

**MINUTES  
OF THE WORK SESSION OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
AUGUST 2, 2010  
5:20 P.M.**

**ROLLCALL** Answering rollcall were Members Bennett, Brindle, Housh, Swenson and Mayor Hovland. Staff present: Heather Worthington, Interim City Manager; Kris Aaker, Assistant City Planner; Joyce Repya, Associate City Planner; Jeff Long, Police Chief; Wayne Houle, City Engineer/Public Works Director; Jennifer Bennerotte, Communications and Marketing Director; Ceil Smith, Assistant to the City Manager; Roger Knutson, City Attorney; and Debra Mangen, City Clerk.

Planning Commissioners attending included: Floyd Grabel, Jeff Carpenter, Michael Fischer, Michael Schroeder, Kevin Staunton, Arlene Forrest, and Nancy Scherer. Attending from the Zoning Board of Appeals was Michael Birdman.

Mayor Hovland called the meeting to order and stated the purpose of the meeting was to have a preliminary discussion regarding contracting with the City of Golden Valley to provide emergency dispatching services and to receive information from City Attorney, Roger Knutson, regarding the Supreme Court Ruling A-08-1988 relative to issuance of variances.

**Dispatch Services – Golden Valley**

Manager Worthington explained the City had been approached several months ago regarding providing a proposal for emergency services for the City of Golden Valley. Three communities: Edina, St. Louis Park and Minneapolis submitted proposals. The City of Golden Valley currently contracts with the City of St. Louis Park.

Chief Long gave some details about technical aspects of providing dispatching services to another community.

Staff and City Council members discussed potential impacts on Edina regarding: call volume, impact on staffing needs, technology needs and cost. The discussion also included potential charges, contract terms, and liability. Consensus was to place the issue on the next Council agenda which will allow staff to negotiate terms of a possible contract.

**Ruling State of Minnesota In Supreme Court A08-1988**

City Attorney Knutson briefly synopsised the findings of the Supreme Court Case A08-1988. He explained this ruling had extensive impact on land use decisions of cities in Minnesota because the definition of “hardship” under the context of variance has been changed. Mr. Knutson noted that for years hardship’s definition was: “undue hardship meant the property could not be put to a reasonable use...” However, now the meaning has been changed to: “without the variance an owner would have no reasonable use of the property.” This change has significant meaning in the granting of variances by cities.

Council, Planning Commissioners and staff discussed possible solutions for the problem. Staff was directed to look into possible alternative setback ordinance language. It was also noted that the Planning Commission was working on a PUD code that would help solve the issue for commercial property. These proposed code changes could alleviate the challenges the new ruling may cause.

Mayor Hovland adjourned the meeting at 6:30 p.m.

Respectfully submitted,

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Debra A. Mangen, City Clerk

Minutes approved by Edina City Council, August 17, 2010.

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James B. Hovland, Mayor