

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, December 16, 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 Caron, Fulkerson, Miller, and Mayor Gaylord

Absent: Councilmember Beattie

Also Present: City Manager Luger, City Engineer Dawley, City Planner Richards, City Attorney Staunton, Finance Officer Tumberg, and City Clerk Murphy

3. APPROVAL OF MINUTES

a. City Council Special Meeting of December 2, 2013

Fulkerson moved, Miller seconded, to approve the Minutes of the City Council Special Meeting of December 2, 2013. Motion carried 4/0.

b. City Council Work Session Meeting of December 2, 2013

Fulkerson moved, Miller seconded, to approve the Minutes of the City Council Work Session Meeting of December 2, 2013. Motion carried 4/0.

c. Regular City Council Meeting of December 2, 2013

Fulkerson moved, Miller seconded, to approve the Minutes of the Regular City Council Meeting of December 2, 2013. Motion carried 4/0.

4. OPEN FORUM

Bob Bolles, 229 George Street, addressed the Council regarding the forcemain project, relative to the restoration work.

Leon Boyd, 44 First Street, addressed the Council regarding parking permits and residential sprinkler systems.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

Luger gave an update on the 2013-2014 Met Council Sanitary Sewer Forcemain Project.

6. AGENDA APPROVAL

a. Meeting Agenda

Fulkerson moved, Caron seconded, to approve the meeting agenda as amended. Motion carried 4/0.

b. Consent Agenda

Council pulled Item 2, Resolution No. 2013-63 - A Resolution Setting Fees for Licenses and Permits and Utility Rates, from the Consent Agenda and moved it to the end of the agenda for further discussion.

Fulkerson moved, Miller seconded, to approve the consent agenda as amended. Motion carried 4/0.

1. Verified Claims

Action - Approve for Payment in the Amount of \$795,757.04, EFT Checks 811 to 824 and Manual Checks 79161 to 79208

2. Resolution No. 2013-63 - A Resolution Setting Fees for Licenses and Permits and Utility Rates

Action - Adopt Resolution No. 2013-63 - A Resolution Setting Fees for Licenses and Permits and Utility Rates

3. Minnehaha Creek Watershed District and City of Excelsior - Low Impact Development Cost-Sharing Funding Agreement

Action - Authorize Execution of the Minnehaha Creek Watershed District and City of Excelsior - Low Impact Development Cost-Sharing Funding Agreement

4. Resolution No. 2013-62 - A Resolution Approving Execution of License Agreement with Hennepin County

Action - Adopt Resolution No. 2013-62 - A Resolution Approving Execution of License Agreement with Hennepin County

5. Brewery Off-Sale and Taproom On-Sale Intoxicating Liquor License Expansion, Excelsior Brewing Company, LLC, dba Excelsior Brewing Company, 421 Third Street - *Continue Public Hearing to January 6, 2014 Council Meeting*

Action - Continue the public hearing for the Brewery Off-Sale and Taproom On-Sale Intoxicating Liquor License Expansion for Excelsior Brewing Company to the January 6, 2014 Council meeting.

6. Special Event Permit for Arctic Fever 2014 - January 17-19, 2014

Action - Approve the Special Event Permit for Arctic Fever 2014 - January 17-19, 2014

6. AGENDA APPROVAL

b. Consent Agenda - (*Continued*)

7. 2014 Tobacco License Renewals

Action - Approve the Issuance of the 2014 Tobacco License renewals

8. 2014 Refuse License Renewals

Action - Approve the Issuance of the 2014 Refuse License renewals

9. 2014 Marina License Renewals

Action - Approve the Issuance of the 2014 Marina License renewals

10. Monthly Financial Report - November 2013

Action - Accept for Filing

11. Monthly Building Permit Report - November 2013

Action - Accept for Filing

12. 2014-15 Teamsters Union Contract

Action - Approve the 2014-2015 Labor Agreement Between the City of Excelsior and Teamsters Local 320.

7. PUBLIC HEARINGS

None

8. PETITIONS, REQUESTS and COMMUNICATIONS

a. Special Event Permit for Concours d'Elegance Event, June 1, 2014 - Linda Murrell and Randy Guyer

Linda Murrell and Randy Guyer, applicants for the Concours d'Elegance Event, addressed the City Council.

Miller moved, Caron seconded, to approve the Special Event/Park Use Permit for the Concours d'Elegance Event to be held on Sunday, June 1, 2014, with the conditions outlined by staff and the condition that the appropriate insurance and agreement are provided to ensure that any damage will be covered. Motion carried 4/0.

9. ORDINANCES and RESOLUTIONS

- a. Resolution Certifying 2013 Property Tax Levy Collectible 2014

Caron moved, Fulkerson seconded, to adopt Resolution No. 2013-65 - A Resolution Certifying the 2013 Property Tax Levy Collectible 2014. Motion carried 4/0.

- b. Resolution of the Excelsior City Council Setting the 2014 Budget

Caron moved, Fulkerson seconded, to adopt Resolution No. 2013-66 - A Resolution of the Excelsior City Council Adopting the 2014 Budget. Motion carried 4/0.

- c. Second Reading of Ordinance No. 508 - An Ordinance Amending Chapter 4, Article II, Division 2, Section 4-63 of the Excelsior City Code to Decrease the Number of Brewer Off-Sale and Taproom Intoxicating Liquor Licenses

Fulkerson moved, Caron seconded, to waive the second reading and adopt Ordinance No. 508 - An Ordinance Amending Chapter 4, Article II, Division 2, Section 4-63 of the Excelsior City Code to Decrease the Number of Brewer Off-Sale and Taproom Intoxicating Liquor Licenses. Motion carried 4/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. Planning Commission

1. Design Standards Review, Front Wall Elevation - 470 Water Street, Steele Fitness 365

Nicki Craig, Planning Commissioner, addressed the Council.

Leon Boyd, 44 First Street, addressed the Council.

Fulkerson moved, Caron seconded, to adopt Resolution No. 2013-68 - A Resolution Denying Amendment of Design Standards Approval. Motion carried 4/0.

2. Residential Design Standards - Galvanized Material

Miller moved, Fulkerson seconded, to waive the first reading of An Ordinance to Amend Appendix E of the Excelsior City Code of Ordinances, Article 17, Section 17-5 A. General Provisions for All Zoning Districts and Section 17-5 B. General Provisions for Residential District and schedule the second reading for the January 6, 2013 Council meeting. Motion carried 3 Ayes/1 Nay - Caron.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. Planning Commission

2. Residential Design Standards - Galvanized Material - (*Continued*)

Mayor Gaylord opened the public hearing at 7:56 p.m.

Leon Boyd, 44 First Street, addressed the Council.

Mayor Gaylord closed the public hearing at 7:58 p.m.

3. Variance and Conditional Use Permit - 337 George Street

Bill Stoddard, 337 George Street, addressed the Council.

Bob Bolles, 229 George Street, addressed the Council.

Mayor Gaylord opened the public hearing at 8:17 p.m. Hearing no comments, Mayor Gaylord closed the public hearing.

Nicki Craig, Planning Commission Chair, addressed the Council.

Miller moved, Caron seconded, to adopt Resolution No. 2013-64, Variance and Conditional Use Permit Approval for 337 George Street to construct a home with a mid-peak height of 37 ft. and an overall height of 41 ft. vs. the maximum mid-peak height of 30 ft. and overall maximum height of 36 ft. and for a Conditional Use Permit to allow a reduced front yard setback of 20 feet vs. the minimum 25 ft. front yard setback required in the R-2, Single and Two Family Residential District, and approved the request for a two year extension on issuance of the building permit. Motion carried 4/0.

11. UNFINISHED BUSINESS

a. Appointment to Fill Vacancy on Planning Commission

Caron moved, Miller seconded, to appoint Catherine Honzl to fill the vacancy on the Planning Commission for the term ending February 28, 2017. Motion carried 4/0.

c. Set Public Hearing for Oak Street Sidewalk Improvement

Caron moved, Fulkerson seconded, to adopt Resolution No. 2013-67 - A Resolution Calling Public Hearing Regarding Oak Street Sidewalk Improvements for January 21, 2014. Motion carried 4/0.

12. NEW BUSINESS

a. 2014 Liquor License Renewals

Caron moved, Fulkerson seconded, to approve the 2014 Liquor License Renewals. Motion carried 4/0.

6. AGENDA APPROVAL

b. Consent Agenda

2. Resolution No. 2013-63 - A Resolution Setting Fees for Licenses and Permits and Utility Rates

Miller moved, Fulkerson seconded, to adopt Resolution 2013-63 - A Resolution Setting Fees for Licenses and Permits and Utility Rates, with the correction to be made to the Parking Impact Fee. Motion carried 3 Ayes/1 Nay - Caron.

13. ADJOURNMENT

Caron moved, Fulkerson seconded, to adjourn at 8:35 p.m. Motion carried 4/0.

Respectfully submitted,

Shirley Murphy
City Clerk