

CITY OF APPLE VALLEY
Dakota County, Minnesota
January 28, 2016

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held January 28, 2016, at 7:00 o'clock p.m., at Apple Valley Municipal Center.

PRESENT: Mayor Hamann-Roland; Councilmembers Bergman, Goodwin, and Hooppaw.

ABSENT: Councilmember Grendahl.

City staff members present were: City Administrator Lawell, City Clerk Gackstetter, City Attorney Dougherty, City Engineer Anderson, Police Captain Bermel, Planner Bodmer, Recreation Superintendent Breuer, Police Captain Francis, Assistant City Administrator Grawe, Human Resources Manager Haas, Finance Director Hedberg, City Planner Lovelace, Community Development Director Nordquist, Police Chief Rechtzigel, Public Works Director Saam, 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 by Boy Scout Elijah Gordhamer from Troop 9508.

APPROVAL OF AGENDA

MOTION: of Bergman, seconded by Hooppaw, approving the agenda for tonight's meeting, as presented. Ayes - 4 - 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. Bill Swanstrom, from Pennock Avenue, commented on electronic speed feedback signs and requested the City Council budget for additional units.

Mayor Hamann-Roland suggested this item be referred to the Traffic Safety Advisory Committee.

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.

Mr. Elijah Gordhamer inquired about raising chickens in Apple Valley.

Mayor Hamann-Roland suggested Mr. Gordhamer meet with a member of the Planning Department to discuss it.

MOTION: of Hooppaw, seconded by Goodwin, approving all items on the consent agenda with no exceptions. Ayes - 4 - Nays - 0.

CONSENT AGENDA ITEMS

- MOTION: of Hooppaw, seconded by Goodwin, approving the minutes of the regular meeting of January 8, 2015, as written. Ayes - 4 - Nays - 0.
- MOTION: of Hooppaw, seconded by Goodwin, adopting **Resolution No. 2016-8** accepting, with thanks, the donation of electrical materials and labor, from Burnsville Electric, for updating the Valley Acres Police Range. Ayes - 4 - Nays - 0.
- MOTION: of Hooppaw, seconded by Goodwin, adopting **Resolution No. 2016-9** accepting, with thanks, the donation of cash and prizes from various businesses toward sponsorship of the 2016 Mid-Winter Fest celebration. Ayes - 4 - Nays - 0.
- MOTION: of Hooppaw, seconded by Goodwin, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to Sons of the American Legion, Squadron 1776, for use on April 9, 2016, at the American Legion, Post, 1776, 14521 Granada Drive, and waiving any waiting period for State approval. Ayes - 4 - Nays - 0.
- MOTION: of Hooppaw, seconded by Goodwin, approving issuance of a lawful gambling exempt permit, by the State Gambling Control Board, to Sons of the American Legion, Squadron 1776, for use on July 4, 2016, at the American Legion, Post, 1776, 14521 Granada Drive, and waiving any waiting period for State approval. Ayes - 4 - Nays - 0.
- MOTION: of Hooppaw, seconded by Goodwin, adopting **Resolution No. 2016-10** setting a public hearing, at 7:00 p.m., on February 25, 2016, on the application for On-Sale Wine and 3.2 Percent Malt Liquor Licenses by Darbar India Grill Apple Valley, Inc., d/b/a Darbar India Grill, 14871 Granada Avenue. Ayes - 4 - Nays - 0.
- MOTION: of Hooppaw, seconded by Goodwin, approving continuation of the Commission/Committee Recognition Program, allowing each non-staff member of the Cemetery Advisory Committee, Parks and Recreation Advisory Committee, Planning Commission, Traffic Safety Advisory Committee, and Urban Affairs Advisory Committee to receive up to \$720.00 of parks and recreation services, for 2016, as described in the Park and Recreation Director's memo. Ayes - 4 - Nays - 0.
- MOTION: of Hooppaw, seconded by Goodwin, receiving the Cemetery Advisory Committee's 2015 annual report. Ayes - 4 - Nays - 0.
- MOTION: of Hooppaw, seconded by Goodwin, receiving the Traffic Safety Advisory Committee's 2015 annual report. Ayes - 4 - Nays - 0.
- MOTION: of Hooppaw, seconded by Goodwin, accepting the resignation from Parks and Recreation Advisory Committee Member Kanika Gupta, and thanking her for her

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dedicated service to the City of Apple Valley, and inviting individuals interested in serving on the Committee to submit an application to the City Clerk by March 31, 2016. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the removal of youth representative designation from the vacant position on the Parks and Recreation Advisory Committee, as described in the Parks and Recreation Director's memo. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the 2016 admission and rental fees for the Apple Valley Family Aquatic Center and Redwood Outdoor Pool, as described in the Parks and Recreation Director's memo. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the 2016 ice rental fees for the Sports Arena and Hayes Park Arena, as described in the Parks and Recreation Director's memo. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the 2016 fees for Valleywood Golf Course, and granting Parks and Recreation Director or designee the latitude to adjust golf course fees for promotions, as described in the Parks and Recreation Director's memo. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, adopting **Resolution No. 2016-11** approving submitting the application for Fiscal Year 2016 Dakota County Community Development Block Grant (CDBG) funding of \$110,051.00 for the Apple Valley Home Improvement Program and \$15,000.00 for DARTS Outdoor Chore Service Program, and authorizing the Mayor and City Clerk to sign the necessary documents. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, adopting **Resolution No. 2016-12** establishing a stop sign on Granite Avenue at 142nd Street West. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the reduction of financial guarantees for Apple Valley East Commercial/Primrose School of Apple Valley from \$33,975.00 to \$5,000.00 and Cortland Third Addition from \$674,790.28 to \$27,200.00, as listed in the Community Development Department Assistant's memo. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the release of the Natural Resources Management Permit financial guarantee for Cobblestone Lake South Shore 8th Addition, as listed in the Natural Resources Coordinator's memo. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, adopting **Resolution No. 2016-13** approving the final plat, Development Agreement, and Agreement for Private Installation of

Improvements for Parkside Village Galante, and authorizing the Mayor and City Clerk to sign the same. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, adopting **Resolution No. 2016-14** reauthorizing issuance of the building permit for a 128-unit Parkside Village Galante building, with conditions as recommended by the Planning Commission. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, adopting **Resolution No. 2016-15** approving plans and specifications for Project 2016-105, 2016 Street Improvements, and authorizing advertising for receipt of bids, at 10:00 a.m., on February 25, 2016, via a posting on the City's website and Quest Construction Data Network. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, adopting **Resolution No. 2016-16** approving plans and specifications for Project 2013-125, Pond EVR-P8 (EVR-P12) Filter Bench Improvements, and authorizing advertising for receipt of bids, at 10:00 a.m., on February 25, 2016, via a posting on the City's website and Quest Construction Data Network. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the 2016 Blue Thumb Partners' Agreement, with Metro Blooms for membership in the Blue Thumb – Planting for Clean Water Program, and authorizing the Mayor and City Clerk to sign the same. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving the Agreement for Project 2016-109, Locating, Marking and Clearance of Electric and Communication Facilities, with Premier Locating, Inc., in the amount of \$12,000.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, accepting Project 2015-168, Apple Valley Community Center Multi-Purpose Room Divider, as complete and authorizing final payment on the contract with Hufcor, Inc., in the amount of \$14,344.00. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, approving hiring the part time and seasonal employees, resignation of employees, termination of employee, and transfer of employee, as listed in the Personnel Report dated January 28, 2016. Ayes - 4 - Nays - 0.

MOTION: of Hooppaw, seconded by Goodwin, to pay the claims and bills, check registers dated January 6, 2016, in the amount of \$269,102.36; and January 13, 2016, in the amount of \$1,369,311.88. Ayes - 4 - Nays - 0.

END OF CONSENT AGENDA

Councilmember Hooppaw thanked Burnsville Electric for their donation of electrical materials and labor to update the Valley Acres Police Range. He further thanked the members of the Police Department for the professional work they do.

GREEN LIGHT A VET PROGRAM

Mr. Paul Chellsen, President of the Apple Valley Beyond the Yellow Ribbon (AVBYR), and AVBYR representatives Mr. Glenn Sonnee, Mr. Bill Tschohl, and Mr. Bill Swanstrom were present to promote their “Greenlight a Vet” program. This is a national campaign with the idea to change one light to green in a visible spot on your porch and keep it glowing every day as a symbol of appreciation and support for veterans.

MID-WINTER FEST 2015

Mr. Breuer, with Klondike present, reviewed activities planned for this year’s Mid-Winter Fest celebration and invited everyone to participate in the activities. Mr. Breuer then read the resolution.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2016-17** proclaiming February 6, 2016, as “Apple Valley Mid-Winter Fest 2016” and encouraging citizens to support and participate in the celebration. Ayes - 4 - Nays - 0.

APPLE VALLEY SENIOR APPARTMENTS

Ms. Bodmer reviewed the request by Apple Valley Leased Housing IV, LLC, for rezoning of property from “M-8C” (Multiple Family Residential, 12 to 24 units/acre) to “PD” (Planned Development); a subdivision by preliminary plat to create one buildable lot; and site plan/building permit authorization to allow for construction of a 163-unit senior apartment building. The 3.5 acre parcel is located on the southwest corner of Cedar Avenue and 140th Street W.

The Planning Commission held a public hearing on December 2, 2015, and voted unanimously to recommend approval on January 20, 2016.

Discussion followed.

Mayor Hamann-Roland asked if the developer considered a design where the side of the building adjacent to the one story building on the south would also be one story.

Mr. Ron Mehl, Senior Developer with Dominion, said a lot of time was spent working on the plans for a four-story building with the desired density of 163 units. To alter the plans as suggested would be difficult on this site. He further said they have responded to the concerns expressed by the neighbor to the south.

Discussion continued.

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MOTION: of Hooppaw, seconded by Bergman, passing **Ordinance No. 1004** rezoning property generally located on the southwest corner of Cedar Avenue and 140th Street W. from “M-8C” (Multiple Family Residential, 12 to 24 units/acre) to “PD” (Planned Development), subject to the execution of a Planned Development Agreement. Ayes - 4 - Nays - 0.

MOTION: of Bergman, seconded by Goodwin, adopting **Resolution No. 2016-18** approving the preliminary plat of Hudson Division, with conditions as recommended by the Planning Commission. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Hooppaw, adopting **Resolution No. 2016-19** approving the site plan and authorizing issuance of a building permit for construction of a 163-unit senior apartment building on Lot 1, Block 1, Hudson Division, with conditions as recommended by the Planning Commission. Ayes - 4 - Nays - 0.

COMMUNICATIONS

Police Captain Francis invited everyone to the Apple Valley Police Department Explorer Post spaghetti dinner fundraiser at the Apple Valley American Legion on January 31, 2016, from 4:00 p.m. to 7:00 p.m.

Mr. Lawell invited everyone to the two remaining Apple Valley Arts Foundation 2016 Frozen Apple concerts at Valleywood Clubhouse from 6:00 p.m. to 9:00 p.m. on February 6, 2016, and March 12, 2016.

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, and noting that each event listed is hereby deemed a Special Meeting of the City Council. Ayes - 4 - Nays - 0.

MOTION: of Goodwin, seconded by Bergman, to adjourn. Ayes - 4 - Nays - 0.

The meeting was adjourned at 8:19 o’clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 2-11-16.