

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, December 19, 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, Fulkerson, Olson, Miller, and Mayor Ruehl

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

3. APPROVAL OF MINUTES

a. Regular City Council Meeting of December 5, 2011

Olson moved, Fulkerson seconded, to approve the Regular City Council Minutes of the December 5, 2011 meeting. Motion carried 5/0.

4. OPEN FORUM

Susan Brokaw, 603 Lake Street, explained the issues that she and her neighbors have been experiencing with the service from Mediacom.

Tom Lofquist, 740 Pleasant Street, also commented on Mediacom's service.

Roger Henkelmen, 696 Glencoe Road, asked the City to use some of its reserves to lower the tax levy.

Dave Neal, 220 Water Street, asked the Council if they would address why the City ticketed and towed cars from the municipal parking lot the week before Christmas without first giving a warning to residents.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

Hockey Day Minnesota is Saturday, January 21, 2012 in Excelsior.

ALARC Ice Dive/Polar Plunge is Sunday, January 1, 2012 at BayView Event Center.

Arctic Fever is Saturday, January 14 and Sunday, January 15, 2012.

6. AGENDA APPROVAL

a. Meeting Agenda

Item 12(c), Winter Parking Enforcement in Downtown Area was added to the agenda. Caron moved, Olson seconded, to approve the meeting agenda as amended. Motion carried 5/0.

b. Consent Agenda

Olson moved, Miller seconded, to approve the consent agenda. Motion carried 5/0.

1. Verified Claims

Action - Approve for Payment in the Amount of \$93,529.97, EFT Checks 489 to 493 and Manual Checks #76697 through #76751

2. Special Event Permit for Arctic Fever 2012 – January 14 & 15, 2012

Action – Approve Issuance of Special Event Permit for Arctic Fever

3. Resolution No. 2011-58 - A Resolution Certifying the 2011 Property Tax Levy Collectable 2012 (Replacing Resolution No. 2011-56)

Action – Adopt Resolution No. 2011-58 - A Resolution Certifying the 2011 Property Tax Levy Collectable 2012 (Replacing Resolution No. 2011-56)

4. Resolution No. 2011-59 – A Resolution Approving Execution of License Agreement with Hennepin County

Action – Adopt Resolution No. 2011-59 – A Resolution Approving Execution of License Agreement with Hennepin County

5. 2012 Theater License – Five Star Cinemas LLC

Action – Approve Issuance of 2012 Theater License to Five Star Cinemas LLC

6. 2012 Tobacco Licenses

Action – Approve Issuance of 2012 Tobacco Licenses to Excelsior Vintage, Inc., Southshore Investments, Inc., Maynard's Restaurant, TRBK – Bayside Grille, Haskell's, Haskell's - Port of Excelsior

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

7. 2012 Refuse Licenses

Action – Approve Issuance of 2012 Refuse Licenses to Allied Waste Services, Atomic Recycling, Aspen Waste Systems, Inc., Le Page & Sons, Lloyds Construction Services, Inc., Randy’s Sanitation, Inc., Viet Container Co. d.b.a. Veit Disposal Systems, Waste Management, and WTI – Waste Technology, Inc.

8. 2012 Marina Licenses

Action – Approve 2012 Marina Licenses for Bayview Event Center, Excelsior Bay Gables Association, Maynard’s Restaurant, Tonka Bay Marina East, Tonka Bay Marina – St. Alban’s Bay (formerly Excel Marina)

9. Payment Request for Tractor Mounted Snow Blower Replacement

Action - Approve Payment Request to Trueman Welters in the Amount of \$15,292.74 from the Public Works Equipment Fund #401

10. Monthly Financial Report – November 2011

Action – Accept for Filing

11. Sandall Marketing Proposal

Action – Continue Agenda Item to the January 3, 2012 Council Meeting

12. Planning Commission Minutes for Filing – October 4, November 1, and November 17, 2011

Action – Accept for Filing

13. Park and Recreation Commission Minutes for Filing – November 15, 2011

Action – Accept for Filing

7. PUBLIC HEARINGS

a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

a. None

9. ORDINANCES and RESOLUTIONS

a. None

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. Planning Commission

1. Conditional Use Permit for a Parking Impact Fee – 344 Water Street – Knapp Radio and TV Building

Councilmember Caron recused herself and sat in the audience at 7:37 p.m.

Tim Caron, Madelena Properties, owner of 344 Water Street, addressed the City Council.

Mayor Ruehl opened the public hearing at 8:04 p.m.

Bob Bolles, BBB Partnership, 340 Water Street and 355 Beeman Place, addressed the City Council.

Diane Bolles, 310 Water Street and 355 Beeman Place, addressed the City Council.

Mayor Ruehl closed the public hearing at 8:30 p.m.

Fulkerson moved, Miller seconded, to adopt Resolution No. 2011-60 - A Resolution Providing Conditional Use Permit Approval for Additional Parking Under the Parking Impact Fee Process at 344 Water Street, as amended to reflect the \$1,500 amount per parking space per year and reflect that the Conditional Use Permit will expires in 6 months if not acted upon. Motion carried 4/0.

Councilmember Caron rejoined the council at 8:31 p.m.

b. Park & Recreation Commission

1. Fencing for Garden Plots

Miller moved, Olson seconded, to accept the grant from Hennepin County in the amount of \$6,000.00 and authorize the Mayor and City Manager to execute the grant agreement with Hennepin County conditioned on the City Attorney's review and approval, and to accept the bid proposal from Midwest Fence in the amount of \$10,522.00 plus sales tax for a black colored coated fence to be funded from the Hennepin County Grant and the Park Capital Improvement Fund. Motion carried 5/0.

11. UNFINISHED BUSINESS

a. None

12. NEW BUSINESS

a. Banner Policy and Procedures

Miller moved, Olson seconded, to approve the Banner Policy and Procedures as amended. Motion carried 5/0.

b. Schedule City Council Work Session

Miller moved, Olson seconded, to schedule a City Council Work Session for Monday, February 6, 2012 at 6:00 p.m. Motion carried 5/0.

Miller moved, Caron seconded, to reschedule the February 8, 2012 City Council Work Session to Thursday, February 9, 2012 at 6:00 p.m. Motion carried 5/0.

c. Winter Parking Enforcement in Downtown Area

The Council asked Mayor Ruehl to speak with South Lake Minnetonka Police Chief, Bryan Litsey, to get the details on the ticketing and towing of vehicles from the downtown area.

13. ADJOURNMENT

Olson moved, Fulkerson seconded, to adjourn the meeting at 9:00 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson
City Clerk