

CITY OF APPLE VALLEY
Dakota County, Minnesota
November 7, 2013

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

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

ABSENT: Councilmember Bergman.

City staff members present were: City Administrator Lawell, City Clerk Gackstetter, City Attorney Dougherty, Parks and Recreation Director Bernstein, Public Works Director Blomstrom, Planner Bodmer, 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 7:00 p.m. Everyone took part in the Pledge of Allegiance to the flag.

APPROVAL OF AGENDA

MOTION: of Goodwin, seconded by Grendahl, removing item 5.B.1 – ApplianceSmart: Resolution Approving Conditional Use Permit for On-Sale Liquor, and approving the agenda for tonight's meeting, as amended. 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 Hooppaw, seconded by Grendahl, approving all items on the consent agenda with no exceptions. Ayes - 4 - Nays - 0.

CONSENT AGENDA ITEMS

MOTION: of Hooppaw, seconded by Grendahl, approving the minutes of the regular meeting of October 24, 2013, as written. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Grendahl, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to Dakota County Voiture 1457, for use on March 17, 2014, at the Apple Valley American Legion, 14521

Granada Drive, and waiving any waiting period for State approval. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Grendahl, approving a change in manager for Blazin Wings, Inc., d/b/a Buffalo Wild Wings Grill and Bar, in connection with the On-Sale Intoxicating Liquor License and Special License for Sunday Liquor Sales at 14658 Cedar Avenue, Ste. D, naming Kristin Kay Schumacher as General Manager; as described in the City Clerk's memo dated November 4, 2013. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Grendahl, approving the change in officers and manager 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 David A. Riha as Second Vice Commander, Robert I. Jarvi as Operations Group - 2015, Tamara S. Riha as Historian, Joseph R. Tappainer, Jr., as Chaplain, and Joan L. Guse as Business Manager, as described in the City Clerk's memo dated November 4, 2013. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Grendahl, approving 2014 rates for City Attorney Services, as attached to the Assistant City Administrator's memo dated November 7, 2013. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Grendahl, authorizing participation in the 2014 Fixed Price Fuel Program with State of Minnesota, as attached in the Public Works Supervisor's memo, and authorizing the Public Works Director to sign the necessary documents. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Grendahl, adopting **Resolution No. 2013-149** approving submission of the Apple Valley, Burnsville, and Eagan 2014 Funding Application to Dakota County, in the amount of \$173,604.00, to operate a joint recycling program; and authorizing execution of the necessary documents. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Grendahl, approving the release of financial guarantee for Cobblestone Lake South Shore 6th Addition, as listed in the Community Development Department Assistant's memo dated November 7, 2013. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Grendahl, accepting AV Project 2013-106, Nordic Reservoir Intermediate Rehabilitation, as complete and authorizing final payment on the contract with Champion Coatings, Inc., in the amount of \$4,800.00. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Grendahl, approving hiring the seasonal, full time, and part time employees, resignation of employees, and promotion of employee, as listed in the Personnel Report dated November 7, 2013. Ayes - 4 - Nays - 0.

END OF CONSENT AGENDA

ISD 196 ECFE, ECSE, ABE BUILDING

Ms. Bodmer reviewed the request by Independent School District 196 for a subdivision by preliminary plat of a 13.7-acre parcel into two lots and a site plan review and building permit authorization to construct a 2-story building for Early Childhood Family Education (ECFE), Early Childhood Special Education (ECSE), and Adult Basic Education (ABE) at 14445 Diamond Path. She then summarized the staff report and reviewed the actions and comments from the Planning Commission.

MOTION: of Goodwin, seconded by Grendahl, waiving the procedure for a second reading and passing **Ordinance No. 952** repealing Ordinance 433 regarding the official mapping of Drake Path and Tintah Park expansion. Ayes - 4 - Nays - 0.

MOTION: of Grendahl, seconded by Hooppaw, adopting **Resolution No. 2013-150** approving the preliminary plat of Rosemount School District 2nd Addition, with conditions as recommended by the Planning Commission. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Grendahl, adopting **Resolution No. 2013-151** approving the site plan and authorizing issuance of a building permit for construction of a 2-story, 52,000 square foot building on 14445 Diamond Path, with conditions as recommended by the Planning Commission. Ayes - 4 - Nays - 0.

APPLIANCESMART

Mr. Lovelace reviewed the application by ApplianceSmart for a Conditional Use Permit for On-Sale Liquor in conjunction with a restaurant and a site plan review and building permit authorization to allow for construction of a 6,364 square foot addition at 7370 153rd Street W. The Planning Commission reviewed this item on November 6, 2013, and recommended approval with conditions. He noted the public hearing and request for action on the Conditional Use Permit will be considered at the next City Council meeting.

MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution No. 2013-152** approving the site plan and authorizing issuance of a building permit for construction of a 6,364 square foot addition on Lot 2, Block 1, Apple Valley Retail Second Addition, with conditions as recommended by the Planning Commission. Ayes - 4 - Nays - 0.

ECONOMIC DEVELOPMENT AUTHORITY APPOINTMENT

Mr. Nordquist introduced this item.

MOTION: of Grendahl, seconded by Goodwin, appointing Mike Maguire to fill the vacancy on the Economic Development Authority (EDA) Board. Ayes - 4 - Nays - 0.

COMMUNICATIONS

Fire Chief Thompson reminded everyone that the City Code prohibits burning of leaves.

Mr. Blomstrom commented on two newspaper articles that addressed roadway conditions and maintenance.

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 4, 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 Goodwin, seconded by Grendahl, to pay the claims and bills, check registers dated October 31, 2013, in the amount of \$992,847.88, and November 7, 2013, in the amount of \$920,158.70. Ayes - 4 - Nays - 0.

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

The meeting was adjourned at 7:42 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 11-26-13.