

City of Excelsior
Regular Council Meeting

MINUTES

Monday, January 4, 2021

6:30 P.M.

OATH OF OFFICE – TODD CARLSON

City Manager Luger administered the Oath of Office to Mayor Carlson.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:36 P.M. This meeting was a remote meeting conducted via Zoom.

2. ROLL CALL

City Council: Mayor Carlson and Councilmembers Caron, Dierking, Hersman, and Kurschner

Absent: None

Also Present: City Manager Luger, City Attorney Staunton, City Engineer Dawley, Finance Officer Potter, Public Works Superintendent Amundsen, City Planner Becker, and City Clerk Williams

Attorney Staunton stated in accordance with the requirements of Minnesota Statutes Section 13D.021, the Mayor, the City Manager and the City Attorney have determined that an in-person meeting is not practical or prudent because of the "COVID-19 Health Pandemic" emergency declared under Chapter 12 of the Minnesota Statutes. All staff and City Council members will be participating by telephone or other electronic means. All actions votes will be recorded as roll call votes.

3. APPROVAL OF MINUTES

(a) December 21, 2020 Work Session Minutes

Hersman moved, Dierking seconded, to approve the December 21, 2020 Work Session Minutes. On a roll call vote, Dierking, Caron, Hersman, Kurschner and Carlson voted yes. Motion carried 5/0.

(b) December 21, 2020 City Council Minutes

Caron moved, Dierking seconded, to approve the December 21, 2020 City Council Minutes. On a roll call vote, Dierking, Caron, Hersman, Kurschner and Carlson voted yes. Motion carried 5/0.

4. OPEN FORUM

None

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) Excelsior-Lake Minnetonka Chamber of Commerce Update

Jen Weiss, Excelsior-Lake Minnetonka Chamber of Commerce, gave an update on funding from the County, State, and Federal government for small businesses.

6. MEET EXCELSIOR

None

7. AGENDA APPROVAL

(a) Meeting Agenda

Dierking moved, Kurschner seconded, to approve the January 4, 2021 Meeting Agenda. On a roll call vote, Dierking, Caron, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(b) Consent Agenda

Kurschner moved, Dierking seconded, to approve the January 4, 2021 Consent Agenda. On a roll call vote, Caron, Kurschner, Hersman, Dierking, and Carlson voted yes. Motion carried 5/0.

1. Review Verified Claims under \$20,000 and Approve Verified Claims over \$20,000

Action – Reviewed verified claims under \$20,000 and approve verified claims over \$20,000.

2. Designate Official Newspaper

Action – Designated the Excelsior/Shorewood Sun-Sailor as the official newspaper for 2021.

3. Approve Official Depositories and Securities Pledged as Collateral

Action - Adopted Resolution 2021-05 – A Resolution of the Excelsior City Council Approving Official Depositories and Approving the Selection of Collateral and Its Safekeeping Entity.

4. Appointment of Assistant Weed Inspector

Action - Appointed Tim Amundsen, Public Works Superintendent, as the Assistant Weed Inspector for 2021.

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

Action - Appointed the City Clerk as the Responsible Authority and the City Attorney as the Compliance Officer for data privacy requests.

6. Closing of City Hall on February 3, 2021 for Clean-up Day.

Action - Authorized staff to close City Hall on Wednesday, February 3rd for a clean-up day.

7. Goal Setting Session

Action – Accepted that the January 9, 2021 goal setting session will be held remotely over Zoom.

8. December 2020 Building Permit Report

Action – Accepted the December Building Permit Report.

9. Extension of Local Emergency Declaration

Action – Adopted Resolution 2021-06 Extending the Local Emergency Declaration.

8. ANNUAL ACTIVITIES

(a) Choose Acting Mayor

Kurschner moved, Dierking seconded, to appoint Councilmember Caron to serve as Acting Mayor for calendar year 2021. Motion carried 5/0.

(b) City Council Meeting Dates

Hersman moved, Kurschner seconded, to move the scheduled January 18th meeting to January 19th, to move the February 15th scheduled meeting to February 16th, to move the scheduled July 5th meeting to July 6th, and to move the scheduled September 6th meeting to September 7th. Motion carried 5/0.

(c) Appointments to Lake Minnetonka Communications Commission

Dierking moved, Caron seconded, to appoint Councilmember Kurschner to the Lake Minnetonka Communication Commission for 2021 and direct staff to advertise for the Excelsior resident position at-large. Motion carried 5/0.

(d) Appointment of Alternate to SLMPD Coordinating Committee

Hersman moved, Kurschner seconded, to appoint Councilmember Caron to serve as the City's 2021 alternate on the SLMPD Coordinating Committee. Motion carried 5/0.

(e) Appointment of Representative and Alternate to Excelsior Fire District Board

Hersman moved, Caron seconded, to appoint Councilmember Dierking to serve as the City's representative on the Excelsior Fire District Board of Directors and Councilmember Kurschner to serve as alternate. Motion carried 5/0.

(f) Appointment of Representative to St. Alban's Bay Bridge Committee

Caron moved, Kurschner seconded, to appoint Mayor Carlson to work on the St. Alban's Bay Bridge with the City of Greenwood. Motion carried 5/0.

(g) Appointment of Liaison to Community for The Commons

Dierking moved, Kurschner seconded, to appoint Councilmember Caron and Councilmember Hersman to serve as liaisons to Community for The Commons. Motion carried 5/0.

(h) Review City Council By-Laws

Dierking moved, Caron seconded, to continue the By-Laws to the January 19, 2021 meeting agenda. Motion carried 5/0.

9. PUBLIC HEARINGS

(a) 494 Water Street Planned Unit Development Amendment

Tracy Diehl, Applicant

Tracy Diehl, Applicant, answered questions regarding US Banks proposal.

Bob Bolles, 229 George Street

Expressed concerns about the proposed amendments and the effects of the gateway intersection.

Dierking moved, Hersman seconded, to adopt Resolution 2021-04 – A Resolution Denying for a Planned Unit Development Amendment to Allow the Addition of an Existing Automated Teller Machine (ATM) for the Property located at 494 Water Street. On a roll call vote, Hersman, Dierking, Kurschner, Caron, and Carlson voted yes. Motion carried 5/0.

(b) 634 Third Avenue Garage Height Variance Request

Mayor Carlson recused himself from the discussion and vote on this item.

Todd Carlson, Applicant

Addressed the City Council and answered questions regarding the 634 Third Avenue Garage Height Variance Request.

Bob Bolles, 229 George Street

Supports the applicant's proposal.

Dierking moved, Kurschner seconded, to direct staff to update the resolution as discussed and to adopt Resolution 2021-02 – A Resolution Approving a Variance from the Maximum Allowed Height of an Accessory Structure for the Property Located at 634 Third Avenue. On a roll call vote, Hersman, Dierking, Kurschner, and Caron voted yes. Motion carried 4/0.

(c) 332 Second Street Retaining Wall Setback Variance Request

Mayor Carlson rejoined the meeting at 7:57 P.M.

Mayor Carlson opened the public hearing. With no one appearing before the Council, Mayor Carlson closed the public hearing.

Kurschner moved, Dierking seconded, to adopt Resolution 2021-03 – A resolution Approving a Variance from the Minimum Required Setback of a Retaining Wall for 332 Second Street. On a roll call vote, Hersman, Dierking, Kurschner, Caron, and Carlson voted yes. Motion carried 5/0.

10. PETITIONS, REQUESTS and COMMUNICATIONS

(a) 45 North Group Purchase Agreement Extension

Dierking moved, Kurschner seconded, to approve the extension of the Purchase Agreement Deadline for 810 Excelsior Boulevard to May 17, 2021. On a roll call vote, Hersman, Dierking, Kurschner, Caron, and Carlson voted yes. Motion carried 5/0.

11. ORDINANCES and RESOLUTIONS

- (a) Commercial Districts Ordinance Amendment

Caron moved, Hersman seconded, to continue this item to the February 1, 2021 meeting. On a roll call vote, Hersman, Dierking, Kurschner, Caron, and Carlson voted yes. Motion carried 5/0.

12. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- (a) None

13. UNFINISHED BUSINESS

- (a) None

14. NEW BUSINESS

- (a) None

15. ADJOURNMENT

Dierking moved, Caron seconded, to adjourn the meeting at 8:30P.M. On a roll call vote, Kurschner, Dierking, Hersman, Caron, and Carlson voted yes. Motion carried 5/0.

Respectfully submitted
Nalisha Williams, City Clerk