

City of Excelsior

Regular Council Meeting

MINUTES

Monday, January 9, 2023

6:30 P.M.

OATH OF OFFICE – TODD CARLSON

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

OATH OF OFFICE - JENNIFER CARON

Mayor Carlson administered the Oath of Office to Councilmember Caron.

OATH OF OFFICE – ROB TYLER

Mayor Carlson administered the Oath of Office to Councilmember Tyler.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:40 P.M.

2. ROLL CALL

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

Absent: None

Also Present: City Manager Luger, Public Works Superintendent Amundsen, City Engineer Dawley, Community Development Director Mullin, City Attorney/Assistant City Manager Staunton, and Administrative Services Director Williams

3. APPROVAL OF MINUTES

(a) December 19, 2022 City Council Closed Session Minutes

(b) December 19, 2022 City Council Work Session Minutes

(c) December 19, 2022 City Council Minutes

Dierking moved, Caron seconded, to approve the December 19, 2022 City Council Closed Session Minutes, December 19, 2022 City Council Work Session Minutes, and December 19, 2022 City Council Minutes. Motion carried 5/0.

4. OPEN FORUM

Bob Bolles, 229 George Street, addressed the Council about the Lighting of the Arbor and City Hall.

Bruce Kelly, 165 Maple Street, addressed the Council about Item 7(b)11, Item 10(a), Item 10(b), and the location of future City Council Meetings.

Don Shelby, 100 Grove Street, addressed the Council about parking on Grove Street.

Diane Bolles, 229 George Street, addressed the Council about the Arbor.

Mitch Porter, 231 Academy Avenue, addressed the Council about a boardwalk at The Commons.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) Excelsior-Lake Minnetonka Chamber of Commerce Update

No Update.

(b) St. Alban's Bay Bridge Task Force – Study Update

Morgan Dawley, City Engineer, gave an update on the St. Alban's Bay Bridge Task Force.

(c) Mayor Updates

Mayor Carlson gave an update on the SLMPD Coordinating Committee and recognition to City Attorney/Assistant City Manager Staunton on his years of service to the City of Edina.

6. MEET EXCELSIOR

- (a) None

7. AGENDA APPROVAL

- (a) Meeting Agenda

Hersman moved, Caron seconded, to approve the January 9, 2023 Meeting Agenda with addition of Items 14(a) and 14(b). Motion carried 5/0.

- (b) Consent Agenda

Caron moved, Tyler seconded, to approve January 9, 2023 Consent Agenda Items 7(b)1,2,3,4,5,6,7,8,9,12,13,14, and 15. 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 Approved Verified Claims over \$20,000.

2. Designate Official Newspaper

Action – Designated the Excelsior/Shorewood Sun-Sailor as the official newspaper for 2023.

3. Resolution 2023-01 Approve Official Depositories and Securities Pledged as Collateral

Action – Adopted Resolution 2023-01 Approve 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 2023.

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. 2023-2025 Union Contract

Action – Approved the 2023-2025 Labor Agreement between the City of Excelsior and Teamsters Local 320.

7. November 2022 Building Permit Report

Action – Approved November 2022 Building Report.

8. Closing of City Hall January 23-26 for Moving

Action – Approved Closing of City Hall January 23-26 for Moving.

9. 2022 Goal Report – Fourth Quarter

Action – No action. Information only.

10. Resolution 2023-02 Approve 2023 Liquor License Renewals

Councilmember Caron recused herself.

Action - Hersman moved, Dierking seconded, to adopt Resolution 2023-02 Approve 2023 Liquor License Renewals. Motion carried 4/0.

11. Resolution 2023-03 Supporting the Authority to Impose a Local Sales Tax to Fund Improvements to The Commons

Action - Dierking moved, Hersman seconded, to adopt Resolution 2023-03 Supporting the Authority to Impose a Local Sales Tax to Fund Improvements to The Commons. Motion carried 5/0.

12. Accept Resignation on Cemetery Committee

Action – Accepted Jules Harrison’s resignation from the Cemetery Committee.

13. December 2022 Building Permit Report

Action – Approved December 2022 Building Permit Report.

14. Continue Second Reading of Ordinance No. 647 Regulation of Food Trucks

Action – Continued Second Reading of Ordinance No. 647 Regulation of Food Trucks to the January 17, 2023 City Council Meeting.

15. November Financials

Action – Approved November Financials.

8. ANNUAL ACTIVITIES

(a) Choose Acting Mayor

Hersman moved, Dierking seconded, to appoint Councilmember Caron to serve as the Acting Mayor for the calendar year 2023. Motion carried 5/0.

(b) Review City Council By-Laws

Dierking moved, Hersman seconded, to approve the City Council By-Laws. Motion carried 5/0.

(c) Appointments to Lake Minnetonka Communications Commission

Caron moved, Tyler seconded, to appoint Councilmember Hersman to the Lake Minnetonka Communications Commission. Motion carried 5/0.

(d) Appointment of Alternate to SLMPD Coordinating Committee

Dierking moved, Hersman seconded, to appoint Councilmember Caron to serve as the City's 2023 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 at the City's representative on the Excelsior Fire District Board of Directors and Councilmember Tyler as the alternate. Motion carried 5/0.

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

Dierking moved, Hersman seconded, to appoint Mayor Carlson to work on the St. Alban's Bay Bridge with the City of Greenwood and Councilmember Caron to serve as alternate. Motion carried 5/0.

(g) Appointment of Liaison to Community for The Commons

Dierking moved, Caron seconded, to appoint Councilmember Hersman to serve as the liaison to Community for the Commons for 2023. Motion carried 2023.

9. PUBLIC HEARINGS

(a) 339 Third Street/West Lot Redevelopment Design Standards Review

James Howarth, Snow Kreilich Architect, gave a presentation.

Bob Bolles, 229 George Street, addressed the Council opposed to the proposed redevelopment project.

Diane Bolles, 229 George Street, addressed the Council opposed to the proposed redevelopment project.

Bruce Kelly, 165 Maple Street, addressed the Council in favor of the proposed redevelopment project.

Mitch Porter, 231 Academy Avenue, addressed the Council with concerns regarding the proposed redevelopment project.

Caron moved, Dierking seconded, to adopt Resolution 2023-04 Resolution Approving the Design Standards Review for the Proposed Planned Unit Development for 339 Third Street with the changes as discussed. Motion carried 5/0.

10. PETITIONS, REQUESTS and COMMUNICATIONS

(a) Approval of Purchase Agreement - 339 Third Street

Hersman moved, Caron seconded, to approve the Purchase Agreement of 339 Third Street and Authorize Its Execution by the Mayor and City Manager. Motion carried 4/1. Mayor Carlson voted no.

(b) West Drive Follow Up

Councilmember Caron recused herself.

The Council provided staff with direction.

(c) Approve Change Order #2 and Review Stairs Options, Commons Concessions

Councilmember Caron rejoined the meeting.

Hersman moved, Dierking seconded, to continue Change Order #2 to a future Council meeting. Motion carried 5/0.

The Council provided staff with direction on the stairs options.

11. ORDINANCES and RESOLUTIONS

(a) Second Reading and Adoption of Ordinance No. 646 Sprinkler Systems

Dierking moved, Hersman seconded, to waive the second reading and adopt Ordinance No. 646 to Amend Articles 6 and 65 of the Excelsior Zoning Code to Require Consideration of Sprinkler Installation. Motion carried 5/0.

12. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) Annual Advisory Appointments

Dierking moved, Hersman seconded, to accept Lance Black's resignation and appoint Councilmember Tyler to conduct interviews for Parks and Recreation Commission and Heritage Preservation Commission. Motion carried 5/0.

(b) Heritage Preservation Commission Appointment

Hersman moved, Dierking seconded, to appoint Anne Mark to the Heritage Preservation Commission. Motion carried 5/0.

13. UNFINISHED BUSINESS

(a) None

14. NEW BUSINESS

(a) Grove Street Parking (Amended)

The Council provided staff with direction.

(b) Closed Session Recap (Amended)

Mayor Carlson provided an update on the Closed Session.

15. ADJOURNMENT

Caron moved, Hersman seconded, to adjourn the meeting at 10:18 P.M. Motion carried 5/0.

Respectfully submitted,
Nalisha Williams, City Clerk