

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, January 3, 2011

Council Chambers

7:00 p.m.

OATH OF OFFICE - Judge Gary Larson administered the Oath of Office to Mayor-Elect Nick Ruehl and Council Member-Elect Wendy Berghorst.

1. CALL TO ORDER

Mayor Ruehl called the meeting to order at 7:07 p.m.

2. ROLL CALL

Present: Council Members Berghorst, Miller, and Mayor Ruehl

Absent: Caron and Fulkerson

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

3. APPROVAL OF MINUTES

a. Regular City Council Meeting of December 6, 2010

Berghorst moved, Miller seconded, to approve the Minutes of the Regular City Council Meeting of December 6, 2010 as presented. Motion carried 3/0.

b. Special City Council Meeting of December 27, 2010

Berghorst moved, Miller seconded, to approve the Minutes of the Special City Council Meeting of December 27, 2010 as presented. Motion carried 3/0.

4. OPEN FORUM

Mayor Ruehl presented the official banner to Mrs. Excelsior International, Elizabeth Hopfenspirger.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

Arctic Fever is January 15 and 16, 2011.

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

The Pond Hockey Tournaments will be held in January. The youth and women's teams will play January 22 and 23, 2011, and the men's teams will play January 28 through 30, 2011.

6. AGENDA APPROVAL

a. Meeting Agenda

Item 6(b)11, Special Event Permit for Lake Minnetonka Cross-Country Ski and Bike Race, January 15, 2011 was added to the agenda. The following items were continued to the January 18, 2011 Council meeting: Item 6(b)5, Item 11(a)1, and Item 12(a).

Miller moved, Berghorst seconded, to approve the meeting agenda as amended. Motion carried 3/0.

b. Consent Agenda

Miller moved, Berghorst seconded, to approve the consent agenda as amended. Motion carried 3/0.

1. Verified Claims

Action – Approve for Payment in the Amount of \$720,812.88, EFT Checks 303 to 317 and Manual Checks #75543 to #75587

2. Schedule Board of Review for Thursday, April 21, 2011 at 7:00 p.m.

Action – Schedule Board of Review for Thursday, April 21, 2011 at 7:00 p.m.

3. 2011 Teamsters Contract for Public Works Employees

Action – Approve 2011 Teamsters Contract for Public Works Employees

4. 2011 Benefit Adjustments for Non-Union Employees

Action – Approve 2011 Benefit Adjustment for Non-Union Employees

5. City of Excelsior Investment Policy

Action – This Item Was Continued to the January 18, 2011 Council Meeting

6. AGENDA APPROVAL

b. Consent Agenda – (Con't.)

6. Appoint Authorized Agent to Sign Reports for Minnesota Pollution Control Agency

Action – Appoint Public Works Superintendent Wisdorf as Authorized Agent to Sign Minnesota Pollution Control Agency Reports

7. 2011 Refuse License

Action – Approve Issuance of 2011 Refuse License to Republic Services, d.b.a. Allied Waste

8. 2011 Marina Lienses

Action – Approve Issuance of 2011 Marina Licenses to Southshore Investments, d.b.a, Maynard's Restaurant and BayView Event Center

9. Monthly Building Permit Report – December 2010

Action – Accept for Filing

10. Heritage Preservation Commission Minutes for Filing – November 16, 2010

Action – Accept for Filing

11. Special Event Permit for Lake Minnetonka Cross-Country Ski and Bike Race, January 15, 2011

Action – Approve Special Event Permit for Issuance for Lake Minnetonka Cross-Country Ski and Bike Race

7. PUBLIC HEARINGS

- a. None

8. ANNUAL ACTIVITIES

- a. Choose Acting Mayor

Berghorst moved, Miller seconded, to appoint Council Member Miller as Acting Mayor for 2011. Motion carried 3/0.

8. ANNUAL ACTIVITIES

b. Review By-Laws

Miller moved, Berghorst seconded, to adopt Resolution No. 2011-01 – A Resolution Approving City Council By-Laws, Replacing Resolution No. 2010-02. Motion carried 3/0.

c. Designate Official Newspaper

Berghorst moved, Miller seconded, to designate the Sun Newspapers as the City's official newspaper for 2011. Motion carried 3/0.

d. Approve Official Depositories and Securities Pledged as Collateral

Miller moved, Fulkerson seconded, to adopt Resolution No. 2011-02 – A Resolution of the Excelsior City Council Approving Official Depositories and Approving Selection of Collateral and it's Safekeeping Entity. Motion carried 3/0.

e. Appointment of Assistant Weed Inspector

Berghorst moved, Miller seconded, to appoint Dave Wisdorf, Public Works Superintendent, as the Assistant Weed Inspector for 2011. Motion carried 3/0.

f. Appointments to Lake Minnetonka Communications Commission

Berghorst moved, Miller seconded, to table this agenda item until later in the meeting. Motion carried 3/0.

g. Appointment of Alternate to SLMPD Coordinating Committee

Miller moved, Berghorst seconded, to appoint Council Member Caron as alternate to SLMPD Coordinating Committee. Motion carried 3/0.

h. Appointment of Representative and Alternate to Excelsior Fire District Board

Miller moved, Berghorst seconded, to appoint Council Member Berghorst as representative and Council Member Miller as alternate to Excelsior Fire District Board. Motion carried 3/0.

i. Appointment to the Lake Minnetonka Conservation District Board

Miller moved, Berghorst seconded, to continue this agenda item to the January 18, 2011 Council meeting. Motion carried 3/0.

8. ANNUAL ACTIVITIES

- j. Designate Responsible Authority and Compliance Officer for Administering Data Privacy Requests

Berghorst moved, Miller seconded, to appoint the City Clerk as the Responsible Authority and the City Attorney as the Compliance Officer for data privacy requests. Motion carried 3/0.

- k. Minnehaha Creek Watershed District Citizens Advisory Committee Appointments

The Council directed staff to place this item on the City's website.

- l. Designate Council Liaison to: Planning Commission; Park & Recreation Commission; Heritage Preservation Commission; South Lake Excelsior Chamber of Commerce; and Excelsior Downtown Business Group

Miller moved, Berghorst seconded, to continue this agenda item to the January 18, 2011 Council meeting. Motion carried 3/0.

9. PETITIONS, REQUESTS and COMMUNICATIONS

- a. None

10. ORDINANCES and RESOLUTIONS

- a. A Resolution Appointing Kenneth N. Potts as City Prosecuting Attorney from January 1, 2011 through December 31, 2012

Miller moved, Berghorst seconded, to adopt Resolution No. 2011-03 - A Resolution Appointing Kenneth N. Potts as City Prosecuting Attorney from January 1, 2011 through December 31, 2012. Motion carried 3/0.

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. Planning Commission

1. Ordinance to Amend Article 45, R-3, Medium Density Residential District, to Allow Offices, Business, and Professional as a Conditional Use

This agenda item was continued to the January 18, 2011 Council meeting when the Meeting Agenda was approved.

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. Planning Commission

2. Design Standards Review, Congregational Church of Excelsior – 471 Third Street

Berghorst moved, Miller seconded, to adopt Resolution No. 2011-04 – A Resolution Providing Design Standards Approval for Building Improvements to the Property Located at 471 Third Street. Motion carried 3/0.

12. UNFINISHED BUSINESS

a. First Reading of An Ordinance to Amend Article 10, Administration – General, Appendix E of the Excelsior Code of Ordinances, Pertaining to Timeframe on Building Permits for Completing Exterior Improvements

This agenda item was continued to the January 18, 2011 Council meeting when the Meeting Agenda was approved.

b. Parking Lot Title Registration

The City Council agreed to continue granting properties adjacent to the west lot access at the will of the City. The City Council directed the City Attorney and City Manager to proceed with the title registration.

8. ANNUAL ACTIVITIES

f. Appointments to Lake Minnetonka Communications Commission

Miller moved, Berghorst seconded, to bring item back on the table. Motion carried 3/0.

Miller moved, Berghorst seconded, to continue this agenda item to the January 18, 2011 Council meeting. Motion carried 3/0.

12. UNFINISHED BUSINESS

c. 2011 Goals and Objectives – City Council Work Session

Miller moved, Berghorst seconded, to schedule the 2011 Goals and Objectives City Council Work Session for Monday, January 24, 2011 at 6:00 p.m. Motion carried 3/0.

13. NEW BUSINESS

a. Snow Removal

Public Works Superintendent Wisdorf reviewed the City's snow removal process and addressed the challenges with the recent snowstorms.

b. Close Administrative Office for Annual Clean Up/Reorganization

Miller moved, Berghorst seconded, to authorize the closing of City Hall on January 28 and February 11, 2011 for cleanup of common spaces and offices and to organize City files. Motion carried 3/0.

14. ADJOURNMENT

Berghorst moved, Miller seconded, to adjourn the meeting at 8:32 p.m. Motion carried 3/0.

Respectfully submitted,

Cheri Johnson
City Clerk