

CITY OF APPLE VALLEY
Dakota County, Minnesota
September 27, 2012

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held September 27, 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, Acting Parks and Recreation Director Adamini, Public Works Director Blomstrom, Assistant City Administrator Grawe, Human Resources Manager Haas, Finance Director Hedberg, City Engineer Manson, Community Development Director Nordquist, Police Chief Rehtzigel, and Fire Chief Thompson.

Mayor Hamann-Roland called the meeting to order at 7:01 p.m. Everyone took part in the Pledge of Allegiance led by Cadette Girl Scouts Alyssa Bhend, Arianna Brown, Katrina Culler, Kelsey Shaw, and Madissen Schowalter-Scheidecker of Troop 52967.

APPROVAL OF AGENDA

MOTION: of Grendahl, seconded by Hooppaw, removing item 5.D - Cub Foods Addition Final Plat and Site Plan/Building Permit Authorization from 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.

Ms. Anna Wills was present to hear the Council's thoughts on current issues.

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 Bergman, approving all items on the consent agenda with no exceptions. Ayes - 5 - Nays - 0.

CONSENT AGENDA ITEMS

MOTION: of Goodwin, seconded by Bergman, approving the minutes of the special meeting of September 11, 2012, as written. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2012-183** accepting, with thanks, the donation of \$250.00 from Jean Pinske for Valleywood Clubhouse. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2012-184** accepting, with thanks, the donation of \$250.00 from the Thursday Valleywood Women's 9-Hole League for Valleywood Clubhouse. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2012-185** appointing individuals listed in the resolution to serve as judges for the General Election to be held on November 6, 2012, in the City. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, authorizing the initial scoping task for the Red Line/Cedar Avenue BRT Market and Development Standards Study in the amount of \$3,980.00, as attached to the Associate City Planner's memo dated September 27, 2012. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving temporary parking on the north side of Greenleaf Elementary School for school events during the 2012-2013 school year, as listed in the attachment to the Police Chief's memo dated September 24, 2012. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2012-186** approving a 258 sq. ft. variance for an accessory building exceeding 750 sq. ft. on Lot 4, Block 2, Chateau Estates (8488 133rd Street W.), as recommended by the Planning Commission. Ayes - 5 - Nays - 0.

MOTION: of Goodwin seconded by Bergman, ordering plans, specifications, and project development work tasks for AV Project 2013-101, Greenleaf Neighborhood Street and Utility Improvements. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving Urban Cost Share Grant Program Contract with Dakota County Soil and Water Conservation District for AV Project 2011-143, Long Lake Retrofit BMP's, as attached to the Assistant City Engineer's memo dated September 27, 2012. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving Financial Planning Agreement with Northland Securities, Inc., to analyze the request from IMH for Tax Increment Financing assistance, in an amount not to exceed \$8,160.00, subject to final revisions and changes as approved by the City Administrator and City Attorney, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the Rain Garden Maintenance Agreement with Jessica Ann Sinkinson at 5689 133rd Street Court, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

- MOTION: of Goodwin, seconded by Bergman, approving the Agreement for Private Installation of Improvements with D.R. Horton, Inc., relating to AV Project 2012-134, Cortland Addition, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, approving the Software and Services Proposal from with Cartegraph Systems, Inc., for code enforcement software replacement, estimated at \$53,420.00 with an annual renewal fee of \$6,699.00, and authorizing the Community Development Director to sign the necessary documents. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, approving a contract for AV Project 2012-152, Palomino Drive Guardrail, with Highway Technologies, Inc., in the amount of \$16,630.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, approving the Agreement for Valleywood Clubhouse CCTV/Card Access, with Trans Alarm, Inc., in the amount of \$15,655.08, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2012-187** awarding the contract for Quarry Point Park Storm Damage Repair to Midwest Fence and Mfg. Co., the lowest responsible bidder, in the amount of \$172,900.00. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, approving Change Order No. 1 to the contract with LaTour Construction, Inc., for AV Project 2011-107, 147th Street Extension, in the amount of an additional \$5,184.00. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, accepting 2012 Hayes Park Arena Rubber Flooring Project, as complete and authorizing final payment to Arena Systems in the amount of \$90,798.80. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, accepting 2012 Sports Arena Rubber Flooring Project, as complete and authorizing final payment to Arena Systems in the amount of \$32,780.00. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, accepting 2012 Outdoor Pool Water Management, as complete and authorizing final payment to Hawkins, Inc., in the amount of \$76,522.49. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2012-188** approving 2013 City contribution toward insurances for benefit-eligible non-union employees and elected officials covered by the pay and benefit plan. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving hiring the seasonal and part-time employees, transfer of employee, and resignation of employees, as listed in the Personnel Report dated September 27, 2012. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

GREENSTEP CITIES STEP ONE AND STEP TWO AWARDS

Ms. Diana McKeown, Metro CERT Director, presented the City with GreenStep Cities Step One and Step Two Awards. She said this is an initiative that has been going on for several years and currently 49 cities have participated. She commended Mayor Hamann-Roland for her leadership statewide and support of the program early on. She stated it has also been a pleasure to work with the City Administrator and Assistant City Administrator on the Better Energy (BE) Program.

VALLEY LAKE GIRL SCOUTS 2012 CENTENNIAL DAY OF SERVICE

Cadette Girl Scouts Alyssa Bhend, Arianna Brown, Katrina Culler, Kelsey Shaw, and Madissen Schowalter-Scheidecker of Troop 52967 and Troop Co-Leaders Cindy Bhend, Susan Estill, and Karen Shaw were present to speak about community cleanup activities they are undertaking in connection with the Girl Scouts' 100th Anniversary. The Valley Lake service unit will be cleaning three locations along Garden View Drive on October 13, 2012, from 8:30 a.m. to 12:30 p.m. The public is invited to participate. Those interested in volunteering should meet at the Westview Elementary parking lot.

Ms. Estill read the proclamation proclaiming October 13, 2012, as "Valley Lake Girl Scouts 2012 Centennial Day of Service".

MOTION: of Grendahl, seconded by Hooppaw, proclaiming October 13, 2012, as "Valley Lake Girl Scouts 2012 Centennial Day of Service". Ayes - 5 - Nays - 0.

Mayor Hamann-Roland commended the Girl Scouts for being engaged citizens.

PROCLAIM FIRE PREVENTION WEEK

Fire Chief Thompson said every year the National Fire Protection Association (NFPA) along with Fire Departments nationwide recognize Fire Prevention Week commemorating the Great Chicago Fire of 1871. He then reviewed activities the Fire Department will be conducting during the week of October 7th at elementary schools in the City. The 2012 theme for Fire Prevention Week is "Have 2 Ways Out!". Public open houses will be held, from 6:00 to 9:00 p.m., at Fire Station No. 1 on October 9, at Fire Station No. 2 on October 10, and at Fire Station No. 3 on October 11, 2012, and everyone is invited. He then read the proclamation proclaiming Fire Prevention Week.

MOTION: of Grendahl, seconded by Bergman, proclaiming October 7-13, 2012, as "Fire Prevention Week" in support of the Fire Department's public safety efforts and urging all citizens to install smoke alarms and carbon monoxide detectors, and to plan and practice fire drills. Ayes - 5 - Nays - 0.

Mayor Hamann-Roland thanked the Fire Department for their efforts in coordinating these events. She then complimented the Fire Department on a successful Booya event.

TRAFFIC SAFETY ADVISORY COMMITTEE RESIGNATION

Ms. Gackstetter reviewed her memo dated September 24, 2012, regarding the resignation of Committee Member Harald Eriksen from the Traffic Safety Advisory Committee effective October 1, 2012. This appointment has a term expiring March 1, 2015. She recommended the Council extend an invitation to individuals interested in serving on this Committee to submit an application to the City Clerk by November 30, 2012. An appointment could then be made in December.

Mayor Hamann-Roland thanked Mr. Eriksen for his expertise and service on the Traffic Safety Advisory Committee.

MOTION: of Goodwin, seconded by Grendahl, accepting the resignation of Traffic Safety Advisory Committee Member Harald Eriksen and thanking him for his dedicated service to the City of Apple Valley. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, directing staff to post the Traffic Safety Advisory Committee vacancy and inviting individuals interested in serving on the Committee to submit an application to the City Clerk by November 30, 2012. Ayes - 5 - Nays - 0.

COMMUNICATIONS

Mr. Lawell thanked staff for coordinating Apple Valley's Residential Fall Clean-up Day held last Saturday.

Mr. Blomstrom provided an update on various construction projects.

CALENDAR OF UPCOMING EVENTS

MOTION: of Grendahl, seconded by Hooppaw, approving the calendar of upcoming events as included in the City Clerk's memo dated September 24, 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 Goodwin, to pay the claims and bills, check registers dated September 13, 2012, in the amount of \$2,033,158.05; September 20, 2012, in the amount of \$2,041,199.77; and September 27, 2012 in the amount of \$1,247,623.34. Ayes - 5 - Nays - 0.

CLOSE MEETING, LABOR NEGOTIATIONS

Mr. Dougherty reviewed exceptions to the open meeting law and advised the Council that it could hold a closed session, under the provisions of M.S. 13D.03, to discuss labor negotiations.

MOTION: of Goodwin, seconded by Bergman, to enter into a closed meeting and convene in closed session to discuss LELS and AFSCME union labor negotiations. Ayes - 5 - Nays - 0.

The Council convened in the Regent Conference Room at 7:50 p.m. In attendance were Mayor Hamann-Roland; Councilmembers Bergman, Goodwin, Grendahl, and Hooppaw; City Administrator Lawell; City Clerk Gackstetter; Human Resources Manager Haas; Public Works Director Blomstrom; Police Chief Rehtzigel; and Acting Parks and Recreation Director Adamini. The meeting was tape recorded as required by law. The Council reconvened in open session at 8:33 p.m.

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

The meeting was adjourned at 8:34 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 10-11-12.