

City of Excelsior
City Council Meeting

MINUTES

Monday, September 21, 2020

6:30 P.M.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:42 p.m. This meeting was a remote meeting conducted via Zoom.

2. ROLL CALL

City Council: Mayor Carlson and Councilmembers Caron, Dierking, Kurschner and Miller (joined at 6:46 p.m.)

Absent: None

Also Present: City Manager Luger, City Attorney Staunton, Public Works Superintendent Amundsen, Engineer Dawley, Planning Director Becker and City Clerk Peterson

Attorney Staunton stated in accordance with the requirements of Minnesota Statutes Section 13D.021, the Mayor, the City Manager and the City Attorney have determined that an in-person meeting is not practical or prudent because of the "COVID-19 Health Pandemic" emergency declared under Chapter 12 of the Minnesota Statutes. All staff and City Council members will be participating by telephone or other electronic means. All actions votes will be recorded as roll call votes.

3. APPROVAL OF MINUTES

(a) September 9, 2020 Work Session Minutes

Caron moved, Dierking seconded, to approve the September 9, 2020 Work Session Minutes. On a roll call vote, Caron, Dierking, Kurschner, and Carlson voted yes. Motion carried 4/0.

(b) September 9, 2020 City Council Minutes

Caron moved, Kurschner seconded, to approve the September 9, 2020 City Council Minutes. On a roll call vote, Caron, Kurschner, Dierking and Carlson voted yes. Motion carried 4/0.

4. OPEN FORUM

- (a) None

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS and REPORTS

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

Jen Weiss, Excelsior-Lake Minnetonka Chamber of Commerce, gave an update on the operations of the Chamber and the Hennepin County grant.

- (b) Project Advisory Committee Update (Bandshell)

Councilmember Caron presented an update on the Project Advisory Committee.

- (c) 2019/2020 Project Update

Public Works Superintendent Amundsen gave an update on the 2019 and 2020 Street and Utility Projects.

- (d) Special Meeting – Monday, September 28, 2020

Mayor Carlson noted a Special Meeting will be held Monday, September 28, 2020 at 5 p.m. to go through the budget and set the preliminary levy.

6. AGENDA APPROVAL

- (a) Meeting Agenda

Kurschner moved, Dierking seconded, to approve the September 21, 2020 Meeting Agenda. On a roll call vote, Kurschner, Dierking, Caron, Miller and Carlson voted yes. Motion carried 5/0.

- (b) Consent Agenda

Dierking moved, Caron seconded, to approve consent agenda item 6(b)1 Second Reading and Adoption of Ordinance No. 611 Landmark Ordinance and move item 6(b)2 Renewing Commercial Per Lease for Winter Storage to 12(a) under New Business. On a roll call vote, Kurschner, Dierking, Caron, Miller and Carlson voted yes. Motion carried 5/0.

1. Second Reading and Adoption of Ordinance No. 611 Landmark Ordinance

Action – Waived the second reading and adopted Ordinance No. 611 and Resolution No. 2020-57 Summary Publication of Ordinance No. 611.

7. PUBLIC HEARINGS

(a) Public Hearing On Sale Liquor License and On Sale Sunday Liquor License for BFC Restaurant Group LLC dba Bull and Finch, 200 Water Street

Mayor Carlson opened the public hearing. With no one appearing before the Council, Mayor Carlson closed the public hearing.

Kurschner moved, Dierking seconded, to adopt Resolution No. 2020-56 granting an on-sale liquor license and Sunday liquor license to BFC Restaurant Group LLC, dba Bull and Finch, for the remainder of the 2020 calendar year. On a roll call vote, Caron, Dierking, Kurschner and Carlson voted yes; Miller was unavailable to vote due to technical difficulties. Motion carried 4/0.

(b) 6 Third Street Variances

Kurschner moved, Caron seconded, to adopt Resolution No. 2020-51 approving variance requests for minimum side yard setback, minimum driveway setback and maximum impervious surface coverage requirements for the property located at 6 Third Street. On a roll call vote, Dierking, Caron, Kurschner, Miller and Carlson voted yes. Motion carried 5/0.

8. PETITIONS, REQUESTS and COMMUNICATIONS

(a) Shorewood Mary Lake Outlet Proposal and Request of Excelsior for Municipal Consent

Andrew Budde, City Engineer, City of Shorewood, addressed the Council regarding the Mary Lake Outlet request for municipal consent.

Miller moved, Kurschner seconded, to adopt Resolution No. 2020-58 providing municipal consent for the City of Shorewood to construct the Mary Lake Outlet Project based upon approval by Minnehaha Creek Wastewatershed District and the Minnesota Department of Natural Resources and adding to the resolution execution of an agreement for storm sewer

maintenance between the City of Excelsior and the City of Shorewood. On a roll call vote, Miller, Kurschner, Caron, Dierking and Carlson voted yes. Motion carried 5/0.

9. ORDINANCES and RESOLUTIONS

- (a) None

10. REPORTS of OFFICERS, BOARDS and COMMITTEES

- (a) None

11. UNFINISHED BUSINESS

- (a) East Parking Lot Improvements

The Council directed staff to proceed with plans and cost estimates on the budget option plus add on 1 and sanitary sewer lining, and the basic reconstruction option for the East Parking Lot Improvements.

- (b) Residential Review Process and Good Neighbor Guidelines

Caron moved, Dierking seconded, to waive the second reading and adopt Ordinance No. 610 as an emergency ordinance and adopt Resolution 2020-49 providing summary publication of the ordinance with the effective date of October 1, 2020 with the addition of language additions/changes as discussed. The Council requested staff begin the process of hiring a consulting architect. On a roll call vote, Caron, Dierking and Carlson voted yes; Kurschner and Miller voted no. Motion carried 3/2.

12. NEW BUSINESS

- (a) Renewing Commercial Pier Lease for Winter Storage

Dierking moved, Caron seconded, to table this item to the October 5th meeting and appoint Councilmember Caron and resident Jules Harrison to work with City Manager Luger on reviewing existing lease language and research competitive comparisons. On a roll call vote, Dierking, Caron and Kurschner voted yes; Miller and Carlson voted no. Motion carried 3/2.

13. ADJOURNMENT

Minutes

City Council Minutes

September 21, 2020

Page 5

Dierking moved, Caron seconded, to adjourn the meeting at 9:20 p.m. On a roll call vote, Dierking, Caron, Kurschner, Miller and Carlson voted yes. Motion carried 5/0.

Respectfully submitted,

Lynette R. Peterson, City Clerk