

CITY OF APPLE VALLEY  
Dakota County, Minnesota  
March 13, 2014

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held March 13, 2014, at 7:00 o'clock p.m., at Apple Valley Municipal Center.

PRESENT: Mayor Hamann-Roland; Councilmembers Bergman and Hooppaw.

ABSENT: Councilmembers Goodwin and Grendahl.

City staff members present were: City Administrator Lawell, City Clerk Gackstetter, City Attorney Dougherty, Parks and Recreation Director Bernstein, Public Works Director Blomstrom, Human Resources Manager Haas, Finance Director Hedberg, City Planner Lovelace, City Engineer Manson, 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 Hooppaw, seconded by Bergman, approving the agenda for tonight's meeting, as presented. Ayes - 3 - 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 Hooppaw, approving all items on the consent agenda with no exceptions. Ayes - 3 - Nays - 0.

#### CONSENT AGENDA ITEMS

MOTION: of Bergman, seconded by Hooppaw, approving the minutes of the regular meeting of February 27, 2014, as written. Ayes - 3 - Nays - 0.

MOTION: of Bergman, seconded by Hooppaw, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to American Legion Auxiliary, Unit 1776, for use on the revised date of November 8, 2014, at the Apple Valley American Legion, 14521 Granada Drive, and waiving any waiting period for State approval. Ayes - 3 - Nays - 0.

CITY OF APPLE VALLEY

Dakota County, Minnesota

March 13, 2014

Page 2

- MOTION: of Bergman, seconded by Hooppaw, approving a change in officer 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 Scott Allan Crane, as President and CEO; as described in the City Clerk's memo dated March 10, 2014. Ayes - 3 - Nays - 0.
- MOTION: of Bergman, seconded by Hooppaw, approving the 2014 excavation permit for commercial sand and gravel mining operations by Fischer Sand & Aggregate, LLP, as described in the City Planner's memo dated March 10, 2014. Ayes - 3 - Nays - 0.
- MOTION: of Bergman, seconded by Hooppaw, receiving the Telecommunications Advisory Committee 2013 annual report. Ayes - 3 - Nays - 0.
- MOTION: of Bergman, seconded by Hooppaw, adopting **Resolution No. 2014-35**, providing for the competitive negotiated sale of \$9,700,000.00 General Obligation Bonds, Series 2014A. Ayes - 3 - Nays - 0.
- MOTION: of Bergman, seconded by Hooppaw, approving the Financial Advisory Service Agreement with Northland Securities, Inc. Ayes - 3 - Nays - 0.
- MOTION: of Bergman, seconded by Hooppaw, authorizing the expenditure of \$5,000.00 from the 2014 Council Contingency Fund for DARTS senior transportation services pilot program, as described in the City Administrator's memo dated March 10, 2014. Ayes - 3 - Nays - 0.
- MOTION: of Bergman, seconded by Hooppaw, adopting **Resolution No. 2014-36**, amending the 2013 Budget for Property Tax Levy related to the Road Improvement Fund. Ayes - 3 - Nays - 0.
- MOTION: of Bergman, seconded by Hooppaw, adopting **Resolution No. 2014-37**, amending the 2014 Budget. Ayes - 3 - Nays - 0.
- MOTION: of Bergman, seconded by Hooppaw, approving the Change in Scope of Services to the Joint Powers Agreement for Lake Management Activities with the City of Burnsville, as attached to the Natural Resources Coordinator's memo dated March 13, 2014, and authorizing the Public Work's Director to sign the same. Ayes - 3 - Nays - 0.
- MOTION: of Bergman, seconded by Hooppaw, authorizing removal of the existing Cobblestone Lake pier and approving the installation of a floating pier, as described in the Parks and Recreation Director's memo dated March 13, 2014. Ayes - 3 - Nays - 0.
- MOTION: of Bergman, seconded by Hooppaw, approving the Purchasing Agent Agreement with Egan Company, for street light poles and fixtures for the Cedar Avenue

Corridor, in the amount of \$38,724.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 3 - Nays - 0.

MOTION: of Bergman seconded by Hooppaw, adopting **Resolution No. 2014-38**, awarding the contract for AV Project 2014-101, 2014 Street Improvements, to McNamara Contracting, Inc., the lowest responsible bidder, in the amount of \$2,940,494.25. Ayes - 3 - Nays - 0.

MOTION: of Bergman seconded by Hooppaw, adopting **Resolution No. 2014-39**, awarding the contract for AV Project 2014-102, 2014 Street and Utility Reconstruction, to McNamara Contracting, Inc., the lowest responsible bidder, in the amount of \$2,647,867.25. Ayes - 3 - Nays - 0.

MOTION: of Bergman, seconded by Hooppaw, approving Change Order No. 1 to the contract with Hawkins, Inc., for AV Project 2014-107, 2014 Water Treatment Chemicals, resulting in no change to the contract amount. Ayes - 3 - Nays - 0.

MOTION: of Bergman, seconded by Hooppaw, approving Change Order No. 1 to the agreement with Yamaha Golf & Utility, in the amount of an additional \$341.79, and accepting Computerized Central Control System as complete and authorizing final payment in the amount of \$16,410.54. Ayes - 3 - Nays - 0.

MOTION: of Bergman, seconded by Hooppaw, approving hiring the seasonal employees, promotion of employees, and resignation of employee, as listed in the Personnel Report dated March 13, 2014. Ayes - 3 - Nays - 0.

#### END OF CONSENT AGENDA

#### CROOKED PINT ALE HOUSE ON-SALE LIQUOR LICENSES

Ms. Gackstetter reviewed the application by DDJ Crooked Pint Apple Valley, Inc., d/b/a Crooked Pint Ale House for On-Sale Intoxicating Liquor and Special License for Sunday Liquor Sales as described in her memo dated March 10, 2014. She noted receipt of the affidavit of publication of the hearing notice. The restaurant is located at 15668 Pilot Knob Road. 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 by DDJ Crooked Pint Apple Valley, Inc., d/b/a Crooked Pint Ale House, for On-Sale Intoxicating Liquor and Special License for Sunday Liquor Sales. 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 Hamann-Roland, adopting **Resolution No. 2014-40** approving issuance of a 2014 On-Sale Intoxicating Liquor License and Special License for Sunday Liquor Sales to DDJ Crooked Pint Apple Valley, Inc., d/b/a

Crooked Pint Ale House, for premises located at 15668 Pilot Knob Road. Ayes - 3  
- Nays - 0.

Mr. Dan Peterson, Crooked Pint representative, and Mr. Michael Thompson, General Manager, spoke about their concept and menu and invited the public to stop in.

Mayor Hamann-Roland welcomed Crooked Pint Ale House to Apple Valley.

#### CALENDAR OF UPCOMING EVENTS

MOTION: of Hooppaw, seconded by Bergman, approving the calendar of upcoming events as included in the City Clerk's memo dated March 10, 2014, and noting that each event listed is hereby deemed a Special Meeting of the City Council. Ayes - 3 - Nays - 0.

#### CLAIMS AND BILLS

MOTION: of Bergman, seconded by Hooppaw, to pay the claims and bills, check registers dated March 6, 2014, in the amount of \$702,556.18, and March 13, 2014, in the amount of \$802,995.59. Ayes - 3 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, to adjourn. Ayes - 3 - Nays - 0.

The meeting was adjourned at 7:20 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 03-27-14.