

CITY OF APPLE VALLEY
Dakota County, Minnesota
September 25, 2014

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held September 25, 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, Police Captain Bermel, Public Works Director Blomstrom, Planner Bodmer, Assistant City Administrator Grawe, Human Resources Manager Haas, Finance Director Hedberg, City Planner Lovelace, City Engineer Manson, Community Development Director Nordquist, Police Chief Rehtzigel, Liquor Operations Director Swanson, and Fire Chief Thompson.

Mayor Hamann-Roland called the meeting to order at 7:06 p.m. Everyone took part in the Pledge of Allegiance led by Boy Scouts Christopher Billion, Kristian Nordmeyer, and Trent Spangler of Troop 298.

APPROVAL OF AGENDA

MOTION: of Bergman, seconded by Grendahl, adding item 4.O - Proclaim October 5, 2014, "Grace Lutheran Church Day in Apple Valley" and approving the agenda for tonight's meeting, as amended. 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.

Boy Scout Trent Spangler announced Troop 298 is selling wreaths to honor fallen heroes at Fort Snelling Cemetery.

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

CONSENT AGENDA ITEMS

MOTION: of Goodwin, seconded by Grendahl, approving the minutes of the regular meeting of September 11, 2014, as written. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Grendahl, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to Apple Valley American Legion, Post 1776, for use on December 13, 2014, at the Apple Valley American Legion, 14521 Granada Drive, and waiving any waiting period for State approval. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Grendahl, approving issuance of a new Hobby Kennel Permit to Melodie Kaufenberg, at 14084 Germane Avenue, through December 31, 2014. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution No. 2014-132** appointing individuals listed in the resolution to serve as judges for the General Election to be held on November 4, 2014, in the City. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution No. 2014-133** approving a two-year extension of the Cobblestone Lake Senior Complex Addition preliminary plat. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution No. 2014-134** approving a two-year extension of the building permit for Cobblestone Lake Senior Complex, with conditions, as originally listed in Resolution No. 2008-246. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Grendahl, approving a two-year extension of the \$896,000.00 Cobblestone Lake Senior Housing and Park Improvement Livable Communities Demonstration Account (LCDA) Grant. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution No. 2014-135** authorizing submittal to the Metropolitan Council of an amendment to the Land Use Map of the 2030 Comprehensive Guide Plan changing the designation of Outlot C, Cobblestone Lake Commercial 3rd Addition, from "MD" (Medium Density Residential/6-12 units per acre) to "LD" (Low Density Residential/3-6 units per acre), as recommended by the Planning Commission. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution No. 2014-136** approving Partial Assignment of Development Agreements for Parkside Village-Gabella and authorizing execution of consent. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution No. 2014-137** approving consenting to the mortgage on Gabella Property. Ayes - 5 - Nays - 0.

- MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution No. 2014-138** approving consenting to the mortgage on Galante Property. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Grendahl, approving the Infiltration Basin Construction and Maintenance Agreement with Augustana Land Development, LLC, for temporary parking for the Augustana Health Care Center, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Grendahl, approving the Professional Services Agreement with SL-serco for AV Project 2014-146, Water System Vulnerability Assessment, in an amount of \$16,650.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Grendahl, approving the Agreement for Private Installation of Improvements with Fischer Sand & Aggregate, LLP, and Acron Land II, LLC, for AV Project 2014-133, Quarry Ponds West Addition, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Grendahl, approving the Design Agreement and Agreement for Private Installation of Improvements with South Shore Development, Inc., for AV Project 2014-143, Cobblestone Lake North Shore Addition, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Grendahl, accepting AV Project 2014-130, 2014 Hydrant reconditioning and Painting, as complete and authorizing final payment on the contract with Champion Coatings, Inc., in the amount of \$21,515.00. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution 2014-139** approving the 2015 City contribution towards non-union employee and elected official group insurances. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Grendahl, approving hiring the part time and seasonal employees, as listed in the Personnel Report dated September 25, 2014. Ayes - 5 - Nays - 0.
- MOTION: of Goodwin, seconded by Grendahl, proclaiming October 5, 2014, as “Grace Lutheran Church Day in Apple Valley”. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

PROCLAIM FIRE PREVENTION WEEK

Fire Chief Thompson said every year the National Fire Protection Association (NFPA) along with Fire Departments nationwide recognize Fire Prevention Week commemorating the Great Chicago Fire of 1871. He then reviewed activities the Fire Department will be conducting during the week of October 5th at elementary schools in the City. The 2014 theme for Fire Prevention Week is "Working Smoke Alarms Save Lives, Test Yours Every Month!". Public open houses will be held, from 6:00 to 9:00 p.m., at Fire Station No. 1 on October 7, at Fire Station No. 2 on October 8, and at Fire Station No. 3 on October 9, 2014, and everyone is invited. He then read the proclamation proclaiming Fire Prevention Week.

MOTION: of Grendahl, seconded by Hooppaw, proclaiming October 5-11, 2014, as "Fire Prevention Week" in support of the Fire Department's public safety efforts and urging all citizens to install smoke alarms and carbon monoxide detectors, and to plan and practice fire drills. Ayes - 5 - Nays - 0.

CORTLAND ADDITION VACATION

Mr. Lovelace reviewed the staff report on the vacation of utility easements on Lots 5 and 6, Block 2, Cortland Third Addition.

Mayor Hamann-Roland called the public hearing to order, at 7:28 p.m., to consider vacating of utility easements on Lots 5 and 6, Block 2, Cortland Third Addition. The Mayor asked for questions or comments from the Council and the public. There were none and the hearing was declared closed at 7:29 p.m.

MOTION: of Hooppaw, seconded by Bergman, adopting **Resolution No. 2014-140** completing vacation of utility easements on Lots 5 and 6, Block 2, Cortland Third Addition, and authorizing the City Clerk to record the necessary documents. Ayes - 5 - Nays - 0.

PROPOSED 2015 CITY BUDGET AND PROPERTY TAX LEVY

Mr. Hedberg presented the proposed 2015 budget and tax levy. He reviewed the budget timeline. Staff recommends the Council set the public budget meeting, formerly called the Truth-in-Taxation hearing, for December 11, 2014, which is a regularly scheduled Council meeting. The County will then send parcel specific notices to all property owners in November, informing them of the meeting on December 11. He reviewed the budget challenges and considerations for 2015, noting Apple Valley will not receive Local Government Aid (LGA) in 2015. The 2015 proposed budget requires a total levy of \$23,134,000, an increase of \$407,000 or 1.8% from 2015. He pointed out that once the preliminary budget is adopted, the total levy amount may decrease, but not increase.

Discussion followed.

Mayor Hamann-Roland reminded everyone that Apple Valley property owners do not receive special assessments for street maintenance projects.

The City Council held discussion.

Mr. Hedberg continued his presentation.

Discussion continued.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2014-141** approving the proposed 2015 budgets, with total revenue of \$59,238,070 and expenditures of \$63,607,884, and approving the proposed tax levy collectible in 2014 of \$23,134,000. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded Grendahl, setting a public budget meeting on the proposed 2015 budgets and tax levy, at 7:00 p.m. on December 11, 2014. Ayes - 5 - Nays - 0.

THRIVE MSP 2040 HOUSING AND TRANSPORTATION POLICY PLANS

Mr. Nordquist reviewed the Metropolitan Council Thrive MSP 2040 Housing and Transportation Policy Plans and the City's proposed comments. He noted the 2040 Development Guide and Policy Plans are to be completed in 2015 to allow each community to have a system statement from the Metropolitan Council by 2015 for Comprehensive Planning purposes.

Discussion followed.

Ms. Wendy Wulff, Metropolitan Council Member, addressed the Council.

Discussion continued.

MOTION: of Goodwin, seconded Bergman, authorizing the submittal of comments to the Metropolitan Council on the Thrive MSP 2040 Housing and Transportation Policy Plans. Ayes - 5 - Nays - 0.

ORDINANCE AMENDING TRESPASSING REGULATIONS

Police Captain Bermel gave the first reading of an ordinance amending City Code Section 130.04, regulating trespassing. The Council accepted the first reading. The second reading will be October 9, 2014.

COMMUNICATIONS

Mr. Grawe provided details on Apple Valley's Residential Fall Clean-up Day on September 27, 2014.

Ms. Gackstetter invited residents interested in working as an election judge at the November 4, 2014, General Election to complete an application on the City's website.

Mayor Hamann-Roland invited the public to attend Dakota County's open house at Redwood Community Center on September 29, 2014, from 4:30 p.m. to 6:30 p.m. regarding traffic signals on County Road 42.

CALENDAR OF UPCOMING EVENTS

MOTION: of Goodwin, seconded by Hooppaw, approving the calendar of upcoming events as included in the City Clerk's memo dated September 22, 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 September 17, 2014, in the amount of \$833,522.75; and September 25, 2014, in the amount of \$1,102,419.39. Ayes - 5 - Nays - 0.

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

The meeting was adjourned at 9:20 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 10-9-14.