

City of Excelsior  
Regular Council Meeting

MINUTES

Monday, February 6, 2023

6:30 P.M.

1. CALL TO ORDER

Mayor Carlson called the meeting to order at 6:30 P.M.

2. ROLL CALL

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

Absent: None

Also Present: City Manager Luger, Public Works Superintendent Amundsen, City Engineer Dawley, Community Development Director Mullin, City Attorney/Assistant City Manager Staunton, and Administrative Services Director Williams

3. APPROVAL OF MINUTES

- (a) January 9, 2023 City Council Minutes
- (b) January 17, 2023 City Council Work Session Minutes
- (c) January 17, 2023 City Council Minutes

Hersman moved, Dierking seconded, to approve the January 9, 2023 City Council Minutes, January 17, 2023 City Council Work Session Minutes, and January 17, 2023 City Council Minutes. Motion carried 5/0.

4. OPEN FORUM

Bob Bolles, 229 George Street, addressed the Council about City Hall.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) Excelsior Fire District

Councilmember Dierking gave an update on the Excelsior Fire District.

(b) New City Hall Location – 350 Highway 7, Suite 230

Administrative Services Director, Nalisha Williams, gave an update on the new City Hall location at 350 Highway 7, Suite 230.

(c) February 21, 2023 City Council Meeting

City Manager, Kristi Luger, gave an update on the February 21, 2023 City Council meeting location.

(c) Mayor Updates

Mayor Carlson gave an update on the Klondike Dog Derby, Cemetery Committee, and Commissioner LaTondresse.

6. MEET EXCELSIOR

(a) None

7. AGENDA APPROVAL

(a) Meeting Agenda

Dierking moved, Hersman seconded, to approve the February 6, 2023 Meeting Agenda with the continuation of Item 12(a) to the February 21, 2023 City Council Meeting and addition of Item 13(a). Motion carried 5/0.

(b) Consent Agenda

Hersman moved, Caron seconded, to approve February 6, 2023 Consent Agenda Items 7(b)1-9. 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. January Building Permit Report

Action – Approved January Building Permit Report.

3. Approve Agreement with Lockridge Grindal Nauen

Action – Approved Agreement with Lockridge Grindal Nauen.

4. Resolution of Support for Bonding Bill

Action – Adopted Resolution 2023-11 Resolution Outlining City Council Support for an Application to the State of Minnesota Capital Budget for 2023.

5. December Financials

Action – Accepted December Financials.

6. Acknowledge 10% Gambling Donations for Fourth Quarter 2022

Action – Acknowledged 10% Gambling Donations for Fourth Quarter 2022.

7. Approve Pay Voucher No. 8 East Parking Lot Improvement Project

Action – Approved Pay Voucher No. 8 East Parking Lot Improvement Project.

8. Street Sweeper Lease to Purchase

Action – Approved Street Sweeper Lease to Purchase to be funded out of Capital Improvement, Surface Water Management, and Parking Lot Maintenance Funds.

9. Resolution 2023-10 Minnetonka Youth Hockey Association Off-Site Gambling License Permit

Action – Adopted Resolution 2023-10 Approving Issuance of Off-Site Permit by State of Minnesota Gambling Authority.

10. Ordinance No. 649 Waive First Reading Liquor Ordinance Amendment

Councilmember Caron recused herself.

Tyler moved, Hersman seconded, to waive the first reading and schedule the second reading and adoption of Ordinance No. 649 at the February 21, 2023 Meeting. Motion carried 4/0.

8. PUBLIC HEARINGS

- (a) 339 Third Street/West Lot – PUD Final Plan, Preliminary and Final Plat, Comprehensive Plan Amendment, Zoning Amendment, Land Use Development Agreement, TIF Development Agreement

Councilmember Caron recused herself.

Dan Johnson, Red Leaf Partners, Applicant, addressed the Council.

Carl Runck, Red Leaf Partners, Applicant, addressed the Council.

Gary Christenson, 348 Second Street, addressed the Council about landscaping within the proposed redevelopment at 339 Third Street.

Bruce Kelly, 165 Maple Street, addressed the Council with concerns about the proposed redevelopment.

Joan Maher, 905 Excelsior Boulevard, addressed the Council with support of the proposed redevelopment.

Bob Bolles, 229 George Street, addressed the Council with concerns about the proposed redevelopment.

Jennifer Caron, 182 Third Street, addressed the Council about lighting, parking, and signage of the proposed redevelopment.

Jodi Noll, 242 First Street, addressed the Council about the proposed temporary parking plan during construction.

Bruce Noll, 242 First Street, addressed the Council about the proposed temporary parking plan during construction and signage.

Dierking moved, Hersman seconded, to adopt Resolution 2023-09 Resolution Approving the Comprehensive Plan Amendment for the Multifamily Development and Public Parking Garage at 339 Third Street. Motion carried 4/0.

Hersman moved, Dierking seconded, to waive the first reading and schedule the second reading and adoption of Zoning Amendment Ordinance No. 645 at the February 21, 2023 City Council meeting. Motion carried 4/0.

Hersman moved, Tyler seconded, to adopt Resolution 2023-08 Resolution Approving the Planned Unit Development (PUD) Final Plan and Preliminary and Final Plat with the conditions as discussed. Motion carried 3/1. Mayor Carlson voted no.

Dierking moved, Hersman seconded, to approve execution of the Land Use and the Tax Increment Finance Development Agreements conditioned upon receipt of all other required approvals and further conditioned upon the City Attorney's approval of the form of the Guarantee Maximum Price Agreement ("GMP") between the Applicant and its contractor. Authorize the Mayor and City Manager to execute the agreements in the same or substantially similar form to those presented here and to execute any other agreements reasonably necessary to accomplish the goals of these approvals including, but not limited to, the Master Disbursement Agreement and the Stormwater Management Plan. Motion carried 3/1. Mayor Carlson voted no.

- (b) 690 Excelsior Blvd, Excelsior Flats - PUD Final Plan, Zoning Amendment, Development Agreement

Councilmember Caron rejoined the meeting.

Bob Sarna, Kraemer Family Real Estate Holdings, Applicant, addressed the Council.

Mike Scharratt & Gary Kraemer, 464 Second Street, Architects, addressed the Council.

Bruce Kelly, 165 Maple Street, addressed the Council with concerns about the proposed project.

Joan Maher, 905 Excelsior Boulevard, addressed the Council with concerns about the proposed project.

Dierking moved, Tyler seconded, to continue this item to the February 21, 2023 City Council Meeting. Motion carried 4/1. Councilmember Hersman voted no.

9. PETITIONS, REQUESTS and COMMUNICATIONS

- (a) None

10. ORDINANCES and RESOLUTIONS

- (a) None

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- (a) None

12. UNFINISHED BUSINESS

- (a) Change Order #2 The Commons Concessions

This item was continued to the February 21, 2023 City Council Meeting.

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13. NEW BUSINESS

(a) Heritage Preservation Commission Appointments (amended)

Caron moved, Hersman seconded, to appoint Rick Dahlstrom and Tim Gephart to the Heritage Preservation Commission. Motion carried 5/0.

14. ADJOURNMENT

Caron moved, Dierking seconded, to adjourn the meeting at 11:21 P.M. Motion carried 5/0.

Respectfully submitted,

Nalisha Williams, City Clerk