

City of Excelsior
City Council Meeting

MINUTES

Monday, July 20, 2020

6:30 P.M.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:47 p.m. This meeting was a remote meeting conducted via Zoom.

2. ROLL CALL

City Council: Mayor Carlson and Councilmembers Caron, Dierking, Kurschner and Miller (joined at 6:49 p.m.)

Absent: None

Also Present: City Manager Luger, City Attorney Staunton, Public Works Superintendent Amundsen, City Engineer Dawley, Planning Director Becker, Event Planner Edwards and City Clerk Peterson

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) July 6, 2020 Council Work Session Minutes

Kurschner moved, Caron seconded, to approve the July 6, 2020 Council Work Session Minutes. On a roll call vote, Kurschner, Caron, Dierking, Miller and Carlson voted yes. Motion carried 5/0.

(b) June 6, 2020 City Council Minutes

Miller moved, Dierking seconded to continue the July 6, 2020 City Council Minutes to the August 3, 2020 meeting directing the City Council to send suggested changes to staff prior to that meeting. On a roll call vote, Kurschner, Dierking, Caron, Miller and Carlson voted yes. Motion carried 5/0.

(c) July 13, 2020 Special Work Session Minutes

Dierking moved, Caron seconded, to approve the July 13, 2020 Special City Council Minutes. On a roll call vote, Dierking, Caron, Kurschner, Miller and Carlson voted yes. Motion carried 5/0.

4. OPEN FORUM

Gretchen Piper, Candidate Running for Senate District 33, introduced herself and explained her background.

Peter Hartwich, 186 George Street, addressed the City Council regarding the timeline for the Good Neighbor Guidelines discussion.

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 the operations of the Chamber.

(b) Excelsior Fire District Board Update

Councilmember Dierking presented an update on the Excelsior Fire District Board.

(c) 2019/2020 Project Update

Public Works Superintendent Amundsen gave an update on the 2019 and 2020 Street and Utility Projects.

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6. AGENDA APPROVAL

(a) Meeting Agenda

Dierking moved, Caron seconded, to approve the July 20, 2020 Meeting Agenda. On a roll call vote, Dierking, Caron, Kurschner, Miller and Carlson voted yes. Motion carried 5/0.

(b) Consent Agenda

Caron moved, Dierking seconded, to approve the consent agenda removing Item Number 4 "Tent Sale Fee Reductions" for separate approval. On a roll call vote, Caron, Dierking, Kurschner, Miller and Carlson voted yes. Motion carried 5/0.

1. Approve Verified Claims – Approve for Payment Manual Checks #086608 – #086684

Action – Approved for payment manual checks #086608 – #086684.

2. 2021 Assessing Services Contract

Action – Approved 2021 Assessing Services Contract.

3. Approve Pay Voucher No. 10 – 2019 Street and Utility Improvement Project

Action- Approved Construction Pay Voucher No. 10 for the 2019 Street and Utility Improvement Project and authorize payment in the amount of \$352,719.83 to Northdale Construction Co., Inc.

5. May Financial Report

Action – Accepted May 2020 Financial Report for filing.

6. 2020 Crack Sealing Street Maintenance Award of Contract

Action – Received quotes and awarded the construction contract for the 2020 Crack Sealing Street Maintenance for the total quote in the amount of \$15,217.00 to KAMCO, Inc.

4. Tent Sale Fee Reductions

Councilmember Caron recused herself from the discussion and vote on this item.

Action – Kurschner moved, Dierking seconded, to approve the tent applications from Brightwater Clothing and Gear and the Lakes Running Co. and waive the per day fee of \$100 and honor the \$100 total fee. On a roll call vote, Kurschner, Dierking, Miller and Carlson voted yes. Motion carried 4/0.

7. PUBLIC HEARINGS

(a) Villas PUD Amendment

With no one from the public appearing to speak at the public hearing, Mayor Carlson closed the public hearing.

Caron moved, Kurschner seconded, to adopt Resolution No. 2020-41 approving the proposed Planning Unit Development Amendment to remove the portion of the sidewalk along Village Lane, remove a previously proposed gazebo, and change proposed lighting, subject to conditions outlined in the staff report. On a roll call vote, Caron, Kurschner, Dierking, Miller and Carlson voted yes. Motion carried 5/0.

(b) 278 West Lake Street

Kathryn Alexander, Alexander Design Group, 278 West Lake Street, addressed the City Council stating she is present to answer any questions the Council may have.

With no one from the public appearing to speak at the public hearing, Mayor Carlson closed the public hearing.

Kurschner moved, Miller seconded, to adopt Resolution No. 2020-40 approving variances from the requirement that a garage with street-facing garage doors be setback ten feet from the longest front wall plane for the property located at 278 West Lake Street. On a roll call vote, Kurschner, Miller, Caron, Dierking and Carlson voted yes. Motion carried 5/0.

(c) 511 Second Street Design Standards Review Amendment

Tim Brown, Schaefco, addressed the City Council and presented a PowerPoint explaining the project.

Due to technical difficulties, the meeting was interrupted and restarted twice.

With no one from the public appearing to speak at the public hearing, Mayor Carlson closed the public hearing.

Miller moved, Kurschner seconded, to direct staff to prepare a resolution with findings of approval to be considered at the August 3, 2020 Council Meeting. On a roll call vote, Miller, Kurschner, Dierking and Carlson voted yes; Caron voted no in favor of the resolution as stated in the packet to deny based on Planning Commission direction. Motion carried 4/1.

(d) 221 Third Street

Councilmember Kurschner recused himself from the discussion and vote on this item.

Caron moved, Miller seconded, to direct staff to update the findings as discussed in Resolution No. 2020-42 for consideration at the August 3, 2020 Council Meeting. On a roll call vote, Caron, Miller, Dierking and Carlson voted yes. Motion carried 4/0.

8. PETITIONS, REQUESTS and COMMUNICATIONS

(a) None

9. ORDINANCES and RESOLUTIONS

(a) Second Reading of Amendments to the Special Events Permit Ordinance

Kurschner moved, Caron seconded, to waive the second reading and adopt Ordinance No. 607 with amendments to Section 10-546(b)2 as discussed. On a roll call vote, Kurschner, Caron, Dierking, Miller and Carlson voted yes. Motion carried 5/0.

10. REPORTS of OFFICERS, BOARDS and COMMITTEES

- (a) None

11. UNFINISHED BUSINESS

- (a) Free Mask Campaign

Miller moved, Caron seconded to approve the purchase of 3,000 masks at a cost not-to-exceed \$15,000 with staff deciding on the final design. On a roll call vote, Miller, Caron, Dierking, Kurschner and Carlson voted yes. Motion carried 5/0.

Kurschner moved, Miller seconded, to form a subcommittee with Councilmember Caron and Mayor Carlson to discuss Chamber funding. On a roll call vote, Kurschner, Miller, Caron, Dierking and Carlson voted yes. Motion carried. 5/0

- (b) Food Truck Regulations

Dierking moved, Kurschner seconded, to table this item to the December 7, 2020 meeting. On a roll call vote, Dierking, Kurschner, Caron, Miller and Carlson voted yes. Motion carried 5/0.

12. NEW BUSINESS

- (a) Regional Trail Crossings

The Council directed staff to include the purchase of a pedestrian-activated flashing sign for the Excelsior Boulevard Trail Crossing in the amount of \$20,000 in the 2021 budget discussions.

The Council appointed Councilmember Caron, City Engineer Dawley and Public Works Superintendent Amundsen to the Water Street Trail Crossing Committee.

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(b) 2021 South Lake Minnetonka Police Department Budget

Kurschner moved, Dierking seconded to approve the 2021 South Lake Minnetonka Police Department Operating Budget. On a roll call vote, Kurschner, Dierking, Caron, Miller and Carlson voted yes. Motion carried 5/0.

(c) Ice Cream Social

The Council decided to hold off on an ice cream social until 2021.

13. ADJOURNMENT

Miller moved, Caron seconded, to adjourn the meeting at 10:51 p.m. On a roll call vote, Miller, Caron, Dierking, Kurschner and Carlson voted yes. Motion carried 5/0.

Respectfully submitted,

Lynette R. Peterson, City Clerk