

City of Excelsior  
Hennepin County, Minnesota

MINUTES  
EXCELSIOR CITY COUNCIL MEETING

Monday, February 6, 2012

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Ruehl called the meeting to order at 7:07 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, City Engineer Dawley, and City Clerk Johnson

3. APPROVAL OF MINUTES

a. City Council Work Session Meeting of January 17, 2012

Olson moved, Fulkerson seconded, to approve the Minutes of the City Council Work Session meeting of January 17, 2012. Motion carried 5/0.

b. Regular City Council Meeting of January 17, 2012

Fulkerson moved, Caron seconded, to approve the Minutes of the Regular City Council meeting of January 17, 2012. Motion carried 5/0.

4. OPEN FORUM

None

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

The Excelsior Fire District Board met on Wednesday, January 25, 2012. Councilmember Miller is the Vice Chair.

Mayor Ruehl reported on the Lake Minnetonka Mayor's annual meeting.

The South Lake Minnetonka Police Department Coordinating Committee meeting is on Wednesday, February 8, 2012 at 5:30 p.m.

6. AGENDA APPROVAL

a. Meeting Agenda

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

b. Consent Agenda

Caron moved, Olson seconded, to approve the Consent Agenda as amended. Motion carried 5/0.

1. Verified Claims

Action - Approve for Payment in the Amount of \$183,749.97, EFT Checks 505 to 512 and Manual Checks #76842 through #76902

2. Sandall Marketing Contract

Action – Ratify Sandall Marketing Contract Changing Start Date to February 15, 2012

3. Special Event Permit for Memorial Day Parade, May 28, 2012 – Clarence Clofer American Legion Post 259

Action – Approve Issuance of Special Event Permit for Memorial Day Parade

4. Park Use Permit for Half Marathon, May 6, 2012 – Podium Sports Marketing

Action – Approve Issuance of Park Use Permit for Half Marathon with Conditions

5. 2012 Public Works Capital Improvement and Equipment Plan

Action – Authorize Staff to Secure Costs and/or Bid Proposals for 2012 Public Works Capital Equipment and Minor Capital Projects Identified in 2012 Excelsior Budget and 2012 Public Works Capital Improvement and Equipment Plan

6. Monthly Building Permit Report – January 2012

Action – Accept for Filing

7. Heritage Preservation Commission Minutes for Filing – December 18, 2011

Action – Accept for Filing

7. PUBLIC HEARINGS

- a. None

8. PETITIONS, REQUESTS and COMMUNICATIONS

- a. Update on Excelsior Studer Park Project – Kevin Eisen, Barr Engineering

Kevin Eisen, Barr Engineering, provided an update on the Excelsior Studer Park Project.

- b. Special Event/Park Use Permit and Temporary Liquor License for Art on the Lake, June 9 and 10, 2012 – South Lake Excelsior Chamber of Commerce

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

Councilmember Caron recused herself and sat in the audience at 7:33 p.m.

Miller moved, Fulkerson seconded, to approve the issuance of a Special Event/Park Use Permit and Temporary On Sale Intoxicating Liquor License to the South Lake Excelsior Chamber of Commerce for Art on the Lake, June 9 and 10, 2012. Motion carried 4/0.

Councilmember Caron rejoined the Council at 7:35 p.m.

- c. Special Event/Park Use Permit for Fourth of July Activities, July 4, 2012 – South Lake Excelsior Chamber of Commerce

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

Caron moved, Olson seconded, to approve the issuance of a Special Event/Park Use Permit for Fourth of July Activities, July 4, 2012. Motion carried 5/0.

9. ORDINANCES and RESOLUTIONS

- a. A Resolution Imposing Temporary Parking Restrictions for July 4, 2012

Miller moved, Fulkerson seconded, to adopt Resolution No. 2012-09 – A Resolution Imposing Temporary Parking Restrictions for July 4, 2012. Motion carried 5/0.

9. ORDINANCES and RESOLUTIONS

- b. First Reading of a Proposed Ordinance to Amend Chapter 34, Article III, Section 34-64 of the City Code Pertaining to Property Owner's Responsibility for Maintaining Water Service Line

Miller moved, Olson seconded, to waive the first reading of a Proposed Ordinance to Amend Chapter 34, Article III, Section 34-64 of the City Code Pertaining to Property Owner's Responsibility for Maintaining Water Service Line and schedule the second reading and adoption for the Council's February 21, 2012 meeting. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. Park and Recreation Commission

1. Tobacco Free Parks – Minnetonka High School Students and Emily Anderson, Hennepin County, Tobacco-Free Youth Recreation Program Coordinator

Emily Anderson, Hennepin County, Tobacco-Free Youth Recreation Program Coordinator, addressed the City Council.

Serena Hazzard, 291 Piedmont Court, Chanhassen, addressed the City Council.

Becca Rowe, 2617 Rachel Court, Chaska, addressed the City Council.

Kaila Thatcher, 2219 Lake Lucy Road, Chanhassen, addressed the City Council.

Aaron Nemitz, 18224 Hermitage Way, Minnetonka, addressed the City Council.

Luay Alshawik 225 West Point Road, Tonka Bay, addressed the City Council.

Abby Gordon, 17404 Bridgewater Circle, Minnetonka, addressed the City Council.

Olson moved, Caron seconded, to continue this agenda item to the March 5, 2012 Council meeting with direction to staff to review additional information from other ordinances and studies and provide summary of key issues. Motion carried 4/1 with Fulkerson voting nay.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

b. Planning Commission

1. Conditional Use Permit for Permanent Access Road, George Street to Excelsior Elementary, 441 Oak Street, P.I.D. #34-117-23-14-0032 and P.I.D. 34-117-23-14-0073 - Minnetonka Public Schools

Paul Bourgeois, Executive Director of Finance and Operations, Minnetonka Public Schools, addressed the City Council.

Mike Condon, Supervisor of Buildings and Grounds, Minnetonka Public Schools, addressed the City Council.

Mayor Ruehl opened the public hearing at 8:58 p.m. Hearing no comments, Mayor Ruehl closed the public hearing.

Caron moved, Olson seconded, to adopt Resolution No. 2012-10 – A Resolution Providing Conditional Use Permit Approval for a Permanent Access Roadway from George Street to a Parking Lot at 339 Water Street and to Excelsior Elementary at 441 Oak Street as amended. Motion carried 5/0.

11. UNFINISHED BUSINESS

a. A Resolution to Establish Parking Impact Fee for 2012

Caron moved, Olson seconded, to continue this agenda item to the February 21, 2012 City Council Work Session. Motion carried 5/0.

12. NEW BUSINESS

a. Appoint Councilmembers to Interview Applicants for Annual Appointments to Advisory Commissions

Caron moved, Olson seconded, to appoint Councilmember Caron to the Planning Commission, Councilmember Fulkerson to the Park and Recreation Commission, and Mayor Ruehl to the Heritage Preservation Commission. Motion carried 5/0.

b. Appoint Council Liaisons for Sandall Marketing Study

Fulkerson moved, Miller seconded, to appoint Caron and Olson as the Council liaisons to the Sandall Marketing Study. Motion carried 5/0.

13. ADJOURNMENT

Olson moved, Caron seconded, to adjourn the meeting at 9:20 p.m. Motion carried 5/0.

Respectfully submitted,

Cheri Johnson  
City Clerk