

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, MAY 24, 2021 - 6:00 P.M. - 8150 BARBARA AVENUE**

**\*\*In Person Meeting and via Zoom Video Conferencing (Hybrid Meeting)\*\***

**1. CALL TO ORDER:**

The City Council of Inver Grove Heights met in regular session on Monday, May 24, 2021, in person and via Zoom Video Conferencing (Hybrid Meeting). 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: Piekarski Krech, Murphy, Gliva, and Dietrich; City Clerk Kiernan, Interim City Administrator/Community Development Director Rand, and City Attorney McCauley Nason.

Present via Zoom Video Conferencing/Phone: Information Technology Manager Gade, Environmental Specialist Sutherland, City Planner Hunting, Associate Planner Botten, Human Resources Director Shefchik, Interim Parks and Recreation Director Oyanagi, Interim Public Works Director Eckles, Assistant City Engineer Dodge, City Engineer Kaldunski, and Bob Bierscheid.

**3. PRESENTATIONS:**

**4. CONSENT AGENDA:**

- A.
  - i. Minutes from the April 10, 2021 Special City Council Meeting.
  - ii. Minutes from the April 19, 2021 Special City Council Meeting.
  - iii. Minutes from the April 26, 2020 City Council Meeting.
  - iv. Minutes from the May 6, 2021 Special City Council Meeting.
- B. Disbursements for Period Ending May 18, 2021. **Resolution 2021-153**
- C. Consider Approval of Personnel Actions.
- D. **Resolution 2021-154** Approving Medsurety as the City's Third-Party Administrator (TPA) for certain benefit plans, including the HRA, HSA, FSA, COBRA and Retiree plans.
- E. **Resolution 2021-155** Approving Council Authorization to Execute an Updated Collective Bargaining Agreement with AFSCME.
- F. Consider Approval of Two New Massage Therapist Licenses, Dawn Younkin and Mariah Smith for OyeSpa Inc., 7741 Amana Trail.
- G. Consider Approval Authorizing Easement Acquisition for City Project 2016-13 – Cahill Trunk Drainage Improvements. **Resolution 2021-156**
- H. Approve the renewal of 20 advertising benches in the City of Inver Grove Heights.
- I. Consider Approving Custom Grading Agreement and Storm Water Facilities Maintenance Agreement for Lot 2, Block 1, Oakbush 4th Addition (6124 Blaine Ave).
- J. Consider Approval of Purchase Agreement for property located at 8296 Babcock Trail. **Resolution 2021-157**
- K. Consider Approval of Payment for Heritage Village Park Phase III.

**Motion by Dietrich second by Gliva to move Agenda Item 4J. Consider Approval of Purchase Agreement for property located at 8296 Babcock Trail. Resolution 2021-157 to be added after Agenda Item 7 to allow for more in-depth conversation.**

**Ayes: 5**

Nays: 0      Motion carried.

**Motion by Murphy second by Dietrich to approve the Consent Agenda with the exception of Agenda Item 4J.**

Ayes: 5

Nays: 0      Motion carried.

**5. PUBLIC HEARING:**

**6. REGULAR AGENDA:**

***Community Development:***

**A. Consider Renewal of Rental License Applications (3).**

Interim City Administrator Heather Rand listed three Rental License Renewals for consideration:

1. 4930 Ashley Lane
2. 5466 Bryce Avenue
3. 3739 74<sup>th</sup> Street East

All three have been reviewed by the Police Department and Community Development Staff. Staff recommends approval of all three.

**Motion by Piekarski Krech second by Gliva to approve the Renewal of three Rental License Applications.**

Ayes: 5

Nays: 0      Motion carried.

**B. Consider the Second Reading of an Ordinance Amendment to allow larger detached accessory structures on residential lots 2.5-5.0 acres in size.**

Associate City Planner Heather Botten discussed the Second Reading of an Ordinance Amendment to allow larger detached accessory structures on residential lots 3.4-5.0 acres in size. The First Reading was approved at the May 10<sup>th</sup>, City Council meeting. There were no significant changes between the First and Second Reading. Staff and Planning Commission requested Staff review the current Ordinance and directed finding a way for lots closer to five acres have larger accessory buildings. One way to do this was to take the maximum square footage of 2,400 square feet and divide that by 5 acres. That gives a number of 480 square feet an acre. If taking lot sizes ranging from 3.4 to 5 acres and multiplying the lot size by 480 that gives a maximum gross square foot for an accessory building. This allows lot sizes closer to five acres have a bit larger accessory building. Lot size ranges from 2.5 to 3.3 would still be allowed the existing 1,600 gross square feet. She stated a line item has been added with 3.4 to 5 acres. Staff recommends approval of the Second Reading as proposed.

Mayor Bartholomew asked if there have been additional comments or input from residents. He asked if proper individuals were notified of the proposed change and if it is still visible on the website. Associate Planner Botten responded there have not been further comments. The information is still available on the website, there is also a Listserv.

**Motion by Murphy second by Gliva to approve the Second Reading of an Ordinance Amendment as detailed to allow larger detached accessory structures on residential lots 2.5-5.0 acres in size.**

Ayes: 5

Nays: 0      Motion carried.

**C. Consider the Second Reading of an Ordinance Amendment to allow Market Gardens as a permitted use in the E-2, R-1, and R-2 Districts.**

City Planner Allan Hunting discussed the Second Reading of an Ordinance Amendment. Market Gardens are a small-scale farming activity on residential property. Retail sales of produce grown on the site is allowed. Council looked at the First Reading on May 10<sup>th</sup> and made changes as reflected in the Ordinance as follows:

- Changed hours of operation to 8:00 a.m. to 7:00 p.m. on weekdays
- Hours would be 9:00 p.m. to 7:00 p.m. on weekends
- On Permits, having a few required.
  - Staff suggests \$25.00 which is a typical rate charged for Permits on reviews that don't take much time. They believe it would fit here.
  - A one-time Permit fee with no renewals.
  - They are low impact Permits. This gives a list for Staff to be aware of where the activities occur in the event of problems or violations.

Staff recommends approval of the Second Reading as presented.

Mayor Bartholomew referenced licensing, stating if the resident moves the license is gone. City Planner Hunting responded its set up to have the name/occupant and address of the real property. He had not thought about the property owner moving, but was more concerned about the location. Mayor Bartholomew questioned if a new individual moved in, if they would have to apply for a license or if the license went with the property. City Planner Hunting responded he had not thought about it in those terms and didn't have an answer off hand. He asked Council for suggestions. Mayor Bartholomew responded they may be making too much out of something they don't need to, but asked it be thought about for the next meeting.

Councilmember Piekarski Krech suggested an annual fee. One of the reasons was because Item "Y" states when a Market Garden is discontinued the property should be restored to its native state. She felt it was needed to know annually whether people are continuing to do it or have stopped, if stopped, Staff may have to go out and check to make sure the property is restored. Councilmember Murphy had the same thought about a fee, it gives an amount of control on an annual basis. He agreed the fee should be renewed at the same amount. He assumed in reading this it was tied to the person and the property, not separated. He felt having both the person and location would be important to have in the Third Reading.

Mayor Bartholomew suggested the verbiage discussed by Council Members Piekarski Krech and Murphy be included. He requested information about those questions be brought to the next Reading. City Planner Hunting agreed.

Dawn Gaetke, 7477 Cahill Avenue, stated she noticed a few things in the Ordinance she felt could be made cleaner and more precise as follows:

- Make the definition of Market Garden more precise.
  - For example: A Market Garden is a growing space where food or ornamental crops to be sold are grown. A Market Garden is distinguished from a farm by its smaller scale and lack of mechanization. A Market Garden is distinguished from a Community Garden by its exclusionary control.

She stated City Planner Hunting didn't see any trouble with this change. The object is to allow anyone who occupies a single-family home, even if a renter. The language focused on property owner. She requested to change:

- In section "Q" where it says "the only product sold is the Market Garden produce grown on the property by the property owner". She suggested adding "or occupant". If there is a renter there, they could get the license.
- In section "R", change #1 to say property owners or "occupants".

Mayor Bartholomew stated the Council just approved a few Rental License Agreements. He asked if having this as a Permitted Use would impede or cause problems with the Rental License Ordinance. City Attorney McCauley Nason responded she did not believe it would, but would look for information. She understood the intent behind the change was to allow both owners and renters as long as they are residing on the premises utilize this for Market Garden purposes.

Mayor Bartholomew wanted to make sure there was no conflict with commerce. Such as if the Rental Agreement doesn't allow for anything generating revenue. City Attorney McCauley Nason responded she would check before the Third Reading.

Councilmember Murphy thanked Ms. Gaetke for the information. He asked what her thoughts were on substituting "occupant" with "License or Permit Owner". Ms. Gaetke responded it didn't bother her. She was trying to get across that they could be a renter, if the Renter Ordinance allows.

Ms. Gaetke addressed the fee and whether it be one time or annual. If subsequent, she asked if it could be made cheaper. She thought a onetime fee was fine. She stated for example, Fire Pits are one-time fees and do not carryover from one owner to the next. Maybe use that as a model. Mayor Bartholomew stated the issue was to make sure the property is restored. Once the license or individual is gone, the property would be restored to turf surface. Ms. Gaetke asked if someone in the Clerk's office would go back and check one year's licenses against the next ones. In checking practicality, she didn't believe that was going to happen. She didn't want to overburden the clerk's office checking one year over another and then checking the ones that didn't renew.

Councilmember Piekarski Krech stated it becomes an issue when someone complains. There was a Permit, but are not doing it anymore, but the Permit is still valid. She believed if a person plans to continue to do this every year, they need to come in and say they plan to continue. It gives the City the ability and knowledge. She stated it has been done with Liquor Permits and Dog Licenses. They are dealing with property rights and other property owners around. She responded about rentals stating they would probably need to put something in about rental properties needing permission from the owner because the owner may not have any idea that is planned on their property and may not want it to happen. Ms. Gaetke responded she believed that be an issue between the property owner and renter. In theory a renter could go and apply for a Fence Permit.

Councilmember Piekarski Krech asked about the addition of ornamentals, she thought it was just edible produce. Ms. Gaetke responded ornamentals has always been in there. She has no objection to taking ornamentals out. She was unsure how many would sell flowers. Councilmember Piekarski Krech stated flowers, pumpkins, gourds, cornstalks. There are a lot of things that qualify as ornamental.

Mayor Bartholomew suggested getting thoughts together and putting them into the next Reading. They can revisit the issues. In his opinion, he liked the idea so they know the License Holder has to comply according to Statute and are assured the property goes back to its original state when the property changes

hands or is no longer participating. He suggested getting those thoughts into the next Reading and discussing further at the next meeting.

Councilmember Dietrich asked with the next Reading, if the City Planner could let the Council know what this means for Staff time. Is the fee going to make up for the Staff time it takes to send out the Licenses and do follow up.

Mary T’Kach, 7848 Babcock Trail, supported the changes Ms. Gaetke recommended. One of the items in the proposed Ordinance is lead testing soil. The way it was written struck her as odd. The Draft language wasn’t based in science or public health impacts. If someone pulled these 100 parts per million standard from somewhere, it could have come from the November 29, 2004 Minnesota Department of Health Lead Rule. That was specific to lead in paint, dust, bare soil, and drinking water. It did not pertain to gardens. It’s a pretty low level and difficult to achieve. The composting rules the Minnesota Pollution Control Agency has, has a lot of things such as cadmium, arsenic, mercury, lead. They have a 300 parts per million lead limit for residential use of compost. Centers for Disease Control and the US Housing and Urban Development recognize 400 parts per million in lead in soil and play areas as the upper limit. It wasn’t targeted to garden soil. The University of Minnesota and other research institutes say there is no evidence the plant uptakes lead from the soil and stores lead in the plant, especially in soils with a neutral or slightly higher PH level. Strong evidence suggests there is lead dust from bare soil patches that can get onto the plants itself. Washing vegetables minimizes this. Growing vegetables in raised beds with clean soil or compost in an area with contaminated soil blowing around, doesn’t change the risk unless washing the vegetables.

Councilmember Piekarski Krech thought this may had come from the St. Paul regulation, she didn’t believe it was added by the City. Her point is well taken.

Ms. T’Kach stated she has a document from the University of Minnesota she can send to Council and Staff. The risk is from contaminated soil blowing around, not from garden beds or gardening. She felt that should be removed. It gives the public the illusion the City deems vegetables as healthy because a lead test was required. She commented it was a little misleading because the City doesn’t require tests for other things such as cadmium or arsenic. When buying something, just like at a store, it is buyer beware. She suggested knowing your farmer, where it’s grown, that’s what local is all about talking to people and making your own decisions. She requested that portion be removed. It’s also expensive. There is no guarantee the soil taken for testing is the soil being used to grow plants.

She discussed permitting stating the Minnesota Constitution, Article 13, Section 7 reads “no license required to peddle”. “Any person may sell or peddle the products of the farm or garden, occupied and cultivated by him, without obtaining a license therefore”. She didn’t believe they could permit or require a license for agricultural products. She suggested someone check into this. Aligning with the State Constitution makes sense.

Regarding the cost of the permit and whether it be annual, she stated there is verbiage in the Ordinance that speaks to nuisance issues. She felt if there was a nuisance with the garden, it could be dealt as part of the City’s Nuisance Ordinance. She thought this could create another marketing list that someone can ask for, and burdens Staff, people in the field would get marketing flyers. She suggested maybe after a year or two there are issues, have voluntary registry, but have further discussion. She stated going through the Community now there are little stands and tables of people selling or giving away cucumbers, tomatoes, or zucchini. Requiring someone pay \$25.00 annually to sell, they would really have to sell a lot of tomatoes,

the cost wouldn't be covered. She stated they want to encourage this, not put the brakes on something that hasn't started or caused problems. She encouraged the Council to rethink this.

She stated she supports the concept of growing local food builds resilience in the Community. They want to encourage people to get outside, get natural healthy exercise, air, bring kids outside and learn about growing food. The more they can do to encourage instead of discourage could be a boon to the community.

Mayor Bartholomew suggested Staff review the comments made by Ms. T'Kach and keep them in mind as they consider testing for lead and the licensing.

Ms. T'Kach asked what the Council's response was to the lead issue. Mayor Bartholomew responded she raised questions. He doesn't have thoughts other than further investigation. Councilmember Piekarski Krech stated when looking through the St. Paul Ordinance what was in there was cut and pasted which is similar to what is in the other Ordinance. She stated they may need to determine what the rationale was. She stated there are other agricultural reasons. A neighbor selling eggs for example, are in violation of USDA regulations if they have not done other things if getting money for those eggs. She stated there are a lot of rules and regulations relating to foodstuffs if selling them. If giving away product, it's a whole different. Doing it for monetary gain has another list of issues that pertain. She responded about the reference to the Constitution, Farmers could sell things she didn't believe it meant people in residential or city areas could sell things. She questioned the meaning of it.

Mayor Bartholomew stated the issue of lead testing and licensure raised by Ms. T'Kach is something he would like further information on from the City Planner. He asked City Attorney McCauley Nason if she could look into the Constitutional reference.

Ms. Gaetke responded about lead testing and agreed it was because the St. Paul Ordinance had it. The first discussion with the Planning Commission, several Commissioner's raised issues about food safety. When she helped the City Planner draft it again, she placed it in there because St. Paul had it. Hearing what has been said, she doesn't see the point of it anymore. Councilmember Piekarski Krech stated if testing for lead, as stated, test for other things.

City Planner Hunting suggested adding what Ms. Gaetke said, they allow farm produce to be sold in Agricultural areas, they don't have any of these restrictions. He wouldn't have a problem removing it. Mayor Bartholomew stated it was under "R" Item 4. Councilmember Murphy wanted to make sure they do not run into issues using the word "occupant" or "License or Permit Holder". If research was needed, he wanted to make sure it was on the list. City Planner Hunting responded he would check with the City Attorney for the appropriate words.

Mayor Bartholomew stated with all input tonight, he asked if they should put off the Second Reading. Councilmember Piekarski Krech agreed, there were things to discuss that she would like to see for a Second Reading and that the Third Reading is a clean Reading. City Planner Hunting stated this would take more time than two weeks. Maybe a month. Mayor Bartholomew asked about the second meeting in June. City Planner Hunting agreed. City Clerk Kiernan stated that was June 28<sup>th</sup>.

**Motion by Piekarski Krech second by Murphy to table the Second Reading to the City Council meeting taking place on June 28, 2021.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**D. Consider the First Reading of an Ordinance Amending Inver Grove Heights City Code Title 5, Chapter 4 adding section related to Temporary Harboring and Keeping of Goats for Prescribed Grazing by Permit.**

Environmental Specialist Ally Sutherland presented the First Reading of an Ordinance Amending Inver Grove Heights City Code Title 5, Chapter 4 adding section related to Temporary Harboring and Keeping of Goats for Prescribed Grazing by Permit. At the February Work Session the City Council directed Staff to research and develop a proposed Draft Ordinance. Staff has brought this proposed Ordinance forward due to receiving resident inquiries over the last few years asking if goats could be utilized on the property for buckthorn management. Goats are currently defined as farm animals by Zoning Code and only allowed in Agricultural and E-1 Zoning Districts. She stated labor and chemicals are required as conventional methods and believes that's what lead property owners to consider utilizing goats to control invasive species. This is a popular land management tool being utilized regionally and nationally. Goats are useful for areas with dense infestations and areas of challenging geography.

Based on Council direction from the February Work Session, Staff developed the proposed Ordinance. It was developed by comparing municipal Ordinances locally, goat rental companies, DNR, League of Minnesota Cities, and other Land Management Advisory Organizations. Staff also incorporated recommendations from Legal Counsel and the Planning Commission. Staff recommends approval of the First Reading.

Councilmember Murphy asked about the section with fence requirements. There isn't a generator allowed, he asked if the thought was to be a temporary fence and plugged into an outlet outside the home. Councilmember Piekarski Krech responded she has solar electric fences that work well. Environmental Specialist Sutherland responded the reason it was added was because the Planning Commission was worried about how they were powered. Speaking with goat rental companies, solar is a very popular option. Another popular option would be 12 Volt Batteries. Generators are not a typical use to power them. They can use extension cords, but have heard it is not a typical use.

Mayor Bartholomew referenced insurance limitations of \$2 million and \$1 million and asked if they were industry standards and accepted by the industry that provides for the service. Environmental Specialist Sutherland responded that was language common throughout every Ordinance she reviewed, several municipalities are utilizing. It was something the City Attorney's office reviewed and recommended. City Attorney McCauley Nason responded those limits were common across Ordinances she has reviewed.

Mayor Bartholomew referenced where it says there were no temporary shelters allowed. He asked with inclement weather, heavy rain, and sun, how the animal was protected. He was surprised there wasn't a temporary shelter, lean to, or a shaded area. Environmental Specialist Sutherland responded it was based on a conversation with the goat company. The companies she spoke with stated it was not a common practice for them and the fact that Staff isn't intending to go out and do inspections. Per Zoning Code requirements, it seemed like a consuming parameter to include. Mayor Bartholomew responded if the industry doesn't require, then he doesn't see a need to include it in the Ordinance. Councilmember Piekarski Krech stated the ones at Battle Creek Park in St. Paul had a big trailer to put the goats in at night. When Darvan Acres had goats, a shelter was required. She couldn't imagine letting goats out in a bad thunderstorm without shelter. Councilmember Murphy stated he was under the impression the goats were tended to every night. With severe thunderstorms, tornados, and hail, he didn't feel they would be sacrificing goats. He was uncomfortable with that.

Environmental Specialist Sutherland responded about the weather stating her assumption with the conversations she has had with goat companies and how they check on animals, with something like a tornado warning, they would likely go out and grab the goats for a period of time. There is the intention of protecting and keeping them safe. She offered to ask again and maybe reach out to additional companies to see if they have different practices.

Councilmember Piekarski Krech stated another question would be how they protect the goats from vermin. There are a lot of coyotes in the City. Environmental Specialist Sutherland responded they do that with the electric fencing. It provides a way to keep the goats in and others out. She stated she could ask if there are other ways to protect the goats.

Mayor Bartholomew asked about previous goats in the City with Darvan Acres. He asked if there was a temporary Permit allowing them. Councilmember Piekarski Krech responded that was Agriculture. The goat were required to be put into a shelter at night.

Mary T’Kach, 7848 Babcock Trail, stated she was hoping to come before the Council a few years ago on this issue as she has 10 acres of buckthorn. The goats in St. Paul were required to be housed at night in a trailer because people were playing, wrestling, and stealing them. It was a safety issue. It would be expensive and prohibitive to go out and rounds up goats. She stated she hasn’t moved forward with goats because it is very expensive and getting them doesn’t happen the first time. She questioned the 60-day limit for people with larger parcels. She stated goats were tough and can probably handle a hailstorm.

Mayor Bartholomew requested Environmental Specialist Sutherland bring further information forward on sheltering, points raised by Ms. T’Kach, and prior history regarding other places and what was required at the time.

**Motion by Piekarski Krech second by Gliva to approve the First Reading of an Ordinance Amending Inver Grove Heights City Code Title 5, Chapter 4 adding section related to Temporary Harboring and Keeping of Goats for Prescribed Grazing by Permit with additional information to come with the next Reading.**

**Ayes: 5**

**Nays: 0      Motion carried.**

***Administration:***

**E. Consider Approval of Resolution Authorizing Hire of Brian Bierscheid as Interim Parks and Recreation Director. Resolution 2021-158**

Interim City Administrator Rand stated the City is undertaking the selection process for City Administrator. After that, the Public Works Director and Parks and Recreation Director positions would need to be filled. They are hopeful to have the new City Administrator on board to provide input for those hires. There is a current vacancy in the Parks and Recreation Director position. The position was filled since late February via a temporary staffing arrangement by Interim Jon Oyanagi. She stated Mr. Oyanagi did a stellar job, but is leaving at the end of May.

She stated Mr. Oyanagi, Sharon, Klumpp, from Baker Tilly, the professional Recruitment Firm, and herself have reached out and identified an individual that has the credentials, experience, and right temperament to fill in as the Interim Park and Recreation Director in a similar arrangement to what they currently have with

Mr. Oyanagi. It would be a temporary employee with a set of priorities to accomplish with a time period of approximately October 31<sup>st</sup> or when the next Park and Recreation Director is hired.

She gave background on Mr. Bierscheid stating he served as the Park and Recreation Director for the City of St. Paul from 2002-2009. Prior to that he was the City of Roseville's Park and Recreation Director from 1987 to 2002. Over the last ten years he has been serving a variety of Communities, Cities, Counties, and sometimes assisting at the State level as a Consultant. He is high in demand with respect to his skills as he understands how to work with people and uses all his years of expertise to continue to drive forward great parks and recreational programming. He has assisted with the development of parks and their plans. She stated Mr. Bierscheid is available via Zoom to answer questions. His resume was provided to Council. References have been checked. She stated Mr. Oyanagi and herself recommend Council approval as a temporary Interim Parks and Recreation Director.

Mayor Bartholomew welcomed Mr. Bierscheid to the meeting and asked if he would like to introduce himself and fill the Council in on his prior work history, achievements, and goals.

Mr. Bierscheid introduced himself to the Council and Staff and thanked them for presenting this opportunity. He worked for the City of St. Paul as the Park and Recreation Director for seven years and was involved in many activities in terms of the development of properties, special facilities, and recreation programs. Prior to that he was the Park and Recreation Director in Roseville doing similar things. He stated Roseville is about the size of Inver Grove Heights and similar in operation with a Parks and Recreation Commission and Staff. Previous to that he was the Director of Parks and Recreation and Community Education in Marshall, Minnesota with similar activities.

He stated he tells people the reason he still does this even after going into retirement, is that his strong belief for Parks and Recreation is that it not a nice thing to do, it is an essential thing to do for Communities. The last year with COVID has proven people need to be active, physically, mentally, and socially, and to get out into the environment. That is why he would like to do whatever he can within the next few months to facilitate and keep the program moving until they can hire an ongoing professional.

Mayor Bartholomew thanked Mr. Bierscheid and appreciated his willingness to work with the City and help through the transition period. He commented his resume is very extensive. He had used Roseville parks in the past and felt they were very well done. He thanked him for coming forward. Councilmember Piekarski Krech stated it was wonderful to have someone with Mr. Bierscheid's qualifications help through the next few months. Councilmember Murphy stated it was a tremendous resume. Councilmember Dietrich thanked him for considering coming out of retirement for this. It is appreciated.

**Motion by Piekarski Krech second by Murphy to approve Consider Approval of Resolution 2021-158 Authorizing Hire of Brian Bierscheid as Interim Parks and Recreation Director.**

Mayor Bartholomew asked if Mr. Bierscheid was in agreement with hours, duties, and pay rate. Mr. Bierscheid agreed.

**Ayes: 5**

**Nays: 0      Motion carried.**

Councilmember Murphy asked when Interim Parks and Recreation Director Oyanagi's last day was and if there was a chance to thank him. Interim City Administrator Rand responded Mr. Oyanagi may be on the

line. His last day is Friday. She stated Mr. Oyanagi and herself will be meeting with Mr. Bierscheid this week. She stated Mr. Oyanagi has agreed to come back for a little bit on June 7<sup>th</sup> or 8<sup>th</sup>.

Mayor Bartholomew thanked Mr. Oyanagi and appreciated all of his help and professionalism in the past and looks forward to his help and guidance with the transition of the new Interim. Councilmember Murphy wanted to personally thank Mr. Oyanagi, he appreciated him stepping in. Councilmember Dietrich thanked Mr. Oyanagi for what he did in the short time he had and the limited hours. Councilmember Gliva thanked Mr. Oyanagi and hoped he has a wonderful summer. Councilmember Piekarski Krech thanked Mr. Oyanagi and joked he should have stayed. Mr. Oyanagi thanked everyone and stated it has been a pleasure.

#### **7. PUBLIC COMMENT:**

There was no public comment.

#### **8. MAYOR AND COUNCIL COMMENTS:**

#### **9. EXECUTIVE SESSION:**

##### **Agenda Item 4J. Consider Approval of Purchase Agreement for property located at 8296 Babcock Trail. Resolution 2021-157**

City Attorney McCauley Nason stated this Agenda Item has two options:

1. Have a conversation in open session regarding the Draft Purchase Agreement and proposed terms.
2. Have the ability to move into closed session Pursuant to Minnesota Statute 13D.05 which is how the Council has previously discussed this Agenda Item.

If wanting to have a closed session discussion to develop or consider offers or counter offers for this property, or to discuss the not public Appraisal data related to this property, she deferred to the Council on having the discussion in open session, or if more appropriate, move into a closed session. If moving into a closed session, she would walk through the process for closure and Council would vote to go into closed session. If closed session commences, they would need to record the closed session and identify all persons in the closed meeting at that time. She stated it is a Council decision. They could go into closed session then reconvene in open and have further conversation or consideration of Agenda Items at that time.

Councilmember Dietrich stated she doesn't have a preference, it was discussed in closed session before, perhaps it should be in closed session. The Council agreed with having it be a closed session.

Interim City Administrator Rand stated before moving to closed session, Klay Eckles is on Zoom to address any questions or background with respects to the need of a Public Works facility, why there is a need for acquiring additional land, and fleet needs.

Interim City Administrator Rand stated Klay Eckles is serving as Interim Public Works Director. Prior to this he worked for the City of Woodbury which also went through a similar situation of a growing City with additional public works needs, growing roads, and fleet. He has background information he would like to share.

Interim Public Works Director Klay Eckles stated he has been involved in a couple of Public Works expansion projects. With the City of Stillwater, the site was so constricted they demolished the entire public works facility and moved to a new location. On the Woodbury site, there were site limitations. As a result, one of two public works buildings was demolished and the entire site reconfigured. Both cities have

nice facilities as a result. In both cases, had they had more space available with the existing site, they may have been able to do a project less expensively and more efficiently.

In looking at Inver Grove Heights with a population of about 35,000 there could be a significant increase with potential to grow to 50,000. This could result in more plow trucks, more equipment, need for more maintenance space, more stalls, more storage of salt and sand, and other materials. He sees it as a great opportunity for public works. Having a six-acre piece of property adjacent to the entire public complex is a tremendous asset. He believed future Council's would appreciate having the flexibility and space available.

He stated the location immediately adjacent to the entire City complex presents long term opportunities for the Community. With Public Works, outside analysis work has been done with consulting firms for space and expansion needs for public works. The most recent study showed the City could build on the existing site, but there were a number of tradeoffs they would be making. It was not an ideal set up. He stated the expansion they were looking at would serve their needs today. They are short on space needed to work efficiently. With the struggles he has personally been through with other expansion efforts, he recommends Council pursue the opportunity while they have it.

Mayor Bartholomew stated some of his questions he has they cannot speak to, but has to do with business need, balance, opportunity, and long term. He asked for an understanding of what the constriction in space is causing. He asked is there was a number streamlining would help reduce time and space before extra Staff would be added. He wanted to know where the shortfall is now in efficiencies and what it has been causing in time and labor to get the product out. Interim Public Works Director Eckles responded he couldn't give a specific number at this time. Many daily operations are constrained, they double, sometimes triple haul materials or vehicles. In order to work on some vehicles in the maintenance area they have to move other vehicles out of the way. One thing every significant operation needs is space to handle materials. If a water main breaks and need to immediately respond, there is a lot of material needed, especially in the winter, and need a place to deposit it. They have no space on site and end up having pocket locations around town where they place the materials, have to go back and haul it somewhere else, or deal with it later. He stated there are a lot of inefficiencies and double handling. Currently they added a plow route. There are a number of vehicles being parked outside. Keeping them indoors would extend the life. There are immediate benefits that way. He stated he could come back with more details at a future meeting. Mayor Bartholomew responded these are words echoed by Scott Thureen, former Public Works Director. He wanted to get the Interim's opinion.

Councilmember Murphy asked about other cities and the size of their public works campus. He asked if the current size and potential addition of land equate to a City of 50,000, or if the City is catching up, or equates to more of a figure such as 60,000 to 65,000. Interim Public Works Director Eckles responded anyone operating heavy equipment likes space to work. It's safer. Safety is one of the reasons they wanted to upgrade the facility. They have to work with what they are given. Public Works Staff has been clear there is professional frustration that they cannot deliver as efficiently as they could.

He stated the City facility is actually a bit smaller than the Stillwater facility built in 2004. At that time Stillwater was at 20,000. It was built with intent to grow into it. He felt the current facility we have would serve a City of about 20,000 effectively. The facility was built in 1989. He stated the building needs work, but when the work happens it would be most efficiently be done as a part of an expansion. Things could be moved to a new location, and take old areas and remodel to be more efficient. In the first remodel they would do for today, they wouldn't need all 5.5 acres. At 50,000 they may be able to work with something less than that. He envisions the area to become useful for parks, Police, or even Fire at some point. There

could be other opportunities out there they haven't fully vetted. In the years to come there will be many times they would look at this as an asset to the Community.

City Attorney McCauley Nason requested Council make a Motion Pursuant to Minnesota Statute Section 13D.05 Subd. 3C, Subparts 1 & 3 to review confidential appraisal data and develop or consider offers or counter offers for the potential purchase by the City of real property located at 8296 Babcock Trail in the City of Inver Grove Heights, Minnesota.

**Motion by Dietrich second by Piekarski Krech to move into closed Executive Session at 7:21 p.m.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**Motion by Gliva second by Piekarski Krech to adjourn the Executive Session at 8:11 p.m.**

Minutes prepared by Recording Clerk Sheri Yourczek