

City of Excelsior
Regular Council Meeting

MINUTES

Monday, June 6, 2022

6:30 P.M.

1. CALL TO ORDER

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

2. ROLL CALL

City Council: Acting Mayor Caron and Councilmembers Dierking, Hersman, and Kurschner

Absent: Mayor Carlson

Also Present: City Manager Luger, Public Works Superintendent Amundsen, City Engineer Dawley, Finance Director Palmer, City Attorney/Assistant City Manager Staunton, and City Clerk Williams

3. APPROVAL OF MINUTES

(a) May 16, 2022 City Council Closed Session Minutes

Hersman moved, Dierking seconded, to approve the May 16, 2022 City Council Closed Session Minutes. Motion carried 4/0.

(b) May 16, 2022 City Council Work Session Minutes

Hersman moved, Dierking seconded, to approve the May 16, 2022 City Council Work Session Minutes. Motion carried 4/0.

(c) May 16, 2022 City Council Minutes

Hersman moved, Dierking seconded, to approve the May 16, 2022 City Council Minutes with direction provided to staff. Motion carried 4/0.

4. MEET EXCELSIOR (ORDER OF AGENDA AMENDED)

- (a) Colleen Lockovitch, Sustinea, gave the Council an update on the pollinator planting program that is part of the Great River Greening (GRG) Grant.

5. OPEN FORUM

Erik Forsberg, 141 Minnetonka Boulevard, MarineMax, addressed the Council about the City's LMCD representative and regulations.

Matt Mueller, 720 Galpin Lake Road, Minnesota Inboard Water Sports, addressed the Council about the City's LMCD representative and regulations.

Gabriel Jabbour, 985 Tonkawa Road, addressed the Council about the City's LMCD representative and public safety on Lake Minnetonka.

Bruce Kelly, 165 Maple Street, addressed the Council about the proposed 339 Third Street development.

6. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

- (a) Excelsior-Lake Minnetonka Chamber of Commerce Update

No Update.

- (b) Republic Services Update

Matt Herman, Republic Services, gave an update on the refuse service.

- (c) Excelsior Fire District Update

Councilmember Dierking gave an update on the Excelsior Fire District.

- (d) Heritage Preservation Commission Update

Kevin Staunton, Assistant City Manager/City Attorney, gave an update on the Heritage Preservation Commission.

(e) Construction Updates (Amended)

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

(f) 339 Third Street Update (Amended)

Councilmember Caron gave an update on the 339 Third Street Work Group.

(g) Cemetery Committee Update (Amended)

Councilmember Caron gave an update on the Cemetery Committee.

7. AGENDA APPROVAL

(a) Meeting Agenda

Dierking moved, Hersman seconded, to approve the June 6, 2022 Meeting Agenda.
Motion carried 4/0.

(b) Consent Agenda

Kurschner moved, Dierking seconded, to approve Items 7(b) 1,2,3,6,7,8,9,10 and pull Items 7(b)4 and 7(b)5 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. Resolution 2022-30 Concession Building/Plaza Award Contract and Assign to Gardener

Action – Adopted Resolution 2022-30 Awarding a Contract for Roofing Work to be Managed by Gardner Builders and Assigning that Contract to Gardener Builders for the Excelsior Concession Building Project.

3. Resolution 2022-27 Approving 289 Water Street CUP Application

Action – Adopted Resolution 2022-27 Approving a Conditional Use Permit for Two Buildings on a Base Lot at 287/289 Water Street.

4. Approve Service Agreement with BS&A Software

Action – Kurschner moved, Dierking seconded, to approve the Service Agreement with BS&A Software. Motion carried 4/0.

5. Second Reading of Ordinance No. 636 Proposed Zoning Amendment Articles 17 & 24

Action – Dierking moved, Kurschner seconded, to waive the second reading and adopt Ordinance No. 636 and Summary Resolution 2022-28. Motion carried 4/0.

6. Approve April 2022 Financials

Action – Approved April 2022 Financials.

7. Acknowledge 10% Gambling Donations for First Quarter 2022

Action – Acknowledged 10% Gambling Donations for First Quarter 2022.

8. Approve May 2022 Building Permit Report

Action – Approved May 2022 Building Permit Report.

9. Continue 162 West Lake Street Variance Application

Action – Continued 162 West Lake Street Variance Application.

10. Continue Proposed Zoning Amendments

Action – Continued Proposed Zoning Amendments.

8. PUBLIC HEARINGS

- (a) None

9. PETITIONS, REQUESTS and COMMUNICATIONS

- (a) 2021 Audit Report and Presentation

Dierking moved, Kurschner seconded, to accept the 2021 Audit Reports for filing.
Motion carried 4/0.

10. ORDINANCES and RESOLUTIONS

- (a) None

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- (a) Parks and Recreation Commission Appointment

Hersman moved, Dierking seconded, to appoint Roy Pike to the Parks and Recreation Commission. Motion carried 4/0.

12. UNFINISHED BUSINESS

- (a) East Lot Overhead Electric Relocation Underground – Consider Bids and Award of Contract

Kurschner moved, Hersman seconded, to reject all bids received, not award a construction contract for the East Lot Overhead Utility Relocation Project at this time and consider again in the future as the budget and other funding sources allow. Motion carried 4/0.

- (b) Receive Bids, Consider Award – Excelsior Boulevard Sanitary Sewer Lift Station

Action – Kurschner moved, Hersman seconded, to continue this item to the June 20, 2022 City Council Meeting. Motion carried 4/0.

13. NEW BUSINESS

- (a) Ordinance No. 637 Amendment to the Parking Regulations

Dierking moved, Hersman seconded, to waive the first reading of Ordinance No. 637, provided staff with direction to update the language as discussed, and scheduled the second reading and adoption for June 20, 2022. Motion carried 4/0.

14. ADJOURNMENT

Hersman moved, Dierking seconded, to adjourn the meeting at 9:20 P.M. Motion carried 4/0.

Respectfully submitted,
Nalisha Williams, City Clerk