

CITY OF BURNSVILLE

Regular Meeting

March 7, 2005

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 7th day of March 2005.

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, Gustafson, Kautz, and Workman

Absent: None

1. Announcements and Proclamations.

Council Meetings: Mon., Mar. 21, 7:00 p.m.
Mon., Apr. 4, 7:00 p.m.

Worksession Meeting: Tues., Mar. 15, 6:30 p.m.

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

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.

Motion by Crichton, seconded by Gustafson that the following Consent Agenda items (listed as A-I) be approved as presented. Ayes – Crichton, Daly (abstained from the Governance minutes of March 1, 2005 due to absence), Gustafson, Kautz, and Workman. Nays - None. Motion carried.

A. Consider Approval of Minutes.

Approved the City Council minutes of February 22, 2005, and the Special Worksession minutes of February 23, 2005 and the Governance minutes of March 1, 2005 as submitted.

B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$2,774,205.70.

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

C. Consider Approving Agreement with Canadian Pacific Railroad for the Crossing at 143rd Street (03-802).

Approved agreement with Canadian Pacific Railroad for the crossing at 143rd St.

D. Consider Receiving Petition and Denying Preparation of Preliminary Report for City Assuming Ownership of Roadway in the Development Called Spring Green (05-107).

Approved receiving petition and denying preparation of preliminary report for Spring Green.

E. Consider Ordering Preparation of Preliminary Report for Intersection Improvements at Portland Avenue/Nicollet Boulevard (05-501).

Approved ordering preparation of preliminary report for intersection improvements at Portland Avenue/Nicollet Blvd.

F. Consider Authorizing Improvements, Approving Plans and Specifications, and Ordering Advertisement for Bids for the 2005 Well Rehabilitation Improvements (05-311).

Authorized improvements, approved plans and specifications and ordered the advertisement for bids for the 2005 Well Rehabilitation Improvements.

G. Consider Award of Bid for Carpet Replacement at Maintenance Facility.

Authorized the expenditure of \$20,925 for carpet replacement in the Burnsville Maintenance Center.

H. Consider Award of Bids for Council Chamber Technology Renovation.

Approved award of bid for Council Chamber technology renovation to Dascom Systems in the amount of \$175,540.78.

I. Consider Approval of Audit Engagement Letter with Malloy, Montague, Karnowski, Radosevich, & Co. (MMKR) for the Audit of City's 2004 CAFR.

Approved MMKR audit engagement letter for the audit of the 2004 CAFR for services and fees as proposed.

5. Consider Approval of an Application for Commercial Properties Group for Preliminary and Final Plat Approval of a Five Lot Subdivision to be Known as VALENTINE NICOLLET ADDITION and a Planned Unit Development Amendment for Construction of an Office Building to be Located on the Northwest Corner of Nicollet Avenue and River Ridge Lane; and Consider Findings of Fact, Development Contract and Amended Planned Unit Development Agreement, and Ordinance.

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

5. Consider Approval of an Application for Commercial Properties Group (Continued from Page 2)

ORDINANCE NO. 964

AN ORDINANCE AMENDING TITLE 10 OF THE BURNSVILLE CITY CODE, BEING THE
ZONING TITLE OF THE CITY OF BURNSVILLE
COMMERCIAL PROPERTIES GROUP
CASE FILE NO. 04-70

D-05-11

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

6. Consider Approval of an Application for Ridges Pondview Medical Building, LLP for Preliminary and Final Plat Approval of a One Lot Subdivision to be Known as RIDGES EIGHTH ADDITION and Concept and Development Stage Approval of a Planned Unit Development Amendment for Construction of a Medical Office Building to be Located at 501 Nicollet Blvd.; and Consider Findings of Fact, Development Contract, Amended Planned Unit Development Agreement and Ordinance.

T. Omdal, Deputy City Manager/CFO introduced the new City Planner, Deb Garross.

The following persons appeared before the Council:

| | |
|----------------|-----------------------------|
| Allen Hill - | BTO Development Corporation |
| Bruce Larson - | BWBR |

Motion by Workman, seconded by Gustafson to approve the Amended Planned Unit Development Agreement adding the requirement that the applicant work with staff if more right-of-way is needed from the parking lot for the construction of a roundabout and Development Contract 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. 965

AN ORDINANCE AMENDING TITLE 10 OF THE BURNSVILLE CITY CODE, BEING THE
ZONING TITLE OF THE CITY OF BURNSVILLE
RIDGES PONDVIEW MEDICAL BUILDING, LLP
CASE FILE NO. 05-1

D-05-12

Council suggested that the Fairview Ridges be included in the review of the shared parking concept later in 2005.

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

7. Consider Variances to the Front Yard and OHM Setbacks for Construction of a Home at 377 Maple Island Road for Kimberly Sperling; and Consider Findings of Fact.

Motion by Daly, seconded by Crichton to approve the variance and adopt the Findings of Fact. Ayes – Crichton, Daly, Gustafson, Kautz, and Workman. Nays - None. Motion carried.

D-05-13

8. Consider Resolution Receiving Report and Calling Public Hearing for the City Owning Private Roadway (128th Street) (04-105).

Motion by Workman, seconded by Gustafson, to deny the application for the City to own private roadway (128th Street). Ayes – Daly, Gustafson, Kautz, and Workman. Nays - Crichton. Motion carried.

9. Adjournment.

Motion by Crichton, seconded by Workman to adjourn the meeting at 8:08 p.m. Ayes – Crichton, Daly, Gustafson, Kautz, and Workman. Nays - None. Motion carried.

Susan P. Olesen, City Clerk

Approved by the City Council of the City of Burnsville this 21st day of March 2005.

Elizabeth B. Kautz, Mayor