

CITY OF APPLE VALLEY
Dakota County, Minnesota
February 26, 2015

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held February 26, 2015, 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 Superintendent Adamini, Police Captain Bermel, Public Works Director Blomstrom, Planner Dykes, Assistant City Administrator Grawe, Human Resources Manager Haas, Finance Director Hedberg, City Planner Lovelace, City Engineer Manson, Community Development Director Nordquist, Police Chief Rechtzigel, 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 Grendahl, 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. 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 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 February 12, 2015, as written. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2015-26** accepting, with thanks, the donation of cash and prizes from various businesses toward sponsorship of the Mid-Winter Fest Celebration. Ayes - 5 - Nays - 0.

CITY OF APPLE VALLEY

Dakota County, Minnesota

February 26, 2015

Page 2

MOTION: of Goodwin, seconded by Bergman, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to Minnesota Section American Water Works Association, for use on May 2, 2015, at the Bogart's Event Center, 14917 Garrett Avenue, and waiving any waiting period for State approval. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2015-27** setting a public hearing, at 7:00 p.m., on March 26, 2015, on the application for On-Sale Intoxicating Liquor License and Special License for Sunday Liquor Sales by PBAV-Sanders, LLC, d/b/a Panino Brothers. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the Special Outdoor Promotion/Temporary Sign Permit for placement of signage on City property from March 11, 2015, through April 11, 2015, in connection with the 2015 Home & Garden Expo, as described in the application. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2015-28** approving submitting the application for Fiscal Year 2015 Dakota County Community Development Block Grant (CDBG) funding of \$125,630.00 for the Housing Rehabilitation Revolving Loan Program and DARTS Outdoor Chore Service Program and Homemaking Service Programs, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, receiving the Parks and Recreation Advisory Committee 2014 annual report. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the standing purchase order list for 2015, as attached to the Finance Director's memo dated February 20, 2015. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the Municipal Advisory Service Agreement appointing Northland Securities, Inc., as Municipal Advisor on the issuance of the General Obligation Bonds, Series 2015B, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, authorizing The Arbitrage Group, Inc., to perform arbitrage rebate calculations, as described in the engagement letter dated February 10, 2015, and authorizing the Finance Director to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the reduction of financial guarantee for Hunter Forrest from \$60,848.00 to \$20,000.00, as listed in the Natural Resources Coordinator's memo dated February 26, 2015. Ayes - 4 - Nays - 0 - Abstain - 1 (Hooppaw).

CITY OF APPLE VALLEY

Dakota County, Minnesota

February 26, 2015

Page 3

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2015-29** approving the site plan and authorizing issuance of a building permit for construction of a 3,250 square foot commercial building on Lot 1, Block 1, Amoco Ultimate Addition (7510 147th Street W.), with conditions as recommended by the Planning Commission. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, authorizing submittal of a Minnesota Investment Fund (MIF) application to the Department of Employment and Economic Development and setting a public hearing at 7:00 p.m., on April 9, 2015, to consider a MIF Business Subsidy. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2015-30** authorizing submittal of a Job Creation Fund (JCF) application on behalf of Uponor, Inc. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2015-31** authorizing preparation to Economic Development District Tax Increment Financing (TIF) Plan, Program, and Agreements and setting a public hearing at 7:00 p.m., on April 9, 2015, to consider amending the Master Development Program and establishing TIF District 16. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, setting a public hearing at 7:00 p.m., on April 9, 2015, to consider deferred loan business assistance as public business subsidy benefitting Uponor, Inc. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, adopting **Resolution No. 2015-32** awarding the contract for AV Project 2015-105, 2015 Street Improvements, to McNamara Contracting, Inc., the lowest responsible bidder, in the amount of \$3,545,005.26. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the Agreement for copier/printer lease and maintenance with Advanced Imaging Solutions (AIS), in the amount estimated of \$112,214.52, and authorizing the City Administrator to sign the necessary documents. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the Agreement for AV Project 2015-114, 2015 Ash Tree Removal, with SavATree, in the amount of \$9,184.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving the Agreement for Video Streaming Services with Swagit Productions, LLC, in the amount of \$8,170.00 plus monthly fees, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, approving Work Order No. 1 to the agreement with Automatic Systems Company, for AV Project 2012-108, Water Treatment

Plant Expansion, in the amount of an additional \$14,728.00, and authorizing the Public Works Director to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Goodwin seconded by Bergman, approving hiring the seasonal employees, as listed in the Personnel Report dated February 26, 2015. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

INTRODUCTION OF NEW POLICE OFFICERS AND OATHS OF OFFICE

Police Chief Rehtzigel introduced newly hired Police Officers Kasey DeJonker and Cory Christianson to the Council. The City Clerk administered the oaths of office to the Officers. Police Chief Rehtzigel then presented them with their badges. The Council congratulated Officers DeJonker and Christianson and welcomed them to their new positions.

INTRODUCTION OF NEW FIRE FIGHTERS AND OATHS OF OFFICE

Police Chief Thompson introduced the 12 Firefighters from the Class of 2013. The City Clerk administered the oath of office to Firefighters Keith Browning, Kyle Cornwell, Peter Fredericksen, Daniel Freiberger, John Hahn, Mathew Karnick, Andrew Keller, Christopher Milbrandt, Mark Monasky, Michael Morales, Michael Sindt, and Kyle VanSickle. Individuals selected by each Firefighter then pinned their badge. The Council congratulated the Firefighters and welcomed them to the Fire Department.

ORDINANCES REGULATING LATE FEES FOR UNTIMELY RENEWAL APPLCIATIONS

Ms. Gackstetter gave the first reading of two ordinances amending Chapter 35 entitled "City Policies" and Chapter 123 entitled "Massage Therapy Business and Massage Therapist Licenses" of the City Code regulating late fees for untimely license/permit renewal applications. The ordinances clarify the penalty for a late application is applicable to all licenses and permits as well as other minor changes. The ordinance was prepared by the City Attorney's office. The second reading is scheduled for March 26, 2015.

Discussion followed.

The City Council accepted the first reading.

REAPPOINT COMMISSION & COMMITTEE MEMBERS

Ms. Gackstetter reviewed her memo regarding the reappointment of Commissioners and Committee Members with terms expiring March 1, 2015. She noted all members have indicated their interest in serving an additional term.

MOTION: of Grendahl, seconded by Hooppaw, adopting **Resolution No. 2015-33** reappointing Timothy Anderson and David Kemp to the Cemetery Advisory Committee for a term expiring March 1, 2018; **No. 2015-34** reappointing Boyd

Montgomery and Brenton Schultz to the Parks and Recreation Advisory Committee for a term expiring March 1, 2018; **No. 2015-35** reappointing Ken Alwin and Thomas Melander to the Planning Commission for a term expiring March 1, 2018; **No. 2015-36** reappointing Scott Hugstad-Vaa and John Magnusson to the Telecommunications Advisory Committee for a term expiring March 1, 2018; **No. 2015-37** reappointing Charles Grawe and Laura Turek to the Traffic Safety Advisory Committee for a term expiring March 1, 2018; and **No. 2015-38** reappointing Edwin Holmes and Sharon Schwartz to the Urban Affairs Advisory Committee for a term expiring March 1, 2018. Ayes - 5 - Nays - 0.

The Council congratulated the reappointees and extended thanks to all Commissioners and Committee Members for their valuable services.

CALENDAR OF UPCOMING EVENTS

MOTION: of Goodwin, seconded by Grendahl, approving the calendar of upcoming events as included in the Deputy City Clerk's memo dated February 23, 2015, 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 Hooppaw, to pay the claims and bills, check registers dated February 19, 2015, in the amount of \$756,988.36, and February 25, 2015, in the amount of \$767,295.37. Ayes - 5 - Nays - 0.

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

The meeting was adjourned at 7:35 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 3-26-15.