

REPORT / RECOMMENDATION



To: Mayor and Council Members

Agenda Item #: IX. A.

From: Debra Mangen
City Clerk

Date: October 1, 2013

Subject: CORRESPONDENCE

Action
Discussion
Information

Action Requested:

Attached is correspondence received since the last Council Meeting.

No action is requested.



HUMAN RIGHTS & RELATIONS COMMISSION

September 27, 2013

To: Mayor Jim Hovland and the Edina City Council

From: Arnie Bigbee, HRRC Chair on behalf of the Edina Human Rights and Relations Commission

At its August 27, 2013 meeting, the Edina Human Rights and Relations Commission unanimously recommended that the Edina City Council adopt the attached resolution related to immigration reform.

Immigration reform is currently under consideration by the United States Congress. Early last summer the United States Senate, by a 68-32 bipartisan vote, passed S 744, the "Border Security, Economic Opportunity, and Immigration Modernization Act". The bi-partisan compromise is designed to improve border security and citizen verification while providing a path to citizenship, elimination of an immigration backlog, and increased penalties for both human smuggling and child trafficking. President Obama supports the compromise, but the House of Representatives has yet to act on the legislation.

This is an important issue for Edina. The foreign born population in Edina has nearly doubled since 2000, bringing the foreign born population to over 9% of the total population, and many are non-citizens. Many businesses in Edina employ foreign born people and face bureaucratic hurdles and difficulties hiring employees with foreign backgrounds. The American Action Network estimates that passage of the immigration reform would create approximately 41,982 jobs, including 12,850 in Congressional District 3 and 13,098 in Congressional District 5. Passage of immigration reform will provide a boost to our economy, but more importantly it will allow millions of people to come out of the shadows and become full participants in our society.

In recent years the Edina City Council provided important public leadership on human rights issues impacting our residents (and in this instance positive economic impact). We hope you will do so again on immigration reform, by passing this resolution and circulating it as widely as possible, including to our Minnesota Congressional Delegation.

Thank you for considering the HRRC recommendation.

MARK E. MOORE
5152 TIFTON DRIVE
EDINA, MN 55439
OFFICE (952) 564-3808
HOME (952) 947-0752

DATE: September 19, 2013

Mr. James Hovland
Mayor
City of Edina
4801 W. 50TH St.
Edina, MN 55424

Re: Proposed Increase in Taxes

Dear Mayor:

The Council has recently approved a levy increase of some \$700,000 annually to cover miscellaneous increases in the cost of running our City.

Your year ending 2012 financial statements which are found on the City of Edina Web Site indicates that you have restricted and unrestricted cash reserves of approximately \$68,000,000. The unrestricted portion alone is approximately \$44,000,000.

Would you please explain to the citizens of Edina why you need an increase in taxes when you have these enormous reserves to draw on? Also, I am tired of hearing that "its only \$24.00 a house". We have had too many increases in our property taxes where the justification is only a certain amount of money per house. They have all added up to substantial increases over the years.

I would appreciate it if you would take some time during the Council meeting to explain publicly the purpose of these huge reserves and why you are not drawing on them to fund the increase in operating expenses of the City.

Thank you.



Mark E. Moore

CC: M. Brindle

5505 Brookview Avenue
Edina, Minnesota 55424

25 September 2013



Chad Milliner
City of Edina

In re: Replacement of shrubbery destroyed during 2011 road work

Dear Mr. Milliner:

I am writing to you to once again request that my Alpine Snow shrubs be replaced which were destroyed during the 2011 Minnehaha Woods road reconstruction.

As I indicated to you in my message:

- 1) Our hedge used to run across the entire front lawn. Only four plants survived the construction.
- 2) We were never asked about plant replacement at any time during the project, so we assumed that we had to assume the loss, as the shrubs had been planted on city property.
- 3) Since all of the cement works, which included custom brick paving and decorative staircases were replaced on all other properties which were damaged during the construction, it would seem only fair that our little hedge could be replaced as well.

In your phone messages, you seem to indicate that:

- 1) The remaining four plants are all that was originally there;
- 2) That the plants' poor condition was the result of "poor maintenance", and not from the fact that they were rescued after laying on top of a dirt pile all summer.

Please find enclosed all correspondence from the city with regard to this project, none of which contain any requests for the replacement of destroyed greenery.

Thank you.

cc: James Hovland

September 26, 2013



To The Edina City Council:

My Name is Douglas L. Johnson. My wife Peggy and I have owned the property at 6609 Blackfoot Pass since 1967. We were particularly attracted to it because we both spent a good portion of our youth in forested environments, I in northern Minnesota and she in the heart of the Ozarks.

I am extremely hard of hearing to the point of being functionally deaf. I will not have understood anything that has been said here tonight either by the public or the council. I know this because I attended the Planning Commission hearing on this topic in this very room. I could understand nothing that was said, even though I was provided with some hearing devices. However, my son accompanied me and gave me his understanding of some things that were said. I would like to address two disturbing accusations, which were probably repeated here tonight:

1. I am environmentally insensitive.
2. I am sacrificing the environment to greed.

Some trees were removed by the previous owner of the property in anticipation of construction but none were removed by me. Elms and oaks have succumbed to disease. They have been promptly removed and properly disposed of at considerable expense. A number of elms have been treated for elm disease at considerable expense, but even so, two of those died and had to be removed.

In 1993, I planted 24 walnut seedlings. Some of these directly replaced removed trees. Nine of these have survived as well as a green ash planted some time later. Squirrels have planted several more volunteer walnuts over the years.

But today there are no squirrels. I visited the house on Saturday, September 21 to continue removing household items and found the parking pad littered with whole green walnuts. I was astounded. The squirrels do not let this happen. The walnuts are long removed before they drop. There is also always a red squirrel that takes over the tree next to the parking pad. He was not there. The scene was unchanged again the next day. This has happened only once before, about 8 - 10 years ago. At that time I found two dying squirrels by the driveway. Disease maybe? Then a couple of days later I found a dead hawk while mowing the lawn. Then it dawned on me, the squirrels were poisoned and the hawk had eaten one or more of them. Hawks do not catch live, healthy squirrels. So today some neighbor is again poisoning the squirrels. If that neighbor is here tonight impugning my environmental conscience I would quote Mr. Shakespeare when he wrote "me thinks he doth protest too loud".

I retired from 3M in 1987 with a fixed pension of \$36,000 plus Social Security. That is now about \$52,000 a year total, but the purchasing power of the dollar is about half of what it was 26 years ago.

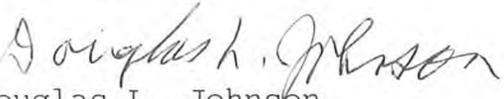
Starting in 1990 I noticed some changes in my wife's health. She became sensitive to moderate heat, became unsteady on her feet, experience forgetfulness and other things. In 1995 after several doctors and numerous tests she was diagnosed with primary progressive MS. This is the less common type. It gradually gets worse and never remits. She proceeded to develop muscle spasms, seizures, balance problems, both urinary and fecal incontinence and worst of all a near total loss of memory. I finally had to hire daytime in-home nursing help to bathe and tend to her. Finally in late June 2004, the nurse said she thought Peggy was having trouble breathing. Her nursing supervisor said we should get her to the emergency room. She had a pulmonary embolism, blood clots in the lungs. They also discovered that she had had a silent heart attack. Her heart was impaired. By then she couldn't walk, couldn't even crawl. I had to admit her to the Edina Care Center.

Peggy spent eight years and eight months at the Edina Care Center. I visited her twice a day seven days a week for all that time. I have not been out of the Twin Cities for 15 years. She died February 28, 2013. The nursing home had cost \$600,000 during that time. Add to that at least one hospital stay every year, medical bills, drug bills, physical therapy bills, almost 3 years of in-home nursing and it comes to at least \$700,000 over 23 years. That shot a huge hole in my life savings. I am now 84 years old, 85 yet this year. I did all the car, house and yard care work myself except the last year or two when neighbor Kathryn Dusenbury's son, graciously cleared snow and mowed the grass. My children and grandchildren helped too. I may well be faced with nursing home expenses myself before long.

So it came time finally to sell the property and recover as much income producing cash as I could. The realtor suggested that it would bring some \$200,000 more if sub-divided. I thought long and hard about that but decided that the builder, Mr. Busyn was an ecofriendly person and that the sub-division as proposed especially with the variance would eliminate few trees. The Edina Planning Dept report agrees with that. The variance would eliminate few trees. The trees to be removed are elms, which will die sooner or later and cottonwoods which I had considered taking out almost every spring when they make a great mess for 4 - 6 weeks. Others in the neighborhood have done the same. One neighbor even took down a 150 year old oak tree because it was shading her garden. I removed two tree sized limbs from a 3 foot in diameter oak because they were shading a neighbors grass. She has no trees.

I do not know if non-technical factors are a consideration in these matters. If items such as public sensibilities, neighborhood character and environment are to be considered then human welfare is certainly equally as important. I am trying to salvage a few years of decent rest and retirement after 70 years of being in the harness of responsibility. I would not call that greed or insensitivity. I think of myself as a survivor. I leave it up to the council to decide.

Thank you,


Douglas L. Johnson

Deb Mangen

From: Mary Brindle <mbrindle@comcast.net>
Sent: Thursday, September 26, 2013 4:28 PM
To: Lynette Biunno
Subject: Fw: Construction inspection today
Attachments: Nordstrom garage project.docx

Hi Lynette,

Would you please forward the attached letter from Burke Ellingson, 5019 Arden Avenue, to the rest of the council, city manger, community development and engineering?

Thank you.

Mary Brindle

From: burke_ellingson
Sent: Thursday, September 26, 2013 3:12 PM
To: mbrindle@comcast.net
Subject: Construction inspection today

Thanks again for your time today Mary. I have attached the letter I provided to the builder. I was appreciative that Josh came over during the inspection, acknowledged receiving the letter, and tried to explain how my concerns were being addressed. That said, I am still concerned about what the future will bring.

Burke J. Ellingson
Ellingson Law Office, LLC
4555 Erin Drive, Suite 225
Eagan, MN 55122-3334
Phone (612) 987-0456
Fax (651) 905-4917
bellingson@ellingsonlawoffice.com

September 20, 2013

Mr. Josh Ortmeier
Project Manager
Reuter Walton Construction Inc.
2919 Knox Ave. S.
Suite 200
Minneapolis, MN 55408

RE: Mike and Kelly Nordstrom
5017 Arden Ave.
Edina, MN 55424

Dear Mr. Ortmeier:

As you are likely aware from our exchange of multiple phone messages, I am the owner of the home located at 5019 Arden which is directly adjacent to your project identified above. I look forward to meeting your clients (my new neighbors) as they come highly recommended from my former neighbors, Frank and Ann Delmont.

I know you have had multiple contacts with adjacent property owners regarding this project. While we have spoken directly only once, I have left you a couple of voicemails identifying the limited concerns I have about the project. I am aware that you have offered to meet with the adjacent property owners to address their concerns. I appreciate your efforts in this regard. Since it has not proven possible to schedule an in person meeting, I thought I would send you a letter outlining my concerns so they could be remediated if possible.

First, the relocation of the driveway from the North side of the property to the South side will undoubtedly change the previously existing drainage pattern for the property. I don't know if the City advised you, or if you otherwise noticed during a physical inspection of the property, but we have an egress window just a couple of feet from the property line. In constructing the egress window, we employed a hand-dug natural sump rather than installing a mechanical sump pump as there has never been a history of water problems in that location. Not unexpectedly, to date we have not had any water issues.

My concern with the relocation of the driveway is the transformation of that portion of the project area from a porous surface to a hardscape which could potentially push water under the fence and onto my property. I have also heard a rumor circulating that the drainage plan for the project is to push all of the water (rain and snow melt) from the backyard down the driveway to the front yard. If the rumor is true, that would obviously exacerbate the amount of water potentially coming onto my property. Is there a plan to create a curb along the fence line on the South side of the property in order to prevent inordinate runoff, and to better funnel water from

the back of the property out to Arden Avenue? Given the proximity of the driveway to my property, as well as the existing location of my egress window, I would appreciate consideration of a curb if one is not already planned. If a curb is not planned, or is not otherwise possible, I would welcome an understanding of how the project's design prevents drainage onto my property as this has never been an issue given the previously existing slope and ground conditions which have now been altered by the project.

Second, I noticed that substantial excavation was required to provide a foundation to support the garage structure. I am sure your excavator was as careful as possible in this process, but I am concerned about unintended damage to the root structure of the very large tree in the backyard. As you may have noticed, that tree overhangs my home and property. It is also immediately adjacent to the bedrooms occupied by my children and our master bedroom. My only request is that the health of the tree be closely monitored for the next year or two. If the tree shows signs of instability, or ill health due to unintended damage to the root structure, I ask for an assurance that the problem would be quickly addressed by the Nordstroms. Hopefully, any damage to the roots was minor and the tree will continue to thrive as it's a gorgeous tree and I am grateful that you made an effort to preserve it.

Finally, while it's never pleasant to reside next to a construction project, your crews have generally been courteous and kept the project site in good order. The only issue in this regard has been that some of your crews continue to park in front of my home which is the designated school bus stop. I don't mind that your crews park in front of the home during the day, but please ask that they not park there during the times the school buses are picking up and dropping off.

Again, I thank you for your efforts to minimize the impact of the project on the adjacent properties and I look forward to hearing from you on the foregoing.

Sincerely,

Burke J. Ellingson
bellingson@ellingsonlawoffice.com

From: Mary McDonald <marymarymcmc@yahoo.com>
Sent: Thursday, September 26, 2013 7:55 PM
To: Cary Teague
Cc: Scott Neal; Edina Mail; Councilmember Joni Bennett; Mary Brindle (Comcast); Councilmember Josh Sprague; Councilmember Ann Swenson
Subject: Re: CUP at Interlachen - Complaint

First, we understand the CUP's no-parking-on-neighborhood-streets rule to apply to all situations, not just employee parking:

A number of Belmore neighbors read the CUP (Sec. 3, item 5) as saying that Maloney and Belmore may not be used 1) by construction vehicles, or 2) for parking. We found nothing in the CUP that indicates the no-parking rule applies only to the maintenance buildings.

In 2008 and 2009, when Interlachen wanted to construct its buildings on Belmore, a critical issue was whether Interlachen's members, employees, guests, delivery people, etc. would park in the Belmore neighborhood. Both the City and Interlachen constantly assured us they would not allow this. This condition was so important it was carried over to the CUP approved for Maloney. The City's concern was never only for where the employees might park, but for where all those coming to Interlachen might park.

Second, there are staff members at Interlachen who did not comply with the CUP's conditions:

Referring to Interlachen's new buildings, the CUP (Sec. 3, Item 4) says "access to the buildings shall be . . . from Waterman Avenue and Interlachen Boulevard, and not Maloney Avenue or Belmore Lane". Part of the new buildings is a caddy shack. Thus, the CUP says access to this caddy shack shall not be from Maloney or Belmore. But the Caddy Master told people to park on Belmore.

The Pool Manager also told people to park on Belmore.

Thus, it seems that at least two Interlachen staff members - and Managers at that - may not have been made familiar with the CUP's conditions.

Third, were the hired police officers told that parking on Belmore and Maloney was prohibited?

The officers were hired for the distinct purpose of directing traffic. It would seem that Interlachen's management - wanting them to do a good job - would have emphasized to those officers that Belmore and Maloney were off-limits. Possibly Interlachen did do this. We don't know where, besides Waterman, the officers were stationed. The officers may have been fully informed of the prohibitions and yet, because of where they were stationed, fully unaware that people were parking on Belmore.

A point made by several neighbors is that the caddies, swimmers, et al, entered Interlachen through an unlocked gate on Belmore and that Interlachen can easily discourage violations of the CUP by keeping that gate locked at all times.

Parking on Belmore for an event held every 4 or 5 years is not the worst violation. We don't expect perfection in Interlachen's adherence to the CUP conditions: Interlachen can't have a guard 24-7 on Belmore. But we are trying to ensure that we, the City, and Interlachen all have a correct understanding of the CUP and will make every reasonable effort to prevent true violations of the CUP.

Thank you,

Cheryl Bristol
Mary McDonald
Jill Rivard and Bill McGilvray

Rick and Sue Windham

From: Cary Teague <cteague@EdinaMN.gov>
To: "marymarymcmc@yahoo.com" <marymarymcmc@yahoo.com>
Cc: Scott Neal <sneal@EdinaMN.gov>
Sent: Tuesday, September 17, 2013 4:16 PM
Subject: CUP at Interlachen - Complaint

Mary,

Thank you for the written documentation including the pictures regarding the Interlachen Country Club.

Staff followed up with staff at Interlachen and discussed the issue. The event that took place July 26-28th did not have anything to do with the maintenance building. It was for a special swim meet that takes place between the local country clubs. Interlachen hosts this event every 4-5 years. Edina's police department was hired to direct traffic.

This is not viewed as a violation of the Conditional Use permit for the expansion of the maintenance facility. The condition of that CUP was to prevent employees of the maintenance facility buildings from parking on Maloney, Belmore and Interlachen Boulevard. Staff at Interlachen stated that they understand the conditions that they are required to meet as a result of the construction of the new maintenance building.

Please let us know if you have any other concerns regarding the Country Club.

Thanks

Cary



Cary Teague, Community Development Director

952-826-0460 | Fax 952-826-0389 | Cell 952-826-0236

cteague@EdinaMN.gov | www.EdinaMN.gov/Planning

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

Manu and Neera Madhok

4924 Interlachen Court

Edina, MN 55436

9/15/13

James Hovland,

Mayor, City of Edina

Subject: Commendable handing of theft in our home

Dear Mr. Hovland,

We wanted to bring to your attention the commendable work by **Sergeant Conboy** and **officer Cizek** of Edina Police Department.

We have been Edina residents for the last 11 years and living near Bredesen Park with our two Middle school children and senior parents. We recently moved on August 19th to our new home on Interlachen Court. Unfortunately, we had a theft in our home on the evening of Friday, September 13th, while we were having dinner at our next-door neighbor's home.

It was a very unreal experience coming home and finding a lot of precious jewelry, cash and expensive silverware etc. gone from the bedroom dresser drawers and no outward sign of break in. We were shaken up, agitated and morose at the same time when we called 911 and officer Cizek showed up with in minutes.

He was extremely patient and professional despite our obvious frustration and disgust with feeling of having been violated. He led us through the process of documenting what we could see without touching and opening drawers till the crime investigator could come and take pictures and fingerprints.

Sergeant Conboy came later and brought in canine team to investigate the property line where it backs into Van Valkenburg Park and portion of city fence was missing. This could be a site for access to our property from other than the street side. We were sitting by the window in our neighbor's house and did not see any commotion outside. Sergeant Conboy had to rush out to another reported break in around the block. However, when we called back, they assured us that there was no human scent traced and we could sleep peacefully.

We were very impressed by the promptness and professional behavior of Edina Police Department staff. They have been very patient in answering our numerous questions and an investigator has been assigned to this case.

Edina is a very diverse community and home to many young Indian professional families also who take pride in being American Indian and still keeping their culture and traditions vibrant. Our Hindu Temple of Minnesota was vandalized and in coping with it, all Minnesotans came together to support their fellow friends. Finally, even justice was an example of compassion and provided opportunity to the perpetrators to serve the community and grow within. Now, we also have a beautiful SV Temple in Edina itself and draws folks from all around. We are very hopeful that the Edina Police and investigators will be able to solve the crime and keep Edina one of the best communities to live in!

I hope that the Edina Police officers Sergeant Conboy and officer Cizek get acknowledged for the hard work they do to keep us all-safe.

Thanks,

A handwritten signature in blue ink, appearing to read 'M Madhok', written in a cursive style.

Drs Manu and Neera Madhok

Deb Mangen

From: ellen.gans@gmail.com
Sent: Tuesday, September 17, 2013 6:13 PM
To: Edina Mail
Subject: Contact Us form submission

Name: Ellen Gans

Organization:

Website:

Address_1: 4113 Monterey Ave

Address_2:

City: Edina

State: MN

Zip_Code:

Email: ellen.gans@gmail.com

Phone: 6127087950

Referrer: google

Message: The new flight pattern is disproportionately affecting the NE corner of the Morningside neighborhood. We now have -- literally -- a CONSTANT stream of air traffic directly over our house. They're flying lower, too -- enough to shake the house and wake me up. During peak hours, there is absolutely no respite between one plane and the next. We can no longer comfortably sit outside due to the noise, and now we can't escape indoors, either, because they are so loud and frequent. I have made several reports to the MAC website, but that appears to be a black hole. There must be something else that we can do. We NEVER would have purchased this house if we'd known that the change would occur, and our resale value is definitely affected.

Deb Mangen

From: prodnich@gmail.com on behalf of Paul Nicholas <pnicholas@straticom.us>
Sent: Thursday, September 19, 2013 11:41 AM
To: Cindy Larson
Cc: Steve Kirchman; Edina Mail; jonibennett12@comcast.net; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com
Subject: We shouldn't have to put up with this
Attachments: 2013-09-19 08_48_37.jpg; 2013-09-19 08_48_46.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

I won't go into a lot of detail because I know our issues with the construction site next door to us are well known and documented. Out of exhaustion and futility with the city we have stopped contacting you and have gone out of our way to avoid any contact with the individuals at the Sicora construction site to our north (even though site violations continue).

However, attached are the latest examples of the mentality of people we're dealing with. I had come to the conclusion that the people from Sicora were simply sociopaths since they promised multiple times to address certain issues which had never been taken care of. Now - coming home to feces (I assume dog feces but not sure) thrown against our home - I believe we are dealing with evil.

The fact that the city has allowed the situation to reach this point is incomprehensible. Sicora made our lives a living hell for the past 6 months and if there was any way I could pursue restitution for what they did to my family and our home, I would. Sicora should be banned from ever working on another project in Edina.

Paul Nicholas
4016 Lynn Ave
(612) 269-7300



Deb Mangen

From: David Endrizzi <endrizzi@juno.com>
Sent: Friday, September 20, 2013 1:21 PM
To: Edina Mail
Subject: Fred Richards golf course

Attn: James Hovland
Joni Bennett
Mary Brindle
Josh Sprague
Ann Swenson

Please do not, I repeat do not do anything that is going to destroy the Fred Richards golf course.

I belong to the Edina Senior Center golf league and we golf there in the summer. I also golf there Every chance I get. So please do not destroy this golf course.

Dave Endrizzi
612-869-9542

Manu Madhok, MD
Neera Madhok, BDS
4924 Interlachen Court
Edina, MN 55436
9/19/13

Honorable James Hovland,

Mayor, City of Edina

Subject: theft in our Edina home

Dear Mayor Hovland,

We have been Edina residents for the last 11 years and living near Bredesen Park with our two Middle school children and senior parents. We recently moved on August 19th to our new home on Interlachen Court. Unfortunately, we had a theft in our home on the evening of Friday, September 13th, while we were having dinner at our next-door neighbor's home.

It was a very unreal experience coming home to find a lot of precious jewelry, cash and expensive silverware etc. gone from the bedroom dresser drawers and no outward sign of break in. We were shaken up, agitated and morose at the same time. We were totally shocked that something like this could happen in Edina, which we thought of as a very safe community to live in the Twin Cities. We could not believe that this could be happening to us.

We were glad that when we called 911, officer Cizek showed up with in a few minutes. He was extremely patient and professional despite our obvious frustration and disgust with feeling of having been violated. He led us through the process of documenting what we could see without touching and opening drawers till the crime investigator could come and take pictures and fingerprints.

Sergeant Conboy came later and brought in canine team to investigate the property line where it backs into Van Valkenburg Park and portion of city fence was missing. This could be a site for access to our property from other than the street side. We were sitting by the window in our neighbor's house and did not see any commotion outside. Sergeant Conwoy had to rush out to another reported break in around the block. However, when we called back, they assured us that there was no human scent traced and we could sleep peacefully.

We took our report of stolen items to the Edina Police office on Tuesday and were informed that an investigator has been assigned to this case. We spoke to Mr. Carlson later in the week and he has all the information provided to police officers regarding all our service providers namely cleaning service, lawn care and handyman, and also workers from our neighbor's home where a lot of remodeling work is going on. Our hope is that this investigation can be expedited and we feel safe again, especially having elderly parents and children in the house.

We were very impressed by the promptness and professional behavior of Edina Police Department staff. They have been very patient in answering our numerous questions. Edina is a very diverse community and home to many young Indian professional families also who take pride in being American Indian and still keeping their culture and traditions vibrant. Our Hindu Temple of Minnesota was vandalized and in coping with it, all Minnesotans came together to support their fellow friends. Finally, even justice was an example of compassion and provided opportunity to the perpetrators to serve the community and grow within. Now, we also have a beautiful SV Temple in Edina itself. Our Hindu festival of Diwali is coming up in November and we hope to see you there.

We are very hopeful that the Edina Police and investigators will be able to solve the crime and keep Edina one of the best communities to live in! We hope that you would help expedite this investigation.

I hope that the Edina Police officers Sergeant Conboy and officer Cizek get acknowledged for the hard work they do to keep us all-safe.

Thanks,

Mmadhok

Dr. Manu Madhok, MD
Director, Pediatric EM Fellowship
Children's Hospital of Minnesota

neera

Dr. Neera Madhok, BDS
Primary Care Dental Services
University of Minnesota

Deb Mangen

From: mark epple <markepple@msn.com>
Sent: Monday, September 23, 2013 8:47 AM
To: Edina Mail; jonibennet12@comcast.net; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com
Subject: Reconstruction of 54th Street

Follow Up Flag: Follow up
Flag Status: Flagged

Dear City Council-

My name is Mark Epple and I live at 5336 Kellogg Avenue (NW corner at the intersection of Kellogg Ave and West 54th Street). I am writing to you hoping to get an answer to a question I have regarding the 2014 Reconstruction of 54th Street. Below is a brief summary of the project in question that is posted on the city's website. I would like to know *where* the "requirement" for bike lanes and sidewalk is coming from. This requirement appears to have a great impact on the initial proposed designs presented to the community at the August 19th meeting. Please advise.

Thank you.

Mark

"Reconstruction of 54th Street

In 2014, the City will reconstruct 54th Street from France Avenue to Wooddale Avenue, including the 54th Street bridge over Minnehaha Creek. The road is badly deteriorated, is a safety hazard to pedestrians and cyclists, and the bridge is at the end of its useful life. A state-aid designated roadway, 54th Street must meet State requirements; the State will pay for approximately 80 percent of the reconstruction. ***A city-maintained sidewalk on at least one side of the street and bicycle lanes are also required.*** The project offers an excellent opportunity to update the roadway to current standards and better meet community needs. We need community input, ideas, and feedback on a variety of design options."

Mark Epple 5336 Kellogg Avenue Edina, MN 55424-1305 952.929.7344

Deb Mangen

From: Andie Schieffert <schiefta@msn.com>
Sent: Monday, September 23, 2013 12:34 PM
To: Edina Mail
Subject: Construction Concern

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mayor,
First, thank you for your service to Edina!

I write to ask you to visit the building site of 5017 Arden Avenue. The new homeowners of this property are remodeling the home. The four surrounding neighbors have been greatly impacted by the elevation of their rear yard and driveway/garage addition. I'm afraid I cannot appropriately articulate my shock and unhappiness when I saw the foundation for the garage and was told of the plans. I'm told by city employees the plans all meet current city codes. I was also told no city employee visited the site before approving plans.

Here are some of my concerns:

DRIVEWAY/RAISED ELEVATION:

Aside from the aesthetics, the driveway is raised well above adjacent yards. The homeowners repurposed the existing tandem garage to living space. So, they wanted a new garage. City codes would not allow the homeowners to attach a new garage, so they designed a detached garage. The new driveway and garage now encompass the vast majority of their south side and rear yard. Because of the concrete covering, drainage that used to flow east down a grass covered slope has to be redirected west toward the front of the home. This, and the fact the homeowners wanted a service door for their garage, forced the homeowners to raise the elevation of their yard greatly. It is raised at least 4-6 feet in the back of the yard. The driveway will be 6 feet above my property a foot away. Because there is little to no green space in the rear and side yards, snow removal is intended to be pulled from the back to the front yard. The passage between the back and front is narrow. The driveway will run right along the property line the whole length of the south side of their yard. Neighbors are concerned about drainage. The driveway also curves around the back of the property to the garage. I'm told homeowners needed a place to back-out of garage and turnaround to drive forward out the narrow driveway.

DETACHED GARAGE

Aside from the aesthetics, the garage is tall. The new retaining wall (just the portion by the garage) is 4 feet in height right on the property line. The new detached garage is set 4 feet from the property line. The garage is 18 feet tall, on top of a foot or two of exposed concrete, which is on top of a four foot boulder retaining wall--about 24 feet high just a few feet from adjacent properties. The garage towers over three yards. Also, there are no windows on the garage facing the neighbors to the north and east. The builder was not able to construct the garage without trespassing. Neighbors wonder how the homeowners will maintain the garage and gutters without also trespassing.

RETAINING WALL:

Aside from the aesthetics of boulder rocks in our 1940's neighborhood, the builder was not able to install the retaining wall without trespassing. Most of the wall is right on or inches from the property line butting two other properties.

Lastly, the surrounding neighbors have very little recourse to "screen" or "soften the impact" of the new structure and driveway and stay within city codes. If I install a six foot fence in my backyard, it will not block the new driveway which is elevated to 6 feet. So, 6 feet above my property there will be cars driving two feet from yard which is close to my patio and home. I am concerned about car headlights and garage lighting shining into my home. I'm concerned about noise from the cars in the back yard, but also the snow removal service the homeowner told me he hired. Again, all the snow will have to be moved from the back to the front. The builder has offered to consider planting some screening plants on the east and north by the garage. I was told by the builder the plants to the east can only be planted in the neighbors property as their is no room on the homeowner's property.

Needless to say, I feel helpless and upset. The four surrounding homeowners feel our properties have been greatly affected. My hope is that I can prevent such a construction project from happening elsewhere in Edina.

I urge you and your fellow council members to visit the 5017 Arden site. But, most importantly, stand in the four surrounding yards to get a feel for the impact. We hope the council will visit expanding codes to include limits on lot elevation and detached garage setbacks.

Please contact me anytime to discuss.

Thanks for your time and reading my long rant.

Best regards,
Andie Schieffert
5044 Juanita Ave
612.940.4419

From: Hasselbring,Bruce <bruce.h@ace-aircontrolessentials.com>
Sent: Monday, September 23, 2013 4:45 PM
To: Hasselbring,Bruce
Subject: Business Owner Questions Met Council's Plan to Take Businesses
Attachments: Ace Supply- press release.doc

Bruce A. Hasselbring
President



PRESS RELEASE

Contact: Bruce Hasselbring,
952-929-1618

For Immediate Release
September 24, 2013

Business Owner Questions Met Council's Plan to Take Businesses

Met Council Wants to Make Way for \$65 Million "Southern Arm"

ST. LOUIS PARK — Ace Supply Company and approximately 11 other small businesses in St. Louis Park seem to be forgotten stakeholders in recent discussions about Southwest Light Rail (SWLRT) and freight rail. This spring the Met Council told owners of these longtime businesses that should the "southern arm," a new train ramp and bridge, be built, their businesses will be taken.

"Our modest business-to-business operations reside in Skunk Hollow," says Bruce Hasselbring, president and CEO of Ace Supply Company, referring to one of the oldest pockets of St. Louis Park, south of Highway 7 and near Louisiana Avenue. "Ace and other businesses in Skunk Hollow may not be flashy or draw much attention, but we have done business in this location since 1958, employing several dozen people and paying taxes to St. Louis Park and Hennepin County all the while."

The Met Council has proposed the southern arm, a \$65 million new train ramp and bridge that, instead of taking trains north (known to many as the reroute), would take trains south through Edina, Bloomington and eventually to the Minnesota River docks. The southern arm would replace the single-track switching yard, commonly known as the switching wye. However, says Hasselbring, "that seems to be a poor tradeoff when our tiny switching yard hasn't been used for years and a new uninterrupted track without switches will surely bring more noise, vibration and danger to our community as locomotives drag railcars up a steep grade and wheels grind around a curve at higher speeds."

Hasselbring and other community members further assert that the entire southern arm isn't needed. "The SWLRT can get where it needs to go without the southern arm and without disrupting our long-standing St. Louis Park businesses," he says. "By tacking on the southern arm to the SWLRT, it seems clear that certain leaders in St. Louis Park and the Met Council want to do away with our small industrial operations and arbitrarily expand other businesses at tax payers' expense."

Finally, Hasselbring notes that losing their buildings, finding a new location and moving will be costly. "A new spot may not be as centrally located as our current site," he says, adding that the company's location is an important attribute since it serves contractors throughout the metro area. Several other businesses in the neighborhood are similarly structured.

"We value our location and have long enjoyed a solid relationship with the City of St. Louis Park. It's been a great place to do business for 55 years, and we would like to keep it that way."

From: Mary Ingebrand-Pohlad <marypohlad@me.com>
Sent: Tuesday, September 24, 2013 10:36 AM
To: Edina Mail
Subject: Pohlad request

Dear Mayor Hovland, We have met at Rolling Green neighborhood meetings and I appreciate your past support of our causes. I have lived next door to the Warner estate at 5 Merilane in Rolling Green for 22 years. As you know, the Warner property has been proposed for subdivision into three pie shaped lots. For a multitude of reasons, I feel that should the proposal pass, (with or without variances) , the results would prove disastrous and greatly compromise the character of the neighborhood as we know it. I invite you to join me for a 10 minute walk on the property so that you can see where the realtor/developer are suggesting potential placement of 3 new houses. Driving by on the street will NOT give you an accurate picture. I am available Sunday afternoon at 3pm. Should this time not work for you, please contact me to arrange another time. I appreciate your willingness to give this important matter your most thoughtful consideration. Respectfully, Mary I Pohlad

Deb Mangen

From: Michael D. Long <coachmdl@edina.org>
Sent: Tuesday, September 24, 2013 11:04 AM
To: Edina Mail; jonibennett12@comcast.net; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com
Subject: Eind Sports Dome

Edina Mayor and City Council Members,

As a coach of Edina Varsity and youth sports, I can tell you honestly that our kids, and athletic teams are suffering from not having a dome of our own. The time and money it takes to use other domes is great and hurts our ability to conduct training. We are long overdue for a dome. As a community that considers itself among the top in the state, it is an embarrassment that we do not have a sports dome.

Putting the fact that people are worried about being able to see it from their houses is a terrible argument. I can see the light from Kuhlman from my house. This should not be a reason to hurt our athletics and the people that put so much time and effort into the youth of Edina.

Thank you for your hard work in getting this dome up.

Michael Long
Edina HS Boys Assistant Varsity Coach
Edina Lacrosse Association Coach
Edina Youth Lacrosse Coaching Director

Deb Mangen

From: Rickert, Paige @ Minneapolis <Paige.Rickert@cbre.com>
Sent: Tuesday, September 24, 2013 11:44 AM
To: Edina Mail
Subject: Message for Mayor Hovland

Good afternoon Mayor,

It was nice to see you at Hello Pizza a few weeks ago. That place has become a family favorite.

I have two items for your consideration:

First, I was just made aware that the Edina Dome proposal will be on the council's agenda in October. I'm hoping that the silver lining on this multi-year pursuit is a unanimous vote by the council to move forward with this project. I think we will all be amazed at the amount of use and benefit this facility will have for our community.

Secondly, I was hoping you and I could meet for a quick conversation on my second passion, field space. I have found the difference between the school district and working with the City are significant. My hope was to try and find a path the would be the most efficient. I am hoping you can provide me with some direction.

Appreciate your support on all of the above and look forward to your response.

Paige

Paige Rickert | Senior Vice President
CBRE| Occupier Services
81 S. 9th Street #400 | Minneapolis, MN 55402
T 612 336 4318 | F 612 336 4320
paige.rickert@cbre.com | www.cbre.com/paige.rickert

Deb Mangan

From: liz kinney <lizkinney@gmail.com>
Sent: Tuesday, September 24, 2013 12:02 PM
To: Travis_talvitie@klobuchar.senate.gov
Subject: RNAV flight path changes

As a homeowner in the area affected by the proposed changes to air traffic routes, I am very concerned about the potential increase in airplane noise and all the detrimental effects that it will have. I am sure you are aware of the issues involved and the depth of feeling evoked by them.

I am asking you, as an elected official representing the interests of people who will be negatively impacted if RNAV is adopted in its present form, to advocate for the following:

- Equal distribution of airport noise across all neighborhoods
- Firm noise and air pollution limits including the amount of environmental impact over homes, schools, and parks
- Expansion of alternative airports and regional rail that will alleviate the growth pressure on MSP and spur economic development of greater Minnesota
- Retention of the current flight paths and departure percentages throughout the area

I urge you to work with the neighborhood leaders on these goals and find a way to balance the growth of the airport with the livability of our neighborhoods.

Regards, Liz Kinney



September 19, 2013

TO: List of Addressees

FR: Travis Germundson, Water Management Specialist

PH: (651) 297-4958

RE: Notice of Filing and Public Hearing, Hennepin Conservation District Discontinuance

A petition to discontinue the Hennepin Conservation District has been filed by Hennepin County with the Board of Water and Soil Resources. Copies of the petition and legal notice are attached.

The proposed discontinuance would transfer the duties and authorities of the Hennepin Conservation District to the Hennepin County Board of Commissioners.

The public hearing on the petition will be held on Monday, October 21, 2013, beginning at 7:00 PM in the lunch room at the Plymouth City Hall located at 3400 Plymouth Boulevard in Plymouth.

The purpose of the public hearing is to receive comments on the petition. Prior to the hearing, written comments may be entered into the hearing record by submittal to me at the St. Paul address listed below and received, not postmarked, by 4:00 PM on October 21, 2013. At the hearing, all interested persons will be given opportunity to submit pertinent information. The hearing record will close at the end of the public hearing on October 21, 2013. All information contained in the hearing record will be considered before a decision is made on the petition.

Please contact me if you have any questions.

Attachments (Legal Notice, Petition, List of Addressees)

cc: Board Members: B. Napstad, J. Collins, F. Sleeper, R. Flood, C. Fogarty, J. Ditmore
BWSR: John Jaschke, Steve Woods, Sarah Strommen, Jim Haertel, Brad Wozney



Bemidji	Brainerd	Duluth	Fergus Falls	Mankato	Marshall	New Ulm	Rochester
403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	1601 Minnesota Drive Brainerd, MN 56401 (218) 828-2383	394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	1004 Frontier Drive Fergus Falls, MN 56537 (218) 736-5445	12 Civic Center Plaza Suite 3000B Mankato, MN 56001 (507) 344-2821	1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	261 Highway 15 South New Ulm, MN 56073 (507) 359-6074	3555 9 th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889

Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

List of Addressees
Hennepin Conservation District Discontinuance
Notice of Filing and Public Hearing
September 19, 2013

Hennepin County Board of Commissioners
Hennepin Conservation District
Mayor, City of Bloomington
Mayor, City of Brooklyn Center
Mayor, City of Brooklyn Park
Mayor, City of Champlin
Mayor, City of Chanhassen
Mayor, City of Corcoran
Mayor, City of Crystal
Mayor, City of Dayton
Mayor, City of Deephaven
Mayor, City of Eden Prairie
Mayor, City of Edina
Mayor, City of Excelsior
Mayor, City of Golden Valley
Mayor, City of Greenfield
Mayor, City of Greenwood
Mayor, City of Hanover
Mayor, City of Hopkins
Mayor, City of Independence
Mayor, City of Long Lake
Mayor, City of Loretto
Mayor, City of Maple Grove
Mayor, City of Maple Plain
Mayor, City of Medicine Lake
Mayor, City of Medina
Mayor, City of Minneapolis
Mayor, City of Minnetonka
Mayor, City of Minnetonka Beach
Mayor, City of Minnetrista
Mayor, City of Mound
Mayor, City of New Hope
Mayor, City of Orono
Mayor, City of Osseo
Mayor, City of Plymouth
Mayor, City of Richfield
Mayor, City of Robbinsdale

List of Addressees - continued
Hennepin Conservation District Discontinuance
Notice of Filing and Public Hearing
September 19, 2013

Mayor, City of Rockford
Mayor, City of Rogers
Mayor, City of Shorewood
Mayor, City of Spring Park
Mayor, City of St. Anthony Village
Mayor, City of St. Bonifacius
Mayor, City of St. Louis Park
Mayor, City of Tonka Bay
Mayor, City of Wayzata
Mayor, City of Woodland
Clerk, Town of Hassan
Bassett Creek Watershed Management Commission
Elm Creek Watershed Management Commission
Lower Minnesota River Watershed District
Minnehaha Creek Watershed District
Mississippi Watershed Management Organization
Nine Mile Creek Watershed District
Pioneer-Sarah Creek Watershed Management Commission
Richfield-Bloomington Watershed Management Organization
Riley-Purgatory-Bluff Creek Watershed District
Shingle Creek Watershed Management Commission
West Mississippi Watershed Management Commission
Three Rivers Park District
Carl Michaud, Hennepin County Environmental Services Director
LeAnn Buck, MN Association of Soil and Water Conservation Districts
Judy Sventek, Metropolitan Council

**NOTICE OF FILING AND PUBLIC HEARING
HENNEPIN CONSERVATION DISTRICT DISCONTINUANCE**

**Minnesota Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, Minnesota 55155**

In the matter of the petition for the discontinuance of the Hennepin Conservation District pursuant to the 2013 Laws of Minnesota, Chapter 114, Article 4, Section 96.

Whereas, the subject petition was filed by Hennepin County with the Board of Water and Soil Resources (Board) on September 17, 2013.

Now therefore, the Board hereby issues the following:

NOTICE IS HEREBY GIVEN that a public hearing on the petition will be held on Monday, October 21, 2013, beginning at 7:00 PM at the Plymouth City Hall lunch room, 3400 Plymouth Boulevard, Plymouth, Minnesota.

The purpose of the public hearing is to invite comments on the petition. Written comments will be received by the Board at the address listed above until 4:00 PM on October 21, 2013 and entered into the hearing record. At the hearing, all interested persons will be given opportunity to submit pertinent information. All comments in the hearing record will be considered before a decision is made on the petition.

The proposed discontinuance would transfer the duties and authorities of the Hennepin Conservation District to the Hennepin County Board of Commissioners.

The main purposes of a soil and water conservation district are to deliver the conservation services identified in Minnesota Statutes Chapter 103C.

The Board must review the petition for conformance with state law and rule.

A copy of the petition is available for inspection during normal business hours at the Board's office at the address listed above.

For further information contact Travis Germundson of the Board at 651-297-4958.

Dated in Saint Paul, Minnesota this 18th day of September, 2013.

/s/ Travis Germundson
Water Management Specialist

PETITION

to
DISCONTINUE THE HENNEPIN SOIL and WATER CONSERVATION DISTRICT
and
TRANSFER DUTIES and AUTHORITIES
to the
HENNEPIN COUNTY BOARD of COMMISSIONERS

Whereas, the responsibilities and authorities of the Hennepin Soil and Water Conservation District are consistent with the Hennepin County's mission, vision and overarching goals; and

Whereas, the conservation programs and services identified in Minnesota Statutes Chapter 103C are important for maintaining a healthy and clean environment for the more than one million residents of Hennepin County; and

Whereas, Hennepin County has delivered the conservation services identified in Minnesota Statutes Chapter 103C under county auspices since 2003; and

Whereas, Hennepin County has provided technical services regarding the state cost-share program, Reinvest In Minnesota program and the Wetland Conservation Act pursuant to a cooperative agreement since 2006; and

Whereas, there are 45 municipalities involved in regulating development that affects natural resources in Hennepin County; and

Whereas, there are 12 watershed management organizations in Hennepin County charged with protecting water and land resources; and

Whereas, there have been substantial changes in environmental management and conservation funding in the past ten years; and

Whereas, the Hennepin Soil and Water Conservation District lacks the financial and technical resources to address these complex issues and opportunities; and

Whereas, the Hennepin Soil and Water Conservation District, for the past ten years, has not secured financial resources from other sources to fulfill its programmatic responsibilities; and

Whereas, Hennepin County strives to provide services in an efficient and fiscally responsible way; and

Whereas, it is more efficient and fiscally responsible to provide all conservation services through Hennepin County, which eliminates the costs associated with negotiating and executing cooperative agreements with the Hennepin Soil and Water Conservation District Board of Supervisors as well as the administrative costs associated with maintaining the Hennepin Soil and Water Conservation District Board of Supervisors.

Therefore Be It Resolved, that the Hennepin County Board of Commissioners petitions the Minnesota Board of Water and Soil Resources pursuant to 2013 Laws of Minnesota, Chapter 114, Article 4, Section 96, codified as M.S. 383B.761, for the discontinuance of the Hennepin Soil and Water Conservation District and the transfer of district duties and authorities to the Hennepin County Board of Commissioners.

X James Howland

Joni Bennett

Mary Brindle

Josh Sprague

Kim Swenson

City of Edina Council:

We really enjoy golfing at the Fred Richards Golf Course
each summer,

A possible threat to the future of our summer sports
activity has been reported.

We hope your vision includes the need for our Club of
Seniors Monday mornings at Fred Richards.

We pay taxes, pay the green fees, enjoy Mike's competent
arrangements and appreciate the golfing.

Even when we can't see so good and lose balls, we still
enjoy the fellowship and need the exercise!

Mr. + Mrs. Allen C. Nelson

4351 Parklawn Avenue, #202E

Edina 55435

(952) 835-2845

Your Edina tax payers would like
to hear from you! We are both retired
and enjoy golfing as a couple.



22 September 2013

Dear Edina HRA members,

We attended the HRA meeting last Tuesday evening, and we are very disappointed in the outcome of the vote. We do not think that it speaks well of our city and how it treats people who have been contributing the tax base and Edina residents for many years.

We believe that the City of Edina should treat business owners fairly, using eminent domain only when necessary, and offering proper negotiation and a fair price for private property.

We do not believe that there is sufficient evidence that the City must have the former Hooten Cleaners building immediately to provide sufficient parking, or that the need for additional parking spaces is sufficient reason to force a private citizen to sell their property to the city at an unknown price determined in the "quick take" process.

We do appreciate Mayor Hovland's recommendation to consider more evidence, and his and Mary Brindle's vote against the resolution.

Sincerely,



Joy and Liana Hazucha
4420 Vandervork Ave
Edina, MN 55436



MARK E. MOORE
5152 TIFTON DRIVE
EDINA, MN 55439
OFFICE (952) 564-3808
HOME (952) 947-0752

DATE: September 19, 2013

Mary Brindle
City of Edina
4801 W. 50TH St.
Edina, MN 55424

Re: Proposed Increase in Taxes

Dear Mayor:

The Council has recently approved a levy increase of some \$700,000 annually to cover miscellaneous increases in the cost of running our City.

Your year ending 2012 financial statements which are found on the City of Edina Web Site indicates that you have restricted and unrestricted cash reserves of approximately \$68,000,000. The unrestricted portion alone is approximately \$44,000,000.

Would you please explain to the citizens of Edina why you need an increase in taxes when you have these enormous reserves to draw on? Also, I am tired of hearing that "its only \$24.00 a house". We have had too many increases in our property taxes where the justification is only a certain amount of money per house. They have all added up to substantial increases over the years.

I would appreciate it if you would take some time during the Council meeting to explain publicly the purpose of these huge reserves and why you are not drawing on them to fund the increase in operating expenses of the City.

Thank you,



Mark E. Moore

CC: M. Brindle

Sept 18, 2013

Mayor James Hovland
City of Edina
4801 W. 50th St.
Edina, Minnesota 55424

Dear Mr. Mayor,

Over the past year or so I have frequently engaged you and other City Council members on the Citizens United Supreme Court case and the impact this decision has had on our recent Federal, State and Local campaigns.

During the Legislative session this past winter, we worked closely with Sen. John Marty to get a resolution (SF17) passed in the Senate and we basically ran out of time to get the companion bill (HF276) passed in the House. Chief author Rep. Ray Dehn will be re-introducing this bill when the session restarts in February.

We are urging the Edina City Council to stand behind this bill by either passing your own resolution (as we have suggested before) or to express your support to Rep. Dehn and our local Representative, Ron Erhardt. I enclose a copy of HF 276.

This takes on a new sense of urgency and relevance, for on Oct 8, the Supreme Court will hear a new case (McCutcheon/GOP vs. FEC) that would essentially remove all limits on campaign contributions at all levels. The foundation of the McCutcheon case is Citizens United. I enclose some information about this case.

Several of you have asked for some examples of local relevance for CU and now McCutcheon. It is worth noting that the Franzen/Downey campaigns spent in the range of \$800,000 and the Minneapolis mayor race is projected to be in the \$1,000,000 range. It is not too difficult to imagine the free flow of money into city council elections, school board elections, judicial elections, county boards, etc.

I would hope that you may collectively and individually voice your concern on this issue to our other public officials. Minnesota would join 16 other states that have already passed such resolutions.

Sincerely,



Laird W. Beaver
5624 Melody Lake Drive
Edina, Minn. 55436

Enclosures:

This Document can be made available in alternative formats upon request

State of Minnesota

Printed Page No. 188

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 276

- 01/31/2013 Authored by Dehn, R.; Hornstein; Fischer; Atkins; Nelson and others
The bill was read for the first time and referred to the Committee on Elections
- 03/21/2013 Adoption of Report: Pass and re-referred to the Committee on Civil Law
- 04/02/2013 Adoption of Report: Pass and Read Second Time

1.1 A joint resolution

1.2 requesting that Congress propose a constitutional amendment and, if Congress does
 1.3 not propose an amendment, applying to Congress to call a constitutional convention
 1.4 to propose an amendment clarifying that the rights protected under the Constitution
 1.5 are the rights of natural persons and not the rights of artificial entities and that
 1.6 spending money to influence elections is not speech under the First Amendment.

1.7 WHEREAS, under Article V of the Constitution of the United States, the Congress,
 1.8 whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the
 1.9 Constitution; and

1.10 WHEREAS, under Article V of the Constitution of the United States, the Congress, on
 1.11 the application of the legislatures of two-thirds of the several states, shall call a convention for
 1.12 proposing amendments to the Constitution of the United States that shall be valid to all intents
 1.13 and purposes if ratified by the legislatures of three-fourths of the several states, or by conventions
 1.14 in three-fourths thereof, as one or the other mode of ratification may be proposed by Congress;

1.15 NOW, THEREFORE,

1.16 BE IT RESOLVED by the Legislature of the State of Minnesota that it requests that
 1.17 Congress propose an amendment to the Constitution that shall substantially read as follows:

1.18 "(1) The rights protected by the Constitution of the United States are the rights of natural
 1.19 persons only.

1.20 (2) Artificial entities, such as corporations, limited liability companies, and other entities,
 1.21 established by the laws of any State, the United States, or any foreign state shall have no rights
 1.22 under this Constitution and are subject to regulation by the People, through Federal, State, or
 1.23 local law.

2.1 (3) The privileges of artificial entities shall be determined by the People, through Federal,
2.2 State, or local law, and shall not be construed to be inherent or inalienable.

2.3 (4) Federal, State, and local government shall regulate, limit, or prohibit contributions and
2.4 expenditures, including a candidate's own contributions and expenditures, to ensure that all
2.5 citizens, regardless of their economic status, have access to the political process, and that no
2.6 person gains, as a result of their money, substantially more access or ability to influence in any
2.7 way the election of any candidate for public office or any ballot measure.

2.8 (5) Federal, State, and local government shall require that any permissible contributions
2.9 and expenditures be publicly disclosed.

2.10 (6) The judiciary shall not construe the spending of money to influence elections to be
2.11 speech under the 1st Amendment.

2.12 (7) Nothing contained in this amendment shall be construed to abridge the freedom of
2.13 the press."

2.14 BE IT FURTHER RESOLVED that if Congress does not propose the amendment language
2.15 or substantially similar amendment language as contained in this resolution, the Legislature of the
2.16 State of Minnesota applies to the Congress of the United States to call a constitutional convention
2.17 for the purpose of proposing the amendment language or substantially similar amendment language
2.18 as contained in this resolution as an amendment to the Constitution of the United States; and

2.19 BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota and the
2.20 people of Minnesota demand that if Congress does not propose the amendment language in this
2.21 resolution and if at least two-thirds of state legislatures have applied to Congress to call for a
2.22 constitutional convention to adopt the same or substantially similar constitutional amendment
2.23 language contained in this resolution, then the Congress must exercise its constitutional duty to
2.24 call a constitutional convention, and that the constitutional convention shall be called within six
2.25 months from the date that at least two-thirds of state legislatures have made the same or similar
2.26 application to Congress; and

2.27 BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota calls on other
2.28 states to join with the Legislature of the State of Minnesota in this action by passing the same
2.29 or similar resolutions; and

2.30 BE IT FURTHER RESOLVED that the Secretary of State of Minnesota is directed to
2.31 prepare copies of this resolution and transmit them to the Speaker and the Clerk of the United

- 3.1 States House of Representatives, the President and the Secretary of the United States Senate, the
- 3.2 United States Secretary of State, and Minnesota's Senators and Representatives in Congress.

THE NEW YORKER

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- Main
- How Egypt Will Shake the World »

July 30, 2013

Another Citizens United—but Worse

Posted by *Jeffrey Toobin*

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Think the Supreme Court's decision in *Citizens United* was bad? A worse one may be on the horizon.

To recognize the problem, it's necessary to review some of the Court's gnarled history on the subject of campaign finance. In *Citizens United*, which was decided in 2010, the Court rejected any limits on what a person or corporation (or labor union) could spend on an independent effort to help a candidate win an election. Thus the rise of Super PACs; that's why Sheldon Adelson could spend sixty million dollars to help Mitt Romney in 2012. But, though *Citizens United* deregulated independent expenditures on behalf of candidates, the case said nothing about direct contributions to the candidates themselves.

That's where the new case comes in. Current federal law allows individual donors to give up to two thousand six hundred dollars to any one candidate during a single election. In addition, they can give only an aggregate hundred and twenty-three thousand dollars to candidates, political action committees, and parties over a two-year period. Shaun McCutcheon, an Alabama Republican, wants to give more money to the candidates he supports, so he has sued to invalidate the rules limiting the overall amounts he can give. (Indeed, the patriotically minded McCutcheon wanted to give "\$1,776" to enough candidates to



exceed the current limits on direct contributions.) The Supreme Court will hear his case in the fall, and he has a good chance of winning.

To see why McCutcheon may win, one must examine the strange reasoning that governs the Supreme Court's decisions on campaign finance. In his brief to the Justices, McCutcheon makes an argument that is breathtaking for its candor. He says that when Congress first upheld limits on contributions, in the 1976 case of *Buckley v. Valeo*, the limits on aggregate giving served a useful purpose. Without the ceiling, the Court explained, a person could legally "contribute massive amounts of money to a particular candidate through the use of unearmarked contributions to political committees likely to contribute to that candidate, or [make] huge contributions to the candidate's political party."

But that, McCutcheon points out, was before the days of *Citizens United*. Now, he implies, *Citizens United* has undermined so many of the old rules that they are kind of irrelevant at this point. Indeed, the lower-court judge who considered the McCutcheon case upheld the existing rules but raised the "possibility that *Citizens United* undermined the entire contribution limits scheme."

The reason the contribution levels might be in jeopardy rests on the rationale the Justices now demand for all campaign-finance limits. According to Justice Anthony M. Kennedy's opinion in *Citizens United*, the government's interest in preventing the actuality and appearance of corruption is "limited to quid pro quo corruption." Congress can regulate campaign contributions only to stop contributors from demanding, and receiving, quid pro quos. The Court forbids other justifications for contribution limits—like levelling the playing field. Quid pro quos are, of course, very difficult to prove. So unless the government can prove that the limits on aggregate contributions prevent quid-pro-quo corruption (and how, really, can the government do that?), these rules might fall, too.

Such an outcome is especially likely because the current Court has such an exalted idea of the importance of campaign contributions as a form of individual expression. In other words, money equals speech. The speech of wealthy people is a source of particular, almost poignant concern. As Justice Kennedy wrote, the fact that contributors "may have influence over or access to elected officials does not mean that those officials are corrupt." Indeed, he observed further, "political speech cannot be limited based on a speaker's wealth."

Citizens United was not an aberration for this Court. It emerged from a definite view about the intersection of campaigns and free speech. The Justices in the majority are engaging in a long-term project to deregulate campaigns. A blessing on unlimited aggregate contributions is the next logical step for them to take—and they have five votes.

Illustration by Barry Blitt.

Keywords

- politics

Newsletters

-

This Week: Links to articles and Web-only features in your inbox every Monday.

-

Cartoons: A weekly note from the New Yorker's cartoon editor.

-

Daily: What's new today on newyorker.com.

Deb Mangen

From: Louise Kurzeka <LKURZEKA1@comcast.net>
Sent: Tuesday, September 24, 2013 7:47 PM
To: Edina Mail
Subject: Thank you for your diligence in the freight issue

Dear Mayor Hovland,

I am a lifelong resident of St. Louis Park, having grown up and still living just two blocks from the current MN&S spur line. I have been involved in the issue for several years, actively keeping other members of the Lenox Neighborhood aware of developments in the re-route question. So I am very aware of the positions and actions of several public officials.

I want to thank you for your efforts on the Corridor Management Committee. I am most appreciative that you continue to ask the hard questions and put the voice of reason forth during the meetings. And while your efforts are especially important to myself and my neighbors, I believe the re-route as currently proposed through St. Louis Park is important to our greater metro area.

I am concerned of the political strategies that shelved some of the co-locate options for reasons that also should have shelved the two options for re-routing. I am glad you have your eye on this issue and can see that winnowing down to two more expensive options (tunnel and Brunswick central options vs. co-location at grade relocating the bike path) is not necessarily government acting at it's best and in the interest of the citizenry.

I worry that all this posturing may result in the Brunswick Central as the only default option if down the road a tunnel co-location choice is determined technically impossible. I ask that you continue to keep the people of St. Louis Park in mind and keep the Met Council honest in their actions for all communities on the SWLRT line.

Thank you again, for being a "squeaky wheel."
Regards,

Louise Kurzeka
Everything's Together®
Organization You Can Live With
Celebrating 20 years in business!

Golden Circle Member NAPO, Founding Member and Chapter President NAPO-MN,
Past ICD Teleclass Director (formerly NSGCD)
Member Minnesota Hoarding Task Force
3301 Library Lane

St. Louis Park, MN 55426-4210
(952) 939-8080

Deb Mangen

From: Stephanie Schmidt <sgcina@comcast.net>
Sent: Tuesday, September 24, 2013 11:00 PM
To: Edina Mail
Cc: Peter Schmidt
Subject: Thank you

To Mayor Hovland,

Thank you for all you have done for St. Louis Park regarding the SWLRT/freight collocation vs. reroute issue. We appreciate all of your efforts regarding this issue.

Our sincere thanks,

Stephanie & Peter Schmidt
3741 Glenhurst Ave. So.
St. Louis Park

Deb Mangen

From: Tara Dev <taradev@gmail.com>
Sent: Tuesday, September 24, 2013 4:01 PM
To: Edina Mail; jonibennett12@comcast.net; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com; Cary Teague; Kris Aaker
Subject: INDIAN HILLS NEIGHBORHOOD SUBDIVISION

6609 Blackfoot Pass, Edina, MN 55439

Dear Mr. Mayor and council members & Mr. Teague

I am writing to support the OPPOSITION of the proposed subdivision of 6609 Blackfoot Pass, Indian Hills, EDINA. I had the opportunity to voice my views at the city planning meeting but wanted to reiterate my position once again.

I currently reside at 6804 Cheyenne Trail, just down the road from the proposed subdivision but more importantly, right next door to Mr. Scott Busyn (builder of Great Neighborhood homes) most recent project in our neighborhood at 6808 Cheyenne Trail (entrance on Cheyenne Circle).

When Mr. Busyn approached me to support the variance he requested for the home belonging to Mr Joel Anderson at 6808, We did so in good faith. This lot had been vacant for many years (almost since we purchased our house 7 years ago). It was a beautiful wooded lot and we welcomed a new home fitting of the lot. Though Mr. Busyn has in fact built a lovely home but one that I strongly feel is becoming a trademark of certain builders in Edina, to fill up as much of the lot as possible and build as close to the property line as possible as well. In doing so destroy the innate beauty of Edina's old established neighborhoods, which can only grow with time. We live in an older part of the city with beautiful trees that grace our neighborhoods, winding roadways, privacy and in fact created by previous builders who respected the neighborhood. Homes are staggered next to each other, some higher, some lower, some forward and some setback.

In the preceding year since the house has been completed, we have been greatly disappointed for several reasons which I will list below:

During construction part of our fence was removed that surrounded our pool. In the Spring, when we had to replace the fence at our own expense and we had the pins identified on our property. We realized that in fact the owner had no right removing our existing fence and the the builder had failed to identify the pins for the owners and us the neighbors, thus creating undue tension between us.

In the process of construction, many old trees were taken down and our lot (as are several of the prime lots in Indian hills) has lost all of it's privacy and beauty between the homes. It's not that the lot that Mr. Busyn chose to build on was not big enough, in fact he has built a large home with much yard in front but has sandwiched the house in the back next to ours. We now have direct views to not one but two homes (Cheyenne Circle) as well - into driveways and homes.

The loss of aged trees cannot be replaced and though we have now fenced and replanted at our own expense and a heavy expense I might add as well as having to raise up our property due to the large dip between our two properties that would cause a huge run off during the rains and snow melt. It is deeply saddeing to see Mr. Busyn attempt to ravage another piece of land.

We have lived in 3 different part of Edina. Each neighborhood has it's own unique character and I see this as a larger problem that does not only affect our neighborhood but many of those in the city.

Edina, is a wonderful city, which provides many diverse housing opportunities, for those wishing to buy homes. Edina is known for its old established neighborhoods that have stood the test of time. How terrible is it to destroy the beauty as well as created hazards by proposing huge retaining walls on a virtually unbuildable lot. Blind corner drives which ice over and are sure to cause pause to school buses, young drivers, and children walking around that corner.

I would ask you to truly consider preserving a beautiful plot and give weight to those to are opposed to this subdivision. It is also perhaps time to revisit some of the building codes that do NOT in fact seem to be protecting our neighborhoods.

Sincerely

Tara Dev

--

Tara

email: taradev@gmail.com

cell: 612.227.7711

Deb Mangen

From: Lynn Laaksonen <goldielax@comcast.net>
Sent: Tuesday, September 24, 2013 5:05 PM
To: Edina Mail; jonibennett12@comcast.net; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com; Cary Teague
Subject: oppose subdivision of 6609 Blackfoot Pass

As 36 year residents of 6404 Indian Hills Road my husband and I oppose the subdivision of 6609 Blackfoot Pass.

We moved from Minneapolis to give our children the opportunity to grow up in an area of trees and hills, large yards, and a feeling of being in the country while keeping us near our jobs and the advantages of city life. We found that opportunity in Indian Hills. We have neighbors but there are enough trees and wild area between the houses that we can't see the houses behind us or on either side. Our sons could have a fort in the woods and not leave our yard. We have a swimming pool and most of our neighbors don't even know that it's there. Our yard is frequented by deer (including a 10 point buck), turkeys (up to 23 at one time), birds, ducks, coyotes, fox and even 2 opossum. Our yard was established in 1952/1953 so the white oak, red oak, maple, white pine and other evergreens are large, mature trees that we have an arborist monitor and prune on a yearly basis. We do this to maintain both the value of our property and the value of our property to the neighborhood.

Indian Hills is distinct in that we do have large lots. Some of the neighbors have purchased an adjoining lot to make their property even bigger. We have traditionally opposed subdivision to keep builders from starting the trend of smaller homes or large homes on smaller lots. We see the problems that are causing so much stress in Country Club and we don't want Indian Hills to have to deal with all of those issues. Our neighborhood is made up of large wooded lots with a generous wild area on both sides and to the back of the lot. We don't have homes directly on the street and we don't have fences or retaining walls merely to separate the lots.

As those of us who live on a hill know, drainage issues and erosion are very real concerns. The property at 6609 Blackfoot Pass is a very steep hill with one house proposed at the top of the hill and one house at the bottom of the hill. The lower property appears to be in the drainage area of the upper property. Any fill on the lower property will have a major impact on the existing trees and the ultimate result is the removal of the trees. We also know that changing the elevation of one piece of property always affects the adjoining property and streets. The adjoining properties include those on both Blackfoot Pass and Cheyenne Trail. The impact to the neighborhood regarding the drainage and erosion is well past the property lines of 6609 Blackfoot Pass.

Once you start changing the character of Indian Hills by sticking houses in wherever a builder wants to put one, you can never undo it or stop it from happening again. Once you set the precedence, you will have changed over 60 years of the lifestyle of Indian Hills. This is our neighborhood. Please do not let a builder come in and change the character and lifestyle of our neighborhood.

Kay and Lynn Laaksonen
6404 Indian Hills Road

Deb Mangen

From: james schwender <jdschwender@yahoo.com>
Sent: Tuesday, September 24, 2013 6:49 PM
To: Edina Mail; jonibennett12@comcast.net; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com

Dear City Council Members:

I live on 6700 Cheyenne Trail directly in front to the sub-division in question. I strongly disagree that the builder is making his best effort to leave the property 'in order' with the surrounding neighborhood. If he were there would be no subdivision and a new single family home would be built on the existing property. Many lots in this community, including mine, are of similar size. I think this subdivision effort would have lasting consequences in this part of Edina to set precedence. In addition, there are many mature trees that will need to be sacrificed for his personal gain.

I share all the concerns of my current neighbors in regard to the "real" flood problems that currently occur after heavy rains and the traffic problems. The intersection between Cheyenne trail and Blackfoot pass is already dangerous and by adding two driveways on the existing property will only make this intersection even more dangerous and unsafe for the many children in the area.

Please consider doing everything in your elected power to help our community and not a specific individual
Thank you for your time
James Schwender

Deb Mangen

From: Susan Brunn <sbrunn@me.com>
Sent: Tuesday, September 24, 2013 8:28 PM
To: Edina Mail
Subject: Opposition to the Subdivision of 6609 Blackfoot Pass

Dear Mayor Hovland:

I am writing in opposition to the proposed subdivision of the property at 6609 Blackfoot Pass.

As a 20 year resident of the property at 6601 Blackfoot Pass, I urge the Edina City Council to deny the proposed subdivision in order to maintain the character and integrity of the Indian Hills neighborhood, which is known for its large and spacious lots.

The property in question is a challenging lot at best, and is particularly ill-suited for subdivision. My neighbors and I have a long list of concerns, including such long term questions as water run-off and drainage, what would happen to the many mature trees on the lot, proximity to the adjacent lot/neighbor, and issues regarding how average lot sizes are calculated in our neighborhood.

In my opinion, it does not serve the city of Edina, nor its comprehensive development plan, to begin to chisel away at the few neighborhoods left where relatively large lots are the norm. When so many of the other neighborhoods in Edina are complaining of too-large houses being built on too-small lots, it seems a shame to eliminate these large and very desirable lots from the Edina real estate landscape.

I urge you to vote against this proposed subdivision. Thank you very much for your consideration.

Sincerely,

Susan Harker Brunn
6601 Blackfoot Pass
Edina MN 55439

Deb Mangen

From: deanandmary@aol.com
Sent: Tuesday, September 24, 2013 10:32 PM
To: Edina Mail
Subject: Subdivision of 6609 Blackfoot Pass

Dean and Mary Swanson 6617 Cheyenne Trail

We have lived in our home since 1984. It was the character and charm of the Indian Hills neighborhood that made our jaws drop when we first saw it. There is not a neighborhood like it in all of Edina. Huge, beautiful trees, wild areas of untouched land. Half of our lot is native land, untouched except for the removal of buckthorn.

Our first concern is changing the character of our neighborhood. Following the 500 ft mean will eventually make all the perimeter lots fold in, huge trees removed, and over the years it will look like every other neighborhood, manicured lawns, boulders, etc.

Second, we cannot imagine how the proposed subdividing of 6609 Blackfoot Pass can have proper drainage so as to not affect the neighboring properties and the street. The existing trees and wild growth absorb so much water.

When it rains, the water does collect on the street now. Proper drainage of this lot has to be a huge engineering challenge that one engineer in our neighborhood thinks impossible.

We will all be crying when all the savanaugh oak trees are cut down, over a hundred years old. It appears to the engineer in the neighborhood that 90% of the trees will have to be removed to accommodate all the retaining walls and steep slopes. Dean counted 57 trees on this lot and the builder has not said what will be removed. This lot is STEEP.

The two proposed driveways are on a blind corner that looks unsafe to us.

We beg you not to put us at the forefront of this slippery slope of subdivision that will most certainly be regretted at some future date.

Respectfully,

Dean and Mary Swanson

Deb Mangen

From: Jennifer Rowland <jenniferrowland@comcast.net>
Sent: Wednesday, September 25, 2013 9:14 AM
To: Jackie Hoogenakker
Cc: Edina Mail; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com
Subject: Re: Proposed Blackfoot Pass Lot Subdivision

> To the Edina Planning Commission and City Council Members,

>

> I am writing on behalf of my husband David Rowland and myself to address a proposed subdivision of a recently purchased lot on Blackfoot Pass in the Indian hills neighborhood in which we reside. We have lived in two homes in Edina for most of the past 21 years and we have enjoyed both homes for their unique qualities. Our first home was at 5003 Arden Avenue in the Brucewood neighborhood of Edina. We enjoyed the many amenities of living in close proximity to 50th & France and Arden Park as our children grew up. Our second home in Edina is located at 6605 Dakota Trail. This property includes a second parcel, 6601 Dakota Trail which the previous owners had purchased and combined to create an even larger property in the beautiful Indian Hills neighborhood. We chose this home after learning more about the west side of Edina and came to appreciate the larger lots, beautiful trees and more country-like feel. Although we moved out of the east side of Edina, we had come to learn that the features of the Indian Hills neighborhood met our needs and desires for our current phase of life.

>

> The neighborhood diversity in Edina makes it a stronger community. The distinct characteristics of each neighborhood allows Edina to meet the needs of a variety of people with a variety of needs and desires. The proposed subdivision is inconsistent with the unique characteristics provided in the Indian Hills neighborhood. It would be a mistake to allow this sort of transformation to occur, and it would weaken an important strength of the city of Edina.

>

> Thank you for the consideration of our perspective in this matter.

>

> David and Jennifer Rowland

> 6605 & 6601 Dakota Trail

> Edina, Mn 55439

>

>

Deb Mangen

From: Bert Ledder <Isledder@aol.com>
Sent: Wednesday, September 25, 2013 10:29 AM
To: Edina Mail; jonibennett12@comcast.net; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com; Cary Teague
Subject: Letter for the City Council for October 1st Council Meeting from Pat Kreuziger
Attachments: Pat Kreuziger's Letter.docx

Please include this in the October 1, 2013 City Council Meeting Packet.

Sincerely,

Pat Kreuziger
6709 Cheyenne Trail
Edina, MN 55439

Mayor Jim Hovland and Members of the City Council
From Pat Kreuziger, 6705 Cheyenne Trail
Re: Proposed Subdivision of 6609 Blackfoot Pass
Date: September 25, 2013

As one whose property abuts this Blackfoot Pass property on the south, I have many concerns and unanswered questions.

Four of us neighbors met with Scott Busyn on August 8th at his invitation. The copy of his proposed plat to the City of Edina stated his proposed lot sizes as Lot 1 at 1.32 acres and Lot 2 at .46 acre. He promptly informed us that his surveyor makes a lot of mistakes and those numbers were wrong. They instead should have been 1.07 and .71 respectively. I do not know where those property lines would be and it makes very nervous to have someone building next to me who makes these kinds of mistakes.

I totally agree with the members of the Planning Commission who feel that the 500 foot radius rule isn't fair or correct when you mix neighborhoods that are vastly different.

Safety is an issue on Blackfoot Pass. I have an accident report from 2009 when a car coming southwest on the Pass hit the mailbox at 6700 Cheyenne Trail and a tree on my front lawn across the street. The car was impacted to the point that it could not be driven. It was fortunate that it did not hit a child or other pedestrian. If two driveways are put at 6609 and close to the intersection of Cheyenne Trail it will make an already blind intersection even more dangerous.

If this sub-division were to be granted the character of the neighborhood would **DRASTICALLY** change.

1. Trees that are decades old would be removed.
2. Drainage and water issues would be a significant problem.
3. Noise would become an issue with two homes on the lot, more people, more hard surfaces and fewer trees as a sound buffer.
4. 16 foot retaining walls made from interlocking prefabricated blocks are certainly not characteristic of our beautiful neighborhood.

I could go on and on, but I know you are receiving many letters so I will let others expound on the character.

It greatly concerns me that if a sub-division were granted in Indian Hills it would destroy our historic and unique neighborhood forever. In my opinion, it would be extremely short-sighted to think that a decision to grant sub-division stands alone rather than setting a PRECEDENT. It is my hope that you elected members of the City Council will give this whole matter your deepest concern and act as the Planning Commission did in rejecting this subdivision.

My sincere thanks go to all of you on the Council and I deeply appreciate those of you who took time to come to view the properties in person.

Most respectfully,
Pat Kreuziger

Deb Mangen

From: glmarshall07@comcast.net
Sent: Wednesday, September 25, 2013 11:47 AM
To: Edina Mail; joshsprague@edinarealty.com; swensonann1@gmail.com; Mary Brindle (Comcast); jonibennett12@comcast.net
Subject: Blackfoot Pass Proposed Sub-division

Dear Council Members,

What a disappointment to find out that the neighborhood in which I grew up is being considered for sub-division!
You are faced with a significant choice that will have monumental effects on the future of Indian Hills, the surrounding neighborhoods, and the city of Edina.
I ask that you please vote against the proposed sub-division on Blackfoot Pass.
Thank you!

Laurie Marshall
EHS '84 graduate

Deb Mangen

From: Bert Ledder <lsledger@aol.com>
Sent: Wednesday, September 25, 2013 11:53 AM
To: Edina Mail; jonibennett12@comcast.net; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com
Subject: Letter for Council October 1, 2013 Meeting Packet
Attachments: September 25.docx

Please send this letter to the City Council and include it in with there Council Packet for the Proposed Subdivision of 6609 Blackfoot Pass.

Thank you.
Bert Ledder
6709 Cheyenne Trail
Edina, MN 55439

September 25, 2013

Dr. Charles & Bert Ledder
6709 Cheyenne Trail
Edina, MN 55439

Honorable Mayor Hovland and Edina City Council
The City of Edina
4801 W. 50th Street
Edina, MN 55424

Dear Mayor Hovland and Council Members:

We are writing you to again express our disapproval of the proposed subdivision of 6609 Blackfoot Pass. We believe the Edina City Planning commission had it correct when they voted to not let this property be subdivided and their remarks indicate why.

Indian Hills is a unique area in Edina with its own very distinct characteristics. The hills are a terminal moraine from the Glacier Era and are small stones and sand deposited at the end of the glacier. In living with this land for over 27 years, we know that if disturbed this land washes and becomes a serious and dangerous issue. We experienced this personally in the July 23, 1987 flood when the hill behind us collapsed and the sand, stones and trees washed into the back of our home. We do not have a home behind us, rather we have the parking lot of St. Alban's Church about 100 feet behind our home with a substantial drain at the north end of their property. The much larger pine trees did not fall into our home but were affected. Since then, we have terraced the back yard with the back yard with retaining walls of wooded beams to keep in character with the neighborhood. This has helped but we still have water falls in the spring from melting snow off of the parking lot. The Church property committees as well as we have worked hard to preserve the natural wooded land as any disturbance in it would cause significant harm to our property. This is just a sample of what could potentially happen to a home on the proposed subdivided lot. This "new" lot would not have a 100 foot wooded area for water to soak into. A 16 foot retaining wall of prefabricated interlocking stones does not suit the character of the neighborhood nor would it hold to eliminate the run off from the land 20 feet above.

It is important that you be aware of what can, does and will happen to this property if subdivided. There are significant water and drainage issues that cannot be over looked.

We appreciate your time with this matter and for all that you do for the City.

Sincerely,

Dr. Charles T. Ledder and Bert Ledder

Deb Mangen

From: dusen001@umn.edu
Sent: Wednesday, September 25, 2013 11:58 AM
To: Edina Mail; jonibennett12@comcast.net; joshsprague@edinarealty.com; swensonann1@gmail.com; Mary Brindle
Subject: proposed subdivision of 6605 Blackfoot Pass

Dear Mayor and City Council Members

I received notice of the upcoming City Council meeting to discuss the proposed subdivision of 6609 Blackfoot Pass in Edina. I own and reside in the adjacent property to the north at 6605 Blackfoot Pass and feel there are several compelling reasons to deny the request. The purpose of this letter is to express my concerns and opposition to the subdivision.

The topography of the lot at 6609 Blackfoot Pass is very steep. The current house sits atop the only logical location for a home, with the rest of the terrain at a very steep incline.

The proposed second home would not only require a series of tall retaining walls to hold back the hill, but would sacrifice a beautiful stand of mature oak trees. Moreover, the new homesite is proposed to be located extremely close to the home on Cheyenne Trail, leaving only about 30 feet between the homes.

The homeowner on Cheyenne Trail already suffers from drainage issues whenever there is a heavy rain. The addition of a home closer to her house will only exacerbate those issues. I was at the city planning meeting and the builders only plan to address this concern was to contour the area so as to "push"

the rain water towards Blackfoot Pass. As we do not have sidewalks and sewer drains, I worry that this plan is very short sighted.

Retaining ponds seem to me to be a better idea.

Although the subdivision would result in 2 sizeable lots (1 acre and 0.7 acres respectively), the other homes on Blackfoot Pass are larger and average 0.93 acres (1.02, 2.11 and 0.68 acres). I am aware that city ordinance suggests allowing a minimum lot size of the average for homes in a 500 foot radius of the proposed subdivision. In this situation the 500 foot radius ends up including lots in newer, non-contiguous neighborhoods. Those homes were not part of the original Indian Hills and have a separate identity. If the purpose of this ordinance is to preserve the integrity of neighborhoods, it doesn't make sense to me to use those lots outside of our neighborhood to calculate the minimum lot size.

In summary, I strongly oppose the subdivision of the lot at 6609 Blackfoot Pass. I plan to attend the upcoming City Council meeting. Thank you for your consideration.

Kathryn E Dusenbery MD

Levitt Chair in Radiation Oncology
Head and Associate Professor
University of MN
Minneapolis, MN 55455
academic office 612-626-6146
clinic 612-273-6700
pager 612-899-7199

From: Kathy Frey <kathy.r.frey@gmail.com>
Sent: Wednesday, September 25, 2013 3:58 PM
To: Edina Mail; James Hovland
Subject: Hooten Dry Cleaners

Dear Mayor and city council,

I attended a Senate district meeting last night where I learned about your attempted take over of the Park's property on 49 1/2 Street. I think this behavior is reprehensible. I understand that the vote to do this was not unanimous.

This is underhanded, mean-spirited, and unethical. It is NOT what I expect from a city council from Edina. If we need this property as a city, then offer the family fair market value for it. Do you really want the negative exposure of stealing what is not yours?

I heard that there was a ridiculous offer followed by a better one. If you cannot match what they could do with their property by leasing it, then don't force it away from them via eminent domain. That is being a bully and would be bullyish behavior. See definition of a bully below. Your behavior fits right in.

I understand that the Parks have a son who is currently serving in the United States Air Force as a Lieutenant Colonel. Is this how you show your appreciation of his fine service to our country by attempting to deprive his parents of their hard earned retirement income?

You should be ashamed of yourselves as a council.

Justice Brandeis once said that the greatest disinfectant is sunshine. There are a ton of people who are disgusted with this who are more than willing to shine a light on it for the world to see. Do you really want that for our city?

Undo this mess you created and remember, "Thou shalt not steal".

Katherine Frey
6021 Killarney Lane,
Edina, MN 55436

cell: 952-412-3515

Definition of a bully:

bul·ly¹ (bŭl'ē)

n. pl. **bul·lies**

1. A person who is habitually cruel or overbearing, especially to smaller or weaker people.
2. A hired ruffian; a thug.
3. A pimp.

v. **bul·lied, bul·ly·ing, bul·lies**

v. tr.

1. To treat in an overbearing or intimidating manner. See Synonyms at intimidate.

2. To make (one's way) aggressively.

v. intr.

Deb Mangen

From: Marty Anderson <martyanderson@comcast.net>
Sent: Wednesday, September 25, 2013 9:25 PM
To: Edina Mail
Subject: Reverse the Hooten decision

Dear Joni, Josh and Ann,

I believe if you search your heart, you will realize that your vote to take the Hooten property was unfair and a mistake. But that's ok because we all make mistakes. The question is whether you'll have the courage to admit it and correct it. I believe you will. The Hootens and this city is counting on you to do so. We want to live in a city who respects ALL their citizens and who wants to be proud of its city council.

I pray that you reconsider your vote and seek to change it and correct this error. Thank you for listening and than you for your service.

Sincerely,
Marty Anderson
Edina resident since 1999.

5105 William Avenue
Edina, MN 55436

Deb Mangen

From: Carter Freeman <c27freeman@gmail.com>
Sent: Wednesday, September 25, 2013 10:02 PM
To: Edina Mail
Subject: Edina Sports Dome Support

Dear Mayor Hovland,

I am writing in support of the proposed Edina Sports Dome. This has been too many years in the research and study phase - it is now time. For years we have cobbled together inadequate rental arrangements at inconvenient times throughout various communities around the metro area in order to provide enough green space for our teams to play and compete. I greatly appreciate the support this last initiative has received and I am hopeful that with your leadership we can build this dome.

I have spent my entire life in Edina and am proud of our commitment to excellence in so many areas. It is a special place to live and raise a family.

But all of us involved in athletics know that our community lacks adequate space for our teams. This sports dome will begin to alleviate the exponential demand our athletic fields are encountering. I urge your support of the sports dome in the upcoming vote.

Thank you for your consideration and leadership.

Respectfully,

Carter Freeman
Head Baseball Coach
Edina High School
952-221-1348

Deb Mangen

From: Carter Freeman <c27freeman@gmail.com>
Sent: Wednesday, September 25, 2013 10:02 PM
To: Edina Mail
Subject: Edina Sports Dome Support

Dear Mayor Hovland,

I am writing in support of the proposed Edina Sports Dome. This has been too many years in the research and study phase - it is now time. For years we have cobbled together inadequate rental arrangements at inconvenient times throughout various communities around the metro area in order to provide enough green space for our teams to play and compete. I greatly appreciate the support this last initiative has received and I am hopeful that with your leadership we can build this dome.

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But all of us involved in athletics know that our community lacks adequate space for our teams. This sports dome will begin to alleviate the exponential demand our athletic fields are encountering. I urge your support of the sports dome in the upcoming vote.

Thank you for your consideration and leadership.

Respectfully,

Carter Freeman
Head Baseball Coach
Edina High School
952-221-1348

Deb Mangen

From: Duke Miller, Chelsea A <Chelsea.DukeMiller@edinaschools.org>
Sent: Thursday, September 26, 2013 9:34 AM
To: Edina Mail
Subject: Edina Sports Dome Vote on October 14th

Dear Mayor James Hovland,

I am writing in support of the proposed Edina Sports Dome.

I started out as a student-athlete at Edina, playing lacrosse on city parking lots, and now find myself coaching the very same team that I once played on. As the sport has grown over the last thirteen years, so has the competition level. In order to be able to promote Edina's excellence and continue the ongoing tradition, we need proper space for our teams to practice and play on.

For years the Edina Girls Lacrosse Team has pieced together inadequate rental arrangements at inconvenient times throughout various communities around the metro area in order to provide enough green space for our teams to play and compete. I greatly appreciate the support this last initiative has received and I am hopeful that with your leadership we can build the sports dome.

This sports dome will begin to alleviate the exponential demand our athletic fields are encountering. I urge your support of the sports dome in the upcoming vote.

Thank you for your consideration and leadership.

Respectfully,

Chelsea Duke Miller

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Deb Mangen

From: Tim Budig <tim.budig@ecm-inc.com>
Sent: Wednesday, September 25, 2013 9:39 AM
To: Edina Mail
Subject: media question

Mayor Hovland: My name is Tim Budig and I am the State Capitol reporter for ECM Publishers. We have newspapers in Edina and elsewhere in the metro.

I am trying to put together a story on roundabouts. I believe Edina has several, and I am wondering how they're working out?

Have they reduced the number of traffic accidents?

Do residents like them?

Do you anticipate the city having more?

I have seen you at the State Capitol appearing on behalf of transportation issues, so I know transportation is a big deal for you.

Thanks.