

City of Excelsior  
Hennepin County, Minnesota

MINUTES  
EXCELSIOR CITY COUNCIL MEETING

Tuesday, February 19, 2013

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:06 p.m.

2. ROLL CALL

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

Also Present: City Manager Luger, City Attorney Staunton, City Planner Richards, City Engineer Dawley (left the meeting at 8:05 p.m.), Public Works Superintendent Wisdorf, and City Clerk Johnson

3. APPROVAL OF MINUTES

a. Regular City Council Meeting of February 4, 2013

Beattie moved, Fulkerson seconded, to approve the Minutes of the Regular City Council Meeting of February 4, 2013. Motion carried 5/0.

b. City Council Work Session Meeting of February 11, 2013

Beattie moved, Fulkerson seconded, to approve the Minutes of the City Council Work Session Meeting of February 11, 2013. Motion carried 5/0.

c. Special City Council Meeting of February 11, 2013

Caron moved, Beattie seconded, to approve the Minutes of the Special City Council Meeting of February 11, 2013. Motion carried 5/0.

4. OPEN FORUM

None

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

None

6. AGENDA APPROVAL

a. Meeting Agenda

Caron moved, Fulkerson seconded, to approve the meeting agenda. Motion carried 5/0.

6. AGENDA APPROVAL

b. Consent Agenda

Beattie moved, Fulkerson seconded, to approve the consent agenda. Motion carried 5/0.

1. Verified Claims

Action - Approve for Payment in the Amount of \$70,515.16, EFT Checks 670a-672c, 670aa-672cc, 673-674 and Manual Checks 78182 to 78237

2. Special Event/Park Use Permit and Temporary Liquor License for Art on the Lake, June 8 and 9, 2013 – Excelsior-Lake Minnetonka Chamber of Commerce

Action – Approve Issuance of Special Event/Park Use Permit and Temporary Liquor License for Art on the Lake Event

3. Special Event/Park Use Permit for 4<sup>th</sup> of July, July 4, 2013 – Excelsior-Lake Minnetonka Chamber of Commerce

Action – Approve Issuance of Special Event/Park Use Permit for 4<sup>th</sup> of July Event

4. Special Event Permit for Memorial Day Parade, May 27, 2013 – Clarence Clofer American Legion Post 259

Action – Approve Issuance of Special Event Permit for Memorial Day Parade

5. Special Event/Park Use Permit for Triathlon, June 15, 2013 – Lake Minnetonka Triathlon

Action – Approve Issuance of Special Event/Park Use Permit for Triathlon

6. Resolution Calling Public Hearing on the Proposed Enlargement of Development District No. 1, Adoption of Modification to the Development Program for Development District No. 1, the Proposed Establishment of Tax Increment Financing (Redevelopment) District No. 2 Within Development District No. 1, As Enlarged, and the Proposed Adoption of a Tax Increment Financing Plan Relating Thereto

Action – Adopt Resolution No. 2013-09 - Resolution Calling Public Hearing on the Proposed Enlargement of Development District No. 1, Adoption of Modification to the Development Program for Development District No. 1, the Proposed Establishment of Tax Increment Financing (Redevelopment) District No. 2 Within Development District No. 1, As Enlarged, and the Proposed Adoption of a Tax Increment Financing Plan Relating Thereto

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

7. Solicit Bid Proposals for Irrigation System for The Commons

Action – Authorize Staff to Solicit Bid Proposals for Irrigation System for The Commons

8. Investigate Emerald Ash Borer Treatments

Action – Authorize Staff to Investigate Emerald Ash Borer Treatments

9. 2013 Refuse Hauler License – Advanced Disposal Services

Action – Approve Issuance of 2013 Refuse Hauler License to Advanced Disposal Services

10. Accept Plans and Specifications and Authorize Advertising for Bids for Park Lift Station Improvements

Action - Accept Plans and Specifications and Authorize Advertising for Bids for Park Lift Station Improvements

11. Monthly Building Permit Report – January 2013

Action – Accept for Filing

12. Planning Commission Minutes for Filing – January 8, 2013

Action – Accept for Filing

13. Park and Recreation Commission Minutes for Filing – January 15, 2013

Action – Accept for Filing

14. Heritage Preservation Commission Minutes for Filing – December 18, 2012

Action – Accept for Filing

7. PUBLIC HEARINGS

a. 2013 Metropolitan Council Environmental Services (MCES) Excelsior Force Main Improvement Project

Mayor Gaylord opened the public hearing at 7:32 p.m.

Joan Maher, 905 Excelsior Boulevard, addressed the City Council.

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

Bob Bolles, 229 George Street, addressed the City Council.

7. PUBLIC HEARINGS

- a. 2013 Metropolitan Council Environmental Services (MCES) Excelsior Force Main Improvement Project - (Continued)

Gerry Scane, 301 George Street, addressed the City Council.

Hearing no further comments, Mayor Gaylord closed the public hearing at 7:45 p.m.

Beattie moved, Fulkerson seconded, to adopt Resolution No. 2013-10 – A Resolution Ordering Improvements and Preparation of Plans for 2013 MCES Force Main Improvements Project. Motion carried 5/0.

8. PETITIONS, REQUESTS and COMMUNICATIONS

- a. None

9. ORDINANCES and RESOLUTIONS

- a. None

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. None

11. UNFINISHED BUSINESS

- a. General and Final Plan, Planned Unit Development District, Design Standards, Site Plan Review, and HPC Appeal to Construct a Hotel at 10 Water Street, P.I.D. 34-117-23-11-0059 - Thomas F. James Properties, LLC

Mayor Gaylord opened the meeting for public comment at 8:22 p.m. Hearing no comments, Mayor Gaylord closed the public comment portion.

Beattie moved, Fulkerson seconded, to adopt Resolution No. 2013-11 - A Resolution Overturning the Heritage Preservation Commission's Denial of a Site Alteration Permit for 10 Water Street as amended. Motion carried 4/1, with Caron voting nay.

Beattie moved, Fulkerson seconded, to adopt Resolution No. 2013-12 – A Resolution Providing Design Standards and Site Plan Approval for The Excelsior Hotel – 10 Water Street as presented. Motion carried 5/0.

Beattie moved, Miller seconded, to adopt Resolution No. 2013-13 – A Resolution Approving a PUD General Plan for 10 Water Street. Motion carried 5/0.

Charlie James, Thomas F. James Properties, LLC, the applicant, addressed the City Council.

11. UNFINISHED BUSINESS

b. Lake Minnetonka Communications Commission Appointment

Beattie moved, Fulkerson seconded, to continue this agenda item to the April 1, 2013 Council meeting. Motion carried 5/0.

12. NEW BUSINESS

a. Annual Appointments to Advisory Commissions

Caron moved, Miller seconded, to reappoint Nicki Craig and appoint Dan Hannah to the Planning Commission to serve a three-year term expiring February 28, 2016 and appoint Anthony J. Wilson to fulfill the remainder of a term which expires February 28, 2015. Motion carried 5/0.

Beattie moved, Caron seconded, to reappoint Mark Macpherson and appoint Melinda Nelson and Douglas E. Schmidt to the Heritage Preservation Commission to serve a three-year expiring February 28, 2016. Motion carried 5/0.

Miller moved, Caron seconded, to continue the appointment to the Park and Recreation Commission to the March 4, 2013 Council meeting. Motion carried 5/0.

13. ADJOURNMENT

Caron moved, Fulkerson seconded, to adjourn at 9:25 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson  
City Clerk