

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
MAY 6, 2008
7:00 P.M.**

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

CONSENT AGENDA ITEMS APPROVED Motion made by Member Bennett and seconded by Member Swenson approving the Council Consent Agenda as presented with the exception of Item V.A. Appointment to Community Education Services Board.

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

MAY 2008 PROCLAIMED HERITAGE PRESERVATION MONTH Mayor Hovland proclaimed the month of May as Heritage 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 seconded by Member Housh proclaiming May 2008 as Heritage Preservation Month in Edina.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

MAY 18-24, 2008, NATIONAL PUBLIC WORKS WEEK PROCLAIMED After watching a short video highlighting the various aspects of everyday life that Public Works Employees enhance, Mayor Hovland encouraged all citizens and civic organizations to recognize the contributions public works officials make daily to our health, safety, comfort and quality of life.

Member Swenson made a motion proclaiming May 18-24, 2008, as National Public Works Week in Edina. Member Bennett seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

***APPROVAL OF MINUTES - Regular Meeting of April 15, 2008 and Special Meetings of March 27, 2008 and April 21, 2008** Motion made by Member Bennett and seconded by Member Swenson approving the minutes of the Regular Meeting of April 15, 2008 and Special Meetings of March 27, 2008 and April 21, 2008.

Motion carried on rollcall vote – five ayes.

APPLICANT WITHDREW REQUEST FOR-COMPREHENSIVE GUIDE PLAN AMENDMENT, PRELIMINARY REZONING, AND PRELIMINARY DEVELOPMENT PLAN – 5146 EDEN AVENUE. OPUS Mayor Hovland explained the applicant withdrew their request to redevelop the Public Works property located at 5146 Eden Avenue.

No formal action required.

PUBLIC COMMENT

Kim Montgomery, 5300 Evanswood Lane, spoke about the need for a public process whenever the sale of public property was contemplated. She suggested that there could be a public purpose that would serve the greater community on the existing Public Works site such as a community center that could be a teen gathering place.

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Virginia Kearney, 4226 Grimes Avenue, suggested that there should be a better process developed for communicating with the community when public land was going to be affected. She suggested that there be an overall plan developed for the 50th Street and Highway 100 area.

Steve Kelley, Former State Senator, 121 Blake Road, Hopkins, said he came to the meeting at the request of Kim Montgomery. Mr. Kelley said he was a senior fellow at the Humphrey Institute of Public Affairs. He spoke of the value of active public participation and the opportunity for the City to enable citizens to propose positive alternatives, and recommended that a plan for citizen output be activated. He offered the assistance of the Humphrey Institute to the City of Edina.

Vaughan Asselstine, 4413 Ellsworth Drive, stated that when decisions were made on public land, public need and public input must be put first. She urged the use of imagination when making such decisions for the good of the community as a whole.

Gert Lappin, 205 Coventry Court, said that she believed there were two issues to review: the process which should be followed to reach a decision and the decision. She said that not gathering public input violates the spirit of good decision making. Ms. Lappin called for frank open discussion of the issues.

Molly Forbes, 6516 West Shore Drive, stated she was an Edina High School Student and a member of Project Earth. She said that public land was a valuable asset and the existing public works site should be utilized for a community center. Ms. Forbes said teens would welcome a place to gather.

Ian Nelson, 4505 Garrison Lane, said he was a high school senior and Project Earth member. Mr. Nelson suggested that the public land on Eden Avenue would be a good green space or public transit location and such use would align with the Mayor's Climate Protection Agreement.

Laura Galarneau, 5012 Yvonne Terrace, asked that the public be given a say before private interest decisions were made.

Ron Rich, 7008 West Shore Drive, encouraged decisions that would be sustainable. He suggested that transit options were available and should be studied by the City. Mr. Rich said green options for re-development must be explored. He said the present Public Works facility would be an excellent location for a transit hub. Mr. Rich said the public must be allowed input before any decision on public land was made.

Peter Hall, 6109 Ridgeway Road, stated that one of the most pressing needs was for a park and ride facility. He suggested a facility with several hundred parking spaces that could be served by express buses, noting the central location of the Public Works site made it an ideal location for such a facility. He asked the Council to slow down and allow the public a chance to speak.

Gene Persha, 6917 Cornelia Drive, said public land must have public input in the decision process. He suggested a small area plan for the Grandview Area and asked that the transactions of the Con Agra site and the existing Public Works site be separated.

Regina Neville, 6113 Arctic Way, suggested the redevelopment of the Public Works site was an opportunity for Edina to see how “green” it could become. She encouraged continued public dialogue for the use of the site, adding one such use could be a youth center.

Larry Chestler, 5117 Mirror Lakes Drive, agreed with the previous speakers stating that public uses must be identified before any public land was sold. He suggested that the existing site’s proximity to the rail right of way was an important aspect to be considered in a transit use.

Jennifer Janovy, 4016 Inglewood Avenue, stated that she believed the Calvin Christian School was in violation of their Conditional Use Permit because the school as built was not in conformance with the plans submitted at approval time. She requested the Council review the issue and place a STOP work order on the property.

Ron Rich, 7008 West Shore Drive, asked about the status of the West 70th traffic study and when the West 70th Street group would be included in the process. He urged the Council to keep citizens updated.

Gene Persha, 6917 Cornelia Drive, thanked the Energy and Environment Commission and city staff for the excellent Energy Fair held at Centennial Lakes on Sunday, May 4, 2008. Mr. Persha also thanked all the dedicated volunteers for their efforts.

***AWARD OF BID LIFT CONTRACT NO. ENG 08-7 RICHMOND HILLS NEIGHBORHOOD RECONSTRUCTION, IMPROVEMENTS NO. BA-343, SS-439, WM-477 AND STS-344**
Motion made by Member Bennett and seconded by Member Swenson awarding the bid for Contract No. Eng 08-7 Richmond Hills Neighborhood Reconstruction, Improvements No. BA-343, SS-439, WM-477 and STS-344 to the recommended low bidder, Midwest Asphalt Corporation at \$520,122.85.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID FOURTH OF JULY FIRE WORKS** Motion made by Member Bennett and seconded by Member Swenson awarding the bid for Fourth of July Fire Works to the recommended low bidder, RES Specialty Pyrotechnics at \$15,000.00.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID FURNITURE FOR EDINA FIRE STATION NUMBER 1** Motion made by Member Bennett and seconded by Member Swenson awarding the bid for Furniture for Fire Station Number 1 to the recommended low bidder, Henricksen PSG at \$183,898.78.

Motion carried on rollcall vote – five ayes.

O’CONNELL APPOINTED TO COMMUNITY EDUCATION SERVICES BOARD AS PARK BOARD REPRESENTATIVE Motion made by Member Bennett and seconded by Member Masica appointing Ray O’Connell to the Community Education Services Board as the Edina Park Board Representative for a term ending June 30, 2009.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

***TEJAS LIQUOR LICENSE AMENDED TO INCLUDE 50TH STREET SIDEWALK CAFÉ**
Motion made by Member Bennett and seconded by Member Swenson to amend Tejas Liquor License to include the 50th Street Sidewalk Café.

Motion carried on rollcall vote – five ayes.

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RESOLUTION NO. 2008-46 APPROVED ACCEPTING VARIOUS DONATIONS Mayor Hovland explained that 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 Swenson introduced Resolution No. 2008-46 accepting various donations.
Member Masica seconded the motion.

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

***SOURCE SEPARATED ORGANICS LEGISLATION SUPPORTED** Motion made by **Member Bennett and seconded by Member Swenson to send letters of support to Edina legislative delegation: Sen. Michel, Rep. Erhardt and Rep. Peterson supporting SF 3517 re: Source Separated Organics.**

Motion carried on rollcall vote – five ayes.

***MAY 20, 2008, PUBLIC HEARING SET FOR ORDINANCE NO. 2008-04 AMENDING SECTION 850.11 OF EDINA ZONING REGULATIONS REGARDING FAR & HEIGHT OF SINGLE FAMILY HOMES** Motion made by Member Bennett and seconded by Member Swenson to set May 20, 2008 as the public hearing for Ordinance No. 2008-04 amending Section 850.11 of Edina Zoning Regulations regarding Floor Area Ratio (FAR) requirements and height for single family homes within the City of Edina.

Motion carried on rollcall vote – five ayes.

NOTE: A later motion of the Council during this meeting changed the date of this hearing to June 3, 2008.

***APPROVED 2008-2009 LABOR CONTRACT LOCAL 320 TEAMSTERS ANIMAL CONTROL/CSO** Motion made by Member Bennett and seconded by Member Swenson to approve the 2008-2009 Labor Contract for Local 320 Teamsters Animal Control/CSO.

Motion carried on rollcall vote – five ayes.

JUNE 16, 2008 JOINT MEETING DATE SET WITH EDINA SCHOOL BOARD Mr. Hughes explained the Edina School Board was available to meet with the Edina City Council on Monday, June 16, 2008 at 5:00 p.m. at the Edina School Board Offices on Normandale Boulevard. Consensus was that all members could attend this meeting. Information on demographics and student testing was requested to be sent out to Council before the meeting.

COUNTRY CLUB PLAN OF TREATMENT NOTIFICATION The Council discussed the various options available to notify residents of the Country Club District of the revisions to the Plan of Treatment. **Member Masica made a motion to send out an official mailed notice to residents of the Country Club District notifying residents of the changes to the Plan of Treatment.** Member Bennett seconded the motion.

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

***RESOLUTION NO. 2008-49 ADOPTED AUTHORIZING AN ORDER FOR DEMOLITION, 6321 TINGDALE AVENUE** Motion made by Member Bennett and seconded by Member Swenson to adopt Resolution No. 2008-49 authorizing an order for demolition at 6321 Tingdale Avenue.

Motion carried on rollcall vote – five ayes.

***CONFIRMATION OF CLAIMS PAID** Motion made by Member Bennett and seconded by Member Swenson approving payment of the following claims as shown in detail on the Check Register dated April 17, 2008, and consisting of 30 pages; General Fund \$253,125.01; CDBG Fund \$96.00; Communications Fund \$11.89; Working Capital Fund \$9,444.69; Art Center Fund \$8,447.23; Golf Dome Fund \$19,798.52; Aquatic Center Fund \$1,884.00; Golf Course Fund \$13,263.34; Ice Arena Fund \$15,516.68; Edinborough/Centennial Lakes Fund \$21,952.88; Liquor Fund \$146,040.03; Utility Fund \$75,597.03; Recycling Fund \$35,380.00; PSTF Agency Fund \$5,889.95; TOTAL \$606,447.25 and for approval of payment of claims dated April 24, 2008, and consisting of 25 pages: General Fund \$295,646.35; Communications Fund \$10,223.21; Working Capital Fund \$189,222.33; Art Center Fund \$223.52; Golf Dome Fund \$2,527.62; Aquatic Center Fund \$243.80; Golf Course Fund \$43,580.28; Ice Arena Fund \$3,934.13; Edinborough/Centennial Lakes Fund \$15,098.81; Liquor Fund \$152,185.89; Utility Fund \$33,960.17; Storm Sewer \$168.84; PSTF Agency Fund \$13,201.62; TOTAL \$760,216.57 and for approval of payment of claims dated May 1, 2008 and consisting of 32 pages: General Fund \$144,361.83; Communications Fund \$597.72; Working Capital Fund \$54,808.68; Construction Fund \$14,589.98; Art Center Fund \$23,176.35; Golf Dome Fund \$185.17; Aquatic Center Fund \$17,741.25; Golf Course Fund \$15,039.79; Ice Arena Fund \$1,143.24; Edinborough/Centennial Lakes Fund \$27,945.76; Liquor Fund \$122,763.01; Utility Fund \$76,007.77; Storm Sewer Fund \$4,886.24; PSTF Agency Fund \$4,250.60; TOTAL \$507,497.39 and for March 26, 2008 – April 25, 2008 Credit Card Transactions consisting of one page: Total \$1,847.43.

Motion carried on rollcall vote – five ayes.

MAY 20, 2008 HEARING DATE SET FOR CALVIN CHRISTIAN SCHOOL Member Bennett asked that the Council review the changes made to the Calvin Christian School between the approval of the Conditional Use Permit issued in August 2007 and the building as it was being constructed. **Member Bennett made a motion setting a public hearing for May 20, 2008 for the Calvin Christian School Conditional Use Permit.** Member Masica seconded the motion

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

Member Swenson made a motion changing the date to June 3, 2008, for the public hearing on Ordinance No. 2008-04 amending Section 850.11 of Edina Zoning Regulations regarding Floor Area Ratio (FAR) requirements and height for single family homes within the City of Edina. Member Housh 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 9:15 p.m.

Respectfully submitted,

Debra A. Mangen, City Clerk