

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL
SPECIAL MEETING

Monday, December 27, 2010

Council Chambers

4:30 p.m.

1. CALL TO ORDER

Fulkerson moved, Caron seconded, to appoint Councilmember Berghorst Acting Mayor. Motion carried 3/0.

Acting Mayor Berghorst called the meeting to order at 4:34 p.m.

2. ROLL CALL

Present: Council Members Berghorst, Caron, Fulkerson, and Mayor Ruehl (arrived at 4:47 p.m.)

Absent: Council Member Miller

Also Present: City Manager Luger and City Clerk Johnson

3. AGENDA APPROVAL

a. Meeting Agenda

Caron moved, Fulkerson seconded, to approve the meeting agenda as presented. Motion carried 3/0.

b. Consent Agenda

Fulkerson requested that Item 3(b)5 – Resolution Approving Official Depositories be moved to Item 5(b) and 3(b)6 – City of Excelsior Investment Policy be moved to Item 5(c).

Caron moved, Fulkerson seconded, to approve the Consent Agenda as amended.

1. Verified Claims

Action – Approve for Payment in the Amount of \$161,788.59, EFT Checks 302 to 309 and Manual Checks #75488 to #75542

2. 2011 Tobacco Licenses

Action – Approve Issuance of 2011 Tobacco Licenses to Excelsior Vintage and The Water Street Pump

3. 2011 Refuse Licenses

Action – Approve the Issuance of 2011 Refuse Licenses to Blackowick & Son Inc. Roll-Off Service, Lepage and Sons, Inc., Viet container Corp. d.b.a. Viet Disposal Systems, Waconia Roll-Off Service, Inc., and WTI – Waste Technology Inc.

4. 2011 Marina Licenses

Action – Approve Issuance of 2011 Marina Licenses to Excelsior Bay Gables Association, Tonka Bay Marina East, and Tonka Bay Marina – St. Alban’s Bay

5. Resolution No. 2010-42 –Resolution of the Excelsior City Council Approving Official Depositories and Approving the Selection of Collateral and Its Safekeeping Entity

Action – Removed from Consent Agenda to Item 5(b)

6. City of Excelsior Investment Policy

Action – Removed from Consent Agenda to Item 5(c)

7. Authorize Preparation of Plans and Specifications and Soliciting Bid Proposals for 5th Residential Dock and Hidden Lane Dock

Action – Authorize the Preparation of Plans and Specifications and Soliciting Bid Proposals for 5th Residential Dock and Hidden Lane Dock

8. Construction Pay Voucher #3 for 2010 Street Improvement Project

Action – Approve Construction Pay Voucher #3 to Northwest Asphalt of \$99,731.53 for 2010 Street Improvement Project

9. Monthly Budget Report – November 2010

Action – Accept for Filing

10. Planning Commission Minutes for Filing – November 3, 2010

Action – Accept for Filing

4. PUBLIC HEARINGS – Continued from December 20, 2010

a. 2011 Liquor License Renewals

Johnson stated that the City is required to hold a public hearing on any changes to a liquor license. Currently there is a condition on the approval for each of the liquor licenses that there shall be no outdoor music. The City's practice has been to issue a Special Event Permit to a liquor establishment for live outdoor music events. To formalize this practice, staff is recommending that the Council amend each of the resolutions approving the liquor licenses to include a condition that there shall be no live outdoor music without first obtaining an Outdoor Music Permit from the City.

Acting Mayor Berghorst opened the public hearing. Hearing no comments, Acting Mayor Berghorst closed the public hearing.

Caron moved, Fulkerson seconded, to adopt the following:

Resolution No. 2010 – 42 - A Resolution Renewing an On-Sale and Sunday On-Sale Intoxicating Liquor License to Biella LLC for Calendar Year 2011

Resolution No. 2010 – 43 - A Resolution Renewing an On-Sale and Sunday On-Sale Intoxicating Liquor License to Haskell's Inc. for Calendar Year 2011

Resolution No. 2010 – 44 - A Resolution Renewing an On-Sale and Sunday On-Sale Intoxicating Liquor License to Irish Pubs LLC for Calendar Year 2011

Resolution No. 2010 – 45 - A Resolution Renewing an On-Sale and Sunday On-Sale Intoxicating Liquor License to Southshore Investments Inc. for Calendar Year 2011

Resolution No. 2010 – 46 - A Resolution Renewing an On-Sale and Sunday On-Sale Intoxicating Liquor License to TRBK Inc. for Calendar Year 2011

Resolution No. 2010 – 47 - A Resolution Renewing an On-Sale and Sunday On-Sale Intoxicating Liquor License to TRBK Inc. for Calendar Year 2011

Resolution No. 2010 – 48 - A Resolution Renewing an On-Sale Wine and Intoxicating Malt Liquor License to Lake Point Partners LLC for Calendar Year 2011

Resolution No. 2010 – 49 - A Resolution Renewing an On-Sale Wine and Intoxicating Malt Liquor License to Myoung Hee Kim for Calendar Year 2011

Resolution No. 2010 – 50 - A Resolution Renewing an On-Sale Wine and Intoxicating Malt Liquor License to O.P. Restaurants LLC for Calendar Year 2011

4. PUBLIC HEARINGS – Continued from December 20, 2010

a. 2011 Liquor License Renewals – (Continued)

Resolution No. 2010 – 51 - A Resolution Granting an Off-Sale Liquor License to Excelsior Vintage, Inc. for Calendar Year 2011

Motion carried 3/0.

5. NEW BUSINESS

a. 2011 Goals and Objectives – City Council Work Session

Luger reported that Council Members Caron and Fulkerson are unable to attend the 2011 Goals and Objectives Council Work Session scheduled for Wednesday, December 29, 2010.

Caron moved, Fulkerson seconded, to cancel the December 29, 2010 meeting and place this item on the January 3, 2011 Council agenda so the meeting can be rescheduled. Motion carried 3/0.

b. Resolution of the Excelsior City Council Approving Official Depositories and Approving the Selection of Collateral and Its Safekeeping Entity

Fulkerson said she was concerned with placing money in a small bank, as many of the small banks have gone out of business the past couple of years. Luger said that the City is opening the account at Anchor Bank to accommodate the health savings accounts. The amount that will be deposited is minimal and would be covered under the FDIC limit.

Fulkerson moved, Caron seconded, to adopt Resolution No. 2010-52 - Resolution of the Excelsior City Council Approving Official Depositories and Approving the Selection of Collateral and Its Safekeeping Entity. Motion carried 3/0.

c. City of Excelsior Investment Policy

Fulkerson said she was uncomfortable changing the City's Investment Policy at this time. She questioned how much of the City's investments would be placed in a 10-year account. She also wanted to know what the penalties would be for early withdrawal. Fulkerson agreed to contact Finance Director Carlson to discuss these questions.

Fulkerson moved, Caron seconded, to continue this agenda item to the January 3, 2011 Council meeting. Motion carried 4/0.

5. NEW BUSINESS

d. Snow Removal

Mayor Ruehl asked the Council to add Snow Removal to the agenda. Caron moved, Fulkerson seconded, to add Item 5(d) – Snow Removal to the agenda. Motion carried 4/0.

The Council discussed how they have received a number of inquiries from residents and business owners regarding the City's snow removal activities.

The Council requested that this item be placed on the January 3, 2011 Council agenda so staff can review the City's snow removal process, address the challenges with the recent snow storms, and answer questions that the Council may have.

6. ADJOURNMENT

Berghorst moved, Caron seconded, to adjourn the meeting at 5:23 p.m. Motion carried 4/0.

Respectfully submitted,

Cheri Johnson
City Clerk