

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

OCTOBER 25, 2023

Pursuant to due call and notice thereof a regular meeting of the City Council of Little Canada, Minnesota was convened on the 25th day of October 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, 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, 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. 2023-10-121 – APPROVING THE MINUTES OF THE OCTOBER 11, 2023 WORKSHOP AND THE OCTOBER 11, 2023 REGULAR MEETINGS AS SUBMITTED

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

ANNOUNCEMENTS

Gutierrez commented that there has been some feedback on difficulty in hearing the Council from those in attendance and watching at home.

PUBLIC COMMENT

None.

CONSENT AGENDA

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

RESOLUTION NO. 2023-10-122 – APPROVING THE CONSENT AGENDA WHICH CONTAINS THE FOLLOWING:

- Approval of the Vouchers
- Certify Unpaid Utility Bills and False Alarm Fees to Property Taxes Payable in 2024
- Approval Final Partial Pay Request No. 2 to Sunram Construction for Rondeau Park Improvements
- Approve Partial Pay Request No. 5 to Albrecht Company for Pioneer Park Improvements
- Authorize Submission of 2024 SCORE Grant Application to Ramsey County

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

STAFF REPORTS

New Gasoline Filling Station License and General Sales and Display Tobacco License for Little Canada Road RP LLC at 300 Little Canada Road East

The City Clerk explained that the bp gas station is in the process of being sold and therefore new licenses would be needed for the new owner. She stated that Little Canada Road BP LLC is the new business name of this station under A&J LLC. She stated that they own eight other gas stations around the Twin Cities and plan to invest in the property and make repairs. She stated that the anticipated closing date is November 3. She reported that background checks were completed, and the results were satisfactory, therefore staff recommends approval of the requested licenses.

Mayor Fischer commented that the owner has been ready to move on for a while and was happy to see the deal coming forward.

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

RESOLUTION NO. 2023-10-123 – APPROVING A NEW GASOLINE FILLING STATION LICENSE AND A GENERAL SALES AND DISPLAY TOBACCO LICENSE FOR LITTLE CANADA BP LLC AT 300 LITTLE CANADA ROAD EAST, FOR THE LICENSE PERIOD THROUGH JUNE 30, 2024.

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

Ordinance 881, Amending City Code Chapter 1103 to Allow Raising Chickens

The Community Development Director reviewed the process timeline and the information that will be posted on the City website related to this topic. She also provided information on setback from shorelands that has been gathered since the last discussion, noting that the Department of Natural Resources and Minnesota Pollution Control Agency do not have regulations for individual chickens adjacent to water and therefore suggested including a setback of 20 feet from a waterway.

T. Miller asked if there was information that would be provided on disposal of dead chickens and/or where chickens could be butchered. The Community Development Director replied that the link to the Department of Health does provide that information, as does the ordinance itself.

Kwapick thanked staff for putting together that resource information as it will be a terrific addition to the website.

Mayor Fischer referenced the issue of the backyard versus the side yard. He stated that he does not want to go as far as requiring the backyard unless it cannot work. He recognized that the backyard is preferred and asked if there would still be setback requirements for the side yard. The Community Development Director confirmed that there would still be the same setback for the side yard. She

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noted that if a home is built to the minimum side yard setback, that would only leave two feet for the chicken coop between the home and required five-foot setback, which would most likely discourage most people from placing a coop in that location as it would need to be very close to the home.

Mayor Fischer referenced the language related to code enforcement and the ability to renew or deny an application, while the Council would also have that authority and asked for more information. The Community Development Director described the code enforcement process that is followed for any license that has an issue develop. She stated that once escalated to a certain point, it would go forward to the City Council to consider revocation of a license. She stated that if the minimum requirements are not met, staff could refuse the application.

Mayor Fischer thanked staff for all the work that has been done on this ordinance and process.

Mayor Fischer commented that this has been a long time coming and those interested have provided a lot of their time and effort during this process as well. He stated that while he believes that chickens belong on a farm, backyard chickens in suburban communities have been a non-issue in the communities that allow them.

Mayor Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-10-124 – APPROVING ORDINANCE 881 AMENDING CITY CODE CHAPTER 1103 TO ALLOW RAISING CHICKENS AND APPROVING A SUMMARY PUBLICATION.

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

Labore Road Corridor Study Update

The Parks & Rec/Community Services Director stated that the intention is to present the final report and hear about some potential funding opportunities.

The City Engineer provided background information on the Labore Road corridor study and the engagement that was completed. He reviewed information on the technical analysis that was completed and the additional public engagement that occurred. He reviewed the recommendations and confirmed that any of the recommendations could be completed in standalone projects or could be bundled together. He also provided information on City funding and potential sources of outside funding. He asked the Council to accept the report and to consider providing guidance to staff to begin programming funding and/or seeking outside funding for the recommended improvements.

Mayor Fischer commented that option two included a sidewalk while the other options showed a trail. He asked the difference. The City Engineer replied that option two included a concrete sidewalk with no changes to the road, while option four would shrink the road footprint and create a shared use path, which would typically be asphalt. Mayor Fischer asked the cost difference between the two. The City Engineer replied that concrete tends to be twice as much as asphalt, but the bulk of the cost would be the road project.

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T. Miller asked if there is a difference in safety between a bike path on the road and off-road trail. The City Engineer stated that anecdotally a casual bike rider tends to be off the street. Mayor Fischer commented that the hardcore bikers tend to stay on the street and casual bikers tend to use the shared use trail.

D. Miller asked if the street rehabilitation would be moved up if outside funding were to be received for option four. He also asked if assessments would then be waived if outside funding were received to cover the cost of the project. The City Engineer stated that the funding available now would be a good local match for a grant program. He noted that generally the grant programs they are looking at are about five years out, which lines up with the funding programmed by the City. He noted that the City could look at waiving assessments, but generally those are not waived as it creates an issue of fairness as other road projects are assessed.

D. Miller asked if the restriping could be done on the existing roadway without resurfacing the roadway. The City Engineer confirmed that improvement could be done at low cost in a sooner time period, as could some additional speed limit signs. T. Miller asked if it would make sense to install a four way stop at Labore and Arcade immediately. The City Engineer stated that staff just discussed that and agreed that there would be merit to installing that right away. He stated that they could move in that direction, and they could include that improvement in grant applications as it could assist in gaining additional points. He agreed they should work towards implementing that improvement.

Mayor Fischer asked if separate action would be needed to implement the four way stop. The City Administrator commented that a separate motion could be a cleaner way to provide that direction.

Gutierrez referenced the lawn maintenance and asked if the grass cutting between the trail/sidewalk and the road would remain the responsibility of the resident or the City. The City Engineer replied that when a trail or sidewalk is pulled away from the road, that boulevard maintenance would still lie with the property owner. He confirmed that the City would maintain the trail.

Kawpick commented that he supports the enhanced safety options, especially along the northern section of Labore Road.

Mayor Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-10-125 – ACCEPTING THE LABORE ROAD CORRIDOR STUDY REPORT.

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

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

RESOLUTION NO. 2023-10-126 – DIRECTING STAFF TO BEGIN PROGRAM FUNDING AND SEEKING OUTSIDE FUNDING FOR THE RECOMMENDED IMPROVEMENTS.

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

Mayor Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-10-127 – TO INVESTIGATE PLACING A FOUR WAY STOP AT ARCADE AND LABORE AS SOON AS PRACTICAL

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

The City Administrator asked and received confirmation from the Council that the intention in the second motion would be to apply for outside funding. He noted that there would be a cost to doing so. The Parks & Rec/Community Services Director commented that the cost to prepare information and apply for one of the grants mentioned would be about \$10,000. It was confirmed that there are funds available in the 2023 budget that could be used for that purpose.

The Council confirmed consensus to support those actions.

City Hall Window Replacement Contract

The Public Works Director explained that the facility study completed in 2021 highlighted windows at City Hall that need replacement. He identified the windows that are proposed to be replaced. He stated that quotes were submitted from two companies and staff recommends moving forward with Shaw Stewart in the amount of \$52,250. He noted that because of the lead time on the windows, these would not be installed until spring.

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

RESOLUTION NO. 2023-10-128 – APPROVING THE REPLACEMENT OF FIVE GROUND LEVEL WINDOWS AND THE CLEARSTORY WINDOWS ABOVE THE FRONT DOOR BY SHAW STEWART IN THE AMOUNT OF \$52,250.

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

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Appoint Mayor to Ramsey County Emergency Services Dispatch Policy Committee

The City Clerk explained that Mayor Fischer has been asked to serve on the Emergency Services Dispatch Policy Committee. She provided background information on the entity that is composed of eight elected officials and two others, noting that the group meets quarterly. Mayor Fischer provided additional information on the membership of the group. He commented that these cities recognize the cost and importance of dispatch and therefore banded together to ensure adequate service levels are provided. He stated that he is honored to be asked to join the group.

Kwapick introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-10-129 – APPOINTING MAYOR FISCHER TO THE RAMSEY COUNTY EMERGENCY SERVICES DISPATCH POLICY COMMITTEE.

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

2024 Little Canada Fire Department Contract

The City Administrator stated that the City is unique in that it has a nonprofit contracted Fire Department and provided additional background information on that relationship and funding. He stated that each year the City approves the contract, and the budget is submitted as part of that contract. He stated that staff did not have any amendments to the budget as proposed, noting that Mayor Fischer and Gutierrez also reviewed that budget. He stated that there is a required contribution to the Fire Relief Account which is also included. He stated that this amount was included in the preliminary budget amount.

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

RESOLUTION NO. 2023-10-130 – APPROVING THE 2024 FIRE PROTECTION CONTRACT.

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

Park Entrance Signage Installation

The Parks & Rec/Community Services Director stated that many years ago park entrance signs were programmed into the CIP and the signs were purchased in March of 2022. He noted that the purchase of the signs was under the budgeted amount and the signs were received in August of 2022. Since that time only one sign has been installed by City staff at Rondeau Park and nine more signs require installation. He stated that currently the entrance signs do not have landscaping, but staff would like to add landscaping around eight of the new signs that need to be installed. He noted that the original plan was for maintenance staff to install the signs but that has not been able to be completed and therefore staff reached out to multiple landscaping companies and received two quotes. He stated that the low quote was \$36,846 for the installation of signs and landscaping. He stated that staff also reviewed other options to reduce the quotes but those were not feasible. He stated that the low quote did say

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they could offer a time and materials method not to exceed \$36,846. He stated that there is available fund balance to absorb this expenditure.

Mayor Fischer commented that the signs were ordered over 18 months ago and have been in the possession of the City for over one year. He respected that staff is already burdened along with utilization of PTO. He asked how this project was not prioritized to be part of the workload for staff. The Parks & Rec/Community Services Director replied that this was a priority and was conveyed as such but unfortunately there was not a willingness for this to be a priority.

Mayor Fischer commented that he struggles with spending \$40,000 on something the City should be able to program in. He stated that if staff says they are unable to do so because of the workload, that would be a different topic. He referenced the statement that if this were to be done in-house it could be done in spring of 2024 and asked if that would cause disruption of anything else. The Parks & Rec/Community Services Director replied that it would most likely be spring/summer of 2024 and believed that it could be programed into what needs to be done. He did not see an issue with capacity of staff.

Gutierrez commented that there may be snow in the next 48 hours and asked if the plantings would need to wait for spring. The Parks & Rec/Community Services Director replied that they have had good luck with plantings around the time of snow. He stated that his fear would be that this is approved, it does snow, and this is delayed to spring and whether the contractor would still honor the quote. He stated that if the weather holds out the contractor said he could get it done.

D. Miller commented that it is disappointing that this has taken so long. He recognized that the weather is tricky and could prevent this from occurring until spring anyway. He asked if direction is made to have staff install the signs, could there then be commitment from staff that this would get done as it would be disappointing to make that direction and wait to be back in this situation and still pay someone else to do it. He asked if landscaping is typically done in-house or contracted out. The Parks & Rec/Community Services Director replied that they have hired it out in the past, but they should and could do some of these smaller landscaping projects in-house. He stated that the plans are specific to the plant type and where it needs to be planted. D. Miller commented that he would lean towards waiting to have staff complete this.

The City Administrator commented that one additional possibility would be to open this to a community project, similar to the community builds that are done for playgrounds. He noted that there would be enough time to coordinate that type of project. Mayor Fischer agreed that would be a great idea as some people in the community really enjoy those activities. T. Miller noted that would also include a definitive timeline. D. Miller commented on the scheduling as if that is done on a weekend you are asking staff to come in on a weekend, but also recognized that you may get more volunteers on a weekend.

Mayor Fischer introduced the following resolution and moved its adoption:

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RESOLUTION NO. 2023-10-131 – DIRECTING STAFF TO INSTALL THE PARK ENTRANCE SIGNS IN-HOUSE WITH LANDSCAPING IN THE SPRING OF 2024 WITH ENCOURAGEMENT FOR A COMMUNITY BUILD ELEMENT.

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 recent meetings he is involved with related to Nine North.

T. Miller commented on the Minnesota Cities Climate Coalition meeting and provided a brief update.

Kwapick commented that he will be attending a Little Canada Historical Society meeting the following day.

Mayor Fischer commented on the event he attended the previous night at Little Canada Elementary focused on different after school programming opportunities.

ADJOURN

There being no further business, the meeting was adjourned at 8:39 p.m.

Thomas Fischer, Mayor

Attest:

Christopher Heineman, City Administrator