

1. February 18, 2025 City Council Agenda And Packet

Documents:

[FEBRUARY 18, 2025 CITY COUNCIL AGENDA PACKET.PDF](#)
[FEBRUARY 18, 2025 CITY COUNCIL AGENDA.PDF](#)

City of Excelsior
Notice of Regular Meeting
of the Excelsior City Council

NOTICE IS HEREBY GIVEN that the City Council of the City of Excelsior will hold its regular meeting on Tuesday, February 18, 2025, at 6:30 P.M. in-person at 106 Center Street, Excelsior, MN 55331– Entrance located on Center Street. The agenda for the meeting is attached hereto.

Members of the public may attend the meeting in person or by joining via Zoom either online or by telephone at:

Join Zoom Meeting

<https://us02web.zoom.us/j/86346794494>

Meeting ID: 863 4679 4494

One tap mobile

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City of Excelsior
Regular Council Meeting

Agenda

Tuesday, February 18, 2025

106 Center Street, Excelsior, MN 55331 – Entrance located on Center Street

6:30 P.M.

(Please Note: Times Listed Are Approximate)

1. CALL TO ORDER
2. ROLL CALL
3. MEETING AGENDA APPROVAL
4. APPROVAL OF MINUTES
 - (a) February 10, 2025, City Council Work Session Minutes
 - (b) February 10, 2025, City Council Meeting Minutes
5. OPEN FORUM

This is the time for the public to speak. Open Forum will be limited to one-half hour. No person may speak more than five (5) minutes or more than once. Each subject will have a limit of ten (10) minutes. Council members may ask questions of the speaker. With the agreement of the Council, such matters taken up during the “Open Forum” may be scheduled on the current or a future Agenda. Members of the public interested in speaking on an agenda item may direct a request to be recognized to the Mayor.
6. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS
 - (a) LMCC Update
 - (b) Parks and Recreation Commission Update
7. MEET EXCELSIOR
 - (a) None
8. CONSENT AGENDA
 - (a) 2nd Reading Ordinance 678, Marked Contractor Parking
 - (b) 2nd Reading Ordinance 677, Chapter 24 Parks and Recreation Code Updates
 - (c) Resolution 2025-13, approving abbreviated publication of ordinance 677
 - (d) 1st Reading Ordinance 679, increase on-sale wine licenses
 - (e) Resolution 2025-14, approving abbreviated publication of ordinance 676
 - (f) 1st Reading Ordinance 680, amend Chapter 10, Article XXIII THC Product License
8. PUBLIC HEARINGS
 - (a) None
9. PETITIONS, REQUESTS and COMMUNICATIONS
 - (a) None

10. ORDINANCES and RESOLUTIONS
 - (a) None
11. REPORTS of OFFICERS, BOARDS, and COMMITTEES
 - (a) None
12. UNFINISHED BUSINESS
 - (a) Criteria for City Hall
 - (b) Parking Operator RFP
13. NEW BUSINESS
 - (a) None
14. ADJOURNMENT

Notice: Some items on this agenda are important enough to Commission members that a quorum of Commission members may be present to receive information leading to their future deliberations and eventual decision.

City of Excelsior
City Council Work Session

MINUTES

Monday, February 10, 2025

106 Center Street, Excelsior, MN 55331 – Entrance is located on Center Street

5:30 P.M.

1. CALL TO ORDER/ROLL CALL

Mayor Ringate called the February 10, 2025, council work session to order at 5:31 PM.

Present: Mayor Ringate and Councilmembers Bildsoe, Caron, O’Hanlon, and Tyler.

Absent: None.

Also Present: City Manager Luger, Planning Director Mullin, and City Clerk Bajda.

2. APPROVAL OF AGENDA

O’Hanlon moved, Caron seconded to approve the February 10, 2025, City Council work session agenda.
Motion carried 5/0.

3. NEW BUSINESS

a. City Hall Discussion

City Manager Luger shared presentation and provided background on previous efforts and sites considered for city hall.

Council discussion of current leased space, past sites explored, and the public works site.

Council directed staff to pursue additional two-year lease with option to renew at current office building located at 350 Highway 7 and bring before Council for approval.

City Manager Luger confirmed she will work with staff to draft a document that highlights the parameters for consideration when pursuing a future city hall to begin the conversation with Council on next steps.

4. ADJOURNMENT

Caron moved, Bildsoe seconded to adjourn the February 10, 2025, council work session meeting at 6:28 P.M. Motion carried 5/0.

Respectfully submitted,
Theresa Bajda, City Clerk

City of Excelsior
Regular Council Meeting

MINUTES

Monday, February 10, 2025

106 Center Street, Excelsior, MN 55331 – Entrance located on Center Street
6:30 P.M.

1. CALL TO ORDER

Mayor Ringate called the regular February 10, 2025, council meeting to order at 6:36 PM.

2. ROLL CALL

Present: Mayor Ringate and Councilmembers Bildsoe, Caron, O'Hanlon, and Tyler.

Absent: None.

Also Present: City Manager Luger, Public Works Director Amundsen, City Clerk Bajda, and Legal Counsel Josh Weir (Kennedy & Graven Chartered).

3. MEETING AGENDA APPROVAL

Bildsoe moved, Tyler seconded to approve the February 10, 2025, regular meeting agenda with addition of item 6(c) legislative update. Motion carried 5/0.

4. APPROVAL OF MINUTES

(a) January 21, 2025, City Council Work Session Minutes

(b) January 21, 2025, City Council Meeting Minutes

Bildsoe moved, O'Hanlon seconded to approve the January 21, 2025 City Council Work Session minutes and January 21, 2025 City Council meeting minutes. Motion carried 5/0.

5. OPEN FORUM

This is the time for the public to speak. Open Forum will be limited to one-half hour. No person may speak more than five (5) minutes or more than once. Each subject will have a limit of ten (10) minutes. Council members may ask questions of the speaker. With the agreement of the Council, such matters taken up during the "Open Forum" may be scheduled on the current or a future Agenda. Members of the public interested in speaking on an agenda item may direct a request to be recognized to the Mayor.

Bruce Kelly, 165 Maple Street, addressed the Council about a Facebook post concerning the Minnetonka Diamond Club donating \$50,000 for the Commons and the ordinance to extend the sales tax option.

6. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) Excelsior Fire District Board Update

Tyler provided an update of from the January board meeting.

(b) Certificate of Appreciation Parks and Recreation Commission, Roy Pike

Mayor Ringate presented certificate of appreciation to Roy Pike and thanked him for his service to Excelsior.

Public Works Director Amundsen extended gratitude to Roy Pike for his service and commitment to Excelsior.

(c) Legislative Update

Caron updated Council on recent meetings with State representatives regarding bonding requests for street infrastructure projects as well as current hold on federal grant for the design of the St. Alban's Bay Bridge reconstruction that is shared with the City of Greenwood.

7. MEET EXCELSIOR

(a) Josh Radziej, Excelsior Lions Club

City Manager Luger confirmed Josh Radziej was not in attendance.

8. CONSENT AGENDA

(a) Review Verified Claims under \$20,000 and Approve Verified Claims over \$20,000

(b) December Financials

(c) Amend Chapter 5 to Expand Local Sales Tax, 2nd Reading Ordinance 676

(d) THC License Approval, Resolution 2025-12

(e) Approval of 2025 Council Work Groups

(f) Appointment of Quarterly Commission Liaison Schedule

(g) 1st Reading Ordinance 678, Contractor Parking Permits on Restricted Streets

(h) Parks and Recreation Commission Bylaw Amendments, Resolution 2025-11

(i) 1st Reading Ordinance 677, Chapter 24 Parks and Recreation Code Updates

(j) Approval of 2025 Council goals and work session calendar

(k) 4th Quarter Gambling Donations

O'Hanlon referred to item 8(e) Council work groups and requested that the reference to alternate for assignments to the Community for the Commons be removed.

Tyler requested consent items 8(g) and 8(j) be pulled for discussion.

Caron requested consent item 8(h) and 8(i) be pulled for discussion.

Tyler moved, O'Hanlon seconded to approve consent items 8(a) through 8(f) and item 8(k). Motion carried 5/0.

Tyler shared text for modifications to the contractor parking ordinance and requested staff incorporate for second reading.

Tyler moved, O'Hanlon seconded to approve consent item 8(g) 1st reading ordinance 678 with recommended edits. Motion carried 5/0.

Caron discussed item 8(h) Parks and Recreation Commission bylaws and recommended edits related to location of meeting and conflict of interest disclosure.

Caron moved, Tyler seconded to approve item 8(h) resolution 2025-11 amending the Parks and Recreation Commission bylaws with recommended edits. Motion carried 5/0.

Caron discussed item 8(i) 1st reading of Ordinance 677 and recommended edits to update the list of designated parks and city property and council and commission liaisons.

Caron moved, Tyler seconded to approve item 8(i) 1st reading of ordinance 677 with recommended edits. Motion carried 5/0.

Tyler discussed item 8(j) and requested that zoning change goals be added to the 2025 Council goals and target dates be added to track progress.

Tyler moved, Caron seconded to approve item 8(j) 2025 goals and work session calendar with recommended edits. Motion carried 5/0.

9. PUBLIC HEARINGS

(a) None

10. PETITIONS, REQUESTS and COMMUNICATIONS

(a) Jimmie's Old Southern BBQ Smokehouse, On Sale Wine/Beer License

City Clerk Bajda provided an overview of Jimmie's Old Southern BBQ Smokehouse's request for Council to consider increasing the number of available on-sale wine licenses from four to five to accommodate sale of wine and beer at their new restaurant in Excelsior scheduled for opening in Spring of 2025.

Colleen and James Anderson addressed the Council and provided an overview of their business and excitement to open a location in Excelsior.

Council discussion.

Bildsoe moved, Tyler seconded to direct staff to draft an ordinance to increase the number of available on-sale wine licenses from four to five. Motion carried 5/0.

11. ORDINANCES and RESOLUTIONS

(a) None

12. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) None

13. UNFINISHED BUSINESS

(a) None

14. NEW BUSINESS

(a) Urban Forestry Management Plan

Public Works Director Amundsen provided an overview of the Urban Forestry Management Plan and introduced Emily Ball with WSB who worked on the plan.

Council discussion.

Caron moved, Bildsoe seconded to adopt the Urban Forestry Management Plan as a guiding document with direction to staff to clarify language around the tree committee. Motion carried 5/0.

(b) Appointments to City Commissions

City Clerk Bajda provided overview of vacancies and Commissioners desiring reappointment and requested direction from Council on how they would like to proceed.

Council discussion.

O'Hanlon moved, Tyler seconded to extend Commissioners seeking re-appointment to serve through March 2025, post all Commission vacancies, and begin interviewing Commissioners seeking re-appointments and any new applicants. Motion carried 5/0.

(c) Parking Operator RFP

City Manager Luger stated there was a request from Councilmembers Caron and Tyler to schedule a special work session to review the Parking Operator RFP before issuance.

Council discussion.

Bildsoe moved, Tyler seconded to hold a special work session on February 18, 2025 at 5:30PM to discuss parking operator RFP and re-schedule City Attorney training which was previously scheduled for the work session. Motion carried 5/0.

15. ADJOURNMENT

Bildsoe moved, O'Hanlon seconded to adjourn the February 10, 2025, meeting at 8:37 PM. Motion carried 5/0.

Respectfully submitted,
Theresa Bajda, City Clerk

Notice: Some items on this agenda are important enough to Commission members that a quorum of Commission members may be present to receive information leading to their future deliberations and eventual decision.



MEMORANDUM

8(a) – Second Reading and Adoption, Ordinance

Re: 678 Contractor Parking

Date: February 18, 2025

To: City Council

From: Julia Mullin, Community Development Director

At your meeting on February 10, the Council revised draft Ordinance 678 to substitute Council Member Tyler's proposed language to exempt contractors and other service providers from needing a parking permit when performing work, waived the first reading, and scheduled the second reading and adoption of Ordinance 678 for February 18, 2025.

Recommended Council Action

Adopt Ordinance 678 allowing contractors and service providers to park without a permit when performing work.

Attachments

Ordinance 678

ORDINANCE NO. 678

AN ORDINANCE AMENDING CHAPTER 32 OF THE CITY OF EXCELSIOR CODE OF
ORDINANCES RELATED TO PARKING FOR CONTRACTORS ON RESTRICTED
STREETS

The City Council of the City of Excelsior hereby ordains as follows:

Section 1. Chapter 32, Article II, Division 1 of the Excelsior City Code is amended by adding the following:

Sec. 32-67. – Temporary Contractor Parking on Restricted Streets

Commercial, service provider or contractor vehicles are exempt from needing a parking permit if the vehicle has permanent markings that identify it as a commercial vehicle. Magnetic or removable signs do not qualify as permanent marking. This exemption only applies when performing a service.

Sec. 2. This Ordinance is effective in accordance with Section 3.06 of the Excelsior City Charter.

Adopted by the Council of the City of Excelsior, Minnesota, this 18th day of February 2025.

Gary Ringate, Mayor

ATTEST:

Theresa Bajda, City Clerk

Kristi Luger, City Manager

First Reading of Ordinance: February 10, 2025

Second Reading and Adoption: February 18, 2025

Publication of Ordinance: February 27, 2025

Effective Date: March 31, 2025



MEMORANDUM

8(b) –2nd Reading Ordinance 677, Chapter 24

Re: Parks and Recreation Code Updates

Date: February 18, 2025

To: City Council

From: Tim Amundsen, Public Works Director

The Parks and Recreation Commission reviewed the City Code related to Parks and Recreation and proposed the following amendments to Chapter 24:

-Section 24-1: Change Excelsior Parkland to Studer Park, amend language for the location of the Captain Johnson Memorial, and include The Port, dock piers, and Water Street Trailhead.

Section 24-9: Remove the section regarding toilets.

-Section 24-22: Add language to exempt the City from the hunting and removal of animals ordinance. City will obtain all required permits from the permitting agency for any activities deemed necessary due to a nuisance animal.

-Section 24-23: Add language to exempt the City from the trapping animals ordinance. City will obtain all required permits from the permitting agency for any activities deemed necessary due to a nuisance animal.

-Section 24-24: Add this section to the City Code to address Marijuana smoking to be in line with recent City Council direction.

-Section 24-53: Add the phrase “as needed” for the Commission liaison attending City Council or Planning Commission meetings.

At the February 10, 2025, Council meeting, Councilmembers requested staff make additional changes to the following sections:

-Section 24-1: Studer Park be referred to as “Excelsior Studer Park”, City Hall be removed, sewer, water, and street department property be removed, South Lake Minnetonka Police Department Building be removed, St. Alban’s Bay bordering on Minnetonka Boulevard be removed, end of Water Street at Lake Minnetonka and public dock be removed.

-Section 24-53: designation of a Councilmember as a liaison to the Parks and Recreation Commission be on an as needed basis.

Council Action: Approve second reading and adoption of Ordinance 677, amending Chapter 24 of the City Code related to Parks and Recreation.

Attachments: Ordinance 677

ORDINANCE NO. 677

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 24 OF THE CITY OF
EXCELSIOR CITY CODE RELATED TO PARKS AND RECREATION

The City Council of the City of Excelsior hereby ordains as follows:

Section 1. Chapter 24, Article I, Section 24-1 of the Excelsior City Code is amended as follows:

This chapter shall apply to all public grounds owned and maintained by or under the control of this city, including the fire lanes designated in this section, but shall not apply to all other streets and the municipal parking lots. Such lands are listed, but not exclusively, as follows:

- (1) The Commons as shown on the original plat of the city and Cooley's Resurvey.
- (2) ~~Excelsior Parkland.~~ Excelsior Studer Park and Studer Pond.
- (3) The Captain Johnson Memorial at the intersection of Lake Street, Mill Street, ~~and Water Street~~ Second Street, Excelsior Boulevard and Morse Avenue.
- (4) The Dr. Hugh C. Arey Memorial at the intersection of Water Street and County Road 19 (Oak Street).
- (5) College Lake.
- (6) ~~City Hall.~~
- (7) ~~Sewer, water, and street department property.~~
- (8) Cemetery.
- (9) ~~South Lake Minnetonka Police Department Building.~~
- (10) ~~St. Albans Bay bordering on Minnetonka Boulevard.~~
- (11) ~~End of Water Street at Lake Minnetonka and public dock.~~
- (12) Historic fire lanes as follows:
 - a. End of Lafayette Avenue at Lake Minnetonka;
 - b. End of George Street at Lake Minnetonka;
 - c. End of Third Street at Lake Minnetonka;
 - d. End of Bell Street at Lake Minnetonka;
 - e. End of Linwood at Lake Minnetonka;
 - f. End of First Street at Lake Minnetonka;
 - g. End of Hidden Lane at Lake Minnetonka;
- (13) Piers 1, 2, 3, 4 and 5 and the Public Docks.
- (14) The Port- Lot 204.

(15) Water Street Trailhead

Sec. 2. Chapter 24, Article I, Section 24-9. - Toilets is repealed:

~~No person shall enter a toilet room set apart for the opposite sex.~~

Sec. 3. Chapter 24, Article I, Section 24-22. - Hunting animals, etc. is amended as follows:

No person shall rob, injure, or destroy any bird's nest within the limits of any park or parkway, nor aim or discharge any air gun, sling-shot, or other weapon, or throw any stone or other missile, at any bird or bird's nest or wild creature within any park, nor in any manner, tease, capture, or kill any bird or wild creature therein. The city is exempt from this section as necessary or as authorized by law. The city will obtain all necessary permits and abide by all pertinent laws relating to the hunting or removal of nuisance animals.

Sec. 4. Chapter 24, Article I, Section 24-23. - Trapping animals, etc. is amended as follows:

No person shall at any time set, lay, prepare, or have in possession any trap, snare, artificial light, net, bird line, ferret, or any contrivance whatever, for the purpose of catching, taking, or killing any bird or wild creature in any park. The city is exempt from this section as necessary or as authorized by law. The city will obtain all necessary permits and abide by all pertinent laws relating to the trapping or removal of nuisance animals.

Sec. 5. A new Chapter 24, Article I, Section 24-24 is added as follows:

Sec. 24-24. – Cannabis.

Use of cannabis in public spaces shall be governed by Chapter 22, Article V, Section 22-154 of this Code.

Sec. 6. Chapter 24, Article II, Section 24-51. - Purpose of article is amended as follows:

The city operates and maintains public parks for the benefit and pleasure of its citizens, and the city has in the past expended monies for capital improvements and maintenance of these parks. ~~It is the desire of the city to establish~~ The city has established a park and recreation commission for the city as an advisory body to the city council to aid that council in the expenditures of monies so that the greatest benefit may be obtained from the use and maintenance of parks and recreational facilities.

Sec. 7. Chapter 24, Article II, Section 24-53. - Membership is amended as follows:

Membership in the park and recreation advisory commission shall consist of seven residents of the city appointed by the city council. All members shall serve without compensation. Each member, other than members appointed to fill a vacancy, shall be appointed no earlier than 45 days before their term commences and shall serve a term of three years, commencing on March 1 of the year in which the member is appointed. Members shall

continue to hold office until the term of the member's successor commences. All unexpired terms shall be filled for the balance of the unexpired term only. The city council shall designate one of its members as ~~it's~~ a liaison to meet with the park and recreation advisory commission as needed. The park and recreation advisory commission shall designate one of its members as a liaison to attend city council meetings and one of its members as a liaison to meet with the planning commission as needed. The chair and vice-chair shall be elected by the park and recreation advisory commission. The park and recreation advisory commission shall also appoint a secretary who may or may not be a member of the commission.

Sec. 8. This Ordinance is effective in accordance with Section 3.06 of the Excelsior City Charter.

Adopted by the Council of the City of Excelsior, Minnesota, this 18th day of February 2025.

Gary Ringate, Mayor

ATTEST:

Theresa Bajda, City Clerk

Kristi Luger, City Manager

First Reading of Ordinance: February 10, 2025

Second Reading and Adoption: February 18, 2025

Publication of Ordinance: February 27, 2025

Effective Date: March 31, 2025



MEMORANDUM

8(c) –Resolution 2025-13 abbreviated

Re: publication Ordinance 677

Date: February 18, 2025

To: City Council

From: Theresa Bajda, City Clerk

Ordinance 677 amending Chapter 24 of the City Code relating to Parks and Recreation was presented for a first reading at the February 10, 2025, meeting. The second reading and adoption are on the February 18, 2025, consent agenda. If approved, staff request Council review and approve an abbreviated publication of Ordinance 677 which will be published in the City's official newspaper (Sun Sailor).

Consistent with Minnesota Statue, Section 412.191, Subd. 4, City Council may approve an abbreviated publication of ordinances in the case of lengthy ordinances or ones that include charts or maps.

Council Action: Approve resolution 2025-13 and publication of an abbreviated Ordinance 677 by title and summary.

Attachments: Resolution 2025-13

CITY OF EXCELSIOR
CITY COUNCIL
RESOLUTION NO. 2025-13

RESOLUTION APPROVING PUBLICATION OF ORDINANCE NUMBER 677 BY TITLE AND SUMMARY

WHEREAS, on February 18, 2025, the City Council of the City of Excelsior adopted Ordinance No. 677 amending sections of Chapter 24 of the Excelsior City Code related to Parks and Recreation; and

WHEREAS, Minnesota Statutes, § 412.191, subd. 4 allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the verbatim text of the ordinance is lengthy and the expense of publication of the complete text is not justified; and

WHEREAS, the following summary clearly informs the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Excelsior that the following summary is approved for official publication:

SUMMARY PUBLICATION

ORDINANCE NO. 677

**AN ORDINANCE AMENDING SECTIONS OF CHAPTER 24 OF THE CITY OF EXCELSIOR CITY CODE
RELATED TO PARKS AND RECREATION**

On February 18, 2025, the Excelsior City Council adopted Ordinance No. 677, the title of which is stated above. The purpose of the ordinance is to update public grounds owned and maintained by the City; repeal language related to the use of toilets; clarify the City's authority related to the hunting and trapping of animals; insert a cross-reference to use of cannabis in public spaces; and add housekeeping language related to membership on the city's park and recreation advisory commission.

BE IT FURTHER RESOLVED, the city clerk is directed to publish Ordinance No. 677 by title and summary, pursuant to Minnesota Statutes, section 412.191, subdivision 4 and maintain a full copy of the ordinance for public viewing at the Excelsior city office, 350 Highway 7, Suite 230, Excelsior, MN 55331.

Adopted by the City Council of the City of Excelsior, Minnesota, this 18th day of February 2025.

Gary Ringate, Mayor

ATTEST:

Theresa Bajda, City Clerk

Kristi Luger, City Manager



MEMORANDUM

8(d) –1st Reading Ordinance 679, Chapter 4

Re: Alcoholic Beverage License

Date: February 18, 2025

To: City Council

From: Theresa Bajda, City Clerk

At the February 10, 2025 meeting, Councilmembers considered a petition from owners of Jimmie's Old Southern BBQ Smokehouse to increase the number of on-sale wine licenses from four (4) to five (5). The owners have signed a lease for property at 287 Water Street and anticipate a late spring/early summer restaurant opening. To accommodate their request for an on-sale wine license, Chapter 4 of the Excelsior City Code must be amended.

Council directed staff to draft an ordinance to reflect an increase in the number of on-sale wine licenses.

Council Action: Approve the first reading of proposed ordinance 679 related to Chapter 4 Alcoholic Beverage License and schedule second reading for the March 3, 2025 Council meeting.

Attachments: Ordinance 679

ORDINANCE NO. 679

AN ORDINANCE AMENDING SECTION 4-63 OF CHAPTER 4 OF THE CITY OF
EXCELSIOR CITY CODE RELATED TO ALCOHOLIC BEVERAGE LICENSE

The City Council of the City of Excelsior hereby ordains as follows:

Section 1. Chapter 4, Article II, Section 4-63 of the Excelsior City Code is amended as follows:

The following number of licenses may be issued by the city, although there is no obligation on the city to issue any prescribed minimum amount:

	Number
(1) On- sale	9
(2) Off-sale	3 (one of which must be associated with a grocery operation)
(3) On-sale wine	4 <u>5</u>
(4) Sunday on-sale	9
(5) Combination	1
(6) Brewer off-sale malt	1
(7) Brewer on-sale taproom	1

Section 2. This Ordinance is effective in accordance with Section 3.06 of the Excelsior City Charter.

Adopted by the Council of the City of Excelsior, Minnesota, this 3rd day of March 2025.

Gary Ringate, Mayor

ATTEST:

Theresa Bajda, City Clerk

Kristi Luger, City Manager

First Reading of Ordinance:
Second Reading and Adoption:
Publication of Ordinance:

February 18, 2025
March 3, 2025
March 13, 2025

Effective Date:

April 15, 2025



MEMORANDUM

8(e) –Resolution 2025-14 abbreviated

Re: publication Ordinance 676

Date: February 18, 2025

To: City Council

From: Theresa Bajda, City Clerk

Ordinance 676 amending ordinance 599 of the City of Excelsior relating to a local sales and use tax was adopted by City Council at the February 10, 2025 meeting. Staff request Council review and approve an abbreviated publication of Ordinance 676 which will be published in the City's official newspaper (Sun Sailor).

Consistent with Minnesota Statute, Section 412.191, Subd. 4, City Council may approve an abbreviated publication of ordinances in the case of lengthy ordinances or ones that include charts or maps.

Council Action: Approve resolution 2025-14 and publication of an abbreviated Ordinance 676 by title and summary.

Attachments: Resolution 2025-14

CITY OF EXCELSIOR
CITY COUNCIL
RESOLUTION NO. 2025-14

RESOLUTION APPROVING PUBLICATION OF ORDINANCE NUMBER 676 BY TITLE AND SUMMARY

WHEREAS, on February 10, 2025, the City Council of the City of Excelsior adopted Ordinance No. 676 amending Ordinance No. 599 of the City of Excelsior relating to a local sales and use tax; and

WHEREAS, Minnesota Statutes, § 412.191, subd. 4 allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the verbatim text of the ordinance is lengthy and the expense of publication of the complete text is not justified; and

WHEREAS, the following summary clearly informs the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Excelsior that the following summary is approved for official publication:

SUMMARY PUBLICATION

ORDINANCE NO. 676

**AN ORDINANCE AMENDING ORDINANCE NO. 599 OF THE CITY OF EXCELSIOR, MINNESOTA,
RELATING TO A LOCAL SALES AND USE TAX**

On February 10, 2025, the Excelsior City Council adopted Ordinance No. 676, the title of which is stated above. The purpose of the ordinance was to amend City Council adopted Ordinance No. 599, establishing the local sales tax. In 2023, the Minnesota Legislature authorized the City of Excelsior to collect an additional \$23,000,000 in revenue from the local sales and use tax for improvements to the Commons as indicated in the Commons Master Plan. The expansion of the local sales tax authorized by the Legislature was approved by the voters at the November 5, 2024, referendum. This ordinance authorizes the expansion of the local sales tax.

BE IT FURTHER RESOLVED, the city clerk is directed to publish Ordinance No. 676 by title and summary, pursuant to Minnesota Statutes, section 412.191, subdivision 4 and maintain a full copy of the ordinance for public viewing at the Excelsior city office, 350 Highway 7, Suite 230, Excelsior, MN 55331.

Adopted by the City Council of the City of Excelsior, Minnesota, this 18th day of February 2025.

Gary Ringate, Mayor

ATTEST:

Theresa Bajda, City Clerk

Kristi Luger, City Manager



MEMORANDUM

8(f) –1st Reading Ordinance 680, Chapter 10

Re: THC Product Licensing

Date: February 18, 2025

To: City Council

From: Theresa Bajda, City Clerk

On February 5, 2024, Council adopted Ordinance No. 666 which amended Chapter 10, Article XXIII of the City Code to regulate Tetrahydrocannabinol (THC) products and licensing. This section of the City Code pertains to THC products that meet the requirements to be sold for human or animal consumption under Minnesota Statutes, section 151.72, which are essentially lower potency hemp derived products (e.g., THC seltzers, edible gummies).

There are two license types currently in City Code: a full THC license and a Beverage-only THC license. The Code limits the number of full THC licenses to two (2). There is no limit on the number of Beverage-Only THC licenses, but the Code stipulates these shall be available only to holders of off-sale liquor licenses issued by the city.

Staff have received inquiries from establishments that hold an on-sale liquor license issued by the city with a desire to sell THC beverages for on-site consumption. Minnesota Statute allows sale and consumption of THC beverages, but Excelsior's Code is currently more restrictive and prohibits sale for on-site consumption at bars or restaurants.

If supportive, staff recommend amending the City Code to allow issuance of THC Beverage-only licenses to holders of both on and off-sale liquor licenses. The state will begin licensing for THC products after which the City of Excelsior will only register said establishments. When the state takes over licensing of THC products and cannabis, Chapter 10 will have to be amended. Staff are currently working with the City Attorney to draft a separate cannabis registration ordinance to prepare for this change.

Council Action: Approve the first reading of proposed ordinance 680 related to Chapter 10 THC Product License and schedule second reading for the March 3, 2025 Council meeting.

Attachments: Ordinance 680

ORDINANCE NO. 680

AN ORDINANCE AMENDING SECTIONS OF ARTICLE XXIII, CHAPTER 10 OF THE
CITY OF EXCELSIOR CITY CODE RELATED TO TETRAHYDROCANNABINOL
PRODUCT LICENSING

The City Council of the City of Excelsior hereby ordains as follows:

Section 1. Chapter 10, Article XXIII, Section 10-1205 of the Excelsior City Code is amended as follows:

(a)Eligibility.

(1) Moveable place of business. No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this article.

(2) Beverage-only license. Beverage-only THC licenses shall be available ~~only~~ to holders of off-sale liquor licenses issued by the city for retail sale of THC beverages- and to holders of on-sale, on-sale wine, and brewer on-sale taproom liquor licenses issued by the city for retail sale with on-site consumption.

Section 2. This Ordinance is effective in accordance with Section 3.06 of the Excelsior City Charter.

Adopted by the Council of the City of Excelsior, Minnesota, this 3rd day of March 2025.

Gary Ringate, Mayor

ATTEST:

Theresa Bajda, City Clerk

Kristi Luger, City Manager

First Reading of Ordinance:

February 18, 2025

Second Reading and Adoption:

March 3, 2025

Publication of Ordinance:

March 13, 2025

Effective Date:

April 15, 2025

MEMORANDUM

City Council Item 12(a)

Re: Criteria for City Hall

Date: February 18, 2025

To: City Council

From: Kristi Luger, City Manager

At the February 10, 2025 work session, the Council directed staff to develop criteria for evaluating city hall locations. The table below provides said criteria along with staff's recommendations. Councilmembers should discuss preferences for each item and determine whether any criteria should be added or removed.

Criteria	Staff's Recommendation
Purchase Price	To remain competitive during the negotiation process, staff recommend the maximum purchase price remain undisclosed. The Council will need to evaluate the long-term financial impact of any submitted offers.
Remodeling Costs	Remodel, retrofitting, and interior finish costs should be factored into the total cost of a project and completed prior to relocating city hall.
Own or Lease	To ensure long-term stability, staff recommend the City own city hall. The City is legally required to hold meetings within city limits and there are limited space options given Excelsior's geographic size and zoning. Location changes that result from leased space are disruptive to operations and require notification of address changes (elections, banks, website, residents, and businesses). Ownership ensures access after-hours in the event of emergencies or special events, including early voting.
Building Size	4,800 square feet was confirmed as part of the 2024 feasibility study (1,800 sf for the council chambers and 3,000 sf for city hall offices).
Space Fit	If a potential space is larger than what is required for city operations, the city can consider options including a property manager to lease space or a development partner to share the building; potential management costs should be factored into the total cost.
Age of Building	If relevant, deferred maintenance costs should be factored into the total cost.
Location	City hall should be located in or close to downtown to make access easy for residents and businesses and allow pedestrian access. City hall should not occupy prime retail or tax producing space.
Civic Identity	City hall should reflect the values of the City of Excelsior and express civic pride.
Parking	The site should have an adjacent parking lot that can serve visitors and increased traffic during events, such as early voting. Accessible parking should be available on site to meet ADA requirements.
Grounds Maintenance	Staff resources to maintain the grounds should be factored into the total cost.
Security/Technology	The space should easily accommodate security/technology needs.



MEMORANDUM

City Council Item 12(b)

Re: Parking Operator RFP

Date: February 18, 2025

To: City Council

From: Kristi Luger, City Manager

During the work session, the Council will be discussing edits to the parking operator request for proposals (RFP). On January 21, 2025, the Council took action to approve issuance of the RFP after the parking financials work group reviewed it with staff.

Per previous Council action, staff will issue the RFP with any amendments discussed at the work session.

City of Excelsior
Notice of Regular Meeting
of the Excelsior City Council

NOTICE IS HEREBY GIVEN that the City Council of the City of Excelsior will hold its regular meeting on Tuesday, February 18, 2025, at 6:30 P.M. in-person at 106 Center Street, Excelsior, MN 55331– Entrance located on Center Street. The agenda for the meeting is attached hereto.

Members of the public may attend the meeting in person or by joining via Zoom either online or by telephone at:

Join Zoom Meeting

<https://us02web.zoom.us/j/86346794494>

Meeting ID: 863 4679 4494

One tap mobile

+13092053325,,86346794494# US

+13126266799,,86346794494# US (Chicago)

Dial by your location

- +1 309 205 3325 US

City of Excelsior
Regular Council Meeting

Agenda

Tuesday, February 18, 2025

106 Center Street, Excelsior, MN 55331 – Entrance located on Center Street

6:30 P.M.

(Please Note: Times Listed Are Approximate)

1. CALL TO ORDER
2. ROLL CALL
3. MEETING AGENDA APPROVAL
4. APPROVAL OF MINUTES
 - (a) February 10, 2025, City Council Work Session Minutes
 - (b) February 10, 2025, City Council Meeting Minutes
5. OPEN FORUM

This is the time for the public to speak. Open Forum will be limited to one-half hour. No person may speak more than five (5) minutes or more than once. Each subject will have a limit of ten (10) minutes. Council members may ask questions of the speaker. With the agreement of the Council, such matters taken up during the “Open Forum” may be scheduled on the current or a future Agenda. Members of the public interested in speaking on an agenda item may direct a request to be recognized to the Mayor.
6. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS
 - (a) LMCC Update
 - (b) Parks and Recreation Commission Update
7. MEET EXCELSIOR
 - (a) None
8. CONSENT AGENDA
 - (a) 2nd Reading Ordinance 678, Marked Contractor Parking
 - (b) 2nd Reading Ordinance 677, Chapter 24 Parks and Recreation Code Updates
 - (c) Resolution 2025-13, approving abbreviated publication of ordinance 677
 - (d) 1st Reading Ordinance 679, increase on-sale wine licenses
 - (e) Resolution 2025-14, approving abbreviated publication of ordinance 676
 - (f) 1st Reading Ordinance 680, amend Chapter 10, Article XXIII THC Product License
8. PUBLIC HEARINGS
 - (a) None
9. PETITIONS, REQUESTS and COMMUNICATIONS
 - (a) None

10. ORDINANCES and RESOLUTIONS
 - (a) None
11. REPORTS of OFFICERS, BOARDS, and COMMITTEES
 - (a) None
12. UNFINISHED BUSINESS
 - (a) Criteria for City Hall
 - (b) Parking Operator RFP
13. NEW BUSINESS
 - (a) None
14. ADJOURNMENT

Notice: Some items on this agenda are important enough to Commission members that a quorum of Commission members may be present to receive information leading to their future deliberations and eventual decision.