

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

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held March 27th, 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 Maintenance Superintendent Adamini, Public Works Director Blomstrom, Assistant City Administrator Grawe, Human Resources Manager Haas, Finance Director Hedberg, 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 Hooppaw, 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 Grendahl, seconded by Goodwin, moving consideration of item 4.N – Adopt Resolution Establishing School Zone Speed Limit on Flagstaff Avenue, to the regular agenda and approving all remaining items on the consent agenda. Ayes - 5 - Nays - 0.

#### CONSENT AGENDA ITEMS

MOTION: of Grendahl, seconded by Goodwin, approving the minutes of the regular meeting of March 13, 2014, as written. Ayes - 3 - Nays - 0 Abstain - 2 (Goodwin and Grendahl).

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MOTION: of Grendahl, seconded by Goodwin, adopting **Resolution No. 2014-41** accepting, with thanks, the donation of \$300.00 in gift cards from Buffalo Wild Wings for use by Parks and Recreation Department. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to Christopher Goeke Leadership Foundation, for use on May 3, 2014, at Johnny Cake Ridge Park West, 14139 Johnny Cake Ridge Road, and waiving any waiting period for State approval. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, approving a change in manager for Smashburger Acquisition of Minneapolis, LLC, d/b/a Smashburger #1317, in connection with the On-Sale 3.2 Percent Malt Liquor and Wine Licenses, at 7394 153rd Street W., naming Matthew H. Milliman as General Manager; as described in the City Clerk's memo. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, authorizing issuance of a 1 to 4 Day Temporary On-Sale Liquor License to Apple Valley American Legion, Post 1776, by Minnesota Alcohol and Gambling Enforcement Division, for use on July 4, 2014, outdoors at American Legion, 14521 Granada Drive, as described in the City Clerk's memo. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, approving submittal of CenterPoint Energy Community Partnership Grant application, in an amount of up to \$2,500.00, with a 50-50 match, for 87 Gerber Crucial multi-purpose tools, as described in the Fire Chief's memo dated March 21, 2014. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, receiving the Urban Affairs Advisory Committee's 2013 annual report. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, adopting **Resolution No. 2014-42** approving the interfund transfers between funds. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, approving renewal of the City's general liability, property, automobile, workers' compensation, umbrella, and other insurance coverage for March 1, 2014, through March 1, 2015, with the League of Minnesota Cities Insurance Trust at a total premium of \$988,832.00, including the non-waiver of statutory liability limits for the City's insurance, as recommended in the Finance Director's memo dated March 18, 2014. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, approving renewal of the Client Service Agreement with Bill Velin of Wells Fargo Insurance Services USA, Inc., acting as the Agent of Record for 2014-2015, in the amount of \$8,000.00, as recommended in the Finance Director's memo March 21, 2014. Ayes - 5 - Nays - 0.

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MOTION: of Grendahl, seconded by Goodwin, adopting **Resolution No. 2014-43** authorizing the acquisition of land for street, utility, and park purposes through the use of eminent domain. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, approving the 2014 schedules of billing rates for Braun Intertec and Northern Technologies, Inc., as attached to the City Engineer's memo dated March 27, 2014. Ayes -5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, adopting **Resolution No. 2014-44** establishing additional restrictions as to the weight of vehicles on City streets. Ayes -5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, adopting **Resolution No. 2014-46** approving plans and specifications for AV Project 2014-127, Ice Resurfacing Machine, and authorizing advertising for receipt of bids, at 10:00 a.m., on April 17, 2014. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, authorizing the award of contracts to the lowest responsible bidders for the Joint Powers Agreement with the City of Burnsville for 2014 South Metro Cities for Street Maintenance Services, as attached to the Public Works Superintendent's memo dated March 27, 2014. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, approving State of Minnesota Grant Contract for harvesting curlyleaf pondweed from Farquar Lake, as attached to the Natural Resource Coordinator's memo, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, approving the contract for Apple Valley Municipal Center Counter Remodel project with Fendler Patterson Construction, Inc., in the amount of \$45,460.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, approving the Agreement for AV Project 2014-128, 2014 Outdoor Pool Water Management, with Hawkins, Inc., in the amount of \$79,859.67, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Goodwin, approving hiring the seasonal, and full time employees, promotion of employees, and resignation of employee, as listed in the Personnel Report dated March 27, 2014. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

SCHOOL ZONE SPEED LIMIT ALONG FLAGSTAFF AVENUE

Councilmember Bergman asked if the proposed school zone speed limit should be in effect from September 1 through June 15 instead of all year. He further inquired about the speed limit on 140th Street in front of Central Maintenance Facility and Eastview High School as well as the speed limit adjacent to Falcon Ridge School.

Mr. Blomstrom explained that the Minnesota Department of Transportation (MnDOT) determined the speed. He reported that both the City and school district provided a written appeal to MnDOT to no avail. He then provided the reasoning behind the proposed school zone speed limit signage.

Discussion followed.

MOTION: of Grendahl, seconded by Bergman, adopting **Resolution No. 2014-45** establishing a school zone speed limit along Flagstaff Avenue. Ayes - 5 - Nays - 0.

PANINO BROTHERS ON-SALE LIQUOR LICENSE RENEWAL

Ms. Gackstetter reviewed the renewal application by UASanders, LLC, d/b/a Panino Brothers for On-Sale Intoxicating Liquor and Special License for Sunday Liquor Sales through June 30, 2014, as described in her memo. The restaurant is located at 7083 153rd Street W., Ste. 1. She noted receipt of the affidavit of publication of the hearing notice. The Police and Fire Departments completed annual background and site investigations and noted nothing that would preclude renewing the licenses. The City Clerk checked the Minnesota Department of Revenue's delinquent taxpayers list and the licensee is not listed.

Mayor Hamann-Roland called the public hearing to order at 7:20 p.m. to consider the application by UASanders, LLC, d/b/a Panino Brothers, 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 7:21 p.m.

MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution No. 2014-47** approving issuance of a 2014 On-Sale Intoxicating Liquor License and Special License for Sunday Liquor Sales to UASanders, LLC, d/b/a Panino Brothers, for premises located at 7083 153rd Street W., Ste. 1, for the period of April 1, 2014, through June 30, 2014. Ayes - 5 - Nays - 0.

COMMUNICATIONS

Mr. Lawell reported on the City's "AAA Stable" bond rating as received from Standard & Poor's Rating Service.

The City Council commented on the importance of this high rating and expressed their appreciation to all involved.

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 March 24, 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 March 20, 2014, in the amount of \$756,864.72, and March 27, 2014, in the amount of \$4,229,472.23. Ayes - 5 - Nays - 0.

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

The meeting was adjourned at 7:37 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 4-10-14.