

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
TUESDAY, MAY 29, 2018- 8150 BARBARA AVENUE**

1. CALL TO ORDER 2. ROLL CALL:

The City Council of Inver Grove Heights met in regular session on Tuesday, May 29, 2018, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:00 p.m.

Present were Councilmembers Bartholomew, Hark, and Perry; City Administrator Lynch, City Attorney Kuntz, Community Development Director Link, City Engineer Kaldunski, City Clerk Tesser, City Planner Hunting, and Police Chief Schnell.

Absent were: Councilmember Piekarski Krech and Recording Clerk Yourczek.

3. PRESENTATIONS:

There were no Presentations this evening.

4. CONSENT AGENDA:

A. i. Minutes of May 7, 2018 City Council Work Session.

ii. Minutes of May 14, 2018 City Council Meeting.

B. Resolution 18-98 Approving Disbursements for Period Ending May 23, 2018.

C. Consider Approval of Purchase Agreement for Property Located at 4343 65th St E (Walser Real Estate III LLC). **Resolution 18-99.**

D. Consider Awarding West Rink Floor Project Contract to Minnesota Ice LLC.

E. Consider Awarding Inver Wood/VMCC Parking Lot Lighting Contract to NAC.

F. Consider Approval of Contract with NAC for Grove Heat Exchanger Replacement.

G. Consider Occupancy Extension for the Kramer Property – 4301 64th St E.

H. Consider Approval of Therapeutic Massage Individual License of Lynette Wilson.

I. Approve a **Resolution 18-100** Amending and Restating Resolution 17-206 and Approve an Agreement Relating to Conveyance of Developed Site for Wasatch Storage located at 2500 50th Street.

J. Consider **Resolution 18-101** Amending the Housing Committee Composition.

K. Consider Change Order No. 2 for City Project No. 2015-09D Broderick Boulevard Reconstruction and City Project No. 2017-21 VMCC/Golf Course Parking Lots; Add City Project No. 2018-08 Fire Station No. 2 Sewer and Water Improvements and City Project No. 2018-11 – Fire Station No. 2 Fiber Optic Improvement.

L. Consider **Resolution 18-102** Accepting the MS4 Annual Report for 2017.

M. Consider a Resolution **18-103** Receiving the Petition Requesting Street Reconstruction for 55th Street Court and Authorizing the Preparation of a Feasibility Study.

N. Consider a **Resolution 18-104** Approving Joint Powers Agreement (JPA) between Dakota County and the City of Inver Grove Heights for Advanced Right-of-Way Acquisition for the Reconstruction and Expansion of 70th Street (C.R. 26), City Project No. 2015-08 (County Project No. 267-54).

O. Resolution 18-105 Accepting Professional Engineering Services Proposal from Bolton & Menk, Inc. for City Project No. 2018-09D – Atwater Path Reconstruction and Street Lighting.

P. Consider **Resolution 18-106** Accepting Proposal Amendment No. 1 and Amendment No. 2 from SRF Consulting Group, Inc. for City Project No. 2018-08 – Fire Station No. 2 Sewer and Water Improvements and City Project No. 2018-11 – Fire Station No. 2 Fiber Optic Improvement.

Q. Consider **Resolution 18-107** Approving Temporary Construction Easement Agreement on Lot 1, Block 1, Arbor Pointe 11th Addition for City Project Nos. 2018-08 – Fire Station No. 2 Sewer and Water Improvements and 2018-11 – Fire Station No. 2 Fiber Optic Improvements.

R. Consider Bid Proposal to Purchase Property at 5309 Brent Avenue.

S. Consider Approval for Replacing Tennis Court at Rich Valley Park Miscellaneous Basketball Court Repairs.

T. Personnel Actions.

Councilmember Bartholomew requested to pull Agenda Items 4Ai and 4Aii.

Motion by Hark second by Perry to accept the Consent Agenda with the exception of Agenda Items 4Ai and 4Aii.

Ayes: 4

Nays: 0 Motion carried.

Motion by Tourville second by Perry to approve Agenda Items 4Ai and 4Aii.

City Clerk Michelle Tesser stated that due to the lack of a quorum, because Councilmember Hark and Councilmember Bartholomew were not present at the May 7, 2018 meeting therefore Agenda Item 4Ai must be tabled.

Motion by Tourville second by Perry to approve Agenda Item 4Aii, the Minutes of May 14, 2018 City Council Meeting.

Ayes: 3

Nays: 0

Abstain: 1 (Bartholomew). Motion carried.

5. PUBLIC COMMENT:

Katie Nelson, 1546 76th Street West, stated that she was here with a few neighbors from the Argenta Hills neighborhood to express their interest in having a park in the Northwest Area. She stated that she spoke with Parks and Recreation Director Eric Carlson regarding the matter as well. The closest park is over Highway 55 and is unsafe for them to walk to.

Mayor Tourville stated that the Council has had some discussions regarding park acquisitions at a few of their Executive Sessions. They have been unable to have anyone sell them the land for parks in the area. He stated that they can try to plan a joint meeting with the Parks and Recreation Commission and the residents who live in the Northwest Area to speak further on this issue.

Councilmember Hark stated that they have been working on the issue and are limited as to what they can share. He stated that it has been an issue due to the purchasing of land.

Carly Conrad, 1558 76th Street West, stated that she would also like a park in the area. They drive all over town to visit parks, but they do not have one that they can bike to.

6. PUBLIC HEARING:

A. Public Hearing to Consider Ordering City Project No. 2018-08 – Fire Station No. 2 Sewer and Water Improvements and Ordering City Project No. 2018-11 – Fire Station No. 2 Fiber Optic Improvements, Approving Final Plans and Specifications, and Authorizing Ad for Bid. Resolution 18-108.

City Engineer Tom Kaldunski stated that they will be conducting a Public Hearing on a project to extend sewer/water and conduits for fiber optic for the new Fire Station. He stated that they are bringing the sewer and water from the project currently taking place on Broderick Boulevard. He stated that the estimated project cost for the sewer and water improvements would be \$1,054,236 and the estimated cost for installing the conduit would be \$54,551. There are no assessments for the project. He stated that the Council will need to pass a Resolution that orders the project, approve the plans and specifications, and

then authorize to put the project out for bids. He stated that they are looking at early July for the start of construction, and that the work will have interim completion dates with grass planting next Spring.

Councilmember Hark stated that they will not be closing the Highway for installation of the items. It will be placed underneath.

Motion by Bartholomew second by Perry to close the Public Hearing at 7:16PM.

Ayes: 4

Nays: 0 Motion carried.

Motion by Bartholomew second by Perry to approve to consider Ordering City Project No. 2018-08 – Fire Station No. 2 Sewer and Water Improvements and Ordering City Project No. 2018-11 – Fire Station No. 2 Fiber Optic Improvements, Approving Final Plans and Specifications, and Authorizing Ad for Bid. Resolution 18-108.

Ayes: 4

Nays: 0 Motion carried.

7. REGULAR AGENDA:

I.COMMUNITY DEVELOPMENT:

A. BEN & SARA WELNA; Consider a Resolution relating to a Variance from lot size and platting requirements in the Northwest Area. Property located at 8580 Alverno Avenue. (Tabled from May 14). Resolution 18-109.

City Planner Allan Hunting stated that Staff had a meeting to discuss the easements with the Welna's and the property owner who owns the entire 19-acres of land. He referenced maps of the area and pointed out the basins that required easements. He stated there are two options to consider for easements:

1. At this time, require all the needed perimeter and regional basin easements over the entire 19-acre parcel.
2. Require all the needed perimeter and regional basin easements on the 5-acre parcel and get the balance on the remaining 14-acres when development occurs.

Planner Hunting stated that there are differing preferences between the Engineering and Planning Departments. The Planning Department suggests addressing what is needed today and get the other easements when it develops at a later time. The Engineering Department would prefer to get everything now.

Ben Welna, 8580 Alverno Avenue, stated that it was their preference to look at the 5-acre parcel now and address the other area as development occurs.

Mayor Tourville asked if they could write up the 5-acre parcel, but if there was an issue they would have to come back to City Hall.

Planner Hunting stated that there will not be any other proposed improvements on the 5-acre parcel, and that development would not occur for a while on the southwest end.

Engineer Kaldunski stated that there were two points to consider. One would be if someone would want to build a house on the 15-acre parcel, they would have to meet their standards for a Custom Grading

Agreement, and the second would be if someone came in with a development proposal to sub-divide the property.

Councilmember Bartholomew stated that he was struggling with the practical difficulty on the variance itself.

Mayor Tourville stated that there will not be any development for a while without utilities out there. He stated that he agreed with the 5-acre only parcel.

Councilmember Perry asked Mr. Welna to clarify that if this wasn't approved he would rent the property, and that if it was approved he would purchase the property.

Mr. Welna responded that was correct.

Councilmember Hark asked Planner Hunting if the practical difficulty was the fact that the land probably won't be developed, and that sewer and water probably wouldn't be put in for ten or fifteen years.

Planner Hunting responded that he didn't recall an instance like this in the northwest area since he has been here. He stated that he didn't believe that has been a practical difficulty or an issue before as a part of a variance.

Mayor Tourville asked City Attorney Kuntz if there were any length of time for development with an existing structure and practical difficulty.

Attorney Kuntz stated that it would be difficult for several reasons. One being in anticipation of the northwest area they used to have a rural residential lot designation, possibly with a ten-acre requirement. He stated that the purpose of that was to preserve the land until sewer and water came through. When sewer and water came, the question was what they should do for the properties in the northwest area that won't immediately get sewer and water. He stated that Council passed the Ordinance that allowed sale of a minimum size and only did it once to provide some relief. He stated that if there is a variance from that it has to do with the lot size, considering that the homestead is already there.

Mayor Tourville questioned if there were a lot of these in the northwest area that could be broken up for the residents on a larger piece of property.

Planner Hunting stated that there are larger parcels on the farthest reaches for sewer to get there. He wasn't sure of other situations of structures on a large property. He stated that someone else could come in and make the same argument.

Attorney Kuntz asked Planner Hunting that if there was a home on the 5-acre parcel, could they still place a home on the remaining 14-acre parcel.

Planner Hunting responded that they could put another house on the balance of that property. It could have one existing and one future.

Attorney Kuntz stated that allowing the five acres is because of the existing improvements in that area, it naturally forms a parcel that they have squared off. The additional land needs to be larger, when looking at the basin easements, because there is not a lot of productive land left on the 14 acres. He stated that you would want to have a larger lot to accommodate the basins and a smaller lot to accommodate the already existing improvements. He stated that the improvements are existing and a dedication on the 14-acre can make it justification for the practical difficulty.

Councilmember Hark stated that when the Planning Commission voted on it, they stated that “the practical difficulty is unique in that they are creating another parcel but utilizing the existing buildings and not adding another house or septic”.

Attorney Kuntz stated that the large portion of the 14-acres is going into basin and cannot be built on. The remaining 5-acres are where the improvements are currently existing.

Councilmember Bartholomew stated that statement added clarity and felt the approach makes sense and that he could support a variance on those grounds.

Mayor Tourville stated that in the findings of fact the proposal for utilities could be 15 years or greater.

Motion by Bartholomew second by Hark to approve Resolution 18-109 relating to a Variance from lot size and platting requirements in the Northwest Area. Property located at 8580 Alverno Avenue. (Tabled from May 14), with the reasons for practical difficulty stating that the 14-acre piece is encumbered by large basins and is unique.

Mayor Tourville stated that they needed to look at the basins and the water practicality for the five-acres.

Ayes: 4

Nays: 0 Motion carried.

B. DEAN WENZEL; Consider a Resolution relating to a Conditional Use Permit to allow steel siding on an accessory structure for property located at 1843 120th Street. Resolution 18-110.

Community Development Director Link stated that the property located at 1843 – 120th Street, is up for consideration for a Resolution relating to a Conditional Use Permit to allow steel siding on an accessory structure on the property to be used for the storage of personal items. He stated that staff is recommending approval and that the Planning Commission also unanimously recommends approval.

Motion by Hark second by Perry to approve Resolution 18-110 relating to a Conditional Use Permit to allow steel siding on an accessory structure for property located at 1843 120th Street.

Ayes: 4

Nays: 0 Motion carried.

C. CENTER CITY HOUSING CORP.; Consider the following actions for property located at 6070 Cahill Avenue;

- a) **A Resolution relating to Comprehensive Plan Amendment to change the land use designation of Lot 2, Block 1 from Public/Institutional to HDR, High Density Residential. Resolution 18-111.**
- b) **An Ordinance to Rezone Lot 2, Block 1 from P, Institutional to R-3C, Multiple Family Residential. Ordinance 1353.**
- c) **A Resolution relating to a Preliminary and Final Plat for a two-lot subdivision. Resolution 18-112.**
- d) **A Resolution relating to a Conditional Use Permit for a 40-unit multiple family apartment building. Resolution 18-113.**
- e) **A Resolution relating to a Variance to allow parking at a ratio of spaces per unit whereas 2.5 spaces per unit is required. Resolution 18-114.**

Community Development Director Link stated that this property is located on the east side of Cahill Avenue at 6070 Cahill Avenue. He stated that two of the above items need a 4/5th vote. The request is

to change the Comprehensive Plan designation on the north part of the property from Public Institutional to High Density Residential, and to change the Zoning from Institutional to the R3C. The request is to construct a 40-unit apartment building.

Mayor Tourville asked the Council if they wanted to move forward on this item since it requires a 4/5th vote to pass or if it should be tabled to a later meeting date.

Councilmember Bartholomew commented that they should table this until the next meeting in order to have five Councilmembers in attendance.

Mr. Klun asked if they could still give their presentation and then have the Council make their decision on whether or not to table. He stated that they have a deadline the second week of June and were concerned about timing.

Director Link stated that the apartment building would have affordable housing for low income families. There is a plat creating two lots, one for the Church and one for the developer. He stated that Staff finds that the land use proposal is compatible with existing and future land uses and that the plat meets the planning requirements. He stated that there is one Variance for the number of parking spaces in our Ordinance that requires 2 ½ spaces per unit, and they are requesting two here. He stated that they added a condition that requires bi-annual meetings between the Planning Department, Police Staff, and the owner/manager to review any issues. Planning Staff recommends approval of the request and the Planning Commission also recommends unanimous approval.

Councilmember Bartholomew asked if there was a condition that limits the residents to two vehicles. He questioned the enforcement. He suggested that at the time of the lease, if they could add that residents could not have more than two vehicles.

Director Link responded that there is not a condition for that and that it would be difficult to enforce. He stated that this was something they could ask for them to look into.

Mayor Tourville stated they need to have enough visitor parking.

Director Link stated that the Church has agreed to provide overflow parking if it is necessary.

Councilmember Hark questioned who was responsible for setting up the meetings that are to take place between the owners and the Police Department.

Director Link responded that they could make it a requirement of the owner/managers.

Rick Klun, Executive Director, Center City Housing Corporation, 105 ½ West First Street, Duluth. Nancy Cashman, Supportive Housing Director, Center City Housing. Mr. Klun introduced his development team, Nick Vreeland, Lead Architect from LHB Architects and Engineers; Kari Gill, Deputy Director with Dakota County CDA; and Madeline Kastler, Housing Manager for Dakota County Social Services Department. He stated that also in attendance are Pastor Pete Benedict and Pastor John Marsden, and Paul Mandell and the others from River Heights Vineyard Church.

He stated that Center City Housing is a not for profit housing developer. He stated that this building will consist of 40 two and three bedrooms units that will be securely staffed 24/7 at the front desk of the building. There will be cameras outside of the building as well as underground and off-street parking.

Ms. Cashman stated that all of the families will be low-income families with children. They may be homeless or at risk of being homeless. She stated that they will focus on safety, education, employment,

and mental/physical health. There will be programming for children from birth through five years old, and school-aged youth programming for after school.

Nick Vreeland, Lead Architect with LHB Architects and Engineers, displayed a site plan of the area and spoke about the layout and the topography. He also displayed photos of the exterior of the building and the interior floor plan on both the grade level and first floor.

Mr. Klun stated they will also have a computer room available for use that will be monitored closely.

Councilmember Hark asked about the 24-hour front desk staffing and asked if that would continue after two years.

Mr. Klun responded that it would continue long after the two-year timeframe or they would not be operating. He stated that there will be two people in the building 24/7.

Mayor Tourville asked who owned the building at the end of the loan.

Mr. Klun responded that Center City Housing Corporation owns the building.

Mr. Klun stated that they are making three applications for the funding. He stated that there are low income housing tax credits with Minnesota Housing, there are low income housing tax credits with Dakota County CDA, and there is money for housing infrastructure bonds. He stated that the requirement is that the building remain affordable between 30 to 33 years.

Peter Benedict, 9019 Coffman Circle, stated that he attended a meeting with area Churches and that one of the things that had come up was the need for affordable housing in the Community. They would like to serve the Community around them in some way and ask that they help make this happen. He stated that their Church offers meals to people throughout the week and with the addition of this building feels that will increase the need for those meals.

Councilmember Hark asked how the occupants/renters were chosen.

Ms. Cashman responded that they have tenant selection criteria they will design. The primary referral will be the coordinated entry system and they will also create a waiting list. She stated that people will need to meet certain criteria such as a handicap or homeless definition.

Councilmember Hark questioned how people will enter the building.

Ms. Cashman responded that the only way to get in and out is through the front door. People are allowed guests, but those guests will need to leave a copy of their ID at the front desk, and the tenant must come down and walk the guest to their unit. She stated that when guests leave, they pick up their ID on the way out.

John Marsden, 7352 Boyd Avenue, stated that they have lived in the area for 26 years and have seen this Community grow in many ways. He thanked the Council for making this possible. He asked that they approve this project for those that need a home and for kids that need a stable education.

Paul Mandell, 8320 Cleadis Avenue, stated that as the Chair of the Housing Committee they reviewed this project very favorably and that on behalf of the Housing Committee they unanimously support this project.

Charlie Thompson, President/CEO of Neighbors Inc., lives at 8354 Copperfield Way, stated that he is in support of this project. He stated that in 2017, Neighbors Inc. served 396 families that resided in Inver

Grove Heights. Those services included 191,000 pounds of food, \$3,339.00 in free clothing and household items and \$6,488.00 in emergency cash assistance for things such as rent and utilities. He stated that income statistics for Inver Grove Heights show that 56% of the families that use Neighbors Inc. services are below 100% of the Federal poverty level bringing their income to an estimated \$2,092 per month for a family of four. 65% of their income goes toward housing. He asked for the Council's support of this development.

Jerry Dailey, 16590 Hudson Avenue, Lakeville, stated that he is a Board member of MICAH (Metropolitan Interfaith Council on Affordable Housing). He stated that there have been many projects like this built in the Dakota County area, but that this one is unique in that they have in-house support for the people who live there. There is security and River Heights Vineyard Church is there and offers meals four days a week, as well as counseling and support groups. He stated that the MICAH Mission Statement states that this is "a vision that the metropolitan area will provide for everyone, with no exclusions, safe, secure, accessible, and affordable housing". He stated that they think this project will do just that.

Councilmember Bartholomew commented that this is a good fit for the Community and that he is in support of it.

Councilmember Hark stated that he was in agreement with Councilmember Bartholomew and was impressed with the partnership with the Church, the 24/7 supervision, and the in-house support. He is in favor but with the caveat that the owners have a bi-annual meeting with the Police Chief.

Ms. Cashman stated that she has met with the Chief of Police and that it is their goal to having a liaison at the meetings.

Councilmember Perry stated that she has been in favor of it. She said that hearing that the number of homeless students have grown in the past two years shows that there is a need for more housing like this. She stated that she is in support.

Mayor Tourville stated that he has attended a few of the pastoral meetings and that without the leadership of the Church, this probably wouldn't have been able to come to fruition. He stated that this is a great neighborhood project.

City Attorney Kuntz stated that there were three modifications that require a change to the Resolution approving the Conditional Use Permit as follows:

1. Councilmember Hark was addressing paragraph 12 regarding the bi-annual meetings where the responsibilities and arrangement of the meetings rests with the facility staff. He suggests adding a sentence stating "the responsibility to organize and arrange the meetings shall be that of the facility staff."
2. An arrangement between this property and the Church property for overflow parking as there is no mention of that in the Conditional Use Permit. He suggested adding that "this property owner shall make arrangements with the adjoining Church property for overflow parking."
3. Councilmember Bartholomew questioned having restrictions limiting the number of vehicles per unit to no more than two vehicles per unit.

Councilmember Bartholomew stated that after listening to the group and understanding the overflow parking, that he didn't think they needed to put that third item into the agreement.

Motion by Hark second by Bartholomew to approve the following actions for property located at 6070 Cahill Avenue;

- a) **A Resolution 18-111 relating to Comprehensive Plan Amendment to change the land use designation of Lot 2, Block 1 from Public/Institutional to HDR, High Density Residential.**

- b) An Ordinance 1353 to Rezone Lot 2, Block 1 from P, Institutional to R-3C, Multiple Family Residential.**
- c) A Resolution 18-112 relating to a Preliminary and Final Plat for a two-lot subdivision.**
- d) A Resolution 18-113 relating to a Conditional Use Permit for a 40-unit multiple family apartment building.**
- e) A Resolution 18-114 relating to a Variance to allow parking at a ratio of spaces per unit whereas 2.5 spaces per unit is required.**

This Motion is also addressing the following two points:

- 1. Adding a sentence to include that “responsibility to organize and arrange the meetings shall be that of the facility staff.”**
- 2. Add “this property owner shall make arrangements with the adjoining Church property for overflow parking.”**

Ayes: 4

Nays: 0 Motion carried.

D. CITY OF INVER GROVE HEIGHTS; Request Action to Allow Distribution of the 2040 Comprehensive Plan Update to List of Adjacent or Potentially Affected Jurisdictions that Should Be Provided Opportunity to Review and Comment on the Draft Plan per MN Statute 473.858 Subd. 2.

City Planner Allan Hunting stated that Brad Scheib from HKGi is here this evening to give a brief summary. He stated that they are asking to get authorization to distribute the documents and fulfill the required six-month review period.

Brad Scheib, Hoisington Koegler Group, Inc. (HKGi) 123 North Third Street, Minneapolis, stated that they are at that point where they need to authorize distribution of the documents for affected agencies and jurisdiction review. This is a mandatory required six-month review process. He stated that there are a few pieces that are still being fine-tuned. He stated that there were some key changes to the plan document, but what came out of the process was land use changes in the Northwest Area, such as development patterns and the Argenta Trail realignment where growth was shifted from Robert Street to the Argenta Corridor. They also looked at the struggling retail centers and gave several options.

He stated that they had involved the Housing Committee and Planning Commission meetings where they updated the policy statements and goals and that ties everything together with the implementation chapter. He stated that at this time, they are looking for authorization to keep the process moving and start the six-month review period. The plan will go out for review, then they will initiate a preliminary review by the Met Council, and then the plan will go online for additional input and feedback. He stated that as information comes forward they will summarize that information and at the end of the process they will have interactions with the Council and Commissions. He stated that the Planning Commission’s Public Hearing will be held in October or November. It will come before the City Council for approval to submit the plan to the Metropolitan Council before the end of the calendar year. The Met Council reviews it and places the plan back to the City and the City puts the plan into effect at the beginning of 2019.

Mayor Tourville asked if there would be a summary of the amount of input that was put into the meetings and dates.

Mr. Scheib responded yes, and that the information will be included in what they refer to as a “supplemental document” that documents all of the engagement that has taken place.

Mayor Tourville commented that it wasn't just the City of Inver Grove Heights that takes part in this. He stated that they send their version of the plan to all of the affected neighbors and that they in turn send their information to us.

Councilmember Hark asked where the documents from the surrounding Cities are located and how people could get access to them if they wanted.

City Planner Hunting responded that four have already arrived via email. Staff gets them and then looks them over. He asked if Councilmember Hark would like that information.

Councilmember Hark responded that he would like to receive the link.

Motion by Hark second by Perry to approve the CITY OF INVER GROVE HEIGHTS; to Request Action to Allow Distribution of the 2040 Comprehensive Plan Update to List of Adjacent or Potentially Affected Jurisdictions that Should Be Provided Opportunity to Review and Comment on the Draft Plan per MN Statute 473.858 Subd. 2.

Ayes: 4

Nays: 0 Motion carried.

Mr. Scheib stated that they will put the plan online along with a survey mechanism for the public to view by the end of the week.

E. CITY OF INVER GROVE HEIGHTS; Consider Application of SRF Proposal for Railroad Quiet Zone Implementation.

Community Development Director Link stated that this is a proposal from SRF Consultants for railroad quiet zone implementation. He stated that information was shared during a Work Session on April 2nd and that staff was directed to come up with a proposal as follows:

1. Concord Neighborhood (Tasks 1 and 2). This option is easier and more straightforward at a cost of \$1,500.00. and takes just a few months for the approval process. He stated that there were no further improvements necessary in that area.
2. 105th Neighborhood (Tasks 3, 4, and 5). This option was more complicated, with the process being more lengthy and costly at a cost of \$2,000.00. It would take approximately 16 months as there is a need to have railroad crossing improvements in that area. He stated that the design and construction would be done by the railroad Union Pacific, but the cost would be the Cities expense. Construction costs would be approximately \$250,000. He stated that funding has not been determined for this yet, but possibilities include the Deed Host Community Grant, for which we do not qualify for as it does not generate any jobs or industrial or commercial tax base. There is still the possibility of the Dakota County ELF (Environmental Legacy Fund) Grant. He stated other possibilities could include the State Bond, and a MnDOT Program that uses Federal Funds. He stated that the design work would cost \$10,000, and that the City would have to put that money into an escrow account.

He stated that staff's recommendation is as follows:

1. Approve the portion of the SRF proposal dealing with the Concord Neighborhood.
2. Defer the SRF proposal for 105th Street as it doesn't make sense to spend dollars on design when they don't know if they have the money for the construction.
3. Continue to search for funding for 105th Street including some of the above-mentioned possibilities.

Councilmember Bartholomew questioned if there were any County Funds available. He asked if they could also look into the League of Minnesota Cities to see if there was something there with regards to what other Cities may have done.

Development Director Link responded that MnDOT moneies was used at the 65th Street Crossing and was the same program. He stated they would look into this further to see if the project could qualify. He responded that they could also look into County Funds. He stated that they have ELF Funds that they have used in the past that they could look into as well and that they would also inquire with the Met Council.

He stated other Cities have received State bond funding and to check on any other funds that may be available.

Mayor Tourville stated that he usually agrees with Staff but that he now looks at this as a quality of life issue. He stated that there may be an emergency source that they can look into or the Host Community Funds. He stated that he would like staff to look at both.

Councilmember Bartholomew agreed with Mayor Tourville that this is a quality of life issue and that the problem is funding. He stated that approving tasks 3, 4, and 5 they are committing \$10,000 in escrow, which in turn says that they are going to spend the \$250,000 because if they don't, they have just spent \$10,000 for no reason.

Mayor Tourville stated that the \$10,000 would be a part of both projects.

Director Link responded that the \$10,000 was just for the 105th Street crossing. They do not need improvements for the Concord area.

Councilmember Bartholomew stated that they have to question if they are willing to spend the \$10,000 with the hopes of coming up with \$250,000 in funding. He asked if they could wait until the next meeting when all five Councilmembers are in attendance. He stated that they can move Tasks 1 and 2 this evening and bring back Tasks 3, 4, and 5 at the next meeting.

Director Link stated that it would be better to discuss everything at once, so they should wait until the next meeting.

He stated that he will not be in attendance at the next meeting, but that the information will be the same. If anything new comes up he will provide that information.

Mayor Tourville asked if that escrow could be lost at any period of time.

Director Link responded that if the City and the railroad make an agreement, the \$10,000 goes into an escrow account and that if the railroad agrees to do the engineering analysis, they will draw down on the escrow. He stated that once they have that completed, they will have a better feel for what the cost will be. If they don't use that in a certain period of time, they will have to go back and pay for updates.

Brenda Sabistina, 10380 Brent Avenue, stated that she didn't have an issue with them passing the Concord portion this evening, but that back in April they had a CWT Waiver. She asked why they did not take the chance that the railroad would approve the waiver.

Director Link stated that the issue of the waiver was before the City Council and that the Council decided not to pursue the waiver as the chances of approval were slim. He stated that the Council wanted to

pursue the program in front of you this evening. He stated that this could possibly have a higher chance of success, but there are more costs associated with it.

Marilyn Weis, 2846 104th Court East, stated that she did not want this to go on for another three or four more years. She stated that they have come to these meetings over the years and that they want to be heard on this matter. She asked how much traffic was on that road, as nothing has been done to improve it. She asked if there would be an opportunity to have a discussion about closing the road.

Mayor Tourville stated they are not at the point where they can discuss closing roads. He stated that they could put a traffic counter out there, but he's heard there isn't a lot of traffic.

Ms. Weis asked if this issue could be moved further ahead on the Agenda at the next meeting so they are not at the meeting for such a long amount of time.

Motion by Bartholomew second by Hark to table this item until the next meeting which would take place on June 11th.

Ayes: 4

Nays: 0 Motion carried.

II. ADMINISTRATION:

F. Consider Approval of the Job Description for the Environmental Specialist position and authorize the City Administrator and Human Resource Manager to Advertise and Recommend Hire.

City Administrator Joe Lynch stated that in their negotiations with Republic Services, they created an opportunity that they contribute cash funds to the City, in addition to the Host Community fees that they pay for the landfill to operate. Those funds could offset the cost for a position with the City that would combine many activities that are being done by many current city positions. He named a few of the tasks and duties that this position would be responsible for stating that they currently have six positions doing various tasks in addition to their other duties. He stated that the needs are rising based on a Grant from Dakota County for their Waste Management Program. One program is the Organics Collection Program that would begin in 2018 and in 2019 they will need to develop a plan as to how to collect that City-wide. He stated that the City made a commitment as a Green Step City and accepted the sustainability plan that was a part of it.

He stated that he is recommending that the Council authorizes the City Administrator and the Human Resource Manager to advertise the position for hire, which would be a competitive hire, and that they would bring forward a recommendation to the City Council. He stated that the starting range of pay with benefits would be between \$93,000 to \$113,000. The cash payments made by Republic Services would total \$225,000 for ten years and another \$125,000 for an additional two years for a total of \$2.5 million dollars over a 12-year period.

Councilmember Bartholomew asked if the funds that are allocated were contractual. He questioned if they did not hire for the position, would the funds be taken away.

Administrator Lynch responded that it was a part of their Host Community Fee agreement adjustment that was made with Republic Services. The funds will not go away if the position is not hired.

Motion by Hark second by Bartholomew to approve to Consider Approval of the Job Description for the Environmental Specialist position and authorize the City Administrator and Human Resource Manager to Advertise and Recommend Hire.

Ayes: 4
Nays: 0 **Motion carried.**

8. MAYOR & COUNCIL COMMENTS:

City Administrator Lynch stated that they have a mediation with Frattalone/Dawn Way Landfill tomorrow and are hopeful that they will be able to come to a Resolution and be able to proceed.

Mayor Tourville asked for an update about the signage board that is broken outside of the Community Center.

Administrator Lynch responded that they are looking at replacement and change the type and size. It is outdated technology. He stated that he would update them on the progress soon.

Mayor Tourville wanted to state on record that it is not the Parks and Recreation Director's fault that there is not a park in the northwest area.

He suggested having a meeting at 6:00pm on a Monday so that they can get an update on where things stand and that the Parks and Recreation Commission can be invited to this meeting. He stated that they could inform the neighbors as well.

Councilmember Bartholomew agreed with the need for a meeting.

Councilmember Perry stated that the Police Department held their "Castle with a Cop" today at White Castle and that the Fire Department will be doing one tomorrow from 2:30pm to 4:00pm.

9. ADJOURN:

Motion by Hark second by Perry to adjourn the meeting at 9:32 p.m.

Ayes: 4
Nays: 0 **Motion carried.**