

CITY OF BURNSVILLE
Regular Meeting
April 16, 2007

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 16th day of April, 2007.

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

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

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

1. Announcements and Proclamations.

Council Meetings: Mon., May 7, 7:00 p.m.
Mon., May 21, 7:00 p.m.
Worksession Meeting: Tues., May 15, 6:30 p.m.
Governance Meeting: Tues., April 24, 7:00 p.m.
Special Worksession: Tues., April 30, 6:30 p.m.
Sat., May 5, 9:30 a.m.

- Volunteer Recognition Week Proclamation.
- Earth Day & Arbor Day Proclamation.

Acting Mayor Crichton announced that Consent Agenda item 4O will be removed from the agenda and continued.

2. Citizen Comments.

The following person(s) appeared before the Council to comment on the proposed Performing Arts Center:

Elwood Narum, 367 Upper Wood Way
Deborah Moran, 13604 Fourth Avenue S
Fred Guercio, 12908 Washburn Court
Cliff Vollkmann 1105 W 139th Street
Ellwyn Collins, 505 Wood Way

3. Additions to the Final Agenda.

Acting Mayor Crichton announced that Councilmember Kealey will be making a statement under the Miscellaneous portion of the meeting.

CONSENT AGENDA

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

CONSENT AGENDA (continued)

4A. Consider Approval of Minutes.

Approved the City Council minutes of March 19, 2007, Worksession minutes of April 10, 2007, and the Special Council Meeting minutes and Special Worksession minutes of March 27, 2007 as submitted.

4B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$3,530,119.50.

4C. Consider Resolution Accepting Donations and Grants.

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

RESOLUTION NO. 07-5534

RESOLUTION ACCEPTING DONATIONS AND GRANTS TO THE CITY

4D. Consider Adopting City Contribution to Community Events Policy No. 1.027.

Adopted City Contribution to Community Events Policy No. 1.027.

4E. Consider Approval of a Joint Powers Agreement between the City of Burnsville and the City of Apple Valley for Aquatic Plant Harvesting on Keller Lake.

Approved the Joint Powers Agreement with the City of Apple Valley to share the costs of harvesting aquatic plants on Keller Lake for an amount not to exceed \$10,500.

D-07-23

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

Approval a contract with J & N Weed Harvesting to harvest 43 acres of curlyleaf pondweed on Crystal Lake for an amount not to exceed \$28,000.

D-07-24

4G. Consider Approval of a Joint Powers Agreement with Apple Valley for In-lake Water Quality Projects on Lake Alimagnet.

Approved the Joint Powers Agreement with the City of Apple Valley for in-lake water quality projects on Alimagnet Lake for an amount not to exceed \$35,000.

D-07-25

CONSENT AGENDA (continued)

- 4H. Consider Approval of Contract Settlement with the International Association of Fire Fighters (IAFF), Local #4481, Representing Fire Captains.

Approved the two year contract settlement with the International Association of Fire Fighters (IAFF), Local #4481 effective January 1, 2007.

CONSENT AGENDA (continued)

- 4I. Consider an Ordinance Amending Title 1, Chapter 6 of the Burnsville City Code Regarding Personnel Administration and Title 3, Chapter 14 – Motion Picture Theaters; Chapter 18 – Dance Halls and Entertainment Centers and Chapter 23 – Tobacco Products and Tobacco Related Devices.

Adopted an Ordinance that will be published in the legal newspaper and become part of the official records:

ORDINANCE NO. 1073

AN ORDINANCE AMENDING THE BURNSVILLE CITY CODE TITLE 1,
CHAPTER 6, REGARDING PERSONNEL ADMINISTRATION AND
TITLE 3, CHAPTERS 14, 18, AND 23, REGARDING BUSINESS REGULATION

- 4J. Consider Approval of Guided Pathways Managed Accounts Service Agreement with ICMA-RC.

Approved the Guided Pathways Managed Accounts Service Agreement with ICMA-RC.

- 4K. Consider an Amendment to the Administrative Services Agreement with ICMA Retirement Corporation (ICMA-RC).

Approved an Amendment to the Administrative Services Agreement with ICMA Retirement Corporation, effective July 1, 2007.

- 4L. Consider Resolution Receiving Preliminary Report for Street Improvements on Judicial Rd from 150th St. to south Corporate Limits and 155th St. from Judicial Road to County Road 5 and Calling for Public Hearing for Street Improvements on Judicial Rd from Woods Trail South to Valley View Drive (07-105).

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

RESOLUTION NO. 07-5535

RESOLUTION RECEIVING PRELIMINARY REPORT FOR STREET IMPROVEMENTS
ON JUDICIAL RD FROM 150TH STEET TO SOUTH CORPORATE LIMITS
AND 155TH STREET FROM JUDICIAL ROAD TO COUNTY ROAD 5
AND CALLING FOR PUBLIC HEARING FOR STREET IMPROVEMENTS
ON JUDICIAL RD FROM WOODS TRAIL SOUTH TO VALLEY VIEW DRIVE
CITY PROJECT #07-105

CONSENT AGENDA (continued)

- 4M. Consider Approval of a Final Plat for a One Lot Subdivision to be Known as KAMI 2ND ADDITION Located at the Southeast Corner of Old County Road 34 Place and Morgan Avenue for Kami, Inc. and Consider Development Contract.

Approved a Development Contract with Kami, Inc., to include Final Plat approval of KAMI 2ND ADDITION.

D-07-26

- 4N. Consider Approval of Budget Amendments.

Approved the 2007 budget amendments to carry forward the remaining funding from the following 2006 projects:

- Natural Resources Plan and Wetlands Management Plan updates \$ 45,000
- Excavate ponds in Crystal/Keller Lake watershed per lake study \$147,000
- Lake Alimagnet Study pond improvements \$100,000
- Earley & Twin Lakes Management Plan \$101,000

- 4O. Consider Approval of Revisions to the City's Private Activity Bond Policy – CONTINUED.

This item was continued.

REGULAR AGENDA

5. Public Hearing – Consider Approval of a Wine and 3.2 Percent On-Sale Liquor License for K.D.B. Enterprises Inc. d.b.a Q-Sharks Billards, 1927 W. Burnsville Parkway.

The public hearing was opened at 7:25 p.m. No one appeared before the Council. The Acting Mayor declared the public hearing closed at 7:25 p.m.

Motion by Gustafson, seconded by Workman, to approve the issuance of a Wine and 3.2 Percent of On-Sale Liquor License to K.D.B. Enterprises Inc. d.b.a Q-Sharks Billards located at 1927 W. Burnsville Parkway. Ayes – Crichton, Gustafson, Kealey, and Workman. Nays – None. Absent – Kautz. Motion carried.

6. Consider Approval of Planning Commission 2007 Work Plan.

Tim Ivers, Planning Commission Chair, presented the 2007 Work Plan to the Council.

Motion by Kealey, seconded by Gustafson, to approve the Planning Commission 2007 Work Plan. Ayes – Crichton, Gustafson, Kealey, and Workman. Nays – None. Absent – Kautz. Motion carried.

D-07-27

7. Miscellaneous

Councilmember Kealey announced that, for the next few months, he will be undergoing treatment for lymphoma and thanked his supporters and colleagues for their support and prayers.

8. Adjournment.

Motion by Workman, seconded by Kealey to adjourn the meeting at 7:29 p.m. Ayes – Crichton, Gustafson, Kealey, and Workman. Nays - None. Absent – Kautz. Motion carried.

Macheal Brooks, Deputy City Clerk

Approved by the City Council of the City of Burnsville this 7th day of May, 2007.

Elizabeth B. Kautz, Mayor