

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
JANUARY 20, 2015  
7:00 P.M.**

**I. CALL TO ORDER**

Mayor Hovland called the meeting to order at 7:00 p.m.

**II. ROLL CALL**

Answering rollcall were Members Brindle, Staunton, Stewart, Swenson, and Mayor Hovland.

**III. MEETING AGENDA APPROVED**

Member Brindle made a motion, seconded by Member Stewart, approving the meeting agenda, as amended to remove Item V.A. Mid-Decade Analysis of Housing and Population Report and substitute Item V.A. Guests from Wajir County and City of Wajir.

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

**IV. CONSENT AGENDA ADOPTED**

Member Swenson made a motion, seconded by Member Stewart, approving the consent agenda as revised to remove Item IV.E. Ordinance No. 2015-01 Setting 2015 Water Rates for Morningside and Item IV.I. Receive Draft for BA-412 Arden Park D Neighborhood Roadway Reconstruction Project, as follows:

**IV.A. Approve regular, work session, and closed session meeting minutes of January 6, 2015**

**IV.B. Receive payment of the following claims as shown in detail on the Check Register dated January 8, 2015, and consisting of 30 pages; General Fund \$863,501.12; Police Special Revenue \$16,631.64; Working Capital Fund \$236,559.94; Equipment Replacement Fund \$17,452.80; Art Center Fund \$2,502.85; Golf Dome Fund \$9,710.22; Aquatic Center Fund \$19,454.00; Golf Course Fund \$796.24; Ice Arena Fund \$74,941.04; Sports Dome Fund \$17,341.36; Edinborough Park Fund \$24,746.66; Centennial Lakes Park Fund \$1,320.00; Liquor Fund \$134,276.24; Utility Fund \$43,179.32; Storm Sewer Fund \$12,000.00; PSTF Agency Fund \$2,457.57; Centennial TIF District \$381.00; Payroll Fund \$4,228.00; TOTAL \$1,481,480.00 and for receipt of payment of claims dated January 15, 2015, and consisting of 37 pages; General Fund \$482,353.04; Police Special Revenue \$225.29; City Hall Debt Service \$1,950.00; Working Capital Fund \$112,275.29; Equipment Replacement Fund \$78,812.00; Art Center Fund \$5,791.62; Golf Dome Fund \$917.28; Aquatic Center Fund \$914.82; Golf Course Fund \$6,787.20; Ice Arena Fund \$8,487.16; Sports Dome Fund \$135.00; Edinborough Park Fund \$450.00; Centennial Lakes Park Fund \$4,577.97; Liquor Fund \$238,018.73; Utility Fund \$434,023.27; Storm Sewer Fund \$589.64; Recycling Fund \$35,190.09; PSTF Agency Fund \$2,567.37; Centennial TIF District \$677,651.90; Grandview TIF District \$414,730.68; Southdale 2 District \$2,826.72; TOTAL \$2,509,255.07; and, Credit Card Transactions dated October 26, 2014 – November 25, 2014; TOTAL \$29,451.88**

**IV.C. Request for Purchase, Four Ford Utility Vehicles – Police Department, awarding the bid to the recommended bidder, Nelson Auto Center at \$117,352.80**

**IV.D. Approve the MN-Task Force I Joint Powers Agreement Memorandum of Understanding with the State of Minnesota**

~~**IV.E. Ordinance No. 2015-01, setting 2015 Water Rates for Morningside**~~

**IV.F. Approve 2015-2016 Union Contract for MNPEA 911 Dispatchers**

**IV.G. Approve 2015-2016 Minnesota Department of Health for the Maternal Child Health Block Grant**

**IV.H. Receive Traffic Safety Committee Report of December 3, 2014**

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- ~~IV.I. Receive Draft for BA-412 Arden Park D Neighborhood Roadway Reconstruction Project~~  
IV.J. Approve Amendment to Reciprocal Easement Agreement for Yorkdale Shoppes  
IV.K. Move May 5, 2015 Regular Meeting and Council Work Session to May 6, 2015  
IV.L. Approve Agreement for Fiber Connection to Hennepin County

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

**ITEMS REMOVED FROM THE CONSENT AGENDA**

**IV.E. ORDINANCE NO. 2015-01 ADOPTED – SETTING 2015 WATER RATES FOR MORNINGSIDE**

Member Brindle reported that former Council Member Bennett had been appointed to the Minneapolis Water Board and asked if another Council Member or staff person should be appointed. Manager Neal shared that Public Works Director Olson regularly attended, but that the Board appreciated an elected official being appointed. Mayor Hovland recommended that if a Council Member was interested in serving, to contact the City Manager. **Member Brindle made a motion to grant First and waive Second Reading adopting Ordinance No. 2015-01, Setting Morningside Water Rates for 2015. Member Swenson seconded the motion.**

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

**IV.I. DRAFT FOR BA-412 ARDEN PARK D NEIGHBORHOOD ROADWAY RECONSTRUCTION PROJECT – RECEIVED**

Mayor Hovland reported that he had received a request to retain the Bruce Place cul-de-sac at its current dimensions and concern over parking on one side of the street. Engineer Millner presented a drawing of the cul-de-sac. The Council discussed the dimensions of the cul-de-sac and the possibility of allowing parking on both sides of the street for one year and then revisiting the topic. The Council acknowledged it had previously decided to change the parking to one side of the street as recommended and then revisit the topic in one year to see how it was working. **Mayor Hovland made a motion, seconded by Member Stewart, to retain the dimensions of the Bruce Place cul-de-sac as it currently exists.**

Mr. Millner answered a question from the Council, indicating if the cul-de-sac maintained its existing dimension that would not preclude the storm water management changes including an extra catch basin and a valley gutter.

Ayes: Stewart, Hovland

Nays: Brindle, Staunton, Swenson

Motion failed.

**Member Swenson made a motion, seconded by Member Brindle, to receive Draft for BA-412 Arden Park D Neighborhood Roadway Reconstruction Project.**

Ayes: Brindle, Staunton, Stewart, Swenson

Nays: Hovland

Motion carried.

**V. SPECIAL RECOGNITIONS AND PRESENTATIONS**

**V.A. MID-DECADE ANALYSIS OF HOUSING AND POPULATION REPORT**

This item was removed from the agenda upon adoption.

**V.A. GUESTS FROM WAJIR COUNTY AND CITY OF WAJIR**

Judge Lajune Lange, International Leadership Institute, introduced Deputy Governor Abdihafidh Abdullahi Yarow of Wajir County, Kenya. Deputy Governor Yarow introduced his team and shared that they had been visiting Edina for ten days. He shared that Wajir County was home to 650,000 people and described

its business opportunities. Mr. Yarow thanked the Council for the opportunity and shared that he had never seen a more beautiful or better-managed City.

Mr. Yarow answered a question from the Council relating to changes in Nairobi since 2010. He explained that Kenya had gone to a more centralized government with 47 county governments and he felt it was the best thing that had happened there.

**V.B. NOVEMBER AND DECEMBER SPEAK UP EDINA REPORTS PRESENTED – TOPIC: RESIDENTIAL FIRE SPRINKLERS AND PLASTIC BAGS**

Communications Coordinator Gilgenbach presented a summary of November and December opinions, both pros and cons, collected through Speak Up, Edina relating to residential fire sprinklers and plastic bags.

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

**VI.A. TEMPORARY INTOXICATING ON-SALE LIQUOR LICENSE, CHURCH OF ST. PATRICK, 6820 ST. PATRICK LANE, FEBRUARY 14, 2015 – APPROVED**

Chief of Police Nelson presented the request of the Church of St. Patrick for a liquor license for the annual event A Night at the Opera to be held on February 14, 2015, from 6:15 to 9:00 p.m.

Mayor Hovland opened the public hearing at 7:41 p.m.

Public Testimony

Jeffrey Jamison, 6820 St. Patrick Lane, addressed the Council.

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

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

**Member Swenson made a motion, seconded by Member Brindle, to approve the Temporary Intoxicating On-Sale Liquor License for the Church of St. Patrick's, A Night at the Opera event.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

**VII. COMMUNITY COMMENT**

No one appeared to comment.

**VIII. REPORTS / RECOMMENDATIONS**

**VIII.A. BLOOMINGTON PUBLIC HEALTH PRESENTATION AND AGREEMENT – APPROVED**

Jeff Brown, Community Health Administrator, introduced Bonnie Paulsen the Bloomington Public Health Administrator. Ms. Paulsen shared that since 1976 the City Council had served as the Community Health Board for the City. Bloomington Public Health provided public health services for Edina under contract. Ms. Paulsen presented Edina's top ten health issues, shared activities for 2015, emergency preparedness, and highlights from 2014.

Ms. Paulsen answered questions of the Council, indicating that she was willing to visit more than the two times, as mentioned in the agreement. **Member Stewart made a motion, seconded by Member Brindle, to approve the Community Health Services Agreement with Bloomington Public Health Division for \$203,645 for calendar year 2015.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

**VIII.B. ORDINANCE NO. 2015-02 AMENDING CHAPTER 8 OF THE CODE CONCERNING HONEY BEEKEEPING AND FOWL – GRANTED FIRST READING, PORTION REFERRED TO ENERGY AND ENVIRONMENT COMMISSION**

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Dianne Plunkett Latham, Energy and Environment Commissioner, reported that the Energy and Environment Commission was seeking to remove restrictions on keeping honeybees and female domestic chickens consistent with the GreenStep Cities' recommendation. She noted that most of the neighboring cities allow honey beekeeping and three neighboring cities allow female domestic chickens. Ms. Latham presented the benefits of allowing honeybee and chicken keeping, discussed apiary registration and setback requirements, and shared the appeal process.

Gary Reuter, University of Minnesota bee lab, stated he had been a beekeeper for 30 years and taught beekeeping. He shared some of his knowledge and experiences.

Ms. Latham answered a question from the Council, indicating that the language of the Ordinance had been modeled after Eden Prairie. **Member Brindle made a motion to grant First Reading to Ordinance No. 2015-02, Amending Chapter 8 of the Edina City Code Regarding Honey Beekeeping and Fowl. Member Staunton seconded the motion.** The Council asked questions concerning the appeals process and humane handling practices for the chickens. **Member Brindle withdrew her motion.**

**Member Staunton made a motion to grant First Reading to Ordinance No. 2015-02, Amending Chapter 8 of the Edina City Code Regarding Honey Beekeeping, as amended to reflect more clearly defined appeal standards. Member Stewart seconded the motion.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

**Member Swenson made a motion, seconded by Member Staunton, to refer the part of Ordinance No. 2015-02 dealing with fowl to the Energy and Environment Commission to include humane handling practices.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

**VIII.C. WOODDALE/VALLEY VIEW SMALL AREA PLAN UPDATE – PRESENTED**

Susan Lee, Planning Commissioner and Co-Chair of Wooddale/Valley View Small Area Plan Group, presented an update on the Wooddale/Valley View Small Area Plan including project timeline, benefits and purpose of small area plans, relationship to the Comprehensive Plan, small area plan process, planning team responsibilities, the consultant team, and target dates.

The Council commended the Planning Commission for its work.

**VIII.D. RESOLUTION NO. 2015-11 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 Swenson introduced and moved adoption of Resolution No. 2015-11 accepting various grants and donations.** Member Brindle seconded the motion.

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

**VIII.E. COMPREHENSIVE PLAN AMENDMENTS FOR BUILDING HEIGHT, DENSITY AND FLOOR AREA RATIO; PRELIMINARY REZONING AND PRELIMINARY DEVELOPMENT PLAN, 7200 FRANCE AVENUE, 7200 LLC, RESOLUTION NO. 2015-12 AND RESOLUTION NO. 2015-13 – DENIED**

Community Development Director Presentation

Community Development Director Teague indicated that as requested by the Council, staff drafted resolutions for approval of the Comprehensive Plan Amendment and Preliminary Rezoning. Staff met with

Hennepin County Transportation staff who indicated that they would support access to the site off France Avenue.

Ed Terhaar, Traffic Engineer, presented the details of the new traffic impact study.

Dean Dovolis, DJR Architecture, answered questions of the Council relating to a possible easement with 7250 France Avenue, storm water treatment, landscaping, and pedestrian accessibility.

**Member Swenson introduced and moved adoption of Resolution No. 2015-12, Approving a Comprehensive Plan Amendment regarding the Office Residential District regarding Housing Density, Building Height, and Floor Area Ratio.** Member Brindle seconded the motion.

The Council discussed the project further. Member Staunton was concerned with the psychological precedence approving the project would set. He was also concerned with the changes in density and height. Member Stewart was concerned with density and that the Planning Commission and staff did not recommend the project.

The Council explained that a 4/1 vote was needed and asked if the applicant wanted to withdraw the application. The Council further explained that if the project was not approved, the applicant would not be allowed to apply for one year for the same type of use.

Lori Boisclair, Boisclair Corporation, replied that density was a concession needed to gain affordable housing and asked the Council to proceed with the vote.

Rollcall:

Ayes: Brindle, Swenson, Hovland

Nays: Staunton, Stewart

Motion failed.

**Member Swenson made a motion, seconded by Member Brindle, directing staff to draft findings for denial of the Comprehensive Plan Amendment and Planned Unit Development.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

## **IX. CORRESPONDENCE AND PETITIONS**

### **IX.A. CORRESPONDENCE**

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

### **IX.B. ADVISORY COMMUNICATIONS FROM THE ENERGY AND ENVIRONMENT COMMISSION:**

- 1. ENVIRONMENTAL CONSIDERATIONS SECTION OF CIP**
- 2. SUPPORT FOR TWO CAPITAL PROJECTS RELATED TO CITY ENERGY USE**
- 3. SPECIAL TASK FORCE TO REVIEW CITY VEHICLE FLEET**
- 4. SPECIAL TASK FORCE TO REVIEW ENVIRONMENTAL OPTIONS FOR BRAEMAR GOLF COURSE CAPITAL PROJECTS**

Received

### **IX.C. MINUTES**

- 1. ENERGY AND ENVIRONMENT COMMISSION, NOVEMBER 13, 2014**
- 2. PARK BOARD, DECEMBER 9, 2014**
- 3. COMMUNITY HEALTH COMMISSION, NOVEMBER 3 AND DECEMBER 1, 2014**
- 4. HERITAGE PRESERVATION BOARD, DECEMBER 9 AND 17, 2014**
- 5. PLANNING COMMISSION, NOVEMBER 12, 2014**

Informational; no action required.

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**X. AVIATION NOISE UPDATE** – Received

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

**XII. MANAGER'S COMMENTS** – Received

**XII.A. DAN PATCH ADVOCACY – AUTHORIZED**

**Member Staunton made a motion, seconded by Member Stewart, authorizing staff to send a letter to the Minnesota Department of Transportation to promote Dan Patch to Tier I.**

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

**XII.B. PROPOSED EXPANSION PROJECT AT SOUTH METRO PUBLIC SAFETY TRAINING CENTER** – Received

**XIII. ADJOURNMENT**

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 11:10 p.m.

Respectfully submitted,

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Debra A. Mangen, City Clerk

Minutes approved by Edina City Council, February 3, 2015.

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James B. Hovland, Mayor

Video Copy of the January 20, 2015, meeting available.