

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
FEBRUARY 1, 2011  
7:02 P.M.**

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

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

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

**\*MINUTES APPROVED – REGULAR MEETING OF JANUARY 18, 2011, AND WORK SESSION OF JANUARY 18, 2011** Motion made by Member Bennett and seconded by Member Brindle approving the minutes of the regular meeting of January 18, 2011, and work session of January 18, 2011.

Motion carried on rollcall vote – five ayes.

**PUBLIC HEARING HELD ON WEST 44<sup>TH</sup> STREET RECONSTRUCTION IMPROVEMENT NO. BA-383 – RESOLUTIONS NO. 2011-23, 2011-28, AND 2011-29 ADOPTED** Affidavits of Notice presented and ordered placed on file.

Shibani Bisson, WSB & Associates, summarized the West 44<sup>th</sup> Street reconstruction improvement that had been initiated by the City. She identified the project area, noting a portion lies within the City of St. Louis Park. Ms. Bisson reviewed the project history, described existing conditions, and the proposed improvement to streets, utilities, and sidewalks. She presented Municipal State Aid (MSA) design requirements related to width and parking. The proposed design varies from MSA requirements and will require a Mn/DOT variance to qualify for State Aid funding. Because there was not adequate road width for designated bicycle lanes, sharrows and share the road signs were proposed in bicycle route areas. The preliminary street reconstruction cost has been estimated at \$1,323,900, of which the City of St. Louis Park will bear \$170,400. According to Edina's policy for State Aid Streets, residents will be assessed 20% of Edina's portion of the project cost, or \$230,000. Each of the project area's 107.57 Residential Equivalency Units (REU's) was proposed to be assessed \$2,138 and corner lots, at 1/3 REU, were proposed to be assessed \$705.62. Ms. Bisson explained the varying REUs for multifamily and commercial properties. Kojetin Park would be assessed 9 REUs, and the mill and overlay of Brookside Terrace to Mackey Avenue would not be assessed. Ms. Bisson presented the project schedule. Staff recommended authorization to complete plans and specifications and take bids if the Council found this project to be necessary, cost-effective, and feasible. In addition, staff recommended adoption of resolutions requesting a Mn/DOT variance and to request an advance of State Aid funds.

Ms. Bisson addressed the Council's questions relating to the variance request and advised that the City of St. Louis Park had received a similar width variance for Wooddale Avenue north of West 44<sup>th</sup> Street so staff was confident the City's reasonable variance request would be granted. The Council noted that residents would not support widening the road and asked if the project could proceed without parking in that segment if the variance was not approved. Director of Public Works/City Engineer Houle advised staff would gather residents to discuss the project if the variance was not granted, noting the assessments would increase from 20% to 100% if MSA funds were not used. However, staff was confident the variance would be approved since the project met the Complete Streets Program philosophy.

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The Council noted this was an older area of Edina and asked about potential impact to the Catalpa trees from curb and gutter installation. Mr. Houle explained the specifications would include a penalty to the contractor if the contractor damaged a tree. He said the penalty amount would be deducted from the homeowner's assessment since boulevard trees were owned by the homeowner.

The Council asked staff to address ground and pavement settlement due to hydrant flushing. Mr. Houle explained that in the past, systems constructed outside of the roadway allowed different soil compaction standards but the current standards required more compaction. He added a diffuser was used when flushing hydrants to spread water flow over the pavement and avoid erosion. Mr. Houle also addressed the proposed on-street bicycle markings, speed of traffic, and exposed concrete aggregate buffer that would be installed where the sidewalk abuts the curb.

The Council asked about pedestrian safety and visibility in areas of parking bays by Kojetin Park. Mr. Houle stated there was adequate visibility and the marked crosswalk would be supported by adequate signage, similar in design to Concord Avenue. A sidewalk on the south side had not been considered in the Northeast Traffic Study because those lots were not very deep. However, sidewalks from West 44<sup>th</sup> Street to Sunnyside road at Mackey and Wooddale Avenues are included in the proposed project to increase connectivity. The Council asked about constructing a sidewalk on the south side of West 44<sup>th</sup> Street from Wooddale Avenue, where lots are deeper, to Kojetin Park. Mr. Houle advised that the Northeast Traffic Study had not recommended that segment for a sidewalk.

The Council asked about shifting the Valley View Road and Tracy Avenue projects to the future so MSA funds could be used for this project. Mr. Houle explained the annual allocation of \$1.3 million in State Aid funds could be used on eligible roadways that carry higher volumes of traffic and were designed to meet State Aid standards. In those locations, benefiting properties were assessed at a rate of 20-percent. He noted residents had been asked to identify boulevard area infrastructure so it could be included in the contract and, if damaged, covered within the project costs.

Mr. Houle explained the City's pavement management program that assigned a numerical ranking from one (worst) to 100 (best) based on pavement condition and gave details how the rankings were used to determine the scheduling of construction projects. He noted the ranking data was considered along with the condition of utilities and available funding. Mr. Houle stated the current hearing was the improvement project public hearing. If the Council ordered the improvement project, it would be constructed by the fall of 2011 with the assessment public hearing in the fall of 2012. He described assessment payment methods and the option of senior deferral.

Mayor Hovland opened the public hearing at 7:59 p.m.

### Public Testimony

Jane Williams, 4016 West 44<sup>th</sup> Street, addressed the Council.

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

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

Mr. Houle addressed the issues raised during public testimony related to boulevard sod and request for a crosswalk at 44<sup>th</sup> and Curve Avenues. He indicated staff would look at the option of pedestrian ramps at Eton Place and the transition from driveways to roadways.

**Member Swenson introduced and moved adoption of Resolution No. 2011-23, ordering improvement for West 44<sup>th</sup> Street Reconstruction Improvement No. BA-383; Resolution No. 2011-28, requesting variance from standards for State Aid Operations, West 44<sup>th</sup> Street, Brookside Terrace to France Avenue; and, Resolution No. 2011-29, requesting an advance from the Municipal State Aid Street Fund for calendar year 2011 for the City of Edina, Minnesota.** Member Bennett seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

**PUBLIC HEARING HELD ON KILLARNEY SHORES STREET RECONSTRUCTION IMPROVEMENT NO. BA-371 – RESOLUTION NO. 2011-24 ADOPTED** Affidavits of Notice presented and ordered placed on file.

Assistant City Engineer Sullivan summarized the Killarney Shores Street Reconstruction Improvement that had been initiated by the City. He identified the project area, described existing conditions, and the proposed improvement to streets and utilities. Mr. Sullivan said the preliminary project cost was estimated at \$1,013,000, with the City paying \$263,000 for utility work and \$107,143 for Bredesen Park's share of the project, and benefitting properties proposed to be assessed \$643,000 for 100-percent of the street improvement. He explained a single-family home would be assessed as one Residential Equivalent Unit (REU) at a proposed cost of \$9,733.45/REU. A single-side of a duplex property would be assessed at as 0.8 REU at a proposed cost of \$7,786.76, and both sides of a duplex owned together would be assessed at 1.6 REU at a proposed cost of \$15,573.50. Mr. Sullivan presented the project schedule. He stated staff recommended authorization to complete plans and specifications and take bids if the Council found this project to be necessary, cost-effective, and feasible.

Mr. Sullivan answered Council's questions related to flow, direction and treatment of stormwater. The Council acknowledged resident comments regarding lack of a bench at a bus stop, location of sidewalk and school bus stop, and safe crossing to school. Mr. Houle noted a trail location along the south side of Vernon Avenue from Crosstown to the Grandview area, stating there no were marked crosswalks at either View Lane or Schaefer Road. He stated installation of such crosswalks were under the jurisdiction of the County and had to be researched because the intersections were not signalized.

Mayor Hovland opened the public hearing at 8:25 p.m.

Public Testimony

Ed Meszaros, 6005 Killarney Lane, addressed the Council.

Jon Moon, 6016 Schaefer Road, addressed the Council.

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

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

Mr. Houle and Mr. Sullivan addressed the issues raised during public testimony related to rear yard drainage. It was indicated that staff would inform residents of options available to improve wet soil conditions. The Council discussed the Complete Streets Program and desirability for connectivity and safe crossings. Mr. Houle indicated staff would research options for sidewalks and crosswalks along Vernon Avenue and provide a recommendation for Council's consideration at a future date. **Member Sprague introduced and moved adoption of Resolution No. 2011-24, ordering improvement for Killarney Shores Street Reconstruction Improvement No. BA-371.** Member Brindle seconded the motion.

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Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

**PUBLIC HEARING HELD ON MCCAULEY HEIGHTS STREET RECONSTRUCTION IMPROVEMENT NO. BA-372 – RESOLUTION NO. 2011-25 ADOPTED** Affidavits of Notice presented and ordered placed on file.

Mr. Sullivan advised that staff received a petition by 13 residents requesting that McCauley Circle and Post Lane be removed from the project limits. He summarized the McCauley Heights street reconstruction improvement that had been initiated by the City. He identified the project area, described existing conditions, and the proposed improvement to streets and utilities. The preliminary project cost was estimated at \$267,400 with the City paying \$84,000 for utility work, and benefitting properties proposed to be assessed \$183,400 for 100-percent of the roadway costs. A single-family home would be assessed as one Residential Equivalent Unit (REU) at a proposed cost of \$7,200/REU. A single-side of a duplex property would be assessed at 0.8 REU at a proposed cost of \$5,760, both sides of a duplex owned together would be assessed at 1.6 REU at a proposed cost of \$11,520. Mr. Sullivan presented the project schedule. He stated staff recommended authorization to complete plans and specifications and take bids if the Council found this project to be necessary, cost-effective, and feasible.

It was noted that a sidewalk was not included in this project. Mr. Sullivan addressed the Council's questions relating to timing of a trail or sidewalk in this area and proposed stormwater improvements. He described locations of curb and gutter and explained why a pervious surface pavement was not recommended due to questions related to durability, maintenance, and costs.

Mayor Hovland opened the public hearing at 8:51 p.m.

Public Testimony

Robert Naas, 6320 Post Lane, addressed the Council.

Bruce Baron, 6317 Post Lane, addressed the Council.

James McCauley, 6447 McCauley Terrace, addressed the Council.

Denise Cooper, 6301 Post Lane, addressed the Council.

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

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

In response to questions raised during the public testimony staff explained when a property owner submitted a building permit request for a vacant lot the location of the curb cut would be determined. A bond would be required to cover any cost of damage to the City's infrastructure as part of the permitting process. Mr. Houle advised that based on setback requirements, staff determined it was likely the undeveloped multi-family lots would be developed as single-family, so the proposal was to assess each as a single REU.

Mr. Sullivan and Mr. Houle addressed the issues raised during public testimony related to the pavement condition of Post Lane and McCauley Circle. Staff explained a consultant conducted the pavement condition review and the pavement index for all three streets in the reconstruction area was 33,

indicating need for reconstruction. Mr. Sullivan agreed that the characteristics of Post Lane had extended the pavement life beyond what other City streets experienced; however, in staff's opinion it was now in need of replacement. Mr. Houle explained that a thin overlay had been placed on McCauley Terrace to maintain the roadway until it was scheduled for reconstruction. He described how the pavement condition index and timing of projects was determined for streets in similar condition to achieve equity and economy of scale. It was noted that by 2018, only one-half of the City's streets would be reconstructed. The Council asked about the feasibility of removing Post Lane from this project. Mr. Houle indicated it was staff's recommendation that Post Lane not be removed because the pavement had become brittle due to its age. The Council acknowledged that the Pavement Management Program first addressed roads in the most deteriorated condition and in the past delaying a project had resulted in higher bids. **Member Swenson introduced and moved adoption of Resolution No. 2011-25, ordering improvement for McCauley Heights Street Reconstruction Improvement No. BA-372.** Member Sprague seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

**PUBLIC HEARING HELD ON OSCAR ROBERTS STREET RECONSTRUCTION IMPROVEMENT NO. BA-373 – RESOLUTION NO. 2011-26 ADOPTED** Affidavits of Notice presented and ordered placed on file.

Mr. Sullivan acknowledged the resident petition received from the Cornelia and Gloucester Drives. He summarized the Oscar Roberts Street Reconstruction Improvement that had been initiated by the City. Mr. Sullivan identified the project area, described existing conditions, and the proposed improvement to streets and utilities. Sidewalk installation was not proposed as part of this project. The preliminary project cost was estimated at \$846,200 with the City paying \$425,000 for utility work, and benefitting properties proposed to be assessed \$421,200 for 100-percent of the roadway costs. It was noted this neighborhood had a higher density due to a considerable number of duplexes and twin homes. A single-family home would be assessed as one Residential Equivalent Unit (REU) at a cost of \$5,200/REU. A single-side of a duplex property would be assessed as 0.8 REU at a proposed cost of \$4,160, and both sides of the duplex property owned together would be assessed as 1.6 REU at a proposed cost of \$8,320. Mr. Sullivan presented the project schedule. He stated staff recommended authorization to complete plans and specifications and take bids if the Council found this project to be necessary, cost-effective, and feasible.

Mr. Sullivan addressed the Council's questions relating to curb and gutter construction to improve street stormwater drainage and indicated staff would advise residents of options to improve back yard drainage. He also described the repairs to the watermain. With regard to project timing, Mr. Sullivan indicated the main reason for bringing the project forward was the deteriorated pavement condition followed by watermain and sanitary sewer deficiencies. The Council asked when 72<sup>nd</sup> Avenue was scheduled for reconstruction. Mr. Sullivan advised it was not included in the Capital Improvement Program through 2019. Mr Sullivan reviewed the pavement condition index of project roadways, with Heatherton Circle rated at 2, Bristol Circle rated at 10, Cornelia Drive rated at 27 and Gloucester Drive rated at 32, with the resulting aggregate pavement condition rating of 16.

Mayor Hovland opened the public hearing at 9:43 p.m.

Public Testimony

Hein de Hoog, 7215 Gloucester Drive, addressed the Council.

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David Hartman, 7313 Cornelia Drive, addressed the Council.

Mary Merrill, 7219 and 7221 Gloucester Drive, Minneapolis, addressed the Council.

B. Lamba, 7312 Gloucester Drive, addressed the Council.

Jon Victorsen, 7213 Cornelia Drive, addressed the Council.

Kevin Oak, 7305 Cornelia Drive, addressed the Council.

Paul Gutkowski, 7316 Gloucester Drive, addressed the Council.

Harvey Havir, 6108 Tracy Avenue, addressed the Council.

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

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

Mr. Houle described the deterioration curve of a typical roadway when maintenance was and was not conducted. He advised the City was currently maxed out with road maintenance costs, making it vital to maintain the Pavement Management Plan and move forward with reconstruction projects. Mr. Houle and Mr. Sullivan addressed the issues raised during public testimony and answered the Council's questions related to the project. Mr. Houle advised many factors impact the rate of pavement deterioration and how it was measured and ranked. He stated the City's consultant has been reliable in their ranking and the task is repeated periodically to update the data. Mr. Sullivan addressed the question raised regarding the accuracy of staff's report and intention to present information at all reconstruction project public hearings in a consistent manner. With regard to the suggestion that Gloucester and Cornelia Drives be delayed and combined with different roadways, Mr. Houle advised that 72<sup>nd</sup> Street was a concrete street and not currently scheduled for reconstruction. The Council acknowledged the impact of special assessments and importance of maintaining the City's infrastructure to assure quality of life through strong neighborhoods. **Member Sprague introduced and moved adoption of Resolution No. 2011-26, ordering improvement for Oscar Roberts Street Reconstruction Improvement No. BA-373.** Member Brindle seconded the motion.

Rollcall:

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

**ORDINANCE NO. 2011-01 ADOPTED – AMENDING THE EDINA CITY CODE ESTABLISHING A VETERANS MEMORIAL**

Park and Recreation Director Keprios advised the ordinance received first reading at the January 18, 2011, meeting and would allow the City to develop a veterans memorial at Utley Park. He reviewed the previous discussion including: the design should be relatively low-cost to maintain; designs should be reviewed at a public open house and a public hearing; and the Council will approve a final design. Mr. Keprios stated staff would study the maintenance cost, whether improvements were needed for bathrooms and parking, and report back with specific evaluations and identification of prospective costs.

The Council asked whether the Minnehaha Creek Watershed District had reviewed this proposal. Mr. Keprios stated Watershed District review would be part of the process. He noted Utley Park contained significant hard surface and the proposed memorial had minimal hardscape. It was noted the architect

would provide a short-term and long-term maintenance manual. The Council discussed the need for specificity with regard to expenditure of public money and long-term maintenance costs so that impact to the City's budget could be addressed. Mr. Keprios reviewed staff's discussion to possibly address the outdated restroom facilities, noting the cost was yet to be determined but would be known prior to public hearing on the proposed memorial. **Member Swenson made a motion, seconded by Member Brindle, to grant Second Reading adopting Ordinance No. 2011-01, amending the Edina City Code establishing a memorial for veterans.**

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

**RESOLUTION NO. 2011-18 ADOPTED – ESTABLISHING A NOT-TO-EXCEED COST FOR VETERANS**

**MEMORIAL** Mr. Keprios presented the resolution, required by State statute, to establish a not-to-exceed cost for a veterans memorial at Utley Park. He advised the Park Board recommended that fundraising total cost not exceed \$400,000 including \$30,000 in the Capital Improvement Plan. The Council noted the resolution addressed the design and build phase and the issue of operating expenses would be addressed once a design was proposed. Following discussion, the Council agreed to revise the last paragraph of the resolution's final wording to read: "...whereas, the City of Edina will provide funding in an amount not-to-exceed \$30,000; however, all remaining funds will be from donations and shall be raised in their totality prior to construction being approved by the City Council." **Member Swenson introduced and moved adoption of Resolution No. 2011-18 establishing a not-to-exceed cost for a veterans memorial as revised.** Member Bennett seconded the motion.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

**EDINA COMMUNITY FOUNDATION DESIGNATED FUND AGREEMENT APPROVED**

Mr. Keprios presented the Park Board's recommendation to establish a designated fund to be named "Edina Veterans Memorial Fund" and to enter into an agreement with the Edina Community Foundation who would be the fiscal partner in the fund raising process. Mr. Keprios explained the agreement would create a process for anonymous donations. He noted the City Attorney had reviewed and approved the drafting of the proposed agreement. The City Council discussed the percentage of fees paid to the Foundation. Ms. Keprios explained the interest earnings from dollars raised would pay for the Foundation's incidental costs and that nothing would be taken from the principal donations. Manager Neal advised this was the same method used by the Eden Prairie Foundation in their Veteran's Memorial fundraising effort.

Mayor Hovland disclosed he served on the Edina Community Foundation and, though not legally required, would recuse himself from this discussion and vote. Mayor Pro Tem Swenson chaired the meeting. **Member Sprague made a motion, seconded by Member Brindle, approving the Edina Veterans Memorial Fund agreement with the Edina Community Foundation and authorizing establishment of the Edina Veterans Memorial Fund.**

Ayes: Bennett, Brindle, Sprague, Swenson

Abstain: Hovland

Motion carried.

At the request of Mayor Pro Tem Swenson, members of the Veteran's Memorial Committee introduced themselves. Mayor Hovland resumed chairing the meeting and thanked all for working on this important project.

**ARCHITECTURAL SERVICES CONTRACT AGREEMENT WITH SHORT ELLIOTT HENDRICKSON INC. (SEH) APPROVED** Mr. Keprios advised of the RFP process and presented staff's recommendation to approve an architectural engineering and project management services contract agreement with Short Elliott Hendrickson Inc. (SEH) to provide professional services for the proposed veterans memorial project. He explained the contract authorized a not-to-exceed amount of \$30,000. **Member Bennett made a motion, seconded by Member Swenson, approving the architectural services contract agreement with Short Elliott Hendrickson, Inc.**

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

**DISCUSSION TAX INCREMENT FINANCING REPORT – THE WATERS** Mr. Neal reported that following the January 18, 2011, work session, Shelter Corporation had asked when the public hearing process would begin for its tax increment financing (TIF) request. He requested the Council provide clear direction whether it wanted to begin the public consideration process for The Waters affordable housing development by Shelter Corporation.

The Council discussed Shelter Corporation's request for TIF funding in the amount of \$175,000 a year for 20 years to subsidize 28 units of affordable senior housing. Additional funding for the units was expected to come from the State of Minnesota through Hennepin County in the form of Elderly Waivers in the anticipated amount of \$829,920 per year. A majority of the Council indicated it would not support moving to a public hearing due to the lack of return on investment of public dollars, especially during the current difficult economy. The Council acknowledged there was a need for affordable housing to meet the City's obligation under the Minnesota Livable Communities Act and stated it would consider a TIF request for a project in a good location where the public benefit was large, visible, and accessible by members of the community. It was noted that preliminary approval had been granted for a senior housing project with the proper density that was directly located on a bus line to link with the Southdale medical and shopping areas and TIF might be a good tool to assist that project. The Council consensus was not to advance The Waters requested TIF portion of their project to a public hearing.

**\*RESOLUTION NO. 2011-12 ADOPTED – ADOPTING ALL-HAZARD MITIGATION PLAN – HENNEPIN COUNTY** Motion made by Member Bennett and seconded by Member Brindle to adopt Resolution No. 2011-12, adopting the Hennepin County Multi-Jurisdiction All-Hazards Mitigation Plan.

Motion carried on rollcall vote – five ayes.

**ORDINANCE NO. 2011-02 ADOPTED – REGARDING CITY ADVISORY BOARDS AND COMMISSIONS** Attorney Knutson presented the draft ordinance addressing attendance, composition, governance of the City's advisory boards and commissions, and streamlining the appointment process.

The Council referenced Section 1500.02, Cooperation of City Officials Subject to Direction of City Manager, A. Cooperation of City Employees, and B. Direction of City Manager, and discussed whether Subsection A was needed since Manager Neal was in charge of fulfilling Council direction. Attorney Knutson stated he had no problem with deleting Subsection A, Cooperation of City Employees. The Council and staff discussed the ordinance wording related to the Planning Commission and Zoning Board of Appeals. Mr. Teague advised that statute required a Zoning Board of Appeals and its membership could be the Planning Commission if so designated by the Council. The Council discussed the number of members on various commissions. Mr. Neal stated the membership number should be considered by the Council, noting it related to small group dynamics and the optimal group size to create effective discussion and reach decisions. The Council agreed to hold a future discussion on membership consistency.

City Clerk Mangen advised that granting only first reading would preclude the Council from adding two members to the Community Health Board and one commissioner to the Human Rights and Relations Commission until second reading was granted. The Council concurred to waive second reading and direct staff to send the ordinance to boards and commissions for comments, which may take a period of time. **Member Swenson made a motion, seconded by Member Brindle, to grant First Reading and waive Second Reading adopting Ordinance No. 2011-02, amending the Edina City Code concerning boards and commissions as revised deleting Subsection 1500.02, subparagraph A., Cooperation of City Employees.**

Rollcall

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

**RESOLUTION NO. 2011-27 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. 2011-27 accepting various donations.** Member Sprague seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

**NON-UNION SALARY ADJUSTMENT APPROVED** Mr. Neal presented his rationale to recommend the Council authorize a one-half percent cost of living adjustment, retroactive to January 1, 2010, for full-time regular non-union employees. The City Council acknowledged that employees were asked to participate in an unpaid furlough leave and the non-union employees were the primary contributors, resulting in a cost savings of over \$85,000 of the \$86,594 budget savings. In addition non-union employees were large contributors to the operational changes and management actions that created the more than \$900,000 unreserved fund balance in the City's 2010 general fund. It was noted that efficiencies had been increased to save overtime costs, equipment purchases were delayed, and vacant positions were not filled. The Council acknowledged that it was the result of staff's diligent work that continued to make Edina a wonderful place to live. **Member Swenson made a motion, seconded by Member Sprague, approving a one-half percent retroactive to January 1, 2010, cost of living adjustment for full-time regular non-union employees.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

**PUBLIC SAFETY DISPATCH LABOR AGREEMENT 2010-2012 APPROVED** Mr. Neal presented the Public Safety Dispatch Labor Agreement for 2010-2012 and recommended approval. He indicated the one percent for 2011 had been budgeted and the 2010 one percent would be funded from the unreserved general fund balance. The increased City insurance contribution had been equalized among all union and non-union employees. **Member Bennett made a motion, seconded by Member Brindle, approving the Public Safety Dispatch Labor Agreement for 2010-2012.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

**ANIMAL CONTROL / COMMUNITY SERVICE OFFICERS LABOR AGREEMENT 2010-2012 APPROVED** Mr. Neal presented the Animal Control And Community Service Officers Labor Agreement for 2010-2012 of one percent for each of the three years and recommended approval. The 2010 adjustment was \$608, and

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the 2011 increase had been budgeted. **Member Swenson made a motion, seconded by Member Brindle, approving the Animal Control/Community Service Officers Labor Agreement for 2010-2012.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

**\* MEMBER BENNETT APPOINTED – EDINA’S REPRESENTATIVE TO MINNEAPOLIS WATER BOARD Motion made by Member Bennett and seconded by Member Brindle appointing Member Bennett as Edina’s representative to Minneapolis Water Board.**

Motion carried on rollcall vote – five ayes.

COMMUNITY COMMENT

No one appeared to comment.

**\*CONFIRMATION OF CLAIMS PAID Motion made by Member Bennett and seconded by Member Brindle approving payment of the following claims as shown in detail on the Check Register dated January 20, 2011, and consisting of 33 pages; General Fund \$784,679.10; Communications Fund \$24,379.13; Police Special Revenue \$24,362.26; Working Capital Fund \$40,030.47; Construction Fund \$9,198.22; Art Center Fund \$7,992.63; Golf Dome Fund \$22,584.36; Aquatic Center Fund \$4,836.72; Golf Course Fund \$19,995.38; Ice Arena Fund \$11,859.16; Edinborough/Centennial Lakes Fund \$18,461.95; Liquor Fund \$113,965.06; Utility Fund \$84,118.93; Storm Sewer Fund \$16,273.42; Recycling Fund \$18.00; PSTF Agency Fund \$4,853.71: TOTAL \$1,187,608.50 and for approval of payment of claims dated January 27, 2011, and consisting of 24 pages; General Fund \$94,093.26; Communications Fund \$7,979.82; Working Capital Fund \$84,166.63; Equipment Replacement Fund \$1,984.96; Art Center Fund \$252.81; Golf Dome Fund \$444.46; Aquatic Center Fund \$942.83; Golf Course Fund \$5,243.96; Ice Arena Fund \$97,673.10; Edinborough/Centennial Lakes Fund \$45,673.27; Liquor Fund \$174,995.14; Utility Fund \$22,515.63; Storm Sewer Fund \$716.15; Recycling Fund \$32.73; PSTF Agency Fund \$7,910.84; Payroll Fund \$381,751.80: TOTAL \$926,377.39.**

Motion carried on rollcall vote – five ayes.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 11:50 p.m.

Respectfully submitted,

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Debra A. Mangen, City Clerk

Minutes approved by Edina City Council, February 15, 2011.

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James B. Hovland, Mayor

Video Copy of the February 1, 2011, meeting available.