

City of Excelsior  
Regular Council Meeting

MINUTES

Monday, May 16, 2022

6:30 P.M.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:30 P.M.

2. ROLL CALL

City Council: Mayor Carlson and Councilmembers Dierking, Hersman, and Kurschner

Absent: Councilmember Caron

Also Present: City Manager Luger, Public Works Superintendent Amundsen, Community Development Director Mullin, Finance Director Palmer, and City Attorney/Assistant City Manager Staunton

3. APPROVAL OF MINUTES

(a) May 2, 2022 City Council Work Session Minutes

(b) May 2, 2022 City Council Minutes

Hersman moved, Dierking seconded, to approve the May 2, 2022 City Council Work Session Minutes and May 2, 2022 City Council Minutes. Motion carried 4/0.

4. OPEN FORUM

Diane Bolles, 229 George Street, addressed the Council about Excelsior's identity.

Bob Bolles, 229 George Street, addressed the Council about Excelsior's identity.

Peter Hartwich, 186 George Street, addressed the Council about Excelsior's identity.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) South Lake Minnetonka Police Department Update

The Joint City Budget Meeting is scheduled on June 15<sup>th</sup> at 5:00 pm at the Emergency Operations Center.

(b) Park and Recreation Commission Update

Tim Amundsen, Public Works Superintendent, gave an update on the Park and Recreation Commission.

(c) Construction Updates

Tim Amundsen, Public Works Superintendent, gave an update on construction.

(d) Spring Clean-Up – May 21

Mayor Carlson gave an update on Spring Clean-Up scheduled on May 21.

6. MEET EXCELSIOR

(a) Excelsior-Lake Minnetonka Historical Society

Rachel Houck, Excelsior-Lake Minnetonka Historical Society, addressed the Council.

7. AGENDA APPROVAL

(a) Meeting Agenda

Dierking moved, Kurschner seconded, to approve the May 16, 2022 Meeting Agenda with the removal of Item 12(b) and continuation of Item 8(b) to the June 20<sup>th</sup> City Council Meeting. Motion carried 4/0.

(b) Consent Agenda

Kurschner moved, Dierking seconded, to approve items 7(b) 1,2,3,4,7,8,9,10 and pull items 7(b)5 and 7(b)6 for discussion. Motion carried 4/0.

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. Water Treatment Plant Condition Survey Proposal

Action – Approved the Proposal from WSB and Associates, Inc. for the Water Treatment Plant condition survey for the not-to-exceed fee of \$27,600 to be funded from the water capital improvement fund.

3. Resolution 2022-22 Memorial Day Parade Road Closures

Action – Adopted Resolution 2022-22 Memorial Day Parade Road Closures.

4. Resolution 2022-23 Art on the Lake Road Closures

Action – Adopted Resolution 2022-23 Art on the Lake Road Closures.

5. Resolution 2022-24 4<sup>th</sup> of July Road Closures

Action – Kurschner moved, Dierking seconded, to adopt Resolution 2022-24 4<sup>th</sup> of July Road Closures. Motion carried 4/0.

6. Approve the Guaranteed Maximum Price (GMP) Addendum to the Gardener CMR Agreement.

Action – Kurschner moved, Dierking seconded, to adopt Resolution 2022-27 Approving a Guaranteed Maximum Price Addendum to the City's Construction Manager at Risk Agreement with Gardner Builders for the Excelsior Commons Concession Project. Motion carried 4/0.

7. Temporary Liquor License St. John's Parish

Action – Approved the Issuance of a Temporary Liquor License to St. John the Baptist Catholic Church for the Parish Gala on June 11, 2022.

8. EV Charging Stations

Action – Authorized staff to negotiate a contract under the terms listed in the memo.

9. Approve Pay Voucher No. 3

Action – Approved Pay Voucher No. 3 Water Street Overlay Improvements Project.

10. Approve Pay Voucher No. 7

Action – Approved Pay Voucher No. 7 2021 Street & Utility Improvements Project.

8. PUBLIC HEARINGS

(a) 162 West Lake Street Variance Application

Mike Baker, Property Owner, 2383 Highover Trail, addressed the Council.

Bill Costello, Streeter Homes, Applicant, addressed the Council.

Patti Norman, 148 West Lake Street, addressed the Council.

Peter Hartwich, 186 George Street, addressed the Council.

Rennie Piontek, 177 West Lake Street, addressed the Council.

Melinda Nelson, 526 Williams Street, addressed the Council.

Andrew Punch, 561 Third Street, addressed the Council.

Bill Muenzberg, 171 West Lake Street, addressed the Council.

Hersman moved, Dierking seconded, to continue this item to the June 6, 2022 City Council Meeting and directed staff to bring back a resolution for denial. Motion carried 4/0.

- (b) Excelsior Flats Preliminary Plan PUD Application

Item 9(b) has been continued to the June 20, 2022 City Council Meeting.

- (c) 289 Water Street CUP Application

Brett Loftesness, Architect, addressed the Council.

Dierking moved, Kurschner seconded, to approve the CUP with the updated and amended conditions and provided direction to staff to bring back a resolution of approval. Motion carried 4/0.

- (e) Proposed Zoning Amendments Articles 2, 14, 17, 24, and 50

Kurschner moved, Hersman seconded, to continue staff report items 2 and 5 to the June 6, 2022 City Council Meeting. Motion carried 4/0.

Peter Hartwich, 186 George Street, addressed the Council.

Andrew Punch, 561 Third Street, addressed the Council.

Dierking moved, Kurschner seconded, to approve amendments to Article 17-4. Motion carried 4/0.

Kurschner moved, Hersman seconded, to approve amendments to Articles 24-9 and 24-10. Motion carried 3/1. Councilmember Dierking voted no.

Kurschner moved, Hersman seconded, to continue amendments of Article 24-4 and 24-6 to the June 6, 2022 City Council Meeting. Motion carried 3/1. Mayor Carlson voted no.

9. PETITIONS, REQUESTS and COMMUNICATIONS

- (a) None

10. ORDINANCES and RESOLUTIONS

- (a) Resolution 2022-17 Approving Authorization of 2022A GO Sales Tax Revenue Bond

Doug Green, Baker Tilly, addressed the Council.

Dierking moved, Hersman seconded, to adopt Resolution 2022-17 Resolution Approving Authorization of 2022A GO Sales Tax Revenue Bonds. Motion carried 4/0.

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- (a) None

12. UNFINISHED BUSINESS

- (a) Gazebo

Kurschner moved, Hersman seconded, to have the garden club and community bring back a recommendation for the gazebo and to revisit this item at the first meeting in July. Motion carried 4/0.

Diane Bolles, 229 George Street, addressed the Council.

- (b) Request for Proposals for 106 Center Street (if needed)

Item 12(b) has been removed from the agenda.

13. NEW BUSINESS

- (a) None

14. ADJOURNMENT

Dierking moved, Hersman seconded, to adjourn the meeting at 9:45 P.M. Motion carried 4/0.

Respectfully submitted,  
Nalisha Williams, City Clerk