

City of Excelsior
Regular Council Meeting

Minutes

Monday, May 2, 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: Councilmembers Berghorst, Fulkerson, Miller, and Mayor Ruehl

Absent: Councilmember Caron

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

3. APPROVAL OF MINUTES

a. City Council Work Session Meeting of April 18, 2011

Berghorst moved, Fulkerson seconded, to approve the Minutes of the City Council Work Session Meeting of April 18, 2011 as presented. Motion carried 4/0.

b. Regular City Council Meeting of April 18, 2011

Miller moved, Berghorst seconded, to approve the Minutes of the Regular City Council Meeting of April 18, 2011 as presented. Motion carried 4/0.

c. Special City Council Meeting of April 21, 2011

Fulkerson moved, Berghorst seconded, to approve the Minutes of the Special City Council Meeting of April 18, 2011 as presented. Motion carried 4/0.

4. OPEN FORUM

Mayor Ruehl presented a Certificate of Appreciation to outgoing Planning Commissioner, Tim Gephart

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

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

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

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

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

Councilmember Berghorst read a letter announcing that she is resigning from the City Council effective June 1, 2011.

6. AGENDA APPROVAL

a. Meeting Agenda

Item 10(a) – 2010 Audit was continued to the May 16, 2011 Council meeting. Fulkerson moved, Miller seconded, to approve the meeting agenda as amended.

b. Consent Agenda

1. Verified Claims

Action – Approve for Payment in the Amount of \$162,858.48, EFT Checks 367 to 372 and Manual Checks #75929 through #75961

2. Amend Water CIP and Accept Bid Proposal for Replacement of Media for Softener Units

Action – Approve Amendment to Water CIP and Award Contract to Tonka Equipment Company in the amount of \$36,306.00 for Replacement of Media With Funding from the Water Capital Improvement Fund and the Water Fund, Account #601-49420-403

3. Resolution No. 2011-09 – A Resolution Setting Fees for Licenses and Permits – Establishing Fee for Demolition Permits

Action – Adopt Resolution No. 2011-09 – A Resolution Setting Fees for Licenses and Permits – Establishing Fee for Demolition Permits

4. Park and Recreation Commission Appointments

Action – Continue to the May 16, 2011 Council Meeting

5. 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 to the June 20, 2011 Council Meeting

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

6. Disposal of Surplus Goods

Action – Authorize Staff to Dispose of All Surplus Goods Identified, Except the Beach Raft

7. Safe Assure Consultant’s Contract – May 2011

Action – Approve Contract with Safe Assure in the Amount of \$1,875.00 and Authorize Payment

8. Monthly Building Permit Report – April 2011

Action – Accept for Filing

9. Heritage Preservation Commission Minutes for Filing – March 22, 2011

Action – Accept for Filing

7. PUBLIC HEARINGS

a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

a. Request for Funding the Southshore Community Center – Chris Lizeé

Fulkerson moved, Berghorst seconded, to donate \$4,000 to the Southshore Community Center toward the purchase of a new electronic sign. Motion carried 4/0.

9. ORDINANCES and RESOLUTIONS

a. Second Reading and Adoption of Ordinance No. 466 - An Ordinance to Amend Article 65, PUD, Planned Unit Development District Pertaining to Allowable Uses

Berghorst moved, Miller seconded, to waive the second reading and adopt Ordinance No. 466 - An Ordinance to Amend Article 65, PUD, Planned Unit Development District Pertaining to Allowable Uses. Motion carried 4/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. 2010 Audit – Andy Berg, Abdo, Eick, & Meyers, LLP

This item was continued to the May 16, 2011 City Council when agenda was approved.

11. UNFINISHED BUSINESS

- a. Lyman Lumber Property Update

The Council directed Mayor Ruehl, Councilmember Caron, City Manager Luger, and City Attorney Staunton to open discussions with the Minnetonka School District regarding a potential partnership with the Lyman Lumber property.

- b. Schedule City Manager's Performance Review

Miller moved, Fulkerson seconded, to schedule an Executive Session for Monday, June 20, 2011 at 6:00 p.m. to conduct the City Manager's performance review.

12. NEW BUSINESS

- a. Communication Plan for Publishing Financial Data

The City Council directed staff to forward the outline for publishing financial data to the Charter Commission to review and comment on at their May 4, 2011 meeting.

- b. Appointment to Lake Minnetonka Conservation District Board of Directors

Berghorst moved, Miller seconded, to appoint Jeff Morris to serve as the City's representative on the Lake Minnetonka Conservation District Board of Directors to fulfill the remainder of a term expiring January 31, 2012. Motion carried 4/0.

- c. Accept Bids and Award Contract for 2011 Sanitary Sewer Lining Project

Berghorst moved, Miller seconded, to accept the bids and award the contract to Insituform Technologies USA, Inc. in the amount of \$147,042.50 to be funded from the 2010 Street Improvement Bonds. Motion carried 4/0.

12. NEW BUSINESS

d. Contract for Lifeguard Services – Minnetonka Community Education

Fulkerson moved, Berghorst seconded, to approve a contract with Minnetonka Community Services in the amount of \$19,455.00 to provide lifeguard services from Saturday, June 11th to Sunday, August 14th, during the hours of 12:00 noon to 6:00 p.m. Motion carried 4/0.

e. Schedule City Council Work Session

Miller moved, Fulkerson seconded, to schedule a City Council Work Session for Monday, May 16, 2011 at 5:30 p.m. to discuss financial items. Motion carried 4/0.

13. ADJOURNMENT

Fulkerson moved, Berghorst seconded, to adjourn the meeting at 8:12 p.m. Motion carried 4/0.

Respectfully submitted,

Cheri Johnson
City Clerk