

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

SEPTEMBER 9, 2020

Pursuant to due call and notice thereof a regular meeting of the City Council of Little Canada, Minnesota was convened on the 9th day of September, 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, Montour and McGraw.
Absent: None

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. 2020-9-106 – APPROVING THE MINUTES OF THE AUGUST 26, 2020 REGULAR MEETING AS SUBMITTED

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

ANNOUNCEMENTS

Keis proclaimed the week of September 13-19, 2020 as Direct Support Professionals Week.

CONSENT AGENDA

Montour introduced the following resolution and moved its adoption:

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RESOLUTION NO. 2020-9-107 – APPROVING THE CONSENT AGENDA WHICH CONTAINS THE FOLLOWING:

****APPROVAL OF THE VOUCHERS***

****APPROVE CHANGE ORDER NO. 2 & PARTIAL PAY NO. 4 TO NEW LOOK CONTRACTING FOR COUNTY ROAD D IMPROVEMENT PROJECT #2019-01 & GREENBRIER STREET IMPROVEMENT PROJECT #2019-02***

****APPROVE PARTIAL PAY REQUEST NO. 3 TO MINNESOTA PAVING & MINERALS FOR ALLEN AVENUE STREET IMPROVEMENT PROJECT #2020-01***

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

RESOLUTION 2020-9-108 AUTHORIZING HOST APPROVAL FOR ISSUANCE OF CONDUIT DEBT FOR SENIOR LIVING REVENUE BONDS & SET PUBLIC HEARING FOR WEDNESDAY, OCTOBER 14, 2020 AT 7:30 P.M.

The City Administrator explained that the city received a request from Suite Living to give host approval to the issuance by the City of Deephaven of revenue bonds for the purpose of financing or refinancing costs of acquisition, construction and/or improvement of new and existing senior living facilities located in Little Canada as well as four other cities. He stated they are requesting that the Council call for a Public Hearing on October 14, 2020.

Tim Eppler, COF Capital Partners, explained that this financing would be used to purchase the five existing Suite Living facilities, but the existing management teams would stay in place so there would be no changes to the facilities. He requested that a public hearing be called.

Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2020-9-108 – CALL FOR A PUBLIC HEARING ON OCTOBER 14, 2020 ON SENIOR LIVING DEVELOPMENTS AND THE ISSUANCE OF SENIOR LIVING REVENUE BONDS BY THE CITY OF DEEPHAVEN, MINNESOTA AND ADOPTION OF A HOUSING PROGRAM RELATED THERETO UNDER MINNESOTA STATUTES, CHAPTER 462C

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

NEW MASSAGE THERAPIST AND MASSAGE THERAPY BUSINESS LICENSES FOR GRACE HEALED ME, LLC AT 100 COUNTY ROAD C WEST

The City Clerk reported that Tushanthia Tensley is the owner of Grace Healed Me and has

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applied for a massage therapist license and a massage business license at 100 County Road C West. She explained that all of the required materials and fees have been submitted, and a satisfactory background check has been received from the Ramsey County Sheriff's Department. She stated that the property at 100 County Road C West is a multi-unit commercial building that is zoned B-3, General Business. Massage therapy is allowed as a conditional use in B-3 zoning districts, and a conditional use permit was approved for this property in 2018.

Keis introduced the following resolution and moved its adoption:

RESOLUTION NO. 2020-9-109 – APPROVE A NEW MASSAGE THERAPIST LICENSE FOR TUSHANTHIA TENSLEY AND A NEW MASSAGE THERAPY BUSINESS LICENSE FOR GRACE HEALED ME, LLC AT 100 COUNTY ROAD C WEST FOR THE PERIOD SEPTEMBER 10, 2020 – JUNE 30, 2020

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

NEW AUTO OUTDOOR RETAIL SALES LICENSE FOR QUALITY MOTOR SALES AT 120 COUNTY ROAD C WEST

The City Clerk reported that the property at 120 County Road C West, former Tom's Auto Sales, recently sold and the new owner has applied for an auto sales license. She stated that Jose Pablo Rubio purchased the property and this is his third location of Quality Motor Sales. She explained that Mr. Rubio was given information about the existing conditional use that exists on the property and the conditions that are in place. The City Clerk stated that Mr. Rubio has submitted the required forms and fee, and the initial application for a new auto sales license requires City Council approval.

Montour introduced the following resolution and moved its adoption:

RESOLUTION NO. 2020-9-110 – APPROVAL OF AN AUTO OUTDOOR RETAIL SALES LICENSE FOR QUALITY MOTOR SALES AT 120 COUNTY ROAD C WEST FOR THE PERIOD AUGUST 18, 2020 TO JUNE 30, 2021

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

COUNCIL DETERMINATION TO ATTRIBUTE EXPENSES FOR CARES ACT REIMBURSEMENT

The Finance Director explained that the city received \$782,484 in CARES Act fund in July, and any unused funds as of November 15, 2020 must be returned. She stated that she has provided the Council with the first list of potential expenses that staff is proposing to submit to Minnesota Management and Budget (MMB) to document eligible CARES Act expenses, which total

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\$12,040.17. Montour asked if staff has asked the Fire Department if they have any COVID-19 expenses. The Finance Director stated that they have had about \$800 in expenses so far, and may have some additional costs coming up. Montour noted that they also staffed another fire station during the period of unrest and maybe those expenses could be counted also.

Montour introduced the following resolution and moved its adoption:

RESOLUTION NO. 2020-9-111 – AUTHORIZING THE CARES ACT EXPENSES TO BE SUBMITTED ON THE 1ST EXPENDITURE REPORT IN THE AMOUNT OF \$12,040.17

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

VETERAN’S MEMORIAL PARK UPGRADES

The Public Works Director explained that controlling weeds that grow in the sand joints of the paver sections of Veterans Memorial Park is an ongoing maintenance concern that takes up staff time and can be costly if weed control spray is used. He stated that an alternative to sand joints is a product called polymeric sand that sand sets up similar to concrete when it is placed, which limits weed and moss growth considerably. He noted that the drawback to placing polymeric sand at Veterans Memorial Park is the difficulty in removing it when replacing pavers, but since very few pavers are being sold now, replacing an occasional paver would be manageable. He reported that quotes were obtained from two companies for the work; Peterson Companies quoted \$6,100 and Southview Design quoted \$5,931.91. He noted that Southview also offered to repair a section of pavers that has fallen out of place for an additional \$764.06.

The Public Works Director explained that the original bubbler system was cheap and problematic, and staff has been researching ways to install a higher quality system that only requires one pump and one electrical outlet. He stated the main cost will be in forming one basin to serve all of the bubblers, along with decorative rock and a faux rock to hide an access hatch. The total project cost should be around \$5,000 depending on the type of basin selected.

The Public Works Director stated there are a few options for funding these projects; the Veterans Memorial Fund currently has \$2,700 available; the Parks and Recreation Capital Improvement Fund; the Parks and Recreation Operating Fund; or using a portion of the \$15,000 Council contingency fund. He explained that staff recommends awarding the polymeric sand project to Southview Design in the amount of \$6,695.97 and authorizing additional funds for the repair of the bubblers so that they can be ready right away in the spring. He noted that the Parks and Recreation Commission voted in favor of proceeding with these upgrades and authorized the use of the \$2,700 from the Veterans Memorial Fund to help cover the cost.

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The Finance Director recommends using the Parks & Recreation Operating Budget and then the rest from the Capital Improvement Fund. Montour stated he feels it is a capital improvement and prefers to use the Capital Improvement Fund.

Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2020-9-112 – APPROVE THE INSTALLATION OF POLYMERIC SAND IN THE PAVERS AND REPAIRING A SECTION OF PAVERS AT VETERAN’S MEMORIAL PARK BY SOUTHVIEW DESIGN IN THE AMOUNT OF \$6,695.97, AND APPROVE FUNDS FOR REFURBISHING THE BUBBLER SETUP IN THE LOWER PORTION OF THE MEMORIAL, USING THE \$2,700 IN THE VETERAN’S MEMORIAL FUND AND THE REMAINDER FUNDS FROM THE PARKS & RECREATION CAPITAL IMPROVEMENT FUND

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

2020 CRACK FILLING PROJECT

The Public Works Director reported that bids were obtained for the 2020 crack filling project from Northwest Asphalt Maintenance for \$1.60 per pound and Allied Blacktop for \$1.63 per pound based on an estimate of 12,000 pounds. He stated that Northwest Asphalt has done crack filling in the city for over 20 years and have done a good job. Keis asked how many feet there were to seal this year. The Public Works Director explained that quite a few streets would get done, and now that the city is improving their street infrastructure, the streets are holding up better and need less maintenance.

Keis introduced the following resolution and moved its adoption:

RESOLUTION NO. 2020-9-113 – APPROVE THE 2020 CRACK FILLING PROJECT AND AWARD THE BID FOR \$1.60 PER POUND FROM NORTHWEST ASPHALT MAINTENANCE

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

2020 DEER CONTROL PROGRAM

The City Administrator explained that for many years the City has maintained a deer management program involving the periodic removal of deer. He stated that he has received at least three complaints from residents about deer. He stated that an aerial count was done in 2020 that showed a total of 43 deer located within the city limits, which is up from 38 deer in 2019 and 19 deer in 2018. He requested the Council provide direction as to whether or not a control

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hunt should be allowed this year, but noted that a capped number likely makes sense since there are only 3 deer over the deer management objective of 10 deer per square mile, which would be 40 deer. He stated that there has not been a hunt since 2017.

Keis stated that he has received a complaint about deer also and could go either way, but wants to put a cap on the count taken. Fischer agrees that a cap should be put on the number hunted. Montour stated that he understands people complaining, but there are other ways to deter the deer from yards. He was not sure if the bowhunters group would be interested in mobilizing for only a limited number of deer to hunt. Keis stated that there has not been a high number of complaints so he would be fine waiting another year also. There was Council consensus to have the City Administrator contact the bow hunter's group to see if they were interested and bring any action back to the Council if needed.

CALL FOR A WORKSHOP ON SEPTEMBER 23, 2020

The City Clerk stated that staff is requesting the Council call for a Workshop on September 23, 2020 at 6:00pm to discuss a stormwater drainage update and the preliminary budget.

Montour introduced the following resolution and moved its adoption:

***RESOLUTION NO. 2020-9-114 – CALLING FOR A WORKSHOP ON
WEDNESDAY, SEPTEMBER 23, 2020 AT 6:00 P.M.***

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

COUNCIL UPDATES

Fischer reported that there has been a large group of geese at Veteran's Memorial Park this year and they leave their mess all over. He commended the Public Works staff for coming up with a unique idea to detract the geese. The Public Works Director reported they purchased two dog silhouettes that flutter and placed them on either side of the park, and it has worked very well. He stated that Parks Maintenance Supervisor Derek Anderson came up with this suggestion.

There being no further business, the meeting was adjourned at 8:20p.m.

John T. Keis, Mayor

Attest:

Christopher Heineman, City Administrator