

**MINUTES OF THE REGULAR MEETING
CITY COUNCIL
LITTLE CANADA, MINNESOTA**

MARCH 24, 2021

Pursuant to due call and notice thereof a special meeting of the City Council of Little Canada, Minnesota was convened on the 24th day of March, 2021 in the Council Chambers of the City Center located at 515 Little Canada Road in said City.

Mayor John Keis called the meeting to order at 7:30 p.m. and the following members of the City Council were present at roll call:

CITY COUNCIL: Mayor Keis, Council Members McGraw, Fischer, Torkelson and Miller.
Absent: None.

ALSO PRESENT: City Administrator Chris Heineman, Finance Director Brenda Malinowski, Parks & Rec/Community Services Manager Bryce Shearen, Community Development Director Corrin Wendell, City Clerk/HR Manager Heidi Heller

In accordance with the requirements of Minn. Stat. Section 13D.021, the City Administrator has determined that an in-person meeting is not practical or prudent because of a health pandemic or an emergency declared under Chapter 12 of the Minnesota Statutes. Because of the health pandemic and emergency declaration, it has been determined that attendance at the regular meeting location by elected officials and members of the public is not feasible. Therefore, some or all of the City Council members may be participating by telephone or other electronic means. This meeting will be recorded in its entirety. Members of the public are able to monitor the meeting on the CTV North Suburbs website (live stream) or use the meeting link provided on the city website prior to the meeting.

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Miller introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-3-33 – APPROVING THE MINUTES OF THE MARCH 10, 2021 WORKSHOP AND MARCH 10, 2021 REGULAR MEETINGS AS SUBMITTED

The foregoing resolution was duly seconded by Torkelson.

Roll Call Vote: Keis/Fischer/Torkelson/McGraw/Miller

Ayes (5). Nays (0). Resolution adopted.

ANNOUNCEMENTS

None.

PUBLIC COMMENTS

None.

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CONSENT AGENDA

Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-3-34 – APPROVING THE CONSENT AGENDA WHICH CONTAINS THE FOLLOWING:

- Approval of the Vouchers
- Approve Resolution 2021-3-35 Supporting a Minnesota DNR Local Trail Connection Program Grant and Resolution 2021-3-36 Supporting the Minnesota DNR Outdoor Recreation Grant Program for the Gervais Mill Park Trail Improvements
- Approve Easement Agreement for Five-Star Manufactured Home Park

The foregoing resolution was duly seconded by Torkelson.

Roll Call Vote: Keis/Fischer/Torkelson/McGraw/Miller

Ayes (5). Nays (0). Resolution adopted.

PRESENTATION – DANA HEALY, EXECUTIVE DIRECTOR OF NINENORTH

Dana Healy, Executive Director, reviewed the focus and core services of NineNorth and the changes over the last year. She reported that in 2020, NineNorth broadcast 132 hours of webstreaming over 73 meetings for the City of Little Canada. She stated that they do periodic assessments of the production equipment the City of Little Canada has and she reviewed their recommendations for consideration.

Torkelson asked how NineNorth is addressing the local “news desert.” Ms. Healy explained that a news desert is when the community has lost their local news source, such as a community newspaper. She stated that they depend on cities to pass on information about what their community wants to know about and then NineNorth can then create content.

PUBLIC HEARING – CONSIDER A CONDITIONAL USE PERMIT FOR A GARDEN CENTER AT FRATTALONE’S ACE HARDWARE, 2920 RICE STREET

The Community Development Director presented a request for a Conditional Use Permit at 2920 Rice Street. She stated that this was a Hardware Hank business which has been purchased by Ace Hardware. She stated that the previous business had a seasonal garden center as well, but the new business would need to apply for its own conditional use permit for the garden center. She reviewed the proposed concept plan noting that staff prefers option B. She stated that a seasonal garden center would be allowed provided that the request meets the criteria within the standards and provided an overview. She reported that on March 11, 2021, the Planning Commission unanimously recommended approval of the Conditional Use Permit for the seasonal garden center subject to the recommended conditions in the staff report.

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Miller asked if the temporary tent would go back up again later in the year when other things are sold. Mr. Frattalone stated that the tent would only be up from April through early July and then come down, and the fall plants would move to the building rather than be in the parking lot.

There were no additional comments from the public. Upon motion by Torkelson, seconded by Keis, the public hearing was closed.

Keis introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-3-37 – APPROVE A CONDITIONAL USE PERMIT TO ALLOW A SEASONAL GARDEN CENTER AT 2920 RICE STREET, PID 062922230031, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE GARDEN CENTER OR FARMERS MARKET REGISTERS ITS DATES OF OCCUPANCY OF THE PROPERTY EACH YEAR WITH THE CITY OF LITTLE CANADA.***
- 2. PRIOR TO OCCUPANCY, THE APPLICANT MUST FILE A SITE PLAN WITH THE CITY SPECIFYING THE LOCATION OF THE FACILITY, ANY PHYSICAL IMPROVEMENTS (WHETHER TEMPORARY OR PERMANENT), AND A NARRATIVE SPECIFYING OPERATIONAL DETAILS AND OPEN HOURS. SUCH NARRATIVE SHALL BE CO-SIGNED BY A REPRESENTATIVE OF THE OWNER OF THE PROPERTY.***
- 3. THE APPLICANT MUST IDENTIFY ANY PROPOSED LIGHTING RELATED TO THE FACILITY, AND SUCH LIGHTING MUST BE EXTINGUISHED WHEN THE FACILITY IS CLOSED.***
- 4. THE FACILITY MAY UTILIZE A MAXIMUM OF TWO SIGNS, EACH SIGN BEING NO GREATER THAN 32 SQUARE FEET IN TOTAL AREA, WITH NO MORE THAN ONE SUCH SIGN PERMITTED TO BE FREESTANDING. SUCH SIGNS MAY REMAIN IN PLACE ONLY DURING THE APPROVED DATES OF OCCUPATION AND SHALL COMPLY WITH ALL OTHER REQUIREMENTS OF THE CITY'S SIGN ORDINANCE.***
- 5. GOODS SOLD AT SUCH MARKETS SHALL CONSIST OF FRESH PRODUCE, FOOD PRODUCTS, OTHER GARDEN VEGETATION FOR CONSUMPTION, USE OR REPLANTING, ALONG WITH ACCESSORY MATERIALS CLEARLY RELATED TO THE CONSUMPTION OR USE OF SUCH PRODUCTS. IN ADDITION, UP TO 25 PERCENT OF THE TOTAL NUMBER OF VENDORS AT A FARMERS MARKET MAY SELL CRAFT, ART, OR SIMILAR ITEMS AS ALL OR PART OF THEIR GOODS FOR SALE.***
- 6. THE FACILITY MUST BE SERVED BY AN OFF-STREET PARKING SUPPLY EQUAL IN AREA TO THE SIZE OF THE FACILITY ITSELF.***
- 7. THE SEASONAL FACILITIES SHALL BE LOCATED ONLY ON PROPERTY THAT CAN ACCOMMODATE THE USE WITHOUT CONFLICT WITH***

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***PERMANENT FACILITIES, INCLUDING PARKING, CIRCULATION, AND
OTHER ACTIVITIES.***

The foregoing resolution was duly seconded by Torkelson.
Roll Call Vote: Keis/Fischer/Torkelson/McGraw/Miller
Ayes (5). Nays (0). Resolution declared adopted.

PROPOSAL FOR UPDATE TO TIF MANAGEMENT PLAN

The Finance Director explained that since 2008, Ehlers has been updating the Tax Increment Financing (TIF) Management Plan periodically for the City's TIF districts, and the most recent Plan was updated in 2016. She stated that the Plan summarizes each TIF District, with recommendations for each district and a lot of information that staff uses. She noted there are seven TIF Districts proposed to be included in the update. She explained that with discussion on future development activities or possible park capital projects, it will be helpful to determine the opportunities for the possible use of existing TIF. The Finance Director explained that the use of TIF funds are limited to certain expenditures identified by the Minnesota Tax Increment Financing Act (TIF Act) and that the proposed fee is an allowable expenditure. She stated that the plan update was not budgeted, but there is sufficient funding for this in the TIF Funds.

Torkelson clarified that this would be funded from the TIF Districts themselves and not the General Fund. The City Administrator noted that part of TIF funds are expected to be designated to administrative costs.

Fischer introduced the following resolution and moved its adoption:

***RESOLUTION NO. 2021-3-38 – APPROVE THE TAX INCREMENT FINANCING
(TIF) MANAGEMENT PLAN UPDATE PROPOSAL BY EHLERS IN AN AMOUNT
TO NOT EXCEED \$12,250***

The foregoing resolution was duly seconded by McGraw.
Roll Call Vote: Keis/Fischer/Torkelson/McGraw/Miller
Ayes (5). Nays (0). Resolution declared adopted.

**DISCUSSION AND APPROVAL OF REVISIONS TO PUBLIC WORKS STAFF
ORGANIZATIONAL STRUCTURE**

The City Administrator reported that after a full-time public works employee left in December, staff has taken a closer look at the current organizational structure of the Public Works Department. He explained that staff believes the most effective way to ensure that all facets of public works receive the appropriate level of focus is to replace the current vacant Maintenance I position with a supervisor-level position.

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The City Administrator stated that staff recommends reorganizing the Public Works Department to have a Streets/Fleet Supervisor, Utilities Supervisor, and a Parks Supervisor. He explained that each of these positions would remain very hands-on and require those employees to be in the field a significant percentage of the time. He noted that this would also allow the Public Works Director to concentrate more on administrative duties instead of the many tasks in the field that he currently oversees. The Public Works Director will continue to oversee both the Streets/Fleet Supervisor and Utilities Supervisor, and the Parks & Recreation/Community Services Manager would now oversee the Parks Supervisor.

The City Administrator stated that this would not change the overall employee count, but simply move the vacant maintenance position to a supervisor level. Fischer stated that he was part of the Personnel Committee that met to first discuss this subject, along with Council member McGraw, and he feels this will make the structure in public works and the parks department stronger.

McGraw introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-3-39 – APPROVE THE RECOMMENDED CHANGES TO THE PUBLIC WORKS ORGANIZATIONAL STRUCTURE AND AUTHORIZE ADVERTISING FOR THE PUBLIC WORKS UTILITY SUPERVISOR POSITION

The foregoing resolution was duly seconded by Fischer.
Roll Call Vote: Keis/Fischer/Torkelson/McGraw/Miller
Ayes (5). Nays (0). Resolution declared adopted.

COUNCIL REPORTS

Fischer stated that he wanted to congratulate Jim Schwalbach, former owner of Hardware Hank, on his retirement, and thank him for being a great part of the community for many years.

There being no further business, the meeting was adjourned at 8:26 p.m.

John T. Keis, Mayor

Attest:

Christopher Heineman, City Administrator