

CITY OF APPLE VALLEY
Dakota County, Minnesota
April 24, 2014

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held April 24, 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 Engineer Manson, Community Development Director Nordquist, 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 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.

Mr. Ed Kearney, Apple Valley Chamber President, thanked the City Council and staff for helping to set up and promote the Home and Garden Show.

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 Bergman, approving all items on the consent agenda with no exceptions. Ayes - 5 - Nays - 0.

CONSENT AGENDA ITEMS

MOTION: of Goodwin, seconded by Bergman, approving the minutes of the regular meeting of April 10, 2014, as written. Ayes - 5 - Nays - 0.

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MOTION: of Goodwin, seconded by Bergman, approving a change in manager for GSTL Investments, LLC, d/b/a Valley Tap House, in connection with the On-Sale Intoxicating Liquor License and Special License for Sunday Liquor Sales at 14889 Florence Trail, naming Anthony Burton-Jackson Druck as General Manager; as described in the City Clerk's memo. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2014-53** approving 2014 Special Assessment Roll No. 625, for hearing purposes, in the total amount of \$168,682.71 for delinquent utility accounts, and setting the public hearing, at 7:00 p.m., on May 22, 2014. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2014-54** approving 2014 Special Assessment Roll No. 626, for hearing purposes, in the total amount of \$1,470.00 for delinquent false alarms, and setting the public hearing, at 7:00 p.m., on May 22, 2014. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2014-55** approving 2014 Special Assessment Roll No. 627, for hearing purposes, in the total amount of \$1,142.45 for delinquent mowing and snow removal, and setting the public hearing, at 7:00 p.m., on May 22, 2014. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2014-56** approving the Public Works Department Policy Manual, Section 5.04 – High Visibility Clothing. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, authorizing submittal of a 2014 Metropolitan Council Livable Communities Demonstration Account (LCDA) pre-application grant. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, authorizing submittal of comments on Metropolitan Council Draft Thrive MSP 2040 Regional Development Plan, as attached to the Community Development Director's memo. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the Addendum to Professional Services Agreement for Inspection of Electrical Installations, with Midwest Electrical Technologies, Inc., at no additional cost, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving First Amendment to Lease Agreement with Verizon Wireless LLC, at Valleywood Reservoir, 4851 McAndrews Road, contingent on approval of final plans by the City Administrator and City Attorney, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

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MOTION: of Goodwin, seconded by Bergman, approving the contract for AV Project 2014-119, 2014 Sealing of Decorative Concrete, Colored Sidewalks, and Block Retaining Walls, with Clean 'N Seal, LLC, in the amount of \$8,750.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the contract for AV Project 2014-116, 2014 Concrete Raising and Leveling Services, with Northstar Mudjacking Specialists, Inc., in the amount of \$9,573.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the contract for AV Project 2014-117, 2014 Concrete Removal and Replacement Services, with Ron Kassa Construction, Inc., in the amount of \$20,200.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2014-57** awarding the contract for AV Project 2014-127, Ice Resurfacing Machine, to CTM Services, Inc., the lowest responsible bidder, in the amount of \$129,407.50. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting AV Project 2013-143, 2013 Lift Station Control and SCADA Upgrades, as complete and authorizing final payment on the contract with Automatic Systems Company, in the amount of \$48,300.64. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting AV Project 2013-161, Hayes Park Arena Dehumidification Unit Installation, as complete and authorizing final payment on the contract with Cool Air Mechanical, Inc., in the amount of \$23,797.00. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting AV Project 2013-101, Greenleaf Street and Utility Improvements, as complete and authorizing final payment on the contract with LaTour Construction, Inc., in the amount of \$130,999.39. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, accepting AV Project 2013-167, 2014 Ash Tree Removals, as complete and authorizing final payment on the contract with St. Croix Tree Service, Inc., in the amount of \$575.50. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving hiring the seasonal, part time, and full time employees, acting assignment of employees, and resignation of employee, as listed in the Personnel Report dated April 24, 2014. Ayes - 4 - Nays - 0 - Abstain - 1 (Hamann-Roland).

END OF CONSENT AGENDA

INTRODUCTION OF FIREFIGHTERS DERAAS, GUDERJAN, PURVES, & REILLY

Fire Chief Thompson introduced probationary Firefighters Paul Deraas, Jennifer Guderjan, Eric Purves, and Bill Reilly to the Council. The City Clerk administered the oaths of office. Individuals selected by each Firefighter then pinned their badge. The Council congratulated Firefighters Deraas, Guderjan, Purves, and Reilly and welcomed them to their new positions on the Fire Department.

CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

Mr. Hedberg introduced Ms. Brenda Davitt, Minnesota Government Finance Officers Association representative.

Ms. Davitt presented the City with a Certificate of Achievement for Excellence in Financial Reporting for its comprehensive annual financial report for the fiscal year ending December 31, 2012.

The City Council commended Mr. Hedberg and the Finance Department for achieving this prestigious award.

SALE OF CITY GENERAL OBLIGATION BONDS

Mr. Hedberg introduced Steve Mattson and Tammy Omdal, of Northland Securities.

Steve Mattson distributed offers to purchase \$9,510,000 General Obligation Bonds of the City, which is less than the \$9,700,000 originally authorized. The issue size was able to be reduced because of the premiums received from the winning bidder. He then reviewed information on the sales. He noted the City has now received the highest credit ratings of Aaa and AAA, from Moody's Investor Service and Standard and Poor's Ratings Services, respectively. Only ten cities in Minnesota have been assigned the highest rating from both rating services.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2014-58** providing for the issuance and sale of the City's \$9,510,000 General Obligation Bonds, Series 2014a, and pledging for the security thereof with Special Assessments, and authorizing execution of the necessary documents to complete the sale. Ayes - 5 - Nays - 0.

Discussion followed.

Mayor Hamann-Roland said receiving the highest rating from both agencies puts Apple Valley in a very elite group. This achievement shows businesses and citizens the strength, stability, and predictability of Apple Valley's finances. It also results in a direct savings to the City's taxpayers.

The Council commented on the many benefits of the AAA rating from both agencies and thanked everyone for their efforts in achieving this accomplishment.

ORDINANCE AMENDING CHAPTER 153 REGULATING SUBDIVISIONS

Ms. Bodmer gave the first reading of an ordinance amending Chapter 153 of City Code regulating subdivision control.

MOTION: of Bergman, seconded by Hooppaw, waiving the procedure for a second reading and passing **Ordinance No. 963** regulating subdivision, as recommended by the Planning Commission. Ayes - 5 - Nays - 0.

ORDINANCE AMENDING CHAPTER 154 REGULATING AREA IDENTIFICATION SIGNS

Ms. Dykes gave the first reading of an ordinance amending Chapter 154 of the City Code regulating area identification signs. Spowd Developments, LLC, requested the amendment. She noted the Planning Commission held a public hearing on the amendment on April 2, 2014, and no comments were received. On April 16, 2014, the Planning Commission voted unanimously to recommend approval.

Discussion followed.

MOTION: of Bergman, seconded by Goodwin, waiving the procedure for a second reading and passing **Ordinance No. 964** amending Chapter 154 of the City Code regulating area identification signs; as recommended by the Planning Commission. Ayes - 5 - Nays - 0.

STAFF ITEMS

Mr. Lawell congratulated Sports Arena Manager Gary Pietig on his retirement.

CALENDAR OF UPCOMING EVENTS

MOTION: of Hooppaw, seconded by Grendahl, the calendar of upcoming events as included in the City Clerk's memo dated April 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 Grendahl, seconded by Bergman, to pay the claims and bills, check registers dated April 17, 2014, in the amount of \$727,047.89; and April 24, 2014, in the amount of \$858,889.11. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Grendahl, 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 5-8-14.