

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
AUGUST 20, 2013
7:00 P.M.**

I. CALL TO ORDER

Mayor Hovland called the meeting to order at 7:15 p.m.

II. ROLL CALL

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

III. MEETING AGENDA APPROVED

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

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

IV. CONSENT AGENDA ADOPTED

Member Swenson made a motion, seconded by Member Brindle, approving the consent agenda as revised to remove Items IV.A., Approve regular and work session meeting minutes of August 5, 2013, and IV.L., 50th and France Parking Improvements – Design Services & Feasibility Study, as follows:

~~IV.A. Approve regular and work session meeting minutes of August 5, 2013~~

IV.B. Receive payment of the following claims as shown in detail on the Check Register dated August 8, 2013, and consisting of 32 pages; General Fund \$193,150.37; Working Capital Fund \$36,416.36; Equipment Replacement Fund \$74,917.64; Art Center Fund \$12,641.64; Golf Dome Fund \$17,504.56; Aquatic Center Fund \$26,635.28; Golf Course Fund \$8,711.34; Ice Arena Fund \$53,839.30; Edinborough Park Fund \$1,818.14; Centennial Lakes Park Fund \$3,629.20; Liquor Fund \$249,660.19; Utility Fund \$86,385.30; Storm Sewer Fund \$2,190.82; PSTF Agency Fund \$22,229.43; Grandview TIF District \$2,200.00; Payroll Fund \$3,606.55; TOTAL \$795,536.12 and for receipt of payment of claims dated August 15, 2013, and consisting of 32 pages; General Fund \$241,039.35; Working Capital Fund \$25,402.39; Equipment Replacement Fund \$21,967.20; Art Center Fund \$693.12; Golf Dome Fund \$614,049.59; Aquatic Center Fund \$8,723.51; Golf Course Fund \$52,185.25; Ice Arena Fund \$8,801.93; Edinborough Park Fund \$11,947.83; Centennial Lakes Park Fund \$7,497.81; Liquor Fund \$117,092.91; Utility Fund \$455,497.37; Storm Sewer Fund \$3,417.63; Recycling Fund \$34,192.80; PSTF Agency Fund \$15,851.48; Centennial TIF District \$7,026.06; Grandview TIF District \$12,382.90; TOTAL \$1,637,769.13.

IV.C. Request For Purchase – Rebranding/Design Services/Interior Signage and Displays For Edina Liquor Stores, awarding the bid to the recommended low bidder, Hot Dish Advertising, at \$25,000

IV.D. Request For Purchase – Contract No. ENG 13-17NB – Vernon Avenue and Hansen Road Right Turn Lane, awarding the bid to the recommended low bidder, Northwest Asphalt, Inc., at \$74,239.22

IV.E. Engineering Services – Storm Water Pollution Prevention Plan Update

IV.F. Order Minor Plan Amendment to Comprehensive Water Resources Management Plan

IV.G. Release of Public Improvement and Special Assessment Agreement

IV.H. Approve Special Assessment Agreement

IV.I. Accept Traffic Safety Report of July 3, 2013

IV.J. Approve Allocation of 2012 General Fund Unassigned Fund Balance

IV.K. Adopt Resolution No. 2013-66 Amending Council Agenda

~~IV.L. 50th and France Parking Improvements – Design Services & Feasibility Study~~

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

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Motion carried.

V. SPECIAL RECOGNITIONS AND PRESENTATIONS

V.A. EMERGENCY PREPAREDNESS

Fire Chief Scheerer and City Engineer Houle provided a presentation and answered questions of the City Council on the Emergency Preparedness Plan.

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

VI.A. FINAL REZONING TO PUD, FINAL DEVELOPMENT PLAN AND FINAL PLAT, VERNON AVENUE HOUSING, 5109-5125 WEST 49TH STREET, RESOLUTION NO. 2013-64 – ADOPTED, ORDINANCE NO. 2013-8 – ADOPTED

Assistant Planner Presentation

Assistant Planner Aaker presented the request of Hunt Associates for final rezoning to PUD, final development plan, and final plat approval for the property located at 5109-5125 West 49th Street. Ms. Aaker stated the applicant was proposing to tear down the existing two apartments and single family home on the site and build a new 16-unit attached housing development. The subject properties total 1.43 acres in size with a proposed density of the project at 11 units per acre. The applicant received preliminary rezoning and plan approval of this project on April 16, 2013. Ms. Aaker stated the existing property was zoned PRD-2, Planned Residential District-2, which allowed a residential building containing six or fewer dwelling units. The existing apartments contained four and five units each. The applicant was seeking final rezoning of the property to PUD, Planned Unit Development. Ms. Aaker stated on April 16, 2013, the City Council approved a Comprehensive Plan Amendment to guide the site MDR, Medium Density Residential to allow a density of 5-12 units per acre.

Ms. Aaker presented details of the final development plan and final plat, including the conditions of approval as outlined in the staff report. Ms. Aaker reported that on July 24, 2013, the Planning Commission unanimously recommended approval of the proposed project subject to the conditions included in the staff report, with the additional condition that this project would be subject to Ordinance 411; Residential Construction Maintenance Plan, due to the R-1 single unit housing directly across the road.

In relation to the recommended conditions, Ms. Aaker recommended revising Condition No. 8 in the proposed resolution as follows: "Compliance with the conditions required by the city engineer in his memo dated July ~~19-18~~, 2013." There was discussion that the building materials board had been revised from what was previously reviewed by the City Council. It was noted that Condition Nos. 6 and 10 in the proposed resolution were identical, and that one would be struck from the resolution. Condition No. 11 would be revised as follows: "The Park Dedication fee of ~~\$35,000~~ \$30,000 shall be paid prior to release of the mylars approving the Final Plat."

Proponent Presentation

Chris Palkowitsch, BKV Group, provided a presentation on the proposed plans for the subject property located at 5109-5125 West 49th Street. Mr. Palkowitsch stated the intent was to improve circulation, flow and access, and that a public sidewalk was to be added through the site to connect the neighborhood to the southern retail zone. The plans proposed tearing down the existing two apartments and single family home and to build a new 16-unit attached housing development. The updated plan includes the removal of one unit, adjusting setbacks along 49th Street, moving the entire project six feet closer to Vernon Avenue, and the addition of a one-way drive through the site. Mr. Palkowitsch described landscaping and an internal private walk and outdoor space planned for units along Vernon Avenue. Mr. Palkowitsch discussed the stormwater retention system and snow removal for the site. Mr. Palkowitsch reviewed the building materials board, advising that the stained wood panels previously included had been removed and switched to fiber cement. Mr. Palkowitsch requested that the sidewalk be allowed directly along the curb on Vernon Avenue to allow enough area for the outdoor space and vegetative buffer, as opposed to

the five-foot boulevard recommended by staff. It was also requested that patching of West 49th Street be allowed, as opposed to the requirement to repave the entire street from curb to gutter after removal of the existing utilities.

There was discussion by the Council whether the five-foot boulevard between the sidewalk and the street was an adequate safety buffer from traffic. There was also discussion on the importance of sidewalk connectivity and on the width of the sidewalk.

Mayor Hovland opened the public hearing.

Public Testimony

No one appeared to comment.

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

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

Dan Hunt, Hunt Associates, discussed the purpose of the request to eliminate the sidewalk boulevard in an effort to allow space for a vegetative buffer for the Vernon Avenue units. There was discussion by the Council on the width of the sidewalk, the importance of the boulevard as a safety buffer from the street, and walkability as a benefit to the City if the PUD were to be approved. Mr. Houle advised that the minimum sidewalk width for maintenance was five feet. It was noted that a reduced boulevard width of three feet with trees embedded in the sidewalk and a five-foot sidewalk would reduce the total width of the sidewalk/boulevard from ten feet to eight feet. There was discussion on plantings being included with the potential treed area of the boulevard.

Ms. Aaker answered questions of the Council, explaining that it was recommended that the conditions include a requirement the project be monitored to comply with City Code, Section 411.

Mr. Hunt reiterated the request addressed by Mr. Palkowitsch to allow patching of West 49th Street as opposed to the requirement to repave the entire street from curb to gutter after removal of the existing utilities. Mr. Houle commented on patching versus repaving the street, advising that the standard for teardown/rebuilds was to close off the existing stubbed in water and sewer services. With the existing ten units on this property, the recommendation would be to repave the roadway as opposed to allowing ten road patches. It was noted that the best practice for the City would be to have the roadway returned to its pre-construction condition. There was Council agreement to include a condition that the drive lane width be acceptable to the Fire Marshal. **Member Sprague introduced and moved adoption of Resolution No. 2013-64, Approving Final Rezoning From PRD-2, Planned Residential District, to PUD, Planned Unit Development, Final Development Plan & Final Plat at 5109-5125 West 49th Street, For Hunt Associates, based on the following findings:**

1. **The proposal is consistent with the approved Preliminary Development Plan for the site.**
2. **The proposal is consistent with the Comprehensive Plan, which contemplates medium density housing for the site.**
3. **The proposed plat meets all Zoning and Subdivision Ordinance requirements.**
4. **The proposal would create a more efficient and creative use of the property. Currently the site does not engage Vernon Avenue. Today it is clearly the back of the site, and contains mature trees. The proposed site plan turns and faces Vernon Avenue with a row of two story townhomes.**
5. **Parking areas and garages are internal to the site, and not visible from 49th street or Vernon Avenue.**
6. **The project would enhance pedestrian connections. The plan provides for a public sidewalk through the site from 49th to Vernon, that would connect-not only this development, but the entire area to the north to the GrandView District.**

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7. Landscaping would be enhanced. Extensive Landscaping is proposed around the perimeter of the site and adjacent to the proposed townhomes. The number of over story trees is over double the number required by City Code. The mature trees along Vernon Avenue would be preserved.

And subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped June 24, 2013.
 - Grading plan date stamped June 24, 2013.
 - Utility plan date stamped June 24, 2013.
 - Landscaping plan date stamped June 24, 2013.
 - Building elevations date stamped June 24, 2013.
 - Building materials in the manner depicted in the June 24, 2013 submission to the City of Edina.
2. Prior to the issuance of a building permit, a final landscape plan must be submitted, subject to staff approval. Additionally, a performance bond, letter-of-credit, or cash deposit must be submitted for one and one-half times the cost amount for completing the required landscaping, screening, or erosion control measures.
3. The property owner is responsible for replacing any required landscaping that dies.
4. Submit a copy of the Minnehaha Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.
5. The Final Plat must be filed at the County within one year after City Council approval. If the plat is not filed it shall be deemed null and void.
6. A shared parking and access agreement must be established across the Plat.
7. A park dedication fee of \$5,000 per dwelling unit is required. The park dedication fees are due prior to release of the final plat.
8. Compliance with the conditions required by the city engineer in his memo dated July 18, 2013.
9. Compliance with the fire marshal recommendation in his email dated July 12, 2013.
10. The Park Dedication fee of \$30,000 shall be paid prior to release of the mylars approving the Final Plat.
11. There shall be no rooftop decks.
12. The drive lane width to be established as acceptable to the Fire Marshal.
13. A 3-foot wide boulevard with a 5-foot wide sidewalk on the Vernon Avenue side of the project with a landscaping plan acceptable to staff.
14. Subject to City Code, Section 411 of the Construction Management Rules without duplication of or an increase in fees. The intent of this condition is limited to the oversight of the City Redevelopment Coordinator.

Member Brindle seconded the motion.

Member Bennett commended her colleagues, the Planning Commission, staff, and proponent for the hard work undertaken with this project. Member Bennett stated she cannot, however, support this project in this location. Member Bennett stated her support for housing choices, and that she hoped that as we look at new forms of and locations for housing, we keep the Comprehensive Plan goals in mind and look for ways to make new projects fit with existing neighborhoods in ways that serve all.

Roll call:

Ayes: Brindle, Sprague, Swenson, Hovland

Nays: Bennett

Motion carried.

Member Swenson made a motion to grant First and waive Second Reading adopting Ordinance No. 2013-8, An Ordinance Amending the Zoning Ordinance To Establish a PUD, Planned Unit Development District at 5109 -5125 West 49th Street (Vernon Townhomes). Member Brindle seconded the motion.

Roll call:

Ayes: Brindle, Sprague, Swenson, Hovland

Nays: Bennett
Motion carried.

VI.B. PRELIMINARY PLAT APPROVAL WITH LOT WIDTH AND LOT AREA VARIANCES, RODNEY HELM ON BEHALF OF TOM AND GRETCHEN SHANIGHT, 5612 TRACY AVENUE, RESOLUTION NO. 2013-65 – NOT ADOPTED

Assistant Planner Presentation

Ms. Aaker presented the request of Rodney Helm on behalf of Tom and Gretchen Shanight for preliminary plat with lot width and lot area variances for the property located at 5612 Tracy Avenue. It was proposed to subdivide the property into two lots. The existing home would be torn down, and two new homes built on the new lots. Both lots would gain access off Tracy Avenue by a shared driveway, utilizing the existing driveway to the site. Within this neighborhood, the median lot area was 17,651 square feet, median lot depth was 157 feet, and the median lot width was 80.7. This was a neighborhood with varying lot sizes. Larger lots to the north across Vernon Avenue and to the east across Tracy Avenue have established the large minimum lot sizes for this property. Ms. Aaker stated the applicant was proposing to subdivide the property in the same manner as the existing lots on the west side of Tracy Avenue. A subdivision with similar circumstances was recently approved in this area at 5633 Tracy Avenue. Ms. Aaker presented the findings of fact and conditions of approval as outlined in the staff report. Ms. Aaker reported that on July 24, 2013, the Planning Commission unanimously recommended approval of the preliminary plat with lot width and lot area variances, according to the conditions included in the staff report.

There was discussion by the Council relating to the shared driveway with concern expressed that it would not be consistent with the immediate neighborhood. There was also discussion relating to the topography of the property, noting extreme steepness of the slope.

Proponent Presentation

Rod Helm, representing the proponent, stated the discussion of the shared driveway was brought forward early on, and Community Development Director Teague felt comfortable with the shared driveway aspect due to the interest in the front green space, foliage, and hill. From the very onset, driveway accesses were proposed in both directions and it seemed that the neighbors cared about the foliage and the layout. Mr. Helm stated median requirements work well for some neighborhoods in Edina. However, in an attempt to define what was typical in a neighborhood, this neighborhood was divided into two types of property: very deep sites on the east side and standardized sizes on the west side of Tracy Avenue. The layout with the proposed subdivision would match the characteristics on this side of the street. With regard to the width, 21 properties out of the property data are within 7 inches of the width proposed for the subdivision, with roughly 20 properties falling under the median. Mr. Helm stated there are only two sites in this neighborhood that set themselves up as two-lot subdivisions: the Kiser subdivision approved by the Council last spring and this property.

There was discussion by the Council on the width and depth of the Kiser Addition subdivision lot that was approved at 5633 Tracy Avenue as not being comparable to the subject property. There was also discussion on the lot dimensions of the subject property not being an anomaly to this neighborhood, concern with the shared driveway loading onto Tracy Avenue, and a single house on the lot as being more consistent with the neighborhood.

Mr. Helm commented on the potential for the rebuild of a large home that was not consistent with the neighborhood should the lot split not be approved.

Mayor Hovland opened the public hearing.

Public Testimony

No one appeared to comment.

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

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

There was additional discussion and concern expressed relating to the shared driveway, as well as the resulting side-by-side garages and inadequate guest parking. Following discussion on yard space, it was noted this was a lot that did not lend itself well to subdivision.

Member Bennett introduced and moved adoption of Resolution No. 2013-65, Approving a Preliminary Plat with Lot Width and Lot Area Variances at 5612 Tracy Avenue, based on the following findings:

- 1. Except for the variances, the proposal meets the required standards and ordinance for a subdivision.**
- 2. The proposal is consistent with the lots on this block on the west side of Tracy Avenue north of Hawkes Drive.**
- 3. The 80-foot wide lot is wider than the general standard required width of 75 feet.**
- 4. The 9,820 square foot lots are larger than the general standard minimum lot area of 9,000 square feet.**
- 5. The proposal meets the required standards for a variance, because:**
 - a. There is a unique hardship to the property caused by the existing size of the property, which is roughly two times the size of every lot on the block.**
 - b. The requested variances are reasonable in the context of the immediate neighborhood. The existing lot is both larger and wider than most properties in the area, including every lot on the blocks north of Hawkes Drive and west of Tracy Avenue.**
 - c. The proposed subdivision would result in two lots more characteristic of the neighborhood.**
 - d. The variances would meet the intent of the ordinance because the proposed lots are of similar size to others in the neighborhood.**
 - e. If the variances were denied, the applicant would be denied a use of his property, an 80-foot wide, 9,000+ square foot lot, which is common to the area.**

And subject to the following conditions:

- 1. The City must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.**
- 2. Park dedication fee of \$5,000 must be paid prior to release of the final plat.**
- 3. Vehicle access to these lots shall be off of Tracy Avenue.**
- 4. Compliance with the conditions required by the director of engineering in his memo dated July 18, 2013.**
- 5. Prior to issuance of a building permit, the following items must be submitted:**
 - a. Submit evidence of a Nine Mile Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the district's requirements.**
 - b. A curb-cut permit must be obtained from the Edina engineering department.**
 - c. A grading plan subject to review and approval of the city engineer.**
 - d. A construction management plan will be required for the construction of the new homes.**
 - e. Utility hook-ups are subject to review of the city engineer.**
 - f. A private driveway easement established over Lot 1 to serve Lot 2 must be filed with Hennepin County.**

Member Swenson seconded the motion.

Roll call:

Ayes: Brindle

Nays: Bennett, Sprague, Swenson, Hovland

Motion failed.

Member Swenson made a motion, seconded by Member Sprague, directing staff to prepare findings of fact for Council consideration at the September 3, 2013, City Council meeting.

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

VII. COMMUNITY COMMENT

Steven Ward, 421 Blake Road South, stated his concern relating to the notification received from the City Engineering Department requiring removal of a small paved area next to his driveway and requested the City classify this area as an existing non-conformity and allow it to remain.

It was indicated the City Council would receive a report from staff relating to this request and Mr. Ward would be notified of the meeting date that the topic would be addressed.

Raymond O'Connell, 4612 Valley View Road, stated he supported the use of Braemar Memorial funds, some of which he had contributed, to help pay for improvement to the Braemar Golf Course Driving Range. He was concerned that some of those on the Memorial Fund Board would not support use of Memorial funds for that purpose.

Michael Lang, 6100 Block of Xerxes Avenue, stated his concern relating to safety due to traffic and traffic patterns allowed by Hennepin County along Xerxes Avenue from 60th Street to 62nd Street. Mr. Lang indicated property owners along this two-block area were seeking the support of the City to pursue the matter further with Hennepin County.

Scott Chestnut, 6100 Block of Xerxes Avenue, stated his concern relating to safety due to traffic and traffic patterns allowed by Hennepin County along Xerxes Avenue from 60th Street to 62nd Street.

Mayor Hovland reported he had met with the residents in the 6100 block of Xerxes Avenue area and forwarded the resident's PowerPoint presentation to City staff, the Hennepin County Engineer, and County Commissioners.

Mr. Houle reported it had been requested that the State, Hennepin County, City of Minneapolis, and City of Richfield participate in a study of lane shifts on the bridge in relation to the traffic plan. The intent was to begin a public engagement process and residents would be notified of meeting dates.

There was discussion on working with the County to implement interim safety measures prior to the 2014 timeline for construction completion. It was noted that safety measures proposed by the residents were included in the PowerPoint presentation that had been forwarded to the County.

VIII. REPORTS / RECOMMENDATIONS

VIII.A. APPROVE LIVING STREETS POLICY – APPROVED

Assistant City Manager Kurt and Transportation Committee Member Nelson provided a presentation and answered questions of the Council on the proposed Living Street Policy.

It was discussed whether to include a Bike Task Force Member on the Advisory Group. It was acknowledged there were different opinions on neighborhood character and a suggestion was made that the fourth bullet point under "Context Sensitivity" be revised as follows: "Be mindful of existing land uses and neighborhood character". There was discussion on the importance of an active streetscape in crime prevention. Ms. Kurt suggested the fourth bullet point under "Living Streets Vision" be revised as follows: "Streets are safe, inviting places that encourage human interaction and physical activity." **Member Sprague made a motion, seconded by Member Bennett, approving the Living Streets Policy, with the addition of including a Bike Task Force Member on the Advisory Group and the following revision: Fourth bullet point under "Living Streets Vision" be revised as follows: "Streets are safe, inviting places that encourage human interaction and physical activity."**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

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Motion carried.

VIII.B. SKETCH PLAN – 5801 EDINA INDUSTRIAL BOULEVARD – REVIEWED

Assistant Planner Presentation

Ms. Aaker presented the sketch plan to re-develop 5801 Edina Industrial Boulevard from office uses to retail uses including a drive-through. Currently, the building contained a real estate office, a hair loss treatment center, a telecommunication switching site, and a small vacancy formerly occupied by a builder office/showroom. The applicant, Frauenshuh Commercial Real Estate Group, would like to repurpose and remodel the existing building with neighborhood retail services. To accommodate the request, the following would be required: 1) A Rezoning from POD, Planned Office District-I, to PCD-2, Planned Commercial District-2; and, 2) A Comprehensive Guide Plan Amendment from Office to Neighborhood Commercial.

Ms. Aaker reported the subject property was located just west of Highway 100 and across the street from retail uses that are zoned PCD-2, Planned Commercial District. Uses included a gas station, Burger King, and small retail strip center. North and east of the site were office/light industrial uses. Use of the property would be consistent with the existing land uses to the south. This property was located within an area the City designated as a "Potential Area of Change" within the 2008 Comprehensive Plan. The Comprehensive Plan stated that within the Potential Areas of Change, a development proposal that involved a Comprehensive Plan Amendment or a rezoning would require a Small Area Plan study prior to planning application. However, the authority to initiate a Small Area Plan would rest with the City Council.

Ms. Aaker stated staff had noted the following issues for discussion in relation to the sketch plan: 1) Drive-through in front of the building with consideration of moving it to the back of the building; 2) Elimination of the existing western access to Edina Industrial Boulevard, as the access was too close to the intersection; 3) Concern over a lack of parking space for conversion into retail spaces; 4) The parking shortage could further increase if a restaurant use were to go into the site; 5) If the drive-through were to be moved to the back there might not be adequate area for two-way circulation; and, 6) Office land uses to the north and west. Ms. Aaker stated the Planning Commission considered the sketch plan proposal and generally believed that the use was appropriate as long as adequate parking was provided.

The Council discussed sidewalks and connectivity, parking, pervious surface requirements, and stacking in relation to the sketch plan.

Proponent Presentation

David Anderson, Frauenshuh, stated the intent was to re-energize this corner of the City. Mr. Anderson discussed that in relation to parking, some of the retail uses on the site might be serving pedestrians, which would reduce the parking demand, that the drive-through proposed on the site offers flow, and that there was also the potential to reduce the square footage of the building to lower parking requirements. The proponent was aware of the discussion on stacking in relation to the site.

The Council discussed landscaping with Mr. Anderson, and encouraged engaging the public from the curb area to the building. The importance of connectivity and safe pedestrian crossing, including a buffer between the sidewalk and street, and squaring off the corner to slow traffic down was discussed. The Council requested review of the zoning options for potential uses and to ensure the required parking was provided. Council support was expressed for a neighborhood retail use in the area under the category of Planned Commercial. A drive-through on the site was discouraged. The Council agreed that a Small Area Plan should not be necessary for the sketch plan as presented.

VIII.C. RESOLUTION NO. 2013-67 ADOPTED – ACCEPTING VARIOUS DONATIONS - ADOPTED

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 Bennett introduced and moved adoption of Resolution No. 2013-67 accepting various donations. Member Brindle seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

IX. CORRESPONDENCE AND PETITIONS

IX.A. CORRESPONDENCE

Mayor Hovland acknowledged the Council's receipt of various correspondence.

ITEMS REMOVED FROM THE CONSENT AGENDA

IV.A. APPROVE REGULAR AND WORK SESSION MEETING MINUTES OF AUGUST 5, 2013 – APPROVED

The Council discussed the amended regular meeting minutes of August 5, 2013, that contained an amended paragraph that was not included in the amended minutes originally placed on the consent agenda. There was discussion on the desired amount of detail to be included in the meeting minutes with support to schedule a Council work session discussion on the scope of meeting minutes moving forward.

Member Sprague made a motion, seconded by Member Swenson, to approve the regular and work session meeting minutes of August 5, 2013, as amended and included on the consent agenda.

Ayes: Brindle, Sprague, Swenson, Hovland

Nays: Bennett

Motion carried.

Member Bennett expressed her concern that the meeting minutes did not reflect an accurate account of the meeting when factual information that had been discussed was not included.

IV.L. 50TH AND FRANCE PARKING IMPROVEMENTS – DESIGN SERVICES & FEASIBILITY STUDY – AUTHORIZED

Economic Development Manager Neuendorf provided an overview of the nine key elements of the Kimley-Horn and Associates, Inc. proposal for engineering design services to prepare a feasibility study for 50th and France Parking Improvements. Mr. Neuendorf answered questions of the Council and explained that financing the contract cost of approximately \$260,000 would be through special assessment of the property within the 50th and France business area. Mr. Neuendorf requested the following correction to the Engineering Services Master Agreement: Delete the portion of the title indicating: "50th and France Parking and Wayfinding Improvements," as well as the identical reference in the footer of the document.

Member Brindle made a motion, seconded by Member Bennett, authorizing the Mayor and City Manager to execute the proposal for engineering design services with Kimley-Horn and Associates, Inc., 50th and France Parking Improvements with the following amendment to the Engineering Services Master Agreement: "Delete the following portion of the title "50th and France Parking and Wayfinding Improvements", as well as the identical reference with the footer of the document.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

IX.B. MINUTES:

- 1. ARTS & CULTURE COMMISSION MINUTES, JUNE 29, 2013**
- 2. PLANNING COMMISSION MINUTES, JULY 10 AND 24, 2013**
- 3. HERITAGE PRESERVATION BOARD MINUTES, JULY 9, 2013**
- 4. PARK BOARD MINUTES, JULY 9, 2013**
- 5. TRANSPORTATION COMMISSION MINUTES, JUNE 20, 2013**

Informational; no action required.

X. MAYOR AND COUNCIL COMMENTS – Received

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Council consensus was to direct that Mr. Neuendorf provide the Grandview Report at the next City Council meeting to further define community need prior to proceeding further with the RFI.

XI. MANAGER'S COMMENTS – Received

XII. ADJOURNMENT

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 12:03 a.m.

Respectfully submitted,

Jane Timm, Deputy City Clerk

Minutes approved by Edina City Council, September 3, 2013.

James B. Hovland, Mayor

Video Copy of the August 20, 2013, meeting available.