

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
MAY 15, 2012
7:00 P.M.**

I. CALL TO ORDER

Mayor Hovland called the meeting to order at 7:04 p.m.

II. ROLL CALL

Answering rollcall were Members Brindle, Sprague, Swenson and Mayor Hovland. Absent was Member Bennett.

III. MEETING AGENDA APPROVED

Member Swenson made a motion, seconded by Member Brindle, approving the meeting agenda.

Ayes: Brindle, Sprague, Swenson, Hovland

Motion carried.

IV. CONSENT AGENDA ADOPTED

Member Brindle made a motion, seconded by Member Sprague, approving the consent agenda as revised to remove Items IV.A. Approve regular and work session meeting minutes of May 1, 2012; IV.C. Resolution denying Preliminary Plat, Subdivision, and Variances, JMS, Brookview Avenue; IV.J. Request for Purchase, City of Edina Wireless Networks; IV.K. Request for Purchase, Braemar Golf Dome fabric and artificial turf removal, as follows:

~~IV.A. Approve regular and work session meeting minutes of May 1, 2012~~

IV.B. Receive payment of the following claims as shown in detail on the Check Register dated May 3, 2012, and consisting of 29 pages; General Fund \$140,327.44; Police Special Revenue \$2,077.45; Working Capital Fund \$98,439.01; Equipment Replacement Fund \$84,518.44; Construction Fund \$2,647.19; Art Center Fund \$2,819.71; Golf Dome Fund \$4,137.93; Golf Course Fund \$23,405.13; Ice Arena Fund \$207.50; Edinborough Park Fund \$27,578.80; Centennial Lakes Park Fund \$3,947.62; Liquor Fund \$161,163.28; Utility Fund \$437,859.26; Storm Sewer Fund \$7,060.45; Recycling Fund \$32.95; PSTF Agency Fund \$8,829.52; Payroll Fund \$3,477.97; TOTAL \$1,008,529.65 and for approval of payment of claims dated May 10, 2012, and consisting of 29 pages; General Fund \$149,760.11; Police Special Revenue \$2,932.38; Braemar Memorial Fund \$1,146.09; General Debt Service Fund \$425.00; Working Capital Fund \$13,042.08; Equipment Replacement Fund \$21,875.18; Art Center Fund \$422.71; Golf Dome Fund \$105.00; Aquatic Center Fund \$110,751.34; Golf Course Fund \$12,240.46; Ice Arena Fund \$33,471.89; Edinborough Park Fund \$5,304.21; Centennial Lakes Park Fund \$5,923.38; Liquor Fund \$229,766.29; Utility Fund \$418,992.63; Storm Sewer Fund \$2,389.33; Recycling Fund \$39,958.20; PSTF Agency Fund \$3,961.34; TOTAL \$1,052,467.62; and, Credit Card Transactions dated February 28, 2012 – March 27, 2012; TOTAL \$16,075.73.

~~IV.C. Resolution denying Preliminary Plat, Subdivision, and Variances, JMS, Brookview Avenue~~

IV.D. First Reading and Waiver of Second Reading Adopting Ordinance No. 2012-12 Amending Section 150 Personnel Policy

IV.E. Adopt Resolution No. 2012-77 authorizing grant agreement with Hennepin County – Municipal Recycling Collection Program

IV.F. Adopt Resolution No. 2012-78, designating no parking on Tracy Avenue from Vernon Avenue to Benton Avenue

IV.G. Request to Purchase, one (1) 2013 Ford Police Vehicle – Police Department, awarding the bid to the recommended low bidder, Nelson Auto Center at \$26,671.82

IV.H. Request to Purchase, Furniture – Police Department, awarding the bid to the recommended low bidder, Henricksen PSG at \$26,336.30

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IV.I. Request to Purchase, bituminous pathway renovation – Rosland Park, awarding the bid to the recommended low bidder, Bituminous Roadways, Inc. at \$20,250.00

~~IV.J. Request for Purchase, City of Edina Wireless Networks~~

~~IV.K. Request for Purchase, Braemar Golf Dome fabric and artificial turf removal~~

IV.L. Adopt Resolution No. 2012-80 setting June 19, 2012 hearing date for consideration of vacation of public right-of-way, portions of Natchez Avenue & West 41st Street

Rollcall:

Ayes: Brindle, Sprague, Swenson, Hovland

Motion carried.

ITEMS REMOVED FROM THE CONSENT AGENDA

IV.A. REGULAR AND WORK SESSION MEETING MINUTES OF MAY 1, 2012 – APPROVED AS REVISED

Mayor Hovland requested a revision to the May 1, 2012, regular meeting minutes, Page 2, Item IV.A, fourth line, to indicate: “Following discussion, majority of the Council supported the minutes.” **Mayor Hovland made a motion, seconded by Member Swenson, to approve the regular meeting minutes of May 1, 2012, as amended and the work session meeting minutes of May 1, 2012 as submitted.**

Ayes: Brindle, Sprague, Swenson, Hovland

Motion carried.

IV.C. RESOLUTION NO. 2012-62 ADOPTED – DENYING PRELIMINARY PLAT, SUBDIVISION, AND VARIANCES, JMS, BROOKVIEW AVENUE

In response to Council’s questions, Attorney Poelher recommended Section 2.01, Paragraph 3, remain as written because it reflected case law and State Statute and to rephrase Paragraph 4 to indicate: “...the practical difficulty alleged by applicant’s proposal to subdivide the property is self created.” It was noted the date had been corrected in Section 1.03, Section 1. **Mayor Hovland introduced and moved adoption of Resolution No. 2012-62, denying Preliminary Plat, Subdivision and Variances for Property at 6120 Brookview Avenue in Edina as corrected above.** Member Swenson seconded the motion.

Ayes: Brindle, Sprague, Swenson, Hovland

Motion carried.

IV.J. REQUEST TO PURCHASE, CITY OF EDINA WIRELESS NETWORKS – APPROVED

Communications and Technology Services Director Bennerotte advised that \$300,000 had been budgeted for technology with \$110,000 set aside for wireless. In response to a question regarding the wireless installation at Braemar Arena, Ms. Bennerotte explained this project would include the three existing rinks and should there be an addition, the wireless network would have to be expanded. The Council indicated the added cost for such a network expansion should be part of the private/public entity cost allocation discussion. **Mayor Hovland made a motion, seconded by Member Sprague, to approve request to purchase, City of Edina Wireless Networks, awarding the bid to the recommended low bidder, LOGIS at \$95,261.42.**

Ayes: Brindle, Sprague, Swenson, Hovland

Motion carried.

IV.K. REQUEST TO PURCHASE, BRAEMAR GOLF DOME FABRIC AND ARTIFICIAL TURF REMOVAL – APPROVED

Manager Neal stated Traveler’s Insurance had made one settlement installment of just over \$668,000 and advised that negotiation was taking place on the remaining settlement. **Mayor Hovland made a motion, seconded by Member Swenson, to approve request to purchase, Braemar Golf Dome fabric and artificial turf removal, awarding the bid to the recommended low bidder, Yeadon at \$30,000.00 (plus any unexpected contaminated disposal fees, taxes, or permits)**

Ayes: Brindle, Sprague, Swenson, Hovland

Motion carried.

V. SPECIAL RECOGNITIONS AND PRESENTATIONS

None.

VI. PUBLIC HEARINGS HELD - Affidavits of Notice presented and ordered placed on file.

VI.A. GALLAGHER DRIVE ROADWAY AND NINE MILE CREEK REGIONAL TRAIL IMPROVEMENTS, IMP. BA-382 – RESOLUTION NO. 2012-74 ADOPTED

City Engineer Houle described the project site and explained the Gallagher Drive roadway project had been initiated by petition of adjoining property owners.

Toby Muse, SEH, presented the Gallagher Drive roadway and Nine Mile Creek regional trail improvement project. He identified the project area, described existing conditions, and the proposed improvements. Mr. Muse recommended the City request a variance from MSA to maintain the existing 180-foot horizontal curve to lessen private property and building setback encroachments. The preliminary project cost was estimated at \$472,000 with the City Storm Sewer Fund paying \$6,000, MSA paying \$346,000, and Three Rivers Park District paying \$120,000. Mr. Muse presented the project schedule.

The Council discussed the project and stated support for the recommendation of the Edina Transportation Commission (ETC) to align bus stop pads to the crosswalk to assure safe pedestrian crossing, provide for bicycle parking, and install conduit to accommodate future lighting. Mr. Houle advised the project addressed alignment of bus stop pads and it was feasible to include bicycle parking and installation of electrical conduit.

Mayor Hovland opened the public hearing at 7:18 p.m.

Public Testimony

No one appeared to comment.

Member Swenson made a motion, seconded by Member Brindle, to close the public hearing.

Ayes: Brindle, Sprague, Swenson, Hovland

Motion carried.

Member Swenson introduced and moved adoption of Resolution No. 2012-74, requesting Variance from standards for State Aid Operations, Gallagher Drive, Parklawn Avenue to France Avenue, as amended to add bicycle parking and a electric conduit for lighting. Member Brindle seconded the motion.

The Council discussed the future lighting component and requested that staff ask Three Rivers Park District to pay for the lighting cost when that item was under consideration.

Ayes: Brindle, Sprague, Swenson, Hovland

Motion carried.

VI.B. BIKE BOULEVARD IMPROVEMENT A-238 – RESOLUTION NO. 2012-75 ADOPTED

Mr. Houle presented background information on Phase 1 of the Bike Boulevard Improvement Project.

Police Chief Long presented an overview of Statute, summarized “Rule of the Road” for bicyclists, and answered safety-related questions of the Council.

Mike Anderson, Alliant Engineering, Inc., summarized the Bike Boulevard Improvement Project that would be funded by a \$250,000 federal grant to provide an on-street bicycle lane on 54th Street from Wooddale Avenue to France Avenue. He noted a section on Valley View Road, south of 62nd Street, that was removed due to cost had been replaced with a trail section on Valley View Road connecting with Lake Cornelia Park. Mr. Anderson presented the project schedule, design standards, and recommendations for each trail

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segment. A video clip was played of a similar roadway segment depicting interaction between motorists and bicyclists.

The Council asked questions of Mr. Anderson whether safety data was available that compared bicycle lane options with an advisory bicycle lane as opposed to an on-road bicycle lane. Mr. Anderson indicated this project would result in improved safety from a bicyclist's perspective and a negligible change from a motorist's perspective. Mr. Houle stated this design would include an extensive educational campaign and the City would conduct vehicle and speed counts on 54th Street.

Mayor Hovland disclosed he was a member of the Edina Community Lutheran Church on 54th Street. Attorney Poelher advised Mayor Hovland does not have a conflict of interest that would preclude him from participating in the discussion or decision in this matter.

Mr. Anderson completed presentation of the Project components and answered questions of the Council. The Council commented on the importance of using a high-quality product in areas where the bicycle lane was painted. Mr. Houle indicated staff considered bump outs on Wooddale Avenue and suggested consideration of that option if parking on the east side of Wooddale Avenue was retained. Manager Neal advised of the considerations before the Council for this public project that would be assessed.

Mayor Hovland opened the public hearing at 9:05 p.m.

Public Testimony

Erik Strand, 4109 West 54th Street, pastor of Edina Community Lutheran Church at 4113 West 54th Street, addressed the Council.

Ben Crabtree, 5428 Woodcrest Drive, addressed the Council.

Eileen Supple-Byom, 7332 West Shore Drive, addressed the Council.

Dave Frenkel, 4510 Lakeview Drive, addressed the Council.

Troy Paulson, 5116 Juanita Avenue, addressed the Council.

Kenneth Lantto, 5000 William Avenue, addressed the Council.

Terri Whaley, 5337 Wooddale Avenue, addressed the Council.

Andrew Kasid, 5401 Wooddale Avenue, addressed the Council.

Audrey Kingstrom, 3529 West 54th Street, addressed the Council.

Brad Schaeppi, 4600 Bruce Avenue, addressed the Council.

Anne Scoggin, 4610 Arden Avenue, on behalf of St. Stephen's Church, addressed the Council.

Robert Kovich, 5107 Wooddale Avenue, addressed the Council.

Sally Dunn, 5020 Windsor Avenue, addressed the Council.

Scott Hauser, 5417 Wooddale Avenue, addressed the Council.

Doug Hostnick, 5401 Abbott Place, addressed the Council.

Kristopher Wilson, 5801 St. Johns Avenue, addressed the Council.

James (Marty) Mathis, 5933 Wooddale Avenue, addressed the Council.

Jeffrey Burrows, 5121 Mirror Lakes Drive, addressed the Council.

Alice Hulbert, 7221 Tara Road, addressed the Council.

Ann Kasid, 5401 Wooddale Avenue, addressed the Council.

Paul Thompson, 4244 Crocker Avenue, addressed the Council.

Edward Murdock, 5115 Arden Avenue, addressed the Council.

Member Swenson made a motion, seconded by Member Brindle, to close the public hearing.

Ayes: Brindle, Sprague, Swenson, Hovland

Motion carried.

Mr. Houle and Mr. Anderson addressed issues and concerns raised during public testimony and answered questions of the Council.

Steve Clark, Transport Livable Communities (TLC), commented on the popularity of advisory bicycle lanes, even on high-speed rural roads. Mr. Clark stated that speeds came down and safety dramatically improved in areas with advisory bicycle lanes. He indicated, however, there might be the need for additional education to address initial confusion. Mr. Clark commended the City and Alliant for bringing this to the community. Mr. Clark answered the Council's questions and described extensive research that found significant increases in bicycling when routes were provided. With regard to advisory bicycle lanes on 54th Street from Wooddale to France Avenues, Mr. Clark stated a solid bike lane provided more dependability since it was truly dedicated space. Where parking was not such a premium, the conventional method of providing bike lanes afforded the bicyclists and motorists a little more personal comfort. Mr. Clark stated TLC would still approve the project with advisory bicycle lanes but preferred dedicated bicycle lanes where parking was not needed.

The Council discussed the segment on Wooddale between 50th and 54th streets. Mr. Houle stated the Wooddale segment south of Valley View Road was added because the segment south of Crosstown was eliminated, resulting in extra funds, and TLC agreed to connect to the existing bike route on West 70th Street. He also advised the City notified all property to Wooddale Lane but it was a mistake not to notice all the way to St. Stephens Church. With regard to the condition of 54th Street, Mr. Houle indicated Public Works would do patching and a thin overlay, where needed, to make 54th Street as navigable as possible for walkers and bicyclists.

The Council discussed the option of advisory bicycle lanes on West 54th Street, opportunity to incorporate public art in the traffic circles east of France Avenue on West 54th Street, and availability of parking on Halifax Avenue should parking be restricted on portions of West 54th Street. With regard to resident parking, Mr. Houle stated it was staff's recommendation to remove parking on both sides of 54th Street from Wooddale Avenue to Minnehaha Creek. He pointed out that nearby parking would still be available for residents. **Member Sprague introduced and moved adoption of Resolution No. 2012-75, approving proposed Bike Boulevard Layout and parking restrictions on West 54th Street from Wooddale Avenue to France Avenue, as amended to add a dedicated bike lane on West 54th Street; no parking west of Minnehaha Boulevard; parking on one side of Minnehaha Boulevard; bump outs on Wooddale Avenue with funding from the storm sewer fund; on-street bike boulevard traffic signage markings from**

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Wooddale Avenue south of Valley View to 70th Street; and, enhancing the u-channel and treads at the pedestrian bridge. Councilmember Swenson seconded the motion.

The Council debated the merits of the motion. Members Sprague and Swenson advocated for the motion, noting it would result in approval of the City of Edina’s plan that had been in development for many years and funding by the TLC. Mayor Hovland and Member Brindle expressed reluctance to support the motion because it would result in a dedicated bike lane on 54th Street rather than an advisory bicycle lane and remove on-street parking that the Edina Lutheran Church had relied on for 62 years. It was noted an advisory bicycle lane would be a compromise position and provide more flexibility, safety, and parking.

Ayes: Sprague, Swenson

Nays: Brindle, Hovland

Motion failed.

Member Swenson introduced and moved adoption of Resolution No. 2012-75, approving proposed Bike Boulevard layout to include parking restrictions and dedicated bike lanes on 54th Street from Wooddale Avenue to Minnehaha France Avenue, as amended to add advisory bike lanes between Minnehaha and France Avenue that retains parking on both sides of 54th Street; from Minnehaha Avenue to France Avenue; bump outs on Wooddale Avenue with funding from the storm sewer fund; on-street bike boulevard traffic signage markings from Wooddale Avenue south of Valley View to 70th Street; enhancing the u-channel and treads at the pedestrian bridge. Member Brindle seconded the motion.

Ayes: Brindle, Sprague, Swenson, Hovland

Motion carried.

VII. COMMUNITY COMMENT

Troy Paulson, 5116 Juanita Avenue, requested the definition of the appropriate forms of vehicles that may be used on sidewalks and suggested the ordinance be amended to allow some use by children bicyclists.

VIII. REPORTS / RECOMMENDATIONS

VIII.A. RESOLUTION NO. 2012-79 EXPRESSING SUPPORT FOR THE PURCHASE OF PRODUCTS CONTAINING ONLY CONFLICT-FREE MINERALS – ADOPTED

Jessi Kingston, Human Rights & Relations Commission Chair, presented the recommendation to adopt a resolution to purchase products, as much as possible, containing only conflict-free materials. She encouraged the Council to continue its reputation of being “up standers” and also educate its residents on this issue.

Tara Mohtadi, 7609 Stonewood Court, described the inception of the proposed resolution by Edina High School students representing “STAND.” Based on the duration and scope of atrocities, she urged the Council to advocate this action as a community.

The Council indicated its support for this action within the confines of its laws for purchasing. **Member Brindle introduced and moved adoption of Resolution No. 2012-79, expressing support for the purchase of products containing only conflict-free minerals, as amended to indicate: “1. Use reasonable business practices to seek alternative sources of supply...”** Member Sprague seconded the motion.

Ayes: Brindle, Sprague, Swenson, Hovland

Motion carried.

VIII.B. RESOLUTION NO. 2012-76 ADOPTED – ACCEPTING VARIOUS DONATIONS

Mayor Hovland explained that in order to comply with State Statutes; all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations. **Member Swenson introduced and moved adoption of Resolution No. 2012-76 accepting various donations.** Member Sprague seconded the motion.

Rollcall:

Ayes: Brindle, Sprague, Swenson, Hovland
Motion carried.

VIII.C. RESIDENTIAL CURBSIDE RECYCLING CONTRACT NEGOTIATIONS – AUTHORIZED

Recycling Coordinator Wilmot reviewed the process used to draft a request for proposal (RFP) for residential curbside recycling that included the recommendation of the Edina Energy and Environment Commission (EEC) to incorporate a best value system to weight the RFPs beyond lowest price. Ms. Wilmot noted the RFP had been approved by the City Council before its use. She advised that four proposals were reviewed and evaluated based on the best value ranking criterion.

The Council reviewed staff's recommendation and asked questions of Ms. Wilmot and Manager Neal. The Council requested staff provide information related to fiscal strength of the recommended vendor, when considered. **Member Swenson made a motion, seconded by Member Brindle, authorizing staff to enter into contract negotiations with the "best value" proposal for residential curbside recycling services.**

Ayes: Brindle, Sprague, Swenson, Hovland
Motion carried.

VIII.D. MAYOR'S PROCLAMATION SUPPORTING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE – VIOLENCE AGAINST WOMEN'S ACT – SIGNATURE AUTHORIZED

Mr. Neal read the Mayor's Proclamation in full. **Member Swenson made a motion, seconded by Member Sprague, authorizing Mayor Hovland to sign the Mayor's Proclamation on behalf of the Council.**

Ayes: Brindle, Sprague, Swenson, Hovland
Motion carried.

IX. CORRESPONDENCE AND PETITIONS – Mayor Hovland acknowledged the Council's receipt of various correspondence.

IX.A. EDINBOROUGH POOL PETITION - RECEIVED

The Council received the petition related to Edinborough pool.

X. MAYOR AND COUNCIL COMMENTS – Received

X.A. CHANGE IN MEETING SCHEDULE - JULY 3, 2012, COUNCIL MEETING – CANCELED

Member Swenson made a motion, seconded by Member Brindle, canceling the July 3, 2012, meeting of the City Council.

Ayes: Brindle, Sprague, Swenson, Hovland
Motion carried.

XI. MANAGER'S COMMENTS – Received

XII. ADJOURNMENT

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 11:26 p.m.

Respectfully submitted,

Debra A. Mangen, City Clerk

Minutes approved by Edina City Council, June 5, 2012.

James B. Hovland, Mayor

Video Copy of the May 15, 2012, meeting available.