

CITY OF APPLE VALLEY
Dakota County, Minnesota
September 11, 2014

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held September 11, 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, Police Captain Bermel, Parks and Recreation Director Bernstein, Public Works Director Blomstrom, Planner Dykes, 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 7:01 p.m. Everyone took part in the Pledge of Allegiance led by Boy Scouts Alex Bengtson, Jonah Bengtson, Adam Hahn, Ian Kenney, Nathan Labiosa, David Schindler, and Trent Schindler from Troop 298.

APPROVAL OF AGENDA

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

CONSENT AGENDA ITEMS

MOTION: of Grendahl, seconded by Hooppaw, approving the minutes of the regular meeting of August 28, 2014, as written. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Hooppaw, approving a change in officer for D & D of Minnesota, Inc., d/b/a Famous Dave's BBQ Shack, in connection with the On-Sale Wine and 3.2 Percent Malt Liquor Licenses, at 7593 147th Street W., naming

CITY OF APPLE VALLEY

Dakota County, Minnesota

September 11, 2014

Page 2

Richard Andrew Pawlowski as CFO/Secretary; as described in the City Clerk's memo. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Hooppaw, approving issuance of a 2014 Christmas Tree Sales Lot license to William E. Brabec, d/b/a Silver Bell Christmas Tree Farm, for use on Lot 2, Block 1, East Valley Plaza 3rd Addition (between Upper 141st and 140th Streets), as described in the City Clerk's memo. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Hooppaw, adopting **Resolution No. 2014-128** approving 2014 Special Assessment Roll No. 628, for hearing purposes, in the total amount of \$173,744.87 for delinquent utility account charges, and setting the public hearing, at 7:00 p.m., on October 9, 2014. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Hooppaw, adopting **Resolution No. 2014-129** approving 2014 Special Assessment Roll No. 629, for hearing purposes, in the total amount of \$1,399.25 for delinquent mowing and tree removal, and setting the public hearing, at 7:00 p.m., on October 9, 2014. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Hooppaw, authorizing participation in the Fixed Price Fuel Program with the State of Minnesota, as attached in the Public Works Supervisor's memo dated September 11, 2014, and authorizing the Public Works Director to sign the necessary documents. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Hooppaw, adopting **Resolution No. 2014-130** approving a 7-foot variance, reducing the front yard setback from 30 ft. to 23 ft. on Lot 7, Block 6, Eagle Ridge Estates (13705 Georgia Drive) to allow construction of a gabled roof structure over the front entryway, with conditions as recommended by the Planning Commission. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Hooppaw, approving the First Amendment to Development Agreement with Palm Realty, Inc., and DR Horton, Inc., as attached to the Assistant City Engineer's memo dated September 5, 2014, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Hooppaw, approving Change Order No. 1 to the contract with Northwest Asphalt, Inc., for AV Project 2014-112, Cortland 3rd Addition Street and Utility Improvements, in the amount of an additional \$154,779.80. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Hooppaw, approving Change Order No. 10 to the contract with Magney Construction, Inc., for AV Project 2012-108, Water Treatment Plant Expansion, in the amount of an additional \$55,987.38, and authorizing the Public Works Director to sign the same. Ayes - 5 - Nays - 0.

- MOTION: of Grendahl, seconded by Hooppaw, approving the Subrecipient Agreement with Dakota County Development Agency (CDA) for FY2014 Community Development Block Grant (CDBG), and authorizing the City Administrator to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Grendahl, seconded by Hooppaw, approving the Holyoke Area Drainage Improvement Agreement with Brett D. Foss, on Lot 5, Block 1, Palomino Lakeside Meadows 5th Addition, as attached to the City Engineer's memo dated September 11, 2014, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Grendahl, seconded by Hooppaw, approving the agreement for Fire Station 1 Exterior Trim and Apparatus Bay Painting with ProTect Painters of Minneapolis, in the amount of \$30,350.00, and authorizing the Mayor and City Clerk to sign the same Ayes - 5 - Nays - 0.
- MOTION: of Grendahl, seconded by Hooppaw, accepting 2013 Fire Engine, Triple Combination Pumper, as complete and authorizing final payment on the agreement with Crimson Fire, Inc., d/b/a Spartan ERV, in the amount of \$247,568.00. Ayes - 5 - Nays - 0.
- MOTION: of Grendahl, seconded by Hooppaw, accepting McAndrews Road Storm Sewer Televising, associated with AV Project 2014-104, Dakota County Street Improvement Project, as complete and authorizing final payment on the contract with Infratech, Inc., in the amount of \$1,496.82. Ayes - 5 - Nays - 0.
- MOTION: of Grendahl, seconded by Hooppaw, accepting AV Project 2013-155, 2013 Utility Improvements, as complete and authorizing final payment on the contract with Krueger Excavating, Inc., in the amount of \$1,689.86. Ayes - 5 - Nays - 0.
- MOTION: of Grendahl, seconded by Hooppaw, adopting **Resolution No. 2014-131** amending the Voluntary Employees' Beneficiary Association (VEBA) Health Savings Plan, and authorizing the Mayor and Clerk to sign the necessary documents. Ayes - 5 - Nays - 0.
- MOTION: of Grendahl, seconded by Hooppaw, approving hiring the full time and part time employees, transfer of employee, and resignation of employees, as listed in the Personnel Report dated September 11, 2014. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

DUAL TRIPLE A BOND RATING RECOGNITION

Mr. Steve Mattson, of Northland Securities, recognized the City's distinguished dual Triple A bond ratings. Apple Valley is one of only seven cities out of 854 in Minnesota with the highest

credit ratings of Aaa and AAA, from Moody's Investors Service and Standard and Poor's Ratings Services, respectively. He then presented a plaque from Northland Securities in honor of this outstanding achievement.

FIREFIGHTERS' RELIEF ASSOCIATION BOOYA FUNDRAISER

Fire Chief Thompson introduced Firefighter Al Olson, the 2014 Booya Chairperson. Firefighter Olson described activities planned for the Apple Valley Firefighters Relief Association's 36th Annual Booya Fundraiser on September 20, 2014, at Fire Station No. 1. The event starts at 10:00 a.m. and everyone is invited to attend.

Mayor Hamann-Roland thanked all the volunteers for their time and efforts in coordinating the Booya as well as the businesses for their generous support.

GREAT RIVER GREENING VOLUNTEER RESTORATION EVENT

Mr. Barry Bernstein said the City received a \$60,000 grant from Great River Greening for wildflower restoration at Alimagnet Park.

Mr. Steve Thomforde, of Great River Greening, invited the public to participate in the restoration event at Alimagnet Park on September 27, 2014, from 8:30 a.m. to 12:30 p.m. Volunteers will remove buckthorn and low quality trees and seed cleared areas in an attempt to rejuvenate wildflower populations.

COUNCIL COMMUNICATIONS

Mr. Lawell invited residents to attend a meeting held by Dakota County on September 29, 2014, from 4:30 p.m. to 6:30 p.m. at Redwood Community Center regarding the potential removal of the traffic signal at Elm Drive and County Road 42.

Ms. Dykes invited residents to attend an open house to share their ideas opinions, stories, and pictures of an aging-friendly Apple Valley. The event will be held at the Apple Valley Senior Center on September 30, 2014, from 8:00 a.m. to 2:30 p.m. and is part of a 3-day workshop called Vitalocity. The goal is to create a roadmap for an aging-friendly community.

Councilmember Hooppaw commented on a life-saving event at Arby's restaurant in August in which an AED was used. He thanked all involved.

Councilmember Bergman complimented the Police Department on a successful 50th Anniversary celebration held last weekend.

CALENDAR OF UPCOMING EVENTS

MOTION: of Goodwin, seconded by Grendahl, approving the calendar of upcoming events as included in the City Clerk's memo dated September 10, 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 September 3, 2014, in the amount of \$2,365,682.99, and September 10, 2014, in the amount of \$561,676.61. Ayes - 5 - Nays - 0.

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

The meeting was adjourned at 7:49 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 9-25-14.