

MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
MAY 3, 2005
7:00 P.M.

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

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

Rollcall:

Ayes: Housh, Hulbert, Masica, Hovland

Motion carried.

MAY 15 - 21, 2005 PROCLAIMED AS EMERGENCY MEDICAL SERVICES (EMS) WEEK Mayor Hovland proclaimed the week of May 15 - 21, 2005, as Emergency Medical Services (EMS) Week in Edina in honor and recognition of the valuable contributions made by the Edina Emergency Medical Service Providers to the health and well-being of our citizens.

Member Masica made a motion proclaiming May 15-21, 2005, as Emergency Medical Services Week in Edina. Member Housh seconded the motion.

Ayes: Housh, Hulbert, Masica, Hovland

Motion carried.

NATIONAL PUBLIC WORKS WEEK PROCLAIMED FOR MAY 15 - 21, 2005 Mayor Hovland proclaimed the week of May 15 - 21, 2005, as National Public Works Week in Edina and called upon all citizens to recognize the contributions that public works officials make every day to our health, safety, comfort and quality of life.

Member Housh made a motion proclaiming the week of May 15-21 as National Public Works Week in Edina. Member Hulbert seconded the motion.

Ayes: Housh, Hulbert, Masica, Hovland

Motion carried.

2005 HERITAGE PRESERVATION MONTH PROCLAIMED Mayor Hovland proclaimed the month of May as Preservation Month in the City of Edina and encouraged residents to recognize and participate in fostering local pride and maintaining community character in our City.

Member Masica made a motion proclaiming May 2005 as Heritage Preservation Month in Edina. Member Hulbert seconded the motion.

Ayes: Housh, Hulbert, Masica, Hovland

Motion carried.

2005 HERITAGE AWARD PRESENTED Garold Nyberg, Chair of the Edina Heritage Preservation Board, presented the Morningside Neighborhood with the 2005 Heritage Award in recognition of their 100th anniversary, and acknowledged Morningside's contributions to the history, culture and community of the City of Edina.

No formal Council action was taken.

***MINUTES OF THE REGULAR MEETING OF APRIL 19, 2005, AND BOARD OF APPEAL AND EQUALIZATION MINUTES OF APRIL 25, 2005, APPROVED** Motion made by Member Housh and seconded by Member Masica, approving the Minutes of the Regular Meeting of the Edina City Council for April 19, 2005, and Board of Appeal and Equalization Minutes for April 25, 2005.

Motion carried on rollcall vote - four ayes.

***PUBLIC HEARING FOR ROADWAY IMPROVEMENT PROJECT - BRIDGE LANE AND TOWNES ROAD - IMPROVEMENT NO. BA-312, CONTINUED TO JUNE 7, 2005** Motion made by Member Housh and seconded by Member Masica approving the continuation of the roadway improvement project for Bridge Lane and Townes Road, Improvement No. BA-312, continued to June 7, 2005.

Motion carried on rollcall vote - four ayes.

***PUBLIC HEARING FOR ROADWAY IMPROVEMENT PROJECT - SHANNON DRIVE - IMPROVEMENT NO. BA-329, CONTINUED TO JUNE 7, 2005** Motion made by Member Housh and seconded by Member Masica approving the continuation of the roadway improvement project on Bridge Lane and Townes Road, Improvement No. BA-329, to June 7, 2005.

Motion carried on rollcall vote - four ayes.

RESOLUTION NO. 2005-34 ADOPTED GRANTING VACATION OF PUBLIC STREET CONTINUED FROM APRIL 19, 2005 - Affidavits of Notice were presented, approved and ordered place on file.

Engineer Presentation

Engineer Houle explained the developer of the Pukwana Townhomes had requested the City vacate the street right-of-way for Pukwana Lane adjacent to 5125 West 49th Street to allow the platting and development of some townhomes on his property. Mr. Houle stated Time Warner, Centerpoint Energy, Qwest and Xcel Energy have all approved the request conditioned upon the developer relocating the existing private overhead utilities. Mr. Houle added staff recommended the approval of the requested vacation with the following conditions: relocating the above mentioned private utilities, recording the Final Plat of Pukwana Townhomes, and execution of a Developer's Agreement for Pukwana Townhomes covering the installation of the City's utilities.

Public Comment

No one appeared to comment.

Member Masica made a motion seconded by Member Hulbert to close the public hearing.

Ayes: Housh, Hulbert, Masica, Hovland.

Motion carried.

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

**RESOLUTION NO. 2005-34
VACATING PUBLIC RIGHT-OF-WAY
PUKWANA LANE**

WHEREAS, a motion of the City Council, on the 7th day of September, 2004, fixed a date for a public hearing on a proposed vacation of utility easements; and

WHEREAS, two weeks published and posted notice of said hearing was given and the hearing was continued to October 19, 2004, November 1 and 16, 2004, and December 7, 2004, when it was continued indefinitely until the proponent requests notice be published;

WHEREAS, two weeks published and posted notice of said hearing was given and the hearing was held May 3, 2005, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said vacation be made; and

WHEREAS, the Council considered the extent the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described public utility easements are hereby vacated effective as of May 3, 2005.

PROPOSED LEGAL DESCRIPTION OF PUBLIC RIGHT-OF-WAY TO BE VACATED:

A 25-foot wide strip of land lying east of the Minneapolis, Northfield and Southern R.R. between West 49th Street and Vernon Avenue in Section 28, Township 117, Range 21, Hennepin County, Minnesota.

BE IT FURTHER RESOLVED that the aforementioned vacation shall be conditioned upon: 1) Recording Final Plat of Pukwana Townhomes; 2) Execution of Developer's Agreement for installation of City's Utilities; and 3) Developer relocating existing private utilities of Time Warner, Centerpoint Energy, Qwest and Xcel Energy as necessary.

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the County Recorder, in accordance with Minnesota Statutes, Section 412.851.

Passed and adopted this 3rd day of May 2005.

Member Hulbert seconded the motion.

Rollcall:

Ayes: Housh, Hulbert, Masica, Hovland

Motion carried.

ORDINANCE NO. 850-A26 ADOPTED GRANTING FINAL REZONING AND RESOLUTION NO. 2005-35 ADOPTED APPROVING FINAL PLAT MARK JONES/PUKWANA TOWNHOME LLC DEVELOPMENT (5125 49TH STREET WEST); CONTINUED FROM APRIL 19, 2005 Affidavits of Notice were presented, approved and ordered place on file.

Presentation by Planner

Planner Larsen stated the proponent has submitted plans and a plat requesting final approvals for Pukwana Townhomes. He said the plans submitted were complete and consistent with the plans given preliminary approval. Mr. Larsen noted the plan would require one ten-foot setback variance from the railroad right-of-way resulting from shifting the building footprint ten feet westerly to provide for snow storage, landscaping and to protect the existing retaining wall on the adjacent property.

Mark Jones, 4801 School Road, briefly reviewed the proposed townhomes using a graphic depiction of the exterior colors and materials. He stated the exterior materials would include stucco, brick and concrete boards; and would be substantially as shown on the plans submitted for the final approval.

Member Masica asked if the townhomes would be built with details per the graphics shown to Council. Mr. Jones described the changes to the stairways and pediments.

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Mayor Hovland asked if a final materials list had been submitted to the Planning Department, whether Mr. Jones had brought any exterior materials samples and what type of windows would be used. Mr. Larsen said he believed the Planning Department had received the materials list. Mr. Jones said he planned on installing double hung windows, perhaps Marvin but the final windows had not been chosen.

Mayor Hovland asked Mr. Jones to concur for the record that his townhome development would have brick and stucco exterior materials with accents concrete boards in the colors as shown on plans displayed before the Council. Mr. Jones stated he would concur with using the materials as shown.

Public Comment

No one appeared to make public comment.

Member Masica made a motion, seconded by member Hulbert to close the public hearing.

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

Member Housh made a motion to grant second reading to Ordinance No. 850-A-26 as follows:

ORDINANCE NO. 850-A-26

AN ORDINANCE AMENDING THE ZONING ORDINANCE (NO. 850)

BY REZONING PROPERTY TO

PLANNED RESIDENCE DISTRICT - 3

THE CITY COUNCIL OF THE CITY OF EDINA, MINNESOTA, ORDAINS:

Section 1. Subsection 850.06 of Section 850 of the Edina City Code is amended by adding the following thereto:

The extent of the Planned Residence District 3, PRD-3 is enlarged by the addition of the following described property:

Lots 7 and 8, Block 4, TINGDALE BROS. BROOKSIDE, HENNEPIN COUNTY MINNESOTA,

and

VACATED PUKWANA LANE PUBLIC RIGHT-OF-WAY DESCRIBED AS FOLLOWS

A 25-foot wide strip of land lying east of the Minneapolis, Northfield and Southern R.R. between West 49th Street and Vernon Avenue in Section 28, Township 117, Range 21, Hennepin County, Minnesota.

The extent of the Single Dwelling Unit District, R-1 is reduced by removing the property described above.

Section 2. Effective Date: This Ordinance shall be in full force and effect upon adoption and publication according to the law.

Adopted this 3rd day of May 2005

First Reading: August 17, 2004

Second Reading: May 3, 2005

Published: May 19, 2005

Attest

Debra A. Mangen, City Clerk

James B. Hovland, Mayor

Rollcall:

Ayes: Housh, Hulbert, Masica, Hovland

Motion carried.

Member Masica made a motion, seconded by Member Hulbert introducing the following resolution and moving its adoption:

**RESOLUTION NO. 2005-35
GRANTING FINAL PLAT
APPROVAL TO TINGDALE BROS.
BROOKSIDE 2ND ADDITION**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, that that certain plat entitled, "TINGDALE BROS. BROOKSIDE 2ND ADDITION", platted by Mark A. Jones, and Denise M. Jones, husband and wife, Farzad Fereshekhov, single, and intersavings Bank, FSB, A Minnesota Corporation, and presented at the regular meeting of the City Council on May 3, 2005, be and is hereby granted final plat approval conditioned upon Subdivision Dedication of \$19,200.

Passed and adopted this 3rd day of May 2005.

Rollcall:

Ayes: Housh, Hulbert, Masica, Hovland

Motion carried.

ORDINANCE NO. 2005-03 AMENDING THE ZONING ORDINANCE ALLOWING RESIDENTIAL IN COMMERCIAL DISTRICT AS CONDITIONAL USE RESOLUTION NO. 2005-36 GRANTING FINAL CONDITIONAL USE PERMIT - HAUGLAND COMPANIES - 3901-3907 WEST 50TH STREET AND 5000-5020 FRANCE AVENUE SOUTH - RETAIL AND RESIDENTIAL REDEVELOPMENT; CONTINUED FROM APRIL 19, 2005 Affidavits of Notice were presented, approved and ordered place on file.

Mayor Hovland stated action on redevelopment proposed for 3901-3907 West 50th Street and 5000-5020 France Avenue had been continued to allow the proponent time to fine-tune the proposed plans.

Presentation by Proponent

Gene Haugland, Haugland Companies, explained the changes made to the proposed building since the last Council meeting. Mr. Haugland said the corner curve had been scaled back and the cornice cut down. The windows on the curved area are more residential and all windows with the exception of the curved area will be double hung. All glass will be clear. At the retail level each space will be left to the individual tenant for design. The proposed exterior brick colors have been softened from the previous plan. Mr. Haugland pointed out that the proposed building would be approximately two feet further back from France Avenue than the existing building, with a corresponding widening of the France Avenue sidewalk.

Member Hulbert asked the total height of the proposed building. Mr. Haugland said he believed it would be the same as the Edina Theatre, which was fifty feet high. Member Hulbert expressed her concern over the height of the building.

Mayor Hovland asked the proponent to comment on the exterior materials intended for use in the proposed project.

Mr. Haugland introduced the project's architect from the Opus Company.

John Albers, 4440 York Avenue Linden Hills, Opus, Project Architect displayed samples of the brick proposed for use in the project. He explained there were three families of soft earth tone bricks intended for the project. He said the most intense color would be used in the commercial portion of the projects with the other colors alternating throughout the condominium portion.

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Mayor Hovland commented that Member Swenson had voiced concern about the glass proposed for the ground floor. Mr. Albers stated the glass would be clear glass, but noted that there would be precast cement for about eighteen inches from the ground to where the glass would begin. He said this would accommodate snow removal and other maintenance equipment.

Public Comment

Hosmer Brown, 7004 West Shore Drive, stated he has been a long time Edina resident, business owner and business operator in the 50th and France Business area. Mr. Brown expressed his concerns relative to the proposed development including: setting a precedent, traffic and size of new building. He expressed concern with the access to the underground garages and the potential for difficulty with access for deliveries, trash pick-up, and maintenance.

Cheryl Appledorn, 4101 West 48th Street, said she feared the project would change the neighborhood in a big way. Ms. Appledorn said the area was not blighted so she felt it was not necessary to redevelop it. She stated neighbors did not get noticed until action had already taken place. Ms. Appledorn said she felt the rendering gave a false impression because it depicted the proposed building as shorter than the Edina Theatre sign.

Dick Curtin, 6310 MacIntyre Point, stated three months ago he had many questions regarding the proposed redevelopment. He stated most have been answered and resolved; adding that he supported the proposed redevelopment and thought it would be good for the corner. Mr. Curtin noted that change is difficult even if it was a good change.

Member Hulbert shared pictures she took with the Council while on a fact-finding trip to the site of the proposed redevelopment. Member Hulbert showed a photograph of herself in front of the 50-foot wall of the Edina Theatre depicting the scale of how high fifty feet would stand. She also showed pictures of the current Moeller Jewelry Store with a grid drawn on top to demonstrate the height of the proposed new building. Member Hulbert expressed her concern with the size and scale of the project.

Joni Bennett, 4003 Lynn Avenue, stated she was a member of the Edina Transportation Commission, and related how the Transportation Commission had reviewed the proposal after the Planning Commission had already acted. Ms. Bennett stated she felt the issue of congestion should be dealt with before a redevelopment project of the scale proposed would be considered for approval.

Council Discussion/Action

Member Masica asked Mr. Haugland how he was willing to compensate the City for the loss of three parking spaces to allow the residential portion of his project access to their underground garages. Mr. Haugland stated he would be willing to paint the exterior of the Edina Parking Ramp located between his building and Lund's to a softer taupe color.

Mayor Hovland asked about the proposed signage on the retail portion of the project. Mr. Haugland responded it was his intention to keep all retail signage below the building's cornice on the first level. He added that all signage would comply with Edina's sign ordinance. Mr. Haugland said it was not his intent to allow a cookie cutter appearance of signs.

Mayor Hovland reiterated the concerns expressed over the height of the proposed building and asked for a comparison of the proposed building to the Pinehurst Building. Mr. Haugland said he could understand concern over the new building, but he pointed out the building at the upper stories was stepped back several feet from the street level. He pointed out the undulating walls with the terraces,

which he felt would project an interesting appearance. Mr. Larsen said the Pinehurst building was approximately 35 feet to the second floor, 50 feet to the top of the cap and 60 feet to the spire.

Mayor Hovland asked for comments over the ingress/egress concerns. Mr. Haugland said that to a certain degree ingress/egress was not easy, but was a trade off of the available options and he said he believed that as proposed it was much better coming through the City's ramp than out to France Avenue. Mr. Haugland pointed out the alley would be used by many entities plus the trash collection.

Mayor Hovland noted residents liked the corner as it was presently and asked why the changes had been proposed. Mr. Haugland explained the condition of the buildings warranted rebuilding. He added the floor heights for each building was different making it difficult for the retailers.

Member Masica thanked Member Hulbert for her work reviewing the proposed development. She stated she felt there were several mitigating factors in favor of the project and pointed out the increased setback on France plus the stepping back of the upper stories. Member Masica stated she felt the area would be developed and it was in the best interest of the City to ensure the project was high quality. She said she believed the developer had demonstrated that they would build a quality building and enhance the area, concluding she would support the project.

Member Housh stated he believed the proposed project would be a good development for the City. He said he felt Gene Haugland was a good developer and reminded the Council that Mr. Haugland could have built a much larger building, but in his opinion the proposed building will improve the area in the future.

Member Hulbert said she has heard from many constituents concerned over the potential loss of the small town feel that makes Edina so unique. She stated she felt the proposed development was too large and would overwhelm the corner. Member Hulbert felt the corner could support a three-story development, but four stories were too high. She stated she would not support the project.

Mayor Hovland said he thinks all residents know the 50th and France area was the premiere retail center in the Metropolitan area. He added future development was going to be a matter of balance. Mayor Hovland reiterated that Mr. Haugland could have requested to build 22,000 square feet of commercial space, but instead has proposed a very well designed retail and residential project fitting the area. He added that he believed Edina had a very urban feel and the people who move into the 23 condos would be those who want a pedestrian life style where they can walk to restaurants and retailers. Mayor Hovland applauded Mr. Haugland for setting a new development standard.

Member Housh made a motion to grant second reading to Ordinance No. 2005-3 as follows:

**ORDINANCE NO. 2005-3
AN ORDINANCE AMENDING SECTION 850
OF THE CODE OF ORDINANCES
BY ADDING RESIDENTIAL DWELLING
UNITS AS A CONDITIONAL USE IN THE
PCD-1, 2 AND 3 ZONING DISTRICTS**

THE CITY COUNCIL OF THE CITY OF EDINA, MINNESOTA, ORDAINS:

Section 1. Subsection 850.16 of Section 850 of the Edina City Code is amended by adding the following new Subd. 6 and renumbering existing Subd. 6-11:

**“ Subd. 6. Conditional Uses in PCD-1, PCD-2 and PCD-3.
Residential dwelling units above principal uses.”**

Section 2. Subd. 12, of Subsection 850.16 is further amended by adding thereto:

- O. Standards for residential dwelling units.
 - 1. No part of any dwelling unit shall be located at street grade.
 - 2. The floor area of the building used for residential purposes shall be exempt from the Floor Area requirements of the underlying district.
 - 3. Dwelling units with a floor area of 1,500 square feet or less shall provide a minimum of 1.25 fully enclosed parking spaces per unit. Dwelling units exceeding 1,500 square feet shall provide a minimum of 1.5 fully enclosed parking spaces per unit.

Section 3. Effective Date. This ordinance shall be in full force and effect after its adoption and publication according to the law.

First Reading: March 15, 2005

Second Reading: May 3, 2005

Published: May 19, 2005

Attest

Debra A. Mangen, City Clerk

James B. Hovland, Mayor

Member Masica seconded the motion.

Rollcall:

Ayes: Housh, Masica, Hovland

Nay: Hulbert

Motion carried.

Member Housh introduced the following resolution and moved its adoption:

RESOLUTION NO. 2005-36

GRANTING APPROVAL OF A

CONDITIONAL USE PERMIT TO HAUGLAND COMPANIES

3901-3907 WEST 50TH STREET AND 5000-5020 FRANCE AVENUE SOUTH

WHEREAS, the procedural requirements of Code Section 850 (the Zoning Ordinance) have been met; and

WHEREAS, it has been determined that the Findings as required by Code Section No. 850.04 Subd. 4 have been satisfied:

NOW, THEREFORE, BE IT RESOLVED that the Edina City Council hereby grants approval of a Conditional Use Permit to Haugland Companies, 3901-3907 West 50th Street and 5000-5020 France Avenue South, to allow dwelling units in the PCD-2 Planned Commercial District, with the following conditions: 1) Platting the property to incorporate all easement vacations and dedications; 2) Developer's Agreement covering utility work and restoration of streets and walks; a 3) Watershed District permits, 4) Building components shall be as presented to Council; 5) Developer shall paint the City's Parking ramp to specifications of the City; and 6) No signage above the first floor of the building.

Passed and adopted this 3rd day of May.

Member Masica seconded the motion.

Rollcall:

Ayes: Housh, Masica, Hovland

Nay: Hulbert

Motion carried.

***BID AWARDED FOR 2005 TREATMENT OF LAKES AND PONDS** Motion made by Member Housh and seconded by Member Masica for award of bid for treatment of lakes and ponds for 2005 to recommended low bidder, Lake Management, Inc., at \$25,234.11.

Motion carried on rollcall vote – four ayes.

***BID AWARDED FOR EIGHT NIGHT VISION UNITS FOR THE POLICE DEPARTMENT**
Motion made by Member Housh and seconded by Member Masica for award of bid for eight (8) Night Vision Units to sole bidder, Blue Line Gear with funding at \$27,210.75 paid for by private donor.

Motion carried on rollcall vote – four ayes.

***BID AWARDED FOR SINGLE AXLE TRUCK CHASSIS FOR THE STREET DEPARTMENT**
Motion made by Member Housh and seconded by Member Masica for award of bid for one single axle chassis for public works to recommended sole bidder, Boyer Trucks, Inc., under State Contract #433621 at \$54,717.00.

Motion carried on rollcall vote – four ayes.

***BID AWARDED FOR HOOK TRUCK SYSTEM FOR THE STREET DEPARTMENT** Motion made by Member Housh and seconded by Member Masica for award of bid for one “hook truck” system for the street department to recommended sole bidder, J Craft, Inc., at \$80,833.50 under State Contract # 433312.

Motion carried on rollcall vote – four ayes.

***BID AWARDED FOR STORM SEWER IMPROVEMENT - 5900 BLOCK OF CONCORD AVENUE AND ASHCROFT AVENUE (CONTRACT NO. ENG 05-3)** Motion made by Member Housh and seconded by Member Masica for award of bid for Contract No. Eng. 05-3, Storm Sewer Improvement for 5900 Block of Concord Avenue and Ashcroft Avenue, Improvement No. STS-287, to recommended low bidder, Ro-So Contracting at \$116,659.00.

Motion carried on rollcall vote – four ayes.

RENEWAL OF CONTRACT AGREEMENT BETWEEN BLOOMINGTON AND EDINA FOR COMMUNITY HEALTH SERVICES Karen Zeleznack, Bloomington Public Health Services, 1800 West Old Shakopee Road, Bloomington, informed the Council that the contract agreement between Bloomington and Edina for Community Health Services has a three percent increase from the 2004 Bloomington contract agreement. This is due to changes in programming and reporting requirements. Community health services will be delivered through senior health promotions, vulnerable adult assessments, public health nurse clinics, high-risk home assessments, and community health educational opportunities.

Member Masica questioned if the difference between the 2005 Community Health Services Grant funding of \$121,198 and the Bloomington contract agreement of \$156,180 is a budgeted item. Mr. Hughes said that yes it is a budgeted item.

Member Hulbert inquired where Bloomington Public Health Services gets their referrals. Ms. Zeleznack said from social services, the police department, the senior center, or a community member.

Member Masica made a motion to approve the Community Health Services Agreement with Bloomington Public Health Division for \$160,865 for calendar year 2005. Member Housh seconded the motion.

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

***RENEWAL OF CONTRACT AGREEMENT BETWEEN BLOOMINGTON AND EDINA FOR PUBLIC HEALTH PREPAREDNESS** Member Housh made a motion, seconded by Member Masica approving renewal of a contract agreement between Bloomington and Edina for Public Health Preparedness for 2005.

Motion carried on rollcall vote - four ayes.

APPOINTMENT MADE TO HERITAGE PRESERVATION BOARD Mayor Hovland indicated his intention to appoint Arlene Forrest to fill an unexpired term to February 1, 2006, on the Heritage Preservation Board.

Mayor Hovland made a motion to appoint Arlene Forrest to fill the unexpired term to February 1, 2006, on the Heritage Preservation Board. Member Masica seconded the motion.

Ayes: Housh, Hulbert, Masica, Hovland

Motion carried.

RESOLUTION NO. 2005-33 APPROVED - DECLARING TRANSPORTATION ISSUES A PRIORITY Mayor Hovland explained that a resolution had been provided to the Council as the result of work by the regional council of mayors from the eleven county metropolitan area. Transportation is the main concern of the mayors. They prepared a resolution for consideration by councils in the eleven county area calling upon the leaders in the executive and legislative branches to create a long-term solution both with respect to public transit and road and bridge systems. The resolution would be an encouraging factor to do something in the 2005 legislative session.

Member Masica introduced the following resolution and moved its adoption:

RESOLUTION NO. 2005-33

DECLARING TRANSPORTATION ISSUES A PRIORITY

Whereas, too many Minnesotans unnecessarily lose time and money due to traffic gridlock: Metropolitan area drivers each absorb a "congestion tax" of over \$700 per year, and collectively waste over 93 million gallons of fuel annually; and

Whereas, one million additional people are expected to live in the metropolitan region in the next two decades, further exacerbating our already unacceptable traffic congestion; and

Whereas, Minnesota's investment in roads and transit continues to fall behind our peer metropolitan regions in the United States; and

Whereas, congested and unsafe roads hinder economic prosperity, erode quality of life, and complicate numerous aspects of life in Minnesota: parents spend less time with their kids and more time in traffic, emergency vehicles take longer to respond, and truckloads of consumer goods increase in price as commercial vehicles are unduly delayed moving freight from origin to destination; and

Whereas, solving our transportation problem is a complex and long-term challenge that will require various strategies; and

Whereas, Minnesota needs to adequately and strategically expand both its transit system and roads with predictable, accountable, and long-term funding sources; and

Whereas, new transportation financing must prioritize public transit within a comprehensive, multi-modal, interconnected transportation system that serves the 11-county metro area; and that light rail and commuter rail lines, along with expanded bus service, be expanded to support the population and businesses in our fast-growing region; and

Whereas, urgent, courageous and visionary leadership is vital to forging a sustainable, long-term transportation plans for our state and region. This leadership must drive progress on such a long-range plan and maintain accountability for the process to the public.

Therefore, Be It Resolved that, as elected leaders representing cities in Minnesota's fast-growing 11-county metropolitan region, we hereby declare our belief that transportation has

become one of the most vexing problems facing our communities and state and requires urgent attention from our state's leaders. We call upon the leaders in the legislative and executive branches to create a long-term solution to our transportation needs, and to do so in the 2005 legislative session.

Adopted this 3rd day of May 2005.

Member Hulbert seconded the motion.

Ayes: Housh, Hulbert, Masica, Hovland

Motion carried.

TECHNICAL CORRECTION APPROVED TO APRIL 11, 2005, BOARD OF REVIEW MINUTES

Manager Hughes noted that information from a late submission to the April 11, 2005, Board of Review Minutes had inadvertently been omitted.

Member Housh made a motion approving the technical correction to the April 11, 2005, Board of Review Minutes as presented. Member Hulbert seconded the motion.

Ayes: Housh, Hulbert, Masica, Hovland

Motion carried.

***CONFIRMATION OF CLAIMS PAID** Member Housh made a motion and Member Masica seconded the motion approving payment of the following claims as shown in detail on the Check Register dated April 20, 2005, and consisting of 27 pages: General Fund \$75,597.71; Communications Fund \$14,987.49; Working Capital Fund \$8,829.62; Construction Fund \$18,227.82; Art Center Fund \$407.88; Golf Dome Fund \$1,671.68; Aquatic Center Fund \$41.29; Golf Course Fund \$28,974.05; Ice Arena Fund \$1,952.81; Edinborough/Centennial Lakes Fund \$11,841.88; Liquor Fund \$103,983.02; Utility Fund \$393,364.04; Storm Sewer Fund \$8,122.83; Recycling Fund \$33,874.00; **TOTAL \$701,876.12;** and for approval of payment of claims dated April 27, 2005, and consisting of 37 pages: General Fund \$522,453.05; Communications Fund \$9,353.28; Working Capital Fund \$34,240.46; Art Center Fund \$18,546.58; Golf Dome Fund \$3,596.30; Aquatic Center Fund \$322.64; Golf Course Fund \$14,198.65; Ice Arena Fund \$21,346.05; Edinborough/Centennial Lakes Fund \$7,888.28; Liquor Fund \$191,104.27; Utility Fund \$147,727.68; Storm Sewer Fund \$60,120.73; PSTF Fund \$1,383.34; **TOTAL \$1,032,281.31.**

Motion carried on rollcall vote - four ayes.

DESIGNATION AND RESERVE OF FUND BALANCE APPROVED Manager Hughes voiced pleasure with the financial year for 2004. He recommended a transfer of liquor contributions that were scheduled to enter the General Fund, in the amount of \$666,500 be transferred to the revolving fund. This would allow funding for the Capital Improvement Plan in 2006 and in future years.

Following a Council discussion, **Member Housh made a motion to approve the recommended designation of the 2004 Fund Balance as presented.** Member Hulbert seconded the motion.

Ayes: Housh, Hulbert, Masica, Hovland

Motion carried.

***PETITION RECEIVED FROM BRUCE CARLSON - REQUESTING WATERMAIN AT 6201 INTERLACHEN BOULEVARD** Member Housh made a motion accepting a petition from Bruce Carlson, 1440 Bavarian Shore Drive, Chaska, MN, requesting a watermain at 6201 Interlachen Boulevard, and referring the petition to Engineering for processing as to feasibility.

Motion carried on rollcall vote - four ayes.

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There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 9:32 P.M.

City Clerk