

CITY OF APPLE VALLEY
Dakota County, Minnesota
January 9, 2014

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held January 9th, 2014, 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, Planner Bodmer, Planner Dykes, Assistant City Administrator Grawe, Human Resources Manager Haas, Finance Director Hedberg, City Planner Lovelace, City Engineer Manson, Community Development Director Nordquist, Police Chief Rechtzigel, Police Captain Scott, 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 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 Goodwin, seconded by Hooppaw, approving all items on the consent agenda with no exceptions. Ayes - 5 - Nays - 0.

CONSENT AGENDA ITEMS

MOTION: of Goodwin, seconded by Hooppaw, approving the minutes of the regular meeting of December 26, 2013, as written. Ayes - 4 - Nays - 0 - Abstain - 1 (Hamann-Roland).

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MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2014-1** accepting, with thanks, the donation of \$10,000.00 from Apple Valley American Legion, Post 1776, for bleachers at Legion Field. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, approving the manager for Smashburger Acquisition Minneapolis, LLC, d/b/a Smashburger #1317, in connection with the On-Sale Wine and 3.2 Percent Malt Liquor Licenses at 7394 153rd Street W., Ste. 100, naming Robert Thomas Halberg as General Manager, as described in the City Clerk's memo dated January 6, 2014. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2014-2** designating *Apple Valley Sun Thisweek* as the official newspaper of the City of Apple Valley for the year 2014. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2014-3** designating Anchor Bank of Apple Valley as the official depository for City funds for the year 2014. Ayes - 4 - Nays - 0 - Abstain - 1 (Hooppaw).

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2014-4** designating additional depositories and financial security dealers for City funds for the year 2014: 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 Hooppaw, authorizing the distribution of various promotional materials for high school senior class parties, as described in the Parks and Recreation Director's memo dated January 3, 2014. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, authorizing 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 2014, as described in the Park and Recreation Director's memo dated January 6, 2014. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2014-5** approving submitting the application for Fiscal Year 2014 Dakota County Community Development Block Grant (CDBG) funding of \$114,308.00 for the Housing Revolving Loan Program and DARTS Outdoor Chore Service and Homemaking Service Programs. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2014-6** restricting parking along Garden View Drive adjacent to Westview Elementary School. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, approving the reduction of financial guarantees for Apple Valley East Family 2nd Addition from \$825,015.00 to \$165,000.00; and Cortland Second Addition from \$805,475.00 to \$161,095.00, as listed in the Community Development Department Assistant's memo dated January 9, 2014. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, authorizing cost participation for curlyleaf pondweed treatment using aquatic herbicide in Lake Alimagnet, subject to permit approval by the Minnesota Department of Natural Resources, as described in the Natural Resources Coordinator's memo dated January 9, 2014. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution 2014-7** authorizing acquisition of tax forfeited properties in the Central Village West Area of Apple Valley. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, approving the agreement for AV Project 2014-106, 2014-2015 Lease of (7) 72" Mowers, with Frontier Ag & Turf, in the amount of \$71,223.46, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, accepting AV Project 2013-108, Electrical Generator Emissions Improvements, as complete and authorizing final payment on the agreement with NAC Mechanical & Electrical Services, in the amount of \$6,184.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, appointing Mary Hamann-Roland and Pamela Gackstetter as statutory members to the Apple Valley Firefighters Relief Association Board of Trustees for the year 2014, as described in the City Clerk's memo dated January 6, 2014. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, approving the promotion of employee, termination of employee, and resignation of employee, as listed in the Personnel Report dated January 9, 2014. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

ALLINA LIFE SAVER AWARDS

Fire Chief Thompson and Dr. Charles Lick, of Allina Health, described life-saving procedures taken in response to a medical call on October 10, 2013. Mr. Marty Burley, the survivor, thanked those responsible for saving his life. Life Saver Awards were presented to bystanders Karen Mataya and Hannah Wilhelm, DDC Dispatcher Stacie Theis, Police Sergeant Greg Dahlstrom, Police Officer Joel Horazuk, Fire Captain Matt Nelson, Firefighter Andy Tindell, Allina Paramedics Brian Nagel and Andrew Rinerson, and Cardiologist Dr. Sara Murray.

QUARRY PONDS

Mr. Lovelace reviewed the request by Arcon Land II, LLC, and Fischer Sand and Aggregate, LLP, for an amendment to the 2030 Comprehensive Plan Land Use Map redesignating approximately 26.77 acres of unplatted property from “MD” (Medium Density Residential/6-12 units per acre) to “DL” (Low Density Residential/2-6 units per acre), rezoning of approximately 46 acres of land from “SG” (Sand and Gravel) to “PD” (Planned Development) and the subdivision by plat of 56.64 acres of land into 76 single-family residential lots and 5 outlots. The Metropolitan Council reviewed and approved the proposed amendment to the 2030 Land Use Map.

Discussion followed.

MOTION: of Hooppaw, seconded by Grendahl, adopting **Resolution No. 2014-8** approving amending the 2030 Land Use Guide Map of the Comprehensive Plan redesignating 26.77 acres from “MD” (Medium Density Residential/6-12 units per acre) to “DL” (Low Density Residential/2-6 units per acre), as approved by the Metropolitan Council. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving rezoning property from “SG” (Sand and Gravel) to “PD” (Planned Development), as recommended by the Planning Commission, and directing staff to prepare ordinance amendments for a Planned Development. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, adopting **Resolution No. 2014-9** approving the preliminary plat of Quarry Ponds, with conditions as recommended by the Planning Commission. Ayes - 5 - Nays - 0.

ORDINANCE AMENDING FALSE ALARMS AND ALARM SYSTEMS

Fire Chief Thompson gave the first reading of an ordinance amending Chapter 130 of the City Code regulating false alarms and alarm systems. The ordinance was prepared by the City Attorney. The Council accepted the first reading. The second reading will be January 23, 2014.

2014 ACTING MAYOR

MOTION: of Grendahl, seconded by Hooppaw, adopting **Resolution No. 2014-10** appointing Councilmember Goodwin to serve as Acting Mayor, in the absence of the Mayor, for the year 2014. Ayes - 5 - Nays - 0.

Mayor Hamann-Roland thanked Councilmember Goodwin for his leadership.

DAKOTA COMMUNICATIONS CENTER APPOINTMENTS

Mr. Lawell said as part of the Dakota Communications Center (DCC) Joint Powers Agreement Organization, the City is requested to appoint Primary and Alternate Representatives to the DCC Board of Directors as well as various other positions. The appointments would be for a two-year term commencing January 2014.

MOTION: of Grendahl, seconded by Goodwin, appointing Councilmember Bergman Primary Director and Councilmember Hooppaw Alternate Director to the Dakota Communications Center (DCC) Board, and appointing Tom Lawell as DCC Executive Committee Primary Member, Charles Grawe as DCC Executive Committee Alternate Member, Jon Rehtzigel as DCC Police Operations Committee Primary Member, Mitch Scott as DCC Police Operations Committee Alternate Member, Nealon Thompson as DCC Fire Operations Committee Primary Member, and Chuck Russell as DCC Fire Operations Committee Alternate Member, all for a two-year term commencing January 2014. Ayes - 5 - Nays - 0.

COMMITTEE APPOINTMENTS

Mr. Lawell reviewed the list summarizing the City Council's 2014 appointments and/or membership to various committees.

MOTION: of Hamann-Roland, seconded by Grendahl, acknowledging the 2014 City Council committee assignments. Ayes - 5 - Nays - 0.

COMMUNICATIONS

Mr. Lawell congratulated Barry Bernstein for receiving the 2013 Jack Niles Award presented by the Minnesota Recreation and Park Association. The Council congratulated Mr. Bernstein on receiving this prestigious award.

CALENDAR OF UPCOMING EVENTS

MOTION: of Grendahl, seconded by Bergman, approving the calendar of upcoming events as included in the City Clerk's memo dated January 9, 2014, 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 January 2, 2014, in the amount of \$858,879.86, and January 9, 2014, in the amount of \$1,755,005.82. Ayes - 5 - Nays - 0.

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

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The meeting was adjourned at 7:47 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 1-23-14.