

CITY OF BURNSVILLE
Regular Meeting Minutes
November 1, 2010

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 1st day of November, 2010.

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

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

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

1. Announcements and Proclamations.

Council Meetings:	Tues., November 16, 6:30 p.m.
	Tues., December 7, 6:30 p.m.
Special Meeting	Tues., November 9, 6:00 p.m. (canvas election results)
Worksession Meetings:	Tues., November 9, 6:30 p.m.

Truth in Taxation Meeting Schedule for Taxes Payable in 2011:

1st Budget Worksession:	Tues., November 9, 6:30 p.m.
2nd Budget Worksession:	Tues., November 23, 6:30 p.m.
Budget Open House	Tues., November 30, 4:00 p.m.
Adopt Budget/Final Tax Levy:	Tues., December 7, 6:30 p.m.

* The public will be allowed to comment at all TNT meetings.

- 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

Councilmember Crichton requested Item 4F (*Ordinance Amending Chapter 10 Regarding Outside Storage of Trailers and Camping Vehicles within Residential Neighborhoods and Adopting Revised Policy 2.070 Complaint Response Procedure for Property Maintenance and Zoning Code Enforcement*) be removed from Consent Agenda for further discussion.

City Manager Ebeling reported that the applicant requested a continuance on Item 4E (*Approval for Ames Construction, Inc., for a Four Year Extension to continue the use of the Outdoor Storage Area per the approved 2004 Planned Unit Development for Lot 2, Block 1, Patricia Park*)

CONSENT AGENDA (continued)

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

4A. Consider Approval of Minutes.

Approved the Regular Minutes of October 19, 2010 and Special Worksession minutes of October 14, 2010 and October 26, 2010 as submitted.

4B. Consider Approval of Claims Listing.

Approved the listing of claims in the submitted amount of \$6,945,714.12.

4C. Consider Approval of Change in Operating Managers for Liquor License Holders.

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

RESOLUTION NO. 10-5904

RESOLUTION ACCEPTING DONATIONS AND GRANTS TO THE CITY

4D. Consider Approval of an Application for Stonebrooke Investments Inc., for a Preliminary and Final plat of a one lot subdivision to be known as Stonebrooke Place, located at 14311 Ewing Avenue South; Consider Development Contract.

Approved a Development Contract for Stonebrooke Investments Inc., including Preliminary and Final plat approval of STONEBROOKE PLACE, located at 14311 Ewing Avenue S.

D-10-81

4E. *Item removed for discussion.*

4F. *Item removed for discussion.*

ITEM(S) REMOVED FROM CONSENT AGENDA

4E. Consider Approval for Ames Construction, Inc., for a Four Year Extension to continue the use of the Outdoor Storage Area per the approved 2004 Planned Unit Development for Lot 2, Block 1, Patricia Park.

Motion by Sherry, seconded by Kealey to continue this item per the applicant's request to November 16, 2010. Ayes – Crichton, Kautz, Kealey, and Sherry. Nays – None. Absent – Gustafson. Motion carried.

ITEM(S) REMOVED FROM CONSENT AGENDA (continued)

- 4F. Consider Adopting an Ordinance Amending Chapter 10 Regarding Outside Storage of Trailers and Camping Vehicles within Residential Neighborhoods and Adopting Revised Policy 2.070 Complaint Response Procedure for Property Maintenance and Zoning Code Enforcement

Motion by Crichton, seconded by Sherry, to adopted revised Policy 2.070 – Complaint Response Procedures for Property Maintenance and Zoning Code Enforcement and adopt an Ordinance that will be published in the legal newspaper and become part of the official records:

ORDINANCE NO. 1214

AN ORDINANCE AMENDING TITLE 6, CHAPTER 10, SECTION 4 OF THE
BURNSVILLE CITY CODE REGARDING OUTSIDE STORAGE OF TRAILERS
AND CAMPING VEHICLES WITHIN RESIDENTIAL NEIGHBORHOODS

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

REGULAR AGENDA

5. Public Hearing – Consider Approval of On-Sale/Sunday On-Sale Liquor License for Ross Hospitality Services of Burnsville Inc. dba Mattie’s Lanes, Sports Bar & Grille located at 2100 E. Hwy. 13.

A public hearing was conducted. The public hearing was opened at 6:47 p.m. No one appeared before the Council. The Mayor declared the hearing closed at 6:47 p.m.

Motion by Kealey seconded Crichton to approve an On-Sale/Sunday On-Sale Liquor License for Ross Hospitality Services of Burnsville Inc. located at 2100 E Highway 13. Ayes – Crichton, Kautz, Kealey, and Sherry. Nays – None. Absent – Gustafson. Motion carried.

6. Public Hearing - Consider Approval of 3.2. Percent Off-Sale Liquor Licenses for Northern Tier Retail LLC d.b.a. SuperAmerica Stores #4460, # #4383, #4201, #4211 and #4314.

A public hearing was conducted. The public hearing was opened at 6:49 p.m. No one appeared before the Council. The Mayor declared the hearing closed at 6:49 p.m.

Motion by Kealey seconded Sherry to approve an 3.2 Percent Off-Sale Liquor License for Northern Tier Retail LLC for five SuperAmerica Stores locations. Ayes – Crichton, Kautz, Kealey, and Sherry. Nays – None. Absent – Gustafson. Motion carried.

7. Consider Approval of the Convention & Visitors Bureau 2011 Budget and Work Plan.

Amie Burrill, Executive Director, presented the Convention & Visitors Bureau’s 2011 Budget and Work Plan.

Motion by Kealey seconded Crichton to approve the 2011 Budget and Work Plan as presented. Ayes – Crichton, Kautz, Kealey, and Sherry. Nays – None. Absent – Gustafson. Motion carried.

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8. Consider Approval of an Application for JPT Industries Inc., for a Planned Unit Development Amendment to allow a liquor store within an existing building and exterior changes to the shopping center located at 13901 Aldrich Avenue; and Consider Findings of Fact, Ordinance, and Amended Planned Unit Development Agreement.

Motion by Kealey, seconded by Sherry, to approve the Amended Planned Unit Development Agreement for JPT Industries Inc. to allow a liquor store at 13901 Aldrich Avenue; 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. 1215

AN ORDINANCE AMENDING TITLE 10 OF THE BURNSVILLE CITY CODE,
BEING THE ZONING TITLE OF THE CITY OF BURNSVILLE
JPT INDUSTRIES INC
CASE FILE NO. 10-34

D-10-82

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

9. Public Hearing - Consider Approval of Off-Sale Liquor License for JJN Companies LLC d.b.a. Haskell's, 13947 Aldrich Ave. S.

A public hearing was conducted. The public hearing was opened at 7:21 p.m. No one appeared before the Council. The Mayor declared the hearing closed at 7:21 p.m.

Motion by Crichton seconded by Kealey to approve an Off-Sale Liquor License for JJN Companies LLC located at 13947 Aldrich Avenue S. Ayes – Crichton, Kautz, Kealey, and Sherry. Nays – None. Absent – Gustafson. Motion carried.

10. Adjournment.

Motion by Sherry seconded by Kealey to adjourn the meeting at 7:22 p.m. Ayes – Crichton, Kautz, Kealey, and Sherry. Nays – None. Absent – Gustafson. Motion carried.

Macheal Brooks, City Clerk

Approved by the City Council of the City of Burnsville this 16th day of November, 2010.

Elizabeth B. Kautz, Mayor