

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

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held July 11th, 2013, 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 Hills, Parks and Recreation Director Bernstein, Public Works Director Blomstrom, Associate City Planner Dykes, Assistant City Administrator Grawe, Human Resources Manager Haas, 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 7:01 p.m. Everyone took part in the Pledge of Allegiance to the flag.

APPROVAL OF AGENDA

MOTION: of Bergman, 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.

Ms. Brenda Morrow and Ms. Karen Bernard, from Chick-fil-A, invited the public to Chick-fil-A's community event at Johnny Cake Ridge Park – West on August 13, 2013.

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 June 27, 2013, as written. Ayes - 4 - Nays - 0 - Abstain - 1 (Hamann-Roland).

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MOTION: of Goodwin, seconded by Bergman, receiving the 2012 Comprehensive Annual Financial Report, as attached to the Finance Director's memo dated July 8, 2013. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the 2014 Budget Calendar, as attached to the Finance Director's memo dated July 8, 2013. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-104** approving the Special Law passed during the 2013 regular legislative session in Chapter 143, Article 9, Section 18. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-105** approving the Special Law passed during the 2013 regular legislative session in Chapter 143, Article 9, Section 19. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, authorizing the hot air balloon landing and lift-off at Johnny Cake Ridge Park – West on August 13, 2013, in connection with Chick-fil-A Community Event, as described in the Recreation Superintendent's memo dated July 5, 2013. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-106** setting a public hearing, at 7:00 p.m., on August 8, 2013, to consider vacating easements on Lot 1, Block 1, Hidden Ponds 3rd Addition. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-107** approving consideration of the proposal to develop a portion of City property (McNamara Pond), in conjunction with the application for development and platting of Quarry Ponds. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the Agreement for Training and Medical Direction for the Use of an Automatic External Defibrillator, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-108** accepting, with thanks, the donation of an Automatic External Defibrillator, from Allina Health System d/b/a Allina Health Emergency Medical Services, for use at Hayes Park Arena. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, authorizing the purchase of landscape items for Cedar Avenue Transitway, in the estimated amount of \$21,500, as described in the Public Works Director's memo dated July 11, 2013. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the Water Quality Improvement Cost Share Program Agreement with Dean T. and Carolyn S. Young for raingarden

at 14573 Garrett Avenue, in an amount not to exceed \$500.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2013-109** awarding the contract for AV Project 2013-106, Nordic Reservoir Intermediate Rehabilitation, to Champion Coatings, Inc., the lowest responsible bidder, in the amount of \$96,000.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving Change Order No. 1 to the contract with Magney Construction, Inc., for AV Project 2012-108, Water Treatment Plant Expansion, in the amount of an additional \$4,000.97. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving Change Order No. 2 to the Agreement with Keys Well Drilling Company, with a deduction of \$13,059.00; and accepting AV Project 2012-131, Well Pumps 6, 11, 13 and High Zone Pump 4, as complete and authorizing final payment in the amount of \$4,653.15. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting AV Project 2013-122, Farquar Lake Fish Removal, as complete and authorizing final payment on the contract with Jeff Riedemann Fisheries, in the amount of \$6,000.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the voiding and cancelling of the Agreement for AV Project 2013-109, 2013-2014 Mowing and Trimming Services, with Executive Outdoor Services, LLC, in the amount of \$58,550.00, as approved on March 28, 2013. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the revised Agreement for AV Project 2013-109, 2013-2014 Mowing and Trimming Services, with Executive Outdoor Services, LLC, in the amount of \$58,550.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving hiring the part time and seasonal employees and acting assignment of employee, as listed in the Personnel Report dated July 11, 2013. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, setting a special informal City Council meeting, at 4:30 p.m., on July 29, 2013, at the Municipal Center. Ayes - 5 - Nays - 0.

END CONSENT AGENDA

CERTIFICATE OF RECOGNITION

The City Council thanked Dr. Ron Thomas, President of Dakota County Technical College, for 13 years of service and partnership with the Apple Valley community. Mayor Hamann-Roland then presented Dr. Thomas with a certificate of recognition.

MOTION: of Grendahl, seconded by Goodwin, approving the certificate of recognition to Dr. Ron Thomas, President of the Dakota County Technical College, celebrating 13 years of service in Apple Valley and Dakota County. Ayes - 5 - Nays - 0.

Dr. Thomas said Apple Valley is an outstanding City and thanked the City Council and staff for the great working relationship.

APPOINT URBAN AFFAIRS ADVISORY COMMITTEE MEMBER

Ms. Gackstetter reviewed her memo dated July 8, 2013, listing applicants for the Urban Affairs Advisory Committee vacancy.

The Mayor called for nominations for the vacancy. Councilmember Grendahl nominated Walton Mahlum, Melissa Novak, and Teresa (Teri) Whiting. There being no further nominations, the Mayor declared the nominations closed.

MOTION: of Grendahl, seconded by Bergman, accepting the three nominations for the Urban Affairs Advisory Committee. Ayes - 5 - Nays - 0.

The City Clerk prepared ballots and distributed them to the Council who were asked to each select two names from the three nominees. After selections were made, they were tallied and the City Attorney announced that two names remained.

The City Clerk prepared ballots and the City Attorney distributed them to the Council who were asked to each select one name. After selections were made, they were tallied and the City Attorney announced that Walton Mahlum received the majority of votes.

MOTION: of Grendahl, seconded by Bergman, adopting **Resolution No. 2013-110** appointing Walton Mahlum to the Urban Affairs Advisory Committee for a term expiring March 1, 2016. Ayes - 5 - Nays - 0.

Mayor Hamann-Roland thanked all the applicants who applied and expressed interest in the position.

STAFF COMMUNICATION

Mr. Blomstrom provided an update on various road projects.

CALENDAR OF UPCOMING EVENTS

MOTION: of Hooppaw, seconded by Grendahl, approving the calendar of upcoming events as included in the City Clerk's memo dated July 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 Goodwin, to pay the claims and bills, check registers dated July 3, 2013, in the amount of \$639,734.04; and July 11, 2013, in the amount of \$2,062,617.23. Ayes - 5 - Nays - 0.

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

The meeting was adjourned at 7:31 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 7-25-13.