

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
NOVEMBER 18, 2014  
7:00 P.M.**

**I. CALL TO ORDER**

Mayor Hovland called the meeting to order at 7:02 p.m.

**II. ROLL CALL**

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

**III. MEETING AGENDA APPROVED**

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

Ayes: Bennett, Brindle, Swenson, Hovland

Motion carried.

**IV. CONSENT AGENDA ADOPTED**

**Member Brindle made a motion, seconded by Member Swenson, approving the consent agenda as revised to remove Items IV.E. Resolution No. 2014-140 Establishing Limited Clean-up and Property Damage Protection for Sewer Back-ups and Water Main Breaks for Water and Sewer Customers; IV.F. Memorandum of Understanding (MOU): K-9 Retirement Program; IV.K. Traffic Safety Committee Report, October 1, 2014; IV.N. Resolution No. 2014-146 Supporting a Metro Transit CMAQ Application; IV.O. Restaurant Lease Agreement, SNP Enterprises, LLC, (Tin Fish) Braemar Golf Course; and, IV.P. Request for Purchase, Architectural Services, Sperides Reiners Architects, Inc. Braemar Clubhouse, as follows:**

**IV.A. Approve regular and work session meeting minutes of November 3, 2014 and Canvass of Election Returns**

**IV.B. Receive payment of the following claims as shown in detail on the Check Register dated November 6, 2014, and consisting of 25 pages; General Fund \$186,309.26; Police Special Revenue \$1,318.32; Pedestrian and Cyclist Safety Fund \$12.90; Working Capital Fund \$71,484.17; Art Center Fund \$1,353.58; Golf Dome Fund \$1,026.68; Aquatic Center Fund \$8,337.00; Golf Course Fund \$2,206.62; Ice Arena Fund \$1,078,522.11; Sports Dome Fund \$771,901.56; Edinborough Park Fund \$785.92; Centennial Lakes Park Fund \$239.00; Liquor Fund \$114,610.16; Utility Fund \$31,610.16; Storm Sewer Fund \$3,757.70; PSTF Agency Fund \$32,801.05; TOTAL \$2,306,267.15 and for receipt of payment of claims dated November 13, 2014, and consisting of 32 pages; General Fund \$171,941.07; Police Special Revenue \$120.81; Braemar Memorial Fund \$17,000.00; Pedestrian and Cyclist Safety Fund \$1,237.81; Working Capital Fund \$158,115.26; Equipment Replacement Fund \$13,933.75; Art Center Fund \$15,526.17; Golf Dome Fund \$3,885.00; Aquatic Center Fund \$627.86; Golf Course Fund \$28,672.37; Ice Arena Fund \$977.67; Edinborough Park Fund \$9,970.92; Centennial Lakes Park Fund \$3,814.25; Liquor Fund \$335,353.18; Utility Fund \$415,078.06; Storm Sewer Fund \$1,039.21; PSTF Agency Fund \$2,269.67; Grandview TIF District \$194.43; TOTAL \$1,180,182.49; and, Credit Card Transactions dated August 26 – September 25, 2014; TOTAL \$43,090.62**

**IV.C. Adopt Resolution No. 2014-138, adopting a Comprehensive Plan Amendment to Allow Additional Housing in the Regional Medical District**

**IV.D. Grant Second Reading and Adopt Ordinance No. 2014-17 and adopt Resolution No. 2014-139, approving Final Rezoning from POD-1 to PUD and Ordinance Amendment Establishing the PUD District, Beacon Interfaith Housing Collaborative, 3330 66th Street**

**IV.E. ~~Resolution No. 2014-140, establishing Limited Clean-up and Property Damage Protection for Sewer Back-ups and Water Main Breaks for Water and Sewer Customers~~**

**IV.F. ~~Memorandum of Understanding (MOU): K-9 Retirement Program~~**

Minutes/Edina City Council/November 18, 2014

- IV.G. Request for Purchase, Public Safety Radios, awarding the bid to the recommended bidder, Motorola Solutions at \$223,245.75
- IV.H. Adopt Resolution No. 2014-141, Requesting an Advance from Municipal State Aid (MSA) Street Fund
- IV.I. Adopt Resolution No. 2014-142, Requesting Variance from Standards for State Aid Operation for Valley View Road at Comanche Court
- IV.J. Adopt Resolution No. 2014-143, Receiving Engineering Studies for 2015 Neighborhood Roadway Reconstruction Project
- IV.K. ~~Traffic Safety Committee Report, October 1, 2014~~
- IV.L. Request for Purchase, Replace HVAC Units at Centennial Lakes Park, awarding the bid to the recommended low bidder, Owens Companies at \$24,180.00
- IV.M. Request for Purchase, One Ford F-350 4-Wheel Drive Vehicle with Plow, awarding the bid to the recommended bidder, Midway Ford Commercial and Government Sales at \$32,491.00
- IV.N. ~~Resolution No. 2014-146, Supporting a Metro Transit CMAQ Application~~
- IV.O. ~~Restaurant Lease Agreement, SNP Enterprises, LLC, (Tin Fish) Braemar Golf Course~~
- IV.P. ~~Request for Purchase, Architectural Services, Sperides Reiners Architects, Inc. Braemar Clubhouse~~
- IV.Q. Approve Donations, Sponsorship, and Advertising Policy
  - Rollcall:
  - Ayes: Bennett, Brindle, Swenson, Hovland
  - Motion carried.

**ITEMS REMOVED FROM THE CONSENT AGENDA**

**IV.E. RESOLUTION NO. 2014-140 ESTABLISHING LIMITED CLEAN-UP AND PROPERTY DAMAGE PROTECTION FOR SEWER BACK-UPS AND WATER MAIN BREAKS FOR WATER AND SEWER CUSTOMERS – ADOPTED**

The Council shared that the plan protected against no fault sewer back-ups with a limit of \$40,000.00 per household; however, the plan did not offer protection in some circumstances such as extraordinary weather events. The Council suggested revisiting this topic in order to discuss a back-up plan that would cover regardless of circumstances. **Mayor Hovland introduced and moved adoption of Resolution No. 2014-140, establishing Limited Clean Up and Property Damage Protection for Sewer Back-ups and Water Main Breaks for Water and Sewer Customers.** Member Brindle seconded the motion.

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

**IV.F. MEMORANDUM OF UNDERSTANDING: K-9 RETIREMENT PROGRAM – ADOPTED**

The Council shared that the K-9 Retirement Program had been a project that the Edina Crime Prevention Fund had been considering for some time. The fund maintained the K-9 unit during the service lifetime, but upon retirement, the animal became the service officer's pet. A donation was made to help the officers with the cost of the pets. **Member Brindle made a motion, seconded by Member Swenson, to adopt Memorandum of Understanding establishing a program for K-9 Units retired from active service from the Edina Police Department.**

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

**IV.K. TRAFFIC SAFETY COMMITTEE REPORT, OCTOBER 1, 2014 - APPROVED**

The Council noted that a concerned parent had requested sidewalks along 59th Street, starting at Concord Avenue, for a safer walking route to school. Sidewalks were not possible at this time, but staff recommended restricting parking on one side of the road during school times to allow room for children to walk. **Member Swenson made a motion, seconded by Member Bennett, to review and approve the Traffic Safety Committee Report of October 1, 2014.**

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

**IV.N. RESOLUTION NO. 2014-146 SUPPORTING A METRO TRANSIT CMAQ APPLICATION – ADOPTED**

Economic Development Manager Neuendorf expressed support for a CMAQ application for a grant to fund projects that addressed congestion mitigation and air quality. Metro Transit had volunteered to present an application for grant funding for a future park and ride, and was seeking a show of support from the City.

Mr. Neuendorf answered questions of the Council, indicating that approximately 55 to 90 people per day park in various places and ride the bus downtown. The number of parking spots to be requested in the application was based on the 2012 Grandview Development Framework, with 200 spaces to be allocated to a park and ride. There was some flexibility, such as the City could choose to back away all together or the site could be moved if necessary, however Manager Neuendorf explained the grant application would include the address of the former Public Works site. He noted it could be difficult to change the location. **Member Swenson introduced and moved adoption of Resolution No. 2014-146, Supporting a Metro Transit CMAQ Application.** Member Bennett seconded the motion.

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

**IV.O. RESTAURANT LEASE AGREEMENT, SNP ENTERPRISES, LLC, (TIN FISH) BRAEMAR GOLF COURSE – APPROVED**

Parks and Recreation Director Kattreh shared the terms of the lease agreement and answered questions of the Council. Ms. Kattreh responded that Tin Fish would not continue operations at Lake Calhoun, that alcohol was currently being served on the golf course, and that scheduling events would be accomplished through City staff.

The Council discussed the use of Wi-Fi for patron use versus business use and billing practices for telecommunication services. The Council asked why an RFP had not been used in this process. Ms. Kattreh answered that Tin Fish met and exceeded all the criteria and staff felt confident Tin Fish would be a successful operation. **Member Swenson made a motion, seconded by Member Bennett, to approve lease and authorize Mayor and City Manager to execute and implement the agreement.**

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

**IV.P. REQUEST FOR PURCHASE, ARCHITECTURAL SERVICES, SPERIDES REINERS ARCHITECTS, INC. BRAEMAR CLUBHOUSE – APPROVED**

Ms. Kattreh shared the updates planned for several areas of the clubhouse including required kitchen renovations. **Member Swenson made a motion, seconded by Member Bennett, to approve the Request for Purchase, Architectural Services, Sperides Reiners Architects, Inc. at Braemar Clubhouse, awarding the bid to the recommended bidder, Sperides Reiners Architects, Inc. at \$49,000.00.**

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

**V. SPECIAL RECOGNITIONS AND PRESENTATIONS**

**V.A. OCTOBER SPEAK UP EDINA REPORT PRESENTED – TOPIC: DOG PARKS**

Communications Coordinator Gilgenbach presented a summary of October opinions, both pros and cons, collected through Speak Up, Edina relating to dog parks.

**VI. COMMUNITY COMMENT**

Joycelyn Mellom, 4506 Arden Avenue, noted she had sent the Council a detailed letter concerning the total demolition of 4505 Arden Avenue on October 27, 2014, and belief that it was in opposition to Resolution No. 2014-43.

Scott Busyn, 4615 Wooddale Avenue, stated he represented Great Neighborhood Homes and asked the Council to stop the harassment and defamation of himself and his client at 4505 Arden Avenue.

Carol Hancock, 4503 Arden Avenue, supported Jocelyn Mellom and her statements.

**VII. REPORTS / RECOMMENDATIONS**

**VII.A. RESOLUTION NO. 2014-144 AWARDING SALE OF \$13,485,000 G.O. REFUNDING BONDS, SERIES 2014B - ADOPTED**

Finance Director Roggeman reported that the Council had called for a bond sale to re-fund four outstanding bond issues at the October 21, 2014 City Council meeting.

Mark Ruff, Ehlers and Associates, Inc., shared that bids had been received earlier that day from eight bidders. The low bidder was Piper Jaffray at 0.87%. The number of bids and low interest rate were due to the City's AAA credit rating from Standard and Poor's and Moody's credit rating agencies. Mr. Ruff explained why the City had a high rating and talked about the City's current debt. He also shared that the sale amount had changed from \$13,485,000 to \$12,720,000.

The Council discussed the debt profile graph and noted that it was not indicative of what debt the City might obtain in the future. **Member Bennett introduced and moved adoption of Resolution No. 2014-144, authorizing Issuance, Awarding Sale, Prescribing the Form and Details and Providing for the Payment of \$12,720,000 General Obligation Refunding Bonds, Series 2014B.** Member Brindle seconded the motion.

Ayes: Bennett, Brindle, Swenson, Hovland

Motion carried.

**VII.B. SURVEY RESULTS FROM 2013 STREET RECONSTRUCTION PROJECTS – PRESENTED**

Engineer Millner reported that over the past few years the engineering department had conducted a survey of residents that were affected by the street reconstruction projects. Mr. Millner shared the results from the 2013 Street Reconstruction Projects survey noting an overall improvement on each question from the previous year.

Mr. Millner answered a question from the Council, indicating that street lighting in neighborhoods was not evaluated for lighting level. The Living Streets Plan would further look into streetlights. Mr. Millner updated the Council on a resident in the Mendelsohn neighborhood on Belmore Lane, stating that the City would be completing restoration of the front lawn with six inches of topsoil.

**VII.C. ORDINANCE NO. 2014-18, AMENDING CHAPTER 36, REGARDING FRONT STREET SETBACK, FIRST FLOOR ELEVATION FOR TEAR DOWN/REBUILDS; ELIMINATION OF MINIMUM AND MAXIMUM UNIT SIZE FOR MULTI-FAMILY APARTMENTS AND LIGHTING – ADOPTED**

Community Development Director Teague shared that the City Council had approved first reading of Ordinance No. 2014-18 and tonight it was presented for second reading. It was noted the Council was considering adding an option of "average of the block" in addition to averaging or matching the homes on adjacent lots located on the same street. Mr. Teague presented the examples of "average of the block" front street setback calculations.

The Council requested that staff add illustrations to make it easier to understand. Attorney Knutson answered a question from the Council, indicating that existing lighting would be grandfathered in and not be impacted by the lighting limitation. However, Mr. Knutson indicated that if the level could be lowered by changing a bulb, it would be likely the City could respond to a complaint.

The Council discussed the elimination of minimum and maximum unit size for multi-family apartments. Kevin Staunton, Planning Commission Chair, answered the concerns of the Council, stating that minimum and maximum unit sizes were obsolete and not needed because the market changes over time. **Member Swenson made a motion to grant Second Reading adopting Ordinance No. 2014-18, amending Front Yard Setback Requirements and First Floor Elevation Regulations for Tear Down**

**Rebuilds, as modified to add the word "other" in Section 1. (1)a.1. and 2. in the last statement prior to dwelling units. Member Brindle seconded the motion.**

Ayes: Brindle, Swenson, Hovland

Nays: Bennett

Motion carried.

**VII.D. ORDINANCE NO. 2014-19, AMENDING CHAPTERS 2 AND 24 CONCERNING PERMITS FOR MUNICIPAL PARKING FACILITIES – ADOPTED**

Mr. Neuendorf reported that Ordinance No. 2014-19 had been considered for First Reading by the Council and was before the Council tonight with recommended changes for Second Reading.

The Council asked if there was a schedule of when to look at the 50th and France public parking ramps to check on efficiency, pricing, and if parking was adequate so that the Council could make a decision on what to do with other properties. Mr. Neuendorf answered that the way finding system to monitor the use of the parking facilities had been fully installed and would be giving data to assist in future decision making. **Member Brindle made a motion to grant Second Reading adopting Ordinance No. 2014-19, amending Chapters 2 and 24 of the Edina City Code Concerning Permits for Municipal Parking Facilities. Member Swenson seconded the motion.**

Ayes: Bennett, Brindle, Swenson, Hovland

Motion carried.

**VII.E. ORDINANCE NO. 2014-20 AMENDING CHAPTERS 2 AND 28 CONCERNING UTILITIES – ADOPTED**

Public Works Director Olson reported that with the implementation of the meter replacement project over the last several years Public Works had replaced 14,209 meters. Mr. Olson noted 19 remaining properties were nonresponsive to the City's attempts to gain entrance and replace the meter. He suggested a \$50.00 per quarter surcharge as proposed in Ordinance 2014-20 for any property where the meter had not been replaced.

The Council discussed other options such as shutting off the water and requested Mr. Olson to return in six months to report on the 19 properties. **Member Swenson made a motion to grant First and waive Second Reading adopting Ordinance No. 2014-20, Amending Chapters 2 and 28 of the Edina City Code concerning Sanitary Sewer and Water Utility. Member Brindle seconded the motion.**

Rollcall:

Ayes: Bennett, Brindle, Swenson, Hovland

Motion carried.

**VII.F. BOARD AND COMMISSION MEMBER INTERVIEW DATES – SCHEDULED**

The Council selected dates to conduct interviews for Board and Commission Members on February 9, 10, and 12, 2015, at 5:00 p.m. **Member Swenson made a motion, seconded by Member Brindle, approving Board and Commission Member interview dates.**

Ayes: Bennett, Brindle, Swenson, Hovland

Motion carried.

**VII.G. RESOLUTION NO. 2014-145 ADOPTED – ACCEPTING VARIOUS GRANTS AND 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 Bennett introduced and moved adoption of Resolution No. 2014-145 accepting various grants and donations. Member Brindle seconded the motion.**

Rollcall:

Ayes: Bennett, Brindle, Swenson, Hovland

Motion carried.

**VIII. CORRESPONDENCE AND PETITIONS**

**Minutes/Edina City Council/November 18, 2014**

**VIII.A. CORRESPONDENCE**

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

**VIII.B. PETITION REQUESTING SIDEWALK INSTALLATION BETWEEN 5200 AND 5336 HALIFAX AVENUE**

**VIII.C. PETITION REGARDING STREET RECONSTRUCTION INDIANOLA AND JUANITA AVENUES AND WEST 51<sup>ST</sup> STREET – RECEIVED**

Member Bennett made a motion, seconded by Member Swenson, to receive the Petition requesting sidewalk installation between 5200 and 5336 Halifax Avenue and the Petition regarding street reconstruction Indianola and Juanita Avenues and West 51st Street.

Ayes: Bennett, Brindle, Swenson, Hovland

Motion carried.

**VIII.D. MINUTES:**

1. **EDINA COMMUNITY HEALTH COMMISSION, SEPTEMBER 2 AND OCTOBER 7, 2014**
2. **HERITAGE PRESERVATION BOARD, OCTOBER 14, 2014**
3. **PARK BOARD, OCTOBER 6, 2014**
4. **VETERAN'S MEMORIAL COMMITTEE, JUNE 20 AND AUGUST 29, 2014**
5. **PLANNING COMMISSION, OCTOBER 8, 2014**

Informational; no action required.

**IX. AVIATION NOISE UPDATE – Received**

**X. MAYOR AND COUNCIL COMMENTS – Received**

**XI. MANAGER'S COMMENTS – Received**

**XI.A. LEGISLATIVE UPDATE: MLC LEGISLATIVE AGENDA AND JANUARY WORK SESSION**

**XI.B. CITY COUNCIL TOWN HALL MEETING**

**XI.C. 2014 PERFORMANCE REVIEW**

**XII. ADJOURNMENT**

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 9:45 p.m.

Respectfully submitted,

Minutes approved by Edina City Council, December 2, 2014.

---

Debra A. Mangan, City Clerk

---

James B. Hovland, Mayor

Video Copy of the November 18, 2014, meeting available.