

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, November 4, 2013

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:00 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 Engineer Dawley, Public Works Superintendent Wisdorf, and City Clerk Murphy

3. APPROVAL OF MINUTES

a. City Council Work Session Meeting of October 21, 2013

Beattie moved, Fulkerson seconded, to approve the Minutes of the City Council Work Session Meeting of October 21, 2013. Motion carried 5/0.

b. Regular City Council Meeting of October 21, 2013

Beattie moved, Fulkerson seconded, to approve the Minutes of the Regular City Council Meeting of October 21, 2013. Motion carried 5/0.

4. OPEN FORUM

Leon Boyd, 44 First Street, addressed the Council regarding snow removal and license fees for sidewalk cafés and ballfield lights.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

Fulkerson discussed the City-wide leaf pickup that was held on November 2, 2013.

Miller reported that the Council will discuss a proposal to increase the benefit for the Excelsior Fire District Relief Association at the November 18, 2013 Council meeting.

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

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 \$95,637.61, EFT Checks 797 to 799 and Manual Checks 79050 to 79083.

2. Continue Appointment to Fill Vacancy on Planning Commission to the December 2, 2013 Council meeting

Action - Continue Appointment to Fill Vacancy on Planning Commission to December 2, 2013 Council Meeting

3. Resolution No. 2013-51 - A Resolution to Uncommit Fund Balance for Rental Counterbalance in the General Fund

Action - Adopt Resolution No. 2013-51 - A Resolution to Uncommit Fund Balance for Rental Counterbalance in the General Fund

4. Resolution No. 2013-52 - A Resolution to Authorize Interfund Transfer from General Fund to Capital Improvement Fund

Action - Adopt Resolution No. 2013-52 - A Resolution to Authorize Interfund Transfer from General Fund to Capital Improvement Fund

5. Resolution No. 2013-53 - A Resolution Setting Fees for Licenses and Permits and Utility Rates

Action - Adopt Resolution No. 2013-53 - A Resolution Setting Fees for Licenses and Permits and Utility Rates

6. Resolution No. 2013-54 - A Resolution Approving an Application to the Hennepin County Environmental Response Fund

Action - Adopt Resolution No. 2013-54 - A Resolution Approving an Application to the Hennepin County Environmental Response Fund

7. Settlement Agreement with Haskell's, Inc.

Action - Approve the Settlement Agreement with Haskell's, Inc.

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

Action - Approve the Mooring Policy for the Docks/Buoys/Slides/Kayaks/Canoes

9. Special Event Permit - Christkindlsmarkt, November 29 to December 1, 2013

Action - Approve Special Event Permit - Christkindlsmarkt, November 29 to December 1, 2013

6. AGENDA APPROVAL

b. Consent Agenda - (Continued)

10. Heritage Preservation Commission Minutes of September 17, 2013

Action - Accept for Filing

11. Temporary Liquor License Application - Taste of St. John's,
November 22, 2013, St. John The Baptist Parish

Action - Approve the Temporary Liquor License Application - Taste of St. John's, November 22, 2013, St. John The Baptist Parish

7. PUBLIC HEARINGS

None.

8. PETITIONS, REQUESTS and COMMUNICATIONS

a. Request for Downtown Decorative Lighting – Excelsior Lake Minnetonka Chamber of Commerce

Debra Antone and Myrle Mackenzie, Excelsior-Lake Minnetonka Chamber of Commerce, presented a request to the Council for year-round decorative lighting in Downtown Excelsior and the Port.

Bob Bolles, 229 George Street, addressed the Council.

The Council directed that the Park and Recreation Commission review this and bring back a recommendation to the City Council at the November 18, 2013 Council meeting.

9. ORDINANCES and RESOLUTIONS

a. First Reading of an Ordinance to Amend Chapter 16 to Add Article V, Sections 16-171 through 16-177 – Prohibiting the Sale and Use of Coal Tar Sealant Products Within the City of Excelsior, Minnesota

Leon Boyd, 44 First Street, addressed the Council.

Caron moved, Beattie seconded, to waive the first reading of an Ordinance to Amend Chapter 16 to Add Article V, Sections 16-171 through 16-177 – Prohibiting the Sale and Use of Coal Tar Sealant Products Within the City of Excelsior, Minnesota, and schedule the second reading for November 18, 2013, with direction to staff to incorporate an amendment to allow civil enforcement for the second reading. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. Park and Recreation Commission

1. Request to Allow Boat Lifts at Residential Docks

Brian Kirkvold, 44 Center Street, addressed the Council.

Beattie moved, Miller seconded, to direct the Park and Recreation Commission, with assistance from City staff, to incorporate provisions for boat lifts in the Mooring Policy and bring back the Mooring Policy to Council for approval. Motion carried 5/0.

2. Request for Joint Walkthrough of the Port and The Commons

Cathy Rude, Park and Recreation Commission Chair, addressed the Council.

Leon Boyd, 44 First Street, addressed the Council.

Mike Filippi, 521 Linden Street, and Park and Recreation Commissioner, addressed the Council.

Tom Wolfe, Park and Recreation Commissioner, addressed the Council.

Beattie moved, Caron seconded, to schedule a joint walkthrough of The Commons and the Port of Excelsior with the Park and Recreation Commission for Saturday, November 9, 2013 at 8:00 a.m. Motion carried 5/0.

3. Proposal for Ice Skating Rink in The Commons

Cathy Rude, Park and Recreation Commission Chair, addressed the Council.

Leon Boyd, 44 First Street, addressed the Council.

4. 2013 Concerts in the Park

Mike Filippi, Park and Recreation Commissioner, addressed the Council.

The Council agreed that the Concerts in the Park program should continue in 2014. The Council directed the Commission to bring back an outline and budget for the 2014 Concerts in the Park Program for the Council to review and approve.

5. Trial Program for Refuse in The Commons

The Council directed staff to continue in 2014 with the program that is currently being used for refuse in The Commons.

11. UNFINISHED BUSINESS

- a. Second Reading of Ordinance No. 505 - An Ordinance to Amend Chapter 32 of the Excelsior City Code, General Parking Restrictions

Beattie moved, Fulkerson seconded to waive the second reading and adopt Ordinance No. 505 - An Ordinance to Amend Chapter 32 of the Excelsior City Code, General Parking Restrictions. Motion carried 5/0.

12. NEW BUSINESS

- a. Oak Street Sidewalk Feasibility Study

Dawley presented the Oak Street Sidewalk Feasibility Study.

Karen Schott, 320 Oak Street, addressed the Council.

Cathy Rude, Park and Recreation Commission Chair, addressed the Council.

Beattie moved, Miller seconded, to adopt Resolution No. 2013-55 - A Resolution Receiving Feasibility Report Regarding Oak Street Sidewalk Improvements, and directed staff to look at possible solutions with Hennepin County for dealing with the maintenance of the sidewalks during the winter months. Motion carried 5/0.

- b. Wellhead Protection Plan Part 2, Proposal for Engineering Services – WSB & Associates, Inc.

Dawley presented a proposal for the Wellhead Protection Plan Part 2 (WHPP) requirement.

Beattie moved, Caron seconded, to approve the scope of services for the Wellhead Protection Plan Part 2, with the estimated fee of \$11,613.00. Motion carried 5/0.

- c. Appoint Representative to Attend Lake Minnetonka Regional Scenic Byway Program Meetings.

The Council directed the Heritage Preservation Commission to appoint a representative to attend the Lake Minnetonka Regional Scenic Byway Program meetings.

13. ADJOURNMENT

Beattie moved, Fulkerson seconded, to adjourn at 9:27 p.m. Motion carried 5/0.

Respectfully submitted,

Shirley Murphy
City Clerk