

**CITY OF EXCELSIOR
Hennepin County, Minnesota**

MINUTES

**City Council Work Session
Monday, April 4, 2011
5:30 p.m.**

1. Call to Order/Roll Call

Mayor Ruehl called the meeting to order at 5:37 p.m. Council members present: Berghorst, Caron, Fulkerson, Miller (arrived at 5:42 p.m.), and Mayor Ruehl. Also Present: City Manager Luger and City Clerk Johnson.

2. Agenda Approval

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

3. Ordinance Revisions for Microbrewery

Luger said that the City Council was presented with a business plan for a microbrewery at the February 28, 2011 Council Work Session. The City Council expressed an interest in having a microbrewery in downtown Excelsior. Following the City Council's Work Session, staff discussed what the next steps would be to accommodate the brewery. For a microbrewery to move forward, amendments to the City's Liquor Ordinance and Zoning Code will be needed. One question that came up is whether the Excelsior Brewing Company should submit the applications for the ordinance changes or if the City should.

The City Council discussed the policy of when it should be the City's responsibility to initiate an ordinance change and when the potential business should be responsible. The Council discussed if a microbrewery is a use the City would like to allow whether the current proposal moved forward. If a microbrewery is a use that the City would like to allow, then the City should initiate the ordinance changes. In the case of the parking impact fee, the Council determined that the City should pay for the ordinance change because it would benefit more than just one property. If an ordinance change is needed that is specific to one property, it seemed appropriate for the applicant to initiate the ordinance change.

The consensus of the City Council was that the City would initiate the ordinance changes to accommodate a microbrewery. The City Council directed staff to accomplish as much of the work as possible utilizing time under the retainers with the City Attorney and consulting City Planner.

4. Update on Visioning Meeting with Water Street Businesses

Mayor Ruehl said that Councilmember Miller, City Manager Luger, and he met for almost two hours with the following Water Street property owners: Matt Mithun (Excelsior Dock Cinema), Brian Farrell (Haskell's), Joe Ryan (developer working with Jack and Brian Farrell from Haskell's), Neil Weber (Representative for Charlie James owner of the former Pizza Hut), and Jon Monson (Excelsior Dock Cinema and Dunn Bros.).

Mayor Ruehl said that he had sent out a memo ahead of the meeting making it clear that the City was not suggesting or requiring anyone to co-own, co-develop, or sell their property. The discussion was to build on ideas and proposals that have been put forth to date and possibly create additional ideas and directions for further discussion and study. In 2004, during the Visioning Study, these four properties were discussed and sketched as potential redevelopment sites. That information was used as a background to start the conversations.

The general consensus was that Excelsior is a destination and additional development is possible as long as there is parking. The property owners did not think random development was appropriate, but they also didn't think developing at the same time was necessarily appropriate either. Everyone did seem open to looking at and discussing an overall plan for this area.

It was mentioned at the meeting that it was really important to look at what happens on the other end of Water Street by Mason Motors as well. It was essentially important to look at the full length of Water Street and not focus just on these four properties. Looking at various uses and ideas for parking for development was also important.

Mayor Ruehl stated that Ryan Farrell had said it was somewhat general knowledge that Haskell's is interested in locating the liquor store portion out on Highway 7 and expanding their restaurant area but they will need parking to do that. The business is doing well, so it was not something they had to do.

There was a consensus that there is room for discussion with regard to a Planned Unit Development for the area versus just one property.

Miller said that there were a number of positive statements during the meeting. Monson had agreed to develop some drawings for potential underground parking and everyone was receptive to the idea. The business that was most objective to change is Haskell's because they have a booming business.

4. Update on Visioning Meeting with Water Street Businesses – (Continued)

Miller said that making the last block of Water Street for pedestrians only was also discussed. He said this concept has been successful in a number of areas.

Caron asked if Weber was representing Charlie James. Luger said yes, but James also wanted the notes from the meeting in addition to a report from Weber. Luger said it was a positive meeting with everyone working together. The group had a really good discussion.

Mayor Ruehl said that the group gave Monson permission to do some sketches with the underground parking, but Monson was not sure when he would be able to get the drawings done because he had a couple of homes featured in the Parade of Homes. Another meeting will be scheduled once Monson has the drawings put together.

5. Establishing City Council Agendas

Luger said that periodically staff has difficulty accommodating requests from Councilmembers, Commissioners, and residents who want to add items to a City Council or Work Session agenda. Generally, if someone wants an item placed on an agenda, staff places the item on the soonest feasible agenda. Recently this practice has been questioned, so she had sent an e-mail to the Minnesota City/County Managers Association listserv requesting current practices on setting agendas. She said the results were interesting. She noted that several cities require people to come to a public forum and request to be placed on a future agenda.

Caron said she wants the Council to stay focused and on task, but she also wants to make sure everyone is in the loop with regard to the items. Any Councilmember should be able to put something on the agenda to be discussed, but to have someone come and give a presentation if the Council didn't discuss it as a need, takes times away from other things that the Council needs to do. A majority of the Council should agree to bring someone in to do a presentation before it is placed on an agenda. When someone is brought in to give a presentation it implies that the Council had discussion, so it's a more sensitive topic.

Luger asked if the Council wanted to have a list of items to be placed on an agenda so they can decide which topics will be discussed.

Caron said not necessarily, she sees a difference when someone is brought in from the outside to give a presentation. The full Council should approve outside speakers.

5. Establishing City Council Agendas – (Continued)

Mayor Ruehl said that given the timing he brought in Michael Koop to do a presentation because he wanted to make sure everyone had a level playing field, especially since the City Council hadn't had any specific training on this topic. He wants to caution the Council on setting up a whole new process because of just one incident. If there are other issues as far as setting agendas, then the Council should deal with those.

The Council said that there needs to be more discussion on this item so there can be a better understanding between the City Council and staff on how agendas are set.

6. Frequency of Communications to City Council from City Council Representatives

Berghorst said that the Council needs to be aware of communications. If Councilmembers are involved in things or discussions, rumors begin to circulate around town. She asked if there is a way for Luger to send out an update to the Council if the City is approached with an idea so the Council has a heads up regarding the discussions.

Caron said that when the Mayor and City Manager are involved in discussions, it appears to be a level of importance which it may not be. She agrees that it is important for everyone to be aware of the discussions.

Mayor Ruehl said he makes it a practice to always have a staff member with him if someone wants to meet with him on City business so someone can't come back and say he agreed to something he didn't. He said that there are times when he meets with people that they want the information to be kept confidential. He has no problems sharing things, unless he's been asked to keep it confidential.

Berghorst said that there are times that people get wind of something and start asking questions.

Caron said she doesn't think it's necessary to know things that are confidential. When people meet with the heads of the City it is viewed as a meaningful interaction, so it would be good to be made aware of those meetings.

Caron said that when the Mayor and she were meeting with the library she wishes that they had come back to give the Council an update on where the conversations were going so they could have gotten some feedback.

The Council said that there needs to be more discussion on this item at a future Council Work Session.

7. Other

None

8. Adjournment

Berghorst moved, Fulkerson seconded, to adjourn at 6:55 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson
City Clerk