

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

June 6, 2016
Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:04 p.m.

2. ROLL CALL

Present: Councilmembers Beattie, Miller, Carlson, Mayor Gaylord

Absent: Councilmember Caron

Also Present: City Manager Luger, City Attorney Staunton, Public Works
Superintendent Amundsen, City Clerk Orlofsky and
Event/Communications Coordinator Edwards

3. APPROVAL OF MINUTES

(a) Work Session Meeting Minutes of May 16, 2016

Beattie moved, Miller seconded, to approve the Minutes of the City Council
Work Session Meeting of May 16, 2016. Motion carried 4/0.

(d) Regular Meeting Minutes May 16, 2016

Beattie moved, Miller seconded, to approve the Minutes of the City Council
Meeting of May 16, 2016. Motion carried 4/0.

4. OPEN FORUM

(a) Heritage Preservation Awards

Awards were presented to the following properties for their noteworthy effort
to enhance the historic nature of the City of Excelsior.

205 Second Street - Bacon Drug Store Building/Owner

478 Second Street - Todd Jones

436 Second Street - Bennett Brothers Livery Stable/Owner

356 Water Street - Dan Johnson

200 Second Street - Denis and Cath Burand

4. OPEN FORUM – CONTINUED

(b) John Rudnicki, 512 Grace Street, addressed the City Council.

Erik Paulsen, Owner of Victors on the Water, addressed the City Council.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

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

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

6. AGENDA APPROVAL

(a) Meeting Agenda

Beattie moved, Carlson seconded, to remove Item 12(e) The Heritage Preservation Commission Appointment from the agenda and extend the acceptance of applications another 30 days, and approve the June 6, 2016 City Council Agenda as amended. Motion carried 4/0.

(b) Consent Agenda

Beattie moved, Miller seconded, to remove Item 6b(7) Downtown Historic Boundaries – Period of Significance from the consent agenda and continue it to a future City Council Meeting, and approve the June 6, 2016 Consent Agenda as amended. Motion carried 4/0.

1. Approve Verified Claims - Approve for Payment Manual Checks 81921 - 81988 and EFT Checks 1272E - 1283E

Action – Approved for Payment Manual Checks.

2. 2017 Budget Goals

Action – Adopted Resolution No. 2016-23 – A Resolution of the City Council Establishing the 2017 City Budget Goal and Objectives List.

3. Heritage Preservation Commission Minutes April 7, 2016

Action – Accepted for filing.

4. Heritage Preservation Commission Minutes April 13, 2016

Action – Accepted for filing.

5. Heritage Preservation Commission Minutes April 19, 2016

Action – Accepted for filing.

(b) *Consent Agenda - Continued*

6. Special Event Permit for Ridgewood Church on Monday, June 26, 2016

Action – Approved the Special Event Permit for Ridgewood Church on Monday, June 27, 2016.

7. Downtown Historic Boundaries – Period of Significance

Action – Continued to a future City Council Meeting.

8. Approve Pay Voucher No. 2 (Final), 2015 Sanitary Sewer Improvement Project Tonka Bay and Excelsior, MN

Action – Approved Pay Voucher 2 (Final) for the 2015 Sanitary Sewer Improvement Project in the amount of \$4,111.24 to Insituform Technologies USA, LLC for the portion of work completed in Excelsior.

9. 2016-2017 Assessment Contract

Action – Approved the 2016-2017 Assessment proposal from Rolf Erickson Enterprises, Inc. to provide assessment services to the City of Excelsior in the amount of \$22,908 for the period of September 1, 2016 to August 31, 2017.

10. T-Mobile Lease Agreement

Action – Approved the Third Amendment to the Water Tower Antenna Agreement and authorized the Mayor and City Manager to sign the Amendment.

11. May Building Permits Report

Action – Accepted for filing.

12. Lagos Taco Underage Serving Violation

Action – Approved the Settlement Agreement for the Underage Serving Violation with Water Street Restaurants, LLC d/b/a/ Lago Tacos.

13. E-Poll Agreement with Hennepin County

Action – Approved the E-Poll Agreement contingent on City Attorney review and authorized the City Manager to sign.

7. PUBLIC HEARING

- (a) None

8. PETITIONS, REQUESTS and COMMUNICATIONS

(a) Fourth of July Donation Request

Laura Hotvet, Executive Director of the Excelsior Lake Minnetonka Chamber addressed the Council.

Beattie moved, Carlson seconded, to approve the \$500 increase, making the City's annual contribution to the 2016 Fourth of July Celebration \$2,500. Motion carried 4/0.

9. ORDINANCES and RESOLUTIONS

(a) None

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) Planning Commission

1) Concept General Plan – 723 Water Street

Carlson moved, Beattie seconded, to continue this item to the June 20, 2016 City Council Meeting.

2) Design Standards Review, CUP and First Reading of the Rezoning - 141 Minnetonka Boulevard

Gabriel Jabbour, 141 Minnetonka Boulevard, addressed the City Council.

Beattie moved, Carlson seconded, to waive the first reading and schedule the second reading of Ordinance No. 539, an Ordinance amending Article 40, Section 40-3, Appendix E of the Excelsior City Code pertaining to the zoning map. Motion carried 4/0.

Beattie moved, Carlson seconded, to adopt Resolution No. 2016-28 approving a Conditional Use Permit for off-site parking on the adjacent lot to the east and Design Standards Review subject to the conditions listed in said resolution with removing Item J from the conditions. Motion carried 4/0.

3) Design Standards Review – 284 Water Street

Mark Williams, 284 Water Street, addressed the Council.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) *Planning Commission - Continued*

3) *Design Standards Review – 284 Water Street - Continued*

Carlson moved, Beattie seconded, to adopt Resolution No. 2016-25 approving the Design Standards Review for exterior changes to the building located at 284 Water Street subject to the following condition as listed in the memo. Motion carried 4/0.

11. UNFINISHED BUSINESS

(a) Special Event SISU Summer Throw Down, July 8-9, 2016

Beattie moved, Miller seconded, to approve the Special Event SISU Summer Throw Down on July 8 and 9, 2016 with these conditions: redirect the amplification towards Water Street and require all participants to park in the school parking lot. Motion carried 4/0.

(b) Snack Shack Request

Smetana Larson, Alumni Leader from DECA, addressed the Council.

Carlson moved, Beattie seconded, to authorize the Minnetonka DECA program to operate the Snack Shack at the concession building in The Commons; allocate \$500 to the Snack Shack for start-up funds, after the City's initial investment is paid back; and allocate revenues from the Snack Shack on a 60/40 basis. Motion carried 4/0.

12. NEW BUSINESS

(a) Street Dinner Request

Mark Grapp, Event Organizer, addressed the City Council.

Beattie moved, Miller seconded, to approve the Special Event Permit for the Excelsior Street Dinner and adopt Resolution No. 2016-26 – A Resolution Imposing Temporary Street Closure on Thursday, August 4, 2016 based on the conditions listed in the memo. Motion carried 3/1 with Gaylord opposed.

(b) Firecracker Run Outdoor Music Request

Beattie moved, Carlson seconded, to deny the request for amplified sound to start at 7:30 a.m. Motion carried 3/1 with Miller opposed.

12. NEW BUSINESS - CONTINUED

- (c) Request to Reduce the Special Event Permit Fee for Christkindlsmarkt November 25-27, 2016

Myrle Mackenzie, Event Organizer and Gary Ezell, owner of Joey Nova's addressed the City Council.

Beattie moved, Carlson seconded, to approve the permit with a Fee of \$1,000 for 2016. Motion carried 4/0.

- (d) Request to Reduce the Special Event Fee for 2016 Flea Market Permit

Myrle Mackenzie, Event Organizer, addressed the City Council.

Beattie moved, Carlson seconded, to send the Item back for staff to review and requested staff to follow up at the June 20, 2016 meeting. Motion carried 4/0.

- (e) Heritage Preservation Commission Appointment

Item was continued to the July 18, 2016 City Council Meeting.

- (f) Parking Meter Update

City Planner Richards gave an update on the timeline and schedule of the Parking Pay Stations.

13. ADJOURNMENT

Beattie moved, Carlson seconded, to adjourn at 9:40 p.m. Motion carried 4/0.

Respectfully submitted,

Ann Orlofsky
City Clerk