

**CITY OF EXCELSIOR
Hennepin County, Minnesota**

MINUTES

**City Council Work Session
Monday, September 19, 2011
6:00 p.m.**

1. Call to Order/Roll Call

Mayor Ruehl called the meeting to order at 6:05 p.m.

Councilmembers present: Caron, Fulkerson, Miller (arrived at 6:14 p.m.), Olson, and Mayor Ruehl. Also Present: Public Works Superintendent Wisdorf and Morgan Dawley.

2. Agenda Approval

Fulkerson moved, Olson seconded, to approve the agenda. Motion carried 4/0.

3. Bell Street and Linwood Avenue Fire Lanes

Wisdorf said that when the street projects were completed in 2010 and 2011, there were new outfalls and remediation manholes installed at the Bell Street and Linwood Avenue fire lanes. The nature of the fire lanes were changed, so the City will be required to meet the current Lake Minnetonka Conservation District's (LMCD) setback requirements if they want to reinstall the slides. The setback is 10 feet.

It will be difficult to reinstall slides at the Bell Street fire lane because of the topography and the location of the outfall pipe. There is also an encroachment by the neighboring property into the fire lane, which makes it difficult to meet the 10 foot setback requirement.

There is the capability to install 3 of the 4 slides back at the Linwood Avenue fire lane. Again, there is an encroachment into the fire lane by the neighboring property. One of the neighbors (Marsh Gabriel, 162 West Lake Street) has sent a letter to the Council to state his concerns with regard to having the slides at the fire lane. There are three residents who have utilized the slides at Linwood Avenue for a number of years and those residents would like to have the slides reinstalled.

Fulkerson asked what happened with the residents this year who had previously leased slides at the Linwood Avenue fire lane. Wisdorf stated that two of the renters were moved to another location temporarily. The third renter did not want to move so their money was refunded.

3. Bell Street and Linwood Avenue Fire Lanes – (Continued)

Fulkerson asked if the slides at all the other fire lanes had been rented out this season. Wisdorf explained how many slides at each fire lane are being rented. He noted that the people who rent the slides typically live within a block of the fire lane.

Olson asked about the encroachments by neighboring properties. Wisdorf explained that these properties have items in the City's fire lane.

The Council and staff discussed whether all of the right-of-way agreements are in place with the properties adjacent to the fire lanes. Wisdorf said that some of the agreements are in place, but not all of them. Mayor Ruehl said that if there aren't any specific issues, the City should have the agreements in place.

Caron asked if staff knew prior to the projects that slides would be lost. Wisdorf stated that he thought the City would be able to reinstall the slides until he learned from the LMCD that the City would need to meet the 10 foot setback.

Caron asked if the City had been in compliance with the LMCD regulations for the slides before the street project. Wisdorf said yes, the slides were located in the middle of the fire lane and met all of the requirements. The requirements changed once the City took the slides out for the street project.

The Council and staff discussed whether the neighboring properties should have to move their docks to meet the LMCD setbacks.

The Council directed staff to put together a list of properties adjacent to the fire lanes and identify who has a signed right-of-way agreement on file. If a property has not signed a right-of-way agreement, staff should identify why the agreement not been executed.

The Council requested that the City Attorney provide clarification on the City's ordinance with regard to the use of the fire lanes.

The Council also directed staff to provide updated pictures of all fire lanes, copies of the LMCD setback regulations for the slides, and contact the LMCD to inquire where the City can add slides if slides are lost at the Bell Street and Linwood Avenue fire lanes.

Mayor Ruehl said that the Council still has another item on the agenda to discuss this evening, so the Council will need to continue the discussions on this item to another Work Session.

3. Bell Street and Linwood Avenue Fire Lanes – (Continued)

Jim Norman, 148 West Lake Street, said he has been taking care of the fire lane next to his residence. He has pictures with him that he has taken of the fire lane. He will keep the pictures and give them to the Council later if this item will be discussed again.

Mayor Ruehl told Mr. Norman that the Council will be discussing this item again at a future Work Session. He told Mr. Norman that he could leave the pictures with staff so they could become part of the record. Mr. Norman stated that he would hold onto the pictures and present them to the Council when this item is discussed again.

4. 2011 Street Improvement Project – Second Street Curb and Gutter

Wisdorf reported that there have been some questions with regard to the curb replacement on Second Street. He said that when West Lake Street was done, only the curb that was in disrepair was scheduled to be replaced. When the time came to do the curb repair, it was determined that it was more cost effective to replace the entire curb. Staff is recommending that the curb be replaced on Second Street rather than do spot replacement. It is projected that the City will have approximately \$50,000 remaining of the bond proceeds once the project is completed, so there should be adequate funds to replace the curb.

Wisdorf said that the contractor will begin grinding up the asphalt on Second Street this Friday. Within the next two weeks, the contractor will be removing curb, grading, and completing the driveway work. At the same time a crew will begin taking care of the punch list items.

Mayor Ruehl asked if the contractor will be able to complete the work within the timeline. Wisdorf said yes. The curb and driveway work should be completed by October 7th. The wear course is scheduled to be completed by October 17th.

Mayor Ruehl asked if the patching of streets from the traffic and such has been completed. Wisdorf said most of that work has been completed. He noted that there is some patching that still needs to be completed, but it was not part of this project.

Wisdorf said that within the next few weeks the contractor will also be installing the curb on Third Street and fixing the sidewalk in front of the Gables.

5. Other

Mayor Ruehl asked if the City had any updates on the condition of the St. Alban's Bay Bridge.

City Engineer Dawley said the bridge was inspected earlier this year. In a conversation with Hennepin County, he's learned that the rating of the bridge has not changed. The City is still waiting for the written report. Once the report is received, staff will be bringing an update to the Council.

Mayor Ruehl said that he had seen a document that Greenwood Mayor Kind had that stated that the bridge might be eligible for historic status. Dawley said that is correct and explained the process for different funding options. He noted that staff will have more information available for the Council once the bridge report is received.

The Council and staff discussed whether there will be any impacts to the City due to the condition of the bridge when the Metropolitan Council forcemain project is done.

6. Adjournment

Caron moved, Olson seconded, to adjourn the Work Session meeting at 6:58 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson
City Clerk