

City of Excelsior  
Hennepin County, Minnesota

MINUTES  
EXCELSIOR CITY COUNCIL MEETING

Monday, September 23, 2013

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:03 p.m.

2. ROLL CALL

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

Absent: None

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

3. APPROVAL OF MINUTES

a. City Council Work Session Meeting of September 9, 2013

Fulkerson moved, Beattie seconded, to approve the Minutes of the City Council Work Session Meeting of September 9, 2013. Motion carried 5/0.

b. Regular City Council Meeting of September 9, 2013

Caron moved, Fulkerson seconded, to approve the Minutes of the Regular City Council Meeting of September 9, 2013. Motion carried 5/0.

4. OPEN FORUM

No one appeared before the Council.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

Wisdorf gave an update on the 2013 Met Council Sanitary Sewer Forcemain Project.

Fulkerson updated the Council on the Southshore Community Center discussions.

6. AGENDA APPROVAL

a. Meeting Agenda

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

6. AGENDA APPROVAL

b. Consent Agenda

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

1. Verified Claims

Action - Approve for Payment in the Amount of \$216,365.21, EFT Checks 777 to 783 and Manual Checks 78909 to 78948

2. Special Event Permit - Homecoming Parade, Minnetonka High School - September 20, 2013

Action - Approve Special Event Permit - Homecoming Parade, Minnetonka High School - September 20, 2013

3. Special Event Permit - Maynard's, Bingo Event/Live Band - October 19, 2013

Action - Approve Special Event Permit - Maynard's, Bingo Event/Live Band - October 19, 2013

4. Approve Winter Use of LRT Trail System - Three Rivers Park District

Action - Approve the Winter Use of LRT Trail System - Three Rivers Park District

5. Construction Pay Voucher No. 2 (Final) 2013 Sanitary Sewer Improvement Project

Action - Approve Construction Pay Voucher #2 (Final) to Penn Contracting, Inc., in the Amount of \$130,920.18

6. Construction Pay Voucher No. 2 Park Lift Station Improvements City Project No. 2013-02

Action - Approve Construction Pay Voucher #2 to Penn Contracting, Inc., in the Amount of \$21,034.90

7. Monthly Financial Report - August 2013

Action - Accept for Filing

8. Heritage Preservation Commission Meeting of August 20, 2013

Action - Accept for Filing

9. Park & Recreation Commission Meeting of August 13, 2013

Action - Accept for Filing

7. PUBLIC HEARINGS

a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

- a. None

9. ORDINANCES and RESOLUTIONS

- a. Second Reading of Ordinance No. 503 - An Ordinance to Amend Chapter 6 of the Excelsior City Code to Adopt Uniform Animal Control Ordinance

Beattie moved, Caron seconded, to continue this agenda item to the October 7, 2013 Council meeting, with direction to staff to remove non-domesticated animals from the ordinance, end the list of domesticated animals at the last enumerated, remove the non-domesticated animal portion from the leash section, and further refine the ordinance for the second reading. Motion carried 5/0.

- b. Resolution of Support for Lake Improvement District for St. Alban's Bay

Caron moved, Fulkerson seconded, to adopt Resolution No. 2013-45 - A Resolution in Support of Establishing a Lake Improvement District for St. Alban's Bay. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. Planning Commission

1. Conceptual Site Plan Review Approval - 352 Third Street, P.I.D. #34-117-23-11-0001 and #34-117-23-11-0115 - Mike Seifert, Excelsior 3<sup>rd</sup> Street Station

Beattie moved, Fulkerson seconded, to approve the Conceptual Site Plan for 352 Third Street and Excelsior 3<sup>rd</sup> Street Station, with direction to staff to look at adding green space to the parking lot to meet the design standard requirement. Motion carried 5/0.

2. First Reading of An Ordinance Amending Articles 16 and 24 Related to Outdoor Lighting and Signs - *(Continued Public Hearing)*

Mayor Gaylord opened the public hearing at 7:51 p.m. Hearing no comments, Mayor Gaylord closed the public hearing.

Beattie moved, Fulkerson seconded, to waive the First Reading of An Ordinance Amending articles 16 and 24 Related to Outdoor Lighting and Signs, as described and schedule the second reading and adoption for the October 7, 2013 Council meeting. Motion carried 5/0.

11. UNFINISHED BUSINESS

- a. Second Reading and Adoption of Ordinance No. 501 – An Ordinance to Amend Article 17, General Yard, Lot Area and Building Regulations of Appendix E of the Excelsior City Code of Ordinances Related to Residential Design Standards– (*Continued Public Hearing*)

Mayor Gaylord opened the public hearing at 7:54 p.m. Hearing no comments, Mayor Gaylord closed the public hearing.

Beattie moved, Caron seconded, to adopt Ordinance No. 501 – An Ordinance to Amend Article 17, General Yard, Lot Area and Building Regulations of Appendix E of the Excelsior City Code of Ordinances Related to Residential Design Standards and direct the Planning Commission to finish the discussion on the use of galvanized material and report back to the Council before December 31, 2013. Motion carried 5/0.

12. NEW BUSINESS

- a. Water Tower Lease Proposal

Beattie moved, Fulkerson seconded, to direct staff to gather more information on water tower lease arrangements from other cities. Motion carried 5/0.

- b. General Parking Restrictions

The Council directed staff to draft an ordinance that would remove the 72-hour time limit for residents but also addresses inoperable vehicles and snow removal.

- c. Joint Powers Agreement - Lake Minnetonka Communications Commission

The Council provided direction to Miller on the City of Excelsior's position regarding the Lake Minnetonka Communication Commission's negotiations for the Joint Powers Agreement.

13. ADJOURNMENT

Beattie moved, Caron seconded, to adjourn at 8:39 p.m. Motion carried 5/0.

Respectfully submitted,

Shirley Murphy  
City Clerk