

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
JULY 20, 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 approving the Consent Agenda as presented.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

*MINUTES OF THE REGULAR MEETING OF JULY 6, 1998, APPROVED Motion made by Member Maetzold and seconded by Member Faust approving the Minutes of the Regular meeting of July 6, 1998, as presented.

Motion carried on rollcall vote - five ayes.

PRELIMINARY PLAT APPROVAL - SMILEY 2ND ADDITION, CHRIST PRESBYTERIAN CHURCH, EAST OF HIGHWAY 100 AND NORTH OF WEST 70TH STREET, CONTINUED TO AUGUST 3, 1998 After a brief discussion Council consensus was to continue to August 3, 1998, consideration of the Preliminary Plat for Smiley 2nd Addition, Christ Presbyterian Church, east of Highway 100 and north of West 70th Street.

ACTION CONTINUED TO AUGUST 3, 1998, FOR PRELIMINARY REZONING (POD-1 TO APD), PRELIMINARY PLAT APPROVAL AND FINAL DEVELOPMENT PLAN ROOM & BOARD/NEW TRADITIONS, 7010 & 7100 FRANCE AVENUE SOUTH Affidavits of Notice were presented, approved and ordered placed on file.

Presentation by Planner

Planner Larsen explained that while the redevelopment proposal before Council requires three separate actions the proposal would be addressed together.

Planner Larsen informed Council the proposal includes two developed properties located at 7010 and 7100 France Avenue South. 7010 is occupied by Room and Board, and zoned PCD-2, Planned Commercial District. 7100 is occupied by New Traditions and zoned POD-1, Planned Office District.

In 1988 the owner of Room and Board was forced to relocate west of France by the Galleria's expansion. They acquired the property at 7100 and attempted to move Room and Board to this location. However, since furniture sales are not permitted in the office district, the owners petitioned the City to amend the Zoning Ordinance to allow furniture sales in the POD-1 District. The owners withdrew their request after several hearings before the Planning Commission and City Council. Room and Board was moved to 7010 France and an interior design studio was moved to 7100 France. A determination was made that interior design

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studios were allowed in the office district based upon the assumption that design services were offered, but no retail sales took place. The actual use, however, resembles a retail furniture store more than an office use.

Planner Larsen stated staff has two major concerns with the sites. Staff's first concern is to prevent the further spread of retail use on the west side of France Avenue; and second, to find a way to address the severe parking shortage existing on 7010 France. The existing building has a floor area of 30,000 square feet, requiring 167 parking spaces. Today, the site has 48 parking spaces. Combined with the building at 7100 France, there is a total floor area of 57,000 square feet supported by 117 parking spaces.

The proponent has two plans each intended to address staff's concerns. The existing 27,000 square foot building at 7100 would be razed and replaced by surface parking. A two-story addition would be attached to the existing Room and Board building. The addition would contain a floor area of 21,160 square feet. This would bring all the building area onto the land zoned PCD-2.

In addition to the rezoning, plat, and final development plan requests, Planner Larsen noted the proponents have also petitioned the City to vacate the balance of the Mavelle Drive right-of-way. Legal requirements regarding publication of the vacation notice moved that hearing to the August 3, 1998, meeting. Thirty-six feet of the sixty-foot right-of-way was vacated in 1988. Twenty-four feet were retained to allow cut-through traffic. The proponents have provided traffic counts documenting the extent of cut-through traffic. The counts show Mavelle is used as a way to avoid the 70th and France intersection by a few cars during the a.m. and p.m. peak hours.

Planner Larsen stated the proponents submitted two alternate plans for consideration. The proponents prefer the plan (A4.1) completely vacating Mavelle's remaining right-of-way. The second plan (A1: Alternate Plan 3) would relocate the 24-foot right-of-way, maintaining a direct cut-through to France Avenue. City staff requested this option's preparation.

Planner Larsen pointed out the only difference between the plans is the design of the southerly parking area. Plan A4.1 requests complete vacation of the remainder of Mavelle, yet still provides a circuitous connection between France and Sandell. Plan A4.1 maximizes parking providing 140 spaces. Edina's ordinance requires 125 spaces. Plan A1: Alternate Plan 3 provides a more direct cut-through to France, but reduces parking to 112 spaces. The suggested Proof of Parking area shown along Sandell could add nine parallel parking spaces. Both plans request a setback variance for the loading dock, allowing the loading dock doors to face north and south instead of westerly towards the residential neighborhood.

Planner Larsen reported that the Planning Commission recommends Preliminary Rezoning of 7100 France Avenue South from POD-1, to APD, Preliminary Plat approval for 7010 and 7100 France Avenue South, and Final Development Plan approval based upon proposed plan A4.1 subject to the following conditions: 1) Final rezoning; 2) Final plat; 3) Proof of Parking Agreement for the western portion of the site designated on the proposed plan A4.1 as employee parking; and 4) Relocation of right-of-way for Mavelle Drive.

Mayor Smith asked if the proposed parking had expanded to the west and why the staff's alternative was proposed. Planner Larsen replied the parking had not expanded westerly and that the City had proposed their alternative to maintain a more direct route between France and Sandell Avenues.

Member Faust asked if the City was abandoning a public street, would it be compensated. Planner Larsen explained that if the City no longer has need of right-of-way for public use it reverts back to the adjacent property owners.

Manager Rosland pointed out that staff's recommendation was for Plan A1:Alternate Plan 3 because it maintains a right-of-way between France and Sandell that staff believes serves an important function with cut-through traffic.

Member Maetzold asked why the City wants to curtail retail west of France Avenue, if the buffer zoning concept as discussed in 1988 still is valid, what parking needs has the proponent forecast, and what is the amount of the cut-through traffic. Planner Larsen explained that parking on the west side of France Avenue is inadequate to support retail development and the west side of France is considered transitional to the residential neighborhood across Sandell. This transition is still needed to buffer the neighborhoods. Planner Larsen stated during peak traffic hours 20-30 cars use the Sandell to parking lot to France cut-through. He deferred to the proponent regarding their forecast parking needs.

Member Hovland asked what the three lots were on the west side of Sandell, whether the cut-through traffic is local, whether the drainage on the proposed development will be adequate, and if the proposed landscaping and lighting meet code. Planner Larsen answered on the west side of Sandell there is a cooperative and two rental properties, the drainage should be the same after redevelopment because the hard surfaces have not increased. He continued noting that the landscaping is good and that the lighting will be handled when a building permit request is received.

Proponent Presentation

Martha Gabbert, 312 West Ferndale, Wayzata, proponent, stated she believes the proposed redevelopment benefits all concerned. The 7100 building will be razed and replaced with a 21,000 square foot addition on the 7010 building bringing the site into zoning conformance. The rezoning of 7100 from Planned Office District to Automobile Parking District and putting in surface parking alleviates the previous parking shortage. When Ms. Gabbert acquired the properties they both were severely underparked. Ms. Gabbert informed the Council they were comfortable with either alternative; however, they preferred Alternate Plan A4.1. The redevelopment was proposed because the 7100 building is in need of substantial repair and it made sense to undertake the redevelopment instead of attempting the project in a piecemeal manner.

Member Faust asked the proponent if they had considered moving the door closer to the parking lot. Ms. Gabbert replied that was an interesting idea, however, Room and Board and

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New Traditions operate as separate businesses and therefore her preference would be for separate entrances.

Public Comment

Mark Waterston, 7416 Kellogg, of the Cremation Society, the neighboring funeral home, stated he supports the redevelopment. Mr. Waterston favors the Alternate Plan A4.1 completely closing Mavelle Drive. He added he had no problem with Room and Board customers using the funeral chapel's parking lot if necessary.

Mayor Smith asked if the City approved A1: Alternate Plan 3 would the right-of-way be plowed by the City. Engineer Hoffman replied he did not believe so because the route would be a lower priority, therefore, Ms. Gabbert would probably have it plowed before the City would get there. Mayor Smith indicated his support of staff's alternative A1: Alternate Plan 3.

Member Maetzold observed he supports either plan, but he leans toward Ms. Gabbert's plan because it provides more parking. He also wondered if keeping a right-of-way through a parking lot would pose a safety issue for the City. Continuing, Member Maetzold noted Plan A4.1 still allows cut-through traffic, but because it is more circuitous, in his opinion it will slow the traffic down and limit its use.

Member Kelly agreed with Member Maetzold regarding Plan A4.1 as the preferred plan. He supports more parking, and also indicated his concern regarding safety if a right-of-way is maintained. Member Kelly stated there is a large amount of traffic that cuts through from Sandell over Mavelle to France.

Member Hovland expressed concern that the cut-through traffic source is not known. He asked if Mavelle were closed would traffic then be directed to Sandell and Lynmar. While more information would be preferable if making a decision tonight, if a decision needed to be made, then Member Hovland agreed with Mayor Smith in supporting A1: Alternate Plan 3.

Member Faust asked in a pedestrian crosswalk could be installed. Staff informed her this could be done.

Council briefly discussed the benefits of the two plans and their respective effects on traffic in the area. **Member Hovland made a motion approving the preliminary rezoning, preliminary plat and final development based upon Plan A1: Alternate Plan 3 conditioned upon: 1) Final rezoning; 2) Final plat; 3) Proof of Parking Agreement for the western portion of the site designated on the proposed plan A4.1 as employee parking; and 4) Relocation of right-of-way for Mavelle Drive.** Member Faust seconded the motion.

Member Kelly suggested action on the redevelopment proposal wait until the neighborhood gives their opinion. He indicated that action should also be continued to consolidate the matter and gather neighborhood input.

Manager Rosland clarified that the vacation hearing is scheduled for August 3, 1998.

Mayor Smith asked why the items had not been scheduled for the same night. Planner Larsen answered that the technical requirements of publications led to the two different meetings. Mayor Smith reiterated that the Council should be hearing and voting on the issues at the same time.

Member Hovland stated he agreed with hearing both issues at the same time and withdrew his previous motion. Member Faust withdrew her second.

Member Hovland made a motion, seconded by Member Faust to continue the hearing for Preliminary Rezoning (POD-1 To APD), Preliminary Plat Approval And Final Development Plan for Room & Board/New Traditions, 7010 & 7100 France Avenue South to the August 3, 1998, meeting.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

Mayor Smith asked that staff in the future make sure planning and vacation hearings are called for the same meeting.

***BID REJECTED FOR GOLF NETTING SYSTEM AT FRED RICHARDS GOLF COURSE**

Motion made by Member Maetzold and seconded by Member Faust rejecting the bid for a golf netting system at the Fred Richards Golf Course.

Motion carried on rollcall vote - five ayes.

***BID REJECTED FOR PARK PATH IMPROVEMENTS FOR TODD, ARDEN, WALNUT RIDGE, AND HEIGHTS PARKS AND PARKING LOT IMPROVEMENTS AT PAMELA PARK**

Motion made by Member Maetzold and seconded by Member Faust rejecting the bid for park path improvements for Todd Park, Arden Park, Walnut Ridge Park and Heights Park and parking lot improvements for Pamela Park.

Motion carried on rollcall vote - five ayes.

***BID AWARDED FOR STORM SEWER FOR EDINA BOULEVARD FROM COUNTRY CLUB ROAD TO BRIDGE STREET IMPROVEMENT NO STS-254, CONTRACT NO. 98-8 (ENGINEERING)**

Motion made by Member Maetzold and seconded by Member Faust for award of bid for storm sewer for Edina Boulevard from Country Club Road to Bridge Street, Improvement No. STS-254, Contract No. 98-8 (Engineering) to recommended low bidder, F.F. Jedlicki, Inc., at \$57,090.00.

Motion carried on rollcall vote - five ayes.

TRAFFIC SAFETY REPORT OF JULY 7, 1998, APPROVED; SECTION B (1) (STOP SIGN REQUEST ON NORMANDALE AT WEST 69TH STREET) CONTINUED TO REGULAR MEETING OF AUGUST 17, 1998

Coordinator Bongaarts explained the Traffic Safety Committee received a request for a STOP sign on Normandale Road (east side of Highway 100) at West 69th Street. The requester felt a STOP sign would slow down excessive speed on Normandale Road between West 70th Street and West 66th Street.

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Coordinator Bongaarts said Normandale Road is a one-way northbound street from West 70th Street to West 66th Street. There are two 'T' type intersections coming into Normandale Road; one at West 69th Street and one at Payton Court; both contribute very little traffic to Normandale Road. There is no accident history for either of these intersections.

The majority of traffic flow is from West 70th Street to West 66th Street. A week long traffic count showed a Monday through Friday daily average of 1902 vehicles and a Saturday/Sunday average of 1062 vehicles.

The speed survey did show a definite excessive speed problem. The average 85 percentile speed was 41 MPH and Normandale is a posted 30 MPH zone. Of the 11,638 vehicles surveyed 10,011 (or 86%) were over the 30 MPH speed limit. There were 2,911 vehicles (or 25%) between 36 and 39 MPH. There were 2409 vehicles (or 21%) over 40 MPH and 99 vehicles over 50 MPH.

Typically, speeds are set to the 85 percentile speed which would raise the street's posted speed between 35 and 40 MPH. The higher speeds are attributed to the driver being comfortable with safely negotiating the roadway. However, the staff decided not to recommend raising this speed limit at this time. Staff further recommended the Police Department continue their stepped up speed enforcement of the subject road.

Member Kelly asked where is the safest place for cut-through traffic to go. Coordinator Bongaarts said Normandale Road.

Member Hovland said the road to him has a 'dual-nature' and is like a mini-highway with homes set back from the road. He said stepped-up enforcement is being requested all over Edina, because of speeds in their neighborhoods. Coordinator Bongaarts reminded that once expensive traffic enforcing is accomplished, traffic will be forced onto other neighborhood streets and those neighbors will be back with the same complaint. Member Hovland asked about camera technology. Chief Bernhjelm stated camera technology is not legal in Minnesota at this time.

Dean Kovack, 6817 Normandale Road, said he has numerous contacts with the Police regarding the speeds on Normandale. Recently STOP signs have been placed on streets in close proximity to Normandale and are not as well traveled. His primary concern is with safety of the neighborhood children. He believes a STOP sign would slow traffic and requested installation of a STOP at 69th and Normandale. He believes most people exiting Hwy 100 do not view the frontage road area as a neighborhood.

Mayor Smith inquired when the West Shore area traffic study would be back on the agenda. Coordinator Bongaarts replied he is currently doing speed surveys. Mayor Smith said he is persuaded that a STOP sign should be installed at the requested intersection.

Member Faust asked if just because people speed, could the County be asked to raise a speed limit. Coordinator Bongaarts replied in the case where the County is asked to lower speeds

they would not lower them. Member Faust said she would vote for a STOP sign at 69th and Normandale.

Member Maetzold said his personal philosophy on STOP signs is that they do slow traffic. He favored a STOP being placed at 69th & Normandale, but also at Payton Court. Coordinator Bongaarts said he would agree, but when two STOPS are installed, an avalanche of requests will be forthcoming and dissuading the public will be difficult.

Member Kelly said he believes installing STOPS at 69th & Normandale and at Payton Court will cause traffic to use West Shore and Cornelia and he would not be in favor of that. If STOP signs were installed, he believes they would not help Christ Presbyterian Church and traffic would only back up. He reminded the Council there are homes on only one side of Normandale and they are set far back from the road. Sidewalks would be an excellent addition to the neighborhood. Member Kelly said neighbors on Dunberry and Brittany should be kept informed that the issue of STOP signs is being discussed at the Traffic Safety Committee.

Member Hovland stated Normandale Road feels like a freeway. It is a one-way street next to the freeway and seems to promote speed. This is a difficult problem to solve because the neighborhood residents do not want traffic to go onto other neighborhood streets by virtue of putting a STOP sign in as requested, and no one wants speeding on Normandale Boulevard.

Coordinator Bongaarts suggested if the staff were available, the hours that traffic speeds are the highest could be pinpointed, but in his opinion heavy enforcement at different times would be a good idea.

Mayor Smith asked when further research and information could be available. Coordinator Bongaarts said August 17, 1998. Member Kelly suggested notifying the petitioner of the STOP sign on West Shore Drive, of the August 17, 1998, meeting.

Member Hovland voiced concern with item C.5. where Hennepin County states, ..."even if a signal were to be allowed, the City of Edina would need to plan on paying for all of the costs of its installation." Assistant Manager Hughes said the County would need to be contacted to see if their position had changed and the issue would come back before the Council in due course.

Member Maetzold made a motion approving the following actions as recommended in Section A.1 of the Traffic Safety Report of July 7, 1998:

- **Install a 4-Way, all way STOP for the intersection of West 65th Street and Drew Avenue;**
- **Place "Universal Sign for Wheelchairs" at both north and south of the hill crest in the 6400 block of Tingdale Avenue; and**

to approve Section B. 2, and 3, and Section C and to continue Section B.1 until the Regular Council Meeting of August 17, 1998. Motion was seconded by Member Kelly.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

***PUBLIC HEARING DATE SET OF AUGUST 17, 1998, FOR VACATION OF EASEMENT (6219 HALIFAX)** Member Maetzold introduced the following resolution seconded by Member Faust:

**RESOLUTION CALLING FOR
PUBLIC HEARING ON VACATION OF EASEMENT AT
6219 HALIFAX**

BE IT RESOLVED by the City Council of the City of Edina, as follows:

1. It is hereby found and determined (after receipt of the petition of the land affected thereby) that the following described property should be considered for vacation, in accordance with the provisions of Minnesota Statutes, Section 160.29 and 462.358, Subd. 7:

An Easement for a temporary turnaround over the segment of that part of a circle in Lot 5, Roy H. Peterson 2nd Addition, Hennepin County, Minnesota, adjacent to and east of the east line of Halifax Avenue, as opened the diameter of said circle being 100 feet, the center point being 50 feet North of the Southeast corner of Lot 16, Block 1, Peacedale Acres, and 10 feet East of the East line of said Lot 16, measured at right angles thereto..

2. This Council shall meet at 7:00 p.m. on the 17th day of August, 1998, for the purpose of holding a public hearing on whether such vacation shall be made in the interest of the public.
3. The City Clerk is authorized and directed to cause notice of said hearing to be published once a week for two weeks, in the Edina Sun, the official newspaper of the City, to post such notice, in at least three public and conspicuous place, as provided in Minnesota Statutes. Such notice shall be in substantially the following form:

(Official Publication)
CITY OF EDINA
4801 WEST 50TH STREET
EDINA MINNESOTA 55424
NOTICE OF PUBLIC HEARING ON
VACATION OF PORTION OF PUBLIC STREET
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Minnesota will meet on August 17, 1998, in the Council Chambers at 4801 West 50th Street for a public hearing for the proposed vacation of the following public street:

An Easement for a temporary turnaround over the segment of that part of a circle in Lot 5, Roy H. Peterson 2nd Addition, Hennepin County, Minnesota, adjacent to and east of the east line of Halifax Avenue, as opened the diameter of said circle being 100 feet, the center point being 50 feet North of the Southeast corner of Lot 16, Block 1, Peacedale Acres, and 10 feet East of the East line of said Lot 16, measured at right angles thereto..

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Debra Mangen, City Clerk

Adopted this 20th day of July, 1998.

Motion carried on rollcall vote - five ayes.

WINE AND BEER LICENSE APPROVED - RUBY TUESDAY'S Manager Rosland explained that Ruby Tuesday's, an Edina restaurant located at 1656 Southdale Center, was originally operated as a corporate store. Recently, the corporation decided to sell franchises. The Edina store will be one of the first franchisees. City Code Section 900 requires Council approval of wine and beer licenses before issuance. The Police Department completed their investigation and recommends the applicant, RT Minneapolis Franchise LLC d.b.a. Ruby Tuesday's be approved.

Member Faust made a motion approving issuance of on-sale wine and 3.2 beer licenses to RT Minneapolis Franchise LLC d.b.a. Ruby Tuesday's, located at 1656 Southdale Center. Member Hovland seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

LIQUOR REFERENDUM REPORT PRESENTED Assistant Manager Hughes reported at the June 15, 1998, meeting, the Council requested that staff respond to a number of questions with respect to the on-sale (i.e. by the drink) of liquor in Edina. These questions were prompted by several Edina businesses and organizations who requested the Council's consent to placing a referendum question on the November 1998 general election ballot, which, if approved, would allow the Council to issue on-sale liquor licenses. The questions asked by the Council were as follows:

- What is the history of liquor referenda in Edina?
- What is the process for holding a referendum?
- What steps follow if the referendum passes?
- Are there any other cities in Minnesota with a similar liquor situation?
- Will this have any effect on our municipal liquor enterprise from a procedural standpoint?
- Are there any other procedural issues the Council should consider?

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HISTORY OF REFERENDA

- 1961 Continuation of Municipal Liquor Stores (Passed Overwhelmingly)
- 1975 Split Liquor (Defeated 2:1)
- 1984 On-Sale Wine (Passed 3:1)

PROCESS FOR REFERENDUM

- Election Required Prior to Issuance of On-Sale Licenses
- Council May Order Election
- Council Must Order Election if Petitioned by 20% of Voters
- Election May be Held with a General Election
- Simple Majority to Pass
- Ballot Question Must be Decided 45 Days Before the General Election

FORM OF QUESTION

- "SHALL THE CITY OF EDINA BE AUTHORIZED TO ISSUE ON-SALE LIQUOR LICENSES TO HOTELS AND RESTAURANTS AS PROVIDED IN MINNESOTA STATUTES SECTION 340A.601?"

STEPS IF REFERENDUM PASSES

- Ordinance Needed to Authorize Licenses
- Adoption of Ordinance is discretionary Even if Referendum Passes
- Only Clubs, Hotels and Restaurants Eligible for License

SIMILAR CITIES

- Edina's current license structure is unusual
- Metro area "dry" cities:
 - Deephaven
 - Lauderdale
 - Sunfish Lake

EFFECT ON MUNICIPAL STORES

- No Procedural Effect

Assistant Manager Hughes noted the Council would need to made a decision by September 8, 1998, if a liquor referendum would be included on the November 3, 1998, ballot.

Member Maetzold inquired whether licensing is based on the requirement that proof of a certain percentage of food sales at a restaurant would allow the licensing of that restaurant. Assistant Manager Hughes said 60% of revenue in a restaurant must come from food sales, according to State Statute. Member Maetzold further asked if a bar would be allowed to open in Edina if no food were served. Assistant Manager Hughes said such a business would not be allowed.

Attorney Gilligan elaborated that laws have changed since 1975 and if it is the decision of the Council to place the question on the ballot, the language of that question should be more clear.

Member Hovland inquired if a limit would be put on the number of licenses issued in Edina. Assistant Manager Hughes said the City could only have 19 licensed facilities. Attorney Gilligan noted less licenses could be issued as well as conditions could be affixed that a restaurant must have, a 1) certain seating capacity, or 2) be located within a complying zoning district. Member Hovland asked who would receive these licenses. Attorney Gilligan said they would be issued on a first-come/first-served basis.

Mayor Smith asked if enforcement costs had been considered. Assistant Manager Hughes said at this time, procedural issues had been the focus and staff has not taken substantive issues into account.

Member Kelly pointed out the question would need to be phrased in a way that educates the voter. Mayor Smith reminded the Council they could not take a position on the question personally, but they could offer information on the referendum. Attorney Gilligan again noted the question would be developed precisely and cleanly.

Member Maetzold asked for more information on, 1) what the expense of this referendum would be to the City, 2) expected costs of enforcement, and 3) what experience other cities have had allowing this type of liquor license.

Consensus of the Council after a brief discussion was the issue should be back before the Council at the regular meeting of August 17, 1998.

Public Comments

Warren Beck, 3216 Robinson Bay Road, Deephaven, of Gabbert and Beck. asked clarification of the time limit for the question to be placed on the ballot was in fact 45 days, or if it was 90 days. He voiced concern if the meeting were held on August 17, 1998, meeting the 45 day limit, or if August 3, 1998, would go by and it was actually a 90 day limit.

Member Hovland suggested staff canvas other cities to learn from their experiences and to ask for their fee schedule.

Mayor Smith said the Council would tell staff what they want on the question and staff can develop the question.

Member Kelly made a motion approving that a question be placed on the November 3, 1998, ballot asking voters if the City should consider issuing on-sale liquor licenses to hotels and restaurants, with the exact form of the question to be determined at a later date.

Member Maetzold seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold

Nays: Smith

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Motion carried.

EDINA'S 20/20 VISION PROCESS EXPLAINED Assistant Manager Hughes explained on June 15, 1998, Mayor Smith outlined a long range planning initiative for the City with six suggested areas of focus: 1) regional issues, 2) demographics, 3) public safety, 4) housing, 5) programs, and 6) infrastructure. The Council directed staff to prepare an outline with respect to the process and schedule for a strategic planning and visioning process. Staff believes this process should focus primarily on the Council, Advisory Boards and Commissions and City staff, while giving two or three opportunities for the general public to have input. Based on this, the planning and visioning work-plan would have the following components.

PUBLIC VISIONING/ISSUES IDENTIFICATION Process would consist of two public meetings to address, "What is this place?" and "What does the City want to be?" These sessions should identify critical issues and be used to develop objectives and alternative strategies in the public visioning process.

SITUATION ANALYSIS/CRITICAL ISSUES IDENTIFICATION The element would include staff, the Council, and Boards and Commissions to define strengths and weaknesses, opportunities and threats. "What changes may affect the way the City does business in the future?" would need to be answered. The outcome would be used to identify the critical issues that must be addressed by the plan.

OBJECTIVES Given our vision and the City's strengths and weaknesses, opportunities and threats, this element will identify the objects to be established for the purpose of measuring outcomes.

STRATEGIES This element will develop alternative ways to achieve our objectives.

STRATEGY EVALUATION AND SELECTION This element will include an evaluation of the alternatives. The selection of one set of strategies that can best represent the City's vision and objectives and could include a public meeting at this stage.

ACTION STEPS This includes the process of developing action steps with City staff and will include the identification of key steps and the schedule and responsibility for their accomplishment.

SCHEDULE The planning process could begin January 1, 1999, and could be completed in 8-12 months with anticipated monthly workshop sessions.

CONSULTANT It is essential that the City employ a consultant to assist with the process, to work with the Council and staff and prepare the final design for the planning process, to facilitate the process and prepare a written summary of the process and its outcomes. It is anticipated the cost of this process will be approximately \$25,000 to \$35,000 for a consultant's services to manage the process.

Following a brief Council discussion, Mayor Smith suggested Manager Rosland, Assistant Manager Hughes and he would interview prospective consultants.

JOINT POWERS AGREEMENT BETWEEN THE METROPOLITAN COUNCIL AND CITY OF EDINA FOR INSTALLATION, REPLACEMENT AND MAINTENANCE OF BUS STOP SIGNAGE APPROVED Engineer Hoffman explained the City received a request to enter into a joint powers agreement with the Metropolitan Council (Transit Provider) for the installation, replacement and maintenance of Metro Transit Bus STOP signs and holders.

In the past, the City has worked with the "old" MTC group to erect and help maintain transit stop signing.

The new program is to formalize the bus stop program and the agreement requests the new system be installed by the City with materials being provided for by the Metropolitan Council. The City would be reimbursed for its cost for the initial changeover of approximately 530 signs. The estimated installation expense ranges from \$23,368 to \$25,705. The City of Minneapolis Public Works Department agreed with the Metropolitan Council to provide project management and coordination with the City of Edina.

Engineer Hoffman said the City of Edina went through a federally funded sign program in the 1970's so staff is familiar with the procedures and requirements. Staff recommends the City approve the program and authorize the Mayor to sign the agreement.

No Council discussion ensued. Member Maetzold was absent from the Council Chambers during the vote.

Member Kelly made a motion approving the joint powers agreement approving the Metro Transit Bus Stop Sign Program and authorizing the Mayor to sign the agreement. Member Hovland seconded the motion.

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

***RESOLUTION APPROVED AUTHORIZING EXECUTION OF SUB-GRANT AGREEMENT, FEDERAL DISASTER PROGRAM FOR PERIOD MAY 15-30, 1998**

Member Maetzold introduced the following resolution, seconded by Member Faust:

**RESOLUTION AUTHORIZING
EXECUTION OF SUB-GRANT AGREEMENT**

WHEREAS, it is resolved the City of Edina enter into a sub-grant Agreement with the Division of Emergency Management in the Minnesota Department of Public Safety for the program entitled Public Assistance and Hazard Mitigation for FEMA 1225-DR-MN; and

WHEREAS, Michael Siitari, Deputy Chief of the Edina Police Department, is hereby authorized to execute and sign such Sub-grant Agreements and amendments as necessary to implement the project on behalf of the City of Edina; and

NOW THEREFORE, BE IT RESOLVED that the Mayor of the City of Edina, be authorized to sign the resolution authorizing execution of the Sub-grant Agreement with

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the Division of Emergency Management regarding the Federal Disaster Program for the period May 15-30, 1998.

Motion carried on rollcall vote - five ayes.

SENIOR TRANSPORTATION INITIATIVE APPROVED Manager Rosland said the Senior Center has the use of an 11 passenger bus, donated in 1997 to the City of Edina by the Edina Foundation. The last volunteer driver retired in May 1998. The Senior Center has attempted to find a qualified driver for the bus and would like to restart the transportation program in order to reach qualifying Edina residents with this service.

The proposal put forward by Senior Center staff would include:

- City hiring one temporary full-time driver for the bus. Position would last 16 months and be subject to evaluation of its effectiveness
- Redefine the bus route
- Develop a budget
- Market the improved service
- Research MnDOT qualifications

Manager Rosland estimated the cost to the City would be \$25,000 to fill this position. The goal is to hire someone for the position by September 1, 1998.

Senior Center Director Weigle gave background information into the very much needed program. She explained their relentless pursuit of locating a driver to keep the program operating and asked for help from the City.

Council comments were: 1) Why not solicit donations from the public to keep the program going, 2) Why not operate the service like the Park and Recreation Department operates with 'user fees', 3) Getting into the transportation business should take some careful consideration - is 16 months too long, 4) This service would help seniors retain their independence, 5) This is an excellent service and should be subsidized, 6) Caretakers of the service must provide excellent accountability of the program, 7) Have fund-raisers ever been considered to help defray costs, 8) A 16 month trial is good, 9) Could City cut programs if losses are too great, 10) Letting the bus sit around is not a good idea, 11) Driver should be aware that contract could be terminated if the job is over.

Kay Bach, Chair of the Edina Senior Advisory Council, pointed out that in a 16 month time frame, there might be a 'real' Senior Center where donations could be solicited to help defray costs. She asked for this service for people who cannot ask for themselves and further believes that \$2.00 a ride is a fair price.

Joyce Hirabayashi, 6101 Halifax Avenue South, said they had even looked for a senior citizen who still drives to fill the position and would be able to assist riders both with their infirmities and parcels. They were unable to find a volunteer after an extensive search.

Attorney Gilligan noted that a written contract with the driver is an excellent idea.

Mayor Smith suggested the \$2.00 rate be set and asked that the Council receive an update of the program after three months of operation.

Member Maetzold made a motion approving, 1) the hiring of a driver for the Edina senior bus for a 16 month period at which time the contract would be reevaluated, 2) that \$2.00 per ride be charged for the service, and 3) that the program be monitored on a regular basis with results reported to the Council. Member Hovland seconded the motion.

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

***APPOINTMENT MADE TO COMMUNITY COUNCIL** Motion made by Member Maetzold and seconded by Member Faust approving the appointment of Rev. Canon Charles Vogt to the Edina Community Council filling the unexpired three year term to June 30, 2001.

Motion carried on rollcall vote - five ayes.

***ENDORSEMENT GIVEN TO THE HENNEPIN COUNTY BOARD FOR REAPPOINTMENT OF AILEEN KULAK AS MANAGER OF NINE MILE CREEK WATERSHED DISTRICT** Motion made by Member Maetzold and seconded by Member Faust endorsing reappointment to the Hennepin County Board of Aileen Kulak as Manager of the Nine Mile Creek Watershed District.

Motion carried on rollcall vote - five ayes.

SPECIAL CONCERNS OF MAYOR AND COUNCIL Member Faust and Member Kelly brought up their concerns with the submittals received for the Smiley 2nd Addition Preliminary Plat Request, the hearing continued earlier during the meeting. Member Faust stated she believed the definition of neighborhood should be reviewed. She added that staff needs to ensure every application follows all ordinance requirements before being reviewed by the Planning Commission. In the case of the proposed Smiley 2nd Addition, Member Faust felt the Planning Commission should review the proposal again because at their initial review they did not have the addresses of the persons noticed, the neighborhood lots mean and median widths or the listing of lots within 500 feet.

Member Kelly agreed with Member Faust that the Planning Commission should not review an incomplete application. Member Kelly stated that the data supplied with the Smiley 2nd Addition plat appears incorrect, the map was wrong, lot widths were wrong, and the hand written list did not match the calculated list. He continued that he found gross inconsistencies in the lot widths and requested that staff review submittals to verify accuracy. In his opinion the proposal should be reviewed again by the Planning Commission once correct data can be obtained.

Mayor Smith requested staff review the inaccuracies brought up by Members Faust and Kelly. He noted it is not the Council's job to review submittal data, but the staff's. He requested that staff look into the matter and report their findings back to the Council.

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Planner Larsen explained the names and addresses of property owners notified were in the planning file; however, it has not been practice to send the list out with each proposal. He added he would review the data and report back to the Council his findings.

After a brief discussion, **Member Faust made a motion request the Planning Commission to review the Smiley 2nd Addition Preliminary Plat request after the developer completes the necessary submittals or corrects any inaccuracies in their data.** Member Hovland second the motion.

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

1997 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND MANAGEMENT LETTER RECEIVED Manager Rosland presented the City's 1997 Comprehensive Annual financial Report (CAFR) and Management Letter.

Following a brief discussion, **Member Maetzold made a motion approving receipt of the 1997 Comprehensive Annual Financial Report and Management Letter.** Member Hovland seconded the motion.

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

CLAIMS PAID Member Maetzold made a motion to approve payment of the following claims as shown in detail on the Check Register dated July 15, 1998, and consisting of 34 pages: General Fund \$1,054,095.85; C.D.B.G. \$11,594.50; Communications \$23,585.90; Working Capital \$47,825.65; Art Center \$17,419.60; Golf Dome Fund \$179.56; Swimming Pool Fund \$22,345.57; Golf Course Fund \$55,921.16; Ice Arena Fund \$25,391.74; Edinborough/Centennial Lakes \$27,756.97; Utility Fund \$245,323.32; Storm Sewer Utility Fund \$4,868.68; Recycling Program \$38,207.13; Liquor Dispensary Fund \$229,138.57; Construction Fund \$100,292.51; Park Bond Fund \$120,917.26; TOTAL \$2,024,863.97. Member Faust 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 11:18 P.M.

City Clerk