

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, June 21, 2010

Council Chambers

7:00 p.m.

EXECUTIVE SESSION — 6:00 p.m. — Consider Purchase of Real Property, Lyman Lumber Property West of Water Street

Mayor Ruehl called the meeting to order at 6:03 p.m.

Council Members present: Berghorst, Caron, Fulkerson, Miller (arrived at 6:15 p.m.), and Mayor Ruehl. Also present: City Manager Luger and City Attorney Staunton

Fulkerson moved, Caron seconded, to move into Executive Session. Motion carried 4/0.

Fulkerson moved, Miller seconded, to adjourn the Executive Session at 6:50 p.m. Motion carried 5/0.

1. CALL TO ORDER

Mayor Ruehl called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Council Members Berghorst, Caron, Miller, and Mayor Ruehl

Absent: Fulkerson

Also Present: City Manager Luger, City Attorney Staunton, City Engineer Kawlewski, Public Works Superintendent Wisdorf, Finance Director Carlson, and City Clerk Johnson

3. APPROVAL OF MINUTES

a. Regular City Council Meeting of June 7, 2010

Berghorst moved, Miller seconded, to approve the Minutes of the Regular City Council Meeting of June 7, 2010 as presented. Motion carried 4/0.

4. OPEN FORUM

None

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

The 4th of July events will be held on Sunday, July 4th and include the 10K and 2K races, a kiddie parade, the Minnesota Orchestra, and fireworks.

6. AGENDA APPROVAL

a. Meeting Agenda

Item 11(a) - Request for Stop Sign at West Lake Street and Third Street was removed from the agenda.

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

b. Consent Agenda

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

1. Verified Claims

Action — Approve for Payment in the amount of \$248,973.82, Checks #74881 to #74939

2. Special Event Permits for Outdoor Music at BayView Event Center on June 12, June 18, June 19, and June 26, 2010

Action — Approve Issuance of Special Event Permits for Outdoor Music at BayView Event Center on June 12, June 18, June 19, and June 26, 2010

3. Street Closings for Minnesota Night to Unite Neighborhood Gatherings

Action — Approve Street Closings for Minnesota Night to Unite Neighborhood Gatherings

4. Resolution No. 2010-14 — A Resolution Appointing 2010 Primary and General Election Judges and Establishing an Absentee Ballot Board - Replacing Resolution No. 2010-11

Action — Adopt Resolution No., 2010-14 — A Resolution Appointing 2010 Primary and General Election Judges and Establishing an Absentee Ballot Board - Replacing Resolution No. 2010-11

5. City Manager's Review

Action — Accept for Filing

6. 2011 Assessment Contract — Rolf Erickson

Action — Approve 2011 Assessment Contract in the Amount of \$20,448 and Authorize the Mayor and City Manager to Execute Said Contract

6. AGENDA APPROVAL

a. Consent Agenda - (Continued)

7. Construction Pay Voucher #2 - Cemetery Lift Station Improvements

Action — Approve Construction Pay Voucher No. 2 to Kuechle Underground, Inc. in the Amount of \$49,098.69

8. Business Associate Agreement with Gallagher Benefit Services, Inc.

Action — Approve Business Associate Agreement and Authorize the Mayor and City Manager to Execute Said Agreement Subject to Review and Approval of the City Attorney

9. Monthly Revenue and Expenditure Report — May 2010

Action — Accept for Filing

10. Planning Commission Minutes for Filing — May 4, 2010

Action — Accept for Filing

7. PUBLIC HEARINGS

a. 2010 and 2011 Street Improvement Projects - Continued Public Hearing

Mayor Ruehl reopened the public hearing at 7:09 p.m.

Charlie Kampen, 153 West Lake Street, addressed the City Council.

Pam Rajala, 153 West Lake Street, addressed the City Council.

Greg Olson, 193 Second Street, addressed the City Council.

Mayor Ruehl closed the public hearing at 7:27 p.m.

Michael Wentz, 156 Linwood Avenue, addressed the City Council.

The Council agreed on the following improvements to be included in the plans and specifications: curb will be installed throughout the project area, a new sidewalk will be installed on West Lake Street adjacent to 141 West Lake Street, and streets will be widened wherever possible to meet public safety requirements.

Berghorst moved, Caron seconded, to adopt Resolution No. 2010-15 — A Resolution Ordering Street Improvements for Pavement Management Plan, Phase I. Motion carried 4/0.

8. PETITIONS, REQUESTS and COMMUNICATIONS

a. None

9. ORDINANCES and RESOLUTIONS

a. None

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. Park & Recreation Commission

1. Park Benches and Trash Containers

Berghorst moved, Caron seconded, to authorize staff to replace five benches between the Port of Excelsior and the Bandshell for a cost not-to-exceed \$6,569.60 with sales tax, to be funded from the Park Capital Improvement Fund. Motion carried 4/0.

Miller moved, Caron seconded, to designate the 34-gallon, black color powder-coated steel receptacle as presented to the Council as the refuse container style to be used in the City's parks. Motion carried 4/0.

11. UNFINISHED BUSINESS

a. Request for Stop Sign at West Lake Street and Third Street

This item was removed from the agenda under agenda approval.

12. NEW BUSINESS

a. Consider Purchase of Real Property, Lyman Lumber Property West of Water Street

Miller moved, Caron seconded, to authorize staff to draft and present to the Council a Letter of Intent expressing the Council's intent to enter into a purchase agreement to acquire a portion of the Lyman Lumber property at a cost not to exceed \$300,000. Motion carried 4/0.

b. Nextera Wireless, LLC Tower Space Land Lease Agreement

Miller moved, Berghorst seconded, to continue this agenda item to the July 6, 2010 Council meeting, with direction to staff to review the details of the proposal to see if it complies with the City's ordinances and authorize staff to contract for up to four hours of consulting services to find out what the total capacity is for the City's water tower. Motion carried 4/0.

12. NEW BUSINESS

- c. Engineering Proposal for Preparation of Plans and Specifications and Bidding Phase I, Pavement Management Project — WSB & Associates, Inc.

Miller moved, Caron seconded, to approve WSB & Associates, Inc. Proposal to provide engineering design services for the 2010 Street Improvement Project, which includes topographic surveys, final design, and bidding services for a cost not-to-exceed \$65,000. Motion carried 4/0.

- d. Schedule City Council Work Session

Miller moved, Caron seconded, to schedule a City Council Work Session for Monday, July 12, 2010 at 6:30 p.m. Motion carried 4/0.

Miller moved, Caron seconded, to schedule a Special City Council meeting for Monday, June 28, 2010 at 6:00 p.m. if further action is needed by the Hennepin County Board with regard to the proposed purchase of land for the library. Motion carried 4/0.

13. ADJOURNMENT

Berghorst moved, Caron seconded, to adjourn the meeting at 8:55 p.m. Motion carried 4/0.

Respectfully submitted,

Cheri Johnson
City Clerk