

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

June 16, 2014

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:01 p.m.

2. ROLL CALL

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

Absent: Councilmember Miller

Also Present: City Manager Luger, City Attorney Staunton, Public Works Superintendent Wisdorf, Finance Director Tumberg, and City Clerk Johnson

3. APPROVAL OF MINUTES

(a) City Council Work Session Meeting of June 2, 2014

Fulkerson moved, Beattie seconded, to approve the Minutes of the City Council Work Session Meeting of June 2, 2014. Motion carried 4/0.

(b) Regular City Council Meeting of June 2, 2014

Fulkerson moved, Beattie seconded, to approve the Minutes of the Regular City Council Meeting of June 2, 2014. Motion carried 4/0.

4. OPEN FORUM

Linda Putnam, 152 Third Street, addressed the Council regarding the Minnehaha Museum.

Leon Boyd, 44 First Street, addressed the Council regarding The Commons beach, lifeguard signs, the Art on the Lake event, and the 2015 Budget Goals and Priorities.

Roger Henkelman, 696 Glencoe Road, addressed the Council regarding the rating of the St. Alban's Bay bridge.

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.

6. AGENDA APPROVAL

(a) Meeting Agenda

Beattie moved, Caron seconded, to approve the Meeting Agenda. Motion carried 4/0.

(b) Consent Agenda

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

1. Verified Claims

Action - Approve for Payment Manual Checks 79708-79776 and EFT Checks 917E-931E

2. May 2014 Building Permit Report

Action - Accept Report for Filing

3. Resolution Adopting 2015 Budget Goals and Priorities

Action - Adopt Resolution No. 2014-30 - A Resolution of the City Council Establishing the 2015 City Budget Goal and Objectives List

4. Park and Recreation Commission Minutes of May 13, 2014

Action - Accept Minutes for Filing

5. Planning Commission Minutes of May 6, 2014

Action - Accept Minutes for Filing

6. May 2014 Finance Reports

Action - Accept Reports for Filing

7. Hennepin County Fiscal Year 2015-2017 Joint Cooperation Agreement/Community Development Block Grant (CDBG) Program

Action - Adopt Resolution No. 2014-31 - A Resolution Authorizing the Execution of a Joint Cooperation Agreement Between the City of Excelsior and Hennepin County for Participation in the Urban Hennepin County Development Block Program in FY 2015-2014 and authorize the Mayor and City Manager to Execute the Joint Cooperation Agreement

8. 2015 Assessment Contract

Action - Approve the 2015 Assessment Contract

9. Special Events for Approval

- Tour de Tonka, Minnetonka Community Education, August 2, 2014

Action - Approve the Special Event Permit for Tour de Tonka, Minnetonka Community Education, August 2, 2014

7. PUBLIC HEARINGS

- (a) Public Hearing: Storm Water Pollution Prevention Program (SWPPP)

Greg Beckius, WSB and Associates, Inc., presented the 2014 MS4 Permit Program for the Storm Water Pollution Prevention Program (SWPPP).

Mayor Gaylord opened the Public Hearing at 7:23 p.m.

Leon Boyd, 44 First Street, addressed the Council.

Mayor Gaylord closed the Public Hearing at 7:25 p.m.

8. PETITIONS, REQUESTS and COMMUNICATIONS

- (a) Request for Funding for Milfoil Demonstration Projects for Gideon's and St. Alban's Bays - Judd Bracket and Rob Roy, Lake Minnetonka Association

Judd Bracket, Bay Captain, Gideon's Bay, addressed the Council.

Rob Roy, Bay Captain, St. Alban's Bay, addressed the Council.

Caron moved, Fulkerson seconded, to grant the request from the Lake Minnetonka Association for \$5,000 in funding for Milfoil Projects for Gideon's and St. Alban's Bays. Motion carried 4/0.

- (b) Stoddard Planned Unit Development (PUD) Extension

Bill Stoddard, 456 Third Street, addressed the Council to request a two year extension for the Planned Unit Development, Excelsior Promenade Row House project on Third Street.

Beattie moved, Caron seconded, to approve the request for a two year extension from today's date of June 16, 2014. Motion carried 4/0.

- (c) Request from Excelsior Brewing Company for an amendment to the City Code to add a Sunday On-Sale Taproom Liquor License for 421 Third Street

Patrick Foss, Excelsior Brewing Company of 421 Third Street, and 456 Lafayette Avenue, addressed the Council.

Beattie moved, Fulkerson seconded, to deny the request from Excelsior Brewing Company for a Sunday On-Sale Taproom Liquor License for 421 Third Street. Motion carried 4/0.

9. ORDINANCES AND RESOLUTIONS

- (a) Second Reading of Ordinance No. 512 - An Ordinance to Amend Chapter 32, Article II, Division 1, Sections 32-49 and 32-50, of the Excelsior City Code Pertaining to Parking Restrictions and Permit-Only Parking for Third Street

Beattie moved, Fulkerson seconded, to adopt Ordinance No. 512 – An Ordinance to Amend Chapter 32, Article II, Division 1, Sections 32-49 and 32-50, of the Excelsior City Code Pertaining to Parking Restrictions and Permit-Only Parking for Third Street. Motion carried 4/0.

- (b) First Reading of an Ordinance Amending Chapter 4, Article II, Division 2, Section 4-63, of the Excelsior City Code, to add an On-Sale Wine License

Beattie moved, Caron seconded, to waive the first reading of Ordinance No. 513 - An Ordinance Amending Chapter 4, Article II, Division 2, Section 4-63, of the Excelsior City Code, to add an On-Sale Wine License and schedule the second reading for July 7, 2014. Motion carried 3/1-Fulkerson objected.

- (c) First Reading of an Ordinance to Amend Chapter 28 of the Excelsior City Code to Add Article V. Valet Parking

Beattie moved, Caron seconded, to waive the first reading of Ordinance No. 514 – An Ordinance to Amend Chapter 28 of the Excelsior City Code to Add Article V. Valet Parking and schedule the second reading for July 7, 2014. Motion carried 4/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- (a) Heritage Preservation Commission

Site Alteration Permit for a Second Story Addition 212 Water Street,
Notice of Appeal

Beattie moved, Caron seconded, to approve the proposed process for considering the appeal and amending the schedule as follows:

- June 23, 2014 - Completion of the Written Record
- July 7, 2014 – Submission of Written Arguments
- July 21, 2014 – Oral Argument and Council Deliberation/
Preliminary Decision

Motion carried 4/0.

11. UNFINISHED BUSINESS

- (a) Excelsior Hotel Application Schedule

Charlie James, Excelsior Hotel, addressed the Council.

The Council directed staff to work with Mr. James to determine completion of the final application.

12. NEW BUSINESS

- (a) Listing Agent Contract for 810 Excelsior Boulevard

Beattie moved, Fulkerson seconded, to authorize the Mayor and City Manager to execute the proposal from Mr. Wolfson for one year, ending April 30, 2015, with a commission of .80 cents per square foot. Motion carried 4/0.

- (b) Southshore Center

The Council directed staff to put together a financial and legal analysis of the City's rights and responsibilities, including ownership percentage, under the Joint Powers Agreement for the July 7, 2014 Council meeting.

- (c) Proactive Code Enforcement

The Council discussed the proposed Proactive Code Enforcement, amending the number of enforceable items allowed from three to one.

- (d) Food Trucks

Caron moved, Beattie seconded, with direction to the Planning Commission to study this item and advise regulations on food trucks to be brought to the November 17, 2014 City Council meeting. Motion carried 4/0.

- (e) Irrigation in The Commons

Beattie moved, Fulkerson seconded, to approve the bid to Friedges Landscaping for irrigation in The Commons, in the amount of \$83,815. Motion carried 4/0.

13. ADJOURNMENT

Beattie moved, Caron seconded, to adjourn at 10:29 p.m. Motion carried 4/0.

Respectfully submitted,

Shirley Johnson
City Clerk