

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
FEBRUARY 1, 2005
7:00 P.M.**

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

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

Rollcall:

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

***MINUTES OF THE REGULAR MEETING OF JANUARY 18, 2005, AND SPECIAL MEETING OF JANUARY 18, 2005, APPROVED** Motion made by Member Housh and seconded by Member Swenson approving the Minutes of the Regular Meeting of January 18, 2005, and the Special Meeting of January 18, 2005, for the Edina City Council.

Motion carried on rollcall vote - four ayes.

CITIZEN COMMENDED - DEAN WICKSTROM Chief Siitari indicated that on January 7, 2005, the most prolific bank robber in Minnesota history chose the Real Financial Center in Edina for his next robbery. Mr. Wickstrom portrayed heroism by stepping up, and putting himself at risk, followed the robber out of the bank and waited for the Police Department to arrive and arrest the suspect. Mr. Siitari awarded Mr. Wickstrom with the Edina Police Department Departmental Commendation for rendering public service entailing quick thinking and exceptional bravery resulting in the arrest of the Fishing Hat Bandit.

***HEARING DATE SET OF FEBRUARY 15, 2005 - FINAL DEVELOPMENT PLAN, FRAUENSHUH COMPANIES (7700 FRANCE AVENUE SOUTH)** Motion made by Member Housh and seconded by Member Swenson setting a hearing date of February 15, 2005, for Final Development Plan for Frauenshuh Companies, 7700 France Avenue South.

Motion carried on rollcall vote - four ayes.

RESOLUTION NO. 2005-9 - COMMUNITY DEVELOPMENT BLOCK GRANT REPROGRAMMING (CDBG) APPROVED - FUNDING FOR CORNERSTONE Planner Larsen indicated that currently \$80,000 remained in the 2003 CDBG Scattered Site Affordable Housing budget, which must be spent by May 1, 2005, or the funds must be returned to Hennepin County. He stated Edina had no projects that would qualify to use the funds.

However, Mr. Larsen reported the City received a request from Cornerstone for funds to assist in the \$135,542 renovation of two apartment buildings (8 - two bedroom units located in Bloomington at 8041 and 8101 12th Avenue). The apartments would provide housing for victims of domestic abuse and their children. Cornerstone, founded in 1983, has included Edina in its service area for over twenty years. He noted reprogramming \$80,000 from the 2003 CDBG budget in support of Cornerstone's project would prove to not only support a vital service to the community, but would add to the City's efforts of advancing affordable housing in the greater metro area.

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Mr. Larsen stated staff recommended approving the reprogramming of \$80,000 of the 2003 Community Development and Block Grant (CDBG) funds from Scattered Site Affordable Housing to Cornerstone for the renovation of eight apartment units to be used for emergency shelter purposes.

Council comments:

Member Masica asked if removing the \$80,000 would affect only funds carried over from 2003, whether any opportunities existed for use of the funds in Edina, if the funds requested by Cornerstone from Eden Prairie had been approved, and if the funds would be earmarked for single family affordable housing. Mr. Larsen explained that no project in Edina could meet the timeline for use of the 2003 CDBG funds. He said he did not know whether the Eden Prairie request had been approved. Mr. Larsen said Cornerstone serves client from Edina and that the requested funds would be used for multi-family housing.

Member Housh recollected that a similar situation happened previously with St. Louis Park. He inquired whether the funds have to be used for physical construction or could it be used for development of affordable housing. Mr. Larsen said historically funds have been used for services for qualifying individuals, however, this line item was a bricks and mortars type of line.

Member Swenson inquired whether closer scrutiny should be done for future projects. Mr. Larsen said the budget was prospectively set and the best guess in this case did not work.

Mayor Hovland said previously the Council has been provided with numbers depicting a percentage of persons in Edina that were served by Cornerstone. Mr. Larsen said that information was not requested. Mayor Hovland inquired how children who have seen violence in their homes were handled. Susan Neis, Director of Cornerstone, said they have a well-defined children's program including youth counselors and a mentorship program. Classes were also available to help parents learn coping techniques. Ms. Neis said 200 - 220 Edina residents were annually served by Cornerstone. She added there was no decrease in domestic violence but she sees an increase in families reaching out for help.

Member Masica inquired whether the funds were from the county or were federal funds. Mr. Larsen responded the funds were federal.

Member Masica introduced the following resolution and moved its adoption:

RESOLUTION NO. 2005-9

**RESOLUTION APPROVING THE REPROGRAMMING OF \$80,000 OF
2003 URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK
GRANT PROGRAM FUNDS AND AUTHORIZING
EXECUTION OF THE REQUIRED THIRD PARTY AGREEMENT**

WHEREAS, the City of Edina, through execution of a Joint Cooperation Agreement with Hennepin County, is cooperating in the Urban Hennepin County Community Development Block Grant Program; and

WHEREAS, the City of Edina has programmed \$80,000 of 2003 Urban Hennepin County Community Development Block Grant funds for the Scattered Site Affordable Housing Activity; and

WHEREAS, the City proposes the reprogramming of the 2003 Urban Hennepin County Community Development Block Grant, Scattered Site Affordable Housing funds totaling \$80,000 to Cornerstone to assist in the renovation of two, four unit apartment buildings to be used for emergency shelter purposes.

BE IT RESOLVED, that the City Council of the City of Edina approves the reprogramming of \$80,000 from the 2003 Urban Hennepin County Community Development Block Grant Program, Scattered Site Affordable Housing activity to Cornerstone for the purpose of assisting in the renovation of three, four unit apartment buildings to be used for emergency shelter purposes.

BE IT FURTHER RESOLVED, that the City Council hereby authorizes and directs the Mayor and the City Manager to execute the required Third Party Agreement on behalf of the City to implement the reprogramming of \$80,000 from the 2003 Community Development Block Grant Program.

ADOPTED: the 1st day of February, 2005. Member Housh seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

*BID AWARDED FOR 2005 FORD EXPLORER 4 X 4 (FIRE DEPARTMENT) Motion made by Member Housh and seconded by Member Swenson for award of bid for a 2005 Ford Explorer 4 X 4, four door SUV (Fire Department) to recommended bidder, Superior Ford under MN State Contract #433405 at \$25,619.64.

Motion carried on rollcall vote - four ayes.

*BID AWARDED FOR TORO LAWN TRACTOR - PARK DEPARTMENT Motion made by Member Housh and seconded by Member Swenson for award of bid for a new Toro GM 3500-D 3 X 3 Lawn Tractor to MTI Distributing under State Contract #432120, at \$24,620.67 including sales tax.

Motion carried on rollcall vote - four ayes.

2005 BOARDS, COMMISSIONS AND COMMITTEES ANNUAL MEETING DATE SET Manager Hughes said the Annual Meeting for the Boards, Commissions and Committees was typically held the last week in March.

Following a brief Council discussion, the Annual Meeting date was set for March 29, 2005, at Centennial Lakes Park Centrum at 5:00 P.M.

DISCUSSION HELD - APPOINTMENT TO CITY COUNCIL Mayor Hovland said applications have been received from sixteen persons interested in filling the City Council vacancy. He reported a seventeenth application was received after the filing date was closed. After a short discussion, Council consensus was to not consider the late application.

Mayor Hovland indicated that a process must be developed and he suggested interviewing all sixteen applicants. He further suggested that three interviews be held within each one-hour time slot with the appointment being made at the March 1, 2005, Council meeting.

Member Masica suggested interviewing four applicants at a time in sets of four, selecting from the four sets and then completing a more in-depth interview time of the individuals selected.

Member Housh said he was impressed with the applicants. He said individual interviews in an individual setting would be his choice of process.

Member Swenson noted her preference with individual interviews.

Following a brief discussion, dates for interviews for the applicants to fill the Council vacancy would be held in the City Hall Community Room, dates/times as follows:

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February 15, 2005 5:00 P.M. – 7:00 P.M.
February 16, 2005 5:30 P.M. – 7:30 P.M.
February 18, 2005 5:00 P.M. – 6:30 P.M.

Applicants would be contacted to arrange interview times.

No formal Council action was taken.

RESOLUTION NO. 2005-10 - RECEIVE FEASIBILITY REPORTS - 1) IMPROVEMENT NO. A-204 (SOUTH HARRIET PARK WEST) AND 2) IMPROVEMENT NO. BA-326 (SUNNYSLOPE ROAD)

Mr. Hughes noted that Feasibility Studies have been completed for the South Harriet Park West Roadway Improvement No. A-204 and for the Sunnyslope Neighborhood Roadway Improvement No. BA-326. Staff recommended acknowledging receipt of the reports.

Member Housh introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2005-10
ACCEPTING FEASIBILITY REPORTS FOR SOUTH HARRIET
PARK WEST ROADWAY IMPROVEMENT NO. A-204 AND
SUNNYSLOPE NEIGHBORHOOD ROADWAY
IMPROVEMENT NO. BA-326**

WHEREAS, it is proposed to improve the South Harriet Park West Neighborhood streets and also to improve the Sunnyslope Neighborhood streets, and to assess the benefited property for all or a portion of the cost of said improvements No. A-204 and BA-326, pursuant to Minnesota Statutes, Chapter 429; and

WHEREAS, the Edina City Engineer has prepared a feasibility report for the South Harriet Park West Roadway Improvement No. A-204 and the Sunnyslope Neighborhood Roadway Improvement No. BA-326;

WHEREAS, the reports provide information regarding whether the proposed projects are cost effective and feasible.

NOW, THEREFORE BE IT RESOLVED that the Edina City Council hereby receives the feasibility reports for Improvement No. A-204 and Improvement No. BA-326.

Passed and adopted this 1st day of February 2005. Member Swenson seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

APPOINTMENT TO BOARDS, COMMISSIONS, COMMITTEES APPROVED Mayor Hovland

indicated his intention to appoint interested persons to fill open terms on the City Boards, Commissions, and Committees as follows:

BOARD/COMMISSION/COMMITTEE	NAME	TERM
Art Center Board	Alexandra Sifferlin	Student
Community Health Committee	Robert Scott	Term to 2/1/08
Heritage Preservation Board	Ian Yue	Student
	Lou Blemaster	Term to 2/1/07
	Karen Ferrara	Term to 2/1/07
Human Rights & Relations Commission	Deborah McNeil	Term to 2/1/08
	John Goetz	Term to 2/1/07
Park Board	Jessica Selleck	Student
	Todd Fronek	Term to 2/1/06
Planning Commission	Floyd Grabiell	Term to 2/1/08
Recycling and Solid Waste Commission	Mariko Hanson	Student
	Dan Rasmus	Term to 2/1/07

Mayor Hovland made a motion approving the slate of persons interested in serving the City's Boards, Commissions and Committees as presented. Member Masica seconded the motion.

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

***CONFIRMATION OF CLAIMS PAID** Member Housh made a motion and Member Swenson seconded the motion approving payment of the following claims as shown in detail on the Check Register dated January 20, 2005, and consisting of 27 pages: General Fund \$201,789.37; Communications Fund \$11,416.72; Working Capital Fund \$118,740.04; Art Center Fund \$4,559.34; Golf Dome Fund \$334.95; Aquatic Center Fund \$37.99; Golf Course Fund \$8,485.34; Ice Arena Fund \$1,774.43; Edinborough/Centennial Lakes Fund \$19,669.78; Liquor Fund \$108,922.42; Utility Fund \$841,998.70; Storm Sewer Fund \$22,339.97; Recycling Fund \$20.00; PSTF Fund \$2,855.24; TOTAL \$1,342,944.29; and for approval of payment of claims dated January 27, 2005, and consisting of 23 pages: General Fund \$298,390.72; CDBG Fund \$18,225.03; Communications Fund \$1,993.18; Working Capital Fund \$1,773.19; Construction Fund \$95.10; Art Center Fund \$533.41; Golf Dome Fund \$6,967.32; Aquatic Center Fund \$24,840.03; Golf Course Fund \$5,845.70; Ice Arena Fund \$2,591.46; Edinborough/Centennial Lakes Fund \$5,232.06; Liquor Fund \$88,120.06; Utility Fund \$5,844.02; Recycling Fund \$51.07; PSTF Fund \$4,429.88; TOTAL \$464,932.23.

Motion carried on rollcall vote - four ayes.

CONCERN OF RESIDENTS

Jon Blumenthal, 5941 Grimes Avenue South, stated his opposition to a one-hundred percent special assessment for roadway improvements because of the distressing financial burden placed upon the homeowners.

Giovanna Ingram, 6000 France Avenue, said the one-hundred percent assessment would be a financial hardship on their family. She commented that a new generation of residents was moving into Edina, ones that were more vocal about issues.

Arlene Forrest, 4400 West 50th Street, member of Edina League of Women Voters (LWV), inquired about appointments/reappointments of terms on the Edina Boards, Commissions, Committees. The LWV has adopted a position of the organization of government, that the League was in favor of action to support responsive legislative processes characterized by accountability, representedness, decision-making capabilities and effective performance. She specifically said there were inconsistencies on the website regarding term limits for members and asked that information be more readily available. The League has researched other cities, which have adopted procedures to limit terms on certain boards, and have attendance requirements. Ms. Forrest said the LWV believed this would be something Edina should consider.

Jean Hanson, 6708 Cornelia Drive, stated there were numerous qualified residents who would like to serve on volunteer boards, commissions, and committees, but there were no opportunities to serve. She added that agendas and minutes of the certain boards/commissions/committees were not on the website. She encouraged term limits be set as well as better communication from the boards/commissions/committees.

Member Housh spoke from experience that fresh voices were good, but the experience of senior members serving on board was extremely valuable.

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Mr. Hughes explained terms for most boards/commissions/committees were for three years. Annually, at the reappointment time, a letter was sent over the Mayor's signature making inquiries of existing members whose terms were up, asking if they were interested in being reappointed. Mr. Hughes said the Mayor then evaluates the responses and recommends reappointments. Mayor Hovland commented that he looked at the attendance records and when reappointments were completed a reminder about attendance requirements was included in the correspondence.

Member Housh asked that staff provide the Council with an overview on common practices in other communities. After a discussion, staff was directed to provide the Council with an overview of common practices from other cities as well as protocol for all boards/commissions/committees as it refers to the website.

Ed Luterbach, 5913 Halifax Avenue, said he was part of the Halifax/Grimes reconstruction project. He said he heard a comment about, "how would you feel if you had just paid a full assessment for a project and then have your taxes raised". He indicated that would be very concerning. His neighborhood petitioned the City for their road reconstruction to save money and not to wait. Mr. Luterbach concluded he did not want his area to be double taxed when they were just being proactive.

Jim Grotz, 5513 Park Place, suggested studying the past fifteen years of roadway reconstruction and places a time and present value on the project and assesses those residents, moderately, for the upcoming projects. Member Housh explained historically all residents have been assessed 100% on local streets that were improved. Those that benefited from the roadway reconstruction paid 100%. He said a new approach was being studied that may be more fair because other folks use the streets as well. Mr. Grotz added that roads benefit the community as a whole while dollars spent on expenditures such as gymnasiums only benefit a small group.

Rich Lovdal, 5933 Halifax Avenue, commended the engineering staff with the way the roadway reconstruction project turned out yet added paying for it will be a hardship.

Betsy Robinson, 5021 Ridge Road, commented it seems that Edina feels it was so 'special' that we can do what other cities don't do. She was a 25-year resident and did not know that she was not paying for roads, thinking her taxes covered them. If her road was improved and assessed for ten years and she moved before the ten years was up, the new owners would benefit with a new road and no assessment. Ms. Robinson suggested a tax-base funding for roads be established. Member Housh said road improvements were included in taxes not reconstruction.

Member Swenson made a motion to adjourn to the Mayor's Conference Room, for a closed session, exhibiting the attorney/client privilege, to discuss litigation and options for the City regarding a decision on the Indian Hills Subdivision, Pederson vs. the City of Edina. Member Housh seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 9:30 P.M.

City Clerk