

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
JULY 15, 2008  
7:00 P.M.**

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

**CONSENT AGENDA ITEMS APPROVED** Motion made by Member Bennett and seconded by Member Swenson approving the Council Consent Agenda as presented with exceptions of: Item III. C. 2009 Ice Control Purchase; Item III. D. 50<sup>th</sup> and France Granite Planter Repair; Item III. E. 50<sup>th</sup> and France Ramp Repairs; Item IV. C. Resolution No. 2008-64 Authorizing Application to MnDOT Community Roadside Landscaping Partnership TH 100 & 77<sup>th</sup> Street; and Item IV. E. Agreement Regarding Right-of-Way, 4924 France Avenue.

Rollcall:

Ayes: Bennett, Masica, Swenson, Hovland

Motion carried.

**\*APPROVAL OF MINUTES - REGULAR MEETING OF JULY 1, 2008, AND STUDY SESSION OF JUNE 24, 2008** Motion made by Member Bennett and seconded by Member Swenson approving the minutes of the Regular Meeting of July 1, 2008, and Study Session of June 24, 2008.

Motion carried on rollcall vote – four ayes.

**PUBLIC COMMENT**

No one appeared for public comment.

**\*AWARD OF BID CONTRACT NO. ENG 08-10 HALIFAX AVENUE SIDEWALK 51<sup>ST</sup> STREET TO 54<sup>TH</sup> STREET** Motion made by Member Bennett and seconded by Member Swenson awarding the bid for the Halifax Avenue Sidewalk from 51<sup>st</sup> Street to 54<sup>th</sup> Street to the recommended low bidder Bailey Construction in the amount of \$81,292.00.

Motion carried on rollcall vote – four ayes.

**\*AWARD OF BID CONTRACT NO. ENG 08-11 VERNON AVENUE SIDEWALK** Motion made by Member Bennett and seconded by Member Swenson awarding the bid for the Vernon Avenue sidewalk to the recommended low bidder Northwest Asphalt in the amount of \$17,634.50.

Motion carried on rollcall vote – four ayes.

**AWARD OF BID 2009 ICE CONTROL PURCHASE** Member Bennett noted she had a conflict with her husband's employment and would not be voting on this award of bid. **Motion made by Member Swenson and seconded by Member Masica awarding the 2009 Ice Control purchase to recommended low bidder North America Salt Company (State contract #439501) for regular road salt at \$51.44 per ton delivered and to Cargill Inc. (State contract #439592) for treated road salt at \$66.95 per ton delivered.**

Ayes: Masica, Swenson, Hovland

Abstain: Bennett

Motion carried.

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**AWARD OF BID 50<sup>TH</sup> STREET AND FRANCE AVENUE GRANITE PLANTER REPAIR**

Member Masica asked the location of the planter to be repaired and added she had received complaints about the planter located near the Edina Liquor Store and the alleyway. Staff informed Council the planter was located by the middle ramp. He added the planter she had a question about had been struck by a car and was in the process of being repaired with the repairs covered by insurance. **Motion made by Member Masica and seconded by Member Swenson awarding the bid for the 50<sup>th</sup> Street and France Avenue granite planter repair to the recommended low bidder Twin City Tile and Marble Company at \$18,636.00.**

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

**AWARD OF BID 50<sup>TH</sup> STREET AND FRANCE AVENUE RAMP REPAIRS**

Member Masica asked about some general maintenance to the ramps at 50<sup>th</sup> and France. Staff explained the tentative schedule for the maintenance to the ramps in the 50<sup>th</sup> and France Business District. **Motion made by Member Masica and seconded by Member Swenson awarding the bid for the 50<sup>th</sup> Street and France Avenue ramp repairs to recommended low bidder Restoration System at \$27,815.00.**

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

**RESOLUTION NO. 2008-58 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. 2008-58 accepting various donations.**

Member Bennett seconded the motion.

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

**RESOLUTION NO. 2008-63 ADOPTED ENDORSING ROBERT J. KOJETIN FOR RE-APPOINTMENT TO NINE MILE CREEK WATERSHED BOARD**

Manager Hughes noted that Mr. Kojetin had served for two previous terms on the Nine Mile Creek Watershed Board of Directors. **Motion made by Member Masica and seconded by Member Swenson adopting Resolution No. 2008-63 endorsing Robert J. Kojetin for re-appointment to the Nine Mile Creek Watershed Board.**

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

**RESOLUTION NO. 2008-64 ADOPTED AUTHORIZING APPLICATION TO MNDOT COMMUNITY ROADSIDE LANDSCAPING PARTNERSHIP TH100 & 77<sup>TH</sup> STREET**

Mr. Hughes explained the process the City had followed previously when utilizing this type of MnDOT landscaping grant. **Motion made by Member Masica and seconded by Member Bennett adopting Resolution No. 2008-64 authorizing application to MnDOT Community Roadside Landscaping Partnership TH100 & 77<sup>th</sup> Street.**

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

**TRAFFIC SAFETY REPORT OF JULY 10, 2008, APPROVED AND RESOLUTION NO. 2008-66 ADOPTED BANNING PARKING ON INTERLACHEN BOULEVARD**

Mr. Hughes explained that the Traffic Safety Committee was recommending the Council adopt a resolution banning parking on portions of Interlachen Boulevard and Blake Road in order to allow the on-street bike lanes. Following a brief discussion, **Member Masica made a motion that was**

seconded by Member Swenson approving the Traffic Safety Report of July 10, 2008, and adopting Resolution No. 2008-66 banning parking on Interlachen Boulevard from Vernon Avenue to Blake Road and along Blake Road from Interlachen Boulevard north to the City limits.

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

**ENCROACHMENT AGREEMENT APPROVED FOR 4924 FRANCE AVENUE** Member Swenson asked that something be added to quantify what would constitute demolition triggering the termination of the encroachment agreement. Attorney Knutson suggested the following: Item 6. Termination be amended to read: "This agreement shall terminate and Truco shall promptly remove the encroachment into the Sidewalk Parcel and the Utility Easement; upon the removal, demolition or destruction of fifty (50) percent or more of the Truco Building on the Subject Property..." **Motion made by Member Swenson and seconded by Member Bennett approving an encroachment agreement for 4924 France Avenue.**

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

**\*HEARING DATE OF AUGUST 4, 2008, SET FOR REVISED FINAL DEVELOPMENT PLAN, 7300 BUSH LAKE ROAD, RINK PROPERTIES, LLC** Motion made by Member Bennett and seconded by Member Swenson setting a date of August 4, 2008 for the Revised Final Development Plan for 7300 Bush Lake Road, Rink Properties, LLC.

Motion carried on rollcall vote – four ayes.

**STUDENT APPOINTMENTS MADE TO BOARDS AND COMMISSIONS** Mr. Hughes noted the Council had reviewed the students' applications and selected a slate of candidates for appointment to the student positions on the City's advisory boards and commissions. **Member Masica made a motion that was seconded by Member Bennett appointing the following students to various City advisory boards and commissions as noted below for a one-year term beginning September 1, 2008:**

Sharanya Srinivasan	Art Center Board
Dolan Lee	Community Health Committee
Hailey Lee	Energy & Environment Commission
Elizabeth Montgomery	Heritage Preservation Board
Shara Mohtadi	Human Rights & Relations Commission
Julie Sierks	Transportation Commission
Patrick Schnettler	Planning Commission
Benjamin Fox Pobuda	Park Board

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

**\*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 July 3, 2008, and consisting of 31 pages: General Fund \$269,406.29; CDBG Fund \$7,695.00; Working Capital Fund \$205,660.11; Art Center Fund \$10,548.04; Golf Dome Fund \$1,251.99; Aquatic Center Fund \$6,465.19; Golf Course Fund \$30,032.33; Ice Arena Fund \$9,267.95; Edinborough/Centennial Lakes Fund \$18,112.62; Liquor Fund \$219,750.20; Utility Fund \$77,125.49; Storm Sewer Fund \$30,767.02; TOTAL \$886,082.23 and for approval of payment of claims dated July 10, 2008, and consisting of 28 pages: General Fund \$80,712.90; Communications Fund \$3,840.37; Working Capital Fund \$94,368.55; Art Center Fund \$4,943.79; Aquatic Center Fund \$19,515.03; Golf Course Fund \$7,783.29; Ice Arena Fund \$21,861.09;

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**Edinborough/Centennial Lakes Fund \$26,625.28; Liquor Fund \$180,339.65; Utility Fund \$325,711.22; Storm Sewer \$381.56; PSTF Agency Fund \$9,504.24; TOTAL \$775,586.97 and Credit Card Transactions May 26 – June 25, 2008 TOTAL \$6,013.85.**

Motion carried on rollcall vote – four ayes.

**RESOLUTION NO. 2008-65 ADOPTED CALLING THE AUGUST 4, 2008, BOND SALE SERIES 2008A AND SERIES 2008B**

Finance Director Wallin stated staff was requesting the Council set the date for the sale of \$13,985,000 G.O. Utility Revenue Bonds, Series 2008A and \$7,755,000 G.O. Permanent Improvement Revolving Fund Bonds, Series 2008B. Mr. Wallin explained utility bonds were being issued to finance various water, sanitary sewer and storm sewer projects throughout the City pursuant to a water and sewer rate study and the City's capital improvement plan. He said the Permanent Improvement Bonds were being issued to fund the assessment of the street reconstruction projects pursuant to MS, Sect. 429. Council questions included whether or not the proposed bonds would be paid by a tax levy, whether there was additional bond capacity available to Edina for bank-qualified bonds, and a request for clarification of how utility fund improvements were funded. Staff explained the bonds would not be funded by a tax levy, but rather by special assessments or fees collected through the utility fund. Mr. Wallin said Edina had no more bank-qualified bond capacity for 2008. He explained that utility fees pay the cost of improvements either directly or through the debt service of utility bonds. **Member Masica made a motion that was seconded by Member Swenson adopting Resolution No. 2008-65 providing for the August 4, 2008, sale of \$13,985,000 G.O. Utility Revenue Bonds, Series 2008A and \$7,755,000 G.O. Permanent Improvement Revolving Fund Bonds, Series 2008B.**

Ayes: Bennett, Masica, Swenson, Hovland

Motion carried.

**\*PETITION RECEIVED REQUESTING CURB AND GUTTER, 6025 FAIRFAX AVENUE**  
**Motion made by Member Bennett and seconded by Member Swenson receiving a petition requesting curb and gutter at 6025 Fairfax Avenue and referring the petition to Engineering for processing as to feasibility.**

Motion carried on rollcall vote – four ayes.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 8:15 p.m.

Respectfully submitted,

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Debra A. Mangen, City Clerk