

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
MARCH 2, 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 Kelly to approve and adopt the Consent Agenda as presented with the exception of Agenda Items V.A. Telephone System, Braemar Golf Course, VI. D. Continue Vacation Public Hearing for West 69th Street until 4/20/98, and VI.F. WMEP Update.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

TWIN CITY AREA LABOR MANAGEMENT COUNCIL AWARD PRESENTED TO THE CITY OF EDINA & INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 49ers (PUBLIC WORKS) Engineer Hoffman explained the City has had a Labor Management Committee since September 1994. The Committee exists to provide an avenue for labor and management to communicate in an environment of openness and trust. The Committee meets two hours monthly to address issues by both labor and management and to develop decision-making through consensus. Engineer Hoffman noted the Committee has been very successful. The City used the Committee to hold Public Work's first Open House and to assist on many of the Park Bond issues. The Committee submitted their activities to the Twin City Area Labor Management Council for the "Earl Willford Award." Twin City Area Labor Management Council chose Edina's Labor Management Committee as a winner because of the Park Bond work and Open House activities.

Engineer Hoffman introduced Ceil Smith, Edina Labor Management Committee Member, Dick Oestreich, Edina Labor Management Committee Member, Don Dibble, Edina Labor Management Committee Member, Jim Hanson, Local 49ers Business Representative, and Mel Hoagland of Twin City Area Labor Management Council, Inc.

Mel Hoagland said he was pleased to present the Earl Willford Award to the Edina Labor Management Committee. Mr. Hoagland added the Edina Committee is an excellent example of city management and union collaboration with positive outcomes.

Mayor Smith commended the Edina Labor Management Committee. He thanked the members for their efforts on behalf of all Edina's citizens.

Manager Rosland noted the excellent performance of the City crews working on the Park Bond projects. He stated he is proud of the City staff and grateful for the award.

Minutes/Edina City Council/March 2, 1998

1998 GIRLS ALPINE SKI TEAM CHAMPIONS COMMENDED Mayor Smith commended the 1998 Edina Girls Alpine Ski Team who won the Classic Lake Conference, Section 6AA Champions and State Championship. Resolutions of commendation were presented to each team member as ambassadors of the City of Edina representing the highest standards of athletic proficiency and good sportsmanship. **Member Maetzold made a motion adopting the resolution commending the 1998 Girls Alpine Ski Team Champions on their Classic Lake Conference, Section 6AA Championship and State Championship.** Member Faust seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Resolution adopted.

1998 STATE INDIVIDUAL ALPINE SKI CHAMPION COMMENDED Mayor Smith commended Amy Brunkow of the Edina High School 1998 Girls Alpine Ski Team as Individual Alpine Champion of the Section 6AA and the State of Minnesota. **Member Hovland made a motion adopting the resolution commending Amy Brunkow as the 1998 Individual Alpine Champion of Section 6AA and State Alpine Champion.** Member Kelly seconded the motion.

Rollcall

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Resolution adopted.

***MINUTES OF THE REGULAR MEETING OF FEBRUARY 17, 1998 APPROVED** Motion made by Member Maetzold and seconded by Member Kelly approving the minutes of the Regular Meeting of February 17, 1998.

Motion carried on rollcall vote - five ayes.

PRELIMINARY PLANS APPROVED, IMPROVEMENT PROJECT BA-315, STREET RECONSTRUCTION, WEST 77TH STREET AT TRUNK HIGHWAY 100 Affidavits of Notice were presented, approved and ordered placed on file.

Engineer Hoffman informed Council that proposed Improvement No. BA-315 is a "local initiatives" project submitted by the City to the Minnesota Department of Transportation. The project will be funded by MnDOT and the City of Edina through the use of gas tax funds. The exact cost split has not been finalized at this time. The proposed project would improve capacity throughout the West 77th Street and Highway 100 interchange. The planned improvement includes: new traffic signals with emergency vehicle pre-emption systems, additional southbound off-ramp from TH 100 onto West 77th Street at the west ramp area, additional turn lane for left turns exiting northbound TH 100 to eastbound West 77th Street, and some minor widening on West 77th, with asphalt overlay to accommodate a 5-lane segment with the middle lane reserved for left turns. The estimated cost is \$1,150,000 with construction planned for mid-summer of 1998. Engineer Hoffman stated at this time that he recommended preliminary plan approval, noting he would be back in about two months with final plans for approval.

After a brief Council discussion **Member Kelly made a motion approving the preliminary plans for Improvement No. BA-315, the street reconstruction of the West 77th Street and Highway 100 interchange.** Member Maetzold seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

PRELIMINARY PLANS APPROVED, IMPROVEMENT PROJECT BA-316, STREET RECONSTRUCTION, FRANCE AVENUE AT CROSTOWN 62 Affidavits of Notice were presented, approved and ordered placed on file.

Engineer Hoffman explained Project BA-316, Street Reconstruction of France Avenue at the Crosstown is another "local initiatives" project submitted to MnDOT by Edina. This project would be jointly funded by MnDOT, Hennepin County and the City of Edina through the use of gas tax funds. The estimated cost is \$700,000, however, a final cost apportionment has not been finalized. This interchange has a very serious accident problem due to lack of capacity and a need for additional traffic control system operation. This project is part of a longer range project involving the Valley View/Crosstown Highway interchange. The longer range solution involves using the Valley View interchange paired with the France Avenue interchange for better distribution of the traffic loads.

Engineer Hoffman stated the proposed improvement includes: new traffic signals with emergency vehicle pre-emption systems and additional turn lanes for left turns both eastbound and westbound onto France Avenue. The project is planned for 1998 mid-summer construction. Engineer Hoffman added he recommends approval of the preliminary plans noting final plans will come back for Council approval in approximately two months.

Council briefly discussed the proposed improvement. **Member Maetzold made a motion, seconded by Member Faust to approve the preliminary plans for Improvement No. BA-316, the street reconstruction of France Avenue at Crosstown 62.**

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

RESOLUTION ADOPTED APPROVING PROJECTED USE OF FUNDS FOR 1998 URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM Affidavits of Notice were presented, approved and ordered placed on file. Following due notice given the City Council conducted a public hearing on the Community Development Block Grant (CDBG) Program for 1998.

Presentation by Planner

Planner Larsen reviewed the 1998 CDBG entitlement for Edina of \$181,842 which reflects a 3% reduction from the 1997 entitlement of \$188,011. In keeping with previous years' requirements, the human services portion of the budget may not exceed 20% of the entitlement with the remaining 80% directed toward community development. Therefore,

Minutes/Edina City Council/March 2, 1998

Edina's human services budget may not exceed \$36,368 allowing \$145,474 to be directed toward community development. Planner Larsen outlined the proposed 1998 CDBG Budget:

Community Development

Rehabilitation of Private Property	\$80,000
Acquisition for Scattered Site Affordable Housing	\$65,474

Human Services

H.O.M.E.	\$17,400
Daycare	\$17,400
CASH Homeline	<u>\$ 1,568</u>

Total 1998 Budget **\$181,842**

Planner Larsen stated the housing rehabilitation funds will go toward assisting five to ten eligible homeowners make structural improvements to their homes with a maximum of \$15,000 available per loan. Acquisition for scattered site affordable housing funds are planned to assist development of affordable owner or renter occupied housing in keeping with Edina's participation in the Minnesota Livable Communities Act.

The 1998 requests for human services funding have come from the three agencies Edina has historically worked with, namely: Senior Community Service or H.O.M.E., Greater Minneapolis Daycare Association (GMDCA), and CASH Homeline. Requests from the three agencies total \$39,500, exceeding the maximum allowed by \$3,132. In an effort to fairly distribute the funds causing the least disruption to ongoing activities, the planning staff proposed the following budget, which has been reviewed and endorsed by the Human Relations Commission:

<u>Agency</u>	<u>1997 Budget</u>	<u>1998 Request</u>	<u>1998 Proposed Budget</u>
H.O.M.E	\$18,000	\$18,000	\$17,400
Daycare	\$18,000	\$18,000	\$17,400
CASH Homeline	<u>\$ 1,602</u>	<u>\$ 3,500</u>	<u>\$ 1,568</u>
TOTAL	\$37,602	\$39,500	\$36,368

Mike Vraa, representing CASH Homeline informed Council he was available to answer any questions about his agency and their programs. Member Maetzold asked how CASH Homeline's services are publicized and what was the basis of their 1998 request for funds. Mr. Vraa responded that CASH Homeline advertises in the Minneapolis Star Tribune and has public service announcements on local radio and television. He added advertising does not seem to be a problem based upon the numbers of calls received. Mr. Vraa stated CASH Homeline's 1998 request was based upon the per cent of services used the previous year.

Planner Larsen noted that City staff refers a significant number of calls to the CASH Homeline agency.

Mayor Smith stated it would be desirable to know that recipients of daycare funding from GMDCA are receiving training in addition to the daycare subsidy. Planner Larsen replied that he believes recipients do receive training if needed.

Member Maetzold noted that all the previous year's childcare funding has not been expended. He felt the high reserve should be reviewed before funding for another year.

Laurie Possin of the GMDCA, explained that there has been a roll over of funds and that the association is usually working with two years' allocations at any one time. She noted that last year the legislature increased childcare subsidies for non-AFDC and non-welfare recipients. This is a temporary boost to subsidies and is expected to be gone by the summer of 1998. GMDCA anticipates needing the requested allocation plus their reserve to subsidize persons from Edina's waiting list. Ms. Possin added GMDCA would be happy to come back in May and report on their situation. If there is no anticipated need for funding Edina GMDCA would inform Edina so the funds designated for daycare could be redirected. Ms. Possin stated GMDCA would write a letter to Edina verifying their willingness to return daycare funds if in May it is determined no need exists.

Member Hovland introduced the following resolution and moved its adoption, requesting a letter from the Greater Minneapolis Daycare Association indicating their willingness to return their allocation of human services funds if it is determined in May that no need exists:

**RESOLUTION APPROVING PROJECTED USE OF FUNDS FOR 1998
URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM AND AUTHORIZING SIGNATURE OF SUBRECIPIENT AGREEMENT
WITH HENNEPIN COUNTY AND ANY THIRD PARTY AGREEMENTS**

WHEREAS, the City of Edina, through execution of a Joint Cooperation Agreement with Hennepin County, is cooperating in the Urban Hennepin County Community Development Block Grant Program; and

WHEREAS, the City of Edina developed a proposal for the use of Urban Hennepin County CDBG funds made available to it, and held a public hearing on March 2, 1998, to obtain the views of citizens on local and Urban Hennepin County housing and community development needs and priorities the City's proposed use of \$181,842 from the 1998 Urban Hennepin County Community Development Block Grant.

BE IT RESOLVED, that the City Council of Edina approves the following projects for funding from the 1998 Urban Hennepin County Community Block Grant program and authorized submittal of the proposal to Hennepin County for review and inclusion in the 1998 Urban Hennepin County Community Block Grant Program.

<u>Project</u>	<u>Budget</u>
Rehabilitation of Private Property	\$80,000
Acquisition for Scattered Site Affordable Housing	\$65,474
Housing & Outdoor Maintenance for the Elderly, H.O.M.E.	\$17,400
Daycare	\$17,400

C.A.S.H. Homeline
Total

\$1,568
\$181,842

BE IT FURTHER RESOLVED , that the City Council hereby authorizes and directs the Mayor and City Manager to execute the Subrecipient Agreement and any required Third Party Agreement on behalf of the City.

ADOPTED this 2nd day of March, 1998.

Attest: _____

Debra A. Mangen, City Clerk

Glenn L. Smith, Mayor

Member Faust seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

*LOT DIVISION GRANTED FOR 6609 DOVRE DRIVE (WARREN CHRISTIANSEN)

Motion made by Member Maetzold and seconded by Member Kelly:

RESOLUTION

WHEREAS, the following described property is at present a single tract of land:

Lots 2, 3, and 7, Block 3, Parkwood Knolls 17th Addition, Hennepin County, Minnesota

WHEREAS, the owners have requested the subdivision of said tract into separate parcels (herein called "Parcels") described as follows:

PARCEL A:

Lot 3, Block 3, PARKWOOD KNOLLS 17TH ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, except that part lying southeasterly of the following described line:

Commencing at the southeast corner of said Lot 3; thence North 89 degrees 29 minutes 20 seconds West along the south line of said Lot 3 a distance of 43.27 feet to the northwest corner of Lot 7, said Block 3 to the point of beginning of the line to be described; thence North 64 degrees 15 minutes 18 seconds East 47.83 feet to its intersection with the east line of said Lot 3 a distance of 20.39 feet north from the southeast corner of said lot 3 as measured along the east line of said Lot 3 and there terminating,

and that part of the Lot 2 said Block 3 lying westerly of the following described line:

Commencing at the southwest corner of said Lot 2, thence North 0 degree 30 minutes 48 seconds West along the west line of said Lot 2 a distance of 20.39 feet to the point of beginning of the line to be described; thence North 64 degrees 15 minutes 18 seconds East 11.70 feet; thence North 04 degrees 45 minutes 49 seconds East 44.41 feet; thence North 12 degrees 22 minutes 16 seconds West 71.37 feet to the northwest corner of said Lot 2 and there terminating.

PARCEL B:

Lot 2, Block 3, PARKWOOD KNOLLS 17TH ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, except that part lying westerly of the following described line:

Commencing at the southwest corner of said Lot 2, thence North 0 degree 30 minutes 48 seconds west along the west line of said Lot 2 a distance of 20.39 feet to the point of beginning of the line to be described; thence North 64 degrees 15 minutes 18 seconds east 11.170 feet; thence North 04 degrees 45 minutes 49 seconds East 44.41 feet; thence North 12 degrees 22 minutes 16 seconds West 71.37 feet to the northwest corner of said Lot 2 and there terminating,

and that part of Lot 3, said Block 3 lying southeasterly of the following described line:

Commencing at the southeast corner of said Lot 3; thence North 89 degrees 29 minutes 20 seconds West along the south line of said Lot 3 a distance of 43.27 feet to the northwest corner of Lot 7 said Block 3 to the point of beginning of the line to be described; thence North 64 degrees 15 minutes 18 seconds East 47.83 feet to its intersection with the east line of said Lot 3 a distance of 20.39 feet north from the southeast corner of said Lot 3 as measured along the east line of said Lot 3 and there terminating,

and that part of said Lot 7 lying north of the following described line:

Beginning at the northwest corner of said Lot 7 thence South 01 degree 13 minutes 10 seconds West along the west line of said Lot 7 a distance of 11.00 feet; thence North 89 degrees 29 minutes 20 seconds East parallel with the north line of said Lot 7 a distance of 43.13 feet; thence South 86 degrees 49 minutes 51 seconds East parallel with the south line of Lot 2, said Block 3, 72.78 feet to its intersection with the east line of said Lot 7, 11.03 feet south from the northeast corner of said Lot 7 as measured along the east line and there terminating.

PARCEL C

Lot 7, Block 3, PARKWOOD KNOLLS 17TH ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, except that part lying north of the following described line:

Commencing at the northwest corner of said Lot 7, thence South 11 degrees 13 minutes 10 seconds East along the west line of said Lot 7 a distance of 11.00 feet to the point of beginning of the line to be described; thence North 89 degrees 29 minutes 20 seconds East parallel with the south line of Lot 3 said Block 3, 43.13 feet; thence south 86 degrees 49 minutes 51 seconds East parallel with the south line of Lot 2, said Block 3 a distance of 72.78 feet to its intersection with the east line of said Lot 7, 11.03 feet south from the northeast corner of said Lot 7 as measured along the east line and there terminating.

WHEREAS, the requested subdivision is authorized under Code Section 810 and it has been determined that compliance with the Subdivision and Zoning Regulations of the City of Edina will create an unnecessary hardship and said Parcels as separate tracts of

Minutes/Edina City Council/March 2, 1998

land do not interfere with the purpose of the Subdivision and Zoning Regulations as contained in the City of Edina Code Sections 810 and 850;

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Edina that the conveyance and ownership of the second above described Parcels as separate tracts of land is hereby approved and the requirements and provisions of code Sections 850 and 810 are hereby waived to allow said division and conveyance thereof as separate tracts of land but only to the extent permitted under Code Sections 810 and 850 subject to the limitations set out in Code Section 850 and said Ordinances are not waived for any other purpose or as to any other provisions thereof, and further subject, however, to the provision that no further subdivision be made of said Parcels unless made in compliance with the pertinent ordinances of the City of Edina or with the prior approval of this Council as may be provided for by those ordinances.

ADOPTED this 2nd day of March, 1998.

Motion carried on rollcall vote - five ayes.

*HEARING DATE SET OF MARCH 16, 1998, FOR PLANNING MATTER Motion made by Member Maetzold and seconded by Member Kelly setting March 16, 1998, as hearing date for following planning matter:

1. Final Development Plan & Final Plat Approval, South Edina Development Fourth Addition, United Property.

Motion carried on rollcall vote - five ayes.

FIRST READING GRANTED ORDINANCE 1998-1, AN ORDINANCE AMENDING SECTIONS 445, 1100 AND 185 OF THE EDINA CODE REGULATING THE DISCHARGE OF SURFACE WATER INTO THE SANITARY SEWER SYSTEM AND ESTABLISHING PENALTIES Engineer Hoffman stated the proposed "sump pump" ordinance plans to modify three sections of Edina's Code relating to the regulation of illegal connections to the City's sanitary sewer system. The proposed ordinance allows city staff along with our consultants to work one to one with Edina residents to resolve the inflow of clear water into the sanitary sewer system.

The proposed ordinance includes the following provisions:

- Prohibits the discharge directly or indirectly, into the sanitary sewer system of: any surface water or groundwater, gravel, sand, dirt and swimming pool discharges
- Sumps must have permanently installed discharge lines that provide for year-round discharge either outside or connected to storm sewer.
- Allows staff to conduct inspections of every parcel of land, building or premises that discharges into the City's sanitary sewer system to confirm the building or premises conforms to the requirements of Edina's Code.
- Allows a representative of the owner to certify that their private system is in compliance with City Code. The property owner's representative must be a registered State licensed plumber.
- Mandates removal of prohibited connections: surcharges
- Provides surcharges for prohibited connection of \$100 per month

Engineer Hoffman stated staff believes most property owners will cooperate with the inspections similarly to compliance with the new water meter installation. He noted it is staff's intent to do a large amount of public education before instituting the inspection program. It is hoped that educating the public will make citizens aware of the impact improperly directed sump pumps have on the City's sanitary sewer system.

Mayor Smith asked if residential or commercial properties would be treated any differently and pointed out a need for a section defining the purpose and findings in the ordinance. Engineer Hoffman said all properties would be treated the same and that staff will prepare a purpose and findings section.

Member Faust asked how much time a property owner would be given to bring their property into compliance. Engineer Hoffman replied it is anticipated that a thirty day notice to correct would be given. He added this time period would be reviewed on an individual basis.

Member Maetzold asked if a mandatory inspection program would be setting precedent and how could the City ascertain whether a property has an illegal sump pump without an inspection. Building Official Wasmund explained that the State Uniform Building Code provides the City the "right of entry" to private property. Engineer Hoffman added that voluntary compliance with the inspection program is hoped for with all property owners. However, if necessary, the City could televise a particular sewer line and analyze the flow.

Member Hovland asked what the reference in Section 445.07 to Code Section 1035.03 meant, he questioned whether thirty days is an adequate amount of time to bring property into compliance, and noted a need to define "discharge" in the proposed ordinance. He expressed concern that thirty days might not be sufficient time to remedy an illegal discharge.

Assistant Manager Hughes explained Code Section 1035 is "Misdemeanor and Nuisances" and that Section 1035 Subd. 3 deals with waste water discharging onto property other than that of the person discharging the waste water. He added that the proposed ordinance can have discharge defined. Building Official Wasmund noted the proposed ordinance states that properties found not to be in compliance with City Code may be subject to a surcharge as opposed to shall be subject to a surcharge.

Mayor Smith requested that staff develop a findings and purpose section and incorporate Member Hovland's concerns between the first and second readings of the proposed ordinance.

Member Maetzold asked if part of the program would be a method for designing an underground flow system for storm water. Engineer Hoffman replied this would be the second step of the program.

Motion by Member Maetzold, seconded by Member Faust to grant first reading to Ordinance 1998-1 with changes as noted.

Rollcall:

Minutes/Edina City Council/March 2, 1998

Ayes: Faust, Hovland, Kelly, Maetzold, Smith
First Reading Granted.

ORDINANCE 1998-2 ADOPTED, SECOND READING WAIVED, AMENDING EDINA CODE 735 REGULATING HOTELS, BOARDING HOUSES AND LODGING ESTABLISHMENTS Sanitarian Velde explained the reason for the ordinance was that recently staff discovered the Code states Hotels, Boarding Houses and Lodging Establishments Licenses expire December 31, while in practice we have been issuing the licenses from April 1 to March 31 of each year.

**ORDINANCE NO. 1998-2
AN ORDINANCE AMENDING
SECTION 735 OF THE CITY CODE
BY CHANGING THE HOTEL, LODGING AND
BOARDING LICENSE TERM**

THE CITY COUNCIL OF THE CITY OF EDINA ORDAINS:

Section 1. Section 735 of the City Code is amended by adding the following sentence at the end of Subsection 735.03:

“Licenses issued pursuant to this Section shall expire on March 31 of each calendar year.”

Section 2. Effective Date. The ordinance shall become effective immediately upon its passage and publication.

First Reading: March 2, 1998

Second Reading: Waived

Attest: _____

Debra Mangen, City Clerk

Glenn L. Smith Mayor

Member Hovland seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Ordinance adopted.

AWARD OF BID FOR TELEPHONE SYSTEM, BRAEMAR GOLF CLUB Member Hovland asked the award of bid for the telephone system at Braemar Golf Club be removed from the consent agenda for additional information. Park Director Keprios stated the system can stack fifteen calls with a continuous tape offering information to callers. In staff’s opinion these features will be a vast improvement over the present system. The new system will also incorporate the use of voice mail. Staff believes this system will serve well into the future. Director Keprios noted the bid amount is less than \$15,000, however, staff followed the sealed bid process because it was anticipated the bid would be higher. Additionally, staff still believes the system will exceed \$15,000 with delivery charges and sales tax. **Member Hovland made a motion for award of bid for the telephone system at Braemar Golf Course to Interior Communications, Inc. the recommended low bidder at \$14,663.00.** Member Faust seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

***BID AWARDED FOR NETWORK FILE SERVER, CITY HALL** Member Maetzold made a motion seconded by Member Kelly for award of bid for the network file server for City Hall to recommended low bidder, Galaxy Computers at \$15,109.

Motion carried on rollcall vote - five ayes.

***BID AWARDED FOR ONE 4-WHEEL DRIVE COMPACT POLICE UTILITY VEHICLE (JEEP CHEROKEE)** Member Maetzold made a motion seconded by Member Kelly for award of bid for the purchase of one 4-Wheel Drive Compact Police Utility Vehicle (Jeep Cherokee) to be used as a flex team replacement vehicle to recommended low bidder, McKay's Family Dodge under Hennepin County Cooperative Purchasing Contract #4204E7-232 at \$21,135.00.

Motion carried on rollcall vote - five ayes.

***BID AWARDED FOR RANGE GOLF BALLS, BRAEMAR GOLF COURSE** Member Maetzold made a motion seconded by Member Kelly for award of bid for 3,800 dozen range golf balls for the Braemar Golf Course Driving Range and the Braemar Golf Dome to recommended low bidder, Spalding Sports at \$19,425.60.

Motion carried on rollcall vote - five ayes.

***BID AWARDED FOR TWO 4-WHEEL DRIVE COMPACT FIRE UTILITY VEHICLES (JEEP CHEROKEES)** Member Maetzold made a motion seconded by Member Kelly for award of bid for the purchase of two 4-Wheel Drive Compact Police Utility Vehicles (Jeep Cherokees) replacement vehicles to recommended low bidder, McKay's Family Dodge under Hennepin County Cooperative Purchasing Contract #4204E7-232 at \$42,270.00.

Motion carried on rollcall vote - five ayes.

CLUB ON-SALE AND SUNDAY LIQUOR LICENSE RENEWALS APPROVED Manager Rosland stated the applications of both Country Clubs were completed and staff recommended Council consider renewal of their licenses as requested. **Motion made by Member Maetzold and seconded by Member Faust approving the Club On-Sale and Sunday Liquor License renewals for Edina Country Club and Interlachen Country Club.**

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

ON-SALE WINE LICENSE RENEWALS APPROVED Manager Rosland noted two licensees: The Original Pancake House and Chico's Tacos declined to renew their wine licenses. In addition, Pizzeria Uno's application is still in process and will be presented at a future meeting. Following a brief discussion **Member Maetzold made a motion, seconded by Member Faust approving On-Sale Wine License renewals for the following restaurants: Ciatti's Italian Restaurant, Daytons Boundary Waters Restaurant, D'Amico & Sons, Eden Avenue Grill, Good Earth Restaurant, Hawthorn Suites, Locanda De Giorgio, Inc., Rossini's Restaurant, Ruby Tuesdays, Sidney's Pizza Cafe, Szechuan Star Restaurant, Tejas, and Two Guys From Italy.**

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

3.2 BEER LICENSE RENEWALS APPROVED Manager Rosland stated that Chico's Tacos, Jerry's Foods and the New Hong Kong Kitchen's license applications were still being processed and would be presented at a later meeting. **Motion made by Member Kelly, seconded by Member Hovland to approve issuance of On-Sale and Off-Sale 3.2 Beer Licenses as follows: ON-SALE 3.2 BEER LICENSES: Braemar Golf Dome, Braemar Golf Course, Ciatti's Italian Restaurant, Corelli's Pizza & Pasta, Davanni's Pizza/Hoagies, Daytons Boundary Waters Restaurant, Eden Avenue Grill, Frederick Richards Golf Course, Good Earth Restaurant, Hawthorn Suites Hotel, Locanda, Inc., Q Cumbers, Inc., Rossini's Restaurant, Ruby Tuesdays, Sidney's Pizza Café, TJ's Family Restaurant, Tejas, The Lotus, III, and Two Guys From Italy, and OFF-SALE 3.2 BEER LICENSE: Holiday Stations, Inc., Kenny's Stations, Inc., and Superamerica Station.**

Ayes:

Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

PUBLIC HEARING FOR WEST 69TH STREET VACATION CONTINUED TO APRIL 20, 1998

Member Faust stated she was uncomfortable acting on any street vacation from Christ Presbyterian Church until the planning process has been completed. Member Kelly agreed with Member Faust. Planner Larsen responded the reason for the continuance was to keep the request for the street vacation tracking with the planning process. Council discussed the timing of the vacation request relative to the Church's expansion request which is in the planning process.

Attorney Gilligan noted that since a vacation request is a land use matter he believes the City must act on the request within sixty days after receipt of the petition. He continued explaining the City could grant itself one sixty day extension for action, then if additional time is still needed the City could request the petitioner to grant an extension. After a brief discussion, **Member Hovland made a motion, seconded by Member Faust to continue the West 69th Street Vacation Public Hearing until April 20, 1998.**

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

***REPORT ACCEPTED, UNDERAGE SMOKING IN RESTAURANTS** Member Maetzold made a motion seconded by Member Kelly to accept the staff report reporting on the possible regulation of underage smoking in restaurants. The report stated present Minnesota Laws prohibit persons under the age of 18 from purchasing possessing or using tobacco products. The report also noted recent legislation has been introduced which may prohibit smoking in restaurants. The report noted the issues an ordinance would need to cover.

Motion carried on rollcall vote - five ayes.

WMEP UPDATE Member Faust noted she had asked the WMEP Update be removed from the consent agenda so that some discussion could take place. Member Faust noted the receipt of several questions from an Edina League of Women Voters' representative and some questions of her own that she would like entered in the public record regarding the WMEP proposals:

“Questions From Edina League of Women Voters Representative:

The following are questions that were raised at the joint meeting that Ken(Dragseth) promised answers to:

- 1) When would the funding for the magnet school be in the bank?
- 2) When would the school be up and running?
- 3) What should the school program be?
- 4) When would the program be decided if not available at this time?
- 5) What the state would be willing to build as a part of the school for Edina community use?
Would they build two gyms?
Would they build a performing space?
Would they guarantee the availability of these spaces after 3:30?
- 6) What does the statement the Edina schools would be the fiscal and operating agent of the magnet school mean?
Does this mean the state has no say so on funding, staffing, discipline, building use at nights and on weekends?
- 7) How many of the students are anticipated to stay after school in a kids club like setting until 6 o'clock?
- 8) What other sites are being considered in the southwest area?
- 9) Would the state donate the school to Edina if they decide to abandon this magnet concept?
If not what would Edina have to pay for the school building and grounds?

Questions I have:

- 1) What is the exact cost to the city if they go forward with this project?
TIF dollars?
Tax dollars after 2010?
- 2) Would the state be willing to pay Edina for the loss of tax revenue if Edina makes the site available?
- 3) Exactly when will the questions posed a month ago be answered?
Glenn Smith asked for a quick response
Why hasn't the school board passed a resolution yet?
- 4) Where in the legislative process is the 1.2 million funding for land acquisition? House or Senate file number?
- 5) When exactly will we know if the funding of 12 million to build the school has been apportioned?
- 6) Will the school use a city park as a playground for the school?
- 7) Have the neighbors been included in the discussion? Do they know anything about the development of this land?
- 8) What is the last date the Council will accept a finished proposal from the school board that is equivalent to that they requested of the other bidders?"

“Member Faust’s WMEP Questions:

- 1) What about transportation to the school - would the state be willing to reconstruct the RR bridge for better traffic flow?
- 2) Security is an issue for playground if WMEP wants to use our City park (as in the WMEP documents.) How do they propose to intermingle with the public?

Minutes/Edina City Council/March 2, 1998

- 3) Does the whole school board understand about Tax Increment Financing? - Do they realize this site is in a TIF district that would greatly benefit the City until 2010?
- 4) Do we have a date for plan completion, as the rest of the developers?
- 5) The City is paying \$12,500 per month carrying costs. Will the state pay this?
- 6) If the state does not fully fund the purchase price, who pays? How?
- 7) If the state purchases the site and cannot get the funding for the project what happens to the land?
- 8) Robbinsdale and the FAIR school are in limbo and the schools are supposed to open in 1999-2000. The money still has not been appropriated. If this happens in Edina we could end up with an empty site for 3-5 years. So the City not only end up with no tax money, but also no school during this time.

The bill going through the state is #2874. Contact for the K-12 Education Finance Committee - Josh Downum, 296-8875."

Member Faust expressed concern that adequate funding for the WMEP proposal may not appear in time to be covered in the State Bonding Bill, in light of the request before the City to designate the Kunz/Lewis site for the WMEP school.

Mayor Smith acknowledged Member Faust's concern, but pointed out that as directed by the City Council, on February 23, 1998, the Mayor and Assistant Manager met with representatives of the School District with respect to the WMEP proposal. He stated the School District plans on not taking action until March 23, 1998. If on the 23rd the Board adopts a resolution it will be forwarded to Edina. The School District indicated they would also forward written responses to the various questions posed by the City Council. If answers to the questions and a School District resolution are received after March 23, the item could be placed on the City Council Agenda for April 6. By April 6, 1998, it should be known whether or not the State Legislature has incorporated this school into the State Bonding Bill. At that point the City Council could move forward treating the WMEP proposals like any other developers' proposal.

Member Maetzold made a motion accepting the WMEP Update Report. Member Hovland seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith
Motion carried.

REAPPOINTMENT AND APPOINTMENTS MADE TO VARIOUS BOARD, COMMISSIONS AND COMMITTEES

Mayor Smith reported his recommendations for reappointment and appointment to various boards, commissions and committees with terms as noted:

<u>Name</u>	<u>Board/Committee/Commission</u>	<u>Term Expiring</u>
Arthur H. Dickey	Art Center Committee	2/1/01
DeLores Paul	Art Center Committee	2/1/01
Rev. Cannon Charles Vogt-Con.	Community Health Sve. Advisory Bd.	2/1/00

Minutes/Edina City Council/March 2, 1998

Mary Edwards-Provider	Community Health Sve. Advisory Bd.	2/1/00
Dr. Bruce Burnett-Provider	Community Health Sve. Advisory Bd.	2/1/00
J. Paul O'Connor-Consumer	Community Health Sve. Advisory Bd.	2/1/00
Freda Terry-Provider	Community Health Sve. Advisory Bd.	2/1/00
Dr. James Reynolds-Provider	Community Health Sve. Advisory Bd.	2/1/00
Quentin A. Collins	Construction Board of Appeals	2/1/01
Edward Noonan	Construction Board of Appeals	2/1/01
John Cooney	Heritage Preservation Board	2/1/00
Marilyn Curtis	Heritage Preservation Board	2/1/00
Garold R. Nyberg	Heritage Preservation Board	2/1/00
Carol Carmichiel	Human Relations Commission	2/1/01
James Zappa	Human Relations Commission	2/1/01
Dave Fredlund	Park Board	2/1/01
Tom White	Park Board	2/1/01
Andrew Herring	Park Board	2/1/01
David Byron	Planning Commission	2/1/01
Gordon V. Johnson	Planning Commission	2/1/01
Geoffrey Workinger	Planning Commission	2/1/01
Robert Reid	Recycling and Solid Waste Commission	2/1/00
Judith Smith	Recycling and Solid Waste Commission	2/1/00
Edina High School Student*	Recycling and Solid Waste Commission	2/1/00
Donald W. Patton	Zoning Board of Appeals	2/1/01
Ronald Ringling	East Edina Housing Foundation	2/1/01

Mayor Smith explained he had been in contact with the School District and would intend to have a student appointed to the Recycling and Solid Waste Commission. The student would serve on the Commission through the school year and the summer.

Member Kelly made a motion, seconded by Member Faust to endorse the Mayor's appointments and reappointments to Edina's advisory boards, commissions and committees as previously noted.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

***PUBLIC HEARING DATE SET OF APRIL 6, 1998 FOR VACATION OF PUBLIC DRAINAGE AND UTILITY EASEMENT, SOUTH EDINA DEVELOPMENT THIRD ADDITION** Motion made by Member Maetzold, seconded by Member Kelly setting April

Minutes/Edina City Council/March 2, 1998

6, 1998, as hearing date for Public Drainage and Utility Vacation at South Edina Development Third Addition (United Properties).

Motion carried on rollcall vote - five ayes.

TURNING POINT GROUP HOME OPENING NOTED The Council acknowledged the planned opening of the Turning Point Group Home, located at 3928 and 3930 West 49th Street scheduled for March 6, 1998. Concern was expressed that all necessary work would be completed. Building Official Wasmund explained that Turning Point had provided a certified check in the amount of \$4,500 to back up their commitment to finish the exterior work needed by June 1, 1998.

EDINA WEB PAGE REVIEWED Communicator Campbell reviewed with Council the City's web page, noting the address at www.edina.mn.us.com.

CLAIMS PAID Member Maetzold 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 \$252,816.64; Community Development Block Grant \$4,878.97; Communications \$3,265.45; Working Capital \$17,460.35; Art Center \$16,289.45; Golf Dome Fund \$2,529.380; Swimming Pool Fund \$511.03; Golf Course Fund \$48,341.64; Ice Arena Fund \$17,112.20; Edinborough/Centennial Lakes \$10,952.35; Utility Fund \$331,936.04; Storm Sewer Utility Fund \$999.72; Recycling Program \$576.17; Liquor Dispensary Fund \$202,392.45; Construction Fund \$5,041.57; Park Bond Fund \$6,882.00; I-494 Commission \$7.46; TOTAL \$921,992.87. 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 10:10 p.m.

City Clerk