

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
DECEMBER 2, 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.

Rollcall:

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

RESOLUTION NO. 2003-84 - 2003 COMMENDING THE GIRLS SWIMMING TEAM - CLASS AA STATE CHAMPIONSHIP Mayor Maetzold commended the 2003 Girls Swimming Team, with their Class AA State Championship and extended congratulations to the individual winners as well.

Member Hovland introduced the following resolution and moved approval:

**RESOLUTION NO. 2003-84
RESOLUTION OF COMMENDATION
EDINA HIGH SCHOOL
2003 GIRLS' SWIMMING TEAM**

WHEREAS, the members of the Edina High School 2003 Girls' Swimming Team were Champions of the Classic Lake Conference, Section Champions and State Champions; and

WHEREAS, success has come to the members of the Team because of their extraordinary ability, hours of practice and the leadership of their coaches; and

WHEREAS, as representatives of the City of Edina, the members of the Team exemplified the highest standards of athletic proficiency and good sportsmanship.

NOW, THEREFORE, BE IT RESOLVED by the Edina City Council that congratulations be extended to the members of the State Championship Team:

Emma Axt	Jen Gratz	Alex Nelson
Carolyn Barer	Andrea Hanson	Emily Triggs
Abbey Bishop	Lisa Kleeberger	Mellanie Pusateri, Coach
Megan Braun	Katie Kujava	Jeff Mace, Asst. Coach
Nina Cole	Colleen Moodie	

BE IT FURTHER RESOLVED that congratulations be extended to Megan Braun as the 200 Freestyle State Champion and to Abbey Bishop, Andrea Hanson, Megan Braun, and Jen Gratz as the 200 Freestyle Relay State Champions and Carolyn Barer, Emily Triggs, Megan Braun, and Jen Gratz as the 400 Freestyle Relay State Champions.

BE IT FURTHER RESOLVED that this resolution be recorded in the Minutes of the Edina City Council and that copies be given to members of the Team.

ADOPTED this 2nd day of December, 2003. Member Masica seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

RESOLUTION NO. 2003-85 - 2003 COMMENDING THE GIRLS' TENNIS TEAM STATE CHAMPIONSHIP Mayor Maetzold commended the Girls' Tennis Team with their State Championship and congratulated them with their extraordinary good sportsmanship and athletic proficiency.

Member Masica introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2003-85
RESOLUTION OF COMMENDATION
EDINA HIGH SCHOOL
2003 GIRLS' TENNIS TEAM**

WHEREAS, the members of the Edina High School 2003 Girls' Tennis Team were Champions of the Classic Lake Conference, Section Champions and State Champions; and

WHEREAS, Sarah Frey and Whitney Taney were the Doubles State Champions; and

WHEREAS, success has come to the members of the Team and individual players because of their extraordinary ability, hours of practice and the leadership of their coaches; and

WHEREAS, as representatives of the City of Edina, the members of the Team and individual players exemplified the highest standards of athletic proficiency and good sportsmanship.

NOW, THEREFORE, BE IT RESOLVED by the Edina City Council that congratulations be extended to the members of the Team:

Jane Anderson	Carolyn Prebil	Jennifer Berg
Andrea Beegle	Alexandra Seaton	Caroline Sherman
Pieper Brunsvold	Karee Shapiro	Whitney Taney
Amy Dehnel	Meagan Swift	Megan Gaard
Erica Flint	Jennifer Wilcox	Steve Paulsen, Coach
Sarah Frey	Jessica Berg	Greg Grosz Asst Coach
Colleen Pearson	Dana Olsen	
Lizzie Peyton	Melissa Bohm	

BE IT FURTHER RESOLVED that congratulations be extended to Sarah Frey and Whitney Taney as Doubles State Champions.

AND BE IT FURTHER RESOLVED that this resolution be recorded in the Minutes of the Edina City Council and that copies be given to all the members of the Team.

ADOPTED this 2nd day of December, 2003. Member Housh seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

***MINUTES OF THE REGULAR MEETING OF NOVEMBER 18, 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 November 18, 2003.**

Motion carried on rollcall vote - five ayes.

***PRELIMINARY REZONING AND PRELIMINARY PLAT - WALLINGFORD PARTNERSHIP (5101 WEST 70TH STREET) CONTINUED TO DECEMBER 16, 2003, AND SIXTY DAY EXTENSION FROM ACTION APPROVED (2/14/04) Motion made by Member Hovland and seconded by Member Housh approving the continuance of the Preliminary Rezoning and Preliminary Plat for Wallingford Partnership (5101 West 70th Street) to December 16, 2003, and granting a sixty day extension from action to February 14, 2004.**

Motion carried on rollcall vote – five ayes.

ORDINANCE NO. 2003-12 APPROVED, AMENDING VARIOUS SECTIONS OF EDINA CITY CODE Mr. Hughes noted the Council had granted first reading to the proposed housekeeping ordinance at their meeting November 18, 2003, with the request that Sections 3 and 5 be revised with respect to the definition of a “false alarm”. Mr. Hughes stated the revisions were made and staff recommended Council grant second reading of the ordinance.

Member Masica stated that she had brought up concerns regarding the language in Sections 3 and 5 that states, “alarms shall be payable by the owner of the building or premises from which the alarm was received”. Member Masica said staff had indicated they bill the tenant in many cases instead of the owner. She reiterated her concern that policy and ordinance were not compatible. Attorney Gilligan said that the police department’s practice of billing the tenant would be acceptable because if the bills were not paid, the City could then collect from the property owner. Mr. Gilligan said he believed that ultimately the owner of a building would be responsible for any costs incurred from false alarms. He added that the lease between the owner and tenant would be the legal means of collecting on the part of the owner.

Member Housh made a motion to grant second reading to Ordinance No. 2003-12 as follows:

**ORDINANCE NO. 2003-12
AN ORDINANCE AMENDING
SECTION 475 PARKING RAMPS,
SECTION 635 FALSE FIRE ALARMS,
SUBSECTION 850.20 HERITAGE PRESERVATION FEE,
SECTION 1020 - FALSE POLICE ALARMS,
AND SUBSECTION 1200.02 STREETS AND SIDEWALKS
THE CITY COUNCIL OF EDINA, MINNESOTA, ORDAINS:**

Section 1. Subsection 475.02 of the City Code shall be amended by changing the date in line 3 thereof to March 1.

Section 2. Subd. 3 of Subsection 475.03 of the City Code shall be amended to read as follows:

“Subd. 3 Term. Licenses issued pursuant to this Section shall expire on March 1 of each year. Provided, however, that licenses issued in 2003 or 2004 shall not expire until March 1, 2005.”

Section 3. Section 635 of the City Code shall be amended to read as follows:

“Section 635 – False Fire Alarms Responses”

635.01 Definition of False Fire Alarm. A false fire alarm shall mean the receipt of and emergency response by the Fire Department to an audio or visual alarm or signal from an automatic fire alarm device set off by causes other than the occurrence of a fire.

635.02 Fee for False Fire Alarm. A fee in the amount set forth in Section 185 of this Code shall be payable to the City for the second and each subsequent false fire alarm within a twelve month period. The fee for an false fire alarm shall be payable by the owner of the building or premises from which the alarm was received and shall be

payable within ten days after a statement therefore is mailed or delivered by the City."

Section 4. Paragraph B. of Subd. 10 of Subsection 850.20 is amended to read as follows:

"B. No city permits for the types of work described in paragraph A. of this subsection will be issued without a certificate of appropriateness signed by the Planner and approved by the Heritage Preservation Board evidencing compliance with the comprehensive heritage preservation plan. Applications for a certificate of appropriateness shall be made on forms provided by the Planning Department and shall be accompanied by the fee set forth in Section 185 of this Code. The application shall be accompanied by plans and drawings to scale, which clearly illustrate, to the satisfaction of the Planner, the work to be undertaken if the permit is granted. Certificates of appropriateness may be granted subject to conditions."

Section 5. Section 1020 of the City Code is amended to read as follows:

"Section 1020 - False Police Alarms"

1020.01 Definition of False Police Alarm. An false police alarm shall mean the receipt of and emergency response by the Police Department to an audio or visual alarm or signal from an automatic intruder or burglar alarm or a similar device set off by causes other than criminal activity.

1020.02 Fee for False Police Alarm. A fee in the amount set forth in Section 185 of this Code shall be payable to the City for the second and each subsequent false police alarm within a twelve month period. The fee for an automatic police alarm shall be payable by the owner of the building or premises from which the alarm was received and shall be payable within ten days after a statement therefore is mailed or delivered by the City."

Section 6. Paragraph H. of Subsection 1200.02 of the City Code is amended to read as follows:

"H. Trees and other plantings which overhang the traveled portion of streets or sidewalks provided that no portion of such tree or planting is less than 16 feet above the traveled portion of the street or less than 8 feet above the sidewalk."

Section 7. Effective Date: This Ordinance shall be in full force and effect upon passage and publication according to law.

Adopted this 2nd day of December 2003.

First Reading: November 18, 2003

Second Reading: December 2, 2003

Published: December 18, 2003

Attest

Debra A. Mangen, City Clerk

Dennis F. Maetzold, Mayor

Member Hovland seconded the motion.

Rollcall:

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Second Reading granted adopting Ordinance No. 2003-12.

RESOLUTION NO. 2003-83, APPROVING THREE RIVERS PARK DISTRICT FIRST TIER REGIONAL TRAIL Director Keprios gave background information on the request for approval of the Three Rivers Park District, Richfield/Edina master plan.

Open House:

- ❖ Three Rivers Park District mailed over 2,000 invitations on November 3rd to residents within 500 feet of the proposed trail
- ❖ Open House was held on Wednesday, November 19, 2003, from 7:00 - 9:00 P.M.
- ❖ Attended by Boe Carlson, Trails Coordinator
 - Wayne Houle, City Engineer
 - John Keprios, Park Director
 - Jesse Symynkywicz, Damon Farber Associates
 - John Menter, Stanley Consultants, Inc.
 - 70 Residents
- ❖ Majority of attendees were supportive
- ❖ Concerns included: 1) fear of crime, 2) increased traffic, 3) encroachment, 4) loss of boulevard trees, 5) project and maintenance costs, 6) trail alignment, and 7) information on the process
- ❖ Trail corridor will be an ongoing process
- ❖ Request to support the efforts of Three Rivers Park District to implement the Richfield/Edina Trail Corridor
- ❖ Alignment can be adjusted

Timeline:

- ❖ Request Resolution of Support from Council at December 2, 2003, meeting
- ❖ First Tier Master Plans reviewed by Three Rivers Park District Board in late December, 2003 to early January, 2004, and recommendation forwarded to Metropolitan Council's Park and Open Space Commission
- ❖ Park and Open Space Commission will review three Master Plans in late February, 2004, or early March, 2004. Three Rivers Park District will seek recommendation to forward Master Plans to Metropolitan Council
- ❖ 30-day public hearing process - comments collected for Master Plan in March, 2004 or early April, 2004
- ❖ Parks and Open Space Commission make final recommendation for Metropolitan Council to adopt Master Plan in April, 2004
- ❖ If adopted, projects become eligible for reimbursement or inclusion into Metropolitan Council's Capital Improvement Program, in May, 2004

Member Hovland asked by virtue of approving the resolution, the City will have some control over where the trail runs through the City. Mr. Keprios responded yes that is correct.

Member Masica asked when regular updates on the trail system would be on the website. Director Bennerotte said the information has been submitted to the webmaster.

Member Kelly made a motion introducing the following resolution and moving its adoption:

RESOLUTION NO. 2003-83

WHEREAS, Three Rivers Park District has studied the potential for trails, greenways and parks in the First Tier Communities of Suburban Hennepin County; and

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WHEREAS, Three Rivers Park District has prepared a master plan of the Richfield/Edina Trail Corridor; and

WHEREAS, the Three Rivers Park District has authorized its consultant, Damon Farber and Associates to provide planning services; and

WHEREAS, the Three Rivers Park District will work with First Tier Communities to review and comment on said plan; and

WHEREAS, the Three Rivers Park District desires that First Tier Communities initiate and support the implementation of said plan; and

WHEREAS, the Three Rivers Park District will require in a cooperative agreement with each city where the Richfield/Edina Trail Corridor would be implemented; and

WHEREAS, the implementation of this Richfield/Edina Trail Corridor will be an ongoing process.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Edina supports the efforts of the Three Rivers Park District to implement the Richfield/Edina Trail Corridor.

Adopted by the City Council of the City of Edina, Minnesota this 2nd day of December, 2003. Member Housh seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

BOARDS AND COMMISSIONS YOUTH MEMBERS REAPPOINTED Mayor Maetzold explained terms for youth members serving on the City's boards/ commissions/committees expire in October of each year. Current youth members have all indicated their willingness to be reappointed. The students are all seniors and have participated in their respective boards/commissions/committees. The current youth members are Art Center Board, Becky Amlaw; Park Board, Allyson Grande; and Recycling and Solid Waste, Tim Marrinan.

Mayor Maetzold made a motion approving youth members to City boards/commissions/committees:

ART CENTER BOARD	Becky Amlaw
PARK BOARD	Allyson Grande
RECYCLING/SOLID WASTE	Tim Marrinan

Member Kelly seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

APPOINTMENTS MADE TO TRANSPORTATION COMMISSION Mayor Maetzold indicated that twenty-one persons applied to serve on the proposed Transportation Commission. After careful consideration of all applicants, he suggested appointing the following persons, being mindful of the attempt to appoint members from each City quadrant. Mr. Maetzold added that staggered terms were determined by lot, except for the Chair, for which a three-year term is recommended.

	<u>TERM</u>
Fred Richards, Chair	2/1/07
Joni Kelly Bennett	2/1/07
Dean Dovolis	2/1/07
Warren Plante	2/1/07
Marie Thorpe	2/1/06
Les Wanninger	2/1/06

Jean White

2/1/06

Member Masica asked which Planning Commission member would be serving on the Transportation Commission. Mr. Maetzold explained that had not been decided.

Member Housh inquired if any of the proposed appointees were holdovers from the traffic task force. Mr. Maetzold said Marie Thorpe was on the previous task force. He stated he envisions the Commission beginning with an open slate.

Manager Hughes informed the Council an Ordinance Amendment could be on the Agenda December 16, 2003, for first reading, adding an eighth member to the roster and amend language. The Planning Commission does not meet before the Council meeting December 16, 2003. A member could be appointed to serve on the Commission at their next meeting.

Mayor Maetzold made a motion appointing the previously slate of candidates to the Transportation Commission for terms as presented. Member Kelly seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT - YORKDALE SHOPPES PARTNERS/CITY OF EDINA, APPROVED

Manager Hughes indicted in 1996, the City and Yorkdale Shoppes Partners entered into a Reciprocal Easement Agreement with respect to the construction the new York Avenue Liquor Store, Cub Store and Retail Center, located to the south of the Cub Store. The Easement Agreement provided that no restaurant could be located in the retail center that sold alcoholic beverages. The restriction was imposed by the private interest in the Easement Agreement, not the City of Edina.

Yorkdale Shoppes Partners is now requesting that the City consent to an amendment removing the above noted restriction. This amendment is requested to allow Chipotle, a new restaurant in the retail center, to be eligible for a liquor license.

The City of Edina did not require the subject restriction at the time the Agreement was negotiated, there is no reason why the requested amendment should not be approved.

Following a brief Council exchange, **Member Kelly made a motion authorizing execution of the Reciprocal Easement Agreement by and between Yorkdale Shoppes Partners, LLC and the City of Edina, with respect to construction of the new York Avenue Liquor Store, Cub Store and Retail Center, located south of the Cub Store.** Member Hovland seconded the motion.

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

REPORT PRESENTED ON RESIDENTIAL SWIMMING POOLS

Sanitarian Velde explained at the November 3, 2003, Council meeting, two appeals were heard from the Edina Residential Swimming Pool Code; 1) denial of a variance from the Construction Board of Appeals allowing an above ground swimming pool; and 2) denial of variance allowing a "swim-out" as a means of egress from the deep end of a swimming pool in lieu of a ladder. The Council denied the appeal for the above ground swimming pool on the basis that the

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appeal to the Construction Board of Appeals was improper and should not have gone before the Council. In addition, the Council denied the appeal of a variance for the swim-out in lieu of a ladder.

Mr. Velde said the Council directed staff to review both appeals and report back to the Council to consider amending the Code on both matters. The Council requested specific information on 1) definition of a swimming pool; 2) safety; 3) aesthetics; 4) sanitation; and 5) rescue.

Surrounding cities do not have as stringent regulations on residential pools as does Edina. Bloomington has the most similar regulations of the cities surveyed. The remaining communities regulate the location of the pool and require four foot high fencing as a barrier around the pool but do not regulate the design or construction of residential swimming pools.

Edina City Code defines a swimming pool as "any basin for holding water, designed for human use, with a water depth greater than 24 inches". Surrounding communities and the National Spa and Pool Institute (NSPI) Model Code includes a water depth greater than 24 inches as a basis for their definition of a swimming pool.

Safety - Hopkins does not require fencing around residential swimming pools. NSPI addresses fencing as an option.

Decking - Edina and Bloomington require decking. NSPI model codes address decking as an option.

Egress - Edina, Bloomington and Minneapolis require a means of egress from the deep end of pools. NSPI model codes address a means of egress from the deep end of the pool, such as; 1) ladder with handrails, 2) swim-out, 3) underwater seats and benches, 4) mechanical lifts; and 5) any other design providing egress.

Sanitation - Edina and Bloomington require a circulation system.

Rescue - Code requires a four-foot wide deck around the perimeter of a pool for accessibility to perform emergency procedures and store backboards and a gurney.

Above Ground Swimming Pools - Edina's Code prohibits above ground pools. NSPI defines an above ground pool as "a removable pool that has a minimum depth of thirty-six inches (36") and a maximum water depth of forty-eight inches (48") at the wall". NSPI model code requires, 1) same circulation system, 2) water depth between 24 and 36 inches, and 3) provide same level of safety and sanitation as in-ground pools. Mr. Velde elaborated that above-ground pools pose same risk for children 0 - 4 years as in-ground pools.

Mr. Velde concluded that provision for a swim-out at the deep end of the swimming pool in lieu of a ladder is allowed in NSPI model codes. Neighboring communities do not require a ladder at the deep end of the pool and based upon the information gathered regarding the issue, it would seem appropriate to allow other forms of egress from the deep end of swimming pools.

Above ground swimming pools that meet the model code set forth in the NSPI standards would meet the safety and sanitation requirement set forth for in-ground swimming pools. The need for a deck around the perimeter of the above ground swimming pool is warranted for safety and rescue purposes. This would add to the mass of the above ground swimming pool and may have an impact on the lot coverage of a residential property.

Staff recommends the following actions:

1. Amend City Code Section 450 regulating residential swimming pools to include swim-outs, underwater benches and seats as a means of egress from the deep end of the swimming pool.
2. Seek input from the public whether to amend the City Code to allow above ground swimming pools with a water depth of 36 inches or greater.
3. Not allow the use of above ground swimming pools that have a design water depth between 24 inches and 36 inches due to the lack of model standards for the design and construction of such pools.
4. Consider amending City Code Section 450 by reducing the requirement for a continuous deck around the perimeter of the swimming pool thereby allowing the installation of a "vanishing edge" feature on a swimming pool.

Consideration may also be given to adopting less regulation for residential swimming pools. The minimum requirements should include fencing around the swimming pool and a building permit ensuring that the proposed pool meets the setback requirements set forth in the Zoning Ordinance.

Mr. Housh asked what NSPI stands for, and voiced concern that it is a mechanism to help contractors. Mr. Velde said NSPI is the Nation Spa and Pool Institute and may be a trade organization but their model codes incorporate all the features found in the Edina Pool Ordinance. Mr. Housh inquired if communities that were surveyed had recently amended their ordinances regarding pools. Mr. Velde noted that that was not made clear with the survey but Edina historically has had a large number of pools for many years while other communities have not had the interest in regulating them as closely as we do. Mr. Housh said a swim out should be readily recognizable for a person having a problem in the pool.

Mr. Hovland inquired whether Edina regulates what size a pool might be. Mr. Velde responded that when a diving board is included in the pool, there are stringent rules. Mr. Hovland indicated concern that pools have enough swim outs for persons who might have a problem. Mr. Velde said current Code states if the pool is over 30 feet wide, two means of egress are required in the deep end.

Mr. Kelly said having a swim-out in the deep end of the pool is fine but he believes it is easier to see a ladder. He inquired whether there is a compelling reason to change the ordinance.

Ms. Masica suggested more information be obtained before a decision is made. She asked how fencing is installed around a vanishing edge pool. Mr. Velde said fencing would surround the entire pool.

Mr. Hughes suggested preparing an amendment dealing with the vanishing edge pool and the swim-out/ladder issue in residential pools. The above ground pool issue would not be a part of the amendment.

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 November 19, 2003, and consisting of 29 pages: General Fund \$176,834.92; Communications Fund \$3,246.62; Working Capital Fund \$1,088,644.43; Construction Fund \$78,043.83; Art Center Fund \$2,161.68; Golf Dome Fund \$6,670.98; Aquatic Center Fund \$1,309.39; Golf Course Fund 8,639.75\$; Ice Arena Fund \$27,129.97; Edinborough/Centennial Lakes Fund \$24,265.61; Liquor Fund \$139,524.04; Utility Fund \$352,135.90; Storm Sewer Fund \$9,913.66; PSTF Agency Fund \$935.35; TOTAL \$1,919,456.13; and for approval of payment of claims dated November 25, 2003, consisting of 29 pages: General Fund \$161,240.95; Communication Fund \$2,964.22; Working Capital Fund \$120,251.88; Art Center Fund \$25,255.11; Golf Dome Fund \$218.11; Aquatic Center Fund \$1,701.00; Golf Course Fund \$2,688.90; Ice Arena Fund \$470.85; Edinborough/Centennial Lakes Fund \$6,523.18; Liquor Fund \$149,926.24; Utility Fund \$40,456.49; PSTF Agency Fund \$642.80; TOTAL \$512,339.73.

Motion carried on rollcall vote - five ayes.

FIRST READING GRANTED FOR ORDINANCE NO. 2003-13 - AMENDING CODE SECTION 185 INCREASING CERTAIN FEES Affidavits of Notice were presented, approved and ordered placed on file.

Mr. Hughes noted that Ordinance No. 2003-13 proposed an increase in on-sale liquor fees, thereby requiring a public hearing.

Mayor Maetzold called for public comments. No one appeared to speak.

Member Housh made a motion closing the public hearing. Member Hovland seconded the motion.

Rollcall:

Ayes: Housh, Hovland, Kelly, Masica, Maetzold

Motion carried.

Mr. Hovland asked why dog license fees were dropped so significantly. Mr. Siitari said there was a two-tiered system with the first year at a higher price. This simplifies the fee after examination, and actually raises the renewal fee.

Mr. Maetzold asked why there is a fee for a residential variance. Mr. Hughes said staff thought it best to make a request for a sign variance have the same fee as a regular variance. Fees differentiate between residential and non-residential rates. Non-residential rates are normally complicated and take an inordinate amount of time.

Mr. Hovland inquired about the fireworks fee. Mr. Hughes stated the fee complies with State Statute. Mr. Hovland asked why the conditional use fee is now a flat fee. Mr. Hughes responded that a flat fee had always been charged. Mr. Hovland asked about the fee for an application filing for a street alley or easement. Mr. Hughes noted that vacations are complex and take a lot of staff time.

Ms. Masica asked how many different fees there are for redemption of impounded vehicles. Mr. Hughes said it is a fee that passes through the City for towing, impound and storage of vehicles. What the fees end up being, are fees the towing service charges. They are bid on an annual basis. The administrative fee would be the ticket for being towed.

Mr. Housh left the meeting at 8:35 P.M.

Member Hovland made a motion granting first reading for Ordinance No. 2003-13, Increasing Fees in Section 185 as proposed. Member Kelly seconded the motion.

Rollcall:

Ayes: Hovland, Kelly, Masica, Maetzold

Motion carried.

RESOLUTION NO. 2003-82 - APPROVING YEAR 2004 PARK AND RECREATION FEES AND CHARGES Manager Hughes said the only unresolved fee at the recent Park Board meeting was relating to Adventure Peak at Edinborough Park. Director Keprios has included a proposed fee structure in his report and recommendation.

Mr. Kelly said he did not believe the fee structure for Adventure Peak should be changed except in the case of a fee reduction for Edina residents.

Mr. Maetzold voiced concern with affordability with persons on a limited income.

Mr. Housh suggested giving Edina residents a cut in price since Edina funds were used to build the structure.

Ms. Masica inquired whether a capacity had been reached at any time yet. Mr. Keprios said he did not believe this has occurred yet. Ms. Masica concurred that the fee for Edina residents should be lower than non-residents.

Mr. Keprios reminded the Council that scholarships are available through the Edina Foundation for financially challenged residents.

Member Kelly made a motion approving Resolution No. 2003-82, 2004 Park and Recreation Fees and Charges and moved its adoption:

RESOLUTION NO. 2003 - 82

SETTING 2004 PARK AND RECREATION FEES

BE IT RESOLVED that the Edina City Council does hereby approve and set the following 2004 Park and Recreation Fees.

PARK AND RECREATION

	<u>2004</u>
PLAYGROUND	\$22.00
ADULT TENNIS INSTRUCTION	\$39.00
YOUTH TENNIS INSTRUCTION	\$39.00
PEE WEE TENNIS	\$28.00
TEAM TENNIS	\$67.00
TENNIS CAMP	\$83.00

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FAB 4 & 5	\$51.00
NATURE CAMP	\$55.00
SAFETY CAMP	\$20.00
SUPER 6 & 7	\$36.00

ADULT ATHLETIC FEES

<u>SUMMER SOFTBALL</u>		<u>BASKETBALL</u>	
	<u>2004</u>		<u>2004</u>
Co-Rec & Mens Classic League	\$400.00	5-Man C League	\$470.00
Mens/Womens 35 & Over & Industrial League	\$365.00	5-Man B League	\$470.00
Non-Resident Fee (Individual)	\$26.00		
Non-Resident Fee (Team)	\$155.00		
		<u>HOCKEY</u>	
		4-Man League	\$250.00
		<u>BROOMBALL</u>	
		Co-Rec League	\$250.00
		<u>CO-REC KICKBALL</u>	
		CO-REC KICKBALL	\$125.00
<u>VOLLEYBALL</u>			
Officiated Leagues	\$310.00		
Non-Resident (Individual)	\$10.00		

AQUATIC CENTER
SEASON TICKETS

RESIDENT FAMILY:	<u>2004</u>
First 2 members	\$80.00/\$90.00
Each additional member	\$40.00
Maximum (8 members)	\$330.00
RESIDENT INDIVIDUAL:	\$40.00/\$50.00
NON-RESIDENT FAMILY:	<u>2004</u>
First 2 members	*\$95.00/\$105.00
Each additional member	\$45.00
Maximum (8 members)	\$375.00
NON-RESIDENT INDIVIDUAL:	\$50.00/\$60.00
Daily Admission	\$8.00
Admission after 6 P.M.	\$6.00
Aquatic Instruction	\$92.00
* Early Bird Special if purchased no later than May 1, 2004.	

ART CENTER

Membership rates - FAMILY \$40 - \$30 INDIVIDUAL
(Edina Resident Members \$5.00 off)

<u>HOURS @</u> \$6.00/hour	<u>CLASS PRICE</u> Non-Member, Member	<u>HOURS @</u> \$8.00/hour	<u>WORKSHOP PRICE</u> (parent/child)
30	\$180/\$162	9	\$72/\$65
24	\$144/\$130	8	\$64/\$58
22	\$132/\$119	7	\$56/\$50
20	\$120/\$108	6	\$48/\$43
18	\$108/\$97	5	\$40/\$36

16	\$96/\$86		
15	\$90/\$81	HOURS @	
14	\$84/\$76	\$9.00/hour	
12	\$72/\$65	4	\$36/\$32
10	\$60/\$54	3	\$27/\$24
9	\$54/\$49	2	\$18/\$16
8	\$48/\$43	1	\$9/\$8
7	\$42/\$38		

ARENA

	<u>2004</u>
Hourly Rate (as of 9/95)	\$150.00
Open skating (Youth and Adult)	\$4.00
Skate Rental	\$2.00
Skate Sharpening	\$4.00
SEASON TICKETS (set first week of September)	
RESIDENT FAMILY:	<u>2004</u>
First 2 members	\$85.00
Each additional member	\$5.00
Maximum (7 persons)	\$110.00
RESIDENT INDIVIDUAL:	\$75.00
NON-RESIDENT FAMILY:	<u>2004</u>
First 2 members	\$100.00
Each additional member	\$5.00
Maximum (7 persons)	\$125.00
NON-RESIDENT INDIVIDUAL	\$85.00
CLASSES	\$95.00

BRAEMAR GOLF COURSE

GREEN FEES	<u>2004</u>
18 hole - non-patron	\$32.00
18 hole - patron	\$24.00
9 hole - non-patron	\$18.00
9 hole - patron	\$14.00
GROUP FEES - 18 holes	\$47.00
GROUP FEES - 9 holes	\$20.00
PATRON CARDS (before April 1)	<u>2004</u>
Individual	\$60.00
Executive Course	\$25.00
PATRON CARDS (after March 31)	<u>2004</u>
Individual	\$65.00
Executive Course	\$25.00
COMPUTERIZED HANDICAPS	<u>2004</u>
Resident	\$22.00
Non-Resident	\$27.00
LOCKERS:	<u>2004</u>
Men's 72 inch	\$40.00
Men's 42 inch	\$30.00
Ladies 72 inch	\$20.00
CLUB STORAGE	\$45.00
CLUB RENTAL	\$8.50

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PULL CARTS	\$3.00
GOLF CARS	<u>2004</u>
18 holes	\$26.00
9 holes	\$15.00
18 holes/person with disability/sgl rider	\$16.00
Group Car Fees	\$36.00
GROUP GOLF LESSONS	<u>2004</u>
Adult	\$85.00
Junior	\$42.00
BRAEMAR ROOM	
	<u>2004</u>
Resident - wedding related	\$800.00
Non-residents - wedding related	\$900.00
Other events	\$350.00/\$900.00

BRAEMAR EXECUTIVE COURSE

GREEN FEES	<u>2004</u>
Adult non-patron	\$11.00
Adult patron	\$9.00
Junior - non-patron	\$8.00
Junior - patron	\$7.00
Golf Cars (everyone)	\$13.00
Pull Carts	\$2.50
Group Fees	\$14.00
DRIVING RANGE	<u>2004</u>
Large Bucket	\$6.50
Small Bucket	\$4.25
Warm-Up Bucket	\$2.75

FRED RICHARDS GOLF COURSE

GREEN FEES	<u>2004</u>
Adult - non-patron	\$11.00
Adult - patron	\$9.00
Junior - non-patron	\$8.00
Junior - patron	\$7.00
Golf Cars (everyone)	\$13.00
Pull Carts	\$2.50
Group Fees	\$14.00

GOLF DOME

	<u>2004</u>
Large Bucket	\$6.50
Senior Bucket	\$6.25
Time Golf 1/2 hour	\$9.00
Hourly Field Rental	\$120.00

EDINBOROUGH PARK

2004

Pool & Track Daily Passes	\$4.00
	residents
	\$5.00 non
	residents

"POOL & TRACK" SEASON PASSES

	<u>2004</u>
Edina Individual	\$225.00
Each Additional Member	\$40.00
Maximum (7 Members)	\$440.00
Non-Edina Individual	\$250.00
Each Additional Member	\$50.00
Maximum (7 members)	\$530.00
Towel Fee	\$1.00
Locker Rental	\$0.25

BUILDING RENTALS

EXCLUSIVE RENTAL	<u>2004</u>		<u>2004</u>
Friday Evening	\$2,000.00	Adventure Peak	\$125.00
Saturday Evening	\$2,000.00		
Prom	\$2,500.00		
NON-EXCLUSIVE RENTALS: (per hour)	<u>2004</u>	Domestic Photo Shoot (hourly)	
Great Hall	\$300.00	Any Park Area	\$75.00
Theater	\$125.00	Blocked Off	
Grotto	\$75.00	Grotto	\$ 75.00
		Theatre	\$ 75.00
		Great Hall	\$ 75.00
Adventure Peak	\$125.00	Commercial Photo Shoot (hourly)	
Pool (swim team only)	\$25.00	Any Park Area	\$ 200.00
		Blocked Off	
		Grotto	\$ 200.00
		Theatre	\$ 200.00
		Great Hall	\$ 300.00
		Adventure Peak	\$300.00

EDINBOROUGH PARK "PLAYPARK"

	<u>2004</u>
Playpark Daily Admission:	
Resident	\$4.00/person
Non-resident	\$5.00/person
Children Under 12 Months	FREE
Adults	Free With Paid Child
Edinborough Association Members Daily Pass	\$2.00
Playpark Punch Pass - 10 Uses	
Resident	\$35.00
Non-resident	\$40.00

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Resident:

First Member	\$75.00
Each Additional Member	\$55.00
Maximum "7" Members	\$405.00

Non-Resident:

First Member	\$100.00
Each Additional Member	\$80.00
Maximum "7" Members	\$580.00

Total Facility Daily Admission

Resident	\$6.00
Non-resident	\$8.00

CENTENNIAL LAKES

Rental Concession Items		Weekend Rental - Full Evening (6 PM -12 AM)	
Paddle Boats	<u>2004</u>		<u>2004</u>
4 person boat 1/2 hr	\$6.00	Friday evening	\$825.00
Winter sled per hr	\$5.00	Saturday evening	\$825.00
Ice Skates	\$4.00		Champion Putting
	BUILDING RENTALS	9 hole	\$4.00
1/2 day - Salon M-TH	\$175.00	18 hole	\$7.50
Sunday - 1/2 day Salon	\$275.00		
	Amphitheater Rental		Lawn Games
Amphitheater Rental	\$200.00	Per Court	\$12.00/hr
Commercial Photo Shoot	\$50.00/hr		

PARK DEPARTMENT RENTALS

General Park Areas:		Van Valkenburg/Courtney Fields (Residents Only)	
	<u>2004</u>		<u>2004</u>
Resident Use/hour	\$40.00	Per field/day includes building	\$155.00
Resident Use/day	\$120.00		Edina Athletic Associations
Commercial Use (i.e. TV)/hour	\$65.00	Field User fee/participant	\$8.00
Commercial use with light/hour	\$120.00		Edina Hockey Association
Picnic shelter/day - Cornelia	\$125.00	Field User fee/participant	\$8.00
Showmobile/day	\$700.00		Outdoor Hockey Rink
	Athletic Fields - Residents Only:	Field User fee/participant	\$8.00
Per field - per day	\$120.00		Park Shelter Buildings (half-day)
Per field - per hour	\$40.00	Weber Park	\$55.00
Per field - per hour (with lights)	\$62.00	Cornelia School Park	\$55.00
	ARNESON ACRES PARI/TERRACE ROOM ONLY	Todd Park	\$55.00
Per hour, first hour	\$40.00	Walnut Ridge Park	\$55.00
Each additional hour	\$30.00		Park Shelter Buildings (full-day)
		Weber Park	\$80.00
		Cornelia School Park	\$80.00

up to 3 hours			
Per day (4 hours or more)	\$130.00	Todd Park	\$80.00
ARNESON ACRES PARK/GAZEBO ONLY			
1/2 day (6 hrs or less)	\$30.00	Walnut Ridge Park	\$80.00
Full day (over 6 hours)	\$60.00	Rosland Park Pathway:	
ARNESON ACRES TERRACE ROOM/GAZEBO:			
Per day (4 hours or more)	\$150.00	Per hour	\$55.00
Per hour, first hour	\$55.00	Per day	\$210.00
Each additional hour up to 3 hours	\$30.00		

PEGGY KELLY MEDIA ARTS STUDIOS

<u>DO-IT YOURSELF SERVICES</u>	<u>2004 HOURLY FEE</u>	<u>EQUIPMENT RENTAL</u>	<u>2004 2 DAY RENTAL</u>
Transfer movies to video VHS tape or DVD disk	\$16.00/ \$40.00	35mm Slide Projector	\$20.00
Pictures or slides to video (album)	\$16.00/ \$40.00	VHS Camcorder	\$25.00
Audio Dubbing or Transfer	\$14.00 \$40.00	Overhead Projector	new \$20.00 old \$15.00
Digital Video Editing	\$20.00/ \$50.00*	Opaque Projector	\$25.00
35mm Photo Copies	\$12.00 \$40.00	16mm Movie Projector	\$30.00
35mm Slide Copies	\$12.00 \$40.00	Super 8mm Projector with sound	\$30.00
VHS Video Copies (up to 3 at one time)	\$6.00	8mm Movie Projector	\$25.00
Studio does it	\$12.00	Lowell Light Kit	\$20.00
Foreign Conversion (PAL, SECAM)	\$12.00		
Studio does it	\$18.00		
Laminator/Heat Press	\$5.00	Movie screen	\$5.00
Audio Cassette Dupl.	\$1.00/ copy		

Customer provides blank cassettes (video and audio), film and lamination supplies.

* STUDIO COPYING/TRANSFERRING
PHOTO/VIDEO STUDIO RENTAL

Photo Studio - not staffed	<u>2004</u> \$20.00 member non-members pay add'l daily access fee
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COMPUTER OPEN STUDIO TIME

Macintosh G3 or Compaq 266 Mhz PC (includes use of Adobe Photoshop, PageMaker and Illustrator software with Epson Color Stylus)	<u>2004</u> \$10.00/hr non-members pay an add'l \$10.00
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printing - prints purchased separately)

daily access fee

MEMBERSHIP

	<u>2004</u>
One day/one visit pass - \$10.00	\$15.00
Annual Individual Membership (12 months)	\$30.00
Annual Family Membership (12 months)	\$40.00

EDINA SENIOR CENTER

<u>FEES</u>	<u>2004</u>
Golf League Membership (Richards Golf Course)	\$10.00
55+ Softball League Membership (Van Valkenburg)	\$30.00
Volleyball League Membership	\$15.00
Bowling League Membership	\$10.00
Edina Senior Center Membership	\$16.00

ROOM RENTAL

Fireside Room & Classrooms per hour - minimum 2 hours	\$35.00
Fireside Room & Classrooms per day	\$135.00
Gathering/GRANDVIEW Room per hour - minimum 2 hours	\$45.00
Gathering/GRANDVIEW Room per day	\$185.00
WordArt Display Rental	15% of Sale

EQUIPMENT RENTAL

Television/VCR/DVD	\$10.00
Overhead Projector	\$5.00
Portable Screen	\$5.00

Member Masica seconded the motion.

Rollcall:

Ayes: Hovland, Kelly, Masica, Maetzold

Motion carried.

RESOLUTION NO. 2003-81 - APPROVING YEAR 2004 AMBULANCE FEES Chief Scheerer explained that Resolution No. 2003-81 represents an increase in Ambulance Fees for 2004.

Mr. Maetzold inquired about Medicare reimbursement. Mr. Scheerer said reimbursement stands at approximately \$400.00 in 2004.

Member Kelly introduced the following resolution and moved its adoption:

RESOLUTION NO. 2003 - 81

SETTING AMBULANCE FEES FOR 2004

BE IT RESOLVED that the Edina City Council does hereby approve and set the following ambulance service fees for 2004.

AMBULANCE FEES

Service Level Fees for Ambulance Service, including medical treatment and/or transportation to a medical facility:

	<u>2004</u>
Level 1 - ON SCENE TREATMENT	\$265.00
Specialized medical services performed at scene with no transport involved	

Level 2 - MINOR CARE (BLS)	\$575.00
Vital Signs	
Splinting	
Bandaging, etc.	
Level 3 - MODERATE CARE (ALS)	\$705.00
IV, Nitrous, Nitro Spray, ASA	
EKG Monitoring	
Spine Immobilization	
Level 4 - MAJOR CARE	\$885.00
Medications	
PCT (inflated)	
Cardiac Pacing	
Cardioversion	
Interosseous Infusions	
Airway Management	
Level 5 - RESPIRATORY/CARDIAC ARREST	\$990.00
Level IV plus any: Cardio/ Pulmonary Resuscitation (CPR) Defibrillation	
OXYGEN ADMINISTRATION	\$39.00
MILEAGE FROM SCENE TO HOSPITAL	\$12.00/mile
ADDITIONAL MANPOWER OR MECHANICAL EXTRICATION	\$440.00/hour 1 hour minimum

Member Hovland seconded the motion.

Rollcall:

Ayes: Hovland, Kelly, Masica, Maetzold

Motion carried.

RESOLUTION NO. 2003-80 - YEAR 2004 MISCELLANEOUS FEES Chief Scheerer explained the fees relate primarily to the Fire Department and Planning Department and are being raised approximately 5% for 2004. One new fee has been added - Gas Line Rupture Response at \$330.00. This refers to contractors that are negligent in following markings depicted by Gopher State One. The fee is rarely used but the contractors would be responsible. They hope to impose a mutual aid agreement during 2004 that would take affect after 10 hours of service during a natural disaster. FEMA would possibly reimburse the fee since a fee schedule is in place.

Ms. Masica inquired what is the deciding point when fees are charged. Mr. Scheerer responded it would be obvious negligence such as a tanker tip over with a fuel spill, etc., and would then be considered a chargeable fee.

Mr. Hovland asked about the difference between the Special Operations Team at \$600.00 per hour and the Limited Response at \$165.00 per hour. Mr. Scheerer explained being on standby at a fire is considered limited response.

Member Kelly introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2003 - 80
SETTING MISCELLANEOUS FEES
FOR 2004**

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BE IT RESOLVED that the Edina City Council does hereby approve and set the following miscellaneous fees for 2004:

SPECIALIZED RESPONSE

2004

Engine/Fire Company	\$330.00/hour *
Ladder Company	\$440.00/hour *
HazMat Unit	\$500.00/hour *
Special Operations Team	\$600.00/hour *
Limited Response	\$165.00/hour *
Gas Line Rupture Response	\$330.00/hour *
Specialized Equipment	Cost + 15% administrative charge
Supplies	Cost + 15% administrative charge
Disposal	Cost + 15% administrative charge
Other City Resources	Cost + 15% administrative charge
Ambulance Standby	\$155.00/hour *

* Charges are per hour

PLANNING DEPARTMENT

2004

Zoning Compliance Letter	\$150.00
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Member Masica seconded the motion.

Rollcall:

Ayes: Hovland, Kelly, Masica, Maetzold

Motion carried.

There being no further business on the Council Agenda, Mayor Maetzold declared the meeting adjourned at 8:59 P.M.

City Clerk