

City of Excelsior  
Hennepin County, Minnesota

MINUTES  
EXCELSIOR CITY COUNCIL MEETING

Monday, December 05, 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 Caron (arrived at 8:03 p.m.), Fulkerson, Olson, Miller (arrived at 7:03 p.m.), and Mayor Ruehl

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 of November 19, 2011

Olson moved, Fulkerson seconded, to approve the City Council Work Session Minutes of the November 19, 2011 meeting. Motion carried 3/0.

b. City Council Work Session of November 21, 2011

Fulkerson moved, Olson seconded, to approve the City Council Work Session Minutes of the November 21, 2011 meeting. Motion carried 3/0.

c. Regular City Council Meeting of November 21, 2011

Olson moved, Fulkerson seconded, to approve the Regular City Council Minutes of the November 21, 2011 meeting. Motion carried 3/0.

d. Special City Council Meeting of November 28, 2011

Fulkerson moved, Olson seconded, to approve the Special City Council Minutes of the November 28, 2011 meeting. Motion carried 3/0.

4. OPEN FORUM

Janet Polluck, Zelaz, 287 Water Street, voiced her concerns with regard to the City's approval of the Sandall Marketing proposal.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

The hockey rink for Hockey Day Minnesota will start being installed tomorrow in The Commons.

6. AGENDA APPROVAL

a. Meeting Agenda

Olson moved, Fulkerson seconded, to approve the meeting agenda. Motion carried 4/0.

b. Consent Agenda

Fulkerson moved, Olson seconded, to approve the Consent Agenda. Motion carried 4/0.

1. Verified Claims

Action - Approve for Payment in the Amount of \$109,039.24, EFT Checks 483 to 488 and Manual Checks #76655 through #76696

2. Resolution No. 2011-54 - A Resolution Closing Certain Funds for Compliance with GASB 54 Requirements

Action - Adopt Resolution No. 2011-54 - A Resolution Closing Certain Funds for Compliance with GASB 54 Requirements

3. Resolution No. 2011-55 - A Resolution Committing Fund Balances for Specific Purposes

Action - Adopt Resolution No. 2011-55 - A Resolution Committing Fund Balances for Specific Purposes

4. Purchase of Truck Sander from Crysteel Truck Equipment

Action - Approve Purchase of Truck Sander from Crysteel Truck Equipment for \$4,193.86, from Public Works Equipment Fund #401

5. 2011 Insurance - Monetary Limits on Municipal Tort Liability

Action - City Elects Not to Waive Monetary Limits on Municipal Tort Liability

6. Monthly Building Permit Report - November 2011

Action - Accept for Filing

7. Heritage Preservation Commission Minutes for Filing - October 18, 2011

Action - Accept for Filing

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

8. Special Event Permit for Sleigh Rides, December 10, 2011 – Excelsior Downtown Business Group

Approve – Issuance of Special Event Permit for Sleigh Rides

7. PUBLIC HEARINGS

- a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

- a. None

9. ORDINANCES and RESOLUTIONS

- a. Resolution Certifying the 2011 Property Tax Levy Collectable 2012

Roger Henkelman, 696 Glencoe Road, addressed the City Council.

Olson moved, Miller seconded, to adopt Resolution No. 2011-56 – A Resolution Certifying the 2011 Property Tax Levy Collectable 2012. Motion carried 4/0.

- b. Resolution of the Excelsior City Council Setting the 2012 Budget

Fulkerson moved, Olson seconded, to adopt Resolution No. 2011-57 – A Resolution of the Excelsior City Council Setting the 2012 Budget. Motion carried 4/0.

- c. Approve 2012 Long Term Financial Plan

Miller moved, Fulkerson seconded, to approve the General Fund portion of the long term financial plan as of December 31, 2011. Motion carried 4/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. None

11. UNFINISHED BUSINESS

- a. Sandall Marketing Proposal

Michael Wentz, 156 Linwood Avenue, addressed the City Council.

Woody Love, 5390 Barrington Way, Shorewood, representing the Bandshell Committee, addressed the City Council.

11. UNFINISHED BUSINESS

a. Sandall Marketing Proposal – (Continued)

Myrle Mackenzie, business community member and long-time resident, addressed the City Council.

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

Debra Hart, Artworks, 345 Water Street, addressed the City Council.

Diane Bolles, 229 George Street and 310 Water Street, addressed the City Council.

Caron moved, Miller seconded, to continue this item to the December 19, 2011 Council meeting with direction to the City Attorney to contact the vendor and review the proposed changes to the contract, and to appoint Mayor Ruehl and Councilmember Caron to work on forming a subcommittee to work on this project that will be presented to the Council at the December 19<sup>th</sup> meeting. Motion carried 5/0.

12. NEW BUSINESS

a. 2012 Liquor License Renewals

Caron recused herself at 8:24 p.m.

Miller moved, Fulkerson seconded, to approve 2012 liquor license renewals for the following:

Biella LLC, d.b.a. Biella, 227 Water Street, for Intoxicating On-Sale and Sunday On-Sale Liquor License

Haskell's, Inc. (Port of Excelsior) 1 Water Street, for Intoxicating On-Sale, Sunday On-Sale, and Off-Sale Liquor License

Irish Pubs LLC, d.b.a. Jake O'Connor's Public House, 200 Water Street, for Intoxicating On-Sale and Sunday On-Sale Liquor License

Southshore Investments Inc., d.b.a. Maynard's Restaurant, 685 Excelsior Boulevard, for Intoxicating On-Sale and Sunday On-Sale Liquor License

TRBK, Inc., d.b.a. BayView Event Center, 687 Excelsior Boulevard, for Intoxicating On-Sale and Sunday On-Sale Liquor License

TRBK, Inc., d.b.a. Bayside Grille, 691 Excelsior Boulevard, for Intoxicating On-Sale, Sunday On-Sale, and Off-Sale Liquor License (Combination On-Sale/Off-Sale Liquor License)

12. NEW BUSINESS

a. 2012 Liquor License Renewals – (Continued)

Lake Point Partners LLC, d.b.a. Dunn Bros. Café of Excelsior, 11 Water Street for On-Sale Wine and Intoxicating Malt Liquor

Myoung Hee Kim, d.b.a. Yumi's Waterfront Café & Sushi Bar, 28 Water Street for On-Sale Wine and Intoxicating Malt Liquor

O.P. Restaurants LLC, d.b.a. 318, The Mill Café, 318 Water Street for On-Sale Wine and Intoxicating Malt Liquor

Excelsior Vintage Inc., d.b.a. Excelsior Vintage, 400 Highway Seven, for Off-Sale Liquor License

Motion carried 4/0.

Caron rejoined the Council at 8:25 p.m.

b. Schedule City Council Work Sessions

Miller moved, Caron seconded, to schedule City Council Work Sessions for Monday, December 19, 2011 at 5:30 p.m., Tuesday, January 3, 2012 at 5:30 p.m., and Tuesday, January 17, 2012 at 5:30 p.m. Motion carried 5/0.

Caron moved, Fulkerson seconded, to schedule a City Council Work Session with the Charter Commission for Wednesday, February 8, 2012 at 6:00 p.m. Motion carried 5/0.

Caron moved, Olson seconded, to schedule a City Council Work Session for Saturday, February 11, 2011 at 8:30 a.m. to discuss the Council's goals for 2012. Motion carried 5/0.

13. ADJOURNMENT

Olson moved, Fulkerson seconded to adjourn at 8:38 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson  
City Clerk