



REPORT/RECOMMENDATION

To: MAYOR AND COUNCIL	Agenda Item <u>IX. A.</u>
From: DEBRA MANGEN CITY CLERK	<input type="checkbox"/> Action
Date: SEPTEMBER 19, 2012	<input type="checkbox"/> Discussion
	<input checked="" type="checkbox"/> Information
Subject: CORRESPONDENCE RECEIVED SINCE LAST COUNCIL MEETING	

INFORMATION/BACKGROUND: Attached are copies of e-mails and letters received since the last Council meeting.

KEITH ELLISON
5TH DISTRICT, MINNESOTA

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FINANCIAL SERVICES COMMITTEE
SUBCOMMITTEE ON
OVERSIGHT AND INVESTIGATIONS
SUBCOMMITTEE ON CAPITAL MARKETS AND
GOVERNMENT SPONSORED ENTERPRISES

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

August 13, 2012

MAYOR James B. Hovland
Mayor of the City of Edina
4801 West 50th Street
Minneapolis, MN 55424-1330

Dear MAYOR Hovland,

Thank you for contacting me about clean air in the United States. I am honored to hear from you and proud to represent you. Since coming to Congress, I have been working very hard to advance my policy agenda based on four key priorities – environmental sustainability, peace, prosperity for working families, and support for human and civil rights.

Throughout my time in Congress, I have supported legislation to conserve our environment and protect our air and water. Maintaining clean air standards is essential to protect the health of our citizens; air pollutants are linked to respiratory illness, chronic bronchitis, and heart disease, among other illnesses. The landmark Clean Air Act has substantially improved air quality in the United States, preventing over 160,000 premature deaths in 2010 alone, and 18 million cases of child respiratory illness since its enactment. Between 1990 and 2020, the Clean Air Act will save the U.S. taxpayer an estimated \$2 trillion.

I support stronger action to protect our communities from harmful air pollutants. I have been an advocate for reducing mercury pollution from boilers, which create heat for industrial applications by burning fossil fuels or other materials such as biomass. Such a rule would save thousands of lives every year and protect thousands of people from a host of serious adverse health effects including asthma and heart attacks. Furthermore, this action has the potential of generating approximately 12,000 new jobs at a time of high unemployment.

Recently, a number of bills have been introduced in Congress which seek to limit the EPA's ability to protect public health and the environment, or to decrease greenhouse gas and carbon pollution. On April 7, 2011 the House voted to pass the Energy Tax Prevention Act of 2011 (H.R. 910), which would permanently block the EPA's authority to issue climate change regulations. I opposed this legislation because I believe it goes too far in hindering EPA's ability to protect us from harmful climate pollution.

I strongly support the Clean Air Act and I believe that any attempt to hinder the Environmental Protection Agency's abilities to enforce the Clean Air Act will only worsen the effects of climate change and will pose great risks to our nation's public health.

Thank you again for contacting me. Please do not hesitate to contact me with any issue of concern. You can also sign up for our e-newsletter by visiting our website at www.ellison.house.gov.

Sincerely,



Keith Ellison
Member of Congress

KME/ABC

September 11, 2012

Mayor Jim Howland
and the City Council
City of Edina, City Hall
480 ~~W~~ 50th St.
Edina, Minnesota 55424

Dear Mayor Howland and City Council:

Reading recently in the local media that Edina will be replacing all its water meters over the next few months I hope Edina will recycle all the 14,000 meters that will be replaced. All the metal can be recycled, the plastic can be recycled, and any glass can be recycled. There may be other materials that can be recycled. Having seen the complete waste of items that can be recycled in one of the metro counties by their employees it makes one think the local governments are the worst wasters in the world. Government should do much better at recycling. Edina can help with that.

Thank you.

Sincerely,
Tom Speiser

Susan Howl

From: Lynette Biunno on behalf of Edina Mail
Sent: Thursday, September 06, 2012 3:55 PM
Cc: Susan Howl
Subject: FW: France Ave



Lynette Biunno, Receptionist

952-927-8861 | Fax 952-826-0389
lbiunno@EdinaMN.gov | www.EdinaMN.gov

...For Living, Learning, Raising Families & Doing Business

From: Kelly Potratz [<mailto:Kelly@wmtitle.com>]
Sent: Thursday, September 06, 2012 3:45 PM
To: Edina Mail; gwinstead@ci.bloomington.mn.us
Subject: France Ave

Mayor Winstead and Mayor Hoveland (Zeb Haney has said we're supposed to call Mayor Hovland 'Your Highness/Excellency),

I am writing to you both today to see if there is anything that can be done to improve the traffic flow on France Ave between 76th Street and the 494 West exit during the rush hour around 5pm-6pm.

On average it takes me 30 minutes to get from 76th on to France Ave from my office, to the 494 West exit.

Obviously we all know there is construction going on, but it would seem that the lights between these streets are off. If one is green, the other is red. Hence 4 cars get through an intersection at a time.

If you could look into this I would greatly appreciate it.

Thank you for your time.

Kelly Potratz | Executive Closer

Watermark Title Agency

7601 France Avenue Suite 290

Edina, MN 55435

P. 952.873.7474 | F. 952.236.6690

Email: Kelly@wmtitle.com

Web: www.wmtitle.com

Subject: Unite Edina 273

Dear Mayor Hovland and Members of the Edina City Council,

I am writing to you as a member of Unite Edina 273, which represents 400+ Edina families in the Parkwood Knolls neighborhood, to register my disappointment in comments expressed at the recent joint meeting of the Edina City Council and the Edina School Board. Specifically I am addressing concerns, as reported in the *Sun Current* ("Affect of Edina-Hopkins boundary request may be felt statewide"), regarding the precedent that could set if our petition campaign is successful. According to this article one council member asked what would distinguish the greater Parkwood Knolls neighborhood from other neighborhoods in Hopkins. As others may have voiced or considered similar concerns, I would like to address both these issues and will begin with the second.

As you may or may not know, families within the Parkwood Knolls neighborhood have been seeking to make a change in the school district boundaries since the 1950s when the neighborhood first started being developed. This neighborhood was always designed to be part of the Edina community and, as a result, the families who have lived here have always gravitated toward Edina schools. This bond was further strengthened when the Hopkins school district closed Harley Hopkins Elementary School at 125 Monroe Avenue South in 1981. This school was the one and only school that Hopkins has ever operated in close proximity to our neighborhood and the subsequent (and next closest) elementary school to "serve" our neighborhood, Katherine Curren, was closed by Hopkins in 2005.

The net result is that today, based on the results of our concluding petition campaign, approximately 95% of the property owners living within our neighborhood are highly supportive of changing the school district boundaries. Moreover, a survey of the school-age children living within our neighborhood has determined that only 5% of these children attend schools operated by the Hopkins school district. It should be obvious that when confronted with a situation in which 95% of citizens support a change in school district boundaries and 95% of school-age children are enrolled away from the "serving" district that maintaining the status quo is not the appropriate position to take.

I cannot and will not speak to the sentiment and/or future decisions of citizens residing in other neighborhoods within the city of Edina but outside the district boundaries. All the research that I have conducted has corroborated the opinion expressed by Joni Bennett that the residents living in the far north section of Edina have historically identified themselves with the Hopkins school district. That being said, if that neighborhood, or any other neighborhood for that matter, can demonstrate sentiment and attendance numbers like our neighborhood (i.e., over 90% support for change and less than 10% of children enrolled in the serving district) then their efforts to make a change deserve to be heeded as well.

Which leads me to the concept of "precedent" which seems to strike such fear into the hearts of municipal institutions. Is it the potential of change that is so feared? If so, you might find it interesting to learn that the footprint of the Hopkins school district has meaningfully changed at least eight times since its origins as district 19 in the latter half of the 1800s until ISD 270 was created in 1980. Clearly there was a great deal of flux during the first 100 years of school districts as boundaries were malleable and changed periodically to better meet the needs of families in rapidly developing suburban communities. Our neighborhood has had the unfortunate timing of being developed during an era when district boundaries came to be viewed as permanent and sacrosanct. The notion that school districts are no longer capable of surviving or even adapting to change is both myopic and only based on more recent history. The underlying basis of fact is that a school district is a municipal institution that exists to meet the needs of the citizens and not vice versa. When the needs change, the institution must change.

The second, and more implicit, precedent fear contained in comments expressed during the referenced meeting is that there is danger ahead if citizens are allowed to participate in acts of self-determination. To use one relatively recent

example, the Greater 70th Homeowners Association acted collectively as private citizens within a municipal system to effect a change that these citizens felt was important to the families in their neighborhood. Should the efforts of citizens working together in a responsible and forthright manner to improve a situation for their families be regarded with a jaundiced eye as it might lead others to do the same or should it be embraced by the city's leaders?

I find the doubts raised by our neighborhood effort to be even more perplexing when you consider that the city is undertaking the "Name Your Neighborhood Project" which is intended to promote the formation of neighborhood associations to "represent residents and property owners working together to make the neighborhood a better place to live, learn, play, raise a family and do business. By promoting neighborhood associations, the City hopes to build civic infrastructure and promote community engagement." Unite Edina 273 serves these exact purposes yet city leaders have at best been distant to our efforts and, based on some comments in this article, even dismissive of our objectives to improve our neighborhood and the community in which we live. If this is the true sentiment of city leaders and the expected action (or lack thereof) to support neighborhood-led initiatives then the Name Your Neighborhood Project will prove to be a positively pointless pursuit.

As Superintendent Dressen indicated during the referenced meeting, approximately 15% of the Edina school population consists of open-enrolled students. If our petition campaign is successful, the 135 or so children from our neighborhood would simply move from the open-enrolled column to the resident column, and we estimate that less than 12 children would move into the district from other schools in the first year of the new boundary. We have communicated this with Edina school administrators and they have expressed full confidence in being able to handle this transition without having any undue consequences on class sizes or school crowding. It is fully reasonable to expect that any Edina neighborhood that sought to follow in our path would already have a majority of their children enrolled in the Edina school district and would work proactively with Edina administrators to create a transition plan. Municipal institutions can manage change quite effectively when they can plan for it.

Now, having said all this, there remains the possibility that some statement at the meeting were misquoted and/or mischaracterized by the reporter or in the way the article was written. If so, I would appreciate any clarifications you could provide. In any event, I think it would be worthwhile for city leaders to meet with members of our neighborhood group so that we can provide you with more information and context regarding our effort to change the school district boundaries in order to improve our neighborhood for our families. We certainly hope and expect that we have your full support.

I look forward to your response.

Sincerely,

Alan Koehler
Unite Edina 273



September 4, 2012

Mayor James Hovland
Councilmember Joni Bennett
Councilmember Scott Housch
Councilmember Josh Sprague
Councilmember Mary Brindle
Councilmember Ann Swenson
Edina City Hall
4801 W. 50th Street
Edina, MN 55424

Dear Mayor Hovland, Scott Neal, Karen Kurt, and Edina City Council Members:

We have been retained by members of Take Back the Air, a Minnesota-based environmental group, to review what actions might be taken to require Edina to prohibit recreational wood burning. Our clients want to emphasize Edina's obligation to uphold the property rights and basic civil rights of all citizens to breathe clean air on their own properties, in public spaces, and at public events.

The Edina Fire Department's recreational fire permitting rules currently recognize the hazards of wood smoke. These rules purport to only allow burning when the prevailing winds at the time of burning are blowing away from nearby residences. But enforcement is not really workable in populated areas where each residence is surrounded by other residences and fenced back yards, where the source of smoke is hard to identify. In fact, Fire Department and other City workers are often reluctant to help citizens who complain of wood smoke. This pits neighbor against neighbor and often results in harassment of neighbors who complain.

Edina citizens have legitimate complaints when they routinely cannot breathe clean air on their own property or in public places because Edina allows outdoor recreational wood burning. The increasing number of wood burning restaurants in Edina is part of the problem, often contaminating streets, sidewalks and nearby neighborhoods.

The problems relating to burning wood at Centennial Lakes Park have already been conveyed to the City. The outdoor fireplace at the city-owned Centrum Building still needs conversion to gas to demonstrate that Edina cares about accessibility and public health. The parks are for everyone; not just those who

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like or tolerate wood smoke. Allowing wood burning at public events presents an accessibility issue for children and anyone with breathing issues and other disabilities.

Take Back the Air has frequently provided Edina officials with evidence that wood smoke contains harmful pollutants. Breathing wood smoke results in health problems, including, but not limited to, eye, nose and throat irritation, allergies and allergic reactions, migraine headaches, asthma and asthma attacks, lung disorders, including chronic bronchitis, and heart disease and heart attacks. Children and people with these disabilities comprise a significant and growing portion of Edina's population.

The Minnesota Environmental Rights Act (M.S.A.116B) declares that each person is entitled by right to the protection, preservation, and enhancement of air, water, land, and other natural resources located within the state and provides for civil actions to protect the environment from pollution, impairment or destruction. This state legislation may be used to require Edina to improve the air quality within the City.

The City also has accessibility obligations under the Americans with Disabilities Act to remove barriers to the access and use of public spaces. Wood smoke is a physical barrier that also prevents many people from attending outdoor events.

Just as tobacco smoke is regulated in the parks and in public establishments, my clients urge you to enact and enforce a ban against all outdoor recreational burning so that citizens can use their properties and public spaces without the toxic effects of wood smoke. Their request to prohibit outdoor recreational wood burning does not apply to other feasible and prudent alternatives such as natural gas or propane units.

Please be informed that if Edina does not address outdoor wood burning regulation in the near future, individual or collective lawsuits could be brought against the City for not protecting public health, citizens' property rights, and everyone's right to access public spaces.

Please contact me if you would like more information or to discuss this matter.

Very truly yours,
Mellum & Welsh, LLP

A handwritten signature in black ink, appearing to read "Gale R. Mellum", with a long horizontal flourish extending to the right.

By: Gale R. Mellum

Susan Howl

From: Lynette Biunno on behalf of Edina Mail
Sent: Thursday, September 13, 2012 12:40 PM
Cc: Susan Howl
Subject: FW: from Edina resident Devie Koval - regarding the Valley View and Sally Lane intersection

Lynette Biunno, Receptionist

952-927-8861 | Fax 952-826-0389

lbiunno@EdinaMN.gov | www.EdinaMN.gov

...For Living, Learning, Raising Families & Doing Business -----Original Message-----

From: jhkdlk@aol.com [<mailto:jhkdlk@aol.com>]

Sent: Thursday, September 13, 2012 11:32 AM

To: Edina Mail; jonibennett12@comcast.net; joshsprague@edinarealty.com

Cc: Mary Brindle (Comcast); swensonann1@gmail.com

Subject: Fwd: from Edina resident Devie Koval - regarding the Valley View and Sally Lane intersection

This email is a follow-up to my email of August 30, 2012. I was pleased to receive a prompt and thorough response from two of the City Council members. I was disappointed to not even receive an acknowledgement from the rest of the recipients of my correspondence.

I did not expect a lengthy response from each of you; but I do believe that the courtesy of a reply acknowledging my communication was warranted. A standard "I received your email" would have been sufficient. I took the time to craft a well thought-out letter to you, my elected City officials; it is unfortunate that the majority of you chose not to acknowledge it.

Devie Koval

-----Original Message-----

From: [jhkdlk <jhkdlk@aol.com>](mailto:jhkdlk@aol.com)

To: [mail <mail@EdinaMN.gov>](mailto:mail@EdinaMN.gov); [jonibennett12 <jonibennett12@comcast.net>](mailto:jonibennett12@comcast.net); [mbrindle <mbrindle@EdinaMn.gov>](mailto:mbrindle@EdinaMn.gov); [joshsprague <joshsprague@edinarealty.com>](mailto:joshsprague@edinarealty.com); [swensonann1 <swensonann1@gmail.com>](mailto:swensonann1@gmail.com)

Sent: Thu, Aug 30, 2012 12:31 pm

Subject: from Edina resident Devie Koval - regarding the Valley View and Sally Lane intersection

Dear Mayor and City Council members,

As a resident of Paiute Pass for 33 years, I am compelled to write about the visibility problem at the intersection of Valley View Road and Sally Lane. I have observed the deterioration of sight lines throughout the years, especially as the evergreen trees to the East of that intersection have grown wider. For several years preceding my signing of the original petition, and again this year, I contacted the police officer(s) in charge of fielding calls about that intersection to discuss the situation. I am well aware that no accidents have yet occurred at that intersection; however that is not a reason to maintain the status quo. Those of us who use that route at least once a day are well aware that it is an accident waiting to happen!

For several years, I was told by the police officer(s) that a sidewalk was going to be built on Valley View Road, and that would alleviate the sight line problem. That never came to fruition, and it is time for this situation to be settled, and not allowed to drag on any further.

The emotional arguments of the homeowner with the trees are being allowed to dominate the rational issues of this situation. They failed to do their due diligence when they purchased the house with the trees, and now are not willing or able to accept the consequences. This is about more than disappointment and tears. This is about public safety!

There are pros and cons to buying a residence on a corner lot, as there are pros and cons to buying property on a busy street. There is no written documentation from the City that officially suggests planting the trees to form a barrier. And I suggest that a clarification of the variance for not planting trees a certain number of feet from a roadway should impact the City Council's final decision.

The white line that has been painted as an extension of the existing STOP sign is no longer adequate for a safe sight line for people turning left from southbound Sally Lane onto Valley View Road. And the inevitable snow and ice from the coming winter complicate the issue, which is why a decision needs to be rendered now by the City Council, and adhered to by the homeowner.

As for the lilacs on the West side of that intersection, which was mentioned in the original petition, but is not part of this discussion, it is unfortunate that the homeowner does not take the same pride in his yard that the rest of the neighborhood does. His property is an embarrassing entrance to a neighborhood that takes pride in its' appearance. Perhaps the City Council could deal with that issue very soon.

Thank you for taking the time to read this letter, and please act in the best interests of safety for our neighborhood.

Sincerely,

Devie Koval
6613 Paiute Pass
Edina, MN 55439
(952)944-2483

Susan Howl

From: Lynette Biunno on behalf of Edina Mail
Sent: Friday, September 14, 2012 11:15 AM
Cc: Susan Howl
Subject: FW: Edina Housing Statistics - August 2012
Attachments: Twin-Cities.pdf; Edina.pdf



Lynette Biunno, Receptionist

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From: Julia Parenteau [<mailto:juliap@mplsrealtor.com>]
Sent: Friday, September 14, 2012 11:13 AM
To: Edina Mail
Cc: Scott Neal
Subject: Edina Housing Statistics - August 2012

Good Morning, Mayor Hovland and Members of the Council –

Attached please find the most recent housing statistics from the Minneapolis Area Association of REALTORS®, for the City of Edina and the Twin Cities metro area. This report describes our market in August 2012. Please let me know if you have any questions.

As always, if you are interested in seeing more in-depth statistics and figures for your city or other cities and counties in the metro – please feel free to check out our online statistical reports at www.mplsrealtor.com. **The Thing**, our interactive market analytics tool, is very useful, as it offers many choices of variables for your review. Check it out here: <http://thething.mplsrealtor.com/>

(September 12, 2012) – For the past six months, nearly every housing market measure has indicated improvement. The Twin Cities housing recovery is gaining momentum. What's more, the recovery has shown signs of both depth (consistency and continuity) and breadth (improvement across numerous indicators).

Some points about this month's data:

- There were 16,348 homes for sale, down 30.5 percent and marking the 19th consecutive month of decreases.
- Inventory levels are at their lowest since December 2003, which is nearly a 9-year low (104 months).
- The median sales price was \$179,000, up 15.5 percent and marking the 6th consecutive month of increase.
- Foreclosures and short sales ("distressed properties") comprised 32.4 percent of all new listings.

"With inventory levels nearing 10-year lows, buyers are scrambling to find the perfect house," said Cari Linn, President of the Minneapolis Area Association of REALTORS®. "The next step of recovery will be getting hesitant and distressed sellers back into the market."

Julia Parenteau
Public Affairs Director
Minneapolis Area Association of REALTORS®
p. (952) 988-3124
e. juliap@mplsrealtor.com



MINNEAPOLIS AREA ASSOCIATION OF REALTORS®

Local Market Update – August 2012

A RESEARCH TOOL PROVIDED BY THE MINNEAPOLIS AREA ASSOCIATION OF REALTORS®



MINNEAPOLIS AREA Association
of REALTORS®

Twin Cities Region

- 1.8%

Change in
New Listings

+ 12.3%

Change in
Closed Sales

+ 15.5%

Change in
Median Sales Price

New Listings

Closed Sales

Median Sales Price*

Average Sales Price*

Price Per Square Foot*

Percent of Original List Price Received*

Days on Market Until Sale

Inventory of Homes for Sale

Months Supply of Inventory

August

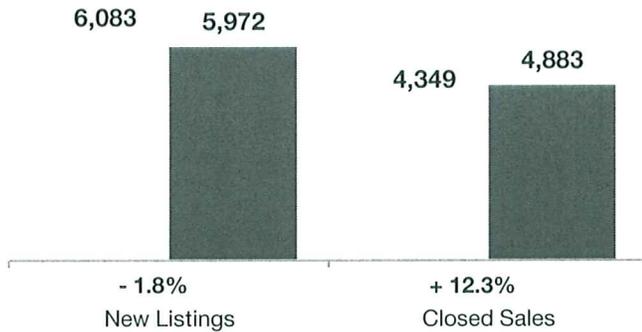
Year to Date

	2011	2012	+ / -	2011	2012	+ / -
New Listings	6,083	5,972	- 1.8%	50,898	48,299	- 5.1%
Closed Sales	4,349	4,883	+ 12.3%	27,597	32,502	+ 17.8%
Median Sales Price*	\$155,000	\$179,000	+ 15.5%	\$150,000	\$165,000	+ 10.0%
Average Sales Price*	\$202,003	\$222,922	+ 10.4%	\$194,039	\$207,115	+ 6.7%
Price Per Square Foot*	\$95	\$104	+ 9.3%	\$93	\$99	+ 5.9%
Percent of Original List Price Received*	91.2%	95.1%	+ 4.2%	90.4%	93.8%	+ 3.7%
Days on Market Until Sale	141	107	- 24.1%	151	124	- 18.2%
Inventory of Homes for Sale	23,520	16,348	- 30.5%	--	--	--
Months Supply of Inventory	7.1	4.1	- 42.7%	--	--	--

* Does not account for seller concessions. | Activity for one month can sometimes look extreme due to small sample size

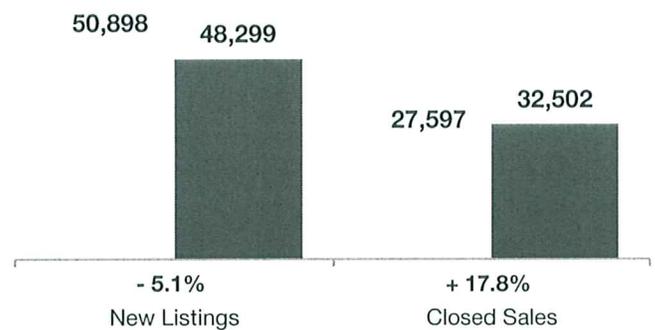
August

2011 ■ 2012



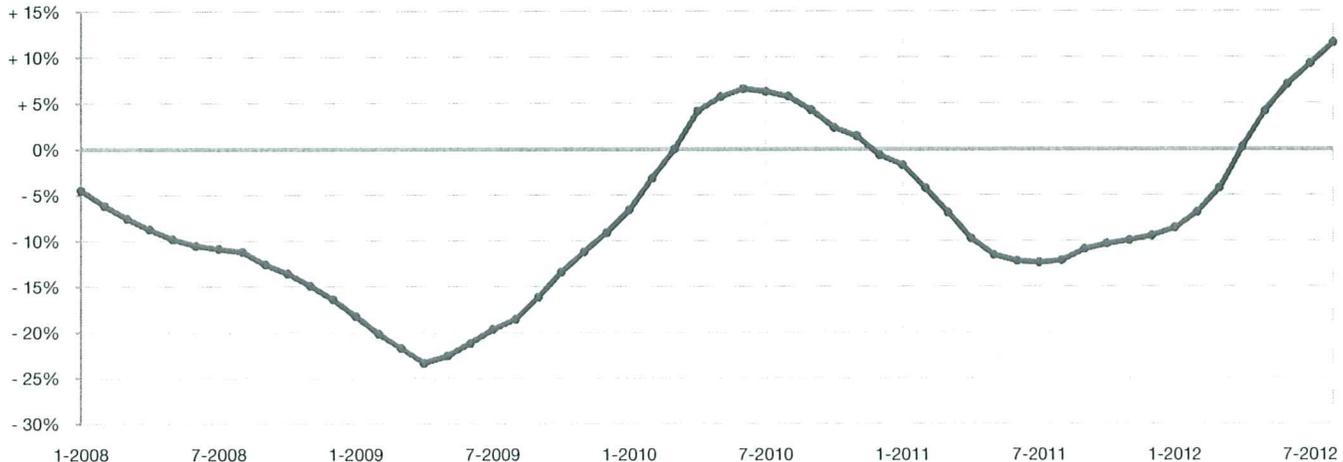
Year to Date

2011 ■ 2012



Change in Median Sales Price from Prior Year (6-Month Average)**

Twin Cities Region



** Each dot represents the change in median sales price from the prior year using a 6-month weighted average. This means that each of the 6 months used in a dot are proportioned according to their share of sales during that period. | Current as of September 10, 2012. All data from Regional Multiple Listing Service, Inc. | Powered by TRG Research and Marketing. | Sponsored by Royal Credit Union www.rcu.org

Local Market Update – August 2012

A RESEARCH TOOL PROVIDED BY THE MINNEAPOLIS AREA ASSOCIATION OF REALTORS®



MINNEAPOLIS AREA Association
of REALTORS®

Edina

- 23.3%

+ 25.4%

- 3.5%

Change in
New Listings

Change in
Closed Sales

Change in
Median Sales Price

	August			Year to Date		
	2011	2012	+ / -	2011	2012	+ / -
New Listings	120	92	- 23.3%	945	967	+ 2.3%
Closed Sales	71	89	+ 25.4%	459	654	+ 42.5%
Median Sales Price*	\$367,500	\$354,500	- 3.5%	\$353,000	\$342,250	- 3.0%
Average Sales Price*	\$430,943	\$430,880	- 0.0%	\$446,738	\$428,874	- 4.0%
Price Per Square Foot*	\$156	\$153	- 1.8%	\$161	\$158	- 2.0%
Percent of Original List Price Received*	91.5%	92.6%	+ 1.1%	90.7%	92.4%	+ 1.9%
Days on Market Until Sale	137	152	+ 11.0%	155	145	- 6.4%
Inventory of Homes for Sale	470	305	- 35.1%	--	--	--
Months Supply of Inventory	8.2	4.0	- 51.6%	--	--	--

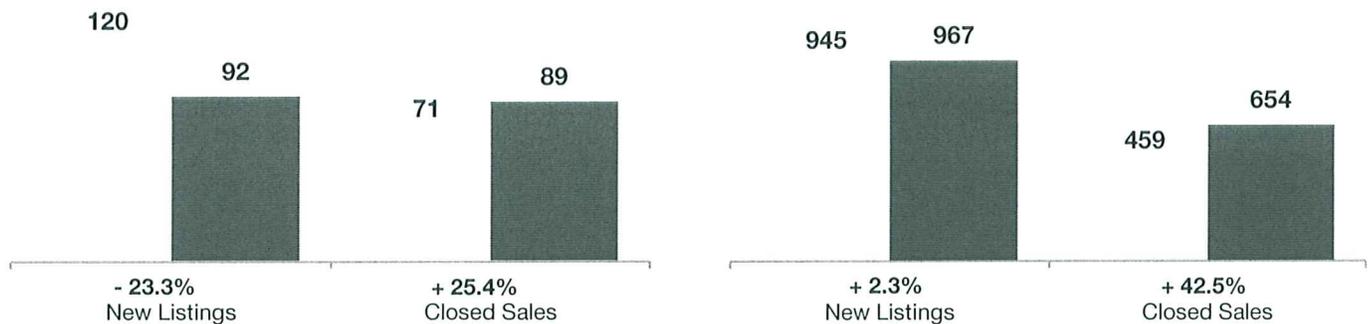
* Does not account for seller concessions. | Activity for one month can sometimes look extreme due to small sample size

August

2011 ■ 2012

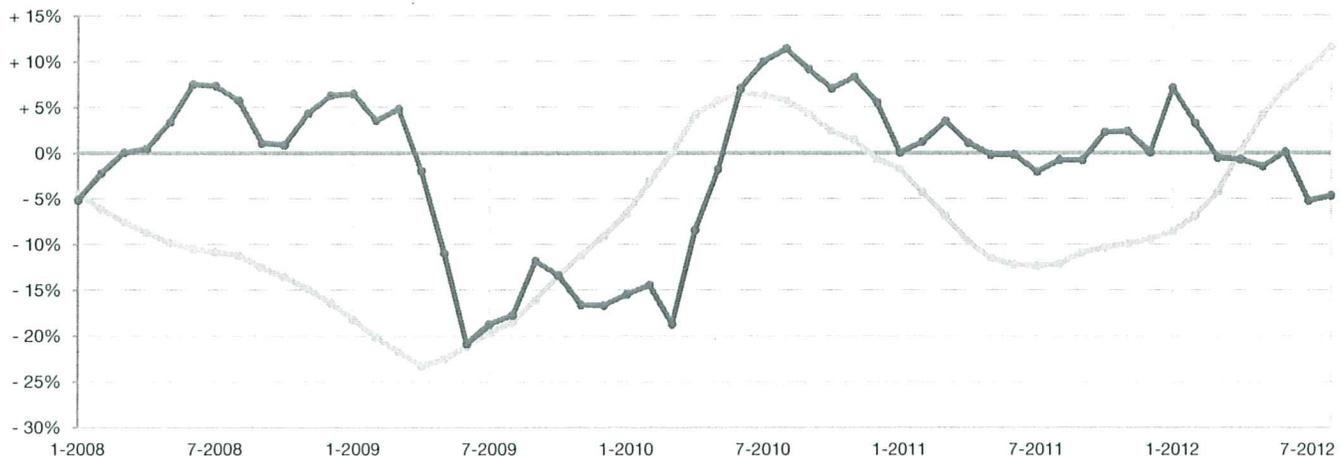
Year to Date

2011 ■ 2012



Change in Median Sales Price from Prior Year (6-Month Average)**

Twin Cities Region —
Edina —



** Each dot represents the change in median sales price from the prior year using a 6-month weighted average. This means that each of the 6 months used in a dot are proportioned according to their share of sales during that period. | Current as of September 10, 2012. All data from Regional Multiple Listing Service, Inc. | Powered by iM Research and Marketing. | Sponsored by Royal Credit Union www.rcu.org