

CITY OF APPLE VALLEY
Dakota County, Minnesota
August 14, 2024

Minutes of the regular meeting of the City Council of Apple Valley, Dakota County, Minnesota, held August 14, 2024, 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, 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 Bergman, seconded by Grendahl, approving the agenda for tonight's meeting, adding item . Ayes - 5 - Nays - 0.

Audience

Mayor Hooppaw asked if anyone was present to address the Council.

Beth Lambert, 15674 Duck Pond Way, shared her concerns about the upcoming remodel of the Apple Valley Community Center and Apple Valley Senior Center. She submitted comments from the Apple Valley Seniors.

Michael Lefebvre, 1247 Spring Green Lane, Burnsville, discussed the planned changes to the Apple Valley Community Center and Apple Valley Senior Center.

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 July 24, 2025.
- B. Proclaim September 13, 2025, as "Fall Food Truck Festival" and Community Festival and authorize temporary placement of signage on public property.

- C. Approve issuance of Temporary On-Sale Liquor License for Apple Valley American Legion, Post 1776, at 14521 Granada Drive on September 27, 2025.
- D. Approve State Gambling Exempt Permit for Minnesota Zoo Foundation on September 19, 2025, at the Minnesota Zoo, 13000 Zoo Boulevard.
- E. Approve issuance of 2025 License to Sell Tobacco or Tobacco Products to Mo Tobacco, LLC, 15050 Cedar Avenue, Unit 109.
- F. Set a Special Cit Council Meeting on Thursday, August 21, 2025, at 2:30 p.m. to conduct Finance Director interviews.
- G. Adopt **Resolution No. 2025-120** authorizing the City Administrator to execute all required documents for participation in the nationwide opioid settlement agreements.
- H. Adopt **Resolution No. 2025-121** amending the 2025 Budget for specific items.
- I. Adopt **Resolution No. 2025-122** supporting an application to the Metropolitan Council for a Transit-Oriented Development Grant.
- J. Accept Planning Commission Resolution declaring certain City-owned land as having no public purpose needs and the proposed sale is in conformance with the 2040 Comprehensive Plan.
- K. Approve reduction of Financial Guarantee.
- L. 7 Brew Coffee
 - 1. Adopt **Resolution No. 2025-123** approving the development agreement for 7 Brew Coffee on Lot 1, Block 1, McDonalds at Orchard Place.
 - 2. Approve stormwater maintenance agreement for 7 Brew Coffee on Lot 1, Block 1, McDonalds at Orchard Place.
- M. Approve joint powers agreement with Dakota County for Project 2025-108, CP 42-172 Federal Mill and Overlay of CSAH 42 from 147th Street to CSAH 33.
- N. Approve joint powers agreement with Dakota County for Project 2026-113, CP 42-177 CSAH 42 at Garrett Avenue Intersection and CSAH 42 at CSAH 31 (Pilot Knob) Improvements.
- O. Approve agreement with SafeAssure for City (non-Maintenance) safety training and consultation services.
- P. Approve amendment to Fiber Optic Indefeasible Right to Use agreement with Independent School District 196.
- Q. Approve second amendment to agreement with Oertel Architects for Architectural Services on Project 2021-154, CMF Improvement and Expansion; Project 2021-171, JCRPE Maintenance Facility; and Project 2021-172, Police Garage.
- R. Approve Change Order No. 1 to agreement with Jirik Sod Farms, Inc., for Project 2025-116, 2025 Sod Replacement Services, and Approve Acceptance and Final Payment.
- S. Approve Change Orders No. 1 and 2 to agreement with Kraus-Anderson Construction Company for Project 2024-189, Redwood Park Reconstruction (2023 Parks Bond Referendum).
- T. Approve Change Order No. 14 for Project 2021-172, Police Garage.
- U. Approve date of substantial completion of Project 2021-172, Police Garage.
- V. Approve claims and bills.
- W. Adopt **Resolution No. 2025-124** amending 2025 Pay and Benefit Plan.

- X. Approve the personnel report.
- Y. Approve Special Permit to Move Kelley Park Picnic Shelter to Hayes Park Youth Baseball/Softball Complex.

End of Consent Agenda

Regular Agenda

A. Planned Development No. 1144 (PD-1144) Setback Amendment

Ms. Stroeing stated staff is initiating an amendment to Planned Development No. 1144 regarding the rear lot setback requirements for Zone 2 of the PD. The amendment corrects the rear lot line setback requirement for the Orchard Place Apartments project based on the approved site plan. The public hearing for the amendment was held at the August 6, 2025, Planning Commission meeting. There were no public comments received. The Planning Commission recommended approval of the amendment by a 5-0 vote.

MOTION: of Bergman, seconded by Hiebert, to pass an Ordinance amending Article 40, Planned Development Designation No. 1144 of the City Code by revising rear lot setback requirements for Zone 2 (recommend waiving second reading). Ayes - 5 - Nays - 0.

B. Open public hearing regarding the vacation of drainage and utility easements on Lots 1 and 2, Block 3, Village of Founders Circle and continue to August 28, 2025

Mr. Benetti stated Council is asked to open the public hearing on the request to vacate the existing drainage and utility easements within the Village of Founders Circle plat and continue the hearing until the August 28, 2025, meeting.

Mayor Hooppaw called the public hearing to order at 7:17 p.m. to consider vacation of drainage and utility easements on Lots 1 and 2, Block 3, Village of Founders Circle. The Mayor asked for questions or comments from the Council or audience. There were none and the hearing was declared continued to the August 28, 2025, City Council meeting.

Communications

Mr. Lawell reminded the community that airport runway construction will begin again soon, which will cause more airplanes to fly over Apple Valley. The runway construction is scheduled to begin August 18 and end September 26.

Mr. Lawell stated Splash Valley Water Park will close for the season on August 20 and there are two more performances of Music in Kelley Park before it moves to Quarry Park for the remainder of the performance season.

Councilmember Bergman stated that in addition to the airport runway construction, airplanes are often routed differently based on the wind conditions.

Mayor Hooppaw thanked the Police Department, Fire Department, and City staff who attended Night to Unite. He noted it was a fun event and thanked community members who hosted gatherings.

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 Melander, to adjourn. Ayes - 5 - Nays - 0.

The meeting was adjourned at 7:23 p.m.

Respectfully Submitted,


Christina M. Scipioni, City Clerk

Approved by the Apple Valley City Council
on August 28, 2025.


Clint Hooppaw, Mayor

Members of the Apple Valley Senior Center appreciate the creativity and energy that have resulted in exciting new plans for the combined centers. However, in order to preserve the spirit and integrity of the Senior Center and to maintain the accessibility to the Senior Center needed by many members, we respectfully request the following two changes: During Senior Center hours, we request that the current entrance into the center remain open and we request that the location of Senior Center staff offices be left unchanged.