

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

JULY 27, 2022

Pursuant to due call and notice thereof a regular meeting of the City Council of Little Canada, Minnesota was convened on the 27th day of July, 2022 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, Miller, McGraw, and Torkelson.
Absent: None.

ALSO PRESENT: City Administrator Chris Heineman, Parks & Rec/Community Services Director Bryce Shearen, City Clerk/HR Manager Heidi Heller and City Engineer Eric Seaburg.

MINUTES

Miller introduced the following resolution and moved its adoption:

RESOLUTION NO. 2022-7-86 – APPROVING THE MINUTES OF THE JULY 13, 2022 WORKSHOP AND JULY 13, 2022 REGULAR MEETINGS AS SUBMITTED

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

ANNOUNCEMENTS

The City Administrator reported that Little Canada is still having issues with Waste Management's waste services. He apologized to the residents who have them, and stated the city is working on fining them for the missed pick-ups. He stated that the garbage pickup is typically done by the end of the week, but is usually a day or two late.

The City Administrator announced that Night to Unite is on Tuesday, August 2, 2022, and encouraged residents to have neighborhood gatherings in order to get to know each other.

Mayor Keis read a proclamation for the 2022 Night to Unite.

PUBLIC COMMENTS

None.

PUBLIC HEARING – CONSIDER A PRELIMINARY PLAT & VARIANCES FOR A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT (VILLAS OF GERVAIS LAKE) AT 0 EDGERTON STREET

The City Administrator stated that the City has received an application for a major subdivision and variances for lot sizes and rear-yard setbacks for an eight lot single-family residential development on a 3.13 acre site on Edgerton Street, just north of Little Canada Road. He explained that the applicant, Sean Keatts with Cara Builders, has acquired the property and submitted all of the required application information.

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The City Administrator stated that there are still some concerns about assumed soil conditions and there are some steep slopes. He stated that he has had discussions with the developer about reducing the number of lots from eight to seven, which is likely the minimum number needed to make the project work, and is the minimum number of units to meet the adopted R-1, Low Density Residential density level in the 2040 Comprehensive Plan. He explained the site plan and how the developer is asking for variances for rear setbacks and lot sizes. He reviewed the public comments that were made at the Planning Commission meeting, and the approval recommendations from the Commission.

Keis opened the public hearing.

Justin Parta, 2655 Edgerton Street, stated that there is more information needed before a decision should be made. He noted that no residents were involved in this before it went to the Planning Commission. He noted that there was one Commissioner that voted no due to wanting more information. He stated that he is not opposed to development occurring here if it is done right. He has doubts on if this is being done impartially. He stated that he welcomes new families to the community.

Jessica Turcotte, 2674 Schletty Drive, stated that she loves her house, but it is narrow between homes. She understands why the City Code was changed to require larger setbacks and lot sizes. She stated that she has significant water issues already without this development. She stated that she brought up the idea of a frontage road closer to Edgerton that is a private road and have only four or maybe six houses on one side of the street. She stated that another option is to have the variances for reduced setbacks be in the front yard instead of the rear yard in order to not impact the existing homes. She requested that an extra land donation be made to the north end, adjacent to the park, in order to keep same feel for the trail around the lake since green space is very important.

Dennis Hansen, 585 Keller Parkway, stated that his concern is with stormwater runoff. He stated that he already has a raingarden in his front yard that is at capacity, and if there is any more water runoff it will affect his yard and house. He stated that he feels more research is needed. He stated he is also concerned about the variances requested, and the number of houses proposed. He feels this should be tabled in order to do more research.

Ryan Hillesheim, 2700 Edgerton Street, stated that he already has water issues and has a sump pump in his basement that runs every time it rains. He is right across the street from this development and doubts that there will be zero runoff. He stated that more runoff causes more fertilizer in the lake which causes more algae problems. His main concern is the water runoff.

Jack Schmidt, 2718 Edgerton Street, stated that stormwater is the biggest problem. He stated that he has to pump water from his yard into a neighboring property, who then has to pump it into the creek.

Nate Preuss, 2728 Edgerton Street, stated that he lives right across the street from Gervais Mill Park. He stated that he would have liked to see more notice on issues before it goes to the Planning Commission, and thinks notices should have gone to people who live all around the park. He stated his biggest concern is the safety issue on Edgerton and how dangerous this road is with the hill.

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Aaron Doeden, 2680 Edgerton Street, stated the biggest thing for him is that his real estate agent told him not to worry about any development on this parcel since a previous development in 2009 was denied. He stated that this property being wooded helps the property value of the neighboring homes. He feels the value of the property is in it staying wooded to help the neighborhood values. He stated that the developer does not live here and the Council should be representing the residents.

Tiffany, lives at Fleur Royale condominiums, stated that she is a new resident and does not know much about this development, but she is very concerned about the environment and protecting it. She asked if it is next to a park, then why can't it be park land. She stated that she hopes the Council waits to make a decision.

Robert Venette, 2682 Schletty Drive, stated that he is not opposed to development, but wants to make sure that the law is followed. He stated that this property is untouched woods and the City Code has requirements for tree replacement. He requested that the decision be postponed until more information is received.

Larry Kerr, 627 Keller Parkway, stated that there has been a lot of discussion about water and echoes the concerns of the neighbors. He stated that he has to pump water from his backyard into the creek, and the water in there appears to not be good quality anymore and has a lot of algae.

Kathy Venette, 2682 Schletty Drive, stated that she was surprised by the support for the developer by the city officials, and hopes that the officials takes more of an objective approach. She is concerned about the safety of the road approach to Edgerton Street. She stated that the new homes proposed would be staring down into the existing neighboring homes. She stated that the yards are mostly clay so the yards do not absorb water very well. She requested that the decision be postponed until all of the information is received.

There were no further comments from the public. Upon motion by Keis, seconded by McGraw, the public hearing was closed.

Keis stated that there are some outstanding issues and maybe this should be tabled. Torkelson stated that he is concerned about the zero runoff and feels that the soil sample information is needed. Miller agreed.

McGraw stated that was what done in 2009 was done in 2009, and does not impact any future Council decisions. He stated this is not a done deal and more information is needed, so he agrees that a decision should not be made tonight. Keis noted that there would be another meeting for this case.

Torkelson asked if there are any other streets in Little Canada that have an eight percent grade. The City Engineer stated there are a few, such as Morrison Street, but not many. Torkelson asked that staff report on how the snow plows handle the steeper grade streets. Fischer asked if there was any way for the residents in this neighborhood to be able to walk to Little Canada Road instead of only being able to access Edgerton. Torkelson asked if shoreland regulations needed to be met. The City Administrator replied that this parcel is not in a shoreland district, only a floodplain. He explained the tree inventory is required, but the process is not yet to that point as it would be required as part of the

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final plat. He noted there may be a way to get access to the path in Gervais Mill Park.

Torkelson stated that he is very pro-development and has voted for two unpopular developments recently, but he is concerned about the future infrastructure costs and that the cost to maintain the road would be less than the taxes collected since there. He requested that staff provide some cost projections. Keis stated there are streets all over the city that are not funding their own road costs, and noted that street costs are spread across the city.

Sean Keatts, Cara Builders, stated that his initial thought with this project was 10 lots, but said upfront that he would rather decrease the number of the lots to make the project look better instead of cramming more houses in. He stated that he just wants to do a nice development and is working with the best engineers to deal with the stormwater, and acknowledges that there is still some information needed. Torkelson asked if full basements were planned. Mr. Keatts stated yes, and would like to do rambler style homes.

Keis stated that the Council consensus is to postpone the decision until a future meeting.

Keis introduced the following resolution and moved its adoption:

RESOLUTION NO. 2022-7-87 – APPROVE TABLING THE PRELIMINARY PLAT & VARIANCES FOR A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT (VILLAS OF GERVAIS LAKE) AT 0 EDGERTON STREET UNTIL FURTHER INFORMATION ABOUT SOILS IS DETERMINED

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

PUBLIC HEARING – CONSIDER A SECOND-HAND GOODS LICENSE FOR AB&B FIREARMS, LLC AT 608 COUNTY ROAD D EAST

The City Clerk stated that applicant David Klepperich has applied for a second-hand goods dealer license for his new business, AB&B Firearms, to be located in an office and warehouse space at 608 County Road D East. She reported the property at 608 County Road D East is zoned I-1, Limited Industrial, and retail and office-warehouse are permitted uses. She explained that this will be an internet-based retail business selling both new and used firearms, and there will not be a retail storefront. She stated the applicant has a camera system, large vault and internal security gate for the space. She noted that a satisfactory background check on Mr. Klepperich has been done by the Ramsey County Sheriff's Department, and the applicant is in the process of receiving his Federal Firearms License which involves an in-depth investigation.

Keis asked the applicant if it is possible to get into other offices from the inside if someone were to get inside the building. Dave Klepperich, AB&B Firearms, reviewed his space's security and the entire property. He reviewed his business model.

There were no comments from the public. Upon motion by McGraw, seconded by Keis, the public hearing was closed.

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McGraw introduced the following resolution and moved its adoption:

RESOLUTION NO. 2022-7-88 – APPROVE A SECOND-HAND GOODS LICENSE FOR AB&B FIREARMS, LLC AT 608 COUNTY ROAD D EAST FOR THE PERIOD JULY 28, 2022 TO DECEMBER 31, 2022

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

CONSENT AGENDA

McGraw introduced the following resolution and moved its adoption:

RESOLUTION NO. 2022-7-89 – APPROVING THE CONSENT AGENDA WHICH CONTAINS THE FOLLOWING:

- Approval of the Vouchers
- Approve a Temporary Liquor License for St. John’s Church on September 24, 2022
- Approve a Gambling Exempt Permit for St. John’s Church on September 24, 2022

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

2ND QUARTER 2022 FINANCIAL REPORT

The Finance Director reviewed the budget for the first half of 2022. He noted that the first half of property tax collections were not received until July but they were included in this quarterly report to reflect a more realistic budget to actual amount. He reported that 50% of the budget revenue has been collected in 2022, which is slightly higher than the past four years with the exception of 2019. Property tax collections are trending as expected at 52.29%, which is consistent with the prior five years, and even though the number of building permits is less than last year, the permit value is \$11 million more than last year. He noted the big increase in permit values is mostly due to three large commercial projects.

The Finance Director stated that investment income continues to trend low due to the low interest rate environment that continues to occur in 2022, although interest rates are beginning to increase. He reported that actual expenditures are at 48.22% of the budget, which is comparable to prior years. He reported that the City received a payment of the American Rescue Plan Act (ARPA) funds at the end of July in the amount of \$576,035.20, and received the first of two tax settlement installments.

AWARD BID FOR GERVAIS MILL PARK PROJECT

The Parks & Rec/Community Services Director stated that bids were opened for the 2022 Gervais Mill Park Improvements Project. He explained that the project includes an ADA-accessible sidewalk extension along Noel Drive providing a connection to the existing trail and completing the internal trail to provide a looped trail system within Gervais Mill Park. He noted it also includes a creek overlook, new landscaping near existing trail connections, interpretive signage and bike racks. He reported that a version of this project was previously bid in 2020, but at the time the low bid was above what was budgeted. He stated that City staff began seeking grant funds to supplement city funds and was

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awarded a Minnesota Department of Natural Resources grant for \$97,000. He noted that per the grant contract, the project must be completed before June 30, 2023, to receive the grant funds.

The Parks & Rec/Community Services Director stated that due to an increasingly expensive bidding environment, ongoing supply chain issues, and the relatively small scope of the project, bids again came in higher than anticipated. However, staff feels that the quote from Albrecht Company for \$139,705 is competitive for the scoped improvements and would allow this project to be completed in 2022 before the grant expiration date. He noted that only one other contractor out of a pool of 10 opted to provide a bid.

Fischer asked if the project would be done this year. The City Engineer reported that the plan is to have it substantially completed by end of October 2022.

Fischer introduced the following resolution and moved its adoption:

RESOLUTION NO. 2022-7-90 – AWARD THE BID FOR THE GERVAIS MILL PARK IMPROVEMENTS PROJECT TO ALBRECHT COMPANY IN THE AMOUNT OF \$139,705.00

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

COUNCIL REPORTS & MEETING UPDATES

Fischer reported that he attended the Fire Relief Association meeting and stated that they received an annual report of their investments. He stated that he attended the Roseville School District quarterly meeting today for the community representatives in the cities they serve.

McGraw reported that the search for the new executive director of NineNorth will be reopened. He stated that the current staff is doing a great job keeping things going.

The Parks & Rec/Community Services Director announced that the annual ice cream social is tomorrow night and the Movie in the Park are tomorrow night at Spooner Park. He stated that a date night Movie in the Park will be August 18.

There being no further business, the meeting was adjourned at 9:59 p.m.

John T. Keis, Mayor

Attest:

Christopher Heineman, City Administrator