

MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
AUGUST 19, 2003  
7:00 P.M.

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

CONSENT AGENDA ITEMS APPROVED Motion made by Member Hovland and seconded by Member Housh approving the Council Consent Agenda as presented with the exception of Agenda Item IV.A. Traffic Safety Staff Review of June 25, 2003, Continued from July 15, 2003, Continued Indefinitely.

Rollcall:

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

RESOLUTION NO. 2003-56 IN APPRECIATION FOR CAHILL SCHOOL PAINTING Mayor Maetzold commended Dan Rogers for his selfless contribution to the City of Edina by providing the material and labor to paint the Cahill School building at Tupa Park.

**Member Housh made a motion approving the following Resolution:**

**RESOLUTION NO. 2003-56  
OF APPRECIATION**

*WHEREAS*, Dan Rogers' company, Rogers Painting and Services, Inc., is a reputable Edina-based painting company with whom the City of Edina has enjoyed a positive working relationship; and

*WHEREAS*, Edina resident Dan Rogers contacted the Edina Park and Recreation Director and volunteered to donate material and labor to prepare and paint the exterior of the historic Cahill School building located in Tupa Park; and

*WHEREAS*, Rogers Painting and Services, Inc. provided a crew of two and at times three men for eleven days and prepared and painted the historic Cahill School building without compensation; and

*WHEREAS*, Dan Rogers' unsolicited philanthropy has exemplified the highest professional standards, ethical values and dedication to community service, demonstrating that Edina is the preeminent place for living, learning, raising families and doing business.

*NOW, THEREFORE, BE IT RESOLVED*, by the Edina City Council on behalf of its citizens that a sincere thank you be extended to

**DAN ROGERS**

for his selfless contribution to the Edina Community by voluntarily painting the Cahill School.

Adopted this 19<sup>th</sup> day of August, 2003. Member Masica seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

\*MINUTES OF THE REGULAR MEETING OF AUGUST 5, 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 August 5, 2003.

Motion carried on rollcall vote - five ayes.

**\*FINAL DEVELOPMENT PLAN FOR FOUR CROWN, INC. (VULCAN PROPERTIES/WENDY'S) CONTINUED INDEFINITELY** Motion made by Member Hovland and seconded by Member Housh to continue indefinitely the Final Development Plan for Four Crown, Inc. (Vulcan Properties/Wendy's) located at Yorktown Shopping Mall.

Motion carried on rollcall vote – five ayes.

**BID AWARDED FOR 800 MHz PREPARATION WORK FOR EDINA COMMUNITY CENTER WATER TOWER** Police Chief Siitari explained this bid was for fabrication, installation and painting of microwave mounting hardware on the Community Center water tower. The estimated amount of the project was approximately \$31,000.00. Staff recommended awarding the bid to low bidder, Omni Contracting at \$14,310.00.

**Member Kelly made a motion approving the 800 MHz microwave preparation work on the Edina Community Center water tower to recommended low bidder, Omni Contracting at \$14,310.00.** Member Hovland seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

**BID AWARDED FOR 800 MHz RADIO BASE COMMUNICATIONS EQUIPMENT** Chief Siitari indicated this bid was for central electronics, base radios, dispatch control computers, monitors, antennas, equipment racks, power supplies, etc., for the 800 MHz radio equipment. This bid was through the Hennepin County Cooperative Purchasing Agreement #A-16906 at \$302,675.20. The estimated amount of the project was approximately \$360,000.00. Staff recommended awarding the bid to Motorola, Inc., through the Hennepin County Cooperative Purchasing Agreement.

**Member Masica made a motion approving the 800 MHz Base Radio Equipment to recommended bidder, Motorola, Inc., under Hennepin County Cooperative Purchasing Agreement No. #A-16906 at \$302,675.20.** Member Housh seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

**BID AWARDED FOR 9-1-1 CENTER COMMUNICATIONS CONSOLE AND FURNITURE** Chief Siitari said the bid was for the Public Safety 9-1-1 Dispatch Center communications console and furniture. The estimated cost was approximately \$40,000.00. Staff recommended approval of the 9-1-1 Center communications console and furniture under Hennepin County Cooperative Purchasing Agreement #0911A2 at \$37,575.90.

Member Housh inquired if the proposed system was digital radio and if it ties in with the 800 MHz. Chief Siitari noted the system was digital technology and was very new. He added the City currently was applying for a Homeland Security Grant at approximately \$285,000.00.

**Member Hovland made a motion approving the award of bid for the 9-1-1 Center communications console and furniture to Watson Furniture Group, Inc., under Hennepin County Cooperative Purchasing Agreement #0911A2 at \$37,575.90.** Member Housh seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

**TRAFFIC SAFETY STAFF REVIEW OF JUNE 25, 2003, CONTINUED FROM JULY 15, 2003, CONTINUED INDEFINITELY** Member Housh indicated he removed the Traffic Safety Staff

Review of June 25, 2003, from the Consent Agenda for further information. Manager Hughes explained two items on the June 25, 2003, Traffic Safety Staff Review; 1) crosswalk at Jeff Place and 2) STOP sign request at St. John's Drive were of concern to residents who want to appear before the Council about these issues at some time in the future. Staff believes with no date certain it would be proper to continue approval of the June 25, 2003, Traffic Safety Staff Review indefinitely.

**Member Housh made a motion approving continuing the Traffic Safety Staff Review of June 25, 2003, continued from July 15, 2003, indefinitely.** Member Kelly seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

**TRAFFIC SAFETY STAFF REVIEW OF AUGUST 5, 2003, APPROVED, WITH EXCEPTION** Mr. Hughes explained the Traffic Safety Staff Review of August 5, 2003, could have been on the consent agenda with the exception of Item II.B., crosswalk at Jeff Place. He suggested approving the Minutes of August 5, 2003, but recommended deferring Item II.B.

Member Masica inquired about Section A.2, request for NO PARKING restrictions on the west side of Sherwood Road between the Metro Transit bus turn around and Grandview Square and questioned if parking in the area was adequate. Mr. Hughes commented that the parking on the street was from the physician's office, not from the Senior Center/Library. It has been discovered that during the summer, scheduling conflicts arise with parking when the Senior Center and the Library have events simultaneously.

**Member Masica made a motion approving the Traffic Safety Staff Review for August 5, 2003, Section A, as follows:**

- 1. Removal of NO PARKING ANYTIME signs on the west side of the 5000 block of Lincoln Drive along the property line of 5050 Lincoln Drive; and**
- 2. Installation of NO PARKING ANYTIME restrictions for the west side of Sherwood Road from the bus turn-around south to Grandview Square;**

**Section B. 1, and Section C, and to continue Section B. 2, a request for a marked pedestrian crosswalk on Olinger Boulevard at Jeff Place.** Member Housh seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

**TEMPORARY BEER LICENSE APPROVED FOR OUR LADY OF GRACE CHURCH** Mr. Hughes noted that Our Lady of Grace Church (OLG) applied for a temporary beer license for an outdoor social on September 13, 2003. He stated OLG has held similar events the last two years and obtained a temporary license each time. Mr. Hughes reported the previous events were held without incident. He said staff recommended approving the request for the temporary beer license for September 13, 2003, for Our Lady of Grace Church.

**Member Hovland made a motion approving the temporary beer license for Our Lady of Grace Church for their outdoor social on September 13, 2003.** Member Kelly seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

**FOUNTAIN WOODS NOISE UPDATE** Sanitarian Velde reported that noise level measurements were taken on July 28 and 29, 2003, on the air conditioning equipment for Fountain Woods Condominiums located at 6670 Vernon Avenue. He noted the noise level did exceed the nighttime noise standard by an average of 2.3 dBA. Mr. Velde said John Rocheford of Rockford Management

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was notified of the violation. Subsequent to the notification, Mr. Rocheford explained a door had been left open on the air conditioning enclosure to allow air movement and cool the equipment. Mr. Velde said the door was closed on August 7 and 8 when noise level measurements were taken to determine whether closing the door would bring the equipment back into compliance with the nighttime noise standard. Technically, the readings from 10:00 P.M. to 4:00 A.M. violate the nighttime L(50) noise standard. Mr. Rocheford was advised of these findings and has contacted a mechanical contractor to investigate if the equipment was extra noisy due to wear or age. Mr. Velde concluded from a legal standpoint, it would be extremely difficult to prosecute this as a noise violation. The average noise level was at 50.16 dBA.

Member Masica inquired what type of structure was surrounding the equipment. Mr. Velde responded the structure was made of wood, with plywood panels. Member Masica asked if the City could do anything to mitigate the noise level. Mr. Velde stated that discussions have been held with management about lowering the noise level.

Member Housh asked what the penalty was for violating the noise standards. Mr. Velde responded that perhaps a final complaint would be filed and a court date set. A judge would then set the penalty.

Mr. Hughes suggested he would meet with Mr. Rocheford on behalf of the Council to see if a mutual resolution could be reached. Mayor Maetzold offered to attend the meeting as well. Mr. Hughes said he would report back to the Council after meeting with Mr. Rocheford.

No formal Council action was taken.

**\*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 August 7, 2003, and consisting of 28 pages: General Fund \$186,170.62; Communications Fund \$3,771.21; Working Capital Fund \$23,358.41; Art Center Fund \$101.28; Golf Dome Fund \$82.53; Aquatic Center Fund \$4,733.10; Golf Course Fund \$17,572.18; Ice Arena Fund \$258.63; Edinborough/Centennial Lakes Fund \$211,312.80; Liquor Fund \$171,414.86; Utility Fund \$32,264.09; Storm Sewer Fund \$1,834.51; \$; TOTAL \$652,874.22; and for approval of payment of claims dated August 13, 2003, and consisting of 36 pages: General Fund \$229,072.44; Communications Fund \$125.09; Working Capital Fund \$27,397.46; Construction Fund \$273.06; Art Center Fund \$8,204.52; Golf Dome Fund \$1,013.55; Aquatic Center Fund \$20,144.34; Golf Course Fund \$84,171.64; Ice Arena Fund \$24,133.21; Edinborough/Centennial Lakes Fund \$44,251.05; Liquor Fund \$128,086.99; Utility Fund \$360,965.60; Storm Sewer Fund \$41,006.21; Recycling Fund \$31,218.70; PSTF Fund \$18,071.53; TOTAL \$1,018,135.39.

Motion carried on rollcall vote – five ayes.

There being no further business on the Council Agenda, Mayor Maetzold declared the meeting adjourned at 7:40 P.M.

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City Clerk