

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, March 7, 2011

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, Caron, Fulkerson, Miller, and Mayor Ruehl

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

3. APPROVAL OF MINUTES

a. City Council Work Session Meeting of February 22, 2011

Berghorst moved, Caron seconded, to approve the Minutes of the City Council Work Session Meeting of February 22, 2011 as presented. Motion carried 3/0/1, with Mayor Ruehl abstaining.

b. Regular City Council Meeting of February 22, 2011

Fulkerson moved, Berghorst seconded, to approve the Minutes of the Regular City Council Meeting of February 22, 2011 as presented. Motion carried 3/0/1, with Mayor Ruehl abstaining.

c. City Council Work Session Meeting of February 28, 2011

Berghorst moved, Fulkerson seconded, to approve the Minutes of the City Council Work Session Meeting of February 28, 2011 as presented. Motion carried 4/0.

4. OPEN FORUM

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

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

Mayor Ruehl provided an overview of the topics discussed at the Lake Minnetonka Mayor's meeting, which included ordinances governing snow removal from private property, shared services, and the legislation that has been introduced pertaining to variances.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS – (Continued)

Berghorst reported that the South Lake Bandshell Group is having a meeting on Thursday, March 10, 2011 at the Southshore Community Center at 7:00 p.m. to get input from the community.

Miller provided an update on the Multi-City meeting with the cities of Excelsior, Shorewood, and Tonka Bay to discuss possible areas of collaboration to save money. Several areas were identified by the group. The City Administrators will meet to discuss these areas and report back to their respective City Councils.

Miller reported that the Lake Minnetonka Communications Commission (LMCC) is aware of Carver County's Fiber Optic Project, which the Council was made aware of last month. The LMCC is currently studying the issue, so no action is required by the City Council at this time.

6. AGENDA APPROVAL

a. Meeting Agenda

Caron moved, Berghorst seconded, to approve the meeting agenda as presented. Motion carried 5/0.

b. Consent Agenda

Berghorst moved, Caron seconded, to approve the consent agenda as presented. Motion carried 5/0.

1. Verified Claims

Action – Approve for Payment in the Amount of \$122,100.19, EFT Checks 341 to 345 and Manual Checks #75723 through #75798

2. Special Event Permit for Girls Night Out Event, Thursdays, June through October – Excelsior Downtown Business Group

Action – Approve Issuance of Special Event Permit for Girls Night Out Event on Thursdays, June through October

3. Special Event Permit for Girls Night Out Fashion Show, July 7, 2011 – Excelsior Downtown Business Group

Action – Approve Issuance of Special Event Permit for Girls Night Out Fashion Show

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

4. Purchase of $\frac{3}{4}$ Ton Pickup Truck for Public Works Department

Action – Authorize Purchase of $\frac{3}{4}$ Ton Pickup Truck from Midway Ford for \$21,418.49 Plus Sales Tax and the Purchase of Accessories for Truck for Approximately \$5,000, for a Total Not-to-Exceed \$28,000, Funded from the Public Works Equipment Fund

5. Monthly Building Permit Report – February 2011

Action – Accept for Filing

6. Personal/Professional Service Agreement with Hennepin County

Action - Approve Personal/Professional Service Agreement and Authorize Mayor and City Manager to Execute Agreement

7. First Reading of An Ordinance to Amend Section 16-40 – Deposits of Snow or Ice from Private Property onto Public Right-of-Way

Action – Continue First Reading of An Ordinance to Amend Section 16-40 to April 4, 2011 Council Meeting

8. Heritage Preservation Commission Minutes for Filing – January 25, 2011

Action – Accept for Filing

7. PUBLIC HEARINGS

a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

a. None

9. ORDINANCES and RESOLUTIONS

a. Second Reading and Adoption of Ordinance No. 465 - An Ordinance to Amend Chapter 32, Section 32-50 – Repealing First Street Parking Restrictions First Street Parking Restrictions

Berghorst moved, Fulkerson seconded, to waive the second reading and adopt Ordinance No. 465 - An Ordinance to Amend Chapter 32, Section 32-50 – Repealing First Street Parking Restrictions. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. None

11. UNFINISHED BUSINESS

a. 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.

Miller moved, Berghorst seconded, that the City Council strongly supports all efforts toward submitting an application for hosting Hockey Day Minnesota in Excelsior in 2012. Motion carried 5/0.

b. Lyman Lumber

City Attorney Staunton gave a PowerPoint presentation on the Lyman Lumber property, outlining the property, history on the Council's discussions to date, future uses, and the City's options going forward.

Darrel Leipold, 239 Water Street, addressed the City Council.

Bob Bolles, 229 George Street and 340 Water Street, addressed the City Council.

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

Roger Henklemen, 696 Glencoe Road, addressed the City Council.

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

c. Annual Appointments to Advisory Commissions

Caron moved, Fulkerson seconded, to reappoint Cindy Busch and appoint Beth Duyvejonck and David Wright to the Planning Commission to a three-year term expiring February 28, 2014. Motion carried 5/0.

Miller moved, Caron seconded, to appoint Cathy Rude to the Park and Recreation Commission to a three-year term expiring February 28, 2014. Motion carried 5/0.

Two applications for the Park and Recreation Commission were received after the deadline, to be fair the Council directed staff to advertise for applications for the Park and Recreation Commission and schedule the appointments for the April 4, 2011 Council meeting.

Fulkerson moved, Caron seconded, to reappoint Dan Roden and Steve Finch to the Heritage Preservation Commission to a three-year term expiring February 28, 2014. Motion carried 5/0.

11. UNFINISHED BUSINESS

d. Review City Council By-Laws

Fulkerson moved, Berghorst seconded, to continue operating under the current Council By-Laws. Motion carried 5/0.

12. NEW BUSINESS

a. Shade Tree Program

Miller moved, Caron seconded, to adopt the proposed Shade Tree Program on a trial basis for calendar year 2011. Motion carried 5/0.

b. Schedule City Council Work Session

Miller moved, Caron seconded, to schedule a City Council Work Session for Monday, April 4, 2011 at 5:30 p.m. Motion carried 5/0.

13. ADJOURNMENT

Miller moved, Berghorst seconded, to adjourn the meeting at 9:51 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson
City Clerk