

City of Excelsior  
Hennepin County, Minnesota

MINUTES  
EXCELSIOR CITY COUNCIL MEETING

Tuesday, July 5, 2011

Council Chambers

7:00 p.m.

1. CALL TO ORDER

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

2. OATH OF OFFICE

Mayor Ruehl administered the oath of office to new City Councilmember, John Olson.

3. ROLL CALL

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

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

4. APPROVAL OF MINUTES

a. Regular City Council Meeting of June 20, 2011

Fulkerson moved, Caron seconded, to approve the Minutes of the Regular City Council meeting of June 20, 2011 as presented. Motion carried 5/0.

b. Special City Council Meeting of June 22, 2011

Caron moved, Fulkerson seconded, to approve the Minutes of the Special City Council meeting of June 22, 2011 as presented. Motion carried 5/0.

5. OPEN FORUM

Harley Feldman, Event Director, January 1st Ice Dive, presented donations raised from the event to the following organizations:

American Lung Association – Gail Brotzman, Angie Carlson, Audrene Lojovich, and Penny Fena accepted the \$3,500.00 donation on behalf of the American Lung Association.

Excelsior Fire District – Scott Gerber, Fire Chief, accepted the \$750.00 donation on behalf of the Excelsior Fire District.

5. OPEN FORUM – (Continued)

South Lake Minnetonka Police Department (SLMPD) – Sergeant Williams accepted a donation of \$750.00 on behalf of the SLMPD Reserves.

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

6. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

The Council thanked all of the volunteers and staff for their work on the 4<sup>th</sup> of July event.

Mayor Ruehl reported on the South Lake Minnetonka Police Department Coordinating Committee's budget meeting. He noted that based on the arbitrated agreement, the City of Excelsior's portion of the budget is proposed to increase from 27% to 28.05%.

Mayor Ruehl reported that if the Metropolitan Council's budget is adopted as proposed, the two bus routes serving the City of Excelsior will be eliminated.

The Council thanked the South Lake Excelsior Chamber of Commerce and Executive Director Linda Murrell for putting on the Art on the Lake and 4<sup>th</sup> of July events and all of the numerous volunteers who donate their time to make these events possible.

7. AGENDA APPROVAL

a. Meeting Agenda

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

b. Consent Agenda

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

1. Verified Claims

Action – Approve for Payment in the Amount of \$340,522.11, EFT Checks 398 to 404 and Manual Checks #76148 through #76186

2. Special Event/Park Use Permit for Church Service, September 11, 2011 – Congregational Church of Excelsior

Action – Approve Issuance of Special Event/Park Use Permit for Church Service

7. AGENDA APPROVAL

b. Consent Agenda – (Continued)

3. Temporary Sign Permit for Banner to Advertise Inland Lake Yachting Championship Regatta on Lake Minnetonka, August 11-21, 2011

Action – Approve Issuance of Temporary Sign Permit for Inland Lake Yachting Championship Regatta

4. Special Event Permit for Outdoor Music for Family Reunion, July 9, 2011 – BayView Event Center

Action – Approve Issuance of Special Event Permit for Outdoor Music

5. Outdoor Music Permits – Jack Stevens, Maynard’s Restaurant and Bob Ziton, Bayside Grille – Continue to August 1, 2011 Council Meeting

Action – Continue agenda item to the August 1, 2011 City Council meeting.

6. First Reading of An Ordinance Amending Chapters 4 and 10 of the Excelsior City Code Pertaining to Outdoor Music - Continue to August 1, 2011 Council Meeting

Action – Continue agenda item to the August 1, 2011 City Council meeting.

7. Environmental Response Fund Grant Contract Extension

Action – Approve Amendment No. 1 to Contract No. A090874 and Authorize the Mayor and City Manager to Execute Said Amendment

8. Resolution No. 2011-20 - A Resolution Establishing Fee for Multi-Event Outdoor Music Permit

9. Action – Adopt Resolution No. 2011-20 - A Resolution Establishing Fee for Multi-Event Outdoor Music Permit

10. Monthly Building Permit Report – June 2011

Action – Accept for Filing

11. Heritage Preservation Commission Minutes for Filing – May 17, 2011

Action – Accept for Filing

7. AGENDA APPROVAL

b. Consent Agenda – (Continued)

12. Contract Between Hennepin County and City of Excelsior - Use  
Contract for the Men’s Garden Club

Action – Approve Contract Between Hennepin County and the City of  
Excelsior and Authorize the Mayor and City Manager to Execute  
Contract

8. PUBLIC HEARINGS

a. None

9. PETITIONS, REQUESTS and COMMUNICATIONS

a. Water System Model – WSB & Associates, Inc.

Joe Ward, WSB & Associates, Inc., presented a PowerPoint presentation on  
the capacity of the City’s water system.

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

10. ORDINANCES and RESOLUTIONS

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

John Klick, Excelsior Brewing Company, addressed the City Council.

Miller moved, Olson seconded, to waive the first reading of An Ordinance to  
Amend Chapter 4, Article 2, Division 2 of the Excelsior City Code to Add  
Breweries as amended, with the inclusion to allow two brewer off sale malt  
liquor licenses, and schedule the second reading and adoption for July 18,  
2011 Council meeting. Motion carried 5/0.

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. None

12. UNFINISHED BUSINESS

a. None

13. NEW BUSINESS

- a. Excelsior Promenade Extension Request - William Stoddard, SHV, Inc.

Bill Stoddard, Senior Housing Ventures, Inc., addressed the City Council.

Fulkerson moved, Caron seconded, to approve the Second Amendment to Developer's Agreement for Excelsior Promenade, SHV, Inc., and authorize the Mayor and City Manager to execute the Second Amendment. Motion carried 5/0.

- b. Parking Impact Fee Process – Jon Monson

Jon Monson, 202 Water Street, addressed the City Council.

Miller moved, Fulkerson seconded, to authorize the issuance of the building permit with the condition that the certificate of occupancy is not issued until the conditional use permit and parking impact fees are satisfied. Motion carried 5/0.

- c. Extension of Curb on Third Street

Caron moved, Fulkerson seconded, to continue this agenda item to the July 18, 2011 Council meeting. Motion carried 5/0.

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

- d. Schedule City Council Work Session

Miller moved, Olson seconded, to schedule a City Council Work Session for Monday, July 25, 2011 at 6:30 p.m. Motion carried 5/0.

14. ADJOURNMENT

Caron moved, Fulkerson seconded, to adjourn the meeting at 8:48 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson  
City Clerk