

## CITY OF BURNSVILLE

Regular Meeting  
December 2, 2002

The City Council of the City of Burnsville met in regular session at the Burnsville City Hall, 100 Civic Center Parkway, Burnsville, Minnesota on the 2<sup>nd</sup> day of December 2002.

The meeting was called to order by Mayor Kautz at 7:00 p.m.

The Pledge of Allegiance was led by Boy Scout Troop 471 and preceded by a moment of silence.

Present: Crichton, Kautz, Moran, and Workman

Absent: Cherney

1. Announcements and Proclamations.

Council Meetings: Mon., Dec. 16, 7:00 p.m.  
Mon., Jan. 6, 7:00 p.m.

Special Council Meeting: Thurs., Dec. 5, 5:30 p.m.

Worksession Meeting: Tues., Dec. 10, 6:30 p.m.

Recognition of Community Emergency Response Team (CERT)

Don Sides and Andy Schinka representing Sam's Club presented the City with a \$1200 grant for the CERT program.

Presentation of National Night Out Award

2. Citizen Comments.

There were no citizen comments.

3. Additions to the Final Agenda.

There were no additions to the final agenda.

4. Approval of Consent Agenda.

At the request of Mayor Kautz, Item 4D (Approval of Revised Findings of Fact for REGENT AT BURNSVILLE ADDITION for Hartford Financial Services, LLC) was removed from the Consent Agenda.

Motion by Moran, seconded by Workman that the following Consent Agenda items (listed as A-N) be approved as presented. Ayes – Crichton, Kautz, Moran (abstained from Worksession minutes of November 26, 2002 due to absence), and Workman. Nays - None. Absent – Cherney. Motion carried.

4. Approval of Consent Agenda (Continued from Page 1).

A. Consider Approval of Minutes.

Approved the City Council minutes of November 18, 2002, the Special Worksession minutes of November 21, 2002 and the Worksession minutes of November 26, 2002 as submitted.

B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$3,562,220.06.

C. Consider Approval of an Application for Mark Evan Jensen for a Conditional Use Permit to Allow an Accessory Structure Over 500 Square Feet at 1013 West Crystal Lake Road; and Consider Findings of Fact and a Conditional Use Permit.

Approved the Conditional Use Permit and adopted the Findings of Fact for Mark Jensen.

D-02-64

D. Consider Resolution Ordering Preparation of Preliminary Report and Ordering Plans & Spec. for 2003 Street Reconstruction/Rehabilitation Program (03-101, 03-102), 2003 Park Improvements (03-401), 2003 Street Repair of Water main Breaks and Contract Patching (03-302), Sanitary Sewer Repair (03-304), Infiltration/Inflow Reduction Program (03-306) and 2003 Street Lighting Projects (03-201, 03-202).

Adopted the following resolution, which will become part of the official records:

RESOLUTION NO. 5119

RESOLUTION ORDERING PREPARATION OF PRELIMINARY REPORT AND ORDERING PLANS & SPEC. FOR 2003 STREET RECONSTRUCTION/REHABILITATION PROGRAM (03-101, 03-102), 2003 PARK IMPROVEMENTS (03-401), 2003 STREET REPAIR OF WATER MAIN BREAKS AND CONTRACT PATCHING (03-302), SANITARY SEWER REPAIR (03-304), INFILTRATION/INFLOW REDUCTION PROGRAM (03-306) AND 2003 STREET LIGHTING PROJECTS (03-201, 03-202)

E. Consider Resolution Approving Supplemental Agreement for the 2002 Street Reconstruction Project (02-101).

Adopted the following resolution, which will become part of the official records:

RESOLUTION NO. 5120

RESOLUTION APPROVING SUPPLEMENTAL AGREEMENT FOR THE 2002 STREET RECONSTRUCTION PROJECT (02-101)

4. Approval of Consent Agenda (Continued from Page 2).

F. Consider Resolution Receiving Preliminary Report and Calling Public Hearing for the Infrastructure on Newton Avenue from its existing terminus extended to CSAH 42 and Future 142 ½ Street from Extended Newton Avenue to Morgan Avenue 02-322.

Adopted the following resolution, which will become part of the official records:

RESOLUTION NO. 5121

RESOLUTION RECEIVING PRELIMINARY REPORT AND CALLING PUBLIC HEARING FOR THE INFRASTRUCTURE ON NEWTON AVENUE FROM ITS EXISTING TERMINUS EXTENDED TO CSAH 42 AND FUTURE 142 ½ STREET FROM EXTENDED NEWTON AVENUE TO MORGAN AVENUE 02-322

G. Consider Calling for a Public Hearing for Wellhead Protection Plan 99-108.

Approved the calling for a public hearing for the Wellhead Protection Plan (99-108).

H. Consider Award of Bids for the Purchase and Installation of Four Play Equipment Units.

Approved the purchase and installation of four play equipment units, two from Minnesota/Wisconsin Playground in the amount of \$84,000 and two from Earl F. Anderson in the amount of \$52,000.

I. Consider Ordering Large Format Copier/Printer/Scanner to Replace Existing Rental Equipment.

This item was continued until early 2003.

J. Consider Approving Partnership Agreement with Mn/DOT.

Approved the Partnership Agreement between the City of Burnsville and the Minnesota Department of Transportation.

K. Consider Ratifying Emergency Expenditure for the Repair of the Pump at Well #3.

Approved the expenditure of \$32,775.81 for emergency repairs to the pump motor at Well #3.

L. Consider Certification of Delinquent Utility Accounts to Property Taxes.

Approved the certification of delinquent water and sewer accounts to the 2003 property taxes.

M. Consider Ratifying the Purchase and Installation of Water Meters and Radio Equipment for Commercial Utility Customers.

Approved ratifying the purchase and installation of additional water meters and radio frequency equipment for commercial utility customers from Hydro Supply Company of Burnsville for an amount not to exceed \$250,000.

4. Approval of Consent Agenda (Continued from Page 3).

N Consider Approval of Purchasing A Digital Dictation System for Police Operations.

Approved the purchase of DVI Digital Dictation Software and associated hardware up to \$49,225.

5. Consider Approval of Revised Findings of Fact for REGENT AT BURNSVILLE ADDITION Located West of Burnhaven Drive, North of Southcross Drive for Hartford Financial Services, LLC.

Motion by Crichton, seconded by Workman to adopt the Revised Findings of Fact for REGENT AT BURNSVILLE ADDITION. Ayes – Crichton, Moran, and Workman. Nays – None. Abstain – Kautz. Absent – Cherney. Motion carried.

D-02-65

6. Public Hearing – Proposed 2003 Budget and Property Tax Levy.

The public hearing was opened at 7:34 p.m.  
The Mayor declared the public hearing closed at 7:35 p.m.

There was no action on this item. This hearing provided the opportunity for citizens to comment on the proposed 2003 Budget.

7. Public Hearing – Consider Resolution Ordering Improvements and Ordering Preparation of Plans and Specifications for Street Improvements including a Signal at Nicollet Avenue/Fairview Drive (00-307, 01-503), and for Street Rehabilitation of Nicollet Avenue/Nicollet Blvd. (03-102).

The public hearing was opened at 7:43 p.m.

The following persons appeared before the Council:

Thomas Ashton -	728 Nicollet Blvd. E.
Jim Eric kson -	Representing Taco Bell

The Mayor declared the public hearing closed at 7:53 p.m.

Motion by Moran, seconded by Crichton, to adopt the following resolution, which will become part of the official records:

RESOLUTION NO. 5122

RESOLUTION ORDERING IMPROVEMENTS AND ORDERING PREPARATION OF PLANS AND SPECIFICATIONS FOR STREET IMPROVEMENTS INCLUDING A SIGNAL AT NICOLLET AVENUE/FAIRVIEW DRIVE (00-307, 01-503), AND FOR STREET REHABILITATION OF NICOLLET AVENUE/NICOLLET BLVD. (03-102)

Poll of Votes: Ayes – Crichton, Kautz, Moran, and Workman. Nays - None. Absent – Cherney. Motion carried.

- 8 Consider Ordinance Amending Title Three of the Burnsville City Code Concerning Noise and Consider Summary Ordinance and Authorize Summary Publication.

Motion by Moran, seconded by Crichton to continue to December 16, 2002 to clarify the requirements and exemptions. The City Attorney will prepare options. Ayes – Crichton, Kautz, Moran, and Workman. Nays - None. Absent – Cherney. Motion carried.

- 9 Consider Ordinance Amending Title 10, Chapter 8 to Add Provisions for the Stormwater Management Overlay District and Consider Summary Ordinance and Authorize Summary Publication.

Motion by Crichton, seconded by Workman to adopt the Ordinance and Summary Ordinance and authorize summary publication in the legal newspaper and become part of the official records:

ORDINANCE NO. 865

AN ORDINANCE AMENDING TITLE 10, CHAPTER 8 TO ADD PROVISIONS FOR THE  
STORMWATER OVERLAY DISTRICT

Poll of Votes: Ayes – Crichton, Kautz, Moran, and Workman. Nays - None. Absent – Cherney. Motion carried.

10. Adjournment.

Motion by Moran, seconded by Workman to adjourn the meeting at 8:24 p.m. Ayes – Crichton, Kautz, Moran, and Workman. Nays - None. Absent – Cherney. Motion carried.

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Susan P. Olesen, City Clerk

Approved by the City Council of the City of Burnsville this 16<sup>th</sup> day of December 2002.

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Elizabeth B. Kautz, Mayor