

**CITY OF BURNSVILLE**  
**Regular Meeting**  
**May 15, 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 15<sup>th</sup> day of May 2006.

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, Gustafson, Kautz, and Workman  
Absent: Daly

1. Announcements and Proclamations.

Council Meetings:	Mon., June 5, 7:00 p.m. Mon., June 19, 7:00 p.m.
Worksession Meeting:	Tues., June 13, 6:30 p.m.
Special Worksession:	Fri., May 19, 9:00 a.m. Tues., May 23, 5:00 p.m. Thurs., May 25, 5:00 p.m. – Conference Room D Tues., June 13, 5:00 p.m. – Conference Room D
Governance Meeting:	Tues., May 23, 7:00 p.m.

- Proclamation – South River Hills Annual Garage Sale Day

2. Citizen Comments.

The following citizens appeared before the Council to oppose allocation of ice hours based on residency:

Debra Burrell, BV Minnesota Valley Figure Skating Club  
Dan Schroeder, BV Hockey Club

Motion by Workman, seconded by Gustafson, to continue with agreed upon year 2000 allocation of ice time as set forth in user lease agreements. Ayes: Crichton, Gustafson, Kautz, and Workman.  
Nays: None.

3. Additions to the Final Agenda.

There were no additions to the final agenda.

**CONSENT AGENDA**

Councilmember Crichton removed Consent Agenda item 4L (*Findings of Fact and Preliminary Development Agreement for Preliminary Plat of a Four Lot Single-Family Subdivision to be Known as RIO LOMA 3RD ADDITION*) be removed from the agenda for discussion.

***CONSENT AGENDA (continued)***

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

4A. Consider Approval of Minutes.

Approved the City Council minutes of May 1, 2006, and the Worksession minutes of May 9, 2006, as submitted.

4B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$2,775,732.61.

4C. Consider Community Development Block Grant (CDBG) Fund Reallocation.

Approved the reallocation of CDBG funds from the HOC Demolition fund and Burnsville Housing Study to Community Action Council Family Support Worker program and funds The Garage to the Community Development Agency Rehab Loan Program.

4D. Consider Approval of Budget Amendments.

Authorized budget amendments for the 2006 and 2005 budgets in the Vehicle, Equipment, & Facilities Replacement Fund, Youth Center, Recycling Fund and the General Fund.

4E. Consider Amending Full Service Beverage Vending Contract with Twin Cities Pepsi Bottling Groups.

Approved amending the full service beverage vending contract to Twin Cities Pepsi Bottling Group to extend the contract to 2012 providing the City with up front cash of \$7,775 per year for five years plus commission and event dollars.

4F. Consider Approval of a Joint Powers Agreement between the City of Apple Valley and the City of Burnsville for a Fluridone Treatment on Lac Lavon.

Approved the Joint Powers Agreement with Apple Valley to share the costs of a Fluridone treatment to control Durasian Milfoil on Lac Lavon, with the City of Burnsville's cost expected to be \$1,971.

4G. Consider Approval of a Joint Powers Agreement between the City of Burnsville and the City of Apple Valley for In-Lake Water Quality Projects on Alimagnet Lake.

Approved the Joint Powers Agreement with Apple Valley to share the costs of in-lake projects to improve the water quality of Lake Alimagnet with the City of Burnsville's costs expected to be \$17,500.

*CONSENT AGENDA (continued)*

4H. Consider Award of Bid for 2006 Type III Advanced Life Support Modular Ambulance.

Awarded the bid to provide one 2006 Road Rescue Altramedic on a Ford E-450 Chassis to Road Rescue in the amount of \$130,669.00 including trade of one 2000 ambulance for \$25,000 for a net total of \$105,669.00.

4I. Consider Resolution Accepting Bid and Awarding Contract for the 2006 Street Rehabilitation Program (06-102), 2006 Street Lighting Improvements (06-202), 2006 Intersection Improvements (06-501, 06-502).

Authorized an agreement with Dakota County for street rehabilitation on Buck Hill Road from County Road 42 to approximately 600' south of County Road 42 and adopted the following resolution accepting bid and awarding contract for the improvements listed above to McNamara Contracting Inc. for an amount of \$1,690,527.54, which will become part of the official records:

RESOLUTION NO. 5458

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT FOR  
2006 STREET REHABILITATION PROGRAM (06-102)  
2006 STREET LIGHTING IMPROVEMENTS (06-202) AND  
2006 INTERSECTION IMPROVEMENTS (06-501, 06-502)

4J. Consider Reapproval of Final Plat for a One Lot Subdivision to be Known as KAMI ADDITION Located on the Northwest Corner of County Road 5 and Williams Drive.

Reapproved the Final Plat known as KAMI ADDITION.

4K. Consider Resolution Accepting Bid and Awarding Contract for the 2006 Sanitary Sewer Rehabilitation Program (06-304) and 2005 Lateral Drainage Modification Program (05-301).

Adopted the following resolution accepting bid and awarding contract for the improvements listed above to Visu-Sewer Seal & Clean, Inc. in an amount of \$204,197.03, which will become part of the official records:

RESOLUTION NO. 5459

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT FOR  
2006 SANITARY SEWER REHABILITATION PROGRAM (06-304) AND  
2005 LATERAL DRAINAGE MODIFICATION PROGRAM (05-301)

4L. Item removed for discussion.

***ITEM(S) REMOVED FROM CONSENT AGENDA***

- 4L. Consider Approval of Findings of Fact and Preliminary Development Agreement for Preliminary Plat of a Four Lot Single-Family Subdivision to be Known as RIO LOMA 3RD ADDITION located at 1520 Rio Loma Lane for T.K. Hill Builders & Developers, LLC.

Council directed staff to amend Paragraph 4 of the Findings of Fact to eliminate the reference stating “designed to meet City standards.”

Motion by Crichton, seconded by Workman, to approve the Preliminary Development Agreement for RIO LOMA 3RD ADDITION Preliminary Plat and adopted the Findings of Fact including the amendment to remove the phrase “designed to meet City standards” from Paragraph 4. Ayes - Crichton, Gustafson, Kautz and Workman. Nays - None. Motion carried.

D-06-23

***REGULAR AGENDA***

5. Public Hearing – Consider Renewal of Off-Sale, On-Sale, Sunday On-Sale, Wine, 3.2 Percent On-Sale, and 3.2 Percent Off-Sale Liquor Licenses.

A public hearing was conducted to consider renewal of liquor licenses. The public hearing was opened at 7:30 p.m. No one appeared before the Council. The Mayor declared the public hearing closed at 7:30 p.m.

Motion by Workman, seconded by Crichton, to approve the renewal of all liquor licenses as presented for the period of July 1, 2006 to June 30, 2007 subject to all financial obligations to the State of Minnesota, Dakota County and the City of Burnsville being current and receipt of proper certificate of insurance. Ayes - Crichton, Gustafson, Kautz and Workman. Nays - None. Motion carried.

6. Public Hearing – City of Burnsville – Consider an Ordinance Amendment to Title 10, Chapter 8 and Chapter 27 of the Burnsville City Code to Incorporate Required Landscape Plant Diversity.

A public hearing was conducted to consider an Ordinance amendment requiring landscape plant diversity.

The public hearing was opened at 7:37 p.m. No one appeared before the Council. The Mayor declared the public hearing closed at 7:37 p.m.

Motion by Workman, seconded by Gustafson, to adopt an Ordinance that will be published in the legal newspaper and become part of the official records:

ORDINANCE NO. 1030

AN ORDINANCE AMENDING TITLE 10, CHAPTER 8 AND CHAPTER 27  
OF THE BURNSVILLE CITY CODE TO INCORPORATE  
REQUIRED LANDSCAPE PLANT DIVERSITY  
CASE FILE NO. 06-22

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

7. Adjournment.

Motion by Workman, seconded by Gustafson to adjourn the meeting at 7:38 p.m. Ayes – Crichton, Gustafson, Kautz and Workman. Nays - None. Motion carried.

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Macheal Brooks, Deputy City Clerk

Approved by the City Council of the City of Burnsville this 5<sup>th</sup> day of June 2006.

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Elizabeth B. Kautz, Mayor