

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
JANUARY 2, 2007
7:00 P.M.**

OATHS OF OFFICE ADMINISTERED Clerk Mangen administered the Oath of Office to Joni Bennett, Council Member and Scot Housh Council Member. Terms of office for the Council Members will be to January 1, 2011.

ROLLCALL Answering rollcall were Members Bennett, 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 with the exception of Agenda Item I.C. Lot Division - 4001 and 4003 49th Street West - Scott Busyn.

Rollcall:

Ayes: Bennett, Hulbert, Masica, Swenson, Hovland

Motion carried.

POLICE DEPARTMENT COMMENDATIONS PRESENTED Chief Siitari presented Departmental Commendations to Sergeant Brian Tholen and Officer Mark Melander for rendering extraordinary public service and exceptional bravery in their line of duty.

No formal council action was taken.

***HEARING DATE SET OF JANUARY 16, 2007 FOR SIGN VARIANCE APPEAL FOR TARGET CORPORATION - 7000 YORK AVENUE SOUTH** Motion made by Member Housh and seconded by Member Swenson approving January 16, 2007, as hearing date for a sign variance for Target Corporation - 7000 York Avenue South.

Motion carried on rollcall vote - five ayes.

***HEARING DATE SET OF FEBRUARY 6, 2007, FOR FINAL DEVELOPMEN PLAN - DJR ARCHITECTS/TOM MILLER, 3201-3101 69TH STREET WEST - SITE REDEVELOPMENT** Motion made by Member Housh and seconded by Member Swenson approving February 6, 2007, as hearing date for site redevelopment for DJR Architects/Tom Miller at 3201-3101 69th Street West.

Motion carried on rollcall vote - five ayes.

RESOLUTION NO. 2006-09 APPROVING LOT DIVISION - 4001 AND 4003 49TH STREET WEST - SCOTT BUSYN Member Masica made a motion approving the lot division for 4001 and 4003 49th Street West. Member Housh seconded the motion.

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

APPEAL OF HERITAGE PRESERVATION BOARD DECISION OF DECEMBER 7, 2006, PORTION APPROVED - 4608 BRUCE AVENUE

Associate Planner Repya explained the decision of the Heritage Preservation Board had been appealed regarding the issuance of an amendment to the original Certificate of Appropriateness (COA) in the historic Country Club District issued March 2006. She stated last March, the Board approved a COA for demolition of a house and construction of a new two-story home at 4608 Bruce Avenue. Plans for the home were an English cottage-style structure with an attached two-car garage on the rear walk-out. The home was planned to have composite wood-like siding with stone accents.

However, in the fall the buyer of the home requested changes of JMS Custom Homes, the developer, replacing the shakes with manufactured stone as well as changes to the location, size and shape of some of the windows. In November and December, the Heritage Preservation Board reviewed and approved the changes as follows: Front (east) second floor, left side of the south window stone was removed and replaced by shakes, front door threshold was dropped by approximately two feet by cutting a small portion of the foundation at the stoop, front door to be 8 feet instead of 7 feet; South Side: Stone replacing shakes and Hardi-board panel on the first floor and walk-out levels; window sizes changes and placement realigned; North side: window sizes changed on east and west sides, Hardi-board panel removed below center window on west side; Rear (west side): cantilever provided for direct vent gas fireplace, windows added to second story and walk-out, window size reduced above fireplace cantilever, windows on walk-out below fireplace cantilever reduced from 3 feet to 2 feet.

Ms. Repya said neighbors appealed the Heritage Preservation Board's decision, expressing concern with use of manufactured stone in a historic district. Ms. Repya introduced Edina's consultant, Robert Vogel who addressed the Council questions relative to the requested amendment to the Certificate of Appropriateness. Mr. Vogel said that when the Historic overlay was originally proposed, the manufactured stone he was proposing not be allowed in the district was very different than what was being proposed at 4608 Bruce. Council discussed the various aspects of the project with staff. Concerns included the change of location, size and shape of the window, the protruding Juliet balcony, and the durability of the manufactured stone as well as its protrusion into the driveway. Some members also expressed concerns with the width of the driveway and its placement relative to the proposed product.

Andy Porter, JMS Builders, reviewed the proposed changes to the Certificate of Appropriateness and stated in his opinion the manufactured stone would be an upgrade to the home. He said he believed it would be similar to natural stone.

Public Comment

Dan and Cheryl Dulas, 4609 Bruce Avenue, made a presentation on behalf of the neighbors outlining their concerns and reasons for the appeal of the amendment to the Certificate of Appropriateness.

Joanne Farley, 4615 Bruce Avenue, outlined her concerns and presented a sample of the proposed manufactured stone along with her findings of the stone's durability.

Kitty O'Dea, 4610 Bruce Avenue, expressed her concerns with the amendment to the Certificate of Appropriateness. Ms. O'Dea stated she would prefer shakes to the proposed manufactured stone and requested the request be returned to the Heritage Preservation Board.

Motion of Member Masica, seconded by Member Swenson to closed the public hearing.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

The Council discussed their opinions and concerns relative to the subject property, the manner in which applications will be accepted and reviewed in the future, the use of manufactured stone in the area, the width and location of the driveway and the protrusion of the proposed Juliet balcony into the driveway. Following the discussion, **Member Swenson made a motion to grant the appeal relative to the stone façade and Juliet balcony on the south side of 4608 Bruce Avenue, but denying the appeal on the amendments for the other three sides of the home.** Member Masica seconded the motion.

Rollcall:

Ayes: Bennett, Masica, Swenson

Nays: Housh, Hovland

Motion carried.

***60 DAY EXTENSION TO MARCH 8, 2007, GRANTED FOR 69TH STREET AND YORK AVENUE** Motion made by Member Housh and seconded by Member Swenson adopting Resolution No. 2007-08 granting 60 day extension from action for the proposal at 69th and York Avenue.

Motion carried on rollcall vote – five ayes.

CONCERN OF RESIDENTS

Roger Howe, 6821 Paiute Drive, requested that the City's noise standards be reviewed to ascertain whether they offer enough protection for residential neighbors when construction projects were underway.

Stacey Lacanne, 1347 Findley, Apple Valley, related her negative experiences with the dating service Great Expectations and suggested some type of investigation was warranted. Ms. Lacanne was informed her issue was not something the City Council had any jurisdiction over.

Brett Fenske, 4626 Bruce Avenue expressed concerns over tear downs and remodeling projects in the Country Club Area.

Paul Runice, 4622 Bruce Avenue, suggested that the volunteer Heritage Preservation Board was inadequate to the task before them and that professional staff should be considered to step up the level of review of future projects in the Historic District.

***AWARD OF BID – TORO 3505-D GROUNDMASTER ROTARY MOWER – BRAEMAR GOLF COURSE** Motion made by Member Housh and seconded by Member Swenson

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approving the award of bid for a Toro 3505-D Groundsmaster Rotary Mower for Braemar Golf Course to recommended bidder MTI Distributing Company under Minnesota State Contract #436936 at \$22,271.28.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR TORO 328-D GROUNDMASTER ROTARY MOWER FOR BRAEMAR GOLF COURSE** Motion made by Member Housh and seconded by Member Swenson approving the award of bid for a Toro 328-D Groundsmaster Rotary Mower for Braemar Golf Course to MTI Distributing company under Minnesota State Contract #436936 at \$15,478.71.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR EDINA AQUATIC CENTER WADING POOL PLAY EQUIPMENT REPLACEMENT** Motion made by Member Housh and seconded by Member Swenson approving the award of bid for Edina Aquatic Center Wading Pool Play Equipment Replacement to sole supplier, Koala Corporation at \$17,038.00.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR EDINA AQUATIC CENTER WADING POOL SHELL PAINTING** Motion made by Member Housh and seconded by Member Swenson approving the award of bid for the Edina Aquatic Center Wading Pool Shell Painting to recommended low bidder, TMI Coatings at \$16,700.00.

Motion carried on rollcall vote - five ayes.

RESOLUTION NO. 2007-01 APPROVED, 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 donations.

Member Bennett introduced Resolution No. 2007-01 accepting various donations. Member Masica seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

***RESOLUTION NO. 2007-02 APPROVED DESIGNATING THE OFFICIAL NEWSPAPER** Member Housh introduced Resolution No 2007-02 Approving Designation of Official Newspaper, seconded by Member Swenson.

Motion carried on rollcall vote - five ayes.

***RESOLUTION NO. 2007-03 APPROVED DESIGNATING SIGNATORIES** Member Housh introduced Resolution No. 2007-03 Approving Designation of Signatories, seconded by Member Swenson.

Motion carried on rollcall vote - five ayes.

***RESOLUTION NO. 2007-04 APPROVED DESIGNATION OF DIRECTOR/ALTERNATE DIRECTOR OF SUBURBAN RATE AUTHORITY** Member Housh introduced Resolution

No. 2007-04 Approving Designation of Director/Alternate Director of Suburban Rate Authority, seconded by Member Swenson.

Motion carried on rollcall vote - five ayes.

***RESOLUTION NO. 2007-05 APPROVED DESIGNATING THE DIRECTOR/ALTERNATE DIRECTOR OF LOGIS Member Housh introduced Resolution No. 2007-05 Approving Designating the Director/Alternate Director of LOGIS, seconded by Member Swenson.**

Motion carried on rollcall vote - five ayes.

***RESOLUTION NO. 2007-06 APPROVING FACSIMILE SIGNATURES Member Housh introduced Resolution No. 2007-06 Approving Facsimile Signatures, seconded by Member Swenson.**

Motion carried on rollcall vote - five ayes.

***RESOLUTION NO. 2007-07 APPROVING DESIGNATION OF OFFICIAL DEPOSITORIES Member Housh introduced Resolution No. 2007-07 Approving Designation of Official Depositories, seconded by Member Swenson.**

Motion carried on rollcall vote - five ayes.

VOLUNTEER RECOGNITION RECEPTION DATE SET FOR TUESDAY, APRIL 24, 2007

Mr. Hughes reviewed potential dates for the 2007 Volunteer Recognition Reception. Following a brief Council discussion, Council consensus was to hold the Volunteer Recognition Reception at Edinborough Park at 5:00 P.M on Tuesday, April 24, 2007.

ANNUAL MEETING DATE SET FOR MONDAY, MARCH 19, 2007 Mr. Hughes reviewed

various dates for the 2007 Annual Meeting. Monday, March 19, 2007, at 5:00 P.M. in the Centrum Building at Centennial Lakes was the choice of the Council.

COUNCIL MEMBER SCOT HOUSH APPOINTED AS MAYOR PRO-TEM Mayor

Hovland explained according to state law, the Council must appoint an acting mayor at the first Council meeting of each year. He suggested appointing Member Housh as Mayor Pro-tem.

Member Masica made a motion approving the appointment of Member Scot Housh as Mayor Pro-tem. Member Swenson seconded the motion.

Ayes: Bennett, Masica, Swenson, Hovland

Abstained: Housh

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 December 20, 2007, and consisting of 33 pages; General Fund \$230,425.41; Communications Fund \$8,079.41; Working Capital Fund \$8,153.11; Art Center Fund \$17,113.50; Golf Dome Fund \$4,391.59; Aquatic Center Fund \$807.39; Golf Course Fund \$12,983.57; Ice Arena Fund \$9,003.60; Edinborough/Centennial Lakes Fund \$10,751.46; Liquor Fund \$113,844.10; Utility Fund \$58,002.01; Storm Sewer Fund \$847.09;**

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PSTF Agency Fund \$809.52; TOTAL \$475,211.76; and for approval of payment of claims dated December 27, 2007, and consisting of 23 pages: General Fund \$108,649.23; CDBG Fund \$39.00; Communications Fund \$6,198.08; Working Capital Fund \$103,281.56; Construction Fund \$72,312.03; Art Center Fund \$2,385.84; Golf Dome Fund \$2,904.27; Golf Course Fund \$3,436.18; Ice Arena Fund \$2,400.34; Edinborough/Centennial Lakes Fund \$4,215.75; Liquor Fund \$204,856.25; Utility Fund \$432,814.71; Storm Sewer Fund \$200,914.01; PSTF Agency Fund \$951.15; TOTAL \$1,145,358.40.

Motion carried on rollcall vote - five ayes.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 9:15 p.m.

Respectfully submitted,

Debra A. Mangen, City Clerk