

City of Excelsior  
City Council Meeting

MINUTES

Tuesday, April 23, 2019  
NEW LOCATION – FORMER LIBRARY  
343 THIRD STREET

6:30 P.M.

1. CALL TO ORDER

Mayor Carlson opened the meeting at 6:43 pm.

2. ROLL CALL

City Council: Councilmembers Caron, Kurschner, Miller, Dierking, and Mayor Carlson

Absent: None

Staff: City Manager Luger, City Attorney Staunton, Public Works Superintendent Amundsen, City Planner Becker, Finance Officer Horn, and Event Coordinator Edwards

3. APPROVAL OF MINUTES

(a) April 1, 2019, Work Session Minutes

Dierking moved, Caron seconded, to approve the April 1, 2019 Work Session Minutes. Motion carried 5/0.

(b) April 1, 2019, Regular City Council Minutes

Mayor Carlson asked staff to reflect more detail on item 13a as there was a split vote; record who was in favor and who was against.

Caron moved, Kurschner seconded, to approve the April 1, 2019 Regular City Council Minutes as amended above. Motion carried 5/0.

(c) April 8, 2019, Work Session Minutes

Caron moved, Miller seconded, to approve the April 8, 2019 Work Session Minutes. Motion carried 5/0.

4. OPEN FORUM

Shelly McGinnis, 655 Glencoe Road, addressed the City Council.

Matt Ratliff, 631 Pleasant, addressed the City Council.

4. OPEN FORUM - CONTINUED

The City Council indicated interest in looking at College Lake short-term and long-term flooding solutions.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) Ice Castle Even Update

Luger provided an update on the Ice Castle Event.

(b) Single Family Task Force Update

Mayor Carlson provided an update on the Single-Family Task Force.

(c) Mill Street Open House – April 30<sup>th</sup> from 6:00 to 8:00 pm at St. John the Baptist

Luger announced the Mill Street Open House on April 30<sup>th</sup> from 6-8 pm at St. John the Baptist.

(d) Spring Clean-Up Day – May 11<sup>th</sup>

Luger and Amundsen announced the Spring Clean-Up Day will be May 11<sup>th</sup>.

(e) Easter Egg Hunt

Mayor Carlson thanked Our Saviors Church and staff.

6. MEET EXCELSIOR

(a) Hennepin County Commissioner Jan Callison (including Mill Street crosswalk)

Hennepin County Commissioner Callison provided an update on Hennepin County actions particular to Excelsior. Mayor Carlson extended the City's appreciation to Commissioner Callison for her work on the City's behalf.

Hennepin County Transportation Department Project Delivery Chad Ellis provided an overview of the Mill Street Pedestrian Crossings Study of three intersections on Mill Street. Ellis recommended installing a median at the crossing at 3<sup>rd</sup> Avenue, which would require removal of some on-street parking in order to fit in the median and still accommodate bicycle and pedestrian traffic. The median would create a shorter crossing distance enabling crossers to find a more comfortable gap in which to cross.

The City Council promoted connectivity and supported the recommended raised median at 3<sup>rd</sup> Avenue, painting a crosswalk at the ramp, and notifying residents of no parking zones.

7. AGENDA APPROVAL

(a) Meeting Agenda

Caron moved, Dierking seconded, to move Item 13(a) to 9(a), move 9(a) to 9(b), add 13(b) Street Sweeping Update, and to approve the April 23, 2019 meeting agenda as amended. Motion carried 5/0.

(b) Consent Agenda

Caron moved, Miller seconded, to approve the Consent Agenda for April 23, 2019 with changes as noted. Motion carried 5/0.

1. Approve Verified Claims – Approve for Payment Manual Checks 085173 – 085213

Action - Approved for payment manual checks 085173 – 085213.

2. Approve Amendment to Resolution 2019-01 Granting Variance Approval to 411 Linden Street

Action – This item was removed from the consent agenda to seek a legal opinion on ordinance interpretation. The property owners have been informed and it will be put on a regular agenda.

3. Second Reading of Ord. 595 Amending Construction Management and Noise Ordinances

Action – Waive second reading and adopt Ordinance No. 595 – An Ordinance to Amend Appendix E, Article 10, Section 10-6 as it relates to requirements for the Construction Management Ordinance provisions on parking and Article III, Section 16-102 as it relates to hourly restrictions on certain activities.

4. Approve Temporary Liquor License for St. John the Baptist

Action – Approve issuance of a Temporary Liquor License to St. John the Baptist Catholic Church for the Parish Gala on May 4, 2019 from 6:00 pm until 11:00 pm, with the conditions outlined in the Temporary Liquor License Application.

5. Resolution 2019-18 – Authorizing Interfund Transfers and Commitment of Park Improvement Fund Balance

Action – Adopt Resolution 2019-18 – A Resolution Authorizing Interfund Transfers and Commons Master Park Plan Commitment of Fund Balance for the Park Improvement Fund Balance.

7. AGENDA APPROVAL- CONTINUED

(b) *Consent Agenda*

6. Resolution 2019-19 – Amendments to the Fee Schedule

Action – Adopt Resolution 2019-19 – A Resolution Setting License and Permit Fees and Utility Rates.

7. Park Improvement Fund – Five-Year Financial Statement

Action – Accept financial report for filing.

8. First Reading of Ordinance No. 596 – An Ordinance to Amend Chapter 10, Article XVI of the Excelsior City Code Relating to Lawful Gambling

Action – Waive first reading of Ordinance No. 596 – An Ordinance to Amend Chapter 10, Article XVI of the Excelsior City Code Relating to Lawful Gambling and schedule second reading for the May 6, 2019 Council meeting.

9. Triathlon Special Event Permit

Action – Approve the Special Event Permit for the Lake Minnetonka Triathlon scheduled for Saturday, June 15, 2019.

10. Memorial Day Parade

Action – Approve the American Legion Post 259 and MTKA VFW's Memorial Day parade on Monday, May 27, 2019 and allow the temporary closure of Water Street from 11:00 am until 12:30 pm and waive the City of Excelsior's parade permit of \$30.00 for this event.

11. United Healthcare Charity Ride

Action – Approve the Special Event Permit for the United Healthcare's Charity Ride on Saturday, July 29, 2019.

12. Flea Market

Action – Approve the Special Event Permit for the 2019 Excelsior Flea Market.

7. AGENDA APPROVAL- CONTINUED

(a) *Consent Agenda*

13. Rotary Club of Excelsior Off-Site Gambling License Permit  
Resolution Amendment

Action – Adopt Amended Resolution 2019-17 – A Resolution  
Approving Issuance of Off-Site Permit by State of Minnesota  
Gambling Authority.

8. PUBLIC HEARING

(a) None

9. PETITIONS, REQUEST and COMMUNICATIONS

(a) Donation Yoga Special Event Permit

Tricia Thomas, 140 Maple Street, addressed the City Council.

Dierking moved, Miller seconded, to approve the Donation Yoga  
Program and partnership with Community for The Commons and to  
waive the Level 1 Permit fee. Motion carried 5/0.

(b) Cannabidiol License Discussion

Mark and Patty Gilk, 6890 Ruby Lane, Chanhassen, addressed the City  
Council.

The Council indicated no interest in taking zoning or licensing action at  
this time.

In consideration of audience members, the agenda was reordered to next consider  
Item 12(a).

12. UNFINISHED BUSINESS

(a) Direction on the 2019 Street and Utility Improvement Project

Mike Monson, 635 Glencoe Road, addressed the City Council.

Pete Studer, 604 Glencoe Road, addressed the City Council.

Steve Bauman, 688 Glencoe Road, addressed the City Council.

Missy Munson, 635 Glencoe Road, addressed the City Council.

Shelly McGinnis, 655 Glencoe Road, addressed the City Council.

12. UNFINISHED BUSINESS - CONTINUED

(a) *Direction on the 2019 Street and Utility Improvement Project*

The Council indicated sidewalks were not needed in the areas of Pleasant, Grant, and Monroe but curb and gutter were supported.

The Council indicated support to consider a sidewalk on Academy Avenue from Grant to Pleasant to Water; sidewalk on Glencoe Road along the curve from William to a point determined by the City Engineer and enhanced curb and gutter the rest of the way; research of traffic calming options (textured road surface/rumble strips); moving part of Glencoe Road to accommodate a sidewalk; and, enhanced shoulder for the rest of the street; with a final decision to be made on May 6<sup>th</sup>.

10. ORDINANCES AND RESOLUTIONS

(a) Ord. 592 – Planned Unit Development (PUD) Ordinance

The Council indicated it will consider this item at a future meeting.

(b) Ord. 593 – Design Standards Amendment

Kurschner moved, Dierking seconded, to waive first reading of Ordinance No. 593 – An Ordinance that references an updated 2018 Design Manual, and schedule second reading for the May 6, 2019 Council meeting. Motion carried 5/0.

(c) Ord. 594 – Residential Design Standards Amendment

Caron moved, Dierking seconded, to waive first reading of Ordinance No. 594 – An Ordinance Amending Articles 14 and 41 of the Zoning Code and schedule second reading for the May 6, 2019 Council meeting. Motion carried 5/0.

The Council asked the Planning Commission to provide clarification and perspective on its recommendation prior to second reading.

11. REPORTS OF OFFICERS, BOARDS, and COMMITTEES

(a) None

12. UNFINISHED BUSINESS

(a) Direction on the 2019 Street and Utility Improvement Project

This item was considered following Item 9(b).

12. UNFINISHED BUSINESS - CONTINUED

(b) Ice Castle Survey for the Residents

Event Planner Edwards updated staff on the Ice Castle Survey.

The City Council directed staff to add the following questions to the 2019 Ice Castle Survey:

- On Question #4 also ask residents why they gave that rating.
- Did you experience any traffic or parking impacts?
- Did you experience anything negative with having the Ice Castle event here? Is there anything that you would like to see resolved if the Ice Castle came back?
- Did you experience anything positive with having the Ice Castle event here?
- Did you experience any issue with regard to the duration of the Ice Castle melt time?
- Were you comfortable with the use of the commons in the spring during that melt time?
- Did you visit the Ice Castle?
- What was your experience with having the Ice Castle event here?

The City Council directed to staff to post the 2019 Ice Castle Survey to the City's website, as well as mail questions on postcards, if possible.

13. NEW BUSINESS

(a) Donation Yoga Special Event Permit

This item was moved to Item 9(a).

(b) Street Sweeping Update

Amundsen provided an update on street sweeping and use of the Emergency Alert System.

14. ADJOURNMENT

Kurschner moved, Dierking seconded, to adjourn at 10:41 p.m. Motion carried 5/0.

Respectfully submitted,

Time Saver Off Site Secretarial, Inc.