

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
APRIL 4, 2006
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 Masica approving the Council Consent Agenda as presented with the exception of Agenda Item VI.B., 2006 Labor Agreement with International Union of Operating Engineers Local 49 and Agenda Item VI.F. Set Date of May 2, 2006, for Reconvening Board of Appeal and Equalization.

Rollcall:

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

POLICE DEPARTMENT COMMENDATIONS AWARDED Mayor Hovland commended Jason Behr, Jeff Bolkes, Brandon Shepherd and Erik Amundson of the Police Department for their outstanding police work with the apprehension of armed robbery suspects both in the line of active duty and off duty.

RESOLUTION NO 2006-39 - DECLARING APRIL AS POSITIVE PARENTING MONTH Mayor Hovland declared April as Positive Parenting Month in Edina and called upon all residents, community agencies, religious organizations, medical practitioners and businesses to promote violence-free families to strengthen the communities in which we live.

Member Housh introduced the following resolution and moved its adoption:

RESOLUTION NO. 2006-39

DECLARING APRIL

AS POSITIVE PARENTING MONTH

WHEREAS, all children need love, guidance and deserve to grow up in an environment free from violence and physical harm. Positive, non-violent, peaceful forms of discipline teach children to think beyond the immediate and give them a blueprint for future reference; and

WHEREAS, children are influenced by the model for behavior set by adults in their environment. When adults resort to violence, children are likely to learn this behavior is acceptable and imitate it with their peers; and

WHEREAS, positive, non-violent parenting promotes positive, peaceful relationships and respect for others and their rights to safety; and

WHEREAS, childhood is a unique and critical stage of life. All children share the same basic needs for safety, health, love and dignity. Peaceful, communicative parenting supports a child's development; and

WHEREAS, current research shows that exposure to violence negatively impacts upon normal brain development and learning for all children; and

WHEREAS, violent behavior learned in the home and school environment is reflected in the behaviors of people throughout our communities, cities and societies at large. As a result of this violence, children and families are hurting, education systems and learning has been hindered, and prisons are overflowing with youth.

Minutes/Edina City Council/April 4, 2006

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Edina will support a Proclamation that encourages non-violent discipline in the effort to reduce violence towards all but especially within the family and as directed towards children; and

BE IT FURTHER RESOLVED, that the City Departments and Agencies are encouraged to implement and distribute positive, non-violent parenting literature, within the community via schools, churches, hospitals and community organizations which will help to make parents aware of education that supports behavior management strategies as alternatives to corporal punishment; and

BE IT FURTHER RESOLVED, that the City Council hereby proclaims April as Child Abuse Prevention Month and calls upon all residents, community agencies, religious organizations, medical practitioners and businesses to increase their participation in efforts to promote violence-free families, thereby strengthening the communities in which we live.

Member Masica seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

*MINUTES OF THE REGULAR MEETING OF MARCH 6, 2006, SPECIAL MEETING OF MARCH 21, 2006, AND REGULAR MEETING OF MARCH 21, 2006, APPROVED Motion made by Member Housh and seconded by Member Masica approving Minutes of the Regular Meeting of March 6, 2006, Special Meeting of March 21, 2006, and Regular Meeting of March 21, 2006, as presented.

Motion carried on rollcall vote - four ayes.

*RESOLUTION NO. 2006-45 APPROVING LOT DIVISION FOR - GABBERT & GABBERT/Ryan COMPANIES - 3510 WEST 70TH STREET Motion made by Member Housh and seconded by Member Masica approving the following resolution:

RESOLUTION NO. 2006-45
APPROVING A LOT DIVISION FOR
3510 WEST 70TH STREET

WHEREAS the following described property is at present one single tract of land:

Tract B, RLS No. 1648, Hennepin County, Minnesota.

WHEREAS, the owner has requested the subdivision of said tracts into separate parcels (herein called "Parcels") described as follows:

PARCEL A: Hotel Parcel - Tract A, RLS No. ____ (Number to be assigned) Hennepin County
AND

PARCEL B: Ramp Parcel - Tract B, RLS No. ____ (Number to be assigned) Hennepin County

WHEREAS, the requested subdivision is authorized under Code Section 810 and it has been determined that compliance with the Subdivision and Zoning Regulations of the City of Edina will create an unnecessary hardship and said Parcels as separate tracts of land do not interfere with the purpose of the Subdivision and Zoning Regulations as contained in the City of Edina Code Sections 810 and 850;

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Edina that the conveyance and ownership of the above described Parcels as separate tracts of land is hereby approved and the requirements and provisions of Code Sections 850 and 810 are hereby waived to allow said division and conveyance thereof as separate tracts of land but only to the extent permitted under Code Sections 810 and 850 subject to the limitations set out in Code Section 850 and said Ordinances are now waived for any other purpose or as to any

other provisions thereof, and further subject, however, to the provision that no further subdivision be made of said Parcels unless made in compliance with the pertinent ordinances of the City of Edina or with the prior approval of this Council as may be provided for by those ordinances.

ADOPTED this 4th day of April 2006.

Motion carried on rollcall vote – four ayes.

RESOLUTION NO. 2006-44 APPROVING CONDITIONAL USE PERMIT FOR QUYEN TU (4100 FRANCE AVENUE) Planner Larsen explained all cities participating in the FEMA Flood Insurance Program were required to adopt a flood plain ordinance approved by FEMA. Mr. Larsen said Edina had adopted such regulations which were in the City's Code under subsection 850.21. He said Subsection 850.21 regulated all activities within the flood plain.

Mr. Larsen said the proponent had proposed construction of an addition to the rear of his residence located at 4100 France Avenue South. Mr. Larsen said the living space would be elevated above the flood plain and the supporting structure built according to required standards. He said the Watershed District had issued a permit to allow the addition and the City Building Official had determined that the plans submitted met all Building Code requirements. Mr. Larsen reported that the Planning Commission recommended granting the Conditional Use Permit conditioned upon the proponent executing a Hold Harmless Agreement releasing the City from future liability.

Member Masica asked if the pond had been evaluated for dredging. Engineer Houle explained that Weber Pond was not on the list to be dredged, but that his staff was in the process of evaluating all ponds to determine the need for further work.

Member Swenson asked if the current FEMA maps were in use in the City. Mr. Larsen replied that the most current maps were in use.

Mayor Hovland asked if the construction must be pre-approved by FEMA. Mr. Larsen replied that the approval process from the Watershed District and City were all that were required.

Member Masica made a motion introducing the following resolution granting the conditional use permit conditional upon receipt of a Hold Harmless Agreement from Quyen Tu as follow:

RESOLUTION NO. 2006-44

GRANTING A

CONDITIONAL USE PERMIT TO

4100 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. 850.21 have been satisfied:

NOW, THEREFORE, BE IT RESOLVED that the Edina City Council hereby grants a Conditional Use Permit to Quyen Tu, 4100 France Avenue South, to allow construction of an additional to his residence using flood proofing techniques with one condition: receipt of an executed Hold Harmless Agreement from Quyen Tu.

Passed and adopted this 4th day of April, 2006. Member Swenson seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Minutes/Edina City Council/April 4, 2006

Motion carried.

***RESOLUTION NO 2006-43 - GRANTING A 60 DAY EXTENSION FROM ACTION FOR FINAL DEVELOPMENT PLAN FOR TARGET CORPORATION** Motion made by Member Housh and seconded by Member Masica introducing the following resolution and moving its adoption:

RESOLUTION NO. 2006-43

GRANTING 60 DAY EXTENSION FROM ACTION

BE IT RESOLVED BY THE EDINA CITY COUNCIL that an extension from action is hereby granted on the Final Development Plan submitted by Target Corporation until June 8, 2006.

Adopted this 4th day of April, 2006.

Motion carried on rollcall vote - four ayes.

***HEARING DATE SET OF APRIL 18, 2006, FOR FINAL SITE PLAN APPROVAL FOR CYPRESS EQUITIES (7311 FRANCE AVENUE SOUTH)** Motion made by Member Housh and seconded by Member Masica setting April 18, 2006, for Final Site Plan approval for Cypress Equities, 7311 France Avenue South.

Motion carried on rollcall vote - four ayes.

***HEARING DATE SET OF MAY 2, 2006, FOR FINAL DEVELOPMENT PLAN FOR TARGET CORPORATION (7000 YORK AVENUE SOUTH)** Motion made by Member Housh and seconded by Member Masica setting May 2, 2006, for Final Development Plan approval for Target Corporation - 7000 York Avenue South.

Motion carried on rollcall vote - four ayes.

ORDINANCE NO. 2006-3 - FIRST READING GRANTED AMENDING SECTION 300 - OFF LEASH DOG PARK

Director Keprios explained Subsection. 300.17 of the City Code must be amended to allow the upcoming dog park under development at Van Valkenburg Park. The amendment would give the Park Director the authority to allow portions of a park to be designated as an off-leash dog park area where dog owners will not be required to have their pet on a leash. The amendment would allow the Park Director to designate other portions of specific parks as off-leash dog park areas without having to amend the Code each time a new area was permitted to serve as an off-leash dog park.

Member Swenson inquired whether hockey rinks could be used for an off-leash park during the summer months. Mr. Keprios said that has been considered.

Mayor Hovland asked if it was standard practice to issue a ticket with no warning for a dog being off-leash in a park. Chief Siitari responded that not many tickets were written however it depended on the dog's behavior.

Staff suggested that Subsection 300.17 of the City Code be amended, authorizing the Park Director to permit off-leash dogs in portions of specific parks with a waiver of second reading.

Member Masica made a motion to adopt Ordinance No. 2006-3 with waiver of second reading.

ORDINANCE NO. 2006-3

**AN ORDINANCE AMENDING SUBSECTION 300.17
OF THE CITY CODE - OFF LEASH DOG PARK**

The City Council of the City of Edina ordains:

Section 1. Subd. 1 of Subsection 300.17 of the City Code is amended to read as follows:

“Subd. 1. Off Premises of Owner. No dog shall be permitted to be off the premises of its owner unless it is restrained with a leash measuring ten feet or less in length; provided that this requirement shall not apply in any portion of a park as defined in Section 1200.01 of this Code which has been designated by the Park Director as an area where dogs are not required to be restrained by a leash.”

Section 2. This Ordinance shall be in full force and effect upon passage and publication.

First Reading: April 4, 2006

Second Reading: Waived

Publication: April 13, 2006

Attest: _____

City Clerk

Mayor

Member Housh seconded the motion.

Rollcall:

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

ORDINANCE NO. 2006-4 ADOPTED AMENDING SUBSECTIONS 1100.03 AND 1100.06 OF THE CITY CODE AND ADDING NEW SUBSECTION 1100.07 TO CODE FOR WATER AND SANITARY SEWER SERVICE LINES

Mr. Houle explained staff recently realized the ownership of sanitary sewer and water services was not distinctly defined in the City Code. Past practice has defined the property owners as being responsible for the sanitary sewer service from the sanitary sewer main to the property owners building and the water service from the curb stop to the meter (building). He said as the City’s infrastructure continues to mature it was important to define the ownership of these services. Mr. Houle said staff recommended approval of the proposed Ordinance with waiver of second reading.

Member Masica questioned a portion of the “customer concerns” provided in the packet referring to service line repairs and whose responsibility it was to pay for these repairs. Mr. Houle responded that the charges could be assessed to the property owner.

Member Swenson inquired whether the City has set a fee for turning off the water in the street for a residence. Me. Houle said currently there was no charge for the turn off. Member Swenson asked if problems on Casco and Drexel would be rectified by the summer. Mr. Houle responded that the process was beginning.

Member Housh made a motion to adopt Ordinance No. 2006-4, Amending Subsections 1100.03 and 1100.06 of the City Code and adding a new Subsection 1100.07 to the Code for Water and Sewer Service Lines with waiver of second reading:

ORDINANCE NO. 2006-4

AN ORDINANCE AMENDING SUBSECTIONS 1100.03 AND 1100.06

OF THE CITY CODE AND ADDING A NEW SUBSECTION 1100.07

TO THE CITY CODE - WATER AND SANITARY SEWER SERVICE LINES

The City Council of the City of Edina ordains:

Section 1. Subd. 4 of Subsection 1100.03 of the City Code is amended to read as follows:

“Subd. 4 Other Charges. In addition to the charges permitted by this Subsection, the City may make charges for the following:

Minutes/Edina City Council/April 4, 2006

A. Shutting off or resuming service at the curb stop if done at the customer's request, if done to terminate service pursuant to Subd. 3 of Subsection 1100.05 or if done to undertake repairs pursuant to Subd. 2 or Subd. 3 of Subsection 1100.06. The charges will be in the amount set forth in Section 185 of this Code.

B. Repairs undertaken by the City pursuant to Subd. 2 or Subd. 3 of Subsection 1100.06. The charge shall be equal to the cost of the repairs including the cost of supervision and administration.

C. Replacement or repair of City issued or approved metering devices if required due to damage or negligence.

D. Surcharges for buildings or premises which are not in conformance with Subsection 445.08 of this Code.

E. Surcharges for buildings or premises in which the owner, occupant or lessee has not permitted the City to install a remote radio water meter reading device."

Section 2. Subsection 1100.06 of the City Code is amended to read as follows:

"1100.06 Water Main or Service Line Defects.

Subd. 1 Water Main Defects. When defects in the City owned water system causes substantial water loss, any water service may be temporarily discontinued until repairs are made.

Subd. 2 Water Service Line Defects. If a water service line is defective between the curb stop and the meter, the property owner shall make necessary repairs within five days after notification by the City. If repairs are not undertaken within five days, the City may discontinue service and make the necessary repairs.

Subd. 3 Sanitary Sewer Service Line Defects. If a sanitary sewer service line is defective between the sanitary sewer main and a building, the property owner shall make the necessary repairs within five days after notification by the City. If the repairs are not undertaken within five days, the City may make the necessary repairs."

Section 3. Section 1100 of the City Code is hereby amended to add a new Subsection 1100.07 as follows:

"1100.07 Service Line Owned by Property Owner. The water service line from the curb stop and the sanitary sewer service line from the sanitary service main is owned by and shall be maintained by the owner of the property serviced by such service line."

Section 4. This Ordinance shall be in full force and effect upon passage and publication.

First Reading: April 4, 2006

Second Reading: Waived

Published: April 13, 2006

Attest

Debra A. Mangen, City Clerk

James B. Hovland, Mayor

Member Swenson seconded the motion.

Rollcall:

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

CONCERNS OF RESIDENTS No residents appeared to speak.

*BID AWARDED FOR BRIDGE LANE AND TOWNES ROAD STREET AND UTILITY IMPROVEMENTS - CONTRACT NO. ENG. 06-2, IMPROVEMENT NOS. BA-312, STS-317, SS-421 AND WM-445 Motion made by Member Housh and seconded by Member Masica

approving award of bid for Street and Utility Improvements, Contract No. ENG 06-2 Bridge Lane and Townes Road, Improvement Nos. BA-312, STS-317, SS-421, WM-445 to recommended low bidder, DMJ Corporation at \$268,343.75.

Motion carried on rollcall vote – four ayes.

***BID AWARDED FOR COMMODITIES PURCHASE - SAND, ROCK, BITUMINOUS MATERIALS, CONCRETE, ENGINE OIL AND WATER TREATMENT CHEMICALS** Motion made by Member Housh and seconded by Member Masica approving the award of bid for commodities for sand, rock, bituminous materials, concrete, engine oil and water treatment chemicals for period April 1, 2006, to March 31, 2007, to recommended bidders as follows: Coarse Washed Sand (delivered) to SA-AG at \$6.75 per ton; Cl.2 Limestone (delivered) to Bryan Rock Products at \$12.37 per ton; Cl.2 Limestone (delivered) (alternate bid) to Midwest Asphalt (recycled material) at \$11.50 per ton; FA.2 Seal Coat Chips (delivered) to Dresser Trap Rock at \$31.10 per ton; *Asphalt 2350 Base Type 31 or 32 (delivered) to Midwest Asphalt at \$39.00 per ton or (picked up at plant) to Midwest Asphalt at \$33.00 per ton; *Asphalt 2350 Base Type 31 or 32 (alternate bid) to Bituminous Roadways (delivered) at \$40.00 per ton or to Bituminous Roadways (picked up at plant) at \$32.75 per ton; *Asphalt 2350 Base Type 41 or 42 to Midwest Asphalt at \$40.15 per ton (delivered) or to Midwest Asphalt at \$34.15 per ton (picked up at plant); *Asphalt 2350 Base Type 41 or 42 (alternate bids) to Bituminous Roadways at \$41.75 per ton (delivered) or to Bituminous Roadways at \$34.50 per ton (picked up at plant); *Asphalt 2350 Wear Type 41 or 42 to Midwest Asphalt at \$39.25 per ton (delivered) or to Midwest Asphalt at \$33.25 per ton (picked up at plant); *Asphalt 2350 Wear Type 41 or 42 (alternate bids) to Bituminous Roadways at \$40.75 per ton (delivered) or to Bituminous Roadways at \$33.50 per ton (picked up at plant); *Asphalt 2360 Wear Type 31 or 32 to Midwest Asphalt at \$40.50 per ton (delivered) or to Midwest Asphalt at \$34.50 per ton (picked up at plant); *Asphalt 2360 Wear Type 31 or 32 (alternative bid) to Bituminous Roadways at \$41.50 per ton (picked up at plant); Concrete 3 + yards (delivered) to Agg. Ind. /Eagan at \$89.65/CY; Emulsified Asphalt CRS2 to Marathon Ashland at \$1.04 per gallon; Emulsified Asphalt CRS2-P to Flint Hill Resources at \$1.34 per gallon; Emulsified Tack Oil to Flint Hill Resources at \$1.09 per gallon; Crack Joint Sealer #3723 to BrockWhite at \$.37 per pound; Crack Joint Sealer #3725 to BrockWhite at \$0.39 per pound; Hydrofluosilicic Acid to Hawkins, Inc., at \$12.50/CWT; Hydrofluosilicic Acid to Hawkins, Inc. at \$12.50 per CWT; Liquid Chlorine to Hawkins, Inc. at \$38.00 per CWT; Water Treatment Chemical (Poly) to Hawkins, Inc., at \$4.60 per gallon; Caustic Soda to Hawkins, Inc. at \$30.80 per CWT; Manhole Covers - Complete Casting to Ess Brothers & Sons, Inc., at \$880.00 each; Red Ball Aggregate to Bryan Rock at \$16.42 per ton; Lannon Stone Wall Repair to Bjork Stone at \$18.00 per square foot. (*These items are awarded on basis of total cost per ton including trucking and labor, and past year's performance.)

Motion carried on rollcall vote – four ayes.

***BID AWARDED FOR ¾ TON PICKUP TRUCK - STREET DEPARTMENT** Motion made by Member Housh and seconded by Member Masica for bid award for a ¾ ton pickup truck for Public Works to recommended bidder Thane Hawkins Polar Chevrolet under State Contract #435598 at \$16,784.45; sales tax payable at licensure at \$1,090.99.

Motion carried on rollcall vote – four ayes.

***BID AWARDED FOR 2006 UNIFORM CONTRACT - POLICE DEPARTMENT** Motion made by Member Housh and seconded by Member Masica for award of bid for 2006 Police Uniform Contract to recommended sole bidder, Uniforms Unlimited at \$10,977.50.

Minutes/Edina City Council/April 4, 2006

Motion carried on rollcall vote – four ayes.

ON-SALE INTOXICATING AND SUNDAY SALE LIQUOR LICENSE RENEWAL

APPROVED - LOUIS XIII Manager Hughes indicated that the final liquor licensee, Louis XIII has completed the renewal for an On-Sale Intoxicating and Sunday On-Sale Liquor license. All applicable fees have been paid and filed in accordance with City Code and Minnesota State Statutes. The Police Department has completed renewal checks and found them to be in order. Staff will forward the license to the Minnesota Liquor Control for state approval, once the licenses were approved.

Member Masica asked if Louis XIII has had an interruption in service. Mr. Hughes responded yes, since the first of April

Mayor Hovland inquired how many liquor licenses have been issued in Edina. Mr. Hughes responded there were 15 licenses issued. He explained that since Edina only issued on-sale intoxicating liquor licenses to restaurants, there was not a limit on the number allowed to be issued due to a change in Minnesota Statutes a couple of years ago.

Member Masica made a motion approving issuance of an On-Sale Intoxicating and Sunday Sale Liquor License renewal for Louis XIII restaurant, located at 2760 Southdale Center. Member Housh seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

2006 LABOR AGREEMENT APPROVED WITH INTERNATIONAL UNION OF OPERATING ENGINEER, PUBLIC WORKS AND PARK MAINTENANCE - LOCAL 49

Mayor Hovland removed the 2006 Labor Agreement with the International Union of Operating Engineers, Local 49 from the Consent Agenda for additional questions. He inquired about the employer contribution of insurance being increased to \$640 per month. Mr. Hughes noted that the increase was a monthly stipend similar to what other employees received towards the cost of various insurance coverages. He added the contract for this bargaining unit was for one year while the other units had approved two year contracts.

Mayor Hovland made a motion approving the 2006 Labor Agreement with the International Union of Operating Engineers - Public Works and Park Maintenance, Local 49 as follows:

- 1. Wages - 3% increase in 2006**
- 2. Insurance - Employer contribution increased to \$640 per month**
- 3. Duration - The City agreed to a one year contract from January 1, 2006, to December 31, 2006.** Member Housh seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

COURTNEY FIELD SHELTER BUILDING RENOVATIONS PRESENTED

Director Keprios said at the January 17, 2006, Council meeting, the 2006 Capital Improvement Program (CIP) was approved. It included approximately \$450,000 for an upgrade of the Courtney Fields shelter building and approximately \$312,000 for renovation of field #4. Anderson/Johnson Associates were hired and teamed with Armstrong, Torseth, Skold and Rydeen, Inc. Architects and Engineers to conduct a feasibility study for the renovation of the Courtney Fields shelter

building. Anderson/Johnson and Associates were the architects and designers of the Van Valkenburg Park softball complex. The design committee included staff and three volunteers from the Edina Baseball Association.

Mr. Keprios introduced Jay Pomeroy, a landscape architect with Anderson/Johnson Architects. Mr. Pomeroy introduced Tammy Magney, ATSR, Inc. Architects, who showed pictures of the subject building, stressing the soundness of the exterior walls of the existing structure. She said of more concern were, 1) the roof structure, 2) the wood addition, 3) bathrooms were not handicap accessible, 4) the concession stand was too small and the plumbing was poor, 5) the doors needed paint, 6) aluminum windows were inoperable, 7) the mechanical system needed to be updated, 8) there was a lack of storage space, and 9) a larger lobby would be desirable. Ms. Magney said the renovations would include:

1. Removal of existing roof structure
2. Maintain existing exterior walls, plumbing walls, electrical panel walls, footings and foundations.
3. Remove existing interior partition to provide for ADA accessible toilets, electrical room, and storage needs.
4. Remove concession equipment (could be reused); relocate concession into an addition on the exterior of facility.
5. Provide shelter space in interior of facility accessible for inclement weather.
6. Meeting space can occur in the shelter space in the interior of the lobby.
7. Relocate restroom access to exterior for use during hours shelter was closed.
8. Provide new roof structure with second floor storage to meet needs of baseball and football associations, varsity baseball and officials.
9. Announcing and scoreboard functions will use wireless controls and function from locations around the perimeter of each field - not planned for the second floor.
10. Patio space was desirable for tournament and game occasions and gathering space.

Ms. Magney noted if the outside walls were maintained the cost of the renovation would be at approximately \$413,000 which would include site work. She added the smaller the project the more expensive it was per square foot. Ms. Magney said the project included a re-working of rest rooms with new fixtures and piping, and a concession area with water, tile and steel surfaces, etc.

Mr. Keprios reminded the Council the main reason for this project was the roof was at the end of its life and unsafe. He added that staff recommended soliciting bids for the renovation of the shelter building. Mr. Keprios said the Rotary Club has offered a contribution towards the project predicated on the field project being done simultaneously.

Member Swenson inquired whether the deck portion of the bid could be 'add on' options on the bid. Ms. Magney said some things could be optional i.e.; an asphalt patio rather than concrete or a different type of roofing material. Mr. Keprios said staff would like to begin the project in July with a bids being opened in June.

Following a Council discussion, **Member Housh made a motion directing staff to solicit bids for the renovation of the Courtney Fields shelter building as presented by Anderson/Johnson Associates and Armstrong, Torseth, Skold and Rydeen, Inc., Architects and Engineers (ATS&R) offering some add options to the base project.** Member Swenson seconded the motion.

Minutes/Edina City Council/April 4, 2006

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

WEB STREAMING INFORMATION PRESENTED Director Bennerotte, said Edina 16 was a government access channel available to subscribers of Time Warner Cable. She said residents who do not have cable or who have another type of technology were not able to watch Channel 16 programs. Ms. Bennerotte noted that persons living outside of the community do not have access to Edina 16, and added DVD's of the meetings were available at Edina City hall or the Community Library.

Ms. Bennerotte said Web streaming over the internet would improve what can be provided by cable and reported several residents have requested video streaming. She reported cities currently providing this service included: Bloomington, Burnsville, Eagan, Minneapolis, St. Louis Park and St. Paul.

Ms. Bennerotte explained Web streaming was video on demand and any portion of a meeting can be accessed without viewing the entire meeting. She said the meetings could be archived for approximately a year. She said no formal RFP had been issued, however, a preliminary proposal was solicited from a vendor that works with government units and set-up costs would be approximately \$13,500 with a monthly fee at or around \$450 or \$9,000 annually. The Company has indicated that installation of the system could be completed within four to eight weeks.

James Bonneville with Granicus Company gave a demonstration of web streaming of Minutes from a recent Council meeting. He said the company was trying to create a transparency in government. Ms. Bennerotte informed the Council that approximately 40% of Edina residents do not have access to Time Warner Cable.

Mr. Hughes elaborated that a by-product of web streaming would be the savings in man hours in preparation of minutes. Funds for the technology would come from the communications fund from franchise fees from the cable system.

Clerk Mangen noted the current method for recording minutes was more exhaustive than required by statute. At a recent parliamentary procedure meeting she attended a comment was heard that said, 'minutes should reflect what they do, not what they say". She noted statute requirements for meeting minutes include: 1) who attended, 2) the agenda item, and 3) the action taken.

Following a Council discussion, **Member Swenson directed staff to develop and issue an RFP for web streaming of Edina Channel 16 programming to include meetings of the Edina City Council, Planning Commission or other meetings in the future.** Member Housh seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

***RESOLUTION NO. 2006-40 SETTING PUBLIC HEARING DATE OF MAY 2, 2006, FOR FINAL ASSESSMENT HEARING FOR IMPROVEMENT NO. WM-451 NINE MILE VILLAGE TOWNHOMES** Member Housh introduced the following resolution seconded by Member Masica and moved its approval:

**RESOLUTION NO. 2006-40
SET PUBLIC HEARING OF MAY 2, 2006,
FOR FINAL ASSESSMENT HEARING FOR
IMPROVEMENT NO. WM-451,
NINE MILE VILLAGE TOWNHOMES**

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EDINA, MINNESOTA, that a public hearing shall be held on the 2nd of May 2006, in the Council Chambers at City Hall at 7:00 P.M. to consider Final Assessment WM-451 for Nine Mile Village Townhomes;

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 4th day of April, 2006.

Motion carried on rollcall vote - four ayes.

***RESOLUTION NO. 2006-41 SETTING PUBLIC HEARING DATE OF MAY 2, 2006, FOR ALLEY IMPROVEMENT NOS. A-210, A-211 AND A-223** Member Housh introduced the following resolution seconded by Member Masica and moved its approval:

**RESOLUTION NO. 2006-41
SET PUBLIC HEARING OF MAY 2, 2006
FOR VARIOUS ALLEY IMPROVEMENTS
NOS. A-210, A-211, A-223**

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EDINA, MINNESOTA, that a public hearing shall be held on the 2nd of May 2006, in the Council Chambers at City Hall at 7:00 P.M. to consider Alley Improvement Nos. A-210, A-211 and A-223 for the Beard Avenue/Abbott Avenue/William Avenue/Hankerson Avenue and Jefferson Avenue/Madison Avenue.

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 4th day of April, 2006.

Motion carried on rollcall vote - four ayes.

MAY 4, 2006, AT 5:00 P.M. DATE SET FOR RECONVENING OF BOARD OF APPEAL AND EQUALIZATION Member Masica removed the date set of May 2, 2006, for the reconvening of the Board of Appeal and Equalization to request that a map of the homes that are appealing be included in the information packet.

Member Housh informed the Council he could not be at the May 2, 2006, Board of Appeal and Equalization reconvening meeting.

Following a brief Council discussion, May 4, 2006, at 5:00 P.M. was set for reconvening the Board of Appeal and Equalization.

Member Masica made a motion setting Thursday May 4, 2006, at 5:00 P.M. for the reconvening of the Board of Appeal and Equalization. Member Swenson seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Motion carried.

Minutes/Edina City Council/April 4, 2006

RESOLUTION NO. 2006-42 - ACCEPTING VARIOUS DONATIONS Mayor Hovland explained in order to comply with State Statutes, all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donation.

Member Swenson made a motion approving the following resolution:

**RESOLUTION NO. 2006-42
ACCEPTING DONATIONS ON
BEHALF OF THE
CITY OF EDINA**

WHEREAS, Minnesota Statute 465.03 allows cities to accept grants and donations of real or personal property for the benefit of its citizens;

WHEREAS, said donations must be accepted by way of a resolution of the Council adopted by a two- thirds majority of its members.

NOW, THEREFORE, BE IT RESOLVED, that the Edina City Council accepts with sincere appreciation the following listed donations on behalf of its citizens.

Donations to the Braemar Memorial Fund for future Golf Course purchases:

William Colby \$50.00

Doris Jenkins \$25.00

Dated: April 4, 2006.

Member Masica seconded the motion.

Ayes: Housh, Masica, Swenson, 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 March 22, 2006, and consisting of 28 pages: General Fund \$276,323.12; Communications Fund \$20,205.93; Working Capital Fund \$10,738.06; Art Center Fund \$15,790.62; Golf Dome Fund \$149.42; Golf Course Fund \$88,093.28; Ice Arena Fund \$7,886.81; Edinborough/Centennial Lakes Fund \$6,074.27; Liquor Fund \$127,824.78; Utility Fund \$390,382.26; PSTF Fund \$2,670.59; TOTAL \$946,149.14; and for approval of payment of claims dated March 28, 2006, and consisting of 27 pages: General Fund \$549,515.69; CDBG Fund \$743.12; Communications Fund \$7,430.61; Working Capital Fund \$34,351.50; Construction Fund \$11,540.18; Art Center Fund \$313.04; Golf Dome Fund \$4,147.27; Aquatic Center Fund \$140.58; Golf Course Fund \$18,568.38; Ice Arena Fund \$459.46; Edinborough/Centennial Lakes Fund \$20,814.16; Liquor Fund \$114,844.55; Utility Fund \$92,466.05; Storm Sewer Fund \$2,199.38; PSTF Fund \$365.52; TOTAL \$857.899.49.**

Motion carried on rollcall vote – four ayes.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 8:50 P.M.

City Clerk