

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

January 7, 2019
Council Chambers

6:30 p.m.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:33 p.m.

2. ROLL CALL

Present: Councilmembers Caron, Kurshner, Miller, Mayor Carlson

Absent: None

Also Present: City Manager Luger, City Attorney Staunton, City Planner Becker,
Public Works Superintendent Amundsen, Event Planner Edwards,
and City Clerk Orlofsky

3. APPROVAL OF MINUTES

(a) December 17, 2018 Work Session Meeting Minutes

Miller moved, Caron seconded, to approve the December 17, 2018 Meeting Minutes. Motion carried 4/0.

(b) December 17, 2018 City Council Minutes

Miller moved, Caron seconded, to approve the December 17, 2018 City Council Minutes as amended. Motion carried 4/0.

4. OPEN FORUM

(a) Bill Damburg, Owner of Brightwater and member of the Excelsior Lake Minnetonka Chamber of Commerce, addressed the City Council.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) Ice Castle Update

Edwards provided an update on the Ice Castle Event.

6. AGENDA APPROVAL

(a) Meeting Agenda

Caron moved, Kurschner seconded, to add item 6(c)1 Accept Resignation and Declare Vacancy on Planning Commission, and to add Item 12(c) The Discussion on Posters in The Commons and approve the December 17, 2018 City Council Agenda as amended. Motion carried 4/0.

(b) Consent Agenda

Caron moved, Miller seconded, to remove item 6(b)10 from the consent agenda and approve the consent agenda as amended. Motion carried 4/0.

1. Approve Verified Claims - Approve for Payment Manual Checks 084883-084918

Action – Approved for Payment Manual Checks 084883-084918.

2. Designate Official Newspaper

Action – Designate the Sun Newspapers as the official newspaper for 2019.

3. Approve Official Depositories and Securities Pledged as Collateral

Action – Adopted Resolution No. 2019-02 – A Resolution of the Excelsior City Council Approving Official Depositories and Approving the Selection of Collateral and Its Safekeeping Entity.

4. Appointment of Assistant Weed Inspector

Action – Appointed Tim Amundsen, Public Works Superintendent, as the Assistant Weed Inspector for 2019.

5. Designate Responsible Authority and Compliance Officer for Administering Data Privacy Requests

Action – Appointed the City Clerk as the Responsible Authority and the City Attorney as the Compliance Officer for data privacy requests.

6. Closing of City Hall on February 6, 2019 and March 6, 2019 for Clean-up Days

Action – Authorized staff to close City Hall on Wednesday, February 6th and Wednesday, March 6th for clean-up days.

7. Adopt 2019 Financial Calendar

Action – Adopted the 2019 Financial Calendar.

8. December 2018 Building Permit Report

Action – Accepted for filing.

9. Approve Prosecuting Attorney Contract

Action – Adopted Resolution No. 2019-03 – A Resolution Appointing Kenneth N. Potts as City Prosecuting Attorney from January 1, 2019 through December 31, 2019.

10. Accept Resignation & Declare Vacancy on Planning Commission

Action – Moved to Item 6(b)c on the Regular City Council Agenda.

(b) *Consent Agenda Continued*

11. 2018 Sewer Lining – Received Bids and Award Contract

Action – Supported the award of a joint construction along with the cities of Shorewood, Tonka Bay, and Minnetrista, to be administered by the City of Tonka Bay for 2018 Sewer Lining in the amount of \$36,042.50 to Visu-Sewer Inc.

12. Continue the PUD Ordinance to the February 19, 2019 City Council Meeting

Action – Continued the public hearing for the PUD Ordinance to the February 18, 2019 Council meeting.

13. Maynard’s Live Music Request – Pond Hockey January 17-20, 2019

Action – Approved the Outdoor Music Request for January 17th - January 20th at Maynard’s Restaurant for the North American Pond Hockey Championship.

14. Approve Event Coordinator Contract

Action – Authorized the City Manager to enter into a Consulting Agreement with Amy Edwards of Eventfully Yours LLC for a cost not-to-exceed \$42,000.

15. Capital Improvement Plan – Equipment/Minor Projects

Action – Authorized staff to start the process of purchasing items listed in the 2019 Capital Improvement Plan – Equipment/Minor Projects Listing.

6 (c) Accept Resignation & Declare Vacancy on Planning Commission

Action – Accepted Kurschner and Busch’s resignations, and declared two vacancies on the Planning Commission, and directed staff to advertise for Citizen Inquiry Forms to be submitted no later than Thursday, January 31, 2019.

7. ANNUAL ACTIVITIES

(a) Chose Acting Mayor - Caron

Kurschner moved, Caron seconded, to Appoint Councilmember Caron to serve as Acting Mayor for calendar year 2019. Motion carried 4/0.

(b) City Council Meeting Dates

Caron moved, Miller seconded, to move the scheduled January 22nd meeting to January 28, 2019 and to schedule the July City Council Meetings for July 8th and July 22, 2019. Motion carried 4/0.

(c) Appointments to Lake Minnetonka Communications Commission

Caron moved, Kurschner seconded to appoint Miller as the representative to the Lake Minnetonka Communication Commission for the 2019. Motion carried 4/0.

(d) Appointment of Alternate to SLMPD Coordinating Committee

Caron moved, Kurschner seconded, to appoint Councilmember Caron to serve as the City's 2019 alternate on the SLMPD Coordinating Committee. Motion Carried 4/0.

(e) Appointment of Representative to the Excelsior Fire District Board

Caron moved, Miller seconded, to appoint Councilmember Miller to serve as the City's 2019 representative on the Excelsior fire District Board of Directors and Councilmember Kurschner to serve as alternate. Motion carried 4/0.

(f) Appointment of Representative to St. Alban's Bay Bridge

Caron moved, Kurschner seconded, to appoint Mayor Carlson to work on the St. Alban's Bay Bridge with the City of Greenwood. Motion carried 4/0.

(g) Appointment of Representative to the Single – Family Task Force

Caron moved, Kurschner seconded, to approve Mayor Carlson and Councilmember Kurschner to the Single-Family Task Force.

(h) Review City Council By-Laws

Caron moved, Miller seconded, to direct staff to make the appropriate changes and bring the amended By-Laws go the January 28, 2019 City Council Meeting for adoption. Motion carried 4/0.

8. PUBLIC HEARINGS

(a) Variance Request for 411 Linden Street

Mayor Carlson opened the public hearing at 7:15 p.m.

Theresa Benoit, 411 Linden Street, addressed the City Council.

Jeb Sawyer, 411 Linden Street, addressed the City Council.

Jim Lillesve, represents the builder for this property, addressed the City Council.

Rick Denman, Architectural team for this property, addressed the City Council.

Mayor Carlson closed the public hearing at 7:41 p.m.

Caron moved, approval for the 31' building height and the corresponding Setbacks that would go along with the 31' setbacks of 13.64 on each side and the conditions as amended. Motion carried 4/0.

9. PETITIONS, REQUESTS and COMMUNICATIONS

(a) None

10. ORDINANCES and RESOLUTIONS

(a) Home Tour Ordinance

Caron moved, Miller seconded, to waive the first reading Ordinance No. 589, an ordinance amending Excelsior City Code by amending the Special Events article by adding regulations for home tour events and schedule the second reading for the January 28, 2019 City Council meeting. Motion carried 4/0.

(b) Limiting the Number of Tobacco Licenses

Caron moved, Miller seconded, to continue this item until the January 28, 2019 City Council meeting. Motion carried 4/0.

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) None

12. UNFINISHED BUSINESS

(a) None

13. NEW BUSINESS

(a) City Council Vacancy

Council provided staff with the direction to proceed with posting the notice of the vacancy on and the newspaper and to proceed with interviews on January 28, 2019 during the Work Session.

(b) Website Redesign

Miller moved, Kurschner seconded, to approve the Scope of Services with CivicPlus with the 'Content Optimization' add-on for a cost not-to-exceed \$7,500. Motion carried 4/0.

Miller moved, Kurschner seconded, to appoint Councilmember Kurschner and Councilmember Caron to the website committee. Motion carried 4/0.

(c) Ice Castle Employee Parking Permit Request

Ben the Event Manager at the Ice Castles in Excelsior, addressed the City Council.

Tia Black, 274 Lake Street, from Community for Commons, addressed the City Council.

Terry Rossi, 182 George Street, addressed the City Council.

Eric Snyder, 25 Center Street, addressed the City Council.

Lance Black, 274 Center Street, addressed the City Council.

Ice Castle Employee Parking Permit Request – Continued

Council directed the Ice Castle Staff to utilize the parking lots that were made available for them for the Ice Castles Event.

(d) POSTERS IN THE COMMONS

The City Council directed staff to allow for two posters in The Commons and to create a policy around posting posters in The Commons.

14. ADJOURNMENT

Miller moved, Caron seconded, to adjourn the City Council meeting at 9:11 p.m. Motion carried 4/0.

Respectfully submitted,

Ann Orlofsky
City Clerk