

City of Excelsior  
Hennepin County, Minnesota

MINUTES  
EXCELSIOR CITY COUNCIL MEETING

Monday, June 2, 2014

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Councilmembers Beattie, Fulkerson, Miller, and Mayor Gaylord

Absent: Councilmember Caron

Also Present: City Manager Luger, City Attorney Staunton, City Planner Richards, City Engineer Dawley (arrived at 7:01 p.m.), Public Works Superintendent Wisdorf, Finance Director Tumberg, and City Clerk Johnson

3. APPROVAL OF MINUTES

(a) City Council Work Session Meeting of May 19, 2014

Fulkerson moved, Miller seconded, to approve the Minutes of the City Council Work Session Meeting of May 19, 2014. Motion carried 4/0.

(b) Regular City Council Meeting of May 19, 2014

Beattie moved, Fulkerson seconded, to approve the Minutes of the Regular City Council Meeting of May 19, 2014. Motion carried 4/0.

4. OPEN FORUM

Leon Boyd, 44 First Street, addressed the Council.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) 2014 Met Council Sanitary Sewer Force Main Project Update

Wisdorf gave an update on the 2014 Met Council Sanitary Sewer Force Main Project.

(b) South Lake Minnetonka Police Department Meeting Update

Mayor Gaylord and Luger gave an update from the South Lake Minnetonka Police Department meeting. Luger said that the Police Chief has announced he will be retiring by the end of February 2015.

6. AGENDA APPROVAL

(a) Meeting Agenda

Beattie moved, Fulkerson seconded, to approve the meeting agenda. Motion carried 4/0.

(b) Consent Agenda

Beattie moved, Fulkerson seconded, to approve the Consent Agenda. Motion carried 4/0.

1. Verified Claims

Action - Approve for Payment Manual Checks 79672-79707

2. April 2014 Financial Reports

Action - Accept for Filing

3. Excelsior Library Lease Extension

Action - Approve the Second Amendment to Lease Agreement No. A031429 and authorize the Mayor and City Manager to execute the amendment.

4. Heritage Preservation Commission Minutes of April 22, 2014

Action - Accept for Filing

5. Request to Waive Excursion Boat Permit Fee for Minnehaha

Action - Waive the Excursion Boat Permit fee for the Minnehaha for the 2014 boating season.

6. Special Events for Approval

a) Fourth of July, Excelsior-Lake Minnetonka Chamber of Commerce

Action - Approve the Special Event Permit for Fourth of July, Excelsior-Lake Minnetonka Chamber of Commerce

b) Author Party, Excelsior Bay Books, July 26, 2014

Action - Approve the Special Event Permit for Author Party, Excelsior Bay Books, July 26, 2014

c) Crazy Days, Excelsior-Lake Minnetonka Chamber of Commerce, July 17-19, 2014

Action - Approve the Special Event Permit for Crazy Days, Excelsior-Lake Minnetonka Chamber of Commerce, July 17-19, 2014

7. PUBLIC HEARINGS

- (a) None

8. PETITIONS, REQUESTS and COMMUNICATIONS

- (a) Request from Perry Smith for an amendment to the City Code to add an On-Sale Wine Liquor License for Olives Fresh Pizza Bar, 287 Water Street

Perry "Duff" Smith, 287 Water Street, addressed the Council.

Beattie moved, Miller seconded, to approve the request, directing staff to amend the ordinance to add one On-Sale Wine Liquor License. Motion carried 3/1-Fulkerson objected.

- (b) Firecracker Race Noise Variance

Tim Litfin, on behalf of the Firecracker Run and the Fourth of July Celebration, addressed the Council.

Beattie moved, Fulkerson seconded, to approve the request for outdoor music at Excelsior Elementary, Pique Travel parking lot along the trail, five corners in the Veteran's Park area, and The Commons; however, the outdoor music is not allowed to begin before 8:00 a.m. Motion carried 4/0.

9. ORDINANCES AND RESOLUTIONS

- (a) First Reading of an Ordinance to Amend Chapter 32, Article II, Division 1, Section 32-49, of the Excelsior City Code Pertaining to Parking Restrictions for Third Street

Andrew Punch, 561 Third Street, addressed the Council.

Mark Kozikowski, 531 Third Street, addressed the Council.

Beattie moved, Miller seconded, to waive the first reading and amend the draft ordinance to alternate no parking zones between the north and south sides of Third Street and schedule the second reading for June 16, 2014, along with direction for staff to provide further signage for resident permit parking only on Third Street.

Leon Boyd, 44 First Street, addressed the Council.

Motion carried 4/0.

9. ORDINANCES AND RESOLUTIONS

- (b) Second Reading of Ordinance No. 511 - an Ordinance Amending Chapter 4, Article II, Division 2, Section 4-63, of the Excelsior City Code

Beattie moved, Miller seconded, to waive the second reading and adopt Ordinance No. 511 - an Ordinance Amending Chapter 4, Article II, Division 2, Section 4-63, of the Excelsior City Code, as presented. Motion carried 4/0.

- (c) Resolution Authorizing Issuance of Note and Execution of Minnesota Public Facilities Authority (PFA) Loan in the Amount of \$920,313

Beattie moved, Miller seconded, to adopt Resolution No. 2014-28 - a Resolution Accepting the Offer of the Minnesota Public Facilities Authority to Purchase a \$920,313 General Obligation Revenue Note of 2014, Providing for its Issuance and Authorizing Execution of a Bond Purchase and Project Loan Agreement. Motion carried 4/0.

Beattie moved, Miller seconded, to adopt the Governmental Bonds Post-Issuance Compliance Policies and Procedures. Motion carried 4/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- (a) None

11. UNFINISHED BUSINESS

- (a) Valet Parking and Expanded Sidewalk Café

Janel Novachis, Managing Partner for Victor's on Water, 205 Water Street, addressed the Council.

Leon Boyd, 44 First Street, addressed the Council.

Beattie moved, directing staff to draft an ordinance providing for a test run of two valet spaces for Victor's on Water, one on Water Street and one on Second Street, that the full parking meter base rate of \$5,900 be assessed for those two valet parking spaces, and that the timeline for the test run be from the opening of Victor's on Water (approximately August 1, 2014) through December 31, 2014 and that the test run also include the calendar year of January 1, 2015 through December 31, 2015. Seconded by Fulkerson. Motion carried 4/0.

Beattie moved, Fulkerson seconded, not to pursue the Expanded Sidewalk Café issue at this time. Motion carried 3/1-Miller objected.

11. UNFINISHED BUSINESS

- (b) Oak Street Sidewalk project, Receive Plans and Specifications and Authorize Advertisement for Bids

Beattie moved, Fulkerson seconded, to adopt Resolution No. 2014-29 - A Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Oak Street Sidewalk Improvement Project. Motion carried 4/0.

Miller moved, Beattie seconded, to pursue the first option on the warning device options list provided by Dawley and directed staff to refine the costs, find a contractor, and provide more details for the Council at the June 16, 2014 meeting. Motion carried 3/1-Fulkerson objected.

12. NEW BUSINESS

- (a) None

13. ADJOURNMENT

Beattie moved, Fulkerson seconded, to adjourn at 8:55 p.m. Motion carried 4/0.

Respectfully submitted,

Shirley Johnson  
City Clerk