

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, May 21, 2012

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Ruehl called the meeting to order at 7:09 p.m.

2. ROLL CALL

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

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

3. APPROVAL OF MINUTES

a. Special City Council Meeting of May 7, 2012

Olson moved, Miller seconded, to approve the Minutes of the Special City Council Meeting of May 7, 2012. Motion carried 5/0.

b. Regular City Council Meeting of May 7, 2012

Miller moved, Caron seconded, to approve the Minutes of the Regular City Council Meeting of May 7, 2012. Motion carried 5/0.

4. OPEN FORUM

None

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

The Council and staff thanked everyone who helped with cleaning up and planting The Commons on Saturday, May 19, 2012.

6. AGENDA APPROVAL

a. Meeting Agenda

Add Item 6(b)7 – Resolution No. 2012-25 - Amended Resolution for Approval of the Preliminary and Final Plat for Minnesota Inboard Marine Addition and Item 6(b)8 – Resolution No. 2012-26 - A Resolution Amending the Approval of a PUD General/Final Plan for Redevelopment at 712 and 734 Galpin Lake Road was added to the agenda. Fulkerson moved, Olson seconded, to approve the meeting agenda as amended. Motion carried 5/0.

6. AGENDA APPROVAL

b. Consent Agenda

Caron moved, Miller seconded, to approve the consent agenda as amended.
Motion carried 5/0.

1. Verified Claims

Action – Approve for Payment in the Amount of \$130,398.03, EFT Checks #564 through #569 and Manual Checks #77204 to #77250

2. 2012-2013 Teamsters Union Contract

Action – Approve 2012-2013 Labor Agreement Between the City of Excelsior and Teamsters Local 320

3. 2012 Contract for Lifeguard Services

Action – Approve Contract with Minnetonka Community Services for \$19,500 and Authorize City Manager to Execute Agreement

4. Monthly Budget Report – April 2012

Action – Accept for Filing

5. Planning Commission Minutes for Filing – April 3, 2012

Action – Accept for Filing

6. Park and Recreation Commission Minutes for Filing – April 10, 2012

Action – Accept for Filing

7. Amended Resolution for Approval of the Preliminary and Final Plat for Minnesota Inboard Marine Addition

Action – Adopt Resolution No. 2012-25 - Amended Resolution for Approval of the Preliminary and Final Plat for Minnesota Inboard Marine Addition

8. A Resolution Amending the Approval of a PUD General/Final Plan for Redevelopment at 712 and 734 Galpin Lake Road

Action – Adopt Resolution No. 2012-26 - A Resolution Amending the Approval of a PUD General/Final Plan for Redevelopment at 712 and 734 Galpin Lake Road

7. PUBLIC HEARINGS

- a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

- a. Third Street Fire Lane Proposed Landscaping Plan

Miller moved, Fulkerson seconded, to move the Third Street Fire Lane Landscaping Plan to the next phase of preparing plans and specifications and getting cost estimates. Motion carried 5/0.

Susan Valo, 2 Third Street, addressed the City Council.

Jean Mueller, 401 Lafayette Avenue, addressed the City Council.

Cindy Olson, 1 Third Street, addressed the City Council.

- b. Tobacco Free Parks – Emily Anderson & Minnetonka High School Students

Becca Rowe, 2617 Rachel Court, Chaska, addressed the City Council.

Abby Gordon, 17404 Bridgewater Circle, Minnetonka, addressed the City Council.

Thom Lofquist, 740 Pleasant Street, addressed the City Council.

Kristen Dowell, 634 Third Avenue, addressed the City Council.

Miller moved, Olson seconded, to direct staff to draft a tobacco-free policy to restrict smoking in designated areas within the park and during community events. Motion carried 5/0.

- c. 2011 Audit – Andy Berg, Abdo, Eick, & Meyers, LLP

Andy Berg, Abdo, Eick, and Meyers, LLP, presented the 2011 Audit results.

Miller moved, Caron seconded, to accept the 2011 Audit as presented. Motion carried 5/0.

9. ORDINANCES and RESOLUTIONS

- a. Second Reading and Adoption of Ordinance No. 483 - 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, Caron seconded, to waive the second reading and adopt Ordinance No. 483 - An Ordinance to Amend Article 19, Section 19-9 of Appendix E, Excelsior. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. Planning Commission – Continued Public Hearings

1. Conditional Use Permit to Construct Swimming Pool in Accordance with Appendix E, Article 21-2(6), Swimming Pool Protection at 731 Hidden Lane, P.I.D. #35-117-23-21-0013 – Bill and Shari Nichols

Bill Nichols, 731 Hidden Lane, the applicant, addressed the City Council.

Mike Sharratt, the architect, addressed the City Council.

Mayor Ruehl opened the public hearing at 9:04 p.m. Hearing no comments, Mayor Ruehl closed the public hearing.

Olson moved, Miller seconded, to adopt Resolution No. 2012-23 - A Resolution Granting a Conditional Use Permit for the Installation of a Swimming Pool and Fence at 731 Hidden Lane. Motion carried 5/0.

2. Variance from Maximum Square Footage for Accessory Building Per Appendix E, Article 18, Sec. 18-2(h) for Addition to Existing Unattached Garage 634 Third Avenue, P.I.D.# 35-117-23-23-0042 – Ken and Kristin Dowell

Mayor Ruehl opened the public hearing at 9:09 p.m. Hearing no comments, Mayor Ruehl closed the public hearing.

Beth Duvejonck, Planning Commission liaison, addressed the City Council.

Miller moved, Olson seconded, to adopt Resolution No. 2012-24 – A Resolution Granting a Variance from Allowable Square Footage for Accessory Use Requirements at 634 Third Avenue as amended. Motion carried 5/0.

Miller moved, Caron seconded, to move Item 11(a) up on the agenda. Motion carried 5/0.

11. UNFINISHED BUSINESS

a. Redevelopment of the Properties at 440 Water Street, 348 George Street, 368 George Street, and 374 George Street

1. Second Reading and Adoption of Ordinance No. 484 – An Ordinance Amending Article 40, Section 40-3, Appendix E of the Excelsior City Code Pertaining to the Zoning Map

Miller moved, Fulkerson seconded, to waive the second reading and adopt Ordinance No. 484 - An Ordinance Amending Article 40, Section 40-3, Appendix E of the Excelsior City Code Pertaining to the Zoning Map. Motion carried 5/0.

11. UNFINISHED BUSINESS

- a. Redevelopment of the Properties at 440 Water Street, 348 George Street, 368 George Street, and 374 George Street

2. Landscaping Plan

Miller moved, Olson seconded, to approve the landscape plan as presented. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- b. Park and Recreation Commission

1. Mooring Policy for the Docks/Buoys/Slides/Kayaks/Canoes

Jim Lesinski, 241 Center Street, addressed the City Council.

Miller moved, Olson seconded, to adopt the Mooring Policy for the docks, buoys, slides, kayaks, and canoes as amended. Motion carried 5/0.

2. Memorial Bench for Don Rogers

Miller moved, Fulkerson seconded, to approve the request from the South Lake Minnetonka Police Department to install a 4-foot Victor Stanley memorial bench at the Port of Excelsior in memory of Captain Don Rogers. Motion carried 5/0.

11. UNFINISHED BUSINESS

- a. Redevelopment of the Properties at 440 Water Street, 348 George Street, 368 George Street, and 374 George Street

Moved up on the agenda to follow Item 10(a)2.

12. NEW BUSINESS

- a. Schedule City Council Work Session(s)

Miller moved, Caron seconded, to schedule City Council Work Sessions for Monday, June 4, and Monday, June 18, 2012 at 5:30 p.m. Motion carried 5/0.

13. ADJOURNMENT

Caron moved, Fulkerson seconded, to adjourn the meeting at 9:57 p.m.
Motion carried 5/0.

Respectfully submitted,

Cheri Johnson
City Clerk