

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

AUGUST 18, 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, Caron, Fulkerson, Miller, and Mayor Gaylord

Absent: None

Also Present: City Manager Luger, City Attorney Staunton, Public Works Superintendent Wisdorf, City Planner Smith, and City Clerk Johnson

3. APPROVAL OF MINUTES

(a) City Council Work Session Meeting of August 4, 2014

Beattie moved, Caron seconded, to approve the Minutes of the City Council Work Session Meeting of August 4, 2014. Motion carried 4/1-Fulkerson abstained.

(b) Regular City Council Meeting of August 4, 2014

Beattie moved, Miller seconded, to approve the Minutes of the Regular City Council Meeting of August 4, 2014. Motion carried 4/1-Fulkerson abstained.

(c) Special City Council Meeting of August 11, 2014

Beattie moved, Fulkerson seconded, to approve the Minutes of the Special City Council Meeting of August 11, 2014. Motion carried 5/0.

4. OPEN FORUM

Thom Lofquist, 740 Pleasant Street, addressed the Council. Mr. Lofquist commented on Excelsior being named #5 in Parade Magazine's top 15 main streets in the country. Mr. Lofquist also presented to the City a reproduction of his artwork from this year's 10,000 Lakes Concour d'Elegance.

Leigh Harrod, 220 Bell Street, addressed the Council regarding the need to stencil sidewalks for no bicycle traffic.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) 2014 Met Council Sanitary Sewer Forcemain Project Update

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

6. AGENDA APPROVAL

(a) Meeting Agenda

Luger said that Item 8(a) should be deleted from the agenda.

Beattie moved, Fulkerson seconded, to approve the Meeting Agenda, as amended. Motion carried 5/0.

(b) Consent Agenda

Beattie moved, Fulkerson seconded, to approve the Consent Agenda. Motion carried 4/1-Caron recused herself.

1. Approve Verified Claims - Approve for Payment Manual Checks 79929 - 79980 and EFT Checks 955E - 964E

Action - Approved for Payment Manual Checks 79929 - 79980 and EFT Checks 955E - 964E

2. July 2014 Building Permit Report

Action - Accepted for Filing

3. July 2014 Financial Reports

Action - Accepted for Filing

4. Adopt Resolution No. 2014-43 - A Resolution to Establish Parking Surcharge Fee for Use of Municipal Parking by Charter Boats

Action - Adopted Resolution No. 2014-43 - A Resolution to Establish Parking Surcharge Fee for Use of Municipal Parking by Charter Boats

5. Adopt Resolution No. 2014-44 - A Resolution Setting License and Permit Fees and Utility Rates

Action - Adopted Resolution No. 2014-44 - A Resolution Setting License and Permit Fees and Utility Rates

6. Special Event Permit, Ekate & The Orchard Art House, Including Amplified Sound, 369 George Street, August 23, 2014

Action - Approved Special Event Permit, Ekate & The Orchard Art House, Including Amplified Sound, 369 George Street, August 23, 2014

7. Conditional Use Permit, Victor's on Water, 205 Water Street - *continued to the September 15, 2014 City Council Meeting*

Action - Continued to the September 15, 2014 City Council Meeting

7. PUBLIC HEARINGS

- (a) None

8. PETITIONS, REQUESTS and COMMUNICATIONS

- (a) Special Event Permit, Our Savior Lutheran School Fundraiser, The Commons, September 20, 2014 - *Item Removed*

9. ORDINANCES AND RESOLUTIONS

- (a) None

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- (a) Planning Commission

1. Variance, 243 Third Street, to Construct a Porch 11 Feet from the Front Property Line, PC No. 14-05

Beattie moved, Miller seconded, to approve the Variance, 243 Third Street, to Construct a Porch 11 Feet from the Property Line and adopt Resolution No. 2014-45 – A Resolution Granting a Variance from the Front Yard Setback at 243 Third Street. Motion carried 5/0.

- (b) Heritage Preservation Commission

1. Appeal of Site Alteration Permit for a Second Story Addition, 212 Water Street - *Continued from July 21, 2014 Council Meeting*

Tammy Magney, Magney Architecture, addressed the Council.

Larry Martin, 212 Water Street, addressed the Council.

Staunton provided three options for the Council's consideration:

Option 1 – A Resolution Denying Staff's Appeal of the Heritage Preservation Commission's (HPC's) Approval of a Site Alteration Permit for 212 Water Street. This option would deny staff's appeal permitting construction as approved by the HPC. This option would not require a 4/5's vote of the Council to pass.

Option 2 – A Resolution Granting Staff's Appeal of the HPC's Approval of a Site Alteration Permit for 212 Water Street. This option would grant staff's appeal and preclude construction of the proposed addition. This option would require a 4/5's vote of the Council to pass.

Option 3 – A Resolution Granting Staff's Appeal of the HPC's Approval of a Site Alteration Permit for 212 Water Street. This option would grant staff's appeal with the condition that a Site Alteration Permit is approved

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(b) Heritage Preservation Commission

1. Appeal of Site Alteration Permit for a Second Story Addition, 212 Water Street - *Continued*

by the Council for the compromise alternative. This option would require a 4/5's vote of the Council to pass.

Miller moved, Caron seconded, to approve Option 3. Motion failed 3/2- Fulkerson and Beattie opposed.

Beattie moved, Fulkerson seconded, to approve Option 2. Motion carried 4/1-Mayor Gaylord opposed.

The Council discussed creating a moratorium and added Item 12(b), Moratorium in Excelsior's Downtown Historic District, to the meeting agenda.

11. UNFINISHED BUSINESS

(a) Excelsior Hotel Application Schedule

Beattie moved, Caron seconded, to approve a 90-day extension until November 13, 2014. Motion carried 5/0.

(b) Southshore Center

Beattie moved, Miller seconded, to have Mayor Gaylord meet with Mayor Zerby to discuss Excelsior's potential interest in the Southshore Community Center. Motion carried 5/0.

12. NEW BUSINESS

(a) Excelsior Fire District Operating Budget and Capital Improvement Plan

Beattie moved, Fulkerson seconded, to approve the Excelsior Fire District 2015 Operating Budget and Capital Improvement Plan. Motion carried 5/0.

(b) Moratorium in Excelsior's Downtown Historic District

Caron moved, Beattie seconded, to direct staff to develop a moratorium ordinance in Excelsior's downtown historic district and bring back to the September 2nd Council meeting. Motion carried 5/0.

13. ADJOURNMENT

Beattie moved, Fulkerson seconded, to adjourn at 9:35 p.m. Motion carried 5/0.

Respectfully submitted,

Shirley Johnson

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City Clerk