

City of Excelsior  
Hennepin County, Minnesota

MINUTES  
EXCELSIOR CITY COUNCIL MEETING

Monday, September 20, 2010

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Ruehl called the meeting to order at 7:02 p.m.

2. ROLL CALL

Present: Council Members Berghorst, Caron, Fulkerson (left at 10:55 p.m.), Miller (arrived at 8:00 p.m.), and Mayor Ruehl

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

3. APPROVAL OF MINUTES

a. Regular City Council Meeting of September 7, 2010

Fulkerson moved, Caron seconded, to approve the Minutes of the Regular City Council Meeting of September 7, 2010 as presented. Motion carried 4/0.

b. Special City Council Meeting of September 13, 2010

Berghorst moved, Caron seconded, to approve the Minutes of the Special City Council Meeting of September 13, 2010 as presented. Motion carried 4/0.

4. OPEN FORUM

Todd Frostad, 561 Indian Hill Road, Chanhassen, addressed the City Council.

Leon Boyd, 44 First Street, addressed the City Council.

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

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

Excelsior Fire District Board Meeting, Wednesday, September 22, 2010 at 7:00 p.m.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS – (Con't.)

2010 Street Improvement Project Progress Report.

City Leaf Pickup, Saturday, November 6, 2010. Leaves must be placed in biodegradable bags.

6. AGENDA APPROVAL

a. Meeting Agenda

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

b. Consent Agenda

Fulkerson 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 \$163,772.30, Checks #75195 to #75246

2. Special Event Permit for Outdoor Music for Wedding, September 10, 2010 – Bayview Event Center

Action – Approve Issuance of Special Event Permit for Outdoor Music

3. Special Event Permit for Outdoor Music for Wedding, September 24, 2010 – Bayview Event Center

Action – Approve Issuance of Special Event Permit for Outdoor Music

4. Special Event Permit for Outdoor Music for Wedding, September 26, 2010 – Bayview Event Center

Action – Approve Issuance of Special Event Permit for Outdoor Music

5. Resolution Calling for Public Hearing on Assessments for 2010 Street Improvement Project

Action – Adopt Resolution No. 2010-25

6. Monthly Budget Report – August 2010

Action – Accept for Filing

6. AGENDA APPROVAL

a. Consent Agenda - (Continued)

7. Planning Commission Minutes for Filing – August 3, 2010

Action – Accept for Filing

8. Park and Recreation Commission Minutes for Filing – July 13, 2010

Action – Accept for Filing

7. PUBLIC HEARINGS

a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

a. Hennepin County Update – Jan Callison, Hennepin County Commissioner

Jan Callison, Hennepin County Commissioner, addressed the City Council.

9. ORDINANCES and RESOLUTIONS

a. Resolution Providing for the Issuance and Sale Of \$2,795,000 Taxable General Obligation Bonds, Series 2010a (Build America Bonds - Direct Pay), Pledging for the Security Thereof Special Assessments and Net Revenues and Levying a Tax for the Payment Thereof

Doug Green, Springsted, Inc. addressed the City Council.

Caron moved, Berghorst seconded, to adopt Resolution No. 2010-26 – Resolution Providing for the Issuance and Sale Of \$2,795,000 Taxable General Obligation Bonds, Series 2010a (Build America Bonds - Direct Pay), Pledging for the Security Thereof Special Assessments and Net Revenues and Levying a Tax for the Payment Thereof. Motion carried 4/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. None

12. NEW BUSINESS

b. Assessment Policy

Caron moved, Fulkerson seconded to move Item 12(b) up on the agenda to follow 10(a). Motion carried 4/0.

12. NEW BUSINESS

b. Assessment Policy

Leon Boyd, 44 First Street, addressed the City Council.

Charlie Thomson, 217 First Street, addressed the City Council.

Berghorst moved, Caron seconded, to table this agenda item. Motion carried 4/0.

c. Proposal to Provide Construction Engineering Services for 2010 Street Improvement Project – WSB & Associates, Inc.

Berghorst moved, Caron seconded, to move to item 12(c). Motion carried 4/0.

Caron moved, Fulkerson seconded, to approve the Proposal from WSB & Associates, Inc. to Provide Construction Engineering Services for the 2010 Street Improvement Project for a cost not-to-exceed \$101,050. Motion carried 4/0.

a. Parking Valuation Study

Caron moved, Berghorst seconded, to move to Item 12(a). Motion carried 4/0.

Dave Albersman, Albersman & Armstrong, addressed the City Council.

Charlie Thomson, 217 First Street, addressed the City Council.

Mark Bowers, 194 West Lake Street, addressed the City Council.

Lloyd Bratland, 200 West Lake Street, addressed the City Council.

Colleen Nuese-Marine, 186 West Lake Street, addressed the City Council.

Leon Boyd, 44 First Street, addressed the City Council.

11. UNFINISHED BUSINESS

a. Consider Purchase Agreement for Real Property With Regard to the Purchase of Lyman Lumber Property East of Water Street

Lloyd Bratland, 200 West Lake Street, addressed the City Council.

Charlie Thomson, 217 First Street, addressed the City Council.

Mark Bowers, 194 West Lake Street, addressed the City Council.

11. UNFINISHED BUSINESS

- a. Consider Purchase Agreement for Real Property With Regard to the Purchase of Lyman Lumber Property East of Water Street – (Continued)

Susan Brokaw, 603 Lake Street, addressed the City Council.

Miller moved, Berghorst seconded, to direct staff to contact Hennepin County to ask for an extension on the contingencies outlined in the purchase agreement. If Hennepin County will not grant the City an extension, staff is directed to exercise the City's option to withdraw from the purchase agreement with Hennepin County and continue negotiations with Lyman Lumber for the purchase of the property and securing a second access. Motion carried 5/0.

12. NEW BUSINESS

- b. Assessment Policy

Caron moved, Miller seconded, to bring this item back off the table. Motion carried 5/0.

Caron moved, Miller seconded, to approve the Assessment Policy as amended, and adopt Resolution No. 2010-27 - A Resolution Adopting City of Excelsior Assessment Policy, September 2010. Motion carried 5/0.

- d. Schedule City Council Work Sessions(s)

Miller moved, Caron seconded, to schedule City Council Work Sessions for Monday, October 4, 2010 at 5:30 p.m. to discuss the 2011 Enterprise Fund Budgets and Long Term Financial Plan for the Enterprise Funds, and Monday, October 18, 2010 at 6:00 p.m. to discuss the 2011 Fee Schedule. Motion carried 5/0.

13. ADJOURNMENT

Miller moved, Caron seconded, to adjourn the meeting at 11:04 p.m. Motion carried 4/0.

Respectfully submitted,

Cheri Johnson  
City Clerk