CITY OF APPLE VALLEY
Dakota County, Minnesota
July 10, 2025

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held July 10, 2025, at 7:00 p.m., at Apple Valley Municipal Center.

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

ABSENT: None.

City staff members present were: City Administrator Lawell, City Clerk Scipioni, City Attorney Hills, City Engineer Anderson, Community Development Director Benetti, Parks and Recreation Director Carlson, Police Chief Francis, Assistant City Administrator Grawe, Human Resources Manager Haefner, Planner Hayes, Liquor Operations Director Rick Heyne, Fire Chief Nelson, Liquor Assistant Manager Noel Nichols, 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

MOTION: of Grendahl, seconded by Bergman, approving the agenda for tonight's meeting, as presented. 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.

Consent Agenda

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

MOTION: of Melander, seconded by Hiebert, approving all items on the consent agenda with no exceptions. Ayes - 5 - Nays - 0.

Consent Agenda Items

A. Approve the minutes of the regular meeting of June 12, 2025.
B. Approve issuance of 2025 License to Sell Tobacco or Tobacco Products to QRA Enterprise, LLC, d/b/a X-Golf Apple Valley, 7541 148th Street W.
C. Approve State Gambling Exempt Permit for Apple Valley Ducks Unlimited, Chapter 185, on October 4, 2025, at Bogart's Entertainment Center, 14917 Garrett Avenue.
D. Receive 2024 Annual Comprehensive Financial Report.

E. Receive Apple Valley Firefighters Relief Association Certification of 2026 Financial Requirements.
F. Adopt **Resolution No. 2025-96** of support for funding application to Governor's 2026 Capital Budget for PFAS removal upgrades to Water Treatment Plant.
G. Accept resignation from Cemetery Advisory Committee Member Timothy Anderson and authorize recruitment of a committee member.
H. Orchard Place 5th Addition
    1. Adopt **Resolution No. 2025-97** approving amendment to Orchard Place 2nd Addition Reciprocal Easement Agreement.
    2. Adopt **Resolution No. 2025-98** amending Resolution No. 2025-63 (Preliminary Plat Approval Orchard Place 5th).
    3. Adopt **Resolution No. 2025-99** amending Resolution No. 2025-64 (Building Permit Authorization for Skyline Social & Games).
    4. Adopt **Resolution No. 2025-100** approving Final Plat and Development Agreements for Orchard Place 5th Addition.
    5. Accept Trail Easement on Lot 1, Block 1 and Outlot A, Orchard Place 5th Addition.
    6. Approve Planned Development Agreement with Skyline MN Apple Valley, LLC.
    7. Approve Planned Development Agreement with Orchard Place Partners, LLC.
I. Approve Temporary Sign Permit for 2025 Music in Kelley Park.
J. Approve extended construction hours for Chick-Fil-A (7480 153rd Street West).
K. Apple Valley Additions Stormwater Project
    1. Adopt **Resolution No. 2025-101** accepting Feasibility Study for Project 2024-163, Apple Valley Additions Stormwater Feasibility Study
    2. Adopt **Resolution No. 2025-102** authorizing grant agreement with the Minnesota Pollution Control Agency for $5,000,000.00 in grant funds for the Apple Valley Additions Stormwater Improvements.
    3. Adopt **Resolution No. 2025-103** directing preparation of Plans and Specifications for Project 2026-107, Apple Valley Additions Stormwater Improvements.
L. Approve design agreement with Real Estate Equities, LLC, for Project 2026-112, Valley Station Apartments Sanitary Sewer Improvements.
M. Approve agreement with Fendler Patterson Construction for Apple Valley Liquor Store #2 Interior Remodel.
N. Adopt **Resolution No. 2025-104** directing preparation of plans and specifications for Project 2026-106, Apple Valley Additions Street and Utility Improvements Phase 2.
O. Adopt **Resolution No. 2025-105** awarding agreement for Project 2024-102, Utility Improvements (Hayes Trail/Longridge Park).
P. Approve joint powers agreement with Dakota County Drug Task Force for drug detection dog handler.
Q. Approve agreement with Conference Technologies, Inc., for the 2025 Audio and Presentation System Replacement.
R. Approve agreement with Honeywell International, Inc., for maintenance and repairs services of fire station alerting system at Fire Station 2.

S. Approve agreement with Taylor Electric for Project 2024-136, Well 16 Recommissioning.
T. Approve agreement with Hydro-Klean, LLC, for Project 2025-143, Sump Basin Cleaning – County and Collector Roads.
U. Approve agreement with Sewer Septic Grease Services, LLC, for Project 2025-144, Sump Cach Basin Cleaning – Interior City Roads.
V. Adopt **Resolution No. 2025-106** awarding agreement for Project 2025-154, Neighborhood Parks Improvements (2023 Parks Bond Referendum).
W. Approve playground equipment/installation purchase orders for Project 2025-154, Neighborhood Parks Improvements (2023 Parks Bond Referendum).
   1. Purchase order with Landscape Structures, Inc., for playground equipment and with Sawtooth Holdings, Inc., d/b/a Flagship Recreation for installation for Cobblestone Lake Park (southeast).
   2. Purchase order with St. Croix Recreation Fun Playgrounds, Inc., for Greenleaf North Park.
   3. Purchase order with Minnesota Playground, Inc., d/b/a MWP Recreation, for Chaparral Park.
   4. Purchase orders with PlayPower LT Farmington, Inc., for Carollwood Park and Cedar Isle Park.
X. Approve Change Order No. 13 for Project 2021-172, Police Garage.
Y. Approve Change Order No. 1 to the agreement with McNamara Contracting, Inc., for Project 2025-101, 2025 Street and Utility Improvements (Apple Streets Phase 1).
Z. Approve Change Order No. 1 to professional services agreement with Confluence, Inc., for Project 2024-188, Youth Baseball/Softball Complex Construction (2023 Parks Bond Referendum).
AA. Approve Change Orders No. 1, 2, 4, 5, 6, 7, 9, 10, and 11, to agreement with Terra General Contractors, LLC, d/b/a Terra Construction, for Project 2024-188 Youth Baseball/Softball Complex Construction (2023 Parks Bond Referendum).
BB. Approve Change Order No. 8 to agreement with Terra General Contractors, LLC, d/b/a Terra Construction, for Project 2024-188 Youth Baseball/Softball Complex Construction (2023 Parks Bond Referendum).
CC. Approve Change Order No. 1 to agreement with VCI Environmental, Inc., for hazardous material abatement services for Project 2024-189, Redwood Park Reconstruction (2023 Parks Bond Referendum).
DD. Approve Acceptance and final payment on agreement with DJ Commercial Door, LLC, for FS1 Service Door Replacement.
EE. Approve acceptance and final payment on agreement with Northern Lines Contracting, Inc., for Project 2024-104, Whitney Drive Street & Utility Improvements.
FF. Approve acceptance and final payment on agreement Tier One Landscape for Project 2025-126, Sunset Park Steps Replacement (2023 Parks Bond Referendum).
GG. Approve claims and bills
HH. Approve the personnel report.

End of Consent Agenda

Regular Agenda

A. Introductions and Oaths of Office of Police Officers David Wilson and Chidan Doobay

Police Chief Francis introduced Police Officers David Wilson and Chidan Doobay. City Clerk Scipioni administered the oath of office to Officers Wilson and Doobay. Their family members pinned their badges. The City Council congratulated Officers Wilson and Doobay on the end of their field training period and thanked them for their service to the City.

B. Natural gas utility franchise fee ordinance

Mr. Saam provided an overview of the proposed natural gas utility franchise fee ordinance.

Mayor Hooppaw called the public hearing to order at 7:15 p.m. to consider the Natural Gas Utility Franchise Fee Ordinance. The Mayor asked for questions or comments from the Council and the audience. There were none and the hearing was declared closed at 7:15 p.m.

MOTION: of Bergman, seconded by Hiebert, waiving the provision for a second reading and passing **Ordinance No. 1147** amending Chapter 119 of the City Code, adding Section 119.62 entitled "Franchise Fee" regarding a Natural Gas Franchise Fee. Ayes - 5 - Nays - 0.

C. Variance, Conditional Use Permit, and Site Plan & Building Permit Authorization for 7 Brew, Lot 1, Block 1 McDonald's at Orchard Place

Mr. Hayes stated Kueber Coffee Minnesota, LLC, doing business as 7 Brew, has submitted an application requesting a Variance to allow extended hours of operation from 6:00 a.m. to 11:00 p.m. to 5:30 a.m. to 11:00 p.m.; a Conditional Use Permit to allow a drive-through in conjunction with a Class III Restaurant; and Site Plan and Building Permit Authorization for a 510 sq. ft. drive-through coffee shop.

Mr. Hayes further stated the proposed 7 Brew development consists of a drive-through-only coffee shop with two ordering lanes. There will be no indoor or outdoor seating. All ordering will occur through person-to-person interaction, with no speaker boxes proposed. The site is located at 15440 English Avenue. A public hearing for the requested variance and Conditional Use Permit was held at the June 18, 2025, Planning Commission meeting. The Commission raised general questions regarding the method of service by the business, which were answered by both staff and the applicant. The only comment during the hearing was from the applicant's representative. The Planning Commission recommended approval by a 5-0 vote on each of the action items.

MOTION: of Melander, seconded by Grendahl, to adopt **Resolution No. 2025-107** approving a variance to allow expanded hours of operation for a Class III Restaurant from 6:00 a.m. to 11:00 p.m. to 5:30 a.m. to 11:00 p.m., subject to findings and conditions. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Melander, to adopt **Resolution No. 2025-107** approving a Conditional Use Permit to allow a drive-through in conjunction with a Class III Neighborhood Restaurant, subject to conditions. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Bergman, to adopt **Resolution No. 2025-108** approving the Site Plan and Building Permit Authorization for a 510 sq. ft. drive-through coffee shop, subject to conditions. Ayes - 5 - Nays - 0.

D. Cannabis Microbusiness Text Amendments

Ms. Stroeing stated Jason Sewell (d/b/a HiRISH), requested to amend Planned Development No. 409 to allow cannabis microbusinesses within the PD. The applicant also requested an amendment to Section 155.320 to allow for cannabis microbusinesses in Planned Developments. The City Council considered the requested amendments at the June 12, 2025, City Council meeting. The Council, having reviewed and considered the public hearing record, staff's presentation and report, the comments from the applicant, and the recommendation of the Planning Commission, affirmed the Planning Commission's recommendation of denial of both zoning requests. Resolutions denying application to amend Planned Development No. 409, Chapter 155-Appendix F, Article 16 to allow cannabis microbusinesses, and to amend Section 155.320 to allow cannabis microbusinesses in Planned Developments were prepared for Council consideration.

MOTION: of Grendahl, seconded by Bergman, to adopt **Resolution No. 2025-109** denying application to amend Planned Development No. 409, Chapter 155-Appendix F, Article 16 to allow cannabis microbusinesses. Ayes - 5 - Nays - 0.

MOTION: of Grendahl, seconded by Melander, to adopt **Resolution No. 2025-110** denying application to amend Section 155.320 to allow cannabis microbusinesses in Planned Developments. Ayes - 5 - Nays - 0.

Communications

Mr. Anderson provided an overview of a $5 million grant received by the City from the Minnesota Pollution Control Agency. The grant will fund planned stormwater and parks improvements. The Council thanked staff for their work applying for the grant.

Mayor Hooppaw and Mr. Lawell thanked staff and community members for their work providing another wonderful Freedom Days.

Mr. Lawell noted Music in Kelley Park scheduled for Friday, July 11 has been moved to Bogart's Entertainment Center.

Councilmember Bergman highlighted the recent wine tasting events that have been hosted by Apple Valley Liquor. Mr. Heyne and Mr. Nichols provided more information about wine tastings and the wine selection at Apple Valley Liquor.

Calendar of Upcoming Events

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

The meeting was adjourned at 7:44 p.m.

Respectfully Submitted,

Christina M. Scipioni, City Clerk

Approved by the Apple Valley City Council
On July 24, 2025.

Clint Hooppaw, Mayor