

City of Excelsior  
Hennepin County, Minnesota

MINUTES  
EXCELSIOR CITY COUNCIL MEETING

Monday, August 2, 2010

Council Chambers

7:00 p.m.

1. CALL TO ORDER

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

2. ROLL CALL

Present: Council Members Berghorst (arrived at 7:08 p.m.),  
Fulkerson, Miller, and Mayor Ruehl

Absent: Caron

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

3. APPROVAL OF MINUTES

a. Regular City Council Meeting of July 19, 2010

Fulkerson moved, Miller seconded, to approve the Minutes of the Regular City Council Meeting of July 19, 2010 as presented. Motion carried 3/0.

b. City Council Work Session of July 26, 2010

Miller moved, Fulkerson seconded, to approve the Minutes of the City Council Work Session of July 26, 2010 as presented. Motion carried 3/0.

4. OPEN FORUM

None

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

Dairy Queen has chosen Excelsior as one location that they will be providing blizzard samples. They will be at The Commons on August 5, 2010 sometime between 3:00 p.m. and 6:00 p.m.

The City has had three unpaid interns working in the administrative office this summer - Derek Eiden, Lindy Crawford, and Jerry Wuorenmaa. The City Council and staff wished to publicly recognize and thank the interns for all of their contributions and hard work.

6. AGENDA APPROVAL

a. Meeting Agenda

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

b. Consent Agenda

Item 6(b)8 was moved to Item 11(a). Miller moved, Fulkerson seconded, to approve the consent agenda as amended. Motion carried 4/0.

1. Verified Claims

Action — Approve for Payment in the amount of \$155,250.21, Checks #75044 to #75094

2. Park Use Permit for Dairy Queen Blizzard Sampling on August 5, 2010 — GMR Marking LLC

Action — Approve Issuance of Park Use Permit for Dairy Queen Blizzard Sampling

3. Special Event Permit for Outdoor Music for Wedding on August 1, 2010 — BayView Event Center

Action — Approve Issuance of Special Event Permit for Outdoor Music for Wedding

4. Special Event Permit for Outdoor Music for Company Dinner on August 5, 2010 — BayView Event Center

Action — Approve Issuance of Special Event Permit for Outdoor Music for Company Dinner

5. Special Event Permit for Outdoor Music for Company Picnic on August 14, 2010 — BayView Event Center

Action — Approve Issuance of Special Event Permit for Outdoor Music for Company Picnic

6. Park Use Permit for Church Service in Bandshell on August 22, 2010 — Christ Community Church

Action — Approve Issuance of Park Use Permit for Church Service

6. AGENDA APPROVAL

a. Consent Agenda - (Continued)

7. Special Event Permit for Outdoor Music on Tuesdays, Wednesdays, and Thursdays in August — Bayside Grille

Action — Approve Issuance of Special Event Permit for Outdoor Music on Tuesdays, Wednesdays, and Thursdays in August

8. Commercial Pier Leases for Queen of Excelsior, QEII, Paradise Charter Cruises, and Lady of the Lake for the 2010 - 2014 Boating Seasons

Action — Item Moved to Item 11(a)

9. Code Enforcement Log — July 2010

Action — Accept for Filing

10. Monthly Building Permit Report — July 2010

Action — Accept for Filing

11. Heritage Preservation Commission Minutes for Filing — June 22, 2010

Action — Accept for Filing

7. PUBLIC HEARINGS

- a. Public Hearing on the Proposal to Adopt a Street Reconstruction Plan and the Intent to Issue General Obligation Street Reconstruction Bonds

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

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

David Stahr, 142 First Street, addressed the City Council.

Mayor Ruehl closed the public hearing at 7:25 p.m.

Fulkerson moved, Miller seconded, to adopt Resolution No. 2010 - 17 — Resolution Ratifying Publication of the Notice of Public Hearing, Adopting a Street Reconstruction Plan and Approving the Issuance of General Obligation Street Reconstruction Bonds. 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. Planning Commission

1. Zoning Text Amendment, Design Standards, Site Plan Review, and Subdivision, 287 Water Street, Brian Burdick

Brian Burdick, the applicant, addressed the City Council.

Betty Sorenson, 421 Third Street, addressed the City Council.

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

Bill Wolfson, commercial realtor for the Lake Minnetonka area, addressed the City Council.

Dan Wallace, Planning Commission liaison, addressed the City Council.

Mark Gaylord, Planning Commission liaison, addressed the City Council.

Tom Lofquist, 740 Pleasant Street, addressed the City Council.

Miller moved, Fulkerson seconded, to waive the first reading of An Ordinance to Add Article 19, Section 19-9 to Appendix E of the Excelsior City Code of Ordinances Pertaining to the Parking Impact Fee/Lease Arrangement and schedule the second reading and adoption for the August 16, 2010 meeting. Motion carried 4/0.

Berghorst moved, Miller seconded, to continue the design standards and site plan review to the August 16, 2010 meeting. Motion carried 4/0.

11. UNFINISHED BUSINESS

a. Commercial Pier Leases for Queen of Excelsior, QEII, Paradise Charter Cruises, and Lady of the Lake for the 2010 - 2014 Boating Seasons

Terry Junger, Lady of the Lake, addressed the City Council.

11. UNFINISHED BUSINESS

- a. Commercial Pier Leases for Queen of Excelsior, QEII, Paradise Charter Cruises, and Lady of the Lake for the 2010 - 2014 Boating Seasons - (Continued)

Dave Lawrance, Paradise Charter Cruises, addressed the City Council.

Bob Ziton, Queen of Excelsior and QEII, addressed the City Council.

Miller moved, Berghorst seconded, to approve the Commercial Pier Lease and authorize the Mayor and City Manager to execute same for the Queen of Excelsior, QEII, Lady of the Lake, and Paradise Charter Cruises as amended. Motion carried 4/0.

12. NEW BUSINESS

- a. Appointment to Park and Recreation Commission to Fill Vacancy

Miller moved, Berghorst seconded, to appoint Mike Roberts to the Park and Recreation Commission to fulfill a three year term which will expire on February 28, 2013. Motion carried 4/0.

- b. Appointments to Heritage Preservation Commission to Fill Vacancies

Miller moved, Fulkerson seconded, to appoint Steve Finch to the Heritage Preservation Commission to fulfill the remainder of a term expiring February 28, 2011, and Bob Bolles to fulfill the remainder of a term expiring February 28, 2012. Motion carried 4/0.

- c. Schedule Work Sessions

Fulkerson moved, Miller seconded, to schedule a work session for Tuesday, August 24, 2010 beginning at 5:30 p.m. to discuss Assessment Policy and possibly the 2011 Budget. Motion carried 4/0.

- d. Lease Agreement with RESD for 810 Excelsior Blvd.

Fulkerson moved, Miller seconded, to authorize the Mayor and City Manager to execute a lease agreement between the City of Excelsior and Renewable Energy SD (RESD) contingent on the review of the City Attorney and to include a provision that any improvements be required to stay with the property. Motion carried 4/0.

The Council directed staff to contact Hennepin County and have them reevaluate the market value for the property.

Minutes  
City Council Meeting  
August 2, 2010  
Page 6

13. ADJOURNMENT

Fulkerson moved, Miller seconded, to adjourn the meeting at 9:58 p.m.  
Motion carried 4/0.

Respectfully submitted,

Cheri Johnson  
City Clerk