 23 Rental License Applications:

- 8553 Bechtel Court - Joseph Wyman
- 4868 Bivens Court - GKH Management
- 8851 Broderick Blvd - John Brondello
- 4880 Bivens Court - Peggy Lovejoy
- 4929 Bisset Lane - Peggy Lovejoy
- 4919 Bisset Lane - Matthew Bonin
- 2590 49th Street - Matthew Bonin
- 4888 Bisset Lane - Matthew Bonin

- 6830-6832 Craig Court - Hernan Carreira
- 6892 Craig Court - Weihuan Chen
- 4917 Bolger Trail - Richard Ji
- 8779 Brunell Way - Richard Braun
- 8792 Brunell Way - Richard Braun
- 8908 Brunell Way - Richard Braun
- 8795 Brunell Way - Richard Braun
- 7912 Barbara Avenue - Clyde Reynolds
- 6983 Archer Court - Madhu Kolan
- 8791 Branson Drive #73 - Alante Williamson
- 5946 Concord Blvd. - Leo Exley
- 4857 Boatman Lane - Peggy Lovejoy
- 9925 Alaureate Court - Charlene Gubash
- 6929 Rich Valley Blvd. - Charlene Gubash
- 6967 Archer Place - Joseph Winingar

Councilmember Dietrich mentioned she looks forward to revisiting the Rental Housing Policy.

Mayor Bartholomew asked Community Development Director Rand if that was scheduled. He stated both the City Administrator and the Community Development Director were shaking their heads that they are looking for further input on policy.

Motion by Murphy, second by Gliva, to approve the 23 Rental Licenses as presented.

Ayes: 5

Nays: 0 Motion carried.

F. Vista Pines Change Order. Resolution 2022-031

Parks and Recreation Director Adam Lares presented the following information regarding Vista Pines Park and the change order and construction contingency.

Vista Pines Park - Northwest Area

- 8 acres of parkland
- Once complete and finalized, amenities will include:
 - Nature play themed playground
 - Full sized basketball court
 - Bike Skills course
 - Paved and natural trail loop
 - Open lawn for a play area
 - Pleasure rink in the winter months
 - Benches, picnic tables, and bike racks

Park Development Budget:

- July 12, 2021: The City Council approved the solicitation of construction bids for the development of Vista Pines Park with an estimated project cost of \$785,000 and a construction estimate of \$450,000.
- August 9, 2021: The City Council awarded the construction contract of \$361,875.34 to Max Steinger Construction.
 - To note: No construction contingency was included in the contract.
- September 2021: Construction started.

Two sources of revenue were allocated for this park project:

- DEED Grant: \$415,000.00
- Park Acquisition & Development Fund: \$370,000.00 (Fund for Park Dedication Fees)
 - Total: 785,000.00

Items completed to-date by Contractor:

- Labor and materials for installation of the concrete elements at the site
- Asphalt trail installation
- Stormwater improvements in the upper area of the park
- Fall seeding
- Initial excavation for the lower stormwater basin
 - Contractor Payment to-date: \$250,327.29

Items pending for installation by the Contractor this spring:

- Finish grading and seeding
- Installing category 3 erosion control blanket in the upper park area
- Surfacing and striping of the Basketball Court
- Construction of the lower stormwater basin and piping, seeding, and erosion control
 - Contract balance for this remaining work: \$111,548.05

Change Order:

In the Fall of 2021, unforeseen items in construction and changes in the scope of work were identified by Staff. These items are categorized as follows:

- Items to be removed from the Construction Contract/to be completed by City Staff
- Stormwater re-design
- Expanding grading and seeding
- Miscellaneous construction contingency items

Items removed from the Construction Contract/to be completed by City Staff:

To find efficiencies within the project budget and to expedite the completion of the project, City Staff will be performing these installations this spring. This will result in a deduction of value from the original Contract.

- Materials and labor to install plant beds at the entrance.
- Labor to install the site furnishing on park property (benches, bike racks, picnic tables, signage, basketball court hoops, trash recycling, and dog waste receptacle).

Change Order Category: Credits:

- Items removed/to be completed by City Staff: -\$15,662.15

Stormwater Re-Design:

Upon commencement of construction, the City Engineer required an alternative design to account for the stormwater standards of the northwest area that superseded the state MPCA standards. This resulted in additional stormwater work needing to be performed.

The added costs for the stormwater components would have otherwise been included at the time of bid had the design components related to the northwest area infiltration rates been originally included in the bid.

The stormwater re-design included changes in the type of materials, quantity, and scope. This has resulted in an addition of value from the original Contract. This work will include:

- Grading for a larger basin, swale
- Additional survey work would be required
- Additional drainage structures will be needed
- Additional erosion control
- Additional seeding areas
- Credits for unused materials not installed/needed for stormwater re-design
 - Change Order Category: Addition:
Stormwater Re-design: \$47,118.04

Expanded Grading and Seeding:

During construction it was determined that more area of the park needed to be converted to open play lawn to expand the play areas on the park. This has resulted in additional work and materials required to complete, as well as a request from the Contractor to extend the completion date to July 1 to ensure turf establishment. This work will include:

- Additional stripping of existing vegetated areas
- Additional grading
- Additional turf seeding and erosion control blanket
 - Change Order Category: Addition:
Expanded Grading and Seeding: \$32,663.21

Miscellaneous Construction Contingency Items:

Typically, construction projects are approved with a construction contingency to cover minor changes in material or labor to address variations in site conditions or minor unforeseen issues that arise when performing earthwork and other installations. The following items are additions or credits as a result of adjustments related to field-verified measurements. The work will include:

- Additional length (material) needed for drain tile (field measure)
- Credit for un-used soil corrections
- Gravel connection from bituminous trail to bike trail
- Insulation for the Magellan Gas Line
- Ped Ramp adjustment
- Additional grading
- Temporary fall seeding and hydro mulch
- Additional survey work to verify items not included in the original survey
 - Change Order Category: Addition:
Miscellaneous Construction Contingency items: \$17,118.01

Change Order Request: Change Order Categories:

The following four areas of the change order, with the credits and additions total \$81,237.11.

To note: The change order being requested does not impact the original scope of work, as it pertains to the park amenities indicated.

Construction Contingency Request:

The original Contract amount was approved without a construction contingency. After review of the remaining items to be installed with the Contractor and Staff, it has been determined that a 5% construction contingency should cover any remaining field-adjusted measurements or minor unforeseen issues on-site through the remainder of the project.

5% of the remaining contract budget with approved change order previously indicated equates to \$9,639.26.

Contractor Construction Budget:

- Contractor payment to-date: \$250,327.29
- Contractor balance for remaining work needing to be done this spring: \$111,548.05
- Change Order (pending Council approval 2/14/2022)
- 5% contingency request on total remaining project (pending Council approval) \$9,639.26
 - Total: \$452,751.71

This aligns with the original estimated expense:

- Construction cost: \$450,000.00

Funding:

Funding for the change order and contingency budget would come from the Park Acquisition and Development Fund. As shared with the Council during a recent discussion of upcoming park development projects, this fund has an approximate balance of \$1.7 million, after accounting for currently planned parks in the northwest area and the City's portion of Phase 4 of Heritage Village Park.

Staff Recommendation:

Approving the change order with Max Steininger Construction that will enable the completion of Vista Pines Park construction that will increase the contract amount by \$81,237.11.

Further, Staff recommends that the City Council approve a 5% construction contingency budget of \$9,639.26 so that Parks and Recreation leadership may have access to such contingency funds if needed to complete the park development project by summer, 2022.

Staff Recommendation:

Staff believes that the public investment has been made to get the park to this point. These contingency funds are needed to fully realize the benefits of that park investment.

The park complements and supports new park development in the northwest area with new recreational amenities for residents.

Councilmember Dietrich said normally she would think that this type of change order is unacceptable. The amount is quite a bit. She applauded Director Lares for being transparent about it. This currently falls at his feet though he did not create this problem. She wanted to thank him for his transparency and providing the information that supports this change order.

Councilmember Gliva said she was trying to understand what the main thing was that made everything go in a different direction, causing this. It seemed that one thing started and then it kept going. Parks and Recreation Director Lares responded there were multiple layers to this change order, he would say the larger of the one that increases the request is the stormwater re-design. He said he could not speak to the logistics and the engineering behind it, that was probably the larger of the request.

Councilmember Gliva said she was wondering if one thing caused it and then precipitated the rest. Parks and Recreation Director Lares responded he thought each area has its own respective needed change. In regard to the stormwater re-design, it is an increase in stormwater needs, unique to the northwest area. He said the grading and seeding was an enhancement of the play area from the initial concept of construction. He said it was not a "domino effect," they all have a little to do with each other.

Mayor Bartholomew said he was a little concerned that they missed the whole idea of stormwater in the northwest area. He said he would look to Staff to get back to the Council on some kind of analysis on what the breakdown is and how they got to here. He said the stormwater for the northwest area is what the northwest area is about, retaining the water on site. Everything else that comes through with that project gets thumped really hard as far as stormwater design. He said he would like to look at the city's procedure, analysis, and how they miss something that large. He said they cannot hold the Parks and Recreation Director accountable at this point, and cannot hold the Contractor accountable, but can ask questions such as how did they miss it and what can they do to prevent it in the future. He asked for Staff follow up. He understands the expanded grading and seeding. Perhaps they could have been more attentive to grading at the time of design. He said his big concern was how they missed something that large on the stormwater re-design when the northwest area is one of the most critical areas, they have regarding retaining. He suggested getting an analysis back to Council when they can, find out how to prevent this, and that it does not happen again.

Mayor Bartholomew addressed Parks and Recreation Director Lares and said this was not directed to him, he just wanted to say it. He appreciated Parks and Recreation Director Lares bringing this before the Council in a manner that is easy to understand, although alarming. He appreciated Staff coming forward with \$15,600 in reductions because of the labor put in at that point. He said it is still a cost, they know that, it gets them back to the \$450,000. He mentioned the point is well taken, they are still at just over \$450,000, with \$452,000. He said they build that, so they stay underneath it.

Parks and Recreation Director Lares said if the 5% construction contingency is not used, they would come in under the estimated cost budget. Mayor Bartholomew said they would like to see them come in way under. He said they have no other choice but to move ahead on the change order request. Councilmember Murphy agreed.

Motion by Murphy, second by Piekarski Krech, to approve the Vista Pines Change Order Request. Resolution 2022-031

Ayes: 5

Nays: 0 Motion carried.

Mayor Bartholomew said the Council would look forward to an update in the future as far as how they got here.

G. Second Reading of Small Cell Ordinance.

City Attorney McCauley Nason presented the Second Reading of the Small Cell Ordinance. It is an Ordinance that amends provisions of existing City Code relating to public rights of way management to address the advent of small wireless facilities. These are not the big facilities noticed on cell towers or on the side of the city's water tower. These are smaller facilities that are being deployed by telecommunications providers primarily in conjunction with the 5G Network and other network rollouts. She stated in 2017 the Minnesota Legislature adopted some Amendments to Chapter 237 which provided cities the ability to amend their Right of Way Ordinances to address, in a limited capacity, these types of small cell facilities. The Draft Ordinance was brought before the Council at the January 10th meeting for a First Reading. The Ordinance is based off of the Minnesota League of Cities Model Ordinance related to small wireless facilities. No changes have been made to the Draft Ordinance since it was presented at the January 10th meeting. Staff is looking for the Council to consider a Second Reading of the Ordinance. It would eventually be brought back for a Third Reading. There will also be a second component which is the Zoning Ordinance Amendment. That has not been sent to the Planning Commission for review yet. That component would address the need for a Conditional Use Permit for these types of facilities located in Single Family Residential Zoning Districts. That is one of the few areas the city has a little more control over these types of facilities under the existing State Statutes.

Mayor Bartholomew asked if there has been any comment or feedback from our Communications Department. (Off screen response was no).

Mayor Bartholomew asked if they would be doing the Third Reading later this month. City Attorney McCauley Nason replied it may be on February 28th, or they may do it in March to align it with the Zoning Ordinance.

Motion by Piekarski Krech, second by Gliva, to approve the Second Reading of Small Cell Ordinance.

Ayes: 5

Nays: 0 Motion carried.

7. PUBLIC COMMENT:

Benjamin Stone, 1378 66th Street West, said he understands At Home is still working on their Application. He wanted to make sure the Council was aware of something important. He mentioned

within the packet of information for At Home's Preliminary and PUD Plat Application is Resolution #22, the very last item, Item #6 contains the following sentence "The City Council finds that Table 13J-1 amends the permitted uses allowed in the underlying zoning districts for property located within the northwest area overlay district and permits multiple family dwellings containing 7+ units within the R3-A and R3-B Zoning Districts thereby permitting the proposed 95 unit apartment building on property zoned R3-B". He said up until last November there was only one interpretation of the City Code being referenced in interpretation that every development has abided by since the northwest overlay was created. This request represents a new radically different interpretation of this section of City Code. Approving the new interpretation will result in significant changes. For the first time construction of large high density apartment buildings would be allowed on over 572 acres of undeveloped land throughout the northwest area. Land that currently only allows structures up to 7 units, such as small apartments and townhomes.

He stated that the number of residents who would be impacted by this new interpretation would be significant. He wanted to show the Council how this changes the trajectory of development within the northwest area. He displayed an image of the northwest area with the red depicting high density residential and mixed use. He said currently that is what large apartment buildings are allowed on. The new interpretation the Council is being asked to accept would allow those apartment buildings on all of the land he depicted on a new slide of the northwest area. He said low medium density residential is depicted in yellow and medium density is depicted in orange. He displayed a different diagram stating that these are the types of buildings that would be allowed on these areas. He referenced one area stating it would allow for approximately 508 units of apartment buildings with great views of Marcott Lakes and Marianna Ranch. He said the structures shown are approximately to scale for the number of units allowed. He referenced Burr Oak Park stating the five stories over the houses would offer a great view of Burr Oak. He referenced a location with an apartment building allowable on the 5th Hole with great views of a lot of the course. He said he is not saying these are a bad idea or should not be built. He is just saying this is an interesting way to make this change that affects so many people.

He said he knows if he lived anywhere near these structures, he would wish he would have had a chance to speak before this new interpretation was adopted. He said fortunately the Inver Grove Heights City Code provides a solution for these types of situations. City Code 10-13A-2C states "whenever a dispute arises concerning the interpretation and/or application of any section of this Title, the matter may be referred to the Board of Adjustments and Appeals for Hearing pursuant to Section 10-3-7 of this Title". He said considering the broad implications of this new interpretation he would like to make a formal appeal to the Board of Adjustments and Appeals. He said as the Council may know, he does his homework. There is no legitimate support for this new interpretation anywhere in City Code. Nowhere in City Code Article A, Planned Unit Development, or Article J Northwest Area Overlay District, is the 7 units per building maximum requirement of the underlying zoning (R-3B) removed or amended. He mentioned since he has not done this before, he is wondering if there is anything else he needs to do to start the appeal process.

Mayor Bartholomew suggested Mr. Stone provide the information to the City Clerk. This is on record, but he would like to get Mr. Stone's written request to the City Clerk and then they could get it to Staff so they can start exploring his comments.

Mr. Stone agreed and said he has a packet he could email.

8. MAYOR AND COUNCIL COMMENTS:

Councilmember Dietrich wanted to thank the IT Staff, City Clerk, City Administrator, Mayor, and the rest of her counterparts for affording her the luxury of being able to attend virtually. It means a lot to her.

Mayor Bartholomew said it means a lot to the cohesiveness. He was glad they had the ability to do that. He appreciated Councilmember Dietrich participating.

9. ADJOURN:

Motion by Gliva to adjourn the meeting at 7:38 p.m.

Ayes: 5

Nays: 0 Motion carried.

Minutes prepared by Recording Secretary Sheri Yourczek

**INVER GROVE HEIGHTS SPECIAL CITY COUNCIL RETREAT
SATURDAY, FEBRUARY 26, 2022 - 9:00 A.M. - 8150 BARBARA AVE**

Call to Order and Roll Call:

The City Council of Inver Grove Heights met in a Special Council Retreat on Saturday, February 26, 2022, in the Police Training Room, lower-level City Hall. Mayor Bartholomew called the meeting to order at 9:03 a.m. Present In Person: Mayor Bartholomew, Council Members Piekarski Krech, Gliva and Murphy; City Administrator Kris Wilson, Fire Chief Judy Thill, Finance Director, Amy Hove, Public Works Director Brian Connelly, Community Development Director Heather Rand, Police Chief Melissa Chiodo, Parks and Recreation Director Adam Lares and City Clerk Rebecca Kiernan.

Discussion 1: Advisory Commissions

There was discussion of the four Council-appointed advisory committees, three of which are created in City Code and one of which is not. The Housing Committee is not currently in the City Code and there have been some struggles to define their role and purpose. Additionally, some practices of the Committee may need to change to better conform to the Open Meeting Law. Discussion centered on the Housing Committee's role today, the alignment of their mission with the city's mission, and the potential need for additional staff time to support the needed changes to the Committee' operating approach.

There was consensus to schedule a meeting with City Administrator Wilson, Community Development Director Rand, and representatives of the Housing Committee to discuss options about the future of this committee.

Discussion then moved to the idea of holding joint meetings between the Council and its advisory commissions. The Council used to meet annually with the appointed commissions as a check in, but that practice has faded. Advisory commissions bring forth the hard issues and the city needs to acknowledge their contributions. There was consensus to resume once a year meetings between the Council and each advisory committee, using a work session format.

Next the size of advisory commissions was discussed, including the possibility of reducing the size of commissions from 9 to 7 individuals. Some felt it was a good idea to have 9 members to ensure a diversity of opinions, while others thought the role would carry more weight and value if the size of the commissions was smaller. Staff reported that many comparable cities have 5 to 7 members rather than 9 members to add value to their commission. No direction given to make any changes to the size of commissions at this time.

Discussion 2: Rental Licensing

The City's current licensing process does not include inspections. Inspections are only done when complaints come in. The City currently has 150 active rental licenses. There is a real issue with public safety in the community because there is not a lot of "teeth" to our current code language to back up the actions or recommendations regarding licenses.

Possible solution is to add pro-active inspections, which would require hiring an additional inspector and increasing licensing fees to pay for that cost. City Code would need to be updated to reflect the changes that are needed. Must be able to pay for itself and is for the benefit of the residents. Asked if this should be an administrative duty or if Council needs

to act on all licenses, even the approvals. Council desires to still have them brought forward for Council for approval.

Short Term Rentals were discussed along with Vacation Rentals by Owners (VRBO's). There are several gaps that need to be addressed. There is not an application for short term rentals for less than 30-day rentals. Council expressed some interest in not allowing rentals for under 30 days and for treating short term and long-term rentals the same.

Discussion 3: Council Meetings & Meeting Minutes

Check in with Council on how the meetings are going. Mayor likes the changes that have been made so far. Presentations are more helpful, detailed, and appreciated.

Roll call votes. It was suggested to use voice votes for procedural items, but to continue with roll call votes for formal action on items. Can stop voting to open public hearings and just have Mayor declare them open.

Minutes. Currently verbatim at a cost of 6 hours for the recording secretary per 1 hour of meeting. Suggested looking into more of a summary style for minutes, especially given new software being implemented for Council packets and minutes. Staff will provide a sample of both styles for the same meeting later this spring, so Council can see the difference.

Discussion 4: Federal ARPA funds

Staff is looking for direction on possible uses of City's \$3.9 million in ARPA funds. Recommended to book the funds under the general revenue loss provisions of the federal guidelines to reduce reporting requirements. This does not impact how or what the money gets spent on. Have until December of 2024 to allocate the funds and December of 2026 to officially spend the funds.

This is one-time money that may best be used for one-time expenditures. Suggested that we be mindful of unexpected consequences and consider how other entities (like the County) are using dollars so as not to duplicate. May want to use for a community wide project with community wide benefit. Important to be transparent and understandable for residents.

Possible uses discussed include: reconstruction of 117th Street, Veterans Memorial Community Center repairs or upgrades; storm water upgrades; new public works facility; AMI - automated metering water system. Maybe split up into multiple pieces to fund a few different projects. Staff will bring forward to further suggestions this summer, once the legislative session concludes.

Discussion 5: Plan for City Administrator's 6-month review

Closed session and each can voice feedback or questionnaire to council prior to meeting (job posting items or other). Look at former city administrator review form and compare to job description and strategic planning. No more than 3 questions from council. Meeting in Mid-April or May to complete review in closed session.

Meeting adjourned at 1:30 p.m.

Minutes prepared by City Clerk, Rebecca Kiernan.



TITLE: Disbursements

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|-----------------|------------------------------------|----------------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent | Amount included in current budget | X |
| Contact: | Amy Hove | Budget amendment requested | |
| Prepared by: | Bill Schroepfer | FTE included in current complement | |
| Reviewed by: | N/A | New FTE requested - N/A | |
| | | Other | |

PURPOSE/ACTION REQUESTED:

Approve the attached resolution approving disbursements for the period of February 23, 2022 to March 8, 2022.

SUMMARY:

Shown below is a listing of the disbursements for the various funds for the period ending March 8, 2022. The detail of these disbursements is attached to this memo.

| | |
|---------------------------------|----------------------------|
| General & Special Revenue | \$487,913.67 |
| Debt Service & Capital Projects | 56,683.48 |
| Enterprise & Internal Service | 256,805.26 |
| Escrows | 14,000.00 |
| | <hr/> |
| Grand Total for All Funds | <u><u>\$815,402.41</u></u> |

If you have any questions about any of the disbursements on the list, please call Amy Hove, Finance Director: 651-450-2521.

Attached to this summary for your action is a resolution approving the disbursements for the period February 23, 2022 to March 8, 2022 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 2022-047

**RESOLUTION APPROVING DISBURSEMENTS FOR THE
PERIOD ENDING March 8, 2022**

WHEREAS, a list of disbursements for the period ending March 8, 2022 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 | \$487,913.67 |
| Debt Service & Capital Projects | 56,683.48 |
| Enterprise & Internal Service | 256,805.26 |
| Escrows | 14,000.00 |
| Grand Total for All Funds | <u><u>\$815,402.41</u></u> |

Adopted by the City Council of Inver Grove Heights this 14th day of March, 2022.

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



City of Inver Grove Heights

Expense Approval Report

By Fund

Payment Dates 2/23/2022 - 3/8/2022

| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|---------------------------------------|----------------|------------|---------------------------------------|-----------------------|-----------|
| ABDO, LLP | 453252 | 03/02/2022 | IGHFRA Benefit Projections | 101.41.2000.415.30700 | 3,000.00 |
| AFSCME COUNCIL 5 | INV0131031 | 02/25/2022 | UNION DUES (AFSCME FULL SHARE) | 101.203.2031000 | 968.76 |
| AFSCME COUNCIL 5 | INV0131032 | 02/25/2022 | UNION DUES (AFSCME FULL SHARE-F | 101.203.2031000 | 80.72 |
| ASPEN MILLS | 288661 | 03/02/2022 | EB Cargo Pant | 101.42.4000.421.60045 | 59.95 |
| ASPEN MILLS | 288964 | 03/02/2022 | explorer name tags | 101.42.4000.421.50078 | 79.65 |
| ASPEN MILLS | 289164 | 03/02/2022 | NAR Combat Torniquet | 101.42.4000.421.60045 | 39.40 |
| ASPEN MILLS | 289217 | 03/02/2022 | Body armor & accessories | 101.42.4000.421.60045 | 989.00 |
| ASPEN MILLS | 289219 | 03/02/2022 | Body armor and accessories | 101.42.4000.421.60045 | 989.00 |
| ASPEN MILLS | 289230 | 03/02/2022 | Jacket w/patches, handcuffs | 101.42.4000.421.60045 | 369.82 |
| ASPEN MILLS | 289231 | 03/02/2022 | Jacket w/patching | 101.42.4000.421.60045 | 303.84 |
| ASPEN MILLS | 289232 | 03/02/2022 | jacket w/embroidery & patches | 101.42.4000.421.60045 | 303.84 |
| ASSOCIATION OF MINNESOTA COUNTIES | 61014 | 02/24/2022 | Deputy Clerk job ad | 101.41.1100.413.30500 | 75.00 |
| BIG TOP RENTAL, INC. | 67534 | 03/02/2022 | Jan port-a-potties | 101.44.6000.451.40065 | 750.00 |
| CAMPBELL KNUTSON, P.A. | 1/31/2022 | 02/24/2022 | Legal prosecutions | 101.41.1100.413.30700 | 29,696.10 |
| CIVICPLUS | 222129 | 03/02/2022 | Website hosting | 101.47.1400.413.40035 | 3,547.24 |
| COLLINS ELECTRICAL CONST. | 2134711.01 | 02/24/2022 | Repair traffic Signals | 101.43.5200.443.40046 | 553.71 |
| COLLINS ELECTRICAL CONST. | 2230227.01 | 02/24/2022 | Repair traffic lights | 101.43.5200.443.40046 | 195.74 |
| COLLINS ELECTRICAL CONST. | 2134522.01 | 03/02/2022 | traffic light repair | 101.43.5200.443.40046 | 395.03 |
| COVERTTRACK GROUP INC | 48546 | 03/02/2022 | Coverttrack Group | 101.42.4000.421.60065 | 910.00 |
| DAKOTA CTY FINANCIAL SVCS | 00043049 | 02/24/2022 | Annual license fee - Voting Equipment | 101.41.1200.414.60040 | 6,890.50 |
| EARL F ANDERSEN INC | 0128979-IN | 03/02/2022 | signs | 101.43.5200.443.60016 | 147.10 |
| EFTPS | INV0131053 | 02/25/2022 | FEDERAL WITHHOLDING | 101.203.2030200 | 62,991.21 |
| EFTPS | INV0131055 | 02/25/2022 | MEDICARE WITHHOLDING | 101.203.2030500 | 18,059.94 |
| EFTPS | INV0131056 | 02/25/2022 | SOCIAL SECURITY WITHHOLDING | 101.203.2030400 | 52,317.82 |
| EFTPS | INV0131057 | 02/25/2022 | FEDERAL WITHHOLDING | 101.203.2030200 | 2,457.01 |
| EFTPS | INV0131059 | 02/25/2022 | MEDICARE WITHHOLDING | 101.203.2030500 | 292.08 |
| EHLERS AND ASSOCIATES, INC. | 89780 | 02/24/2022 | NWA Dev Consultant | 101.45.3000.419.30600 | 255.00 |
| GUARDIAN SUPPLY, LLC | 11497 | 03/02/2022 | Guardian Supply- Kasey | 101.42.4000.421.60045 | 2.50 |
| HILDI INC | 13823 | 03/02/2022 | GASB 75 Actuarial Work | 101.41.2000.415.30700 | 800.00 |
| ICMA RETIREMENT TRUST - 457 | INV0131024 | 02/25/2022 | 457 - ROTH AGE 50+ | 101.203.2031400 | 189.13 |
| ICMA RETIREMENT TRUST - 457 | INV0131025 | 02/25/2022 | 457 - ROTH AGE 50+ | 101.203.2031400 | 325.00 |
| ICMA RETIREMENT TRUST - 457 | INV0131026 | 02/25/2022 | 457 - ROTH AGE 50+ | 101.203.2031400 | 225.00 |
| ICMA RETIREMENT TRUST - 457 | INV0131027 | 02/25/2022 | 457 -AGE <49 % | 101.203.2031400 | 7,795.58 |
| ICMA RETIREMENT TRUST - 457 | INV0131028 | 02/25/2022 | 457 -AGE 50+ | 101.203.2031400 | 6,280.29 |
| ICMA RETIREMENT TRUST - 457 | INV0131029 | 02/25/2022 | 457 -AGE <49 | 101.203.2031400 | 8,021.00 |
| ICMA RETIREMENT TRUST - 457 | INV0131030 | 02/25/2022 | 457 PLAN -AGE 50+ % | 101.203.2031400 | 1,477.78 |
| ICMA RETIREMENT TRUST - 457 | INV0131050 | 02/25/2022 | ROTH IRA (AGE 49 & UNDER) | 101.203.2032400 | 3,548.05 |
| ICMA RETIREMENT TRUST - 457 | INV0131051 | 02/25/2022 | ROTH IRA (AGE 50 & OVER) | 101.203.2032400 | 819.23 |
| ICMA RETIREMENT TRUST - 457 | INV0131052 | 02/25/2022 | ROTH-AGE <49 % | 101.203.2032400 | 49.93 |
| IGH FIRE RELIEF ASSN | 2/15/2022 | 02/24/2022 | 2022 voluntary contribution | 101.42.4200.423.20510 | 89,975.00 |
| IGH FIRE RELIEF ASSN | INV0131039 | 02/25/2022 | MEMBERSHIP DUES - FIRE RELIEF AS | 101.203.2031000 | 584.25 |
| IGH FIRE RELIEF ASSN | INV0131040 | 02/25/2022 | MEMBERSHIP DUES - FIRE RELIEF AS | 101.203.2031000 | 104.00 |
| INNOVATIVE OFFICE SOLUTIONS | SUM-065720 | 03/02/2022 | Office Supplies 1.2022 | 101.41.2000.415.60010 | 6.83 |
| INNOVATIVE OFFICE SOLUTIONS | SUM-065720 | 03/02/2022 | Office Supplies 1.2022 | 101.43.5100.442.60040 | 125.18 |
| INNOVATIVE OFFICE SOLUTIONS | SUM-065720 | 03/02/2022 | Office Supplies 1.2022 | 101.45.3000.419.60010 | 14.71 |
| JESSICA SHORT | 2/16/2022 | 03/02/2022 | winter dance classes | 101.44.6100.454.30700 | 288.00 |
| L.T.G. POWER EQUIPMENT | 265828 | 03/02/2022 | tools | 101.44.6000.451.60040 | 3,145.00 |
| MARTIN-MCALLISTER | 14409 | 02/24/2022 | Pre-employment psych. Evals Part 2 | 101.41.1100.413.30500 | 2,450.00 |
| MEDSURETY ACH ONLY | INV0131041 | 02/25/2022 | HSA ELECTION-FAMILY | 101.203.2032500 | 3,535.82 |
| MEDSURETY ACH ONLY | INV0131042 | 02/25/2022 | HSA ELECTION-SINGLE | 101.203.2032500 | 5,720.24 |
| MINNESOTA DEPARTMENT OF HUMAN SERVICE | INV0131034 | 02/25/2022 | CASE #001490481201 | 101.203.2032100 | 316.30 |
| MINNESOTA DEPARTMENT OF HUMAN SERVICE | INV0131035 | 02/25/2022 | CASE #001563363401 | 101.203.2032100 | 377.48 |
| MINNESOTA DEPARTMENT OF HUMAN SERVICE | INV0131036 | 02/25/2022 | CASE #001567848502 | 101.203.2032100 | 60.45 |
| MINNESOTA DEPARTMENT OF HUMAN SERVICE | INV0131037 | 02/25/2022 | CASE #001521862201 | 101.203.2032100 | 186.89 |
| MIRACLE RECREATION EQUIPMENT | 839055 | 03/02/2022 | partial pymt for playground parts | 101.44.6000.451.40047 | 5,681.95 |
| MN DEPT OF REVENUE (PAYROLL) | INV0131043 | 02/25/2022 | LEVY - ANDREW BRAVO | 101.203.2031900 | 425.12 |
| MN DEPT OF REVENUE (PAYROLL) | INV0131054 | 02/25/2022 | STATE WITHHOLDING | 101.203.2030300 | 26,787.70 |
| MN DEPT OF REVENUE (PAYROLL) | INV0131058 | 02/25/2022 | STATE WITHHOLDING | 101.203.2030300 | 792.29 |
| PERA | INV0131044 | 02/25/2022 | PERA COORDINATED PLAN | 101.203.2030600 | 47,809.26 |
| PERA | INV0131045 | 02/25/2022 | EMPLOYER SHARE (EXTRA PERA) | 101.203.2030600 | 3,677.67 |
| PERA | INV0131046 | 02/25/2022 | PERA DEFINED PLAN | 101.203.2030600 | 21.92 |
| PERA | INV0131047 | 02/25/2022 | EMPLOYER SHARE (PERA DEFINED P | 101.203.2030600 | 21.92 |
| PERA | INV0131048 | 02/25/2022 | PERA POLICE & FIRE PLAN | 101.203.2030600 | 23,626.59 |
| PERA | INV0131049 | 02/25/2022 | EMPLOYER SHARE (POLICE & FIRE P | 101.203.2030600 | 35,439.80 |
| PRECISE MRM | 001-1612475 | 02/24/2022 | truck data device | 101.43.5200.443.30700 | 309.49 |
| PRECISE MRM | 001-1613679 | 02/24/2022 | Truck data device | 101.43.5200.443.30700 | 570.15 |
| PRECISE MRM | 200-1035572 | 03/02/2022 | data tracking for trucks | 101.43.5200.443.30700 | 176.50 |
| SAINT CROIX SEWER SERVICE, INC. | 2/17/2022 | 02/24/2022 | Refund permit #PRSE2019000109 | 101.45.0000.3222000 | 470.00 |
| SHORT ELLIOTT HENDRICKSON, INC. | 420386 | 03/02/2022 | 2021 Bridge Inspections | 101.43.5100.442.30300 | 1,873.08 |

| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|---|----------------|------------|--|-----------------------|-------------------|
| SIGNWAREHOUSE, INC. | 101756 | 02/24/2022 | sign supplies | 101.43.5200.443.60016 | 375.69 |
| SOUTH ST PAUL, CITY OF | 2/8/2022 | 03/02/2022 | SSP Street Light 1st Qtr 2022 | 101.207.2070900 | 52.50 |
| STREICHER'S | I1551938 | 03/02/2022 | Officer uniform accessories | 101.42.4000.421.60045 | 49.98 |
| STREICHER'S | I1553465 | 03/02/2022 | Streichers | 101.42.4000.421.60018 | 1,342.00 |
| STREICHER'S | I1553572 | 03/02/2022 | Streicher's | 101.42.4000.421.60018 | 770.00 |
| TEXAS STATE DISBURSEMENT UNIT | INV0131033 | 02/25/2022 | CASE #0012022247 | 101.203.2032100 | 230.77 |
| TOTAL CONSTRUCTION & EQUIP. | 32548 | 03/02/2022 | Oakwood pole light repair | 101.44.6000.451.40047 | 206.54 |
| TYLER TECHNOLOGIES, INC | 025-368144 | 02/24/2022 | Monthly Maint Fee 3.2022 | 101.47.1400.413.40035 | 438.00 |
| UNIFIRST CORPORATION | 900678238 | 02/24/2022 | Uniforms | 101.43.5200.443.60045 | 30.71 |
| UNIFIRST CORPORATION | 900678238 | 02/24/2022 | Uniforms | 101.44.6000.451.60045 | 14.24 |
| WI SCTF (WI SUPPORT COLLECTIONS TRUST F INV0131038 | | 02/25/2022 | PARTICIPANT ID#0004986316 | 101.203.2032100 | 433.06 |
| Fund: 101 - GENERAL FUND | | | | | 474,768.03 |
| GLOBAL PAYMENTS, INC. | 4100172902 | 03/02/2022 | 2021 Active Net integrations | 204.44.6100.452.40044 | 1,800.00 |
| IGH SENIOR CLUB | 2/18/2022 | 03/02/2022 | Jan 2022 dues-luncheons | 204.227.2271000 | 550.00 |
| KINCADE, JOAN | 2/18/2022 | 03/02/2022 | Sales tax refund | 204.207.2070300 | 2.66 |
| TAHO SPORTSWEAR | 22TS0405 | 03/02/2022 | BB program tees | 204.44.6100.452.60045 | 374.10 |
| Fund: 204 - RECREATION FUND | | | | | 2,726.76 |
| AMERICAN RED CROSS | 22390771 | 11/30/2021 | Lifeguarding Class 10-2021 | 205.44.6200.453.60018 | 120.00 |
| GLOBAL PAYMENTS, INC. | 4100172902 | 03/02/2022 | 2021 Active Net integrations | 205.44.6200.453.40044 | 2,699.99 |
| GRAINGER | 9216392465 | 03/02/2022 | light bulbs, batteries, lubricants | 205.44.6200.453.60016 | 123.30 |
| GRAINGER | 9216392465 | 03/02/2022 | light bulbs, batteries, lubricants | 205.44.6200.453.60016 | 123.30 |
| HORIZON COMMERCIAL POOL SUPPLY | INV10473 | 03/02/2022 | repairs to Spa | 205.44.6200.453.40040 | 1,752.00 |
| HUEBSCH SERVICES | 20133874 | 03/02/2022 | lobby mats | 205.44.6200.453.40040 | 74.32 |
| HUEBSCH SERVICES | 20133874 | 03/02/2022 | lobby mats | 205.44.6200.453.40040 | 297.26 |
| INNOVATIVE OFFICE SOLUTIONS | SUM-065720 | 03/02/2022 | Office Supplies 1.2022 | 205.44.6200.453.60040 | 84.43 |
| INNOVATIVE OFFICE SOLUTIONS | SUM-065720 | 03/02/2022 | Office Supplies 1.2022 | 205.44.6200.453.60065 | 21.86 |
| KINCADE, JOAN | 2/18/2022 | 03/02/2022 | Craft fair refund - customer cancelled | 205.44.0000.3492500 | 37.34 |
| NASSEFF PLUMBING & HEATING, INC. | 39042 | 03/02/2022 | re-do eye wash station | 205.44.6200.453.40040 | 530.00 |
| TOTAL CONSTRUCTION & EQUIP. | 32549 | 03/02/2022 | VMCC light pole repair | 205.44.6200.453.40040 | 116.28 |
| TOTAL CONSTRUCTION & EQUIP. | 32551 | 03/02/2022 | Spa pump repair | 205.44.6200.453.40040 | 1,130.13 |
| TWIN SOURCE SUPPLY | 00494127 | 03/02/2022 | cleaning supplies | 205.44.6200.453.60011 | 287.00 |
| TWIN SOURCE SUPPLY | 00494127 | 03/02/2022 | cleaning supplies | 205.44.6200.453.60011 | 287.00 |
| TWIN SOURCE SUPPLY | 00494415 | 03/02/2022 | cleaning supplies | 205.44.6200.453.60011 | 618.87 |
| TWIN SOURCE SUPPLY | 00494415 | 03/02/2022 | cleaning supplies | 205.44.6200.453.60011 | 618.87 |
| TWIN SOURCE SUPPLY | 00495900 | 03/02/2022 | cleaning supply | 205.44.6200.453.60011 | 6.97 |
| TWIN SOURCE SUPPLY | 00495900 | 03/02/2022 | cleaning supply | 205.44.6200.453.60011 | 6.97 |
| TWIN SOURCE SUPPLY | 00495936 | 03/02/2022 | cleaning supplies | 205.44.6200.453.60011 | 142.03 |
| TWIN SOURCE SUPPLY | 00495936 | 03/02/2022 | cleaning supplies | 205.44.6200.453.60011 | 142.04 |
| TWIN SOURCE SUPPLY | 00496004 | 03/02/2022 | cleaning supplies | 205.44.6200.453.60011 | 466.49 |
| TWIN SOURCE SUPPLY | 00496004 | 03/02/2022 | cleaning supplies | 205.44.6200.453.60011 | 466.49 |
| TWIN SOURCE SUPPLY | 00496020 | 03/02/2022 | cleaning supply parts | 205.44.6200.453.60011 | 61.71 |
| TWIN SOURCE SUPPLY | 00496020 | 03/02/2022 | cleaning supply parts | 205.44.6200.453.60011 | 61.72 |
| TWIN SOURCE SUPPLY | 495658 | 03/02/2022 | cleaning supplies | 205.44.6200.453.60011 | 71.25 |
| TWIN SOURCE SUPPLY | 495658 | 03/02/2022 | cleaning supplies | 205.44.6200.453.60011 | 71.26 |
| Fund: 205 - COMMUNITY CENTER | | | | | 10,418.88 |
| EHLERS AND ASSOCIATES, INC. | 89827 | 03/02/2022 | Arbitrage Report 2016A | 367.57.9000.570.30700 | 3,750.00 |
| Fund: 367 - G.O. CAPITAL IMPR REF BONDS, 2016A | | | | | 3,750.00 |
| EHLERS AND ASSOCIATES, INC. | 89828 | 03/02/2022 | Arbitrage Report 2017A | 368.57.9000.570.30700 | 2,000.00 |
| Fund: 368 - G.O. SEWER REVENUE REFUND 2017A | | | | | 2,000.00 |
| EHLERS AND ASSOCIATES, INC. | 89833 | 03/02/2022 | Fire Station Project Review 1.2022 | 434.42.4200.423.30150 | 975.00 |
| Fund: 434 - 2014 IMPROVEMENT FUND | | | | | 975.00 |
| SRF CONSULTING GROUP, INC | 13074.00-10 | 02/24/2022 | 117th Street Reconstruction | 436.73.5900.736.30300 | 32,415.18 |
| Fund: 436 - 2016 IMPROVEMENT FUND | | | | | 32,415.18 |
| KIMLEY-HORN & ASSOCIATES, INC. | 20628053 | 03/02/2022 | Carleda Way | 440.74.5900.740.30300 | 5,632.82 |
| Fund: 440 - PAVEMENT MANAGEMENT PROJ | | | | | 5,632.82 |
| EMMONS & OLIVIER RESOURCES | 00095-0066-12 | 03/02/2022 | Regional Basin Map Development | 441.43.0000.3434500 | 2,645.25 |
| EMMONS & OLIVIER RESOURCES | 00095-0078-1 | 03/02/2022 | NWA Regional Model Updates 2022 | 441.43.0000.3434500 | 3,001.75 |
| SOUTH ST PAUL, CITY OF | 2/8/2022 | 03/02/2022 | SSP Storm Water 1st Qtr 2022 | 441.74.5900.741.40030 | 90.78 |
| Fund: 441 - STORM WATER MANAGEMENT | | | | | 5,737.78 |
| KIMLEY-HORN & ASSOCIATES, INC. | 20594392 | 03/02/2022 | Argenta Trail Drainage | 448.74.5900.748.30300 | 609.50 |
| NEWMARK KNIGHT FRANK VALUATION & ADVIS | 312272-001 | 03/02/2022 | 6689 Argenta Trail | 448.74.5900.748.30300 | 3,000.00 |
| Fund: 448 - NWA - STORM WATER | | | | | 3,609.50 |
| GREENE ESPEL PLLP | 85368 | 03/02/2022 | Pine Bend Landfill Legal Fee | 451.75.5900.751.30420 | 2,563.20 |
| Fund: 451 - HOST COMMUNITY FUND | | | | | 2,563.20 |
| BAUER SERVICES OF WELCH LLC | 02072022-2198 | 02/24/2022 | Curbstop repair | 501.50.7100.512.40046 | 3,880.00 |
| CITY OF BLOOMINGTON | 20375 | 02/24/2022 | Water samples | 501.50.7100.512.30700 | 440.00 |
| CORE & MAIN LP | Q375899 | 02/24/2022 | New 2 meter | 501.50.7100.512.75500 | 1,696.95 |
| DALCO CORPORATION | 3895254 | 02/24/2022 | Plant supplies | 501.50.7100.512.60016 | 341.60 |

| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|---------------------------------------|----------------|------------|---|-----------------------|-------------------|
| DALCO CORPORATION | 3896276 | 02/24/2022 | Plant stuff | 501.50.7100.512.60016 | 37.01 |
| DALCO CORPORATION | 3900144 | 03/02/2022 | water treatment plant supplies | 501.50.7100.512.60016 | 47.00 |
| LONE OAK COMPANIES | 3/1/2022 | 03/02/2022 | Postage (50%) 2.2022 | 501.50.7100.512.50035 | 810.90 |
| MINNESOTA DEPARTMENT OF HEALTH | 3/31/2022 | 03/02/2022 | 1st Qtr 2022 Water Test Fee Payment | 501.207.2070100 | 19,578.00 |
| MN GLOVE & SAFETY, INC. | 334483 | 02/24/2022 | Uniforms | 501.50.7100.512.60045 | 15.95 |
| SHERWIN-WILLIAMS CO. | 2412-4 | 02/24/2022 | Painting products | 501.50.7100.512.60016 | 38.04 |
| SHERWIN-WILLIAMS CO. | 5509-2 | 02/24/2022 | painting products for WTF | 501.50.7100.512.60016 | 101.14 |
| SOUTH ST PAUL, CITY OF | 2/8/2022 | 03/02/2022 | SSP Water 1st Qtr 2022 | 501.50.7100.512.40005 | 412.53 |
| VALLEY-RICH CO, INC | 30432 | 02/24/2022 | Water main break | 501.50.7100.512.40046 | 4,958.13 |
| VALLEY-RICH CO, INC | 30433 | 02/24/2022 | Water main break | 501.50.7100.512.40046 | 5,311.20 |
| WATER CONSERVATION SERVICES INC | 12058 | 03/02/2022 | leak detection | 501.50.7100.512.40043 | 643.29 |
| Fund: 501 - WATER UTILITY FUND | | | | | 38,311.74 |
| LONE OAK COMPANIES | 3/1/2022 | 03/02/2022 | Postage (50%) 2.2022 | 502.51.7200.514.50035 | 810.90 |
| METROPOLITAN COUNCIL | 0001135923 | 03/02/2022 | Met Council - Waste Water Svcs | 502.51.7200.514.40015 | 170,759.93 |
| SOUTH ST PAUL, CITY OF | 2/8/2022 | 03/02/2022 | SSP Sewer 1st Qtr 2022 | 502.51.7200.514.40015 | 712.44 |
| Fund: 502 - SEWER UTILITY FUND | | | | | 172,283.27 |
| BIG TOP RENTAL, INC. | 67533 | 02/24/2022 | porta potty | 603.00.5300.444.40040 | 60.00 |
| INTERSTATE POWERSYSTEMS | C001181920-01 | 02/24/2022 | Parts for Dump Truck #319 | 603.00.5300.444.40041 | 69.36 |
| INVER GROVE FORD | 5311058 | 03/02/2022 | Shop | 603.00.5300.444.60012 | 80.48 |
| I-STATE TRUCK CENTER | C242755980-01 | 03/02/2022 | 403 Vac Truck | 603.00.5300.444.40041 | 62.80 |
| MACQUEEN EMERGENCY GROUP | W04068 | 02/24/2022 | Fire Truck repair of rusted frame rails | 603.00.5300.444.40042 | 19,058.72 |
| MACQUEEN EMERGENCY GROUP | P06454 | 03/02/2022 | Auto pump air compressor | 603.00.5300.444.40041 | 607.70 |
| MACQUEEN EMERGENCY GROUP | P06563 | 03/02/2022 | L13 | 603.00.5300.444.40041 | 624.80 |
| MACQUEEN EQUIPMENT INC | P39864 | 03/02/2022 | 331 Street sweeper | 603.00.5300.444.40041 | 231.40 |
| MANSFIELD OIL COMPANY | 23013040 | 02/24/2022 | Fuel | 603.140.1450060 | 3,086.90 |
| MANSFIELD OIL COMPANY | 23013042 | 02/24/2022 | Fuel | 603.140.1450060 | 13,957.36 |
| MID CITY SERVICES, INC. | 176408 | 02/24/2022 | Rugs | 603.00.5300.444.40065 | 93.25 |
| MN DEPT OF REVENUE | 2/23/2022 | 02/23/2022 | 1/2022 fuel tax | 603.00.5300.444.60021 | 692.84 |
| NORTH AMERICAN TRAILER SALES | 30004185889 | 03/02/2022 | E33 | 603.00.5300.444.40041 | 57.76 |
| POMP'S TIRE SERVICE, INC. | 980089428 | 02/24/2022 | Stock Squad tires. | 603.140.1450050 | 1,390.10 |
| SAFE-FAST, INC. | INV257333 | 02/24/2022 | Safety stuff | 603.00.5300.444.60065 | 184.80 |
| TRI-STATE BOBCAT INC. | P70217 | 02/24/2022 | Tractor plow parts | 603.00.5300.444.40041 | 676.00 |
| UNIFIRST CORPORATION | 900678238 | 02/24/2022 | Uniforms | 603.00.5300.444.40065 | 145.75 |
| UNIFIRST CORPORATION | 900678238 | 02/24/2022 | Uniforms | 603.00.5300.444.60045 | 21.14 |
| Fund: 603 - CENTRAL EQUIPMENT | | | | | 41,101.16 |
| INNOVATIVE OFFICE SOLUTIONS | SUM-065720 | 03/02/2022 | Office Supplies 1.2022 | 604.00.2200.416.60005 | 196.46 |
| INNOVATIVE OFFICE SOLUTIONS | SUM-065720 | 03/02/2022 | Office Supplies 1.2022 | 604.00.2200.416.60010 | 1,833.20 |
| Fund: 604 - CENTRAL STORES | | | | | 2,029.66 |
| BAN-KOE SYSTEMS, Inc. | 201056 | 03/02/2022 | FS #2 annual intercom support | 605.00.7500.460.40040 | 415.00 |
| GRAINGER | 9213928287 | 03/02/2022 | light bulbs, door stops | 605.00.7500.460.60016 | 398.38 |
| HILLYARD INC | 604637760 | 03/02/2022 | cleaning tool | 605.00.7500.460.60011 | 34.66 |
| HUEBSCH SERVICES | 20131022 | 03/02/2022 | lobby mats | 605.00.7500.460.40065 | 157.97 |
| HUEBSCH SERVICES | 20133873 | 03/02/2022 | lobby mats | 605.00.7500.460.40065 | 157.97 |
| J.H. LARSON COMPANY | S102669193.001 | 03/02/2022 | light bulbs | 605.00.7500.460.60016 | 23.45 |
| LVC COMPANIES, INC. | 81922 | 03/02/2022 | put in new sprinkler head | 605.00.7500.460.40040 | 615.00 |
| NAC MECHANICAL & ELECTRICAL SERVICE | 194553 | 03/02/2022 | FS #2 boiler repair | 605.00.7500.460.40040 | 789.00 |
| OWENS COMPANIES | 97144 | 03/02/2022 | repairs to system in server room | 605.00.7500.460.40040 | 488.00 |
| Fund: 605 - CITY FACILITIES | | | | | 3,079.43 |
| CASEY'S RETAIL COMPANY | 2/14/2022 | 03/02/2022 | Escrow Release | 702.229.2309802 | 7,500.00 |
| LENNAR CORPORATION - U.S. HOME CORP. | 2/4/2022 | 03/02/2022 | Escrow Refund - 6966 Archer PI (BD201 | 702.229.2299800 | 1,250.00 |
| LENNAR CORPORATION - U.S. HOME CORP. | 2/4/2022 | 03/02/2022 | Escrow Refund -6962 Archer PI (BD2017 | 702.229.2299800 | 1,250.00 |
| LENNAR CORPORATION - U.S. HOME CORP. | 2/4/2022 | 03/02/2022 | Escrow Refund - 6964 Archer PI (BD201 | 702.229.2299800 | 1,250.00 |
| LENNAR CORPORATION - U.S. HOME CORP. | 2/4/2022 | 03/02/2022 | Escrow Refund - 6968 Archer PI (BD201 | 702.229.2299800 | 1,250.00 |
| MCDONALD REMODELING, INC. | 2/4/2022 | 03/02/2022 | Escrow Release | 702.229.2293703 | 1,500.00 |
| Fund: 702 - ESCROW FUND | | | | | 14,000.00 |
| Grand Total | | | | | 815,402.41 |



Request for Council Action

Personnel Actions

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|----------------------------|------------------------------------|----------------------------|
| Meeting Date: | March 14, 2022 | None | X |
| Item Type: | Consent Agenda | Amount included in current budget | |
| Contact: | | Budget amendment requested | |
| Prepared by: | Cora Bauer, HR Coord. | FTE included in current complement | |
| Reviewed by: | Janet Shefchik, HR Manager | New FTE requested - N/A | |
| | | Other | |

PURPOSE/ACTION REQUESTED:

Staff requests that Council confirm and approve the personnel actions listed below.

Full-time Employment:

Karina Sheehan, Office Support Worker
Tara Granaham, Officer Support Worker

Seasonal/Temporary Employment:

Coleen Vickerman, Fitness Instructor
Mckenzie Cook, Child Care Worker

Voluntary Resignations, Retirements and/or Terminations:

Emily Mraz, Child Care Worker



Request for Council Action

2022 Redistricting Precinct Boundaries and Polling Locations

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|------------------------------------|------------------------------------|----------------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent Agenda | Amount included in current budget | X |
| Contact: | 651-450-2513 | Budget amendment requested | |
| Prepared by: | Rebecca Kiernan, City Clerk | FTE included in current complement | |
| Reviewed by: | Kris Wilson, City Administrator | New FTE requested - N/A | |
| | | Other | |

PURPOSE/ACTION REQUESTED

The Council is asked to adopt the attached Resolution, re-establishing precinct boundaries and polling locations effective with the 2022 State Primary per Minnesota State Statute 204B.14.

SUMMARY

Every ten years, the City is required to redraw precinct boundaries and adjust polling places as needed as part of the redistricting process. The proposed precinct boundaries and polling locations are notably different due to legislative redistricting and population growth in Inver Grove Heights. Items of particular note include:

- City staff is proposing two additional precincts and polling locations. They are located in the northwest area where growth is occurring due to development.
- Precinct boundaries have been updated to correspond to school district boundaries along with the new legislative house district boundaries.
- Polling places are being located to inside precinct boundaries as much as possible.

All precincts in the state must be established (or re-established) within 60 days of the adoption of the state redistricting plan, or by March 29, 2022. These new precinct boundaries and polling places take effect on the date of the 2022 Primary Election, which is August 9.

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

RESOLUTION NO. 2022-048

RESOLUTION ESTABLISHING PRECINCTS AND POLLING PLACES IN 2022

WHEREAS, the legislature of the State of Minnesota has been redistricted; and

WHEREAS, Minnesota Statute Section 204B. 14, subd. 3 (d) requires that precinct boundaries must be reestablished within 60 days of then the legislature has been redistricted or at least 19 weeks before the state primary elections, whichever comes first;

NOW, THEREFORE BE IT RESOLVED that the City Council of the city of Inver Grove Heights, County of Dakota, State of Minnesota, hereby establishes the boundaries of the voting precincts and designates polling places as follows:

Precinct 1 - Emanuel Lutheran Church, 2075 70th Street East

- That part of the city lying east of Robert Trail, West of Babcock Trail and Highway 55, south of Upper 55th Street, and north of School District 196 boundary line.

Precinct 2 - Woodcrest Church, 525 Cliff Road

- That part of the city lying in the southwestern corner of the City boundary of Eagan and Rosemount on the south and west and Highway 3 and Rich Valley Boulevard on the north following census tracts to the School District 199 boundary on the east.

Precinct 3 - Fire Station No. 2, 9200 Courthouse Blvd

- That part of the city lying south of Ernster Park, east of Concord Boulevard, Highway 55, and following School District 199 boundary; west of Mississippi River, south to city limit

Precinct 4 - VMCC Rooms 1 & 2, 8055 Barbara Ave

- That part of the city lying South of 80th Street and College Trail, West of Concord Boulevard, North of Highway 55, East of Blaine at College Trail

Precinct 5 - Grace Church of the Nazarene, 7950 Blaine Ave E

- That part of the city lying South of 70th Street, West of Cahill Ave, East of Babcock Trail, and north of College Trail

Precinct 6 - Good Shepherd Lutheran Church, 7600 Cahill Ave

- That part of the city lying North of 80th Street, West of Concord Boulevard and Legislative House District 53B (Carmen Ave), South of 65th Street, East of Blaine Ave while north of 70th Street

Precinct 7 - St. Patrick's Catholic Church, 3535 72nd Street E

- That part of the city encompassed in Legislative House District 53B, north of Ernster Park, West of the Mississippi River east of a line drawn down the Carmen Avenue, 67th Street E, Clayton Ave to 72nd Street E to Cleve Avenue to Dawn Ave to 78th Street E. South of City of South St Paul city limits.

Precinct 8 - River Heights Vineyard Church, 6070 Cahill Ave

- Following a line starting at the corner of 70th Street E and Babcock Trail running east along 70th Street E to Blaine Ave, turning north to 65th Street E, following east to Carmen Avenue. north to Upper 55th Street E. Following Upper 55th Street E to Hwy 52 north to Highway 494, West to Babcock Trail, West on 55th Street E

Precinct 9 - First Calvary Baptist Church, 5495 S Robert Trail

- That part of the city south of the West St Paul City Limits, east of Hwy 62 and Robert Trail, North of Upper 55th Street E West of a line drawn at the intersection of Upper 55th Street E and Babcock Trail, North to 55th Street E to East Highway 494 to North on Highway 52 to North city limit

Precinct 10 - Bethesda Lutheran Church, 2855 47th Street E

- That part of the city that lies south and west of South St. Paul city limits, to Upper 55th Street E, and west to Highway 52

Precinct 11 - Amazing Grace Lutheran Church, 7160 South Robert Trail

- That part of the city that is north of Highway 55, west of Robert Trail, south of Sunfish Lake, and east of the City of Eagan

Precinct 12 - Inver Hills Church, 8265 Babcock Trail

- That part of the city that lies south of Highway 55, east of the City of Eagan, North along a line drawn at Robert trail and Eagan city limit following Robert Trail to Rich Valley Boulevard, east to Barnes Avenue then following School District 196 & 199 boundary on the east.

Attached to this resolution, for illustrative purposes, is a map showing said precincts and the location of each polling place.

Adopted by the City Council of the City of Inver Grove Heights this 14th day of March, 2022.

Ayes:
Nays:

Tom Bartholomew, Mayor

Attest:

Rebecca Kiernan, City Clerk



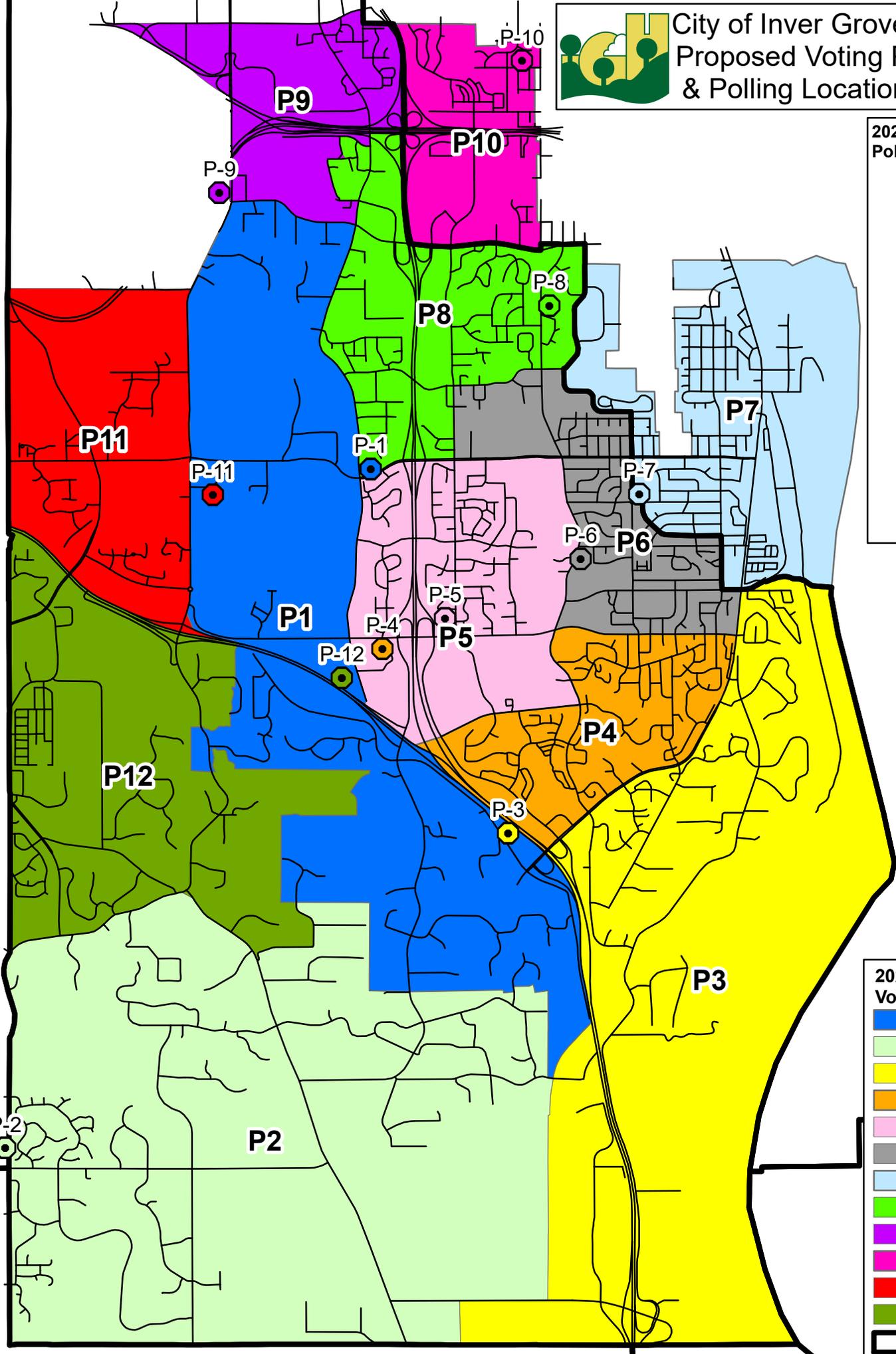
City of Inver Grove Heights Proposed Voting Precincts & Polling Locations, 2022

2022 Proposed Polling Locations

- P-1
- P-2
- P-3
- P-4
- P-5
- P-6
- P-7
- P-8
- P-9
- P-10
- P-11
- P-12

2022 Proposed Voting Precincts

- P1
- P2
- P3
- P4
- P5
- P6
- P7
- P8
- P9
- P10
- P11
- P12
- State House Boundary 2022





Request for Council Action

Authorization to Enter into Contract with Iverson Reuvers

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---------------------------------|------------------------------------|---------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent | Amount included in current budget | X |
| Contact: | (651) 450 - 2511 | Budget amendment requested | |
| Prepared by: | Kris Wilson, City Administrator | FTE included in current complement | |
| Reviewed by: | Bridget Nason, City Attorney | New FTE requested - N/A | |
| | | Other | |

ACTION REQUESTED

The Council is asked to authorize entering into the attached contract with the law firm of Iverson Reuvers to perform as needed services in the area of employment investigations.

SUMMARY

From time to time the City has a need to engage an independent investigator to address employment matters. Such work has been done by various law firms and individuals in the past, but at the current time there is no active contract in place. In order to ensure that such situations can be investigated and addressed promptly when they do come up, staff is asking Council to authorize the appropriate officials to enter into the attached contract with the law firm of Iverson Reuvers. This firm was identified from a list of investigators maintained by the League of MN Cities. The quoted price is \$255 per hour. When such costs are incurred, they would be charged to the legal budgets of either the HR division or the relevant city department, depending on the circumstances.

IVERSON REUVERS, LLC
and
CITY OF INVER GROVE HEIGHTS
Contract for Investigative Services

This Contract for the provision of employment investigation services is entered into between Iverson Reuvers, LLC and the City of Inver Grove Heights.

Scope of Services. Iverson Reuvers, LLC agrees to perform employment investigation services as needed to the City of Inver Grove Heights. Upon the request for any employment investigation, Iverson Reuvers, LLC will first determine if there is any known conflict based on the anticipated employees to be interviewed in the investigation. Iverson Reuvers, LLC will notify the City immediately of any such conflict.

Term. This Contract shall be effective on the date of execution until termination. The City of Inver Grove Heights or Iverson Reuvers, LLC may terminate this Contract upon 30 days' written notice to the other party. In the event of termination, the City shall be responsible to pay for the services performed to the effective date of termination.

Compensation. As consideration for employment investigation services, the City agrees to pay Iverson Reuvers, LLC \$255 per hour plus any out-of-pocket expenses including mileage. Mileage will be calculated at the standard IRS rate for business use.

Independent Contractor Relationship. It is expressly understood that any employee or shareholder of Iverson Reuvers, LLC is not an employee of the City. No employee or shareholder of Iverson Reuvers, LLC is entitled to any benefits from the City including insurance benefits, workers' compensation benefits, unemployment compensation benefits, or other benefits. This Contract does not constitute a joint venture or agency relationship between the Parties.

Dispute Resolution. The Parties to this Contract shall act in good faith to resolve any disputes arising under this Contract. If disputes cannot be resolved informally by the parties, the Parties shall first attempt to mediate the dispute. If the dispute is not resolved within sixty (60) days after the completion of mediation, the Parties may pursue any legal remedy.

Applicable Law. This Contract is entered into within the State of Minnesota and is to be interpreted in accordance with Minnesota law.

Amendments. Amendments to this Contract may be made upon the request of either Party and upon their mutual consent of the same.

Agreed to:

Dated: March 8, 2022

Susan M. Tindal

Susan M. Tindal, #330875
IVERSON REUVERS
9321 Ensign Avenue South
Bloomington, MN 55438
(952) 548-7200

Dated:

Thomas Bartholomew
City of Inver Grove Heights Mayor



Request for Council Action

Approval of final plans and specifications and authorizing advertisement for bid for the replacement of pool filtration, chemical feed systems and motor/pump assemblies for the pool equipment at the Veterans Memorial Community Center.

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---|------------------------------------|----------------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent Agenda | Amount included in current budget | x |
| Contact: | Phil Stier, Operations and Maintenance Supervisor | Budget amendment requested | |
| Prepared by: | Julie Dorshak, Recreation Superintendent | FTE included in current complement | |
| Reviewed by: | Adam Lares, Park & Recreation Director | New FTE requested - N/A | |
| | | Other | |

ACTION REQUESTED:

The Council is asked to approve final plans and specifications prepared by US Aquatics and authorize advertisement for bids for the replacement of pool filtration, chemical feed systems and motor/pump assemblies for the pool equipment at the Veterans Memorial Community Center (VMCC).

SUMMARY:

On January 12, 2022, the City Council approved a contract for \$18,200 with US Aquatics to develop plans and specification for the pool filter, pumps and chemical feed replacement project. This is a budgetted capital improvement for the VMCC this year.

The final plans and specifications have been prepared. With approval to proceed to bidding, staff will also work to determine the construction timeline, the impact it will have on our members, school events and Park & Recreation programs at the VMCC. Staff will make every effort to coordinate a plan that has the least amount of impact on programs and access for users of the VMCC.

Anticipated Schedule

| | |
|----------------|---|
| March 14, 2022 | City Council approves Plans and Specs and Authorize Bidding |
| March 15, 2022 | Distribution of Bid Documents |
| March 24, 2022 | Mandatory Pre-Bid meeting |
| April 5, 2022 | Review Bids |
| April 11, 2022 | Recommendation to City Council for Bids and Awards |
| July 5, 2022 | Construction Starts |

The estimated project costs are as follows:

| | | |
|--------------|------------------|-----------------------------------|
| US Aquatics | \$ 18,200 | Plans and Specifications |
| TBD | \$865,800 | Anticipated Construction Estimate |
| Total | \$884,000 | |

STAFF RECOMMENDATION

Staff recommends approval of the final plans and specifications prepared by US Aquatics and authorizing advertisement for bids for the replacement of pool filtration, chemical feed systems and motor/pump assemblies for the pool equipment project.

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

RESOLUTION NO. 2022-049

**RESOLUTION APPROVING FINAL PLANS AND SPECIFICATIONS AND AUTHORIZING
ADVERTISEMENT FOR BIDS FOR THE REPLACEMENT OF THE POOL FILTRATION,
CHEMICAL FEED SYSTEMS AND MOTOR/PUMP ASSEMBLIES FOR THE POOL
EQUIPMENT AT THE VETERANS MEMORIAL COMMUNITY CENTER**

WHEREAS, on December 13, 2021, the City Council of the City of Inver Grove Heights approved the 2022 Final Budget which included the Veterans Memorial Community Center Capital Improvement project of the pool filtration replacement; and

WHEREAS, On January 12, 2022, the City Council approved a contract for \$18,200 with US Aquatics to develop plans, specification, and bid documents for the pool filter, pumps and chemical feed project; and

WHEREAS, plans, specifications and bid documents have been prepared for the replacement pool filter project by consultant, US Aquatics; and

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

1. The plans and specifications for pool filtration replacement on file with the City are hereby approved as the plans and specifications in accordance with which said improvements shall be constructed.
2. The City Council authorize staff to begin the advertisement for bids for the replacement project of the pool filtration, chemical feed systems and motor/pump assemblies at Veterans Memorial Community Center.

Adopted this 14 day of March 2022 by the City Council of Inver Grove Heights, MN

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

JOB NO: INV18541
 DATE: 03/04/22
 ISSUED FOR: 80% REVIEW SET

REVISIONS
 NO. DATE DESCRIPTION

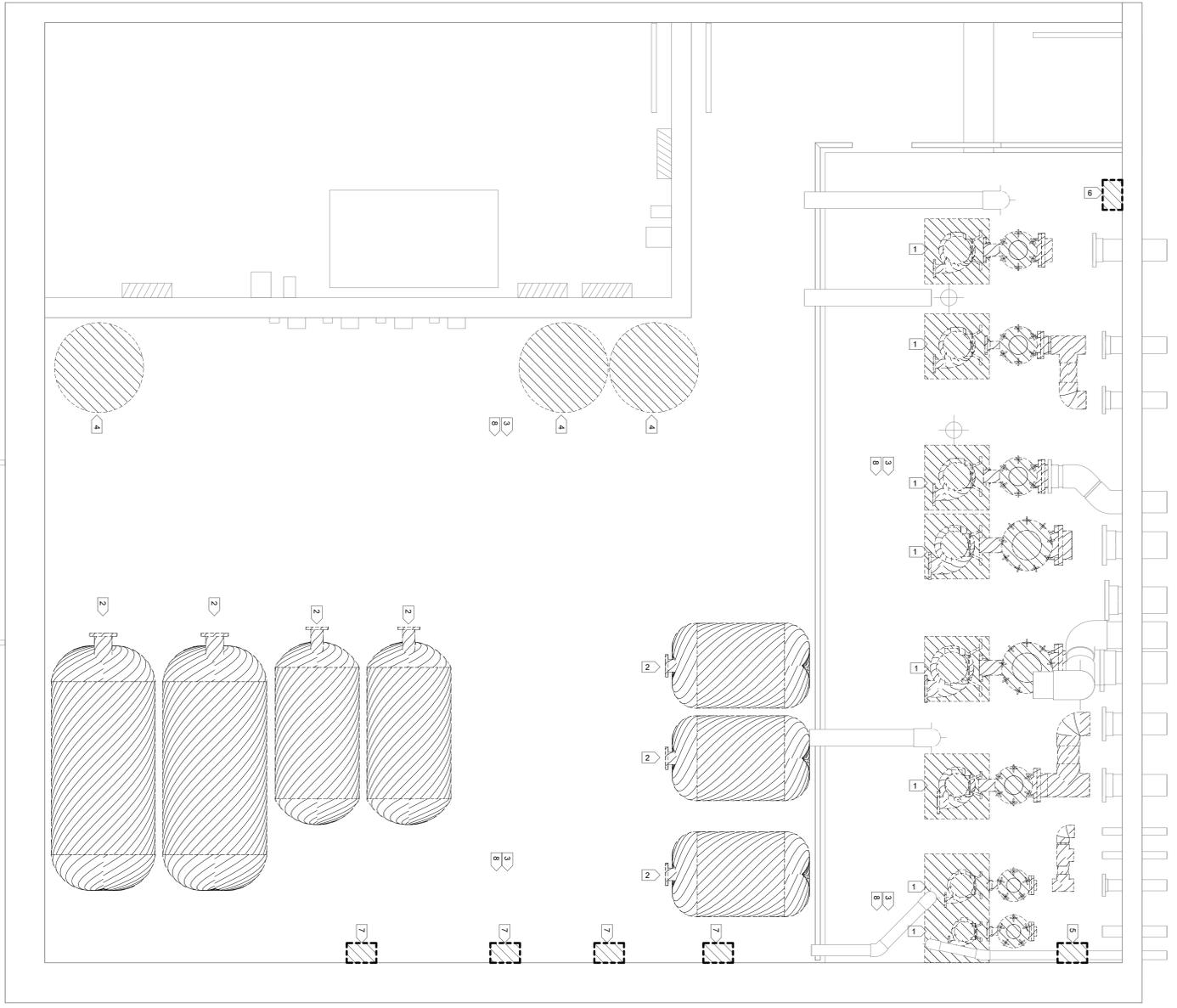
CLIENT:



AQUATIC DESIGN



| Label | Description |
|-------|---|
| 1 | REMOVE PIPING, EQUIPMENT PAD, AND EQUIPMENT FROM FLANGE AT WALL TO APPROX. 7' ABOVE THE FLOOR ON THE VERTICAL PIPE. REMOVAL INCLUDES ACCESSORIES, CONTROLLERS LOCATED IN PUMP PIT, ETC. |
| 2 | REMOVE SAND FILTER AND RELATED PIPING UP TO HEATING SUPPLY. |
| 3 | REMOVE EXISTING PIPE SUPPORTS AND HANGERS (WALLS AND CEILING) AND REPLACE WITH STAINLESS STEEL PIPE SUPPORTS (TYP. THROUGHOUT) |
| 4 | REMOVE EXISTING CHEMICAL TANK AND RELATED PUMP, PIPING, CONTROLLER, ETC. |
| 5 | REMOVE EXISTING AIR BLOWER (TYPICAL FOR ABANDONED EQUIPMENT) |
| 6 | REMOVE AIR BLOWER FOR REPLACEMENT |
| 7 | REMOVE EXISTING BACKWASH PUMP AND RELATED BACKWASH PIPING |
| 8 | REPLACE CHECK VALVES AND MODULATING VALVES THROUGHOUT |



**VETERANS MEMORIAL
 COMMUNITY CENTER**
 8055 BARBERA AVENUE
 INVER GROVE HEIGHTS, DAKOTA COUNTY, MN 55077

REGISTRATION

FOR REVIEW
 ONLY - NOT FOR
 CONSTRUCTION

DEMOLITION PLAN

DEMOLITION PLAN | 1

SHEET
AQ002

1/2" = 1'-0"
 A2002



AQUATIC DESIGN

USAquatics
 AQUATIC CONSULTING & DESIGN
 1245 BRIDGE AVE. SUITE 100 • MINNEAPOLIS, MN 55426
 PHONE: (612) 338-3333 • WWW.USAAQUATICS.COM

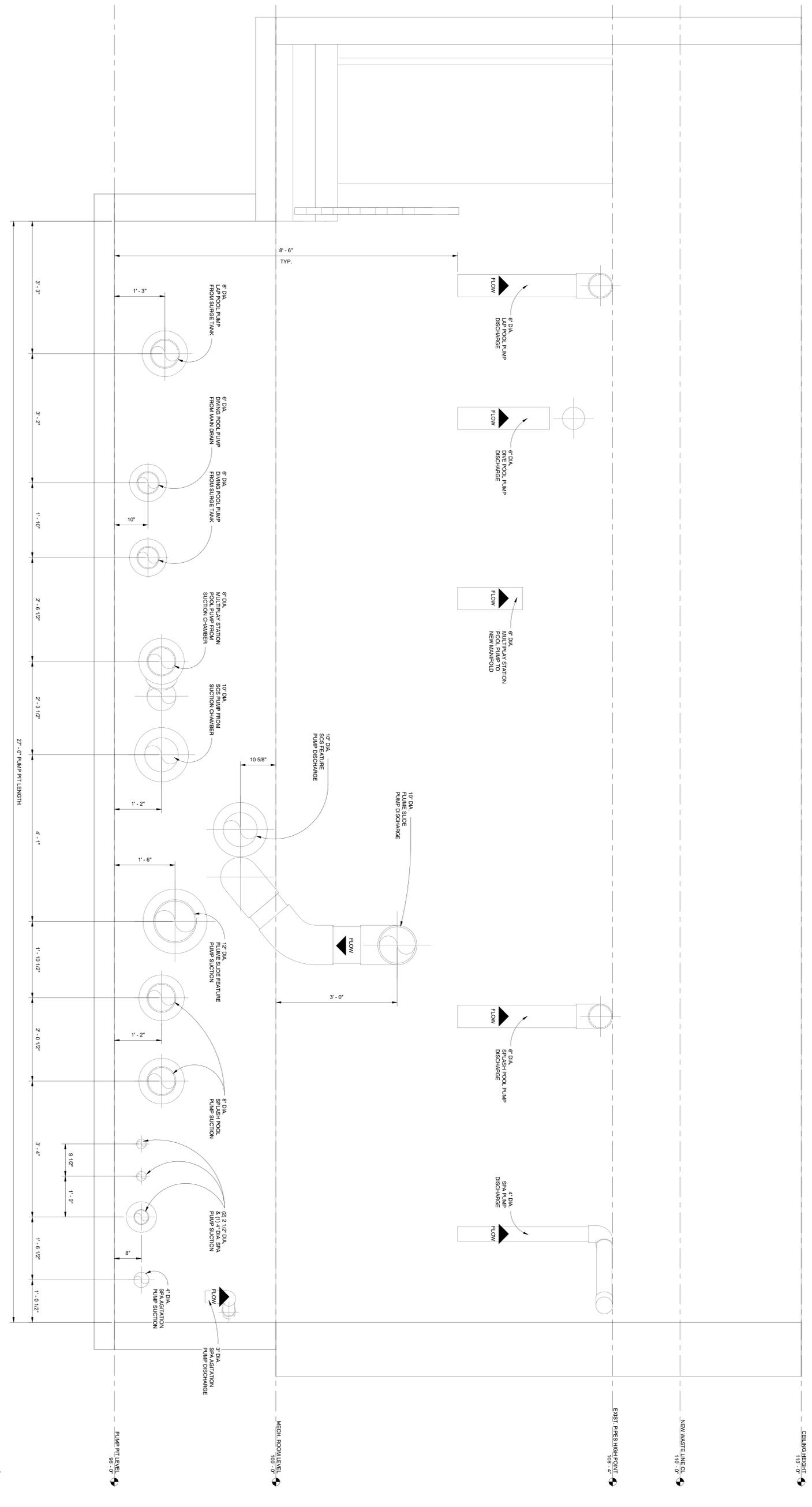
**VETERANS MEMORIAL
 COMMUNITY CENTER**
 8055 BARBERA AVENUE
 INVER GROVE HEIGHTS, DAKOTA COUNTY, MN 55077

REGISTRATION

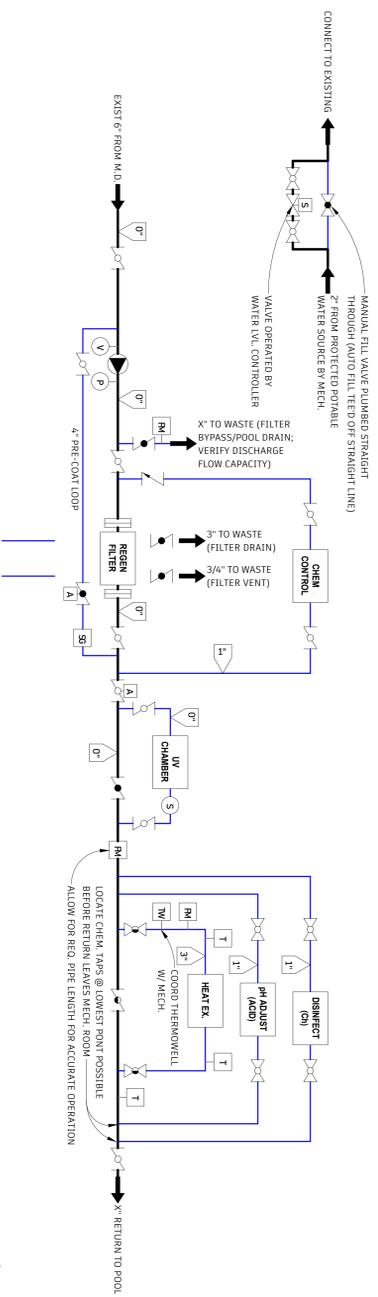
**FOR REVIEW
 ONLY - NOT FOR
 CONSTRUCTION**

PUMP PIT ELEVATION

SHEET
AQM302



PUMP PIT ELEVATION W/O EQUIPMENT | 01
 1" = 1'-0" (ANSI)



MECHANICAL SCHEMATIC - POOLS | 01
1/2" = 1'-0" K04501

MECHANICAL SCHEMATIC - SPA | 02
1/2" = 1'-0" K04501

| SCHEMATIC LEGEND | |
|---------------------------------------|--------|
| ITEM | SYMBOL |
| BUTTERFLY VALVE | |
| BALL VALVE | |
| BYPASS PLUMBING / LOW VOLTAGE CONN. | |
| CHECK VALVE | |
| DIVERTER VALVE | |
| FLANGE BREAK | |
| FLAT VALVE | |
| FLOW METER | |
| NORMALLY CLOSED | |
| NORMALLY OPEN | |
| NORMALLY THROTTLED | |
| PRESSURE GAUGE | |
| PRIMARY PLUMBING / HIGH VOLTAGE CONN. | |
| PUMP | |
| SIGHT GLASS | |
| SOLENOID VALVE | |
| STRAINER | |
| THERMOMETER | |
| UV CHAMBER | |
| VACUUM GAUGE | |

JOB NO: INV185041
DATE: 03/04/22
ISSUED FOR: 80% REVIEW SET
REVISIONS
NO. DATE DESCRIPTION



CLIENT:
AQUATIC DESIGN:
USA Aquatics
1245 BROADWAY, SUITE 100, ST. PAUL, MN 55102
PHONE: (612) 222-1111
WWW.USAAQUATICS.COM

VETERANS MEMORIAL COMMUNITY CENTER
8055 BARBERA AVENUE
INVER GROVE HEIGHTS, DAKOTA COUNTY, MN 55077

REGISTRATION
FOR REVIEW ONLY - NOT FOR CONSTRUCTION

MECHANICAL - TYPICAL DETAILS

SHEET
AQM501

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |

CLIENT:



AQUATIC DESIGN:



VETERANS MEMORIAL COMMUNITY CENTER
 8055 BARBERA AVENUE
 INVER GROVE HEIGHTS, DAKOTA COUNTY, MN 55077

REGISTRATION

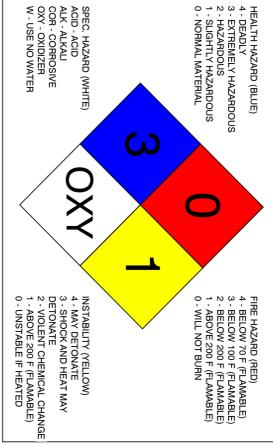
FOR REVIEW ONLY - NOT FOR CONSTRUCTION

MECHANICAL - TYPICAL DETAILS

SHEET

AQM1502

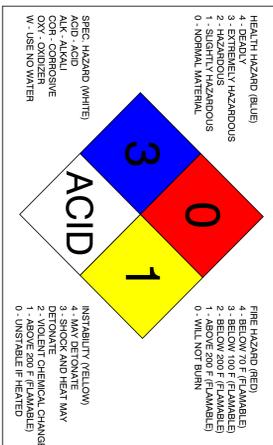
CALCIUM HYPOCHLORITE (CaClOCl₂)



NFPA 704 - CALCIUM HYPOCHLORITE | 10
 3/4" = 1'-0" KM0202

PUMP CURVES - AURORA XXX

MURIATIC ACID (HCl)



NFPA 704 - MURIATIC ACID | 9
 3/4" = 1'-0" KM0202

PUMP CURVES - AURORA XXX

PUMP CURVES - AURORA XXX

PUMP CURVES - LEISURE POOL | 6
 3/4" = 1'-0" KM0202
 PUMP CURVES - AURORA XXX

NOTES:
 1. PUMP CURVES OBTAINED FROM PRODUCT LITERATURE.
 2. LEISURE POOL OPERATING POINT (O.P.) IS AT 7600 GPM, 85 FT.
 3. LEISURE POOL PUMP SELECTED HAS 20 HP.

PUMP CURVES - AURORA XXX

PUMP CURVES - LEISURE POOL | 5
 3/4" = 1'-0" KM0202
 PUMP CURVES - AURORA XXX

NOTES:
 1. PUMP CURVES OBTAINED FROM PRODUCT LITERATURE.
 2. LEISURE POOL OPERATING POINT (O.P.) IS AT 7600 GPM, 85 FT.
 3. LEISURE POOL PUMP SELECTED HAS 20 HP.

PUMP CURVES - AURORA XXX

PUMP CURVES - LEISURE POOL | 4
 3/4" = 1'-0" KM0202
 PUMP CURVES - AURORA XXX

NOTES:
 1. PUMP CURVES OBTAINED FROM PRODUCT LITERATURE.
 2. LEISURE POOL OPERATING POINT (O.P.) IS AT 7600 GPM, 85 FT.
 3. LEISURE POOL PUMP SELECTED HAS 20 HP.

NOTES:
 1. PUMP CURVES OBTAINED FROM PRODUCT LITERATURE.
 2. LEISURE POOL OPERATING POINT (O.P.) IS AT 7600 GPM, 85 FT.
 3. LEISURE POOL PUMP SELECTED HAS 20 HP.

PUMP CURVES - LEISURE POOL | 3
 3/4" = 1'-0" KM0202

NOTES:
 1. PUMP CURVES OBTAINED FROM PRODUCT LITERATURE.
 2. DIVE POOL OPERATING POINT (O.P.) IS AT 1450 GPM, 85 FT.
 3. DIVE POOL PUMP SELECTED HAS 20 HP.

PUMP CURVES - DIVE POOL | 2
 3/4" = 1'-0" KM0202

NOTES:
 1. PUMP CURVES OBTAINED FROM PRODUCT LITERATURE.
 2. LAP POOL OPERATING POINT (O.P.) IS AT 1600 GPM, 85 FT.
 3. LAP POOL PUMP SELECTED HAS 20 HP.

PUMP CURVES - LAP POOL | 1
 3/4" = 1'-0" KM0202



AQUATIC DESIGN:



**VETERANS MEMORIAL
 COMMUNITY CENTER**
 8055 BARBERA AVENUE
 INVER GROVE HEIGHTS, DAKOTA COUNTY, MN 55077

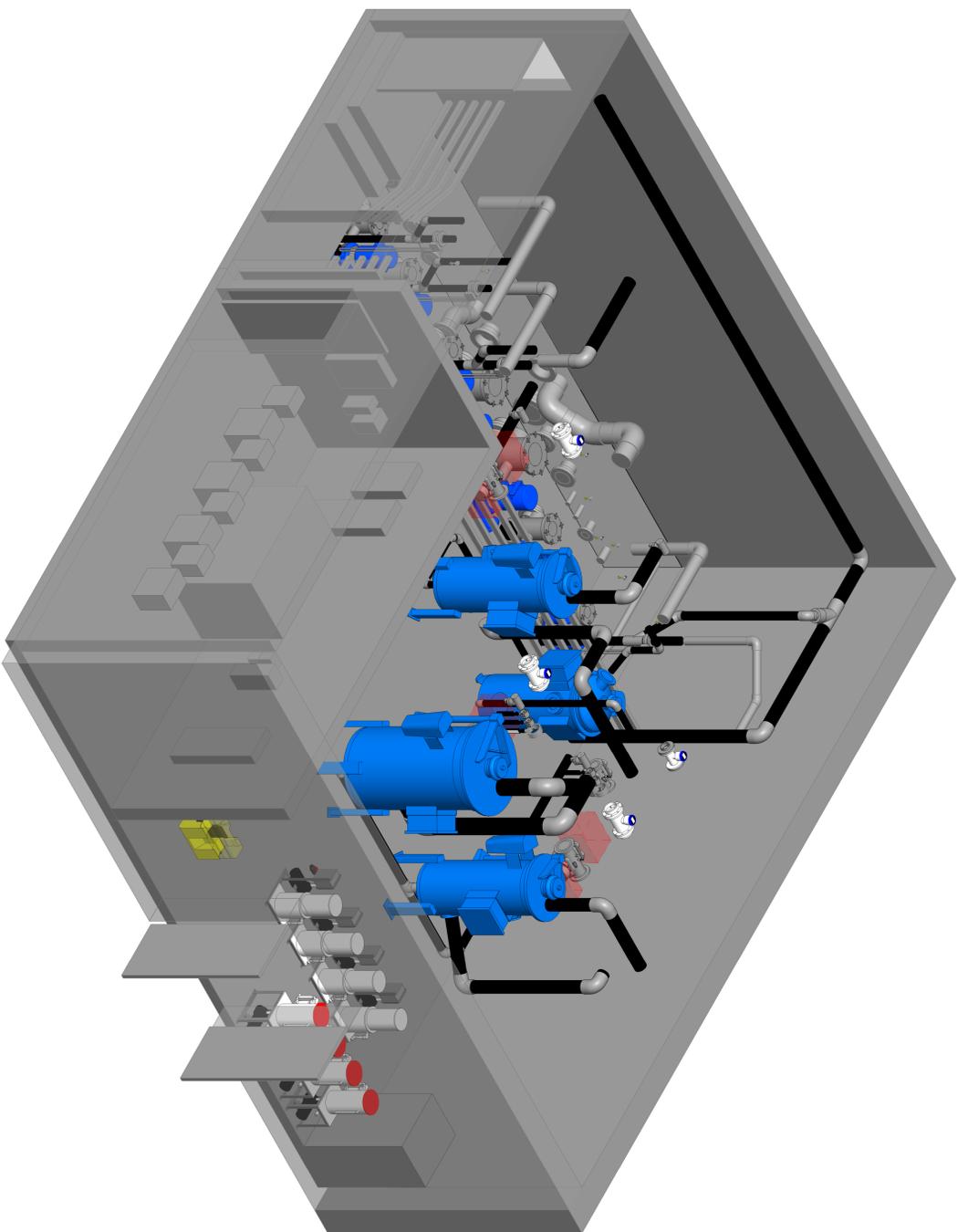
REGISTRATION

**FOR REVIEW
 ONLY - NOT FOR
 CONSTRUCTION**

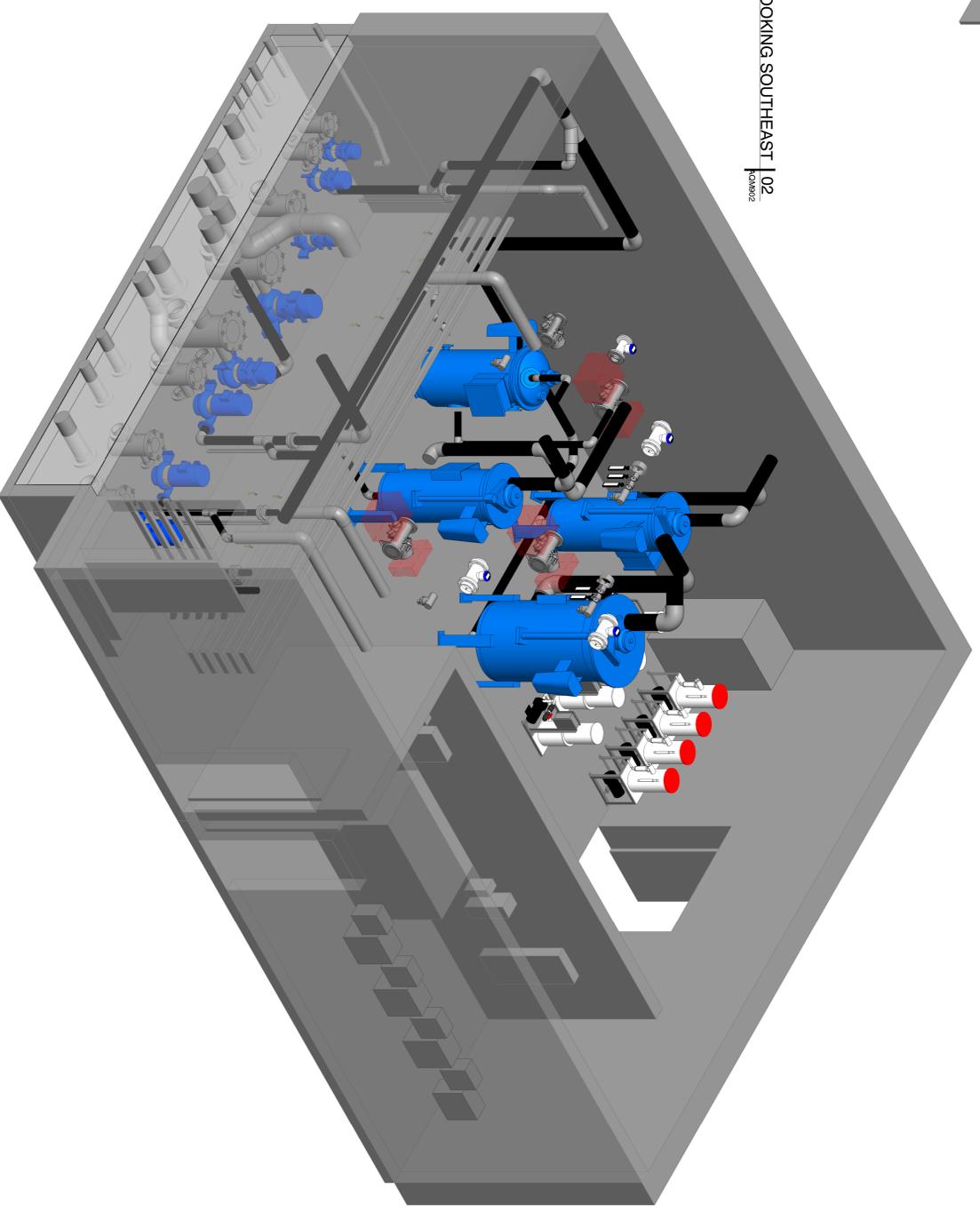
MECHANICAL ROOM -
 ISOMETRICS

SHEET

AQM902



ISOMETRIC - LOOKING SOUTHEAST | 02
 10/20/22



ISOMETRIC - LOOKING SOUTHWEST | 01
 10/20/22

| NO. | DATE | DESCRIPTION |
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CLIENT:



AQUATIC DESIGN:



VETERANS MEMORIAL COMMUNITY CENTER

8055 BARBERA AVENUE
INVER GROVE HEIGHTS, DAKOTA COUNTY, MN 55077

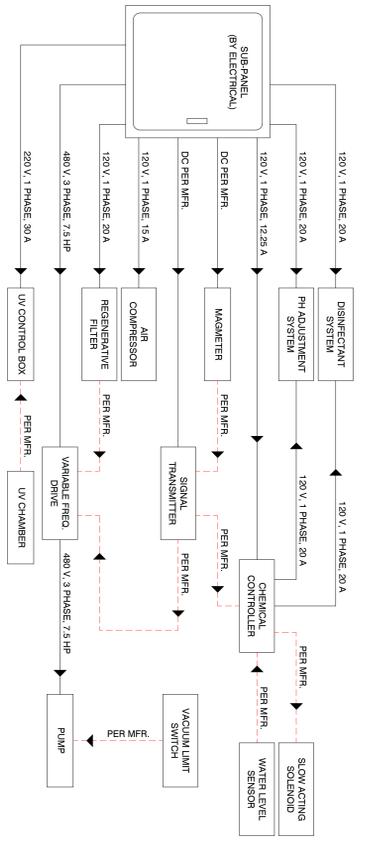
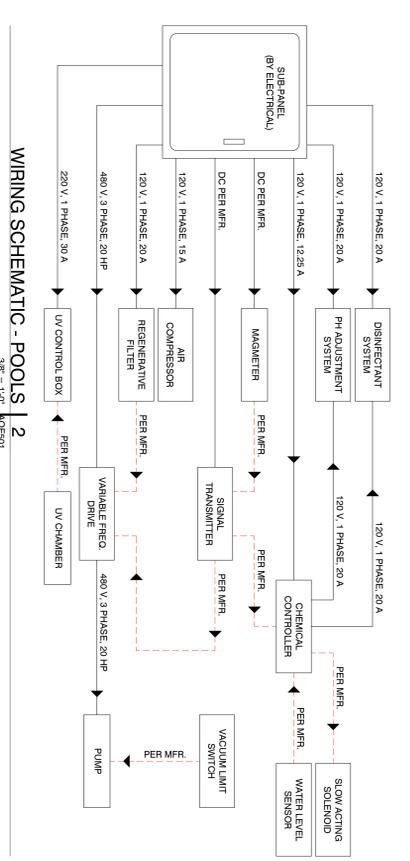
REGISTRATION

**FOR REVIEW
ONLY - NOT FOR
CONSTRUCTION**

ELECTRICAL - TYPICAL
DETAILS

SHEET

AQE501





Request for Council Action

Approval of professional service agreement with WSB & Associates to bring plans and specifications to 100% and to prepare bid documents for Heritage Village Park - Phase 4

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|--|------------------------------------|---------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent Agenda | Amount included in current budget | |
| Contact: | Adam Lares, Park and Recreation Director | Budget amendment requested | |
| Prepared by: | Adam Lares, Park and Recreation Director | FTE included in current complement | |
| Reviewed by: | Adam Lares, Park and Recreation Director | New FTE requested - N/A | |
| | | Other | x |

PURPOSE/ACTION REQUESTED

The Council is asked to approve a professional service agreement with WSB & Associates to complete professional consulting and design documents for the preparation of final design and bidding documents for Heritage Village Park - Phase 4.

SUMMARY

On January 24, 2022, Council was presented an update on Heritage Village Park (HVP) Phases 4 & 5. The update included two, time-sensitive funding opportunities from the state - a DNR grant awarded to Phase 4 and possible state bonding support during the 2022 legislative session that support Phase 5. As it pertains to Phase 4, staff recommended that Council authorize staff to proceed with the necessary steps to accept the DNR grant and to prepare plans, specs and bid documents. At the conclusion of the presentation, Council was asked to discuss and provide direction on next steps for the park.

Council provided direction for staff to verify the DNR grant availability for Phase 4 and if available to proceed with taking the steps to prepare plans, specification, and bid documents. As a result, staff have verified with the DNR that the grant is still available to the City. The grant is available through December 2023 for the HVP Phase 4 project.

Additionally, staff reengaged WSB & Associates and requested they provide a fee to bring the plans and specification to 100% complete and prepare bid documents. WSB is the consulting firm that originated the 90% set for HVP - Phase 4.

The fee for completing these services is \$30,166 and would come from the Park Acquisition and Development Fund. As shared with the Council during the January 24, 2022 HVP update, this fund has an approximate balance of \$1.7 million, after accounting for currently planned parks in the northwest area and the City's portion of Phase 4 of Heritage Village Park.

Recommendation

Staff recommends approval of the agreement with WSB & Associates to bring plans and specifications to 100% and prepare bid documents for Heritage Village Park - Phase 4.



February 17, 2022

Mr. Adam Lares
Parks and Recreation Director
City of Inver Grove Heights
8055 Barbara Avenue East
Inver Grove Heights, MN 55076

Re: Professional Services Proposal – Heritage Village Park Phase 4 Site and Architectural Package Final Design and Bidding

Dear Mr. Lares:

I am pleased to submit this letter proposal on behalf of WSB & Associates, Inc. (Consultant) to the City of Inver Grove Heights (Client) to complete professional consulting and design services for the preparation of final design documents and bidding for Heritage Village Park – Phase 4 for the site and architectural components. This proposal includes the architectural firm, Allliance, as a sub-consultant (architectural scope and fee attached).

PROJECT UNDERSTANDING

It is our understanding that this project is to include completion of the final design bid package for the three proposed architectural buildings and remaining adjacent site work including facilitation of the bidding process for consideration.

SCOPE OF SERVICES

A. Final Design Bid Documents

- a. Project Management: Candace Amberg will be the project manager and will coordinate all aspects of the project until its completion with the Client as well as the architectural sub-consultant, Allliance.
- b. Project Kick-Off & Review Meeting: Consultant will facilitate a project kick-off meeting with the Client to review the project schedule and deliverables along with a full review and discussion of the current plan set based upon previous work and comments made by the city to ensure the plan goals and design intent are carried into the final construction documents.
- c. Estimation: Consultant will prepare an updated project estimate of probable cost for construction based upon current market conditions.
- d. Construction Document Bid Package: Consultant will prepare a full construction plan set and written technical specifications for the architectural and site work, as approved by the Client. The final design package will contain all remaining site pavements, utilities brought to within five feet (5') of the restroom building, confirmation of site stormwater modeling, landscaping and restoration, the architectural package as provided by Allliance, SWPPP documentation and NPDES permit.
- e. Design Review Meeting: Consultant will facilitate a project design review meeting of the 99% complete construction documents, specifications and estimate of probable costs with the Client. The plan set will be distributed to the Client for a full internal review by city staff for final approval to proceed with the bidding process.
- f. City Approval Meetings: Consultant will attend one (1) Parks and Recreation Advisory Commission meeting and one (1) City Council meeting in person to answer any questions that arise for approval of the final construction documents to go forward with bidding.

701 XENIA AVENUE S | SUITE 300 | MINNEAPOLIS, MN | 55416 | 763.541.4800 | WSBENG.COM

- B. Bidding:** WSB will provide oversight and administration of the project bidding process to include sending out Advertisement for Bid, uploading plans and specs to Quest CDN, responding to questions that arise during the bidding process, preparation of addenda, attending bid opening, tabulation of bids, review of contractor references, and letter of recommendations for selection of contractors. It is anticipated that an electronic bidding process will be utilized.
- C. Architectural Sub-Consultant:** See attachment for scope of services and related fees.
- D. Additional Services:** Services other than those listed in the Scope of Services above and requested and authorized in writing by the City. These services shall be billed on an hourly basis according to the current Hourly Rate Schedule at the time of request.

ASSUMPTIONS AND EXCLUSIONS

- A. Assumes all previous stormwater calculation and permit requirements have been met and that no additional stormwater design and modeling revisions are necessary.
- B. It is assumed that previous site design efforts will be carried forward into this design package with minimal refinements.
- C. Assumed Client responsibilities for this project:
 - a. Full program coordination with one individual representing the Client’s interests.
 - b. Coordination of all meetings with City staff, stakeholders, Commissions, and City Council.
 - c. Any contamination oversight or remediation efforts that may be necessary through Barr Engineering.

FEES FOR PROFESSIONAL SERVICES

It is proposed that Tasks be billed on an hourly-not-to-exceed basis according to the following breakdowns:

| | |
|------------------------------------|-----------------|
| Task A (Final Design Bid Package): | \$16,200 |
| Task B (Bidding):..... | \$ 1,000 |
| Total: | \$17,200 |

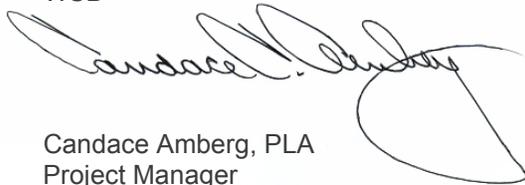
Additional Services: TBD

This letter and the attachment represent our entire understanding of the project scope. If the City of Inver Grove Heights is in agreement, the necessary contract documents can be provided and signed. WSB will start work upon receipt of a signed contract.

Thank you for this opportunity to propose on this project. If you should have any questions regarding this proposal, please contact me at 612-518-3694 or camberg@wsbeng.com

Sincerely,

WSB



Candace Amberg, PLA
Project Manager

WSB



Jason Amberg, PLA
Director of Landscape Architecture

Attachments: Alliance Scope of Services

ALLIANCE

18 February 2022

400 Clifton Avenue
Minneapolis, MN 55403

COMMUNICATION
P 612.874.4100
F 612.871.7212

WEBSITE
www.alliance.us

Candace Amberg

WSB

701 Xenia Avenue South, Suite 300
Minneapolis, MN 55416

Dear Ms. Amberg,

Following is our understanding of project scope and associated fee proposal for completion of the Heritage Village Park project.

Scope

Alliance has previously completed 90% complete Phase 3 (playground and buildings) construction documents dated February 28, 2020, which were placed on-hold pending funding. Our proposed scope of work includes:

Base Scope (Finalize Construction Documents and Bidding)

- Remobilize Team
- Incorporate comments provided by city staff review dated November 2019.
- Prepare updated cost estimate
- Completing construction documents, including architecture, and structural, mechanical, and electrical engineering
- Providing Bidding services including:
 - Attending pre-bid conference
 - Respond to questions posed by bidders
 - Prepare addenda as required

Exclusions: If significant cost management and/or redesign is required to maintain the budget, design fees for that work will be provided once the cost estimate update is provided. The significant escalation in construction costs since the project went on-hold in 2020 may impact the alignment of the scope of work and budget.

Assumptions

Autumn 2022 Construction start. Refer to attached schedule.

Compensation

Alliance proposes compensation for bidding and construction services based on the fees outlined in the IGH Proposal, dated August 12, 2019, escalated 11% based on the US Bureau of Labor and Statistics data for the Minneapolis area. We have also added a cost estimate and reimbursable expenses, which were not included in the previous proposal.

Base Scope (Finalize Construction Documents and Bidding)

Complete Construction Documents: \$5,500

Bidding: $\$5,915 \times 1.11 = \$6,566$

Additional Cost Estimate: \$750

Reimbursable Expenses: \$150

Total Base Scope: \$12,966

We look forward to the opportunity to complete this wonderful addition to the Inver Grove Heights park system. Please let us know if you have any questions.

Sincerely,



Kenneth Sheehan, AIA, LEED AP
Principal



Request for Council Action

Resolution Accepting Construction and Inspection Oversight Proposal from Bolton & Menk for the Peltier Development

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---------------------------------------|------------------------------------|----------------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent | Amount included in current budget | |
| Contact: | Thomas J. Kaldunski, 651-315-6336 | Budget amendment requested | |
| Prepared by: | Thomas J. Kaldunski, City Engineer | FTE included in current complement | |
| Reviewed by: | Brian Connolly, Public Works Director | New FTE requested - N/A | |
| | | Other: Developer-provided escrow | X |

PURPOSE/ACTION REQUESTED

The Council is asked to adopt the attached Resolution, accepting the construction and inspection oversight proposal from Bolton & Menk for the Peltier Development.

SUMMARY

Bolton & Menk, as part of the engineering consultant pool, was asked to submit a proposal for construction and inspection oversight of the Peltier Development.

Attached is the proposal from Bolton & Menk for the construction and inspection oversight. The proposed fee for these services is \$177,000. The fees will be funded through a developer-provided escrow of \$213,750 as outlined in the Developer’s Agreement for all phases of construction. The remaining funds will be used for City construction work. The City has a general construction services contract with Bolton & Menk and they have provided review services on this development.

It is recommended that Council accept the proposal from Bolton & Menk for construction and inspection oversight for the Peltier Development in the amount of \$177,000.

TJK/kf

Attachment(s): Proposal

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

**RESOLUTION ACCEPTING A PROPOSAL FOR CONSTRUCTION AND INSPECTION OVERSIGHT
FROM BOLTON & MENK FOR THE PELTIER**

RESOLUTION NO. 2022-050

WHEREAS, to complete construction and inspection services in a timely manner for the Peltier Development, assistance of a consulting engineering firm is required; and

WHEREAS, staff requested, and received a proposal from Bolton & Menk for construction and inspection services in the amount of \$177,000.

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

1. The proposal from Bolton & Menk dated January 31, 2022 for construction and inspection oversight for the Peltier Development in the amount of \$177,000 is approved.
2. Funding is provided through the Peltier Development Escrow Account provided by the developer in accordance with the development documents.

Adopted by the City Council of Inver Grove Heights this 14th day of March 2022

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



**BOLTON
& MENK**

Real People. Real Solutions.

12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

January 31, 2022

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

Re: Peltier Development Inspection
Professional Services Proposal

Dear Mr. Kaldunski:

Thank you for the opportunity to submit this proposal to complete construction inspection for the remainder of the Peltier Development.

Project Understanding

We understand that Phase 1 of the development was completed in 2021 and that this area generally included the street and utility work south of the Magellan Pipeline easement. City staff has asked that we estimate the inspection time necessary to complete the remaining phases of work. As you know, inspection time is highly dependent on the speed of construction and the number of crews dedicated by the general contractor. We have assumed a linear construction schedule without much duplication of crews. For example, there could be a reduction in inspection time if the contractor has multiple utility crews working at the same time. We have assumed an average construction week to include 50 hours of inspection.

| Resident Project Representative | | |
|---|----------|-------------------|
| Water, Sanitary Sewer, Storm Sewer Construction | 12 Weeks | 600 Hours |
| Street Construction | 6 Weeks | 300 Hours |
| Trails, Sidewalks, and Restoration | 6 Weeks | 300 Hours |
| Closeout, Punchlist | 1 Week | 50 Hours |
| Total: | | 1250 Hours |
| Senior Inspector | | |
| Project Oversight | 25 Weeks | 50 Hours |
| Total: | | 50 Hours |

Based on the tabulation above, we are estimating that the remaining development inspection time is equivalent to 1,250 hours or about 6 months full-time. We have included time for a senior inspector to oversee the project to help answer questions and resolve problems as they arise. Again, this is an estimate based on factors that are not controlled by the City or inspector.

Name: Tom Kaldunski, P.E.

Date: January 31, 2022

Page: 2

Resident Project Representative

We are able to provide the City with a Resident Project Representative (RPR) with experience inspecting municipal development projects similar in size and scope to the Peltier Development. Our RPR's have extensive utility and street inspection experience and carry a wide array of MNDOT inspection certifications. Detailed resumes of our RPR's can be provided at your request. Our Senior Construction Inspectors generally have over 15 years of inspection experience with our client cities throughout the metro area.

Proposed Fee

Our Resident Project Representatives with the level of experience needed for this job, have billing rates of \$135 per hour. Additionally, our Senior Inspectors have billing rates of \$165 per hour.

| | | |
|---------------------------------|-------------------------------|-----------|
| Resident Project Representative | (1250 hours @ \$135 per hour) | \$168,750 |
| Senior Inspector | (50 hours @ \$165 per hour) | \$8,250 |

In accordance with the City of Inver Grove Heights' project requirements, Bolton & Menk proposes to complete the scope of work as described above for an estimated fee of **\$177,000**.

Thank you for inviting Bolton & Menk to offer you this proposal, as well as your continued consideration of our services to the City of Inver Grove Heights. We look forward to working with you and the City on this project. If you have any questions regarding our proposal, please do not hesitate to call us.

Sincerely,

Bolton & Menk, Inc.



Eric Seaburg, P.E.
Principal

City Representative
City of Inver Grove Heights



Request for Council Action

Resolution Accepting Construction and Inspection Oversight Proposal from Kimley-Horn for Highlands of Settlers Ridge

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---------------------------------------|------------------------------------|----------------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent | Amount included in current budget | |
| Contact: | Thomas J. Kaldunski, 651-315-6336 | Budget amendment requested | |
| Prepared by: | Thomas J. Kaldunski, City Engineer | FTE included in current complement | |
| Reviewed by: | Brian Connolly, Public Works Director | New FTE requested - N/A | |
| | | Other: Developer-provided escrow | X |

ACTION REQUESTED

The Council is asked to adopt the attached Resolution, accepting the construction and inspection oversight proposal from Kimley-Horn for Highlands of Settlers Ridge.

SUMMARY

The Highlands of Settlers Ridge is a proposed single-family residential development located on the west side of South Robert Trail approximately 0.4 miles south of 70th Street.

Kimley-Horn, as part of the engineering consultant pool, were asked to submit a proposal for construction services for the development. The total estimated cost for the construction inspection is \$149,000. The City Development Agreement will require the developer to cover this cost.

Staff recommends that the Council adopt the resolution accepting the proposal from Kimley-Horn in the amount of \$149,000 for construction and inspection oversight for the Highlands of Settlers Ridge Development.

TJK/kf
Attachments: Resolution

Proposal

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY**

**RESOLUTION ACCEPTING A PROPOSAL FOR CONSTRUCTION AND INSPECTION
OVERSIGHT FROM KIMLEY-HORN FOR THE HIGHLANDS OF SETTLERS RIDGE
DEVELOPMENT**

RESOLUTION NO. 2022-051

WHEREAS, to complete construction and inspection oversight in a timely manner for Highlands of Settlers Ridge, assistance of a consulting engineering firm is required; and

WHEREAS, staff requested, and received, a proposal from Kimley-Horn for construction and inspection oversight in the amount of \$149,000; and

WHEREAS, based on the experience of the firm, the scope and associated fee for the proposed services, Kimley-Horn is selected from the City's engineering consultant pool for construction inspection services for the Highlands Development.

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

1. The proposal from Kimley-Horn is accepted, and staff is authorized to enter into a contract in the amount of \$149,000 for construction and inspection oversight as outlined in their January 18, 2022 proposal.
2. Funding is provided through the Highlands escrow account provided by the developer in accordance with the development documents.

Adopted by the City Council of Inver Grove Heights, Minnesota this 14th day of March 2022

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

INDIVIDUAL PROJECT ORDER NUMBER 42

Describing a specific agreement between Kimley-Horn and Associates, Inc. (the Consultant), and City of Inver Grove Heights (the Client) in accordance with the terms of the Master Agreement for Continuing Professional Services dated April 19, 2011, which is incorporated herein by reference.

Identification of Project: Private Development Construction Phase Services
Highlands at Settlers Ridge

General Category of Services: Construction Plan Review, Construction Administration and Observation

Specific Scope of Basic Services: See attached Exhibit A.

Additional Services if Required: None identified at this time.

Schedule: Services will be performed on a mutually agreed upon schedule with the City, developer, and Contractor.

Deliverables: Weekly meeting summaries, construction observation daily reports, erosion control observation logs, and regular updates to City staff regarding construction.

Method of Compensation To be billed on an hourly (cost plus) basis as detailed in attached Exhibit B.

Special Terms of Compensation: None

Other Special Terms of Individual Project Order: None

ACCEPTED:

CITY OF INVER GROVE HEIGHTS

KIMLEY-HORN AND ASSOCIATES, INC.

BY: _____

DocuSigned by:
BY:  Mark Bishop
BA964A861B39448...

TITLE: _____

TITLE: Senior Vice President

DATE: _____

DATE: 1/18/2022

EXHIBIT A
SCOPE OF SERVICES

INDIVIDUAL PROJECT ORDER (IPO) NO. 42

PRIVATE DEVELOPMENT CONSTRUCTION PHASE SERVICES
HIGHLANDS AT SETTLERS RIDGE

The City of Inver Grove Heights is requesting construction administration and construction observation services for a new private development within the City. The Highlands at Settlers Ridge development proposes to construct 50 single-family homes, extend Auburn Lane from the existing Auburn Lane to 72nd Circle, construct new 75th Street, construct two stormwater ponds, and complete construction of the public infrastructure improvements in the 2022. Based on our understanding of the project, we will provide the scope of services listed below for the City.

1. CONSTRUCTION PLAN REVIEW

A. TH 3 Right Turn Lane Construction Plan Review

We understand the final construction plans for the proposed development will be required to include the construction of a southbound right turn lane on TH 3 at 72nd Street. We anticipate the scope of the right turn lane improvements will include widening of the east side of TH 3, drainage improvements, pavement reconstruction, signage, and striping. We will provide a limited review the plans submitted for the TH 3 right turn lane improvements and provide comments in the form of a comment's memo on up to two (2) plan submittals. These reviews will be concurrent with City staff's review of the other development plans. The Developer Engineer (engineer of record of the construction documents) retains sole responsibility for the accuracy and constructability of the plans. We understand the developer will be required to apply for a MnDOT right-of-way permit to perform the work and will require a plan review with MnDOT. Our review of the TH 3 right turn lane plans is intended only to expedite this process and review for general compliance with MnDOT and City of Inver Grove Heights standards. We are not responsible for errors or omissions in the plans. We estimate this task to require 50 hours of effort but will inform the City if additional time is required to complete the plan review.

2. CONSTRUCTION ADMINISTRATION

B. Pre-Construction Meeting and Weekly Construction Meetings

We will attend a pre-construction meeting with the contractor, sub-contractor(s), City staff, and Developer Engineer and produce meeting minutes. We anticipate both our on-site construction observer and our office construction administration engineer will attend the meeting. We anticipate the contractor or developer will conduct the meeting and prepare meeting materials. We will take meeting notes for the project record.

We will attend weekly construction meetings to assist the contractor as they coordinate the upcoming week's work at the jobsite. We anticipate these weekly construction meetings will be held via conference call or on-site and will be attended by the construction observer. We will assemble our notes from the weekly meetings and provide a summary to City staff for their reference.

C. Office Construction Administration

We anticipate this task will include coordination with the Developer Engineer and developer, delivery of construction documentation to the City, coordination of construction schedule with the contractor, and coordinating clarifications with City staff on specifications or standards for construction. We estimate this task will average 3 hours per week of effort during the duration of the construction project.

We will also prepare monthly billing invoices for our scope of services and provide a summary of the work tasks completed at the end of each month upon request. Hours for on-site observation will be documented in the daily reports as a part of Task 2.

2. CONSTRUCTION OBSERVATION

A. On-Site Construction Observation

We understand the developer intends to begin construction in May 2022 and work through October 2022. The City estimates that additional project closeout work will occur in the Spring and Summer of 2023. We will provide one construction observer for the duration of the construction project. The construction observer duties will consist of the following tasks:

- Daily reports
- Photographs before, during, and after construction
- Project materials testing documentation and logging
- Construction observation for evaluation that construction is in conformance with the Plans and City standards/specifications
- Regular coordination with the project contractor and City staff
- Coordination with Developer Engineer on design related inquires or issues
- Determination that as-built survey and materials/utility testing requirements are met by the contractor

The contractor and/or developer are responsible for coordinating necessary materials and utility testing for the project. We will review that the testing is scheduled with the contractor ahead of work occurring but are not responsible for scheduling. All construction staking/survey and as-built survey work is to be completed and coordinated by the contractor and/or developer.

We estimate our construction observer will be on-site 25 hours per week on average during the 2022 construction season. We estimate our construction observer will be on-site 5 hours per week on average during the 2023 construction season. We also anticipate forty (40) hours of winter observation time (November 2022 – March 2023) will be necessary to coordinate with the contractor on upcoming construction schedules, discuss punch list items, and observe any winter construction activities. If additional winter construction observation time is necessary, we will inform the City if additional time is required. We anticipate the on-site observation time will vary week to week and over the duration of the project based on the scope of work being completed on-site during that week.

All construction observation time will be logged in the daily reports for documentation and coordination with City staff.

Kimley-Horn shall use the care and skill a reasonable practitioner in the profession would use in the same or similar circumstances. Kimley-Horn shall have no responsibility for any of the construction contractor's means, methods, and techniques, equipment choice and usage, sequence, schedule, safety programs, or safety practices, nor shall Kimley-Horn have any authority or responsibility to stop or direct the construction work. Kimley-Horn's visits to the project site will be for the purpose of endeavoring to provide the City a greater degree of confidence that the completed work will generally conform to the construction documents. Kimley-Horn neither guarantees the performance of the construction contractor, nor assumes responsibility for the construction contractor's failure to perform its work in accordance with the contract documents. The construction contractor is solely responsible for constructing the project in conformity to the designs and specifications.

Any design related issues or questions that arise during construction by the Contractor will be answered by the Developer Engineer. Kimley-Horn's services are limited to the construction observation scope and limitations listed above, and all design items are to be addressed by the Developer Engineer.

B. MS4 Compliance Observations

We will perform erosion control observations and reporting for compliance with the City of Inver Grove Heights MS4 stormwater reporting requirements. We anticipate this will consist of the following tasks:

- We will provide a primary point of contact for the erosion control observation services and anticipate our on-site construction observer will be the main person conducting observations. An additional, certified staff member will be available to complete observations if the on-site observer is not available.
- Complete weekly erosion control observations and observations following each 0.5-inch or greater rainfall event on the site.
- Communicate directly with contractor representatives regarding observed site deficiencies.
- Document findings and contractor communications using City standard forms and templates.
- This task will include an estimated average weekly effort of two (2) hours per week for duration of the 2022/2023 construction season.
- This task will include an estimated ten (10) hours of senior staff time for the duration of the project related to providing input and opinions of observed site issues.

The City will provide a template form for our use in completing the erosion control observations and provide examples of completed forms to be used as a reference for documentation. Erosion control observations will be completed by a MnDOT certified erosion control construction observer and provided electronically to the City. We will make the observation documentation available to City staff as requested and provide a full electronic package of observation documentation at the end of the construction season.

EXHIBIT B
ESTIMATED COSTS

INDIVIDUAL PROJECT ORDER (IPO) NO. 42

PRIVATE DEVELOPMENT CONSTRUCTION PHASE SERVICES
HIGHLANDS AT SETTLERS RIDGE

Kimley-Horn proposes to perform all services included within this IPO on an hourly (cost plus) basis using our current standard hourly rate schedule. Reimbursable expenses (copy/printing charges, plotting, mileage, delivery charges, faxes, etc.) will be charged as an office expense at 6.0% of the labor fee. Services for all services in this IPO will be billed within the same invoice, with separate tasks as noted in Exhibit A. Based on our review of the preliminary plans provide to Kimley-Horn by the City and conversations with City staff, the table below summarizes our estimated costs for the services in the IPO:

| <u>Work Task</u> | <u>Estimate Fee</u> |
|------------------------------|---------------------|
| Construction Plan Review | \$7,800 |
| Construction Administration | \$132,800 |
| <u>Reimbursable Expenses</u> | <u>\$8,400</u> |
| Total | \$149,000 |

We anticipate that actual fees will be based on the actual effort required to complete the scope of work in this IPO. Deviations from the original estimate fees will be communicated ahead of the work with City staff. Staff hourly rate ranges are provided below and will be billed based on our current rate schedule.

| <u>Staff</u> | <u>Hourly Rate</u> |
|-----------------------|--------------------|
| Project Manager | \$180 - \$210 |
| Construction Engineer | \$125 - \$190 |
| Construction Observer | \$115 - \$150 |



Request for Council Action

Resolution Accepting Construction and Inspection Oversight Proposal from EOR for Inver Point Business Park Second Addition

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---------------------------------------|------------------------------------|---------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent | Amount included in current budget | |
| Contact: | Thomas J. Kaldunski, 651-315-6336 | Budget amendment requested | |
| Prepared by: | Thomas J. Kaldunski, City Engineer | FTE included in current complement | |
| Reviewed by: | Brian Connolly, Public Works Director | New FTE requested - N/A | |
| | | Other: Developer-provided escrow | X |

PURPOSE/ACTION REQUESTED

The Council is asked to adopt the attached Resolution, accepting the construction and inspection oversight proposal from EOR for Inver Point Business Park Second Addition

SUMMARY

EOR, as part of the engineering consultant pool, was asked to submit a proposal for construction and inspection oversight of the Inver Point Business Park Second Addition development.

Attached is the proposal from EOR for the construction and inspection oversight. The proposed fee for these services is \$22,520. This cost will be paid out of a developer provided escrow. EOR has been involved in all three buildings built in this business park since 2016; they are also in the City’s consultant pool.

It is recommended that the Council accept the proposal from EOR for construction and inspection oversight in the amount of \$22,520.

TJK/kf
Attachment: Resolution Proposal

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY**

**RESOLUTION ACCEPTING A PROPOSAL CONSTRUCTION AND INSPECTION
OVERSIGHT FROM EOR FOR INVERPOINT BUSINESS PARK SECOND ADDITION
DEVELOPMENT**

RESOLUTION NO. 2022-052

WHEREAS, to complete construction and inspection services in a timely manner for Inverpoint Business Park Second Addition, assistance of a consulting engineering firm is required; and

WHEREAS, staff requested, and received, a proposal from EOR for construction and inspection oversight in the amount of \$22,520; and

WHEREAS, based on the experience of the firm, the scope and associated fee for the proposed services, it was decided that EOR be selected from the City's engineering consultant pool as the consulting firm for field services for Inverpoint Business Park Second Addition.

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

1. The proposal from EOR is accepted and staff is authorized to enter into a contract in the amount of \$22,520 for construction and inspection oversight as outlined in their February 15, 2022 proposal.
2. Funding is provided through the Inverpoint Business Park Second Addition Escrow Account provided by the developer in accordance with the development documents.

Adopted by the City Council of Inver Grove Heights, Minnesota this 14th day of March 2022

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

| | | | |
|----------------------------|---|-------------|------------|
| Project Name | Inver Point Business Center– Building 2 | Date | 02/15/2022 |
| To / Contact info | Tom Kaldunski, P.E., Inver Grove Heights Mike Edwards, Inver Grove Heights | | |
| Cc / Contact info | Paula Kalinosky, PE; Brett Emmons, PE; EOR | | |
| From / Contact info | Kyle Crawford, PE, EOR | | |
| Regarding | Scope of Construction Services | | |

Scope of Services for Construction Observations, Inver Point Business Center, Building 2

The following is a fee estimate for field services for construction of Building 3 of the Inver Point Business Center. We have included time for field services prior to work beginning, weekly erosion control inspections during construction, stormwater management BMP retrofit oversight (if determined to be necessary), and final inspections after the BMP's have been completed and the site is vegetated, to occur in 2022.

This fee estimate is based on our recent experience during the design review and construction phases of Blackstone Vista, Blackstone Ponds, Scenic Hills (Phase I) and Inver Point Business Center Buildings 1 and 2. As with other projects, we intend to use EIT staff where applicable, and visit multiple sites each trip when possible to minimize costs. We anticipate involvement ensuring all stormwater management features within the Building 2 portion of the project, as well as those located immediately downstream, meet the objectives of erosion, flood prevention, and stormwater volume control standards.

This scope of services does not include Storm Sewer Construction Inspections. The City has typically requested to complete this task with City staff. During our initial site inspection, we will note any sediment buildup within structures and verify storm sewer installations.

Task 01: Basin Inspections and Reporting (\$9,170)

Estimated costs for this task include project review, field inspection, reporting, correspondence and coordination, expenses, and project management.

- a. Initial Site Inspection – EOR will review the previous construction plans, inspection reports, notes and correspondence and current construction plans prior to the initial site inspection. During the initial site inspection, all site BMP's, wetlands, storm sewer, vegetation will be inspected for compliance and erosion/sedimentation. An inspection report will be compiled and sent to the City for discussion and review with the Developer.
- b. Pre-Construction Meeting – EOR will attend the project pre-construction meeting and will provide guidance for the contractor to ensure compliance with City erosion control standards.
- c. Final Site Inspections – Following full vegetation establishment of all upstream disturbed soils, EOR will verify infiltration rates of the site BMP's and inspect native vegetation establishment. EOR will perform water level monitoring following 2 large storm events. A total of 3 visits for each applicable storm event will be conducted (24-, 48-, 72-hour intervals following the storm). An infiltration and vegetation inspection report will be compiled and sent to the City for discussion and review with the Developer.

Task 03: Erosion Control Inspections (\$11,130)

Estimated costs for this task include weekly erosion control inspections during the construction season, monthly erosion control inspections through the winter (as necessary), reporting, correspondence and coordination with project partners, expenses, and project management. It is anticipated that inspections will not need to progress beyond 2022.

- a. Weekly Erosion Control Inspections and Reporting – EOR will conduct a weekly erosion control inspection throughout the duration of construction. Each inspection will be compiled into a formal inspection report which will be distributed to the Contractor, Developer and City. (anticipated April – October 2022)
- b. Monthly Erosion Control Inspections and Reporting – EOR will conduct a monthly erosion control inspection following the conclusion of construction and site stabilization or when construction enters the winter months (whichever occurs first). A distribution of the inspection report will be sent to the Contractor, Developer and City (anticipated November 2022 – March 2023).

Task 04: Infiltration Basin Retrofit (As Necessary) (\$2,220)

Estimated costs for this task include field oversight of construction sediment excavation from the existing infiltration basin, reinstallation of filter media for the infiltration basin (if necessary). This task is only necessary if the initial site inspection identifies sediment build-up with the basins.

- a. Sediment Excavation Oversight – EOR will provide guidance to the contractor for amount of sediment to remove. During excavation of the wetlands, EOR will verify when contractor has reached native soils and removed all foreign sediment. During excavation of the infiltration basins, the soils will be inspected to ensure full infiltration capacity is restored.
- b. Filter Media Backfill – EOR will oversee reinstallation and backfill of filter media within infiltration basins as necessary. EOR will provide guidance to contractor for proper installation and equipment operation procedures.

Summary

The total estimated potential cost of services for Inver Point Business Center, Building 2 is **\$22,520**. The figures shown above are estimates only. Actual costs will be billed hourly based on engineering design progress and progress in the field during construction. The current billing rates for the time period when the work occurs will apply.



Request for Council Action

Approval of Final Compensation Change Order (Change Order No. 1), Final Pay Voucher (Payment No. 2), Engineer’s Report of Acceptance and Resolution Accepting Work for City Project No. 2021-08, Southern Trunk Watermain Improvements

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|--|------------------------------------|----------------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent | Amount included in current budget | |
| Contact: | Jake Moser, Civil Engineer | Budget amendment requested | |
| Prepared by: | Mike Edwards, Sr. Engineering Technician | FTE included in current complement | |
| Reviewed by: | Thomas J. Kaldunski, City Engineer | New FTE requested - N/A | |
| | Brian Connolly, Public Works Director | Other: Private Escrow Funded | X |

PURPOSE/ACTION REQUESTED

The Council is asked to approve the Final Compensation Change Order (Change Order No. 1), Final Pay Voucher (Payment No. 2), Engineer’s Report of Acceptance and Resolution Accepting Work for City Project No. 2021-08, Southern Trunk Watermain Improvements

SUMMARY

A contract for \$150,916.95 was awarded to Belair Site Services on June 14, 2021 for City Project 2021-08, Southern Trunk Watermain Improvements. The work is being funded through a cost participation agreement with the benefiting property owner, Bituminous Roadways Inc.

The contractor has completed the work as of December 31, 2021, in accordance with the contract plans and specifications. Final Compensation Change Order (Change Order No. 1) reconciles the contract quantities and the final actual quantities.

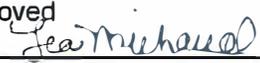
Staff recommends approval of Final Compensation Change Order (Change Order No. 1) in the amount of -\$7,416.10 for a revised contract amount of \$143,500.85 , along with the Final Pay Voucher (Payment No. 2) in the amount of \$7,175.04 for work on City Project No. 2021-08, Southern Trunk Watermain Improvements.

JM/me

Attachment(s): Final Compensation Change Order (Change Order No. 1)
 Final Pay Voucher (No. 2)
 Engineer’s Report of Acceptance
 Resolution Accepting Work

**CHANGE ORDER NO. 1
FINAL COMPENSATING CHANGE ORDER**

City Project No. 2021-08 Southern Trunk Watermain Improvements

| | |
|---|---|
| Owner: City of Inver Grove Heights 8150 Barbara Avenue Inver Grove Heights, MN 55077 | Date of Issuance: March 14, 2022 |
| Contractor: Belair Site Services | Engineer: Bolton and Menk |
| <u>Purpose of Change Order</u> Final compensating amount to balance value of work completed and total payment made to the Contractor. Accounts for miscellaneous increases and decreases in contract quantities. | |
| CHANGE IN CONTRACT PRICE | CHANGE IN CONTRACT TIME |
| Original Contract Price: \$ 150,916.95 | Original Contract Time: |
| Previous Change Order Nos. 0: \$ 0 | Net Change from Previous Change Orders: 0 |
| Contract Price Prior to this Change Order \$ 150,916.95 | Contract Time Prior to this Change Order |
| Net <u>Decrease</u> of this Change Order: \$ 7,416.10 | Net Increase of Change Order: |
| Contract Price with all Approved Change Orders \$ 143,500.85 | Contract Time with Approved Change Orders |
| Recommended By:  Michael Edwards, Engineering Technician | Approved By:  Belair Sitework Services, Inc. Lea Michaud, Project Accountant |

Approved By:


Thomas J. Kaldunski, City Engineer

Approved By:

Tom Bartholomew, Mayor

Date of Council Action:

March 14, 2022

**CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAY VOUCHER**

ESTIMATE NO: 2 (Two) FINAL
DATE: March 14, 2022
PERIOD ENDING: December 31, 2021
PROJECT NO: City Project No. 2021-08 Southern Trunk Watermain
Improvements

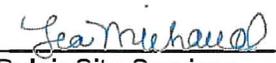
TO: Belair Site Services
2200 Old Highway 8 NW
New Brighton, MN 55112

| | |
|--|--------------|
| Original Contract Amount..... | \$150,916.95 |
| Total Addition (C.O. 0) | \$0.00 |
| Total Deduction (C.O. 1)..... | (\$7,416.10) |
| Total Contract Amount..... | \$143,500.85 |
| Total Value of Work to Date | \$143,500.85 |
| Less Retained (0%) | \$0.00 |
| Less Previous Payment..... | \$136,325.81 |
| Total Approved for Payment this Voucher..... | \$7,175.04 |
| Total Payments including this Voucher | \$143,500.85 |

Approvals:

Pursuant to our field observation, I hereby recommend for payment the above state amount for work performed through December 31, 2021.

Signed by:  March 14, 2022
Thomas J. Kaldunski, City Engineer Date

Signed by:  February 25, 2022
Belair Site Services Date

Signed by: _____ March 14, 2022
Tom Bartholomew, Mayor Date

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ENGINEER'S REPORT OF FINAL ACCEPTANCE

City Project No. 2021-08 Southern Trunk Watermain Improvements

March 14, 2022

TO THE CITY COUNCIL
INVER GROVE HEIGHTS, MINNESOTA

HONORABLE MAYOR AND CITY COUNCIL MEMBERS:

This is to advise you that I have received the work under contract with Belair Site Services for City Project No. 2021-08 Southern Trunk Watermain Improvements

The contractor has completed the project in accordance with the contract.

It is recommended, herewith, that final payment be made for said improvements to the contractor in the amount as follows:

| | |
|--|--------------|
| Original Contract Amount..... | \$150,916.95 |
| Total Addition (Change Order No. 0)..... | \$0.00 |
| Total Deduction (Change Order No. 1) | (\$7,416.10) |
| Total Contract Amount..... | \$143,500.85 |
| Total Value of Work to Date..... | \$143,500.85 |
| Less Previous Payment | \$136,325.81 |
| Total Approved for Payment this Voucher..... | \$7,175.04 |
| Total Payments including this Voucher | \$143,500.85 |

Sincerely,



Thomas J. Kaldunski, P.E.
City Engineer

TJK/me

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION ACCEPTING WORK OF BELAIR SITE SERVICES AND AUTHORIZING FINAL
PAYMENT IN THE AMOUNT OF \$7,175.04

CITY PROJECT NO. 2021-08 SOUTHERN TRUNK WATERMAIN IMPROVEMENTS

RESOLUTION NO. 2022-053

WHEREAS, pursuant to a written contract with the City of Inver Grove Heights dated June 14, 2021, Belair Site Services satisfactorily completed improvements and appurtenances for City Project No. 2021-08 Southern Trunk Watermain Improvements

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS: That the work completed under this contract is hereby accepted and approved, and

BE IT FURTHER RESOLVED: That the Mayor and the City Clerk are hereby directed to issue a proper order for final payment on such contract, taking the contractor's receipt in full.

Adopted by the City Council of Inver Grove Heights this 14th day of March 2022.

AYES:

NAYS:

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



Request for Council Action

Resolution Approving Final Plans and Specifications and Authorizing Advertisement for Bids for the 2022 Pavement Management Program, City Project No. 2022-09G - Albano Trail and Albright Court Rehabilitation

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---------------------------------------|---|----------------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent | Amount included in current budget | |
| Contact: | Jake Moser, 651-450-2489 | Budget amendment requested | |
| Prepared by: | Jake Moser, Civil Engineer | FTE included in current complement | |
| Reviewed by: | Thomas J. Kaldunski, City Engineer | New FTE requested - N/A | |
| | Brian Connolly, Public Works Director | Other: Pavement Management Fund, Stormwater Utility Fund, and Special Assessments | X |

PURPOSE/ACTION REQUESTED

The Council is asked to adopt the attached Resolution, approving final plans and specifications and authorizing advertisement for bids for the 2022 Pavement Management Program, City Project No. 2022-09G - Albano Trail and Albright Court Rehabilitation.

SUMMARY

On February 28, 2022, Council ordered the project and authorized preparation of plans and specifications for City Project No. 2022-09G - Albano Trail and Albright Court Rehabilitation.

The final plans and specifications have been prepared by staff with assistance from Bolton & Menk and are available for viewing at the City Engineering Office. The bid opening is tentatively scheduled for April 12, 2022, so that Council may receive the bids and consider awarding the project on April 25, 2022.

Staff recommends approval of the attached Resolution, approving final plans and specifications and authorizing advertisement for bids for City Project No. 2022-09G - Albano Trail and Albright Court Rehabilitation.

JM/kf

Attachment(s): Resolution sheet

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

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING
ADVERTISEMENT FOR BIDS FOR THE 2022 PAVEMENT MANAGEMENT PROGRAM, CITY
PROJECT NO. 2022-09G - ALBANO TRAIL AND ALBRIGHT COURT REHABILITATION**

RESOLUTION NO. 2022-054

WHEREAS, On February 28, 2022 following published notice given pursuant to Minnesota Statutes, Section 429.031 and a public hearing, the City Council ordered City Project No. 2022-09G - Albano Trail and Albright Court Rehabilitation; and

WHEREAS, pursuant to a resolution passed by the City Council on February 28, 2022, plans and specifications for City Project No. 2022-09G - Albano Trail and Albright Court Rehabilitation were authorized to be prepared by the City Engineer with the assistance of Bolton & Menk; and

WHEREAS, Staff with the assistance of Bolton & Menk have prepared plans and specifications for City Project No. 2022-09G - Albano Trail and Albright Court Rehabilitation for council review and approval.

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

1. The plans and specifications for City Project No. 2022-09G - Albano Trail and Albright Court Rehabilitation on file with the City are hereby approved as the plans and specifications in accordance with which said improvements shall be constructed.
2. The City Engineer is designated as the engineer for this improvement project and is hereby authorized to advertise for bids pursuant to the provisions of Minnesota Statutes Chapter 429, with respect to City Project No. 2022-09G.
3. The contract for these improvements shall be no later than two years after the adopting of the resolution.

Adopted by the City Council of Inver Grove Heights, Minnesota this 14th day of March 2022.

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



Request for Council Action

Resolutions Adopting Budgets for City Project No. 2016-09F - Carleda Way Area Improvements and City Project No. 2021-16 - Cahill Trunk Drainage Improvements

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---|---|---------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent | Amount included in current budget | |
| Contact: | Steve W. Dodge, 651-450-2541 <i>SWD</i> | Budget amendment requested | |
| Prepared by: | Steve W. Dodge, Asst. City Engineer | FTE included in current complement | |
| Reviewed by: | Brian Connolly, Public Works Director | New FTE requested - N/A | |
| | | Other: Pavement Management Fund, Assessments, Sewer Fund and Water Fund | X |

PURPOSE/ACTION REQUESTED

The Council is asked to adopt the attached resolutions:

1. A Resolution adopting the budget for City Project No. 2016-09F - Carleda Way Area Improvements.
2. A Resolution adopting the budget for City Project No. 2021-16 - Cahill Trunk Drainage Improvements

SUMMARY

City projects 2016-09F and 2021-16 were awarded by Council on February 28, 2022. Staff has developed budget summary tables and a resolution for each project to provide further transparency regarding the budgets for these two projects.

2016-09F - Carleda Way Area Improvements

City Project 2016-09F - Carleda Way Area Improvements received bids that were below the costs estimated in the feasibility report. These costs are summarized as follows:

| Improvement Type | Feasibility Estimate | Low Bid (Contract Award) | Legal, Eng., Admin, & Finance (LEAF) Costs | 10% Construction Contingency | Proposed Budget | Difference from Feasibility Estimate |
|------------------|-----------------------|--------------------------|--|------------------------------|-----------------------|--------------------------------------|
| Street | 1,053,000.00 | 668,200.20 | 230,000.00 | 66,821.00 | 965,021.20 | (87,978.80) |
| Storm Sewer | 286,000.00 | 177,974.00 | 62,000.00 | 17,798.00 | 257,772.00 | (28,228.00) |
| Sanitary Sewer | 381,000.00 | 184,975.50 | 83,000.00 | 18,498.00 | 286,473.50 | (94,526.50) |
| Watermain | 521,000.00 | 341,866.00 | 84,000.00 | 34,187.00 | 460,053.00 | (60,947.00) |
| | \$2,241,000.00 | \$1,373,015.70 | \$459,000.00 | \$137,304.00 | \$1,969,319.70 | (\$271,680.30) |

Funding for Project 2016-09F is recommended to come from the Pavement Management, Sewer Utility, and Water Utility Funds, as well as from Special Assessments as indicated in the accompanying resolution.

2021-16 - Cahill Trunk Drainage Improvements

City Project 2021-16 - Cahill Trunk Drainage Improvements also received bids that were below the costs estimated in the feasibility report. These costs are summarized as follows:

| Improvement Type | Feasibility Estimate | Low Bid (Contract Award) | Legal, Eng., Admin, & Finance (LEAF) Costs | 10% Construction Contingency | Proposed Budget | Difference from Feasibility Estimate |
|----------------------------|----------------------|--------------------------|--|------------------------------|---------------------|--------------------------------------|
| Ponding Land | 341,675.00 | 149,698.20 | 150,000.00 | 14,970.00 | 314,668.20 | (27,006.80) |
| Acquisition ⁽¹⁾ | 96,750.00 | | 73,750.00 ⁽¹⁾ | | 73,750.00 | (23,000.00) |
| | \$438,425.00 | \$149,698.20 | \$223,750.00 | \$14,970.00 | \$388,418.20 | (\$50,006.80) |

(1) Easement acquisition categorized with LEAF costs to separate from construction contract costs

Funding for Project 2021-16 is recommended out of the Pavement Management Fund in accordance with the feasibility report and as indicated in the accompanying resolution.

Staff recommends approval of the accompanying resolutions adopting budgets for projects 2016-09F and Project 2021-16.

SWD/BDC/kf

Attachment: Resolutions

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

RESOLUTION NO. 2022-055

**RESOLUTION ADOPTING THE BUDGET FOR
CITY PROJECT NO. 2016-09F - CARLEDA WAY AREA IMPROVEMENTS**

WHEREAS, the City Council has considered City Project No. 2016-09F, providing for the reconstruction of the street, storm sewer system, sanitary sewer system, and watermain system of Carleda Way from Cahill Avenue (northerly intersection) to Cahill Avenue (southerly intersection), 63rd Court East from Carleda Way to its east terminus, and 64th Court East from Carleda Way to its east terminus; and

WHEREAS, finding the project to be necessary and beneficial to the orderly and efficient construction and/or maintenance of city infrastructure, the City Council has ordered the project and awarded a contract for project construction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS, that the following budget is hereby adopted for City Project No. 2016-09F:

| PROJECT COSTS | |
|---|-----------------------|
| Construction Bid | \$1,373,015.70 |
| Legal, Engineering, Administrative, & Finance (LEAF) ⁽¹⁾ | \$459,000.00 |
| Construction Contingency (10%) | \$137,304.00 |
| TOTAL | \$1,969,319.70 |

| FUNDING SOURCES | |
|------------------------------------|-----------------------|
| Pavement Management Fund | \$884,102.20 |
| Sewer Utility Fund | \$286,473.50 |
| Water Utility Fund | \$460,053.00 |
| Special Assessments ⁽²⁾ | \$338,691.00 |
| TOTAL | \$1,969,319.70 |

(1) Cost based on 28% of the estimated construction cost provided in the feasibility report

(2) Assessment funding based on the preliminary assessment role provided in the feasibility report

BE IT FUTHER RESOLVED that the Public Works Director is authorized to direct the use of contingency funds up to the approved amount for project work in the case of changes in site conditions, quantity adjustment, or unforeseen expenses necessary to complete the project as proposed.

Adopted by the City Council of Inver Grove Heights on this 14th day of March 2022.

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. 2022-056

**RESOLUTION ADOPTING THE BUDGET FOR
CITY PROJECT NO. 2021-16 - CAHILL TRUNK DRAINAGE IMPROVEMENTS**

WHEREAS, the City Council has considered City Project No. 2021-16, providing for the construction of storm water basin and system for drainage improvements to 64th Street Court, Carleda Way and unimproved lots south of Carleda Way (Parcel ID Nos. 20-19500-03-110, 20-19500-03-100, 20-19500-03-090 and 20-19500-03-080).; and

WHEREAS, on December 13th, 2021, the City Council passed a resolution separating City Project No. 2016-13 - Cahill Trunk Drainage Study and establishing a new City Project No. 2021-16 - Cahill Trunk Drainage Improvements,

WHEREAS, finding the project to be necessary and beneficial to the orderly and efficient construction and/or maintenance of city infrastructure, the City Council has ordered the project and awarded a contract for project construction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS, that the following budget is hereby adopted for City Project No. 2021-16:

| PROJECT COSTS | |
|---|---------------------|
| Construction Bid | \$149,698.20 |
| Land/Easement Acquisition | \$73,750.00 |
| Legal, Engineering, Administrative, & Finance (LEAF) ⁽¹⁾ | \$150,000.00 |
| Construction Contingency (10%) | \$14,970.00 |
| TOTAL | \$388,418.20 |

| FUNDING SOURCES | |
|--------------------------|---------------------|
| Pavement Management Fund | \$388,418.20 |
| TOTAL | \$388,418.20 |

(1) Costs based on feasibility LEAF, plus realized costs to date, plus \$25K for construction administration, testing and staking needed for construction phase.

BE IT FUTHER RESOLVED that the Public Works Director is authorized to direct the use of contingency funds up to the approved amount for project work in the case of changes in site conditions, quantity adjustment, or unforeseen expenses necessary to complete the project as proposed.

Adopted by the City Council of Inver Grove Heights on this 14th day of March 2022

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



Request for Council Action

Approval of Collective Bargaining Agreement with IAFF

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---------------------------------|------------------------------------|----------------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent | Amount included in current budget | X |
| Contact: | (651) 450 - 2511 | Budget amendment requested | |
| Prepared by: | Kris Wilson, City Administrator | FTE included in current complement | |
| Reviewed by: | | New FTE requested - N/A | |
| | | Other | |

ACTION REQUESTED:

The Council is asked to authorize the appropriate officials to enter into the attached collective bargaining agreement with the International Association of Fire Fighters for calendar years 2021 and 2022.

SUMMARY:

The attached collective bargaining agreement (or union contract) has been negotiated with the International Association of Fire Fighters (IAFF), who represent a recently organized group of full-time employees in the Fire Department, including the three full-time Captains, the Fire Inspector and the Fire Marshal. [NOTE: This bargaining unit was formed prior to the hiring of three full-time Lieutenants and six full-time Firefighters. At this time, they are not covered by the negotiated contract.]

This is a first contract with this bargaining unit, and as is often the case with initial contracts, it took a fairly long time to arrive at a comprehensive agreement. Fortunately, through the cooperative efforts of the union and the City’s negotiating team, negotiations are now complete and the union has voted to accept the contract. That leaves City Council approval as the final step.

The negotiated contract closely follows the City’s other collective bargaining agreements, as well as policies and benefits for non-union employees. It provides for 2021 and 2022 wage levels consistent with the city’s other employee groups and in line with the adopted budget. However, there are a few items unique to this group of employees; primarily due to the fact that this bargaining unit contains the only full-time City employees that work 24-hour shifts. Employees working 24-hour shifts average a total of 56 hours per week rather than 40. This does not result in additional overtime, due to special provisions of the federal Fair Labor Standards Act that apply specifically to public safety personnel. It did, however, present some unique challenges in regards to establishing a fair schedule of vacation and personal leave accrual. The final agreement provides a “Schedule A” and “Schedule B” for accrual, to accommodate those positions that work 40 hours and those that average 56 hours per week.

RECOMMENDATION:

I recommend approval of the negotiated agreement.

LABOR AGREEMENT

BETWEEN

CITY OF INVER GROVE HEIGHTS

AND

INVER GROVE HEIGHTS PROFESSIONAL FIRE FIGHTERS

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

AFL-CIO CLC

LOCAL 5251

JANUARY 1, 2021 THROUGH DECEMBER 31, 2022

ARTICLE 1. PURPOSE OF AGREEMENT

This AGREEMENT is entered into between the City of Inver Grove Heights, hereinafter called the EMPLOYER, and the Inver Grove Heights Professional Fire Fighters, International Association of Fire Fighters AFL-CIO CLC Local 5251 hereinafter called the UNION.

The intent and purpose of this AGREEMENT is to:

- 1.1 Establish certain hours, wages, and other conditions of employment.
- 1.2 Establish procedures for the resolution of disputes concerning this AGREEMENT's interpretation and/or application,
- 1.3 Specify the full and complete understanding of the parties; and
- 1.4 Place in written form the parties' agreement upon terms and conditions of employment for the duration of the AGREEMENT.

ARTICLE 2. RECOGNITION

- 2.1 The EMPLOYER recognizes the UNION as the exclusive representative of an appropriate bargaining unit consisting of full-time fire inspectors, full-time shift captains, and full-time fire marshal of the City of Inver Grove Heights, Inver Grove Heights, Minnesota, who are public employees within the meaning of M.S. 179A.03, Subd. 14 excluding the fire chief, assistant fire chief, fire operations supervisor and part-time paid on-call firefighters.

ARTICLE 3. DEFINITIONS

- 3.1 **BASE PAY RATE:** The employee's hourly pay rate exclusive of any other special allowance.
- 3.2 **EMPLOYEE:** A person who is employed in a job classification covered by this Agreement.
- 3.3 **EMPLOYEE SENIORITY:** Length of continuous service with the EMPLOYER in any job classification covered by this AGREEMENT.
- 3.4 **EMPLOYER:** The City of Inver Grove Heights, or its designee.
- 3.5 **FULL-TIME EMPLOYEE:** an employee who works a 40- or 56-hour week, and is hired for a non-specific duration by the EMPLOYER.
- 3.6 **JOB CLASSIFICATION SENIORITY:** Length of service in a job classification covered by this AGREEMENT.
- 3.7 **MEAL BREAK:** Employees who work a 40-hour week will be provided one (1) unpaid, 30 minute duty-free meal break during each eight (8) hour or longer shift.
- 3.8 **RECLASSIFICATION:** A reassignment or change in classification of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level on the basis of a significant change in responsibility of the work performed in such a position.
- 3.9 **REST BREAKS:** Employees who work a 40-hour week will be provided a fifteen (15) minute paid rest break for each four (4) hours of work.
- 3.10 **UNION:** Inver Grove Heights Professional Fire Fighters, International Association of Fire Fighters AFL-CIO CLC Local 5251.
- 3.11 **UNION MEMBER:** A member of the Inver Grove Heights Professional Fire Fighters, International Association of Fire Fighters AFL-CIO CLC Local 5251.

ARTICLE 4. UNION SECURITY

- 4.1 The EMPLOYER shall deduct from the wages of employees who authorize such a deduction in writing an amount necessary to cover the UNION dues. Such monies shall be remitted as directed by the UNION.
- 4.2 The UNION may designate up to three employees from the bargaining unit to act as stewards and shall notify the EMPLOYER, in writing, when such officials are chosen.
- 4.3 The EMPLOYER shall notify the UNION and the UNION President of the names, addresses, division, job classifications and rates of pay of all new employees covered by this AGREEMENT on a quarterly basis and as employees are newly hired or promoted.
- 4.4 The EMPLOYER shall make space available on the employee bulletin board for posting UNION notices and announcements.
- 4.5 The UNION agrees to indemnify and hold the EMPLOYER harmless against any and all claims, suits, order, or judgments brought or issued against the EMPLOYER as a result of any action taken or not taken by the EMPLOYER under the provisions of this Article.
- 4.6 The EMPLOYER acknowledges the right of the UNION employees to convene for the purpose of conducting union meetings during the UNION employee's rest breaks, meal break, and before or after work hours; work schedules and call volume permitting.

ARTICLE 5. EMPLOYER AUTHORITY

- 5.1 Except as explicitly limited by a specific provision of this Agreement, the EMPLOYER shall have the exclusive right to take action it deems appropriate in the management of the City and the direction of the work force in accordance with its judgment. All inherent statutory and common law management functions and prerogatives which the EMPLOYER has not expressly modified or restricted by specific provision of this Agreement are retained and vested exclusively with the EMPLOYER. The EMPLOYER shall have the sole and exclusive right to determine the functions and programs of the City, its overall budget, utilization of technology, the organizational structure and selection and direction and number of personnel. In addition, the EMPLOYER specifically reserves the exclusive right in accordance with its judgment to hire, promote, transfer, and assign Employees to work; determine the starting and quitting time and the number of hours and days to be worked; maintain the efficiency of Employees; close down buildings or any part thereof or expand, reduce, alter, combine, transfer or cease any job, department, operation or service; subcontract any work done by the Employees; control and regulate the use of equipment and other property of the EMPLOYER; determine the number, location and operation of buildings, and divisions and departments thereof; the assignment of work and the size and composition of the work force; make or change rules and policies; introduce new or improved research, development, maintenance, service methods, materials or otherwise generally manage the City; and direct the Employees except as expressly modified or restricted by specific provision of this Agreement. The EMPLOYER'S non-exercise of any function hereby reserved to it or its exercising any such function in a particular way shall not be deemed a waiver of its right to exercise such function or to preclude the EMPLOYER from exercising the same in some other way not in conflict with the express provisions of this Agreement. The UNION agrees that it shall not establish or attempt to enforce upon the EMPLOYER, or any Employee, any rule or regulation which would interfere with the recognized right of management to carry out the foregoing provisions.
- 5.2 Effect of Laws, Rules and Regulations. The UNION recognizes that all Employees covered by this Agreement shall perform the services prescribed by the EMPLOYER and shall be governed by the laws of the State of Minnesota, and the EMPLOYER rules, regulations, directives and orders, issued by properly designated officials. The UNION also recognizes the right, obligation and duty

of the EMPLOYER and its duly designated officials to promulgate rules, regulations, directives and orders from time to time as deemed necessary by the EMPLOYER insofar as such rules, regulations directives and orders do not conflict with the express terms of this Agreement.

- 5.3 Reservation of Management Rights. The enumeration of the rights and duties of the EMPLOYER in this agreement shall not be deemed to exclude other inherent management rights and management functions not expressly reserved herein, and all management rights and management functions not expressly delegated in this Agreement are reserved to the EMPLOYER.

ARTICLE 6. GRIEVANCE PROCEDURE

- 6.1 Definition of a Grievance. A grievance is defined as a dispute or disagreement as to the interpretation or application of the specific terms and conditions of this AGREEMENT.

- 6.2 UNION Representatives. The EMPLOYER will recognize representatives designated by the UNION as the grievance representatives of the bargaining unit having the duties and responsibilities established by this Article. The UNION shall notify the EMPLOYER in writing of the names of such UNION representatives and of their successors when so designated, as provided by ARTICLE 5 of this AGREEMENT.

- 6.3 Processing of a Grievance. It is recognized and accepted by the UNION and the EMPLOYER that the processing of grievances as hereinafter provided is limited by the job duties and responsibilities of the employees and shall therefore be accomplished during normal working hours only when consistent with such employee duties and responsibilities. The aggrieved Employee and a UNION representative shall be allowed a reasonable amount of time without loss in pay when a grievance is investigated and presented to the EMPLOYER during normal working hours provided that the employee and the UNION representative have notified and received the approval of the designated supervisor who has determined that such absence is reasonable and would not be detrimental to the work programs of the EMPLOYER.

- 6.4 Procedure. Grievances, as defined in Article 6, shall be resolved in conformance with the following procedure:

Step 1. An Employee or the UNION claiming a violation concerning the interpretation or application of the AGREEMENT shall, within fourteen (14) calendar days after such alleged violation has occurred, present such grievance to the Department head with UNION representation. The Department head will discuss and give an answer to such Step 1 grievance within seven (7) business days after receipt. A grievance not resolved in Step 1 and appealed to Step 2 within seven (7) business days after receipt of the EMPLOYER-designated representative's final answer in Step 1. Any grievance not appealed in writing to Step 2 by the UNION within seven (7) business days shall be considered waived.

Step 2. If appealed, the written grievance shall be presented by the UNION and discussed with the City Administrator. The City Administrator shall give the UNION the EMPLOYERS Step 2 answer in writing within seven (7) business days after receipt of such Step 2 grievance. A grievance not resolved in Step 2 may be appealed to Step 3 within seven (7) business days following receipt of the City Administrator's final Step 2 answer or the deadline thereof. Any grievance not appealed in writing to Step 3 by the UNION within seven (7) business days shall be considered waived.

Step 3. A grievance unresolved in Step 2 and appealed to Step 3 by the UNION shall be submitted to arbitration subject to the provisions of the Public Employment Labor Relations Act of 1984, as amended. The selection of an arbitrator shall be made in accordance with the "Rules Governing the Arbitration of Grievances," as established by the Bureau of Mediation Services.

- 6.5 All grievances shall be presented in writing and contain the following elements:

- 6.5.1 Name of the aggrieved Employee.
- 6.5.2 Reference to the specific portion of the Agreement at issue in the grievance.
- 6.5.3 The nature of the grievance.
- 6.5.4 Requested action of the EMPLOYER to remedy the grievance.
- 6.6 Waiver. If a grievance is not presented within the time limit set forth above, it shall be considered "waived". If a grievance is not appealed to the next step within the specified time limit or any agreed extension thereof, it shall be considered settled on the basis of the EMPLOYER'S last answer. If the EMPLOYER does not answer a grievance or an appeal thereof within the specified time limit, the UNION may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the EMPLOYER and the UNION in each step.
- 6.7 The arbitrator hearing a grievance shall be empowered, except as his/her powers are limited below, to make a final binding decision in case of alleged violation of rights expressly accorded by this Agreement. Limitations on the power of the arbitrator are as follows:
 - 6.7.1 The arbitrator shall have no power to add to or subtract from or modify any of the terms of this Agreement.
 - 6.7.2 The arbitrator shall have no power to establish or change wage rates or change or establish any fringe benefits.
 - 6.7.3 The arbitrator shall have no power to decide any question, which under this agreement, is within the right of management to decide, which shall include, but are not limited to such areas of discretion of policy as the functions and programs of the EMPLOYER: its overall budget, utilization of technology, the organizational structure, and the selection and direction and number of personnel, except as these rights may be especially conditioned by this agreement.
 - 6.7.4 The fees and expenses for the arbitrator's services and proceedings shall be borne equally by the EMPLOYER and the UNION provided that each party shall be responsible for compensating its own representatives and witnesses. If either party desires a verbatim record of the proceedings, it may cause such a record to be made, providing it pays for the record. If both parties desire a verbatim record of the proceedings, the cost shall be equally shared.
 - 6.7.5 Election of Remedies.

The parties acknowledge that the facts and circumstances which form the basis of a grievance may also form the basis of claims which may be asserted by an individual employee in other forums. The purpose of this Section is to establish limitations on the right of the Union to pursue a grievance in such situations.

Subd. 1. Rights of Veterans

Some employees covered by this Agreement may have the individual right to contest a removal from a position or employment under Minn. Stat. §197.46. Once an employee requests a hearing under Minn. Stat. §197.46, the Union's right to pursue a grievance under this Article is terminated.

Subd. 2. Other Rights of Employees

No action by the Union under this Agreement shall prevent an employee from pursuing a charge of discrimination brought under the jurisdiction of the United States Equal Employment Opportunity Commission, or Minn. Stat. 363A.01.

ARTICLE 7. WORK SCHEDULES

- 7.1 Subject to the terms of this Article, the EMPLOYER retains the sole authority to establish work schedules.
- 7.1.1 The normal workday and work week for employees who work a 40-hour week shall be eight (8) hours, forty (40) hours per week, Monday through Friday. However, the Employer reserves the right to adjust the workday and work week as needed and will provide 30 calendar days' notice unless exigent circumstance or mutual agreement exists.
- 7.1.2 The normal workday and work week for employees who work a 56-hour week shall be twenty-four (24) hours scheduled on a twenty-one (21) day cycle on an average of fifty-six (56) hours. The Employer reserves the right to adjust the workday and work week as needed and will provide 30 calendar days' notice unless exigent circumstance or mutual agreement exists.
- 7.1.3 Nothing contained herein shall be construed as a guarantee of a minimum or maximum number of hours the EMPLOYER may assign employees.
- 7.2 Service to the public may require the establishment of regular work schedules for some employees other than the normal workday or work week. The EMPLOYER will give as much advance notice as possible of workdays or work weeks different from the employee's normal workday or work week.
- 7.3 In the event that work is required because of unusual circumstances such as, but not limited to, emergencies, fire, flood, snow, sleet, civil unrest, absenteeism, or breakdown of municipal equipment or facilities no advance notice needs to be given. Each Employee has a responsibility to work overtime, holdovers, forced shifts or call backs if requested unless unusual circumstances prevent the employee from so working as authorized by the EMPLOYER.
- 7.4 SHIFT EXCHANGE. EMPLOYEES on 24-hour shifts shall have the right to exchange shifts with other employees when the change does not interfere with the operation of the Department, does not exceed 48 consecutive work hours without a twelve (12) hour off duty period before returning to work and is with the approval of the Fire Chief or their duly authorized representative. If special circumstances exist and with the approval of the Fire Chief, the 48 consecutive work hours standard may be extended to 72 consecutive work hours.
- 7.4.1 It is the responsibility of the employee assuming the regularly scheduled employee's shift to be on duty during the scheduled hours of the shift.
- 7.4.2 All shift exchanges that are made and approved must be made up within twelve (12) months from the date on which the exchange is made.

ARTICLE 8. OVERTIME

- 8.1 For employees assigned to a 40-hour work week, hours worked in excess of forty (40) hours within a seven (7) day period shall be compensated at one and one-half (1-1/2) times the employee's base pay rate.

For employees assigned to a 56-hour work week, hours worked in excess of a 24-hour scheduled shift shall be compensated at one and one-half (1-1/2) times the employee's base pay rate, unless such hours are worked as part of a Shift Exchange pursuant to Section 7.4.

- 8.2 Overtime will be distributed as equally as practicable.
- 8.3 For the purpose of computing overtime compensation, overtime shall not be pyramided, compounded, or paid twice for the same hour worked.
- 8.4 An employee assigned to a 40-hour work week, may accrue up to forty-eight (48) hours of compensatory time in lieu of overtime compensation, which represents not more than 32 hours of actual overtime worked. The EMPLOYER shall determine/approve the maximum amount of compensatory time taken within a given time period. Compensatory time must be utilized in the same calendar year it was accrued and may not transfer from one year to another. Upon resignation, accrued compensatory time will be paid in a lump sum.

ARTICLE 9. CALL BACK, REMOTE RESPONSE, AND HOLDOVERS

- 9.1 Call Back Pay: An employee called in for work at a time other than the employee's scheduled shift, will be compensated for a minimum of two (2) hours' pay at one and one half (1-1/2) times the employee's base pay rate. An extension of an employee's scheduled shift or an early report to an employee's scheduled shift does not qualify as a call back.
- 9.2 Remote Response Pay: An employee who resolves a work-related issue, with a supervisor's approval and without physically coming into the City premises, (e.g., office, facilities, or property) will be compensated at a minimum of fifteen (15) minutes at one and one-half (1-1/2) times the employee's base pay rate for resolving those issues from a remote location, or the actual time spent, whichever is greater. This provision does not apply to Telework as defined by City policy.
- 9.3 Holdovers: An employee that is held over and required to stay past their shift to ensure coverage, will be compensated at one and one-half times the employee's base pay rate for hours worked during the holdover. This compensation shall not be pyramided pursuant to Section 8.3.

ARTICLE 10. ORIENTATION PERIOD

- 10.1 All newly hired or rehired full time employees will serve a one (1) year orientation period.
- 10.2 All promoted employees will serve a six (6) month promotional orientation period in any job classification in which the employee has not served an orientation period.
- 10.3 At any time during the orientation period, a newly hired or rehired employee may be terminated at the sole discretion of the EMPLOYER without regard to the requirements of Section 13.1. At any time during the promotional orientation period, a newly promoted employee may be removed from the promoted position and returned to the classification previously held without regard to the requirements of Section 13.1. Such actions during the orientation period and promotional orientation period are not grievable under Article 6.
- 10.4 Employees may utilize accrued personal and vacation leave during the orientation period with the approval of the EMPLOYER.

ARTICLE 11. SENIORITY

- 11.1 Seniority, as defined by Sections 3.3 and 3.6, shall be determined by the EMPLOYEE'S last hiring date within the bargaining unit.
- 11.1.1 "Last hiring date" shall mean the date upon which an EMPLOYEE first reported for work as a regular EMPLOYEE at the direction of the EMPLOYER, since which the EMPLOYEE has not resigned, retired, lost reinstatement rights from layoff, or been discharged.

- 11.1.2 Except for those employees named in Appendix A, in the event two or more EMPLOYEES are directed by the EMPLOYER to report to work on the same date, then and in that event, the seniority of those EMPLOYEES will be based upon their last four digits of their social security numbers.
- 11.3 No time shall be deducted from an EMPLOYEE'S seniority date due to absences occasioned by authorized leaves.
- 11.4 Employee Seniority and Classification Seniority for employees who were hired prior to the effective date of this Agreement, shall be as outlined in Appendix A.

ARTICLE 12. LAY OFF

- 12.1 A reduction of work force will be accomplished based on job classification seniority. Employees shall be recalled from lay-off based on job classification seniority.
- 12.2 An employee on lay-off shall have the opportunity to return to work within two (2) years of the time of the employee's lay-off. The EMPLOYER shall not hire a new employee in a classification where an employee is laid off with the right of recall. Upon notice of recall, an employee must, within fifteen (15) days, advise acceptance or refusal of recall in writing. Notice of recall shall be by in writing, with proof of delivery documented and/or acknowledged.

ARTICLE 13. DISCIPLINE

- 13.1 The EMPLOYER will discipline employees for just cause only. Discipline will be in one of the following forms:
- (a) oral reprimand
 - (b) written reprimand
 - (c) suspension
 - (d) demotion; or
 - (e) discharge.
- 13.2 Suspensions, demotions and discharges will be in written form and given to the employee as soon as practicable. Grievance timeframe will start upon the receipt of the discipline in writing to the employee.
- 13.3 Written reprimands, notices of suspension, and notices of discharge which are to become part of the employee's personnel file shall be read and acknowledged by the signature of the employee. Employees and the UNION will receive a copy of such reprimands and/or notices.

ARTICLE 14. WAGES

- 14.1 Applicable wage rates are set forth in Appendix B for year 2021 and for year 2022.

ARTICLE 15. BOOT ALLOWANCE & UNIFORMS

- 15.1 Effective with calendar year 2022, the City shall pay an annual boot allowance of \$275 to each employee assigned to a 40-hour work week. Effective with calendar year 2021, the City shall pay an annual boot allowance of \$450 to each employee assigned to a 56-hour work week. Boot allowance payments shall be considered taxable income and paid out in January of each year.

- 15.2 To ensure a consistent and professional appearance and for the safety of employees and the public, the City shall provide uniform clothing to employees in accordance with the Quarter Master's list approved by the Fire Chief.

ARTICLE 16. INSURANCE

- 16.1 All eligible employees are required to participate in the employer's health insurance program. An eligible employee is defined as an individual who would be covered under the health insurance coverage provisions of the City personnel policies. All eligible employees must take a minimum of single medical coverage or be carried as a dependent under another employee of the City's health plan.

In 2021 and 2022, the EMPLOYER will contribute the following amounts to medical premiums: Single coverage: \$695.44/month for the 250/25 plan and 100% for the HRA or HSA high deductible plans; Single + 1 coverage: \$840.50/month or Family coverage \$851.91/month in any of the offered plans. The EMPLOYER will make an additional contribution of \$333 per quarter to the HRA/HSA account for employees at all coverage levels (single, single + one, family) within those plans.

For 2021, the EMPLOYER will provide a Flexible Compensation/Cafeteria Insurance Program in the amount of \$330/month, for each eligible full-time employee; the EMPLOYER will contribute an additional \$56/month for employees who choose single coverage in the HRA/HSA high deductible plans. For 2022, the Employer will contribute \$386.10/month for eligible employees at any coverage level in the City's medical plans. Employees covered as a dependent under another employee in the City's medical plans will have the option to waive the minimally required single medical coverage under this article and receive an annually established amount of Flexible Compensation in lieu of the other related EMPLOYER contributions.

- 16.2 The EMPLOYER will select and provide employee with:
- a. Long Term Disability Insurance subject to the conditions and terms outlined in the plan provisions.
 - b. Accidental Death and Dismemberment Insurance, subject to the terms and conditions outlined in the plan provisions; and
 - c. Life Insurance in the amount of 1 times the employee's annual base wage.

ARTICLE 17. EDUCATION BENEFIT

- 17.1 The EMPLOYER hereby establishes the following guidelines for the paying of tuition to City Employees for outside training at colleges, universities, and various short courses.
- 17.2 Approval of Courses: Course work must relate to applicant's present position for purpose of: (1) improving skills or knowledge required in their position, (2) preparing employees for significant technological changes occurring in their career field, (3) preparing employees for changes in duties due to the different use of a position or class, (4) preparing employees for assumption of new and different duties as a result of a recent promotional appointment, or, (5) general development of understanding to do their jobs better.
- 17.3 In order for Employees to be eligible for tuition reimbursement they: (1) must take an approved course, (2) receive a passing grade in the course, (3) have had prior approval of their Supervisor and Department Head, (4) tuition payment must be a budgeted item, (5) must follow department policy/procedure.
- 17.4 The tuition reimbursement cost shall be paid up to \$3,000 per year, if budgeted.

ARTICLE 18. POST-EMPLOYMENT HEALTH CARE SAVINGS PLAN

- 18.1 The City has adopted the Post Employment Health Care Savings Plan (HCSP) administered by the Minnesota State Retirement System (“MSRS”) pursuant to Minnesota Statutes 352.98.
- 18.2 All provisions of this plan are determined by the Minnesota State Retirement System and an employee will deal directly with the State Retirement System on all account matters. The City’s responsibility will be to process the initial employee enrollment in the plan and to remit the appropriate contributions.
- 18.3 Contributions to the HCSP will be made as follows:
 - 17.3.1 In accordance with Section 17.1.
 - 17.3.2 Upon separation from employment, for Employees eligible to receive payment for accrued but unused personal leave, as defined in the Personnel Code or Policy, a contribution to the Employee’s HCSP shall be made as follows.
 - 17.3.2.1 If the employee has less than 20 years of full-time service, 50% of the severance payment for unused personal leave shall be placed in their individual HCSP account at the time of separation and the remaining 50% shall be paid to the employee.
 - 17.3.2.2 If the employee has 20 years or more of full-time service, 100% of the severance payment for unused personal leave shall be placed in their individual HCSP account at the time of separation.

ARTICLE 19. HOLIDAYS

- 19.1 Employees assigned to work a 56-hour work week, will be eligible to receive annually at the beginning of each calendar year a bank of 96 hours to be used at a time mutually agreed upon by the Employee and EMPLOYER.
 - 18.1.1 The banked holiday hours must be used by the end of the year and may not be carried over to the following year.
 - 18.1.2 Banked holiday hours may not be cashed out.
- 19.2 Employees assigned to work a 40-hour work week will be eligible to receive eight (8) hours of pay for the following official holidays:

| | |
|------------------------|------------------------|
| New Years’ Day | Labor Day |
| Martin Luther King Day | Veterans’ Day |
| Presidents’ Day | Thanksgiving Day |
| Memorial Day | Day after Thanksgiving |
| Independence Day | Christmas Day |

Good Friday and Christmas Eve will be one-half day (four (4) hour) holidays.

In the event a holiday falls on a Saturday, the preceding day shall be a holiday. If the holiday falls on a Sunday, the following day shall be a holiday. In the event Christmas Day falls on a Saturday, the preceding Thursday shall be a one-half day (four (4) hours) Christmas Eve holiday; in the event Christmas Day falls on Sunday or Monday, the preceding Friday will be a one-half day (four (4) hours) Christmas Eve holiday.

- 19.3 All full-time employees assigned to work a 40-hour work week will be eligible to receive eight (8) hours of holiday leave, to be known as a floating holiday, which shall be taken at a time mutually agreed upon by the Employee and EMPLOYER. A floating holiday shall not be scheduled to pyramid with another holiday. A floating holiday must be used the year received or it will be lost.
- 19.4 Employees who work on a holiday shall receive one and one-half (1-1/2) times their base rate of pay for all hours worked on a holiday, as listed in Section 16.2, in addition to the holiday benefit.
- 18.4.1 The holiday shall be defined as 0800 to 1630 hours on the observed holiday for employees assigned to a work a 40-hour work week with the exception of Good Friday and Christmas Eve which shall be defined as 1230 to 1630 hours.
- 18.4.2 The holiday shall be defined as 0000 to 2359 hours on the official holiday for employees assigned to a work a 56-hour work week with the exception of Good Friday and Christmas Eve which shall be defined as 1230 to 1630 hours.

ARTICLE 20. VACATIONS

- 20.1 Regular full-time employees shall accrue paid vacation according to the following schedules:

Schedule A

| Continuous Years of Service as Full-Time Bargaining Unit Member | Hours Per Year: (Employees assigned to a 40 Hour Work Week) |
|---|---|
| 0 through End of 5 Years | 80 |
| Beginning of 6 Years through end of 8 Years | 120 |
| Beginning of 9 Years through end of 12 Years | 144 |
| Beginning of 13 Years through end of 17 Years | 168 |
| Beginning of 18 Years to 22 Years | 192 |
| Beginning of 23 Years and Above | 208 |

Schedule B

| Continuous Years of Service as Full-Time Bargaining Unit Member | Hours Per Year: (Employees assigned to a 56 Hour Work Week) |
|---|---|
| 0 through End of 5 Years | 112 |
| Beginning of 6 Years through End of 8 Years | 168 |
| Beginning of 9 Years through End of 12 Years | 201 |
| Beginning of 13 Years through End of 17 Years | 235 |
| Beginning of 18 Years to 22 Years | 269 |
| Beginning of 23 Years and Above | 291 |

When an employee who regularly works a 56-hour work week is temporarily assigned to a 40-hour work week, their vacation accrual will follow Schedule A for all complete pay periods worked on a 40-hour schedule. When an employee who regularly works a 40-hour work week is temporarily assigned to a 56-hour work week, their vacation accrual will follow Schedule B for all complete pay periods worked on a 56-hour schedule.

- 20.2 Regular full-time employees accruing vacation under Schedule A in 19.1 may accrue vacation leave up to a maximum of 280 hours. Regular full-time employees accruing vacation under Schedule B in 19.1 may accrue vacation leave up to a maximum of 392 hours.
- 20.3 Prior approval for requested vacation leave must be obtained in consideration of coverage needs of the department. Vacation may be denied or canceled by the Fire Chief or designee. An explanation will be provided but the action is not grievable. No employee shall be permitted to take vacation leave in advance of accrual, except as provided for in Section 22.5 of this Article.
- 20.4 Each year, during the month of October, the Fire Department will allow employees, assigned to a 56-hour work week, to list his/her first, second and third choices for vacation by seniority for the forthcoming year. Specific shifts for time off desired must be listed. The choices will be listed as priority one, two and three. Then, in order of seniority, the first choices will be given consideration, then the second choices, then the third choices unless exigent circumstances exist. The choices will be limited to three. The consideration provided to the employee's request will be limited to a maximum of 168 hours under this section. The 168 hours may be divided in any way between the three priority picks. Additional vacation choices for the forthcoming year may be submitted after the priority, vacation choices have been approved or after December 1 of the current year whichever comes first.

ARTICLE 21. PERSONAL LEAVE

- 21.1 Use of Personal Leave. The Employer shall not require an employee to give a reason as a condition for approving the use of personal leave; however, to the extent possible, prior approval for the requested personal leave should be obtained in consideration of employee coverage needs of the department. Personal leave may be refused by the EMPLOYER, except in cases of necessity and as determined by law. No employee shall be permitted to take personal leave in advance of accrual except as provided for in Section 22.5.

| | Schedule A | Schedule B |
|---|--|--|
| Continuous Years of Service as Full-Time Bargaining Unit Member | Annual Hours of Personal Leave Accrual for Employees assigned to 40 Hour Work Week | Annual Hours of Personal Leave Accrual for Employees assigned to 56 Hour Work Week |
| 0 through end of 3 Years | 60 | 84 |
| Beginning of 4 Years through end of 6 Years | 72 | 100 |
| Beginning of 7 Years through end of 10 Years | 84 | 117 |
| Beginning of 11 Years or more | 96 | 134 |

When an employee who regularly works a 56-hour work week is temporarily assigned to a 40-hour work week, their personal leave accrual will follow Schedule A for all complete pay periods worked on a 40-hour schedule. When an employee who regularly works a 40-hour work week is temporarily assigned to a 56-hour work week, their personal leave accrual will follow Schedule B for all complete pay periods worked on a 56-hour schedule.

- 21.2 Employees subject to shift schedules that are eligible for accrual and use of personal leave may request personal leave as far in advance of the initial date(s) of the leave as possible. The personal leave request shall require the advanced approval of the EMPLOYER.
- 21.3 Full-time regular employees accruing personal leave under Schedule A in Section 20.1 may accrue personal leave to a maximum of 480 hours. All such employees in the unit whose accumulation of personal leave has exceeded four hundred eighty (480) hours will exchange the cash value of up to 80 hours for deposit into their HCSP account. This deposit will occur annually in the month of December at a time to be determined by the Employer.

Full-time regular employees accruing personal leave under Schedule B in Section 20.1 may accrue personal leave to a maximum of 672 hours. All such employees in the unit whose accumulation of personal leave has exceeded 672 hours will exchange the cash value of up to 112 hours for deposit into their HCSP account. This deposit will occur annually in the month of December at a time to be determined by the Employer.

- 21.4 Payment as Supplement to Workers' Compensation: An employee who meets the other requirements of this section and who receives workers' compensation payments may use available personal leave in the amount of the difference between his/her workers' compensation payments and his/her salary. In no case will the aggregate of workers' compensation payments in addition to regular salary payments exceed the employee's normal earnings.

ARTICLE 22. BEREAVEMENT LEAVE

- 22.1 Up to a maximum of twenty-four (24) hours of bereavement leave with pay may be used for death in the employee's immediate family. Additional hours of bereavement leave with pay may be granted by the Chief up to a total of three shifts.
- 22.2 Immediate family is defined as the employee's spouse or domestic partner, or the following kin of either the employee or the employee's spouse or domestic partner, children, mother, father, sister, brother, grandchildren or grandparents, or any of the above step- or in-law relations.
- 22.3 Bereavement leave is not charged against other leaves accruals such as personal or vacation.

ARTICLE 23. INJURY ON DUTY

- 23.1 Employees injured in the line of duty will use accumulated personal and/or vacation leave for the first three (3) working days lost from work for each such injury. Should an employee in this unit receive an injury in the line of duty and is subsequently out less than three (3) working days, any of those scheduled working hours may be reimbursed on a case-by-case basis determined by the Human Resources Manager.
- 23.2 A worker's compensation claim that is approved, shall be paid through Injury on Duty benefits for a period of ninety (90) calendar days from the date of injury. An employee who utilizes personal and/or vacation leave for the first three (3) days of an injury and subsequently received a worker's compensation payment for those first three days shall, upon remittance of worker's compensation payment to the City, be entitled to a reinstatement of the three days of personal and/or vacation leave utilized. It shall be the obligation of the employee to provide the City with all worker's compensation payments within five (5) working days of receipt of the payment.
- 23.3 Payments to an employee for a claim under the EMPLOYER'S disability insurance terminates the EMPLOYER'S payments under this Article.
- 23.4 A worker's compensation claim that is denied shall be compensated through accrued personal leave and/or vacation leave prior to the commencement of unpaid leave.
- 23.5 While approval or denial of a worker's compensation is pending and upon utilization and exhaustion of all accrued personal leave and vacation leave, an employee may "borrow" future personal and/or vacation leave in an amount equal to time absent from work up to a maximum of ninety (90) calendar days or such time as claim determination is made, whichever is less.

ARTICLE 24. LEAVES OF ABSENCE

- 24.1 Employees desiring a leave of absence may apply for such leave. The granting of such leave is at the sole discretion of the EMPLOYER; however, if such leave is reasonable, it will be given due consideration.

ARTICLE 25. DRUG AND ALCOHOL TESTING

- 25.1 Employees are required to abide by and comply with the Drug and Alcohol Testing Policy as adopted by the City Council. The Union will be notified of changes to the policy.

ARTICLE 26. LABOR MANAGEMENT MEETINGS

The Union and the Employer agree to meet and confer at periodic meetings to be held at mutually agreed upon times between representatives of the Union and the Employer. Such meetings may be requested at reasonable intervals at least seven (7) days in advance by either party by placing in writing the request with a suggested agenda.

ARTICLE 27. WAIVER

- 27.1 Any and all agreements, resolutions, practices, policies, rules and regulations regarding terms and conditions of employment, to the extent inconsistent with the provisions of this AGREEMENT, are hereby superseded.
- 27.2 The parties mutually acknowledge that during the negotiations, which resulted in this AGREEMENT, each had the unlimited right and opportunity to make demands and proposals with respect to any term or condition of employment not removed by law from bargaining. All agreements and understandings arrived at by the parties are set forth in writing in this AGREEMENT for the stipulated duration of this AGREEMENT. The EMPLOYER and the UNION each voluntarily and unqualifiedly waive the right to meet and negotiate any and all terms and conditions of employment referred to or covered in the AGREEMENT or with respect to any term or condition of employment not specifically referred to or covered by this AGREEMENT, even though such terms or conditions may not have been within the knowledge or contemplation of either or both parties at the time this contract was negotiated or executed.
- 27.3 Either party desiring to terminate or modify this contract must notify the other party in writing at least thirty (30) but not more than sixty (60) calendar days prior to December 1, 2022 for wages and conditions of employment for calendar year 2023 or beyond.
- 27.4 The EMPLOYER and the UNION agree that this Agreement contains all of the terms and conditions of employment which have been arrived at and that the EMPLOYER shall not be obligated to provide or maintain any terms of conditions of employment not provided herein.

ARTICLE 28. SAVINGS CLAUSE

- 28.1 This AGREEMENT is subject to law. In the event any provision of this AGREEMENT shall be held contrary to law by a court of competent jurisdiction from whose final judgment or decree no appeal has been taken within the time provided, such provision shall be voided. All other provisions of this

AGREEMENT shall continue in full force and effect. The voided provision shall be renegotiated at the written request of either party.

ARTICLE 29. DURATION

29.1 This AGREEMENT shall be effective as of January 1, 2021 and shall remain in full force and effect through the 31st day of December 31, 2022.

FOR THE CITY OF INVER GROVE HEIGHTS

FOR THE INVER GROVE HEIGHTS
PROFESSIONAL FIRE FIGHTERS,
INTERNATIONAL ASSOCIATION OF FIRE
FIGHTERS AFL-CIO CLC LOCAL 5251

By: _____
Tom Bartholomew, Mayor

By: _____
Mike Smith, IAFF Representative

By: _____
Kristine Lyndon Wilson, City Administrator

By: _____
John Patnaude, Union President

Date: _____

Date: _____

APPENDIX A

SENIORITY LIST

Established and put into effect by Union action on 3/8/2021

| Rank | Name | FTE Hire Date | PoC Hire Date (Tiebreaker) |
|-------------|-----------------|----------------------|---------------------------------------|
| 1 | Schaddegg, Jeff | 06/04/1985 | N/A |
| 2 | Rank, Paul | 10/12/2015 | 1/1/2005 |
| 3 | Patnaude, John | 05/06/2019 | 1/1/2005 |
| 4 | Parrow, Josh | 05/06/2019 | 1/1/2010 |
| 5 | St. Onge, Neal | 07/06/2019 | 1/1/2008 |

APPENDIX B

2021 WAGES

EFFECTIVE JANUARY 1, 2021, through DECEMBER 31, 2021
 (2021 wages represent a 2.5% increase over 2020 wages)

| Grade | Position | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 | Step 8 | Step 9 | Step 10 |
|--|------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| *Primary rate based on a 56-hour averaged work week/2,912 hours per year: | | | | | | | | | | | |
| 21 | Shift Captain | | | | | | | | | | |
| | 56 hr./wk. 2912/yr. | 31.71 | 32.63 | 33.55 | 34.47 | 35.39 | 36.31 | 37.23 | 38.15 | 39.06 | 40.29 |
| | 40 hr./wk. 2080/yr. | 44.39 | 45.68 | 46.97 | 48.26 | 49.55 | 50.83 | 52.12 | 53.41 | 54.69 | 56.41 |
| | **Biweekly Rate | 3551.20 | 3654.40 | 3757.60 | 3860.80 | 3964.00 | 4066.40 | 4169.60 | 4272.80 | 4375.20 | 4512.80 |
| Based on 40 hours per week/2,080 hours per year: | | | | | | | | | | | |
| 16 | Fire Inspector | 34.69 | 35.68 | 36.68 | 37.70 | 38.70 | 39.72 | 40.71 | 41.73 | 42.72 | 43.74 |
| 18 | Fire Marshal | 38.48 | 39.60 | 40.71 | 41.83 | 42.95 | 44.05 | 45.17 | 46.29 | 47.41 | 48.52 |

2022 WAGES

EFFECTIVE JANUARY 1, 2022, through DECEMBER 31, 2022
 (2022 wages represent a 2.75% increase over 2021 wages)

| Grade | Position | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 | Step 8 | Step 9 | Step 10 |
|--|------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| *Primary rate based on a 56-hour averaged work week/2,912 hours per year: | | | | | | | | | | | |
| 21 | Shift Captain | | | | | | | | | | |
| | 56 hr./wk. 2912/yr. | 32.58 | 33.53 | 34.47 | 35.42 | 36.36 | 37.31 | 38.25 | 39.20 | 40.14 | 41.40 |
| | 40 hr./wk. 2080/yr. | 45.61 | 46.94 | 48.26 | 49.59 | 50.91 | 52.23 | 53.55 | 54.88 | 56.19 | 57.96 |
| | **Biweekly Rate | 3648.80 | 3755.20 | 3860.80 | 3967.20 | 4072.80 | 4178.40 | 4284.00 | 4390.40 | 4495.20 | 4636.80 |
| Based on 40 hours per week/2,080 hours per year: | | | | | | | | | | | |
| 16 | Fire Inspector | 35.64 | 36.66 | 37.69 | 38.74 | 39.76 | 40.81 | 41.83 | 42.88 | 43.89 | 44.94 |
| 18 | Fire Marshal | 39.54 | 40.68 | 41.83 | 42.98 | 44.13 | 45.27 | 46.41 | 47.56 | 48.71 | 49.86 |

*Employees who are generally assigned to work a 56-hour averaged work week, or 2,912 per year, will be paid the 40-hour work week rate when that employee is assigned a 40-hour work week (e.g., training, light duty assignment, temporary assignment, etc.).

**Biweekly rate for 56-hour averaged work week includes 6 hours of overtime at straight time rate; additional FLSA biweekly overtime is calculated and 6 hours are paid at one-half times the primary hourly rate. These 6 hours at one-half times are paid in addition to the rates shown above.

APPENDIX C

PERSONAL LEAVE

| | Continuous Years of Service as a Full-Time Employee in the Bargaining Unit | SCHEDULE A <i>Annual Hours of Leave Accrual for Employees Assigned to a 40 Hour Work Week</i> | SCHEDULE B <i>Annual Hours of Leave Accrual for Employees Assigned to a 56 Hour Work Week</i> |
|---|---|---|---|
| 1 | 0 through end of 3 years | 60 hours | 84 hours |
| 2 | Beginning of 4th year through end of 6th year | 72 hours | 100 hours |
| 3 | Beginning of 7th year through end of 10th year | 84 hours | 117 hours |
| 4 | Beginning of 11th year and beyond | 96 hours | 134 hours |

| Employee | Currently earning | |
|-----------------|--------------------------|---|
| Paul | 96 hours | <i>no future increase scheduled, at current max</i> |
| Josh | 96 hours | <i>no future increase scheduled, at current max</i> |
| John | 96 hours | <i>no future increase scheduled, at current max</i> |

Proposed Implementation - if new scale is added for those working 56 hour work weeks

All current Shift Captains would remain at Tier 4 / Schedule A through the end of 2021.

Would move to Tier 2 / Schedule B, effective January 1, 2022.

Would move to Tier 3 / Schedule B effective May 7, 2024.

Would continue to progress through the Tiers based on a hire date of May 7, 2019.

VACATION LEAVE

| Tier | Continuous Years of Service as a Full-Time Employee in the Bargaining Unit | SCHEDULE A <i>Annual Hours of Leave Accrual for Employees Assigned to a 40 Hour Work Week</i> | SCHEDULE B <i>Annual Hours of Leave Accrual for Employees Assigned to a 56 Hour Work Week</i> |
|-------------|---|---|---|
| 1 | 0 through end of 5 years | 80 hours | 112 hours |

| | | | |
|---|---|-----------|-----------|
| 2 | Beginning of 6th year through end of 8th year | 120 hours | 168 hours |
| 3 | Beginning of 9th year through end of 12th year | 144 hours | 201 hours |
| 4 | Beginning of 13th year through end of 17th year | 168 hours | 235 hours |
| 5 | Beginning of 18th year through end of 22nd year | 192 hours | 269 hours |
| 6 | Beginning of 23rd year and beyond | 208 hours | 291 hours |

| <u>Employee</u> | <u>Currently earning</u> | <u>Scheduled for</u> |
|-----------------|--------------------------|--------------------------------|
| Paul | 144 hours per year | 168 hours starting May 7, 2024 |
| Josh | 144 hours per year | 168 hours starting May 7, 2024 |
| John | 144 hours per year | 168 hours starting May 7, 2024 |

Proposed Implementation - if new scale is added for those working 56 hour work weeks

All current Shift Captains would remain at Tier 3 / Schedule A (144 hrs) through the end of 2021.

Would move to Tier 2 / Schedule B (168 hrs), effective January 1, 2022.

Would move to Tier 3 / Schedule B (201 hours), effective May 7, 2026.

Would continue to progress through the Tiers based on a hire date of May 7, 2019.

**MEMORANDUM OF AGREEMENT BETWEEN
THE CITY OF INVER GROVE HEIGHTS & IAFF LOCAL 5251**

This Memorandum of Agreement is entered into between IAFF Local 5251 (hereinafter referred to as the "UNION") and the City of Inver Grove Heights (hereinafter referred to as the "EMPLOYER.")

WHEREAS, the UNION is the certified Exclusive Representative of certain Fire Department employees of the EMPLOYER; and

WHEREAS, the UNION and EMPLOYER are parties to a collective bargaining agreement that expires December 31, 2022; and

WHEREAS, the collective bargaining agreement is an initial agreement establishing wages, benefits and certain terms and conditions of employment for individuals already employed by the EMPLOYER; and

WHEREAS, the parties seek to stipulate how the assignment of current employees to existing work shifts shall be handled for the duration of the agreement.

NOW, THEREFORE, THE FOLLOWING IS MUTUALLY AGREED:

1. Employees actively employed by the EMPLOYER in the position of Shift Captain as of the date of this document, shall continue to be assigned to their current shift (Shift A, B or C) through December 31, 2022, unless circumstances require a change in order to serve the public or there is a mutually agreed upon change initiated by the Employee.
2. The UNION and the EMPLOYER shall meet and confer prior to December 31, 2022 regarding procedures for shift selection or shift assignment for calendar year 2023 and beyond.
3. This Agreement shall expire December 31, 2022 and shall not be used to establish precedent.

THE CITY OF INVER GROVE HEIGHTS

IAFF, LOCAL 5251

Kristine Lyndon Wilson, City Administrator

John Patnaude, Union President

Dated: _____



Request for Council Action

Consider Resolution Accepting the Proposal from Advanced Engineering and Environmental Services, LLC (AE2S) for a Comprehensive Utility Capital Planning and Rate Study

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---------------------------------------|---|----------------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Consent | Amount included in current budget | |
| Contact: | Kris Wilson - 651-450-2511 | Budget amendment requested | |
| Prepared by: | Brian Connolly, Public Works Director | FTE included in current complement | |
| Reviewed by: | Kris Wilson, City Administrator | New FTE requested - N/A | |
| | | Other: Sewer and Water Funds, Storm Water Utility Fund) | X |

PURPOSE/ACTION REQUESTED

The Council is asked to adopt the attached Resolution, accepting the proposal from Advanced Engineering and Environmental Services (AE2S), LLC and directing the appropriate officials to enter into a contract with AE2S to perform a Comprehensive Utility Capital Planning and Rate Study.

SUMMARY

At its January 10, 2022 meeting, the Council authorized the issuance of a Request for Proposals (RFP) for a comprehensive Utility Capital Planning and Rate Study. Five responses were received and reviewed by staff. Interviews and reference checks were conducted with/for the top two respondents.

Staff recommends accepting the proposal from Advanced Engineering and Environmental Services, LLC (AE2S) in an amount not to exceed \$144,000. While the City received multiple qualified proposals, AE2S is recommended for two primary reasons: 1) they specialize specifically in utility systems and can bring a combined expertise in both the engineering and financing component of this project; and 2) while they are experienced in performing similar studies for other Minnesota cities, they have not previously worked for the City of Inver Grove Heights and will therefore bring a "fresh set of eyes" to this project.

This study will include three presentations to the Council, at various points in the process, and conclude with a final report in time for the recommendations to be incorporated into the Council's decisions making for the City's 2023 utility rates.

AE2S's proposal includes significantly more hours estimated to the project than some of the other respondents, which they have assured staff was intended to ensure sufficient time to tackle the necessary level of information gathering and detailed analysis, specifically as it relates to the City's stormwater utility. While the contract is for a not to exceed amount, it will be billed on an hourly basis - so if fewer hours are needed to get the work done, the City will pay less than the not to exceed amount.

Costs for this study are proposed to be allocated as follows: 40% Water Utility Fund, 40% Sewer Utility Fund and 20% Stormwater Utility Fund.

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

RESOLUTION ACCEPTING THE PROPOSAL FROM ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES, LLC (AE2S) AND DIRECT STAFF TO FINALIZE A CONTRACT TO PERFORM A COMPREHENSIVE UTILITY CAPITAL PLANNING AND RATE STUDY

RESOLUTION NO. 2022-057

WHEREAS, the City Council of the City of Inver Grove Heights approved issuing a Request for Proposal for a comprehensive utility capital planning and rate study (Rate Study) on January 10, 2022; and

WHEREAS, several responses to the Request for Proposal were received by the City and evaluated by the selection committee utilizing the qualification criteria listed in the Request for Proposal; and

WHEREAS, City staff has solicited and received input from the City Council at the March 7, 2022 Council Worksession regarding the scope and proposer qualifications as detailed in the Rate Study proposals; and

WHEREAS, following a review of the responses, the selection committee has recommended that the City enter into a contract with Advanced Engineering and Environmental Services, LLC (AE2S) to perform the Rate Study.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Inver Grove Heights, Minnesota hereby accepts the proposal from Advanced Engineering and Environmental Services, LLC (AE2S) for the comprehensive utility capital planning and rate study and authorizes the appropriate officials to enter into a contract to perform the work as specified.

Adopted by the City Council of Inver Grove Heights this 14th day of March 2022

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



Request for Council Action

Adoption of REVISED 2022 Legislative Priorities and Positions

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---------------------------------|------------------------------------|---------------------|
| Meeting Date: | March 14, 2022 | None | X |
| Item Type: | Consent | Amount included in current budget | |
| Contact: | (651) 450 - 2511 | Budget amendment requested | |
| Prepared by: | Kris Wilson, City Administrator | FTE included in current complement | |
| Reviewed by: | | New FTE requested - N/A | |
| | | Other | |

ACTION REQUESTED

The Council is asked to adopt the attached 2022 Legislative Priorities and Positions, containing a revision to the dollar amount of the City's priority bonding request.

SUMMARY

As was discussed during the Council's March 7 work session, progress on preliminary design for the reconstruction of 117th Street has revealed additional projected costs compared to what was originally anticipated when the City entered into an agreement with Dakota County for this project back in February of 2021.

A request for state bonding in the amount of \$2 million was a top priority of the City's 2022 legislative priorities and positions, but it appears to now be in the City's interests to increase that ask to \$4.4 million, as outlined during the work session. Staff have been in communication with Katy Sen, the City's lobbyist, regarding this matter and will be working to communicate the reasons for the change to legislators in the coming weeks. The attached memo drafted by Public Works Director Brian Connolly does a good job of outlining the reasons for the new, larger dollar amount of the request and will be used when communicating with legislators on this topic.

To formalize this change to the City's bonding request, Council is asked to adopt the attached and revised 2022 Legislative Priorities and Positions document for the record.



2022 Legislative Priorities & Positions

Local Control

Local government entities are closest to their constituents and most knowledgeable about their communities' needs and opportunities. Therefore, locally elected officials are in the best position to make decisions about city operations, finances, and regulations.

The City of Inver Grove Heights calls on the Minnesota Legislature to:

- A. Support local government authority for land use decisions, zoning, and regulatory controls.
- B. Support city authority to protect existing taxpayers and recover costs associated with development activity.
- C. Oppose fiscal limitations such as levy limits, fund balance restrictions, reverse referenda on the decisions of local government officials, or other limitations to the local government budget and taxation process.

State Bonding

The City of Inver Grove Heights seeks state funding support, through bonding or other available resources, for the following local projects of regional importance:

Priority: Reconstruction of 117th St.

In 2022, the City of Inver Grove Heights' highest priority request for state bonding support is for the reconstruction of 117th Street, an essential transportation corridor for utilities and industry serving the state and region. Those that rely on the roadway for their daily operations include Republic Services' Pine Bend Landfill, Xcel Energy, and Flint Hills Resources. The estimated total project cost of improving and modernizing 117th Street is [\\$21.3 million](#). In order to meet the timeline necessary to retain a sizable federal grant, the City is requesting [\\$4.4 million](#) in state bonding support.

Inclusive Playground & Splash Pad at Heritage Village Park

Located just west of the Mississippi River, Heritage Village Park is a multi-year, multi-phase effort to redevelop 65 acres of once polluted and flood-prone land into an amenity for the community and the region. Previous phases have connected the park to a regional trail and added an off-leash dog area. This request for \$2 million in state bonding support would fund construction of a \$2.6 million inclusive playground and splash pad along with related walkways, landscaping, and infrastructure.

Transportation Funding

The City of Inver Grove Heights supports comprehensive, regionally balanced transportation funding that addresses the long term needs of our state, including investments that will reduce congestion, provide funding for local roads and bridges and build a transit system that matches demands in a post-pandemic world. The City calls on the State to adopt a fair and equitable distribution of federal infrastructure funding in a manner that addresses state, regional and local needs in a balanced manner. The City

also supports continued and/or renewed investment in the Transportation Economic Development (TED) and Corridors of Commerce programs.

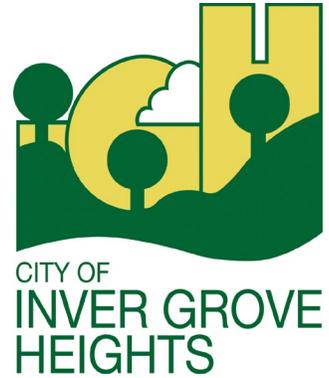
Common Interests of the City Government Community

The City of Inver Grove Heights is an active member of the League of Minnesota Cities, Municipal Legislative Commission and Metro Cities and supports the legislative platforms of these organizations.

Additional Legislative Positions

- A. *Fiscal Disparities* - The City of Inver Grove Heights advocates for legislation that would reflect a meaningful analysis of the present-day applicability of the state's 1971 commercial industrial "tax-base sharing" law and opposes the use of fiscal disparities to fund social or physical metropolitan programs because of its complexities results in a metropolitan-wide property tax increase hidden from the public.
- B. *Support Local Control/Reduce Unfunded Mandates* - The City of Inver Grove Heights supports a) the necessary changes to the Data Practices Act to protect municipalities from abusive or harassing requests, while helping to compensate for overly broad and burdensome requests; and b) supports reducing the number of state and regional agencies that regulate municipal activities related to water quality and water supply.
- C. *State Property Taxes* - The City of Inver Grove Heights opposes the extension of state-levied property taxes to additional classes of property and/or the increase in taxation levels on the present state property tax.
- D. *Public Employees Retirement Association (PERA)* - The City of Inver Grove Heights supports sharing the cost for retirement programs between employees and cities and supports cities and fire relief associations working together to determine the best application of State Fire Aid. This also includes advocating for state funding of costs related to state-mandated changes to the provision of the retirement program, which have the effect of enhancing benefits beyond existing levels.
- E. *Local Government Aid (LGA)* - The City of Inver Grove Heights advocates for policies that more fairly address the disparities in property tax burdens as a percentage of income as documented by the Voss Data Base. The City supports continued funding of Voss Data Base and compilation of data by the Department of Revenue.
- F. *City's Role in Environmental Protection and Sustainable Development* - The City of Inver Grove Heights is committed to environmental protection and sustainability. The city supports public protection efforts to reduce greenhouse gas emissions and to further protect surface and ground water, as well as infrastructure design and techniques that are environmentally and economically beneficial and compliant.

Memo



TO: Katy B. Sen, Messerli Kramer
FROM: Brian Connolly, Public Works Director
CC: Kris Wilson, City Administrator
DATE: March 9, 2022
RE: **Legislative Bonding Request Amendment - 117th Street**

Background Information

In the fall of 2021, the Inver Grove Heights City Council submitted a 2022 legislative bonding request in the amount of \$2 million to assist with the anticipated costs for reconstruction and modernization of 117th Street between US 52 and Rich Valley Boulevard. 117th Street is an essential transportation corridor for utilities and industry serving the state and region. Those that rely on the roadway for their daily operations include Republic Services' Pine Bend Landfill, Xcel Energy, and Flint Hills Resources. The preliminary cost for the project work was estimated in late-2020 at \$15 million.

The City of Inver Grove Heights and Dakota County entered into a Joint Powers Agreement (JPA) to perform preliminary design starting in April 2021. Preliminary design efforts are ongoing and are anticipated to last through the summer of 2022. Through the preliminary design process, several different design options were explored, and extensive data gathered to inform the design team on the best technical design for the project. Data collection included traffic counts, wetland delineation, soil borings, access coordination and review with adjacent properties, railroad coordination, and private utility coordination.

The City's long-time Public Works Director retired at the same time preliminary design efforts got underway, and the position remained vacant until January 2022. It was during this period, however, that the bulk of the preliminary design data collection efforts were occurring, and City staff were not fully aware of the cost impacts of the different design alternatives being considered. It was during this time that the legislative bonding request value was set at \$2 million, based on cost estimating and funding data from late-2020. As the new Public Works Director came on-board and familiarized himself with the project, it was evident that the cost of the project work needed to be updated, and the funding sources clarified between the City and Dakota County. Simultaneously, representatives from MnDOT's State Aid office reached out to the City to discuss minor text adjustments to the legislative bonding request for 117th Street, to ensure that the bill was written in manner to direct clear distribution of funding through the Minnesota Management and Budget Office should the bonding bill be approved. It was through this process that it was determined to amend the legislative bonding request language and funding amount.

Summary of Cost Adjustments

Several design-related adjustments have been made to the 117th Street project that have resulted in additional costs:

- Additional pavement rehabilitation at the east end of 117th Street at the US 52 Interchange due to existing age of pavement
- Revised alignment and intersection configuration at Rich Valley Blvd (CR 71) to accommodate dominant traffic patterns
- Addition/inclusion of public utilities (sanitary sewer and watermain) to the project corridor
- Added costs for right of way and easement acquisition due to un-platted properties and existing roadway being in prescriptive easements
- Inclusion of costs for construction administration
- Inclusion of inflation contingency for road to be constructed in 2024/2025

As a result of these design adjustments and cost inclusions that were not in the pre-design cost estimate, the estimated cost for the project has increased from \$15 million to \$21.3 million. To account for the City's share of these increased costs, the City of Inver Grove Heights is seeking to modify our legislative bonding request from \$2 million to **\$4.4 million**.

Summary of Funding Sources

The tabulation below summarizes the proposed funding sources for the 117th Street project, should this bonding request of \$4.4 million be approved:

| Estimated Project Funding - Current | |
|---|---------------------|
| Minnesota Highway Freight Program (MHFP) ⁽¹⁾ | \$8,000,000 |
| Special Assessments (Street) ⁽²⁾ | \$500,000 |
| Special Assessments (Sanitary Sewer) ⁽²⁾ | \$750,000 |
| Sanitary & Water Utility Funds ⁽²⁾ | \$70,000 |
| Dakota County | \$7,580,000 |
| Amended Legislative Bonding Request | \$4,400,000 |
| TOTAL | \$21,300,000 |

(1) City received grant, splitting cost with Dakota County equally (50/50) per JPA

(2) City-funding source

The bulk of the City of Inver Grove Heights' matching funding comes from the grant that is administered through the Minnesota Highway Freight Program (\$8,000,000). The City is splitting this grant award equally with Dakota County as part of the Joint Powers Agreement for the 117th Street project. While administered by the State of Minnesota, the funding for this grant is federal money directly from the National Highway Freight Program. Additional costs are proposed to be covered through special assessments for street and public utility improvements (\$1,250,000), sanitary and water utility funds (\$70,000) and Dakota County (\$7,580,000). The \$4.4 million bonding requests represents 21% of the total project cost.

Completing the multi-jurisdictional funding package for this project now is critical, in order to retain the \$8 million in federal funding, which requires the project bid letting by February, 2024.



Request for Council Action

Public Hearing and Second Reading of Ordinance Amending Certain Park Dedication Fees

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---|------------------------------------|---------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Regular Agenda | Amount included in current budget | |
| Contact: | Adam Lares, Parks and Recreation Director | Budget amendment requested | |
| Prepared by: | Bridget Nason, City Attorney | FTE included in current complement | |
| Reviewed by: | Adam Lares, Parks and Recreation Director | New FTE requested - N/A | |
| | | Other | x |

PURPOSE/ACTION REQUESTED

The Council is asked to hold a public hearing and consider the second reading of an ordinance amending park dedication fees for new residential units located in the A, E-1, E-2, R-1, and R-2 zoning districts, to increase the amount from \$2,850/unit to \$3,850/unit.

SUMMARY

The City Council approved the first reading of this ordinance at its February 28, 2022 meeting.

The City has not updated its park dedication fees since 2014, over seven years ago. In September of 2021, the Parks and Recreation Advisory Commission (PRAC) reviewed a presentation regarding the City's current park dedication fees and a proposal to increase the park dedication fees for residential units in the R-1 and R-2 zoning districts, as well as the A, E-1, and E-2 zoning districts. In October of 2021, the Council reviewed the recommendation to increase these park dedication fees at a Council work session.

Based on the PRAC's recommendation and Council feedback from the October work session, the attached ordinance has been prepared which will increase the existing park dedication fees in the zoning districts listed above to \$3,850/unit. This recommended fee increase is based on the application of the factors listed in Minn. Stat. Sec. 462.358, subd. 2b(c), namely a review and determination by staff of the fair market value of unplatted land in the northwest area for which park fees have not been paid, as guided by recent appraisals of certain parcels in the northwest area. The PRAC reviewed the attached ordinance at its February 9, 2022 meeting and voted unanimously to recommend approval of the same to the City Council.

Recommendation

Staff recommends Council to hold a public hearing and approve the second reading of the ordinance.

**CITY OF INVER GROVE HEIGHTS
 DAKOTA COUNTY, MINNESOTA
 ORDINANCE NO. _____
 AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE TITLE 11,
 CHAPTER 4, SECTION 6 RELATING TO PARK DEDICATION FEES**

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

Section One. Amendment. Inver Grove Heights City Code Title 11, Chapter 4, Section 6 is hereby amended as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

11-4-6: CASH CONTRIBUTION:

A. Residential Subdivisions: The following cash contribution fees per residential unit shall be made at the time of final plat approval:

| Zoning District | Cash Contribution Per Residential Unit |
|------------------------|---|
| A, E-1 and E-2 | \$2,850.00 <u>\$3,850.00</u> |
| R-1 and R-2 | 2,850.00 <u>\$3,850.00</u> |
| R-3A and R-3B | <u>\$4,000.00</u> |
| R-3C | <u>\$4,900.00</u> |

Section Two. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed in regular session of the City Council on the _____ day of _____, 2022.

CITY OF INVER GROVE HEIGHTS

 Thomas Bartholomew, Mayor

Attest:

 Rebecca Kiernan, City Clerk



Request for Council Action

Consider variances for the property located at 1770 102nd Street (Osborn - Case No. 22-06V)

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|--------------------------------|------------------------------------|----------------------------|
| Meeting Date: | March 14, 2022 | None | X |
| Item Type: | Regular Agenda | Amount included in current budget | |
| Contact: | Heather Botten 651-450-2569 | Budget amendment requested | |
| Prepared by: | Heather Botten | FTE included in current complement | |
| Reviewed by: | | New FTE requested - N/A | |
| | | Other | |

ACTION REQUESTED: Consider the following actions for 1770 102nd Street (Osborn):

1. A Resolution approving a Variance from the side setbacks for an accessory building.
2. A Resolution denying a Variance to allow a second accessory structure.
 - Requires a 3/5th's vote.
 - 60-day deadline: March 19, 2022 (first 60-days)

SUMMARY:

The Applicants are proposing a 1,600 square foot detached accessory building on their property. The lot is 2.63 acres in size. There is a 50-foot pipeline easement that runs along the west side of the property. The lot contains a single-family home with an attached garage and a 384 square foot shed located in the southeast corner of the property that the applicants are looking to keep. The proposed structure would be located 50 feet from their front property line and 10 feet from their side property line.

City Code requires residential accessory structures over 1,000 square feet in size to have at least a 50-foot setback from all property lines. Code also requires that lots less than 5 acres in size are only allowed one detached accessory building. The proposed structure would be in compliance with other code requirements such as the front setback, exterior building materials and impervious surface.

When looking at the property, the pipeline easement limits the buildable area on the lot. There is room in the middle and the rear of the property to comply with accessory structure setbacks. Locating the structure in the rear of the property would require the removal of a number of trees along with a longer driveway, which would then exceed the maximum impervious surface allowed triggering the need for an infiltration system on the property.

Last year, the Council reviewed the size requirements for accessory buildings and increased the maximum size allowed on lots 3.4 to 5 acres but did not change the number of accessory buildings allowed. The applicants have stated that the existing small structure acts more like a garden shed,

located over 275 feet away from the home. Staff believes the request for the additional building could be considered a convenience to the applicant and not a practical difficulty.

Planning Staff: Staff recommends approval of the setback variance as the pipeline easement limits the buildable area on the property. Additionally, locating the structure in the rear of the property would require a longer driveway, which would then exceed the maximum impervious surface allowed triggering the requirement for an infiltration system and a stormwater facility maintenance agreement on the property.

Staff recommends denial of the variance from the number of accessory structures as the conditions of the property are not unique and approval of the variance could set a precedent for other requests to exceed the number of accessory buildings allowed on a property. Last year, the City amended the accessory structure ordinance to allow larger accessory structures on lots 3.4 - 5 acres in size. Staff considers the direction for the City to limit size and number of accessory structures to control the massing, bulk and over developing of lots with accessory buildings.

Planning Commission: At the February 15, 2022 public hearing, the applicant was present.

The Planning Commission made a motion to approve a minimum 10-foot side setback whereas 50 feet is required with the practical difficulty being the pipeline easement limiting buildable area on the property. Motion passed (8-0).

The Planning Commission made a motion to deny the variance to allow more than one detached accessory structure due to the lack of practical difficulty. Motion passed (8-0).

Attachments: Approval Resolution - side setback
Denial Resolution - number of accessory structures
Planning Commission recommendation
Planning staff report

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

RESOLUTION NO. 2022-058

**RESOLUTION APPROVING A VARIANCE FROM THE SIDE YARD SETBACK
REQUIREMENTS**

Case No. 22-06V
Bradley & Lesly Osborn

WHEREAS, the request is for the property located at 1770 102nd Street and legally described as follows:

**Lot 1, Block 3, Inver Hills 5th Addition, according to the recorded plat,
Dakota County, Minnesota**

WHEREAS, the applicant is requesting a variance to construct a 1,600 square foot accessory building 10- feet from the side property line whereas 50-feet is required;

WHEREAS, the afore described property is zoned E-1, Estate Residential;

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

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on February 15, 2022 in accordance with City Code Section City Code 10-3-3 C;

WHEREAS, a practical difficulty or uniqueness was found to exist based on the following findings:

- a. The request is in harmony with the general purpose and intent of the City Ordinance and is consistent with the Comprehensive Plan.
- b. The setback variance does not appear to have an adverse impact on the neighboring properties.
- c. The property is unique in that there is a 50-foot pipeline easement that runs along the west side of the property, reducing the buildable area on the lot.
- d. Locating the structure in the rear of the property would require a longer driveway, which would then exceed the maximum impervious surface allowed

on the property triggering the need to enter into a stormwater facilities maintenance agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that a variance to allow a minimum 10-foot side yard setback is hereby approved subject to the following conditions:

1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
2. The accessory structure shall not be used for commercial uses, storage related to a commercial use, or a home occupation.
3. A grading/erosion control plan shall be required at the time of the building permit application.
4. The developer shall meet the conditions outlined in the City Engineers review memo and any subsequent correspondence.

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

Adopted by the City Council of Inver Grove Heights this 14th day of March, 2022.

Tom Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. 2022-059

**RESOLUTION DENYING A VARIANCE TO ALLOW TWO DETACHED ACCESSORY
STRUCTURES WHEREAS ONE IS THE MAXIMUM ALLOWED**

Case No. 22-06V
Bradley & Lesly Osborn

WHEREAS, the request is for the property located at 1770 102nd Street and legally described as follows:

**Lot 1, Block 3, Inver Hills 5th Addition, according to the recorded plat,
Dakota County, Minnesota**

WHEREAS, an application has been received for a Variance to allow two detached accessory buildings that exceed 120 square feet whereas one is the maximum allowed on a lot less than five acres in size;

WHEREAS, the afore described property is zoned E-1, Estate Residential;

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

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on February 15, 2022 in accordance with City Code Section City Code 10-3-3:C;

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

1. Denying the variance request does not preclude the applicant from reasonable use of the property as there is an attached garage and an

- existing accessory structure on the property. The smaller accessory building could be removed and a larger one could be constructed.
2. Approval of the variance could set a precedent for the number of accessory buildings allowed on a property less than five acres in size.
 3. The facts presented do not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance. Allowing more than one detached accessory structure appears to be a convenience to the landowner and not dictated by unique circumstances of the property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to allow more than one detached accessory building is hereby denied. If the applicant chooses to construct a new larger building on the property, the existing structure will have to be removed prior to obtaining the final certificate of occupancy for the new structure.

Adopted by the City Council of Inver Grove Heights this 14th day of March, 2022.

Tom Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: February 15, 2022

SUBJECT: **BRADLEY & LESLY OSBORN - CASE NO. 22-06V**

Reading of Public Notice

Commissioner Simon read the Public Hearing notice to consider the request for Bradley and Lesly Osborn - Case No. 22-06V. The request involves property located at 1770 102nd Street and consists of a variance from the number of detached accessory buildings allowed on the property and a variance from a side setback for a structure over 1,000 feet and any other related variances. Notices were mailed to three property owners on February 2, 2022.

Presentation of Request

Heather Botten, Associate Planner, discussed the request for property located south of 102nd Street, east of Rich Valley Boulevard, and north of Rich Valley Park. The property is zoned E-1, Estate Residential District. The Applicants are proposing a 1,600 square foot detached accessory building on their property that would be located 50 feet from their front property line and 10 feet from their side property line. The property is 2.63 acres in size. There is a 50-foot pipeline easement that runs along the west side of their property. The lot contains a single-family home with an attached garage and a 384 square foot shed located in the southeast corner of the property that the Applicants are looking to keep. Code requires structures over 1,000 square feet in size have at least a 50-foot setback from all property lines. Code also requires that lots of 5 acres or less are only allowed one detached accessory building. The regulations on the size and number of accessory buildings were designed to limit the massing of structures on residential properties. She mentioned that the City Council has reviewed and modified the Code over the years, most recently last year. The Council looked at the size of accessory buildings and increased the size on lots that were 3.4 to 5 acres, but did not touch the number of accessory buildings.

Staff does not believe that the variance to allow more than one accessory structure would be consistent with the Zoning Ordinance. The Applicant's lot provides perimeter screening around the property with the shed tucked back in the southeast corner. Even with screening, Staff considers it a convenience for the Applicant to keep the shed and not a Practical Difficulty. When looking at the property, the pipeline easement limits the buildable area on the lot. There is room on the property in the middle and the rear to comply with accessory structure setbacks. Moving it to that location would require the Applicants to have additional grading and would have a substantial number of trees removed through the side of the property line to put in a driveway. Locating the structure in the rear with the additional driveway improvements, from her calculations, would put them over impervious surface numbers. Depending on where the structure would be, it would be close if not over the impervious surface maximum which then triggers the Applicants to go into a Stormwater Facilities Maintenance Agreement and treat that stormwater on their property. Staff believes allowing the location at the front part of their property a reasonable use due to the conditions

and facts listed. Staff recommends denial of the request to allow more than one accessory building and recommends approval of the location of the structure with the conditions listed in the report. Staff has not heard from any of the surrounding property owners.

Commissioner Wippermann asked if there was any conversation with the Applicants about possibly reducing the size of the building so the combined square footage of the new building including the shed would not exceed 1,600.

Ms. Botten responded they did not discuss that with the applicant because they would still need the variance to have more than one accessory structure. If the Commission wanted that to be something to support, the Applicant could be asked if that was something they would consider. Even if reducing it to approximately 1,300 square feet, they would still need the variance for the number of accessory buildings.

Opening of Public Hearing

Brad Osborn, 1770 102nd Street East, has read the report. He addressed Commissioner Wippermann's comment and said he had not considered reducing the building or given thought to one smaller building. Offsetting the allowed minimum square footage, is still two buildings. He said he spoke with Associate Planner Botten who pointed out the pipeline easements. They also have a septic field which is another encumbrance to getting to the back of the yard. He addressed the 50-foot setback on the side line and said to get to 50 feet, they would be pressed right up against the house. Once next to the house it isn't an accessory structure. Due to the size, it would not be visually appealing to do that on the property. He mentioned their neighbors have all built away from that corner of their property with the neighbor to the east being on the opposite end, the neighbor across the street has unusable frontage due to the pipeline crossing the road and in their lot. He said they are located against park property and have the pipeline easement to the west.

He commented when building 25 years ago they didn't fully anticipate a retirement plan to build a building for an RV. Driving down their street there are a lot of them parked in driveways and yards. They wanted this building to house and keep the things they possess inside and not make it unsightly. He said they gave thought to where they built the garden shed. Where it sits on their property is hard to see to the back and is visually appealing in the rural setting they are in. He understands the variance and appreciated codes that prevent what could otherwise happen in rural properties. When they built the shed, they did not anticipate this build, nor to tear it down just to tear it down. It is a well-constructed building.

Chair Niemioja asked if there was poured concrete under the shed.

Mr. Osborn responded no; it is a portable shed.

Commissioner Scales asked if he would tear down the garden shed if it was contingent on the larger structure.

Mr. Osborn responded he probably would. In lieu of that he would probably put smaller structures that are not covered by the Ordinance.

Commissioner Challeen asked if there would be adequate space to store items in the

structure he wants to build if he were to tear down the existing shed.

Mr. Osborn responded there would not be. Taking the items out of the garden shed and placing it in the new structure would result in them having to take things back and forth across the property. They would probably choose to build something of a smaller size. With the limitation, they could easily put two smaller buildings there.

Chair Niemioja closed the Public Hearing.

Planning Commission Discussion

Chair Niemioja suggested taking the items separately. There is a variance for accessory buildings and a variance for a setback. She said anytime she sees the word pipeline easement, it helps her understand there is a real Practical Difficulty on the property that should allow for a setback variance.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Heidenreich, to approve a setback variance for property located at 1770 102nd Street.

Motion carried (8/0).

Commissioner Scales commented if the Applicant's tore down the smaller structure, they would not need a variance.

Ms. Botten responded they would not need a variance for the number of structures but would need a variance for a setback.

Ms. Botten clarified if a structure is 120 square feet or less, it is not counted toward the number of accessory buildings. She said the Applicant alluded to the fact that he could put two 120 square foot structures on the property versus the one that is currently there.

Commissioner Challeen asked if the building proposed was made big enough to accommodate the items currently in the garden shed would it exceed a size limitation.

Ms. Botten responded any structure over 1,600 square feet would need a variance.

Commissioner Weber asked if E-1's have anything in the City Code pertaining to chicken coops or livestock holding pens. He asked if the sizes were restricted by the accessory structure.

Ms. Botten replied there are items in the City Code pertaining to those. She responded about sizes stating those would be agricultural uses with separate Code requirements.

Commissioner Weber asked if they chose to raise a couple of chickens and use that as a chicken coop if that would have been allowed.

Ms. Botten responded there are certain requirements for chicken coops such as where they

can be located on a property. A Permit would be needed. At this time, she was unsure if it would meet requirements.

Commissioner Weber mentioned he doesn't like tearing down beautiful structures. He asked if the shed was measured off of the interior square footage.

Ms. Botten responded in the affirmative.

Chair Niemioja said the Commission still needs to get to a Practical Difficulty on this one. She mentioned it was hard to come to a Practical Difficulty on multiple accessory units and has not been the tendency. She said she did not love the idea of a bunch of 120 square foot buildings. She was unsure if that was really the goal the City Council was going for.

Commissioner Scales said he thought there was room for a solution, maybe not one the Planning Commission could give. There could be a compromise or solution the City Council could work out with the Applicant to determine something that works for everyone. The Planning Commission needs a Practical Difficulty, he was unsure what that would be for this.

Motion by Commissioner Weber, second by Commissioner Challeen, to deny the request for a variance from the number of accessory buildings allowed for property located at 1770 102nd Street with strong emphasis on hoping the City Council can find a reasonable way to allow the structure to stay. Two accessory structures do not meet the current City Code criteria and the Planning Commission is unable to come up with a Practical Difficulty to allow it.

Motion carried (8/0). This item goes before the City Council on March 14, 2022.



PLANNING REPORT

CASE NO: 22-06V

APPLICANT/PROPERTY OWNER: Bradley & Lesly Osborn

REQUEST: Variances to allow more than one detached accessory structure and from the side yard setback

HEARING DATE: February 15, 2022

LOCATION: 1770 102nd Street

COMPREHENSIVE PLAN: RDR, Rural Density Residential

ZONING: E-1, Estate Residential

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Heather Botten
Associate Planner

BACKGROUND

The applicant is proposing a 1,600 square foot detached accessory building on a 2.63-acre residential property. The property has a 50-foot pipeline easement that runs along the west side of the property. The lot contains a single-family home, with an attached garage and a 384 square foot shed located in the southeast corner of the property.

The applicant is proposing to construct the building 50 feet from the front property line and at least 10 feet from the side property line. Accessory structures over 1,000 gross square feet in size require a 50-foot setback from all property lines.

Rural lots less than 5.0 acres in size are allowed one detached accessory structure with maximum size of 1,600 gross square feet. The applicants are requesting to keep the existing 384 square foot garden shed tucked back in the corner of the property. The applicants have stated the shed is used to store lawn and garden equipment.

The proposed 1,600 square foot building and driveway would be in compliance with the exterior building material and impervious surface requirements.

SPECIFIC REQUESTS

The request consists of the following:

1. Variance to allow two accessory structures on a lot less than 5.0 acres.
2. Variance to allow an accessory structure 10 feet from the side property line whereas 50 feet is required.

EVALUATION OF THE REQUEST

The following land uses, zoning districts and comprehensive plan designations surround the subject property:

North, East, and West: Single family; zoned E-1, Estate Residential; guided RDR
South: City park; zone P, Public/Institutional; guided Public Open Space

ENGINEERING

Engineering has reviewed the request and takes no exception to the variances. Engineering has made some recommendations on conditions that should be added to the approval, these conditions are included in the list of conditions at the end of the report.

VARIANCE

City Code Title 10, Chapter 3. Variances, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

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

The regulations on size and total number was designed to limit the massing of structures in the rural areas of the city. The City Council has reviewed and modified the allowed size and number of accessory structures over the years, most recently increasing the size allowance on lots 3.4 acres - 5 acres in size. Staff does not believe the variance to allow more than one accessory structure is consistent with, or in harmony with the zoning ordinance and comprehensive plan.

One of the functions of setback requirements is to maintain consistency of structure placement and aesthetic qualities from street and neighboring views. The proposed garage location complies with the front setback requirements and with the side setback requirements for structures 1,000 square feet or less. Staff believes the intent of the code is met for the location of the structure.

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

The applicant is proposing the building within the most reasonable area of the property that provides the least amount of land alteration while meeting the needs of the applicant. If the applicants constructed the building to comply with setback requirements, they could then be over the maximum impervious surface allowed on the property triggering a storm water facility on the property to treat the additional runoff.

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

Based on lot size and zoning the property is allowed one detached accessory building up to 1,600 gross square feet in size. The request for an additional building may be considered a convenience to the applicant, not a practical difficulty.

As for the setback variance the site has a 50-foot pipeline easement that runs along the west side of the property, reducing the buildable area on the lot. There is room in the middle and rear of the property to comply with the accessory structure setbacks that would require additional grading and tree removal compared to the proposed location. Additionally, locating the structure in the rear of the property would require a longer driveway adding to the impervious surface total, which could then exceed the maximum allowed triggering the need to enter into a stormwater facilities maintenance agreement.

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

The developed rural neighborhood contains a variety of structure sizes and locations. The applicants lot provides perimeter screening from abutting properties. Due to the layout of the neighboring homes and size of surrounding lots, constructing the building 50 feet from the front lot line, 10 feet from the side property line, and about 280 feet from the closest neighboring home, the structure does not appear to alter the character of the neighborhood.

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

Economic considerations do not appear to be a basis or a sole basis for either of these requests.

ALTERNATIVES

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

A. Approval. If the Planning Commission finds the request(s) to be acceptable, the Commission should recommend approval of the requests with at least the following conditions:

- 1) A **variance** to allow two accessory structures whereas one is the maximum allowed on a lot less than five acres in size.
 1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
 2. The developer shall meet the conditions outlined in the City Engineers review memo and any subsequent correspondence.
 3. The accessory structures shall not be used for commercial uses, storage related to a commercial use, or home occupations.
 4. A grading/erosion control plan shall be required at the time of the building permit application.

Practical Difficulty: To be stated by Planning Commission if supported.

- 2) A **variance** to allow a minimum side yard setback of 10 feet whereas 50 feet is required subject to the conditions listed below.
 1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
 2. The accessory structure shall not be used for commercial uses, storage related to a commercial use, or home occupations.
 3. A grading/erosion control plan shall be required at the time of the building permit application.
 4. The developer shall meet the conditions outlined in the City Engineers review memo and any subsequent correspondence.

Rationale: The proposed setback is not out of character for the neighborhood and is consistent with the comprehensive plan. The location does not appear to have an adverse impact on the neighboring properties. The property is unique in that there is a 50-foot pipeline easement that runs along the west side of the property, reducing the buildable area on the lot. Constructing the building in the rear of the property requires additional grading and tree removal compared to the proposed location. Additionally, locating the structure in the rear of the property would require a longer driveway, which could then exceed the maximum impervious surface allowed triggering the need to enter into a stormwater facilities maintenance agreement.

B. Denial. If the Planning Commission does not favor the proposed variance request, it should be recommended for denial, which could be based on the following rationale:

1. Denying the variance request does not preclude the applicant from reasonable use of the property as there is an attached garage and an existing accessory structure on the property. The smaller accessory building could be removed and a larger one could be constructed.
2. Approval of the variance could set a precedent for the number of accessory buildings allowed on a property less than 5 acres in size.
3. The facts presented did not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance. Allowing more than one detached accessory structure appears to be a convenience to the landowner and not dictated by unique circumstances of the property.

RECOMMENDATION

Staff considers the direction for the City to limit size and number of accessory structures to control the massing, bulk and over developing of lots with accessory buildings. Based on the information in the preceding report and the reasons listed in Alternative B, staff does not believe there is sufficient rationale to support the variance criteria and therefore recommends denial of the variance to allow more than one accessory building on the property.

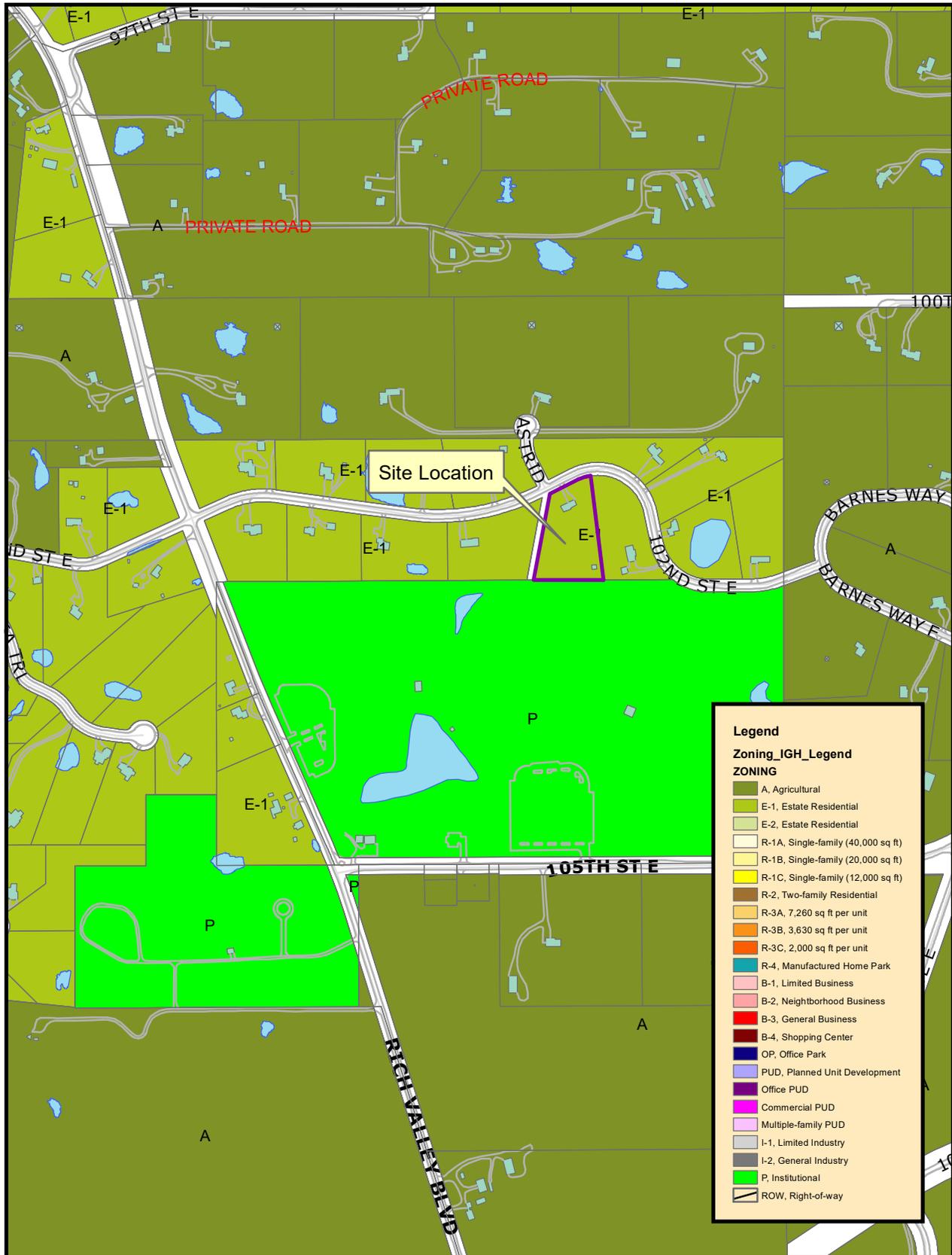
Staff believes there is a practical difficulty to support the setback variance based on the pipeline easement on the property and the other rational listed in Alternative A.2.

Staff recommends approval of the setback variances with the conditions listed.

Attachments: Zoning and Location Map
Applicant Narrative
Site plan
Drone photos
Elevation



1770 102nd St. E Case No. 22-06V



| Legend | |
|-------------------|------------------------------------|
| Zoning_IGH_Legend | |
| ZONING | |
| [Green] | A, Agricultural |
| [Light Green] | E-1, Estate Residential |
| [Lighter Green] | E-2, Estate Residential |
| [White] | R-1A, Single-family (40,000 sq ft) |
| [Yellow] | R-1B, Single-family (20,000 sq ft) |
| [Light Yellow] | R-1C, Single-family (12,000 sq ft) |
| [Brown] | R-2, Two-family Residential |
| [Light Brown] | R-3A, 7,260 sq ft per unit |
| [Orange] | R-3B, 3,630 sq ft per unit |
| [Dark Orange] | R-3C, 2,000 sq ft per unit |
| [Blue] | R-4, Manufactured Home Park |
| [Pink] | B-1, Limited Business |
| [Light Pink] | B-2, Neighborhood Business |
| [Red] | B-3, General Business |
| [Dark Red] | B-4, Shopping Center |
| [Dark Blue] | OP, Office Park |
| [Light Blue] | PUD, Planned Unit Development |
| [Purple] | Office PUD |
| [Magenta] | Commercial PUD |
| [Light Purple] | Multiple-family PUD |
| [Grey] | I-1, Limited Industry |
| [Dark Grey] | I-2, General Industry |
| [Bright Green] | P, Institutional |
| [Line] | ROW, Right-of-way |

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Map produced by the City of Inver Grove Heights GIS Dept.
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Exhibit A
Zoning and Location Map
Map not to scale

Variance Request:

Bradley and Lesly Osborn
1770 102nd St E
Inver Grove Heights, MN 55077

Date:

January 18, 2022

Property ID:

20-36604-03-010
Inver Hills 5th Addition
Lot 1 block 3

Accessory Shed Construction, 1600 sq ft.

(Approximately 30' wide x 48' deep with an 8' x 20' bump out)

Variance:

We are requesting approval to build a 1600 sq ft accessory structure 10' off our east property line due to the limited, narrow area available east of our residence. Our lot is pie-shaped and due to the natural gas pipeline and 50' easement of our west lot line our house was built more center on the property.

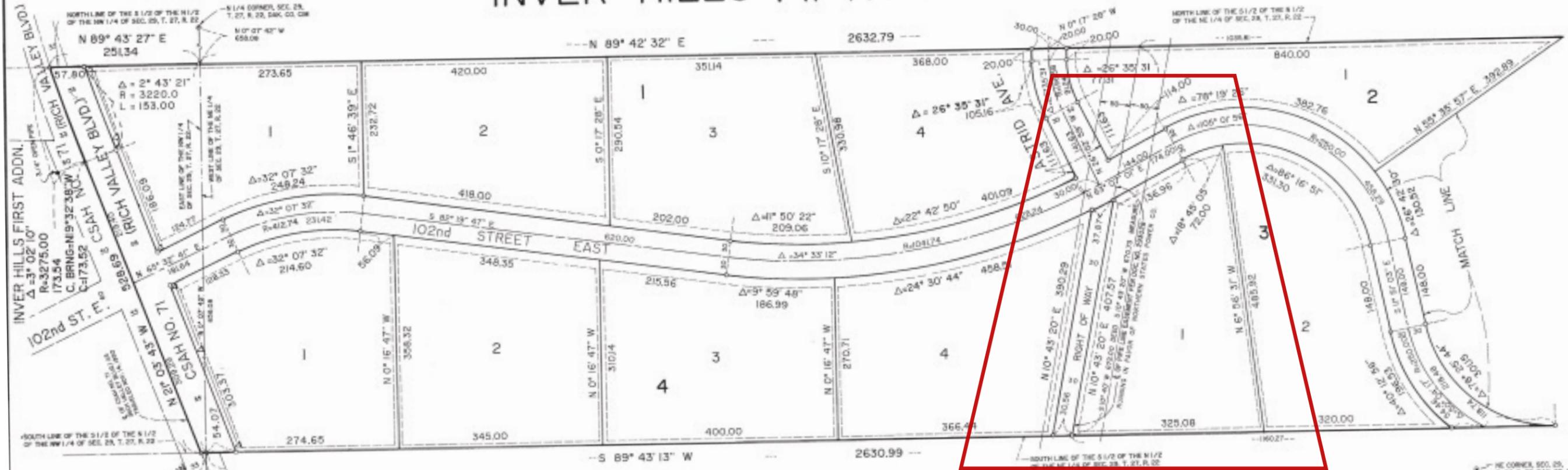
Our abutting neighbors to the east and west have built their houses and accessory structures away from the proposed construction area on our lot.

Our desired location is depicted on the attached documents with a 10' setback from the east property line. Our architect recommended this location based on the existing house placement and available space for the best curb appeal. This location also allows access to the rear of our lot and minimizes unneeded impervious surfaces.

We are also seeking approval to keep our existing garden shed. This is a well-constructed, portable garden shed located at the rear of our lot. It's 16' x 24' or 384 sq ft. It is visually appealing to the acreage lot and is tucked in the back of the property nearest our east neighbor and the Rich Valley Athletic Complex. Due to our landscaping and large pine trees, the shed and garden area is essentially not visible outside the lot. The existing 384 sq ft shed would be more esthetically pleasing than multiple 10' x 12' sheds equivalent storage space in its place for our lawn and garden equipment.

Thank you in advance for your consideration of the above variance requests. If you've been past our property, you would see we keep it in good order and well landscaped. The new accessory structure and existing garden shed lend to keeping our property neatly organized and add to the curb appeal of our neighborhood.

INVER HILLS FIFTH ADDITION



INVER HILLS FIRST ADDN.
 $\Delta = 3^\circ 02' 10''$
 $R = 3275.00$
 $C = 173.54$
 $C = 173.52$

INVER HILLS FIRST ADDN.
 $\Delta = 3^\circ 02' 10''$
 $R = 3275.00$
 $C = 173.54$
 $C = 173.52$

BEFORE ALL PERSONS BY THESE PRESENTS, that John S. McROBERTY, s.p.a., John Owen McROBERTY, and Jean S. McROBERTY, husband and wife, owners and proprietors, and First State Bank of Minnetonka, a Minnesota corporation, successors of the following described property situated in Dakota County, Minnesota, to wit:

The South Half of the North Half of the Northeast Quarter and that part of the South Half of the North Half of the Southwest Quarter of Section 29, Township 27, Range 22, North Dakota County, Minnesota.

Have caused the same to be surveyed and plotted as shown on this plat, and also dedicated the right of way, and also dedicated the easements as shown on this plat for drainage and utility purposes only, and also dedicated to Dakota County the right of access as shown on this plat.

IN WITNESS WHEREOF, John S. McROBERTY, s.p.a., John Owen McROBERTY, and Jean S. McROBERTY, and First State Bank of Minnetonka, set their hands this 25th day of September, 1951.

John S. McRoberty
John Owen McRoberty
Jean S. McRoberty
 A.S.S. JOHN OWEN McROBERTY
 A.S.S. JEAN S. McROBERTY

STATE OF MINNESOTA
 COUNTY OF DAKOTA

The foregoing instrument was acknowledged before me this 25th day of September, 1951, by John S. McROBERTY, s.p.a., John Owen McROBERTY, and Jean S. McROBERTY, husband and wife, and First State Bank of Minnetonka, a Minnesota corporation, successors of the following described property situated in Dakota County, Minnesota, to wit:

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IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office this 25th day of September, 1951.

John S. McRoberty
John Owen McRoberty
Jean S. McRoberty
 A.S.S. JOHN OWEN McROBERTY
 A.S.S. JEAN S. McROBERTY

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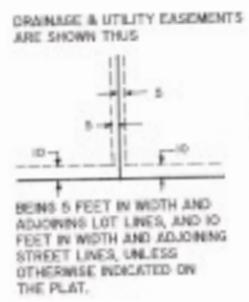
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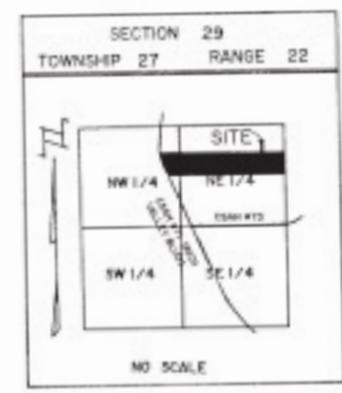
The South Half of the North Half of the Northeast Quarter and that part of the South Half of the North Half of the Southwest Quarter of Section 29, Township 27, Range 22, North Dakota County, Minnesota.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office this 25th day of September, 1951.

John S. McRoberty
John Owen McRoberty
Jean S. McRoberty
 A.S.S. JOHN OWEN McROBERTY
 A.S.S. JEAN S. McROBERTY



A 3/4" x 1/4" IRON PIPE MARKED WITH R.L.S. #15235 HAS BEEN SET AT EACH LOT CORNER.

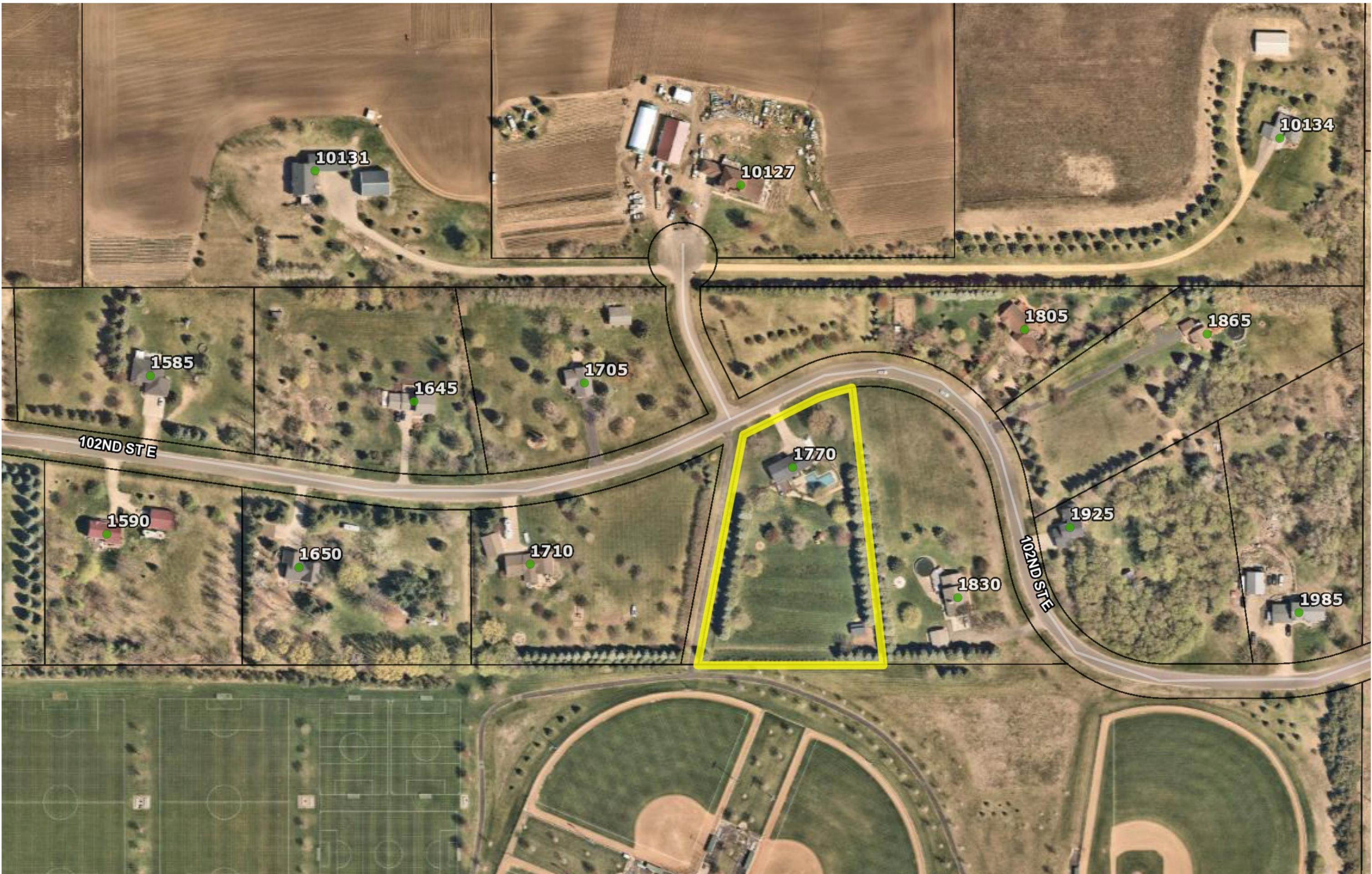


- ▲ DENOTES RIGHT OF ACCESS DEDICATED TO DAKOTA CO.
- DENOTES FOUND IRON MONUMENT
- DENOTES 3/4" x 1/4" SET IRON PIPE MARKED WITH R.L.S. #15235
- ◆ DENOTES PK NAIL SET IN PAVEMENT

THE EAST LINE OF THE NE 1/4 OF SEC. 29, T. 27, R. 22 HAS AN ASSUMED BEARING OF 5° OF 45' W.



METRO SURVEYORS, INC.



10131

10127

10134

1585

1645

1705

1805

1865

102ND STE

1590

1650

1710

1770

1830

1925

102ND SITE

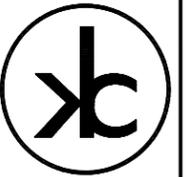
1985

| Impervious Surface | |
|--------------------|--------|
| New - Shop | 1,600 |
| New - Drive | 1,570 |
| New - Walkway | 400 |
| Existing | 6,225 |
| Approximate Total | 9,795 |
| Allowed | 16,335 |









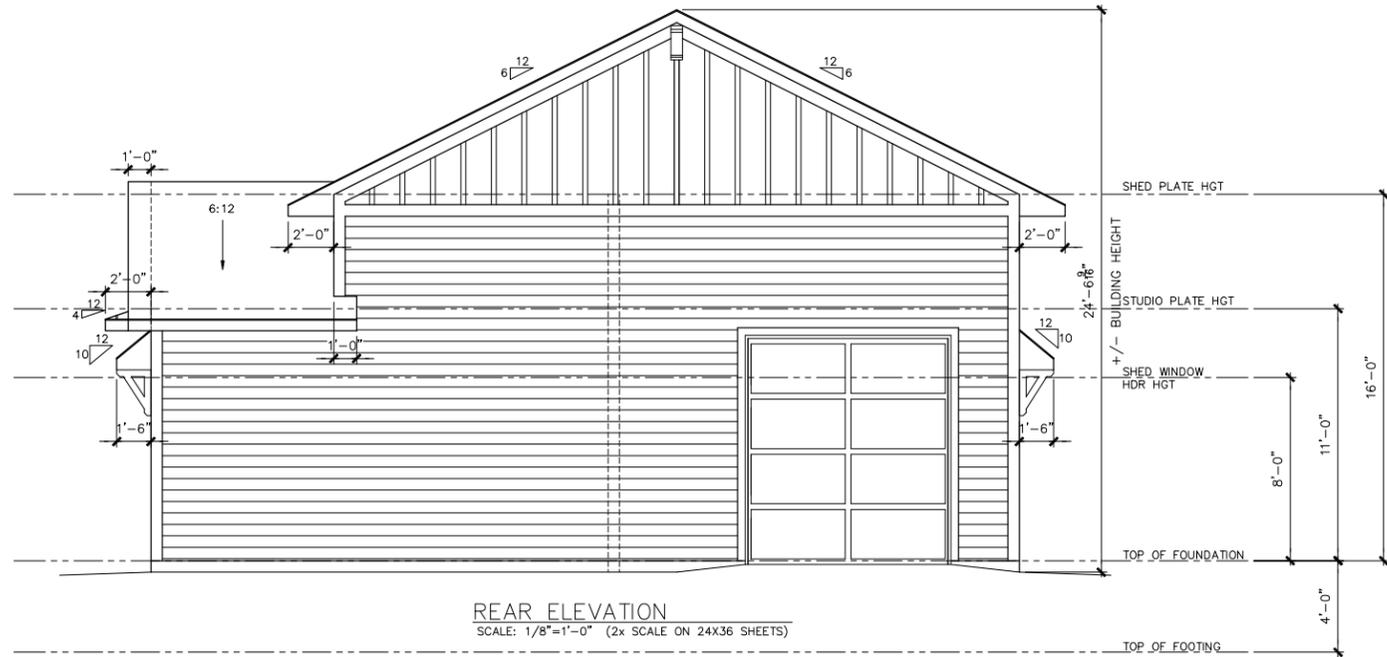
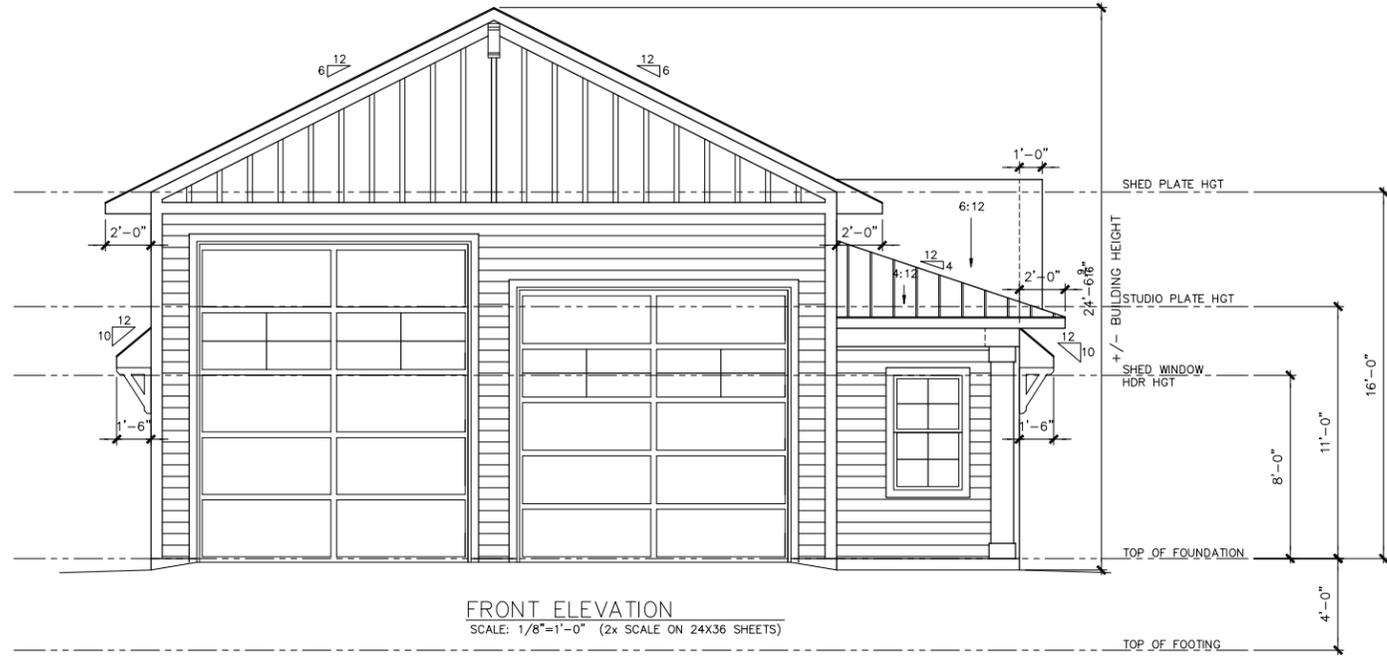
KC CUSTOM HOME DESIGN, INC.
PO Box 711
Buffalo, MN 55313
Phone: 612.518.2118

OSBORN RESIDENCE
1770 102ND STREET EAST
INVER GROVE HEIGHTS, MN

GENERAL NOTES:
*ALL DIMENSIONS FROM OUTSIDE OF SHEATHING TO CENTER OF FRAMING OR OUTSIDE OF SHEATHING TO OUTSIDE OF SHEATHING. NOTED DIMENSIONS TAKE PRECEDENT OVER SCALED NOTES.

| SHEET INDEX | |
|-------------|---------------------|
| A1.1 | EXTERIOR ELEVATIONS |
| A1.2 | EXTERIOR ELEVATIONS |
| A2.1 | MAIN LEVEL |
| A3.2 | BUILDING SECTION |

| AREA SCHEDULE | |
|--------------------|------|
| SHED SQ FT | 1206 |
| STUDIO / GYM SQ FT | 394 |
| TOTAL SQ FT | 1600 |



SITE ADDRESS

| LOT | BLOCK |
|-----|-------|
| | |

REVISIONS

| DATE | DESCRIPTION | BY |
|------------|---------------|----|
| 11.23.2021 | PRELIM SET #1 | |
| 12.11.2021 | PRELIM SET #2 | |
| 12.23.2021 | PRELIM SET #3 | |
| 01.07.2022 | VAR SET #1 | |

APPROX SQ FT

1206 SHED SQ FT
394 STUDIO/GYM SQ FT
1600 TOTAL SQ FT

PLAN# - KC2155

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DATE 09.18.2021

PAGE A1.1



Request for Council Action

TITLE: Consider Request for Approval of Rental Housing Licenses

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|--|------------------------------------|---------------------|
| Meeting Date: | March 14, 2022 | None | X |
| Item Type: | Regular | Amount included in current budget | |
| Contact: | 651-450-2491 | Budget amendment requested | |
| Prepared by: | Nicole Cook Rental and Code Compliance Coordinator | FTE included in current complement | |
| Reviewed by: | Heather Rand, Community Development Director | New FTE requested - N/A | |
| | | Other | |

PURPOSE/ACTION REQUESTED

The City Council is asked to consider approval of six (6) rental licenses.

BACKGROUND

The City Council adopted a rental licensing ordinance that requires all rental property owners to obtain a rental license every two years. The purpose of the ordinance is to assure proper maintenance of structures to preserve neighborhood stability, protect the quality of existing rental housing stock and maintain property values. The ordinance provides for basic safety and living standards for rentals.

ANALYSIS

The following rental license applications have been submitted:

6802 CRAIG CT - ROBERT DAHL
 3203 75TH ST - QI JINNING
 7295 BRITTANY LANE - ALISON HOWARD
 2550 49TH ST - PHUONG NGUYEN
 1840 55TH ST - JIN LI
 4836, 4838, 4840, 4842 BARBARA AVE (FOURPLEX) - BAKHTIYOR IBROGIMOV

The above applications have been found to be complete. The applications include the necessary fee payments, and the BCA background checks. The City of Inver Grove Heights Police Chief/Designee has also reviewed and approved the license applications.

RECOMMENDATION

Community Development staff recommends approval of the licenses listed above.



Request for Council Action

Consider Resolution Approving Additional Professional Services for the Preparation of the Feasibility Study for City Project No. 2016-19 - 65th Street Between TH 3 and Babcock Trail

| | | Fiscal/FTE Impact | Mark all that apply |
|---------------|---------------------------------------|------------------------------------|---------------------|
| Meeting Date: | March 14, 2022 | None | |
| Item Type: | Regular | Amount included in current budget | |
| Contact: | Brian Connolly, 651-450-2571 | Budget amendment requested | |
| Prepared by: | Brian Connolly, Public Works Director | FTE included in current complement | |
| Reviewed by: | Kris Wilson, City Administrator | New FTE requested - N/A | |
| | | Other: Pavement Management Fund | X |

PURPOSE/ACTION REQUESTED

The Council is asked to adopt the attached Resolution, authorizing additional professional services for the Feasibility Study for City Project No. 2016-19 - 65th Street between TH 3 and Babcock Trail.

SUMMARY

At the Council Work Session on February 7, 2022, staff provided a summary of the efforts put forth to-date on the 65th Street Feasibility Study. The feasibility process was initiated in 2016, brought to the Council for consideration in March of 2020, and tabled two additional times in 2020, and has not been accepted or rejected by the Council in a formal matter. Presently, development proposals in the area adjacent to the 65th Street extension, between TH 3 and Babcock Trail, have been a catalyst to revisit the feasibility study for preliminary platting and coordination purposes. Council has requested staff review the feasibility study information and work to update it and bring it back to the City Council in a formal manner.

The City had originally contracted with WSB to perform the feasibility study in 2016, and has approved contract costs of \$77,843, of which approximately \$75,500 have been spent. WSB and City staff have developed a scope of work to update and finalize the 65th Street feasibility study as discussed at the aforementioned Council Work Session and deliver it to the City Council later this spring. The scope of the updates to be performed by WSB include:

- Revising the limits of the study to the proposed 65th Street alignment from TH 3 to approximately 100' west of Arlene Avenue. (*Focusing on the western portion of the original alignment, where adjacent development activity appears most imminent.*)
- Providing updated cost estimates plus two opinions of probable cost to account for two different construction options:
 - Option 1: Construction prior to development, including all right-of-way and easement acquisition, retaining walls, and all preliminary roadway grading costs.
 - Option 2: Construction post-development, assuming ROW dedication is provided via final platting and preliminary roadway grading occurs in conjunction with adjacent site development to minimize the need for retaining walls.
- Provide a preliminary assessment roll.
- Update layout maps and figures to reflect the revised study limits and potential intersecting street locations.
- Update the feasibility report text to reflect the above modifications.

In addition to these items being performed by WSB, City staff will review potential funding options to be included in the feasibility report, including deferred assessments. This does not mean that the City will proceed with assessments for the proposed roadway, it simply provides additional information for use by the Council in the decision making process.

WSB provided a proposal for additional professional services in the amount of \$7,910 to complete their portion of the feasibility study update effort. City staff recommend that the City Council approve the proposal for additional services in the amount of \$7,910, to be funded through the Pavement Management Fund.

BDC/kf

Attachment(s): Proposal from WSB dated March 7, 2022
Resolution

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

**RESOLUTION APPROVING ADDITIONAL PROFESSIONAL SERVICES FOR THE PREPARATION OF
THE FEASIBILITY STUDY FOR CITY PROJECT NO. 2016-19 - 65TH STREET BETWEEN TRUNK
HIGHWAY 3 AND BABCOCK TRAIL**

RESOLUTION NO. 2022-060

WHEREAS, On September 26, 2016, Council ordered a feasibility study for City Project 2016-19 - 65th Street Construction (between T.H. 3 and Babcock Trail); and

WHEREAS, on September 26, 2016, Council accepted a professional services proposal from WSB for City Project No. 2016-19; and

WHEREAS, on March 9, 2020, a feasibility report has been prepared by WSB for the Public Works Director with reference to City Project No. 2016-19 - 65th Street Construction (between T.H. 3 and Babcock Trail). Consideration of the feasibility report was tabled until July 13, 2020; and

WHEREAS, on February 7, 2022, Council received a summary update at a Council Worksession on the feasibility report for City Project No. 2016-19 - 65th Street Construction, and requested staff review and update the feasibility report to bring back to Council at a date later this Spring; and

WHEREAS, WSB together with City staff have developed the scope of work to provide revised study limits and cost estimates to accommodate pending development proposals in the areas immediately adjacent to the proposed 65th Street alignment.

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

1. Said proposal dated March 7, 2022, from WSB in the amount of \$7,910 is hereby approved by the City Council of the City of Inver Grove Heights.
2. Funding for this proposal will come from the Pavement Management Fund

Adopted by the City Council of Inver Grove Heights this 14th day of March 2022

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



March 7, 2022

Mr. Brian Connolly
City of Inver Grove Heights
8150 Barbara Ave
Inver Grove Heights, MN 55077

Re: Proposal for Professional Services
Feasibility Study 65th Street Improvements
City Project 2016-19

Dear Mr. Connolly:

WSB is pleased to provide you with our proposal for completing a new feasibility report for Improvements along 65th Street east of Trunk Highway 3 to the east property line of the parcel owned by M & E Investments LLC aka "Summer-Gate Development".

The report will be prepared using the current recommended corridor design from preliminary work already completed and will serve as a guide to city staff for right-of-way needs as new development activities south of this future segment of 65th Street are submitted to the city.

WSB understands that future development in this area is dynamic and uncertain, therefore, we're prepared to provide two opinions of probable cost for the city as part of this report. The first scenario will include the project cost to construct the roadway as planned prior to development occurring. The second one would include the project cost to construct the roadway as planned after development has occurred. The two cost scenarios will take in account land acquisition, grading, retaining walls and other items related to the timing of construction. WSB will use the City's established assessment policies to provide mock assessments in the feasibility report for each scenario described.

SCOPE OF SERVICES

Task 1 - Report:

WSB will prepare a draft and final report for staff to review and include the following tasks:

- WSB will provide routine project management duties as needed to ensure the project stays on budget and schedule.
- One meeting will be held with city staff to discuss the details after the draft report is submitted for review. Comments generated from the meeting will be incorporated into the final report.
- Access Management along the corridor will be considered during the draft report phase. WSB will develop the proposed location for intersections along the corridor based upon city guidelines and preliminary layouts provided by land developers adjacent to 65th Street.
- A draft and final report including updated figures, maps, opinion of probable costs and mock assessments will be completed.

Deliverables: Draft Report and Final Report.

Task 2 – Mock Assessments:

WSB will provide services to develop two opinions of probable costs and mock assessments based upon when the 65th Street Improvements would occur as described previously.

WSB will provide the work necessary to develop project costs, including property acquisition costs, and will deliver mock assessments for each scenario based upon the city's assessment policy. We are anticipating two meetings with city staff to discuss the calculations formulated for the assessments and any funding sources available to the city to pay for the proposed improvements. A mock assessment map and table showing parcel ownership, location, unit assessment, and final assessment for each property will be included with the draft and final reports.

Deliverables: Mock Assessment Table (2); Mock Assessment Map.

PROPOSED

We are available to start the draft report immediately upon your approval. WSB proposes the following work schedule:

| | |
|---|----------------|
| Approve Professional Services Agreement | March 14, 2022 |
| Complete Draft Report for Review | April 15, 2022 |
| Complete Final Report | April 29, 2022 |
| Present to Council..... | May 9, 2022 |

PROPOSED FEE

We are proposing to complete the work on a cost not-to-exceed basis in accordance with our current fee schedule.

Estimated fees for the Report and Mock Assessment services are itemized on the attached Task Hour Breakdown sheet provided and summarized below:

| Task | Description | Fee | |
|---------------------------|--------------------|------------|--------------|
| 1 | Report | \$ | 3,736 |
| 2 | Mock Assessments | \$ | 4,174 |
| Total Proposed Fee | | \$ | 7,910 |

We will review our progress monthly and will not exceed the amounts indicated without prior Council approval should the scope of the project change.

If you agree with the terms of this proposal, please contact me, and WSB will draft contract documents for the project for the City's execution. WSB will start work as proposed immediately upon receipt of a signed contract.

We appreciate the opportunity to provide you with this proposal and we are looking forward to working with you and your staff toward the completion of this project. Please do not hesitate to contact me if you have any questions.

Sincerely,

WSB



Brad Reifsteck, PE
Project Manager



Monica Heil, PE
Vice President of Municipal Services

Attachments – WSB Fee Estimate,
cc: Brad Reifsteck, Sr Project Manager



Estimate of Fee
City of Inver Grove Heights
Professional Engineering Services
Feasibility Study 65th Street Improvements
CP 2016-19



| Task | Description | Labor Category and Estimated Hours Per Task | | | | | | Total Hours | Cost |
|---|---------------------------------------|---|------------------------|------------------------|------------------------|--------------------------|----------------------|-------------------|-------------------|
| | | Sr Project Manager | Project Engineer | Traffic Engineer | Engineering Specialist | Administrative Assistant | GIS Specialist | | |
| | | <i>Brad Reifsteck</i> | <i>Alex Mollenkamp</i> | <i>Erik Seiberlich</i> | <i>Brad Caron</i> | <i>Sue Buckley</i> | <i>Mike Phillipi</i> | | |
| 1 | Report | | | | | | | | |
| 1.1 | Project Management | 1 | | | | | | 1 | \$182.00 |
| 1.2 | Meetings with City (1) | 1 | 1 | | | | | 2 | \$327.00 |
| 1.3 | Access Spacing (Future Intersections) | | | 2 | 2 | | | 4 | \$634.00 |
| 1.4 | Figures and Maps | | | | 4 | | 2 | 6 | \$778.00 |
| 1.5 | Draft Report | 1 | 6 | | | 2 | | 9 | \$1,246.00 |
| 1.6 | Final Report | 1 | 2 | | | 1 | | 4 | \$569.00 |
| Task 1 Total Estimated Hours and Fee | | 4 | 9 | 2 | 6 | 3 | 2 | 26 | \$3,736.00 |
| 2 | Mock Assessments | | | | | | | | |
| 2.1 | Project Management | 1 | | | | | | 1 | \$182.00 |
| 2.2 | Meetings (2) | 2 | 4 | | | | | 6 | \$944.00 |
| 2.3 | Opinion Of Probable Costs | 1 | 4 | | | | | 5 | \$762.00 |
| 2.4 | Property Acquisition Costs | 1 | 4 | | | | | 5 | \$762.00 |
| 2.5 | Mock Assessments Calcs | 1 | 4 | | | | | 5 | \$762.00 |
| 2.6 | Mock Assessments Roll | 1 | 4 | | | | 4 | 9 | \$762.00 |
| Task 2 Total Estimated Hours and Fee | | 7 | 20 | | | | | 31 | \$4,174.00 |
| Total Estimated Hours | | 11 | 29 | 2 | 6 | 3 | 2 | 57 | |
| Hourly Billing Rate | | 182.00 | 145.00 | 172.00 | 145.00 | 97.00 | 99.00 | | |
| Total Fee by Labor Classification | | \$2,002.00 | \$4,205.00 | \$344.00 | \$870.00 | \$291.00 | \$198.00 | | \$7,910.00 |
| TOTAL PROPOSED FEE | | | | | | | | \$7,910.00 | |

*Opinion of Probable Cost and Assessments will be calculated for the "City Builds before Development" and "City Builds after Development" scenarios.