

CITY OF APPLE VALLEY

Dakota County, Minnesota

January 28, 2010

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held January 28th, 2010, at 8:00 o'clock p.m., at Apple Valley Municipal Center.

PRESENT: Mayor Hamann-Roland; Councilmembers Bergman, Goodwin, Grendahl, and LaComb.

ABSENT: None.

City staff members present were: City Administrator Lawell, City Clerk Gackstetter, City Attorney Dougherty, City Engineer Manson, Recreation Supervisor Bilek, Public Works Director Blomstrom, Assistant City Administrator Grawe, Finance Director Hedberg, Parks and Recreation Director Johnson, Police Chief Johnson, Community Development Director Nordquist, and Human Resources Manager Strauss.

Mayor Hamann-Roland called the meeting to order at 8:00 p.m. Everyone took part in the Pledge of Allegiance led by Boy Scouts Stefan Chellsen, Garrett Dykstra, Matt Harington, Evan Johnson, Ben Lanning, Taylor Pivec, Zackary Pivec, Kyle Schumann, Ben Slotten, and Mike Whelan from Troop 293.

APPROVAL OF AGENDA

MOTION: of Grendahl, seconded by Goodwin, moving consideration of item 4.F - Valleywood Golf Course and Ice Arena Fees for 2010 to the regular agenda, and approving the agenda for tonight's meeting as amended. Ayes - 5 - Nays - 0.

AUDIENCE

Mayor Hamann-Roland asked if anyone was present to address the Council, at this time, on any item not on this meeting's agenda.

Mr. John Ericson, of Fischer Sand and Aggregate, introduced Ms. Lynn Carlson. He indicated they are bidding on a project and will be back to request extended nighttime hauling hours if they are awarded the bid.

CONSENT AGENDA

Mayor Hamann-Roland asked if the Council or anyone in the audience wished to pull any item from the consent agenda. There were no additional requests.

MOTION: of Bergman, seconded by Goodwin, approving all items on the consent agenda with no exceptions. Ayes - 5 - Nays - 0.

CONSENT AGENDA ITEMS

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MOTION: of Bergman, seconded by Goodwin, approving the minutes of the regular meeting of January 14, 2010, as written. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2010-13** accepting, with thanks, the donation of cash and prizes from various businesses toward sponsorship of the 2010 Mid-Winter Fest Celebration. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2010-14** accepting, with thanks, the donation of \$150.00 gift card from M & I Bank for use by the Police Department for Police Teen Academy. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2010-15** setting a public hearing, at 8:00 p.m., on February 25, 2010, on the renewal application by Joel Watrud d/b/a Apple Valley Golf Course for an On-Sale 3.2 Percent Malt Liquor License for 2010. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, authorizing distribution of promotional materials for high school senior class parties as described in the Parks and Recreation Director's memo dated January 22, 2010. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, authorizing continuation of the Commission/Committee Recognition Program in 2010, as described in the Parks and Recreation Director's memo dated January 22, 2010. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving revised fee schedule for Hayes Community and Senior Center as described in the Parks and Recreation Director's memo dated January 21, 2010. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2010-16** approving specifications for Energy Efficiency and Conservation Block Grant (EECBG) Apple Valley Arena Boiler Replacement Project; and authorizing advertising for receipt of bids, at 11:00 a.m., on February 22, 2010. Ayes - 4 - Nays - 0 - Abstain - 1 (Grendahl).

MOTION: of Bergman, seconded by Goodwin, approving the Lease Extension with Time Square Shopping Center II, LLP, for Liquor Store No. 1, as attached to the City Administrator's memo dated January 25, 2010, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving the four Lease Agreements with Clear Wireless, LLC, for installation of antennas at Longridge, Nordic, Valleywood, and Quarry Point water towers, as attached to the Public Works Superintendent's memo dated January 28, 2010, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

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- MOTION: of Bergman, seconded by Goodwin, approving the 2010 Revised and Restated Joint Powers Agreement for Black Dog Watershed Management Organization (BDWMO) with the Cities of Burnsville, Eagan, and Lakeville, as attached to the Natural Resources Coordinator's memo dated January 21, 2010, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, approving the Joint Powers Agreement with the City of Burnsville for 2010-2011 Traffic Markings, Street Sweeping, Crack Sealing, Screening, and Seal Coating as attached to the Public Works Superintendent's memo dated January 28, 2010, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, approving the Agreement for Bleachers at Quarry Point Park Athletic Complex with Flanagan Sales, Inc., in the amount of \$52,713.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, approving Change Order No. 2 to Senior Center Project # 2710 – Apple Valley Senior Center Multipurpose Room Audio Video System, with Tierney Brothers, Inc., with a deduction of \$192.95. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, accepting Senior Center Project # 2710 – Apple Valley Senior Center Multipurpose Room Audio Video System as complete, and authorizing final payment on the agreement with Tierney Brothers, Inc., in the amount of \$27,308.31. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, approving Change Order No. 2 to Senior Center Project # 2710 – Apple Valley Senior Center Presentation Room Audio Video System, with Tierney Brothers, Inc., with a deduction of \$184.49. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, accepting Senior Center Project # 2710 – Apple Valley Senior Center Presentation Room Audio Video System as complete, and authorizing final payment on the agreement with Tierney Brothers, Inc., in the amount of \$26,956.78. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, approving the Master Labor Agreement with Law Enforcement Labor Services, Inc., (LELS), Local No. 243, Police Sergeants, for 2010, as attached to the Human Resources Manager's memo dated January 22, 2010, and authorizing execution of the necessary documents. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

VALLEYWOOD GOLF COURSE AND ICE AREA FEES

Councilmember Bergman questioned the proposed fees for Vallewood Golf Course. He stated the current fee structure originated when golf was at its prime. He noted the golf course fee structure includes a resident rate, which is \$25.00, and a non-resident rate, which is \$30.00, while the ice arena and Aquatic Center do not make a resident/non-resident distinction. He would like consistency. The City is trying to generate business and the Chamber of Commerce is trying to promote business in this community. He questioned the higher fee structure at a time when golf is at an all-time low. He wondered if for one year the resident rate should be brought up slightly and the non-resident rate brought down slightly in order to attract more non-residents. He recommended staff take another look at the fees over the next two weeks.

Councilmember Goodwin said the fees were originally structured this way because Apple Valley residents could not get a tee time. Things have changed since then. He recommended the Parks and Recreation Advisory Committee further review the matter.

Mr. Johnson stated if this item was delayed until the next Parks and Recreation Advisory Committee meeting in March, it would be too far behind the curve to advertise. The rates need to get published and out.

Councilmember Grendahl asked whether other municipal golf courses have different rates for non-residents.

Mr. Johnson responded some do and some do not.

Councilmember Grendahl said she thought the Aquatic Center also had a non-resident rate.

Mr. Johnson stated there is a resident and non-resident punch card rate. The daily fee is the same flat rate.

The Council discussed setting a flat rate for all players regardless of residency as well as other options. They talked about setting the fees to maximize the number of players and spur interest in playing golf.

Councilmember Bergman prefers having the people who know the operation best make a recommendation. He does not want the golf course to lose money when it has been profitable the last couple of years.

Mr. Johnson stated the golf course is very fragile as far as making a profit. A flat rate of \$25.00 for all players may be too low. There are about 20,000 rounds of resident play and about 10,000 rounds of non-resident play. A blended rate of \$27.00 may be more appropriate.

Councilmember Goodwin noted the proposed fee structure includes multiple resident and non-resident rate distinctions, and adjustments may need to be made to all of them.

Councilmember Grendahl said she will not support a compromise that raises the resident rate.

The Council commented about needing additional information.

Councilmember Goodwin asked if staff could come back at the next meeting with a recommendation or if that would be too late.

Mr. Johnson said that would be fine.

MOTION: of LaComb, seconded by Goodwin, directing staff to further review the 2010 fees for Valleywood Golf Course and bring its recommendation to the Council on February 11, 2010, as well as provide comparison information on resident and non-resident rates from local municipal golf courses, fees for golf carts, and an explanation of the impact the resident season pass had on rates when it was substantially higher than it is today. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving 2010 fees for the Ice Arenas as described in the Arena Manager's memo dated January 22, 2010. Ayes - 5 - Nays - 0.

PRESENTATION OF BANNERS

Ms. Nancy Paradeise, former Mrs. Apple Valley International and Mrs. Minnesota International, introduced Tiffany Cotterman who was recently crowned Miss Apple Valley International 2010 and Larissa Marschel who was recently crowned Miss Teen Apple Valley International 2010.

Mayor Hamann-Roland congratulated Miss Apple Valley International 2010 Tiffany Cotterman and Miss Teen Apple Valley International 2010 Larissa Marschel and presented them with their Apple Valley International 2010 banners. She wished them good luck in their pursuits for the Minnesota title.

MID-WINTER FEST 2010

Mr. Randy Johnson and Mr. Bilek reviewed activities planned for this year's Mid-Winter Fest celebration. Activities are scheduled at Apple Valley Community Center, Hayes Community and Senior Center, the Teen Center, Sports Arena, and Valleywood Golf Course. Buttons are required for admission to the events on February 6 and 7, 2010, and are for sale at various locations for \$1.00 in advance and \$2.00 at the door. This year's button was designed by Anisa Combs, a student from Apple Valley High School. Mr. Johnson also thanked the members of the business community who support this event.

MOTION: of Grendahl, seconded by LaComb, adopting **Resolution No. 2010-17** proclaiming February 6 and 7, 2010, as “Apple Valley Mid-Winter Fest 2010” and encouraging citizens to support and participate in the celebration. Ayes - 5 - Nays - 0.

COMMUNICATIONS

Mr. Lawell commended the Police Chief for his leadership and the Police Department for its efforts in helping solve a recent robbery case.

Mayor Hamann-Roland congratulated Ms. Rebekah Bradford for making the 2010 Olympic U.S. Speedskating team. Ms. Bradford grew up in Apple Valley and graduated from Apple Valley High School.

Mr. Lawell regretfully announced Jim Ableitner, maintenance employee for the Parks and Recreation Department, passed away over the weekend. He extended sympathy to the Ableitner family and staff.

CALENDAR OF UPCOMING EVENTS

MOTION: of Goodwin, seconded by Grendahl, approving the calendar of upcoming events as included in the City Clerk’s memo dated January 25, 2010, and noting that each event listed is hereby deemed a Special Meeting of the City Council. Ayes - 5 - Nays - 0.

CLAIMS AND BILLS

MOTION: of Bergman, seconded by Grendahl, to pay the claims and bills, check registers dated January 20, 2010, in the amount of \$691,256.38; and January 28, 2010, in the amount of \$995,810.17. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by LaComb, to adjourn. Ayes - 5 - Nays - 0.

The meeting was adjourned at 8:46 o’clock p.m.

Respectfully Submitted,

/s/ Pamela J. Gackstetter
Pamela J. Gackstetter, City Clerk

Approved by the Apple Valley City Council on 2-11-10