

CITY OF BURNSVILLE
Regular Meeting
August 6, 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 6th day of August, 2007.

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, Kealey, Workman
Absent: None

1. Announcements and Proclamations.

Council Meetings: Mon., August 20, 7:00 p.m.
Tues., September 4, 7:00 p.m.
Worksession Meeting: Tues., August 14, 6:30 p.m.
Governance Meeting: Tues., August 28, 7:00 p.m.

- Chris Teiken – Recognition of Service on Burnsville/Eagan Telecommunications Commission.
- Presentation of Minnesota Association of Government Communicators “Northern Lights” Award of Excellence to Dakota Valley Recycling.
- Burnsville Fire Muster – Reading of First Clue for Medallion Hunt

2. Citizen Comments.

No one appeared before the Council:

3. Additions to the Final Agenda.

There were no additions to the Final Agenda.

CONSENT AGENDA

Councilmember Crichton requested item 40 (*Ordinance Amending Title 10, Chapter 29 Concerning Wireless Antennas and Towers*) be removed from the Consent Agenda for discussion.

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

4A. Consider Approval of Minutes.

Approved the City Council minutes of July 16, 2007 and the Governance minutes of July 24, 2007 as submitted.

CONSENT AGENDA (continued)

4B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$9,346,854.48.

4C. Consider Resolution Accepting Donations and Grants to the City.

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

RESOLUTION NO. 07-5570

RESOLUTION ACCEPTING DONATIONS AND GRANTS TO THE CITY

4D. Consider Approval of a Community Festival Application for the Burnsville Fire Muster.

Approved the application of Burnsville Fire Muster for recognition as a Community Festival to be held August 9-12, 2007.

4E. Consider Approval of Change in Operating Managers and Officers for Liquor License Holders.

Approved the following changes in Operating Managers and Officers:

Holiday #0213 – Stephen Pankuch
Chipotle Mexican Grill – Christopher Bores
Crosstown Liquor – Jamie Hilla

4F. Consider Award of Bid for Fencing Renovations at Neill, North River Hills and Krestwood Parks.

Awarded the bid for the replacement of fencing at Neill, North River Hills, and Krestwood Parks to Mid-Metro Construction in the amount of \$86,740.00.

4G. Consider Award of Bid for Purchase of Variable Frequency Drive at the Water Treatment Plant.

Awarded the bid for the purchase of a variable frequency drive for the Water Treatment Plant to Werner Electric Supply in the amount of \$320,776.00.

4H. Consider Approval of Wetland Permit for Judicial Road Improvements.

Approved the wetland alteration permit and replacement plan for the Judicial Road improvements (City Project No. 07-1058).

CONSENT AGENDA (continued)

4I. Consider Resolutions (5) Calling for Public Hearing on Proposed Assessments.

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

RESOLUTION NO. 07-5571

RESOLUTION CALLING HEARING ON PROPOSED ASSESSMENT
ON 2007 RECONSTRUCTION PROJECTS (07-101)

RESOLUTION NO. 07-5572

RESOLUTION CALLING HEARING ON PROPOSED ASSESSMENT
ON 2007 STREET REHABILITATION PROJECTS (07-102)

RESOLUTION NO. 07-5573

RESOLUTION CALLING HEARING ON PROPOSED ASSESSMENT
ON HEART OF THE CITY OPERATION & MAINTENANCE

RESOLUTION NO. 07-5574

RESOLUTION CALLING HEARING ON PROPOSED ASSESSMENT
ON BURNSVILLE PARKWAY/NICOLLET AVENUE STREETScape
AND OPERATION & MAINTENANCE

RESOLUTION NO. 07-5575

RESOLUTION CALLING HEARING ON PROPOSED ASSESSMENT
ON MISCELLANEOUS AND /OR OMITTED AND WATER AND SEWER

4J. Consider Resolutions Approving Assessment Agreements with Various Property Owners and Adopting Assessments. - **CONTINUED.**

4K. Consider Resolution Accepting Bid and Awarding Contract for the Road and Utility Improvements Adjacent to the Edward Kraemer & Sons, Inc. Parcel Located North of T.H. #13 and West of County Road 5 (Oliver Avenue 07-107).

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

RESOLUTION NO. 07-5576

RESOLUTION ACCEPTING BID AND AWARDED CONTRACT
FOR ROAD AND UTILITY IMPROVEMENTS (OLIVER AVENUE #07-107)

4L. Consider Ordering Preparation of the Plans and Specifications for the Supervisory Control and Data Acquisition (SCADA) System Replacement (07-321).

Approved a contract with Elert & Associates to complete the Plans and Specifications for the Replacement of the SCADA System for an amount not to exceed \$388,000.

CONSENT AGENDA (continued)

- 4M. Consider Accepting Bid and Awarding Contract for the 2007 Lateral Drainage Modifications (07-301) and 2007 Pond Clean-Out Program (07-305).

Accepted bid and awarded contract for the 2007 Lateral Drainage Modifications (07-301) and 2007 Pond Clean-Out Program (07-305) to Veit & Company, Inc. in the amount of \$229,467.00

- 4N. Consider Resolution Approving Plans and Specifications and Ordering Advertisement for Bids on the Judicial Road Improvements Project (07-105) and the Valley View Drive Improvements Project (07-106).

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

RESOLUTION NO. 07-5577

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING
ADVERTISEMENT FOR BIDS ON THE JUDICIAL ROAD IMPROVEMENTS PROJECT
(07-105) AND THE VALLEY VIEW DRIVE IMPROVEMENTS PROJECT (07-106)

- 4O. *Item removed for discussion.*

- 4P. Consider an Ordinance Amending Title 4, Chapter 7, of the Burnsville City Code to Repeal Tower and Antenna Regulations.

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

ORDINANCE NO. 1087

AN ORDINANCE OF THE CITY OF BURNSVILLE, MINNESOTA AMENDING
TITLE 4, CHAPTER 7 TO REPEAL TOWER AND ANTENNA REGULATIONS
CASE FILE NO. 07-18

ITEM(S) REMOVED FROM CONSENT AGENDA

- 4O. Consider an Ordinance Amending Title 10, Chapter 29, of the Burnsville City Code Concerning Wireless Antennas and Towers.

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

ORDINANCE NO. 1088

AN ORDINANCE OF THE CITY OF BURNSVILLE, MINNESOTA AMENDING
TITLE 10, CHAPTER 29 CONCERNING WIRELESS ANTENNAS AND TOWERS
CASE FILE NO. 07-18

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

REGULAR AGENDA

5. Public Hearing – Consider Resolution Vacating the Drainage and Utility Easements located within Lot 1, Block 1, and Outlots A and B, GRANDE MARKET PLACE and within Lots 1, 2 and 3, Block 3, WARRIOR PLAZA.

The public hearing was opened at 7:21 p.m. No one appeared before the Council. The Mayor declared the public hearing closed at 7:21 p.m.

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

RESOLUTION NO. 07-5578

VACATION OF THE DRAINAGE AND UTILITY EASEMENTS LOCATED
WITHIN LOT 1, BLOCK 1, AND OUTLOTS A AND B, GRANDE MARKET PLACE
AND WITHIN LOTS 1, 2, AND 3, BLOCK 3, WARRIOR PLAZA

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

6. Consider Award of Contract for Moving Electrical Kiosk for the Performing Arts Center.

Motion by Gustafson, seconded by Crichton, to award the contract for the relocation of the kiosk at Nicollet Commons Park to Signature Lighting in the amount of \$44,487.00 Ayes – Crichton, Gustafson, Kautz, Kealey, Workman. Nays - None. Motion carried.

7. Adjournment.

Motion by Kealey, seconded by Gustafson, to adjourn the meeting at 7:23 p.m. Ayes – Crichton, Gustafson, Kautz, Kealey, Workman. Nays - None. Motion carried.

Macheal Brooks, Deputy City Clerk

Approved by the City Council of the City of Burnsville this 20th day of August, 2007.

Elizabeth B. Kautz, Mayor