

CITY OF APPLE VALLEY
Dakota County, Minnesota
January 8, 2013

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held January 8th, 2013, at 8:00 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, Deputy City Clerk Marschall, City Attorney Dougherty, Parks and Recreation Director Bernstein, Public Works Director Blomstrom, Planner Dykes, Assistant City Administrator Grawe, Human Resources Manager Haas, Finance Director Hedberg, City Engineer Manson, Department Assistant Murphy, Community Development Director Nordquist, Police Chief Rechtzigel, and Fire Chief Thompson.

Mayor Hamann-Roland called the meeting to order at 8:00 p.m. Everyone took part in the Pledge of Allegiance to the flag.

The Deputy City Clerk administered oaths of office to Councilmembers Goodwin and Grendahl who were elected November 6, 2012, for four-year terms expiring December 31, 2016.

APPROVAL OF AGENDA

MOTION: of Grendahl, seconded by Hooppaw, 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 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 regular meeting of December 27, 2012, as written. Ayes - 5 - Nays - 0.

CITY OF APPLE VALLEY

Dakota County, Minnesota

January 8, 2013

Page 2

- MOTION: of Goodwin, seconded by Bergman, to approve the change in manager for Red Robin International, Inc., d/b/a Red Robin America's Gourmet Burgers & Spirits, in connection with the On-Sale Intoxicating Liquor License and Special License for Sunday Liquor Sales at 15660 Cedar Avenue, naming Cory Zellner as General Manager; as described in the Deputy City Clerk's memo dated January 4, 2013. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-1** designating Apple Valley-Rosemount Sun Thisweek as the official newspaper of the City of Apple Valley for the year 2013. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-2** designating Anchor Bank of Apple Valley as the official depository for City funds for the year 2013 and accepting its deposit collateral. Ayes - 4 - Nays - 0 - Abstain - 1 (Hooppaw).
- MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-3** designating additional depositories and financial security dealers for City funds for the year 2013: Wells Fargo Securities, LLC; Northland Securities, Inc.; RBC Capital Markets Corporation; Robert W. Baird & Co., Inc.; Sterne Agee & Leach, Inc.; US Bank; Think Mutual Bank; and BMO Harris Bank N.A. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, authorizing the distribution of various promotional materials for use at the high schools' senior class parties, as described in the Parks and Recreation Director's memo dated January 4, 2013. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, approving continuation of the Commission/Committee Recognition Program, allowing each non-staff member of the Cemetery Advisory Committee, Parks and Recreation Advisory Committee, Planning Commission, Traffic Safety Advisory Committee, and Urban Affairs Advisory Committee to receive up to \$720.00 of parks and recreation services, for 2013, as described in the Park and Recreation Director's memo dated January 4, 2013. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-4** authorizing acceptance of the 2012 Federal Emergency Management Agency's (FEMA) Staffing for Adequate Fire and Emergency Response Grant, in the amount of \$215,200.00. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Bergman, approving release of subdivision financial guarantees for Oakwood Hills NRMP, as listed in the Community Development Department Assistant's memo dated January 8, 2013. Ayes - 5 - Nays - 0.

CITY OF APPLE VALLEY

Dakota County, Minnesota

January 8, 2013

Page 3

MOTION: of Goodwin, seconded by Bergman, approving Change Order No. 8 to the contract with Cannon Construction, Inc., for Valleywood Clubhouse Project #0610 General Carpentry, in the amount of an additional \$563.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving Change Order No. 9 to the contract with Cannon Construction, Inc., for Valleywood Clubhouse Project #0610 General Carpentry, in the amount of an additional \$150.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving Change Order No. 1 to the contract with Seal-Treat, Inc., for Valleywood Clubhouse Project #0790 Caulking/Sealants, with a deduction of \$680.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving Change Order No. 1 to the contract with Crawford Door Sales Company, for Valleywood Clubhouse Project #0833 Coiling/Sectional Doors, resulting in no change to the contract amount. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving Change Order No. 3 to the contract with Wasche Commercial Finishes, Inc., for Valleywood Clubhouse Project #0990 Painting/Finishes, with a deduction of \$500.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving Change Order No. 4 to the contract with Premier Restaurant & Equipment Company, for Valleywood Clubhouse Project #1140 Food Service Equipment, in the amount of an additional \$995.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving Change Order No. 7 to the contract with Schammel Electric, Inc., for Valleywood Clubhouse Project #2600 Electrical/Fire Alarm, in the amount of an additional \$1,138.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting AV Project 2012-118, 2012 Concrete Raising and Leveling Services as complete, and authorizing final payment on the contract with Able Concrete Raising, in the amount of \$9,333.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin seconded by Bergman, approving hiring the seasonal employee and resignation of employees, as listed in the Personnel Report dated January 8, 2013. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

2013 ACTING MAYOR

MOTION: of Bergman, seconded by Hamann-Roland, adopting **Resolution No. 2013-5** appointing Councilmember Goodwin to serve as Acting Mayor, in the absence of the Mayor, for the year 2013. Ayes - 5 - Nays - 0.

Mayor Hamann-Roland thanked Councilmember Goodwin for his leadership.

COMMUNICATIONS

Councilmember Hooppaw commented the Fire Department had an exceptionally busy month and thanked everyone for their extra efforts.

Mayor Hamann-Roland thanked everyone who participated in the success of the Frozen Apple Winter Concert Series and invited everyone to the next concert at Valleywood, beginning at 6:00 p.m., on February 2, 2013.

The Council recognized the retirement Apple Valley Commissioner, Will Branning, and thanked him for his service to the community.

CALENDAR OF UPCOMING EVENTS

MOTION: of Grendahl, seconded by Hooppaw, approving the calendar of upcoming events as included in the Deputy City Clerk's memo dated January 8, 2013, 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 3, 2013, in the amount of \$1,082,789.39. Ayes - 5 - Nays - 0.

CLOSE MEETING, UNION 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 Grendahl, seconded by Bergman, to enter into a closed meeting and convene in closed session to discuss AFSCME and LELS union labor negotiations. Ayes - 5 - Nays - 0.

The Council convened in the Regent Conference Room at 8:17 p.m. In attendance were Mayor Hamann-Roland; Councilmembers Bergman, Goodwin, Grendahl, and Hooppaw; City Administrator Lawell; Deputy City Clerk Marschall; Parks and Recreation Director Bernstein; Public Works

CITY OF APPLE VALLEY
Dakota County, Minnesota
January 8, 2013
Page 5

Director Blomstrom; Human Resources Manager Haas; and Police Chief Rechtzigel. The meeting was tape recorded as required by law.

The Council reconvened in open session at 8:38 p.m.

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

The meeting was adjourned at 8:38 o'clock p.m.

Respectfully Submitted,

/s/ Stephanie Marschall
Stephanie Marschall, Deputy City Clerk

Approved by the Apple Valley City Council on 1-24-13.