

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

Monday, January 7, 2013

Council Chambers

7:00 p.m.

OATHS OF OFFICE – Mayor Ruehl administered the Oath of Office to Mayor-Elect Mark Gaylord. Mayor Gaylord administered the Oath of Office to Councilmember-Elect – Greg Miller

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:05 p.m.

2. ROLL CALL

Present: Councilmembers Beattie, Caron, Miller, and Mayor Gaylord

Absent: Councilmember Fulkerson

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

3. APPROVAL OF MINUTES

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

Beattie moved, Caron seconded, to approve the Minutes of the City Council Work Session Meeting of December 17, 2012. Motion carried 4/0.

b. Regular City Council Meeting of December 17, 2012

Caron moved, Beattie seconded, to approve the Minutes of the City Council Work Session Meeting of December 17, 2012. Motion carried 4/0.

4. OPEN FORUM

a. Present Certificate of Appreciation to Outgoing Councilmembers – Mayor Ruehl and Councilmember Olson

Mayor Gaylord presented Certificates of Appreciation to Outgoing Councilmember Olson and Mayor Ruehl.

b. Present Certificate of Appreciation to LMCC Camera Operator, Thom Lofquist

Mayor Gaylord presented a Certificate of Appreciation to LMCC Camera Operator, Thom Lofquist.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

None.

6. AGENDA APPROVAL

a. Meeting Agenda

Caron moved, Miller seconded, to approve the meeting agenda. Motion carried 4/0.

b. Consent Agenda

Beattie moved, Miller seconded, to approve the consent agenda. Motion carried 4/0.

1. Verified Claims

Action - Approve for Payment in the Amount of \$365,695.13, EFT Checks 656 to 663 and Manual Checks #78036 to 78080

2. Authorize the Mayor as Signer on City Documents and Financial Accounts

Action - Authorize the Mayor as Signer on City Documents and Financial Accounts

3. Monthly Building Permit Report — December 2012

Action - Accept for Filing

4. Heritage Preservation Commission Minutes for Filing — November 20, 2012

Action - Accept for Filing

7. PUBLIC HEARINGS

a. None

8. ANNUAL ACTIVITIES

a. Choose Acting Mayor

Beattie moved, Caron seconded, to appoint Councilmember Miller as Acting Mayor for 2013. Motion carried 4/0.

b. Review By-Laws

Miller moved, Caron seconded, to continue the Council By-Laws to the January 22, 2013 Council meeting with direction to staff to incorporate new language into the By-Laws that encourage Councilmembers voting in opposition of a motion to articulate the reasons supporting their vote. Motion carried 4/0.

8. ANNUAL ACTIVITIES

c. Designate Official Newspaper

Beattie moved, Miller seconded, to designate the Sun Newspapers as the City's official newspaper for 2013. Motion carried 4/0.

d. Approve Official Depositories and Securities Pledged as Collateral

Beattie moved, Miller seconded, to adopt Resolution No. 2013-01 – 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

Beattie moved, Miller seconded, to appoint Dave Wisdorf, Public Works Superintendent, as the Assistant Weed Inspector for 2013. Motion carried 4/0.

f. Appointments to Lake Minnetonka Communications Commission

Beattie moved, Caron seconded, to appoint Councilmember Miller as the Council representative for 2013 and continue the appointments to resident appointments to the February 19, 2013 Council meeting with direction to staff to advertise for applications to fill the resident positions. Motion carried 4/0.

g. Appointment of Alternate to SLMPD Coordinating Committee

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

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

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

i. Appointment to the Lake Minnetonka Conservation District Board

Annual review of appointment. No action required.

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

Beattie moved, Caron seconded, to appoint the City Clerk as the Responsible Authority and the City Attorney as the Compliance Officer for data privacy requests for 2013. Motion carried 4/0.

k. Minnehaha Creek Watershed District Citizens Advisory Committee Appointments

No action required.

8. ANNUAL ACTIVITIES

l. Council/Advisory Commission Liaisons

Caron moved, Beattie seconded, to continue this agenda item to the next City Council Work Session, which will be scheduled later in the meeting. Motion carried 4/0.

m. Excelsior-Lake Minnetonka Chamber of Commerce

Beattie moved, Caron seconded, to continue this agenda item to the next City Council Work Session, which will be scheduled later in the meeting. Motion carried 4/0.

9. PETITIONS, REQUESTS and COMMUNICATIONS

a. Special Event Permit for Concours d'Elegance Event, June 2, 2013 - J. Marie Fieger and Randy Guyer

J. Marie Fieger, the applicant for the Concours d'Elegance Event, addressed the City Council.

Beattie moved, Miller seconded, to approve the Special Event/Park Use Permit for the Concours d'Elegance Event to be held on Sunday, June 2, 2013, with the conditions outlined by staff and the condition that the appropriate insurance and agreement are provided to ensure that any damage will be covered. Motion carried 4/0.

10. ORDINANCES and RESOLUTIONS

a. None

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

a. None

12. UNFINISHED BUSINESS

a. 2013 Liquor License Expansion for Excelsior Brewery, 421 Third Street - John Klick, Excelsior Brewing Company, LLC

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

Beattie moved, Miller seconded, to adopt Resolution No. 2013-02 - A Resolution Granting Approval for the Expansion of the Premise Area for a Brewer Off-Sale and Taproom/Sunday Brewer Liquor License to Excelsior Brewing Company at 421 Third Street, with the added condition that the business have one covered trash receptacle in the outside patio area that matches the appearance of other furniture. Motion carried 4/0.

Beattie moved, Miller seconded, to approve the Special Event Permit for Excelsior Brewery, LLC, to have a 40-foot by 40-foot tent in conjunction with the Fat Tire Bike Race to be held on Saturday, January 19, 2013. Motion carried 4/0.

12. UNFINISHED BUSINESS

- b. General and Final Plan, Planned Unit Development District, Design Standards, and Site Plan Review to Construct a Hotel at 10 Water Street, P.I.D. 34-117-23-11-0059 - Thomas F. James Properties, LLC

Neil Weber, architect for the project, addressed the City Council.

Nick Ruehl, 603 Lake Street, addressed the City Council.

Mark Macpherson, Heritage Preservation Commission liaison, addressed the City Council.

Caron moved, Beattie seconded, to continue this agenda item to the January 22, 2013 Council meeting. Motion carried 4/0.

13. NEW BUSINESS

- a. Accept Feasibility Study and Schedule Public Hearing on Assessments for Metropolitan Council Environmental Services Project

Beattie moved, Miller seconded, to adopt Resolution No. 2013-03 - A Resolution Receiving the Feasibility Report for the MCES Forcemain 2013 & 2014 Street and Utility Improvements Projects and Setting the Public Hearing for the MCES Forcemain 2013 Street and Utility Improvement Project - City Improvement Project No. 2013-01. Motion carried 4/0.

- b. Appoint Councilmembers to Interview Advisory Commission Applicants

Beattie moved, Miller seconded, to continue this agenda item to the next City Council Work Session, which will be scheduled later in the meeting. Motion carried 4/0.

- c. Schedule City Council Goal Setting Session

Miller moved, Caron seconded, to schedule a City Council Work Session for 6:00 p.m. on Tuesday, January 22, 2013. Motion carried 4/0.

14. ADJOURNMENT

Beattie moved, Caron seconded, to adjourn the meeting at 11:10 p.m. Motion carried 4/0.

Respectfully submitted,

Cheri Johnson
City Clerk