

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, June 13, 2011

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Ruehl called the meeting to order at 7:03 p.m.

2. ROLL CALL

Present: Councilmembers Caron, Fulkerson, Miller, and Mayor Ruehl

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

3. APPROVAL OF MINUTES

a. City Council Work Session Meeting of May 16, 2011

Fulkerson moved, Miller seconded, to approve the Minutes of the City Council Work Session Meeting of May 16, 2011 as presented. Motion carried 3/0/1, with Caron abstaining.

b. Regular City Council Meeting of May 16, 2011

Caron moved, Fulkerson seconded, to approve the Minutes of the Regular City Council meeting of May 16, 2011 as presented. Motion carried 4/0.

4. OPEN FORUM

Leigh Harrod, 220 Bell Street, addressed the City Council.

Janice Leafer, 175 First Street, addressed the City Council.

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

Bill Wolfson, Coldwell Banker Burnet, real estate agent for 712 and 734 Galpin Lake Road, representing MN Inboard, addressed the City Council.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

MN Hockey Day will be held in the City of Excelsior on January 21, 2012.

At the last Excelsior Fire District (EFD) Board meeting there was good discussion regarding the EFD responding to medical calls.

The Excelsior Parkland Project has been completed.

6. AGENDA APPROVAL

a. Meeting Agenda

Item 12(a) – Request to Submit Planned Unit Development Application Without Payment of Past Due Fees for Galpin Lake Properties and Item 12(d)–Reschedule City Council Executive Session was added to agenda and the other items were renumbered to 12(b) and 12(c).

Caron moved, Fulkerson seconded, to approve the meeting agenda as amended.

b. Consent Agenda

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

1. Verified Claims

Action – Approve for Payment in the Amount of \$245,578.78, EFT Checks 379 to 385 and Manual Checks #756024 through #76106

2. Public Works Equipment Purchase of Cub Cadet for Parks

Action - Approve Purchase of Cub Cadet from Lano Equipment for \$9,231.86 with Trade-In of 2003 Cub Cadet

3. Resolution No. 2011-12 - A Resolution Authorizing Governmental Unit to Be a Party to Minnesota Water Agency Response Network (MnWARN)

Action – Adopt Resolution No. 2011-12 – A Resolution Authorizing Governmental Unit to Be a Party to Minnesota Water Agency Response Network (MnWARN)

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

4. Special Event Permit for Customer Appreciation Event at Maynard's on June 10, 2011 – Marine Max

Action – Approve Issuance of Special Event Permit for Customer Appreciation Event

5. Special Event Permit for Fishing Derby for Armed Forces Families at Maynard's Restaurant on June 24, 2011 – Fishing for Life

Action – Approve Issuance of Special Event Permit for Fishing Derby

6. Monthly Building Permit Report – May 2011

Action – Accept for Filing

7. Heritage Preservation Commission Minutes for Filing – April 19, 2011

Action – Accept for Filing

7. PUBLIC HEARINGS

- a. Annual Public Informational Meeting on the City of Excelsior's Storm Water Pollution Prevention Plan (SWPPP)

Jeff Peters, WSB & Associates, presented information on the City of Excelsior's Storm Water Pollution Prevention Plan.

Following the presentation, Mayor Ruehl asked for public comments.

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

Janice Leafer, 175 First Street, addressed the City Council.

- b. Public Hearing on Assessment for Delinquent Utilities

Mayor Ruehl opened the public hearing at 7:46 p.m. Hearing no comments, Mayor Ruehl closed the public hearing.

Fulkerson moved, Caron seconded, to adopt Resolution No. 2011-13 - A Resolution Levying Assessment for Costs Incurred by the City for Delinquent Utilities. Motion carried 4/0.

8. PETITIONS, REQUESTS and COMMUNICATIONS

- a. Special Event/Park Use Permit for Fourth of July Event– South Lake Excelsior Chamber of Commerce

Linda Murrell, Executive Director, South Lake Excelsior Chamber of Commerce, addressed the City Council.

Caron moved, Miller seconded, to approve the Special Event/Park Use Permit and Temporary Sign Permit for a banner across Water Street for the Fourth of July Event with the conditions outlined in the staff memorandum. Motion carried 4/0.

9. ORDINANCES and RESOLUTIONS

- a. A Resolution Imposing Temporary Parking Restrictions for July 4, 2011

Fulkerson moved, Miller seconded, to adopt Resolution No. 2011-14 – A Resolution Imposing Temporary Parking Restrictions for July 4, 2011. Motion carried 4/0.

- b. Resolution Supporting Hennepin County Sheriff's New Regional 911 Emergency Communications Facility

Richard W. Stanek, Hennepin County Sheriff, addressed the City Council.

Miller moved, Caron seconded, to adopt Resolution No. 2011-15 - A Resolution Supporting Hennepin County Sheriff's New Regional 911 Emergency Communications Facility. Motion carried 4/0.

- c. A Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for 2011 Street Improvement Project

Caron moved, Fulkerson seconded, to adopt Resolution No. 2011-16 - A Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for 2011 Street Improvement Project. Motion carried 4/0.

- d. First Reading of An Ordinance to Amend Chapter 4, Article 2, Division 2 of the Excelsior City Code to Add Breweries

John Klick, Excelsior Brewery, addressed the City Council.

Patrick Foss, Excelsior Brewery, addressed the City Council.

Caron moved, Fulkerson seconded, to continue this agenda item to the July 5, 2011 Council meeting. Motion carried 4/0.

9. ORDINANCES and RESOLUTIONS

- e. An Ordinance Amending Chapters 4 and 10 of the Excelsior City Code Pertaining to Outdoor Music

Miller moved, Fulkerson seconded, to table this item until after Item 11(a).
Motion carried 4/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. None

11. UNFINISHED BUSINESS

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

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

Beth Maloney, Maynard’s Restaurant, addressed the City Council.

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

Bud Boberg, 603 Lake Street, addressed the City Council.

Diane Battig, 603 Lake Street, addressed the City Council.

Janice Leafer, 175 First Street, addressed the City Council.

Bob Ziton, BayView Event Center and Bayside Grille, addressed the City Council.

Caron moved, Miller seconded, to continue this agenda item to the June 20, 2011 Council meeting. Motion carried 4/0.

9. ORDINANCES and RESOLUTIONS

- e. An Ordinance Amending Chapters 4 and 10 of the Excelsior City Code Pertaining to Outdoor Music

Caron moved, Miller seconded, to pull this item from the table. Motion carried 4/0.

Caron moved, Miller seconded, to continue this agenda item to the June 20, 2011 Council meeting. Motion carried 4/0.

11. UNFINISHED BUSINESS

b. Park and Recreation Commission Appointment

Miller moved, Caron seconded, to reappoint Tom Wolfe to the Park and Recreation Commission to a term expiring February 28, 2013. Motion carried 4/0.

12. NEW BUSINESS

Request to Submit Planned Unit Development Application Without Payment of Past Due Fees for Galpin Lake Properties – Bill Wolfson

Bill Wolfson, Coldwell Banker Burnet, real estate agent for 712 and 734 Galpin Lake Road, representing MN Inboard, addressed the City Council.

Caron moved, Miller seconded, to continue this agenda item to the June 20, 2011 City Council meeting. Motion carried 4/0.

b. Accept Bids and Award Contract for 2011 Sealcoating Project

Caron moved, Miller seconded, to accept the bids and award the 2011 Sealcoat Project to Martin Marietta Materials for the rock and Allied Blacktop Company for the oil and applying the rock for a combined cost not-to-exceed \$39,000.00, and authorize the Mayor and City Manager to execute said contracts. Motion carried 4/0.

c. Schedule Special Meeting to Interview City Council Candidates

Miller moved, Fulkerson seconded, to schedule a Special City Council meeting for Wednesday, June 22, 2011 at 4:45 p.m. Motion carried 4/0.

Miller moved, Caron seconded, to schedule a City Council Work Session for Tuesday, July 5, 2011 at 6:00 p.m. Motion carried 4/0.

d. Reschedule City Manager's Review

Miller moved, Fulkerson seconded, to reschedule the City Council Executive Session to conduct the City Manager's review from Monday, June 20, 2011 to Monday, July 18, 2011 at 6:00 p.m. Motion carried 4/0.

13. ADJOURNMENT

Fulkerson moved, Caron seconded, to adjourn the meeting at 10:37 p.m.
Motion carried 4/0.

Respectfully submitted,

Cheri Johnson
City Clerk