

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
JANUARY 4, 1999 - 7:00 P.M.**

ROLLCALL Answering rollcall were Members Hovland, Maetzold, and Mayor Smith. Member Kelly entered the meeting at 7:12 P.M. Member Faust entered the meeting at 8:15 P.M.

CONSENT AGENDA ITEMS APPROVED Motion made by Member Maetzold and seconded by Member Hovland approving the Council Consent Agenda as presented.

Rollcall:

Ayes: Hovland, Maetzold, Smith

Motion carried.

MAYOR PRO-TEM APPOINTED Mayor Smith made a motion appointing Member Maetzold to serve as Mayor Pro-tem in his absence.

OATHS OF OFFICE ADMINISTERED Clerk Mangen administered the Oath of Office to James B. Hovland and Dennis F. Maetzold, to serve four year City Council terms to January 1, 2003.

RESOLUTION VACATING PORTION OF WEST 41ST STREET APPROVED - 4023 LYNN AVENUE SOUTH Affidavits of Notice were presented, approved and ordered placed on file.

Presentation by Engineer

Engineer Hoffman explained the property owner at 4023 Lynn Avenue requested the City vacate a portion of West 41st Street, adjacent to their property. West 41st Street does not exist as a public roadway, nor does it ever appear that such a roadway will be needed. The City of Edina, NSP, Minnegasco, USWest and Paragon Cable do not have any facilities located in the requested area. Staff recommends granting the requested vacation.

Mayor Smith asked for Public comment. No comments were heard.

Member Maetzold introduced the following resolution and moved its approval:

**RESOLUTION VACATING PORTION
OF WEST 41ST STREET**

**WHEREAS, a motion of the City Council, on the 7th day of December, 1998, fixed a date for a public hearing on a proposed vacation of a portion of West 41st Street; and
WHEREAS, two weeks published and posted notice of said hearing was given and the hearing held January 4, 1999, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and
WHEREAS, the Council deems it to be in the best interest of the City and of the public that said vacation be made; and**

WHEREAS, the Council considered the extent the vacation affects existing easements within the area of the 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;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following portion of West 41st Street is hereby vacated effective as of November 2, 1998:

The northerly thirty(30) feet of the unimproved portion of west 41st Street as platted in Minikahda Vista Third Addition, Morningside, Minnesota, adjacent to Lot 13, Block 2, Minikahda Vista Third Addition, Morningside, Minnesota, according to the plat thereof on file or of record in the office of the Registrar of Titles, Hennepin County, Minnesota.

BE IT FURTHER RESOLVED that said vacation does not affect, and there are continued, reserved, and retained, by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

The authority of Northern States Power Company, USWest Communications, Paragon Cable Minnesota, or Minnegasco to enter upon the above vacated area for the maintenance, replacement, repair and removal of and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for utility service now in, on or under the above vacated area.

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the County Recorder, in accordance with Minnesota Statutes, Section 412,851. Member Hovland seconded the motion.

Ayes: Hovland, Kelly, Maetzold, Smith
Resolution adopted.

WOODDALE PARK COMFORT STATION DISCUSSED Director Keprios gave history and background information on the Wooddale Park comfort station as follows:

PARK REFERENDUM - MAY 7, 1996

- 40 public input meetings held during 1995 - 1996
- No specific meeting held for Wooddale Park
- Every household in Edina received a mailing in mid-April 1996, (including Wooddale Park neighborhood)
- \$5.5 million referendum passed by 77%

NEED:

- Numerous requests received from park users that restrooms need to be made available wherever baseball/softball games are scheduled for youth
- Portable toilets disapproved due to aesthetics, smell, vandalism and sanitation due to lack of running water

- Numerous requests for restrooms from playground/picnic shelter users - forced to use the wooded area
- Utley Park restrooms would require children to cross 50th Street (dangerous and not handicapped accessible)

ORIGINAL PLAN INCLUDED:

- Two separate bathroom facilities (men's and women's)
- Open to public only during daylight hours, during summer months
- Keyless entry system programmed to automatically lock at night/open in morning
- Closed during winter months

BACKGROUND:

- Architect hired June 1997
- Utilities installed fall 1997
- Building construction began April 1998
- Neighborhood petition received March 22, 1998
- Construction halted and site restored

NEIGHBORHOOD INPUT MEETING - APRIL 8, 1997

- Notices mailed to 570 residents
- 17 residents attended
- 22 letters received

RESIDENTS' COMMENTS AND CONCERNS:

- There is no proven need
- Too close to neighboring homes
- Building is too large
- Some approve of permanent facility
- Majority approved of portable toilets
- Move to different location in the park

PARK BOARD MEETING - APRIL 14, 1998

- Unanimously passed a recommendation that "the comfort station construction be put on hold this summer, that portable toilets be used at Wooddale Park and the issue be addressed again at the end of the summer."

WOODDALE PARK INPUT MEETING - NOVEMBER 19, 1998

- 859 notices mailed to neighboring households of Wooddale Park
- 32 residents attended meeting

ALTERNATIVES:

- No restrooms at Wooddale Park
- Use portable toilets during summer months
- Permanent restrooms at Wooddale Park

PERMANENT FACILITY OPTIONS:

- Unisex bathroom (optional designs; 161 s.f.)
- Men's and women's restrooms (optional designs)
- Location of a permanent facility within the park could be placed closer to the parking lot

RESIDENT INPUT:

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- 36 letters were received opposing a permanent facility
- 5 letters received favoring a permanent facility

COMMENTS FROM RESIDENTS AT INPUT MEETING:

- There is a lack of demonstrated need
- Park was not originally designed to be a scheduled park facility
- Signs should be placed in park informing park users of restroom facilities at Utley Park
- Most residents prefer temporary portable toilets
- Wooddale Park was never intended to be an all Edina park
- Dollars should be used elsewhere in the park - replacing trees lost during 1998 storms and replacing old playground equipment
- Scheduled games at Wooddale Park causes children to cross 50th Street due to inadequate parking at Wooddale Park

COSTS:

- Portable toilet costs \$58.50 every 28 days
- Permanent comfort station costs approximately \$50,000 (not including utilities, architect and engineering fees)
- Three-sided enclosure for portable toilet costs \$1,000

PARK BOARD RECOMMENDATION:

- Put construction of permanent comfort station at Wooddale Park on hold indefinitely
- Rely on portable toilets at Wooddale Park during summer months only
- Place signs in Wooddale Park informing users of restrooms in Utley Park
- Work towards eliminating scheduled games at Wooddale Park
- Work with neighbors to design and locate a three-sided permanent structure to house a portable toilet

Council comment

Mayor Smith said he would like to discuss the positive parts of this proposal and invited proponents to speak to the issue.

Member Maetzold inquired if there are any other temporary facilities in Edina. Director Keprios said yes, in Lewis Park and Garden Park. Member Maetzold clarified if bathroom facilities are available where scheduled activities take place. Director Keprios responded yes, bathroom facilities are usually available where scheduled events take place. Member Maetzold said with increasing enrollment, how can one park not be scheduled for activities. Director Keprios said the Baseball Association said they will be able to move some daytime programs from another field because fields do exist during the day.

Resident comment

Sandy Simmons, 4619 Wooddale Avenue South, spoke in favor of installation of the comfort station. Ms. Simmons voted in favor of the referendum and was shocked the City would consider a portable toilet at such a very visible site. Neighbors believed the issue was a no-brainer and only a vocal few near neighbors were speaking against the

permanent facility. The park services a tremendous number of kids who have to go home to use a restroom. Everyone is experiencing a space crunch and she believes the park should be used as much as possible. She added she would be embarrassed to live within a block of a park that has portable comfort station. She would be angry if residents voted for the referendum to include a Wooddale comfort station and did not end up getting one.

Bob Dillon, 4702 Sunnyside Road, concurs with Ms. Simmons, but believes the dissention is the classic example of a vocal few who live on the perimeter of the park acting in their own self-interest not in the interest of the neighborhood as a whole. He reminded the Council a petition had been submitted previously by neighbors in favor of installation of the comfort station. He believes in order to serve the majority of the neighbors, the installation should go forward.

Kathryn Peterson, 4303 Country Club Road, said the park needs to have trees replaced that were lost during the storm as well as the playground equipment and grounds need to be maintained. The real issue is the neighborhood wants all aspects of the park to be used safely.

Ann Hall, 4405 Country Club Road, explained she was the reason the installation of the comfort station was stopped. The proposal was for a windowless building 17 feet high, built in four quadrants locking from the inside. Ms. Hall voiced concern with: 1) safety of a child getting locked into the facility, 2) the proposed location of the building would have obstructed views from the park on Wooddale and Country Club and Browndale, and 3) the building was too large for the park. She sees two uses of the park: 1) for tot lot users between 1½ - 3 ½ years old who use the park for an hour or so, many who are diapered and do not need a comfort station; and 2) for scheduled baseball games where the demand is greatest, and a comfort station should be located closer to the fields and could possibly be a unisex facility. Ms. Hall expressed concern with maintenance of the park evidenced by: 1) graffiti, 2) playground sand spills on the sidewalk creating a danger to runner and bikers, and 3) exposed concrete at the playground equipment bases because the sand is spilling out. She visited the Normandale Park comfort station and found conditions less than desirable. If a need exists for a permanent facility, she suggested it be located by the baseball fields, reduce the size and provide necessary maintenance on a regular basis. Ms. Hall concluded that a portable toilet requires less maintenance and is less cost to a taxpayer and suggested neighbors could do construction of the park equipment to reduce costs.

Marsha Renberg, 4602 Drexel Avenue, said she is a frequent user of the park and is amazed it costs \$50,000 to install a comfort station, while the playground equipment is unsafe. The park is very visible and the money could be spent to beautify the park, and added neighbors may be willing to do some of the plantings.

David Lees, 4626 Drexel Avenue, spoke in opposition to the permanent comfort station. He noted if baseball were not scheduled at Wooddale Park, no permanent comfort station would be required. The Wooddale site has inadequate parking. Parking for events at

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Wooddale Park could be required at Utley Park and the facilities could be used there. He concluded the permanent station would be a waste of money when for ten weeks during the summer portable toilets would work.

Keith Peterson, 4303 Country Club Road, said his family frequently uses the park and in some respects they are custodians of the park. On occasion, he and other neighbors have trimmed trees, picked up and trimmed along the fence lines around the park. They feel a strong ownership of the park, not only for the neighborhood, but for the whole community. Mr. Peterson thanked everyone involved in the process for keeping open dialog about the proposal and for seeking a solution satisfying everyone.

Council comments

Mayor Smith believes the concern to be, if a reasonably priced comfort station were being proposed, there would not be a concern. Any facility needs to be maintained. He suggested working on plans to improve Wooddale Park which may not include a \$50,000 facility. He suggested: 1) looking at maintenance of the playground equipment, 2) checking the location of the baseball fields, and 3) finding a less expensive permanent comfort station for the park because a portable facility is not acceptable.

Member Maetzold concurs the issue needs to go back to the drawing board. He said the need for more park facilities is not going away and comfort facilities will be more and more necessary. He believes installation of portable facilities for 10 - 12 weeks during the summer is totally inappropriate for a City park. He would support it for one more summer but not permanently.

Member Kelly said he believes neighbors should have input regarding the comfort station placement, but he would never support long-term installation of portable facilities in Wooddale Park. He was shocked that 573 notices were sent out and two people came to support the project. He suggested getting other supporting neighbors to become involved in the process. He would vote 'no' to portable satellites, but he also believes \$50,000 seems high for a permanent comfort station. He concluded all persons involved must find a compromise in what would be acceptable to them.

Member Hovland indicated he has met with several neighbors regarding this proposal. He characterized their comments that children only use the park for 8 - 10 weeks in the summer for scheduled games, and voiced concern about the cost of a permanent facility over the cost of portable facilities. Their main concern was the quality and safety of the existing playground equipment. Residents felt a better way to spend the money would be to upgrade the playground equipment rather than build a \$50,000 bathroom facility. They realized this is not going away even though the Park Board postponed it indefinitely and wanted to see how the next season went. Member Hovland indicated a permanent facility in Wooddale Park may not create a solution to the difficulty with parking for scheduled games at Utley and lack of safety in crossing the street. He suggested looking at: 1) tunneling under 50th Street, for which the State could possibly have money available; 2) installing a walkway over 50th Street; 3) remodeling the permanent facilities at Utley Park;

and 4) concentrating on other things at Wooddale Park such as additional landscaping to the west, updating and upgrading fencing, and providing dog owners easy access to clean up materials. Member Hovland concluded that the neighbors wanted input into the type of playground equipment used in Wooddale Park as well.

Mayor Smith concluded residents need to get back to the drawing board concerning, 1) landscaping, 2) facilities, 3) location and 4) scheduling.

INTOXICATING LIQUOR ISSUES REPORT PRESENTED Manager Hughes explained the report's purpose was to respond to the questions and issues identified by the Council in considering an ordinance regulating the issuance of on-sale intoxicating liquor licenses. To assist with this analysis, staff has surveyed seven surrounding cities with respect to their liquor ordinances and policies.

Question #1. State law permits the issuance of not more than 19 on-sale intoxicating liquor licenses in Edina. Does the Council wish to allow the issuance of all 19 licenses or does the Council wish to cap the number of available licenses at a lesser number?

- 6 of the 7 surveyed cities issue at least the statutory maximum
- Council may issue licenses by category but some categories may be difficult to define
- One license per person
- Hotels licensed as a single entity

Question #2. The City currently has issued 17 on-sale wine licenses and nine 3.2 beer licenses. Does the Council wish to give a "preference" to such licensees for new intoxicating liquor licenses?

- Preference should be limited to wine licensees
- License cap may affect preference
- Preference process

Question #3. Restaurants with wine and/or beer service are allowed in the following zoning districts: PC-1,2,3 (commercial districts), MDD (mixed development district), PRD-4,5, PSR-4 (residential districts) and POD (office district). Does the Council wish to permit the issuance of on-sale intoxicating liquor licenses in all of these districts or in only some of the districts?

- Limit to PC-2, PC-3 and MDD

Question #4. What is the approximate cost of issuance, inspection and enforcement of on-sale intoxicating liquor licenses? What should the City's fee schedule be for such licenses?

- Bloomington study estimates costs of over \$10,000 per license
- \$11,000 fee recommended initially
- Fees should be uniform

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Question #5. The City Code requires that wine licensed restaurants receive at least 60 percent of revenues from the sale of food. Should this requirement be maintained or changed for on-sale intoxicating liquor licensees?

- 60% is highest of surveyed cities
- Hotels may be affected

Question #6. State law restricts liquor licenses in close proximity to certain schools. Does the Council wish to provide spacing requirements with respect to other uses?

- Recommend 300 foot spacing to churches and schools
- Spacing between licensed premises possible but not recommended

Question #7. The City Code limits bar or service counter seating to not more than 15 percent of the seating capacity of a premises licensed to sell wine. Should this ratio be maintained for intoxicating liquor premises?

- No other cities limited bar seating
- 15% limitation recommended for all liquor licenses
- Hotels may be affected due to their various points of service

Question #8. Some cities require a minimum capital investment to qualify for an intoxicating liquor licenses. Does the Council wish to establish a minimum requirement?

- Minimum market value or seating capacity required by most cities
- Bar seating and food sale requirements more important
- Costs of full liquor service will influence size of establishment

Question #9. The City Code provides a rather stringent investigation process for wine license applicants. Does the Council believe that this process is adequate for intoxicating liquor license applications?

- Wine license process is adequate for liquor
- Public hearing prior to license issuance required by most cities

Question #10. Should the City prohibit certain types of entertainment establishments from receiving an on-sale liquor license?

- Bolster sexually-oriented entertainment restrictions
- Food sale requirements limit entertainment potential
- Consider prohibiting bowling centers and recreation centers from licensure

Question #11. Are the present standards for serving wine, including the requirement for licensed wine managers, adequate for the service of intoxicating liquor?

- Wine standards include wine manager requirement, alcohol awareness training, and two for one restrictions
- Existing wine standards are adequate for liquor regulations
- Licensure of all employees possible but not recommended

Question #12. Should the ordinance spell out a process for suspension and revocation of licenses?

- Already adequately addressed

Question #13. Can the City significantly increase the fees for liquor licenses if we later determine that fees do not cover our costs?

- Yes, provided we can reasonably demonstrate our costs

Question #14. Should the City issue on-sale licenses to any City facilities such as Braemar Clubhouse, Edinborough Park or Centennial Lakes Park Centrum?

- Refer to Park Board for recommendation

Manager Hughes noted Attorney Gilligan submitted a memorandum in connection with the Council's consideration of an ordinance regulating the issuance of Intoxicating Liquor Licenses dated December 30, 1998.

Following a Council discussion, staff was directed to draft an ordinance to be brought before the Council at the regular meeting, January 19, 1999.

*** RESOLUTIONS ADOPTED DESIGNATING DIRECTOR/ALTERNATE DIRECTOR OF SUBURBAN RATE AUTHORITY AND LOGIS FOR 1999 Motion made by Member Maetzold and seconded by Member Hovland:**

**RESOLUTION DESIGNATING DIRECTOR
AND ALTERNATE DIRECTOR TO
SUBURBAN RATE AUTHORITY**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows: John C. Wallin is hereby designated to serve as a Director of the Suburban Rate Authority, and Margaret (Peggy) Gibbs is hereby designated to serve as Alternate Director of the Suburban Rate Authority for the year 1999 and until their successors are appointed.

**RESOLUTION DESIGNATING DIRECTOR
AND ALTERNATE DIRECTOR
TO LOGIS**

BE IT RESOLVED by the City Council of the City of Edina Minnesota, as follows: John C. Wallin is hereby designated as a Director of LOGIS and Eric R. Anderson is hereby designated as Alternate Director of LOGIS for the year 1999 and until their successors are appointed.

Motion carried on rollcall vote - three ayes.

***RESOLUTION ADOPTED DESIGNATING OFFICIAL NEWSPAPER Motion made by Member Maetzold and seconded by Member Hovland:**

**RESOLUTION DESIGNATING
OFFICIAL NEWSPAPER**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, that the Edina Sun-Current be and is hereby designated as the Official Newspaper for the City of Edina for the year 1999.

Motion carried on rollcall vote - three ayes.

*SIGNATORY RESOLUTION ADOPTED Motion made by Member Maetzold and seconded by Member Hovland:

SIGNATORY RESOLUTION

BE IT RESOLVED that persons holding office as Mayor, Manager and Treasurer of the City of Edina, be, and they hereby are authorized to act for this municipality in the transaction of any banking business with U.S. Bank National Association (formerly known as First Bank National Association), Excel Bank (formerly known as Americana State Bank of Edina), Fidelity Bank, Norwest Bank Minnesota NA, Richfield Bank and Trust Co., and National City Bank/Southdale Office (hereinafter referred to as the "Bank") from time to time and until written notice to any Bank to the contrary, to sign checks against said accounts, which checks will be signed by the Mayor, Manager and City Treasurer. Each Bank is hereby authorized and directed to honor and pay any checks against such account if signed as above described, whether or not said check is payable to the order of, or deposited to the credit of, any officer or officers of the City, including the signer or signers of the check.

Motion carried on rollcall vote - three ayes.

*RESOLUTION AUTHORIZING FACSIMILE SIGNATURES Motion made by Member Maetzold and seconded by Member Hovland:

**RESOLUTION AUTHORIZING USE OF
FACSIMILE SIGNATURES BY PUBLIC OFFICIALS**

RESOLVED that the use of facsimile signatures by the following named persons:

GLENN L. SMITH	- Mayor
GORDON L. HUGHES	- City Manager
JOHN WALLIN	- Treasurer

on checks, drafts, warrants, warrant-checks, vouchers or other orders of public funds deposited in U.S. Bank National Association (formerly known as First Bank National Association), Excel Bank (formerly known as Americana State Bank of Edina), Fidelity Bank, Norwest Bank Minnesota NA, Richfield Bank and Trust Co., and National City Bank/Southdale Office, be and hereby is approved, and that each of said persons may authorize said depository banks to honor any such instrument bearing his facsimile signature in such form as he may designate and to charge the same to the account in said depository bank upon which drawn as fully as though it bore his manually written signature and that instruments so honored shall be wholly operative and binding in favor of said depository bank although such facsimile signature shall have been affixed without his authority.

Motion carried on rollcall vote - three ayes.

*RESOLUTION DESIGNATING DEPOSITORIES FOR PUBLIC FUNDS OF THE CITY Motion made by Member Maetzold and seconded by Member Hovland:

RESOLUTION DESIGNATING DEPOSITORIES

BE IT RESOLVED that the U.S. Bank National Association (formerly known as First Bank National Association), Excel Bank (formerly known as Americana State Bank of Edina), Fidelity Bank, Richfield Bank and Trust Co., and Norwest Bank Minnesota NA, are authorized to do banking business in Minnesota, be and hereby are designated as

Official Depositories for the Public Funds of the City of Edina, County of Hennepin, Minnesota, until January 1, 2000.

Motion carried on rollcall vote - three ayes.

RESOLUTION DESIGNATING NATIONAL CITY BANK/SOUTHDALE AS OFFICIAL DEPOSITORY Member Maetzold requested removing the resolution for designating the National City Bank/Southdale as an official depository from the Council agenda. He stated he would be abstaining from any discussion or final approval of this resolution as he is an officer of National City Bank/Southdale.

Member Hovland introduced the following resolution and moved its adoption:

RESOLUTION DESIGNATING DEPOSITORY

BE IT RESOLVED that the National City Bank/Southdale Office, authorized to do banking business in Minnesota, be and hereby is designated as an Official Depository for the Public Funds of the City of Edina, County of Hennepin, Minnesota, until January 1, 2000. Member Kelly seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Smith

Abstaining: Maetzold

Resolution adopted.

ANNUAL MEETING AND VOLUNTEER RECOGNITION RECEPTION DATES CONFIRMED At the meeting of December 21, 1999, staff was directed to select a date for the Annual Meeting and the Volunteer Recognition Reception from a condensed list and to confirm the dates with the Council at the January 4, 1999, Regular Council meeting.

Member Faust made a motion approving Thursday, March 25, 1999, at 5:00 P.M. at Centennial Lakes for the Annual Meeting and Tuesday, April 20, 1999, at 5:00 P.M. at Edinborough Park for Volunteer Recognition Reception. Member Hovland seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

ORDINANCE NO. 1999-1 ADOPTED INCREASING CERTAIN SEWER AND WATER FEES AND CHARGES Director Wallin presented schedules for utility fees and charges proposed for 1999. He explained that with the construction projects resulting from the 1997 flood and other projects, the City hired Progressive Consulting Engineers to review the water and sewer fees for 1999 and beyond. Their report indicates the bond funds needed to finance proposed construction projects in the capital plan, can be funded with a four percent (4%) increase in the City's water and sewer rates.

Director Wallin explained that SAC charges are a pass-through charge determined by the Metropolitan Council Environmental Services.

Director Wallin noted the higher tiered water charge for the areas of Edina using Minneapolis water. Minneapolis has notified Edina they will be charging \$1.68 per 100 cubic feet for 1999. The City adds an administrative charge of \$.02 per 100 cubic feet.

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Mayor Smith called for public comment. None was forthcoming.

Member Kelly moved first reading and waiver of second reading of Ordinance No. 1999-1 as follows:

**ORDINANCE NO. 1999-1
THE CITY COUNCIL OF THE CITY OF EDINA ORDAINS:**

Section 1. The following described fees of Schedule A to Code Section 185 are amended to read as follows:

SECTION	SUBSEC.	PURPOSE OF FEE/CHARGE	AMOUNT	FEE NO.
1100	1100.03 Subd 2	Sewer service charge: To and including 1600 cubic feet	\$29.12 quarter	235
		From 1601 cubic feet and over	\$1.82 per 100 cubic feet	236
		Apartment buildings with more than 4 dwelling units	\$26.00 for each unit over four, or \$1.82 per 100 cubic feet of water used during the quarter, whichever is greater	237
1100	1100.03 Subd 2	Sewer service charge: Commercial and Ind buildings, including schools and churches	\$34.00 per water meter or approved sewage metering device on premises, or \$1.82 per 100 cubic ft of water used during quarter whichever is greater	238
1100	1100.03 Subd 2	Water Service:	1. \$0.64 /100 cubic ft for area of City, except areas described below in 2	242
			2. \$1.70/100 cubic ft for Morningside area and for east side of Beard Av. from W 54 th St to Fuller St and both sides of Abbott Pl. from W 54 th St to Beard Av.	243
		Meter Charge:	Up to ¾ in meter \$7.78/qtr 1 inch meter \$10.56/qtr 1 ¼ inch meter \$12.06qtr 1 ½ in meter \$13.57/qtr 2 inch meter \$21.85/qtr 3 inch meter \$82.90/qtr 4 inch meter \$105.50/qtr	245
1105	1105.01 Subd 1	Service Availability Charge (SAC)	\$1,050.00 per SAC unit x number of SAC units computed as pursuant to Subsection 1110.03	250

Section 2. The effective date of this Ordinance shall be January 5, 1999.

First Reading: January 4, 1999

Second Reading: Waived

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Attest _____
Debra Mangen, City Clerk

Glenn L. Smith, Mayor

Member Maetzold seconded the motion.

Rollcall

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Ordinance adopted.

CLAIMS PAID Motion made by Member Maetzold approving payment of the following claims as shown in detail on the Check Register dated December 30, 1998, and consisting of 16 pages: General Fund \$68,891.12; Communications \$313.21; Working Capital \$80.00; Art Center \$8,165.60; Golf Dome Fund \$4,775.24; Golf Course Fund \$8,869.95; Ice Arena Fund \$1,809.74; Edinborough/Centennial Lakes \$2,227.12; Utility Fund \$263,582.03; Storm Sewer Utility Fund \$812.70; Liquor Dispensary Fund \$120,509.43; Park Bond Fund \$122,641.62; TOTAL \$602,677.76.

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 adjourned the Council Meeting at 9:40 P.M.

City Clerk