

CITY OF APPLE VALLEY
Dakota County, Minnesota
February 11, 2016

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held February 11, 2016, at 7:00 o'clock p.m., at Apple Valley Municipal Center.

PRESENT: Councilmembers Bergman, Goodwin, and Grendahl.

ABSENT: Mayor Hamann-Roland and Councilmember Hooppaw.

City staff members present were: City Administrator Lawell, City Clerk Gackstetter, City Attorney Hills, City Engineer Anderson, Parks and Recreation Director Bernstein, Planner Bodmer, Police Captain Francis, Assistant City Administrator Grawe, Human Resources Manager Haas, City Planner Lovelace, Police Chief Rechtzigel, and Public Works Director Saam.

Acting Mayor Goodwin 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 Bergman, approving the agenda for tonight's meeting, as presented. Ayes - 3 - Nays - 0.

AUDIENCE

Acting Mayor Goodwin 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

Acting Mayor Goodwin asked if the Council or anyone in the audience wished to pull any item from the consent agenda. There were no requests.

MOTION: of Grendahl, seconded by Bergman, approving all items on the consent agenda with no exceptions. Ayes - 3 - Nays - 0.

CONSENT AGENDA ITEMS

MOTION: of Grendahl, seconded by Bergman, approving the minutes of the regular meeting of January 28, 2016, as written. Ayes - 3 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, adopting **Resolution No. 2016-20** approving the City's 2016-2020 Capital Improvements Program (CIP). Ayes - 3 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, adopting **Resolution No. 2016-21** approving specifications for In-Car Video System with Infrastructure to Support a Future Body Camera System, and authorizing advertising for receipt of bids, at 10:00 a.m.,

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on March 10, 2016, via a posting on the City's website and Quest Construction Data Network. Ayes - 3 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, approving the Hayes Park Arena Advertising Agreement with Apple Valley Collison, Inc., in the amount of \$1,800.00 for a three-year lease of advertising space, and authorizing the Mayor and City Clerk to sign the same. Ayes - 3 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, approving the Hayes Park Arena Advertising Agreement with Heritage Figure Skating Club, in the amount of \$1,800.00 for a three-year lease of advertising space, and authorizing the Mayor and City Clerk to sign the same. Ayes - 3 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, approving the Agreement for Project 2016-111, Supply (7) 72" Mowers for Lease, with Frontier Ag & Turf, in the amount of \$74,430.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 3 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, approving the Agreement for Project 2016-112, Kelley Park Playground Re-Surfacing, with Midwest Playscapes, Inc., in the amount of \$57,194.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 3 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, approving the 2016 Products and Services Agreement with Teemaster, Inc., in the amount of \$7,500.00, and authorizing the Mayor and City Clerk to sign the same. Ayes - 3 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, approving the Statement of Work for Project 2016-101, Advanced Metering Consulting Services, with SL-serco, in the amount of \$11,450.00, and authorizing the Public Works Superintendent - Utilities to sign the same. Ayes - 3 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, approving hiring the part time, and seasonal employees, resignation of employee, and retirement of employee, as listed in the Personnel Report dated February 11, 2016. Ayes - 3 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, to pay the claims and bills, check registers dated January 20, 2016, in the amount of \$911,240.48, and January 27, 2016, in the amount of \$569,148.86. Ayes - 3 - Nays - 0.

END OF CONSENT AGENDA

PENNOCK CENTER

Ms. Bodmer reviewed the request by Java Capital Partners 7668 150th Street, LLC, for a Conditional Use Permit for a drive-thru window in connection with a Class III restaurant, a 5-foot parking setback variance adjacent to 150th Street W., and a site plan review/building permit authorization to allow construction of a 5,400 sq. ft. retail building for a coffee shop with a drive-thru and dental office. The property is located on the southeast corner of 150th Street West and Pennock Lane. The Planning Commission held a public hearing on December 2, 2015, and voted unanimously to recommend approval on January 20, 2016.

Councilmember Bergman asked if there is sufficient space for stacking vehicles turning left into Pennock Center from Pennock Lane.

Discussion followed.

Councilmember Bergman commented on landscaping materials and maintenance of plantings adjacent to a heavily traveled road.

Discussion continued.

MOTION: of Grendahl, seconded by Bergman, adopting **Resolution No. 2016-22** approving a Conditional Use Permit to allow a drive-thru window in connection with a Class III restaurant on Lot 1, Apple Valley Square 2nd Addition (7668 150th Street W.), with conditions as recommended by the Planning Commission. Ayes - 3 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, adopting **Resolution No. 2016-23** approving a 5-foot variance from the 15-foot parking lot setback adjacent to 150th Street W. on Lot 1, Apple Valley Square 2nd Addition (7668 150th Street W.), with conditions as recommended by the Planning Commission. Ayes - 3 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, adopting **Resolution No. 2016-24** approving the site plan and authorizing issuance of a building permit to construct a 5,400 sq. ft. building for a Class III neighborhood restaurant with drive-thru and dental office on Lot 1, Apple Valley Square 2nd Addition (7668 10th Street W.), with conditions as recommended by the Planning Commission. Ayes - 3 - Nays - 0.

WATER TREATMENT FACILITY EXPANSION

Mr. Saam commented on the Water Treatment Facility expansion, noting that the project is complete and came in \$200,000 under budget. He then reviewed the request by Magney Construction, Inc., for acceptance and final payment on Project 2012-108, Water Treatment Plant Expansion, in the amount of \$113,555.00 for a total cost of \$14,731,140.42.

Acting Mayor Goodwin congratulated staff on the project and the significant cost savings.

Discussion followed.

MOTION: of Grendahl, seconded by Bergman, accepting Project 2012-108, Water Treatment Plant Expansion, as complete and authorizing final payment on the contract with Magney Construction, Inc., in the amount of \$113,555.00. Ayes - 3 - Nays - 0.

COMMUNICATIONS

Mr. Lawell and Mr. Bernstein commented on the successful Mid-Winter Fest event last Saturday.

Councilmember Bergman noted that the cover of *Minnesota Golfer* magazine features Valleywood Golf Course as the Minnesota Golf Association (MGA) Club of the Year.

CALENDAR OF UPCOMING EVENTS

MOTION: of Grendahl, seconded by Bergman, approving the calendar of upcoming events as included in the Deputy City Clerk's memo dated February 11, 2016, and noting that each event listed is hereby deemed a Special Meeting of the City Council. Ayes - 3 - Nays - 0.

MOTION: of Bergman, seconded by Grendahl, to adjourn. Ayes - 3 - Nays - 0.

The meeting was adjourned at 7:30 o'clock p.m.

Respectfully Submitted,

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

Approved by the Apple Valley City Council on 2-25-16.