

City of Excelsior
City Council Meeting

MINUTES

Monday, November 2, 2020

6:30 P.M

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:40 p.m. This meeting was a remote meeting conducted via Zoom.

2. ROLL CALL

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

Absent: None

Also Present: City Manager Luger, City Attorney Staunton, Public Works Superintendent Amundsen, Planning Director Becker, Finance Officer Potter 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) October 19, 2020 Work Session Minutes

Caron moved, Dierking seconded, to approve the October 19, 2020 Work Session Minutes striking the following sentence from number 4 "The Planning Commission will make final decisions on variance applications and the City Council will serve as the appeal board." On a roll call vote, Caron, Dierking, Hersman, Kurschner and Carlson voted yes. Motion carried 5/0.

(b) October 19, 2020 City Council Minutes

Caron moved, Dierking seconded, to approve the October 19, 2020 City Council Minutes. On a roll call vote, Caron, Dierking Hersman, Kurschner and Carlson voted yes. Motion carried 5/0.

4. OPEN FORUM

Peter Hartwich, 186 George Street, appeared before the Council to thank the Council, staff and Commissions for all the time they put in to making Excelsior what it is.

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.

(b) PAC Updated (Bandshell)

Councilmember Caron presented an updated 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) Trail Enhancement near the Mill

Councilmember Caron gave an update on the trail enhancement near The Mill with Three Rivers Park District.

(e) Christkindlsmarkt

Councilmember Kurschner gave an update on Christkindlsmarkt stating residents interested in attending should purchase tickets online in advance.

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- (f) Tommy Drummond, Tommy's Tonka Trolley

Mayor Carlson acknowledged the passing of Tommy Drummond from Tommy's Tonka Trolley and offered condolences to this family.

- (g) Voting Information

City Clerk Peterson updated the Council on the General Election stating voting hours are 7 a.m. to 8 p.m. on Tuesday, November 3, 2020. Excelsior's polling location is the Council Chambers at 343 Third Street. Currently, Excelsior has 1,709 registered voters with 1,103 of them having cast their vote already. Out of those 1,103 voters, 584 have been processed by City staff.

- (h) Certificate of Recognition

Mayor Carlson read a Certificate of Recognition for City Clerk Peterson.

6. AGENDA APPROVAL

- (a) Meeting Agenda

Kurschner moved, Hersman seconded, to approve the November 2, 2020 Meeting Agenda with the addition as 12(d) New Business for Setting Date for Special Budget Work Session. On a roll call vote, Kurschner, Hersman, Caron, Dierking and Carlson voted yes. Motion carried 5/0.

- (b) Consent Agenda

Dierking moved, Caron seconded, to approve the consent agenda removing 6(b)4 - 181 George Street Variance Extension. On a roll call vote, Dierking, Caron, Hersman, Kurschner and Carlson voted yes. Motion carried 5/0.

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. Street Impact Fee Ordinance

Action – Waived the second reading and adopted Ordinance No. 616 requiring a Street Impact Fee for building permits above a valuation of \$100,000 and adopt Resolution 2020-52 setting forth such fees.

3. Allowing Accessory Structures as Dwellings on Landmark Properties Ordinance

Action – Waived the second reading and adopted Ordinance No. 617, an ordinance allowing existing accessory structures to have plumbing for kitchen and bathroom facilities and be used as dwellings on landmark properties.

5. October Building Permit Report

Action – Accepted October building permit report.

6. Second Reading of Amendment to Special Event Permit Ordinance

Action – Waived the second reading and adopted Ordinance No. 615, amending the Special Event Permit Ordinance.

4. 181 George Street Variance Extension

Dierking moved, Kurschner seconded, to adopt Resolution No. 2020-65 approving a one-year variance extension request for the variances granted by Resolution 2019-57 for the property located at 181 George Street with the addition of Number 3 under Conclusions to state “After the variance was issued in 2019, the city and state encountered a pandemic emergency that could not reasonably have been anticipated at the time the variance was issued. This is precisely the kind of exceptional circumstances envisioned by the city’s ordinance and warrants an extension in this case.” On a roll call vote, Dierking, Kurschner, Caron, Hersman and Carlson voted yes. Motion carried 5/0.

Kelvin Retterath, Architect for the 181 George Street Variance Extension project, appeared before the Council to thank them for their consideration and to clarify the extension is for one year.

7. PUBLIC HEARINGS

(a) None

8. PETITIONS, REQUESTS and COMMUNICATIONS

(a) None

9. ORDINANCES and RESOLUTIONS

(a) None

10. REPORTS of OFFICERS, BOARDS and COMMITTEES

(a) None

11. UNFINISHED BUSINESS

(a) None

12. NEW BUSINESS

(a) Shorewood Sewer Agreement

Dierking moved, Hersman seconded, to appoint Mayor Carlson and Councilmember Kurschner to work to negotiate with Shorewood officials to develop a mutually-acceptable proposed resolution to Shorewood Sewer matter. On a roll call vote, Dierking, Hersman, Caron, Kurschner and Carlson voted yes. Motion carried 5/0.

(b) Set Date for General Election Canvassing Board

Caron moved, Dierking seconded, to set the date of Friday, November 13, at 12:30 p.m. for the General Election Canvassing Board via zoom. On a roll call vote, Caron, Dierking, Hersman, Kurschner and Carlson voted yes. Motion carried 5/0.

(c) Accept Resignation and Declare Vacancy on Heritage Preservation Commission

Kurschner moved, Dierking seconded, to accept Reece's resignation and declare a vacancy on the Heritage Preservation Commission and direct staff to advertise for Citizen Inquiry Forms to be submitted no later than Thursday, November 30, 2020 and appoint Councilmember Hersman to conduct the interviews of the applicants with the Heritage Preservation Commission chair. On a roll call vote, Kurschner, Dierking, Caron, Hersman and Carlson voted yes. Motion carried 5/0.

(d) Setting Date for Special Budget Work Session

Hersman moved, Kurschner seconded, to set a Special Budget Work Session for Tuesday, December 1, 2020 from 3:30 p.m. to 5:30 p.m. On a roll call vote, Hersman, Kurschner, Caron, Dierking and Carlson voted yes. Motion carried 5/0.

13. ADJOURNMENT

Dierking moved, Hersman seconded, to adjourn the meeting at 7:34 p.m. On a roll call vote, Dierking, Hersman, Caron, Kurschner and Carlson voted yes. Motion carried 5/0.

Respectfully submitted,
Lynette R. Peterson, City Clerk