

City of Excelsior  
Hennepin County, Minnesota

MINUTES  
EXCELSIOR CITY COUNCIL MEETING

Monday, May 6, 2013

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:05 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 (arrived at 7:45 p.m.), Finance Officer Tumberg (left at 8:10 p.m.), Public Works Superintendent Wisdorf, and City Clerk Johnson

3. APPROVAL OF MINUTES

a. City Council Work Session Meeting of April 15, 2013

Fulkerson moved, Miller seconded, to approve the Minutes of the City Council Work Session Meeting of April 15, 2013. Motion carried 5/0.

b. Regular City Council Meeting of April 15, 2013

Fulkerson moved, Beattie seconded, to approve the Minutes of the Regular City Council Meeting of April 15, 2013. Motion carried 5/0.

c. Board of Review Meeting of April 18, 2013

Fulkerson moved, Miller seconded, to approve the Minutes of the Board of Review Meeting of April 18, 2013. Motion carried 5/0.

4. OPEN FORUM

Mayor Gaylord presented a plaque of appreciation to outgoing Heritage Preservation Commissioner, Becca Sanders.

David J. Osmek, Minnesota State Senator, District 33, introduced himself to the City Council and gave a brief overview of what he has been working on in the Senate.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

None

6. AGENDA APPROVAL

a. Meeting Agenda

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

b. Consent Agenda

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

1. Verified Claims

Action - Approve for Payment in the Amount of \$97,501.38, EFT Checks 707-719 and Manual Checks 78411 to 78473

2. Variances from Minimum Front Yard Setback, Maximum Impervious Surface Coverage, and Minimum Green Space Requirement for Additions to Home at 243 Third Street, P.I.D. #34-117-23-12-0064 – The Chuba Company – Continue to May 20, 2013 Council Meeting

Action – Continue Agenda Item to May 20, 2013 Council Meeting

3. Request to Waive Excursion Boat Permit Fee for Minnehaha

Action - Waive Excursion Boat Permit Fee for the Minnehaha for the 2013 Season

4. 2013 Trolley License

Action – Approve Issuance of 2013 Trolley License to the Minnesota Streetcar Museum

5. 2013 Park and Dock Patrol Services

Action – Approve the South Lake Minnetonka Police Department's Proposal for 2013 Seasonal Park and Dock Patrol Services

6. Award Contract for Sewer Manhole Rehabilitation Project

Action – Award Contract to Infrastructure Technologies, Inc. for a Cost Not-to-Exceed \$14,000.00, to be Funded from Sewer Fund

7. Change Date for Check-In on Farmer's Market

Action – Change Check-In Date for the Farmer's Market from June 17<sup>th</sup> to July 1<sup>st</sup> and Relocation Date from June 22<sup>nd</sup> to July 11<sup>th</sup>

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

8. Special Event Permit for Apple Day, September 7, 2013 – Excelsior Lake Minnetonka Chamber of Commerce

Action – Approve Issuance of Special Event Permit for Apple Day, September 7, 2013

9. Special Event Permit for Memorial Day Event, Saturday, May 25, 2013 – Excelsior Brewing Company, LLC

Action – Approve Issuance of Special Event Permit for Memorial Day Event, Saturday, May 25, 2013 at Excelsior Brewing Company, LLC

10. Special Event Permit for Girls Night Out, Thursday Nights, June through October, 2013 –Excelsior Lake Minnetonka Chamber of Commerce

Action – Approve Issuance of Special Event Permit for Girls Night Out, Thursday Nights, June through October, 2013

11. Special Event Permit for Flea Market, Saturdays, June through August - Myrle Mackenzie, Christkindsmarkt Committee

Action – Special Event Permit for Flea Market, Saturdays, June through August

12. Repair of Streetlights and Electrical Outlets on Water Street

Action – Accept Bid Proposal from Frontier Electric for a Cost Not-to-Exceed \$8,645.00

13. Temporary Liquor License to Jake O’Connor’s Public House for 10,000 Lakes Concours d’Elegance, Sunday, June 2, 2013

Action – Approve Issuance of Temporary Liquor License to Jake O’Connor’s Public House for 10,000 Lakes Concours d’Elegance, Sunday, June 2, 2013

14. Monthly Building Permit Report – March 2013

Action – Approve for Filing

15. Heritage Preservation Commission Minutes for Filing – March 12, 2013

Action – Approve for Filing

7. PUBLIC HEARINGS

- a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

- a. Excelsior Lake Minnetonka Chamber of Commerce

1. Update on Chamber

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

2. Revisions to Special Event/Park Use Permit for 4<sup>th</sup> of July Event

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

Beattie moved, Miller seconded, to approve revisions to the Special Event/Park Use Permit for 4<sup>th</sup> of July event, to include the music extending to 10:00 p.m. and the addition of a air show. Motion carried 5/0.

- b. Boat Slip Donation Request – Kim Lesinski, Parent Advisory Board, Minnetonka Preschool and ECFE Program

Kim Lesinski, representing the Parent Advisory Board, Minnetonka Preschool and ECFE Program, addressed the City Council.

Beattie moved, Fulkerson seconded, to approve the donation of one of the City's transient docks to be used on the 4<sup>th</sup> of July for a silent auction fundraiser. Motion carried 5/0.

- c. 2012 Audit – Andy Berg, Abdo, Eick, & Meyers, LLP

Andy Berg, Abdo, Eick, & Meyers, LLP, presented the City's 2012 Audit.

Caron moved, Fulkerson seconded, to accept the 2012 Audit as presented. Motion carried 5/0.

9. ORDINANCES and RESOLUTIONS

- a. Second Reading and Adoption of Ordinance No. 496 – An Ordinance to Amend Chapter 32, Article II, Division I, Section 32-58 of the Excelsior City Code to Establish a 15-Minute Parking Zone on Water Street

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

9. ORDINANCES and RESOLUTIONS

- a. Second Reading and Adoption of Ordinance No. 496 – An Ordinance to Amend Chapter 32, Article II, Division I, Section 32-58 of the Excelsior City Code to Establish a 15-Minute Parking Zone on Water Street – (Continued)

Beattie moved, Fulkerson seconded, to waive the second reading and adopt Ordinance No. 496 – An Ordinance to Amend Chapter 32, Article II, Division I, Section 32-58 of the Excelsior City Code to Establish a 15-Minute Parking Zone on Water Street. Motion carried 5/0.

- b. Second Reading and Adoption of Ordinance No. 497 – An Ordinance to Amend Article 19, Off-Street Parking Requirements of Appendix E of the Excelsior City Code of Ordinances Related to Joint Parking Facilities

Beattie moved, Miller seconded, to waive the second reading and adopt Ordinance No. 497 – An Ordinance to Amend Article 19, Off-Street Parking Requirements of Appendix E of the Excelsior City Code of Ordinances Related to Joint Parking Facilities. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. None

11. UNFINISHED BUSINESS

- a. Excelsior-Greenwood Water Service Expansion and Water Service Agreements

Beattie moved, Fulkerson seconded, to approve the Excelsior-Greenwood Water Service Agreement and authorize the Mayor and City Manager to execute said Agreement. Motion carried 5/0.

12. NEW BUSINESS

- a. Advise MCES Regarding Additional Work in Award of Contract

Beattie moved, Miller seconded, to authorize staff to respond in writing to Metropolitan Council Environmental Services (MCES) to include additional work as proposed within the 2013 Excelsior Boulevard Forcemain Improvements Projects, MCES Project 802850, per the cooperative agreement between MCES and the City of Excelsior. Motion carried 5/0.

- b. Accept Resignation and Declare Vacancy on Heritage Preservation Commission

Beattie moved, Fulkerson seconded, to accept Judy Mueller's resignation, declare a vacancy on the Heritage Preservation Commission, and direct staff to advertise for Citizen Inquiry Forms to be submitted no later than 4:00 p.m., Tuesday, May 28, 2013, so the City Council can make an appointment at the June 17, 2013 Council meeting. Motion carried 5/0.

12. NEW BUSINESS

- b. Accept Resignation and Declare Vacancy on Heritage Preservation Commission – (Continued)

Beattie agreed to conduct the interviews of the applicants with the Chair of the Heritage Preservation Commission.

13. ADJOURNMENT

Fulkerson moved, Beattie seconded, to adjourn at 8:47 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson  
City Clerk