

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, June 4, 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 Fulkerson, Miller, and Mayor Ruehl

Absent: Caron and Olson

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 Meeting of May 21, 2012

Fulkerson moved, Miller seconded, to approve the Minutes of the City Council Work Session Meeting of May 21, 2012. Motion carried 3/0.

b. Regular City Council Meeting of May 21, 2012

Miller moved, Caron seconded, to approve the Minutes of the Regular City Council Meeting of May 21, 2012. Motion carried 3/0.

4. OPEN FORUM

Linda Johnson and Barrie Seifert, Girls Night Out Committee, requested permission to place a set of colored lights on the base of the trees along Water Street to celebrate the themes for Girls Night Out each month. Teal colored lights will be installed in June, tangerine colored lights in July, and pink colored lights in September. The Council had no objections to the colored lights being placed on the base of the trees along Water Street.

Leon Boyd, 44 First Street, asked the Council to place a "No U Turn" sign at the intersection at First and West Lake Street.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

Miller reported on the Excelsior Fire District Board meeting he attended on Wednesday, May 23, 2012.

6. AGENDA APPROVAL

a. Meeting Agenda

Item 11(a) - First Reading of An Ordinance to Amend Article 17, General Yard, Lot Area and Building Regulations of Appendix E of Excelsior City Code of Ordinances Pertaining to Residential Design Standards was moved up on the agenda to follow Item 6(b). Miller moved, Fulkerson seconded, to approve the meeting agenda as amended. Motion carried 3/0.

b. Consent Agenda

Fulkerson moved, Miller seconded, to approve the consent agenda. Motion carried 3/0.

1. Verified Claims

Action – Approve for Payment in the Amount of \$67,176.75, Manual Checks #77251 to #77289

2. Monthly Building Permit Report – May, 2012

Action – Accept for Filing

3. Heritage Preservation Commission Minutes for Filing – April 17, 2012

Action – Accept for Filing

11. UNFINISHED BUSINESS

a. First Reading of An Ordinance to Amend Article 17, General Yard, Lot Area and Building Regulations of Appendix E of Excelsior City Code of Ordinances Pertaining to Residential Design Standards

Miller moved, Fulkerson seconded, to continue this item to the June 18, 2012 Council meeting. Motion carried 3/0.

7. PUBLIC HEARINGS

a. Brewer Off-Sale Intoxicating and Taproom Brewer Liquor Licenses - Excelsior Brewing Company, LLC, 421 Third Street

Mayor Ruehl opened the public hearing at 7:13 p.m. Hearing no comments, Mayor Ruehl closed the public hearing.

Fulkerson moved, Miller seconded, to adopt Resolution No. 2012-27 - A Resolution Granting A Brewer Off-Sale and Taproom Brewer Liquor Licenses to Excelsior Brewing Company LLC for the Remainder of the 2012 Calendar Year.

7. PUBLIC HEARINGS

- a. Brewer Off-Sale Intoxicating and Taproom Brewer Liquor Licenses - Excelsior Brewing Company, LLC, 421 Third Street – (Continued)

John Klick, Excelsior Brewing Company, addressed the City Council.

Motion carried 3/0.

- b. Annual Public Informational Meeting on the City of Excelsior's Storm Water Pollution Prevention Plan (SWPPP)

Jeff Peters, WSB & Associates, Inc., gave a presentation on the City's Annual Storm Water Pollution Prevention Plan.

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

8. PETITIONS, REQUESTS and COMMUNICATIONS

- a. Amendment to Park Use/Special Event Permit for Fourth of July Event

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

Miller moved, Fulkerson seconded, to approve the amendment to the Park Use/Special Event Permit for the Fourth of July Event to include an aerobatic demonstration. Motion carried 3/0.

- b. Excelsior-Studer Park Update

Kevin Eisen, Barr Engineering, City's Consulting Environmental Engineer, addressed the City Council.

Miller moved, Fulkerson seconded, to approve the payment request releasing the retainage for the Excelsior-Studer Park Soil Cover Project to Frattalone in the amount of \$28,585.63. Motion carried 3/0.

9. ORDINANCES and RESOLUTIONS

- a. A Resolution to Establish Tobacco Free Zones Within The Commons

Derek Larson, Tobacco-Free Youth Recreation Program, addressed the City Council.

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

Miller moved to adopt the Resolution to Establish Policy for Tobacco-Free Zones in The Commons. The motion died for lack of a second.

Staff was directed to bring this item back to the June 18, 2012 Council meeting.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- a. None

11. UNFINISHED BUSINESS

- a. First Reading of An Ordinance to Amend Article 17, General Yard, Lot Area and Building Regulations of Appendix E of Excelsior City Code of Ordinances Pertaining to Residential Design Standards

This item was moved up on the agenda to follow Item 6(b).

12. NEW BUSINESS

- a. Park and Recreation Commission Appointment

Fulkerson moved, Miller seconded, to appoint Patty Norman to the Park and Recreation Commission. Motion carried 3/0.

- b. Schedule City Manager's Performance Review

Miller moved, Fulkerson seconded, to continue this item to the June 18th Council meeting. Motion carried 3/0.

David Evans, Minnetonka Music, said he had missed the Open Forum and would like to address the Council regarding the siren. He requested that the City study the decibels and length of time the siren sounds to make sure the decibel level is safe.

13. ADJOURNMENT

Fulkerson moved, Miller seconded, to adjourn the meeting at 8:42 p.m. Motion carried 3/0.

Respectfully submitted,

Cheri Johnson
City Clerk