

CITY OF BURNSVILLE

Regular Meeting

July 21, 2003

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 21st day of July 2003.

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

The Pledge of Allegiance was preceded by a moment of silence.

Present: Crichton, Daly, Kautz, and Workman

Absent: Cherney

1. Announcements and Proclamations.

Council Meetings: Mon., Aug. 4, 7:00 p.m.
Mon., Aug. 18, 7:00 p.m.

Governance Meeting: Tues., July 29, 7:00 p.m.

Special Worksession: Tues., July 29, 7:30 p.m.
(following Governance meeting)

Worksession Meeting: Tues., Aug. 12, 6:30 p.m.

Proclamation – National Night Out, August 5, 2003

2. Citizen Comments.

Youth Representatives of THE GARAGE advised the Council that they would like guns prohibited at THE GARAGE.

Council and the City Attorney advised the youth that the City is working on the issue and would like to ban the guns but aren't allowed to by present law. It was suggested that THE GARAGE Board post a sign that guns are not welcome. The Council was supportive of inviting the Legislators to a meeting at THE GARAGE.

3. Additions to the Final Agenda.

There were no additions to the final agenda.

4. Approval of Consent Agenda.

At the request of Craig Ebeling, City Manager, Item 4F (Consider Authorization to Submit Federal/TEA21 Grant Applications) was removed from the Consent Agenda.

Motion by Crichton, seconded by Workman that the following Consent Agenda items (listed as A-H) be approved as presented. Ayes – Crichton, Daly, Kautz, 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 July 7, 2003 as submitted.

B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$11,404,983.21.

C. Consider Resolution Declaring Costs to be Assessed and Ordering Preparation of Assessment Rolls for City Projects.

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

RESOLUTION NO. 5181

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING
PREPARATION OF PROPOSED ASSESSMENT ROLLS ON CITY PROJECTS

D. Consider Authorization to Negotiate Cost Sharing Agreements with Dakota County for County Road 42 Improvements.

Approved to negotiate Cost Sharing Agreements with Dakota County for County Road 42 improvements.

E. Consider Receiving Plans and Specifications and Authorization to Advertise County Road 42/Southcross Intersection Modifications (Project 03-312).

Approved plans and specifications and authorized advertisement for bids.

F. Consider Approval of Change in Operating Manager for Champp's Americana, 1200 W. Co. Rd. 42 and SuperAmerica, 1221 E. Co. Rd. 42.

Approved James Jacobsen as Operating Manager for Champp's Americana, 200 W. County Rd. 42 and Vonney Zephirin as Operating Manager for SuperAmerica, 1221 E. County Rd. 42.

G. Consider Findings of Fact for Kwik Trip, 501 Crystal Lake Rd. for Liquor Violation.

Adopted the Findings of Fact.

H. Consider Law Enforcement Mutual Aid Pact with the City of Bloomington.

Approved the Law Enforcement Mutual Aid Pact with the City of Bloomington.

5. Consider Authorization to Submit Federal/TEA21 Grant Applications.

Motion by Crichton, seconded by Workman to continue this item to the August 4, 2003 meeting. Ayes – Crichton, Daly, Kautz, and Workman. Nays – None. Absent – Cherney. Motion carried.

6. Consider Approval of an Application for Linda Do for a Planned Unit Development Amendment to Allow a Little Saigon Restaurant at the Vacant Rax Restaurant at 1925 Highway 13 North Frontage Road; and Consider Findings of Fact, Amended Planned Unit Development, and Ordinance.

The following person appeared before the Council:

John Natwick - Architect, 7300 W. 147th St.

Motion by Workman, seconded by Daly to approve the Amended Planned Unit Development Agreement and adopt the Findings of Fact and an Ordinance that will be published in the legal newspaper and become part of the official records:

ORDINANCE NO. 886

AN ORDINANCE AMENDING TITLE 10 OF THE BURNSVILLE CITY CODE, BEING THE ZONING TITLE OF THE CITY OF BURNSVILLE
LINDA DO

D-03-38

Council requested that staff place discussion of reuse of fast food restaurants as sit down restaurants on the Round Table at an upcoming Worksession.

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

7. Consider an Ordinance Amending Title 10, Chapters 12 and 14 of the Burnsville City Code to allow a Reduced Front Yard Setback for Limited Residential Building Additions.

The following person appeared before the Council:

Scott Widley - 14308 Park Ave.

Motion by Daly, seconded by Crichton to adopt the Ordinance as amended stating that the setback may be reduced to a minimum of twenty feet (20') and that will be published in the legal newspaper and become part of the official records:

ORDINANCE NO. 887

AN ORDINANCE AMENDING TITLE 10, CHAPTER 12 OF THE BURNSVILLE CITY CODE, PERTAINING TO REDUCED FRONT YARD SETBACKS FOR LIMITED RESIDENTIAL ADDITIONS
CASE FILE NO. 03-22

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

8. Public Hearing – Joint Meeting of the City Council and Burnsville Economic Development Authority to Consider Amending and Restating the Business Subsidy Policy.

A public hearing was conducted to consider amending and restating the Business Subsidy Policy.

The public hearing was opened at 8:43 p.m.

The Mayor declared the public hearing closed at 8:43 p.m.

The Council meeting recessed at 8:44 p.m.

9. Regular Meeting of the Burnsville Economic Development Authority (EDA).

A regular meeting of the Burnsville Economic Development Authority was held.

The Council meeting reconvened at 8:49 p.m.

10. Consider Resolution Amending and Restating the Business Subsidy Policy.

Motion by Workman, seconded by Daly, to adopt the following resolution as amended by the Economic Development Authority, which will become part of the official records:

RESOLUTION NO. 5182

RESOLUTION AMENDING AND RESTATING BUSINESS SUBSIDY POLICY

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

11. Public Hearing – Consider Approval of On-Sale/Sunday On-Sale Liquor License for International Chef's Culinary Center, 12700 Nicollet Ave.

The public hearing was opened at 8:53 p.m.

The following person appeared before the Council:

Ron Achterkirch - Applicant, 13835 Frontier Lane

The Mayor declared the public hearing closed at 8:54 p.m.

Motion by Workman, seconded by Daly to approve the issuance of the On-Sale/Sunday On-Sale liquor license for International Chef's Culinary Center, 12700 Nicollet Ave. Ayes – Crichton, Daly, Kautz, and Workman. Nays – None. Absent – Cherney. Motion carried.

12. Adjournment.

Motion by Daly, seconded by Crichton to adjourn the meeting at 8:55 p.m. Ayes – Crichton, Daly, Kautz, and Workman. Nays - None. Absent – Cherney. Motion carried.

Susan P. Olesen, City Clerk

Approved by the City Council of the City of Burnsville this 4th day of August 2003.

Elizabeth B. Kautz, Mayor