

CITY OF BURNSVILLE
Regular Meeting
March 6, 2006

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 6th day of March 2006.

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

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

Present: Crichton, Daly, Gustafson, and Workman
Absent: Kautz

1. Announcements and Proclamations.

| | |
|----------------------|----------------------------|
| Council Meetings: | Mon., March 20, 7:00 p.m. |
| | Mon., April 3, 7:00 p.m. |
| Worksession Meeting: | Tues., March 14, 6:30 p.m. |
| Special Worksession: | Tues., March 28, 5:30 p.m. |
| Governance Meeting: | Tues., March 28, 7:00 p.m. |

2. Citizen Comments.

Two citizens approached the Council to discuss distribution of ice arena hours:
Betsy Breckner, 14725 Innsbrook Circle
Shannon Fasching, 108 Innsbrook Lane

Requested an increase in the number of ice hours available to Burnsville residents that are members of Apple Valley Hockey Association. Council requested staff meet with AVHA representatives and report back to them.

3. Additions to the Final Agenda.

Motion by Workman, seconded by Crichton, to table Item 8 for consideration at the April 3, 2006 regular Council meeting.

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

CONSENT AGENDA

Motion by Gustafson, seconded by Workman, that the following Consent Agenda items (listed as A-H) be approved as presented. Ayes – Crichton, Daly, Gustafson, and Workman. Nays - None. Motion carried.

4A. Consider Approval of Minutes.

Approved the City Council minutes of February 21, 2006, the Special Worksession minutes of February 28, 2006, and the Governance minutes of February 28, 2006, as submitted.

CONSENT AGENDA (continued)

4B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$3,515,323.11.

4C. Consider Authorizing the Purchase of the City's 2006 Insurance Policies.

Authorized the purchase of the LMCIT insurance package for liability, property, and workers compensation insurance for 2006.

4D. Consider Authorizing the Purchase of a Cargo Style Van for the Police Emergency Action Group (EAG).

Authorized staff to purchase a Supreme/Spartan service van from Grossman Chevrolet for \$29,412.

4E. Consider Approval of a Contract to Harvest Nuisance Aquatic Plants on Crystal Lake.

Approved a contract with J & N Weed Harvesting to harvest 43 acres of curly leaf pondweed on Crystal Lake.

4F. Consider Award of Bids for the 2006-2007 Street Maintenance Materials 06-303.

Accept bids received and award construction contracts to the following contractors under the Joint Powers Agreement as follows:

| <u>Project</u> | <u>Contractor</u> | <u>Bid Amount</u> | <u>City's Portion</u> |
|-----------------|-----------------------------|-------------------|-----------------------|
| Sealcoating | Pearson Brothers, Inc. | 1,083,987.30 | 200,000.00 |
| Traffic Marking | United Rental | 278,751.00 | 70,000.00 |
| Sweeping | Pearson Brothers, Inc. | 9,026.78 | .00 |
| Cracksealing | American Pavement Solutions | 355,140.76 | 70,000.00 |
| Screening | Allied Blacktop Company | 7,661.20 | 1,000.00 |

4G. Consider Ordinance Amending Title 1 of the Burnsville City Code to Establish Timing for City Primary Elections

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

ORDINANCE NO. 1017

AN ORDINANCE AMENDING TITLE 1 OF THE BURNSVILLE
CITY CODE TO ESTABLISH TIMING FOR PRIMARY ELECTIONS

4H. Consider Approval of Grant Application for TH 13 / CH 5 Interchange.

Approved a grant application for transportation funding for the TH 13 / CH 5 Interchange project.

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REGUALR AGENDA

5. Public Hearing – Consider Resolution Vacating a Portion of River Ridge Boulevard R-O-W located within the River Ridge Addition Plat and Approve Quit Claim Deed.

The public hearing was opened at 7:29 p.m. No one appeared before the Council. The Acting Mayor declared the public hearing closed at 7:29p.m.

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

RESOLUTION NO. 5453

VACATION OF A PORTION OF THE RIVER RIDGE BOILEVARD RIGHT OF WAY LOCATED
WITHIN THE RIVER RIDGE ADDITION PLAT, RETAINING AN EASEMENT FOR UTILITY
PURPOSES

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

6. Consider Approval of Economic Growth Committee 2006 Work Plan.

Motion by Workman, seconded by Crichton to approve the Economic Growth Committee 2006 Work Plan as presented.

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

7. Continued - Consider Approval of an Application for the City of Burnsville for a Comprehensive Plan Amendment to Modify the Land Use Designation From GI (General Industry) to IP (Industrial Park), (HC) Highway Commercial and POS (Park/Open Space), and a Rezoning From I-2 (General Industry) to P (Park), B-4 (Highway Commercial), CD (Conservancy), and I-1 (Industrial Park) for Properties Located East of I-35W, North of Highway 13; and Consider Findings of Fact and Ordinance.

Ken Slipka spoke to the Council regarding his experience on the committee that reviewed and prepared the Comprehensive Plan amendment.

Council directed staff to prepare an amendment to clarify language regarding allowable uses in I-1 Districts for future consideration.

Motion by Workman, seconded by Gustafson to approve the City of Burnsville Comprehensive Plan Amendment to modify land use designations 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. 1018

AN ORDINANCE AMENDING TITLE 10 OF THE BURNSVILLE CITY CODE,
BEING THE ZONING TITLE OF THE CITY OF BURNSVILLE
CASE FILE NO. 06-06

D-06-12

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

8. Continued - Consider Approval of an Application for the City of Burnsville for a Comprehensive Plan Amendment to Include the Gateway Study as a Special Study and Incorporate the Gateway Design Guidelines and Vision Statement, Modify the Land Use Plan, and to Amend the Official Zoning Map to Delineate the Area Subject to Gateway Zoning Requirements, and to Amend Title 10, Chapters 22A, 25 and 26A to Provide for Gateway Zoning Requirements; and Consider Findings of Fact and Ordinance.

Item continued until April 3, 2006 Council meeting.

9. Adjournment.

Motion by Workman, seconded by Gustafson to adjourn the meeting at 7:40 p.m. Ayes - Daly, Gustafson and Workman. Nays - Crichton. Motion carried.

Macheal Brooks, Deputy City Clerk

Approved by the City Council of the City of Burnsville this 20th day of March 2006.

Elizabeth B. Kautz, Mayor