

City of Excelsior
Regular Council Meeting

MINUTES

Monday, April 5, 2021

6:30 P.M.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:38 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 Planner Becker, Public Works Superintendent Amundsen, 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) March 15, 2021 Work Session Minutes

Hersman moved, Caron seconded, to approve the March 15, 2021 Work Session Minutes. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(b) March 15, 2021 City Council Minutes

Dierking moved, Kurschner seconded, to approve the March 15, 2021 City Council Minutes. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(c) March 27, 2021 Strategy Session Minutes

Caron moved, Hersman seconded, to approve the March 27, 2021 Strategy Session Minutes. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

4. OPEN FORUM

Mayor Carlson commented on the paid parking trial on Second and Third Street.

Peter Hartwich, 186 George Street, addressed the Council about the paid parking trial, vacant moorings at the Port of Excelsior, the concession stand at The Commons, and the Planning Commission.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) Excelsior-Lake Minnetonka Chamber of Commerce Update

Jen Weiss, Excelsior-Lake Minnetonka Chamber of Commerce, provided an update on city events.

Ed Whetham introduced himself as the Event Planner of the Excelsior-Lake Minnetonka Chamber of Commerce.

(b) Pavilion Update

Tim Amundsen, Public Works Superintendent, gave an update on the Pavilion Project.

(c) Maynard's Trees

City Manager Luger addressed the Council about Maynard's cutting down trees without obtaining a permit and possible consequences.

(d) Strategy Session Recap

Mayor Carlson provided an update from the Strategy Session.

6. MEET EXCELSIOR

Mayor Carlson presented a Proclamation to Steve Finch and noted that April 8th is declared Steve Finch Day in Excelsior.

7. AGENDA APPROVAL

(a) Meeting Agenda

Kurschner moved, Hersman seconded, to continue item 12(a) to the April 19th City Council Meeting, remove item 13(c), and approve the April 5, 2021 Meeting Agenda. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(b) Consent Agenda

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

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

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

2. Approve Purchase of Vehicle Hoist

Action – Approved Purchase of Vehicle Hoist.

3. March Building Report

Action – Accepted the March Building Permit Report.

4. Business License Approval

Action – Approved Business License.

5. MCWD Maintenance Agreement – East Parking Lot

Action – Authorized Execution of Maintenance Agreement for East Parking Lot Improvements.

6. HKGi Proposal – Facilitator for Concession Building Planning Process

Action – Approved Contract with Bruce Chamberlain and Authorized the City Manager to sign the contract.

7. Extending Local Emergency

Action – Adopted Resolution 2021-26 Extending the Local Emergency Declaration.

8. Appointment and Reappointment of Park and Recreation Commission Members

Action – Accepted Recommendation for Park and Recreation Commission Appointment and Reappointments.

9. 2021 Goal Report – First Quarter

Action – No Action Required.

8. PUBLIC HEARINGS

(a) 344 Water Street Sign Variance

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

Tim Caron, 344 Water Street, Applicant, commented regarding the application.

Peter Hartwich, 186 George Street, addressed the Council in favor of the sign variance.

Bob Bolles, 229 George Street, commented about a proposed plaque.

Kurschner moved, Dierking seconded, to direct staff to update the resolution as discussed and to adopt Resolution 2021-25 – A Resolution Approving a Variance to Allow a Sign that Extends Above the Mean Level of the Roof at 344 Water Street. On a roll call vote, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 4/0.

(b) 678 Pleasant Street Garage Variances

Councilmember Caron rejoined the meeting at 7:46 P.M.

Jules Macaluso-Harrison, Planning Commissioner, 240 Center Street, commented regarding the architectural detail of the proposed garage variance.

Lance Black, Planning Commissioner, 274 Lake Street, commented regarding the architectural detail of the proposed garage variance.

Mark & Kari Knapp, 678 Pleasant Street, Applicants, commented regarding the application.

Caron moved, Kurschner seconded, to direct staff to update the resolution as discussed and to adopt Resolution 2021-09 – A Resolution Approving Variances from the Minimum Required Side and Front Yard Setbacks for an Accessory Structure, the Maximum Coverage of a Detached Garage and Aggregate Area of all Accessory Buildings as well as Maximum Accessory Structure Height, and the Requirement that a Garage with Street Facing Garage Doors be Recessed at least Ten Feet from the Longest Front Wall Plane and the addition of the lot combination. On a roll call vote, Caron, Dierking, Kurschner, and Carlson voted yes. Hersman voted no. Motion carried 4/1.

(c) 810 Excelsior Boulevard Right-of-Way Vacation

Dierking moved, Kurschner seconded, to adopt Resolution 2021-27 – A Resolution Approving Right-of-Way Vacation for the Parcel Formerly Known as Arey Lane adjacent to 810 Excelsior Blvd. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

9. PETITIONS, REQUESTS and COMMUNICATIONS

(a) Pavilion Change Order Requests

Caron moved, Hersman seconded to approve pending change order requests #01, #02, and #03 and authorize the Project Management Team to approve future change order requests that are deemed reasonable and are within the contingency budget. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

10. ORDINANCES and RESOLUTIONS

(a) Residential Picketing Ordinance

Hersman moved, Caron seconded, to waive the first reading and adopt Ordinance No. 629 as an Emergency Ordinance at the April 19th City Council Meeting. On a roll call vote, Caron, Dierking, Hersman, and Carlson voted yes. Kurschner voted no. Motion carried 4/1.

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) Kayak and Paddleboard Rentals RFP

Hersman moved, Kurschner seconded to authorize staff to issue the Request for Proposals for Kayak and Paddleboard Rentals at The Commons. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

12. UNFINISHED BUSINESS

(a) Concert Agreement (Continued to the April 19th City Council Meeting)

(b) Amend Road Restrictions for the Pavilion Project

Dierking moved, Hersman seconded to authorize staff to amend the 5-ton per axle road restriction to 7-ton per axle on Lake Street, northwest of Water Street to The Commons concession stand driveway, to accommodate for construction activities for the new Pavilion Project. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

13. NEW BUSINESS

(a) Construction Hours

Hersman moved, Caron seconded to authorize staff to amend the construction hours for commercial and residential properties to Monday-Friday 7:30 A.M.-7:00 P.M. and Saturdays and Sundays 9:00A.M.-6:00P.M. On a roll call vote Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(b) Schedule Special Work Sessions

Kurschner moved, Dierking seconded to schedule Special Work Sessions the second Monday of the month starting in May for six months during the time of 5:30 P.M. – 6:30 P.M. On a roll call vote Caron, Dierking, Hersman,

Kurschner, and Carlson voted yes. Motion carried 5/0.

(c) Commercial District Ordinance (Removed)

14. ADJOURNMENT

Dierking moved, Hersman seconded, to adjourn the meeting at 8:58 P.M.
On a roll call vote, Dierking, Kurschner, Hersman, Caron, and Carlson voted yes.
Motion carried 5/0.

Respectfully submitted,
Nalisha Williams, City Clerk