

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

FEBRUARY 17, 2015

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:08 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, and City Planner Smith

3. APPROVAL OF MINUTES

(a) City Council Work Session Meeting of February 2, 2015

Beattie moved, Fulkerson seconded, to approve the Minutes of the City Council Work Session Meeting of February 2, 2015. Motion carried 5/0.

(b) Regular City Council Meeting of February 2, 2015

Beattie moved, Caron seconded, to approve the Minutes of the Regular City Council Meeting of February 2, 2015. Motion carried 5/0.

4. OPEN FORUM

No one appeared before the Council.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) 2014-15 Met Council Sanitary Sewer Forcemain Project Update

Wisdorf gave an update on the 2014-15 Met Council Sanitary Sewer Forcemain Project.

6. AGENDA APPROVAL

(a) Meeting Agenda

Beattie moved, Fulkerson seconded, to move Item 10(b)2 before Item 10(a)1, and to approve the Meeting Agenda, as amended. Motion carried 5/0.

6. AGENDA APPROVAL

(b) Consent Agenda

Beattie moved, Fulkerson seconded, to approve the Consent Agenda. Motion carried 5/0.

1. Approve Verified Claims - Approve for Payment Manual Checks 80480-80524 and EFT Checks 1048E-1059E
Action - Approved for Payment Manual Checks 80480-80524 and EFT Checks 1048E-1059E.
2. Approve Proposal from Bartlett Tree Experts for Emerald Ash Borer Treatment
Action - Approved and authorized staff to sign the proposal from Bartlett Tree Experts for the application of a systemic root flair injection treatment to the 113 identified ash trees to help suppress Emerald Ash Borer at a cost not to exceed \$8,470.00.
3. Adopt Resolution No. 2015-13 - A Resolution Setting 2015 Long Term Financial Goals and Objectives
Action - Adopted Resolution No. 2015-13 - A Resolution Setting 2015 Long Term Financial Goals and Objectives
4. January 2015 Building Permit Report
Action - Accepted for filing
5. Planning Commission Meeting Minutes of January 6, 2015
Action - Accepted for filing

7. PUBLIC HEARINGS

- (a) Public Hearing for an On Sale and Sunday On Sale Intoxicating Liquor License for Miyabi, Inc., dba Miyabi, located at 400 Water Street, Suite 100; Resolution No. 2015-11

Zhong Zheng, 458 West 84th Street, Bloomington, addressed the Council.

Mayor Gaylord opened the Public Hearing at 7:16 p.m. Hearing no comments, Mayor Gaylord closed the Public Hearing.

Beattie moved, Caron seconded, to adopt Resolution No. 2015-11 - A Resolution Granting an On Sale Intoxicating Liquor License and Sunday On Sale Intoxicating Liquor License to Miyabi, Inc., dba Miyabi, 400 Water Street, Suite 100, amended to include August 1, 2015 as the date by which actual use of the license must be made. Motion carried 5/0.

8. PETITIONS, REQUESTS and COMMUNICATIONS

- (a) Special Event Permits for March 14, 2015; Resolution No. 2015-14

1. Luck O' The Lake 5K, March 14, 2015
2. Jake O'Connor's Tent Party, March 14, 2015

Niall MacCafferty, 200 Water Street, addressed the Council.

Beattie moved, Fulkerson seconded, to: 1) approve the Special Event Permit for Luck O' The Lake 5K on March 14, 2015; 2) to approve the Special Event Permit for Jake O'Connor's Tent Party on March 14, 2015, with music stopping at 10:00 p.m.; and 3) to adopt Resolution No. 2015-14 - A Resolution Imposing Temporary Parking Restrictions for March 13-15, 2015. Motion carried 5/0.

- (b) Request for Fee Reduction and Approval of Special Event Permit for Memorial Day Murph Event, May 25, 2015

Jason Johnson, Crossfit SISU, addressed the Council.

Pat Crosby, Crossfit SISU, addressed the Council.

Isaiah Maring, Retired Navy Seal, addressed the Council and presented a framed photograph of the 2014 Memorial Day Murph Event to the City of Excelsior.

Beattie moved, Fulkerson seconded, to approve the Special Event Permit for the Memorial Day Murph Event, with the fee reduced to \$500.00, along with the \$1,000.00 damage deposit. Motion carried 5/0.

- (c) Hazardous Building at 101 West Lake Street

David Gross, 101 W. Lake Street, addressed the Council.

Beattie motioned, Miller seconded, to grant a new deadline to February 17, 2016, to either renovate or remove the accessory building. Motion carried 4/0-Fulkerson opposed.

9. ORDINANCES AND RESOLUTIONS

- (a) None

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) Heritage Preservation Commission

- 1) Amendment to the Planned Unit Development Ordinance; Ordinance No. 521

Beattie motioned, Fulkerson seconded to waive the first reading and schedule the second reading of Ordinance No. 521 - An Ordinance to Amend Appendix E, Article 65 of the Excelsior City Code Regarding the Planned Unit Development Review Process for March 2, 2015. Motion carried 5/0.

(b) Planning Commission

- 2) Rezoning 675 Water Street, Ridgeview Medical Clinic, from R-3, Medium Density Residential, to B-2, General Business; Resolution No. 2015-12; Ordinance No. 522

Ben Nielsen, Ridgeview Medical Clinic, addressed the Council.

Steve Michaels, Mount Development, addressed the Council.

Beattie motioned, Fulkerson seconded, to continue this item to the March 2, 2015 City Council meeting or have the Applicant apply for an amended Conditional Use Permit. Motion carried 5/0.

- 1) Establishing a Green Space Overlay District; Ordinance No. 523

The Council didn't take any action on this item.

11. UNFINISHED BUSINESS

(a) Charter Boats Lease

Beattie motioned, Caron seconded to approve the 2015 Commercial Pier Lease with Our Lady of the Lake Cruises, Paradise Charter Cruises, and Queen of Excelsior Cruises, and authorize the Mayor and City Manager to execute the lease agreements. Motion carried 5/0.

(b) St. Alban's Bay Lake Improvement District Board

The Council directed staff to send letters to property owners advertising for three positions on the Lake Improvement District Board.

11. UNFINISHED BUSINESS

(c) Annual Appointments to Advisory Commissions

Caron motioned, Fulkerson seconded, to continue the Park and Recreation appointments to the March 2, 2015 City Council meeting. Motion carried 5/0.

Fulkerson motioned, Caron seconded, to appoint Dan Wallace and Nathalie Wilson to the Planning Commission. Motion carried 5/0.

Beattie motioned, Miller seconded, to appoint Teri Haugland and Todd Carlson to the Heritage Preservation Commission. Motion carried 5/0.

12. NEW BUSINESS

(a) Single Family Lot Combination

The Council directed the Planning Commission to study this issue.

(b) Hennepin County Recycling Grant

The Council directed staff to continue moving forward with the Hennepin County Recycling Grant process.

(c) 2015 City Council Goals

Beattie motioned, Caron seconded, to approve the 2015 City Council goals as outlined in the staff report. Motion carried 5/0.

13. ADJOURNMENT

Beattie moved, Caron seconded, to adjourn at 9:00 p.m. Motion carried 5/0.

Respectfully submitted,

Patrick Smith
City Planner