

CITY OF APPLE VALLEY  
Dakota County, Minnesota  
November 8, 2012

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held November 8, 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, Associate City Planner Bodmer, Associate City Planner Dykes, Assistant City Administrator Grawe, Human Resources Manager Haas, Finance Director Hedberg, City Planner Lovelace, 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 Boy Scouts Joshua Bauer-Boyd, Jack Carpenter, and Jesse Carpenter of Troup 205.

Mayor Hamann-Roland congratulated Councilmember Goodwin and Councilmember Grendahl on their reelection.

#### APPROVAL OF AGENDA

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

#### CONSENT AGENDA ITEMS

MOTION: of Hooppaw, seconded by Bergman, approving the minutes of the regular meeting of October 25, 2012, as written. Ayes - 5 - Nays - 0.

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MOTION: of Hooppaw, seconded by Bergman, approving a change in manager for Wadsworth Old Chicago, Inc., d/b/a Old Chicago, in connection with the On-Sale Intoxicating Liquor License and Special License for Sunday Liquor Sales, at 14998 Glazier Avenue, naming Dustin Douglas Stone as General Manager; as described in the City Clerk's memo dated November 5, 2012. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, approving revised City Attorney's fees for 2013 legal services as attached to the Assistant City Administrator's memo dated November 8, 2012. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, approving 2013 Partners' Agreement with Rice Creek Watershed District (RCWD) for membership in Blue Thumb Program, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, adopting **Resolution No. 2012-215** approving submission of the Apple Valley, Burnsville, and Eagan 2013 Funding Application to Dakota County, in the amount of \$161,934.00, to operate a joint Recycling Program; and authorizing the execution of the necessary documents. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, accepting AV Project 2011-141, Eagle Ridge Business Park as complete and authorizing final payment on the contract with Enebak Construction Co., Inc., in the amount of \$29,802.71. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, approving hiring the seasonal and part time employees, promotion of employees, acting assignment of employee, and resignation of employee, as listed in the Personnel Report dated November 8, 2012. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

PRELIMINARY GENERAL ELECTION RESULTS

Mayor Hamann-Roland commended Ms. Gackstetter, City staff, and the election judges for their efforts in conducting the election and ensuring the process ran smoothly.

Ms. Gackstetter reviewed the preliminary results of the November 6, 2012, General Election. She announced the complete results will be available at the Special Meeting set for November 13, 2012, at 3:30 p.m. At that time, the City Council will be requested to canvass the returns.

ORDINANCE AMENDING FEES CONTAINED IN CITY CODE

Mr. Grawe reviewed proposed amendments to the Fee Schedule Appendix of Title III of the City Code. Fee adjustments are proposed for the cemetery, City fees and materials, consultant and

engineering services, building inspections and permits, licenses and permits, subdivision and development fees, and utility fees. The fees would be effective January 1, 2013. He noted the proposed rates more accurately reflect the City's costs. Some changes were also recommended as a result of increased fees being charged the City and some were increased according to the Consumer Price Index and Engineering News-Record indices. Staff recommends accepting the first reading. The second reading is scheduled for November 20, 2012.

Councilmember Bergman asked when the City was going to utilize e-permitting.

Mr. Blomstrom responded that one of the first steps towards that goal is the ability to receive credit card payments and that objective will be completed this year. On-line permitting will be the second step.

#### CEMETERY ADVISORY COMMITTEE VACANCY

Ms. Gackstetter reviewed her memo, dated November 5, 2012, regarding the resignation of Cemetery Advisory Committee Member Paula Moore, creating a vacancy on the Cemetery Advisory Committee with a term expiring March 1, 2013. She said 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 December 31, 2012. An appointment could then be made in January.

MOTION: of Hooppaw, seconded by Goodwin, accepting the resignation of Cemetery Advisory Committee Member Paula Moore and thanking her for her dedicated service to the City of Apple Valley, 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 December 31, 2012. Ayes - 5 - Nays - 0.

#### COMMUNICATIONS

Mr. Lawell congratulated Mayor Hamann-Roland on her appointment to the Transportation Advisory Board (TAB).

Councilmember Grendahl said the Grant Evaluation and Ranking System (GEARS) Committee, which makes recommendations to the Counties Transit Improvement Board (CTIB), conducted its grant review on Monday. Anoka County made a request and received a recommendation from GEARS for funding an overpass for NorthStar due to public safety reasons. She recommended the City contact GEARS representative Tom Egan regarding possible funding during the next grant cycle for an overpass in Apple Valley.

#### 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 November 8, 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 Grendahl, seconded by Bergman, to pay the claims and bills, check registers dated November 1, 2012, in the amount of \$542,620.15, and November 8, 2012, in the amount of \$603,498.38. Ayes - 5 - Nays - 0.

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

The meeting was adjourned at 7:22 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 11-20-12.