

1. Agenda And Packet

Documents:

[APRIL 8, 2019 REGULAR AGENDA.PDF](#)

[APRIL 8, 2019 SPECIAL MEETING PACKET.PDF](#)

City of Excelsior
City Council Special Meeting

Agenda

Monday, April 8, 2019

Council Chambers

NEW LOCATION – FORMER LIBRARY

343 Third Street

5:30 p.m.

(Please Note: Times Listed Are Approximate)

1. CALL TO ORDER/ROLL CALL
2. AGENDA APPROVAL
 - (a) Meeting Agenda
 - (b) Consent Agenda
 1. Approve Verified Claims – Approve for Payment Manual Checks
085156 - 085172
 2. Approval of Off-Site Gambling License Permit – Rotary Club of Excelsior
3. COUNCIL GOAL SETTING (5:45 P.M.)
4. ADJOURNMENT (8:30 P.M.)

Auxiliary aid for individuals with disabilities is available upon request. Requests must be made at least 96 hours in advance to the City Clerk at (952) 653-3675.

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*Check Summary Register©

APRIL 2019

Name	Check Date	Check Amt	
10100 CASH			
Paid Chk# 085156	CENTERPOINT ENERGY	4/8/2019	\$334.66 810 EXCELSIOR BLVD - GAS SVC
Paid Chk# 085157	CENTURY LINK	4/8/2019	\$132.40 SERVICE 3/25/19 - 4/24/19
Paid Chk# 085158	DECLAN METZ	4/8/2019	\$120.00 MARCH 4 & APR 1, 2019 WORK SES
Paid Chk# 085159	ECM PUBLISHERS, INC.	4/8/2019	\$202.30 2019 STREET PROJECT ADV FOR BI
Paid Chk# 085160	HENNEPIN COUNTY TREASURE	4/8/2019	\$45.00 RECORDEASE SUBSCRIPTION
Paid Chk# 085161	METROPOLITAN COUNCIL	4/8/2019	\$15,461.19 MAY 2019 WWS
Paid Chk# 085162	MINNESOTA TEAMSTERS LOCA	4/8/2019	\$289.00 APR PW UNION DUES
Paid Chk# 085163	OLSON CO. INC.	4/8/2019	\$595.00 MARCH 4 & MARCH 11, 2019 DOWNT
Paid Chk# 085164	PETER GOSHGARIAN	4/8/2019	\$150.00 REFUND NON RESIDENT PARKING PA
Paid Chk# 085165	SHERWIN-WILLIAMS	4/8/2019	\$690.80 TRAFFIC PAINT
Paid Chk# 085166	SHRED-IT USA	4/8/2019	\$486.14 CITY HALL RECORD RETENTION - S
Paid Chk# 085167	SOUTH LAKE MTKA POLICE DEP	4/8/2019	\$627.00 SEP 2018 HENN CTY PROCESSING F
Paid Chk# 085168	SWEEPER SERVICES LLC	4/8/2019	\$9,182.35 STREET SWEEPER REHAB
Paid Chk# 085169	TOTAL PRINTING SERVICES	4/8/2019	\$97.50 #10 ENVELOPES - 500
Paid Chk# 085170	UNIQUE PAVING MATERIALS CO	4/8/2019	\$284.85 COLD MIX ASPHALT
Paid Chk# 085171	XCEL ENERGY	4/8/2019	\$669.74 2 W LAKE ST - 2/23 - 3/25/19 S
Paid Chk# 085172	Z SYSTEMS	4/8/2019	\$1,487.00 LCD PRJECTOR, SCREEN AND CASE
	Total Checks		\$30,854.93



MEMORANDUM

CC Meet Item 2 (b)

Request for Lawful Gambling Off-Site

Re: Permit – Rotary Club of Excelsior.

Date: April 8, 2019

To: City Council

From: Emily Becker, City Planner

Rotary Club of Lake Minnetonka – Excelsior, Inc. has submitted form LG230, an Application to Conduct Off-Site Gambling. This permit, if granted, will allow the group to conduct lawful charitable gambling under Excelsior City Code Article I, Section 10-1, at the Burgers and Bingo Event on May 4 at the Lake and Water Street.

The ordinance dictates that 50% of the net profits be spent on lawful purposes conducted or located within the City's trade area. The City's trade area is defined to include the City, each city contiguous to it, the City of Tonka Bay, and the portion of the City of Minnetonka that lies within Minnetonka School District No. 276.

When Minnetonka Youth Hockey Association was granted their premise permit with Haskell's, they agreed to designate 25% of the 50% of the net profits to be spent within the City of Excelsior; The Rotary Club of Lake Minnetonka – Excelsior, Inc. has agreed to designate 25% of the 50% of the net profits to be spent within the City of Excelsior.

Under the City's Code, no more than one licensed, qualified organization shall conduct lawful gambling activities at any permitted premise. The Rotary Club of Lake Minnetonka-Excelsior, Inc. will be the only licensed and qualified organization to be conducting lawful gambling activities at the Burgers and Bingo event location.

Council Action: The City Council should take action under Article I, Section 10-1, of the Excelsior City Code, to accept or decline the application to allow the Rotary Club of Lake Minnetonka – Excelsior, Inc. to conduct lawful charitable gambling at the Burgers and Bingo event on May 4 at Water and Lake Street. If the City Council decides to accept the application, it must adopt the attached resolution. Staff has noted in the resolution that the premise permit would not be effective only on May 4, 2019, which is the date of the Burgers and Bingo Event.

City of Excelsior

Resolution No. 2019 - 17

A Resolution Approving Issuance
of Off-Site Permit by State of Minnesota
Gambling Authority

WHEREAS, Minnesota State Statutes provide for the licensing of gambling by the State Charitable Gambling Control Board; and

WHEREAS, the State Charitable Gambling Board must notify the City of Excelsior prior to issuing or renewing licenses for conducting lawful gambling within the City; and

WHEREAS, the City Council must adopt a resolution approving or denying the issuance of the license, and so inform the State Charitable Gambling Board within thirty (30) days of receipt of notice; and

WHEREAS, the Rotary Club of Lake Minnetonka – Excelsior, Inc. has submitted an application with the City of Excelsior for a Premise Permit to conduct lawful gambling at Lake and Water Street for the Burgers and Bingo event; and

WHEREAS, the applicant has expressed its willingness to expend a similar portion of its net proceeds within the City limits as has been done in the past; and

WHEREAS, Article I, Section 10-1 of the Excelsior City Code allows charitable gambling to be conducted in the City of Excelsior, and also provides the rules and regulations by which charitable gambling may be conducted within the City.

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Excelsior, Hennepin County, Minnesota, hereby approves the issuance of an Off-Site Permit by the State Charitable Gambling Board to the Rotary Club of Lake Minnetonka – Excelsior, Inc. to conduct lawful gambling at the property located at Lake and Water Street, Excelsior, Minnesota, effective only on May 4, 2019.

Adopted this 8th day of April, 2019.

Todd R. Carlson, Mayor

ATTEST:

Emily Becker, Acting City Clerk

Kristi Luger, City Manager



MEMORANDUM

Re: 2019 City of Excelsior Objectives

Date: April 4, 2019

To: City Council

From: Kristi Luger, City Manager

Included in the packet is the 2018 City of Excelsior Objectives Progress Report. The report has the following sections:

First Column (No Title)	Whether the City Council and/or a Commission was responsible for the goal. The following are the abbreviations used in the report: CC = City Council, PR = Park and Recreation Commission, and PC = Planning Commission.
Second Column (Goal)	The goal is listed.
Third Column (Status)	The current status of the goal is stated (complete, ongoing, or no progress) along with a brief update on any work that is being done or has been done on the goal.
Third Column (Council Discussion)	Some things for the Council to consider when discussing the goal or direction that staff needs.

The first three pages of the report lists the progress that was made on the 2018 goals. The last two pages of the report lists items that the Council may want to consider adding to their list of 2019 goals.

While determining the goals for 2019, the Council should think about the number of goals they want to focus on. There are seventeen work sessions remaining this year, and many of the meetings are already dedicated to various topics.

- 4 meetings – Joint meetings with Commissions and the Chamber
- 6 meetings – 2020 Budget
- 7 meetings – Available to discuss City Council goals

In the past, the Council has agreed on a list of goals and then prioritized them so that staff knows where to focus their time. The Council should discuss whether they want to follow a similar process for 2019.

**2018 CITY OF EXCELSIOR OBJECTIVES
PROGRESS REPORT**

Goal #1: Promote Excelsior as a Destination by Enhancing Public Assets

	Goal	Status and Council Discussion
CC	Review Additional Single-Family Scale Standards, Explore a Residential Overlay District, and a Potential Moratorium for the Village Area	Ongoing – The Planning Commission and the Single-Family Scale Standards Task Force are actively working on various aspects of this goal. Discuss – Whether the title of this goal accurately depicts what is to be accomplished.
CC	Evaluate Options for Improving the Safety at Trail Crossings	Ongoing – The Water Street enhanced crosswalk is in the design process and may be incorporated into the bidding documents for the 2019 pavement management project. Discuss – The Council has previously expressed some desire to establish a fund to improve pedestrian safety. This goal could be deleted or changed to: <ul style="list-style-type: none"> • Establish a pedestrian safety fund, or • Determine the next pedestrian safety project, or • Establish a pedestrian safety fund and determine the next pedestrian safety project
CC	Implement Master Park Plan for The Commons <ul style="list-style-type: none"> • Prioritize projects within the Plan • Review Commons-related policies related to the implementation of the Plan 	Ongoing – Community for The Commons is working on prioritizing projects within The Commons Master Park Plan. Discuss – During budget discussions, the Council expressed an interest in possibly bonding for a larger project in The Commons utilizing dock proceeds. This goal could be changed to: 'Explore Financing Options for Implementing a Capital Project in The Commons'.
CC	Determine Next Phase of the Pavement Management Program	Complete – The Council has determined the next two phases of the Pavement Management Program and is planning to implement the first phase this summer. The second phase is scheduled for 2020. Discuss – There have been an increasing number of complaints regarding the condition of the streets (especially Third Street which is scheduled for 2023 and Maple Street which is scheduled for 2025). The Council should discuss whether to get more aggressive with funding the Pavement Management Program.
PR	Research Options for the Gazebo by TCF Bank	Ongoing – The Park and Recreation Commission is actively working on this project and will more than likely be presenting a recommendation to the Council in the next several months. Discuss – Whether to retain this goal and allow the Park and Recreation Commission to continue their work on this project.
PR	Evaluate Potential Usage of Mitten Pond	No Progress Discuss – Whether to retain, modify, or delete this goal.
PC	Assess the Impact of No Additional Curb Cuts on Water Street	Complete – An ordinance was adopted to not allow additional curb cuts on Water Street.

Goal #2: Align and Simplify City Processes

	Goal	Status and Council Discussion
CC	Complete the 2018 Comprehensive Plan	<p>Ongoing – The 2018 Comprehensive Plan (Comp Plan) has been submitted to the Metropolitan Council, but the Council has expressed a desire to possibly rework the whole Comp Plan or just the portion pertaining to the east side.</p> <p>Discuss – Whether to revise a portion of the Comp Plan, the whole document, or not make any changes to it. Since this task could be quite time-consuming, the Council should also discuss their expectations on when the work will be done and/or if they are willing to dedicate additional resources (i.e. consultant time).</p>
CC	Evaluate Potential Changes to Tobacco Licenses and Regulations	<p>Complete – Significant changes were made to the City’s tobacco licenses and regulations.</p> <p>Discuss – The Council had previously indicated that they wanted to revisit the tobacco regulations for The Commons once a decision was made on the tobacco regulations. The Council should discuss whether to create a new goal, which could be titled: ‘Evaluate Tobacco Regulations for The Commons’.</p>
CC PC	Consider Modifications to the Planned Unit Development Ordinance	<p>Ongoing – This ordinance is scheduled for the April 23rd City Council meeting.</p> <p>Discuss – Whether to retain, modify, or delete this goal.</p>
CC	Consider Incentives for Preserving ‘Cottage Commercial’ Properties	<p>Ongoing – Now that the Comp Plan is mostly complete, zoning requirements will need to be created for the new ‘Cottage Commercial’ district.</p> <p>Discuss – Whether to retain, modify, or delete this goal.</p>
PC	Research Parade of Homes Ordinance	<p>Complete – An ordinance was adopted regulating home tours.</p>
PC	Evaluate Reducing the Size of ‘For Lease’ Signs	<p>Ongoing – The Planning Commission is currently discussing this ordinance.</p> <p>Discuss – Whether to retain this goal and allow the Planning Commission to continue their work on this ordinance.</p>

Goal #3: Increase Revenue/Decrease Costs

	Goal	Status and Council Discussion
CC	Evaluate Best Uses for the 810 Excelsior Boulevard Building and the Adjacent Cemetery Property	<p>Ongoing – The Council is scheduled to discuss next steps regarding the 810 Excelsior Boulevard property at the April 23rd City Council meeting.</p> <p>Discuss – The best title for this goal to accurately depict what the Council wants to accomplish this year.</p>
CC	Analyze Parking Tools <ul style="list-style-type: none"> • 2002 Parking Calculations • Parking Impact Fee • Parking Lot Maintenance Fees 	<p>No Progress</p> <p>Discuss – Whether to retain, modify, or delete this goal.</p>

	Goal	Status and Council Discussion
CC	Consider Options for City Hall	No Progress Discuss – There has been some discussion about whether the City should be partnering with a developer to redevelop the City Hall property so that the money from the sale of 810 Excelsior Boulevard can be directed elsewhere (instead of City Hall). If this is an option the Council wants to pursue, this goal should be one of the top priorities, so the City knows whether a developer partnership is a possibility before 810 Excelsior Boulevard is sold.
CC	Explore Installing Parking Meters in New Areas	Ongoing – The City has one underperforming parking kiosk that should be moved to an area where it can be more useful. If the Ice Castle returns, staff would recommend moving this kiosk to the entrance of The Commons which is an area where visitors were waiting to pay for parking. Discuss – The Council had previously discussed possibly metering the municipal parking lots; the Council should discuss whether they still want to explore this possibility.
CC	Assess Development Opportunities for the East and/or West Parking Lot(s)	No Progress Discuss – Whether to retain, modify, or delete this goal.
CC	Work with State Representatives on Funding Partnerships <ul style="list-style-type: none"> • Bonding bill • General sales tax • Legacy grant 	Ongoing – The City currently has a sales tax bill that is being considered by the Senate and the House. If the City is unsuccessful with its efforts this legislative session, the Council may want to consider hiring a lobbyist to pursue a bonding bill. Discuss – Whether to retain, modify, or delete this goal.
PR	Research Revenue Generating Uses for Excelsior-Studer Park	No Progress Discuss – Whether to retain, modify, or delete this goal.

2018 Projects: No Additional City Council Action Needed

	Goal	Status
CC	Extend Residential and Commercial Docks	Complete – The residential and commercial docks were extended last winter.
CC	Install a Sidewalk Along College Lake and Improve the Water Street and Oak Street Intersection	Ongoing – The City had planned on installing a sidewalk along College Lake, but when residents in the area had indicated that they were unaware of the project, it was put on hold to gather public input. Discuss – The best title for this goal to accurately depict what the Council wants to accomplish this year, it could be broadened to: Improve the College Lake Neighborhood <ul style="list-style-type: none"> • Evaluate potential pedestrian facility options on Water Street • Complete traffic study and discuss what options to further explore • Review TIF balance and decide how to utilize the remaining funds

Other Potential Goal Items for the Council to Consider

Item	Description
City Hall Staffing	All the City Hall staff (except for the City Manager) has been employed by the City for less than a year and half. With an increasing rate of staff turnover, the Mayor has requested that this item be added to the list of goals for the Council to consider.
Consent Agenda	At the last City Council meeting, Councilmember Kurschner requested that the Council discuss how the consent agenda is set. The Council agreed to address this item during the goal setting process.
Expanding Public Transit Options	There have been previous discussions between the City and the Metropolitan Council about connecting Excelsior to the future light rail system either in Hopkins or Eden Prairie. Staff has been recently informed that if this is an option the City is interested in exploring, the Council would need to adopt a resolution of support to study the feasibility of offering a shuttle bus to a light rail station. The Council should discuss whether they are interested in exploring additional public transit options.
Formula Business Ordinance	This item has been an ongoing goal. Staff had previously indicated that once the Comp Plan was complete, a potential ordinance could be explored. With the Comp Plan expected to be complete this year, the Council could direct the Planning Commission to start working on this ordinance.
Fund Balance Transfer Policy	The City has not updated a fund balance transfer policy (specifically for parking meter revenue and dock revenue). The Council should discuss whether to add this item as a goal.
Inflow and Infiltration	The City continues to have issues with its inflow and infiltration levels despite all the upgrades that have been made to the system. Some cities have adopted a policy that requires a sewer line be inspected when a property is sold, remodeled, or demolished. If the inspection reveals that the line is not in good condition, the property owner is required to line or replace the sewer line. The Council should discuss whether to add this item as a goal to reduce future Metropolitan Council mitigation requirements.
Lake Street One-Way System Test	The Commons Master Park Plan includes a suggestion to make Lake Street a one-way to make it safer for pedestrians and bikers, among other reasons. Community for The Commons has discussed whether to test a one-way system at some point in the summer to see how it works. Councilmember Caron has requested that this item be added to the list of goals for the Council to consider.
Mill Street Trail	The City was awarded a grant from Hennepin County to conduct a feasibility study for the Mill Street trail. Staff has started to work with Hennepin County on concept planning for this public engagement effort. Since this effort is expected to start this year, staff recommends the Council add this item as a goal.
Mooring Policy and Ordinance	The Council agreed to have the Park and Recreation Commission revisit the Mooring Policy and Ordinance during or after their end of the season dock review and present any recommended changes to the Council. The Council should discuss whether to make this item a goal of the Park and Recreation Commission.
Parking Passes for Private Events	Last summer, the Council thought about creating an ordinance that allows residents who live in parking meter zones to request temporary parking passes for a private event that can be approved administratively. The Council should discuss whether to add this item as a goal.

Item	Description
Polyphosphate Addition to Water Supply	Last year, the City conducted water quality testing and assessed the water treatment plant due to the discolored water issues the City is experiencing in certain areas. One of the recommendations of the study was to add polyphosphate to the water supply for six months, which Public Works has been hesitant to do since most of the water complaints are in dead ends and much of the City is not experiencing discolored water. A phosphate addition to the outgoing water supply could cause scouring of existing plumbing in older homes, potentially creating more city-wide issues such as plugging and dislodging of sediment. Public Works has worked extensively with their chemical provider and determined that an ortho/polyphosphate blend could potentially be beneficial at low dosages. The Council should discuss whether to add this item to a future Council agenda to gain more information and to determine whether they would like to pursue this option.
St. Alban's Bay Bridge	With the bridge not needing to be replaced in the near future, the Council typically delays this item to make time for more pressing issues. Staff recommends the Council continue to delay this item.
Special Event Policy and Ordinance	Staff is in the process of revising the special policy and ordinance to address some of the Council's comments/concerns and make it more content neutral. Community for The Commons has also expressed an interest in rethinking the City's approach to special events. Since staff is actively working on this item, staff recommends the Council add this item as a goal.
Utilizing City Resources	At the January 7 th Council meeting, Councilmember Kurschner requested that the City explore how to best utilize its resources with its Commissions and residents. The Council should discuss whether to add this item as a goal.
Vacant Buildings and Lots	During open forum at the last City Council meeting, the Council was asked to address the 18 vacant lots and buildings. The Council requested that this item be added to the list of goals for their consideration.
Water Street Trees	The City has received a tree inventory and assessment from Bartlett who is recommending that many of the trees on Water Street be removed. Not only do the trees need to be removed, but large sections of the sidewalk need to be addressed as well as heaving has created significant trip hazards. With so many necessary changes, the Council will need to decide whether to just resolve the immediate issues or look at a larger project that includes resurfacing Water Street (and possibly the east & west parking lots), removing and replanting the trees, fixing sidewalk and curb, and exploring self-watering planters.