

City of Excelsior
Regular Council Meeting

MINUTES

Monday, May 3, 2021

6:30 P.M.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:40 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, 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) April 19, 2021 Work Session Minutes

Dierking moved, Hersman seconded, to approve the April 19, 2021 Work Session Minutes. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(b) April 19, 2021 City Council Minutes

Hersman moved, Caron seconded, to approve the April 19, 2021 City Council Minutes. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(c) April 27, 2021 Closed Session Minutes

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

4. OPEN FORUM

Peter Hartwich, 186 George Street, addressed the Council about parking regulations 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, gave an update on Payroll Protection Program (PPP) funding, COVID-19 vaccinations, and the Excelsior Farmer's Market.

(b) Excelsior Fire District Update

Councilmember Dierking gave an update on the Excelsior Fire District controlled house burn training exercise, the concrete project, and budgeting.

(c) Pavilion Update

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

(d) Concession Stand PAC Update

Councilmember Hersman gave an update on the first PAC meeting.

(e) Recognition of Planning Director – Emily Becker

Mayor Carlson presented a Certificate of Appreciation to Emily Becker.

6. MEET EXCELSIOR

(a) None

7. AGENDA APPROVAL

(a) Meeting Agenda

Caron moved, Dierking seconded, to approve the May 3, 2021 Meeting Agenda with the addition of Item 13(a) to the Consent Agenda as Item 7(b)9. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(b) Consent Agenda

Kurschner moved, Dierking seconded, to approve the May 3, 2021 Consent Agenda with the addition of Item 7(b)9. On a roll call vote, Caron, Dierking, Hersman, Kurschner, 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 Approved Verified Claims over \$20,000.

2. Rotary Club of Excelsior Off-Site Gambling License Permit

Action – Adopted Resolution 2021-23 Approving Issuance of Off-Site Permit by State of Minnesota Gambling Authority.

3. Reappointment of Planning and Heritage Preservation Commissioners

Action – Accepted Reappointment of Planning and Heritage Preservation Commissioners.

4. April Building Permit Report

Action – Accepted April Building Permit Report.

5. Continue Commercial Districts Ordinance Amendment

Action – Continued Commercial Districts Ordinance Amendment to the June 7th City Council Meeting.

6. Authorize Advertisement for Bids for Water Street Overlay Improvements Project

Action – Adopted Resolution 2021-32 Receiving Plans and Specifications and Authorizing the Advertisement for Bidding for the Public Improvements for the Water Street Overlay Improvements Project.

7. Groveland Elementary School Refund

Action – Refunded Groveland Elementary School's \$300 Special Event Permit Fee.

8. Second Reading of Construction Hours Ordinance

Action – Waived Second Reading and Adopted Ordinance No. 630 An Ordinance to Amend Chapter 16 – Environment, Article III, Section 16-102 as it Relates to Hourly Restrictions on Certain Activities.

9. Extend Local Emergency Declaration (Amended)

Action – Adopted Resolution 2021-35 Extending Local Emergency Declaration.

8. PUBLIC HEARINGS

- (a) Proposal to Adopt Street Reconstruction Plan and the Intent to Issue General Obligation Street Reconstruction Bonds

Caron moved, Kurschner seconded, to adopt Resolution 2021-34 Resolution Adopting a Street Reconstruction Plan and Approving the Issuance of General Obligation Street Reconstruction Plan Bonds. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

- (b) 450 West Lake Street Annexation, Comprehensive Plan and Zoning Map Amendments

Peter Hartwich, 186 George Street, commented on the property tax of the property.

Kurschner moved, Dierking seconded, to adopt Resolution 2021-33 Joint Resolution Requesting Concurrent Detachment from Shorewood and Annexation into Excelsior of Certain Lands Pursuant to Minnesota Statutes Section 414.061. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

9. PETITIONS, REQUESTS and COMMUNICATIONS

- (a) SavATree Tree Trimmer License Revocation and Maynard's Landscaping Plan Approval

Dierking moved, Kurschner seconded, to continue the revocation and suspension of the licensee with direction provided to staff to the May 17th City Council meeting. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

Hersman moved, Dierking seconded, to allow the owner of the property to continue work in the interior of the parking lot and assign Councilmember Caron to work with the owner of the property on a landscaping screen. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(b) Kayak and Paddleboard Rentals RFP

Kurschner moved, Caron seconded, to award Wai Nani Surf and Paddle the contract for Kayak and Paddleboard Rentals. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

10. ORDINANCES and RESOLUTIONS

(a) None

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) Tommy's Tonka Trolley Requests

Caron moved, Kurschner seconded, to approve the placement of signs, pavers, and planter boxes in The Commons and the proposed amendments to the Agreement for Concession Services. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

12. UNFINISHED BUSINESS

(a) Metropolitan Council Environmental Services (MCES) Project Follow-Up

Kurschner moved, Caron seconded, to direct MCES to only include a 5-foot path/shoulder on the south side of College Avenue. The path would transition to shoulder as currently designed and previously supported by Council, just to the east of Pleasant Avenue. On a roll call vote, Caron, Hersman, Kurschner, and Carlson voted yes. Dierking voted no. Motion carried 4/1.

13. NEW BUSINESS

- (a) Extend Local Emergency Declaration (moved to Item 7(b)9).
- (b) Edina's Affordable Housing Program

Hersman moved, Dierking seconded to continue this item to the May 17, 2021 City Council Work Session. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

- (c) Schedule Strategy Session

Dierking moved, Kurschner seconded, to schedule a strategy session on June 5th from 9 A.M.-12 P.M. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

14. ADJOURNMENT

Dierking moved, Hersman seconded, to adjourn the meeting at 9:36 P.M. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

Respectfully submitted,
Nalisha Williams, City Clerk