

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
AUGUST 5, 2015
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 Brindle, Staunton, Stewart, Swenson, and Mayor Hovland.

III. MEETING AGENDA APPROVED

Member Stewart made a motion, seconded by Member Swenson, approving the meeting agenda as revised to add Item V.A. Beyond the Yellow Ribbon and to table Item VIII.A. Proposed Franchise Agreement with Xcel Energy, Ordinance No. 2015-12 to the August 18, 2015, City Council Meeting.

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

IV. CONSENT AGENDA ADOPTED

Member Brindle made a motion, seconded by Member Stewart, approving the consent agenda as follows:

IV.A. Approve regular and work session meeting minutes of July 21, 2015

IV.B. Receive payment of the following claims as shown in detail on the Check Register dated July 23, 2015, and consisting of 34 pages; General Fund \$428,963.48; Police Special Revenue \$1,830.45; Pedestrian and Cyclist Safety Fund \$79,546.26; Arts and Culture Fund \$82.00; Working Capital Fund \$1,367,694.48; Equipment Replacement Fund \$13,493.36; Art Center Fund \$1,995.02; Golf Dome Fund \$9,750.00; Aquatic Center Fund \$2,558.29; Golf Course Fund \$12,542.88; Ice Arena Fund \$15,630.48; Sports Dome Fund \$142.75; Edinborough Park Fund \$1,716.28; Centennial Lakes Park Fund \$11,360.60; Liquor Fund \$178,432.41; Utility Fund \$1,028,392.94; Storm Sewer Fund \$962,583.29; PSTF Agency Fund \$22,140.91; Centennial TIF District \$56,939.77; TOTAL \$4,195,795.65 and for receipt of payment of claims dated July 30, 2015, and consisting of 33 pages; General Fund \$195,045.20; Police Special Revenue \$313.76; Pedestrian and Cyclist Safety Fund \$519.84; Working Capital Fund \$579,317.21; Equipment Replacement Fund \$63,854.05; Cando Fund \$4,266.25; Art Center Fund \$6,696.16; Golf Dome Fund \$64.00; Aquatic Center Fund \$17,494.35; Golf Course Fund \$69,610.93; Ice Arena Fund \$71,753.12; Sports Dome Fund \$59,247.63; Edinborough Park Fund \$22,740.90; Centennial Lakes Park Fund \$2,440.63; Liquor Fund \$187,459.56; Utility Fund \$67,482.91; Storm Sewer Fund \$19,852.77; PSTF Agency Fund \$5,327.74; Payroll Fund \$2,118.90; TOTAL \$1,375,605.91

IV.C. Request for Purchase, Council Chambers A/V System Upgrade, awarding the bid to the recommended low bidder, Alpha Video at \$142,316.38

IV.D. Request for Purchase, South Ramp Garbage Screening, awarding the bid to the recommended bidder, Blackstone Contractors LLC at \$44,850.00

IV.E. Set December 8, 2015 Date for Public Improvement Hearings

Rollcall:

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

V. SPECIAL RECOGNITIONS AND PRESENTATIONS

V.A. BEYOND THE YELLOW RIBBON – PRESENTED

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Member Brindle introduced Jason Gad, Hopkins City Council member and Beyond the Yellow Ribbon member.

Mr. Hopkins updated the Council on current events for Beyond the Yellow Ribbon and noted a concert fundraiser being held on September 3, 2015, at the Hopkins Arts Center.

V.B. METROPOLITAN AIRPORTS LONG TERM COMPREHENSIVE PLAN, NEIL RALSTON, MAC – PRESENTED

Neil Ralston, Airport Planner Metropolitan Airports Commission, provided a progress update about the 2035 long-term comprehensive plan including an overview; planning process including aviation activity forecast; facility requirements analysis and development alternative; stakeholder engagement; and, timeline.

Dana Nelson, Environment Department Metropolitan Airports Commission, presented a noise analysis. Ms. Nelson answered a question of the Council relating to flights occurring later in the p.m. and earlier in the a.m.

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

VI.A. VACATION OF PUBLIC RIGHT-OF-WAY, CAHILL REAL ESTATE HOLDINGS, LLC, 7260 OHMS LANE – RESOLUTION NO. 2015-71 ADOPTED

Engineer Bintner presented a request to vacate the existing 60-foot roadway easement from Cahill Real Estate Holdings, LLC because a portion of their lot was in the easement. Mr. Bintner described the location and public and private utilities in the area. Staff recommended that City Council approve Resolution No. 2015-71.

Mayor Hovland opened the public hearing at 7:39 p.m.

Public Testimony

Lucas Frasz, 5101 Vernon Avenue South, addressed the Council.

Andrew Will, 7235 Ohms Lane, addressed the Council.

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

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

Member Swenson introduced and moved adoption of Resolution No. 2015-71, Vacating Roadway Easement. Member Brindle seconded the motion.

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

VI.B. ADDING EDINA HERITAGE LANDMARK OVERLAY ZONING DESIGNATION TO THE R-1 SINGLE DWELLING UNIT, 6901 DAKOTA TRAIL, MARRI OSKAM – RESOLUTION NO. 2015-76 AND ORDINANCE NO. 2015-13 ADOPTED

City Planner Presentation

Senior Planner Repya presented the request to approve the Edina Heritage Landmark District overlay zoning designation to the home at 6901 Dakota Trail. The home was an International style constructed in 1963 situated on the west bank of Indianhead Lake. The home was built for owners Hendrik and Marri Oskam by renowned architect Elizabeth Close, who with her husband started the architectural firm Close & Close in 1939. There have been no additions to the home and it had been meticulously maintained. Ms. Repya presented pictures of the home and noted that the Planning Commission and staff recommended approval.

Proponent Presentation

Marri Oskam, 6901 Dakota Trail, thanked the Council for its consideration. She explained that she had lived in the home for fifty years and wanted to preserve the history and aesthetic and functional design.

Mayor Hovland opened the public hearing at 7:59 p.m.

Public Testimony

Jane Hession, 4243 Crocker Avenue, 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 Brindle introduced and moved adoption of Resolution No. 2015-76, Adding the Edina Heritage Landmark District (EHL D) Overlay Zoning Designation to the R-1 Single Dwelling Unit District Designation to the Oskam House, 6901 Dakota Trail. Member Stewart seconded the motion.

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

Member Swenson made a motion to grant First and waive Second Reading adopting Ordinance No. 2015-13, Adding the EHL D, Edina Heritage Landmark District Overlay Zoning Designation to the R-1, Single Dwelling Unit District Zoning Designation to the Oskam House, 6901 Dakota Trail. Member Stewart seconded the motion.

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

VI.C. *CONDITIONAL USE PERMIT AND FRONT YARD SETBACK VARIANCE, EDINA COMMUNITY LUTHERAN CHURCH, 413 WEST 54TH STREET – RESOLUTION NO. 2015-77 ADOPTED*

Community Development Director Presentation

Community Development Director Teague shared that Edina Community Lutheran Church was proposing to build a sanctuary, a kitchen addition, and new parking lot on the east side of the existing church located at 4113 West 54th Street. The site was zoned R-1 where a church was conditionally permitted use. The applicant submitted a request in 2013 for a conditional use permit, but did not move forward with the request after concerns were raised in regard to the proposed architecture, impact to mature trees, and stormwater ponding. The applicant had hired a new architect and engineer to address the concerns. Mr. Teague presented pictures of proposed changes. The Planning Commission and staff recommended approval.

Proponent Presentation

Eileen Supple, Edina Community Member Liaison, shared that the church was grateful for sixty-seven years on the site and detailed some of the proposed changes.

Randy Moe, Architect, presented the site plan and drawings and explained that the existing air conditioner units were not adequate and the roof was not able to support new units. Mr. Moe proposed to install a single chiller unit near the new mechanical space, which would be more efficient and would be screened. Mr. Moe described the new lighting that would be downward facing where the source would not be seen.

Tom Whitlock, Landscape Architect, presented highlights of the landscape plan and noted the primary concern was the preservation of the slope and woodland.

Rhonda Pierce, Civil Engineer, discussed the existing grade conditions and changes. It was noted the project met the Watershed District requirements concerning stormwater management.

The Council asked questions relating to the number and location of tree removal, the location of the air conditioner unit, the parking lot grading and elevation, and lighting.

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Mayor Hovland opened the public hearing at 8:52 p.m.

Public Testimony

Kristine Donatelle, 5427 Woodcrest Drive, addressed the Council.

Mary D. Hicks, 13 Paddock Road, addressed the Council.

Edward Ross, 4015 54th Street West, addressed the Council.

John Crabtree, 5408 Oaklawn Avenue, addressed the Council.

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

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

Mayor Hovland noted that he was a member of Edina Community Lutheran Church. Attorney Knutson responded that being a member of a church was not a conflict when an application from the church was being considered by a city.

The Council discussed additional conditions and agreed to disallow snowplowing from 10:00 p.m. to 7:00 a.m., to require social events to be held at the West parking lot, and to install the air conditioner unit on the West side of the building.

Member Stewart introduced and moved adoption of Resolution No. 2015-77, Approving a Conditional Use Permit and Front Street Setback Variance from 50 Feet to 23 Feet for the Edina Community Lutheran Church at 4113 West 54th Street, as modified above 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 25, 2015**
 - **Grading plan date stamped June 25, 2015**
 - **Landscaping plan date stamped August 4, 2015**
 - **Building elevations date stamped June 25, 2015**
 - **Lighting plan date stamped June 25, 2015**
 - **Utility plan date stamped June 25, 2015**
 - **Building materials board as presented to the Planning Commission and City Council meeting August 5, 2015**
2. **The property owner is responsible for replacing any required landscaping that dies.**
3. **All trash enclosures shall be screened to meet City Code.**
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. **Compliance with all of the conditions outlined in the Director of Engineering's memo dated July 14, 2015.**
6. **Submittal of a Construction Management Plan.**
7. **The construction driveway shall be moved to the west away from the single-family home.**
8. **The chiller shall be located on the west side of the building and screened per City Code**
9. **There shall be no snow plowing before 7:00 a.m. and after 10:00 p.m. within either parking lot**
10. **Social events shall be held in the west parking lot only.**

Member Brindle seconded the motion.

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

VII. COMMUNITY COMMENT

Floyd Grabel, 4817 Wilford Way, expressed concern over the donation made by the Edina Crime Prevention Fund to purchase a Mobile Pro Defender camera system. Mr. Grabel believed that ordinary citizens should not be monitored or recorded by the police and that proper guidelines and restrictions should be put in place for the device.

VIII. REPORTS / RECOMMENDATIONS

VIII.A. PROPOSED FRANCHISE AGREEMENT WITH XCEL ENERGY – ORDINANCE NO. 2015-12 TABLED

This item was tabled to the August 18, 2015, City Council meeting.

VIII.B. ORDINANCE NO. 2015-11 AMENDING CODE CHAPTER 2 ARTICLE III REGARDING BOARDS AND COMMISSIONS – ADOPTED

Manager Neal explained that the recommended changes to the City Code were a result of normal assessment and clean-up and discussed the four proposed changes.

Member Swenson made a motion to grant First and waive Second Reading adopting Ordinance No. 2015-11, Amending Chapter 2 of the Edina City Code Concerning Boards and Commissions. Member Brindle seconded the motion.

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

VIII.C. RESOLUTION NO. 2015-78 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. 2015-78 accepting various grants and donations. Member Brindle seconded the motion.

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

VIII.D. GREATER SOUTHDALE AREA PLANNING, STAGE 2 WORK PLAN PROPOSAL – APPROVED

Robb Gruman, Greater Southdale Area Planning Work Group member, presented the Stage Two Work Plan proposal and key elements including: framing a process for outreach activities aimed at broadening engagement in the planning process; identifying the primary goals of Stage Two work; highlighting the key deliverables of Stage Two; defining needs for anticipated consultant assistance; and, laying out an initial schedule for the work. The Work Group did not see a need for expansion of its membership, but if desired by the Council it would identify types of additions that would be beneficial. The Work Plan assumed hiring a third party consultant for a fee not to exceed \$30,000.00 that would bring actionable deliverables.

Manager Neal addressed the expenditure of public funds and requested that the consultant be answerable to staff and not only a volunteer team. He supported involving group members in the selection process.

The Council thanked that team for its high-quality work and discussed the importance of the Work Group being part of the selection process and expanding the group from twelve to fifteen. The Council expressed concern over proceeding to Stage Two or whether the planning should be referred to the Planning Commission at this point. Staff noted that the Planning Commission was pleased with the process and thankful for the help.

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The Council noted the importance of check-ins and work session with both the Planning Commission and the City Council and agreed to expand the group by three members. The Council encouraged the work group to look at residents along the middle of the Southdale area as candidates.

Member Staunton made a motion, seconded by Member Swenson, approving the Greater Southdale Area Planning Stage 2 Work Plan and the addition of three new members.

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

VIII.E. ENERGY AND ENVIRONMENT COMMISSION SOLAR ENERGY PROJECT PROPOSAL – REFERRED TO STAFF

Mr. Bintner presented the proposal from the Energy and Environment Commission to develop a Request for Proposal to create a Community Solar Garden on the roof of the Public Works building. The Energy and Environment Commission believed that the proposed project provided the following benefits: demonstrated leadership in a unique application of Community Solar Gardens; promoted renewable energy; reduced greenhouse gas; educated residents on sustainability; helped residents save money; put the Public Work's roof to productive use; and, engaged solar supporters. Staff reviewed the proposal, spoke with solar developers, interviewed staff at the Metropolitan Council and peer local governments, and gathered preliminary information about means and methods to procure solar facilities. At this time, staff recommended no action and believed that staff's and the Energy and Environment Commission's time was better spent on existing priorities.

Bill Sierks, Energy and Environment Commission, clarified that the Council was not being asked to issue a Request for Purchase, but to direct staff to dedicate resources to develop a Request for Proposal. Mr. Sierks believed that the opportunity was there for solar advocates to go forward with providing solar power to residents and that risks could be addressed in a carefully drafted Request for Purchase.

Manager Neal addressed the requirement for staff time noting that it was the height of their busiest time of year and suggested that the Energy and Environment Commission draft the Request for Proposal. At that time, it could present the Proposal to staff and the City Attorney for review. Mr. Sierks explained that the Energy and Environment Commission was seeking help with the Request for Proposal because it did not feel that it had the expertise.

The Council discussed the proposal and offered informal opinions.

Trevor Drake, Great Plains Institute, answered a question of the Council relating to available funding from the State Department of Commerce and other funding opportunities.

The Council directed staff to further research drafting a Request for Proposal and available funding sources and for Council consideration at a future meeting.

IX. CORRESPONDENCE AND PETITIONS

IX.A. CORRESPONDENCE

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

IX.B. MINUTES:

1. **CONSTRUCTION BOARD OF APPEALS, MARCH 6, 2015**
2. **TRANSPORTATION COMMISSION, MAY 21, 2015**
3. **ARTS AND CULTURE COMMISSION, JUNE 25, 2015**
4. **HUMAN RIGHTS AND RELATIONS COMMISSION, JUNE 23, 2015**

Informational; no action required.

IX.C. ADVISORY COMMUNICATION, HUMAN RIGHTS AND RELATIONS COMMISSION

Informational; no action required.

X. AVIATION NOISE UPDATE – Received

XI. MAYOR AND COUNCIL COMMENTS – Received

XII. MANAGER'S COMMENTS – Received

XII.A. CREATION OF PARTNERS IN ENERGY COMMUNITY PLANNING TEAM

XIII. ADJOURNMENT

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 11:58 p.m.

Respectfully submitted,

Minutes approved by Edina City Council, August 18, 2015.

Debra A. Mangen, City Clerk

Video Copy of the August 5, 2015, meeting available.

James B. Hovland, Mayor