

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
JULY 18, 2000 - 7:00 P.M.**

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

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

Rollcall:

Ayes: Faust, Hovland, Maetzold

Motion carried.

Member Kelly entered the meeting at 7:05 P.M.

**\*MINUTES OF THE REGULAR MEETINGS OF JULY 5, 2000, APPROVED** Motion made by Member Faust and seconded by Member Hovland approving the Minutes of the regular meeting of July 18, 2000.

Motion carried on rollcall vote - three ayes.

**\*BID AWARDED FOR CITY HALL ROOF REPLACEMENT** Motion made by Member Faust and seconded by Member Hovland for award of bid for City Hall roof replacement to recommended low bidder, Sela Roofing, at \$85,000.00.

Motion carried on rollcall vote - three ayes.

**TRAFFIC SAFETY STAFF REVIEW OF JULY 10, 2000, APPROVED** Manager Hughes inquired whether there were any residents in the audience with concerns of the July 10, 2000, Traffic Safety Staff Review. No public comments were made.

Member Kelly made a motion to adopt the Traffic Safety Staff Review of July 10, 2000, Section A, as recommended:

1. Installation of "Deaf Child" signs north and south of requestor's home at 5821 Oaklawn Avenue; and

Section B and Section C. Member Hovland seconded the motion.

Ayes: Faust Hovland, Kelly, Maetzold

Motion carried.

**RESOLUTION NO. 2000-73 APPROVING EDINA WELLHEAD PROTECTION PROGRAM ; PUBLIC HEARING HELD** Affidavits of Notice were presented, approved and ordered placed on file.

Engineer Hoffman explained the Minnesota Department of Health (MDH) finalized the State Wellhead Protection Program (WPP) and promulgated rules in November 1997. The plan's purpose is to prevent contaminants from entering public water systems and affecting public health. The Wellhead Protection rules are based on the legal mandates of the federal Safety

## Minutes/Edina City Council/July 18, 2000

Drinking Water Act and the 1989 Minnesota Groundwater Protection Act. The City retained Short Elliot Hendrickson, Inc., to complete their WPP as required by the MDH. The Department of Health's rules also require the City to hold a public hearing. Mr. Hoffman introduced Allen Sunderman of Short Elliot Hendrickson, Inc., Edina's consultant, to present the findings of their study.

Mr. Sunderman explained the City currently has eighteen public water supply wells. Fifteen are located in the Prairie du Chien – Jordan bedrock aquifer. The other three wells use the Mount Simon Hinckley bedrock aquifer (Wells 9, 10 and 12). He said that Wellhead Protection Areas (WHPAs) are the surface and subsurface areas surrounding a well in which contaminants would almost likely enter the aquifer and affect public water supplies. Mr. Sunderman explained the City's WPAs were calculated using modeling methods (MLAEM and CZAEM) developed at the University of Minnesota. He showed a graphic depicting the WPAs explaining that there are three areas in each: 1 year time of travel/capture zone; 5 year time of travel/capture zone; and 10 year time of travel/capture zone. Based on these zones "Drinking Water Supply Management Areas DWSMA's" are defined with boundaries determined using identifiable landmark and legal boundaries. Each WPA is wholly contained within a DWSMA.

Mr. Sunderman said that all fifteen municipal wells within the Prairie du Chien—Jordan aquifer were determined to be vulnerable due to tritium levels. The DWSMs for Wells 11 and 18 were determined vulnerable due to the geology overlying the aquifers. He explained that the potential contaminant source inventory included: Superfund/hazardous waste sites; solid waste sites; VIC sites; LUST sites; spills; hazardous waste violators; generators or transporters; and UST/AST sites.

As a component of the plan, Mr. Sunderman said that the following eight goals were identified:

1. Public Education Program
2. Private Well Abandonment Program
3. Potential Contaminant Source Database
4. Future Land Redevelopment Zoning Plan
5. Wellhead Protection Plan Implementation
6. Groundwater Quality Monitoring
7. Reduction in Public Water Supply Demand
8. Response Plan

Mr. Hoffman commented that Edina's Wellhead Protection Plan will be used mainly as a planning tool. Potential development will be reviewed relative to the DWSM's. For instance a dry cleaner would not be allowed to build where it could endanger a well as shown by the DWSMA.

Member Faust asked if people know they live in the WHPA's. Mr. Hoffman said that part of the goals of the WHP would be notification of the citizens. Member Hovland asked that the difference between a large hazardous waste generator and small hazardous waste generator

be explained. Mr. Sunderman responded a small hazardous waste generator generates 100 pounds or less waste per year while a large generator would generate over 100 pounds of waste per year.

Mr. Hoffman explained the WPP would be used as a planning tool. City Staff would review it when looking at development proposals and for instance not allow a dry cleaning operation to locate in a WHPA.

Member Faust noted that Well #7's WHPA is in the Grandview Area, so it positive the City is cleaning up any contaminants in the area.

No Public Comment was heard.

**Member Hovland made a motion, seconded by Member Faust to close the public hearing at 7:20 p.m.**

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

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

**RESOLUTION 2000-73**

**A RESOLUTION APPROVING THE  
EDINA WELLHEAD PROTECTION PROGRAM**

**WHEREAS, the Minnesota Department of Health finalized the Wellhead Protection Program (WPP) and promulgated the rules in November 1997, to prevent contaminants that could affect the public health from entering public water supply systems; and**

**WHEREAS, Minnesota Rules Chapter 4720.5200 requires a public hearing to be held; and**

**WHEREAS, the Edina City Council held a public hearing on July 18, 2000.**

**NOW THEREFORE, be it resolved, the Edina City Council approved the Edina Wellhead Protection Program including the following goals:**

- **Public Education Program**
- **Private Well Abandonment Program**
- **Potential Contaminant Source Database**
- **Future Land Redevelopment Zoning Plan**
- **Wellhead Protection Plan Implementation**
- **Groundwater Quality Monitoring**
- **Reduction in Public Water Supply Demand**
- **Response Plan**

Adopted this 18<sup>th</sup> day of July, 2000.

Member Faust seconded the motion.

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

**STAFF AUTHORIZED TO RETAIN VANGUARD APPRAISALS, INC., SERVICES** City Assessor Petersburg explained the Assessor's office requests authority to retain the services

Minutes/Edina City Council/July 18, 2000

of Vanguard Appraisals, Inc., in order to implement reappraisals of all improved single family residential properties in Edina. Data on the property record cards are approximately 27 to 30 years old and may be incorrect. Many of those properties have not been inspected in many years. Because of this fact, equalization issues based on poor property record data has become apparent.

Staffing levels have made it impossible to comply with Minnesota Statute 273.08 requiring quartile reviews of each property every four years. Information gathered when a property is physically inspected and reviewed is used to value the entire city each year. Most equalization issues can be eliminated with accurate current data.

Following an arduous process in which Request for Proposals were issued to four reappraisal firms, Vanguard Appraisals was chosen and staff will pursue a contract with them. The anticipated cost of the reappraisals would be approximately \$410,000. The benefits of the Vanguard proposal is as follows:

- All single family residential properties inspected in a one year time frame
- Current and trustworthy data
- Readable and understandable property data cards
- Computerized records that link data, sketch and digital photograph
- Integrated information into an effective computer system
- Enhanced office efficiency and operation
- More accurate and equitable values
- Improved professional image

Following a brief Council discussion, **Member Kelly made a motion authorizing staff to develop a contract with Vanguard Appraisals, Inc., for reappraisal of all single family improved residential properties and software in the City of Edina.** Member Faust seconded the motion.

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

**\*HEARING DATE SET OF SEPTEMBER 5, 2000, FOR CABLE FRANCHISE APPLICATIONS** Motion made by Member Faust and seconded by Member Hovland setting a hearing date of September 5, 2000, for hearing date for Cable Franchise Applications.

Motion carried on rollcall vote - three ayes.

**\*RESOLUTION 2000-71 APPROVED FOR AMENDMENTS TO CITY'S DEFERRED COMPENSATION PLAN I AND PLAN II** Motion made by Member Faust and seconded by Member Hovland approving the following:

**RESOLUTION NO. 2000-71  
RESOLUTION  
APPROVING AMENDMENTS TO CITY OF EDINA'S  
DEFERRED COMPENSATION PLAN I AND PLAN II**

WHEREAS, previously, the City of Edina has established deferred compensation plans for the exclusive benefit of covered employees entitled, "City of Edina Deferred Compensation Plan I"; and "City of Edina Deferred Compensation Plan II"; and

WHEREAS, the "City of Edina Deferred Compensation Plan I" (1999 Restatement) and "City of Edina Deferred Compensation Plan II" (1999 Restatement) require amendments to permit an alternate payee under a "qualified domestic relations order" to obtain a right to amounts allocated to a plan participant's account pursuant to the order and the plan.

NOW THEREFORE, the City Council of the City of Edina approves the said Amendments to the City of Edina's Deferred Compensation Plan I and Plan II, and authorizes the Mayor to execute the Amendments.

Passed this 18<sup>th</sup> day of July, 2000.

Motion carried on rollcall vote - three ayes.

\*RESOLUTION 2000-72 ADOPTED SETTING HEARING DATE OF AUGUST 15, 2000, FOR VACATION OF PUBLIC UTILITY AND DRAINAGE EASEMENTS, PHASE I - GRANDVIEW SQUARE Motion made by Member Faust and seconded by Member Hovland introducing the following resolution and moved its adoption:

RESOLUTION NO. 2000-72  
CALLING FOR PUBLIC HEARING ON VACATION  
DRAINAGE AND UTILITY EASEMENTS AND  
PUBLIC STREET RIGHT-OF-WAY

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

1. It is hereby found and determined that the following described property should be considered for vacation in accordance with the provisions of Minnesota Statutes, Section 160.29 and 462.348, Subd. 7:
2. This Council shall meet at 7:00 P.M. on the 15<sup>th</sup> day of August, 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-Current, the official newspaper of the City, to post such notice, in at least three public and conspicuous places, as provided in Minnesota Statutes. Such notice shall be in substantially the following form:

CITY OF EDINA  
4801 WEST 50<sup>TH</sup> STREET  
EDINA, MINNESOTA 55424  
NOTICE OF PUBLIC HEARING ON  
VACATION OF DRAINAGE AND UTILITY  
EASEMENTS AND PUBLIC STREET RIGHT OF WAY  
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 15, 2000, at 7:00 P.M. in the Council Chambers at 4801 West 50th Street for a public hearing for the proposed vacation of the following described public street right of way and utility and drainage easements:

The vacation of utility and drainage easement per Document No. 3613175 described as follows:

The south ten feet (10') of the east one hundred eighty feet (180') of Lot 2, Block 1, WANNER ADDITION.

The vacation of utility and drainage easement per Document No. 3613176 described as follows:

A fifteen foot (15') wide easement lying seven and five tenths feet (7.5') on either side of the following described line: Commencing at a point in the south line of Eden Avenue, said point being three hundred sixty-five feet (365') east of the west line of Government Lot 8, Section 35, Township 117, Range 21; thence southerly parallel to the west line of said Government Lot 8 to an intersection with the easterly extension of the south line of Lot 2, Block 1 WANNER ADDITION; thence westerly to the southeast corner of said Lot 2, Block 1, WANNER ADDITION.

The vacation of roadway easement per Document No. 2419555 described as follows:

An easement over a part of Government Lot 8, Section 28, Township 117 North, Range 21 West, Hennepin County, Minnesota, for roadway purposes, 16 feet in width, being 8 feet on each side of the following described line, Commencing at a point on the south line of Eden Prairie Road, 358 feet due East from the West line of said Government Lot 8; thence south and parallel with west line of said Government Lot 8 to a point which in 612.9 feet north of the south line of said Lot 8; thence west at right angles to east line of Lot 2, Block 1, WANNER ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

The vacation of roadway easements per in Document No. 2985877 described as follows:

An easement for roadway purposes over and across the South Twenty-five (25) feet of Lot Two (2), WANNER ADDITION, according to the recorded plat thereof on file and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota and together with an easement for roadway purposes over and across the North Twenty-five (25) feet of Lot Three (3), WANNER ADDITION, according to the recorded plat thereof.

The vacation of an easement per Document No. 3561767 described as follows:

The west ten (10) feet of the south twenty-five (25) feet of Lot 2, Block 1, WANNER ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

All persons who desire to be heard with respect to the question of whether or not the above proposed street right of way and utility and drainage 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.

Passed this 18<sup>th</sup> day of July 2000.

Motion carried on rollcall vote - three ayes

STATEMENT OF PURPOSE FOR BLUE RIBBON COMMITTEE DISCUSSED Manager Hughes reviewed the Blue Ribbon Committee's draft purpose. Mr. Hughes reported that Ted

Brinkman had accepted the Council's appointment to the Blue Ribbon Committee. He noted the committee would review, evaluate and make recommendations regarding:

- The defined needs and priority for new and/or improved park and recreation facilities
- The defined park and recreation facility needs that should be met by means of a special election referendum
- The new and/or improved park and recreation facilities included in the current proposed plan
- The need to add, delete and/or relocate park and recreation facilities within the current proposal
- The need and strategy to improve existing School District recreation facilities
- The need and strategy to develop additional recreational facilities on School District property.

The Council discussed the Committee's purpose. It was hoped the Committee would be able to take a fresh look at the needs and options available to fulfill them. Concern was expressed that the committee would be given the background material accumulated thus far so they could operate from a position of knowledge. Mr. Hughes said a background packet including the existing "Pre-design Study", plus the Decision Resources Survey results would be prepared and distributed to the Committee. Consensus was that the Committee should:

- assume, but confirm there are needs for additional soccer field and gymnasiums,
- identify other community needs,
- determine opportunity to partner with the School District and the extent of the partnership,
- identify other potential partnership opportunities and evaluate their feasibility, and
- investigate the amount the citizens would support in a referendum to solve identified needs.

Mr. Hughes said the staff would refine the purpose and fax it to the Council for review with the intent that the final purpose would be placed on the Council's agenda August 1, 2000.

Mayor Maetzold noted he had received several e-mails from citizens suggesting that a parent of a French Immersion Student be appointed to the Committee who was not on the School's Site Council. Mayor Maetzold explained the Committee's task is not about the Community Center, but to look at overall community needs and in his opinion a Normandale Site Council representative adequately represents the parents of the school. Member Kelly agreed with the Mayor. Member Hovland suggested that perhaps if an eleventh Committee member was needed, a neighborhood representative should be found. No formal action was taken.

**ANTENNA REQUEST RECEIVED - SPRINT SPECTRUM, EDINA FIRE DEPARTMENT (6250 TRACY AVENUE)**

Assistant Manager Anderson explained that staff had received a request from Sprint Spectrum to co-locate antennas on the existing monopole at Fire Station #1 (6250 Tracy Avenue). Sprint's proposal would include the following:

- Install 6 panel antennas 62 feet from the base of the existing monopole. Existing antenna array is at 76 feet.

## Minutes/Edina City Council/July 18, 2000

- Takeover Fire Department's existing garage stall for Sprint's ground equipment
- Construct Fire Department new and larger garage stall allowing the City to house their special rescue trailer loaded and ready for deployment
- Reserve right to add 3 additional antennas at a future time

Mr. Anderson explained allowing Sprint to take over the City's existing garage allows them to hide their ground antenna equipment, but would require a 26-foot rear setback variance. He added that allowing Sprint to take over the existing garage stall and build a larger stall, would allow the Fire Department to load the lumber used in structural collapse and special rescue calls onto a trailer donated by NSP. Currently, when a call is received the trailer must be loaded before it can be deployed. The additional stall would match the exterior of the existing building. Mr. Anderson presented photographs of the site, diagrams of proposed structural changes and proposed lease terms. He explained that as with the City's water tower leases, Sprint will be required to pay for an interference study to ensure their installation does not interfere with our public safety radio systems or the existing tenant on the monopole.

Mr. Anderson outlined the following terms of the lease with Sprint Spectrum:

- \$15,000/year for 6 antennas
- The right to locate 3 additional antennas for \$1,000/year/antenna
- Initial term 5 years with an option for 4 consecutive periods of 5 years each
- Renewal terms increased by greater of MN CPI or 20%
- City waives lease payment for construction costs (approximately \$60/square foot) of additional stall. City receives credit for square footage taken by Sprint.

Mr. Anderson stated staff believed the proposal offered the City an opportunity to encourage co-location of antennas without any added height. In addition, the City will receive more usable space at the Fire Station with no capital expenditure. He requested the Council approve the Sprint request conditioned upon the approval of a variance by the Zoning Board of Appeals. Once the variance has been obtained, staff will prepare the lease.

Following a brief discussion **Member Faust made a motion approving the project concept subject to variance approval by Zoning Board and instruct staff to develop a lease with Sprint Spectrum.** Motion seconded by Member Kelly.

Ayes: Faust, Hovland, Kelly, Maetzold

Motion carried.

**CLAIMS PAID Motion made by Member Hovland approving payment of the following claims as shown in detail on the Check Register dated December 15, 1999, and consisting of 34 pages: General Fund \$362,837.45; C.D.B.G. \$74.00; Communications \$2,042.69; Working Capital \$26,687.09; Art Center \$6,032.47; Golf Dome Fund \$2,231.52; Swimming Pool Fund \$21,300.27; Golf Course Fund \$52,412.23; Ice Arena Fund \$45,976.31; Edinborough/ Centennial Lakes \$32,409.41; Utility Fund \$316,043.12; Storm Sewer Utility Fund \$743.47; Recycling Program \$37,935.20; Liquor Dispensary Fund \$303,905.12; Construction Fund \$300,763.20; TOTAL \$1,511,393.55; and for confirmation of payment of**

claims as shown in detail on the Check Register dated July 12, 2000, and consisting of 4 pages: General Fund \$876,286.33; Communications \$3,005.16; Art Center \$52.55; Golf Dome Fund \$3,620.60; Swimming Pool Fund \$450.00; Golf Course Fund \$518.89; Ice Arena Fund \$8,551.06; Edinborough/Centennial Lakes \$5,505.74; Utility Fund \$545.54; Storm Sewer Utility Fund \$994.98; Liquor Dispensary Fund \$1,247.58; IMP Bond Redemption #2 \$1,600.00; TOTAL \$902,378.43. Member Kelly seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold

Motion carried.

There being no further business on the Council Agenda, Mayor Maetzold adjourned the Council Meeting at 8:45 P.M.

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City Clerk