

CITY OF APPLE VALLEY
Dakota County, Minnesota
September 26, 2013

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held September 26, 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 Dougherty, Parks and Recreation Director Bernstein, Public Works Director Blomstrom, Assistant City Administrator Grawe, Human Resources Manager Haas, Finance Director Hedberg, City Planner Lovelace, City Engineer Manson, Police Captain Marben, Community Development Director Nordquist, Arena Manager Pietig, 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 led by Cub Scouts Paul Barrette, Brandon Brown, Ross Dershem, Apollo Islam, Jacob Field, Tyler Guderjan, and Skyler Townshend, from Den 227.

APPROVAL OF AGENDA

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

CONSENT AGENDA ITEMS

MOTION: of Hooppaw, seconded by Goodwin, approving the minutes of the regular meeting of September 12, 2013, as written. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to Sons of American Legion, Squadron 1776, for use on November 11, 2013, at the Apple Valley American

Legion, 14521 Granada Drive, and waiving any waiting period for State approval. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to Sons of American Legion, Squadron 1776, for use on December 14, 2013, at the Apple Valley American Legion, 14521 Granada Drive, and waiving any waiting period for State approval. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to Eastview Community Foundation, for use on December 14, 2013, at the Eastview High School, 4200 140th Street, and waiving any waiting period for State approval. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving issuance of a 2013 Christmas Tree Sales Lot license to William Brabec, d/b/a Silver Bell Christmas Tree Farm, for use on Lot 2, Block 1, East Valley Plaza 3rd Addition (between Upper 141st and 140th Streets), as described in the City Clerk's memo dated September 23, 2013. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving a change in officer 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 Michael J. Mrlik, II, as Interim President, Vice President, Secretary, and Treasurer; as described in the City Clerk's memo dated September 23, 2013. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the Cost Share Agreement with Dakota County, for Election Hardware, Software, and Related Services, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the Joint Powers Agreement with Dakota County, for Engineering and Trail Construction, as attached to the Public Works Director's memo dated September 23, 2013, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, authorizing the purchase of a dehumidifier from Becker Arena Products, Inc., in the amount of \$43,537.40, as described in the Director of Parks & Recreation's memo dated September 23, 2013. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the Agreement for AV Project 2013-161, Hayes Park Arena Dehumidification Unit Installation, with Cool Air

Mechanical, Inc., in the amount of \$23,790.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the Agreement for AV Project 2013-156, Hayes Park Arena Low Emissivity Ceiling, with R & R Specialties, Inc., in the amount of \$59,629.13, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, accepting AV Project 2013-130, 2013 Reconditioning and Painting of Steel Fence Sections, Fence Support Posts, and Decorative Light Poles, as complete and authorizing final payment on the agreement with Budget Sandblasting & Painting, Inc., in the amount of \$50,541.00. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, accepting Athletic Fencing Project Spring 2013, at Quarry Point Park Athletic Complex as complete and authorizing final payment on the agreement with Midwest Fence and Manufacturing Company in the amount of \$18,150.00. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, authorizing the installation of a street light within Greenleaf Park adjacent to Fordham Avenue, as described in the Public Works Director's memo dated September 23, 2013. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, adopting **Resolution 2013-132** approving the 2014 City contribution towards non-union employee and elected official group insurances. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving hiring the part time, seasonal, and full time employees, termination of employee, and promotion of employee, as listed in the Personnel Report dated September 26, 2013. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

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 6th at elementary schools in the City. The 2013 theme for Fire Prevention Week is "Prevent Kitchen Fires!". Public open houses will be held, from 6:00 to 9:00 p.m., at Fire Station No. 1 on October 8, at Fire Station No. 2 on October 9, and at Fire Station No. 3 on October 10, 2013, and everyone is invited. He then read the proclamation proclaiming Fire Prevention Week.

MOTION: of Grendahl, seconded by Hooppaw, proclaiming October 6-12, 2013, 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.

Fire Chief Thompson then thanked everyone for supporting and attending the booya event last weekend.

CORTLAND ADDITION VACATION

Mr. Lovelace reviewed the staff report on the vacation of portions of utility easements within Cortland Addition.

Mayor Hamann-Roland called the public hearing to order, at 7:13 p.m., to consider vacating portions of easements on Outlot B, Cortland Addition. The Mayor asked for questions or comments from the Council and the public. There were none and the hearing was declared closed at 7:14 p.m.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2013-133** completing vacation of utility easements on Outlot B, Cortland Addition, and authorizing the City Clerk to record the necessary documents. Ayes - 5 - Nays - 0.

COMMUNICATIONS

Mr. Grawe provided details on Apple Valley's Residential Fall Clean-up Day on September 28, 2013.

Mr. Bernstein invited everyone to "A Hole Lot of Art" at Valleywood Clubhouse on September 27, 2013, from 5:30 p.m. to 9:00 p.m.

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 23, 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 September 19, 2013, in the amount of \$2,463,831.44; and September 26, 2013, in the amount of \$843,113.30. 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 Grendahl, seconded by Hooppaw, 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 7:35 p.m. In attendance were Mayor Hamann-Roland; Councilmembers Bergman, Goodwin, Grendahl, and Hooppaw; City Administrator Lawell; City Clerk Gackstetter; Human Resources Manager Haas; Parks and Recreation Director Bernstein, Public Works Director Blomstrom; Police Captain Marben, and Police Chief Rechtzigel. The meeting was tape recorded as required by law. The Council reconvened in open session at 8:37 p.m.

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

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

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 10-10-13.