

CITY OF APPLE VALLEY
Dakota County, Minnesota
February 27, 2014

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held February 27, 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, City Planner Lovelace, 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 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. 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 Bergman, seconded by Goodwin, approving all items on the consent agenda with no exceptions. Ayes - 5 - Nays - 0.

CONSENT AGENDA ITEMS

MOTION: of Bergman, seconded by Goodwin, approving the minutes of the regular meeting of February 13, 2014, as written. Ayes - 4 - Nays - 0 - Abstain - 1 (Goodwin).

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2014-24**, setting a public hearing on March 27, 2014, at 7:00 p.m., for renewal of the 2014 On-Sale Intoxicating Liquor and Special License for Sunday Liquor sales by UASanders, LLC, d/b/a Panino Brothers, through June 30, 2014. Ayes - 5 - Nays - 0.

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- MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2014-25**, approving the site plan and authorizing issuance of a building permit to relocate the Independent School District 196 fuel dispensing facility, located at 14445 Diamond Path, with conditions as recommended by the Planning Commission. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2014-26**, approving submittal to the Metropolitan Council of an amendment to the 2030 Land Use Map of the Comprehensive Plan to re-designate Outlot E, Cortland, from “MD” (Medium Density Residential/6-12 units per acre) to “LD” (Low Density Residential/2-6 units per acre). Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, approving the Design Agreement with D.R. Horton, Inc.-Minnesota, for design services relating to AV Project 2014-112, Cortland 3rd Addition, and authorizing the Mayor and City Clerk to sign. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, approving South Metro Joint Powers Agreement for Roadway Maintenance Services with the City of Burnsville and other south metropolitan local government units, as attached to the Public Work’s Superintendent’s memo dated February 27, 2014, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, approving the Agreement to Provide Volunteer Coordination Services, with the Cities of West St. Paul, Inver Grove Heights, and Rosemount, as attached to the Human Resources Manager’s memo dated February 24, 2014, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, approving the Agreement for Municipal Center Surveillance and Camera System, with General Security Services Corporation, in the amount of \$45,085.08, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, approving the Agreement for AV Project 2013-135, Central Maintenance Facility – HVAC Improvements, with Nordic Services, in the amount of \$59,992.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2014-27**, amending the 2014 Pay and Benefit Plan, adding the position of Plumbing/Mechanical Specialist. Ayes - 5 - Nays - 0.
- MOTION: of Bergman, seconded by Goodwin, approving hiring the seasonal and part time employees and resignation of employee, as listed in the Personnel Report dated February 26, 2014. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

SUPER WORLD BUFFET ON-SALE WINE AND 3.2 PERCENT MALT LIQUOR LICENSES

Ms. Gackstetter reviewed the application by Super World Buffet, Inc., d/b/a Super World Buffet for On-Sale Wine and 3.2 Percent Malt Liquor licenses as described in her memo dated February 24, 2014. She noted receipt of the affidavit of publication of the hearing notice. The restaurant is located at 15050 Cedar Avenue, Ste. 111. She stated the Police and Fire Departments completed the necessary background and site investigations and found no reason the license could not be authorized at this time.

Mayor Hamann-Roland called the public hearing to order at 7:05 p.m. to consider the application of Super World Buffet, Inc., d/b/a Super World Buffet, for On-Sale Wine and 3.2 Percent Malt Liquor licenses. The Mayor asked for questions or comments from the Council and the audience. There were none and the hearing was declared closed at 7:06 p.m.

MOTION: of Hooppaw, seconded by Grendahl, adopting **Resolution No. 2014-28** approving issuance of 2014 On-Sale Wine and 3.2 Percent Malt Liquor licenses to Super World Buffet, Inc., d/b/a Super World Buffet, for premises located at 15050 Cedar Avenue, Ste. 111, subject to approval of the On-Sale Wine license by the Minnesota Commissioner of Public Safety. Ayes - 5 - Nays - 0.

ORDINANCES AMENDING CHAPTERS 91 AND 155

Ms. Dykes gave the first reading of two ordinances amending Chapter 91 (Animals) and Chapter 155 (Zoning) of the City Code. The proposed amendments regulate the keeping of animals in residential zoning districts. She noted the Urban Affairs Committee reviewed the subject at six public meetings and the Planning Commission held a public hearing on the zoning component at one of its meetings.

Discussion followed.

MOTION: of Grendahl, seconded by Goodwin, waiving the procedure for a second reading and passing **Ordinance No. 961** amending Chapter 91 of the City Code, regulating the keeping of animals; **Ordinance No. 962** amending Chapter 155 of the City Code, regulating household pets and the keeping of animals in residential districts. Ayes - 5 - Nays - 0.

REAPPOINT COMMISSION & COMMITTEE MEMBERS

Ms. Gackstetter reviewed her memo dated February 27, 2014, regarding the reappointment of Commissioners and Committee Members with terms expiring March 1, 2014. She noted all members have indicated their interest in serving an additional term.

MOTION: of Hooppaw, seconded by Goodwin, adopting **Resolution No. 2014-29** reappointing Nancy Anderson, David Brueshoff, and Alan Kohls to the Cemetery Advisory Committee for a term expiring March 1, 2017; **No. 2014-30** reappointing Lee Strom and Patrick Sullivan, Jr., to the Parks and Recreation Advisory Committee for a term expiring March 1, 2017; **No. 2014-31** reappointing Keith Diekmann, David Schindler, and Brian Wasserman to the Planning Commission for a term expiring March 1, 2017; **No. 2014-32** reappointing Dale Rodell and David Westbrook to the Telecommunications Advisory Committee for a term expiring March 1, 2017; **No. 2014-33** reappointing Mitch Scott and Arthur Zimmerman to the Traffic Safety Advisory Committee for a term expiring March 1, 2017; and **No. 2014-34** reappointing Pamela Sohlberg and Earl Wilson to the Urban Affairs Advisory Committee for a term expiring March 1, 2017. Ayes - 5 - Nays - 0.

The Council congratulated the reappointees and extended thanks to all Commissioners and Committee Members for their valuable services.

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 February 25, 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 Goodwin, seconded by Grendahl, to pay the claims and bills, check registers dated February 20, 2014, in the amount of \$691,994.25, and February 27, 2014, in the amount of \$1,753,994.45. Ayes - 5 - Nays - 0.

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

The meeting was adjourned at 7:25 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 3-13-14.