

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
FEBRUARY 17, 2015
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, Staunton, Stewart, and Mayor Hovland. Absent at rollcall was Member Swenson.

III. MEETING AGENDA APPROVED

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

Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

III.A. RESOLUTION NO. 2015-27 APPROVING MAYOR'S APPOINTMENT OF HRA COMMISSIONERS – ADOPTED

Member Staunton introduced and moved adoption of Resolution No. 2015-27, Approving the Mayor's Appointment Kevin Staunton and Robert Stewart as Commissioners of the Housing and Redevelopment Authority in and for the City of Edina, Minnesota. Member Brindle seconded the motion.

Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

Mayor Hovland recognized a group of Valley View Middle School government students who were in attendance.

IV. CONSENT AGENDA ADOPTED

Member Stewart made a motion, seconded by Member Brindle, approving the consent agenda as revised to remove Item IV.J. Traffic Safety Committee Report January 7, 2015, as follows:

IV.A. Approve regular and work session meeting minutes of February 3, 2015

IV.B. Receive payment of the following claims as shown in detail on the Check Register dated February 5, 2015, and consisting of 24 pages; General Fund \$156,436.07; Police Special Revenue \$2,606.16; Working Capital Fund \$25,175.20; Golf Dome Fund \$9,002.64; Golf Course Fund \$3,533.94; Ice Arena Fund \$120,694.61; Sports Dome Fund \$20,478.75; Edinborough Park Fund \$16,455.56; Centennial Lakes Park Fund \$1,865.55; Liquor Fund \$149,902.48; Utility Fund \$16,963.63; Storm Sewer Fund \$155.99; Recycling Fund \$21.28; PSTF Agency Fund \$6,466.69; Centennial TIF District \$62.50; TOTAL \$529,821.05 and for receipt of payment of claims dated February 12, 2015, and consisting of 35 pages; General Fund \$468,704.26; Pedestrian and Cyclist Safety Fund \$2,050.19; Working Capital Fund \$119,612.53; Art Center Fund \$2,827.58; Golf Dome Fund \$2,097.92; Aquatic Center Fund \$2,273.96; Golf Course Fund \$9,258.55; Ice Arena Fund \$53,960.70; Sports Dome Fund \$266,936.28; Edinborough Park Fund \$7,445.03; Centennial Lakes Park Fund \$5,273.58; Liquor Fund \$163,230.05; Utility Fund \$510,882.81; Storm Sewer Fund \$63,033.90; PSTF Agency Fund \$1,344.72; Grandview TIF District \$8,297.10; TOTAL \$1,683,128.78

IV.C. Approve Out-of-State Travel for City Council Members

- IV.D. Request for Purchase, Two 2015 Chevrolet Traverses and One 2015 Chevrolet Impala for the Police Department, awarding the bid to the recommended bidder, Polar Chevrolet at \$70,130.35
- IV.E. Request for Purchase, One 2015 Jeep Cherokee and One 2015 Ford Taurus for the Police Department, awarding the bid to the recommended bidder, Nelson Auto Center at \$46,309.38
- IV.F. Request for Purchase, MaxGalaxy Recreation Software for the Parks Department, awarding the bid to the recommended bidder, Maximum Solutions Inc. at \$34,690.00
- IV.G. Request for Purchase, KMC Total Control HVAC Control System for Multiple Sites, awarding the bid to the recommended bidder, Harris Controls at \$28,998.00
- IV.H. Request for Purchase, Contract ENG 15-2 West 50th Street Bridge Scour Repairs, awarding the bid to the recommended low bidder, Blackstone Contractors LLC at \$53,192.00
- IV.I. Adopt Resolution No. 2015-26, Approving No Parking on Valley View Road and Braemar Boulevard
- ~~IV.J. Traffic Safety Committee Report January 7, 2015~~
- IV.K. Adopt Resolution No. 2015-23, Approving the Cooperative Agreement with City of Bloomington for Minnesota Drive Street Maintenance Project, Improvement No. BA-431
- IV.L. Approve Release of Public Improvements and Special Assessments Agreements
- IV.M. Request for Purchase, 2015 Ford F250 2WD Pickup for Public Works, awarding the bid to the recommended bidder, Midway Ford at \$31,558.00
- IV.N. Request for Purchase, 2015 Vaccon Jetter Vac Truck for Public Works, awarding the bid to the recommended bidder, Boyer Ford Trucks at \$269,393.75
- IV.O. Adopt Resolution No. 2015-24, Initiating Termination of Water Service
- IV.P. Adopt Resolution No. 2015-25, Authorizing Memorandum of Understanding Accepting Funding from Department of Justice for Financial Task Force

Rollcall:

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

ITEMS REMOVED FROM THE CONSENT AGENDA

IV.J. TRAFFIC SAFETY COMMITTEE REPORT JANUARY 7, 2015 - APPROVED

Member Brindle explained that there was a pending street name change that affected Item A1. **Member Brindle made a motion, seconded by Member Stewart, to Table Item A1. Request for a reduction of speeds on Malibu Drive at Malibu Drive, a street name placard for the intersection, and a renaming of the street; and approve the balance of the Traffic Safety Report dated January 7, 2015.**

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

V. SPECIAL RECOGNITIONS AND PRESENTATIONS

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

Dick Carlstrom, Geographic Consultant, shared that he worked with the three school districts that were within in Edina. Mr. Carlstrom noted the data was mapped using Census Block Groups, which corresponded closely with Edina's neighborhoods. He presented a basic overview of the findings, a map of the Census Block Groups, a map depicting concentration of births, a map depicting concentration of single-family homes with at least one person aged over 55, and a map showing building permits.

Manager Neal thanked Mr. Carlstrom for his work and noted the importance of the study to the school districts.

V.B. JANUARY SPEAK UP EDINA REPORT PRESENTED – TOPIC: FOOD TO LIQUOR RATIO

Communications Coordinator Gilgenbach presented a summary of January opinions, both pros and cons, collected through Speak Up, Edina relating to food to liquor ratio.

V.C. BRAEMAR MASTER PLAN UPDATE – PRESENTED

Joe Abood, Braemar Golf Course General Manager, updated the Council on the Master Plan process and introduced Richard Mandell, Richard Mandell Golf Architecture, who was selected on September 16, 2014, to complete the Master Plan at Braemar Golf Course.

Richard Mandell, Richard Mandell Golf Architecture, shared that he began his process with multiple site walks and meetings with residents, environmental agencies, and the Master Plan Task Force as well as held an open house to gather feedback for the Master Plan. The final plan would be presented to the Master Plan Task Force in March 2015, the Park Board in April 2015, and finally the City Council in May 2015. Mr. Mandell discussed the executive summary, general design, and maintenance issues; and then presented the Renovation Business Plan Report. He went on to share the six design concept options with preliminary cost estimates and made note of the Oak Savanna Restoration areas.

Mr. Mandell answered questions of the Council relating to his preference for design options, marketing, drainage, and tee shot distance equity.

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

VI.A. 2015 COMMUNITY DEVELOPMENT BLOCK GRANT – RESOLUTION NO. 2015-20 ADOPTED

Senior Planner Presentation

Senior Planner Joyce Repya shared that the Community Development Block Grant Program was a federal entitlement program administered by the Department of Housing and Urban Development, which in turn charges Hennepin County to oversee the distribution of funds to its communities. The Department of Housing and Urban Development mandated that no more than 15% of the City's budget may be directed toward funding public service agencies with the remaining 85% addressing community development needs. Edina's preliminary 2015 budget allotment for planning purposes was \$126,866, the 2014 approved budget amount. Once the Department of Housing and Urban Development established the 2015 budget in the spring, Hennepin County and its respective cities would be notified of any changes to the allotments.

Ms. Repya answered a question of the Council relating to why the 2014 allotment was not reached explaining that finding homes in Edina was difficult.

Mayor Hovland opened the public hearing at 8:27 p.m.

Public Testimony

Deb Taylor and Jon Burkhaw, Senior Community Services, 10201 Wayzata Boulevard, Minnetonka, addressed the Council.

Janet Lindbo, West Hennepin Affordable Housing Land Trust, 5101 Thimsen Avenue, Minnetonka, addressed the Council.

Christine Hart, Community Action Partnership of Suburban Hennepin, 8800 Minnesota 7 #401, St. Louis Park, addressed the Council.

Beth Kodluboy, HOME Line, 3455 Bloomington Avenue, South Minneapolis, addressed the Council.

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

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

Member Staunton introduced and moved adoption of Resolution No. 2015-20, approving proposed use of 2015 Urban Hennepin County Community Development Block Grant Program Funds and Authorizing Execution of Sub recipient Agreement with Hennepin County and any Third Party Agreements. Member Brindle seconded the motion.

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Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

VII. COMMUNITY COMMENT

No one appeared to comment.

VIII. REPORTS / RECOMMENDATIONS

VIII.A. ORDINANCE NO. 2014-25 AMENDING CHAPTERS 10 AND 32 REGARDING TREE PRESERVATION AND SUBDIVISIONS – ADOPTED

Community Development Director Teague reported that the Ordinance amendment included the changes recommended by the Council at first reading.

The Council noted a letter received concerning the required radius around a tree that would be protected. Mr. Teague responded that this concern had been addressed in Ordinance Section (2)c., Critical Root Zone.

Manager Neal requested that Council vote on the Ordinance, but delay implementation until July 1, 2015, to allow staff to determine enforcement staffing and educate the building development community.

Member Stewart made a motion to grant Second Reading adopting Ordinance No. 2015-25, an Ordinance Amendment Regarding Tree Preservation and Subdivisions, with an effective date of July 1, 2015. Member Staunton seconded the motion.

Mr. Neal answered a question of the Council relating to delaying the effective date versus the Ordinance becoming effective immediately.

Rollcall:

Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

VIII.B. RESOLUTION NO. 2015-21 LOT DIVISION WITH VARIANCES, 3621 AND 3625 54TH STREET FOR DONNAY HOMES – ADOPTED

Mr. Teague presented the request of Donnay Homes to tear down the existing double dwelling unit at 3621 and 3625 54th Street West and build a new double home on the site. The applicant requested a two-foot side yard setback variance from 20 feet to 18 feet, a lot area variance from 15,000 square feet to 10,748 square feet, and lot width variance from 90 to 80 feet to build the new structure. The new home would also require a lot division to create a party-wall division of the structure. Mr. Teague presented pictures of the current home and a rendering of the new home, discussed the landscape plan, and noted staff and the Planning Commission recommended approval.

Member Brindle introduced and moved adoption of Resolution No. 2015-21, Approving a Lot Division with Variances at 3621 and 3625 54th Street West, conditioned on:

- 1. The new double dwelling shall be built per the submitted plans date stamped December 24, 2014, and January 9, 2015.**
- 2. The 24-inch Locust and 22-inch Locust on the site shall be maintained and protected during construction.**
- 3. The applicant shall plant an additional 4-inch Maple on each new lot to replace the 12-inch Maple that is to be removed.**
- 4. Each unit shall have separate utility hook-ups.**
- 5. The units will be separated by a firewall; and be verified by the City's building official.**
- 6. The applicant shall maintain the existing shrubs per the proposed landscape plan.**

Member Stewart seconded the motion.

Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

VIII.C. REQUEST FOR CONSIDERATION OF CHANGES TO PLANS FOR A REZONING REQUEST DENIED BY CITY COUNCIL FOR MATHIAS MORTENSEN, 3923 49TH STREET – APPROVED

Mr. Teague reviewed the City Council's July 14, 2014, denial of a request to rezone the property at 3923 49th Street from R-1 to R-2. He reported that the applicant has asked the Council to consider whether significant enough changes have been made to allow reconsideration of the rezoning request. Mr. Teague explained the applicant had eliminated the need for building coverage and west lot line variances, reduced the size of the building, and reduced hard cover by creating a front loading garage. The applicant would still need preliminary rezoning from R-1 to R-2, lot area variance from 15,000 square feet to 8,816 square feet, lot width variance from 90 feet to 65 feet, and side yard setback variance from 15 feet to 10 feet.

Mathias Mortenson, project architect, answered a question of the Council relating to planned changes in the interior space. Mr. Mortenson briefly reviewed his changed plan.

Member Brindle made a motion, seconded by Member Staunton, to allow the applicant to file a new rezoning application within one year of the time of denial of the original request.

Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

VIII.D. APPOINTMENTS TO ADVISORY BOARDS AND COMMISSIONS – APPOINTED

Mayor Hovland reported that the City received applications and conducted interviews to fill vacancies on its advisory boards and commissions. He thanked everyone who had applied. With regard to concern expressed over the expiration dates, the Council agreed to consider implications over the next year.

Member Staunton made a motion, seconded by Member Stewart, to appoint the following to the boards and commissions listed below. Arts and Culture: Cheryl Gunnes with a Term ending March 1, 2018 and Daniel Li with a Term ending March 1, 2017; Board of Appeal and Equalization: Roger McVeety with a Term ending March 1, 2016; Community Health Commission: Britta Orr with a Term ending March 1, 2018; Construction Board of Appeals: Jennifer Carlson with a Term ending March 1, 2018; Energy and Environment: Melissa Seeley with a Term ending March 1, 2018, Lauren Satterlee with a Term ending March 1, 2018, and Richard Manser with a Term ending March 1, 2018; Heritage Preservation Board: Karen Kelly with a Term ending March 1, 2016 and Colleen Pearson with a Term ending March 1, 2018; Human Rights and Relations: Tony Tian with a Term ending March 1, 2018, Jasna Burza with a Term ending March 1, 2016, and Margaret Vecchio-Smith with a Term ending March 1, 2017; Park Board: Greg Good with a Term ending March 1, 2017 and Julie Strother with a Term ending March 1, 2017; Planning Commission: Todd Thorsen with a Term ending March 1, 2018, Ian Nemerov with a Term ending March 1, 2018, and Jerry Strauss with a Term ending March 1, 2018; Transportation Commission: Ralf Loeffelholz with a Term ending March 1, 2018.

Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

VIII.E. REQUEST FOR PURCHASE – AUTHORIZE AWARD OF BID FOR PROMENADE PHASE 4, ASSOCIATED PROFESSIONAL SERVICES AND TERMINATION AGREEMENT – APPROVED

Engineer Bintner presented a Request for Purchase to authorize awarding the bid for Promenade Phase 4, associated professional services, and termination of agreement to the recommended low bidder, Meisinger Construction at \$1,268,550.00. Mr. Bintner displayed a rendering of the North Plaza, pond and overlook, South Plaza and Habitat Planting, and Streambed. Mr. Bintner presented the project costs and funding by source. He also noted that staff was not recommending the purchase of public art with this project due the bid coming in over budget.

Staff answered questions of the Council relating to public art and possible funding sources, the 71 France project's reimbursement to the Promenade and whether or not the City could be able to find a better

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bidding environment. They also noted projects that would be eligible for funding from the Park Dedication Fund. **Member Staunton made a motion, seconded by Member Stewart, to authorize award of bid for Promenade Phase 4.**

Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

VIII.F. NEW WINE ON-SALE AND 3.2 LIQUOR LICENSES, SNP ENTERPRISES, DBA: THE TIN FISH, 6364 JOHN HARRIS DRIVE – APPROVED

Clerk Mangen presented the request from The Tin Fish, the new restaurant within the Braemar Golf Course Clubhouse, for new on-sale wine liquor and 3.2 beer licenses. **Member Stewart made a motion, seconded by Member Brindle, to approve New Wine On-Sale and 3.2 Beer Licenses to SNP Enterprises, DBA: The Tin Fish, 6364 John Harris Drive for the period of February 18, 2015 and ending March 31, 2015.**

Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

VIII.G. NEW WINE ON-SALE AND 3.2 LIQUOR LICENSES GREY GHOST GRUB LLC DBA: HELLO PIZZA, 3904 SUNNYSIDE ROAD – APPROVED

Clerk Mangen presented the request from Hello Pizza for new on-sale wine liquor and 3.2 beer licenses. The reason for the new license was a change in ownership of the establishment. **Member Staunton made a motion, seconded by Member Stewart, to approve New Wine On-Sale and 3.2 Liquor Licenses to Grey Ghost Grub LLC, DBA: Hello Pizza, 3904 Sunnyside Road for the period of February 18, 2015 and ending March 31, 2015.**

Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

VIII.H. RESOLUTION NO. 2015-22 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 Stewart introduced and moved adoption of Resolution No. 2015-22 accepting various grants and donations.** Member Brindle seconded the motion.

Rollcall:
Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

IX. CORRESPONDENCE AND PETITIONS

IX.A. CORRESPONDENCE

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

IX.B. MINUTES:

1. **PARK BOARD, JANUARY 13, 2015**
2. **VETERAN'S MEMORIAL COMMITTEE, OCTOBER 31 AND DECEMBER 19, 2014**
3. **HERITAGE PRESERVATION BOARD, JANUARY 13, 2015**
4. **PLANNING COMMISSION, NOVEMBER 28, 2015**

Informational; no action required.

X. AVIATION NOISE UPDATE – Received

XI. MAYOR AND COUNCIL COMMENTS – Received

XII. MANAGER'S COMMENTS – Received

The Council noted the proposed modification of the Planning Commission's Work Plan that had been considered during the February 17, 2015 Work Session. **Member Stewart made a motion,**

seconded by Member Brindle, to approve the amended Work Plan for the Planning Commission for 2015.

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

XIII. ADJOURNMENT

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 10:05 p.m.

Respectfully submitted,

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

Debra A. Mangen, City Clerk

Video Copy of the February 17, 2015, meeting available.

James B. Hovland, Mayor