

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, SEPTEMBER 10, 2018- 8150 BARBARA AVENUE**

1. CALL TO ORDER 2. ROLL CALL:

The City Council of Inver Grove Heights met in regular session on Monday, September 10, 2018, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:00 p.m.

Present were: Councilmembers Piekarski Krech, Bartholomew, Hark, and Perry; City Attorney Kuntz, City Administrator Lynch, Public Works Director Thureen, City Engineer Kaldunski, Community Development Director Gundlach, Finance Director Smith, Fire Chief Thill, Police Chief Paul Schnell, and City Clerk Michelle Tesser.

Absent were: Recording Clerk Yourczek.

Mayor Tourville stated that tomorrow is the 17th Anniversary of September 11th (911). He commented that if you ever have the chance to go to New York to visit Ground Zero, he highly recommends it.

He stated that the 60th Anniversary of the B52 crash that took place in Inver Grove Heights is on September 16th, 1958. The Air Force denied the crash as it took place during the Cold War and that there was one survivor out of eight. He stated that there is a stone and some flags by the Water Tower and that they did a recognition for this several years back.

3. PRESENTATIONS:

There were no Presentations this evening.

4. CONSENT AGENDA:

- A. i. Minutes of August 17, 2018 Special Meeting Minutes.
- ii. Minutes of August 27, 2018 Council Meeting Minutes.
- B. **Resolution 18-180** Approving Disbursements for Period Ending September 5, 2018.
- C. Appointment of Auditors for the Years Ending December 31, 2018 and 2019.
- D. **Resolution 18-181** Reallocating Remaining Proceeds of the City's \$7,745,000 General Obligation Bonds, Series 2015A.
- E. Consider Pay Request No 2- Dasher Board Package – West Rink Floor Project – City Project 2017-1722.
- F. Consider Pay Request #1, and Change Orders #1 and #2 to Pember Companies Inc. for the Heritage Village Park Dog Park Improvements.
- G. **Resolution 18-182** Authorizing Transfers to Purchase the Property at 1805 60th St E Inver Grove Heights.
- H. Accept and Approve Quotes for Roof Repairs for Public Works Maintenance Building and Public Works Cold Storage Building.
- I. Street Lighting Requests.
- J. Consider Approval of the Request for Proposal – Special Inspections and Material Testing Services.
- K. Request for Approval of Rental Housing License.
- L. Consider Approval of Joint Powers Agreement and **Resolution 18-183** for the Dakota County Drug Task Force.
- M. Personnel Actions.

Councilmember Bartholomew requested pulling Agenda Item 4Ai.

Motion by Bartholomew second by Perry to approve Agenda Items 4B through 4M with the exception of Agenda Item 4Ai.

Ayes: 5

Nays: 0 Motion carried.

Councilmember Bartholomew stated that he pulled Agenda Item 4Ai as he was not in attendance for that meeting and would be abstaining from the vote.

Motion by Piekarski Krech second by Perry to approve Agenda Item 4Ai.

Ayes: 4

Nays: 0

Abstain: 1 (Bartholomew) Motion carried.

5. PUBLIC COMMENT:

Mayor Tourville commented to Public Works Director Scott Thureen that he had two people get in touch with him with questions about Old Concord Street. They wanted to know the schedule and wondered if it was a complete reconstruction, mill and overlay, etc. He commented that they also mentioned that State Statute states that all barricades and shoulders have to be safe and that some of them guarding the ponds are covered with weeds. He asked Director Thureen if he could get back to the City Council with more information.

6. PUBLIC HEARING:

A. Hearing to Consider Ordering Improvements for City Project No. 2017-17 – Dickman Industrial Park Wet Extended Detention Basin. Resolution 18-184.

City Engineer Tom Kaldunski stated that this is a Public Hearing for the construction of a stormwater treatment basin. He displayed a map of the area and stated that the area highlighted in yellow is the watershed that will benefit by having the stormwater treated. He displayed a map of the proposed project location pointing out that it will be located on the east side of the railroad tracks. He stated that the proposed cross section of the pond would be a wet pond with a permanent pool of water and that it would be connected to the Cities storm sewer in the area. He listed the following benefits:

- The primary purpose of the pond is to remove sediment.
- It would limit discharge of runoff pollution and solids to the Mississippi River.
- Treats “first flush” of runoff from impervious surfaces.
- Treats runoff from existing impervious dirt and gravel areas.

He displayed a map depicting the concept of the plan. The project is located on land owned by the City and Xcel Energy. He stated that they have applied for an 80% State Grant from the MPCA, 20% of that would be the Cities cost share and the local share would be from the stormwater utilities funds and other sources. There will be no special assessments. An informational meeting held on August 30th.

Councilmember Bartholomew asked if they have received notification of the Grant, or if they have received the Grant.

City Engineer Kaldunski responded that they would be hearing about that in the month of September. The schedule for construction would take place next year.

Motion by Piekarski Krech second by Perry to close the Public Hearing at 7:11PM.

Ayes: 5

Nays: 0 Motion carried.

Motion by Piekarski Krech second by Perry to approve the Resolution 18-184 Hearing to Consider Ordering Improvements for City Project No. 2017-17 – Dickman Industrial Park Wet Extended Detention Basin.

Ayes: 5

Nays: 0 Motion carried.

7. REGULAR AGENDA:

I. COMMUNITY DEVELOPMENT:

A. CHRISTINA MALMGREN-MIDBY; Consider a Resolution relating to a Variance to allow a 48 inch high chain link fence within the front yard for property located at 8315 Cleadis Avenue. Resolution 18-185.

Community Development Director Gundlach stated that she is filling in for City Planner Hunting on this item. She stated that the request is for a Variance for property located on the corner of Cleadis Avenue and 83rd Street at 8315 Cleadis Avenue. The Variance is to allow a 48-inch fence in the front yard when 42-inches is normally required. She displayed a diagram of the location of the fence. She stated that Staff has recommended that the Variance criteria are met, the fence is chain link, and that less than half of the side street yard would be impacted by the proposed fence. The Planning Commission recommended approval and Staff is also recommending approval.

Christina Malmgren-Midby, 8315 Cleadis Avenue, stated that they have had five contractors come out and look at the property and based on the concern for the child and dog, all five recommended the 48" fence as a minimum.

Motion by Bartholomew second by Piekarski Krech to approve the request by CHRISTINA MALMGREN-MIDBY; to Consider a Resolution 18-185 relating to a Variance to allow a 48 inch high chain link fence within the front yard for property located at 8315 Cleadis Avenue.

Councilmember Hark stated that he was fine with the request. He asked that Staff look into chain link fencing and the heights of 42" versus 48" as this seems to be a reality that they need to accommodate and is worth checking into further.

Ayes: 5

Nays: 0 Motion carried.

B. PETE KAMISH; Consider a Resolution relating to a Variance to allow an accessory structure 1,200 square feet in size for property located at 4046 60th Street. Tabled.

Community Development Director Gundlach stated that the Applicant's name is Pete Kamish and the property is located at 4046 60th Street. The request is for a Variance to allow a 1,200 square foot detached garage when 1,000 square feet is the maximum allowed. She displayed an aerial photo and a map of the location. She stated that the Variance criteria have not been met and that it seems based on convenience. She stated that the Planning Commission recommended denial but did include language in their Motion asking that there be a re-evaluation of the maximum building size for accessory structures. Staff also recommends denial. She stated that there is an approval Resolution and a denial Resolution included in the Council packets.

Councilmember Bartholomew asked what the accessory building size was for large lot residential. He commented that he thought there was something for a larger accessory building on a lot 2.5 acres in size.

Community Development Director Gundlach responded that in the R District the maximum size is 1,000 square feet, and that in the E and the A Districts, larger sizes are allowed. She responded that she would have to look up more information in regard to the 2.5-acre lot size.

Councilmember Bartholomew asked about Parcel A and Parcel B and if they were buildable lots. He commented that if they did do a Variance, the lot would get smaller when those parcels are developed. Community Development Director Gundlach responded that she was unsure of the answer to that question but would look up more information on them.

Mayor Tourville suggested that they wait on this topic since the Applicant was not in attendance. Item tabled.

C. J.L. JAMES INVESTMENT GROUP; Consider the following Resolutions for property located at 5912 Concord Boulevard;

- a) A Conditional Use Permit to expand a non-conforming structure required for expansions up to 30%. Resolution 18-186.**
- b) A Variance to expand a non-conforming structure by more than 30%. Resolution 18-187.**

Community Development Director Gundlach stated that there are two items for this request. One is for a Conditional Use Permit and the other is for the Variance. The property is currently vacant and located at 5912 Concord Boulevard and is zoned limited industrial. The request is to allow for the expansion of a legal non-conforming structure by 30% of its gross floor area and a Variance to go to 38% on the expansion. She displayed a map of the location and a rough sketch of the proposed property. She stated that the two red "X's" depicted on the diagram would be eliminated from the site and that one is a detached garage and one is a small addition on the rear of the home. She stated that the Applicant would add an attached garage and a home addition. The criteria have been met and fits in the character of the area. She stated that the home predates adoption of local zoning Ordinances and that the requirement was that you can exceed the gross square footage of the home by 30% on a non-conformity. She stated that the expansion is reasonable and that the Planning Commission and Staff recommends approval.

Jordan James, owner of JL James Investment Group, stated that he lives in St. Paul and is the licensed General Contractor for the project. The property was purchased in March and they have worked with the City to decide on what the best use for this project would be. He commented that they wanted to get it out of the flood infringement and plan on remodeling and then selling it. He stated that the addition was the best route to get them the buffer zone they needed to make it a more usable home. He stated that they understand that there were some issues with the land and the flood infringement and that there was an easement that they may have to give back to the City.

Councilmember Hark asked if he was aware of the need for the water retention basin.

Mr. James responded that he was aware of that need and that he would be willing to meet at the site to come up with an area.

Motion by Bartholomew second by Hark to approve J.L. JAMES INVESTMENT GROUP; to Consider the following Resolutions for property located at 5912 Concord Boulevard;

- a) A Conditional Use Permit to expand a non-conforming structure required for expansions up to 30%. Resolution 18-186.**
- b) A Variance to expand a non-conforming structure by more than 30%. Resolution 18-187.**

Ayes: 5

Nays: 0 Motion carried.

D. CONTINUUM CONSTRUCTION; Consider a Resolution relating to a Major Site Plan Review to add on to the existing structure for property located at 2925 Buckley Way. Resolution 18-188.

Community Development Director Gundlach stated that the request is for an approval for a major site plan located at 2925 Buckley Way. The Applicant is acting on behalf of the owner. She stated that this would be to allow for a 3,000 square foot expansion to the rear of the existing medical therapy building. The current size of the building is approximately 5,000 square feet. She displayed a diagram of the area and stated that it shows two properties and that the two properties would be combined making up the full property area. The 3,000 square foot addition is being constructed over existing pavement and adequate off-street parking would remain. She stated that all of the site plan criteria have been met. The Planning Commission recommends approval along with the Staff recommended conditions. Staff also recommends approval.

Jerry Wendel, Continuum Construction, 15214 Edgewater Circle, Prior Lake, stated that he is representing the owner, Therapy OPS. The Conditional request to combine the two parcels is currently in process, and he applied for the Permit today. He commented that this was a new small business to the Community that helps small children with speech, physical, and occupational therapy, and that they could use more space.

Motion by Piekarski Krech second by Perry to approve CONTINUUM CONSTRUCTION; to Consider a Resolution 18-188 relating to a Major Site Plan Review to add on to the existing structure for property located at 2925 Buckley Way.

Ayes: 5

Nays: 0 Motion carried.

E. NORTHERN STATES POWER COMPANY; Consider the following Resolutions for property located at 10325/10326 Robert Trail;

a) A Preliminary and Final Plat for a one lot subdivision to be known as Wescott Tank Farm. Resolution 18-189.

b) A Variance from side yard setback requirements for existing accessory structures. Resolution 18-190.

Community Development Director Gundlach stated that this request is from Northern States Power Company, which is also the property owner. The property is Zoned I-2 General Industrial and there are two parts to the request. The Applicant needs to secure a Variance for the existing structure. She displayed a property map and an aerial photo of the location and stated that the Preliminary and Final Plat criteria and Variance criteria have been met. She commented that all standards have been met, and that there are no changes in use of the property proposed. They are just carving off the 14.5 acres for sale. She stated that the property will function as it's functioning today. The Planning Commission recommends approval consistent with the Staff recommended conditions and Staff also recommends approval of the request. She noted that the Applicant has requested a reduction in Park Dedication which would be brought back to the Council for approval as a separate action.

Mayor Tourville commented to Community Development Director Gundlach that she uses a different format than what they are used to but that it works out well and that he likes the conclusion. He stated that Ms. Gundlach is new to the City. The Council agreed that the format was good.

Brian Sullivan, Xcel Energy, 414 Nicollet Mall, Minneapolis, commented that he was here to answer questions. He stated that they did something similar to this about a year ago with Inver Hills Tank Farm.

Councilmember Piekarski Krech asked if there will be new employees in the new section. She asked if they will be requiring more Flaring.

Mr. Sullivan responded that there would be employees there as they will have tanks that need refrigeration and cooling equipment so there has to be people there that monitor them. He responded that the Flaring is only done when they move material in or out.

Councilmember Bartholomew stated that any new structures have to meet setbacks and that the Variance was just for the tanks. He stated that anything additional would have to be in the setback.

City Attorney Tim Kuntz asked if NSP has any present intent to further divest itself of anything down there. He questioned who the owner of the tanks would be.

Mr. Sullivan responded that was all they would be divesting at the Westcott Facility. He responded that they were negotiating with Flint Hills right now on the ownership of the tanks.

Motion by Bartholomew second by Perry to approve NORTHERN STATES POWER COMPANY; to Consider the following resolutions for property located at 10325/10326 Robert Trail;

a) A Preliminary and Final Plat for a one lot subdivision to be known as Wescott Tank Farm. Resolution 18-189.

b) A Variance from side yard setback requirements for existing accessory structures. Resolution 18-190.

Ayes: 5

Nays: 0 Motion carried.

II. FINANCE:

F. CITY OF INVER GROVE HEIGHTS; Consider Resolutions 18-191 Adopting the Proposed Tax Levy for Pay 2019, Adopting the Proposed 2019 Budgets Resolution 18-192, Adopting the Proposed Watershed Management Taxing District Tax Levies for Pay 2019 Resolution 18-193, and Set the Date and Time for the Regularly Scheduled Meeting where the Budget will be Discussed.

Finance Director Kristi Smith stated that they are looking to set the Preliminary Budgets and Levies and then set the date and time for the regularly scheduled meeting. She gave the following update:

- Taxable Market Value is up 7.4%
- Net Tax Capacity is up 6.8%. 1% is due to new construction, the rest is valuation increases.
- In 2019 the Base Budget and General Fund expenditures increased 7.4% from the amended budget.
- Base Budget plus Additions expenditures are up 10% from the amended budget.
- The proposed 2019 Base Budget Plus Additions results in a 5.75% increase to the tax rate as the budget is proposed. That results in a 12.46% increase to the Tax Levy.
- The General Fund Budget will no longer rely on a transfer from the Host Community Fund as this is not sustainable long-term. 2018 would be the final year, with nothing in 2019.

She stated that the Base Budget Plus Additions Levy increase is proposed at \$2,008,500. She provided a breakdown and overview of the figures. She stated that there is a Debt Service Levy increase of \$602,897 for a total Levy increase related to Operations and Debt Service of \$2,611,397.

She stated that they will continue to talk about the budgets at Work Sessions from now until the December approval.

Finance Director Smith stated that included in the packets for public review, Exhibit A is the 2019 Budget Calendar, Exhibit B is the Market Value and Net Tax Capacity Comparisons, Exhibit C is the Proposed Tax Levy, Exhibit D calculates the estimated tax rate increase that was requested at the last Work

Session (4%, 5.75%, 6%, 6.25%, and 6.5%) along with those figures as described. Exhibit G shows the impact to mean, median, and business properties under the Base Plus Additions scenario. She stated that she also included summary pages for each of the budgets in their packets.

She stated that they are looking for approval for the Resolutions and that the Resolution included in their packets is at the 5.75% range. She stated that she did not include the other Resolution percentages in the packet but has those with her if needed. They are also looking to set a meeting that has to be held between November 25th and December 28th after 6:00 p.m. She proposed they hold that meeting on December 10th, which is the regularly scheduled first Council meeting in December.

Councilmember Piekarski Krech thanked her for all her hard work in such a short period of time.

Councilmember Bartholomew stated that they are looking to decide what Levy limit they were going to set. He commented that when they first started, they were looking for a Base Plus Additions with a Levy limit of 10.8% or \$3,628,000. He suggested to consider the Levy limit of 6.5% as it gives them room for negotiation. He commented that he was concerned about infrastructure and public safety, Fire and Police. He thanked her for getting this all together so quickly.

Mayor Tourville commented when looking at the tax rate changes from 5.75% to 6.50%, it wasn't as much as you'd think, but that the Levy number is the number that goes out to the residents. He commented that a 6.50% Budget Addition would still require cuts.

Councilmember Piekarski Krech commented that the reason they need to set it higher is because there are things that they need to seriously discuss more in-depth between now and December in order to decide what is going to be in the budget. She didn't want to constrain too much and push the City backwards when they need to be moving forward. She stated that 6.25% or 6.5% would let them know what they are working down from.

Mayor Tourville commented that he thought they had to go with 6.50%.

Councilmember Hark stated that he would not like to go higher than 6.25% because that kept it under 13%. He felt that they needed to start lower but still have the same discussions about what to remove and what to keep. He commented that it kept them in the 12% Levy increase.

Councilmember Bartholomew agreed with Commissioner's Harks comments and would be fine with 6.25%. He commented that he is driving for good conversations and discussions on what they as Council think are good additions and reductions.

Councilmember Hark stated that there is going to have to be clear communication about the difference between the Levy increase number and what their final tax rate increase is. He commented that he was comfortable starting lower.

Finance Director Smith stated that if they are looking at the 6.25% tax rate increase, the first Resolution would change the General Fund number. The second Resolution changes the General Fund operating piece, and then the total Levy number would increase also. She stated that the third Resolution in the packet would stay as it is. She stated that they still need to confirm the date for the regularly scheduled meeting where the public has the ability to speak in December.

Motion by Hark second by Bartholomew to approve the Resolution at 6.25% for all three Resolutions to Consider Resolutions Adopting the Proposed Tax Levy for Pay 2019, Adopting the Proposed 2019 Budgets, Adopting the Proposed Watershed Management Taxing District Tax Levies for Pay 2019, and to Set the Date and Time for December 10th for the Regularly Scheduled Meeting where the Budget will be Discussed. Tax Levy Resolution 18-191, 2019 Budget Resolution 18-192. Stormwater District Resolution 18-193.

Ayes: 5

Nays: 0 Motion carried.

III. FIRE DEPARTMENT:

G. CITY OF INVER GROVE HEIGHTS; Consider Resolution Accepting Bids and Awarding the Contract for City Project 2014-10 Fire Station #2 New Construction. Resolution 18-194.

Fire Chief Judy Thill stated that they received bids for the Fire Station last week. She went through a brief history stating that in 2011 the City hired DLRKKE Group to conduct a Station location and needs study. The study was to analyze the Inver Grove Heights Fire and EMS response, determine risk, and to propose locations for future a Fire Station. She stated that the representatives met, along with herself and other Staff members, as a part of the study. Due to those discussions, the need for a third Station was confirmed and they identified a location with a recommendation of four separate parcels. In 2014, the City hired Five Bugles Architects and came up with a study and preliminary design for the Station. She stated that the study was completed in 2015 and negotiations began with a landowner, but costs came back too high at the time. In 2016, two other landowners were contacted but neither were interested in having their land appraised. She stated that in 2017 the Council authorized another appraisal and the City closed on that property. Five Bugles was awarded the contract for Architectural and Engineering Services, for final design and construction services. In December 2017 a Public Hearing was held. She stated that in early 2018 the process began to pick up speed as follows:

- January: The City Council updated the site plan, design, and construction schedule.
- February: Proofs and schematic designs were prepared by Five Bugles.
- March: An Open House was held and neighbors to the location were invited to attend.
- April: City Engineering Staff recommended the hiring of SRF Consulting for design and construction engineering services for the utilities.
The City Planning Department recommended a Comprehensive Plan change for land use rezoning, approval of the site plan, and allow for a Variance of the parking lot setback.
- May: SRF and City Engineering Staff held an Open House on the utility project.
A Public Hearing for the utilities was held.
- June: Owners Rep was hired.
Sewer and Water and Fiber contract was awarded to EJM Pipe Services.
- August: Final plans were brought forward to the City Council. Plans were similar to the Preliminary Design completed in 2015 with the following exceptions:
 - Added more square footage for the decontamination area.
 - Removed an overhead door to the basement and a driveway and retaining wall leading up to the overhead door to help reduce costs.

She stated that the City Council approved the final plans and authorized to go out for bids.

- September 5th: Bids were received from five firms and included the base bids and three alternatives. The three alternatives are as follows:
 1. Elevated training area that includes additional roof support, pavers to walk on the roof, safety guard rails around the perimeter, stairway leading up to the roof, and footings for the stairway. The area will be used for training.
 2. Additional square footage added to the basement for future training scenarios.
 3. To change four of the overhead doors to bi-fold doors to offer improvements for climate control and safety. She commented that the four bi-fold doors were supposed to be included into the base bid for the front of the Station only. The alternate was supposed to be for the back doors to be changed to bi-fold. She stated that the front door base bid for bi-folds was left off of the specifications before it went out and that the alternate needs to be used so they can put them on the

front. If they would have been included in the base bid it would have increased by the same amount. They propose leaving the back doors as overhead doors.

Fire Chief Thill stated that Jorgenson Construction was the lowest bid with \$8,194,000 for the base bid and was also the lowest bid that included the three alternatives at a cost of \$8,665,000.

Councilmember Piekarski Krech asked if Jorgenson has ever built a Fire Hall and if we felt they had the competency to do that.

Fire Chief Thill responded that she didn't believe they have built a Fire Station before, but that they have done some other public buildings.

Mayor Tourville stated that Jorgenson is listed in multiple states and questioned who they have worked with in the past.

Fire Chief Thill responded that she would have to look at how the bids came in. She commented that they have built Schools and other public buildings.

Councilmember Hark asked about alternative bid number three with the doors and how much time it saves when a call comes in.

Fire Chief Thill responded that it depended, but that part of the time saved was that you were waiting for the door to be fully up.

Steve Gausman, Five Bugles Design, responded that four-fold doors are different than overheads in that they are more expensive, but with emergency response they open in about four seconds as opposed to 30-35 seconds. He stated that while you can see an overhead door go up, you are waiting to see if it goes up all the way. When the doors open to the sides they are always in view. They will last the lifetime of the building and can be engaged with the pull of a cord. He stated that they were worth the additional cost and would pay for itself over time.

Mayor Tourville stated that most Fire Halls have those bid as an alternate due to the costs.

Mr. Gausman stated that the bids came in closely and accurately represented what the current bidding climate was. He stated that they are happy with the bid and recommends approval of all three alternates.

Motion by Piekarski Krech second by Bartholomew to approve to Consider Resolution 18-194 Accepting Bids and Awarding the Contract for City Project 2014-10 Fire Station #2 New Construction including the alternates.

Ayes: 5

Nays: 0 Motion carried.

Fire Chief Thill commented that they appreciate the support the Council has given them.

IV. ADMINISTRATION:

H. CITY OF INVER GROVE HEIGHTS; Consider Property Exceptions Request for Bow Hunting.

City Administrator Lynch stated that Ally Hillstrom, in her last official act as the Administrative Intern, will present the item. He commented that tonight she will be speaking about this Agenda Item, but first updated the Council that this item is for a review of Bow Hunting exception requests. He stated that the Council established a map of where they would allow hunting, and not allow hunting, to take place within

the City. He stated that Applicants hunt on their own property or other properties and that they do a review based on these maps.

Administrative Intern Ally Hillstrom presented the 2018 Bow Hunting property exception requests stating that there are five property exception requests with Requests 1-4 located within Delaney Circle. The 5th Application is located within the same area, but within the no hunting zone. She stated that they are asking that their parcels be added to the area to allow hunting.

She reviewed the Bow and Arrow Ordinance stating that the only area that Bow Hunting is permitted in would be the blue area as she depicted on the map, or unless it is in an enclosed structure. She stated that all Bow Hunters within the City must apply and provide their hunting license. If they want to hunt on someone else's property, they must provide proof of proficiency and permission from the owner. She stated that the Ordinance also states that there is no hunting within 300 feet of a residential or commercial property, within 200 feet of a driveway unless the owner permits, and no hunting within 200 feet of a public street. She stated that there is no hunting on properties less than five acres unless the following applies:

- If the property is within the permitted area, 2.5 acres or greater, and the property owners, tenants, or permitted family members are allowed to hunt. Others cannot request to hunt there.
- If there are multiple parcels that are contiguous and add up to five or more acres, the property owners, tenants, or permitted family members can request permission and would be allowed to hunt.
- If an individual parcel is five or more acres then anyone can hunt as long as they have permission from the owner.

She stated that they also keep a list of addresses for those that have requested that bow hunting is not permitted. There are five Applicants that have asked to be added to the permitted area of the map because they are in the no hunting zone. These Applications expire at the end of Deer Hunting season which is December 31, 2018.

She displayed a map with the locations of the addresses requesting to be added for hunting approval and a building buffer map. She listed the following background information on the Applicants:

1. Robert Murphy, property located at 8345 Delaney Circle E. Applied last year and that Council approved his Application. He has received approval from all adjacent properties to hunt. She stated that one non-property owner, Tom Brooks, has applied to hunt on this property and is in attendance this evening.

She stated that the following three Applications also came in, which is adjacent to the property mentioned previously. They have not submitted a property exception request before but have also received approval from adjacent property owners to be able to hunt on their properties. She commented that Tom Brooks would also like to hunt on these properties and that he has submitted the appropriate forms. The locations are as follows:

2. Brandon Barth, property located at 8349 Delaney Circle E.
3. Connie Ishizaki, property located at 8353 Delaney Circle E.
4. Jack Sabba, property located at 8357 Delaney Circle E.
5. Robert Illetschko, property located at 8920 89th Court E., is also within the no hunting zone and has received approval from all adjacent properties. He has been applying since 2013 and has been granted approval. The property is just over 2.5 acres and he will not have other non-property owners hunting on the property.

She stated that Staff recommends denial on all these Applications based on the safety hazards that the properties pose. The density with buildings and public streets were higher in these areas in accordance to the Ordinance.

Councilmember Perry asked when the maps were established for the hunting and no hunting zones.

Administrative Intern Hillstrom responded that these were updated in 2016, which is reflective of the update of the Ordinance at that time.

Mayor Tourville questioned if they should be dealing with these one at a time or as a group.

Councilmember Hark suggested taking them in groups.

Administrative Intern Hillstrom responded that the first four were submitted as a group, and that Tom Brooks may want to speak on behalf of those parcels as he will be the person hunting on those properties.

Councilmember Hark asked if anything has changed with request number 1, for Robert Murphy, from last year.

Intern Hillstrom responded that everything was the same.

Thomas Brooks, 352 Park Lane, South St. Paul stated that he hunted on the first property last year. This year he has permission from the other parcels listed. He stated that he removed seven deer off that one parcel last year and that the other homeowners asked him to hunt off their property this year to remove more. Four of the deer were donated last year. He stated that he hasn't had problems with any neighbors and that the deer were removed quickly.

Mayor Tourville stated that some of the neighbors in the area are over run with deer and are wondering why they were not included to begin with. He commented that he supported Bow Hunting with people that know what they are doing and that it is good for the neighborhood.

Motion by Bartholomew second by Perry to approve the request to Consider Property Exceptions Request for Bow Hunting on Properties 1, 2, 3, and 4.

Mayor Tourville stated that the Application is run administratively, but that the Police Chief is in the attendance this evening and may want to speak on the matter.

Police Chief Paul Schnell stated that he was briefed on this topic and that he stands behind the area that has been identified. They have concerns about the proximity to the new additional area and would urge the denial of that. He stated that areas 1-4 makes sense and has worked well in the past.

Mayor Tourville suggested that since Officers work within neighborhoods, maybe they could meet with the Applicant so they know each other and the different hunting times so they are all on the same page.

Police Chief Schnell responded that was a great idea, the more communication the better.

Councilmember Piekarski Krech commented that the biggest issue people may have is when a deer is hit by an arrow and is noticed running around with it still in place.

Ayes: 5

Nays: 0 Motion carried.

Rob Illetschko, 8920 89th Court E, stated that he is back for the fifth year for this exception. They have harvested animals safely the last four years.

Mayor Tourville asked how many deer he has harvested.

Mr. Illetschko responded about ten over the course of four years. He commented that there is an absolute need for population reduction.

Motion by Perry second by Hark to approve to Consider Property Exceptions Request for Bow Hunting on the 5th Parcel.

Ayes: 5

Nays: 0 Motion carried.

Councilmember Piekarski Krech asked if we had any statistics about how many people have requested to hunt in the allowed hunting area.

Administrative Intern Hillstrom responded that they have had three Applications.

8. MAYOR & COUNCIL COMMENTS:

Councilmember Piekarski Krech asked if they should revisit the Kamish request on the Agenda.

Community Development Director Gundlach responded that the Council could take action without him present but recommends that it be tabled. If tabled, the first 60 days would expire before the next meeting and that they should note that they intend to take an additional 60 days.

Mayor Tourville agreed to extend the additional 60 days and stated that the property owner should be aware that this will be discussed at the next meeting if he wanted to attend. If not, they will vote accordingly and take action. He asked City Attorney Kuntz if they could do that by direction or if they should make a Motion.

City Attorney Kuntz suggested they make a Motion to table it until the next meeting and then direct the Community Development Director to send out the 60-day extension.

Motion by Piekarski Krech second by Perry to Table this item, extend it 60 days and add it to the next regular City Council meeting for PETE KAMISH; to Consider a Resolution relating to a Variance to allow an accessory structure 1,200 square feet in size for property located at 4046 60th Street. Tabled.

Councilmember Bartholomew reminded Community Development Director Gundlach to give them the information that they requested earlier in the meeting regarding this Agenda Item. He wanted to get more information on Lots A and B and what the maximum building size was for a 2.5-acre lot.

Community Development Director Gundlach responded that she would email the information out to the Council.

Ayes: 5

Nays: 0 Motion carried.

Councilmember Hark stated that he received an email from Linda Berg at School District 917 which is the school that is moving into the Rainbow Foods Building. They are having an Open House on Monday, September 17th, from 4:00 to 7:00 and stated that everyone is welcome. This would be a good opportunity to see what they have done with the building.

Mayor Tourville stated that he toured the building and was impressed. They have a nice playground that you can see from the Highway.

Councilmember Bartholomew commented that Inver Grove Heights Day was wonderful. He thanked the Staff and volunteers and commented that it was beautiful weather and a nice turnout.

Mayor Tourville stated that one compliment he received was about the Fireworks starting at 8:30. He felt it worked out well for public safety. He commented that new Royalty will be coming in the near future.

9. ADJOURN:

Motion by Perry second by Piekarski Krech to adjourn the meeting at 8:40 p.m.

Ayes: 5

Nays: 0 Motion carried.