

CITY OF APPLE VALLEY
Dakota County, Minnesota
April 23, 2015

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held April 23, 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 and Recreation Director Bernstein, Public Works Director Blomstrom, Assistant City Administrator Grawe, Human Resources Manager Haas, Finance Director Hedberg, 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 led by Webelos Matthew Skowronek, Dillon Steeves, and Max Weiss from Pack 205, and Boy Scouts Brandon Pehrson and Niko Pehrson from Troop 3871.

APPROVAL OF AGENDA

MOTION: of Grendahl, seconded by Bergman, 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. Gary Anderson announced Senior Showcase 2015 will be held at the Apple Valley Senior Center on May 8, 2015, from 11:00 a.m. to 2:00 p.m. Those interested in learning more about the Apple Valley Senior Center are invited to attend this free event.

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

CONSENT AGENDA ITEMS

MOTION: of Hooppaw, seconded by Bergman, approving the minutes of the regular meeting of April 9, 2015, as written. Ayes - 5 - Nays - 0.

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MOTION: of Hooppaw, seconded by Bergman, adopting **Resolution No. 2015-57** setting a public hearing, at 7:00 p.m., on May 28, 2015, on the application for On-Sale Intoxicating Liquor License and Special License for Sunday Liquor Sales by CCH, LLC, d/b/a Celts Craft House. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, adopting **Resolution No. 2015-58** approving 2015 Special Assessment Roll No. 631, for hearing purposes, in the total amount of \$162,824.67 for delinquent utility accounts, and setting the public hearing, at 7:00 p.m., on May 28, 2015. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, adopting **Resolution No. 2015-59** approving 2015 Special Assessment Roll No. 632, for hearing purposes, in the total amount of \$1,752.00 for delinquent false alarms, and setting the public hearing, at 7:00 p.m., on May 28, 2015. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, adopting **Resolution No. 2015-60** approving 2015 Special Assessment Roll No. 633, for hearing purposes, in the total amount of \$3,614.79 for delinquent tree removal and yard cleanup, and setting the public hearing, at 7:00 p.m., on May 28, 2015. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, authorizing acceptance of a Green Futures Grant of approximately \$12,000.00 from Tree Trust, as described in the Parks and Recreation Director's memo. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, proclaiming May 3 through May 9, 2015, as "Drinking Water Week" and call upon each citizen of Apple Valley to help protect our source waters from pollution, to practice water conservation, and to get involved in local water issues. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, adopting **Resolution No. 2015-61** approving changes to the Public Works Department Policy Manual, Section 3.01 – Emerald Ash Borer Management Policy, Section 5.02 – Maintenance Personnel Uniform Policy, and Section 5.03 – Non-Union Personnel Uniform Policy. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, approving release of subdivision financial guarantee for Rosemount School District Second Addition, as listed in the Community Development Department Assistant's memo dated April 23, 2015. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, approving the contract for AV Project 2015-129, 2015 Sump Catch Basin Cleaning, with Infrastructure Technologies, Inc., in the amount of \$23,800.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

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MOTION: of Hooppaw, seconded by Bergman, approving the contract for AV Project 2015-126, 2015 Concrete Removal and Replacement Services, with JWS Construction, LLC, in the amount of \$30,580.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, approving the contract for AV Project 2015-125, 2015 Concrete Raising and Leveling Services, with Northstar Mudjacking & More, LLC, in the amount of \$8,915.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, finding Stoneage Pools, LLC, non-responsive and approving the contract for 2015 Redwood Wading Pool Repair with Horizon Chemical Company, Inc., in the amount of \$12,750.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, approving Change Order No. 15 to the contract with Magney Construction, Inc., for AV Project 2012-108, Water Treatment Facility Expansion, in the amount of an additional \$27,945.11, and authorizing the Public Works Director to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, approving hiring the seasonal employees and transfer of employee, as listed in the Personnel Report dated April 23, 2015. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, approving issuance of a new 2015 Fuel Dispensing Facility Permit to PRG Market, LLC, d/b/a Holiday Franchise Store 3802, 14113 Galaxie Avenue, as described in the City Clerk's memo dated April 20, 2015. Ayes - 5 - Nays - 0.

MOTION: of Hooppaw, seconded by Bergman, approving issuance of a new 2015 License to Sell Tobacco and Tobacco Products to PRG Market, LLC, d/b/a Holiday Franchise Store 3802, 14113 Galaxie Avenue, as described in the City Clerk's memo dated April 20, 2015. Ayes - 5 - Nays - 0.

END OF CONSENT AGENDA

155TH STREET WEST RIGHT OF WAY

Mr. Lovelace reviewed the request by South Shore Development, Inc., for a vacation of a portion of the existing 155th Street W. right-of-way that abuts Outlot B, Apple Valley East Family 2nd Addition.

Mayor Hamann-Roland called the public hearing to order, at 7:13 p.m., to consider vacating the north 10 feet of the public right-of-way for 155th Street W. that directly abuts Outlot B, Apple

Valley East Family 2nd Addition, with the exception of the west 330 feet. The Mayor asked for questions or comments from the Council and the public. There were none and the hearing was declared closed at 7:14 p.m.

MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution No. 2015-62** completing vacation of a portion of public right-of-way for 155th Street W. that directly abuts Outlot B, Apple Valley East Family 2nd Addition, and authorizing the City Clerk to record the necessary documents. Ayes - 5 - Nays - 0.

PRIMROSE SCHOOL OF APPLE VALLEY

Mr. Lovelace reviewed the request by Primrose School of Apple Valley for a rezoning of PD-856; a subdivision by preliminary plat of Outlot B, Apple Valley East Family 2nd Addition, into a 1.72 acre lot, with the remaining 3.78 acres to be platted as an outlot; and a site plan/building permit authorization to allow construction of an 11,700 sq. ft. day care facility on a 1.72 acre lot. The Planning Commission considered this item at their meeting of March 18, 2015, and voted unanimously to recommend approval.

MOTION: of Hooppaw, seconded by Grendahl, passing **Ordinance No. 987** rezoning Outlot B, Apple Valley East Family 2nd Addition, from PD-856 (Planned Development) to PD-856/Zone 3 (Planned Development), as recommended by the Planning Commission. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2015-63** approving the preliminary plat of Apple Valley East Commercial Addition, with conditions as recommended by the Planning Commission. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Hooppaw, adopting **Resolution No. 2015-64** approving the site plan and authorizing issuance of a building permit to allow for construction of an 11,700 sq. ft. day care facility on Lot 1, Block 1, Apple Valley East Commercial Addition, with conditions as recommended by the Planning Commission. Ayes - 5 - Nays - 0.

Vincent and Melissa Schultz, of Primrose Schools, said they are excited to be in Apple Valley.

Mr. John Finnemore, Project Manager for Primrose Schools, stated it has been a pleasure working with Mr. Lovelace on this project.

PARK AND RECREATION ADVISORY COMMITTEE MEMBER RESIGNATION

Ms. Gackstetter stated Parks and Recreation Advisory Committee Member Cindy Hart notified the City she will be resigning from the Parks and Recreation Advisory Committee effective May 8, 2015. This will create a vacancy on the Parks and Recreation Advisory Committee with a term expiring March 1, 2016. She recommended the Council extend an invitation to individuals interested in

serving on the Parks and Recreation Advisory Committee to submit an application to her by June 12, 2015.

MOTION: of Grendahl, seconded by Hooppaw, accepting the resignation of Parks and Recreation Advisory Committee Member Cindy Hart and thanking her for her dedicated service to the City of Apple Valley; and directing staff to post the vacancy and inviting individuals interested in serving on the Parks and Recreation Advisory Committee to submit an application to the City Clerk by June 12, 2015.
Ayes - 5 - Nays - 0.

COMMUNICATIONS

Councilmember Grendahl commented on the great job the Mayor did on the State of the City address and the event held at the Apple Valley High School honoring Tyus Jones as well as other student accomplishments.

CALENDAR OF UPCOMING EVENTS

MOTION: of Goodwin, seconded by Grendahl, adding the Apple Valley Seniors Showcase 2015 event on May 8, 2015 to the calendar and approving the calendar of upcoming events in the Deputy City Clerk's memo dated April 23, 2015, as amended, and noting that each event listed is hereby deemed a Special Meeting of the City Council. Ayes - 5 - Nays - 0.

Councilmember Hooppaw invited the public to the firefighter fundraiser for former Fire Captain David Kennedy on April 25, 2015, from 10:00 a.m. to 3:00 p.m., at Fire Station 3.

CLAIMS AND BILLS

MOTION: of Bergman, seconded by Grendahl, to pay the claims and bills, check registers dated April 15, 2015, in the amount of \$1,040,790.51; and April 22, 2015, in the amount of \$721,314.21. Ayes - 5 - Nays - 0.

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

The meeting was adjourned at 7:28 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 5-14-15.