



**To:** MAYOR & COUNCIL

**Agenda Item #:** IX. B.

**From:** Debra Mangen  
City Clerk

**Action**

**Discussion**

**Information**

**Date:** March 5, 2013

**Subject:** Receive Petitions:

1. Todd Emerson Requesting Storm Sewer Improvement
2. Mary Malberg Opposing Closure Of Fred Richards Golf Course
3. Jennifer Janovy Requesting Sidewalk Improvement

**Action Requested:**

Motion receiving:

1. Petition of Todd Emerson requesting storm sewer improvement and referring it to Engineering for processing as to feasibility;
2. Petition of Mary Malberg opposing closure of Fred Richards Golf Course and referring it to Park & Recreation for inclusion in the needs assessment report; and
3. Petition of Jennifer Janovy requesting sidewalk and referring it to Engineering for processing as to feasibility.

**Information / Background:**

On June 21, 2013, Todd Emerson presented a petition to the City requesting a storm sewer improvement at his property located at 5628 Kellogg Place. Also on June 21, 2013, Mary Malberg presented a petition to the City opposing closing of Fred Richards Golf Course. Finally in July 8, 2013, Jennifer Janovy presented a petition requesting sidewalk on the east side of Grimes Avenue from West 42<sup>nd</sup> Street to Inglewood Avenue.

For petition requesting improvements, the normal process is to formally receive the petition and refer it to Engineering for processing as to feasibility. Other petitions are handled individually based on their content.

**Attachment:**

Petitions



The City Council  
City of Edina

# Petition



City of Edina, Minnesota  
**CITY COUNCIL**  
 4801 West 50<sup>th</sup> Street • Edina, Minnesota 55424  
 (952) 927-8861 • (952) 927-7645 FAX • (612) 927-5461 TDD



# PETITION TO THE CITY COUNCIL

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> SIDEWALK               | <input type="checkbox"/> ALLEY PAVING                                    | <input type="checkbox"/> WATER MAIN      |
| <input checked="" type="checkbox"/> STORM SEWER | <input type="checkbox"/> SANITARY SEWER                                  | <input type="checkbox"/> STREET LIGHTING |
| <input type="checkbox"/> CURB AND GUTTER ONLY   | <input type="checkbox"/> PERMANENT STREET SURFACING WITH CURB AND GUTTER | <input type="checkbox"/> OTHER: _____    |

To the Mayor and City Council:

The persons who have signed this petition ask the City Council to consider the improvements listed above to the locations listed below.

See Attachment A between \_\_\_\_\_ and \_\_\_\_\_  
 LOCATION OF IMPROVEMENT BY STREET NAME ADDRESS ADDRESS

\_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_  
 LOCATION OF IMPROVEMENT BY STREET NAME ADDRESS ADDRESS

\_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_  
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\_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_  
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**IMPORTANT NOTE: THE PERSONS WHO HAVE SIGNED THIS PETITION UNDERSTAND THAT THE CITY COUNCIL MAY ASSESS THE COSTS OF THESE IMPROVEMENTS AGAINST THE PROPERTIES BENEFITING FROM THE IMPROVEMENTS IN AMOUNTS DETERMINED BY THE COUNCIL AS AUTHORIZED BY CHAPTER 429, MINNESOTA STATUTES.**

PROPERTY OWNER'S SIGNATURE	OWNER'S NAME (PRINTED)	PROPERTY ADDRESS (PRINTED)
	Todd Emerson	5628 Kellogg Place
	Audra M.O. Emerson	5628 Kellogg Place
_____	_____	_____
_____	_____	_____

This petition was circulated by:

<u>Todd Emerson</u>	<u>5628 Kellogg Place</u>	<u>952-303-4270</u>
NAME	ADDRESS	PHONE

There is space for more signatures on the back.

## ATTACHMENT A

### **Situation**

Being at the lowest point in the neighborhood, all of the rainfall runoff and snowmelt washes into the SE corner of our backyard at 5628 Kellogg Place. We receive direct runoff from 5620 Kellogg Place, 5617 Oaklawn Ave., 9 Woodland Road, the adjacent parcel with the unassigned address and 25 Woodland Road. *See Attachment B.* And given the slope in the yards on the block, there is obviously indirect runoff from the rest of the neighborhood as well.

Erosion and new construction around our home since it was built in 1951 have contributed to changing runoff patterns in the neighborhood and ultimately put the entire drainage burden on our property.

### **Remedy**

In the summer of 2011 we engaged a professional landscaper and ultimately spent \$20,000 in part to re-grade our backyard, install new sod, remove numerous trees to increase exposure to sunlight and install a 1200-1500 gallon rain garden to remedy the runoff from the neighborhood. As part of the permitting process, City of Edina engineers advised us on the solution, size and capacity.

### **Result**

The rain garden has proved inadequate to handle all of the neighborhood runoff. In 2011 and 2012 the rain garden would routinely fill up during consecutive days of rain or rainfalls of ½” or more. And standing water would remain for sometimes weeks at a time. The spring of 2013 has been the worst yet. The rain garden swelled well beyond capacity several times and has been full of standing water since the snow melted in April – unable to dry out despite the use of a utility pump almost daily. *See Attachments C-F.*

### **Consequences**

Not only is the standing water unsightly, but the smell is awful and it promotes the breeding of mosquitoes. As a result, we are virtually unable to use our backyard.

### **Proposal**

We submit that this drainage issue is a basic responsibility of the city’s and propose that the City of Edina install a storm drain at the problem location to accommodate all of the runoff from the Woodland Road, Oaklawn Avenue and Kellogg Place properties.

### **Precise location(s) of the requested improvements**

SE Corner of the backyard of 5628 Kellogg Place as well as adjacent parcels to the south

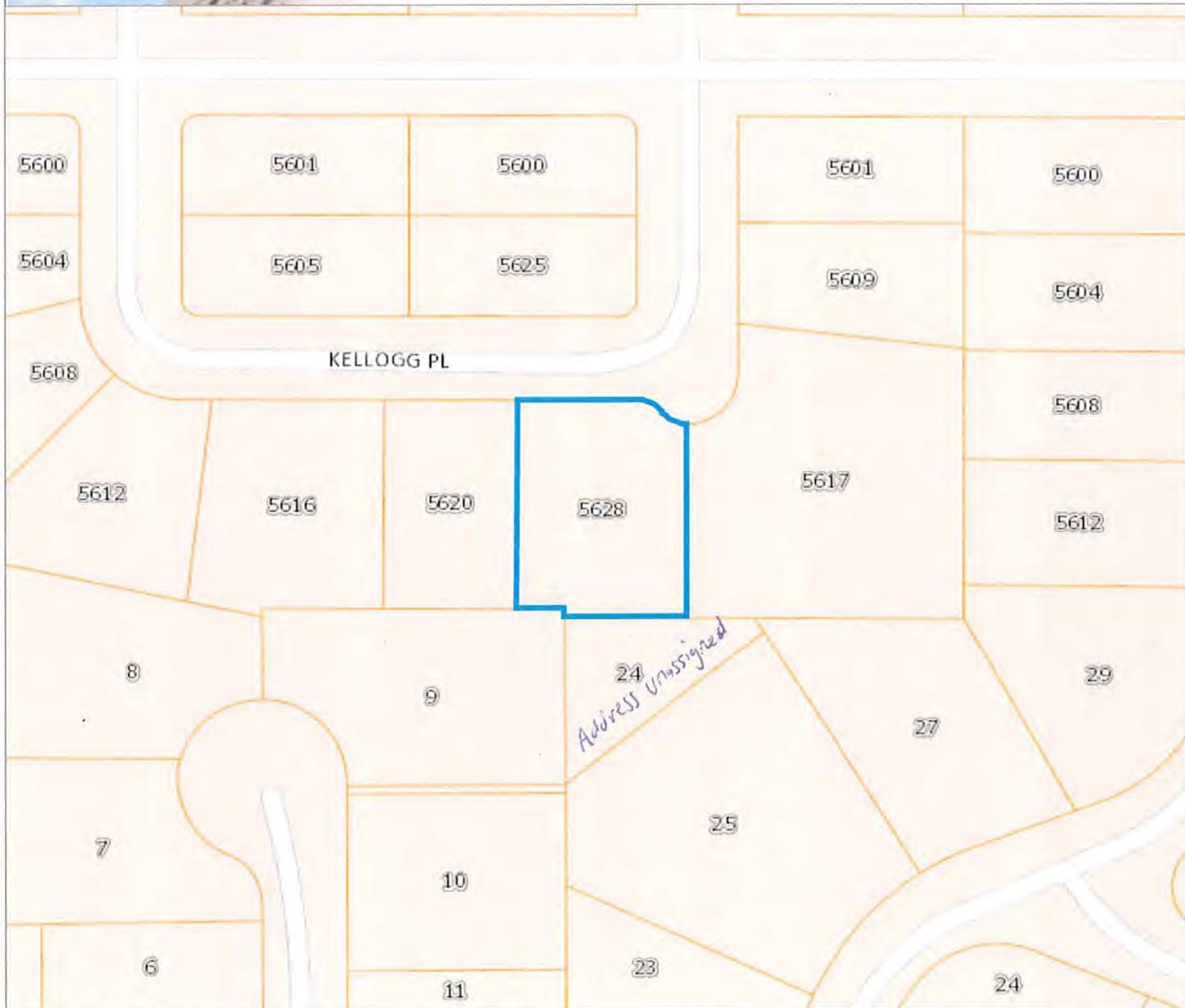
### **Petitioners**

None of the neighboring residents have been asked to sign this petition. It is our understanding that they were unwilling to cooperate when approached by the prior owners of our home. Without city intervention, this problem falls on us and us alone. There is no incentive for the neighboring residents to seek a solution because all of the standing water ends up in our yard.



Interactive Maps

# Property Map



<b>Parcel ID:</b> 19-028-24-13-0064	<b>A-T-B:</b> Torrens	Map Scale: 1" ≈ 100 ft. Print Date: 6/19/2013
<b>Owner Name:</b> Todd S & Audra M O Emerson	<b>Market Total:</b> \$424,600	
<b>Parcel Address:</b> 5628 Kellogg Pl Edina, MN 55424	<b>Tax Total:</b> \$6,805.48 (Payable: 2013)	
<b>Property Type:</b> Residential	<b>Sale Price:</b> \$403,000	
<b>Home-stead:</b> Homestead	<b>Sale Date:</b> 02/2010	This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.
<b>Parcel Area:</b> 0.29 acres 12,599 sq ft	<b>Sale Code:</b> Warranty Deed	COPYRIGHT © HENNEPIN COUNTY 2013



ATTACHMENT C



ATTACHMENT D



ATTACHMENT E





**MARY E. MALBERG**  
**4235 SCOTT TERRACE, EDINA, MN 55416**  
**952-922-5810**

**DATE JUNE 20, 2013**

**TO: MAYOR HOVLAND**

**AND THE EDINA CITY COUNCIL**

**PETITION OPPOSING CLOSING  
OF FRED RICHARDS GOLF COURSE  
IN EDINA**

**WE ARE ALL MEMBERS OF A GOLF GROUP CALLED THE ONE PUTT LADIES. WE ARE 27 MEMBERS STRONG AND HAVE BEEN PLAYING GOLF EVERY WEDNESDAY EVENING AT FRED RICHARDS GOLF COURSE FOR 13 YEARS. ON ANY GIVEN WEDNESDAY, UP TO 16 OF US PLAY GOLF AT FRED RICHARDS. WE LOVE THE COURSE AND HAVE EXPERIENCED WONDERFUL ACCOMMODATIONS THROUGH MIKE BERTRAND AND HIS ENTIRE STAFF FOR ALL THOSE YEARS. FRED RICHARDS IS BASICALLY OUR "GOLF HOME".**

**WE ABSOLUTELY AND TOTALLY OPPOSE THE CLOSING OF THE FRED RICHARDS GOLF COURSE!!!! TO CLOSE IT WOULD BE A DISSERVICE TO ALL EDINA RESIDENTS (AND OTHERS) WHO ENJOY THEIR GOLFING EXPERIENCE AT FRED RICHARDS.**

**WE UNANIMOUSLY SIGN THIS PETITION IN OPPOSITION TO  
THE CLOSING OF FRED RICHARDS.**

Mary E. Malberg  
Linda R. Malberg  
Gym Collman  
Gloria Rosenthal  
Cil Meints  
Jane Pearson  
Kecaren Petrus  
Maurice Macdonald  
Jane Goodall Roberts  
Zella Akard  
Caryn Hartman  
Sandy Parsley  
Lou Flaherty  
Sherry McNeil  
Mary Killip (Ed. Warwick)  
Barbara J. Stein  
Nancy J. Weston  
Denise Anderson

Mary E. Malberg  
Carl Hill  
Fatty Quick

**SIGNED:**

Mary E. Malberg

**MARY E. MALBERG**

**FOUNDER OF THE ONE PUTT  
LADIES**



To: Edina City Council

From: Jennifer Janovy

Re: Petition for sidewalk on Grimes Avenue, from W. 42<sup>nd</sup> Street to Inglewood Avenue

Date: July 8, 2013

Dear Mayor Hovland and Council Members:

Attached petition for a sidewalk on the east side of Grimes Avenue, from W. 42<sup>nd</sup> Street to Inglewood Avenue.

The sidewalk was identified in the Northeast Edina Transportation Study and included among the recommendations approved by the City Council in 2008.

Grimes Avenue is a local road with an average daily volume of 1264 vehicles and 30.7 mph 85<sup>th</sup>% speed (2005 data). Parking is allowed on both sides.

There is year around pedestrian and bicyclist traffic on this section of Grimes. Although the primary bike route is shown on France Avenue, Grimes appears to be a preferred bike route for both recreational and commuter cyclists.

The street runs along the west side of Weber Park; the parking lot entrance is on Grimes.

The street also runs along two schools (Golden Years Montessori and Calvin Christian). School traffic and parking cause congestion that can make it challenging for pedestrians and cyclists.

The City plans to construct a sidewalk on the north side of W. 42<sup>nd</sup> Street, between France Avenue and Grimes Avenue, next summer (2014). If possible, the sidewalk may be extended to the City border with St. Louis Park. The Grimes sidewalk could be constructed at the same time.

Thank you for your consideration of this sidewalk. Please let me know if you have any questions.

A handwritten signature in blue ink, appearing to read "Jennifer Janovy".



To: Edina City Council

From: Jennifer Janovy

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To the Mayor and City Council:

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East side of Grimes along Weber Park between 42nd and Inglewood  
 LOCATION OF IMPROVEMENT BY STREET NAME ADDRESS ADDRESS

\_\_\_\_\_  
 LOCATION OF IMPROVEMENT BY STREET NAME ADDRESS ADDRESS

\_\_\_\_\_  
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PROPERTY OWNER'S SIGNATURE	OWNER'S NAME (PRINTED)	PROPERTY ADDRESS (PRINTED)
<u>Mike Platteter</u>	<u>Mike Platteter</u>	<u>4304 Brownsow St.</u>
<u>Mab Nulty</u>	<u>Mab Nulty</u>	<u>4212 W 42 ST</u>
<u>Calvin Chr. School</u>	<u>Jim DeYoung / Jim DeYoung</u>	<u>4015 Inglewood Ave. S.</u>
<u>Elizabeth Genovese</u>	<u>Eliz. Genovese</u>	<u>4012 Monterey Ave</u>
<u>Kay Johnson</u>	<u>Kay Johnson</u>	<u>4211 Oakdale Ave. S.</u>

This petition was circulated by:

Jennifer Janovy 4016 Inglewood 952-920-4373  
 NAME ADDRESS PHONE

There is space for more signatures on the back.





