

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

MAY 24, 2023

Pursuant to due call and notice thereof a regular meeting of the City Council of Little Canada, Minnesota was convened on the 24th day of May, 2023 in the Council Chambers of the City Center located at 515 Little Canada Road in said City.

Mayor Tom Fischer called the meeting to order at 7:32 p.m. and the following members of the City Council were present at roll call:

CITY COUNCIL: Mayor Fischer, Council Members T. Miller, Gutierrez, Kwapick (arrived at 8:17 p.m.), and D. Miller. Absent: None.

ALSO PRESENT: City Administrator Chris Heineman, Parks & Rec/Community Services Director Bryce Shearen, Public Works Director Bill Dirks and City Clerk/HR Manager Heidi Heller.

APPROVAL OF MINUTES

T. Miller introduced the following resolution and moved its adoption:

***RESOLUTION NO. 2023-5-58 – APPROVING THE MINUTES OF THE MAY 10, 2023
WORKSHOP AND THE MAY 10, 2023 REGULAR MEETINGS AS SUBMITTED***

The foregoing resolution was duly seconded by D. Miller.
Ayes (4). Nays (0). Resolution declared adopted.

ANNOUNCEMENTS

Gutierrez thanked the Little Canada Culvers for their community support, noting it was holding a fundraiser for a community member tonight.

PUBLIC COMMENT

None.

PUBLIC HEARINGS

CONSIDER A CONDITIONAL USE PERMIT FOR AN ATTACHED GARAGE NOT TO EXCEED 1,500 SQUARE FEET AT 630 KELLER PARKWAY

The Community Development Director explained tonight the Council is asked to consider a request for a Conditional Use Permit for a garage structure that would be added to the parcel at 630 Keller Parkway. She reviewed the zoning and proposed site plan. She explained that the existing detached garage would be moved to another portion of the property and a new attached garage would be constructed, including art studio space. She explained that the garage and accessory structure would be under the threshold of 1,500 square feet. She reviewed the related conditions that should be considered

Mayor Fischer opened the public hearing for comments from the general public.

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There were no comments from the public. Upon motion by T. Miller, seconded by D. Miller, the public hearing was closed. Ayes (4). Nays (0). Motion adopted.

Mayor Fischer referenced the west side of the new garage and asked if that would meet the required setbacks.

The Community Development Director confirmed that all setbacks would be met under the request.

Mayor Fischer commented that it is clear the existing shed will be taken down and the art studio will not be in the garage.

D. Miller introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-5-59 – APPROVING A CONDITIONAL USE PERMIT (CUP) APPLICATION TO ALLOW AN ATTACHED GARAGE WITH TOTAL ACCESSORY STRUCTURES NOT TO EXCEED 1,500 SQUARE FEET LOCATED AT 630 KELLER PARKWAY, PID 052922430007

The foregoing resolution was duly seconded by T. Miller.
Ayes (4). Nays (0). Resolution declared adopted.

PRESENTATIONS

HIGHWAY 36 MULTIMODAL CORRIDOR STUDY PRESENTATION

The Public Works Director commented that MnDOT is doing a study of the Highway 36 corridor and has been in contact with numerous stakeholders to gather input.

David Elvin, MnDOT, commented that they are present tonight to gather input on potential projects. He reviewed the approximate eight-mile corridor that travels through multiple communities. He stated that the intent is to help vehicles using Highway 36 as well as helping those that cross the highway. He reviewed the three phased timeline of the study and the study partners involved in the process. He provided a summary of information gained through previous studies as well as through the comprehensive plans of the cities involved. He noted that the intention is to review the needs of all transportation users to create a more interconnected system. He reviewed the safety and crash data for the corridor from 2018 through 2022 along with the existing conditions of the roadway. He also reviewed the existing conditions and spacing of the interchanges and crossings. He noted that nine of the 17 intersections are high risk for people walking and there are only four bike lane crossings in the eight-mile study area. He reviewed the stakeholders that have been involved in this process and some of the themes that have been heard thus far through that input. He noted that upcoming open house and online platforms are being used to solicit input. He welcomed input from the Council and staff.

Gutierrez referenced the mention of EZ Pass or carpool lanes and asked the consideration that is given to adding a lane with conditions versus just adding that additional lane. Mr. Elvin replied that there are a lot of factors considered for a managed lane. He stated managed lanes are meant to address

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congestion and encourage ride sharing. He stated that following COVID they are questioning some of those considerations and the need for those managed lanes.

Gutierrez stated that the comment she hears the most is related to the railroad bridge which forces quick merging. D. Miller commented that many of the road bridges have sidewalks and asked if there would be a plan to connect trail crossings. Mr. Elvin stated that the Little Canada plan has identified trail crossings and assumed that they would be looking at options to get just people across.

The City Administrator commented that the City is currently working to revise the trail and sidewalk map within the Comprehensive Plan and wanted to ensure that Mr. Elvin is provided with that information. He commented that another large employer in Little Canada is Vicks Produce, as that business has had struggles with getting transit to its facility for employees and also utilizes about 100 trucks daily for its deliveries. He also mentioned a few other businesses that have daily truck traffic and could be contacted for input.

The Community Development Director offered to assist in connecting with the local businesses to facilitate these discussions. She noted that youth are often left out of input of this type. She stated that women tend to trip chain and that may also be a useful user group.

Mayor Fischer thanked MnDOT for involving the City in this process.

CONSENT AGENDA

T. Miller introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-5-60 – APPROVING THE CONSENT AGENDA WHICH CONTAINS THE FOLLOWING:

- Approval of the Vouchers
- Approve a Temporary Liquor License for the Little Canada Recreation Association During Canadian Days, August 4-6, 2023
- Approve a Temporary Liquor License for Little Canada Canadian Days, Inc. During Canadian Days, August 4-6, 2023
- Approve an Application for Off-Site Gambling for Little Canada Canadian Days, Inc. During Canadian Days, August 4-6, 2023
- Approve Renewal of a Wagon Vendor License for El Taco Nazo at 120 County Road C West

The foregoing resolution was duly seconded by Gutierrez.

Ayes (4). Nays (0). Resolution declared adopted.

STAFF REPORTS

REQUEST TO RELEASE LIQUOR LICENSE OPERATING CONDITIONS AGREEMENT FOR THE HOGGSBREATH

The City Clerk provided background information noting that in June of 2017 there was a shooting at the Hoggsbreath which brought about concern and an attempt to address the security concerns. She

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stated that led to operating conditions being placed upon the liquor license. She stated that following COVID there have been changes to the pattern of users and how the business is operating, therefore the business owner is requesting that the City release this agreement as the business model and operations have changed. She stated that there have not been the number of type of incidents at that business that were occurring in the past.

Tom Duray, owner of the Hoggsbreath, asked that the Council consider releasing the business from the conditions established in June of 2017. He stated that prior to 2017 they were operating as a nightclub/restaurant/late night entertainment. He stated that following the incident they worked out these conditions to continue operations. He stated that during COVID they were able to grow their food business and have continued to promote their food and restaurant. He commented that following COVID they have promoted more of a community friendly atmosphere and have continued to promote their food, replacing their nighttime entertainment with bar bingo. He stated that they close at midnight seven nights per week. He requested that the Council consider releasing the business from the conditions that were voluntarily agreed to in December of 2017, noting that 90 percent of the conditions no longer apply to their current business plan.

Mayor Fischer stated that he was on the Council when the conditions were implemented and acknowledged that it was a tough time. He acknowledged that the business model has been changed to meet the current market but there is nothing stopping the business from returning to live music in the future. He agreed that this agreement has passed its time and commented that this would be more of a suspension of the agreement.

Mr. Duray confirmed that the majority of the conditions no longer apply. He stated that if the business model does change in the future, the Council would have the ability to impose conditions upon the liquor license.

D. Miller asked if the current liquor license is valid until midnight. The City Clerk stated that state law allows liquor sales until 1:00 a.m. or 2:00 a.m. with an additional license. She stated that the business previously had a 2 a.m. license but has since let that lapse.

D. Miller commented that the agreement had a timeline for one year, through 2018, and asked if it therefore has lapsed. The City Clerk confirmed those dates to be in the agreement. Mayor Fischer commented that it was not intended to be a one-year agreement, but perhaps there was an annual review desired. The City Clerk commented that there has not been additional issues and therefore the agreement was not brought back again for a review.

The City Administrator asked about the standard process for training servers. Mr. Duray provided details on the training that their staff completes on a yearly basis. D. Miller asked if bouncers are employed at the door at this time. Mr. Duray replied that they no longer employ security because it is not needed.

Kwapick noted the statement that 90 percent of the conditions no longer apply and asked for examples of the conditions that would still apply. Mr. Duray replied that those would be related to carding people and seating people.

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Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-5-61 –RELEASING THE LIQUOR LICENSE OPERATING CONDITIONS AGREEMENT FOR THE HOGGSBREATH

The foregoing resolution was duly seconded by T. Miller.
Ayes (5). Nays (0). Resolution declared adopted.

RENEWAL OF LIQUOR, TOBACCO AND AMUSEMENT LICENSES

The City Clerk presented a request to consider the renewal of liquor, tobacco, and amusement licenses. She noted that these are the same businesses that operated the previous year and there have not been any new additions. She noted one tobacco sales business that was not included in the list as there are outstanding items for that business to turn in and fire code violations that need to be addressed. Mayor Fischer asked and received confirmation that if that business does not turn in the necessary information and address the violations, it would need to cease business on June 30th. Kwapick asked if there would be sufficient time for the business to provide that documentation and receive its license. The City Clerk confirmed that there would be additional time for that business to submit the information and receive its license as there is another City Council meeting in June.

Mayor Fischer asked if the City is working to evolve to address the legalization of marijuana. The City Clerk replied that there has not yet been discussion regarding marijuana licensing, but cannabis would be regulated separately.

T. Miller introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-5-62 –APPROVING THE LIQUOR, TOBACCO, AND AMUSEMENT DEVICE LICENCES FOR JULY 1, 2023 TO JUNE 30, 2024 AS PRESENTED SUBJECT TO RECEIVING ALL REQUIRED MATERIALS, FEES, AND RECEIPT OF SATISFACTORY BACKGROUND CHECKS

The foregoing resolution was duly seconded by D. Miller.
Ayes (5). Nays (0). Resolution declared adopted.

RESOLUTION OF SUPPORT FOR VADNAIS BOULEVARD TRAIL PROJECT GRANT APPLICATION

Parks & Rec/Community Services Director stated that the Council is asked to approve the resolution which would allow Ramsey County to solicit grant funds for the Vadnais Boulevard trail project. He stated that the local match from Little Canada would be \$400,000 noting that the City does not have those funds allocated at this time and could search for additional funding options should the County be awarded the grant funds. He stated that Vadnais Heights did approve this resolution at a recent City Council meeting.

Mayor Fischer acknowledged the approval from Vadnais Heights, noting that community would have matching funds of \$3,600,000, which is a strong commitment.

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D. Miller introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-5-63 – APPROVING RAMSEY COUNT GRANT APPLICATION AND COMMITMENT OF LOCAL FUNDS FOR THE VADNAIS BOULEVARD TRAIL PROJECT BETWEEN RICE STREET AND COUNTY ROAD E

The foregoing resolution was duly seconded by T. Miller.
Ayes (5). Nays (0). Resolution declared adopted.

NEW JOB DESCRIPTIONS FOR MAINTENANCE WORKERS I AND II FOR PUBLIC WORKS AND PARKS

The City Clerk referenced the class and compensation study that was completed and noted that a Maintenance Worker II classification was created for both parks and public works. She noted that a job description has now been created and advised that because there is limited staff everyone would continue to be cross trained in both departments.

D. Miller asked what would tell an employee that they could move from I to II. The City Clerk commented that it would come down to the skills and experience within the departments, and their supervisor would make the recommendation to go from I to II. The Public Works Director replied that it would be more subjective than objective, and that it will come down to observation and whether the person seems appropriate to move to II. He confirmed that essentially all workers would start as a I.

Mayor Fischer commented that it sounds like there are levels of leadership and independent working that would be considered which would make it more objective.

T. Miller introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-5-64 – APPROVING THE NEW AND UPDATED JOB DESCRIPTIONS FOR MAINTENANCE WORKERS I AND II FOR PUBLIC WORKS AND PARKS

The foregoing resolution was duly seconded by D. Miller.
Ayes (5). Nays (0). Resolution declared adopted.

RECLASSIFY TWO EMPLOYEES FROM MAINTENANCE WORKER I TO MAINTENANCE WORKER II

The City Clerk stated that now that the new job descriptions are in place, staff recommends moving two employees to the level II positions. The Public Works Director noted that both employees have taken on leadership roles in training and overseeing other employees in the department.

Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-5-65 – RECLASSIFYING PUBLIC WORKS EMPLOYEES SCOTT HEARTON FROM PUBLIC WORKS MAINTENANCE WORKER I TO PUBLIC WORKS MAINTENANCE WORKER II, EFFECTIVE JUNE 28, 2023

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***AND MATT MALLORY FROM PUBLIC WORKS MAINTENANCE WORKER I TO
PARKS MAINTENANCE WORKER II, EFFECTIVE JUNE 28, 2023***

The foregoing resolution was duly seconded by T. Miller.
Ayes (5). Nays (0). Resolution declared adopted.

COUNCIL REPORTS AND MEETING UPDATES

D. Miller provided an update on the recent Cable Commission meeting.

Kwapick provided an update on a recent meeting of the Little Canada Historical Society.

Mayor Fischer stated that he and two members of staff recently toured Vision Resources, a Little Canada nonprofit business that provides training to those that are vision impaired.

ADJOURN

There being no further business, upon motion by Fischer, seconded by T. Miller, the meeting was adjourned at 8:59 p.m.

Thomas Fischer, Mayor

Attest:

Christopher Heineman, City Administrator