

MINUTES OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL HELD AT CITY HALL ON
MONDAY, MARCH 4, 1974

Answering rollcall were Council Members Johnson, Schmidt, Shaw and Mayor Van Valkenburg;

IMPROVEMENT NO. BA-198 AUTHORIZED. Mr. Dunn recalled that at the meeting of February 25, 1974, construction of Improvement No. BA-198 had been continued so that property owners could meet with Mr. Dunn and Mr. Rosland to see if a satisfactory arrangement could be reached on the improvement of W. 59th Street. He recalled that total estimated construction cost had been given at \$25,884.32, proposed to be assessed against 1,558.47 assessable feet at an estimated cost of \$16.61 per assessable foot and that the improvement as proposed would include a 70 foot diameter cul-de-sac proposed to be constructed on W. 59th Street. Mr. Dunn said that at the meeting with neighbors, it had been decided to construct a thirty foot street on W. 59th Street to the point where the street had been vacated and to eliminate the cul-de-sac. Mr. Robert Bergren, 5844 Brookview Ave., presented a petition signed by seventeen out of twenty-three neighbors which petition requested the elimination of concrete curb and gutter. Mr. Dunn said that he had not furnished affected property owners with the list of reasons which point out the advantages of concrete curb and gutter because the original petition had requested concrete curb and gutter. Councilman Johnson suggested that this list be sent out with the Notice of Hearing any time a proposal for street surfacing is to be considered. Councilman Johnson thereupon offered the following resolution ordering the improvement without the cul-de-sac and without concrete curb and gutter and extending the improvement to the point where W. 59th Street was vacated and moved its adoption:

RESOLUTION ORDERING STREET IMPROVEMENT NO. BA-198

BE IT RESOLVED by the Council of the City of Edina, Minnesota, that this Council heretofore caused notice of hearing to be duly published and mailed to owners of each parcel within the area proposed to be assessed on the following proposed improvement:

1. CONSTRUCTION OF PERMANENT STREET SURFACING NO. BA-198 IN THE FOLLOWING:
Brookview Avenue from West 58th Street South and West to West 59th Street cul-de-sac

and at the hearing held at the time and place specified in said notice, the Council has duly considered the views of all persons interested, and being fully advised of the pertinent facts does hereby determine to proceed with the construction of said improvement as described in notice of public hearing except that no cul-de-sac is to be constructed and except that the concrete curb and gutter shall be replaced with a bituminous berm and with the understanding that W. 59th Street shall be improved as far as the vacated street, and including all proceedings which may be necessary in eminent domain for the acquisition of necessary easements and rights for construction and maintenance of such improvement; that said improvement is hereby designated and shall be referred to in all subsequent proceedings as STREET IMPROVEMENT NO. BA-198; and the area to be specially assessed therefor shall include Lots 1 thru 12 incl., Block 2; Lot 13, Block 2 and adjacent vacated street; Lot 13, Block 1, and adjacent vacated street; Lots 14 thru 24 incl., Block 1; Lot 24, Block 15, and adjacent vacated street; Lot 1, Block 15, and adjacent vacated street; all in Fairfax, Hennepin County, Minnesota.

Motion for adoption of the resolution was seconded by Councilman Shaw and on rollcall there were four ayes and no nays and the resolution was adopted.

HOUSING AND REDEVELOPMENT AUTHORITY APPROVED. The Clerk reported that pursuant to a resolution adopted by the City Council on the 4th day of February, 1974, the notice directed to be published in the Edina Sun was published in that newspaper on February 21, 1974. The Clerk submitted proof of publication of said notice, which was ordered filed. Pursuant to the notice, a full opportunity to be heard on the questions set forth therein was granted to all residents of Edina, Minnesota, and its environs and to all other interested persons; witnesses and evidence were examined and testimony was heard. Mr. Luce recalled that a hearing had been conducted on November 19, 1973, on the need for establishing a Housing and Redevelopment Authority and that it had been referred to the Greater Edina Chamber of Commerce and to the 50th and France business men for their study and recommendations. With the aid of the view-graph, Mr. Luce explained Tax Increment Financing. He recalled also that there is a bill pending in the State Legislature requesting the modification of language to eliminate the word "blighted" so that it is more in conformity with the goals of the City, with problems being more of "obsolescence" than "blight". Mr. Luce referred also to a bill on Development Districts. He clarified that under Tax

Increment Financing, bonds will be used for financing the improvements and that the Tax Increment will pay back these bonds. Mr. Robert Morris, President of the Greater Edina Chamber of Commerce, recalled that the Chamber had agreed to study the proposal and advised that the Board of the Greater Edina Chamber of Commerce had gone on record as favoring establishment of the Housing and Redevelopment District. He referred to a report of the Board of Directors of the Chamber which had been mailed to Council previously which presented a broad overview of some of the problems and areas involved. A copy of this report is attached hereto and made a part of these minutes. Mr. Hosmer Brown, 4513 Moorland Ave., clarified that the Chamber is not advocating redevelopment of any particular area in the City, but recommended the establishment of a Housing and Redevelopment Authority. He said that all of the suburbs which surround Edina have an H.R.A., with the exception of Eden Prairie and Richfield, and pointed out that Edina would be handicapped by lack of versatility if it does not have an H.R.A. to meet the possible need of cooperating with its neighbors in solving various problems. Also urging the adoption of an H.R.A. were Mr. Ed Kodet of Arthur Dickey & Associates and Mr. Robert Sykes, representing the 50th and France Business Men's Association, who spoke of a need in the 50th and France Ave. area to increase parking, improve automobile traffic, create pedestrian walkways and to generally beautify the area. He defined the study area as being bounded by France Avenue, Halifax Avenue, W. 49½ Street and W. 50th Street. Mr. Warren Hinze, President of the First Edina National Bank, spoke on critical parking problems and traffic in the area. He said that the bank had retained E.D.A.W., Incorporated, to make recommendations for solving some of these problems. Mr. Sykes of Twin City Federal Savings and Loan, presented traffic statistics in the study area. Council was advised that Alderman William Neiman of Minneapolis had indicated that he would be most willing to host hearings and pursue the possibilities of the same proposal for the Minneapolis side of the business community. Petitions bearing 3,740 signatures were presented to Council which "support the efforts of the business men and encourage the City Council of Edina to increase parking, improve automobile traffic, create pedestrian walkways and generally beautify the 50th and France area" . . . with the understanding that "the tax increment from the 50th and France area will pay for these improvements, and not general property tax". Discussion ensued on the difficulty of contacting owners of property in the area. It was pointed out that fifteen property owners had signed petitions approving the improvements but that three property owners do not support the program. Mayor Van Valkenburg clarified for the record that Council is not considering any given plan for any given area at this time, but is attempting to determine only the need for a Housing and Redevelopment Authority. Mr. George Adamovich, Chairman of the Wooddale Neighborhood Council, urged that Council hold enough public hearings on any specific plans so that Edina residents can understand what is being proposed. Mayor Van Valkenburg said that if the H.R.A. is approved, it is his understanding that there will be at least three sets of public hearings. In response to a question of Mr. Michael Caserly, 4611 Bruce, Ave., Mr. Erickson said that the Authority would be composed of five members who would be appointed by the Council. Once they are appointed, they would develop plans for the redevelopment of any given area. He clarified that their plans would be subject to the review of the Council and if the Council approves these plans, the Authority would proceed to redevelop an area pursuant to those plans and would have the right or eminent domain. Councilman Johnson requested that the number of property owners in the 50th and France area be obtained for the record. Mr. Brown said that it would be almost impossible to make this determination because of the number of properties that are in estates and trusts. Mr. Luce said that there are fifty different assessable parcels which are owned by one or more people. Councilman Johnson said that he shares the concern previously expressed by Councilman Courtney about the establishment of a governmental agency by this Council, but that he is persuaded by the business community in particular, as well as by a substantial number of other people who frequent the area. He further expressed the hope that the statutory amendment deleting the word "blighted" as pertains to the Housing and Redevelopment Authority would be adopted by the Legislature. At the conclusion of the hearing, the following resolution was introduced by Councilman Johnson who moved its adoption:

RESOLUTION DECLARING THE NEED FOR A
HOUSING AND REDEVELOPMENT AUTHORITY IN
EDINA, MINNESOTA

WHEREAS, a hearing has been held by the City Council at Edina, Minnesota, to determine the need for a Housing and Redevelopment Authority to function in such City; and

WHEREAS, facts have been submitted to this body showing that there is a need for a Housing and Redevelopment Authority to function in the City of Edina, Minnesota:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDINA, MINNESOTA, that the Council of Edina, Minnesota, hereby finds, determines and declares:

1. There exists in Edina, Minnesota, substandard or blighted areas which cannot be redeveloped without the assistance of government;
2. Adequate housing accommodations are not available to veterans and servicemen and their families;
3. There is a shortage of decent, safe and sanitary dwelling accommodations available to persons of low income and their families at rentals they can afford;
4. It is hereby declared that there is a need for a Housing and Redevelopment Authority to function in Edina, Minnesota, and said need continues to exist.

The motion to adopt such resolution was seconded by Councilman Shaw and upon rollcall the following voted:

Yeas: Council Members Johnson, Schmidt, Shaw and Mayor Van Valkenburg;

Nays: None

Thereupon the Mayor declared the resolution duly adopted and passed this 4th day of March, 1974.

Council expressed special thanks to the Chamber, the merchants in the area and to the people who made the presentation.

UTILITY COMPANY RATES REGULATION REQUESTED. Council's attention was called to a resolution adopted by the City of Eden Prairie opposing a proposed rate increase of Northern States Power. Councilman Johnson thereupon offered the following resolution and moved its adoption:

RESOLUTION

BE IT RESOLVED that the Edina City Council endorse in principle the Bill now pending in the Minnesota State Legislature to regulate, on a state-wide basis, the rates of utility companies as proposed by the League of Minnesota Municipalities; and

BE IT FURTHER RESOLVED that Edina's Representatives and Senators in the State Legislature be requested to exert all possible effort for adoption of this Bill and that a copy of this resolution be transmitted to each of them.

Motion for adoption of the resolution was seconded by Councilman Shaw and on rollcall there were four ayes and no nays and the resolution was adopted.

LOT 1, BLOCK 1, BECKSTROM ADDITION, SANITARY SEWER 218 CONNECTION CHARGE LEVIED. Council's attention was called to a letter from Mr. Carl R. Pohlad requesting that a connection charge be assessed over a ten year period at an interest rate of 5% for connection to Sanitary Sewer 218 in the amount of \$2,617.01. As recommended by Mr. Dalen, Councilwoman Schmidt offered the following resolution and moved its adoption:

RESOLUTION ADOPTING AND CONFIRMING

SPECIAL ASSESSMENT LEVIED ON ACCOUNT OF

CONNECTION CHARGE TO SANITARY SEWER IMPROVEMENT SS-218

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

1. In accordance with the request of Carl R. Pohlad in writing to finance the amount of the connection charge for connection to Sanitary Sewer Improvement 218 over a ten year period at a 5% interest rate, and being determined by the Edina City Council that the cost of the improvement does not exceed the local benefits conferred by said connection upon the tract or parcel of land so assessed, said assessment is hereby adopted and confirmed as the proper assessment on account of said connection charge to be spread against the benefited lot described as Lot 1, Block 1, Beckstrom Addition;

2. The assessment shall be payable in ten equal annual installments, the first of said installments, together with interest at the rate of 5% per annum on the entire assessment from the date hereof to December 31, 1975, to be payable with the general taxes payable in the year 1975.

3. The City Clerk shall forthwith prepare and transmit to the County Auditor a copy of this resolution and a certified duplicate of said assessment, with each then unpaid installment and interest set forth separately, to be extended on the tax lists of the County in accordance with this resolution. Motion for adoption of the resolution was seconded by Councilman Shaw and on rollcall there were four ayes and no nays and the resolution was adopted.

LOT 41, ROLLING GREEN, AND LOT 1, BLOCK 1, BECKSTROM ADDITION DIVISION APPROVED. Upon being advised by Mr. Luce that the requested division does not make a buildable lot, Councilman Johnson offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the following described tracts of land are now separate parcels:

Lot 41, Rolling Green, and Lot 1, Block 1, Beckstrom Addition; and

WHEREAS, the owners of the above tracts of land desire to subdivide said tracts into the following described new and separate parcels (herein called "Parcels"):

That part of Lot 1, Block 1, Beckstrom Addition, lying Northerly of a line run from a point on the West line of Lot 1, distant 89.7 feet South of the most Northerly corner of Lot 1, to a point on the Northeasterly line of Lot 1, a distance of 94.52 feet Southeasterly of the most Northerly corner of Lot 1; and

That part of Lot 41, Rolling Green lying Southerly of the Northeasterly extension of a line run from a point on the West line of Lot 1, Block 1, Beckstrom Addition distant 89.7 feet South of the most Northerly corner of Lot 1, to a point on the Northeasterly line of Lot 1, a distance of 94.52 feet Southeasterly of the most Northerly corner of Lot 1; and

WHEREAS, it has been determined that compliance with the Subdivision and Zoning Regulations of the City of Edina will create an unnecessary hardship and said Parcels as separate tracts of land do not interfere with the purposes of the Subdivision and Zoning Regulations as contained in the City of Edina Ordinance Nos. 801 and 811;

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Edina that the conveyance and ownership of said Parcels as separate tracts of land is hereby approved and the requirements and provisions of Ordinance No. 801 and Ordinance No. 811 are hereby waived to allow said division and conveyance thereof as separate tracts of land but are not waived for any other purpose or as to any other provision thereof, and subject, however, to the provision that no further subdivision be made of said Parcels unless made in compliance with the pertinent ordinances of the City of Edina or with the prior approval of this Council as may be provided for by those ordinances.

Motion for adoption of the resolution was seconded by Councilwoman Schmidt and on rollcall there were four ayes and no nays and the resolution was adopted.

M. P. JOHNSON'S PROSPECT HILLS 2nd ADDITION PRELIMINARY PLAT APPROVAL DATE SET for April 1, 1974, by motion of Councilman Johnson, seconded by Councilwoman Schmidt and carried.

REPLAT OF EVANSWOOD 2ND ADDITION PRELIMINARY PLAT APPROVAL HEARING DATE SET for April 1, 1974, by motion of Councilman Johnson, seconded by Councilman Shaw and carried.

SCHUSTER FARM PROPERTY REZONING HEARING DATE SET FOR April 1, 1974. As recommended by Mr. Luce, Councilman Johnson's motion was seconded by Councilwoman Schmidt setting hearing date for rezoning of the Schuster Farm Property for April 1, 1974. The property is generally located between Dewey Hill Road and W. 78th Street, East of Cahill Road and West of Shannon Drive extended.

VARIOUS ZONING ORDINANCES AMENDMENTS TO BE HEARD ON APRIL 1, 1974. As recommended by Mr. Luce, Councilwoman Schmidt's motion was seconded by Councilman Johnson and carried setting April 1, 1974, for hearing date for the following zoning matters:

1. Amendment of parking requirements in Planned Residential Districts;
2. Automatic rejection of preliminary plats if not fully approved within one year;
3. Dedication of land or cash for public purposes for residential, commercial or industrial subdivisions.
4. Requiring land or easements for protection of natural water bodies.
5. Providing for a lapse of transfer or variance by a non-user.

MIRROR LAKES PLAT #2 CONTINUED TO MARCH 18, 1974, FOR FINAL APPROVAL. As recommended by Mr. Luce, Councilman Johnson's motion was seconded by Councilwoman Schmidt and carried continuing Final Plat Approval for Mirror Lakes Plat #2 to March 18, 1974.

GRANDVIEW LIQUOR STORE REMODELING CONTINUED TO MARCH 18, 1974. As recommended by Mr. Dalen, Councilman Johnson's motion was seconded by Councilman Shaw and carried, continuing award of bids for the Grandview Liquor Store to March 18, 1974.

BRAEMAR PARC GRANTED FINAL PLAT APPROVAL. Mr. Luce presented Braemar Parc for final plat approval as recommended by the Planning Commission, advising that parkland dedication and an open space easement have now been received, and the obligations required have been completed. Documents were reviewed by the City Attorney, whereupon Councilman Shaw offered the following resolution and moved its adoption:

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, that that certain plat entitled "Braemar Parc", platted by The Bishop Whipple Schools, a Minnesota Non-Profit Corporation, fee owner, and by James R. Otto and Beth D. Otto, husband and wife, contract purchasers, and presented at the Regular Meeting of the Edina City Council of March 4, 1974, be and is hereby granted final plat approval.

Motion for adoption of the resolution was seconded by Councilwoman Schmidt and on rollcall there were four ayes and no nays and the resolution was adopted.

EBENEZER SOCIETY ZONING AND PRELIMINARY PLAT APPROVAL HEARING DATES SET. Mayor Van Valkenburg recalled that at the meeting of January 21, 1974, the PRD-5 rezoning request and preliminary plat for Ebenezer Society First Addition had been tabled so that the Planning Commission would have an opportunity to review overall height restrictions in the City and so that Ebenezer Society, Inc., could come back with another plan. He said that the matter is before the Council at this time for a clarification of action taken at that meeting. Mr. Luce said that he had understood that the Council had wanted the zoning ordinances amended as to height and density and that, while he had been working on this matter at staff level, he was not at a point where he could take the ordinance to the Planning Commission. Because of this misunderstanding, the matter had not been taken back to the Planning Commission. Mr. Walter Baker, attorney for Ebenezer Society, Inc., called Council's attention to a brochure describing the York Plaza Housing Development which would consist of three buildings, the tallest of which would be sixteen stories high. He reiterated that the project would be compatible with the surrounding area and that the height is desirable so that residents of the buildings will be close to elevators and food facilities. Mr. Baker emphasized that Ebenezer Society has deadlines on the purchase of the land that cannot be met if they have to wait for the Zoning Ordinance to be amended. He requested that the matter be removed from the table and a hearing date set so that they can get on with their plans for the consummation of the project. Mr. Erickson said that Council could either resubmit the proposal to the Planning Commission or set a new hearing date for Council action at this time. He said that it would not be necessary to send the proposal back to the Planning Commission if the plan already presented is to be heard again by Council. Councilwoman Schmidt's motion was then seconded by Councilman Johnson and carried that the zoning request and plat be removed from the table and that Council hear the proposal again on April 1, 1974. It was further clarified that Mr. Luce should take the matter of the general Zoning Ordinance and the specific question of Ebenezer Society, Inc., to the Planning Commission at its next meeting on March 27, 1974.

BICYCLE PATH SIGNING RECONSIDERED BY TRAFFIC SAFETY COMMITTEE; CONTINUED TO MARCH 18, 1974. Mr. Dunn called Council's attention to minutes of a special meeting of the Traffic Safety Committee of February 27, 1974, which meeting was called to consider signing policy on streets designated by the Council on August 20, 1973, as streets to be signed with "BICYCLE" signs. The Committee had concluded that the installation of bike route signs along the streets designated as bicycle routes would encourage cycling on some streets not now recommended for bicycle riding. The Committee also felt that the installation of advance warning signs would become ineffective similar to "SLOW CHILDREN" signs which are no longer installed in Edina. Mr. Dunn expressed concern about encouraging bicycle traffic on busy streets. As recommended by the Traffic Safety Committee, Councilman Johnson's motion was seconded by Councilwoman Schmidt and carried that the minutes of the Traffic Safety Committee be approved and that the matter be continued to March 18, 1974, so that Council can be apprised of action taken by a Citizens' Safety Committee on Bicycle Paths.

T.H. 100 - W. 77th STREET SIGNAL AGREEMENT APPROVED. As recommended by Mr. Dunn, Councilman Johnson offered the following resolution and moved its adoption:

RESOLUTION

BE IT RESOLVED that the City of Edina enter into an agreement with the State of Minnesota, Department of Highways for the following purposes, to-wit:

To install traffic signals and street lights on the Trunk Highway No 100 Ramps at W. 77th Street and on West 77th Street at the parking lot entrance approximately 320 feet east of East Frontage Road A, in accordance with Agreement No. 57414, a copy of which was before the Council; and

BE IT FURTHER RESOLVED that the proper City officers are hereby authorized to execute such agreement, and thereby assume for and on behalf of the City all of the contractual obligations contained therein.

Motion for adoption of the resolution was seconded by Councilwoman Schmidt and on rollcall there were four ayes and no nays and the resolution was adopted.

MINNESOTA HIGHWAY DEPARTMENT UTILITY RELOCATION AGREEMENT CONTINUED. As recommended by Mr. Hyde, Councilman Johnson's motion was seconded by Councilman Shaw and carried continuing discussion on the Minnesota Highway Department Utility Relocation Agreement for T.H. 100 to March 18, 1974.

COMMISSION AND BOARD APPOINTMENTS CONFIRMED. Councilman Johnson's motion was seconded by Councilman Shaw and carried for confirmation of the following Board and Commission Members: Planning Commission - Reappointment of Messrs. Samuel Hughes and Clifford E. Johnson for a three year term to expire on February 1, 1977, and the appointment of Mrs. Mary McDonald for a term to expire on February 1, 1977; Appointment of Mr. Richard Kremer for a term of office to expire on February 1, 1975; Park Board - Reappointment of Mrs. Virginia Shaw and Messrs. Cuyler Adams and Donald Pavek for terms to expire on February 1, 1977, and the appointment of Mr. George Warner to succeed Dr. K. Paul Carson which term will expire on February 1, 1975; Human Relations Commission - Appointment of Mrs. Mary Anderson, Mrs. Mimi Gleekel and Mr. Arthur Nelson for terms to expire on February 1, 1977; Environmental Quality Commission - Reappointment of Mrs. Virginia Scott, Messrs. John Telfer and Donald Johnson for terms to expire on February 1, 1976, and the appointment of Mrs. Barbara Casselman and Mr. Paul Mucke for terms to expire on February 1, 1976; the reappointment of Fritz Reid, youth member, was confirmed for a term of office to expire on February 1, 1976; Open Space Committee - to be appointed at a later date; Western Edina Traffic Task Force - Dr. John Kylo.

PROSECUTING ATTORNEY SEMINAR ATTENDANCE APPROVED. Mayor Van Valkenburg called Council's attention to the request of Prosecuting Attorney Walter Gustafson to attend a seminar in Los Vegas, Nevada, registration fee for which was given at \$115.00. Following some discussion, Councilman Johnson's motion was seconded by Councilwoman Schmidt and carried authorizing the Prosecuting Attorney's attendance at the seminar with the understanding that if Mr. Austin should also attend, one-half of the expenses of each should be paid by the City.

SOUTH HENNEPIN HUMAN SERVICES COUNCIL JOINT POWERS AGREEMENT AMENDMENT APPROVED. As recommended by Mayor Van Valkenburg, Councilman Johnson offered the following resolution and moved its adoption:

RESOLUTION

BE IT RESOLVED that the Edina City Council approve the following amendment to the Joint Powers Agreement:

Article VI: Section 14. "It shall have the power to enter contracts with other agencies, companies, or individuals, to provide services according to the recommendations found in its Human Services Plan as contemplated herein."; and

BE IT FURTHER RESOLVED that the Edina City Council approve the contract between South Hennepin Human Services Council and Family & Childrens Service; and

BE IT RESOLVED FURTHER that Family & Childrens Service will carry insurance that insures each of the municipalities from liability.

Motion for adoption of the resolution was seconded by Councilwoman Schmidt and on rollcall there were four ayes and no nays and the resolution was adopted.

HOUSE FILE 2906 OPPOSED. As recommended by Mr. Hyde and Mr. Erickson, Councilman Shaw offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, House File No. 2906 introduced January 22, 1974, is ambiguous in certain respects and, if passed by the Minnesota State Legislature, would undoubtedly result in considerable confusion as to the exact allocation of authority between County Assessors and City Assessors; and

WHEREAS, House File No. 2906 attempts to erode the powers and duties of City Assessors and transfers them to County Assessors; and

WHEREAS, the City of Edina, as have most other municipalities, has developed an efficient, experienced Assessing Department which is performing the assessment function in a most satisfactory manner;

NOW, THEREFORE, BE IT RESOLVED that Edina's Representatives and Senators in the State Legislature be requested to exert all possible effort to defeat House File No. 2906; and

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to each of them.

Motion for adoption of the resolution was seconded by Councilman Johnson and on rollcall there were four ayes and no nays and the resolution was adopted.

SENATE FILE 2109 ENDORSED BY COUNCIL. As recommended by Mr. Hyde, Councilwoman Schmidt offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, fire sprinkler systems should be an integral part of commercial, industrial and high rise residential buildings to provide adequate life safety to occupants of such buildings; and
 WHEREAS, the present State Building Code does not require such installations; and

WHEREAS, the installation of fire sprinkler systems makes it possible for municipalities to operate fire departments more economically;
 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina that the members of the Governmental Operations Committee of the Minnesota State Senate be strongly urged to approve Senate File 2109 and House File 1403 so that municipalities may impose fire prevention standards which exceed those in the State Building Code; and
 BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to each member of the committee.

Motion for adoption of the resolution was seconded by Councilman Shaw and on rollcall there were four ayes and no nays and the resolution was adopted.

SUBURBAN LEAGUE OF MUNICIPALITIES MEETING NOTED. Council's attention was called by Mr. Hyde to a Membership Meeting of the Suburban League of Municipalities to be held Thursday, March 7, 1974 at Golden Valley City Hall.

BIDS TO BE TAKEN FOR NUMEROUS IMPROVEMENTS. As recommended by Mr. Dunn, Councilwoman Schmidt offered the following resolution and moved its adoption:

RESOLUTION APPROVING PLANS AND SPECIFICATIONS
 FOR PROPOSED IMPROVEMENTS AND
 DIRECTING ADVERTISEMENT FOR BIDS
 FOR STREET IMPROVEMENTS NOS. BA-191, BA-194, BA-195, BA-198,
 AND NO. E-29

BE IT RESOLVED by the City Council, City of Edina, Minnesota:

1. The plans and specifications for the proposed improvements set forth in the following Advertisement for Bids form, heretofore prepared by the City Engineer and now on file in the office of the City Clerk are hereby approved.
2. The Clerk shall cause to be published in the Edina Sun and Construction Bulletin the following notice for bids for improvements:

(Official Publication)

CITY OF EDINA

HENNEPIN COUNTY, MINNESOTA

ADVERTISEMENT FOR BIDS

PERMANENT STREET SURFACING

AND CONCRETE CURB & GUTTER

IMPROVEMENT NO. BA-191

IMPROVEMENT NO. BA-194

GRADING, GRAVELING, PERMANENT STREET

SURFACING, CONCRETE CURB AND GUTTER

AND SIDEWALK

IMPROVEMENT NO. BA-195

PERMANENT STREET SURFACING

IMPROVEMENT NO. BA-198

PORTLAND CEMENT CONCRETE PAVING

IMPROVEMENT NO. E-29

CONTRACT #74-1 (ENG.)

BIDS CLOSE APRIL 11, 1974

SEALED BIDS will be received and opened in the Council Chambers in the Edina City Hall, 4801 W. 50th St., at 11:00 a.m., Thursday, April 11, 1974, and Edina City Council will meet at 7:00 p.m., Monday, April 15, 1974, to consider said bids for the construction of Permanent Street Surfacing, Concrete Curb and Gutter, Grading, Graveling, Sidewalk, and Portland Cement Concrete Paving. The following are approximate quantities of major items:

IMPROVEMENT NUMBERS BA-191, BA-194, BA-195, BA-198 and E-29

9,000	C/Y, Common Borrow
11,000	C/Y, Common Excavation
3,000	Tons, Class 5 Gravel
8,000	Tons, Bituminous Paving
8,800	L/F, Curb and Gutter
1,000	S/Y, 6" Portland Cement Concrete Paving
12,000	S/F, 4" Sidewalk
9,000	S/Y, Sod
185	L?F, 154" R.C.P.

Bids shall be in a sealed envelope with a statement thereon showing the work covered by the bid. Bids should be addressed to the City Engineer, City of Edina, 4801 W. 50th Street, Edina, Minnesota 55424, and may be mailed or sub-

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mitted personally to the City Engineer. Bids received by the City Engineer, either through the mail or by personal submission, after the time set for receiving them may be returned unopened.

Work must be done as described in plans and specifications on file in the office of the City Clerk. Plans and specifications are available for a deposit of \$25.00 (by check). Said deposit to be returned upon return of the plans and specifications with a bona fide bid. No bids will be considered unless sealed and accompanied by cash deposit, bid bond or certified check payable to the City Clerk in the amount of at least ten (10) percent of amount of base bid. The City Council reserves the right to reject any or all bids.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

Motion for adoption of the resolution was seconded by Councilman Shaw and on rollcall there were four ayes and no nays and the resolution was adopted.

KRAHL HILL HEARING DATE SET FOR PETITION TO DENY OR PERMIT PETITION FOR REZONING.

Mayor Van Valkenburg advised Council that he and Messrs. Hyde, Dunn, Luce and Erickson had attended a meeting with Mrs. Dencker, Mr. Pieczentkowski, the Krahl's and Mr. Robert Hanson for discussion of the entire problem of the development of Krahl Hill which is located South of Vernon Avenue and West of Arctic Way. Mayor Van Valkenburg recalled that Mr. Melvin Gittleman had requested that Council waive the twelve month provision in the ordinance so that his proposal could go to the Planning Commission and then come before the Council. The Mayor said that at the meeting he had requested that tree cutting be suspended until the end of March so that the matter could be explored further and try to reach a decision that would be the best for all involved. Mr. Krahl objected that this proposal only creates another stall and said that he could not wait any longer. He said that he had been under the impression that it had been agreed that Council would waive the ordinance under which a proposal could not be heard again within a year's time. Mayor Van Valkenburg said that it was his understanding that Council could waive the one year period if a plan could be agreed upon. He suggested that a general consensus might be reached during the month of March and a new hearing conducted on April 1, 1974. Mr. Gittleman suggested that perhaps the Krahl's would agree not to cut any more trees before the hearing date. He said that he would do his best during that period of time to work with the neighbors as to traffic and any other areas that involved the residents in the immediate vicinity and see what could be done to come up with a plan that would suit most of the residents. Mayor Van Valkenburg said that he had understood that residents would support the waiver of the ordinance if there was some consensus of opinion. Mr. Erickson said that he could see no reason why plans could not be presented at a hearing on April 1, but that the only action that Council could take at that hearing would be to authorize the filing of a rezoning application with the Planning Department and to pass it through the normal process. Mr. Hyde said that he felt that the following three points must be resolved before April 1: 1) If any buildings could be built 200 feet back from the Viking Hills property line; 2) If a cul-de-sac should be constructed on Vernon Avenue at Walnut Drive; and 3) If that is done, it will probably be essential to have the Crosstown Frontage Road constructed. He suggested the possibility of holding an informal meeting, possibly on March 9, with Mr. Gittleman, the Krahl's, the Viking Hills residents, Mr. Hanson, someone from the County Highway Department and the owners of the land immediately West of Gleason Road and North of the Crosstown. Mr. Gittleman told Mr. Krahl that if he is to buy the land, Mr. Krahl would have to stop the tree cutting operation. Mr. Krahl said that he would not agree to this proposal because it would hold up the development of the property for too long a period of time. Mr. Gittleman then requested that a public hearing be set for April 1, 1974. Mayor Van Valkenburg said that it had been his understanding that a hearing could be set for April 1 and added that Mr. Hanson had indicated that his plans were developed sufficiently so that he wanted to be a part of the general planning for the area. Mrs. Dencker mentioned the importance of having recommendations from the Western Edina Traffic Task Force. Following considerable discussion, it was moved by Councilman Johnson, seconded by Councilwoman Schmidt and carried, that a hearing be set for March 18, 1974 for the petition to deny or permit a petition for rezoning the Karl Krahl property. Mayor Van Valkenburg said that Mr. Hyde would set up the informal session which he had suggested earlier in the meeting before the next Council Meeting.

ORDINANCE NO. 823 REFERRED BACK TO CITY ATTORNEY FOR REVISION. Council's attention was called to Ordinance No. 823 which proposed to regulate the removal of trees within the City, which ordinance had been recommended by the Environmental Quality Commission. General consensus of Council was that the ordinance

was too broad and should deal only with undeveloped land at this point. Councilwoman Schmidt's motion was then seconded by Councilman Johnson and carried, referring the ordinance back to the City Attorney for revision. It was pointed out that the ordinance could always be amended if problems should develop with trees on developed property.

ORDINANCE NO. 817 REFERRED BACK TO ATTORNEY FOR REVISION. Council's attention was called to Ordinance No. 817 which calls for the control of soil erosion and sedimentation. General concensus of Council was that the ordinance as presented was too detailed and too difficult to enforce. Following considerable discussion, Councilman Johnson's motion was seconded by Councilman Shaw and carried referring the ordinance back to the City Attorney for simplification.

CONTRACT AWARDED FOR TOPOGRAPHIC MAP. Mr. Dunn recalled that a contingent commitment had been received some time ago for use of Revenue Sharing Funds to provide for a new topographic map for the City and that, at that time, \$40,000 had been earmarked for the project. He presented tabulation of two proposals showing Mark Hurd Aerial Surveys at \$33,966 and Harry S. Johnson Companies at \$34,720. Mr. Dunn pointed out that the low proposal of Mark Hurd Aerial Surveys had omitted drafting of street names that is necessary to make the maps workable for the City and that inclusion of the drafting work would put the price above the price of Harry S. Johnson Companies. As recommended by Mr. Dunn, Councilman Shaw's motion was then seconded by Councilwoman Schmidt and carried awarding contract to Harry S. Johnson Companies at \$34,720, inasmuch as Mark Hurd Aerial Surveys does not meet specifications.

HOUSING REDEVELOPMENT AUTHORITY APPOINTMENTS DISCUSSED. Mr. Luce asked if it would be possible for Council to appoint the Housing Redevelopment Authority before the April 1, 1974 meeting. Discussion ensued as to qualifications of members. Mr. Luce clarified that members must have no potential conflict of interest, must be a resident of the City and must not be a member of any existing board, a staff member, or any elected or appointed official of the City. He said that the Authority must consist of five members and that developers, architects and engineers are recommended. Members are to be appointed by the Mayor with the approval of the Council. Mayor Van Valkenburg asked Council for recommendations.

CLAIMS PAID. Motion of Councilman Johnson was seconded by Councilman Shaw and carried for payment of the following claims as per Pre-List: General Fund, \$33,019.49; Construction Fund, \$558.70; Park Funds, \$5,025.23; Water Fund, \$4,740.34; Liquor Fund, \$73,923.28; Sewer Fund, \$42,402.40; Total, \$159,669.44.

No further business appearing, Councilman Johnson's motion for adjournment was seconded by Councilman Shaw and carried. Adjournment at 9:40 p.m.

Dorcas B. Hallberg
City Clerk