

CITY OF BURNSVILLE
Regular Meeting
January 22, 2008

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 22nd day of January, 2008.

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

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

Present: Gustafson, Kealey, Workman

Absent: Crichton, Kautz

1. Announcements and Proclamations.

Council Meetings: Mon., February 4, 7:00 p.m.
Tues., February 19, 7:00 p.m (President's Day)
Worksession Meeting: Tues., February 12, 6:30 p.m.
Special Worksession: Fri., February 1, 8:30 a.m. (The Summit)
Governance Meeting: Tues, January 29, 7:00 p.m. - CANCELLED

- National Mentoring Month Proclamation
- Proclamation Supporting the 21 Day Challenge
- Presentation of Rental Licensing STAR Properties

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 Kealey requested Item #4K (*Contract for the 2008 Sanitary Sewer Cleaning Services 08-310*) be removed from Consent Agenda for discussion.

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

4A. Consider Approval of Minutes.

Approved the City Council minutes of January 7, 2008 and the Worksession minutes of January 15, 2008 as submitted.

CONSENT AGENDA (continued)

4B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$11,589,216.76.

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

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

RESOLUTION NO. 08-5632

RESOLUTION ACCEPTING DONATIONS AND GRANTS TO THE CITY

4E. Consider Resolution Approving Contract with Venuworks Inc. to Provide Management Services at the Burnsville Performing Arts Center.

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

RESOLUTION NO. 08-5633

RESOLUTION APPROVING BURNSVILLE
PERFORMING ARTS CENTER MANAGEMENT AGREEMENT

D-08-03

4E. Consider Approval of Amendment to the Dakota County 2005/2009 Drug Task Force Joint Powers Agreement.

Approved the Amendment to the Dakota County 2005/2009 Drug Task Force Joint Powers Agreement.

D-08-04

4F. Consider Resolution Supporting the Minnesota Valley Transit Authority as the Primary Transit Provider South of the Minnesota River.

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

RESOLUTION NO. 08-5634

RESOLUTION SUPPORTING THE MINNESOTA VALLEY TRANSIT AUTHORITY
AS THE PRIMARY TRANSIT PROVIDER SOUTH OF THE MINNESOTA RIVER

4G. Consider Accepting Bids and Award Contract for Purchase of New Fire Truck.

Accepted bids and awarded contract for the purchase of one 2008 Pierce Velocity pumper for \$530,638.00 including recommended options of frame rust proofing and extending the engine warranty by two additional years.

CONSENT AGENDA (continued)

4H. Consider Authorizing 2008 Well Rehabilitation Improvements (08-309).

Authorized the 2008 Well Rehabilitation Improvements (08-309) as part of the City's preventative maintenance program in an amount not to exceed \$200,000.

4I. Consider Approving Joint Powers Agreement with Lakeville, Savage, Eagan, Rosemount, Prior Lake, Shakopee, Apple Valley, Farmington, Mendota Heights and West St. Paul and Dakota County for Street Sweeping, Traffic Marking, Seal Coating, and Crack Sealing (08-303).

Approved the Joint Powers Agreement for 2008-2009 Street Maintenance Program to include street sweeping, traffic marking, seal coating, and crack sealing (08-303).

4J. Consider Authorizing Project and Advertisement for Bids 2008-2009 Street Maintenance Program (08-303).

Authorized the project and advertisement for bids for the 2008-2009 Street Maintenance Program (08-303) under the Joint Powers Agreement for frequently used street maintenance materials.

4K. *Item removed for discussion.*

4L. Consider Resolution Approving New Blanket Partnership Agreement with Mn/DOT for Technical Services Provided on City Construction Projects.

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

RESOLUTION NO. 08-5635

RESOLUTION APPROVING BLANKET PARTNERSHIP AGREEMENT WITH THE
MINNESOTA DEPARTMENT OF TRANSPORTATION FOR TECHNICAL SERVICES

D-08-05

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

Adopted an Ordinance establishing compliance with amendments to the federal regulations by providing an exemption for the "customer end equipment" that receives and/or transmits signals for audio, video, and data/internet, that will be published in the legal newspaper and become part of the official records:

ORDINANCE NO. 1106

AN ORDINANCE OF THE CITY OF BURNSVILLE, MINNESOTA
AMENDING TITLE 10, CHAPTER 29 OF THE BURNSVILLE CITY CODE
CONCERNING TOWERS AND ANTENNAS

CONSENT AGENDA (continued)

- 4N. Consider Approval of Non-Linear Editing Equipment Replacement for Burnsville/Eagan Community Television.

Authorized the replacement purchase of non-linear editing equipment for BECT from Alpha Video in the amount of \$33,391.15 per the proposal submitted.

- 4O. Consider Resolution Approving Application to Dakota County CDA for Redevelopment Incentive Grant Program for Soils Correction at the Former AAA Site.

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

RESOLUTION NO. 08-5636

RESOLUTION APPROVING APPLICATION TO DAKOTA COUNTY CDA
FOR REDEVELOPMENT INCENTIVE GRANT PROGRAM
FOR SOILS CORRECTION AT THE FORMER AAA SITE

ITEM(S) REMOVED FROM CONSENT AGENDA

- 4K. Consider Awarding Contract for the 2008 Sanitary Sewer Cleaning Services (08-310).

Motion by Kealey, seconded by Workman, to approve a one year contract for sanitary sewer cleaning with Visu-Sewer Clean & Seal for an amount not to exceed \$48,000. Ayes –Gustafson, Kealey, Workman. Nays – None. Absent – Crichton, Kautz. Motion carried.

REGULAR AGENDA

5. Public Hearing – Approval of an On-Sale/Sunday On-Sale Liquor License for Applebee’s Restaurants North LLC d.b.a. Applebee’s Neighborhood Grill & Bar at 2152 Burnsville Center.

A public hearing was conducted regarding the liquor license application for Applebee’s Restaurants North LLC.

The public hearing was opened at 7:14 p.m.

No one appeared before the Council.

The Acting Mayor declared the public hearing closed at 7:14 p.m.

Motion by Kealey, seconded by Workman, to approve On-Sale/Sunday On-Sale Liquor License for Applebee’s Restaurants North LLC d.b.a. Applebee’s Neighborhood Grill & Bar at 2152 Burnsville Center. Ayes –Gustafson, Kealey, Workman. Nays – None. Absent – Crichton, Kautz. Motion carried.

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6. Consider Award of PAC Bonds, Series 2008A.

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

RESOLUTION NO. 08-5637

RESOLUTION AWARDING THE SALE OF APPROXIMATELY
\$16,800,000 GENERAL OBLIGATION TAX ABATEMENT BONDS, SERIES 2008A;
FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION
AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT

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

7. Consider Approval of an Application for Thomas A. Hayes for Preliminary and Final Plat Approval of a One Lot Subdivision to be Known as DRURY ADDITION, a Variance to the Lot Size Requirements, and a Conditional Use Permit to Allow the Outdoor Display and Sale of Used Motor Vehicles to be Located at 1616 W. Highway 13; and Consider Findings of Fact, Variance to Record, Conditional Use Permit, and Development Contract..

Motion by Kealey, seconded by Gustafson, to approve a Development Contract for Thomas A. Hayes, including Final Plat approval of DRURY ADDITION, a Variance to the lot size requirements, and a Conditional Use Permit to allow the outdoor display and sale of used motor vehicles at 1616 W. Highway 13; and adopt the Findings of Fact. Ayes – Gustafson, Kealey. Nays – Workman. Absent – Crichton, Kautz. Motion carried.

D-08-06

The Council meeting was recessed at 7:37 p.m.

8. Annual Meeting of the Economic Development Authority (EDA).

A regular meeting of the Burnsville Economic Development Authority (EDA) was held.

The Council meeting was reconvened at 7:41 p.m.

9. Adjournment.

Motion by Kealey, seconded by Workman, to adjourn the meeting at 7:41 p.m. Ayes – Gustafson, Kealey, Workman. Nays – None. Absent – Crichton, Kautz. Motion carried.

Macheal Brooks, Deputy City Clerk

Approved by the City Council of the City of Burnsville this 4th day of February, 2008.

Elizabeth B. Kautz, Mayor