

AGENDA
CHAMPLIN CITY COUNCIL
MONDAY, MAY 24, 2010
CITY COUNCIL CHAMBERS
7:00 P.M.

THIS CITY COUNCIL MEETING WILL BE CABLECAST LIVE ON CABLE CHANNEL 16

IF DUE TO A DISABILITY YOU NEED AUXILIARY AIDS OR SERVICES DURING A CITY COUNCIL MEETING, PLEASE PROVIDE THE CITY WITH 24 HOURS NOTICE BY CALLING 421-8100 OR FAX 421-5256

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INTRODUCTIONS/ROLL CALL

AGENDA

MINUTES:	APRIL 21, 2010	BOARD OF APPEAL
	MAY 10, 2010	RECONVENE OF BOARD OF APPEAL
	MAY 10, 2010	REGULAR SESSION

BILLS: MAY 24, 2010

ANNOUNCEMENTS:

CITY OFFICES CLOSED ON MONDAY, MAY 31ST FOR MEMORIAL DAY HOLIDAY

ECONOMIC DEVELOPMENT AUTHORITY MEETING – MONDAY, JUNE 14TH AT 5:45 P.M. IN THE COUNCIL CHAMBERS

COMMITTEE-OF-THE-WHOLE MEETING - MONDAY, JUNE 14TH AT 6:30 P.M. IN THE CHAMBERS

CITY COUNCIL MEETING – MONDAY, JUNE 14TH AT 7:00 P.M. IN THE COUNCIL CHAMBERS

THE CITY’S MILL POND GABLES PROJECT HAS APARTMENT OPENINGS FOR INDEPENDENT SENIORS INTERESTED IN A HIGH AMENITY, AFFORDABLE HOUSING COMMUNITY. IF YOU OR SOMEONE YOU KNOW HAS AN INTEREST, YOU ARE ENCOURAGED TO CALL SHELLY BAKKEN AT (763) 576-8696.

SPECIAL PRESENTATIONS

1. PRESENTATION OF 2010 FATHER HENNEPIN FESTIVAL ACTIVITY AND EVENT SCHEDULE

CONSENT AGENDA

The Consent Agenda contains action items considered routine or non-controversial in nature, that need little or no additional deliberation based on the level of review, analysis or discussion that has been previously conducted by the City Council

2. LICENSE APPLICATION FOR THE SALE OF CONSUMER FIREWORKS FOR WALGREENS
3. LICENSE APPLICATION FOR THE SALE OF CONSUMER FIREWORKS FOR ALDI FOODS
4. MASSAGE THERAPIST LICENSE AT HAN SPA & BODY CARE
5. AUTHORIZE CHANGE ORDER NO. 1 TO WELL NO. 5 REHABILITATION (IMPROVEMENT PROJECT 21007)
6. RESOLUTION NO. 2010-41 ACCEPTING THE SAFE AND SOBER GRANT FOR 2010-2011

OPEN FORUM

PUBLIC HEARINGS

7. REVIEW 2009 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM (NPDES)
8. RESOLUTION NO. 2010-42 DIRECTING THE PREPARATION OF PLANS AND SPECIFICATIONS AND ORDERING THE 2010 MILL & OVERLAY PROJECT (IMPROVEMENT PROJECT NO. 21002)

ADJOURNMENT

CITY OF CHAMPLIN

REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
SPECIAL PRESENTATIONS	Parks & Public Works	May 24, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
1	PRESENTATION OF 2010 FATHER HENNEPIN FESTIVAL ACTIVITY AND EVENT SCHEDULE	Andy Singleton

BACKGROUND

The 2010 Father Hennepin Festival is scheduled for June 11th-13th. This annual community celebration event is coordinated by the Park and Recreation Department and is organized by a committee that encompasses civic organizations and City of Champlin staff.

REVIEW OF ISSUES

Andy Singleton, Recreation Supervisor, will give a brief presentation on this year's Father Hennepin Festival events and activities. This year's Festival includes, but is not limited to, a Friday Night parade, live music, boat races, dog show, car show, a craft show, the Mayor and City Council fishing contest, carnival rides, games and some great food.

ALTERNATIVES/IMPACTS (UPSIDE/DOWNSIDE)

UPSIDE

This is a great community event for all families to enjoy.

DOWNSIDE

None noted.

RECOMMENDATIONS

It is recommended that the Council help energize this great event by encouraging residents to volunteer their time to make this event a special one for the Champlin community. Residents can volunteer by calling the Park and Recreation Department at 763-421-2820.

CITY OF CHAMPLIN
REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
CONSENT	GOVERNMENT SERVICES	MAY 24, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
2	LICENSE APPLICATION FOR THE SALE OF CONSUMER FIREWORKS FOR WALGREENS	ROBERTA COLOTTI, CMC CITY CLERK

BACKGROUND A license for the sale of consumer fireworks requires City Council approval.

REVIEW OF ISSUES

Walgreens, located at 11401 Market Place Drive, has applied for a license to sell consumer fireworks, within their existing store. They have paid the required license fees. Walgreens has held a license in the past without issue. Their current license expires on June 25, 2010.

The Fire Department, as part of the license application, will conduct a site inspection.

ALTERNATIVES AND CONSEQUENCES (UPSIDE/DOWNSIDE)

The City Council can approve, deny, or table the license request. If the license request is denied, there should be specific rationale for denial.

RECOMMENDATIONS

Staff recommends that the application for a license for the sale of consumer fireworks submitted by Walgreens for their business located at 11401 Market Place Drive be approved, contingent on a successful fire department site inspection, for the period June 25, 2010 to June 25, 2011.

CITY OF CHAMPLIN
REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
CONSENT	GOVERNMENT SERVICES	MAY 24, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
3	LICENSE APPLICATION FOR THE SALE OF CONSUMER FIREWORKS FOR ALDI FOODS	ROBERTA COLOTTI, CMC CITY CLERK

BACKGROUND A license for the sale of consumer fireworks requires City Council approval.

REVIEW OF ISSUES

Aldi Foods, located at 11620 Theatre Drive, has applied for a license to sell consumer fireworks within their existing store. They have paid the required license fees. This is the first year Aldi Foods has applied for a fireworks license with the City of Champlin.

The Fire Department, as part of the license application, will conduct a site inspection.

ALTERNATIVES AND CONSEQUENCES (UPSIDE/DOWNSIDE)

The City Council can approve, deny, or table the license request. If the license request is denied, there should be specific rationale for denial.

RECOMMENDATIONS

Staff recommends that the application for a license for the sale of consumer fireworks submitted by Aldi Foods, located at 11620 Theatre Drive, be approved contingent on a successful fire department site inspection for the period May 24, 2010 to May 24, 2011.

CITY OF CHAMPLIN

REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPT.	MEETING DATE
CONSENT AGENDA	GOVERNMENT SERVICES	MAY 24, 2010

ITEM NO.	ITEM DESCRIPTION	PREPARED BY
4	MASSAGE THERAPIST LICENSE AT HAN SPA & BODY CARE	Roberta Colotti, CMC, City Clerk

BACKGROUND

Han Spa & Body Care was issued a massage therapy business license for their business located at 512 Jefferson Highway North at the first of this year. As a new business they have had some difficulty in retaining therapists as the level of business is not at a point to provide the number of hours that are desired by the therapists. The owner has hired a new therapist, Xiang Jun Chen, contingent upon Council approval. All documents are in order for this application. It is requested that the application for a massage therapist license for Xiang Jun Chen to work at Han Spa & Body Care be approved.

REVIEW OF ISSUES

All necessary fees have been paid. A successful background investigation was completed. The required proof of training was submitted with the application. The required insurance will be purchased and submitted upon approval of the license.

ALTERNATIVES/IMPACTS (UPSIDE/DOWNSIDE)

N/A

RECOMMENDATIONS

It is recommended that the City Council approve the massage therapist license for Xiang Jun Chen to work at Han Spa & Body Care located at 512 Jefferson Highway North, effective May 24, 2010 to December 31, 2010.

CITY OF CHAMPLIN

REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
CONSENT	ENGINEERING	MAY 24, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
5	AUTHORIZE CHANGE ORDER NO. 1, TO WELL NO. 5 REHABILITATION, IMPROVEMENT PROJECT NO. 21007	TIM HANSON, P. E. CITY ENGINEER

BACKGROUND

Bergeson Caswell has completed an analysis of the existing pump for Well No 5, and found the main bearing on the motor is worn out. This is the second motor (third replacement) for Well 5 in a 12 year period. A pump motor should last 10 years or more with just minor maintenance. This indicates there is an issue with the existing motor and how it operates.

There are couple of issues with the well and how it must be operated that indicates the motor that is currently in use is not the proper motor for Well 5. The existing motor is recommended to **not** run in a narrow frequency; this is to say the pump needs to be at either full speed or off. If the motor operates in the narrow frequency it will vibrate. The well has a sand issue, which is evident by the amount of sand that has been deposited at the bottom of the well. It is theorized that when the well was initially developed the well pumped sand. To correct this problem a VFD was installed on the pump (motor) to ramp up the pump at start up and to ramp down the pump at shut down. This reduces surging in the well and thus reduces or eliminates the pumping of sand from the well. The problem that results is the motor is not the proper motor to operate at variable speeds thus the motor may be vibrating as it ramps up and down; this in turn wears out the bearings and ruins the motor. Operation of the pump under the needed circumstances could result in failure prior to its detection which could be significant to the operation of the water system.

REVIEW OF ISSUES

The Well No 5 rehabilitation project identified the rehabilitation of the motor or the replacement of the motor with a new motor, utilizing the same manufacturer and model. What has been determined for the well is that the existing motor is not the best because of the way the well must be operated. It is recommended to replace the existing motor with a motor that will operate at variable speeds, the condition that is needed to operate the well due to sanding. This motor has an additional cost of \$7,450.

The history of the well has shown that reusing the existing motor, whether it is new or rebuilt, will result in the replacement of the motor in 5-6 years. Motor replacement has a bid cost of about \$15,000 (or more) each time it is completed. The proposed motor has additional project cost of \$7,450 but should have a service life of 10 years if not longer.

RECOMMENDATIONS

WSB and Associates, Engineering, and Utility departments recommend approval of Change Order No. 1, in the amount of \$7,450 for the installation of a new motor on Well No. 5. Project cost will be financed from the Water Fund.

Attachment: Change Order No. 1
 Letter of Recommendation

CITY OF CHAMPLIN
REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
Consent Agenda	Police Department	May 24, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
6	Resolution for Safe & Sober Grant 2010-2011	Chief Schwarze

BACKGROUND

The Champlin Police Department has participated in the Safe & Sober campaign since 1998. The State of Minnesota Safe & Sober Program has grant money available to fund traffic enforcement efforts for the City of Champlin. The City of Champlin, along with the cities of Dayton, Osseo, Brooklyn Center, Brooklyn Park and the Hennepin County Sheriff's Department, have applied for a \$65,000 grant for increased patrol and enforcement efforts for 2009-2010. The Police Department is also requesting an additional \$2,000 to assist with enforcement efforts during the Father Hennepin Festival.

REVIEW OF ISSUES

As part of the grant, a resolution is required to be signed by all of the participating agencies.

ALTERNATIVES/IMPACTS (UPSIDE/DOWNSIDE)

UPSIDE : The City of Champlin would receive money to enhance traffic enforcement efforts within the City. Our goals for the Safe & Sober grant would be to increase DWI arrests and citations for seatbelt violations and child restraint violations. These enforcement efforts are directed at lowering traffic accidents, increasing public safety and heightening awareness of traffic safety.

DOWNSIDE: N/A

RECOMMENDATIONS

Staff recommends that the City Council approve the Resolution Accepting the Safe & Sober Grant, and authorize the Police Chief to execute the necessary agreements on behalf of the City.

**CITY OF CHAMPLIN
REQUEST FOR COUNCIL ACTION**

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
PUBLIC HEARING	ENGINEERING	May 24, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
7	REVIEW 2009 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM	T. TUOMINEN

BACKGROUND

Over the past six years, the City of Champlin has been operating under a National Pollutant Discharge Elimination System (NPDES) Phase II General Storm Water Permit from the Minnesota Pollution Control Agency (MPCA).

Each year, the City is required by the MPCA to conduct a public meeting to educate the public and allow citizens an opportunity to comment on the existing Storm Water Pollutant Prevention Program (SWPPP) and the progress towards reaching the required measurable goals. This is the third year of the NPDES II Permitting Program. The permit expires after five years from issuance, at which time a new NPDES permit will be issued. Please see attached NPDES Annual Report for 2009.

Tracking, documenting, and reporting on the NPDES Permit annually requires staff time and resources, estimated at 820 hours for this year's report. Most work invested is spent on street sweeping, pond and sediment basin inspection, illicit discharge inspection, plan review, and NPDES tracking and reporting.

Administration	15 hours	Public Works	490 hours
Community Development	45 hours	Engineering	270 hours

As part of the 2009 Public Outreach the City worked with the West Mississippi Watershed District on the Great Watershed Clean-up. The City also conducted the Annual Spring Cleanup Day. The Environmental Resource Commission provided a grant program for residents to construct native planting and rain gardens. The ERC continued to work promoting recycling and produced another addition of the Green Leaf environmental program. The City is continuing to work on public out-reach by planning and implementing additional programs for 2010.

REVIEW OF ISSUES

MS4 General Permit

The current permit is based on Best Management Practices (BMP) established by the Minnesota Pollution Control Agency (MPCA). Within this permit, the City self monitors its operations and practices by developing Minimum Control Measures (MCMs). The ultimate standard is the Maximum Extent Practicable. The reporting for the permit has stayed relatively consistent since 2006; however, there are more requirements focused on the Public Works activities in 2009 and 2010. The City has reviewed the new requirements for MPCA Industrial Permits. At this time the Public Works Operations is still classified under our MS4 General Permit.

MS4 Future Permit Requirements

The League of Minnesota Cities is working through the Minnesota Cities Storm Water Coalition (MCSC) on the new MS4 Permit Rules that will take effect in 2011. It is expected that the rules will focus on performance based standards for storm water basins and evaluating pollutant loads in our ponding systems. The new rules will also monitor progress in meeting Total Maximum Daily Load (TMDL) and Waste Load Allocations (WLA) objectives for impaired waters. Further, proof of financial commitment will be required through budget and CIP Programs.

TMDL Update

Currently the MPCA is conducting the study for the Upper Mississippi TMDL. The known impairment of the Mississippi River is bacteria concentrations in the water. The study is expected to be complete in 2012 and at that time the source of the impairment will be known and each MS4 Community will be given a Waste Load Allocation for corrective action.

Three Rivers Park District (TRPD) is conducting the TMDL Study for the Elm Creek and Mill Pond. The known impairment is the lack of dissolved oxygen (DO) in the water. This impairment could be caused by many factors including excess phosphorous or nitrogen in the Elm Creek. The water temperature and nutrient loading could be major factors causing this problem. The study is expected to be completed in 2014; however, some Waste Load Allocations for Champlin should be known prior to the completion of the study.

Public Meeting

The public meeting will consist of a brief presentation of the SWPPP, which will include:

- a general history of NPDES
- status of compliance with Permit Conditions
- overview of the Best Management Practices outlined in the SWPPP
- progress towards achieving the measurable goals

Public comments will be taken after the presentation. Formal responses to all comments will be prepared and submitted to the MPCA.

RECOMMENDATION

No formal action is required.

Attachments: NPDES II Annual Report

**CITY OF CHAMPLIN
REQUEST FOR COUNCIL ACTION**

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
PUBLIC HEARING	ENGINEERING	MAY 24, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
8	RESOLUTION DIRECTING THE PREPARATION OF PLANS AND SPECIFICATIONS AND ORDERING THE 2010 MILL & OVERLAY PROJECT, IMPROVEMENT PROJECT NO. 21002	TIM HANSON, P.E. CITY ENGINEER

BACKGROUND

The Champlin City Council, on April 26, 2010, reviewed the feasibility study and affixed a date for the Public Hearing on the proposed 2010 Mill and Overlay Project, Improvement Project No. 21002. The 2010 Capital Improvement Plan identifies the 2010 Mill and Overlay project as the local residential streets of Forest Park Heights consisting of Yorktown Lane from Linwood Forest Circle to the southerly plat line, Linwood Forest Circle from South Diamond Lake Road to Yorktown Lane, 133rd Circle, 134th Circle, 135th Circle, Linwood Forest Drive, and Wellington Circle. This area was reviewed for curb and gutter restoration, bituminous pavement rehabilitation, and storm sewer improvements to provide better drainage conditions.

A Public Information Meeting was held on May 19, 2010. Ten residents attended the informational meeting; see attached Roster and comments. In addition to one-on-one interaction and response to questions, a short presentation was given indicating the proposed improvements, assessment amounts, payment schedule, and project schedule. The comments received from the attendees were positive with typical project related concerns that are reflected on the comment cards. Residents questions, including those indicated on the comment cards, were responded to at the open house.

Also attached, are the summary pages from the Consulting Report on assessments prepared by Dahlen, Dwyer, and Foley, Inc., dated April 20, 2008. The consulting report was completed for the 2008 Mill and Overlay project, which included the exact same type of improvements and indicates that the 2008 Mill and Overlay project proposed assessments in the amount of \$1,334 per residential unit can be substantiated and are reasonable and acceptable in the marketplace. The 2010 proposed assessment rate of \$1,432 is very comparable to 2008's assessment amount. The improvements are also similar.

The Public Hearing for the 2010 Mill and Overlay Project is being held this evening. If the project moves forward, it should be substantially completed by October, 2010. The estimated total cost of the project is \$382,000. Cost recovery is identified to be from:

- Capital Improvement Revolving Fund \$238,800
- Assessment to benefiting properties \$143,200

If the project does not move beyond the Public Hearing, it is recommended that the cost of the Feasibility Study be paid by the Capital Improvement Revolving Fund.

The Plans and Specifications for the 2010 Mill and Overlay Project are proposed to be completed at an hourly not to exceed cost of \$20,700. This cost includes plans for the maintenance items for Public Works. Refer to the attached estimate of cost.

Engineering Value

The project will be completed for less than the typical project design fee. Engineering value is achieved due to WSB & Associate Inc.'s familiarity with the project, history of quality plans and specifications for this type of work, familiarity with City requirements, staff and project process. Development of a quality set of plans and specifications will result in competitive bidding for the City's rehabilitation and maintenance work.

For cost comparison purposes, the compensation for basic engineering services for a project of average complexity is:

Estimated Construction Cost	\$305,600
Design Percentage	7.7%
Typical Design Engineering	\$23,500

RECOMMENDATION

The 2010 Mill and Overlay Program, Improvement Project No. 21002, is feasible and will benefit the adjacent parcels. WSB and Associates, Inc. and City staff recommend that the City Council authorize preparation of Plans and Specifications in accordance with the improvements identified in the report.

This project will need to have a super majority, or 4/5ths vote of the City Council, as the project was initiated by the City rather than through a petition.

- Attachment: Resolution
- Location Map
- Estimate of Cost
- Appraiser's Consulting Report
- Roster
- Comment Cards