

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

AUGUST 26, 2020

Pursuant to due call and notice thereof a regular meeting of the City Council of Little Canada, Minnesota was convened on the 26th day of August, 2020 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 Fischer, Torkelson and McGraw.
Absent: Council Member Montour

ALSO PRESENT: City Administrator Chris Heineman, Finance Director Brenda Malinowski, Parks & Rec/Community Services Manager Bryce Shearen, Public Works Director Bill Dircks, Community Development Director Corrin Wendell and City Clerk 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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McGraw introduced the following resolution and moved its adoption:

RESOLUTION NO. 2020-8-102 – APPROVING THE MINUTES OF THE AUGUST 12, 2020 WORKSHOP AND AUGUST 12, 2020 REGULAR MEETINGS AS SUBMITTED

The foregoing resolution was duly seconded by Torkelson.

Roll Call Vote: Keis/Torkelson/Fischer/McGraw

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

CONSENT AGENDA

Fischer introduced the following resolution and moved its adoption:

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RESOLUTION NO. 2020-8-103 – APPROVING THE CONSENT AGENDA WHICH CONTAINS THE FOLLOWING:

****APPROVAL OF THE VOUCHERS***

The foregoing resolution was duly seconded by McGraw.
Roll Call Vote: Keis/Torkelson/Fischer/McGraw
Ayes (4). Nays (0). Resolution adopted.

RESILIENT COMMUNITIES PROJECT (RCP) PRESENTATION

The Parks & Rec/Community Services Manager explained that the Resilient Communities Project (RCP) Fellows Program organizes interdisciplinary teams of University of Minnesota-Twin Cities (UMN) graduate and professional students to assist local government agencies with projects and initiatives aimed at advancing their community's sustainability, livability, and resilience. He stated they will be giving a presentation on the work they have completed and discuss next steps. He noted that a revised timeline has been drafted due to the pandemic.

The RCP Fellows introduced themselves and gave an overview of the project they are working on in Little Canada for Pioneer Park.

CONSIDER MINIMUM DISTANCE REQUIREMENTS BETWEEN LIQUOR STORES

The City Clerk reported that staff has received a request for the Council to consider amending the code to add minimum distance requirements between liquor stores. She stated that this is a preliminary discussion to get an idea of whether there is Council support before submitting a formal request and drafting a code amendment. She reported that the City Code allows for three off-sale liquor licenses in the City, and there is currently one issued. She stated that over the years there has typically been two liquor stores in the city, and there was a third for a short time. She noted that for many years two of the stores were located next door to each other, but the second store closed in September 2016.

The City Clerk explained that staff researched whether other metro cities have distance requirements for off-sale liquor licenses, and found that three out of 16 cities surveyed have half-mile or one-mile distance requirements between stores. She stated that most cities choose not to put restrictions on retail businesses; rather allowing the market to self-monitor what and how much the area can support. She noted that with the limited amount of commercial area in Little Canada, there have been several instances of the same or similar businesses very close to each other.

Torkelson stated this is difficult because he knows that having too much of one type of business in one area, but he also understands not wanting any Little Canada businesses to struggle. Keis stated that he feels the market should take care of itself and two liquor stores existed next door to each other for many years. Fischer stated that it is not the City's place to decide where

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businesses should locate. McGraw noted that this is the second time this request has been brought up in the city, and he does not want to favor any one business over another. Keis stated that the City should also not reduce the number of liquor licenses to one. Torkelson asked if there was a reason why those three cities have chosen to put distance requirements. The City Administrator stated that staff purposely did not put a recommendation in the staff report since this is a situation where it could appear the city was favoring one over the other. McGraw stated that the commercial area in Little Canada is so small, and the city could miss out on a great opportunity someday. Torkelson stated that he does not want to make any changes at this point until there are no pending applications.

Bee Vang, Tierney's Liquor Store, stated that they understand this could be a sticky situation and they do not want to shut any other businesses down, and they are only asking for a 350 foot distance requirement between liquor stores. She stated they struggled so much when there was another liquor store right next door.

The City Administrator stated that this was only brought to Council tonight as a discussion before a fee was charged for a formal application, and stated that it appears that based on feedback tonight, it does not sound like the Council would consider a City Code change to add distance requirements between off-sale liquor licenses.

DISCUSS PROPOSED 2021 STREET PROJECTS

The Public Works Director explained that the five-year Capital Improvement Plan currently includes the potential improvements of four streets in 2021. He stated that the streets originally included were Twin Lake Boulevard, Greenbrier Circle, Old County Road C, and Nadeau Road, but the city engineer completed a detailed cost estimate for each project, and the estimates came in much higher than what had been originally programmed for Greenbrier, Old County Road C, and Nadeau. He explained that Twin Lake Boulevard was only slightly higher than the programmed number, however this street is a border road shared with Vadnais Heights and they do not have the funds ready to reconstruct it in 2021. He noted that Twin Lake Boulevard has been moved in the Capital Improvement Plan from 2021 to 2023 for now.

The Public Works Director explained that Greenbrier Circle, Old County Road C, and Nadeau Road are being considered for improvements in 2021. He reported that notices have been sent to abutting property owners of each of the streets for a virtual neighborhood meeting scheduled for September 15. He explained that once neighborhood input is obtained, the Council will decide whether or not to order a Feasibility Report for the proposed projects.

The Public Works Director reported that Greenbrier Circle is a cul-de-sac located off County Road B2. He explained that a neighborhood meeting for this street was held in 2016, but after discussion it was decided to hold off until a future date. He stated that the street now has numerous potholes, especially in front of most of the driveways, due to poor drainage on the road. He stated there are 15 properties abutting Greenbrier Circle and the estimated cost for this street is \$385,00 to \$512,300.

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The Public Works Director stated that Old County Road C is a small connecting street between County Road C and Stark Street and Ruth Street. He noted it also does not have curb and gutter and needs to be upgraded to an urban standard. He explained that the street has numerous potholes that the Public Works Department has spent time filling over the past few years. He stated there are ten properties abutting Old County Road C and the estimated costs are between \$465,000 and \$631,750.

The Public Works Director explained that Nadeau Road is a short connecting street between Country Drive and Condit Street that already has concrete curb, gutter and storm sewer, so it would only require a full depth reclamation and re-paving of the street. He reported there are two commercial properties abutting the road and neither has an access point on Nadeau, so they would be assessed at the residential rate in accordance with the City's assessment policy. He stated the cost estimate is between \$140,000 and \$149,410. The City Administrator stated that he has talked to one of the property owners that would be assessed and they told him they are still reeling from the last assessment and dealing with vacancy in the building. The Public Works Director stated that the city has patched the street and could wait another year or two if needed before improving this street.

The Public Works Director explained that the 2021 street costs increased significantly from the estimate that was calculated in 2020. He stated that based on the increase in the 2021 street costs, the street costs in 2022-2025 will need to be reviewed to verify that these costs are accurate.

Fischer stated that we should hold off on Nadeau if possible, and let other property owners know further ahead of time that their streets are planned for improvements.

CONSIDER WAIVING 2ND QUARTER UTILITY BILL LATE FEES

The Finance Director stated that the Local Emergency Declaration approved at the March 25 Council Meeting, directs City Staff to make recommendations regarding additional emergency regulations to support the employees and residents of the City of Little Canada. She explained that the Council chose to waive the late fees on the 1st quarter utility bills, and now Council should decide whether to waive late fees on the 2nd quarter utility bills. She explained that the amount of 1st Quarter 2020 late fees waived was \$10,652, and 2nd Quarter 2020 late fees are estimated to be \$8,822.

Fischer asked if the balance of unpaid 1st quarter utility bills was higher than in the past. The Finance Director stated that it was actually less, and staff are attributing that to the fact that many people signed up for automatic withdrawal after the forms were included in the 4th quarter utility bills. She noted that there are now programs available for residents who are struggling with their mortgage, rent and utility bills, whereas those were not available when the pandemic started. Fischer stated that since there are other opportunities for people to receive financial help, he doesn't feel that waiving the fees is necessary. Torkelson agreed with Fischer, and asked that City Staff make efforts to help any residents through the application process for the financial assistance. The City Administrator stated that we could absorb this revenue loss, but it would affect the long-term ability for the water and sewer fund to be stable.

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McGraw introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2020-8-104 – NOT WAIVE THE 2ND QUARTER UTILITY BILL
LATE FEES**

The foregoing resolution was duly seconded by Fischer.
Roll Call Vote: Keis/Torkelson/Fischer/McGraw
Ayes (4). Nays (0). Resolution declared adopted.

REPLACING HVAC UNITS AT LITTLE CANADA FIRE STATION

The City Administrator explained that the 2020 Capital Improvement Plan includes funds for new HVAC units at the fire station. He stated that the Little Canada Fire Department has solicited bids for replacing the three original 1991 roof mounted A/C units and two furnaces located in the apparatus bay. He explained that there have been problems with two of the A/C units this summer and past sporadic problems, and based on them being 28 years old, fire department staff believe it would be best to replace both the A/C units and furnaces now. He reported that the Fire Department received bids for the work from Heating & Cooling Exxperts, LLC for \$32,871 and Aquarius Home Services for \$28,400. The City Administrator stated that staff recommends Council award the low bid from Aquarius Home Services. He noted the Fire Department did not budget for this expense in 2020, but there is \$42,000 allocated in the Capital Improvement Plan (Fund 400) for this purpose.

Keis introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2020-8-105 – AWARDING THE BID FROM AQUARIUS HOME
SERVICES FOR \$28,400 FOR THE REPLACEMENT OF THE HVAC UNITS AT
THE LITTLE CANADA FIRE STATION**

The foregoing resolution was duly seconded by McGraw.
Roll Call Vote: Keis/Torkelson/Fischer/McGraw
Ayes (4). Nays (0). Resolution declared adopted.

There being no further business, the meeting was adjourned at 9:25p.m.

John T. Keis, Mayor

Attest:

Christopher Heineman, City Administrator