

CITY OF BURNSVILLE
Regular Meeting Minutes
November 3, 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 3rd day of November, 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., November 18, 7:00 p.m.
Mon., December 1, 7:00 p.m. (*moved to Monday for TNT hearing*)
Special Council Meeting: Mon., November 10, 4:30 p.m. (*Canvas Election Results*)
Worksession Meeting: Mon., November 17, 6:30 p.m.
Special Worksession: Mon., November 10, 4:45 p.m. (*Advisory Board Interviews*)
Governance Meeting: CANCELLED - Tues, November 25
• America Recycles Day Proclamation

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

City Manager Ebeling requested Item 4C (*Supplemental Agreement No. 7 for the Burnsville Performing Arts Center*) be removed from the Consent Agenda and continued.

Motion by Gustafson, seconded by Crichton, to continued Item 4C regarding Supplemental Agreement No. 7 for the Burnsville Performing Arts Center to the next regular Council meeting.. Ayes – Crichton, Gustafson, Kautz, Kealey, Workman. Nays – None. Motion carried.

Councilmember Crichton requested Item 4G (*Contract to Install Piping to Connect the Nicollet Commons Water Features to the New Pump Room Facility*) be removed from the Consent Agenda for further discussion.

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

CONSENT AGENDA (continued)

4A. Consider Approval of Minutes.

Approved the City Council minutes of October 21, 2008, as submitted.

4B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$6,144,171.89.

4C. Item continued to November 18, 2008.

4D. Consider Approval of Quotes for Community Television Studio and Master Control Equipment.

Approved the following bid packages for the community television studio and master contract equipment:

Master Control	Alpha Video	\$56,817.95
Studio Lighting	Alpha Video	\$26,965.80
Editing Platforms	Alpha Video	\$ 4,085.34
Broadcast Switcher	Alpha Video	\$37,615.80

4E. Consider Disability Deferral of Special Assessments for Parcel ID #02-56703-070-02, Paula's 4th Addition Lot 7, Block 2 (07-101B).

Approved the deferral of special assessment for Parcel #02-56703-070-02 in the amount of \$3,109.30 for the year 2009 without interest.

4F. Consider Awarding Contract for Replacing Athletic Field Lighting Fixtures in Lac Lavon Park (08-406).

Awarded the contract for replacing athletic field lighting fixtures in Lac Lavon Park (08-406) to Killmer Electric in the amount of \$388,650.00.

4G. Item removed for discussion.

ITEM(S) REMOVED FROM CONSENT AGENDA

4G. Consider Approval of Contract to Install Piping to Connect the Nicollet Commons Water Features to the New Pump Room Facility.

Motion by Crichton, seconded by Workman, to award the contract to install piping to connect the Nicollet Commons Park water features to the new pump room facility to Pool Construction Inc. in the amount of \$39,000. Ayes – Crichton, Gustafson, Kautz, Kealey, Workman. Nays – None. Motion carried.

REGULAR AGENDA

5. Consider Approval of an Application for Burnsville Royale Limited Partnership for a Rezoning from B-3 (General Business) to B-3, PUD (General Business, Planned Unit Development), Preliminary and Final Plat Approval of a Two Lot Subdivision to be Known as RIDGE POINTE, Concept and Development Stage Approval of a Planned Unit Development for Construction of an Office Building, and Concept Stage Approval for a Second Office Building and Parking Deck to be Located at 250 River Ridge Circle; and Consider Findings of Fact, Ordinance, and Development Contract and Planned Unit Development Agreement.

Motion by Kealey, seconded by Gustafson, to approve a Development Contract for Burnsville Royale Limited Partnership including final plat approval of a RIDGE POINTE ADDITION, concept and development stage approval of a Planned Unit Development Agreement for construction of an office building, and concept stage approval for a second office building and parking deck to be located at 250 River Ridge Circle; and adopt the Findings of Fact and the following Ordinance that will be published in the legal newspaper and become part of the official records:

ORDINANCE NO. 1141

AN ORDINANCE AMENDING TITLE 10 OF THE BURNSVILLE CITY CODE,
BEING THE ZONING TITLE OF THE CITY OF BURNSVILLE
BURNSVILLE ROYALE LIMITED PARTNERSHIP
CASE FILE NO. 08-25

D-08-71

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

6. Consider Approval of an Application for The Luther Company, LLLP for a Conditional Use Permit Amendment to Allow Construction of a Building for a Volkswagen/Hyundai Dealership with an Open Sales Lot, and a Variance to Allow Two Pylon Signs on Property Located at 14551 Burnhaven Drive; and Consider Findings of Fact, Amended Conditional Use Permit, and Variance.

Motion by Workman, seconded by Kealey, to approve an Amended Conditional Use Permit for The Luther Company, LLLP to allow construction of a Volkswagen/Hyundai Dealership with an open sales lot; adopt the Findings of Fact; as well as approve a variance to allow two pylon signs at 14551 Burnhaven Drive with direction that the Findings of Fact for approval be revised to reflect the Council's discussion and submitted for adoption at the next regular Council meeting. Ayes – Crichton, Gustafson, Kautz, Kealey, Workman. Nays – None. Motion carried.

D-08-72

7. Adjournment.

Motion by Kealey, seconded by Crichton, to adjourn the meeting at 7:45 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 November, 2008.

Elizabeth B. Kautz, Mayor