

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, October 17, 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: Councilmembers Caron, Fulkerson, Miller, Olson, and Mayor Ruehl

Also Present: City Manager Luger, City Attorney Staunton, Public Works Director Wisdorf, City Planner Richards (arrived at 7:50 p.m.), and City Clerk Johnson

3. APPROVAL OF MINUTES

a. City Council Work Session of October 3, 2010

Fulkerson moved, Olson seconded, to approve the City Council Work Session minutes of the October 3, 2011 meeting. Motion carried 5/0.

b. Regular City Council Meeting of October 3, 2011

Fulkerson moved, Miller seconded, to approve the Regular City Council meeting minutes of October 3, 2011 meeting. Motion carried 5/0.

4. OPEN FORUM

None

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

None

6. AGENDA APPROVAL

a. Meeting Agenda

Item 6(b)9 – Replacement Pump for Third Avenue Lift Station was added to the agenda. Miller moved, Caron seconded, to approve the meeting agenda as amended. Motion carried 5/0.

6. AGENDA APPROVAL

b. Consent Agenda

Miller 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 \$528,076.02, EFT Checks 460 to 464 and Manual Checks #76495 through #76545

2. Resolution No. 2011- 43 - A Resolution Changing the Address for a Property in the City of Excelsior –Changing Address from 130 First Street to 100 Grove Street

Action – Adopt Resolution No. 2011-43 - A Resolution Changing the Address for a Property in the City of Excelsior –Changing Address from 130 First Street to 100 Grove Street

3. Tractor Mounted Snow Blower Replacement

Action – Approve Purchase of Tractor Mounted Snow Blower Replacement from Trueman Welters in the Amount of \$15,292.74 to be Funded from the Public Works Equipment Fund #401

4. Second Reading and Adoption of Ordinance No. 472 – An Ordinance Amending Chapter 4, Article II, Division 2, Sections 4-62, 4-63, and 4-72 of the Excelsior City Code to Allow Issuance of Brewer Taproom

Action – Continue Item to November 7, 2011 Council Meeting

5. Agreement with AEM Financial Solutions, LLC for Financial Services

Action – Approve Agreement with AEM Financial Solutions LLC and Authorize the Mayor and City Manager to Execute Agreement

6. Special Event Permit for Halloween Performance/Boo Trolley, October 28th and 29th – Excelsior Lake Minnetonka Historical Society

Action – Approve Special Event Permit for Halloween Performance/Boo Trolley

7. Planning Commission Minutes for Filing – September 8, 2011

Action – Accept for Filing

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

8. Park and Recreation Commission Minutes for Filing – September 13 and September 22, 2011

Action – Accept for Filing

9. Replacement Pump for Third Avenue Lift Station

Action – Approve Purchase of Replacement Pump from Quality Flow Systems, Inc. for \$5,260.00 plus Sales Tax

7. PUBLIC HEARINGS

- a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

- a. 2012 Budget Presentation

Leigh Harrod, 220 Bell Street, addressed the City Council

Lloyd Bratland, 200 West Lake Street, addressed the City Council.

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

- b. 2011 Kayak/Paddleboard Season and Request for 2012 Season – Tommy's Kayak Rentals and Tonka Trolley

Tom Drummond, Tommy's Kayak Rentals, addressed the City Council.

Miller moved, Caron seconded, to approve the request to increase the number of kayaks and paddleboats and add an additional storage unit beginning in the 2012 Summer Season. Motion carried 5/0.

Bob Koens, 2 Bell Street, addressed the City Council.

9. ORDINANCES and RESOLUTIONS

- a. First Reading of An Ordinance to Amend Chapter 16 of the Excelsior Code of Ordinances Pertaining to Snow Removal in Residential Areas

The Council decided not to make any changes to the ordinance at this time.

9. ORDINANCES and RESOLUTIONS

- b. First Reading of An Ordinance to Amend the Excelsior City Code to Establish Parking Regulations for the Fire Lanes

Caron moved, Olson seconded, to waive the first reading of An Ordinance to Amend the Excelsior City Code to Establish Parking Regulations for the Fire Lanes and schedule the second reading and adoption for the November 7, 2011 Council meeting. Motion carried 5/0.

- c. First Reading of An Ordinance to Amend Chapter 32, Sections 32-49 and 32-50 of the Excelsior City Code to Establish No Parking Areas

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

Caron moved, Olson seconded, to waive the first reading of An Ordinance to Amend Chapter 32, Sections 32-49 and 32-50 of the Excelsior City Code to Establish No Parking Areas as amended and schedule the second reading and adoption for the November 7, 2011 Council meeting. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. Planning Commission

1. Design Standards Review for 344 Water Street

Caron recused herself and sat in the audience at 8:35 p.m.

Miller moved, Olson seconded, to adopt Resolution No. 2011- A Resolution Providing Design Standards Approval for Façade Improvements at 344 Water Street. Motion carried 4/0.

Caron rejoined the Council at 8:38 p.m.

11. UNFINISHED BUSINESS

- a. First Reading of Proposed Ordinance to Amend Article 19, Section 19-10, Joint Facilities, Pertaining to Shared Parking

Miller moved, Caron seconded, to waive the first reading of a Proposed Ordinance to Amend Article 19, Section 19-10, Joint Facilities, Pertaining to Shared Parking as amended and schedule the second reading and adoption for the November 7, 2011 Council meeting. Motion carried 5/0.

- b. Proposal for Dog Park – Excelsior Studer Park

Bob Koens, 2 Bell Street, addressed the City Council.

Cindy Busch, 127 Bell Street, addressed the City Council.

11. UNFINISHED BUSINESS

b. Proposal for Dog Park – Excelsior Studer Park – (Continued)

Miller moved to direct staff to develop a plan and possible revenue stream for a dog park. Motion died for lack of a second.

The consensus of the Council was to wait and look at the large picture on what to do with the City's parks before adding any more improvements.

12. NEW BUSINESS

a. Request for Credit of Impervious Surface Requirements by Use of Water Management Systems – 130 First Street (100 Grove Street)

Jon Monson, 200 Water Street, Landschute, addressed the City Council.

Miller moved, Caron seconded, to approve the request for allowances to the impervious surface coverage at 100 Grove Street with the installation of a water retention system that will be used for the irrigation of planting beds as long as the green space of the site is not less than 60 percent and the following conditions are satisfied:

1. The City Engineer shall inspect the driveway and sidewalks at time of construction to assure correct installation of the base.
2. The City Engineer shall inspect the water retention/irrigation system, the rain gardens, and the soils to assure installation as proposed.
3. The City Engineer shall review and approve the engineered plans for the water retention system. The site shall comply with the 35 percent impervious surface requirement when the roof drainage/retention system is factored into the overall site calculation.
4. The property owner shall agree to maintenance of the system subject to City review and inspection.

The City Council also directed the Planning Commission to review Section 60-4(f)(2)a of Appendix E, utilizing the policy that the Council used for the 100 Grove Street request, and provide a recommendation on green technologies and hardcover/greenspace requirements. Motion carried 5/0.

b. Consulting Contract for Prioritizing City Services

Olson moved, Caron seconded, to approve the Agreement for Organizational Management Consulting Services with Springsted to assist the City Council with the process of looking at the services that City Hall is providing and evaluating which services the community values for the cost of \$2,800. Motion carried 5/0.

12. NEW BUSINESS

c. After-the-Fact Approvals for Special Event Permits

The Council directed staff to draft an ordinance to amend the City Code so the majority of the Special Event Permits can be approved administratively.

d. Accept Resignation and Declare Vacancy on Park and Recreation Commission

Caron moved, Fulkerson seconded, to accept Mike Roberts's resignation, declare a vacancy on the Park and Recreation Commission, and direct staff to advertise for Citizen Inquiry Forms to be submitted no later than Wednesday, November 9, 2011 so the City Council can make the appointment at the November 17, 2011 Council meeting. Motion carried 5/0.

e. Appoint Councilmembers to Assist with Advisory Commission Appointments

Caron moved, Miller seconded, to appoint Councilmember Olson to assist with the interviews for the Heritage Preservation Commission appointment, and Caron to assist with the interviews for the Park & Recreation Commission appointment. Motion carried 5/0.

f. Appoint City Representative to Serve on Arctic Fever Committee

The Council requested that the Park and Recreation Commission appoint one of its members to serve on the Arctic Fever Committee.

g. Timeline for Council Review of Proposed Financial Reporting Charter Amendment

The Council requested that the Charter Commission or Charter Commission Task Force provide the answers to the questions outlined in the staff memorandum by November 30, 2011. The Council also requested that the Charter Commission adjust the timeline in the Time Frame Invitation beginning with the next Council Work Session with the Charter Commission Task Force being held in mid-January.

h. Schedule City Council Work Session

Caron moved, Miller seconded, to schedule City Council Work Sessions for: Tuesday, November 1, 2011, 7:00 p.m. to 8:30 p.m.; Monday, November 7, 2011, 6:00 p.m. to 7:00 p.m.; Saturday, November 19, 2011, 8:30 a.m. to Noon; and Monday, November 21, 2011, 5:30 p.m. to 7:00 p.m. Motion carried 5/0.

13. ADJOURNMENT

Caron moved, Olson seconded, to adjourn the meeting at 10:38 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson
City Clerk