

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Tuesday, July 6, 2010

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Ruehl called the meeting to order at 7:04 p.m.

2. ROLL CALL

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

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

3. APPROVAL OF MINUTES

a. Regular City Council Meeting of June 21, 2010

Caron moved, Berghorst seconded, to approve the Minutes of the Regular City Council Meeting of June 21, 2010 as presented. Motion carried 4/0/1, with Fulkerson abstaining.

4. OPEN FORUM

None

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

There was some confusion with regard to the refuse pick up for this week due to the 4th of July holiday. Refuse pick up will only be moved to Tuesdays when a national holiday falls on a Monday.

The 4th of July activities were held on Sunday and everyone had a wonderful time. The individuals who volunteered their time to work this event were thanked for their service.

6. AGENDA APPROVAL

a. Meeting Agenda

Fulkerson moved, Berghorst seconded, to approve the meeting agenda as presented. Motion carried 5/0.

6. AGENDA APPROVAL

a. Consent Agenda

Item 6(b)6 was moved to Item 11(c). Caron moved, Fulkerson seconded, to approve the consent agenda as amended. Motion carried 5/0.

1. Verified Claims

Action — Approve for Payment in the amount of \$201,309.54, Checks #74940 to #74981

2. Special Event Permit for Outdoor Music for Wedding on June 25, 2010 — BayView Event Center

Action — Approve Issuance of Special Event Permit for Outdoor Music for Wedding at BayView Event Center on June 25, 2010

3. Special Event Permit for Outdoor Music for Fundraiser on June 27, 2010 — BayView Event Center

Action — Approve Issuance of Special Event Permit for Outdoor Music for Fundraiser at BayView Event Center on June 27, 2010

4. Temporary Sign Permit for Banner Advertising Minnetonka All School Reunion

Action — Approve Issuance of Temporary Sign Permit for Minnetonka All School Reunion

5. Payment Request for Media Replacement to Tonka Equipment Company

Action — Approve Payment Request to Tonka Equipment Company for \$23,595.86 from the Water Fund #601

6. Letter of Intent to Hennepin County

Action — Moved to Item 11(c)

7. Nextera Wireless, LLC Tower Space Land Lease Agreement

Action — Continue to the July 19, 2010 Council Meeting

8. Ratify Contract with The Planning Company

Action — Ratify the Contract Between the City of Excelsior and The Planning Company

6. AGENDA APPROVAL

a. Consent Agenda - (Continued)

9. Change Order #1 — Cemetery Lift Station Improvements

Action — Approve Change Order No. 1 for Cemetery Lift Station Improvements in the Amount of \$892.50

10. Monthly Building Permit Report — June 2010

Action — Accept for Filing

11. Park and Recreation Commission Minutes for Filing — May 11, 2010

Action — Accept for Filing

12. Heritage Preservation Commission Minutes for Filing — May 18, 2010

Action — Accept for Filing

7. PUBLIC HEARINGS

a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

a. None

9. ORDINANCES and RESOLUTIONS

a. None

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. 2011 Budget — Excelsior Fire District

Berghorst moved, Miller seconded, to approve the Excelsior Fire District's 2011 Capital Improvement Plan and the 2011 Budget of \$1,585,616, with Excelsior's contribution being \$159,515. Motion carried 5/0.

11. UNFINISHED BUSINESS

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

Jim Linn, 174 Third Street, addressed the City Council.

11. UNFINISHED BUSINESS

a. Request for Stop Sign at West Lake Street and Third Street - (Continued)

Janice Leafer, 175 First Street, addressed the City Council.

Miller moved, Caron seconded, to direct staff to prepare a resolution for the July 19, 2010 Council meeting for the placement of stop signs at the following locations: northbound on West Lake Street at Third Street; southbound on West Lake Street at Third Street; and Westbound on Third Street at West Lake Street. Motion failed on a 2/3 vote, with Mayor Ruehl, Fulkerson, and Berghorst voting nay.

Berghorst moved, Caron seconded, to continue this agenda item to the July 19, 2010 Council meeting with direction to staff to take pictures of the area, look at the line of sight and pedestrian movement at these intersections, and locate the right-of-way and identify any impediments that are located in the City's right-of-way. Motion carried 4/1, with Fulkerson voting nay.

b. 2010 Street Improvement Project — Plans and Specifications

Janice Leafer, 175 First Street, addressed the City Council.

Caron moved, Miller seconded, to direct staff to bring back the final plans and specifications to the July 19, 2010 Council meeting to review and identify if an addendum is necessary. Motion carried 5/0.

c. Letter of Intent to Hennepin County

Fulkerson moved, Miller seconded, to authorize execution of the Letter of Intent and forward to Hennepin County as amended.

12. NEW BUSINESS

a. Schedule City Council Executive Session

Berghorst moved, Caron seconded, to add Item 12(a) - Schedule City Council Executive Session to the agenda and move Item 12(a) to 12(b). Motion carried 5/0.

Miller moved, Caron seconded, to schedule an Executive Session for 6:00 p.m. on Monday, July 12, 2010, to be held just prior to the City Council's Work Session which is scheduled for 6:30 p.m. Motion carried 5/0.

b. Accept Resignation and Declare Vacancies on Heritage Preservation Commission

Berghorst moved, Fulkerson seconded, to accept Elise Howell's resignation and remove H. Richard Reid from the membership and declare two vacancies on the Heritage Preservation Commission with direction to staff to advertise for applications to be

12. NEW BUSINESS

- b. Accept Resignation and Declare Vacancies on Heritage Preservation Commission -
(Continued)

submitted no later than Wednesday, July 28, 2010 so the City Council can make the appointments at the August 2, 2010 meeting. Motion carried 5/0.

Fulkerson moved, Berghorst seconded, to appoint Miller to interview the candidates with the Chair of the Heritage Preservation Commission and bring back a recommendation to the Council on the appointments.

13. ADJOURNMENT

Berghorst moved, Fulkerson seconded, to adjourn the meeting at 9:04 p.m. Motion carried 5/0.

Respectfully submitted,



Cheri Johnson
City Clerk