

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, May 7, 2012

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Ruehl called the meeting to order at 7:05 p.m.

2. ROLL CALL

Present: Councilmembers Caron, Fulkerson, Miller, Olson, and Mayor Ruehl

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

3. APPROVAL OF MINUTES

a. Special City Council Meeting of April 16, 2012

Olson moved, Caron seconded, to approve the Minutes of the Special City Council Meeting of April 16, 2012. Motion carried 5/0.

b. City Council Work Session Meeting of April 16, 2012

Fulkerson moved, Olson seconded, to approve the Minutes of the City Council Work Session Meeting of April 16, 2012. Motion carried 5/0.

c. Regular City Council Meeting of April 16, 2012

Fulkerson moved, Caron seconded, to approve the Minutes of the Regular City Council Meeting of April 16, 2012. Motion carried 5/0.

d. Board of Review of April 19, 2012

Fulkerson moved, Olson seconded, to approve the Minutes of the Board of Review Meeting of April 19, 2012. Motion carried 5/0.

4. OPEN FORUM

None

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

The City's Spring Clean Up Day is Saturday, May 19, 2012.

The Clean Up and Help Beautify The Commons is also on Saturday, May 19, 2012.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS – (Continued)

The Step To It Challenge is from April 23 through May 20, 2012

The property owner at 712 Third Avenue experienced flooding of his backyard over the weekend. The Public Works Superintendent and City Engineer are looking into the drainage issue.

6. AGENDA APPROVAL

a. Meeting Agenda

Item 11(a) was moved up on the agenda to follow Item 8(a). Olson moved, Caron seconded, to approve the meeting agenda as amended. Motion carried 5/0.

b. Consent Agenda

Miller moved, Olson seconded, to approve the consent agenda. Motion carried 5/0.

1. Verified Claims

Action – Approve for Payment in the Amount of \$222,589.60, EFT Checks #542 through #558 and Manual Checks #77135 through #77203

2. Safe Assure Consultant's Contract – May 2012

Action – Approve Safe Assure Consultant's Contract and Authorize City Manager to Execute Contract and Approve \$1,875.00 Payment

3. Resolution No. 2012-15 – A Resolution Setting Fees for Licenses and Permits – Establishing Fee for Commercial Plumbing Permits

Action – Adopt Resolution No. 2012-15 – A Resolution Setting Fees for Licenses and Permits – Establishing Fee for Commercial Plumbing Permits

4. Resolution No. 2012-16 - A Resolution Approving 2012-2015 Residential Recycling Grant Agreement Between Hennepin County and the City of Excelsior

Action – Adopt Resolution No. 2012-16 - A Resolution Approving 2012-2015 Residential Recycling Grant Agreement Between Hennepin County and the City of Excelsior

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

5. 2012 Ford F450 4X4 Cab and Chassis Purchase

Action – Approve Purchase of 2012 Ford F450 4 X 4 Cab and Chassis from Midway Ford for \$36,236.76, Plus Applicable Sales Tax and Licensing to be Funded from Public Works Equipment Fund

6. 2012 Sewer Cleaning and Televising Proposal

Action – Approve Contract with Midwest Trenchless Technologies, Inc. for 2012 Sewer Cleaning and Televising Project at a Cost of \$1.00 Per Foot for Televising and \$1.00 Per Foot for Cutting Roots

7. Monthly Budget Report – March, 2012

Action – Accept for Filing

8. Monthly Building Permit Report – April, 2012

Action – Accept for Filing

9. Heritage Preservation Commission Minutes for Filing – March 20 and March 27, 2012

Action – Accept for Filing

7. PUBLIC HEARINGS

a. On-Sale Wine and Intoxicating Malt Liquor License for Yumi’s Waterfront Café and Sushi Bar at 217 Water Street

Mayor Ruehl opened the public hearing at 7:09 p.m. Hearing no comments, Mayor Ruehl closed the public hearing.

Caron moved, Fulkerson seconded, to adopt Resolution No. 2012-17 – A Resolution Granting an On-Sale Wine and Intoxicating Malt Liquor License to Myoung Hee Kim for the Remainder of the 2012 Calendar Year. Motion carried 5/0.

8. PETITIONS, REQUESTS and COMMUNICATIONS

a. Special Event Permit for Excelsior Flea Market and Vintage Car Show

Rick Meyer, organizer of the Vintage Car Show, addressed the City Council.

8. PETITIONS, REQUESTS and COMMUNICATIONS

- a. Special Event Permit for Excelsior Flea Market and Vintage Car Show –
(Continued)

Fulkerson moved, Olson seconded, to approve the Special Event Permit for the Excelsior Flea Market and Vintage Car Show as presented and charge a \$100.00 permit cost for the combined event. Motion carried 5/0.

11. UNFINISHED BUSINESS

- a. Rezoning of 348 George Street to B-2 General Business District and Preliminary and Final Plat, Design Standards, Variances, and Site Plan Review for the Redevelopment of the Properties Located at 440 Water Street, 348 George Street, 368 George Street, and 374 George Street - KTJ 207 LLC

Paul Tucci, Oppidan, the applicant, addressed the City Council.

Craig Vaughn, SRF Consulting Group Inc., Traffic Engineer for project, addressed the City Council.

Mike Brandt, MFRA, Engineer for project, addressed the City Council.

Mark Gaylord and Cindy Busch, liaisons for the Planning Commission, addressed the City Council.

Nina Stark, 735 Pleasant Street, addressed the City Council.

Tim Brandow, 404 Second Street, addressed the City Council.

John Anderson, 200 George Street, addressed the City Council.

Brian Kirkvold, 44 Center Street, addressed the City Council.

Bill Mason, 440 Water Street, addressed the City Council.

Terri Rossi, 182 George Street, addressed the City Council.

Dan Johnson, 561 Third Street, addressed the City Council.

Joe Ryan, Oppidan, the applicant, addressed the City Council.

Miller moved, Fulkerson seconded, to adopt Resolution No. 2012-18 - A Resolution Granting a Variance From Front and Rear Yard Setback Requirements at 400 and 440 Water Street, as amended. Motion carried 5/0.

11. UNFINISHED BUSINESS

- a. Rezoning of 348 George Street to B-2 General Business District and Preliminary and Final Plat, Design Standards, Variances, and Site Plan Review for the Redevelopment of the Properties Located at 440 Water Street, 348 George Street, 368 George Street, and 374 George Street - KTJ 207 LLC – (Continued)

Miller moved, Olson seconded, to waive the first reading of An Ordinance Amending Article 40, Section 40-3, Appendix E of the Excelsior City Code Pertaining to the Zoning Map, and schedule the second reading and adoption for the May 21, 2012 Council meeting. Motion carried 5/0.

Miller moved, Fulkerson seconded, to adopt Resolution No. 2012-19 - A Resolution for Approval of the Final Plat for Snells 2nd Addition as amended. Motion carried 5/0.

Miller moved, Olson seconded, to adopt Resolution No. 2012-20 - A Resolution Providing Design Standards and Site Plan Approval for Redevelopment of the Properties at 440 Water Street; 348, 368 and 374 George Street, as amended. Motion carried 5/0.

9. ORDINANCES and RESOLUTIONS

- a. First Reading of An Ordinance to Amend Article 19, Section 19-9 of Appendix E, Excelsior City Code of Ordinances, Pertaining to Annual Parking Impact Fee

Miller moved, Olson seconded, to waive the first reading of An Ordinance to Amend Article 19, Section 19-9 of Appendix E, Excelsior City Code of Ordinances, Pertaining to Annual Parking Impact Fee, and schedule the second reading and adoption for the May 21, 2012 Council meeting. Motion carried 5/0.

- b. A Resolution Establishing a 2012 Available Capacity for Parking

Miller moved, Olson seconded, to adopt Resolution No. 2012-21 - A Resolution Establishing a 2012 Available Capacity for Parking. Motion carried 5/0.

- c. A Resolution Establishing an Annual Parking Impact Fee

Miller moved, Olson seconded, to adopt Resolution No. 2012-22 - A Resolution Establishing an Annual Parking Impact Fee. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. None

11. UNFINISHED BUSINESS

- a. Rezoning of 348 George Street to B-2 General Business District and Preliminary and Final Plat, Design Standards, Variances, and Site Plan Review for the Redevelopment of the Properties Located at 440 Water Street, 348 George Street, 368 George Street, and 374 George Street - KTJ 207 LLC

This item was moved up on the agenda to follow Item 8(a).

12. NEW BUSINESS

- a. Low Water Declaration – Hidden Lane Dock

Rhoda Brooks, 859 Excelsior Blvd., addressed the City Council.

Miller moved, Olson seconded, to submit an application to the Lake Minnetonka Conservation District for permission to add an 8 foot extension to the Hidden Lane docks.

13. ADJOURNMENT

Fulkerson moved, Olson seconded, to adjourn the meeting at 10:30 p.m.
Motion carried 5/0.

Respectfully submitted,

Cheri Johnson
City Clerk