

City of Excelsior  
Hennepin County, Minnesota

MINUTES  
EXCELSIOR CITY COUNCIL MEETING

Tuesday, January 3, 2012

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, Olson, Miller, and Mayor Ruehl

Absent: Councilmember Fulkerson

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

3. APPROVAL OF MINUTES

a. Special City Council Meeting of December 19, 2011

Olson moved, Caron seconded, to approve the Special City Council Minutes of the December 19, 2011 meeting. Motion carried 4/0.

b. City Council Work Session Meeting of December 19, 2011

Caron moved, Olson seconded, to approve the City Council Work Session Minutes of the December 19, 2011 meeting. Motion carried 4/0.

c. Regular City Council Meeting of December 19, 2011

Olson moved, Caron seconded, to approve the Regular City Council Minutes of the December 19, 2011 meeting. Motion carried 4/0.

4. OPEN FORUM

None

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

The issues that were reported at the last Council meeting with Mediacom's service have been addressed; if anyone has issues with Mediacom's service in the future they should email the City Manager.

The Excelsior Fire District had a significant house fire in the City of Tonka Bay on Monday, January 2, 2012.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS – (Continued)

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

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

ALARC Ice Dive/Polar Plunge was held on Sunday, January 1, 2012 at BayView Event Center, there were approximately 900 participants.

6. AGENDA APPROVAL

a. Meeting Agenda

Item 11(a)1 was moved up on the agenda following Item 9(a). Miller moved, Caron seconded, to approve the meeting agenda as amended. Motion carried 4/0.

b. Consent Agenda

1. Verified Claims

Action - Approve for Payment in the Amount of \$217,933.95, EFT Checks 494 to 500 and Manual Checks #76752 through #76790

2. Schedule Board of Review for Thursday, April 19, 2012- at 7:00 p.m.

Action – Schedule Board of Review for Thursday, April 19, 2012- at 7:00 p.m.

3. 2012 Benefit Adjustments for Non-Union Employees

Action – Approve 2012 Benefit Adjustments for Non-Union Employees

4. 2012 Refuse License(s)

Action – Approve 2012 Refuse Licenses for Veolia Environmental Services and Waconia Roll-Off Services, Inc.

5. 2012 Tobacco License(s)

Action – Approve 2012 Tobacco Licenses for Triple Star Management (The Pump) and Koehnen’s BP of Excelsior

6. Continue Sandall Marketing Proposal to January 17, 2012 Council Meeting

Action – Continue Sandall Marketing Proposal to January 17, 2012 Council Meeting

7. Monthly Building Permit Report — December 2011

Action – Accept for Filing

6. AGENDA APPROVAL

b. Consent Agenda – (Continued)

8. Heritage Preservation Commission Minutes for Filing — November 22, 2011

Action – Accept for Filing

7. PUBLIC HEARINGS

- a. None

8. ANNUAL ACTIVITIES

- a. Choose Acting Mayor

Caron moved, Olson seconded, to appoint Councilmember Miller as Acting Mayor for 2012. Motion carried 4/0.

- b. Review By-Laws

Caron moved, Olson seconded, to continue operating under the current Council By-Laws. Motion carried 4/0.

- c. Designate Official Newspaper

Olson moved, Miller seconded, to designate the Sun Newspapers as the City's official newspaper for 2012. Motion carried 4/0.

- d. Approve Official Depositories and Securities Pledged as Collateral

Olson moved, Caron seconded, to adopt Resolution No. 2012-01 – A Resolution of the Excelsior City Council Approving Official Depositories and Approving Selection of Collateral and Its Safekeeping Entity. Motion carried 4/0.

- e. Appointment of Assistant Weed Inspector

Caron moved, Olson seconded, to appoint Dave Wisdorf, Public Works Superintendent, as the Assistant Weed Inspector for 2012. Motion carried 4/0.

- f. Appointments to Lake Minnetonka Communications Commission

Caron moved, Olson seconded, to appoint Councilmember Miller and Jim Olds as representatives, and David Stahr as alternate, to the Lake Minnetonka Communication Commission for 2012. Motion carried 4/0.

- g. Appointment of Alternate to SLMPD Coordinating Committee

Olson moved, Miller seconded, to appoint Councilmember Caron as alternate to SLMPD Coordinating Committee. Motion carried 4/0.

8. ANNUAL ACTIVITIES

h. Appointment of Representative and Alternate to Excelsior Fire District Board

Olson moved, Caron seconded, to appoint Councilmember Miller as representative and Councilmember Fulkerson as alternate to Excelsior Fire District Board. Motion carried 4/0.

i. Appointment to the Lake Minnetonka Conservation District Board

Miller moved, Olson seconded, to appoint Jeff Morris to a three-year term on the Lake Minnetonka Conservation District Board of Directors as the City's representative. Motion carried 4/0.

j. Designate Responsible Authority and Compliance Officer for Administering Data Privacy Requests

Olson moved, Miller seconded, to appoint the City Clerk as the Responsible Authority and the City Attorney as the Compliance Officer for data privacy requests. Motion carried 4/0.

k. Minnehaha Creek Watershed District Citizens Advisory Committee Appointments

No action required. The Council directed staff to advertise the opportunity for citizen appointments to the Minnehaha Creek Watershed District Citizens Advisory Committee in December 2012, so the Council can consider recommendations for appointment at the first Council meeting in January 2013.

l. Designate Council Liaison to:

1. South Lake Excelsior Chamber of Commerce

Olson moved, Miller seconded, to appoint Mayor Ruehl to serve as the Council liaison to the South Lake Excelsior Chamber of Commerce and Councilmember Miller to serve as the alternate. Motion carried 4/0.

2. Excelsior Downtown Business Group

Olson moved, Miller seconded, to appoint Councilmember Caron to serve as the Council liaison to the Excelsior Downtown Business Group. Motion carried 4/0.

9. PETITIONS, REQUESTS and COMMUNICATIONS

a. None

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. Planning Commission

1. Conditional Use Permit for a Parking Impact Fee and Design Standards Review – 217 Water Street – Yumi’s Sushi Bar

Yumi Kim, the applicant, addressed the City Council.

Miller moved, Olson seconded, to adopt Resolution No. 2012-02 – A Resolution Providing Conditional Use Permit Approval for Additional Parking Under the Parking Impact Fee Process at 217 Water Street. Motion carried 4/0.

Miller moved, Caron seconded, to adopt Resolution No. 2012-03 – A Resolution Providing Design Standards Approval for Façade Improvements at 217 Water Street. Motion carried 4/0.

10. ORDINANCES and RESOLUTIONS

a. A Resolution to Establish Number of Parking Spaces Available Through Parking Impact Fee for 2012

Miller moved, Caron seconded, to continue this agenda item to the January 17, 2012 Council meeting to schedule a Council Work Session to discuss this item further. Motion carried 4/0.

b. A Resolution to Establish Parking Impact Fee for 2012

Councilmember Caron recused herself and sat in the audience at 8:25 p.m.

Jennifer Caron, 182 Third Street, addressed the City Council.

Miller moved, Olson seconded, to continue this agenda item to the February 6, 2012 Council meeting. Motion carried 4/0.

Councilmember Caron rejoined the City Council at 9:10 p.m.

c. Proposed Amendment to Parking Impact Fee Ordinance

The Council provided direction to staff on the proposed amendments to the Parking Impact Fee Ordinance to be forwarded to the Planning Commission.

12. UNFINISHED BUSINESS

a. Enforcement of Parking Regulations in Downtown Area

The Council agreed to leave the ordinance the way it is currently written and direct the South Lake Minnetonka Police Department to issue a

12. UNFINISHED BUSINESS

a. Enforcement of Parking Regulations in Downtown Area – (Continued)

parking ticket for the first violation that includes a warning that subsequent violations will result in the vehicle being ticketed and towed, and then ticket and tow for violations that occur after the ticket is issued for the first violation.

b. Reschedule City Council Work Session with Charter Commission

Miller moved, Olson seconded, to reschedule the Work Session with the Charter Commission from Thursday, February 9, 2012 to Wednesday, February 15, 2012 at 6:00 p.m. or Wednesday, February 22, 2012 at 6:00 p.m. Motion carried 4/0.

13. NEW BUSINESS

a. 2012 Enterprise Fund Budgets

Caron moved, Olson seconded, to approve the 2012 Enterprise Fund budgets for inclusion of the 2012 budget document. Motion carried 4/0.

b. A Resolution Establishing Rates for Water Utility

Olson moved, Caron seconded, to adopt Resolution No. 2012-02 - A Resolution Establishing Rates for the Water Utility. Motion carried 4/0.

c. A Resolution Establishing Rates for Surface Water Quality Management Utility

Caron moved, Olson seconded, to adopt Resolution No. 2012-03 - A Resolution Establishing Rates for the Surface Water Quality Management Utility. Motion carried 4/0.

d. Establish 2012 Residential Dock Rates

Caron moved, Olson seconded, to adopt a 2.3% increase to the residential dock/buoy/slides rates for 2012. Motion carried 4/0.

14. ADJOURNMENT

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

Respectfully submitted,

Cheri Johnson  
City Clerk