

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
APRIL 3, 2007  
7:00 P.M.**

**ROLLCALL** Answering rollcall were Members Bennett, Housh, Masica, Swenson and Chair Hovland.

**ARTIST MICHAEL PILLA RECOGNIZED** Linda Kieffer, Chair of the Edina Public Art Committee, thanked the Council for the opportunity to place public art in the Edina City Hall. She introduced Michael Pilla, the artist who created the stained glass window installed in the Edina City Hall. Mr. Pilla thanked the Council for the opportunity to create a window commemorating Edina's heritage, an invitation for the community to view transparency of government, and to be inspired to differing interpretations.

**CONSENT AGENDA ITEMS APPROVED** Motion made by Member Masica and seconded by Member Swenson approving the Council Consent Agenda as presented with the exception of Item IV. C. Commodities Purchase of Sand, Rock, Bituminous Materials, Concrete and Engine Oil, and Water Treatment Chemicals.

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**\*MINUTES OF THE REGULAR MEETING OF MARCH 20, 2007, AND STUDY SESSION OF MARCH 27, 2007 APPROVED** Motion made by Member Masica and seconded by Member Swenson approving as presented the Minutes of the Edina City Council for March 20, 2007, and Study Session of March 27, 2007.

Motion carried on rollcall vote - five ayes.

**PUBLIC COMMENT**

Robert A. Larsen, 5037 Indianola Avenue, requested the Council consider establishing a Design Review Board to function within the City of Edina. Mayor Hovland thanked Mr. Kennedy.

Ellen Kennedy, 7220 Cornelia Drive, requested the Council consider adopting a resolution urging the President and Congress to commit to implementation and global leadership of the World Summit Outcome on the responsibility to protect innocent civilians through the strategies of the 2005 World Summit Outcome Document urging that every possible action to safeguard the security of innocent non-combatant men, women and children in Darfur Sudan.. Mayor Hovland thanked Ms. Kennedy and said he would direct this request to the Edina Human Rights and Relations Commission for further study.

**ORDINANCE NO. 2007-05 ADOPTED ESTABLISHING ENERGY AND ENVIRONMENTAL COMMISSION** Manager Hughes stated following Council's granting First Reading to Ordinance No. 2007-05 establishing an Energy and Environment Commission he revised the draft ordinance as directed. Mr. Hughes said he also prepared two alternatives for consideration relative to the question of dual memberships on the Planning Commission and Park Board.

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The Council discussed the alternatives. Member Swenson made a motion, seconded by Member Housh to grant second reading to Ordinance No. 2007-05 noting the First Reading revision with the Planning Commission and Park Board sending members to serve on the newly established commission. The dual memberships shall be reviewed in February prior to the next appointments to the City's advisory boards and commissions.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

\*BID AWARDED FOR BRAEMAR PICNIC SHELTER CONTRACT/ACCEPTANCE OF DONATION Following a brief discussion, Member Masica made a motion, seconded by Member Swenson to award the bid for Contract No. 07-1 FR, Demolition and Reconstruction of the Tracy Avenue Fire Station to recommended low bidder, Rochon Corporation in the amount of \$4,518,000.00

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

\*BID AWARDED FOR 2007 POLICE UNIFORMS CONTRACT Motion made by Member Masica and seconded by Member Swenson approving 2007 Police Uniform Contract to the recommended low bidder Keepers Uniforms at \$14,250.50.

Motion carried on rollcall vote - five ayes.

BID AWARDED FOR COMMODITIES PURCHASE - SAND, ROCK, BITUMINOUS MATERIALS, CONCRETE, ENGINE OIL AND WATER TREATMENT CHEMICALS

Following a brief discussion of the reason for the substantial increases of some commodities Member Masica made a motion that was seconded by Member Housh approving the award of bid for commodities for sand, rock, bituminous materials, concrete, engine oil and water treatment chemicals for period April 1, 2007, to March 31, 2008, to recommended bidders as follows: Coarse Washed Sand (delivered) to SA-AG at \$6.90 per ton; Cl.2 Limestone (delivered) to Kremer Materials at \$13.40 per ton; FA-2 Seal Coat Chips (delivered) to Dresser Trap Rock at \$31.35 per ton; \*Asphalt 2350 Base Type 31 or 32 (delivered) to Bituminous Roadways at \$47.00 per ton or (picked up at plant) to Bituminous Roadways at \$39.50 per ton; \*Asphalt 2350 Base Type 31 or 32 (alternate bid) to Midwest Asphalt (delivered) at \$51.55 per ton or to Commercial Asphalt (picked up at plant) at \$38.85 per ton; \*Asphalt 2350 Base Type 41 or 42 to Bituminous Roadways at \$48.00 per ton (delivered) or to Bituminous Roadways at \$40.50 per ton (picked up at plant); \*Asphalt 2350 Base Type 41 or 42 (alternate bids) to Midwest Asphalt at \$56.20 per ton (delivered) or to Commercial Asphalt at \$40.85 per ton (picked up at plant); \*Asphalt 2350 Wear Type 41 or 42 to Bituminous Roadways at \$47.50 per ton (delivered) or to Bituminous Roadways at \$40.00 per ton (picked up at plant); \*Asphalt 2350 Wear Type 41 or 42 (alternate bids) to Midwest Asphalt at \$54.35 per ton (delivered) or to Commercial Asphalt at \$38.70 per ton (picked up at plant); \*Asphalt 2360 Wear Type 31 or 32 to Bituminous Roadways at \$59.50 per ton (delivered) or to Bituminous Roadways at \$52.00 per ton (picked up at plant); \*Asphalt 2360 Wear Type 31 or 32 (alternative bid) to Midwest Asphalt at \$56.20 per ton (delivered) or to Commercial Asphalt at \$42.90 per ton (picked up at plant); Concrete 3 + yards (delivered) to Agg. Ind. /Eagan at \$97.65CY; Emulsified Asphalt CRS2 to Flint Hill Resources at \$1.35 per gallon; Emulsified Asphalt CRS2-P to Flint Hill Resources at \$1.60 per gallon; Emulsified Tack Oil to Flint Hill Resources at \$1.49 per gallon; Crack Joint Sealer #3723 to BrockWhite at \$.40 per pound; Crack Joint Sealer #3725 to BrockWhite at \$0.42 per pound; Hydrofluosilicic Acid to DPC Industries, at \$16.75/CWT; Hydrofluosilicic Acid to DPC Industries. at \$16.75 per CWT; Liquid Chlorine to DPC Industries at \$33.60 per CWT; Water Treatment Chemical (Poly) to DPC Industries, at \$4.69 per gallon; Caustic Soda to DPC Industries at \$26.05 per CWT; Manhole Covers - Complete Casting to Ess Brothers & Sons, Inc., at \$926.00 each; Red Ball

**Aggregate to Bryan Rock at \$17.22 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.)**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**TEMPORARY INTOXICATING LIQUOR LICENSE FOR 50<sup>TH</sup> & FRANCE BUSINESS ASSOCIATION APPROVED FOR EDINA ART FAIR, JUNE 2-4, 2006**

Chief Siitari stated that the 50<sup>th</sup> & France Business and Professional Association applied for a temporary on-sale intoxicating liquor license to sell beer and wine at the Art Fair on June 1-3, 2007. The Association has also applied for a Special Permit to use the Edina 5-0 Municipal parking lot as the location for the licensed premises. Background checks on the Association show they were eligible for the license to be issued. Mr. Siitari said two Edina police officers will be present during the Fair and that historically the event has been well run. He added staff recommended the license and permit be approved.

In response to a Council question Ms. Rosalie Lee, 50<sup>th</sup> and France Business Association stated the beer garden would be thirty feet by thirty feet in size.

No residents appeared to speak to the issue.

**Member Swenson made a motion to close the public hearing, seconded by Member Housh.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**Member Housh made a motion approving issuance of the temporary intoxicating liquor license for the 50<sup>th</sup> & France Business and Professional Association for the Edina Art Fair, June 1-3 2007, and the Special Permit for use of City property in conjunction with the temporary liquor license. Member Swenson seconded the motion.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**RESOLUTION NO. 2007-45 - 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. 2007-45, accepting various donations, and moved approval. Member Swenson seconded the motion.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**\*CONFIRMATION OF CLAIMS PAID**

Motion made by Member Masica and seconded by Member Swenson approving payment of the following claims as shown in detail on the Check Register dated March 22, 2007, and consisting of 27 pages: General Fund \$261,529.36; CDBG Fund \$37.00; Communications Fund \$4,987.28; Working Capital Fund \$216,720.31; Construction Fund \$26,399.02; Art Center Fund \$6,073.97; Golf Dome Fund \$19,969.36; Golf Course Fund \$14,422.42; Ice Arena Fund \$18,376.74; Edinborough/Centennial Lakes Fund \$11,026.90; Liquor Fund \$164,694.73; Utility Fund \$70,537.74; Storm Sewer Fund \$4,203.91; TOTAL \$818,978.74; and for approval of

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payment of claims dated March 29, 2007, and consisting of 25 pages: General Fund \$291,991.25; Communications Fund \$19,331.96; Working Capital Fund \$4,670.60; Art Center Fund \$3,211.58; Golf Dome Fund \$1,166.18; Aquatic Center Fund \$3,177.84; Golf Course Fund \$25,345.87; Ice Arena Fund \$3,059.03; Edinborough/Centennial Lakes Fund \$34,670.01; Liquor Fund \$153,753.04; Utility Fund \$13,430.38; PSTF Agency Fund \$4,097.59; TOTAL \$ 557,905.33; and for credit card payment register dated March 3, 2007, consisting of 2 pages; TOTAL \$9,132.13.

Motion carried on rollcall vote - five ayes.

**RESOLUTION NO. 2007-46 ADOPTED CALLING FOR BOND SALE - SERIES 2007A \$5,910,000 CAPITAL IMPROVEMENT BONDS - FIRE STATION** Following a brief presentation and discussion with Finance Director Wallin and Mark Ruff, Ehlers Bond Consultant, **Member Swenson introduced Resolution No. 2007-46, calling for bond sale - series 2007B \$5,910,000 capital improvement bonds - Fire Station** Member Masica seconded the motion.

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

**RESOLUTION NO. 2007-47 ADOPTED CALLING FOR BOND SALE - SERIES 2007B \$8,210,000 UTILITY REVENUE BONDS** Following a brief presentation and discussion with Finance Director Wallin and Mark Ruff, Ehlers Bond Consultant, **Member Housh introduced Resolution No. 2007-47, calling for bond sale - series 2007B \$8,210,000 Utility Revenue Bonds.** Member Swenson seconded the motion.

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

**RESOLUTION NO. 2007-48 ADOPTED CALLING FOR BOND SALE - SERIES 2007C \$5,970,000 PERMANENT IMPROVEMENT REVOLVING FUND BONDS** Following a brief presentation and discussion with Finance Director Wallin and Mark Ruff, Ehlers Bond Consultant, **Member Bennett introduced Resolution No. 2007-48, calling for bond sale - series 2007C \$5,970,000 Permanent Improvement Revolving Fund Bonds.** Member Masica seconded the motion.

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

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 8:30 p.m.

Respectfully submitted,

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Debra A. Mangen, City Clerk