

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
FEBRUARY 17, 1998 - 7:00 P.M.**

**ROLLCALL** Answering rollcall were Members Faust, Hovland, Kelly, Maetzold, and Mayor Smith.

**CONSENT AGENDA ITEMS APPROVED** Motion made by Member Maetzold and seconded by Member Faust to approve and adopt the Consent Agenda as presented with the exception of Agenda Items III.B. Well Repair for Three City Wells, IV.G. State Aid Variance Request for West 78<sup>th</sup> Street and IV.H. State Aid Route Designations.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

**\*MINUTES OF THE REGULAR MEETING OF FEBRUARY 2, 1998, AND SPECIAL MEETING OF FEBRUARY 2, 1998, APPROVED** Motion made by Member Maetzold and seconded by Member Faust approving the minutes of the Regular Meeting of February 2, 1998, and Special Meeting of February 2, 1998.

Motion carried on rollcall vote - five ayes.

**ORDINANCE NO. 850-13 ADOPTED REZONING PROPERTY FROM R-1 TO PSR-4, COMPREHENSIVE PLAN AMENDED FROM QUASI-PUBLIC TO MULTI-FAMILY RESIDENTIAL** Affidavits of Notice were presented, approved and ordered placed on file.

Planner Larsen noted the City Council granted preliminary rezoning approval and preliminary approval of a Comprehensive Plan amendment changing the land use designation on November 17, 1997 for the site of the former Lutheran Church of the Master. The site is located at the intersection of France Avenue and Hazelton Road. The subject property is 4.18 acres in area and developed as a church. The proposed re-development would construct a 93-unit senior citizen assisted living residence.

Planner Larsen reviewed changes in the final plan made by the proponent in response to issues raised at preliminary review.

- *Conservation Restriction:* The developers would accept a 50 foot "No Build" Conservation Restriction along the westerly edge of the site bordering Lynmar Lane.
- *Berm:* The berm has been extended the entire length of the property. In design it will be an undulating berm between three and five feet in height and heavily landscaped.
- *Pond:* The wet pond has been eliminated and a dry storm water ponding area designated. The ponding area is designed to handle a 100 year storm event.
- *Traffic:* The only site access will be on Hazelton Road. The proponents intend to construct sidewalk along W 72<sup>nd</sup> Street and Hazleton Road connecting to France Avenue. However, no sidewalk is planned for Lynmar Lane.

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- *Service Area:* The service area remains on the northwest corner of the building. It is oriented away from the residential neighborhood and screened by a “wing” wall of the building and landscaping.
- *Lighting:* The lighting has been located and designed to shine down on the parking lot and not to wash off the site.

Planner Larsen added that along with the above noted changes the proponents had moved the entire building and parking lot thirty feet easterly towards France Avenue. He stated the landscaping plan exceeds Edina Code requirements. Planner Larsen informed Council the Planning Commission recommends Final Rezoning approval and Amendment of the Comprehensive Plan from Quasi-Public to Multi-Family Residential with the condition of a fifty foot “No Build” conservation restriction along the westerly property line.

Mayor Smith asked about the potential sidewalk on the east side of Lynmar Lane. Planner Larsen noted some Planning Commission members had raised this issue, however, neither staff nor the Lynmar Lane neighbors support sidewalks.

Member Kelly asked if the proposed conservation restriction will be recordable to run with the property. Planner Larsen replied there are two types of conservation restriction, one is described as “no touch” meaning the land must be left in its natural state. The second, is a “no build” meaning that the land may be landscaped and maintained, however, no structures may be built within it. Both types of conservation restrictions may be recorded against the property. The conservation restriction on the subject property will be the “No Build” version.

Member Maetzold questioned the lender’s concern regarding the conservation restriction. Planner Larsen answered the lender is now satisfied and the conservation restriction.

Member Faust asked how landscaping will be handled for the dry pond. Planner Larsen explained the dry pond will be a low grassy area maintained by the proponent.

Member Hovland asked if the City Attorney had reviewed the proposed conservation restriction and if the proposed dry pond had a significant enough change in elevation to be used. Attorney Gilligan explained he had prepared the conservation restriction document. Planner Larsen answered that a dry pond does not need a large elevation change because it is designed to be a temporary holding area. The proposed dry pond’s area has been calculated to temporarily hold storm water from a 100 year event.

Mayor Smith noted the existing site does not have any ponding area so the proposed dry pond will be an improvement.

Member Hovland asked the reason for the undulation of the berm, if the trees proposed for the westerly side of the site were coniferous, and the proposed height of the trees on the west side of the site. Planner Larsen explained the berm is planned to undulate because of aesthetics, and that he believed the majority of trees for the west edge of the site are coniferous and to be six to twelve feet in height.

Member Faust asked the developer what the proposed rates for the assisted living center are. Michael Concilla, representing Karrington, Inc., replied that final rates had not been established, but he estimated rates would be between \$70.00 and \$125.00 per day.

Public Comment

Mark Sullivan, 7128 Lynmar Lane, informed the Council the neighborhood is as close to giving the project its full support as is possible. Mr. Sullivan commended both Karrington and Opus, especially Mike Concilla for responsiveness to the neighborhood. He added the City staff, Planning Commission and City Council have all been extremely helpful. The neighborhood group appreciates the efforts of everyone involved in resolving the concerns.

Diane Martins, 7112 Bristol Boulevard, stated she wanted to publicly thank all the members of the neighborhood who participated in the process. Ms. Martins added she believes the West 72<sup>nd</sup> Street sidewalk should be extended all the way from France to Cornelia Drive. Mayor Smith noted that staff will send Ms. Martins a petition that may be used to petition a sidewalk improvement in her neighborhood.

Bob Rofidal, 7125 Bristol Boulevard, thanked all people involved in the project for their participation. He asked for clarification if the "No Build" conservation restriction meant the developer could put a parking lot on in the restricted area. Planner Larsen responded that a "No Build" conservation restriction could not have any structure in it. This includes parking lots.

**Member Hovland made a motion granting second reading to Ordinance No. 850-A13 conditioned upon Karrington Health Inc.'s and Opus National LLC's, agreement to the 50 foot "No Build" easement on the west edge of the site adjacent to Lynmar Lane as follows:**

**ORDINANCE NO. 850-A13**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE (NO. 850)  
BY REZONING PROPERTY TO PLANNED RESIDENCE DISTRICT (PSR-4)  
FROM SINGLE DWELLING UNIT DISTRICT (R-1)**

**THE CITY COUNCIL OF THE CITY OF EDINA, MINNESOTA, ORDAINS:**

**Section 1. Subsection 850.06 of Section 850 of the Edina City Code is amended by adding the following thereto:**

**"The extent of the Planned Residence District (PSR-4) is enlarged by the addition of the following property:**

**Lot 1, Block 8, STOW'S EDGEMOOR ADDITION, except that part lying East of a line parallel with and 50 feet Westerly of the East line of Section 31, Township 28, Range 24, according to the plat thereof on file or of record in the office of the Registrar of Title in and for Hennepin County, Minnesota.**

**The extent of the Single Dwelling Unit District (R-1) is reduced by removing the property described above from the Planned Office District."**

**Section 2. This ordinance shall be in full force and effect upon its passage and publication.**

**Passed and adopted this 17<sup>th</sup> day of February, 1998.**

Member Maetzold seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

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Ordinance adopted.

**Member Hovland introduced the following resolution and moved its adoption approving an amendment to the City of Edina's Comprehensive Plan as follows:**

**RESOLUTION AMENDING COMPREHENSIVE PLAN**

**BE IT RESOLVED by the City Council of the City of Edina, Minnesota, that the Comprehensive Plan of the City be amended by changing the designation for the property located at 7128 France Avenue on the 1980 City Land Use Map from Quasi-Public to Multi-family Residential. Member Maetzold seconded the motion.**

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Resolution adopted.

**FINAL DEVELOPMENT PLAN APPROVED, GUARDIAN SAVINGS, 6950 XERXES AVENUE** Affidavits of Notice were presented, approved and ordered placed on file.

Planner Larsen explained the subject property is zoned Planned Commercial District, PCD-3, and is developed with a 33,300 square foot indoor tennis facility. Total site area is 68,012 square feet. The proposed Final Development Plan contemplated razing the existing building and redeveloping the site with a two building, 12,150 square foot retail project. The proposed bank and retail strip mall are allowed uses in the PCD-3 district.

Planner Larsen stated the proposed buildings would share the same architecture and exterior finish materials. Both buildings would be finished with a brick veneer and stone masonry accents. As proposed the redeveloped site would require only one variance. The service drive on the north side of the building maintains an 8.5 foot set back where the code requires a ten foot set back.

Planner Larsen noted roof drainage from the north one-half of the existing building flows northerly to the adjacent parking lot. The proposed plan would continue this drainage pattern. The City Engineer recommends that catch basins be installed and that storm water be piped to the system in Xerxes Avenue.

Planner Larsen added since the property is on the Edina and Richfield border, Richfield had been informed of the proposal and no adverse responses had been received. He continued stating the Planning Commission recommends approval of Final Development Plan with the variance.

Mayor Smith asked about the possibility of a future request for a drive through, since the site is so tightly developed. Planner Larsen replied no request for a drive through has been received. In the future the Council would have the opportunity to review and approve or deny the request.

Member Hovland asked about if a lighting plan had been submitted, what property borders the subject site to the north, and about retail deliveries to the shops. Planner Larsen responded that reviewing a lighting plan would be a technical responsibility of the staff and

to the north of the subject site there is a parking lot. He further explained Edina has no code requirements about deliveries being accepted in either the front or rear in a retail center. In many cases small retail shops accept deliveries through the front door.

Member Faust asked if an eight and one half foot drive aisle in the rear would be adequate. Planner Larsen answered that the drive aisle is twelve feet and the requested variance is eight and one half feet.

Member Maetzold asked about the westerly curb cut to the site and its limited separation from the existing Walgreens. Planner Larsen acknowledged the proximity, but noted the curb cut is the same as what exists today.

Member Faust questioned whether it is short sighted to allow a bank to be built without a drive through.

Tom Lincoln of BRW introduced Brent Veazey of Guardian Savings and Loan. Mr. Veazey explained that Guardian is not a bank, but a savings and loan so they will not require a drive through or ATM. He estimated Guardian will have approximately five transactions per hour during normal business hours. Mr. Veazey added that retailers may put in rear doors and receive their deliveries from the rear drive aisle if they desire. He stated Guardian will work to meet all lighting requirements and ensure no lighting washes into the residential neighborhood to the east.

Mr. Veazey informed the Council of Guardian's intent to save several large trees existing on the eastern side of the site and to add new trees such as twelve foot Black Hills spruces and ten foot Colorado spruces.

Member Faust noted the existing site drops rapidly to the north and asked what will happen with the redevelopment, also what is proposed for trash. Mr. Lincoln explained that after demolition the site will be balanced with the final height of the new retail center approximately fifteen feet one inch. He added that the trash is planned for the northwest corner in an enclosed area.

Mr. Veazey stated Guardian hopes to house three to four small stores.

Mayor Smith noted the concern about lighting wash and additional landscaping should be conditions of the approval. Mr. Veazey stated Guardian wants to work with Edina to satisfy all concerns. This building will be their headquarters and Guardian intends to be a good neighbor.

**Member Maetzold introduced the following resolution and moved its adoption:**

**RESOLUTION APPROVING**

**FINAL DEVELOPMENT PLAN**

**FOR GUARDIAN SAVING AND LOAN**

**BE IT RESOLVED BY THE EDINA CITY COUNCIL of the City of Edina, Minnesota, that the Final Development plan dated January 14, 1998, with comments from the City of Edina**

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dated January 28, 1998, for Guardian Savings and Loan at 6950 Xerxes Avenue, presented at the regular meeting of the City Council on February 17, 1998, be and is hereby approved with the following two conditions: 1) the lighting plan is to receive approval from the City of Edina and 2) Additional landscaping shall be added to the eastern edge of the site as directed by the City of Edina.

Passed and adopted this 17<sup>th</sup> day of February, 1998. Member Faust seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Resolution adopted.

**\*HEARING DATE SET OF MARCH 2, 1998, FOR PLANNING MATTER** Motion made by Member Maetzold and seconded by Member Faust setting March 2, 1998, as hearing date for following planning matter:

**1. Community Development Block Grant for 1998.**

Motion carried on rollcall vote - five ayes.

**\*BID AWARDED FOR TRAFFIC SIGNALS FOR 78<sup>TH</sup> STREET AT CAHILL ROAD AND CECILIA CIRCLE/DELANEY BOULEVARD** Member Maetzold made a motion seconded by Member Faust for award of bid for traffic signals for 78<sup>th</sup> Street at Cahill Road and Cecilia Circle/Delaney Boulevard to be funded through state aid and the developer, DPS, to recommended low bidder, at \$163,075.00.

Motion carried on rollcall vote - five ayes.

**AWARD OF BID FOR WELL REPAIR FOR THREE CITY WELLS** Member Hovland asked the award of bid for well repair at three City wells be removed from the Consent Agenda to inquire whether the repair will alleviate rusty water in some areas of Edina. Engineer Hoffman said the repairs planned are for general overhaul and renovation of the wells and would not change the water quality. **Member Hovland made a motion for award of bid for well repair for three City wells to recommended low bidder, Cahoy, Inc., at \$43,251.00.** Member Faust seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

**\*TRAFFIC SAFETY STAFF REPORT OF FEBRUARY 3, 1998, APPROVED** Motion made by Member Maetzold and seconded by Member Faust approving Section A of the Traffic Safety Staff Report of February 3, 1998:

1. Installation of a "Yield" sign for westbound West 61<sup>st</sup> at Chowen Avenue;
2. Highlight signs with "Do Not Block Intersection" and add STOP bars to the intersection of Edina Industrial Boulevard and Metro Boulevard;

and to acknowledge no action in Sections B and C.

Motion carried on rollcall vote - five ayes.

**\*RESOLUTION APPROVED AUTHORIZING 1998 HENNEPIN COUNTY RECYCLING GRANT** Member Maetzold introduced the following resolution, seconded by Member Faust:

RESOLUTION AUTHORIZING CITY

**TO ENTER INTO 1998 MUNICIPAL RECYCLING  
GRANT AGREEMENT WITH HENNEPIN COUNTY**

WHEREAS, the City of Edina operates a recycling program consistent with Minnesota Statutes, 115A.02 and 115A.03, as amended by the Laws of Minnesota 1992, Chapter 685, and Minnesota Statutes 473.8011; and

WHEREAS, the Edina Recycling Program is consistent with the Office of Environmental Assistance Solid Waste Management Development guide/Policy Plan, the Hennepin County Solid Waste Master Plan; and Hennepin County's Residential Recycling Funding Policy; and

WHEREAS, the Hennepin County Board has adopted a Resolution authorizing funding for Municipal Recycling Programs.

NOW, THEREFORE, BE IT RESOLVED, by the Edina City Council that the Mayor and the City Manager to enter into an Agreement with Hennepin County to accept funding for the Edina Recycling Program.

ADOPTED this 17<sup>th</sup> day of February 1998.

Motion carried on rollcall vote - five ayes.

\*RESOLUTION ADOPTED APPROVING SUBMISSION OF TOBACCO FREE COMMUNITY GRANT Member Maetzold introduced the following resolution, seconded by Member Faust:

**RESOLUTION AUTHORIZING CITY TO ENTER INTO  
A TOBACCO FREE COMMUNITIES GRANT CONTRACT WITH  
THE MINNESOTA DEPARTMENT OF HEALTH**

WHEREAS, the Edina City Council is the Community Health Board for the City of Edina; and

WHEREAS, the Edina Community Health Board has been active in reducing tobacco usage by youth in our community; and

WHEREAS, the Minnesota Department of Health is authorized by Minnesota Statutes 145.14, Subd. 3 to award special grants to community health boards to conduct community-wide programs to prevent tobacco use; and

WHEREAS, the Edina Health Department has applied for a special grant for the purpose of conducting community-wide programs to prevent tobacco use in the community of Edina.

NOW, THEREFORE, BE IT RESOLVED by the Edina Community Health Board that the Community Health Administrator be authorized to enter into a contract with the Minnesota Department of Health to accept funding for the Tobacco Free Communities for Children Grant.

ADOPTED this 17<sup>th</sup> day of February, 1998.

Motion carried on rollcall vote - five ayes.

\*RESOLUTION APPROVED SETTING MARCH 2, 1998, AS HEARING DATE FOR RECEIVING FEASIBILITY REPORTS AND SETTING PUBLIC IMPROVEMENTS AT; FRANCE AVENUE AT CROSSTOWN 62 IMPROVEMENT NO. BA-316, AND WEST 77<sup>TH</sup> STREET AT TH 100, IMPROVEMENT NO. BA-315 Member Maetzold introduced the following resolution, seconded by Member Faust:

**RESOLUTION RECEIVING REPORTS AND CALLING FOR HEARING  
ON IMPROVEMENTS**

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WHEREAS, feasibility reports have been prepared by the City Engineer with reference to the improvements known as the France Avenue at Crosstown 62 improvement No BA-316 and West 77<sup>th</sup> Street at TH 100, improvement No. BA-315 and received by the City Council on February 17, 1998, and

WHEREAS, the improvements are found to be feasible and necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EDINA, MINNESOTA:

1. The Council will consider the aforementioned improvements in accordance with the reports and the assessment of abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated cost of the improvement:
  - a) France Avenue at Crosstown 62 estimated at \$700,000.00, and
  - b) West 77<sup>th</sup> Street at TH 100 estimated at \$1,150,600.00
2. A public hearing shall be held on such proposed improvements on the 2nd day of March, 1998, in the Council Chambers of City Hall at 7:00 P.M. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

Motion carried on rollcall vote - five ayes.

\*ANNUAL BRIDGE INSPECTION REPORT RECEIPT ACKNOWLEDGED Member Maetzold made a motion seconded by Member Faust, acknowledging the Annual Bridge Inspection Certification Report as presented.

Motion carried on rollcall vote - five ayes.

RESOLUTION APPROVING MN/DOT COOPERATIVE SIGNAL AGREEMENT FOR VALLEY VIEW ROAD AND HIGHWAY 169

Engineer Hoffman explained at the March 4, 1996, Council meeting, traffic signal plans for Valley View Road and Highway 169 were approved, subject to the City's local share being state-aid. The state is ready to construct the signals and submitted the cooperative agreement for the project. The City pays for a portion of the project based on standard Mn/DOT policy for construction. Staff agrees the appropriate project splits have been applied. The total estimated project cost would be \$307,260.00. Edina's share would be estimated at \$146,812.50 and funded through our state-aid allocation.

Staff recommends approval of the cooperative agreement with Mn/DOT for the 78<sup>th</sup>/Braemar program as reviewed by the Council previously.

Following a brief Council discussion, Member Kelly introduced the following Resolution and moved adoption:

**RESOLUTION**

BE IT RESOLVED that the City of Edina enter into an agreement with the State of Minnesota, Department of Transportation for the following purposes, to wit:

To install new traffic control signals with street lights, emergency vehicle pre-emption and signing on Trunk Highway No. 169 West and East Ramps at Valley View Road; revise the existing traffic control signal with street lights on Valley View Road at Washington Avenue; and install interconnect on Valley View Road from Trunk Highway No. 169 East Ramps to Washington Avenue in accordance

with the terms and conditions set forth and contained in Agreement No. 74805, a copy of which was before the Council.

**IT IS FURTHER RESOLVED** that the Mayor and the Manager are authorized to execute the Agreement.

**Passed this 17<sup>th</sup> day of February, 1998.** Member Maetzold seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Resolution approved.

**RESOLUTION APPROVING STATE AID VARIANCE REQUEST FOR WEST 78<sup>TH</sup>**

**STREET** Member Hovland asked this item be removed from the consent agenda for clarification. Engineer Hoffman explained staff had requested a resolution to construct lane widths on West 78<sup>th</sup> Street to 3.3 meters (11') versus 3.6 meters (12') through the state-aid variance process. A portion of West 78<sup>th</sup> Street from Glasgow Drive west to the City border (just west of Gleason Road) has a 40 mph speed limit. The projected traffic and existing speed limit, the geometric standard for a lane width is 3.6 meters or approximately 12 feet. During the reconstruction project of West 78<sup>th</sup> Street, with Bloomington and DPS, it has been determined a lack of adequate right-of-way to construct the 12 foot lanes does not exist.

Engineer Hoffman continued the portion of the project east of Glasgow Drive to the railroad bridge requires only 11 foot lanes and does not seem logical to construct to the larger lane width for a portion of the project. State aid personnel believe that logically construction to the eleven foot standard would work but may require a variance to the published state aid operations rules. Staff would recommend the Council authorize a resolution seeking a variance if state aid personnel deem it necessary.

Two variances have been granted in the past; 1) Blake Road near Mirror Lakes for a design speed variance and 2) for a right-of-way on Maloney Avenue.

**Member Kelly introduced the following resolution and moved its adoption:**

**RESOLUTION**

**Directing the City Engineer to proceed with a variance request to the Commissioner of Transportation for West 78<sup>th</sup> Street between Glasgow Drive and Gleason Road (S.A.P. 120-160-05).**

**WHEREAS, the City wishes to reconstruct W. 78<sup>th</sup> Street between Glasgow Drive and Gleason Road in part using Municipal State Aid funds; and**

**WHEREAS, the Minnesota Department of Transportation Rule 8820.9936 Geometrics Design Standards requires that West 78<sup>th</sup> Street between Glasgow Drive and Gleason Road has a minimum lane width of 3.6 meters for a 40 MPH zone;**

**WHEREAS, the City believes there are valid reasons for construction West 78<sup>th</sup> Street to a lower lane width (3.3 meters) standard and that such lower lane width standard will safely and adequately handle existing and proposed traffic;**

**WHEREAS, the City is willing to sign an agreement to hold harmless the State of Minnesota if the variance request is granted;**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDINA, that the City Engineer be directed to submit the Commissioner of Transportation**

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a formal request for variance for West 78<sup>th</sup> Street between Glasgow Drive and Gleason Road from the minimum lane width of 3.6 meters to 3.3 meters.

ADOPTED this 17<sup>th</sup> day of February, 1998. Member Faust seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Resolution adopted.

**RESOLUTION APPROVED FOR STATE AID ROUTE DESIGNATIONS** Member Hovland said he removed the designation approving state aid routes from the consent agenda for further information. Engineer Hoffman explained that cities are allowed by State Law to designate twenty per cent of their streets. He added that the new designation allows use of the state allocated gas tax to fund a portion of West 78<sup>th</sup> Street and McCauly Trail extended. Staff recommends the Council authorize designation of a new state aid route from TH 169/Valley View Road interchange to 97 feet west of West Bush Lake Road and West 78<sup>th</sup> street intersection.

**Member Hovland introduced the following resolution and moved its adoption:**

**RESOLUTION ESTABLISHING MUNICIPAL STATE AID HIGHWAY**

**WHEREAS, it appears to the City Council of the City of Edina that the street hereinafter described shall be designated a Municipal State Aid Street under the provisions of Minnesota Law.**

**NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Edina that the road described as follows, to-wit;**

**From the west ramp of the Valley view Road/Trunk Highway 169 interchange east to McCauley Trail, thence McCauley Trail extended south to West 78<sup>th</sup> Street, thence easterly on West 78<sup>th</sup> Street to a point 975 feet west of West Lake Road.**

**BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a Municipal State Aid Street of the City of Edina, to be numbered and known as Municipal State Aid Street 175.**

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Member Faust seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

**CITY SUMP PUMP PROGRAM REPORT PRESENTED** Engineer Hoffman pointed out as part of the overall program to reduce inflow to the public sanitary sewer system, a sump pump inspection program is recommended by City consultants. Staff agrees with the recommendation and has worked with a consultant to develop a program. The recommended sump pump program is a specialty of the Howard R. Green company, Consulting Engineers.

The City has previously conducted approximately 500 inspections during the initial TKDA analysis (consulting). Revisits to some of these homes might be necessary. The program would be a home visit by trained inspectors in cooperation with the City's Building and Engineering departments.

Currently, the City's plumbing code which, in essence, makes it illegal to discharge storm related water into the sanitary sewer. An additional ordinance should be put into place covering the entry to private property and cost for failure to comply with the ordinance. Engineer Hoffman noted a sample ordinance had been included with the packet information.

The program is expected to cost approximately \$400,000 to fully-implement. Funds would be expended from the sewer and water utility in approximately eighteen months. In 1998, the cost would be approximately \$100,000 with the balance expended in 1999.

A brief Council discussion ensued offering suggestions for consideration during while drafting the proposed ordinance: enforcement solutions and penalties should be clearly defined; and concern the inspection program would be sensitive to claims of possible civil rights violations.

It was the Council consensus that residents be educated about the inspection process. This education process could include video tapes, notices, and personal inspections/explanations.

**Member Maetzold introduced the following resolution and moved its adoption:**

**RESOLUTION**

**BE IT RESOLVED BY the Edina City Council that the City Engineer is hereby authorized and directed to proceed with the City Sump Pump Inspection Program using Howard R. Green Company, Consulting Engineers.**

**BE IT FURTHER RESOLVED, that the City Engineer is directed to draft the appropriate ordinance amendment required by the program and present them at a future meeting.** Member Kelly seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Resolution adopted.

**\*ASSISTANT WEED INSPECTOR APPOINTED Motion made by Member Maetzold and seconded by Member Faust appointing Lowell McCarthy to again serve as Assistant Weed Inspector for calendar year 1998.**

Motion carried on rollcall vote - five ayes.

**\*BOARD OF SOIL & WATER RESOURCES REVIEW OF MINNEHAHA CREEK WATERSHED DISTRICT REPORT ACKNOWLEDGED Motion made by Member Maetzold and seconded by Member Faust acknowledging receipt of the Board of Soil and Water Resources Review of Minnehaha Creek Watershed District Report.**

Motion carried on rollcall vote - five ayes.

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\*APPOINTMENTS CONFIRMED FOR EDINA SCHOOL BOARD TO HUMAN RELATIONS COMMISSION AND EDINA FOUNDATION Motion made by Member Maetzold, seconded by Member Faust acknowledging appointments from the Edina School Board to the Human Relations Commission and the Edina Foundation:

Lynne Westphal	Human Relations Commission	Term to 2/1/01
Sarah Jones	Edina Foundation	Unexpired term to 6/30/00

Motion carried on rollcall vote - five ayes.

\*HEARING DATE SET OF MARCH 16, 1998, FOR STREET VACATION - 69<sup>TH</sup> STREET (CHRIST PRESBYTERIAN CHURCH) Motion made by Member Maetzold, seconded by Member Faust setting March 16, 1998, as hearing date for Street Vacation at 69<sup>th</sup> Street (Christ Presbyterian Church).

Motion carried on rollcall vote - five ayes.

CLAIMS PAID Member Kelly made a motion to approve payment of the following claims as shown in detail on the Check Register dated February 11, 1998, and consisting of 29 pages: General Fund \$210,663.03; Communications \$1,296.00; Working Capital \$34,310.53; Art Center \$2,349.00; Golf Dome Fund \$9,034.11; Swimming Pool Fund \$5,310.67; Golf Course Fund \$6,436.45; Ice Arena Fund \$16,560.69; Edinborough/Centennial Lakes \$17,045.47; Utility Fund \$9,929.56; Storm Sewer Utility Fund \$4,972.00; Recycling Program \$3,060.00; Liquor Dispensary Fund \$185,044.51; Construction Fund \$81.00; Park Bond Fund \$5,069.77; I-494 Commission \$24.23; TOTAL \$511,187.02; and for confirmation of payment of the following claims as shown in detail on the Check Register dated February 3, 1998, and consisting of 2 pages: General Fund \$230,005.57; C.D.B.G. \$19,358.00; Liquor Dispensary Fund \$52,724.27; I-494 Commission \$6,346.56; TOTAL \$308,434.40. Member Hovland seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

There being no further business on the Council Agenda, Mayor Smith declared the meeting adjourned at 9:23 p.m.

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City Clerk