

City of Excelsior  
Hennepin County, Minnesota

MINUTES

EXCELSIOR CITY COUNCIL MEETING

June 4, 2018  
Council Chambers

6:30 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 6:44 p.m.

2. ROLL CALL

Present: Councilmembers Beattie, Carlson, Caron, Miller, Mayor Gaylord

Absent: None

Also Present: City Manager Luger, City Attorney Staunton, Planning Director Smith, Public Works Superintendent Amundsen, Event Planner Edwards, and City Clerk Orlofsky

3. APPROVAL OF MINUTES

(a) Work Session Meeting Minutes, May 7, 2018

Carlson moved, Caron seconded, to approve. Motion carried 5/0.

(b) Regular City Council Meeting May 7, 2018

Staff removed from the agenda. Minutes were incomplete.

(c) Work Session Meeting May 21, 2018

Carlson moved, Beattie seconded, to approve as amended. Motion carried 5/0.

(d) Regular City Council Meeting of May 21, 2018

Beattie moved, Carlson seconded, to approve. Motion carried 5/0.

4. OPEN FORUM

(a) Laura Hotvet, Executive Member of Excelsior-Lake Minnetonka Chamber, addressed the City Council.

Janice Leafer, address, addressed the City Council.

Laurie Anderson, 100 Lake Street, addressed the City Council.

Mayor Gaylord recused himself from the bench during this discussion.

Beattie moved, Caron seconded, to approve 50 temporary parking permits for the graduation/life event for one day only. Motion carried 4/0.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) Annual Preservation Awards

- 1) Lindsay Hannah, for the Summary Report, Local Landmark Assessment for the City of Excelsior.
- 2) Won Nystrom, 350 Second Street, invested in her building in a historic place.

(b) Thank you for Public works.

Mayor Gaylord thanked public works for coming in on their holiday vacation time to make sure the City was safe and had power.

(c) Excelsior Fire District

Miller provided the report on the Excelsior Fire District Board meeting.

6. AGENDA APPROVAL

(a) Meeting Agenda

Carlson moved, Beattie seconded, to add item 12(d) The Art on the Lake Request to the Regular Agenda and approve the agenda as amended. Motion carried 5/0.

(b) Consent Agenda

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

1. Approve Verified Claims – Approve for Payment Manual Checks 08310-084340 and EFT Checks 1631E – 1654E

Action - Approved the payment for manual checks 08310-084340 and EFT Checks 1631E – 1654E

2. April Financial Report

Action – Accepted for filing.

3. Water Street Crosswalk Proposal

Action – Approved the attached professional services proposal from WSB & Associates, Inc. in the amount of \$15,000.00

4. Approve Pay Voucher No. 7, for the 2017 Street and Utility Improvement Project

Action – Approved Construction Pay Voucher No. 7 for the 2017 Street and Utility Improvement project and authorize payment in the amount of \$125,140.37 to Northwest Asphalt, Inc.

(b) *Consent Agenda – Continued*

5. Special Event United Healthcare Charity Ride 2018

Action – Approved the Special Event Permit for United Healthcare’s Charity Ride on Saturday, July 29, 2018.

6. Approve Pay Voucher No. 1 Mill Street Sanitary and Watermain Improvements

Action – Approved Construction Pay Voucher No. 1 (in triplicate) in the amount of \$197,154.54 for the Mill Street Sanitary and Watermain.

7. PUBLIC HEARINGS

(a) March for Our Lives Event

Tim Duff, Event Organizer, addressed the City Council.

John Baker, Greene Espel, PLLP, First Amendment Attorney, addressed the City Council.

Nancy Nord Benson, Executive Director of Protect Minnesota, and Primary Fiscal Sponsor of March for Our Lives, addressed the City Council.

David McKinney, ACLU, addressed the City Council.

Beattie moved, Miller seconded, to approve the event March for Our Lives under the modified terms and to move the date to August 18, 2018. Motion carried 5/0.

8. PETITIONS, REQUEST, and COMMUNICATIONS

(a) None

9. ORDINANCES AND RESOLUTIONS

(a) None

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) None

11. UNFINISHED BUSINESS

(a) 810 Excelsior Boulevard Request for Proposals

Beattie moved, Carlson seconded, direct staff to clear up the title and to make the necessary progress to acquire the necessary triangle and assemble it all. Expedite the process and staff bring back by June 18<sup>th</sup>. Motion carried 5/0.

12. NEW BUSINESS

- (a) Appeal of Staff's Interpretation of a Rooftop Sign

Councilmember Caron recused herself from the bench for this item.

Tim Caron, 182 Third Street, addressed the City Council.

Steve Finch, Contractor for Sign Company, addressed the City Council.

Jennifer Caron, 182 Third Street, addressed the City Council.

Beattie moved, Miller seconded, to ask the applicant to submit this as a variance. Carlson added that it was reasonable that the applicant's fee be waived for the variance. Beattie accepted the modification, and Miller accepted the modified second. Motion carried 4/0.

- (b) Dock Permit Revocation

Keith Johnson, Attorney representing Tim and Kate Brandow, addressed the City Council.

Mark Gaylord, 100 Lake Street, addressed the City Council.

Carlson moved, Caron seconded, to approve a continuance on this matter and directed staff to confer with Council and to schedule the Special Meeting on Monday July 9<sup>th</sup> at 6:00 p.m. Motion carried 3/0.

- (c) Setting the License and Permit Fees and Utility Rates

Kim Stolt, Owner of the Beehive on Lake Street, addressed the City Council.

Beattie moved, Carlson seconded, to adopt resolution 2018-16 – A Resolution Setting License and Permit Fees and Utility Rates. Council added that Meter 13 remain Mon- Fri at \$1 and go up to \$3 on Sat and Sunday and to delete the commercial permit from the fee schedule.

- (d) Art on the Lake Parking Discussion

Beattie moved, Miller seconded, to allow the Excelsior-Lake Minnetonka Chamber of Commerce to use 15 meters at a cost \$550 for the 2018 year only. Motion carried 5/0.

13. ADJOURNMENT

Beattie moved, Carlson seconded, to adjourn at 10:07 p.m. Motion carried 5/0.

Respectfully submitted,

Ann Orlofsky  
City Clerk