

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

January 4, 2016
Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:02 p.m.

2. ROLL CALL

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

Absent: None

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

3. APPROVAL OF MINUTES

(a) City Council Special Meeting of December 21, 2015

Carlson moved, Miller seconded, to approve the Minutes of the City Council Special Meeting of December 21, 2015. Motion carried 5/0.

(b) City Council Work Session Meeting of December 21, 2015

Carlson moved, Miller seconded, to approve the Minutes of the City Council Work Session Meeting of December 21, 2015 with the additions as mentioned by Miller. Motion carried 5/0.

(c) Regular City Council Meeting of December 21, 2015

Carlson moved, Caron seconded, to approve the Minutes of the Regular City Council Meeting of December 21, 2015. Motion carried 5/0.

4. OPEN FORUM

(a) Bruce Kelly, 165 Maple Street, addressed the Council.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) 2015-16 Met Council Sanitary Sewer Forcemain Project Update

Wisdorf gave an update on the 2015-16 Met Council Sanitary Sewer Forcemain Project.

6. AGENDA APPROVAL

(a) Meeting Agenda

Caron moved, Carlson seconded, to approve the January 4, 2016 City Council Agenda. Motion carried 5/0.

(b) Consent Agenda

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

1. Verified Claims

Approved Verified Claims - Approve for Payment Manual Checks 81477-80508 and EFT Checks 1206E - 1210E

2. 2016 Capital Improvement Plan

Action – Authorized staff to start the process of purchasing items listed in the 2016 Capital Improvement Plan

3. 2016 Business License Renewals

Action – Approved 2016 Business License Renewals

4. Resolution No. 2016-01 – A Resolution Setting License and Permit Fees and Utility Rates

Action – Adopted Resolution No. 2016-04 – A Resolution Setting License and Permit Fees and Utility Rates

5. Designate Official Newspaper

Action – Designated the Sun Newspapers as the Official Newspaper for 2016

6. Approve Official Depositories and Securities Pledged as Collateral

Action – Adopted Resolution No. 2016-03 – A Resolution of the Excelsior City Council Approving Official Depositories and Approving the Selection of Collateral and Its Safekeeping Entity

7. Approve Appointment of Assistant Weed Inspector

Action – Approved Dave Wisdorf, Public Works Superintendent, as the Assistant Weed Inspector for 2016

8. Designate Responsible Authority and Compliance Officer for Administering Data Privacy Requests

Action – Appointed the City Clerk as the Responsible Authority and the City Attorney as the Compliance Officer for data privacy requests

(b) Consent Agenda - Continued

9. Schedule 2016 Local Board of Appeal and Equalization Meeting

Carlson stated that he will be unavailable.

Action – Scheduled the 2016 Local Board of Appeal and Equalization meeting for 7:00 p.m. on Wednesday, April 6, 2016 in the Council Chambers

10. Closing of City Hall on January 6th and February 3rd, 2016 for Clean-Up Days

Action – Authorized staff to close City Hall on Wednesday, January 6th and February 3rd for clean-up days

11. Residential Development Standards

Action – Continued the item until the January 19, 2016 City Council Meeting

7. PUBLIC HEARINGS

(a) None

8. ANNUAL ACTIVITIES

(a) Choose Acting Mayor

Beattie moved, Caron seconded, to appoint Councilmember Miller as Acting Mayor for 2016. Motion carried 5/0.

(b) Review City Council By-Laws

Miller moved, Beattie seconded, to continue to operate under the present By-Laws for 2016. Motion carried 5/0.

(c) Appointments to Lake Minnetonka Communications Commission

Beattie moved, Carlson seconded, to appoint Councilmember Miller as the Council Representative and Dave Wahlstedt as the Excelsior Resident At-Large Representative for 2016 to the LMCC. Motion carried 5/0.

(d) Appointment of Alternate to SLMPD Coordinating Committee

Carlson moved, Miller seconded, to appoint Councilmember Caron as Alternate to the SLMPD Coordinating Committee. Motion carried 5/0.

(e) Appointment of Representative and Alternate to Excelsior Fire District Board

Caron moved, Carlson seconded, to appoint Councilmember Miller as Representative and Councilmember Beattie as Alternate to the Excelsior Fire District Board. Motion carried 5/0.

(f) Appointment of Representative to St. Alban's Bay Bridge

Carlson moved, Caron seconded, to appoint Councilmember Beattie as Representative to the St. Alban's Bay Bridge Committee. Motion carried 5/0.

9. PETITIONS, REQUESTS and COMMUNICATIONS

- (a) Outdoor Music Permit, Maynard's Restaurant, January 21-23, 2016

Jack Stevens, Maynard's Restaurant, addressed the Council

Caron moved, Beattie seconded, to approve the Outdoor Music Permit for Maynard's Restaurant for January 22nd and 23rd, with outdoor music approved until 10:00 p.m. Motion carried 5/0.

10. ORDINANCES and RESOLUTIONS

- (a) Liquor License Policy

Beattie moved, Caron seconded, to continue this item to the January 19, 2016 City Council Meeting and have staff investigate the seating capacity. Motion carried 5/0.

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- (a) Heritage Preservation Commission

1. First Reading of Ordinance No. 529 – Revising the Excelsior Downtown Historic District Boundaries (HPC No. 15-02)

Bill Griffith, Hoffman Larkin Law Firm, addressed the Council.
Doug Schmidt, 220 Second Street, addressed the Council.

Carlson moved, Caron seconded, to waive the First Reading, and schedule the Second Reading for Ordinance No. 529 regarding the boundaries of the Excelsior Downtown Historic District. Motion failed 2/3 with Miller, Gaylord, and Beattie opposed.

Beattie moved, Miller seconded, to refer the issue of the 426 Lake Street Building back to the Heritage Preservation Commission for review. Miller added that the Commissioners should address the issue with the period of significance. Caron included that if the Commission determines that it is not part of the district then she would like the Commissioners to determine what 426 Lake Street's designation should be per the ordinance. Motion carried 5/0.

- (b) Planning Commission

1. PUD Amendment for 400 Water Street – Oppidan (PC No. 15-11)

Peter Coyle, Counsel for Oppidan, addressed Council.

Beattie moved, Carlson seconded, that they adopt Resolution 2016-01, A Resolution for a Planned Unit Development Amendment for Signage, Landscaping and Lighting at 400 and 440 Water Street. Motion carried 5/0.

(b) Planning Commission- Continued

2. Concept Plan PUD for 289 Water Street (PC No. 15-10/HPC No. 15-15)

Beattie moved, Miller seconded to adopt Resolution 2016-02, A Resolution Approving a PUD Concept Plan for a development proposal at 287/289 Water Street which includes waiving the 10 parking stalls as the Planning Commission recommended and to including all the conditions as stated in Resolution 2016-02. Motion failed 3/2 with Carlson and Caron opposed.

Beattie moved, to forward the item to the Planning Commission to review the parking situation.

Beattie withdrew his motion to send it back to the Planning Commission for review.

Beattie moved, Caron seconded, to deny Resolution 2016 – 02, A Resolution Approving a PUD Concept Plan for a development proposal at 287/289 Water Street. Motion carried 5/0.

3. Concept PUD for 723 Water Street (PC No. 15-14)

Jay Jensen, Applicant addressed the Council.

Beattie moved, Miller seconded, to adopt Resolution 2016 – 05, A Resolution Approving a Planned Unit Development Concept Plan Proposal for 723 Water Street and Associated Adjacent Parcels. Miller added that he would like the applicant to explore lowering the roof line for height, significantly reduce the scale building and to modify Condition 4 of the Resolution 2016-02 to include landscaping and green space, and to add Condition 12 to Resolution 2016- 02 asking the Applicant to place a story poll on the site and to stake the four corners of the property. Motion carried 5/0.

12. UNFINISHED BUSINESS

(a) None

13. NEW BUSINESS

(a) None

14. ADJOURNMENT

Beattie moved, Carlson seconded, to adjourn at 10:14 p.m. Motion carried 5/0.

Respectfully submitted,

Ann Orlofsky
City Clerk