

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

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held July 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, Planner Dykes, Assistant City Administrator Grawe, Human Resources Manager Haas, Finance Director Hedberg, Acting Public Works Director Manson, Community Development Director Nordquist, Police Chief Rehtzigel, and Fire Chief Thompson.

Mayor Hamann-Roland called the meeting to order at 7:02 p.m. Everyone took part in the Pledge of Allegiance led by Boy Scouts Jonathan Losby and Cameron Moe from Troop 205.

#### APPROVAL OF AGENDA

MOTION: of Grendahl, seconded by Hooppaw, removing item 5.A – Resolution Approving Final Plat and Development Agreement for Regent's Point Second, 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. 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 Grendahl, approving all items on the consent agenda with no exceptions. Ayes - 5 - Nays - 0.

#### CONSENT AGENDA ITEMS

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

MOTION: of Bergman, seconded by Grendahl, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to Apple Valley Firefighters Relief Association, for use on September 19, 2015, at the Fire Station

No. 1, 15000 Hayes Road, and waiving any waiting period for State approval.  
Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, approving receipt of the 2016 Financial Requirements of the Apple Valley Firefighter's Relief Association, as attached to the Fire Chief's memo. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, approving the ALF Ambulance 2016 Budget, as attached to the City Administrator's memo dated July 20, 2015, as recommended by the ALF Ambulance Board. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, adopting **Resolution No. 2015-101** amending the 2015 Budget for specific items. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, proclaiming July 26, 2015, as "The 25th Anniversary of the Americans with Disabilities Act" in the City of Apple Valley. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, continuing the public hearing on the vacation of Evendale Way right-of-way, north of the pipeline easement, to August 13, 2015. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, adopting **Resolution No. 2015-102** ordering plans, specifications, and project development work tasks for AV Project 2015-117, 157th Street Greenway Pedestrian Underpass. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, adopting **Resolution No. 2015-103** accepting permanent and temporary easements from Fischer Sand and Aggregate, LLP, for AV Project 2015-117, 157th Street Greenway Pedestrian Underpass. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, approving release of the subdivision financial guarantees for Apple Valley Business Campus II, as listed in the Natural Resources Coordinator's memo dated July 23, 2015. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, approving the Purchase Agreement for Lot 1, Block 1, Village at Founders Circle, (Village Pointe Plaza mixed-use development) with OneTwoOne Development, LLC, and authorizing the Mayor and City Clerk to sign the same. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, approving Change Order No. 2 to the agreement with Keys Well Drilling Company, in the amount of an additional \$2,348.00; and accepting AV Project 2014-151 Well Pumps 7, 19, High Zone Pump 2, and High Zone Pump 3 Maintenance, as complete and authorizing final payment in the amount of \$18,759.10. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, accepting AV Project 2013-149, Regent's Point Street and Utility Improvements, as complete and authorizing final payment on the contract with Designing Earth, Inc., in the amount of \$146,230.39. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, accepting AV Project 2015-149, Exterior Painting of Central Maintenance Facility Maintenance Building, as complete and authorizing final payment on the contract with Fresh Paint, Inc., in the amount of \$24,345.00. Ayes - 5 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, approving hiring the seasonal and part time employees, promotion of employee, and resignation of employee, as listed in the Personnel Report dated July 23, 2015. Ayes - 5 - Nays - 0.

#### END OF CONSENT AGENDA

#### APPOINT PARKS AND RECREATION ADVISORY COMMITTEE MEMBER

Ms. Gackstetter reviewed her memo regarding the Parks and Recreation Advisory Committee vacancy.

The Mayor called for nominations for the vacancy. Councilmember Grendahl nominated Josh Gaffke, Chuck Grothaus, Jeremy Henschel, Richard Keuler, Jessica Montgomery, Jason Phillips, Mark Schori, and Summar Ward. There being no further nominations, the Mayor declared the nominations closed.

MOTION: of Grendahl, seconded by Hooppaw, accepting the eight nominations for Parks and Recreation Advisory Committee Member and amending the previously adopted appointment process to reduce the number of candidates by selecting two fewer candidates than total names appearing on the ballot. Ayes - 5 - Nays - 0.

The City Clerk prepared ballots and the City Attorney distributed them to the Council who were asked to each select six names from the eight nominees. After selections were made, they were tallied and the City Attorney announced that seven names remained.

The City Clerk prepared ballots and the City Attorney distributed them to the Council who were asked to each select five names. After selections were made, they were tallied and the City Attorney announced that seven names still remained.

MOTION: of Grendahl, seconded by Hooppaw, amending the previous appointment process to reduce the number of candidates by selecting three less than the total number of names appearing on the ballot. Ayes - 5 - Nays - 0.

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The City Clerk prepared ballots and the City Attorney distributed them to the Council who were asked to each select four names. After selections were made, they were tallied and the City Attorney announced that four names remained.

MOTION: of Grendahl, seconded by Bergman, amending the previous appointment process to reduce the number of candidates by selecting two less than the total number of names appearing on the ballot. Ayes - 5 - Nays - 0.

The City Clerk prepared ballots and the City Attorney distributed them to the Council who were asked to each select two names. After selections were made, they were tallied and the City Attorney announced that two names remained.

MOTION: of Hooppaw, seconded by Grendahl, amending the previous appointment process to reduce the number of candidates by selecting one less than the total number of names appearing on the ballot. Ayes - 5 - Nays - 0.

The City Clerk prepared ballots and the City Attorney distributed them to the Council who were asked to each select one name. After selections were made, they were tallied and the City Attorney announced that Jessica Montgomery received the majority of votes.

MOTION: of Goodwin, seconded by Grendahl, adopting **Resolution No. 2015-104** appointing Jessica Montgomery to the Parks and Recreation Advisory Committee for a term expiring March 1, 2016. Ayes - 5 - Nays - 0.

Mayor Hamann-Roland thanked all the applicants who applied and expressed interest in the position.

STAFF ITEMS

Police Chief Rehtzigel informed the City Council of a new program called Watchdog Walkers which will hold a kick-off meeting from 6:00 p.m. to 8:00 p.m. on August 12, 2015, in Kelley Park.

Mayor Hamann-Roland commented on the family day celebration at the Minnesota History Center from noon to 4:00 p.m. on July 26, 2015, in connection with the 25th anniversary of the Americans with Disabilities Act (ADA).

CALENDAR OF UPCOMING EVENTS

MOTION: of Hooppaw, seconded by Goodwin, approving the calendar of upcoming events as included in the Deputy City Clerk's memo dated July 23, 2015, and noting that each event listed is hereby deemed a Special Meeting of the City Council. Ayes - 5 - Nays - 0.

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CLAIMS AND BILLS

MOTION: of Bergman, seconded by Grendahl, to pay the claims and bills, check registers dated July 16, 2015, in the amount of \$985,004.49; and July 22, 2015, in the amount of \$1,268,044.50. Ayes - 5 - Nays - 0.

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

The meeting was adjourned at 7:46 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 8-13-15.