

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
OCTOBER 16, 2007  
7:00 P.M.**

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

**CONSENT AGENDA ITEMS APPROVED** Motion made by Member Swenson and seconded by Member Housh approving the Council Consent Agenda with the exception of the Minutes of the September 25, 2007 Study Session, the minutes of the October 2, 2007 Work Session and Item V.B bid for New Well #20 Contract No. PW 07-4.

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**FIRE BATTALION CHIEF TOM SCHMITZ RECOGNIZED - GRADUATION FROM EXECUTIVE FIRE OFFICER PROGRAM** Chief Scheerer explained the Executive Fire Officer Program was a national training program that accepted very few candidates annually. He said that Tom Schmitz had completed a rigorous four year course and has graduated from the Executive Fire Officer Training Program. The Council thanked Battalion Chief Schmitz for his perseverance and hard work and applauded his completion of the rigorous program and achievement of the designation Executive Fire Officer.

**DISTINGUISHED SERVICE AWARD - EDINA POLICE DEPARTMENT CHAPLAINS** Chief Siitari explained the Edina Police Chaplains were established in 1997 and were celebrating their tenth anniversary of providing counseling and support to the Edina community with the Edina Police Department. The chaplains assist with notification of families when there has been a death or severe injury. They also minister to the public safety personnel. He stated he was presenting a Distinguished Service Award to the entire unit and introduced the chaplains: Rev. Tony Jones, Rev. Rich Phenow, and Rev. Kurt Kalland, noting that Rabbi Chaim Goldberger was not in attendance. Mr. Siitari explained that retired Lt. Ken Kane and Officer Beth Jordon were instrumental in organizing the Chaplains unit. The Council thanked the Chaplains and officers for their dedication in this important service to the community.

**\*MINUTES OF THE REGULAR MEETING OF OCTOBER 2, 2007 APPROVED** Motion made by Member Swenson and seconded by Member Housh approving as presented the minutes of the HRA Meeting of October 2, 2007 and the minutes of the Regular meeting of October 2, 2007.

Motion carried on rollcall vote - five ayes.

**MINUTES OF SEPTEMBER 25, 2007 STUDY SESSION AND OCTOBER 2, 2007 WORK SESSION APPROVED** Member Bennett requested the last sentence of paragraph three be changed to read, "Following their discussion the following steps were agreed to:". **Motion of Member Bennett seconded by Member Masica to approve the September 25, 2007 Study Session minutes as amended.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

Following a brief discussion, **Member Bennett made a motion approving the October 2, 2007, Study Session Minutes with the following amendment: paragraph three shall have the sentence,**

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**"However, the Council may also hold a public hearing before making any decision," struck from the record.** Member Housh seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**PUBLIC HEARINGS ON SPECIAL ASSESSMENTS** Affidavits of Notice were presented, approved and ordered placed on file. Due notice having been given, public hearings were conducted and action taken as recorded on the following proposed special assessments.

**MAINTENANCE IMPROVEMENT NO. M-07**

Location: 50<sup>th</sup> and France Avenue Business District

Analysis of Assessment for Maintenance Improvement No. M-07 showed a total maintenance cost of \$159,865.32 against 339,561 assessable square feet at \$0.4708 per square foot. One year assessment payable in 2008.

No public written or oral comments were received.

**Motion made by Member Swenson and seconded by Member Masica closing the public hearing for Maintenance Improvement Assessment No. M-07, 50<sup>th</sup> and France Avenue Business District.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**Member Housh made a motion seconded, by Member Swenson adopting Maintenance Improvement No. M-07 Final Assessment Roll for the 50<sup>th</sup> & France Business District.**

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**MAINTENANCE IMPROVEMENT NO. G-07**

Location: Grandview Square Business District

Analysis of Assessment for Maintenance Improvement No. G-07, showed a total maintenance cost of \$20,927.68 against 461,701 assessable square feet at \$0.0453 up from last year's rate at \$0.0336 per square foot. One-year assessment payable in 2007.

No public written or oral comments were received.

**Motion made by Member Masica and seconded by Member Bennett closing the public hearing for Maintenance Improvement No. G-07 for Grandview Square Business District.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**Member Swenson made a motion approving Grandview Square Business District Maintenance Improvement Assessment G-07 Final Assessment Roll.** Member Masica seconded the motion.

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**AQUATIC WEEDS IMPROVEMENT - AQ-07**

Location: Arrowhead Lake, Indianhead Lake and Minnehaha Creek Millpond

ARROWHEAD LAKE

Analysis of special assessments for Aquatic Weeds Improvement No. AQ-07 for Arrowhead Lake showed a total of \$14,578.09 to be assessed against 36 parcels at \$404.95 per parcel. One year assessment, payable in 2008. A \$3.00 administrative fee has been added to each home.

INDIANHEAD LAKE

Analysis of special assessments for Aquatic Weeds Improvement No. AQ-07 for Indianhead Lake showed a total of \$13,568.35 to be assessed against 33 parcels at \$411.16 per parcel. One year assessment, payable in 2008. A \$3.00 administrative fee has been added to each home.

MINNEHAHA CREEK MILL POND

Analysis of special assessments for Aquatic Weeds Improvement No. AQ-07 for Minnehaha Creek Millpond showed a total of \$7,077.25 less \$900.00 City share of the cost, for a total of \$6177.25 to be assessed against 63 parcels at \$98.05 per parcel. One year assessment, payable in 2008. A \$3.00 administrative fee has been added to each home.

Public Comment

David Brown, 6433 Margarets Lane, expressed his concerns about the water quality of Arrowhead Lake. He said he believed the lake was in transition and requested assistance in saving the lake.

**Member Housh made a motion to close the public hearing seconded by Member Swenson for special assessments of Aquatic Weed Improvement No. AQ-07 for Arrowhead Lake, Indianhead Lake and Minnehaha Creek Mill Pond.**

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

**Motion made by Member Masica and seconded by Member Swenson approving special assessment Aquatic Weed Improvement AQ-07 for Arrowhead Lake, Indianhead Lake and Minnehaha Creek Mill Pond Final Assessment Roll.**

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

WEED MOWING IMPROVEMENT SPECIAL ASSESSMENT NO. WD-07

Location: Various Properties within the City of Edina

Analysis for special assessments for Weed Mowing Improvement No. WD-07 showed eleven parcels assessed as follows for Weed Mowing:

6309 France Ave. South	\$180.00	6509 Willow Wood Road	\$330.00
5801 Zenith Ave. South	\$180.00	6308 WilryanAve.	\$105.00
5921 France Ave. South	\$180.00	5125 William Ave.	\$105.00
5633 Woodcrest Drive	\$180.00	5013 Bedford Ave.	\$105.00
6905 Mark Terrace	\$180.00	5017 Indianola Ave.	\$134.90
5125 W. 49th Street	\$180.00	TOTAL	\$1,859.00

A \$30.00 administrative fee was assessed for each property.

No public written or oral comments were received.

**Member Bennett made a motion, seconded by Member Swenson to close the public hearing on Weed Mowing Improvement Special Assessment No. WD-07.**

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

**Motion made by Member Housh and seconded by Member Swenson approving the Weed Mowing Improvement Special Assessment No. WD-07 Final Assessment Roll.**

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**TREE REMOVAL IMPROVEMENT - TR-07**

Location : Various locations in the City of Edina

Analysis for special assessments for Tree Removal Improvement No. TR-07 showed parcels assessed as follows for removal of diseased trees:

5510 Highwood Drive West	\$900.00	2 years
4708 Merilane	\$1,813.88	3 years
416 Jackson Avenue	\$1,087.75	3 years
4116 62 <sup>nd</sup> Street West	\$882.00	2 years
4012 Wood End Drive	\$1,521.00	2 years
5818 Xerxes Avenue South	\$376.13	1 year
6736 Indian Way West	\$485.00	1 year
6201 Idylwood Lane	\$429.38	1 year

A \$30.00 administrative fee was assessed for each property.

No public written or oral comments were received.

**Member Swenson made a motion, seconded by Member Masica to close the public hearing on Tree Removal Assessment TR-07.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**Motion made by Member Masica and seconded by Member Bennett approving Assessment No. TR-07 for various Tree Removal Improvement locations.**

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**FENCE REPAIR ASSESSMENT - NO. FR-07**

Location: 6809 Creston Road

The property owner at 6809 Creston Road was requested to install a fence around the property due to the nuisance caused by the home when they were attempting to move it off the site. After due notification and inspections the City fenced the property to abate the nuisance at a cost of \$3,650.00 plus \$300.00 in administrative costs.

No written or oral comments were received.

**Member Housh made a motion seconded by Member Swenson to close the public hearing for Fence Repair Assessment No. FR-07.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**Motion made by Member Swenson and seconded by Member Bennett approving Special Assessment No. FR-07 or Fence Repair at 6809 Creston Road for a three-year assessment.**

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**Member Swenson introduced Resolution No. 2007-110 Levying Special Assessments for Various Public Improvements and Projects.** Member Bennett seconded the motion.

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**RESOLUTION NO. 112 ADOPTED CERTIFYING DELINQUENT UTILITY BILLS FOR COLLECTION IN 2008**

Finance Director Wallin explained that MS 444.075 allowed cities to certify delinquent utility bills for collection with property taxes. He noted that over 700 customers with delinquent bills totaling over \$359,000 were notified of the City's intent to certify their delinquent utility bills. Mr. Wallin said that the final certification would be reduced by those customers paying their delinquencies until November 21, 2007.

No written or oral comments were received.

**Member Swenson made a motion to close the public hearing.** Member Housh seconded the motion on Special Assessments.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**Member Masica made a motion to adopt Resolution No. 2007-112 certifying delinquent utility accounts for collection with the 2008 property taxes.** Member Bennett seconded the motion

Roll call:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**\*FINAL GATEWAY PROJECT ALTERNATIVE URBAN AREAWIDE REVIEW (AUAR) HEARING DATE SET NOVEMBER 5, 2007**

**Motion made by Member Swenson setting November 5, 2007 as the hearing date for the Final Gateway Project Alternative Urban Areawide Review.** Member Housh seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**PUBLIC COMMENT**

Kitty O'Dea, 4610 Bruce Avenue, requested the City Council review their public comment policy.

Julie Banker, 4000 Lynn Avenue, asked for further assistance with problem water. She presented her findings to the Council.

Mary Jo Aiken, 4548 France Avenue, presented a petition requesting sidewalk be constructed between 44<sup>th</sup> Street and 48<sup>th</sup> Street on the west side of France Avenue. Following discussion, **Member Swenson made a motion to receive the petition and refer it to the Engineering Department for processing.** Member Bennett seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

Tara Bizily, 4005 Lynn Avenue, presented results of water tests she had from water at her home. She urged the Council to provide assistance and to remedy the problem water as soon as possible.

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Nan Schwappach, 4010 Lynn Avenue asked for assistance with the water for residents of Lynn Avenue.

**\*BID AWARDED FOR PARK BUILDINGS KEYLESS ENTRY SYSTEM UPGRADE** Motion made by Member Swenson and seconded by Member Housh awarding contract for the Park Building keyless entry system upgrade to the recommended low bidder, Siemens Building Technologies, Inc. in the amount of \$29,250.00.

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

**BID AWARDED FOR NEW WELL #20 CONTRACT NO. PW 07-4** Following discussion, motion made by Member Swenson and seconded by Member Bennett noting the City Council approved location of the well at the south west corner of Bredesen Park and awarded the contract to the staff recommended low bidder, Keys Well Drilling Company for the amount of \$297,890.00,.

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

**\*BID AWARDED FOR PURCHASE OF A DUMP BOX FOR ONE-TON TRUCK - PUBLIC WORKS DEPARTMENT** Motion made by Member Swenson and seconded by Member Housh awarding contract for purchase of a truck box including hydraulics and snowplow for a one-ton truck, to the recommended low bidder, Aspen Equipment Co. (State of Minnesota Contract #437050) in the amount of \$32,364.59.

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

**\*BID AWARDED FOR CONTRACT NO 07-3PK COURTNEY FIELDS MAINTENANCE BUILDING - BRAEMAR PARK** Motion made by Member Swenson and seconded by Member Housh awarding Courtney Fields Maintenance Building in Braemar Park, Contract No. 07-3PK to the recommended low bidder, Prestige Builders of MN for the amount of \$157, 200.00.

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

**RESOLUTION NO. 2007-109 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 a majority of favorable votes of the Council accepting the donations.

Member Swenson introduced Resolution 2007-109, accepting various donations, and moved approval. Member Bennett seconded the motion.

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

**FINAL REPORT FROM THE BIKE EDINA TASK FORCE - CONTINUED UNTIL NOVEMBER 5, 2007** Mr. Hughes noted the Bike Edina Task Force had requested their Final Report be continued until November 5, 2007. Member Housh made a motion, seconded by Member Swenson to continue the Bike Edina Task Force Report to November 5, 2007.

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

**STAFF RECOMMENDATION OF PRIVATE FUND-RAISING VENTURE WITH EDINA COMMUNITY FOUNDATION** Mr. Hughes explained the Council at its Tuesday, October 2, 2007, joint work session with the Park Board, directed staff to place this proposed fund-raising project on

the Council's agenda to decide on the process that staff and Park Board should follow. He said the proposal was to raise donated funds via the Edina Athletic Facilities Foundation, which was an authorized committee of the Edina Community Foundation, for the purpose of developing an artificial turf multi-purpose athletic field with lights for Pamela Park.

Mr. Hughes noted the Edina Athletic Facilities Foundation was chaired by Park Board member George Klus and had established the following mission statement:

*The Edina Athletic Facilities Foundation supports the youth and adult recreation needs in the Edina Community. This Organization, with the support of the Edina Community Foundation, works to secure donations to fund new developments and improvements to Edina's public athletic facilities.*

*In cooperation with the Edina Athletic Associations and Clubs, School District, City of Edina and the community, we strive to provide premier recreation, training, and game facilities for the Community.*

Mr. Hughes said the Edina Athletic Facilities Foundation viewed the proposed Pamela Park project as a high priority. The multi-purpose athletic field would be used for soccer, football, rugby, ultimate Frisbee and softball. He added that before asking for private donations, the committee would like assurance that it was feasible to develop at the proposed location and secondly if the concept has the approval of Park Board and City Council. Mr. Hughes said staff had hired Anderson/Johnson and Associates to determine if this multi-purpose athletic field was feasible for the proposed location, to ensure that there were no wetland and floodplain issues that cannot be resolved; to determine the exact size and location of the proposed field; to determine the amount of additional parking needed for the site and its location; and to estimate total project costs.

Mr. Hughes reported preliminary conclusions suggest that the project would be physically feasible for the site, noting the final analysis would take another two months to complete. He asked for direction for staff and Park Board as to how to handle the public process for this matter. Mr. Hughes put forward staff's recommendation to mail public input meeting notices and public hearing notices to households that were within 1,000 feet of the park parcel where the field has been proposed. This would equate to just over 500 households. Following Park Board review, a recommendation would be sent to the Council for their consideration.

Park Director Keprios added the Park Board and staff believed the project was important enough that if fund-raising attempts did not succeed the project should be included in the Park Department's Capital Improvement Program.

The Council discussed the private fund-raising proposal. Issues discussed included transparency of costs of consultant to determine feasibility of the project, holding a public informational meeting and a public hearing at the Park Board before the Council would hold a hearing on the issue, and the notice area. Staff was directed to notify residents within 1,000 feet of all Pamela Park parcels, noting that when the 1000 feet split a street, both sides of the street be included in the notice. **Motion made by Member Swenson and seconded by Member Housh to authorize the Park Board to hold a public hearing on the proposed private fund-raising venture with the Edina Community Foundation to develop an artificial turf athletic field with lights at Pamela Park. The recommendation would also include a neighborhood public input meeting with staff and consultant prior to a Park Board Public Hearing.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

**\*RESOLUTION NO. 2007-111 ADOPTED AUTHORIZING EXECUTION OF PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT** Motion made by Member Swenson and seconded by Member Housh adopting Resolution No. 2007-111 authorizing the City of Edina to enter into an agreement with the Minnesota Department of Public Health Emergency Preparedness Pandemic Influenza and Cities Readiness Initiative.

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

**\*CONFIRMATION OF CLAIMS PAID** Motion made by Member Swenson and seconded by Member Housh approving payment of the following claims as shown in detail on the check register dated October 3, 2007, and consisting of 32 pages: General Fund \$167,420.23; Communications Fund \$5,127.58; Working Capital Fund \$64,741.95; Construction Fund \$6,142.95; Art Center Fund \$18,152.81; Golf Dome Fund \$1,263.66; Aquatic Center Fund \$2,085.31 Golf Course Fund \$22,391.84; Ice Arena Fund \$17,938.75; Edinborough/Centennial Lakes Fund \$20,769.54; Liquor Fund \$128,364.28; Utility Fund \$74,019.54; Storm Sewer Fund \$39,576.07; PSTF Fund \$2,755.11; Total \$570,749.62 and for approval of payment of claims dated October 10, 2007, and consisting of 31 pages: General Fund \$527,571.92; Communications Fund \$23,069.98; City Hall Debt Service \$900.00; Working Capital Fund \$162,546.81; Art Center Fund \$6,473.27; Golf Dome Fund \$209.96; Aquatic Center Fund \$7,229.69; Golf Course Fund \$23,403.57; Ice Arena Fund \$38,805.81; Edinborough/Centennial Lakes Fund \$2,489.16; Liquor Fund \$193,921.09; Utility Fund \$422,486.32; Storm Sewer Fund \$1,437.04; Recycling Fund \$125.00; PSTF Agency Fund \$5,269.57; Total \$1,415,939.19 for August 27, 2007-September 25, 2007 Credit Card Transactions consisting of one page: Total \$2,787.28.

Motion carried on rollcall vote - five ayes.

DISCUSSION OF PUBLIC COMMENT

The Mayor and Council briefly discussed the public comment portion of their meetings. No consensus was achieved. It was agreed that further discussion would take place at a future meeting.

There being no further business on the Council agenda, Mayor Hovland declared the meeting adjourned at 9:35p.m.

Respectfully submitted,

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Debra A. Mangan, City Clerk