

CITY OF APPLE VALLEY
Dakota County, Minnesota
April 11, 2013

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held April 11, 2013, at 7:00 o'clock p.m., at Apple Valley Municipal Center.

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

ABSENT: Councilmember Grendahl.

City staff members present were: City Administrator Lawell, City Clerk Gackstetter, City Attorney Dougherty, Parks and Recreation Director Bernstein, Public Works Director Blomstrom, Assistant City Administrator Grawe, Finance Director Hedberg, City Engineer Manson, Community Development Director Nordquist, Police Chief Rechtzigel, and Fire Chief Thompson.

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 Hooppaw, seconded by Bergman, approving the agenda for tonight's meeting, as presented. Ayes - 4 - 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 - 4 - Nays - 0.

CONSENT AGENDA ITEMS

MOTION: of Goodwin, seconded by Bergman, approving the minutes of the regular meeting of March 28, 2013, as written. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-65** accepting, with thanks, the donation of \$250.00 from Valleywood Men's Club for Valleywood Clubhouse. Ayes - 4 - Nays - 0.

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MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-66** accepting, with thanks, the donation of \$861.94 from Benjamin Brachio family for a park bench at Kelley Park. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving a change in officers and managers for Apple Valley American Legion, Post 1776, in connection with the On-Sale Club License and Special License for Sunday Liquor Sales at 14521 Granada Drive, naming Richard Watland as Commander, Robert Nelson as 1st Vice Commander, Carla Tappainer as 2nd Vice Commander, Gary Odegard as Finance Officer and Adjutant, Richard Davey as Service Officer, Thomas O'Connor as Historian, Donald Hereau as Sergeant at Arms, Richard Tollefson as Operations Group, Joran Hedar as General Manager, and Dawn Blair as Day Bar Manager, as described in the City Clerk's memo dated April 8, 2013. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, declaring certain City property as surplus; authorizing the disposal of unclaimed property and surplus City equipment by selling it at a public auction from April 26 through May 7, 2013; approving the agreement with MDI Auctions, an authorized vendor of K-BID.com, for an online auction conducted through K-Bid, and authorizing the Mayor and City Clerk to sign the same. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, proclaiming April 26, 2013, as "Arbor Day" and May 2013, as "Arbor Month", and encouraging citizens to participate in tree planting programs. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the First Amendment to Subdivision Development Agreement for Apple Valley Business Campus with Spowd Developments, LLC, as attached to the Assistant Finance Director's memo dated April 8, 2013, and authorizing the Mayor and City Clerk to sign the same. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-67**, approving and levying 2013 Special Assessment Roll No. 614, for Apple Valley Business Campus improvements, in the amount of \$1,080,000.00. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving equipment and material purchases for AV Project 2013-118, 2013 Pond Alum Treatments in EVR-P12 and EVR-P17, in the amount of \$34,200.00, as described in the Natural Resources Coordinator's memo dated April 11, 2013. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the contract for AV Project 2013-134, 2013 Sanitary Sewer Pipe Lining, with Insituform Technologies USA, LLC, in the amount of \$72,959.50, and authorizing the Mayor and City Clerk to sign the same. Ayes - 4 - Nays - 0.

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MOTION: of Goodwin, seconded by Bergman, approving the contract for AV Project 2013-123, 2013 Farquar Lake Weed Harvesting, with Midwest Weed Harvesting, Inc., in the amount of \$13,700.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the contract for AV Project 2013-128, 2013 Concrete Raising and Leveling Services, with Northstar Mudjacking, Inc., in the amount of \$10,289.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting Valleywood Clubhouse Project #0610 – General Carpentry, as complete and authorizing final payment on the contract with Cannon Construction, Inc., in the amount of \$12,272.25. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting Valleywood Clubhouse Project #0790 – Caulking/Sealants, as complete and authorizing final payment on the contract with Seal-Treat, Inc., in the amount of \$459.75. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting Valleywood Clubhouse Project #0920 – Drywall/Framing, as complete and authorizing final payment on the contract with Regal Contractors, Inc., in the amount of \$7,151.70. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting Valleywood Clubhouse Project #2305 – Testing and Balancing, as complete and authorizing final payment on the contract with Marcus Global, Inc., d/b/a SMB of Minnesota, in the amount of \$295.00. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting Valleywood Clubhouse Project #2700 – Communications Systems, as complete and authorizing final payment on the contract with Dascom Systems Group, LLC, in the amount of \$1,726.25. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting Valleywood Clubhouse Project #1424 – Hydraulic Elevator, as complete and authorizing final payment on the contract with Schindler Elevator Corporation, in the amount of \$2,137.45. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the 2013 Labor Agreement with Law Enforcement Labor Services, Inc., (LELS), Local No. 71, Police Officers, as attached to the Human Resources Manager's memo dated April 8, 2013, and authorizing execution of the necessary documents. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving hiring the full time and seasonal employees and resignation of employee, as listed in the Personnel Report dated April 11, 2013. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, setting special informal City Council meetings, at 6:00 p.m., on April 25, 2013, at the Municipal Center for volunteer recognition and photo session; at 5:30 p.m. on April 30, 2013, at Valleywood Clubhouse for reception for retiring Parks and Recreation Advisory Committee Chair Russ DeFauw; at 5:30 p.m. on May 7, 2013, at Apple Valley Liquor Store No. 3 parking lot for Beyond the Yellow Ribbon sign ceremony; and at 6:00 p.m. on May 23, 2013, at Apple Grove Park for Arbor Month tree planting. Ayes - 4 - Nays - 0.

END OF CONSENT AGENDA

SEVERE WEATHER AWARENESS WEEK

Police Chief Rehtzigel announced Governor Dayton proclaimed April 15 – 19, 2013, as Severe Weather Awareness Week. He then reviewed the upcoming tornado drill schedule and various weather-related safety precautions.

ALF AMBULANCE 2012 PROPOSED BUDGET

Mr. Kurt Weidner, Allina Health Emergency Medical Services Operations Manager, presented the ALF Ambulance 2012 annual report.

The Council thanked Allina Health and ALF Ambulance for the informative report.

ORDINANCE AMENDING ALCOHOLIC BEVERAGE LICENSE APPLICATIONS

Ms. Gackstetter gave the first reading of an ordinance amending Chapter 111 of the City Code regulating Alcoholic Beverages. The proposed language amends Section 111.23, Application Procedure; Renewals; and Section 111.34, Change in Ownership or Character of Business; Validity.

Discussion followed.

The Council invited businesses and the public to express their opinions regarding the waiting period following a denied license.

The Council accepted the first reading. The second reading will be April 25, 2013.

CALENDAR OF UPCOMING EVENTS

MOTION: of Hooppaw, seconded by Goodwin, the calendar of upcoming events as included in the City Clerk's memo dated April 8, 2013, and noting that each event listed is hereby deemed a Special Meeting of the City Council. Ayes - 4 - Nays - 0.

CLAIMS AND BILLS

MOTION: of Bergman, seconded by Hooppaw, to pay the claims and bills, check registers dated April 4, 2013, in the amount of \$1,747,491.78; and April 11, 2013, in the amount of \$773,044.93. Ayes - 4 - Nays - 0.

MOTION: of Bergman, seconded by Hooppaw, to adjourn. Ayes - 4 - Nays - 0.

The meeting was adjourned at 7:39 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 4-25-13.