

CITY OF BURNSVILLE
Regular Meeting Minutes
May 19, 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 19th day of May, 2008.

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: Tues., June 3, 7:00 p.m.
Tues., June 17, 7:00 p.m.
Worksession Meeting: Tues., June 10, 6:30 p.m.
Governance Meeting: CANCELLED - Tues, May 27
Special Worksession: Tues., May 27, 5:00 p.m. (Conf. Rm D)
Tues., June 10, 5:00 p.m. (Conf. Rm B/C)

2. Citizen Comments.

No one appeared before the Council.

3. Additions to the Final Agenda.

Motion by Kautz, seconded by Workman, to add to the Final Agenda as Item #8, "Consider Directing Staff to Process the Application of Heise & Heise LLC with a Comprehensive Plan Amendment." Ayes – Crichton, Gustafson, Kautz, Kealey, and Workman. Nays – None. Motion carried.

CONSENT AGENDA

Councilmember Crichton requested Item 4C (Adopt Policy No. 1.021 Establishing an Economic Development Commission) be removed from the Consent Agenda for discussion.

Motion by Gustafson, seconded by Kealey, that the following Consent Agenda items (listed as A–J, exception C) 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 May 5, 2008 and the Special Worksession minutes of May 5, 2008 and Worksession minutes of May 13, 2008 as submitted.

CONSENT AGENDA (continued)

4B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$3,206,996.78.

4C. Item removed for discussion.

4D. Consider an Ordinance Amending Title 5, Chapter 1 of the Burnsville City Code Concerning Fire Code and Grilling on Decks.

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

ORDINANCE NO. 1119

AN ORDINANCE AMENDING TITLE 5, CHAPTER 1 OF THE BURNSVILLE CITY CODE CONCERNING THE MINNESOTA FIRE CODE AND GRILLING ON DECKS

4E. Consider Resolution Requesting Mn/DOT to Conduct a Traffic Investigation to Consider Lowering the Speed Limit on Buck Hill Road from County Road 42 to Crystal Lake Road.

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

RESOLUTION NO. 08-5675

RESOLUTION REQUESTING THE MINNESOTA DEPARTMENT OF TRANSPORTATION (Mn/DOT) TO CONDUCT A TRAFFIC INVESTIGATION TO CONSIDER LOWERING THE SPEED LIMIT ON BUCK HILL ROAD FROM COUNTY ROAD 42 TO CRYSTAL LAKE RD

4F. Consider Resolution Approving Agency Agreement with Mn/DOT for Right of Way Acquisition Regarding the Trunk Highway 13 and CSAH 5 Interchange Project (05-103).

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

RESOLUTION NO. 08-5676

RESOLUTION APPROVING THE AGENCY AGREEMENT THE MINNESOTA DEPARTMENT OF TRANSPORTATION (Mn/DOT) FOR RIGHT OF WAY ACQUISITION FOR TRUNK HIGHWAY 13 AND CSAH 5 INTERCHANGE PROJECT (05-103)

4G. Consider Authorizing Project and Ordering Advertisement of Bids for the Buck Hill Water Tower Retaining Wall (08-312).

Authorized the Buck Hill Water Tower Retaining Wall Project (08-312) and ordered advertisement of bids.

CONSENT AGENDA (continued)

- 4H. Consider Authorizing the Lease of Digital Multifunction Copy Machine Utilizing the State of Minnesota Cooperative Purchasing Program.

Authorized staff to enter into a new lease agreement for the replacement of one high volume digital multifunction copy device (MFD) from Metro Sales, Inc. for a 36-month term for an amount of \$970.90 per month.

D-08-35

- 4I. Consider a Housekeeping Ordinance Repealing Title 9, Chapter 3 Regarding Bicycle Licensing.

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

ORDINANCE NO. 1120

AN ORDINANCE REPEALING TITLE 9, CHAPTER 3 OF THE
BURNSVILLE CITY CODE CONCERNING BICYCLE LICENSING

- 4J. Consider Approving an Encroachment Agreement with Magellan Pipeline Company, L.P. on the Maintenance Center Property.

Approved an Encroachment Agreement with Magellan Pipeline L.P. within the pipeline easement on the property located at 13713 Frontier Court for work planned as part of the Maintenance Center Addition Project (07-309)

D-08-36

ITEM(S) REMOVED FROM THE CONSENT AGENDA

- 4C. Consider Adopting Policy 1.021 Establishing an Economic Development Commission.

Council directed staff to continue with the current Economic Growth Committee until its sunset date of December 31, 2008.

Motion by Workman, seconded by Gustafson, to adopt Policy 1.021 establishing an Economic Development Commission. Ayes – Gustafson, Kautz, and Workman. Nays – Crichton and Kealey. Motion carried.

REGULAR AGENDA

5. Consider an Ordinance Amending Title 7 Chapter 7 to Provide Specific Day Residential Trash Pickup.

Council directed staff to review the language to make sure it articulates that this affects only residential trash pickup and excludes multi-family complexes with dumpster pickups.

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5. Consider an Ordinance Amending Title 7 Chapter 7... (continued)

Motion by Kealey, seconded by Crichton, to adopt an Ordinance effective January 1, 2009 that will be published in the legal newspaper and become part of the official records:

ORDINANCE NO. 1121

AN ORDINANCE AMENDING TITLE 10, CHAPTER 7 OF THE BURNSVILLE CITY CODE
CONCERNING MIXED MUNICIPAL SOLID WASTE AND RECYCLABLES

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

6. Consider Accepting Bids and Awarding Contract for the Heart of the City Parking Deck (08-314).

Motion by Workman, seconded by Gustafson, to accept bids and award the contract for the Heart of the City Parking Deck (08-314) to Lund Martin including Bid Alternates #1, #2 and #4 for a total amount of \$2,505,633. Ayes – Crichton, Gustafson, Kautz, Kealey, and Workman. Nays – None. Motion carried.

The Council meeting was recessed at 7:39 p.m.

7. Regular Meeting of the Economic Development Authority (EDA).

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

The Council meeting was reconvened at 8:47 p.m.

8. Consider Directing Staff to Process the Application of Heise & Heise, LLC with a Comprehensive Plan Amendment.

Motion by Workman, seconded by Crichton, to direct staff to process the Heise & Heise, LLC. application including a comprehensive plan amendment. Ayes – Crichton, Gustafson, Kautz, Kealey, and Workman. Nays – None. Motion carried.

9. Adjournment.

Motion by Crichton, seconded by Gustafson, to adjourn the meeting at 8:53 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 3rd day of June, 2008.

Elizabeth B. Kautz, Mayor