

MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
JANUARY 18, 2005
7:00 P.M.

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

CONSENT AGENDA ITEMS APPROVED Motion made by Member Swenson and seconded by Member Housh approving the Council Consent Agenda as presented with the exception of Agenda Item II.A. Police Department Vehicle Purchase - Twelve Vehicles - Three Vendors and Agenda Item III.E., Resolution No. 2005-07 - Hennepin County Electronic Proprietary Data Base (RPDB) Conditional Use License Agreement.

Rollcall:

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

*MINUTES OF THE REGULAR MEETING OF JANUARY 4, 2005, APPROVED Motion made by Member Swenson and seconded by Member Housh approving the Minutes of the Regular Meeting of the Edina City Council for January 4, 2005.

Motion carried on rollcall vote - four ayes.

SGT. STEPHEN MARSTON COMMENDED BY MOTHERS AGAINST DRUNK DRIVERS (MADD) Chief Siitari indicated that Stephen Marston would be retiring at the end of January after working in both part and full-time positions since 1972. Sgt. Marston has preferred to work as a patrol officer on the street on the night shift and has become an expert on DWI traffic enforcement.

Diane Holman, Mothers Against Drunk Driving (MADD), thanked Sgt. Marston for the exemplary job he has done enforcing traffic laws and presented him with a plaque.

BID AWARDED FOR POLICE DEPARTMENT VEHICLE PURCHASE - TWELVE VEHICLES - THREE VENDORS Mayor Hovland removed the award of bid for the vehicle purchase for the twelve vehicles from three vendors for the Police Department for more information. Chief Siitari said that the life expectancy of the vehicles has been exceeded and the purchase has been included in the Capital Improvement Plan.

Mayor Hovland made a motion approving the award of bid for twelve vehicles from three vendors for the Police Department as follows:

1. Seven full-size Police squad cars - Police Interceptor model Crown Victoria to Superior Ford at \$146,272.00 under State Contract No. 432130
2. One 2005 Chevrolet Uplander Van to Thane Hawkins Polar Chevrolet at \$17,547.03 under State Contract No. 433406
3. Four 2005 Chevrolet Impala unmarked police squad cars to Hinckley Chevrolet at \$69,191.40 under State Contract No. 429970

Member Housh seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

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*AWARD OF BID FOR FAIRWAY MOWER - BRAEMAR GOLF COURSE Motion made by Member Swenson and seconded by Member Housh approving the award of bid for a Fairway Mower for Braemar Golf Course to recommended bidder, MTI Distributing, under State Contract No. 432120, at \$26,789.01.

Motion carried on rollcall vote - four ayes.

*AWARD OF BID FOR GROUNDSMASTER ROTARY MOWER - BRAEMAR GOLF COURSE Motion made by Member Swenson and seconded by Member Housh for award of bid for a groundsmaster rotary mower for Braemar Golf Course to recommended bidder, MTI Distributing under State Contract No. 432120 at \$25,153.17 including sales tax.

Motion carried on rollcall vote - four ayes.

*AWARD OF BID FOR 1/2 TON CHEVROLET PICK-UP - UTILITIES DEPARTMENT Motion made by Member Swenson and seconded by Member Housh approving the award of bid for a 1/2 ton Chevrolet pick-up for the Utilities Department to recommended bidder Thane Hawkins Polar Chevrolet under State Contract No. 433478, at \$15,365.38, including sales tax.

Motion carried on rollcall vote - four ayes.

*AWARD OF BID FOR ASV TRACK LOADER - UTILITIES DEPARTMENT Motion made by Member Swenson and seconded by Member Housh approving the award of bid for an ASV Model RC-100 Track Loader to recommended bidder St. Joseph Equipment under State Contract No. 432222 at \$51,484.00.

Motion carried on rollcall vote - four ayes.

*AWARD OF BID FOR 22 GARBAGE RECEPTACLES - 50TH AND FRANCE Motion made by Member Swenson and seconded by Member Housh approving the award of bid for twenty-two garbage receptacles assessed to the 50th & France for the next two years, to recommended low bidder, Earl F. Andersen at \$16,068.72.

Motion carried on rollcall vote - four ayes.

*TRAFFIC SAFETY STAFF REVIEW OF JANUARY 10, 2005, APPROVED Motion made by Member Swenson and seconded by Member Housh approving the Traffic Safety Staff Review of January 10, 2005, Sections A, B, and C.

Motion carried on rollcall vote - four ayes.

*APPOINTMENT OF ANNUAL WEED INSPECTOR APPROVED Motion made by Member Swenson and seconded by Member Housh approving the appointment of Vince Cockriel, Park Superintendent, as Assistant Weed Inspector for calendar year 2005.

Motion carried on rollcall vote - four ayes.

HENNEPIN COUNTY SMOKE FREE ORDINANCE TO BE ENFORCED BY CITY OF EDINA

Manager Hughes stated Hennepin County had in October of 2004 adopted Ordinance No. 24, prohibiting smoking in all licensed food establishments and bars within Hennepin County. Mr. Hughes said the Ordinance would become effective March 31, 2005.

Mr. Hughes explained the City maintained a delegation agreement with the Minnesota Department of Health with respect to licensing and inspection of food establishments. He said City staff enforces provisions of the Minnesota Clean Indoor Air Act as a part of the delegation agreement. Mr. Hughes said the County has determined any City that maintains a delegation agreement with the State may elect to enforce Hennepin County's Ordinance or enforce an ordinance from their own city which

would be at least as restrictive as Ordinance No. 24. He added the City could request Hennepin County to do the enforcement of Ordinance No. 24 in Edina's licensed food establishments and bars. However, Mr. Hughes recommended City staff be charged with the enforcement of the County ordinance since City staff already provides inspections and enforcements services with respect to all City licensed food establishments. He said staff did not believe this enforcement would place an undue burden upon Health Department or Police Department personnel.

Following a brief discussion **Member Masica made a motion authorizing City of Edina staff to enforce Hennepin County Ordinance No. 24 as presented.** Member Swenson seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

CHANGE ORDER APPROVED - POND DREDGING/PAVING -SWIMMING POOL POND - CONTRACT NO. 03-6 - ENGINEERING Engineer Houle explained that original borings for dredging of the pond did not indicate any bituminous material within the pond bottom. He reported that during dredging of the pond, the contractor discovered bituminous material within the dredging material, creating a situation where the bituminous material would need to be trucked to a different location. Mr. Houle reported change orders for the project total \$71,670.31 to date, noting the total amount of the requested change order was \$30,668.00. He noted the original cost for the total project was \$329,960.00, which was funded by storm water utility funds. Mr. Houle said staff recommended approval of the requested change order.

Member Housh made a motion approving the change order for Valley View Road and West 66th Street Pond Dredging Improvements, Contract No. 03-6 (Engineering) in the amount of \$30,668.00. Member Masica seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

RESOLUTION NO. 2005-07 APPROVING HENNEPIN COUNTY ELECTRONIC PROPRIETARY DATA BASE (EPDB) CONDITIONAL USE LICENSE AGREEMENT Member Masica questioned what was the fee for use of the data base. Mr. Houle replied there was no annual fee, but special item were charged to the City if ordered. He added the agreement allowed the City to use the database owned and maintained by the County.

Motion made by Member Masica and seconded by Member Swenson approving the following resolution:

**RESOLUTION NO. 2005-07
RESOLUTION AUTHORIZING EXECUTION AND
DELIVERY OF CONDITIONAL USE AGREEMENT WITH
HENNEPIN COUNTY**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota (the "City") as follows:

Section 1. Recitals. Hennepin County (the "County") has developed an Electronic Proprietary Data Base (EPDB) (the "Data Base"), which the City desires to utilize. There has been prepared and presented to the City a Conditional Use License Agreement (the "Agreement") between the City and County, pursuant to which the County grants the City a limited license to use the Data Base as provided in the Agreement and the City agrees to pay a fee for the use of the Data Base.

Section 2. Approvals. The form of the Agreement is hereby approved, and the City Manager is authorized to enter into the Agreement on behalf of the City in substantially the form presented to the City with such changes or modifications thereto as do not change the substance of

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the Agreement and are approved by the City Manager, such approval to be conclusively presumed by the execution and delivery of the Agreement by the City Manager.

Dated: January 18, 2005

Ayes: Housh, Masica, Swenson, Hovland
Motion carried.

*RESOLUTION NO. 2005-08 SETTING HEARING DATE OF FEBRUARY 15, 2005, FOR NEIGHBORHOOD ROADWAY IMPROVEMENT PROJECTS: NO. A-204, SOUTH HARRIET PARK NORTHWEST; AND NO. BA-326, SUNNYSLOPE Motion made by Member Swenson and seconded by Member Housh approving the following resolution as follows:

RESOLUTION NO. 2005-08

SET PUBLIC HEARING DATE OF FEBRUARY 15, 2005, FOR
SOUTH HARRIET PARK WEST ROADWAY IMPROVEMENT NO. A-204 AND
SUNNYSLOPE AREA ROADWAY IMPROVEMENT NO. BA-326

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EDINA, MINNESOTA, that a public hearing shall be held on the 15th day of February in the Council Chambers at City Hall at 7:00 P.M. to consider Improvement Nos. A-204 and BA-326 for roadway improvement No. A-204 on South Harriet Park West Roadway consisting of West 52nd Street, West 53rd Street, Kellogg Avenue, Oaklawn Avenue and Brookview Avenue bounded by Minnehaha Creek, Wooddale Avenue, West 52nd Street and West 54th Street and Improvement No. BA-326, Sunnyslope Area Roadway consisting of East and West Sunnyslope Road, Woodhill Way, Ridge Place, Dale Drive and Hilltop Lane.

BE IT FURTHER RESOLVED that the City Clerk shall give mailed and published notice of such hearing and improvements as required by law.

ADOPTED this 18th day of January 2005.

Motion carried on rollcall vote - four ayes.

SET HEARING DATE OF MARCH 1, 2005, FOR FINAL DRAFT OF CITY OF EDINA TRANSPORTATION COMMISSION POLICY Mr. Hughes stated over the past several months, the Transportation Commission has worked with City staff in developing a Transportation Commission Policy to guide its members and residents in the identification and evaluation of traffic and transportation issues in the community. The policy was intended to encourage public input and decisions that will be made on quantitative, qualitative and objective factors. An Open House was held to solicit public comment on the October 2004 policy that was held on December 9, 2004. Commissioners reviewed and considered comments as well as approximately 170 written comments regarding the policy and other transportation issues in Edina. Mr. Hughes noted that written comments were continuing to be received and would be forwarded to the Council prior to the public hearing. The Transportation Commission at their meeting on January 6, 2005, recommended the final draft of the Transportation Commission Policy.

Mr. Hughes stated staff recommended setting March 1, 2005, as a public hearing for the Final Draft of the Transportation Commission Policy as recommended by the Transportation Commission.

Member Housh said he had received the revised transportation plan. He said it would be helpful if he received the original plan with the updates shown. Mr. Houle provided copies to the Council of the updated plan with strikeout portions noted.

Member Swenson made a motion setting March 1, 2005, as the public hearing for discussion on the final draft of the Edina Transportation Commission Policy. Member Housh seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

REAPPOINTMENT TO BOARDS, COMMISSIONS, COMMITTEES APPROVED Mr. Hughes noted that letters were sent to all members of Edina’s advisory boards, commissions and committees with terms expiring February 1, 2005, inquiring whether or not they would be interested in reappointment to their respective boards.

Mayor Hovland added that he received an overwhelming response from members stating their willingness to serve for another term. He encouraged the members to maintain their diligence with attendance to the meetings and thanked them for their service. He requested endorsement of his recommendation for reappointments to the following boards, commissions and committees.

BOARD/COMMISSION/COMMITTEE	MEMBER	TERM TO:
Art Center Board:	Imogene Anderson	2/1/08
	Dolores Dege	2/1/08
	Elizabeth Eisenbrey	2/1/08
	Heather Randall King	2/1/08
Community Health Committee:	Idelle Longman	2/1/08
Construction Board of Appeals:	David Fisher	2/1/08
	John D. Glover	2/1/08
Heritage Preservation Board:	Bob Kojetin	2/1/07
	Marie Thorpe	2/1/07
Human Rights & Relations Commission:	Wayne Prochniak	2/1/08
Park Board:	Andrew Finsness	2/1/08
	Linda Presthus	2/1/08
	Karla Sitek	2/1/08
Planning Commission:	Stephen Brown	2/1/08
	John Lonsbury	2/1/08
Recycling & Solid Waste Commission:	Kathryn Frey	2/1/07
	Inna Hays	2/1/07
Zoning Board of Appeals:	William Skallerud	2/1/08
	Edward Schwartzbauer	2/1/08
	Rose-Mary Utne	2/1/08
East Edina Housing Foundation:	Tom Erickson	2/1/08
	William Greer	2/1/08

Member Swenson inquired whether there existed a list of vacant positions on the boards, commissions and committees. Mayor Hovland explained he had applications of interested residents willing to fill the vacancies. He will present names of his intended appointments at the next Council meeting.

Mayor Hovland made a motion approving the appointments to the various boards, commissions and committees as presented. Member Swenson seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland
 Motion carried.

APPOINTMENT OF MAYOR PRO TEM APPROVED Mayor Hovland made a motion appointing Member Housh to fill the position of Mayor pro tem. Member Swenson seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

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Motion carried.

RENAMING OF CENTENNIAL LAKES PARK AMPHITHEATRE APPROVED Mayor Hovland indicated that historically when an Edina Mayor has completed his term of office, something of significance within the City was named after them. He suggested re-naming the Centennial Lakes Park Amphitheatre the Maetzold Amphitheatre at Centennial Lakes after retiring Mayor, Dennis Maetzold.

Member Masica suggested signage at the Amphitheater be significant so as to insure that the Amphitheater was known as the Maetzold Amphitheater at Centennial Lakes.

Mayor Housh made a motion renaming the Amphitheatre at Centennial Lakes the Maetzold Amphitheatre at Centennial Lakes. Member Masica seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

***CONFIRMATION OF CLAIMS PAID** Member Swenson 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 5, 2005, and consisting of 26 pages: General Fund \$192,842.11; Communications Fund \$4,168.82; Working Capital Fund \$1,521.55; Construction Fund \$521.68; Art Center Fund \$26.20; Golf Dome Fund \$169.76; Golf Course Fund \$11,375.77; Ice Arena Fund \$1,926.94; Edinborough/Centennial Lakes Fund \$11,085.99; Liquor Fund \$209,200.50; Utility Fund \$25,804.92; Storm Sewer Fund \$202.00; Recycling Fund \$32,171.80; PSTF Fund \$398.04; TOTAL \$491,416.08; and for approval of payment of claims dated January 12, 2005, and consisting of 35 pages: General Fund \$235,885.06; CDBG Fund \$1,319.00; Communications Fund \$15,508.02; Working Capital Fund \$7,399.40; Construction Fund \$16,705.28; Art Center Fund \$11,076.35; Golf Dome Fund \$9,187.96; Aquatic Center Fund \$448.62; Golf Course Fund \$10,904.60; Ice Arena Fund \$30,666.33; Edinborough/Centennial Lakes Fund \$10,973.13; Liquor Fund \$189,027.44; Utility Fund \$95,136.56; Storm Sewer Fund \$23,636.45; PSTF Fund \$2,051.46; TOTAL \$659,925.66.

Motion carried on rollcall vote - four ayes.

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

City Clerk