

CITY OF APPLE VALLEY
Dakota County, Minnesota
June 12, 2025

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held June 12, 2025, at 7:00 p.m.

PRESENT: Mayor Hooppaw; Councilmembers, Bergman, Grendahl, Hiebert, and Melander.

ABSENT: None.

City staff members present were: City Clerk Scipioni, City Attorney Hills, City Engineer Anderson, Parks and Recreation Director Carlson, Deputy Police Chief Dahlstrom, City Planner Dill, Police Chief Francis, Assistant City Administrator Grawe, Human Resources Manager Haefner, Fire Chief Nelson, Public Works Director Saam, and Associate Planner Stroeing.

Mayor Hooppaw called the meeting to order at 7:00 p.m. Everyone took part in the Pledge of Allegiance to the flag.

Approval of the Agenda

Ms. Scipioni noted the applicant for item 4.R. Orchard Place 5th Addition has requested the item be removed from the agenda. Additionally, item 4.KK. Authorize helicopter landing and liftoff in Johnny Cake Ridge Park East on July 3, 2025, has been added. Finally, the Council calendar has been updated.

MOTION: of Grendahl, seconded by Bergman, approving the agenda for tonight's meeting, removing Item 4.R. Orchard Place 5th Addition and adding Item 4.KK. Authorize helicopter landing and liftoff in Johnny Cake Ridge Park East on July 3, 2025.
Ayes - 5 - Nays - 0.

Audience

Mayor Hooppaw asked if anyone was present to address the Council, at this time, on any item not on this meeting's agenda. No one present wished to speak.

Consent Agenda

Mayor Hooppaw asked if the Council or anyone in the audience wished to pull any item from the consent agenda.

MOTION: of Melander, seconded by Grendahl, approving all items the consent agenda.
Ayes - 5 - Nays - 0.

CONSENT AGENDA ITEMS

- A. Approve the minutes of the regular meeting of May 22, 2025.

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- B. Set a Special City Council Meeting on June 4, 2025, at 1:00 p.m. to conduct Finance Director interviews.
- C. Adopt **Resolution No. 2025-85** accepting a donation from the Apple Valley Community Crime Prevention Association for use by Police Department.
- D. Proclaim July 2025 as "Park and Recreation Month".
- E. Adopt **Resolution No. 2025-86** establishing parking restrictions and road closures for Freedom Days celebration events.
- F. Approve issuance of Temporary Event License in connection with a Community Festival, "Apple Valley Freedom Days Celebration", for on-sale intoxicating liquor sales to AV Hospitality SBC, d/b/a Patriots Restaurant & Bar.
- G. Approve issuance of Temporary Event License in connection with a Community Festival, "Music in Kelley Park", for on-sale intoxicating liquor sales to LoKo Bowling, Inc., d/b/a Bogart's Entertainment Center.
- H. LoKo Bowling, Inc., d/b/a Bogart's Entertainment Center, 14917 Garrett Avenue, outdoor event on September 20, 2025
 - 1. Approve Special Event Permit
 - 2. Approve temporary extension to On-Sale Liquor License premises.
- I. Adopt **Resolution No. 2025-87** revoking Lilong, Inc's Massage Therapy Business License.
- J. Appoint Councilmember John Bergman as Apple Valley representative to Minneapolis/St. Paul International Airport Noise Oversight Committee At-Large Community Group.
- K. Receive Parks and Recreation Advisory Committee 2024 Annual Report.
- L. Receive Parks and Recreation Department 2024 Annual Report.
- M. Adopt **Resolution No. 2025-88** amending the 2025 Budget for specific items.
- N. Adopt **Resolution No. 2025-89** adopting the 2025 Performance Measures and approving participation in the Performance Measurement Program.
- O. Approve 2025 ALF Ambulance Budget.
- P. Adopt **Resolution No. 2025-90** approving the Deer Management Plan.
- Q. Approve release of Natural Resources Management Permit financial guarantee.
- R. ~~Orchard Place 5th Addition Item removed from the agenda~~
 - ~~1. Adopt Resolution approving Final Plat and Development Agreements for Orchard Place 5th Addition.~~
 - ~~2. Approve Planned Development Agreement with Rockport, LLC.~~
- S. Adopt **Resolution No. 2025-91** awarding agreement for Project 2022-111, Apple Valley 11th and 12th Additions Electrical Conversion Phase 1.
- T. Approve agreement with The Jamar Company for Project 2024-148, City Hall Reroof.
- U. Adopt **Resolution No. 2025-92** awarding agreement for Project 2025-113, Galaxie Avenue & CSAH 42 Entrance Monument Improvements.
- V. Approve reciprocal fire service agreement with Capital City Regional Firefighter's Association.
- W. Approve cost share agreement with Dakota County for election hardware, software, and related services.

- X. Approve agreement with DJ Commercial Door, LLC, for FS1 Service Door Replacement.
- Y. Approve agreement with JWS Construction, LLC, for FS1 Service Door Landing Pad.
- Z. Approve agreement with Loffler Companies, Inc., for multifunction copier rental and maintenance.
- AA. Approve amended agreement with Independent School District 196 for Police Liaison Services.
- BB. Approve second amendment to JPA with Dakota County for Cost Share related to Project 2021-150, North Creek Greenway Trail Improvement.
- CC. Approve Change Order No. 1 to agreement with Spohn Ranch, Inc., for Project 2024-172, Skate Park Construction (2023 Parks Bond Referendum).
- DD. Approve Change Order No. 2 and 3 to agreement with Pro-Tec Design, Inc., for Police Operations – Card Readers and Cameras.
- EE. Approve Change Order No. 12 for Project 2021-172, Police Garage.
- FF. Approve Change Order No. 4 to agreement with Jerry's Transmission Service, Inc., d/b/a North Central Emergency Vehicles, for 2025 Fire Engine, Triple Combination Pumper.
- GG. Approve payment to Charter Spectrum to bury overhead cable lines for Project 2024-189, Redwood Park Reconstruction (2023 Parks Bond Referendum).
- HH. Approve acceptance and final payment on agreement with Hallberg Engineering, Inc., for Commissioning Agenda for Apple Valley Fire Station #2 & Improvements to #1 & #3.
- II. Approve claims and bills.
- JJ. Approve the personnel report.
- KK. Authorize helicopter landing and liftoff in Johnny Cake Ridge Park East on July 3, 2025.

END OF CONSENT AGENDA

Regular Agenda

A. Present Police Awards to Residents

Chief Francis presented certificates of recognition to Logan Widgren, Jeffrey Bert Finkelstein, and Steven Hylback. Dr. Garry Allen received the Chiefs Award of Merit.

B. Apple Valley Freedom Days Schedule of Events and Signage

Mrs. Pat Schesso, Co-Chair of the Apple Valley Freedom Days Committee, reviewed the various activities planned for the 59th Annual Apple Valley 4th of July Freedom Days Celebration, which begins on June 27 and concludes on July 4. The parade begins at 1:00 p.m. on July 4 and the fireworks will begin at 10:00 p.m. that evening. Everyone is invited to enjoy the fun and participate in various events.

MOTION: of Bergman, seconded by Grendahl, accepting the Apple Valley Freedom Days Celebration and community festival schedule of events and authorizing temporary placement of signage on public property. Ayes - 5 - Nays - 0.

C. Spice Village, LLC, 7520 149th Street West

Ms. Scipioni reviewed the application from Spice Village, LLC, for On-Sale Wine and 3.2 Percent Malt License Licenses. She noted receipt of the affidavit of public hearing notice. The restaurant is located at 7520 149th Street West. She stated the Police and Fire Departments completed the necessary background and site investigations and found no reason the license could not be authorized at this time.

Mayor Hooppaw called the public hearing to order at 7:24 p.m. to consider the application by Spice Village, LLC, for Wine and 3.2 Percent Malt License Licenses. The Mayor asked for questions or comments from the Council or audience. There were none and the hearing was declared closed at 7:24 p.m.

MOTION: of Grendahl, seconded by Melander, to adopt **Resolution No. 2025-93** approving issuance of 2025 On-Sale Wine and 3.2 Percent Malt License Licenses to Spice Village, LLC, for premises located at 7520 149th Street West. Ayes - 5 - Nays - 0.

Representatives of Spice Village introduced the establishment to the City.

Mayor Hooppaw welcomed Spice Village to Apple Valley.

D. General Obligation Bond, Series 2025A

Mr. Heberg introduced the item, providing the issuance calendar, proposed bond amounts, and planned expenditures.

MOTION: of Melander, seconded by Bergman, to adopt **Resolution No. 2025-94** providing for the competitive negotiated sale of \$32,450,000 General Obligation, Series 2025A. Ayes - 5 - Nays - 0.

MOTION: of Melander, seconded by Bergman, to Approve Municipal Advisory Service Agreement with Northland Securities. Ayes - 5 - Nays - 0.

E. Cannabis Microbusiness Text Amendments

Ms. Stroeing stated Jason Sewell, doing business as HiRISH, has requested to amend Planned Development No. 409 to allow cannabis microbusinesses within the PD. Cannabis Microbusinesses are currently not a permitted use in Planned Developments per City Code Section 155.320 (Cannabis Businesses, Hemp Businesses, and Temporary Events). Therefore, the applicant has also requested an amendment to Section 155.320 to allow for cannabis

microbusinesses in Planned Developments. The applicant wishes to operate a cannabis microbusiness at 6950 146th Street West.

Mr. Stroeing stated the amendment to Planned Development No. 409 would apply to all properties within it. The public hearing for the text amendments was held on April 2, 2025. The Planning Commission reviewed the request and the public hearing responses at the May 7, 2025, Planning Commission meeting. The Commission voted to recommend denial of the ordinances by a 4-0 vote for both motions. A summary of the Planning Commission's findings and rationale for the recommendation of denial is as follows:

1. The existing zoning districts that allow cannabis microbusinesses are industrial districts (BP, I-1, I-2), and there are adequate opportunities to find a location that is properly zoned.
2. The industrial zoning districts are best suited for the operations of a cannabis microbusiness.
3. PD-409 is adjacent to existing residential properties and the amendment would allow for a cannabis microbusiness to operate in close proximity to those residential properties.
4. Allowing cannabis microbusinesses in PD-409 could cause disturbances in the area and nearby neighborhoods.

Attorney Carol Moss spoke on behalf of the applicant.

Discussion followed.

MOTION: of Grendahl, seconded by Melander, to affirm the Planning Commission's recommendation of denial made at the May 7, 2025, Planning Commission meeting and direct staff to prepare a Resolution of denial for the request to amend Article 16, Planned Development No. 409 of the City Code to allow cannabis microbusinesses, stating the following reasons for denial:

1. The existing zoning districts that allow cannabis microbusinesses are industrial districts (BP, I-1, I-2), and there are adequate opportunities to find a location that is properly zoned.
2. The industrial zoning districts are best suited for the operations of a cannabis microbusiness.
3. PD-409 is adjacent to existing residential properties and the amendment would allow for a cannabis microbusiness to operate in close proximity to those residential properties.
4. Allowing cannabis microbusinesses in PD-409 could cause disturbances in the area and nearby neighborhoods.

Ayes - 4 - Nays - 1 (Hiebert).

MOTION: of Grendahl, seconded by Melander, to affirm the Planning Commission's recommendation of denial made at the May 7, 2025, Planning Commission meeting and direct staff to prepare a Resolution of denial for the request to amend Section 155.320(C) of the City Code to allow cannabis microbusinesses in planned developments stating the following reasons for denial:

1. The existing zoning districts that allow cannabis microbusinesses are industrial districts (BP, I-1, I-2), and there are adequate opportunities to find a location that is properly zoned.
2. The industrial zoning districts are best suited for the operations of a cannabis microbusiness.
3. PD-409 is adjacent to existing residential properties and the amendment would allow for a cannabis microbusiness to operate in close proximity to those residential properties.
4. Allowing cannabis microbusinesses in PD-409 could cause disturbances in the area and nearby neighborhoods.

Ayes - 4 - Nays - 1 (Hiebert).

F. Snap Fitness, 15115 Dove Trail

Ms. Stroeing stated the City has received a request to allow the use of a health and fitness facility within Planned Development No. 629 (PD-629), Zone 4. Applicant Geoffery Wyatt submitted a building permit application for Snap Fitness to be located at 15115 Dove Trail. This property is within PD-629, Zone 4. During staff review of this building permit, it was determined that a health and fitness facility is not a permitted use within the PD subzone. There is a provision within Section A22-2(D)(5) (PD-629, Zone 4 Permitted Uses) that states "Retail operations selling personal services or goods over-the-counter as limited to the following uses unless otherwise specifically approved by the City Council." The applicant has requested that the City Council review the proposed use of a health and fitness facility within the PD subzone located at the subject property.

MOTION: of Grendahl, seconded by Bergman, adopting **Resolution No. 2025-95** approving a health and fitness facility as a permitted use in "PD-629" (Planned Development No. 629), Zone 4. Ayes - 5 - Nays - 0.

Communications

Councilmembers Grendahl and Bergman raised concerns about traffic issues in the City. They asked the community members to obey traffic laws and thanked the Police Department for their enforcement efforts.

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, and noting that each event listed is hereby deemed a Special Meeting of the City Council. Ayes - 5 - Nays - 0.

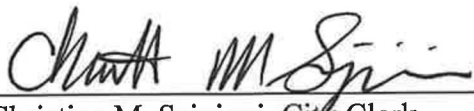
Adjourn

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

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The meeting was adjourned at 8:34 p.m.

Respectfully Submitted,


Christina M. Scipioni, City Clerk

Approved by the Apple Valley City Council
on July 10, 2025.


Clint Hooppaw, Mayor