

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
DECEMBER 21, 2010
7:06 P.M.**

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

CONSENT AGENDA ITEMS APPROVED Motion made by Member Housh and seconded by Member Bennett approving the Council consent agenda.

Rollcall:

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

COUNCILMEMBER HOUSH RECOGNIZED Mayor Hovland read in full a resolution of commendation to Scot Housh for his ten years of service, from 2001 through 2010, on the City Council and Housing and Redevelopment Authority, as well as, Mayor Pro Tem. **Member Bennett introduced and moved adoption of Resolution No. 2010-131, Resolution of Commendation.** Member Brindle seconded the motion.

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

Mayor Hovland indicated Member Housh had served in stellar fashion and presented him with a plaque of appreciation. The Council and audience responded with a round of applause.

Member Housh thanked the community for the opportunity to serve, as well as, present and past colleagues, Edina staff, and City Manager Neal. He suggested the City continue the tradition it started ten years ago with Vision 2020 by revisiting it once the demographic information was received to assure planning for the future.

VOLUNTEERS AND FIRE DEPARTMENT RECOGNIZED Fire Chief Scheerer explained that on November 26, 2010, at Braemar Ice Arena, referee Kevin Whipple suffered cardiac arrest. Fire Fighter Justin Johnson and others responded quickly, began CPR, and used an AED to restart Mr. Whipple's heart rhythm. Due to their professional actions Mr. Whipple recovered and was in attendance at the Council meeting. Chief Scheerer presented a Certificate of Merit to Fire Fighter Justin Johnson, Dr. Nick Schneeman, Nurse Mary Kay Hobday and Physical Therapist Lisa Leininger. Mr. Whipple expressed his appreciation to those who had come to his rescue and to the City for positioning AEDs in public places to save lives. The Council and audience responded with a round of applause.

***MINUTES APPROVED – REGULAR MEETING OF DECEMBER 7, 2010, AND EXECUTIVE SESSION OF DECEMBER 13, 2010** Motion made by Member Housh and seconded by Member Bennett approving the minutes of the regular meeting of December 7, 2010, and executive session of December 13, 2010.

Motion carried on rollcall vote – five ayes.

PUBLIC HEARING HELD ON FINAL DEVELOPMENT PLAN AND FINAL REZONING, YMCA, 7355 YORK AVENUE – RESOLUTION NO. 2010-129 ADOPTED – ORDINANCE NO. 850-35 GRANTED FIRST READING Affidavits of Notice presented and ordered placed on file.

Planning Director Presentation

Planning Director Teague presented the request of the YMCA for Final Development Plan and Final Rezoning to build a 15,300 square-foot addition to the existing YMCA at 7355 York Avenue to add a new leisure pool, fitness center, and studio. The issues raised during Preliminary Plat had been addressed by the proponent related to a sidewalk through the middle of the parking lot to provide safer access and connection with the street, reverse of circulation on the east side of the building, parking lot redesign to include islands and standard curb to separate the walkway from parking, addition of a pick up/drop off area, inclusion of a bicycle

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rack, and upgraded landscape plan. Mr. Teague presented staff's rationale to support the YMCA request for the proposed zoning, and staff's conclusion that the use was appropriate and the City would benefit from an upgraded YMCA facility. Mr. Teague indicated the Planning Commission supported the requested rezoning. The Council asked questions of Mr. Teague about the application, depth and number of parking stalls, and zoning districts that would accommodate a health club.

Proponent Presentation

Anita Lancello Bydlon, YMCA Vice President of Property Management and New Development, introduced the development team and stated their appreciation for the valued feedback and input. She advised that the plan had been revised to meet all the conditions and the YMCA believed this plan would meet the needs of the consumer.

Greg Fenton, BWBR Architects, displayed floor plans to describe the planned expansion plan, presented colored pictures of the subject site, and exterior building materials board. He answered questions of the Council and indicated the YMCA and design team had no issues with the recommended conditions of approval or rezoning from R-1 to POD-1.

The Council indicated support of the consumer friendly building design and asked that the hand drawn exhibit be identified as "site plan" since it was referenced in the conditions of approval. Mr. Fenton described how the covered walkway had been redesigned to address Council's suggestions during Preliminary Plan consideration. Mr. Teague advised that staff would work with Metro Transit to relocate the York Avenue bus stop. Mr. Fenton addressed the points of emergency building access and that consumers would enter and exit from the main entrance. He stated there were no loading docks so deliveries were taken at the front and back doors and larger deliveries would be a scheduled event.

Mayor Hovland opened the public hearing at 7:43 p.m.

Public Testimony

No one appeared to testify.

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

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

Member Bennett introduced and moved adoption of Resolution No. 2010-129, approving a Final Development Plan and Final Rezoning for the YMCA site at 7355 York Avenue, with the following findings:

- 1. The rezoning was consistent with the Comprehensive Plan which designates the site for Mixed Use.**
- 2. The City would benefit from a new and improved YMCA facility. The site would continue with a use that had been there since the early 1970s.**
- 3. The existing roadways would support the proposed project.**
- 4. The proposed plans meet all minimum Zoning Ordinance requirements.**
- 5. The Final Development Plan was consistent with approved Preliminary Development Plan.**

And subject to the following conditions:

- 1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:**
 - Site plan date stamped October 29, 2010, and December 6, 2010**
 - Grading plan date stamped October 29, 2010**
 - Landscaping plan date stamped October 29, 2010**
 - Building elevations date stamped October 29, 2010**
 - Building materials board including colors as presented at the Planning Commission and City Council meetings.**

2. Prior to the issuance of a building permit, a final landscape plan must be submitted, subject to staff approval. Additionally, a performance bond, letter of credit, or cash deposit must be submitted for one and one-half times the cost amount for completing the required landscaping, screening, or erosion control measures.
3. The property owner was responsible for replacing any required landscaping that dies.
4. Submit a copy of the Nine Mile Creek Watershed District permit. The City may require revisions to the approved plans to meet the District's requirements.
5. Compliance with the conditions required by the Transportation Commission.
6. Compliance with the conditions required by the city engineer in his memo dated November 19, 2010.
7. The new sidewalk through the parking lot must be installed with a standard curb, subject to review and approval of the city engineer prior to issuance of a building permit.

And to grant First Reading of Ordinance No. 850-35, rezoning 7355 York Avenue from R-1, single dwelling unit district to POD-1, planned office district.

Member Housh seconded the motion.

The Council discussed the appropriateness of the current Comprehensive Plan guiding of Mixed Use Center for this property and POD-1 zoning classification that provided greater control for the future. The Council commended the YMCA design team and, in particular, BWBR Architects for complying with the City's suggestions to upgrade this facility.

Rollcall:

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

PUBLIC HEARING HELD ON FINAL DEVELOPMENT PLAN, BRUCE CARLSON/CENTENNIAL LAKES/WHOLE FOOD, 7401 FRANCE AVENUE – RESOLUTION NO. 2010-130 ADOPTED Affidavits of Notice presented and ordered placed on file.

Planning Director Presentation

Mr. Teague presented the request of Bruce Carlson, on behalf of Whole Foods, for a Final Development Plan to tear down Storables and Thomasville Furniture and build a new Whole Foods grocery store at 7401 France Avenue. He presented exterior elevations and site plan, and advised that no variances were being requested. It was noted the issues raised had been resolved regarding the entrance on Parklawn Avenue, addition of a sidewalk along France Avenue to provide connectivity, and inclusion of four islands in the parking lot. Mr. Teague stated the parking and landscaping meets Code requirements and staff recommended approval of the Final Development Plan with the conditions outlined in the staff report.

The Council discussed pedestrian access at the southeast corner of the building and questioned the need for a crosswalk at the parking lot exit. Public Works Director/City Engineer Houle explained there was a sidewalk on either side of the driveway but a crosswalk was not marked at this time. The Council indicated support for a striped crosswalk at that location to enhance pedestrian safety.

Proponent Presentation

Bruce Carlson, Project Director for Mid-America Real Estate, introduced himself and the design team and explained this space was remarketed and a lease signed with Whole Foods. He explained that a new building would be constructed for Whole Foods to assure its specific needs were met and advised that construction would start in March and open the new store in the spring of 2012.

Kathy Anderson, Architectural Consortium, described the issues considered in the design of this site for Whole Foods. She stated it would be a wonderful addition that tied into the existing architecture with a strong front entry to transition to the patio area. Glass features were added to the France Avenue elevation as well as extensive landscaping to reflect the theme of Centennial Lakes.

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The Council indicated that the west and south design was stunning but expressed concern with the massive brick appearance of the north and east elevations and stated a preference to incorporate enhancements and a better designed entrance. Ms. Anderson noted that extensive landscaping would screen the northern façade. The east elevation would not accommodate clear glass windows due to the interior configuration but would incorporate a pedestrian boulevard as well as extensive landscaping. Mr. Carlson explained the design team tried to blend with existing architecture but would welcome glass advertising windows on the east elevation, if allowed by Code. Mr. Carlson stated their original plan included leasable shops on each side but was not warranted with current market conditions. However, that may be proposed in the future since the site was over parked. The Council concurred that Whole Foods was a desirable occupant and suggested the eastern elevation be redesigned to include more glass and accents to create inviting ornamentation. Ms. Anderson assured the Council this could be accomplished.

Mayor Hovland opened the public hearing at 8:21 p.m.

Public Testimony

Paul Rehkamp, 903 Coventry Place, addressed the Council.

Andrew Brown, 5512 Park Place, addressed the Council.

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

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

Dan Blackburn, Store Manager and Team Leader, advised there would be no incineration, a fully enclosed compactor would be used, and recyclables would be sent to Chicago. He stated Whole Foods would receive two semi truck deliveries per day, at most, before 6:30 a.m., and on occasion a trailer would be dropped for a short period of time, such as the Thanksgiving season. The other deliveries were by panel vans.

Dan Park, Westwood Civil Engineer, explained how industry standards were used to design truck access to the loading dock.

The Council asked questions of the design team regarding the project and placement of bicycle racks. Mr. Houle stated the Council could consider approval and direct staff to work with the proponent to enhance the eastern elevation. The Council concurred with that suggestion, noting Code would authorize staff to approve those changes. Mr. Carlson advised of their timeline and stated he was confident the design team and staff could address the Council's concerns with the eastern elevation through landscaping. **Member Brindle introduced and moved adoption of Resolution No. 2010-130, approving a Final Development Plan for Whole Foods at 7401 France Avenue, with the following findings:**

- 1. The proposal would meet the required standards and ordinances for a Final Development Plan.**
- 2. Westwood Professional Services conducted a traffic impact study, and concluded that the existing roadway system could support the proposed project.**

Approval of the Final Development Plan was subject to the following conditions:

- 1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:**
 - **Site plan date stamped December 13, 2010**
 - **Grading plan date stamped October 29, 2010**
 - **Landscaping plan date stamped December 13, 2010**
 - **Building elevations date stamped October 29, 2010**
 - **Building materials board including colors as presented at the Planning Commission and City Council meetings.**
- 2. Prior to the issuance of a building permit, a final landscape plan must be submitted, subject to staff approval. Additionally, a performance bond, letter of credit, or cash deposit must be submitted for one**

and one-half times the cost amount for completing the required landscaping, screening, or erosion control measures.

3. The property owner was responsible for replacing any required landscaping that dies.
4. Submit a copy of the Nine Mile Creek Watershed District permit. The City may require revisions to the approved plans to meet the District's requirements.
5. Compliance with the conditions required by the Transportation Commission.
6. Compliance with the conditions required by the city engineer in his memo dated December 16, 2010.
7. Enhancement to the eastern elevation subject to approval by City Planner.

Member Swenson seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

***AWARD OF BID – EIGHT FORD CROWN VICTORIAS – POLICE DEPARTMENT** Motion made by Member Housh and seconded by Member Bennett awarding the bid for eight Ford Crown Victoria Squad Cars, Police Department, to the recommended low bidder, Elk River Ford at \$183,057.12.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID – THREE CHEVROLET EQUINOXES – POLICE DEPARTMENT** Motion made by Member Housh and seconded by Member Bennett awarding the bid for three Chevrolet Equinoxes, Police Department, to the recommended low bidder, Thane Hawkins Polar Chevrolet at \$62,210.45.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID – COUNCIL CHAMBERS AND COMMUNITY ROOM AUDIO SYSTEMS UPGRADES** Motion made by Member Housh and seconded by Member Bennett awarding the bid for Council chambers and community room audio system upgrades to the recommended low bidder, Alpha Video & Digital at \$14,070.

Motion carried on rollcall vote – five ayes.

RESOLUTION NO. 2010-123 ADOPTED – 2011 OPERATING BUDGETS & 2011 TAX LEVY APPROVED Finance Director Wallin recommended adoption of the 2011 operating budgets and 2011 tax levy. It was noted the 2011 budget had been considered at eight meetings, a public hearing held at the December 7, 2010, Council meeting, and included a 1.15 percent total operating and debt levy increase. This would result in a tax increase of \$18 per year, for the City's portion, for a median valued house. Mr. Wallin reviewed the cuts in services that would have resulted with a zero percent operating and debt levy increase. **Member Housh introduced and moved adoption of Resolution No. 2010-123 adopting the budget for the City of Edina for the year 2011, and establishing tax levy for year 2011, payable in 2011.** Member Brindle seconded the motion.

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

***COMMUNITY HEALTH SERVICES AGREEMENT WITH BLOOMINGTON RENEWED** Motion made by Member Housh and seconded by Member Bennett renewing the Community Health Services Agreement with Bloomington Public Health Division for \$183,706 for calendar year 2011.

Motion carried on rollcall vote – five ayes.

***PUBLIC HEALTH EMERGENCY PREPAREDNESS AGREEMENT WITH BLOOMINGTON RENEWED** Motion made by Member Housh and seconded by Member Bennett renewing the Public Health Emergency Preparedness Agreement with Bloomington Public Health for \$38,384.

Motion carried on rollcall vote – five ayes.

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***RESOLUTION NO. 2010-124 ADOPTED – ART CENTER FEE SET** Motion made by Member Housh and seconded by Member Bennett to adopt Resolution No. 2010-124, correcting 2011 Art Center fees and charges.

Motion carried on rollcall vote – five ayes.

ORDINANCE NO. 2010-20 ADOPTED – CODE SECTION 185 SCHEDULE A AMENDED – CERTAIN FEES INCREASED Mr. Wallin advised that the City of Minneapolis had adopted its water rate as confirmed in the first reading. **Member Swenson made a motion, seconded by Member Brindle, to waive Second Reading adopting Ordinance No. 2010-20, amending Code Section 185 Schedule A increasing certain fees.**

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

ORDINANCE NO. 2010-17 ADOPTED – REGARDING NON-CONFORMING BUILDINGS AND USES AND ADDITIONS TO OR REPLACEMENT OF HOMES WITH A FIRST FLOOR ELEVATION OVER ONE FOOT ABOVE THE EXISTING HOME'S FIRST FLOOR ELEVATION Mr. Teague indicated the ordinance had been revised per Council direction at First Reading. The three circumstances to make a CUP request would be if there was a FEMA flood elevation issue, a ground water issue, or a building code issue. The house would be required to fit the character of the neighborhood with regard to height, mass, and scale. Staff recommended approval of second reading.

Bob Obermeyer, Barr Engineering, stated he had worked with Edina for 35 years on storm water management, met with staff to review the proposed ordinance, and recommended language that covered engineering aspects. The Council asked questions of Mr. Obermeyer regarding the process, timeframe, and cost for soil borings and hydrology reports. Mr. Obermeyer advised that the proposed language required what was typical for home construction, the industry standard, to assure installation of proper footings and estimated the cost for soil borings and testing at \$1,000 to \$2,000. He explained how mottled soils would be analyzed to determine the ordinary high water mark, which could fluctuate during drought conditions and were currently four to five feet below mottled soils. Discussion ensued regarding whether language needed to be included in the ordinance, since it was standard practice, and reluctance was expressed about adding another layer of government regulation if it was not needed. Mr. Obermeyer stated it was his professional opinion that \$1,000 to \$2,000 would be well spent to obtain a professional determination prior to constructing so residents would not end up with a wet basement. Mr. Teague noted this would only be required if the resident wanted to raise the first floor elevation over one foot rather than a more costly process of digging down to obtain adequate basement ceiling height.

The Council acknowledged this process started because of the City's inability to grant a variance. Mr. Teague stated that was correct and noted the current Code did not include specific language requiring proof that a ground water issue existed as part of a variance application. It was noted that if the Code did not require a professional analysis, the homeowner would be asked to rely on the builder to make that determination. The Council indicated the City had a governmental interest to assure the home was constructed in a proper manner, without creating an adverse situation or excessive height, and without creating a drainage issue. The Planning Commission was recognized for its creative solution to address residents' needs in making this recommendation.

The Council considered a suggestion to revise the ordinance language to allow for eight-foot ceilings in walkout living space, and to allow analysis by a hydrologic engineer or historical data. The Council determined to support the State Building Code, which required a minimum of seven-foot ceiling height rather than mandating its own building code by creating a new minimum ceiling height. It also determined it would be a mistake to allow proof via historical data alone, noting the draft language required a professional underpinning that the City could cite as rationale to consider a CUP.

The Council discussed the area of notice, noting that a CUP (traditionally for more commercial uses) notices properties within 1,000 feet of the subject site while a variance required notification of properties within 200 feet of the subject site. It was felt that CUP considerations under this ordinance would not have neighborhood impact, only surrounding home impact, so a 200-foot notification would be sufficient. City Attorney Knutson expressed a reluctance to redraft an ordinance at a meeting and advised the State statute contained a minimum requirement for notice. Council consensus was reached to ask staff to determine a practical way to provide adequate notice for a residential CUP. **Member Housh made a motion, seconded by Member Swenson, to waive Second Reading adopting Ordinance No. 2010-17, amending the Zoning Ordinance concerning nonconforming buildings and uses and additions to or replacement of homes with a first floor elevation over one foot above the existing homes for first floor elevation.**

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

ORDINANCE NO. 2010-18 ADOPTED – REGARDING ADMINISTRATION AND PROCEDURES OF THE ZONING ORDINANCE AND ESTABLISHING A PUD DISTRICT Mr. Teague indicated the ordinance had been revised per Council direction at first reading and staff recommended adoption on second reading. The Council acknowledged the great work done by the Planning Commission in making this recommendation. **Member Swenson made a motion, seconded by Member Housh, to waive Second Reading adopting Ordinance No. 2010-18, amending the Zoning Ordinance concerning administration and procedures and establishing a PUD District.**

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

ORDINANCE NO. 2010-21 ADOPTED – CODE SECTION 1435 CONCERNING THE OPERATION OF ALL TERRAIN VEHICLES, MOTORCYCLES, AND SNOWMOBILES ON PUBLIC PROPERTY AMENDED Director of Parks and Recreation Keprios presented the recommendation of the Park Board to approve Ordinance 2010-21 amending Ordinance section 1435.03, subdivision 2, to give the City Manager and Park Director authority to grant use of all-terrain vehicles (ATVs) and snowmobiles on City-owned public property to groom ski trails or conduct maintenance tasks, but not to grant trail use for recreational purposes. The proposed ordinance would give the same authority to the School Superintendent and Building and Ground Maintenance Supervisor to grant use of the same equipment for the same purposes on school district-owned property. He reviewed the revised language as requested by Member Bennett that specifically identified the position title that would be authorized to grant permission. Mr. Keprios indicated that permission would be granted via a written permit stating the dates, times, and locations. **Member Swenson made a motion, seconded by Member Housh, to grant First Reading and waive Second Reading adopting Ordinance No. 2010-21, amending the City Code concerning the operation of all terrain vehicles, motorcycles, and snowmobiles on public property with revised language as recommended by Member Bennett.**

Rollcall:

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

GRANDVIEW DISTRICT REPORT RECEIVED Michael Fisher, Planning Commission Chairman and Community Advisory Team (CAT) member, addressed the Council regarding the process used to create the Grandview District report and advised that a \$100,000 Livable Communities Grant had been received from the Metropolitan Council Project Summary states that the grant should be used for “transportation, market, financial and community needs analysis, and redevelopment phasing and public participation plans. He stated the process used had been successful due to the great work of City staff, talent of the volunteer resident design professionals, contribution of CAT members, and leadership of Kevin Staunton and Michael Schroeder.

Kevin Staunton, Planning Commissioner and CAT Leader, provided a detailed presentation of the final Grandview District report and recognized those who had contributed to the process. He also presented seven

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principles to guide further planning and development efforts, a demonstration of what implementation of the principles might create, and recommendations for proceeding.

The Council asked questions of staff about grant parameters. Mr. Teague advised the grant money was available for a period of two years and staff would receive the grant agreement draft in January, 2011. With respect to replication of the process, Mr. Staunton stated it would be largely dependent on the individuals who participated. Mr. Fischer concurred and stated the City should be careful about randomly using this process. He believed the key would be to find leadership ready to step up and undertake preparation prior to the process. The Council acknowledged and thanked the leadership of the CAT that incorporated those with diverse viewpoints to build consensus and deliver the seven principals and recommendations for proceeding a small area plan. **Member Bennett made a motion, seconded by Member Swenson, 1. Accepting the Grandview District report; 2. Adopting the guiding principles in this report as the foundation for development of a small area plan for the Grandview District; 3. The process of developing a small area plan for the Grandview District be led by a community-based advisory team that includes members of the current CAT and Design Team chosen through an open process similar to that used to for the initial Community Advisory Team; and, 4. The City retain ownership of all City-owned public property in the Grandview District at least while the planning process continues and potentially beyond depending upon the results of the small area planning process.**

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

***RESOLUTION NO. 2010-127 ADOPTED – PUBLIC HEARINGS SET FOR IMPROVEMENT PROJECTS: 1. BA-355 GOLF TERRACE STREET RECONSTRUCTION (01/18/2011); 2. BA-334 MINNEHAHA WOODS STREET RECONSTRUCTION (01/18/2011) ALSO RECEIVING FEASIBILITY REPORT; 3. BA-370 CARSON’S HILL STREET RECONSTRUCTION (01/18/2011); AND 4. BA-383 WEST 44TH STREET RECONSTRUCTION (02/01/2011)** Motion made by Member Housh and seconded by Member Bennett to adopt Resolution No. 2010-127 setting public hearing for January 18, 2011, for neighborhood street reconstruction for: Golf Terrace, Improvement No. BA-355; Minnehaha Woods, Improvement No. BA-334; Carson’s Hill, Improvement No. BA-370; and setting public hearing for February 1, 2011, for neighborhood street reconstruction for West 44th Street, Improvement No. BA-383.

Motion carried on rollcall vote – five ayes.

***REAPPOINTMENTS MADE: ART CENTER BOARD, CONSTRUCTION BOARD OF APPEALS, AND PARK BOARD** Motion made by Member Housh and seconded by Member Bennett reappointing John Swon to the Art Center Board; Rob Presthus to the Park Board; and Edward Schwartzbauer to the Construction Board of Appeals with terms beginning February 1, 2011.

Motion carried on rollcall vote – five ayes.

***RESOLUTION NO. 2010-125 ADOPTED – SPECIAL ASSESSMENT CORRECTED** Motion made by Member Housh and seconded by Member Bennett to adopt Resolution No. 2010-125, authorizing the cancellation of certain special assessments to the Hennepin County Auditor.

Motion carried on rollcall vote – five ayes.

***TRAFFIC SAFETY REPORT OF DECEMBER 1, 2010 RECEIVED** Motion made by Member Housh and seconded by Member Bennett receiving the December 1, 2010, traffic safety report.

Motion carried on rollcall vote – five ayes.

***RESOLUTION NO. 2010-128 ADOPTED – RESOLUTION NO. 2010-95 FOR WEST 58TH STREET BIKEWAY CORRECTED** Motion made by Member Housh and seconded by Member Bennett to adopt Resolution No. 2010-128, designating West 58th Street between France Avenue and Xerxes Avenue as bicycle route and designating a 25 mph speed limit.

Motion carried on rollcall vote – five ayes.

RESOLUTION NO. 2010-126 ADOPTED – 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 Bennett introduced and moved adoption of Resolution No. 2010-126 accepting various donations.** Member Brindle seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Housh, Swenson, Hovland

Motion carried.

***ENGINEERING PROPOSAL FOR WEST 56TH STREET BRIDGE APPROVED** Motion made by Member Housh and seconded by Member Bennett authorizing the City Manager approving the proposal for the preparation of bidding documents and bidding for West 56th Street bridge over Minnehaha Creek.

Motion carried on rollcall vote – five ayes.

***SPECIAL ASSESSMENT POLICY FOR MUNICIPAL STATE AID ROADWAYS REVISED** Motion by Member Housh and seconded by Member Bennett adopting the revised Municipal State Aid Designated Roadways Special Assessment Policy.

Motion carried on rollcall vote – five ayes.

COMMUNITY COMMENT

No one appeared to comment.

***CONFIRMATION OF CLAIMS PAID** Motion made by Member Housh and seconded by Member Bennett approving payment of the following claims as shown in detail on the Check Register dated December 9, 2010, and consisting of 32 pages; General Fund \$136,360.26; Communications Fund \$5,876.66; Police Special Revenue \$9,263.19; Working Capital Fund \$98,655.21; Equipment Replacement Fund \$186,554.59; Construction Fund \$23,367.91; Art Center Fund \$2,892.64; Golf Dome Fund \$66.03; Aquatic Center Fund \$543.91; Golf Course Fund \$5,749.85; Ice Arena Fund \$20,675.89; Edinborough/Centennial Lakes Fund \$40,580.74; Liquor Fund \$267,134.70; Utility Fund \$19,298.95; Storm Sewer Fund \$21,438.59; Recycling Fund \$32.52; PSTF Agency Fund \$1,345.13; **TOTAL \$839,836.77** and for approval of payment of claims dated December 16, 2010, and consisting of 24 pages; General Fund \$63,051.62; Communications Fund \$467.27; Working Capital Fund \$158,711.40; Equipment Replacement Fund \$344,954.62; Art Center Fund \$6,687.40; Golf Dome Fund \$1,394.56; Aquatic Center Fund \$11.96; Golf Course Fund \$21,051.82; Ice Arena Fund \$26,481.28; Edinborough/Centennial Lakes Fund \$916.38; Liquor Fund \$200,803.84; Utility Fund \$4,104.16; Recycling Fund \$37,717.50; Payroll Fund \$3,200.45; **TOTAL \$929,740.25**; and, Credit Card Transactions dated October 26, 2010 – November 26, 2010; **TOTAL \$4,391.99**.

Motion carried on rollcall vote – five ayes.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 10:39 p.m.

Respectfully submitted,

Debra A. Mangen, City Clerk

Minutes approved by Edina City Council, January 4, 2011.

James B. Hovland, Mayor

Video Copy of the December 21, 2010, meeting available.