

City of Excelsior
Regular Council Meeting

MINUTES

Monday, April 19, 2021

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, Hersman, and Kurschner

Absent: None

Also Present: City Manager Luger, City Attorney Staunton, Planning Consultant Richards, City Engineer Dawley, Public Works Superintendent Amundsen, and City Clerk Williams

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) April 5, 2021 Work Session Minutes

Hersman moved, Caron seconded, to approve the April 5, 2021 Work Session Minutes. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(b) April 5, 2021 City Council Minutes

Caron moved, Hersman seconded, to approve the April 5, 2021 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, addressed the Council about the Edina Housing Initiative.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) Excelsior-Lake Minnetonka Chamber of Commerce Update

Jen Weiss, Excelsior-Lake Minnetonka Chamber of Commerce, provided an update on the Small Business Administration Revitalization Fund and the Fourth of July Event.

(b) Pavilion Update

Tim Amundsen, Public Works Superintendent, gave an update on the Pavilion Project.

6. MEET EXCELSIOR

(a) Mark Kroll - LMCD Update

Mark Kroll, Lake Minnetonka Conservation District Representative (LMCD), gave an update on the current issues on Lake Minnetonka.

7. AGENDA APPROVAL

(a) Meeting Agenda

Caron moved, Kurschner seconded, to approve the April 19, 2021 Meeting Agenda with the addition of Item 13(c). On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

(b) Consent Agenda

Dierking moved, Hersman seconded, to approve the April 19, 2021 Consent Agenda. On a roll call vote, Caron, Dierking, 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. First Reading of Construction Hours Ordinance

Action – Waived the First Reading of Construction Hours Ordinance.

3. 2021 Street & Utility Improvements Project – Accept Plans and Authorize Advertisement

Action – Adopted Resolution 2021-29 Receiving Plans and Specifications and Authorizing the Advertisement for Bidding for the Public Improvements for the 2021 Street & Utility Improvements Project.

4. Pavilion Pay Voucher #1

Action – Approved Application and Certificate for Payment No. 1 for the Excelsior Commons Bandshell Project and Authorized Payment in the Amount of \$113,724.79 to Gardner Builders.

8. PUBLIC HEARINGS

(a) Water Street Overlay Improvements Project

Lori Cashman, 31 Water Street, Lick's Unlimited Owner, addressed the Council with concerns about the street project timeframe.

Andrew Punch, 561 Third Street, addressed the Council about soil contamination, business classification for assessments, and the street project timeframe.

Bridgit Fiore, 347 Water Street, BE. At Lakeside Owner, addressed the Council with concerns about the street project timeframe.

Caron moved, Dierking seconded, to adopt Resolution 2021-30 Resolution Ordering the Public Improvements for the Water Street Overlay Improvements Project. On a roll call vote, Caron, Dierking, Hersman, and Carlson voted yes. Kurschner voted no. Motion carried 4/1.

9. PETITIONS, REQUESTS and COMMUNICATIONS

(a) Paid Parking Trial

The Council provided staff with direction on the parking trial.
No formal action taken.

(b) Concert Series Agreement

Kurschner moved, Caron seconded, to accept the Lake Minnetonka Excelsior Rotary Club's request for a 3-year agreement with a 50/50 revenue split. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

10. ORDINANCES and RESOLUTIONS

(a) Second Reading of Residential Picketing Ordinance

Dierking moved, Caron seconded, to direct staff to update the Ordinance as discussed, waive the second reading, and adopt Ordinance No. 629 - An Emergency Ordinance to Amend Chapter 22 of the Excelsior City Code to Prohibit Targeted Residential Picketing. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

11. REPORTS of OFFICERS, BOARDS, and COMMITTEES

(a) Water Street Trail Crossing Plan

Caron moved, Kurschner seconded, to approve Water Street Trail Stop plans and authorize staff to receive quotes and implement improvements in coordination with volunteer efforts for installation. On a roll call vote, Caron, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 5/0.

12. UNFINISHED BUSINESS

(a) None

13. NEW BUSINESS

(a) East Parking Lot Project – Receive Bids and Award Contract

Councilmember Caron recused herself from the discussion and vote on this item.

Dierking moved, Hersman seconded, to receive bids and award a contract for the East Parking Lot Project for the Base Bid + Alternate 2 + Alternate 3 in the amount of \$750,763.10 to GMH Asphalt Corporation. On a roll call vote, Dierking, Hersman, Kurschner, and Carlson voted yes. Motion carried 4/0.

(b) LMCC Update

Councilmember Caron rejoined the meeting.

Jim Lundberg, LMCC, addressed the Council about LMCC's services. The Council has requested that LMCC return to a future Council meeting to discuss their services with residents.

(c) Edina Housing Initiative (Amended)

Councilmember Kurschner and Mayor Carlson encountered technological issues. Mayor Carlson rejoined the meeting.

Councilmember Hersman will work with the Planning Commission on their initiatives. The Council requested to hold a joint meeting with the Planning Commission at the next Work Session. The Edina Housing Initiative will be added to the May 3 City Council meeting.

14. ADJOURNMENT

Dierking moved, Hersman seconded, to adjourn the meeting at 10:12 P.M.
On a roll call vote, Caron, Dierking, Hersman, and Carlson voted yes.
Motion carried 4/0.

Respectfully submitted,
Nalisha Williams, City Clerk