

CITY OF APPLE VALLEY  
Dakota County, Minnesota  
January 26, 2012

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held January 26th, 2012, at 7:00 o'clock p.m., at Apple Valley Municipal Center.

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

ABSENT: None.

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

Mayor Hamann-Roland called the meeting to order at 7:00 p.m. Everyone took part in the Pledge of Allegiance to the flag.

#### APPROVAL OF AGENDA

MOTION: of Grendahl, seconded by Bergman, approving the agenda for tonight's meeting, as presented. 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. No one requested to speak.

#### 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 requests.

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

#### CONSENT AGENDA ITEMS

MOTION: of Goodwin, seconded by Hooppaw, approving the minutes of the regular meeting of January 12, 2012, as written. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2012-35** accepting, with thanks, the donation of cash and prizes from various businesses toward sponsorship of the 2012 Mid-Winter Fest Celebration. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2012-36** accepting, with thanks, the donation of \$100.00 from David Stankoski and Andrew Aitkin for boulevard tree planting. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2012-37**

consenting to the appointment of Deputy City Clerk Stephanie Marschall by City Clerk Gackstetter. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, receiving the Cemetery Advisory Committee's 2011 annual report. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, receiving the Traffic Safety Advisory Committee's 2011 annual report. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2012-38** approving extended park hours and athletic field lighting hours at Quarry Point Park on July 20 and 21, 2012, for Relay for Life Event. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2012-39** authorizing submittal of the application for Local Road Improvement Program grant funds for the extension of 147th Street W. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, approving the letter of support for Dakota County's application for Local Road Improvement Program funds for signal and signal interconnect improvements on CSAH 31 (Pilot Knob Road) from 140th Street to 182nd Street. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2012-40**, authorizing the removal of parking restrictions in the cul-de-sac immediately south of 140th Street W. on Guthrie Avenue. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2012-41**, awarding the contract for a two-year lease for eight (8) 72-inch mowers to Frontier Ag & Turf, the lowest responsible bidder, in the amount of \$74,087.50. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, approving acceptance and final payment on the agreement with Northstar Mudjacking Specialists, Inc., for AV Project 2011-116, 2011 Concrete Raising and Leveling Services, in the amount of \$8,176.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, approving the promotion and accepting the resignation of full time employees, as listed in the Personnel Report dated January 26, 2012. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

#### MID-WINTER FEST 2011

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, Teen Center, Sports Arena, Valleywood Golf Course, and Lac Lavon. Two new events this year are ice fishing on Lac Lavon and baton twirling at the Apple Valley Community Center. Buttons are required for admission to all events 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 Sarah Reagan, a student from Apple Valley High School. They invited everyone to participate in the activities. Mr. Johnson also thanked the organizations and business community who support this event.

**MOTION:** of Bergman, seconded by Grendahl, adopting **Resolution No. 2012-42** proclaiming February 4 and 5, 2012, as "Apple Valley Mid-Winter Fest 2012" and encouraging citizens to support and participate in the celebration. Ayes - 5 - Nays - 0.

#### PAVEMENT MANAGEMENT PROGRAM

Mr. Blomstrom said at the December 20, 2011, City Council meeting the Council directed staff to obtain additional public input regarding funding options for the Pavement Management Program and present the findings at tonight's meeting. He then gave a presentation on the Pavement Management Program. The City's current overall pavement condition rating is 73. To maintain the existing condition will require approximately \$53 million over the next ten years. Based on current funding, there is an annual funding gap of approximately \$960,000. He described funding Option 1 – road improvement levy, Option 2 – special assessments and levy, and Option 3 – balanced levy adjustment. Lastly, he reviewed the comments from residents and businesses. He thanked the Chamber of Commerce for helping to get the word out to their members.

Mr. Ed Kearney, Chamber of Commerce President, thanked the Council and City staff for the great partnership with the business community and for finding a third funding option. He said no one he has spoken to questioned the need to maintain the roads. He stated the Chamber of Commerce Board of Directors and business community overwhelmingly prefer funding Option 3. He also thanked the City Council for allowing the process to unfold.

**MOTION:** of Goodwin, seconded by Bergman, identifying "Option 3 – balanced levy adjustment" as the preferred funding mechanism for the City's Pavement Management Program.

Councilmember Grendahl said she is pleased with Option 3 and previously suggested using existing savings to cover the funding gap. She asked how much of the 2011 General Fund operating budget was unspent.

Mr. Hedberg said approximately \$400,000.

Councilmember Grendahl noted that the \$400,000 will partially offset the total amount needed to fund the gap.

Councilmember Hooppaw thanked staff for coming up with Option 3 and the public for providing their comments. Just because the Council is looking at Option 3, does not mean they are not going to be smart about how the money is spent.

Councilmember Goodwin said he is also pleased with how everything is working out and only wishes the Capital Projects Fund was bigger.

Mayor Hamann-Roland agreed that Option 3 is the best choice. She believes it is an option because of good fiscal management. She added that Option 3 allows the City to continue to chart the course of a steady and reliable levy.

Vote was taken on the motion: Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, directing staff to revise the 2012-2016 Capital Improvements Program to reflect implementation of funding Option 3. Ayes - 5 - Nays - 0.

#### CEMETERY ADVISORY COMMITTEE VACANCY

Ms. Gackstetter reviewed her memo, dated January 23, 2012, regarding the resignation of Cemetery Advisory Committee Member Gary Wagner. The vacant seat has a three-year term expiring March 1, 2012. She stated the Council may wish to extend an invitation to individuals interested in serving on this Committee to submit an application to the City Clerk by February 29, 2012. An appointment could then be made in March. The next Cemetery Advisory Committee meeting is April 17, 2012.

Mayor Hamann-Roland thanked Mr. Wagner for serving on the Committee for almost 15 years.

MOTION: of Grendahl, seconded by Hooppaw, accepting the resignation of Committee Member Gary Wagner from the Cemetery Advisory Committee. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Grendahl, directing staff to post the Cemetery Advisory Committee vacancy and inviting individuals interested in serving on the Committee to submit an application to the City Clerk by February 29, 2012. Ayes - 5 - Nays - 0.

#### CALENDAR OF UPCOMING EVENTS

MOTION: of Grendahl, seconded by Bergman, approving the calendar of upcoming events as included in the City Clerk's memo dated January 26, 2012, 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 19, 2012, in the amount of \$967,041.48; and January 26, 2012, in the amount of \$6,049,210.42. Ayes - 5 - Nays - 0.

#### CLOSE MEETING - ATTORNEY-CLIENT PRIVILEGE

Mr. Dougherty asked the City Council to convene in a closed session, under the provisions of M.S. 13D.05, Subd. 3, to discuss offers to purchase Lots 1 & 2, Block 6; Lot 1, Block 5; Lot 1, Block 4; Lot 1, Block 3; and Lot 3, Block 2, in The Legacy of Apple Valley North.

MOTION: of Hooppaw, seconded by Grendahl, to close the regular meeting and convene in closed session to discuss offers to purchase Lots 1 & 2, Block 6; Lot 1, Block 5; Lot 1, Block 4; Lot 1, Block 3; and Lot 3, Block 2, in The Legacy of Apple Valley North. Ayes - 5 - Nays - 0.

The meeting was closed at 7:55 p.m. and Mayor Hamann-Roland and Councilmembers Bergman, Goodwin, Grendahl, and Hooppaw convened in the Regent Conference Room, at 7:59 p.m., along with City Attorney Dougherty, City Administrator Lawell, City Clerk Gackstetter, Finance Director Hedberg, and Community Development Director Nordquist. Discussion followed regarding offers to purchase Lots 1 & 2, Block 6; Lot 1, Block 5; Lot 1, Block 4; Lot 1, Block 3; and Lot 3, Block 2, in The Legacy of Apple Valley North.

The Council reconvened in open session at 8:32 p.m.

MOTION: of Hooppaw, seconded by Goodwin, to adjourn. Ayes - 5 - Nays - 0.

The meeting was adjourned at 8:33 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 2-9-12