

CITY OF BURNSVILLE
Regular Meeting Minutes
June 16, 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 16th day of June, 2009.

The meeting was called to order by Acting Mayor Gustafson at 6:30 p.m.

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

Present: Crichton, Gustafson, Kealey, Sherry
Absent: Kautz

1. Announcements and Proclamations.

Council Meetings:	Tues., July 7, 6:30 p.m.
	Tues., July 21, 6:30 p.m.
Worksession Meeting:	Tues., July 14, 6:30 p.m.
Governance Meeting:	Tues. June 23, 6:30 p.m.
Special Closed Meeting:	Tues. June 23, 8:00 p.m. (Conf Rm B/C)

- Proclamation Establishing Olympic Week and Supporting Chicago's Effort as Host City for the 2016 Olympic and Paralympics Games

2. Citizen Comments.

Cliff Volkman, 1105 West 139th Street.

3. Additions to the Final Agenda.

There were no additions to the Final Agenda.

CONSENT AGENDA

Councilmember Kealey requested Item 4D of (*Pawnbroker Licenses for Pawn America Minnesota LLC*) be removed from Consent Agenda for abstention.

Councilmember Crichton requested Item 4J (*Application for McDonald's Corporation for a Planned Unit Development Amendment to Replace the Existing Building with a new McDonald's Located at 14200 Grand Avenue South*) be removed from the Consent Agenda for further discussion.

Motion by Sherry, seconded by Crichton, that the following Consent Agenda items (listed as A–L, excepting D and J) be approved as presented. Ayes – Crichton, Gustafson, Kealey and Sherry. Nays – None. Absent – Kautz. Motion carried.

CONSENT AGENDA (continued)

4A. Consider Approval of Minutes.

Approved the City Council minutes of June 2, 2009, the Worksession minutes of June 9, 2009, and the Special Worksession minutes of June 9, 2009 as submitted.

4B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$2,557,842.76.

4C. Consider Resolution Approving a Premises Permit for Metro Baseball League for the Purpose of Lawful Gambling, Pull-Tabs.

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

RESOLUTION NO. 09-5766

RESOLUTION APPROVING A PREMISES PERMIT FOR THE METRO BASEBALL
LEAGUE FOR THE PURPOSE OF LAWFUL GAMBLING, PULL-TABS
HOOTERS RESTAURANT

4D. *Item removed for discussion.*

4E. Consider Approval of Change in Operating Manager for Big Discount Liquors, 12100 County Road 11.

Approved Levi Darr as Operating Manager for Big Discount Liquors, 12100 County Road 11.

4F. Consider Approving Lease Agreement with Jo Jo's Rise and Wine, Inc, for Concession Operation at Nicollet Commons Park.

Approved lease agreement with Jo Jo's Rise and Wine, Inc., for concession operations at Nicollet Commons Park.

D-09-36

4G. Consider Resolution Amending the 2009 Pay Plan and Benefits for Non-Union Employees.

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

RESOLUTION NO. 09-5767

RESOLUTION AMENDING THE 2009 PAY AND BENEFITS PLAN
FOR THE CITY OF BURNSVILLE NON-UNION EMPLOYEES

CONSENT AGENDA (continued)

- 4H. Consider Resolution Adopting a Revised Retirement Enhancement and Benefit Alternatives (REBA) Voluntary Employees' Beneficiary Association (VEBA) Basic Plan Adoption Agreement for the City of Burnsville.

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

RESOLUTION NO. 09-5768

RESOLUTION ADOPTING A REVISED RETIREMENT ENHANCEMENT AND BENEFIT ALTERNATIVES (REBA) VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION (VEBA) BASIC PLAN ADOPTION AGREEMENT FOR THE CITY OF BURNSVILLE

- 4I. Consider Resolution Requesting Advancement of Municipal State Aid Street Fund for Signal Replacement at T.H. #13/Cedarbridge Avenue and River Hills Drive (09-503).

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

RESOLUTION NO. 09-5769

RESOLUTION REQUESTING ADVANCEMENT OF MUNICIPAL STATE AID STREET (MSAS) FUNDS FOR SIGNAL REPLACEMENT ON TRUNK HIGHWAY 13 AT CEDARBRIDGE AVENUE AND RIVER HILL DRIVE (09-503)

- 4J. *Item removed for discussion.*

- 4K. Consider Approval of an Application for Soccer Blast Properties MN, LLC for a Planned Unit Development Amendment to Construct a Building Addition to Replace the Temporary Dome Located at 3601 West 145th Street; and Consider Findings of Fact, Ordinance and Amended Planned Unit Development Agreement.

Adopted the Findings of Fact, Amended Planned Unit Development Agreement and an Ordinance that will be published in the legal newspaper and become part of the official records:

ORDINANCE NO. 1168

AN ORDINANCE AMENDING TITLE 10 OF THE BURNSVILLE CITY CODE,
BEING THE ZONING TITLE OF THE CITY OF BURNSVILLE
SOCCER BLAST PROPERTIES MN, LLC
CASE FILE NO. 09-09

D-09-37

- 4L. Consider Adopting the Auditors' Report on the December 31, 2008 Comprehensive Annual Financial Report.

Adopted the auditors' report as prepared on the December 31, 2008 Comprehensive Annual Financial Report.

D-09-38

ITEM(S) REMOVED FROM CONSENT AGENDA

4D. Consider Renewal of Pawnbroker Licenses for Pawn America Minnesota LLC.

Motion by Sherry, seconded by Crichton, to approve the renewal of pawnbroker licenses for Pawn America Minnesota LLC located at 13959-13961 Grand Avenue and 181 River Ridge Drive for the period July 1, 2009 to June 30, 2010. Ayes – Crichton, Gustafson, and Sherry. Nays – None. Absent – Kautz. Abstain – Kealey. Motion carried.

4J. Consider Approval of a Application for McDonald's Corporation for a Planned Unit Development Amendment to Replace the Existing Building with a new McDonald's Located at 14200 Grand Avenue South; and Consider Findings of Fact, Ordinance and Amended Planned Unit Development Agreement.

Council directed staff to include a condition that the applicant designate and sign the eight southern most stalls for employees.

Motion by Crichton, seconded by Sherry to approve the Amended Planned Unit Development Agreement with the condition stated above for McDonald's Corporation to replace the existing building with a new McDonald's at 14200 Grand Avenue South and adopt the Findings of Fact and an Ordinance that will be published in the legal newspaper and become part of the official records:

ORDINANCE NO. 1169

AN ORDINANCE AMENDING TITLE 10 OF THE BURNSVILLE CITY CODE,
BEING THE ZONING TITLE OF THE CITY OF BURNSVILLE
MCDONALD'S CORPORATION
CASE FILE NO. 09-08

D-09-39

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

REGULAR AGENDA

5. Adjournment.

Motion by Kealey, seconded by Sherry, to adjourn the meeting at 6:45 p.m. Ayes – Crichton, Gustafson, Kealey, and Sherry. Nays – None. Absent – Kautz. Motion carried.

Macheal Brooks, Deputy City Clerk

Approved by the City Council of the City of Burnsville this 7th day of July, 2009.

Elizabeth B. Kautz, Mayor