

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

JUNE 23, 2021

Pursuant to due call and notice thereof a special meeting of the City Council of Little Canada, Minnesota was convened on the 23rd day of June, 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, Public Works Director Bill Dircks, Parks & Rec/Community Services Manager Bryce Shearen and City Clerk/HR Manager Heidi Heller.

MINUTES

McGraw introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-6-78 – APPROVING THE MINUTES OF THE JUNE 9, 2021 WORKSHOP AND JUNE 9, 2021 REGULAR MEETINGS AS SUBMITTED

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

ANNOUNCEMENTS

None.

PUBLIC COMMENTS

None.

CONSENT AGENDA

Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-6-79 – APPROVING THE CONSENT AGENDA WHICH CONTAINS THE FOLLOWING:

- **Approval of the Vouchers**
- **Approve Partial Pay No. 9 to New Look Contracting for County Road D & Greenbrier Street Improvement Projects 2019-01 & 2019-02**

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

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CONSIDER A TOBACCO STORE LICENSE FOR THE HOOKAH HIDEOUT

The City Clerk stated that the tobacco store license for The Hookah Hideout will expire on June 30. She reported that at the May 12, 2021 Council meeting, the Council discussed whether to approve a tobacco license for The Hookah Hideout given the owner did not comply with the business shutdown requirements by the State of MN during the pandemic, and that city staff had been told the business was possibly going to be sold. She stated the Council decided to require David Nelson, the owner, to provide documentation of proof that he still owned The Hookah Hideout, and to sign an Affidavit stating that he owns the business and is responsible for the day-to-day operations of The Hookah Hideout. The City Clerk reported that staff has now received all of the required documents from Mr. Nelson, and they appear to be in order.

The Council discussed whether the non-compliance of Executive Orders would be a good enough reason to not approve a tobacco store license, and would it hold up in court if the city were challenged.

The Council discussed tobacco limitations that other cities have recently made, and directed staff to bring information to a future meeting about amendments to the Tobacco City Code to consider, such as limiting specific tobacco products or the number of tobacco licenses.

Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-6-80 – APPROVE A TOBACCO STORE LICENSE FOR THE HOOKAH HIDEOUT FOR THE PERIOD JULY 1, 2021 TO JUNE 30, 2022

The foregoing resolution was duly seconded by Miller.

Ayes (3).

Nays (2). Torkelson and McGraw. Resolution declared adopted.

AMERICAN RESCUE PLAN FUNDS

The City Administrator explained that this is the first formal action related to the 2021 Federal Legislation authorizing the American Rescue Plan Act to assist with economic recovery after the pandemic. He reported that the ARPA funds are more flexible and provides a longer period for recipients to use the funds, and can be used for revenue losses incurred. He stated it is estimated that Little Canada will get approximately \$1,071,102, and the City must pass a resolution authorizing to apply for funds.

Torkelson introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-6-81 – APPROVE RESOLUTION 2021-6-81, AUTHORIZING STAFF TO APPLY FOR THE CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT

The foregoing resolution was duly seconded by McGraw.

Ayes (5).

Nays (0). Resolution declared adopted.

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EMPLOYEE WORKFLEX POLICY

The City Administrator explained that the current Personnel Policy has no language related to workflex or working from home. He stated that after staff has been working from home for the past year, this has created a need to put some language and parameters in place to officially continue allowing flexible work schedules. He noted this policy would be good for staff morale and help with keeping and recruiting staff. He explained that the policy lays out a few different options for a flexible schedule, and proposes a limit of 24 hours per pay period for working from home. The City Clerk stated that staff does a good job keeping in contact with each other even when not together in the office, and things have continued to operate very well over the last 15 months, even when the City Hall building was closed to the public.

Fischer stated that he is supportive of allowing flexibility, but noted that Little Canada has always provided exceptional of customer service, and he is concerned that since there is only a small staff, having too many staff out of the office could lessen the level of service, along with putting an extra burden on the staff who are in the office. He stated that the policy currently states that up to 30% of an employee's work time could be done remote, and he mostly concerned by that number because of the impact of other people getting their work done. He stated maybe we start smaller and work our way up. Torkelson suggested having discussions about how to make Little Canada a family-friendly place to work that would not tax the other employees. Fischer suggested that the amount of time allowed to work remotely should also address the regular part-time employees, so maybe there should be a percentage of time also. Fischer suggested starting at a maximum of 20 hours or 25% of regularly scheduled hours can be done remotely, and we bring it back in six months to review.

Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-6-82 – APPROVE THE ADDITION OF THE NEW WORKFLEX POLICY INTO THE PERSONNEL POLICY WITH THE STIPULATION OF CHANGING THE REMOTE WORK TO A MAXIMUM OF 20 HOURS PER PAY PERIOD OR 25% OF THE HOURS REGULARLY WORKED

The foregoing resolution was duly seconded by Keis.

Ayes (5).

Nays (0). Resolution declared adopted.

EMERALD ASH BORER UPDATE

The Parks & Rec/Community Services Manager reviewed what Emerald Ash Borer (EAB) is and how it is affecting trees in Little Canada and across the country. He stated that the EAB problems have come on fairly quickly here and there are many trees already past the point of being able to treat and save them. He explained there are trees that need to be removed and some are treatable. He stated that an arborist did an inventory of the Ash trees in parks and public property to rate if they are treatable or not. He noted that staff has not yet looked at the trees in the right-of-way, but it is estimated that there are 8,000 trees in the right-of-way. He stated that an option is to send out a Request for Proposals to tree companies for the treatment and removal options for the residents if they choose to deal with their ash trees. He explained that the idea with an RFP is to have tree

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companies bid so that the city can get the lowest rate for care so residents don't have to do the work of finding a company and the best rate themselves.

The Parks & Rec/Community Services Manager stated that many cities are putting a significant amount of money towards dealing with EAB, and Little Canada is a little behind in dealing with this. McGraw stated that the city should determine which trees are critical and move forward with some sort of treatment on those first.

McGraw asked where the money would come from to deal with this now. The City Administrator stated that the city's fund balance is very healthy right now, and there is a Shade Tree line item in the General Fund which is only at \$6,000 per year right now and will need to be increased going forward and it will likely affect the levy. He stated that there may need to be two budgets, one for treatment and one for tree removal and replacement.

McGraw asked if the Council had any interest in simply removing and replacing trees instead of doing any treatment. The Council unanimously agreed to do EAB treatment where it makes sense and try to save trees, rather than only removing trees.

McGraw introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-6-83 – AUTHORIZE SPENDING UP TO \$6,000 ON THE TREATMENT OF THE TREES THAT HAVE BEEN DEEMED TREATABLE

The foregoing resolution was duly seconded by Miller.

Ayes (5).

Nays (0). Resolution declared adopted.

TEMPORARY 1-DAY CONSUMPTION & DISPLAY LIQUOR PERMIT FOR ST. JOHN'S CHURCH ON JULY 21, 2021

The City Clerk explained that St. John's Church has applied for a 1-day Temporary Consumption & Display Liquor Permit in conjunction with their Taste of Summer event to be held Wednesday, July 21, 2021. All application materials have been submitted. She explained that they will only be serving liquor, not selling it during this event, so they need a temporary "consumption & display" permit rather than a typical temporary liquor license, which allows for the sale of liquor.

Keis introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-6-84 – APPROVE A 1-DAY CONSUMPTION & DISPLAY LIQUOR PERMIT ON JULY 21, 2021 FOR ST. JOHN'S CHURCH

The foregoing resolution was duly seconded by Fischer.

Ayes (5).

Nays (0). Resolution declared adopted.

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COUNCIL REPORTS

Fischer reported that there has been a residential property that has been having some sort of a garage sale every weekend for well over a year, and is wondering when a garage sale becomes a business, and should there be some limits on the number of sales allowed in a year.

There being no further business, the meeting was adjourned at 7:59 p.m.

John T. Keis, Mayor

Attest:

Christopher Heineman, City Administrator