

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

FEBRUARY 22, 2023

Pursuant to due call and notice thereof a regular meeting of the City Council of Little Canada, Minnesota was convened on the 22nd day of February 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, Gutierrez, and D. Miller.
Absent: None.

ALSO PRESENT: City Administrator Chris Heineman (via Zoom), Parks & Rec/Community Services Director Bryce Shearen, Community Development Director Corrin Wendell, Public Works Director Bill Dirks, City Engineer Eric Seaburg (via Zoom) and Finance Director Sam Magureanu.

APPROVAL OF MINUTES

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

RESOLUTION NO. 2023-2-20 – APPROVING THE MINUTES OF THE FEBRUARY 8, 2023 WORKSHOP AND THE FEBRUARY 8, 2023 REGULAR MEETINGS AS SUBMITTED

The foregoing resolution was duly seconded by Gutierrez.
Ayes (4). Nays (0). Resolution declared adopted.

ANNOUNCEMENTS - PROCLAMATION FOR DON VALENTO

Mayor Fischer read the proclamation declaring February 22, 2023 as Don Valento Day. He presented the proclamation certificate to Mr. Valento.

PUBLIC COMMENT

None.

PUBLIC HEARINGS - CONSIDER PIONEER COMMONS 2ND ADDITION FINAL PLAT AND DEVELOPMENT AGREEMENT

The Community Development Director explained tonight the Council is asked to consider Final Plat and Development Agreement for Pioneer Commons 2nd Addition. She provided background information on the Lennar development, noting that the total development will contain 178 housing units. She reviewed the actions taken by the City in 2022, including Final Plat for the 1st Addition and provided details on the development phasing. She provided details on the different housing products, setbacks, trails, and sidewalk, and reviewed the major subdivision and other requirements that are met by this application. She provided more specific details on the landscaping plan for the 2nd Addition, which exceeds the minimum requirements. She noted the review completed by the different City departments as well as other entities and agencies.

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

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Milan Moravetz, 476 Allen Avenue, stated that he believed that there were previously plans for a bump out to slowdown traffic and asked if that is still in the plans. He asked if there would be a stop sign somewhere between Allen and County Road D. He noted another road connection that does not appear to be included in phase two and asked when that would be constructed. He referenced the south end of phase one, behind the existing home, and asked if there would be tall trees planted to provide screening. He stated that within the detailed plans there are plans for railroad tracks and asked if that was included in error. He stated that there are also details for a pedestrian crossing with flashing lights and asked where that would be installed.

There were no further comments from the public. Upon motion by D. Miller, seconded by Gutierrez the public hearing was closed. Ayes (4). Nays (0). Motion adopted.

The Community Development Director commented that there is no railroad planned through the development and that sheet could have been included in error. She stated that as part of the approval for phase one, revised drawings were requested for Vanderbie Street to show the road diet. She stated that the southern end of Vanderbie Street has been redesigned to include those bump outs to slow traffic. She stated that currently there would be stop signs in every location allowed and provided details.

The Public Works Director noted that all cross streets in the development will have stop signs while the through streets, such as Allen, will not.

The Community Development Director stated that she can send the resident more information on the trees and plantings planned in the area mentioned. She stated that if additional trees or species are desired, staff could follow up with the developer.

The Public Works Director noted that the trees planted would be about eight feet to start. He provided details on the location of the flashing pedestrian crossing, noting that the controlled crossing locations would not be eligible for that type of crossing. He stated that they will continue to stress that the main access should be County Road D.

Mayor Fischer referenced the lighted trail crossing at Vanderbie and asked if that would be permanent or temporary. The Public Works Director replied that would be permanent as there are no stop signs on Vanderbie. He confirmed that it would be push button activated by pedestrians.

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

RESOLUTION NO. 2023-2-21 –APPROVING THE FINAL PLAT 2ND ADDITION FOR U.S. HOME, LLC AND LENNAR AND DEVELOPMENT AGREEMENT, CONTINGENT UPON CITY ATTORNEY FINAL REVIEW

The foregoing resolution was duly seconded by D. Miller.
Ayes (4). Nays (0). Resolution declared adopted.

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CONSENT AGENDA

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

RESOLUTION NO. 2023-2-22 – APPROVING THE CONSENT AGENDA WHICH CONTAINS THE FOLLOWING:

- Approval of the Vouchers
- Approve 2023 Contract with Twin Cities Officials for Recreation Services
- Approve Resolution Authorizing Execution of an Agreement Between the City of Little Canada and the Metropolitan Council for the 2020 Inflow and Infiltration Grant Program

The foregoing resolution was duly seconded by Gutierrez.
Ayes (4). Nays (0). Resolution declared adopted.

APPROVE PLANS & SPECS AND AUTHORIZE ADVERTISING FOR BIDS FOR SPRUCE STREET, SUNSET COURT, SUNRISE DRIVE AND SUNRISE DRIVE MILL & OVERLAY 2023 STREET IMPROVEMENT PROJECTS

The City Engineer explained tonight the Council is asked to consider the 2023 street improvement project, noting that the Twin Lake project has been split off into a separate project.

D. Miller referenced the funding sources which mentions 50 percent assessment but thought there was previous discussion about not assessing at that level for a portion of the project. Mayor Fischer replied that for the Sunrise Drive mill and overlay they have left the final assessment agreement open. The Public Works Director confirmed that action has not been taken yet and would be discussed at the assessment hearing.

Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023-2-23 – APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR STREET IMPROVEMENTS FOR SPRUCE STREET, SUNSET COURT, SUNRISE DRIVE AND SUNRISE DRIVE MILL & OVERLAY 2023 STREET IMPROVEMENT PROJECTS

The foregoing resolution was duly seconded by T. Miller.
Ayes (4). Nays (0). Resolution declared adopted.

CONSIDER VARIANCE REQUEST FOR TWIN LAKE BOULEVARD TRAIL

The Engineer explained tonight the Council is asked to consider a state aid variance request for the Twin Lake Boulevard trail. He provided details on the state aid requirement and how the City would like to vary from that. He commented that they are unable to meet the two-foot clear zone requirement for the inside of the trail. He stated that there would be the required two-foot clear zone on the outside of the trail but only eight inches on the inside. He reviewed the options the City would have available if the variance were denied, noting that either option would add a minimum of \$125,000 to the project cost. He reviewed the variance request schedule, noting that Vadnais Heights approved a similar resolution at its Council meeting the previous night.

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Mayor Fischer asked if this variance would be for the full length of the trail. The City Engineer replied that they are applying for the length of the trail as the constraint runs for the general length of the trail.

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

RESOLUTION NO. 2023-2-24 –REQUESTING A VARIANCE FROM STANDARD FOR STATE AID OPERATION FOR PROJECT NO. SAP 200-115-001 (TWIN LAKE BLVD)

The foregoing resolution was duly seconded by T. Miller.
Ayes (4). Nays (0). Resolution declared adopted.

AWARD TREE REMOVAL CONTRACT FOR TWIN LAKE BOULEVARD STREET PROJECT

The City Engineer explained tonight the Council is asked to consider a tree clearing contract ahead of the street project contract for Twin Lake Boulevard. He explained that to avoid possible project delays due to possible new restrictions and to avoid other delays due to nesting birds, tree removal is being expedited ahead of the nesting schedule. He noted that the City sent this out for quotes to six companies and only one response was received due to the heavy load of contractors as other entities attempt to remove trees ahead of that schedule. He noted that staff worked with the contractor to reduce their proposal cost from \$139,031.68 to \$69,948.

Mayor Fischer commented on the dramatic decrease and asked what changed to lower the price. The City Engineer replied that some of the tree removal was taken out of the project to better refine the project area. He stated that the additional time and actual review of the project area also helped the contractor to refine their costs compared to the response to the request for quote which was just done on paper.

D. Miller asked for clarification on whether the expediting of this action would not necessarily be to get around a new process that may be implemented but to get ahead of the nesting season. The City Engineer confirmed that to be correct.

T. Miller asked if this tree removal could potentially impact the bat species mentioned. The City Engineer replied that the City worked with the DNR and its database of habitat for that bat species and this area is not a known hibernation or nesting location. He noted that the new restrictions may be in more of a blanketing fashion, rather than specific to known locations of that species.

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

RESOLUTION NO. 2023-2-25 –REJECT THE INITIAL QUOTE FROM PRECISION LANDSCAPE AND TREE IN THE AMOUNT OF \$139,031.68

The foregoing resolution was duly seconded by T. Miller.
Ayes (4). Nays (0). Resolution declared adopted.

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

RESOLUTION NO. 2023-2-26 –ACCEPT THE REVISED QUOTE FROM PRECISION LANDSCAPE AND TREE IN THE AMOUNT OF \$69,948 FOR TREE REMOVAL FOR THE TWIN LAKE BOULEVARD IMPROVEMENT NO. 2023-04

The foregoing resolution was duly seconded by T. Miller.
Ayes (4). Nays (0). Resolution declared adopted.

4TH QUARTER FINANCIAL REPORT

The Finance Director presented the fourth quarter financial report to the Council, noting that this report also includes information from the full 2022 year. He provided details on the general fund including revenues, expenditures, and investments.

Mayor Fischer asked and received confirmation on the interest rates for the different investments. The Finance Director noted that as those mature, some would be reinvested with the hope that a higher interest rate would be yielded. Mayor Fischer referenced the surplus mentioned, noting that the Council has had many discussions and asked if this would be an opportunity to allocate this towards future capital needs. The Finance Director confirmed that surplus funds can be transferred in that manner as they are not restricted. Mayor Fischer commended the Finance Director for the excellent work done since coming on board.

ADDITION - APPOINTMENT TO VACANT COUNCIL SEAT

Mayor Fischer noted that Councilmember McGraw resigned earlier this month and because the City was aware that was coming, they were able to advertise for that position and interview the applicants. He commented that all eight candidates were great and three were interviewed the previous night. He stated that ultimately the Council chose Chris Kwapick, the current Chair of the Planning Commission to fill the vacant seat.

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

RESOLUTION NO. 2023-2-27 –APPOINTING CHRIS KWAPICK TO FILL THE VACANT LITTLE CANADA CITY COUNCIL SEAT THROUGH DECEMBER 31, 2024

The foregoing resolution was duly seconded by Fischer.
Ayes (4). Nays (0). Resolution declared adopted.

Mayor Fischer invited Chris Kwapick to introduce himself.

Chris Kwapick introduced himself, providing information on his family and career experience. He stated that it was special and humbling to be selected as a finalist and he enjoyed the interview process. He looks forward to serving on the Council for the next two years.

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COUNCIL REPORTS AND MEETING UPDATES

D. Miller provided an update on a recent meeting he attended for the North Suburban Communications Commission noting the recently elected officers and other topics that were discussed.

Mayor Fischer reported on the annual Fire Relief meeting which was held earlier this month. He noted that although it was not a great year for investments, there are heavy restrictions on how pension funds can be invested, therefore the funds were not as impacted. He reported that there is a new ladder truck coming on board this year, perhaps being delivered in October.

The Public Works Director noted the open house for the County Road D project, which is planned for 2025. He stated that the first open house will be held on Tuesday, February 28th at City Hall to help gather information as they develop plans. He anticipated another open house would potentially be held in August.

T. Miller noted that if residents register on the Little Canada website they can be alerted to these events.

ADJOURN

There being no further business, upon motion by T. Miller seconded by D. Miller the meeting was adjourned at 8:43 p.m.

Thomas Fischer, Mayor

Attest:

Christopher Heineman, City Administrator