

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Tuesday, February 22, 2011

Council Chambers

7:00 p.m.

1. CALL TO ORDER

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

2. ROLL CALL

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

Absent: Mayor Ruehl

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

3. APPROVAL OF MINUTES

a. Regular City Council Meeting of February 7, 2011

Fulkerson moved, Berghorst seconded, to approve the Minutes of the Regular City Council Meeting of February 7, 2011 as presented. Motion carried 4/0.

4. OPEN FORUM

Linda Murrell, Executive Director, South Lake Excelsior Chamber of Commerce, addressed the City Council.

John Schwartz, PO Box 803, Wayzata, addressed the City Council.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

None

6. AGENDA APPROVAL

a. Meeting Agenda

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

6. AGENDA APPROVAL

b. Consent Agenda

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

a) Verified Claims

Action – Approve for Payment in the Amount of \$284,641.24, EFT Checks 333 to 340 and Manual Checks #75674 to #75722

b) Annual Appointments to Advisory Commissions

Action – Continue the Annual Appointments to Advisory Commissions to the March 7, 2011 Council meeting

c) Monthly Building Permit Report – January 2011

Action – Accept for filing

d) Monthly Budget Report – January 2011

Action – Accept for filing

e) Planning Commission Minutes for Filing – January 4, 2011

Action – Accept for filing

f) Park and Recreation Commission Minutes for Filing- January 11, 2011

Action – Accept for filing

7. PUBLIC HEARINGS

a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

a. 2011 Gideon and St. Albans Bay Milfoil Eradication Project – Dick Osgood, Lake Minnetonka Homeowners Association and Bob Tenner, Excelsior Resident

Dick Osgood, Lake Minnetonka Homeowners Association, addressed the City Council.

Berghorst moved, Caron seconded, to designate \$5,000 from the Park Improvement Fund to the Gideon and St. Albans Bay Milfoil Eradication Project.
Motion carried 4/0.

8. PETITIONS, REQUESTS and COMMUNICATIONS- (Continued)

- b. Proposal for Relocating the Farmers Market, Flea Market and Vintage Car Display, and Christkindlsmarkt – South Lake Excelsior Chamber of Commerce

Linda Murrell, Executive Director, South Lake Excelsior Chamber of Commerce, addressed the City Council.

Myrle Mackenzie, representing the Excelsior Flea Market , Vintage Car Display, and Christkindlsmarkt, addressed the City Council.

Bob Bolles, 229 George Street, addressed the City Council.

Betty Sorensen, President, Excelsior Downtown Business Group, addressed the City Council.

Diane Bolles, 229 George Street, addressed the City Council.

Darrel Leipold, representing Apple Day, addressed the City Council.

The City Council supported the Farmer's Market relocating to the Mt. Calvary Parking Lot, the Flea Market relocating to the vacant lot located at 10 Water Street, and the Vintage Car Display continuing to remain at Mason Motors. The City Council agreed to allow Christkindlsmarkt to use the East Parking Lot and directed staff to draft an agreement.

- c. Hockey Day Minnesota Proposal

Jay Lundberg, Organizer of Hockey Day Minnesota, addressed the City Council.

Denny Loving, Organizer of Hockey Day Minnesota, addressed the City Council.

9. ORDINANCES and RESOLUTIONS

- a. Second Reading and Adoption of Ordinance No. 464- An Ordinance to Amend Appendix E of the Excelsior City Code of Ordinances, Article 45, B-1, Section 45-4 and 45-7; R-3 Medium Residential Allowable Uses and Lot Requirements

Berghorst moved, Fulkerson seconded, to waive the second reading and adopt Ordinance No. 464 – An Ordinance to Amend Appendix E of the Excelsior City Code of Ordinances, Article 45, B-1, Section 45-4 and 45-7; R-3 Medium Residential Allowable Uses and Lot Requirements. Motion carried 4/0.

9. ORDINANCES and RESOLUTIONS

- b. First Reading of An Ordinance to Amend Chapter 32, Section 32-50 – Repealing First Street Parking Restrictions

Caron moved, Berghorst seconded, to waive the first reading of An Ordinance Amending Chapter 32, Article II, Section 32-50 of the Excelsior City Code and schedule the second reading and adoption for the March 7, 2011 Council meeting. Motion carried 4/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. Planning Commission

1. Design Standards Review for 400 State Highway 7 – Fran Lightly

Linda Putnam, Planning Commission Liaison, addressed the City Council.

Caron moved, Berghorst seconded, to adopt Resolution No. 2011-06- A Resolution Providing Design Standards Approval for Building Improvements at 400 Highway 7.

11. UNFINISHED BUSINESS

- a. Hidden Lane Residential Dock

Joan Maher, 905 Excelsior Boulevard, addressed the City Council.

Dave Lawrance, 805 Hidden Lane, addressed the City Council.

Rhoda Brooks, 859 Excelsior Boulevard, addressed the City Council.

Tony Carpenter, 841 Hidden Lane, addressed the City Council.

Ann Hersman, 823 Hidden Lane, addressed the City Council.

Caron moved, Berghorst seconded, to direct staff to submit an application to the Lake Minnetonka Conservation District for authorization to build two, two slip docks at the end of Hidden Lane for residential use. Motion carried 4/0.

- b. Appointment to Lake Minnetonka Conservation District Board

Caron moved, Berghorst seconded, to approve the Statement of Values for the Lake Minnetonka Conservation District Board of Directors Position and to direct the City Manager to contact Mr. Hartwich and provide him with the Statement of Values. Mr. Hartwich will be asked to sign off on the Statement of Values to confirm that he's comfortable with the expectations and rules established by the City Council. Staff will also inform Mr. Hartwich that he will be required to attend

11. UNFINISHED BUSINESS

b. Appointment to Lake Minnetonka Conservation District Board – (Continued)

a quasi-judicial training. If he is not willing to sign off on the Statement of Values and attend the training, staff will place this item back on the City Council's agenda for the City Council to rescind his appointment as the City's representative on the LMCD Board of Directors

c. Review City Council By-Laws

Fulkerson moved, Caron seconded, to continue this agenda item to the March 7, 2011 City Council meeting. Motion carried 4/0.

12. NEW BUSINESS

a. Community Conversations- League of Minnesota Cities

The Council agreed to support the City of Shorewood's application to be a host community for the League of Minnesota Cities' Community Conversations.

b. Excelsior Parkland- Authorize Advertisement for Bids

Caron moved, Fulkerson seconded, to authorize staff to prepare plans and specifications and advertise for bids for the various projects listed in the staff memorandum dated February 22, 2011 at Excelsior Parkland. Motion carried 4/0.

13. ADJOURNMENT

Berghorst moved, Caron seconded, to adjourn the meeting at 9:48 p.m. Motion carried 4/0.

Respectfully submitted,

Kristi Luger
City Manager