

City of Excelsior  
Regular Council Meeting

Agenda

Monday, April 18, 2011

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Ruehl called the meeting to order at 7:05 p.m.

2. ROLL CALL

Present: Council Members Berghorst, Caron, Fulkerson (left the meeting at 9:00 p.m.), Miller, and Mayor Ruehl

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

3. APPROVAL OF MINUTES

a. City Council Work Session Meeting of April 4, 2011

Fulkerson moved, Caron seconded, to approve the Minutes of the City Council Work Session Meeting of April 4, 2011. Motion carried 5/0.

b. Regular City Council Meeting of April 4, 2011

Berghorst moved, Fulkerson seconded, to approve the Minutes of the Regular City Council Meeting of April 4, 2011. Motion carried 5/0.

c. Special City Council Meeting of April 11, 2011

Miller moved, Fulkerson seconded, to approve the Minutes of the Special City Council Meeting of April 11, 2011. Motion carried 5/0.

4. OPEN FORUM

a. Certificates of Appreciation to Outgoing Advisory Commissioners

Mayor Ruehl presented a Certificate of Appreciation to outgoing Planning Commissioner Linda Putnam.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

The City thanked the Excelsior Elementary Environmental Club for the cleanup work they completed in the City.

The City of Excelsior Spring Clean Up Day is Saturday, May 14, 2011.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

The 2<sup>nd</sup> Annual Park Clean Up of The Commons is scheduled for Saturday, May 21, 2011 from 8:30 a.m. to 11:30 a.m.

The Step To It Challenge runs from May 9 through June 5, 2011.

The City of Excelsior was a recipient of a Local Government Innovation Award for the creation of a Parking Impact Fee.

6. AGENDA APPROVAL

a. Meeting Agenda

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

b. Consent Agenda

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

1. Verified Claims

Action - Approve for Payment in the Amount of \$132,354.03, EFT Checks 360 to 366 and Manual Checks #75876 through #75928

2. 2 Below Zero Lease Agreement

Action - Approve Agreement with 2 Below Zero and Authorize Mayor and City Manager to Execute Agreement

3. Excelsior Parkland Soil Cover Project — Findings, Conclusions, and Order on Sunram Construction Appeal and Request for Reconsideration

Action - Approve Findings of Fact, Conclusions of Law, and Decision in the Matter of the Appeal and Request for Reconsideration by Sunram Construction, Inc.

4. 2011 NPDES MS4 Permit Compliance Proposal - WSB & Associates, Inc.

Action - Approve WSB & Associates Proposal to Provide 2011 NPDES MS4 Permit Compliance Assistance for a Cost Not-to-Exceed \$2,600.00

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

5. Request to Waive Excursion Boat Permit Fee for Minnehaha - Museum of Lake Minnetonka

Action - Waive 2011 Excursion Boat Permit Fee for the Minnehaha

6. First Quarter Financial Reports

Action – Accept for Filing

7. First Quarter Code Enforcement Report

Action – Accept for Filing

8. Planning Commission Minutes for Filing – March 8, 2011

Action – Accept for Filing

9. Park and Recreation Commission Minutes for March 15, 2011

Action – Accept for Filing

10. 2011 License for Trolley, Street Car, or Street Railway

Action – Approve 2011 License for Trolley, Street Car, or Street Railway

11. Proposal for Vapor Sampling & Analysis for Excelsior Parkland – Barr Engineering

Action - Approve Barr Engineering Proposal for Vapor Sampling and Analysis for Excelsior Parkland for a Cost Not-to-Exceed \$27,800

12. Proposal for Groundwater Sampling and Analysis for Excelsior Parkland – Barr Engineering

Action - Approve Barr Engineering Proposal for Groundwater Sampling and Analysis for Excelsior Parkland for a Cost Not-to-Exceed \$33,700

7. PUBLIC HEARINGS

- a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

a. Metropolitan Council – Jennifer Mundt

Jennifer Mundt, Metropolitan Council, Excelsior’s representative, addressed the City Council.

b. Request for Annual 2011 Charter Boat Docking Permit for Multiple Boats – Al and Alma’s Supper Club, Jay Soule

Jay Soule, Al and Alma’s Supper Club, addressed the City Council.

Fulkerson moved, Caron seconded, to approve the issuance of a 2011 Excursion Boat Permit that can be used by any of Al and Alma’s Excursion Boats to pick up and drop off passengers at the City’s municipal dock per the conditions outlined in the request. Motion carried 5/0.

9. ORDINANCES and RESOLUTIONS

a. None

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. Planning Commission

1. Conditional Use Permit for Changes to Impervious Surface Coverage for 680 Mill Street – St. John’s the Baptist Church

Caron moved, Berghorst seconded, to adopt Resolution No. 2011- 08 - A Resolution Providing Conditional Use Permit Approval for Impervious Surface Coverage at 680 Mill Street. Motion carried 5/0.

2. Minnesota Inboard Sketch Plan Review for Galpin Lake Properties

Bill Wolfson, Coldwell Banker, commercial realtor for the Galpin Lake properties, addressed the City Council.

Joe Mueller, owner of Minnesota Inboard, addressed the City Council.

Neil Weber, architect for Minnesota Inboard, addressed the City Council.

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

No Council action was required on this agenda item.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. Planning Commission

3. First Reading of An Ordinance to Amend Article 65, PUD, Planned Unit Development District Pertaining to Allowable Uses

Berghorst moved, Fulkerson seconded, to waive the first reading of An Ordinance to Amend Article 65, PUD, Planned Unit Development District Pertaining to Allowable Uses and schedule the second reading and adoption for May 2, 2011. Motion carried 5/0.

11. UNFINISHED BUSINESS

a. Statement of Values for Lake Minnetonka Conservation District Board of Director's Position

Berghorst moved, Fulkerson seconded, to approve the Statement of Values for Lake Minnetonka Conservation District Board of Director's Position as amended. Motion carried 5/0.

12. NEW BUSINESS

a. Proposal for Surveying and Striping the East and West Municipal Parking Lots

Fulkerson moved, Miller seconded, to approve the proposal from WSB & Associates, Inc. to allow for design and plans to be prepared for inclusion in the bidding documents for the joint sealcoating program. Motion carried 4/1, with Caron voting against the motion.

b. Water Distribution System Modeling Proposal – WSB & Associates

Tom Voll, WSB & Associates, Inc., addressed the City Council.

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

Miller moved, Berghorst seconded, to approve the proposal from WSB & Associates, Inc. to create a modeling of the City's water system to determine water system impacts moving forward for a cost not-to-exceed \$7,351.00. Motion carried 3/1, with Caron voting against the motion.

c. Schedule City Manager's Performance Review

Mayor Ruehl and Berghorst volunteered to begin the process for completing the City Manager's performance review.

12. NEW BUSINESS

d. Schedule City Council Work Session(s)

Miller moved, Caron seconded, to schedule City Council Work Sessions for Monday, May 2, 2011 at 5:30 p.m. and Monday, May 9, 2011 at 6:30 p.m.

13. ADJOURNMENT

Berghorst moved, Miller seconded, to adjourn the meeting at 9:28 p.m.  
Motion carried 4/0.

Respectfully submitted,

Cheri Johnson  
City Clerk