

CITY OF BURNSVILLE
Regular Meeting Minutes
January 6, 2009

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 January, 2009.

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, Sherry

1. Announcements and Proclamations.

Council Meetings:	Tues., January 20, 7:00 p.m.
	Tues., February 3, 7:00 p.m.
Worksession Meeting:	Tues., January 13, 6:30 p.m.
Special Worksession:	Tues., January 13, 5:00 p.m. (<i>Black Dog WMO Interviews</i>)
	Fri., January 23, 8:30 a.m. (<i>All Day Worksession – The Summit</i>)

- Proclamation Honoring All Respondents to December 22nd Fire at Burncliff Apartments.

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 the following items be removed from the Consent Agenda for further discussion:

- 4E (Supplemental Agreement No. 8 for the Burnsville Performing Arts Center)
- 4F (New Policy for the Sale of Surplus Property and a Resolution Adopting the 2009 Policies and Procedures Manual)
- 4L (Encroachment Agreements with the Property Owners at 12001 and 12005 Summerset Lane for Fences Constructed on Park Property in Red Oak Park)
- 4N (Authorize Project Preparing Report, Plans and Specifications for the Installation of a Signal at the Intersection of Nicollet Avenue and 126th Street (09-502))

Councilmember Sherry requested item 4A. (Approval of Minutes) be removed so she may abstain from the vote.

CONSENT AGENDA (continued)

Motion by Gustafson, seconded by Crichton, that the following Consent Agenda items (listed as B–Q, excepting E, F, L, and N) be approved as presented. Ayes – Crichton, Gustafson, Kautz, Kealey, Sherry. Nays – None. Motion carried.

4A. *Item removed for discussion.*

4B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$5,857,040.63.

4C. Consider Designation of Acting Mayors for 2009 and 2010.

Approved designation of Acting Mayors for the years 2009 and 2010 as follows:

Charlie Crichton	1 st half of 2009
Dan Gustafson	2 nd half of 2009
Dan Kealey	1 st half of 2010
Mary Sherry	2 nd half of 2010

4D. Consider Designation of the Official Newspaper for 2009.

Approved designation of the *Burnsville Sun Current* as the official newspaper for 2009.

4E. *Item removed for discussion.*

4F. *Item removed for discussion.*

4G. Consider Resolution Designating Authority for Investment and Banking Transactions and Authorized Signers on Accounts.

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

RESOLUTION NO. 09-5739

RESOLUTION APPROVING DESIGNATED AUTHORITY FOR INVESTMENT AND BANKING TRANSACTIONS AND AUTHORIZED SIGNERS ON ACCOUNTS.

4H. Consider Resolution Authorizing Wire Transfer of Funds.

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

RESOLUTION NO. 09-5740

RESOLUTION AUTHORIZING TRANSFER OF FUNDS

CONSENT AGENDA (continued)

4I. Consider Designation of Depositories for City Funds for 2009.

Designated the following depositories for City funds for the year 2008 as follows:

1. Wells Fargo Bank, N.A. is designated as the depository for all operating accounts and with all collateral pledged being held in safekeeping at the Federal Reserve Bank.
2. All banks and financial institutions listed below and any others upon notice by the City Treasurer are designated for investments of surplus City funds as authorized by Minnesota Statutes:
 - RBC Capital Markets
 - Minn. Municipal Money Market Fund (4M Fund)
 - UBS Financial Services Inc.
 - Stifel, Nicolaus & Company, Inc.
 - Wells Fargo Brokerage Services LLC

4J. Consider Approval of Audit Engagement Letter with Malloy, Montague, Karnowski, Radosevich, & Co. (MMKR) for the Audit of the City's 2008 CAFR.

Approved MMKR audit engagement letter for the audit of the 2008 CAFR for services and fees as proposed in its response to the City's RFP for audit services.

4K. Consider Resolution Declaring Intent to Reimburse Certain Expenditures from the Proceeds of Bond Sales.

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

RESOLUTION NO. 09-5741

RESOLUTION DECLARING THE OFFICIAL INTENT OF
THE CITY OF BURNSVILLE TO REIMBURSE CERTAIN EXPENDITURES
FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY

4L. *Item removed for discussion.*

4M. Consider Approval of a Joint Powers Agreement with Dakota County for the Wetland Health Evaluation Program.

Approved a Joint Powers Agreement with Dakota County for the County's administration of the Wetland Health Evaluation Program for wetlands within Burnsville.

D-09-01

4N. *Item removed for discussion.*

4O. Consider Approval of Contract Settlement with Law Enforcement Labor Services, Inc. (L.E.L.S) #3 (Police Sergeants).

Approved the two year Contract Settlement with LELS #3 (Police Seargents), including wage increases of 2% for the first half of 2009, 2% for the second half of 2009, and 3% for 2010.

CONSENT AGENDA (continued)

- 4P. Consider Approval of Contract Settlement with Law Enforcement Labor Services, Inc. (L.E.L.S) #180 (Police Officers).

Approved the two year Contract Settlement with LELS #180 (Police Officers), including wage increases of 2% for the first half of 2009, 2% for the second half of 2009, and 3% for 2010.

- 4Q. Consider Approval of the Replacement of the Digital Dictation/Transcription System for Police Operations.

Approved the purchase of a replacement of digital dictation and transcription software solution called Winscribe up to the amount of \$25,000 from Northland Business Systems Inc., of Burnsville, MN.

ITEM(S) REMOVED FROM CONSENT AGENDA

- 4A. Consider Approval of Minutes.

Motion by Crichton, seconded by Kealey, to approve the City Council minutes of December 16, 2008 as submitted. Ayes: Crichton, Gustafson, Kautz, and Kealey. Nays: None. Abstain: Sherry.

- 4E. Consider Approval of Supplemental Agreement #8 for the Burnsville Performing Arts Center.

Motion by Crichton, seconded by Gustafson, to approve Supplemental Agreement #8 for the Burnsville Performing Arts Center (07-425). Ayes – Crichton, Gustafson, Kautz, Kealey, Sherry. Nays – None. Motion carried.

- 4F. Consider Approval of a New Policy for the Sale of Surplus Equipment and a Resolution Adopting the 2009 Policies and Procedures Manual.

Motion by Crichton to approve Policy No. 1.127 – Sale of Surplus Equipment and adopt the resolution with the exception of the proposed amendment by Councilmember Gustafson to Policy No. 5.010. Motion failed for lack of a second.

Motion by Kealey, seconded by Sherry, to approve Policy No. 1.127 – Sale of Surplus Equipment and adopt the following resolution, excluding all proposed amendments to Policy No. 5.010, which will become part of the official records.

RESOLUTION NO. 09-5742

RESOLUTION ADOPTING THE CITY OF BURNSVILLE 2009 POLICIES AND PROCEDURES MANUAL INCORPORATING FEES AND CHARGES FOR VARIOUS SERVICES.

Poll of Votes: Ayes – Gustafson, Kautz, Kealey, Sherry. Nays – Crichton. Motion carried.

ITEM(S) REMOVED FROM CONSENT AGENDA (continued)

- 4L. Consider Approval of Encroachment Agreements with the Property Owners at 12001 and 12005 Summerset Lane for Fences Constructed on Park Property in Red Oak Park.

Motion by Crichton, seconded by Gustafson, to approve Encroachment Agreements with the property owners at 12001 (Sasse) and 12005 (Gehrke) Summerset Lane for fences constructed on park property in Red Oak Park. Ayes – Crichton, Gustafson, Kautz, Kealey, Sherry. Nays – None. Motion carried.

D-09-02

- 4N. Consider Authorizing Project, Preparing Report, Plans and Specifications for the Installation of a signal at the Intersection of Nicollet Avenue and 126th Street (09-502).

Motion by Crichton, seconded by Gustafson, to authorize project, and the necessary documents, for the installation of a signal at the intersection of Nicollet Avenue/126th Street. Ayes – Crichton, Gustafson, Kautz, Kealey, Sherry. Nays – None. Motion carried.

REGULAR AGENDA

5. Adjournment.

Motion by Crichton, seconded by Sherry, to adjourn the meeting at 7:28 p.m. Ayes – Crichton, Gustafson, Kautz, Kealey, Sherry. Nays – None. Motion carried.

Macheal Brooks, Deputy City Clerk

Approved by the City Council of the City of Burnsville this 20th day of January, 2009.

Elizabeth B. Kautz, Mayor