

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
FEBRUARY 4, 2003
7:00 P.M.**

ROLLCALL Answering rollcall were Members Housh, Hovland, Masica and Mayor Maetzold. Member Kelly was absent.

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

Rollcall:

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

***MINUTES OF THE REGULAR MEETING OF JANUARY 21, 2003, APPROVED** Motion made by Member Hovland and seconded by Member Housh, approving the Minutes of the Regular Meeting of the Edina City Council for January 21, 2003.

Motion carried on rollcall vote - four ayes.

RESOLUTION NO. 2003-19 - EXPRESSING APPRECIATION TO JOHN CONNOLLY AND JERRY'S HARDWARE Mayor Maetzold commended John Connolly and Jerry's Hardware for their smoke and fire detector contributions to the Edina Fire Department for installation in homes in Edina.

Member Hovland made a motion approving the following resolution:

RESOLUTION NO. 2003-19

A RESOLUTION.

WHEREAS, the Edina Fire Department has been installing smoke detectors in Edina residences since October 2001 through their smoke detector program; and

WHEREAS, since October 2001, Edina Firefighters have visited 100 homes and installed over 200 smoke detectors to provide early warning of fire to these residents; and

WHEREAS, John Connolly, Manager of Jerry's Hardware, recognized the importance of smoke detectors in saving lives and offered to support the Fire Department's installation program; and

WHEREAS, Jerry's Hardware has generously donated the smoke and fire detectors that have been installed in residences in Edina.

NOW, THEREFORE, BE IT RESOLVED, that the City of Edina and the Edina Fire Department expresses appreciation and commends

John Connolly & Jerry's Hardware

for their contribution of smoke and fire detectors and for helping make the City of Edina a safer community for our residents.

Member Masica seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

FIREFIGHTERS RECOGNIZED FOR MERITORIOUS CONDUCT Fire Chief Marty Scheerer commended three Edina Firefighters for their extraordinary efforts in the rescue of a painter who became entangled in cables approximately 150 feet above ground while painting the Southdale Center water tower November 3, 2002. Chief Scheerer showed a brief video of the actual rescue. He commended Special Operations Team Members Mike Gorshe, Todd Porthan and Joe Struzyk of the Edina Fire Department and awarded them Certificates of Meritorious Conduct.

FIRST READING GRANTED FOR ORDINANCE NO. 850-A23; CONSIDERATION OF DESIGNATION OF THE COUNTRY CLUB DISTRICT AS A HERITAGE LANDMARK DISTRICT PURSUANT TO SECTION 850.20 OF THE CITY CODE Affidavits of Notice were presented, approved and ordered placed on file.

Presentation by Associate Planner

Joyce Repya, Associate Planner, presented the background and recommendations from the Heritage Preservation Board. Ms. Repya stated the Edina Country Club District was placed on the National Register of Historic Places in 1980. The designation recognized the district as the first planned community in the state comprised of a significant and well preserved concentration of historic domestic architecture. She noted that due to the National Register designation, many people assumed that there were controls in place to regulate building activity in the district. Ms. Repya pointed out the National Register depends on the local government to provide controls and regulations.

Ms. Repya explained that since the 1980 National Register designation, the Heritage Preservation Board had struggled with addressing the preservation needs of the district. Ultimately, it was determined that the Heritage Preservation section of the Zoning Ordinance which required HPB review and control of all exterior changes for designated properties, yet did not provide standards or guidelines, was inadequate and did not meet the needs of a district designation.

Ms. Repya stated that by the Spring of 2001, the City had been receiving numerous calls and letters from residents of the Country Club District stressing their concerns regarding the demolition of homes in their neighborhood as well as the proliferation of large additions which if uncontrolled could change the character of the district. The Heritage Preservation Board came to the conclusion that the time was right to seriously consider designating the Country Club as historic, but felt it was imperative to involve the residents in the process. To that end, the Board initiated the following activities and meetings:

- June 2001, Surveys were mailed to all Country Club residents to gather their opinions regarding the building activities in their neighborhood and determine whether they would be in favor of some form of control. 58% of the surveys were returned; 70% of those indicated a desire for tighter controls of building activity and a review process for changes.

- February 26, 2002, The Heritage Preservation Board held an informational meeting to outline:
 - The history of the heritage preservation movement,
 - Edina's preservation activities since 1976, and
 - Changes being proposed by the HPB to the preservation section of the code.A question and answer session followed the presentation.

Invitations to this meeting were mailed to all Country Club District residents and a notice of the meeting was published in the Edina Sun Current.

- June 18, 2002, City Council amended the Heritage Preservation section to the Zoning Ordinance, 850.20. The new code was designed to provide an approach to heritage preservation that serves the needs of the designated property owners as well as the community. As part of the required landmark nomination report, a preservation plan is established, clearly defining the significance of the landmark property and the goals and objectives for preservation. This plan of treatment includes guidelines and procedures defining the heritage preservation expectations for the designation.

The provisions of the new ordinance require that a Certificate of Appropriateness be approved for the demolition of homes and/or garages and the construction of new homes and/or garages as well as the moving of buildings and excavations on a designated property or within a designated district.

Notice of Public Hearing was published in the Edina Sun Current.

- December 10, 2002, The Heritage Preservation Board held a meeting to solicit comments and concerns from interested parties regarding the development of the plan of treatment for the Country Club District designation.

A notice announcing the meeting was published in the Edina Sun Current and phone calls were made to over one dozen district residents who had either attended previous meetings or had expressed an interest in the designation.

- December 23, 2002, The Edina City Council held a Special Council Meeting and granted First Reading to Ordinance No. 2002-12 extending the moratorium on demolitions in the Country Club District.
- December 26, 2002, The Edina City Council held a Special Council Meeting and granted Second Reading to Ordinance No. 2002-12 extending the moratorium on demolitions in the Country Club District.
- January 29, 2003, The Edina Planning Commission held a public hearing regarding the proposed landmark designation of the Country Club District. The Commission heard public comments and moved to recommend approval of the Edina Heritage Landmark zoning designation for the Country Club District.

Minutes/Edina City Council/February 4, 2003

A Notice of Public Hearing was mailed to all residents of the Country Club District for the Planning Commission meeting on January 29th as well as the February 4th Council meeting. Furthermore, property owners within 500 feet of the district received a Notice of Public Hearing for the February 4th Council meeting.

Ms. Repya stated the landmark nomination study identified the significance of the Country Club District as well as the plan of treatment and guidelines for new home construction. She explained the document was developed to set out the goals and objectives for preserving the historic integrity of the district and would serve as a guide when residents choose to improve their property, whether or not a Certificate of Appropriateness would be required.

Ms. Repya concluded with the Heritage Preservation Board's and Planning Commission's recommendations for the Council to

- Add the Edina Heritage Landmark zoning designation to
 - the Country Club District,
 - 4400 West 50th Street – George W. Baird House,
 - 4200 West 44th Street – Jonathan Grimes House,
 - 5312 Interlachen Boulevard – Paul Peterson House,
 - 4918 Eden Avenue – Cahill School, and
 - 4918 Eden Avenue – Minnehaha Grange Hall.
- adopt the plan of treatment designed to identify the goals and procedures for preservation for the Country Club District.

Member Housh asked about the definition of pivotal vs. complementary homes. He expressed concern that only certain properties would be held to a higher standard and stated that originally only total demolitions were being reviewed.

Member Masica stated that the Certificate of Appropriateness seemed very subjective and wondered if it could be made less so.

Robert Vogel, Historical Preservation Consultant, explained that the "Certificate of Appropriateness" would be part of the building permit process. He stated this would be the way to make certain that the necessary staff and advisory body review proposed plans for Historical Landmark properties. Mr. Vogel added the standards as proposed were generally known and accepted by architects since the same standards have been used by the U.S. Secretary of the Interior and elsewhere in the country in communities with historically significant homes. He said that the 1980 Study that designated the County Club District Plat a National Historic Landmark used the pivotal and complementary definitions.

Member Housh said he did not support the two definitions and would be uncomfortable holding 190 homeowners to a different standard. He felt that all the houses in the District should be treated in the same manner. Member Housh also wanted the difference between partial demolition and addition explained more clearly.

Mayor Maetzold also asked for a better definition of partial demolition.

Mr. Vogel advised the Council they would want to pursue whatever means necessary to preserve the historic fabric of the district. He stated the most important thing to remember was the review process would handle each home individually within the district. The Historical Preservation Board and staff would need to decide if the property were pivotal and they would have a detailed guideline to make that judgment.

Member Masica asked if the large addition to the Baird home would have needed a Certificate of Appropriateness. Mr. Vogel said that was simply an addition and as such not regulated. Rather working with the Board was a proactive friendly collaboration. He added the City would not become involved in regulating that type of addition.

Member Hovland stated he was pleased to see the term "tear-down" being done away in light of demolition. In his opinion, it seemed the Council saw a partial demolition the same as an addition. He added he agreed with Member Housh that full demolitions should be concentrated upon at this time, expressing concern that staff would be overburdened. Member Hovland concluded that he also wanted to treat all homes within the District the same without making a distinction between pivotal and complementary.

Mayor Maetzold asked if partial demolitions would include garages. He noted that some garages are beautiful and asked if there were concern over their demolition. Ms. Repya pointed out that the Heritage Preservation Board felt detached garages should be considered a principle structure and therefore would be regulated. She added that the addition of partial demolition happened in response to calls from contractors asking if they could avoid regulation by leaving one wall standing during a total demolition.

Mayor Maetzold asked what the legal basis was for promulgating historic preservation regulations. Attorney Gilligan said that Minnesota Statute 462 allows cities to zone property within its boundary and to set standards for said zoned districts.

Public Comment

J.C. Beckstrand, 4386 Wooddale Avenue, St. Louis Park, stated he lived on the corner lot adjacent to 44th and Wooddale. Mr. Beckstrand said he favored the designation noting his home predated the County Club District by approximately two decades. He urged inclusion of the tree canopy on 44th Street as part of the District. Ms. Repya acknowledged that the area in question was the old trolley line on 44th Street. She said that Edina would be designating at this time, only the land already on the National Historic Register.

Alice Lees, 4626 Drexel Avenue, said she owned a home on a double lot. Ms. Lees asked what would happen if a new owner wanted to build another house on one of the lots. Ms. Repya explained that both lots exist today as lots of record; therefore, a new home could be built on the vacant lot.

Kevin Tauer, 4605 Drexel Avenue, asked what would be covered under partial demolitions. For instance, would that include fences. Ms. Repya replied that only the principal structures (house and detached garage) would be included. She added the reason for including partial demolition to the Heritage Preservation Ordinance was in response to contractors

Minutes/Edina City Council/February 4, 2003

questioning whether obtaining a certificate of appropriateness by leaving one wall of a structure standing.

Daniel Thompson, 6104 Ewing Avenue South, stated he was not a resident of the Country Club District, but believed that all the homes in the District should be treated one way. He urged the Council to move forward with the designation.

Lee McGrath, 4614 Moorland Avenue, stated he also owned 4619 Moorland Avenue. Mr. McGrath said he hoped to demolish the existing home at 4619 and build a new home to live in. He suggested that the last speaker was incorrect when stating that all homes in the Country Club be treated alike. Only 36% of the homes need preservation. Mr. McGrath said that in his opinion property rights should be as important as first amendment rights. He urged the Council to allow residents freedom with the homes deemed complementary not pivotal. Mr. McGrath asked the Council to leave out the demolition prohibition from the ordinance.

Judith Gehrke, 4622 Casco Avenue, stated she had attended the December 10, 2002 Heritage Preservation Board meeting. She added that she served on the Historical Board in the village of Afton for fifteen years. Ms. Gehrke expressed concern over the pivotal vs. complementary designations. Ms. Gehrke asked if having a home with a complementary instead of a pivotal designation would affect the salability of the home. She suggested that the Plan of Treatment be retooled slightly and then be brought back for review.

Member Housh made a motion seconded by Member Masica closing the public hearing.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

Council Discussion/Action

Member Housh said he could not support adopting an ordinance or plan that designated some homes pivotal and some complementary. He felt all homes must be protected and treated in the same manner. He suggested that the partial demolition be defined more clearly before final action on the matter.

Member Hovland acknowledged Mr. McGrath's concern for property rights and freedom and added that the Council has the task of making the distinction of the public good vs. the property right. He noted that most residents within the Country Club District currently believed that regulations were in place safeguarding their property. Member Hovland agreed with Member Housh that the entire Country Club District be treated in the same manner. He added he also believed the definition of demolition and partial demolition needed further clarification.

Member Masica agreed with the both Members Housh and Hovland. She commended the Heritage Preservation Board and staff on the development of the Plan of Treatment and added her request that demolition and partial demolition definitions be reviewed and updated.

Mayor Maetzold added his request for a better definition of partial demolition. He stated that he also felt all homes should be treated the same.

Member Hovland made a motion granting First Reading to Ordinance No. 850-A23, amending the Zoning Ordinance (Section 850) by adding the designation Edina Heritage Landmark to certain properties in the Single Dwelling Unit District (R-1). Further staff was directed to refine the definition of partial demolition and the proposed Plan of Treatment and present them at a future meeting.

Member Housh seconded the motion.

Rollcall:

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

***HEARING DATE OF FEBRUARY 18, 2003, SET FOR PLANNING MATTERS** Motion made by Member Hovland and seconded by Member Housh setting February 18, 2003, as hearing date for planning matters as follows:

1. Preliminary Plat Approval - Curt Fretham (6400 Ryan Avenue South). Generally located east of Highway 100 and south of Crosstown Highway 62; and
2. Amendment to Code Section 850 to Allow Produce Stands in PCD-1, 2, and 3 Districts.

Motion carried on rollcall vote - four ayes.

***RESOLUTION NO. 2003-14 - LOT DIVISION FOR ROBERT PERRY AND DAVID DENT (6712 AND 6716 ARROWHEAD PASS)** Motion made by Member Hovland and seconded by Member Housh approving the following resolution:

RESOLUTION NO. 2003-14

LOT DIVISION

6712 AND 6716 ARROWHEAD PASS

WHEREAS, the following described properties are at present two tracts of land:

Lot 1, Block 1, Replat of MCCAULEY HEIGHTS FIRST ADDITION, Hennepin County, Minnesota, and:

Lot 2, Block 1, Replat of MCCAULEY HEIGHTS FIRST ADDITION, Hennepin County, Minnesota.

WHEREAS, the owners have requested the following land transfer as follows:

PARCEL 1:

Lot 1 and that part of Lot 2, Block 1, Replat of Lot 3, McCauley Heights First Addition, Hennepin County, Minnesota described as follows:

Beginning at the most Westerly corner of said Lot 2; thence Southeasterly along the Southwesterly line 73.28 feet to a Southerly corner of said Lot 2; thence Easterly along a curve with a radius of 50 feet; an arc length of 12.0 feet; thence Northwesterly to a point on the Northwesterly line of said lot 2, a distance of 16.0 feet Northeasterly from the most Westerly corner of said Lot 2; thence Southwesterly 16.0 feet to the point of beginning and there terminating.

PARCEL 2:

Lot 2, Block 1, Replat of Lot 3, MACCAULEY HEIGHTS, FIRST ADDITION, Hennepin County, Minnesota, except that part described as follows:
Beginning at the most Westerly corner of said Lot 2; thence Southeasterly along the Southwesterly line 73.28 feet to a Southerly corner of said Lot 2; thence Easterly along a curve with a radius of 50 feet, an arc length of 12.0 feet; thence Northwesterly to a point on the Northwesterly line of said lot 2, a distance of 16.0 feet Northeasterly from the most Westerly corner of said Lot 2; thence Southwesterly 16.0 feet to the point of beginning and there terminating.

WHEREAS, the requested land transfer is authorized under Code Section 810 and it has been determined that compliance with the Subdivision and Zoning Regulations of the City of Edina will create an unnecessary hardship and said newly created Parcels as separate tracts of land do not interfere with the Subdivision and Zoning Regulations as contained in the Edina City Code Sections 810 and 850;

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Edina that the conveyance and ownership of the above described tracts of land (PARCEL A and PARCEL B) as separate tracts of land are hereby approved and the requirements and provisions of Code Sections 850 and 810 are hereby waived to allow said division and conveyance thereof as separate tracts of land but only to the extent permitted under Code Sections 810 and 850 subject to the limitations set out in Code Section 850 and said Ordinances are now waived for any other purpose or as to any other provisions thereof, and further subject, however, to the provision that no further subdivision be made of said Parcels unless made in compliance with the pertinent Ordinances of the City of Edina.

Adopted this 4th day of February 2003.

Motion carried on rollcall vote - four ayes.

ORDINANCE NO. 2002-11 - REGULATION OF BODY ART CONTINUED TO FEBRUARY 18, 2003 Sanitarian Velde reviewed the changes made to the proposed ordinance regulating body art since December 2002, when the first reading was granted as follows:

- The term licensed medical or dental personnel replaced the term Board Certified medical or dental personnel
- Prohibition on the use of piercing systems for piercing any part of the body except the ear lobe.
- The definition of body piercing was changed to more clearly define body piercing as the use of pre-sterilized single use needles, not piercing guns, for puncturing or penetrating the skin of a client.

Mr. Velde stated the effective date of the proposed ordinance would be July 1, 2003, allowing staff time to develop the necessary application materials and consent and release forms.

Member Hovland pointed out some corrections and areas of concern he felt needed to be addressed before further action was taken on the proposed ordinance. Following a brief

discussion **Member Masica made a motion, seconded by Member Hovland to continue action on the proposed ordinance until the February 18, 2003, regular Council meeting.**

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

***BID AWARDED FOR FLOOR HOIST - PUBLIC WORKS CONTRACT NO. 03-3 Motion made by Member Hovland and seconded by Member Housh for award of bid for a public works floor hoist, Contract No. 03-3, to recommended low bidder, Pump & Meter Service, Inc., at \$69,959.00.**

Motion carried on rollcall vote - four ayes.

***BID AWARDED FOR LOG LOADER CHASSIS CAB - PARK DEPARTMENT Motion made by Member Hovland and seconded by Member Housh for award of bid for a log loader chassis cab for the Park Department to recommended bidder, Boyer Trucks, Inc., under State of Minnesota Contract #430055 at \$70,088.00.**

Motion carried on rollcall vote - four ayes.

RESOLUTION NO. 2003-13 APPROVING FUNDING FOR STREET CONSTRUCTION AND MAINTENANCE IN LEAGUE OF MINNESOTA CITIES REPORT Engineer Houle

explained the League of Minnesota Cities (LMC) as well as the City Engineers Association of Minnesota and the Minnesota Public Works Association released a report entitled, "Funding Street Construction and Maintenance in Minnesota Cities". He stated this report outlined existing funding mechanisms and their limitations and described deficiencies of the municipal state aid (MSA) and non-MSA city street systems. Mr. Houle noted the report provided several policy recommendations that would lead to improved municipal street conditions such as:

- Establish a "Local Road Improvement Program"
- Provide Greater Flexibility of Special Assessments
- Authorize Cities to Establish a "Transportation Utility"
- Increase Funding to the Municipal State Aid System

Mr. Houle added that funding for local roadway improvements would continue to become more difficult as costs escalate. He said staff recommended approving a resolution in support of the League of Minnesota Cities (LMC) report.

Member Hovland introduced the following resolution and moved its adoption:

RESOLUTION NO. 2003-13

RESOLUTION SUPPORTING LEGISLATION TO PROVIDE IMPROVED FUNDING OPTIONS FOR CITY STREET IMPROVEMENTS

WHEREAS, Minnesota contains over 135,000 miles of roadway, and over 19,000 miles - or 14 percent - are owned and maintained by Minnesota's 853 cities; and

WHEREAS, city streets are a separate but integral piece of the network of roads supporting movement of people and goods; and

WHEREAS, existing funding mechanisms, such as Municipal State Aid (MSA), property taxes, special assessments and bonding, have limited applications, leaving cities under equipped to address growing needs.

Minutes/Edina City Council/February 4, 2003

WHEREAS, maintenance costs increase as road systems age, and no city - large or small - is spending enough on roadway capital improvements to maintain a 50-year lifecycle; and

WHEREAS, the City Council of the City of Edina finds it is difficult to develop adequate funding systems to support the City's needed street improvement and maintenance programs while complying with existing State statutes; and

WHEREAS, The League of Minnesota Cities, the Minnesota Public Works Association and the City Engineers Association of Minnesota, have jointly sponsored the development of a report entitled *Funding Street Construction and Maintenance in Minnesota's Cities* wherein (1) the street systems of the cities within the State are inventoried; (2) the existing funding systems are detailed and evaluated; and (3) recommendations are made; and

WHEREAS, cities need flexible policies and greater resources in order to meet growing demands for the street improvements and maintenance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Edina that this Council concurs with the finding of the above referenced report, and fully supports the recommendations contained in that report; and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDINA that this Council supports the adoption of legislation that would provide cities with the policy options they need to address current and future challenges in providing adequate street improvement and maintenance programs.

ADOPTED this 4th day of February 2003.

Member Housh seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

RESOLUTION NO. 2003-15 - PUBLIC SAFETY RADIO SUBSCRIBER AGREEMENT

APPROVED Chief Siitari explained a decision must be reached on replacement of the VHF radio system presently in place at the City. The move to the new facility and the age of the present equipment dictate that the police and fire departments upgrade or replace the radio system. Options considered were:

1. Upgrade the Present VHF System
2. Join and Adjacent Agency's System
3. Join the Hennepin Couth/Metro 800 MHz System

Costs to join an adjacent agency would be the same or greater than the Hennepin County system with fewer advantages, i.e. interoperability, shared costs and wide area coverage. The VHF option would be less expensive than the Hennepin County option, but the VHF system was becoming outdated and would not offer features of the 800 MHz system the Police and Fire Departments feel were worth the additional costs.

The VHF spectrum has been fully utilized and cannot provide additional channels that will allow proper communication when a major event occurs. The lack of VHF channels pushed Bloomington and Eden Prairie to 800 MHz systems in the 1990's when they needed to upgrade their radio systems. A VHF system would restrict the ability to communicate with other agencies in an efficient manner and the City would run the risk of becoming an island. Mr. Siitari acknowledged the majority of radio communications were within the City,

however several components of the department conduct operations in other cities, e.g. detectives, task force investigators and mutual aid calls.

Mr. Siitari added that at the outset, the proposed system would carry a greater cost but it would provide a system that will serve the City more cost effectively in the long run. On-going maintenance will be shared by all agencies on the system and the cooperative venture, on a metro-wide basis, makes sense, especially in the current fiscal environment. The purchase and transition to the new system would be funded under the Capital Improvement Plan. He noted that \$1.65 million has been allocated in the City's equipment replacement fund for radios, consoles and network activity. Mr. Siitari recommended approval of the resolution to join the Hennepin County/Metro Public Safety Communications system as an independent subscriber.

Following a brief discussion Member Hovland introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2003-15
AUTHORIZING COMMUNICATIONS SYSTEM SUBSCRIBER
AGREEMENT WITH HENNEPIN COUNTY**

WHEREAS, Hennepin County operates a local subsystem as part of the region wide 800 MHz Public Safety Radio system, hereinafter referred to as the "System"; and

WHEREAS, Hennepin County has provided for the capability of Cities, Agencies, Districts and Other Authorized Users within the County to have access to the System; and

WHEREAS, Hennepin County bears primary responsibility for the health, security and integrity of the System: and

WHEREAS, The City of Edina has elected to participate as a full participant with an interconnected dispatch facility operating on the System; and

WHEREAS, The City of Edina has elected to participate as a full participant with end user radios operating on the System.

NOW, THEREFORE, in consideration of the mutual undertaking and agreement hereinafter set forth, between Hennepin County and the City of Edina the Edina City Council hereby authorize the Mayor and the City Manager to enter into said agreement.

ADOPTED this 4th day of February 2003.

Member Housh seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

METRO TRANSIT SECTION 5 STUDY LETTER OF SUPPORT APPROVED Manager Hughes explained that following the January 21, 2003, presentation by Metro Transit staff, the City Council directed staff to prepare a letter of support for the Sector 5 Plan.

Member Masica made a motion approving the letter of support to the Metro Transit staff as presented. Member Housh seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

EDINA BASKETBALL ASSOCIATION AND EDINA SOCCER ASSOCIATION PRESENTATION Dick Ward, 6809 Galway Drive, representing the Edina Basketball

Minutes/Edina City Council/February 4, 2003

Association (EBA) and the Edina Soccer Association (ESA) indicated Edina's need for more, better and larger recreational facilities. Mr. Ward noted the property at 7300 Bush Lake Road that was once a racquet club has been put up for sale. He suggested the property be used as a community recreational facility, e.g., training for indoor soccer, lacrosse or football, and gymnasiums for court sports. Additionally, the facility has locker rooms that could be rehabilitated. Mr. Ward suggested the City purchase the facility via revenue bonds through the HRA and lease it back to the City for Park and Recreational use. He stated his belief that significant share of costs for operation would be realized from user fees and he reiterated that if the City were interested in this purchase and proposal, a contract could be drawn for 30 - 45 days with the listing realtor.

Charlie Gits, 5311 Evanswood Lane, ESA President, said the Holy Angels facility has been used for indoor soccer by Edina students on a regular basis. He said the athletic associations would be willing to acquire sponsorships and/or private donations to support the facility.

Greg Bjork, 6605 Field Way, Edina Basketball President, indicated the need for a facility was made apparent during the time of the referendum. He said he looked at this as an attractive opportunity and the most affordable option possible.

Council comments received were, 1) the option must be quickly investigated, 2) was there a cost to put a hold on the property so a study could be undertaken, 3) the philosophy that City enterprises operate under which was each venue must generate enough revenue to cover their debt service and expenses, 4) a partnership could be established between the user groups, the City and the greater Edina community, 5) does the City have the ability to issue more bonds at present, and 6) staff needs to take a hard look at the proposal.

Mr. Hughes said he believed an architect would need to be hired to do an evaluation of whether this proposal would be feasible. The next step would be to present the evaluation to the Park Board for analysis and review. He stated another way to do this would be to relay the concept directly to the Park Board.

Member Housh made a motion authorizing staff to retain a professional evaluation of the Midwest Racquet Club as a potential recreational facility. Member Masica seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

***ANNUAL EMPLOYEE RECOGNITION LUNCHEON DATE SET FOR JUNE 18, 2003, AND EXPENDITURE APPROVED** Motion made by Member Hovland and seconded by Member Housh approving the Annual Employee Recognition Luncheon expenditure of budgeted amount of \$6,000.00, scheduled for June 18, 2003.

Motion carried on rollcall vote - four ayes.

***RESOLUTION NO. 2003-18 AUTHORIZING PERA EXPENDITURE** Member Hovland made a motion, seconded by Member Housh approving the following resolution:

RESOLUTION NO. 2003-18

WHEREAS, reduced salary was reported to the Public Employees Retirement Association Police & Fire fund during the period of 11/16/2000 through 2/28/2003 on behalf of Officer Michael X. Blood while he was receiving temporary workers' compensation payments related to the employee's service to the City of Edina; and

WHEREAS, upon reaching the termination date of those temporary payments, Officer Blood is eligible to make a voluntary payment of the employee and employer contributions owed on the differential salary between the gross salary reported and that which he would earned if fully employed during the specified dates. The cost is based on the average salary earned during the six calendar months immediately prior to the start date of the workers' compensation payments.

NOW, THEREFORE, BE IT RESOLVED to enable Officer Blood to regain full salary credit for purposes of the calculation of retirement and/or disability benefits from PERA, by the action of this city council on February 4, 2003, the City of Edina does hereby agree, by this resolution, to bear the cost of all employer and additional employer contributions plus interest due to Public Employees Retirement Association at the rate of 9.3% of the gross salary differential between the salary reported from 11/16/2000 through 2/28/2003 and the average salary he would have earned the period plus interest at the rate of 8 1/2% from the March 1, 2003 to the date payment is received by PERA. The City will remit the required employer contributions plus interest directly to PERA upon receipt of their notice of the City's obligation to pay.

ADOPTED this 4th day of February 2003.

Motion carried on rollcall vote - four ayes.

COUNCIL STRATEGY PLANNING/GOAL SETTING RETREAT DATE SET Mr. Hughes indicated at a previous meeting, the Council requested a Retreat for further discussion concerning the prospect of a Strategic Planning/Goal Setting. Past Retreats have typically been held on a Saturday between 8:00 A.M. and early afternoon. He suggested employing a facilitator for the purpose of conducting the Retreat with help from the Mayor and one other Council Member in interviewing potential candidates.

Following a brief Council discussion, March 22, 2003, was tentatively set for a Council Strategy Planning/Goal setting Retreat date.

No formal Council action was taken.

APPOINTMENTS MADE TO BOARDS/COMMISSIONS/COMMITTEES Mayor Maetzold made the following recommendations of residents to be appointed to the Heritage Preservation Board, Human Relations Commission, Park Board and Planning Commission:

- Heritage Preservation - Two Year Terms until February 1, 2005
 - Bob Kojetin
 - Marie Thorpe
- Human Relations Commission - Three Year Term until February 1, 2006
 - Andy Otness
- Park Board One Year Term until February 1, 2004
 - Michael P. Weiss
- Planning Commission - Three Year Term until February 1, 2006
 - William Skallerud

Minutes/Edina City Council/February 4, 2003

Member Housh moved to endorse the Mayor's recommendations. Member Hovland seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

***CONFIRMATION OF CLAIMS PAID** Member Hovland made a motion and Member Housh seconded the motion approving payment of the following claims as shown in detail on the Check Register dated January 23, 2003, and consisting of 31 pages: General Fund \$330,490.84; Communications Fund \$9,136.31; Working Capital Fund \$32,609.26; Construction Fund \$98.25; Art Center Fund \$3,060.97; Golf Dome Fund \$19,328.74; Aquatic Center Fund \$1,574.53; Golf Course Fund \$4,826.49; Ice Arena Fund \$2,594.43; Edinborough/Centennial Lakes Fund \$7,533.94; Liquor Fund \$139,555.43; Utility Fund \$41,421.14; PSTF Agency Fund \$92,652.09; Payroll Fund \$400,000.00; TOTAL \$1,084,882.42; and for approval of payment of claims dated January 30, 2003, and consisting of 26 pages: General Fund \$233,119.89; CDBG Fund \$3,420.00; Communications Fund \$463.06; IBR #2 Fund \$18,316.26; Working Capital Fund \$385,731.02; Construction Fund \$9,284.40; Art Center Fund \$4,824.14; Golf Dome Fund \$330.90; Golf Course Fund \$54,114.36; Ice Arena Fund \$237.90; Edinborough/Centennial Lakes Fund \$3,951.67; Liquor Fund \$108,213.84; Utility Fund \$8,112.33; TOTAL \$830,119.77.

Motion carried on rollcall vote - four ayes.

There being no further business on the Council Agenda, Mayor Maetzold declared the meeting adjourned at 10:55 P.M.

City Clerk