

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday May 16, 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, Caron, Fulkerson, Miller, and Mayor Ruehl

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

3. APPROVAL OF MINUTES

a. City Council Work Session Meeting of May 2, 2011

Fulkerson moved, Berghorst seconded, to approve the Minutes of the City Council Work Session Meeting of May 2, 2011 as presented. Motion carried 4/0/1, with Caron abstaining.

b. Regular City Council Meeting of May 2, 2011

Berghorst moved, Fulkerson seconded, to approve the Minutes of the Regular City Council Meeting of May 2, 2011 as presented. Motion carried 4/0/1, with Caron abstaining.

c. City Council Work Session Meeting of May 9, 2011

Caron moved, Berghorst seconded, to approve the Minutes of the City Council Work Session Meeting of May 9, 2011 as presented. Motion carried 5/0.

4. OPEN FORUM

Caroline Rose Wilson, 4th grade student at Excelsior Elementary School, was recognized for winning two awards for her "Whoopie Doormat" at the Young Inventors Fair.

Brett Puls and Angie Trapnell, parents of Excelsior Elementary School and co-chairs of the Dash-for-Cash fundraiser, addressed the City Council.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

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

The City Offices start summer hours on May 31st. The office will be open Monday through Thursday, 7:30 a.m. to 5:00 p.m. and Friday, 7:30 a.m. to 11:30 a.m.

Memorial Day, Monday, May 30, 2011, the program will begin at 10:00 a.m. at Excelsior Elementary School followed by the parade at 11:00 a.m.

6. AGENDA APPROVAL

a. Meeting Agenda

Item 6(b)15 – Resolution 2011-10 – A Resolution Approving an Agreement Between the City and the Metropolitan Council was added to the agenda. Berghorst moved, Caron seconded, to approve the meeting agenda as amended.

b. Consent Agenda

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

1. Verified Claims

Action – Approve for Payment in the Amount of \$153,702.28, EFT Checks 372 to 378 and Manual Checks #75962 through #76023

2. Temporary Sign Permit for Banner for Rotary Golf Event – Excelsior Rotary Club

Action – Approve Issuance of Temporary Sign Permit for Banner to Advertise Rotary Golf Event

3. Park Use/Special Event Permit for Tour de Tonka, August 6, 2011 – Minnetonka Community Education

Action – Approve Issuance of Park Use/Special Event Permit for Tour de Tonka

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

4. Park Use/Special Event Permit for Mayfair Celebration and Concert, May 21, 2011 – Spring Hill Waldorf School

Action – Approve Issuance of Park Use/Special Event Permit for Mayfair Celebration and Concert

5. Special Event Permit for Outdoor Music for Wedding, May 20, 2011 – BayView Event Center

Action – Approve Issuance of Special Event Permit for Outdoor Music for Wedding

6. Special Event Permit for Outdoor Music for Wedding, May 29, 2011 – BayView Event Center

Action – Approve Issuance of Special Event Permit for Outdoor Music for Wedding

7. Special Event Permit for Outdoor Music for Wedding, June 10, 2011 – BayView Event Center

Action – Approve Issuance of Special Event Permit for Outdoor Music for Wedding

8. Special Event Permit for Outdoor Music for S.A.V.E Fundraiser, May 13, 2011 – BayView Event Center

Action – Approve Issuance of Special Event Permit for Outdoor Music for S.A.V.E. Fundraiser

9. Special Event Permit for Flea Market, Saturdays, June through August

Action – Approve Issuance of Special Event Permit for Flea Market

10. Special Event Permit for Perennial Plant Exchange, May 21, 2011 – Gary's First Class Car Care

Action – Approve Issuance of Special Event Permit for Perennial Plant Exchange

11. Monthly Financial Reports – April 2011

Action – Accept for Filing

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

12. 2011 Street Improvement Project Proposal for Construction Services – WSB & Associates, Inc.

Action – Approve 2011 Street Improvement Project Proposal for Construction Services by WSB & Associates, Inc. at a Cost Not-to-Exceed \$108,840.00

13. Planning Commission Minutes for Filing – April 5, 2011

Action – Accept for Filing

14. Park and Recreation Commission Minutes for Filing – April 12, 2011

Action – Accept for Filing

15. Resolution 2011-10 – A Resolution Approving an Agreement Between the City and the Metropolitan Council

Action – Adopt Resolution 2011-10 – A Resolution Approving an Agreement Between the City and the Metropolitan Council

7. PUBLIC HEARINGS

- a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

- a. Outdoor Music Permits – Jack Stevens, Maynard’s Restaurant and Bob Ziton, Bayside Grille

Jack Stevens, Maynard’s Restaurant, addressed the City Council.

Caron moved, Fulkerson seconded, to continue this agenda item to the June 6, 2011 Council meeting. Motion carried 5/0.

9. ORDINANCES and RESOLUTIONS

- a. A Resolution Accepting Resignation of Councilmember Wendy Berghorst and Declaring a Vacant Council Position Effective June 1, 2011

Caron moved, Fulkerson seconded, to adopt Resolution No. 2011-11 – A Resolution Accepting Resignation of Councilmember Wendy Berghorst and Declaring a Vacant Council Position Effective June 1, 2011. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

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

Andy Berg, Abdo, Eick, & Meyers, LLP, presented the 2010 Audit.

Caron moved, Fulkerson seconded, to accept the 2010 Audit as presented.
Motion carried 5/0.

- b. Request for Council Appointment to Charter Commission Task Force – Steve Finch, Chair of Charter Commission Task Force

Miller moved, Caron seconded, to appoint Councilmember Caron to serve on the Charter Commission Task Force and Councilmember Fulkerson to serve as the alternate. In the event, Councilmembers Caron or Fulkerson are not able to attend a meeting, Councilmember Miller will attend. Motion carried 5/0.

11. UNFINISHED BUSINESS

- a. Park and Recreation Commission Appointments

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

Miller moved, Caron seconded, to continue the final appointment to the Park and Recreation Commission to the June 6, 2011 Council meeting. Motion carried 5/0.

12. NEW BUSINESS

- a. Recycling Contract – Allied Waste Services, Inc.

Caron moved, Berghorst seconded, to approve a 5-year renewal contract for recycling services with Allied Waste as proposed and authorize the Mayor and City Manager to execute the Contract.

- b. Public Purpose Policy

Caron moved, Berghorst seconded, to adopt the Public Purpose Expenditure Policy as presented. Motion carried 5/0.

- c. Assessment Policy Update

Clarification on the City's Assessment Policy was provided. No action was required.

12. NEW BUSINESS

d. Council Liaison Appointments to Fulfill Berghorst's Positions

Caron moved, Berghorst seconded, to appoint Councilmember Miller as representative and Councilmember Fulkerson as alternate to the Excelsior Fire District Board. Motion carried 5/0.

Caron moved, Fulkerson seconded, to appoint Wendy Berghorst to serve as the City's representative on the Bandshell Subcommittee. Motion carried 5/0.

e. Park and Dock Patrol Proposal

Caron moved, Fulkerson seconded, to approve the proposal from the South Lake Minnetonka Police Department to provide seasonal park and dock patrol services for a cost not-to-exceed \$20,473.00. Motion carried 5/0.

13. ADJOURNMENT

Berghorst moved, Miller seconded, to adjourn at 9:20 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson
City Clerk