

CITY OF APPLE VALLEY
Dakota County, Minnesota
August 28, 2014

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held August 28, 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 Hills, Parks and Recreation Director Bernstein, Public Works Director Blomstrom, Police Sergeant Francis, Assistant City Administrator Grawe, Human Resources Manager Haas, City Planner Lovelace, City Engineer Manson, Police Chief Rehtzigel, and Fire Chief Thompson.

Mayor Hamann-Roland called the meeting to order at 7:01 p.m. Everyone took part in the Pledge of Allegiance to the flag.

APPROVAL OF AGENDA

MOTION: of Grendahl, seconded by Goodwin, 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 August 14, 2014, as written. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2014-121** accepting, with thanks, the donation of TV and DVD player from Kelly Vorachek for use by Parks and Recreation Department. Ayes - 5 - Nays - 0.

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MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2014-122** accepting, with thanks, the donation of Rock Band set from Liz Trinkle for use by Parks and Recreation Department. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to Apple Valley Sons of the American Legion, Squadron 1776, for use on November 11, 2014, at the American Legion, 14521 Granada Drive, and waiving any waiting period for State approval. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving issuance of a new 2014-2015 License to Sell Tobacco and Tobacco Products to Vivo Restaurants, LLC, d/b/a Vivo, 15435 Founders Lane, as described in the City Clerk's memo. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2014-123** appointing John Bermel, as the Police Department Representative, to the Traffic Safety Advisory Committee, for a term expiring March 1, 2017. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2014-124** setting a public hearing, at 7:00 p.m., on September 25, 2014, to consider vacating easements on Lots 5 and 6, Block 2, Cortland Third Addition. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2014-125** approving extended park hours at Alimagnet Park on September 26 and 27, 2014, for Great River Greening volunteer restoration event. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving release of subdivision financial guarantees for Cobblestone Lake South Shore 8th Addition, and Apple Valley East Family 2nd Addition, as listed in the Community Development Department Assistant's memo. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2014-126** supporting Dakota County Designation of County State Aid Highways 23, 31, 42 and 46, as a 10-ton County Highway. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving the change in cost participation for Cedar Avenue Transitway Project, to provide additional work associated with landscape materials, in an additional amount of \$11,700.00, as described in the Public Works Director's memo dated August 21, 2014. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving the Water Quality Improvement Cost Share Program Agreement with Katherine and Dimuthu Jayawardena for

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shoreline buffer expansion, at 13588 Embury Way, in an amount not to exceed \$500.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2014-127** rejecting bids received on August 7, 2014, for Apple Valley Liquor Store #2 Interior Remodel Project. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving the contract for AV Project 2014-111, Utility Improvements, with Kruger Excavating, Inc., in the amount of \$64,805.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving Change Order No. 1 to the contract with Crimson Fire d/b/a Spartan ERV, for 2013 Fire Engine Triple Combination Pumper, resulting in no change to the contract amount. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving Change Order No. 3 to the contract with Crimson Fire d/b/a Spartan ERV, for 2013 Fire Engine Triple Combination Pumper, resulting in no change to the contract amount. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving Change Order No. 1 to the contract with GSSC, for Municipal Center Security Camera Project, authorizing the progress payment of \$34,177.72. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving Change Order No. 3 to the contract with Alpha Video and Audio, Inc., for High-Definition Video and Audio Telecast Systems, in the amount of an additional \$65,970.00. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving Change Order No. 1 to the contract with CTM Services, Inc., with a deduction of \$8,222.50; and accepting AV Project 2014-127, Ice Resurfacing Machine, as complete and authorizing final payment in the amount of \$73,803.50. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, accepting AV Project 2014-109, 2014 Ash Tree Replacement, as complete and authorizing final payment on the contract with Instant Green Tree Planting, Inc., in the amount of \$5,985.00. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, approving hiring the part time employees, paid on call volunteers, promotion of employee and resignation of employees, as listed in the Personnel Report dated August 28, 2014. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

POLICE DEPARTMENT 50TH ANNIVERSARY OPEN HOUSE

Police Chief Rehtzigel invited the City Council and public to the Police Department's 50th Anniversary Open House on September 7, 2014, from noon to 3:00 p.m. Police Sergeant Francis described activities in connection with the event.

COMMUNICATIONS

Mr. Lawell stated Dakota County scheduled the neighborhood meeting to discuss signal modifications along County Road 42 for September 22, 2014, at Southcross Community Church in Burnsville.

The Mayor noted several members of the neighborhood affected by the potential modifications cannot attend a meeting that evening.

MOTION: of Hooppaw, seconded by Goodwin, directing staff to request Dakota County hold the meeting at Redwood Community Center on a Monday in September.
Ayes - 5 - Nays - 0.

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 August 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 Bergman, seconded by Grendahl, to pay the claims and bills, check registers dated August 21, 2014, in the amount of \$1,185,622.19; and August 28, 2014, in the amount of \$1,093,039.02. Ayes - 5 - Nays - 0.

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

The meeting was adjourned at 7:19 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 9-11-14.