

City of Excelsior
Regular Council Meeting

MINUTES

Monday, May 17, 2021

6:30 P.M.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:33 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, Interim Planner Mullin, 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) May 3, 2021 Work Session Minutes

- (b) May 3, 2021 City Council Minutes
- (c) May 8, 2021 Emergency Closed Session Minutes
- (d) May 10, 2021 Closed Session Minutes

Kurschner moved, Dierking seconded, to approve the May 3, 2021 Work Session Minutes, May 3, 2021 City Council Minutes, May 8, 2021 Emergency Closed Session Minutes, and May 10, 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 the gateway of The Commons and houses along the shoreline.

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 Governor's Executive Orders regarding hours of business and the mask mandate. The 2021 Farmer's Market is cancelled, and 4th of July events are still happening.

- (b) Pavilion Update

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

City Engineer, Morgan Dawley, gave an update regarding the public visiting the Pavilion site.

(c) Concession Stand PAC Update

Councilmember Hersman gave an update on the previous PAC meeting and stated the next PAC Meeting will be the week of the May 24th.

6. MEET EXCELSIOR

(a) None

7. AGENDA APPROVAL

(a) Meeting Agenda

Caron moved, Hersman seconded, to approve the May 17, 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, Dierking seconded to approve the May 17, 2021 Consent Agenda with the continuation of item 7(b)4 to the June 7, 2021 City Council Meeting. 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 Approve Verified Claims over \$20,000.

2. Approve Certificate for Payment of Excelsior Commons Bandshell Project

Action – Approved Certificate for Payment of Excelsior Commons Bandshell Project.

3. 2021 Insurance – Monetary Limits on Municipal Tort Liability

Action – Elected to not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

4. Approve Proposals from Gardner Builders and VJAA for Preconstruction Services (Amended)

Action – Continued to June 7, 2021 City Council Meeting.

5. Approve Agreement with Wai Nani Surf and Paddle

Action – Approved the agreement with Wayzata m32, Lc dba Wai Nani Surf and Paddle and authorized the Mayor and City Manager to sign.

6. Amendment to Assessment Policy

Action – Approved the revised Assessment Policy.

7. Fourth Amendment to Purchase

Action – Approved the Fourth Amendment to the Purchase Agreement and authorized its execution by the Mayor and City Manager.

8. PUBLIC HEARINGS

(a) None

9. PETITIONS, REQUESTS and COMMUNICATIONS

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

Caron moved, Kurschner seconded to approve Maynard's landscape plan with modification. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(b) De-Certify TIF District 2

Caron moved, Dierking seconded, to adopt Resolution 2021-36 Authorizing Decertification of TIF District No. 2. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

Caron moved, Dierking seconded, to adopt Resolution 2021-37 Approving the Transfer of Funds to the TIF Fund 408. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(c) Receive & Award Bid for 2021 Street & Utility Improvement Project

Dierking moved, Hersman seconded, to adopt Resolution 2021-38 Resolution Accepting Bids and Awarding a Construction Contract for 2021 Street & Utility Improvements Project. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes.

10. ORDINANCES and RESOLUTIONS

(a) None

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) None

12. UNFINISHED BUSINESS

(a) Reopening Excelsior

The Council discussed the options of reopening City Hall and returning to in-person meetings. Beginning June 14th, City Hall will be opened during limited

hours to conduct business. The first hybrid City Council meeting will be held on July 6th. Seating will be 3-feet apart with a capacity of 20. The Council concluded that City Hall will be open during regular business hours for walk-in business beginning July 19th.

Councilmember Caron left the meeting at 7:55 P.M.

13. NEW BUSINESS

(a) Edina's Affordable Housing Program

City Attorney Staunton presented Edina's Affordable Housing Program to the Council and answered questions. This item will be further discussed at an upcoming Strategy Session. No action taken.

14. ADJOURNMENT

Hersman moved, Dierking seconded, to adjourn the meeting at 8:26 P.M. On a roll call vote, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 4/0.

Respectfully submitted,
Nalisha Williams, City Clerk

