

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

SEPTEMBER 13, 2023

Pursuant to due call and notice thereof a regular meeting of the City Council of Little Canada, Minnesota was convened on the 13th day of September 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 7:30 p.m. and the following members of the City Council were present at roll call:

CITY COUNCIL: Mayor Fischer, Council Members T. Miller, Kwapick, Gutierrez and D. Miller.
Absent: None.

ALSO PRESENT: City Administrator Chris Heineman, Community Development Director Corrin Wendell, Parks & Rec/Community Services Director Bryce Shearen, Finance Director Sam Magureanu, Public Works Director Bill Dirks, City Engineer Eric Seaburg and City Clerk/HR Manager Heidi Heller.

APPROVAL OF MINUTES

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

RESOLUTION NO. 2023-9-90 – APPROVING THE MINUTES OF THE AUGUST 23, 2023 REGULAR MEETING AS SUBMITTED

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

ANNOUNCEMENTS

The City Administrator announced the celebration of life service for Little Canada resident Jori Jones will be held on Thursday, September 14.

PUBLIC COMMENT

None.

PUBLIC HEARINGS

CONSIDER THE REZONING AND A PLANNED UNIT DEVELOPMENT AT 99 COUNTY ROAD B EAST FOR LUPE DEVELOPMENT SENIOR HOUSING PROJECT

The Community Development Director explained tonight the Council is asked to consider a rezoning and Planned Unit Development from Lupe Development. She explained that the rezoning would change the property from its C-1 zoning to R-3, high density residential, noting that is in alignment with the 2040 Comprehensive Plan Future Land Use Map. She stated that the proposal would build a 106-unit multi-family 55+ senior apartment development on land on the south end of Little Canada along County Road B East, along the western edge of the Sou Line Railroad. The project will feature a four-story, wood-framed structure over one level of underground parking. She provided background information on the process for this proposal. She reviewed an aerial view of the unique property and identified the neighboring uses. She reviewed renderings of the proposed building and site and noted

**MINUTES
CITY COUNCIL
SEPTEMBER 13, 2023**

the natural screening that would be provided by the trees on the site. She provided additional information on the zoning map amendment and Planned Unit Development (PUD) requests as well as zoning compliance. She summarized the City Engineer review and related agency reviews. She stated that the Planning Commission reviewed this item at its August meeting and recommended approval. She asked the City Council to hold the public hearing and consider approval of the requests as presented.

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

Mayor Fischer commented that given the location and surrounding property uses he did not see an issue with the request as the neighboring properties would not be impacted. T. Miller asked the comments made by the Maplewood residents that attended the open house meeting. The Community Development Director replied that there were two Maplewood residents that attended who shared their experience living on that road and near the railroad. She stated that the residents did comment on occasional truck traffic and things that should be discussed with residents that want to walk in that area.

Mayor Fischer commented that there are a series of engineering reports that will be needed, but recognized they are not yet at that stage in the process. The City Administrator commented that they have had some response to engineering comments, beginning with the lift station that is at or near capacity and upgrades to that station will be needed as part of this project.

The Community Development Director summarized the comments received from Ramsey County related to the driveway approach, sign specifications, accessing permitting requirements for the driveway, railroad crossing information, and pedestrian improvements.

Gutierrez asked if the site design would allow for an emergency vehicle to turn around. The Community Development Director confirmed that the width of the driveway would support a fire truck and the turnaround was modified to allow for that sized vehicle to turn around as well.

There were no further comments from the public. Upon motion by Kwapick, seconded by T. Miller, the public hearing was closed.

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

Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-9-91 –ADOPTING ORDINANCE 877 AMENDING THE ZONING MAP TO REZONE 99 COUNTY ROAD B E, PID 072922430003 FROM C-1 GENERAL COMMERCIAL TO R-3, HIGH DENSITY RESIDENTIAL.

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

**MINUTES
CITY COUNCIL
SEPTEMBER 13, 2023**

Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-9-92 – APPROVING A PUD FOR THE OVERLAY TO THE PARCEL TO ALLOW INCREASED DENSITY FROM 36 UNITS PER ACRE TO 40.3 UNITS PER ACRE AND TO ALLOW THE LOCATION OF THE DRIVEWAY WITHIN THE REQUIRED DRIVEWAY SETBACK

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

CONSIDER ORDINANCE 876, AUTHORIZING A STUDY AND IMPOSING A MORATORIUM ON THE ESTABLISHMENT OF NEW USES OR THE EXPANSION OF EXISTING USES RELATED TO CANNABIS SALES, TESTING, MANUFACTURING OR DISTRIBUTION

The City Clerk provided background information on the purpose of a moratorium. She stated that the legislature legalized adult use cannabis during the last legislative session, but the method for sales has not yet been developed. She explained that the moratorium could extend to January 1, 2025 as that is the anticipated date for the Office of Cannabis Management to begin licensing cannabis businesses. She noted that businesses are already out looking for spaces for this type of use and therefore it would make sense to enact the moratorium to prevent anyone from being able to establish this type of business in the city before the city decides how to regulate cannabis. She clarified that this ordinance would specifically apply to cannabis rather than cannabinoid products. She noted that they will continue to have discussions on this topic in the coming months and the City could choose to revoke the moratorium at any time if sufficient regulations have been created before January 1, 2025. She asked the Council to hold a public hearing and then consider adopting the ordinance authorizing a study and imposing the moratorium as proposed.

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

There were no comments from the public. Upon motion by Kwapick, seconded by T. Miller, the public hearing was closed.
Ayes (5). Nays (0). Motion adopted.

Kwapick appreciated the input of the other communities enacting similar moratoriums and noted that Roseville was not included. He was concerned about losing out on future business opportunities. The City Administrator commented that this was a key topic of the recent meeting of the mayors and city administrators, with Roseville initiating the discussion. He stated that Roseville has considered a moratorium but has not yet enacted one.

Kwapick stated that he does understand the purpose of the moratorium to ensure things are done correctly. The City Clerk commented that based on the interest in tobacco licensing requests, she was not concerned that the City would lose out on opportunities in the future. The City Administrator reiterated that if the Council feels that they have developed guidelines and restrictions, the moratorium could be revoked at any time.

**MINUTES
CITY COUNCIL
SEPTEMBER 13, 2023**

The City Clerk noted that another purpose of the moratorium is to allow the state to develop its regulations which will also provide guidance for cities. She stated that she has already received interest from people looking to purchase space, which led her to believe that this would be the proper time to enact a moratorium. T. Miller agreed that a moratorium would be appropriate as it would allow the City to develop the proper land use guides so that people do not purchase property with this intent and later find out that the use is not allowed in that area. Mayor Fischer agreed that this would help to create a level playing field once the guidelines are identified.

T. Miller noted that there may be distance requirements from schools and/or parks that are developed.

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

RESOLUTION NO. 2023-9-93 – AN ITERIM ORDINANCE AUTHORIZING A STUDY AND IMPOSING A MORATORIUM ON THE ESTABLISHMENT OF NEW USES OR THE EXPANSION OF EXISTING USES RELATED TO CANNABIS SALES, TESTING, MANUFACTURING OR DISTRIBUTION, AND APPROVE PUBLICATION OF A SUMMARY ORDINANCE.

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

The City Clerk noted that this moratorium would not apply to medical marijuana businesses.

CONSENT AGENDA

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

RESOLUTION NO. 2023-9-94 – APPROVING THE CONSENT AGENDA WHICH CONTAINS THE FOLLOWING:

- Approval of the Vouchers
- Approve Partial Pay Request No. 4 to Minnesota Paving and Materials for 2023 Street Improvement Projects
- Approve Partial Pay Request No. 3 and Change Order No. 2 to Minnesota Paving and Materials for Twin Lake Boulevard Street Improvement Project
- Approve Partial Pay Request No. 4 and Change Order No. 3 to Albrecht Company for Pioneer Park Improvement Project
- Approve Lift Station & Force Main Agreement with Reuter Walton for 45 Twin Lake Boulevard Apartment Building

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

STAFF REPORTS

**2024 BUDGET: SET PRELIMINARY LEVY AND FINAL BUDGET AND SET FINAL LEVY
PUBLIC HEARING DATE**

**MINUTES
CITY COUNCIL
SEPTEMBER 13, 2023**

The Finance Director explained tonight the Council is asked to consider the preliminary property tax levy for 2024.

The City Administrator described the previous work staff and Council have done on the budget to get to this point. He noted that once adopted and certified to the County, the levy could not be increased but could be decreased prior to final adoption. He reviewed the purpose and objective of the operating budget and identified strategic plan initiatives within the proposed 2024 budget. He reviewed the 2024 budget calendar and explained how the property tax dollars are distributed between the different entities as well as how the property tax dollars are spent between the different City departments. He reviewed the estimated City property tax levy, which would be an increase of 10.79 percent from 2023. He also compared that proposed levy increase to other communities within Ramsey County.

Mayor Fischer commented that the City is paying a price for being on the low end, as it has not built-up funds for future projects. He noted that this increase is necessary for the City to be able to accomplish some of the things that have been discussed.

The Finance Director provided information on the estimated tax rate as well as comparison information to other communities. He reviewed the estimated property tax impact on residential properties and commercial/industrial properties. He also reviewed the estimated property tax impact on those property types using the previously discussed increase of seven percent. He highlighted the key impacts for the property tax levy. He provided details on the general fund revenues and expenditures included in the 2024 budget and highlighted ways the levy could be reduced if desired. He also provided information on the tax break application.

Mayor Fischer commented that the Council has had a number of meetings along the way during this budget process which included presentations by different departments. He noted that the goal tonight is to set the not-to-exceed budget/levy amount. He noted that the previously proposed increase of 7.06 percent was the bare minimum to maintain operations and services and the Council asked staff to review the Strategic Plan to identify what would be necessary to accomplish some of those initiatives.

D. Miller agreed that staff has done what was asked to look above the bare minimum and towards the goals of the future. The City Administrator noted that in this proposed budget they have included everything and asked if the Council agrees with that. Mayor Fischer commented that he has supported the 2.5 percent safety margin over the years but would be comfortable reducing that by one percent this year. Kwapick stated that he was going to suggest a decrease of .5 percent.

Mayor Fischer noted that the Council contingency could be removed from the budget. He explained that the \$100,000 included for the community building is a method to help plan for that. He confirmed the consensus of the Council to reduce the safety margin by one percent.

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

RESOLUTION NO. 2023-9-95 – APPROVING THE 2024 PRELIMINARY LEVY AT \$4,614,182 (9.79% INCREASE).

The foregoing resolution was duly seconded by Kwapick.

**MINUTES
CITY COUNCIL
SEPTEMBER 13, 2023**

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

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

RESOLUTION NO. 2023-9-96 – SETTING THE BUDGET HEARING FOR NOVEMBER 29, 2023 AT 7:30 P.M.

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

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

RESOLUTION NO. 2023-9-97 – TO USE THE WATER AND SEWER CAPITAL REPLACEMENT FUND 604 TO PAY FOR THE 2014A BONDS AND APPROVE THE 2024 BONDED DEBT TAX LEVY REDUCTIONS WHICH WILL RESULT IN A ZERO BONDED DEBT TAX LEVY FOR 2024.

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

AUTHORIZE TRAFFIC STUDY FOR RICE STREET AND DEMONT AVENUE

The Public Works Director explained that the City is working with a developer for a proposed development at Rice Street and Demont Avenue which would increase the density in that area and could impact traffic patterns. He stated that one of the primary concerns at the neighborhood meeting was traffic concerns, both existing and future, therefore it was determined that a traffic study would be required. He stated that Ramsey County also supports a traffic study. He reviewed the elements that would be included in the traffic study. He noted that the developer would fund half of the cost at this time and would reimburse the remaining funds if the project moves forward. He stated that the City would fund the other portion of the study with its infrastructure fund. Mayor Fischer commented that this is a straightforward item and one of the main concerns of the residents.

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

RESOLUTION NO. 2023-9-98 – AUTHORIZING THE PROPOSAL FROM BOLTON AND MENK FOR A TRAFFIC STUDY AT THE INTERSECTION OF RICE STREET AND DEMONT AVENUE IN THE NOT-TO-EXCEED AMOUNT OF \$6,700.

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

APPROVE MEMO OF UNDERSTANDING WITH RAMSEY-WASHINGTON METRO WATERSHED DISTRICT FOR PIONEER PARK STORMWATER REUSE SYSTEM

The Parks & Rec/Community Services Director explained tonight the Council is asked to consider approval of a memorandum of understanding (MOU) for the Pioneer Park stormwater reuse system. He provided background information on the process for this project and the collaboration with the

**MINUTES
CITY COUNCIL
SEPTEMBER 13, 2023**

Ramsey-Washington Metro Watershed District (RWMWD). He stated that it has been determined that 88 percent of the irrigation needs for the park could be supplied by the first foot of water within the stormwater pond. He noted that the goal is to bid the project for construction in the winter of 2023. He stated that RWMWD will consider this item at its October meeting and requested this MOU prior to that time. He stated that RWMWD will fund the entire project and provide the first two years of maintenance. He noted that the expectation of the City would be to keep the system online for 20 years, or until it becomes unfunctional or unmanageable.

Mayor Fischer commented that this is a cool opportunity and a great partnership.

Kwapick introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-9-99 – APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) FOR THE PIONEER PARK STORMWATER REUSE SYSTEM BETWEEN RAMSEY-WASHINGTON METRO WATERSHED DISTRICT AND THE CITY OF LITTLE CANADA.

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

COUNCIL REPORTS AND MEETING UPDATES

D. Miller stated that he will meet the next week with the Cable Commission. He noted a presentation he attended by Ramsey County on youth crime.

Mayor Fischer commented on the recent meeting of mayors and city administrators, highlighted the topics of discussion which included budgeting, cannabis, and fire service providers.

Gutierrez provided an update on the recent fire relief association meetings.

The Parks & Rec/Community Services Director noted the upcoming Labore Road corridor study open house meeting. He also provided an update on the technology upgrades for the Council Chambers.

ADJOURN

There being no further business, upon motion by T. Miller seconded by D. Miller the meeting was adjourned at 9:10 p.m.

Thomas Fischer, Mayor

Attest:

Christopher Heineman, City Administrator