

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
FEBRUARY 3, 2014
7:00 P.M.**

I. CALL TO ORDER

Mayor Hovland called the meeting to order at 7:13 p.m.

II. ROLL CALL

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

III. MEETING AGENDA APPROVED

Member Swenson made a motion, seconded by Member Sprague, approving the meeting agenda as amended to remove HRA Agenda Item VI. Authorization to Fund Capital Improvements at 50th and France Parking Ramps. Manager Neal advised that the draft Joint Operating Goals with the School District would be presented to the Council at its February 18, 2014, meeting.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

IV. CONSENT AGENDA ADOPTED

Member Bennett made a motion, seconded by Member Brindle, approving the consent agenda as revised to remove Item IV.C., Request for Purchase, Uteley Park Well House Facility, Professional Engineering Services, as follows:

IV.A. Approve regular and work session meeting minutes of January 21, 2014

IV.B. Receive payment of the following claims as shown in detail on the Check Register dated January 23, 2014, and consisting of 29 pages; General Fund \$310,763.34; Working Capital Fund \$22,344.06; Art Center Fund \$2,265.93; Golf Dome Fund \$383,771.58; Aquatic Center Fund \$27.90; Golf Course Fund \$5,383.92; Ice Arena Fund \$8,422.04; Sports Dome Fund \$75,240.00; Edinborough Park Fund \$8,039.57; Centennial Lakes Park Fund \$3,307.29; Liquor Fund \$237,283.00; Utility Fund \$33,979.50; PSTF Agency Fund \$18,630.38; Centennial TIF District \$3,350.00; Grandview TIF District \$6,500; Southdale 2 District \$600.00; Payroll Fund \$2,731.38; TOTAL \$1,122,639.89 ; and dated January 30, 2014, and consisting of 29 pages; General Fund \$565,609.36; Police Special Revenue \$2,477.42; Working Capital Fund \$98,878.09; Art Center Fund \$7,248.02; Golf Dome Fund \$9,896.79; Aquatic Center Fund \$257.30; Golf Course Fund \$1,807.64; Ice Arena Fund \$11,165.23; Edinborough Park Fund \$12,417.99; Centennial Lakes Park Fund \$4,127.26; Liquor Fund \$201,906.83; Utility Fund \$25,338.05; Storm Sewer Fund \$830.25; PSTF Agency Fund \$5,853.88; Centennial TIF District \$9,379.01; TOTAL \$957,193.12 and for receipt of payment of claims; and, Credit Card Transactions dated November 26 – December 25, 2013; TOTAL \$39,216.93

~~**IV.C. Request for Purchase, Uteley Park Well House Facility, Professional Engineering Services**~~

IV.I. Approve Revision to City's Purchasing Policies and Requirements

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

ITEMS REMOVED FROM THE CONSENT AGENDA

IV.C. REQUEST FOR PURCHASE, UTLEY PARK WELL HOUSE FACILITY, PROFESSIONAL ENGINEERING SERVICES – AWARDED

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Manager Neal indicated the City required contractors to use its master template for Engineering Service Agreements and Bolton & Menk had agreed to the City's standard terms. It was noted the costs remained the same.

Member Bennett made a motion, seconded by Member Swenson, awarding Request for Purchase, Utley Park Well House Facility, Professional Engineering Services, awarding the bid to the recommended low bidder, Bolton & Menk Consulting Engineers & Surveyors at \$28,335.00, using the City's standard Master Engineering Service Agreement.

Ayes: Bennett, 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. NEW ON-SALE INTOXICATING & SUNDAY ON-SALE LIQUOR LICENSES, NAKAMORI, JAPANESE, INC., D.B.A. NAKAMORI JAPANESE BISTRO, 7101 FRANCE AVENUE #113

City Clerk Mangen presented the application of Nakamori, Japanese Inc., for new On-Sale Intoxicating and Sunday On-Sale Liquor Licenses for Nakamori Japanese Bistro at 7101 France Avenue, #113, and staff's recommendation for approval as there had been no negative findings.

Mayor Hovland opened the public hearing at 7:19 p.m.

Public Testimony

No one appeared to comment.

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

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

Member Swenson made a motion, seconded by Member Sprague, approving a the request of Nakamori, Japanese Inc., for new On-Sale Intoxicating and Sunday On-Sale Liquor Licenses for Nakamori Japanese Bistro at 7101 France Avenue, #113.

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

Teresa Lin, representing Nakamori Japanese Bistro, described their menu offerings and invited all to visit.

VII. COMMUNITY COMMENT

No one appeared to comment.

VIII. REPORTS / RECOMMENDATIONS

VIII.A. DRAFT EDINA ACTIVE ROUTES TO SCHOOL COMPREHENSIVE PLAN – PRESENTED

JoNette Kunaw, Kimley-Horn and Associates, Inc., presented the Edina Active Routes to School (ARTS) Comprehensive Plan that identified opportunities and priorities to increase safe physical activity including walking and biking to school. She then presented recommendations for implementation of short-term, mid-term, and long-term investments.

The Council discussed the report and noted the following: on page E3, the link on Oaklawn Avenue in the Cornelia area was missing, though it was included on the map exhibit; on page 7, Safety, first paragraph, a campaign for driver education/awareness should be added; and, on page 26, the School District should be identified as the program implementation lead within school zones.

The Council supported moving forward with short-term improvements not tied to adoption of the Plan such as allowing bicycles on sidewalks with limits on speed, requirement to give right of way to pedestrians in all cases, and not allowing bicycles on posted sidewalks, standardization of crosswalks throughout the City; and, continuing the City's rolling traffic enforcement program.

Ms. Kunaw answered questions of the Council relating to components of the report. The Council thanked all who were involved in creation of this report, noting it was a profound work.

VIII.B. SKETCH PLAN 3923 49TH STREET – REVIEWED

Community Development Director Presentation

Community Development Director Teague presented the request to rezone to R-2 to allow tearing down of a single-family home and construction of a double dwelling unit at 3923 49th Street. This property was 9,000 square feet and located adjacent to the 50th and France retail area.

Proponent Presentation

Mathias Mortenson, architect representing the proponent, described the intended environmentally-friendly construction and design that would allow the proponents to age in place as they wanted to remain within this neighborhood.

The Council discussed the proposal and asked questions of Messrs. Teague and Mortenson. Mr. Teague advised of the need for a three-foot side yard setback variance for the proposed retaining wall. He stated if the property was zoned R-1 and a tear down/rebuild project, the maximum lot coverage would be 25.5% on this site.

The Council offered the following direction: reconfigure the garages to require one driveway/curb cut and lower impervious surface; assure safety (guardrail/fence/landscaping) was sufficient along the retaining wall; refine the building plan to lower lot coverage/building height/hardscape; assure architectural elements and site components meet the essential character of the existing neighborhood; and, consider feasibility of repurposing the existing single-family home.

VIII.C. ORDINANCE NO. 2014-01 – CHAPTER 10 REGARDING RESIDENTIAL REDEVELOPMENT ENFORCEMENT – ADOPTED

Mr. Teague explained the minor revisions made to Chapter 10 relating to residential redevelopment.

The Council discussed the wording and agreed with the following clarifications:

Page 1, Section 2.(3), seventh line, should indicate: "...the applicant must provide a detailed plans."

Page 2, Section 3.(b), last sentence should be replaced with: "Work is prohibited on Sundays and holidays."

Member Swenson made a motion to grant First and waive Second Reading adopting Ordinance No. 2014-01, Amending Chapter 10 of the Edina City Code Concerning Residential Redevelopment Enforcement, with changes noted. Member Bennett seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

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Motion carried.

VIII.D. RESOLUTION NO. 2014-18 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 Brindle introduced and moved adoption of Resolution No. 2014-18 accepting various donations. Member Bennett 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.

IX.B. MINUTES:

1. **VETERANS MEMORIAL COMMITTEE, DECEMBER 20, 2013**
2. **EDINA TRANSPORTATION COMMISSION, DECEMBER 19, 2013**
3. **EDINA COMMUNITY HEALTH COMMISSION, DECEMBER 2, 2013**
4. **HUMAN RIGHTS & RELATIONS COMMISSION, NOVEMBER 11, 2013**

Informational; no action required.

X. AVIATION NOISE UPDATE – Received

XI. MAYOR AND COUNCIL COMMENTS – Received

XI.A. POSSIBLE BIKE ON SIDEWALK ORDINANCE – REFERRED TO ETC

Motion by Member Sprague, seconded by Member Bennett, to refer a possible bike on sidewalk ordinance to the Edina Transportation Commission for recommendation.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

XI.B. WEST 54TH STREET PROJECT – RECONSIDERED AND REVISED

Motion by Member Sprague, seconded by Member Swenson, to reconsider approval of the West 54th Street Project and reopen to discussion.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

City Engineer Millner stated on December 10, 2013, the Council authorized creation of bid documents but the project was not yet awarded. Attorney Knutson advised that another public hearing might be required unless the adjustment does not increase the cost of the project or assessments.

The Council discussed whether to modify the West 54th Street project design to narrow the two parking lanes (east of the creek to France Avenue) from eight feet to seven feet and allocate that space to a three-foot grass boulevard in lieu of one-foot exposed aggregate concrete boulevard in the eastern section. City Attorney Knutson advised of the option to consider such a design change through a change order after the project was ordered since it would not impact assessments.

Mr. Millner explained if the City received approval of the advisory bike lane marking by FHWA and the lane widths by State Aid, an additional variance from State Aid would not be necessary for the revision

under discussion. The Council acknowledged the resident request that the project be reduced an additional two feet; however, that would not allow advisory bike lanes, adequate space for snow storage, or needed margin of safety. **Motion by Member Sprague, seconded by Member Swenson, to revise the design of the West 54th Street Project narrowing to seven feet the parking lanes on each side of 54th Avenue east of Minnehaha Creek to France Avenue and replacing the one-foot exposed aggregate concrete boulevard with a three-foot grass boulevard on the north side of West 54th Street, next to a five-foot sidewalk.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

XII. MANAGER'S COMMENTS – Received

XIII. ADJOURNMENT

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 9:49 p.m.

Respectfully submitted,

Debra A. Mangan, City Clerk

Minutes approved by Edina City Council, February 18, 2014.

James B. Hovland, Mayor

Video Copy of the February 3, 2014, meeting available.