

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

APRIL 20, 2015

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:03 p.m.

2. ROLL CALL

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

Absent: None

Also Present: City Manager Luger, Public Works Superintendent Wisdorf, City Planner Richards, City Planner Smith, City Engineer Dawley, and City Clerk Johnson

3. APPROVAL OF MINUTES

(a) City Council Work Session Meeting of April 6, 2015

Miller moved, Caron seconded, to approve the Minutes of the City Council Work Session Meeting of April 6, 2015. Motion carried 5/0.

(b) Regular City Council Meeting of April 6, 2015

Caron moved, Miller seconded, to approve the Minutes of the Regular City Council Meeting of April 6, 2015. Motion carried 5/0.

4. OPEN FORUM

Mayor Gaylord presented a Plaque of Appreciation to outgoing Advisory Commissioner Bob Bolles. Commissioner A.J. Wilson was not in attendance.

No one appeared before the Council.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

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

Quentin Knaak, Assistant Construction Contract Administrator, Metropolitan Council, provided an update on the 2014-15 Met Council Sanitary Sewer Forcemain Project.

Wisdorf stated that April 25, 2015 is scheduled as Clean-Up Day in The Commons.

6. AGENDA APPROVAL

(a) Meeting Agenda

Beattie moved, Miller seconded, to continue Item 9(a) to the May 4, 2015 City Council meeting, to remove Item 10(a)1, and to approve the Meeting Agenda, as amended. Motion carried 5/0.

(b) Consent Agenda

Dawley stated that Item 6(b)7, 2014 Sanitary Sewer Improvement Project, Construction Pay Voucher No. 1, included incorrect amounts. Dawley clarified that there is nothing to amend on the voucher but that the memo to the Council was incorrect. Dawley said the cost for the two cities in the table should be: Excelsior \$104,909.45 and Tonka Bay \$26,999.19. Dawley said the Costs through date should be January 6, 2015.

Caron requested that Item 6(b)5, Fourth of July Contribution Increase Request, be pulled from the Consent Agenda and moved to New Business as Item 12(d).

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

1. Verified Claims

Action - Approved for Payment Manual Checks 80662-80706 and EFT Checks 1088E-1091E.

2. March 2015 Building Permit Report

Action - Accepted for filing.

3. March 2015 Building Permit Report

Action - Accepted for filing.

4. Park and Recreation Commission Meeting Minutes of March 10, 2015

Action - Accepted for filing.

5. Fourth of July Contribution Increase Request

Action - *Item moved to New Business as Item 12(d).*

6. 2015 Sanitary Sewer Lining Ad for Bid

Action - Authorized to receive plans and specifications and advertise for bids for the 2015 Sanitary Sewer Lining Project.

6. AGENDA APPROVALU

(b) Consent Agenda – *Continued*

7. 2014 Sanitary Sewer Improvement Project, Construction Pay Voucher No. 1

Action - Authorized payment for the 2014 Sanitary Sewer Improvement Project, Construction Pay Voucher No. 1, per the corrections submitted by City Engineer Dawley.

7. PUBLIC HEARINGS

(a) None

8. PETITIONS, REQUESTS and COMMUNICATIONS

(a) DECA Presentation, AnchorInn Business Concept

Jen Soshnik, Abby Chargo, and Amara Hobbs, Orono High School Students, presented a business concept to the City Council.

The Council thanked Ms. Soshnik, Ms. Chargo, and Ms. Hobbs for a great presentation.

(b) 2014 Audit Presented by Andy Berg, Abdo, Eick & Meyers, LLP

Andy Berg, Abdo, Eick & Meyers, LLP, addressed the Council.

The Council thanked Mr. Berg for his presentation.

(c) Special Event Permit, SISU Summer Throwdown, July 10, 2015

Jason Johnson, CrossFit SISU, addressed the Council.

Beattie moved, Miller seconded, to approve the Special Event Permit for SISU Summer Throwdown, July 10, 2015, with the stipulation that the beach will remain open until 4:30 p.m. and that CrossFit SISU will rake and clean up the beach after the event and clear out any and all debris from the event.

Discussion included that registration for the event may take place from 2:30 p.m. to 4:30 p.m. and that the beach will be closed from 4:30 p.m. to 6:30 p.m. Motion carried 4/1-Fulkerson opposed.

8. PETITIONS, REQUESTS and COMMUNICATIONS

- (d) Request for Micro Distiller's Cocktail Room License

Heather Manley, Crooked Water Spirits, addressed the Council.

Beattie moved, Miller seconded, directing staff to take the next steps to find out the process of developing the ordinance, timeframe for it, costs involved, and at the same time, design a public forum for the discussion of this issue, work with the Applicant to schedule a date for the forum, and learn the process of applying for a Distillery License and a Cocktail Room License from the State of Minnesota Alcohol and Gambling Enforcement Division. Motion carried 5/0.

- (e) Request for Boat Length Variance from Mooring Policy, Brian Paulsen and Sherri Jobelius, 156 Lake Street

Brian Paulsen and Sherri Jobelius, 156 Lake Street, addressed the Council.

Miller moved, Caron seconded, to approve the boat length for Brian Paulsen and Sherri Jobelius, that they pay the 25 foot rate for the dock, and directed staff to add wording to the Mooring Policy to make it very clear to prospective dock renters that the maximum length allowed for boats is 24 feet, as measured by the Minnesota Department of Natural Resources, and forward the amended Mooring Policy to the Park and Recreation Commission and to the City Council for approval. Motion carried 3/2-Beattie and Fulkerson opposed.

9. ORDINANCES AND RESOLUTIONS

- (a) Second Reading of Ordinance No. 522 - An Ordinance to Amend Chapters 30 and 34 and Appendix E of the Excelsior City Code to Modify Stormwater Management Regulations; Resolution No. 2015-32 - *This item was continued to the May 4, 2015 City Council meeting.*
- (b) Second Reading of Ordinance No. 524 - An Ordinance to Amend Chapter 32 of the Excelsior City Code to Modify Parking Regulations

Beattie moved, Fulkerson seconded, to waive the second reading and adopt Ordinance No. 524 - An Ordinance to Amend Chapter 32 of the Excelsior City Code to Modify Parking Regulations, as presented. Motion carried 5/0.

9. ORDINANCES AND RESOLUTIONS

- (c) Second Reading of Ordinance No. 525 - An Ordinance to Amend the City of Excelsior Code of Ordinances to Add Chapter 10, Article XXI. Mobile Food Vehicles

Beattie moved, Caron seconded, to waive the second reading and adopt Ordinance No. 525 – An Ordinance to Amend the City of Excelsior City Code of Ordinances to Add Chapter 10, Article XXI. Mobile Food Vehicles, as presented. Motion carried 5/0.

Beattie moved, Caron seconded, to adopt Resolution No. 2015-33 – A Resolution Establishing Fees for Mobile Food Vehicles, as presented. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) Planning Commission

- 1) Planned Unit Development (PUD) Amendment, 400 Water Street, Oppidan Sign Request; Resolution No. 2015-25 – *This item was withdrawn by the Applicant.*
- 2) General Planned Unit Development (PUD), Design Standards Review, Preliminary Plat, 340 Water Street

Bill Stoddard, 456 Third Street, addressed the Council.

Brian Zais, 311 George Street, addressed the Council.

Bob Bolles, 229 George Street, addressed the Council.

Tom Peterson, Co-Owner of 318, The Mill Café, addressed the Council.

Larry Reger, Coldwell Banker-Wayzata, addressed the Council.

Nikki Craig, 731 Second Avenue, addressed the Council.

Diane Bolles, 229 George Street and 310 Water Street, addressed the Council.

Beattie moved, Miller seconded, directing staff to work with the developer to determine a solution that both parties may support and bring back a couple of options to the City Council. Motion carried 5/0.

11. UNFINISHED BUSINESS

- (a) None

12. NEW BUSINESS

- (a) Proposals for 810 Excelsior Boulevard

Bill Wolfson, Coldwell Banker-Wayzata, addressed the Council.

Beattie moved, Miller seconded, to approve the proposal from KinderRead Montessori School, directing staff to bring back to Council a lease for the Council to review. Motion carried 5/0.

- (b) Sayler Joe's Excelsior Wagon Lease Agreement Proposal

Beattie moved, Caron seconded, to deny the proposal. Motion carried 4/1-
Miller opposed.

- (c) Change Time of May 4, 2015 Work Session

Caron moved, Beattie seconded, to change the time of the May 4, 2015 Work Session to 5:30 p.m. Motion carried 5/0.

- (d) Fourth of July Contribution Increase Request

Beattie moved, Caron seconded, to deny the request and directed staff to bring back to the Council for review, both an explanation from the Excelsior-Lake Minnetonka Chamber of Commerce as to why the increase is needed and financial information supporting the request. Motion carried 5/0.

13. ADJOURNMENT

Beattie moved, Caron seconded, to adjourn at 11:43 p.m. Motion carried 5/0.

Respectfully submitted,

Shirley Johnson
City Clerk