

AGENDA
CHAMPLIN CITY COUNCIL
MONDAY, JUNE 28, 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:	JUNE 14, 2010	WORKSESSION
	JUNE 14, 2010	REGULAR SESSION

BILLS: JUNE 28, 2010

ANNOUNCEMENTS:

COMMITTEE OF THE WHOLE MEETING – MONDAY, JULY 12TH AT 5:45 P.M. IN THE COUNCIL CHAMBERS

CITY COUNCIL MEETING – MONDAY, JULY 12TH AT 7:00 P.M. IN THE COUNCIL CHAMBERS

ECONOMIC DEVELOPMENT AUTHORITY MEETING – MONDAY, JULY 12TH IMMEDIATELY FOLLOWING THE COUNCIL MEETING, IN THE COUNCIL CHAMBERS

THE MANDATORY ODD/EVEN SPRINKLING BAN BECAME EFFECTIVE MAY 1ST AND WILL CONTINUE THROUGH LABOR DAY. THE BAN PROHIBITS THE WATERING OF LAWNS, TREES, OR SHRUBS BETWEEN 10:00 A.M. AND 7:00 P.M. CONTACT CHAMPLIN UTILITIES AT 763-421-0154 FOR MORE INFORMATION.

THE CHAMPLIN FARMERS MARKET WILL OPEN ON WEDNESDAY, JULY 7TH AND WILL BE HELD EVERY WEDNESDAY THROUGH OCTOBER 13TH FROM 9:00 A.M. TO 1:00 P.M. AT THE ICE FORUM PARKING LOT. PLENTY OF GREAT VEGETABLES, BERRIES, BREADS AND OTHER CLASSIC MARKET ITEMS ARE AVAILABLE.

SPECIAL PRESENTATIONS

1. PRESENTATION OF 2009 FINANCIAL REPORT
2. PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

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

3. RESOLUTION NO. 2010-52 CANCELLING THE COLLECTION OF A PORTION OF THE SPECIAL ASSESSMENTS FOR LEVIES 16876 AND 17473
4. RESOLUTION NO. 2010-53 APPROVING PLANS AND SPECIFICATIONS AND ORDER ADVERTISEMENT OF BIDS FOR THE 2010 MILL AND OVERLAY PROJECT (IMPROVEMENT PROJECT 21002)
5. APPOINTMENT OF PARK AND RECREATION COMMISSIONERS
6. RESOLUTION NO. 2010-54 GRANTING THREE RIVERS PARK DISTRICT CONSENT TO ACQUIRE BY PURCHASE THE PROPERTY LOCATED AT 12208 WEST HAYDEN LAKE ROAD
7. MASSAGE THERAPIST LICENSE AT HAN SPA & BODY CARE

OPEN FORUM

NEW BUSINESS

8. RESOLUTION NO. 2010-55 APPROVING PLANS AND SPECIFICATIONS AND ORDER ADVERTISEMENT OF BIDS FOR WATER TREATMENT NO. 2 (IMPROVEMENT PROJECT NO. 20908)
9. FIRST READING OF AMENDMENTS TO SECTION 118-7 OF THE SIGN ORDINANCE REGARDING SETBACKS FOR MONUMENT SIGNS AND PENALTIES FOR SIGN VIOLATIONS (PROJECT 2010-08)
10. CONSIDER PURCHASE OF REAL PROPERTY AT 12701 QUAKER LANE NORTH

ADJOURNMENT

CITY OF CHAMPLIN

REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPT.	MEETING DATE
SPECIAL PRESENTATIONS	Finance	JUNE 28, 2010
ITEM NO.	ITEM DESCRIPTION	PREPARED BY
1	PRESENTATION OF 2009 FINANCIAL REPORT	JUNE JOHNSTON

BACKGROUND

Tom Hodnefield from HLB Tautges Redpath, Ltd. (HLBTR) will give a brief overview of the results of the 2009 audit of the City financial records.

REVIEW OF ISSUES

The City received an unqualified opinion for the 2009 audit. An unqualified opinion means that the auditors found that the financial records of the City fairly represent the results of operations for the year ended December 31, 2009. Mr. Hodnefield will highlight sections of the 2009 Audit Management Letter regarding results of operations of the various funds, findings and recommendations. He will also answer any questions regarding information contained in the 2009 Comprehensive Annual Financial Report.

The auditors had no legal compliance findings for 2009. There were three internal control findings, one of which is considered a material weakness (*a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis*). There were two uncorrected misstatements that did not have a material effect on the financial statements. The finding has to do with audit adjustments. With the guidance provided by new auditing standards combined with the complexity of governmental accounting, most local governments will receive a finding in this regard. The causes for these findings had to do with the understatement of depreciation in the enterprise funds of approximately \$17,000 and an overstatement in investments and investment income of approximately \$14,800. Both were due to spreadsheet errors and are easily correctible in 2010. In prior years, these adjustments would not have been recorded as a finding. The material weakness addressed monitoring of Mill Pond Gables financial activity performed by a third party administrator. Currently, the City receives summary financial information from the third party administrator. As a result, certain expenditures were not reported correctly on the City financial statements. In order to prevent this from occurring in the future, it is proposed that the third party administrator forward detail of all transactions to the City on a monthly basis for review.

General Fund revenues exceeded expenditures by \$639,606 in 2009. Total General Fund revenues were \$31,658 over budget. License and permit revenue was higher than anticipated (\$124,382) and tax revenues were under budget due to un-allotment of market value homestead credit (MVHC). Charges for services (\$70,395), fines (\$35,886), and other (\$30,301) exceeded budget projections. Total General Fund expenditures were \$419,329 under budget. General Fund reserves of \$3,529,351 are currently at 46.4% of 2009 expenditures. This is within the recommended guidelines of 35 to 50 percent issued by the Office of the State Auditor.

2009 financial statements are reported using the GASB 34 model. Emphasis is placed on the Management's Discussion and Analysis found in the front of the report and on the basic financial statements that present the total assets and liabilities of the City, including debt and capital assets (including infrastructure). The basic financial

statements report in the same method that we report the enterprise funds. The results of operations showing total net assets of the City indicate that the City is in good financial condition.

RECOMMENDATION

Receive the comments of the City's independent auditor and accept the audit report.

CITY OF CHAMPLIN

REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
SPECIAL PRESENTATIONS	ADMINISTRATION	JUNE 28, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
2	PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING	BRET HEITKAMP

BACKGROUND

The City submitted its December 31, 2008 Annual Financial Report to the Government Finance Officers Association in application of the Certificate of Achievement for Excellence in Financial Reporting.

REVIEW OF ISSUES

The City received notification that the report qualified for the *Certificate of Achievement for Excellence in Financial Reporting*. The Certificate is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. In order to be awarded the Certificate, a governmental unit must publish an easily readable and efficiently organized comprehensive annual financial report conforming to program standards. The report must satisfy both generally accepted accounting principles and applicable legal requirements.

The Certificate is valid for one year only. The report for fiscal year ended December 31, 2009 will be submitted to the GFOA in application for the Certificate of Achievement for that year.

RECOMMENDATIONS

It is recommended that the Mayor accept the award on behalf of the City Council and request staff to publish a news release similar to the sample that is attached.

CITY OF CHAMPLIN

REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPT.	MEETING DATE
CONSENT	ENGINEERING	JUNE 28, 2010
ITEM NO.	ITEM DESCRIPTION	PREPARED BY
3	RESOLUTION CANCELLING THE COLLECTION OF A PORTION OF THE SPECIAL ASSESSMENTS FOR LEVIES 16876 AND 17473	T. TUOMINEN

BACKGROUND

On October 26, 2009, the Champlin City Council approved Resolution No. 2009-75 adopting the special assessments for delinquent Storm Water Utility fees, and on September 24, 2007 approved Resolution No. 2007-68 adopting the assessment roll for Street and Storm Sewer improvements on 109th Avenue N.

REVIEW OF ISSUES

109th Avenue Between Jefferson Highway and Goose Lake Road

DNR property (Schmidt Wildlife Management Area) was assessed in 2007 for a Street and Storm Sewer improvement along 109th Avenue west of Jefferson Highway. It is the position of the State of Minnesota that the DNR does not need to pay penalties, interest or special charges. Our City Attorney has reviewed this issue and agrees that the City has no legal authority to force the DNR or any other State Agency to pay special assessments, penalties or interest for which they do not agree to pay. The DNR has paid the principal assessment, in the amount of \$5,194, for the Street and Storm Sewer project along 109th Avenue. However, they have declined payment of accumulated interest and penalties for late payment. The interest accumulated for this assessment will need to be covered by the City. This amounts to \$1,820.21.

Storm Water Utility Fee – DNR Properties

The Department of Natural Resources has determined that the storm water utility benefits for three DNR Wildlife Management Area (WMA) properties, exceed any degree of benefit received and, therefore, did not pay utility fees for the following properties: (PIN Nos. 36 120 22 32 0001, 36 120 22 34 0002 and 36 120 22 34 0003) (See attached spreadsheet). Since these utility fees were not paid, they were subsequently certified to the taxes. The City does not have the legal authority to require payment by the DNR for these fees. This amounts to \$439.34 to be absorbed by the City.

Storm Water Utility Fee – Cemeteries

1st Lutheran Church cemetery at 11700 Goose Lake Road was assessed for delinquent Storm Water Utility fees under Levy 17473. Both the 1st Lutheran Church and the Champlin Cemetery at 812 Cartway Road are currently being charged for the Storm Water Utility Fees. In this case there is no individual or group that the City can charge for the storm sewer utility fee. This amounts to \$41.01 to be absorbed by the City.

Storm Water Utility Fee – Three Rivers Park District

Three Rivers Park District has appealed to the City to reduce the Storm Water Utility Fee for Elm Creek Park Reserve. The Park District has requested that the fees be reduced based on the actual run-off from the Park Reserve and the City identifies the actual benefit. The Storm Water Utility Study used a standard run-off rate that was applied across the entire park property. The Park District requested that credits be considered for environmental work conducted by the Park District in the watershed, along with credits for land locked basins and wetlands. The Park District also identified the City's use of Lemans Lake for flood protection and City drainage areas that are treated by wetlands within the Park Reserve. City staff met with the Park District and reviewed the Elm Creek Park Reserve drainage areas. It was agreed that the City does greatly benefit from the use of parkland for storm water drainage and flood protection. Also, the Park benefits from drainage to City facilities. Through negotiations, the Park District agreed to pay the Storm Water Utility Fee based on direct run-off from the Elm Creek Park Reserve that is actually treated by the City. This includes direct runoff of 73.50 ac of parkland, 1.18 ac of acquired lots and 2.2 ac of parking lots/ trails, resulting in an annual utility fee basis of \$1,023.32. This is a reduction from the original Storm Water Utility fee of \$3,024.84/yr. The balance of the remaining charges from 2009 and 2010, in the amount of \$2,494.08 will be absorbed by the City. This revised annual fee will be adjusted from time to time as determined by the City Council.

RECOMMENDATIONS

It is recommended that the attached Resolution Cancelling the Collection of Special Assessments for a portion of Levies 16876 and 17473 be approved. This includes all penalties and interest for PIN 36 120 22 34 0002 for 109th Avenue Street and Storm Sewer on Levy 16876, and all assessment principal, penalties and interest for Delinquent Storm Water Utility Fees, Levy 17473, on PIN's, 36 120 22 32 0001, 36 120 22 34 0002, 36 120 22 34 0003, 25 120 22 33 0002 and 24 120 22 41 0058. It is further recommended that no future Storm Water Utility Fees be charged on the cemetery and the DNR Properties. In addition, it is recommended that the Storm Water Utility Fee be adjusted for the Elm Creek Park Reserve, as identified above.

attachments: Resolution
Map
Chart of Assessments

**CITY OF CHAMPLIN
REQUEST FOR COUNCIL ACTION**

AGENDA SECTION	ORIGINATING DEPT.	MEETING DATE
CONSENT	ENGINEERING	JUNE 28, 2010
ITEM NO.	ITEM DESCRIPTION	PREPARED BY
4	RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDER ADVERTISEMENT OF BIDS FOR THE 2010 MILL AND OVERLAY PROJECT, IMPROVEMENT PROJECT 21002	TIM HANSON, P.E. CITY ENGINEER

BACKGROUND

At the May 24, 2010, City Council meeting, the Council approved the preparation of plans and specifications for the 2010 Mill and Overlay Project, Improvement Project 21002.

REVIEW OF ISSUES

The plans and specifications for the 2010 Mill and Overlay project includes 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.

The plans are consistent with the improvements identified in the feasibility study. The attached figure identifies the improvements. City wide repairs of concrete curb and gutter and catch basins are more extensive than past projects. The repair areas are in the northwest corner and along the southern portion of the City. The White Oaks area is included as this area is proposed for street seal coat in 2012.

The estimated construction cost for the 2010 Mill and Overlay Project is \$327,500.

Residents on the private street(s) in the neighborhood, consisting of ten (10) single family homes, asked staff what would be required to have their private streets maintained by the City. They were informed that the streets would have to be constructed to City standards for pavement section; however street width could remain as is, which is 24-foot wide. The westerly private street that currently terminates as a "T" street would have to be extended out to Linwood Forest Circle at the westerly side of the "T". The residents were also given an estimated cost of \$5,000 - \$6,000 per lot to complete the improvements with the proposed project. After meeting as a group, they decided not to pursue having the private streets converted to public streets.

RECOMMENDATIONS

It is recommended that the City Council approve the plans and specifications for the 2010 Mill and Overlay Project for the local streets mentioned above, Improvement Project 21002 and that the bid opening be scheduled for Thursday, July 22, 2010, at 10:00 a.m. at City Hall. The bids would be tabulated and presented for your approval at the July 26, 2010 City Council meeting.

Attached for your approval is a resolution approving the plans and specifications and ordering the bids for this project.

Attachment Resolution
 Location Maps

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Councilmember introduced the following resolution and moved its adoption:

RESOLUTION NO. -

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT OF BIDS FOR
THE 2010 MILL AND OVERLAY PROJECT
IMPROVEMENT PROJECT NO.21002**

WHEREAS, pursuant to a resolution passed by the Council on May 24, 2010, plans and specifications have been submitted for City Council approval for the 2010 Mill and Overlay Project, Improvement Project No. 21002, which includes 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.

NOW, THEREFORE, BE IT RESOLVED by the Champlin City Council that:

1. The plans and specifications for the above mentioned areas for the 2010 Mill and Overlay Project, Improvement Project No. 21002, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper and in the Construction Bulletin, an advertisement for bids upon the making of such improvements under such approved plans and specifications. The advertisement shall be published for three (3) days, shall specify the work to be done and shall state that bids will be received by the Clerk until 10:00 a.m. on, July 22, 2010, at which time they will be publicly opened at City Hall by the City Clerk and Engineer, will then be tabulated and will be considered by the Council at 7:00 p.m. on July 26, 2010, in the Council Chambers of the City Hall. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the Clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the Clerk for 5% (five percent) of the amount of such bid.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____ and upon vote being taken thereon, the following voted in favor thereof: _____ and the following voted against the same: _____ whereupon said resolution was

Mark W. Uglem, Mayor

ATTEST:

Roberta Colotti, City Clerk

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CITY OF CHAMPLIN

REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
CONSENT	PARKS AND PUBLIC WORKS	June 28, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
5	APPOINTMENT OF WARD 3 PARKS & RECREATION COMMISSION MEMBERS	DAN MASLOSKI PARKS FACILITIES MANAGER

BACKGROUND

The Parks & Recreation Commission currently has vacancies for two Commissioners in Ward 3. Mayor Mark Uglem interviewed two candidates and is recommending Aaron Weixel, 11817 Kentucky Ave N. (Ward 3) and Mary Broughton, 11901 Louisiana Circle (Ward 3) be appointed to serve on the Commission. Aaron Weixel's term would end December 31, 2010, as he would be fulfilling an unexpired term, while Mary Broughton's term would end December 31, 2012.

RECOMMENDATIONS

It is recommended that both Aaron Weixel and Mary Broughton be appointed to the Park and Recreation Commission, representing Ward 3.

CITY OF CHAMPLIN

REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPT.	MEETING DATE
CONSENT AGENDA	GOVERNMENT SERVICES	JUNE 28, 2010
ITEM NO.	ITEM DESCRIPTION	PREPARED BY
6	RESOLUTION GRANTING THREE RIVERS PARK DISTRICT CONSENT TO ACQUIRE BY PURCHASE THE PROPERTY LOCATED AT 12208 WEST HAYDEN LAKE ROAD	Roberta Colotti, CMC, City Clerk

BACKGROUND

Three Rivers Park District’s statutory duties include the acquisition, development and maintenance of large parks, wildlife sanctuaries, forest and other reservations, and means for public access to historic sites and to lakes, rivers, streams and to other natural phenomena, and acquisition, construction and maintenance of recreational trails.

The Park District owns and operates Elm Creek Park Reserve, part of which lies within the City of Champlin. The property located at 12208 West Hayden Lake Road in Champlin is currently an in-holding property within the Park District’s Master Plan boundaries for Elm Creek Park Reserve. The Park District has identified this property for purchase and is requesting permission from the City of Champlin.

REVIEW OF ISSUES

Minn. Stat. Sec. 398.09(b) (1) states that the Park District may not “acquire real estate by purchase or condemnation which is located within the boundaries of an incorporated statutory city or city unless the governing body of such statutory city or city shall have consented thereto by resolution duly adopted”.

The inclusion of this property in the Park District is consistent with the City of Champlin’s 2030 Comprehensive Plan. (*Parks, Recreation, and Trails Plan Figure 4-1 Existing Local and Regional Parks – Copy Attached.*)

ALTERNATIVES/IMPACTS (UPSIDE/DOWNSIDE)

N/A

RECOMMENDATIONS

It is recommended that the City Council approve the Resolution Granting Three Rivers Park District Consent to Acquire by Purchase the Property Located at 12208 West Hayden Lake Road, as presented.

Councilmember introduced the following resolution and moved its adoption:

**CITY OF CHAMPLIN
HENNEPIN COUNTY, MINNESOTA
RESOLUTION NO. 2010 -**

**RESOLUTION GRANTING THREE RIVERS PARK DISTRICT CONSENT TO ACQUIRE BY PURCHASE
THE PROPERTY LOCATED AT 12208 WEST HAYDEN LAKE ROAD**

WHEREAS, the Three Rivers Park District (Park District) is a political subdivision of the State of Minnesota;
and

WHEREAS, the Park District’s statutory duties include the acquisition, development and maintenance of large parks, wildlife sanctuaries, forest and other reservations, and means for public access to historic sites and to lakes, rivers, streams and to other natural phenomena, and acquisition, construction and maintenance of recreational trails;
and

WHEREAS, the Park District’s mission is to promote environmental stewardship through recreation and education in a natural resources based park system; and

WHEREAS, the Park District owns and operates Elm Creek Park Reserve, part of which lies within the City of Champlin; and

WHEREAS, the Park District has identified in-holding properties with the Park District’s Master Plan boundaries for Elm Creek Park Reserve; and

WHEREAS, the Park District may, from time to time, wish to acquire in-holding parcels; and

WHEREAS, the City recognizes the advantages to the public in having the Park District acquire Elm Creek Park Reserve in-holding properties; and

WHEREAS, Minn. Stat. Sec. 398.09(b) (1) states that the Park District may not “acquire real estate by purchase or condemnation which is located within the boundaries of an incorporated statutory city or city unless the governing body of such statutory city or city shall have consented thereto by resolution duly adopted”.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Champlin that it does hereby grant to the Park District consent to acquire by purchase the Property as described on Exhibit A to this resolution.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember , and upon vote being taken thereon, the following voted in favor thereof: , and the following voted against the same: none, whereupon said resolution was this 28th day of June, 2010.

Mark W. Uglem, Mayor

ATTEST:

Roberta Colotti, CMC, City Clerk

EXHIBIT A

Lot 003 Block 001 Zopfi Addition, including adjacent ½ of vacated road.

Property ID 25-120-22-23-006

Property Address: 12208 West Hayden Lake Road, Champlin, MN

CITY OF CHAMPLIN

REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPT.	MEETING DATE
CONSENT AGENDA	GOVERNMENT SERVICES	JUNE 28, 2010

ITEM NO.	ITEM DESCRIPTION	PREPARED BY
7	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, Yin Hsin Chu, contingent upon Council approval. All documents are in order for this application. It is requested that the application for a massage therapist license for Yin Hsin Chu 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 Yin Hsin Chu to work at Han Spa & Body Care located at 512 Jefferson Highway North, effective June 28, 2010 to December 31, 2010.

CITY OF CHAMPLIN
REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
NEW BUSINESS	ENGINEERING	JUNE 28, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
8	RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDER ADVERTISEMENT OF BIDS FOR WATER TREATMENT NO. 2, IMPROVEMENT PROJECT NO. 20908	TIM HANSON, P. E. CITY ENGINEER

BACKGROUND

The City’s Water Supply lacks adequate well production capacity to meet the maximum day demand should the City’s highest producing well be out of service. Production capacity with the highest producing well out of service is defined as the City’s “firm capacity”. Well No. 1 is an existing well that is not in production due to its water quality and its distance from the City’s water treatment facility.

A pilot study was completed for Well No. 1 that determined the water treatment process that could treat the raw water and estimated the cost to construct a water treatment plant at Well No. 1’s location.

The pilot study (feasibility study) was approved at the January 25, 2010 City Council meeting and plans and specifications were ordered for Water Treatment No. 2.

REVIEW OF PLANS

The Pilot Study completed for Well No. 1 identified the ability to treat the raw water utilizing a chemical feed and pressure filtration system. The plans and specifications are based on this water treatment process and include the following features:

Building

The building is identified to be constructed of similar materials and appearance as the Municipal Facilities Campus. The south end of the structure is an open shelter area to be utilized by the Parks Department and users of Wethern Park. Adjacent to the shelter, to the north, is a small storage area for Park supplies and a garage that will shelter a portable generator that can be utilized to run the water treatment plant or move to another facility as needed. Both of these areas are separated from the water treatment area. The portable standby generator is included in the project’s bid package.

The northerly portion of the building, which is 58-feet in length and 32-feet wide, houses the water treatment equipment. This includes:

- Electrical Room
- Chemical Room
- Filter Room
 - Pressure Filter which is 10-foot in diameter by 35-feet long
 - Well Head
 - Process Piping
 - Ships Ladder for access to the roof
 - Various Mechanical Equipment
 - Access to the Backwash Tank

The northern 17-feet of the 58-foot treatment plant has a back-wash tank constructed below the floor. This area is north of the pressure filter.

The front of the building has an overhead garage door for the generator, a double-wide walk-in door for access to the filter and the well head, and a single walk-in door for access to the chlorine room. Two vent louvers are also located in the front of the building within a single architectural feature.

Filtration Process

Filtration is completed utilizing a pressure filter tank. The filter tank is compartmentalized into four (4) sections to allow for back-washing a compartment while water production continues into the City's water system. Filtration is enhanced by the injection of chlorine, and HMO into the raw water prior to filtration. Filtered water is treated with chlorine, fluoride, and orthophosphate prior to delivery to the City's water system.

Backwash Tank

Backwash from the filters is conveyed to a tank that allows settling of the filtered material. The backwash water is then recycled through the pressure filter with the waste water pumped into the sanitary sewer system. A portion of the chemical room and mechanical equipment that is utilized for processing the backwash water and other mechanical equipment is located on the main floor above the backwash tank.

Landscaping and Lighting

Landscaping of the site has not been included in the plans. This work will be completed utilizing Public Works staff in the spring of 2011. Lighting of the building will be done utilizing lights placed in the soffits and down lighting the east (front) wall. Recessed lights are located in the shelter area and a street light is located near the entrance to the water treatment facility.

Estimated Project Cost and Schedule

The plans and specifications are consistent with the feasibility study. The estimated construction cost at this time is \$1,550,000. The feasibility study identified a \$1,523,500 construction cost. The 2010 Capital Improvement Plan identifies \$2,100,000 for this project. \$1,000,000 in 2010, 1,000,000 in 2011, and \$100,000 for the standby generator in 2011. Financing for the project is available from the Water Fund.

The project is scheduled to be bid on Friday, July 30, 2010 at 10:00 a.m. It is anticipated the project will be awarded at the August 9, 2010 Council meeting. Construction will begin in September 2010, with an anticipated completion date of July 1, 2011.

RECOMMENDATION

It is recommended that the City Council approve the Plans and Specifications for Water Treatment No. 2, Improvement Project No. 20908 and that the bid opening be scheduled for Friday, July 30, 2010, at 10:00 a.m., in the Council Chambers of City Hall. The bids will be tabulated and presented for your approval at the August 9, 2010, City Council meeting.

The Plans and Specifications will be available at the City Council meeting.

cc: Mike Bramwell

Attachment: Resolution
 Floor Plan Exhibit
 Building Rendering

L:\Sue W\project disk\20908 Well No 1 WTP Pilot Study- Approve Plans & Specs RCA.doc

Councilmember introduced the following resolution and moved its adoption:

RESOLUTION NO. -

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDER ADVERTISEMENT OF BIDS
FOR WATER TREATMENT NO. 2,
IMPROVEMENT PROJECT NO. 20908**

WHEREAS, pursuant to a resolution passed by the Council on January 25, 2010, WSB & Associates, Inc., has submitted Plans and Specifications for Water Treatment No. 2, Improvement Project No. 20908, and has presented these plans and specifications for City Council approval.

NOW, THEREFORE, BE IT RESOLVED by the Champlin City Council that:

1. The Plans and Specifications for Water Treatment No. 2, Improvement Project No.20908, as prepared by WSB & Associates, Inc., are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper and in the Finance & Commerce Newspaper, an advertisement for bids upon the making of such improvements under such approved plans and specifications. The advertisement shall be published, shall specify the work to be done, and shall state that bids will be received by the Clerk until 10:00 a.m. on Friday, July 30, 2010, at which time they will be publicly opened in the Council Chambers of the City Hall by the City Clerk and Engineer, will then be tabulated and will be considered by the Council at 7:00 p.m. on Monday, August 9, 2010, in the Council Chambers of the City Hall. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the Clerk for 5% (five percent) of the amount of such bid.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____ and upon vote being taken thereon, the following voted in favor thereof:
and the following voted against the same:
whereupon said resolution was

Mark W. Uglem, Mayor

ATTEST:

Roberta Colotti, City Clerk

**CITY OF CHAMPLIN
REQUEST FOR COUNCIL ACTION**

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
NEW BUSINESS	COMMUNITY DEVELOPMENT	JUNE 28, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
9	FIRST READING OF AMENDMENTS TO THE SIGN ORDINANCE REGARDING SETBACKS FOR MONUMENT SIGNS AND PENALTIES FOR SIGN VIOLATIONS	SCOTT SCHULTE

* Forrest Elliott represents the Planning Commission on this item.

BACKGROUND

With over 40,000 vehicles traveling Highway 169 daily, the highway corridor is a major factor in our development success. Being “on the highway” provides great visibility, customer awareness and adds value. Though more expensive, prime highway sites typically develop sooner than off highway sites. As well, interest in highway locations correspond to demands for Highway signage.

In an effort to balance business interests and community aesthetics, the City’s Sign Ordinance and negotiated development agreements have worked to limit highway signage. Historically, the City has guarded against the proliferation of signs along the corridor. These limitations, it can be argued, have not allowed businesses to take full advantage of their highway presence. This situation has been exacerbated in today’s difficult economic conditions.

In April, Culver’s was granted a variance to relocate their monument sign adjacent to Highway 169. Height (eight feet), design and location (ten foot setback) restrictions were established with approval. Contrary to approved plans, Culver’s constructed their monument sign two feet from their property line. Culver’s and their contractor, McConn Building Corp., acknowledged the error and indicated no malicious intent. Further, they realize the implications of such action in lost time and money in having to relocate the sign (see attached email from John O’Sullivan). That said, Culver’s requested the City consider a code amendment to permit the location.

In review of the sign, a few things became apparent:

- The Culver’s sign is located 77 feet from the nearest travel lane and does not pose public safety concerns; and
- The sign’s visibility is improved without aesthetic detriment to the Highway corridor; and
- If the sign were relocated to the ten-foot setback it would be partially hidden by existing landscaping required by the site development

SIGN CODE AMENDMENT

In commercial districts, monument signs are required to be setback 10 feet from the property line, while allowable heights range from 14 feet to 25 feet depending upon the size of the establishment.

A ten-foot setback generally places a sign 25 feet from the traveled roadway, a safe distance given local speed limits. Along segments of the Highway 169 corridor, a ten-foot sign setback places signs 80 feet or more from the

roadway. At that distance, a sign's value is limited, particularly given established height limitations and the presence of required site landscaping.

While staff does not condone Culver's error, reducing the sign setback when the roadway is a considerable distance from the property merits consideration. Upon review, local public safety and engineering officials suggest 70 feet is a safe distance for a sign from the traveled roadway. If the setback is reduced, however, staff recommends the City establish certain caveats or conditions including:

- Signs located inside the 10-foot setback should be limited to eight feet in height.
- Signs located inside the 10-foot setback should not be allowed to have an electronic message component (only manual reader boards).
- Businesses with frontage road separation from the highway (public or private) should not be eligible for the setback reduction.
- The reduced setback should only apply to single tenant buildings.

Using aerial photos, potentially benefitting businesses (those exceeding 70 feet from the traveled roadway and meeting other criteria) from this code amendment include Culvers, Edina Realty, Broadway Pizza, BP, Walgreens, Mobil, Goodyear, Mann Theatre, Ruby Tuesday, Buffalo Wild Wings, Aldi, and Maple Bank. Realistically, however, only a handful of these businesses might take advantage considering they already have signs along the corridor that are at the setback and/or have an electronic message component (see attached aerial maps).

CITY COUNCIL WORKSESSION

At a June 14th work-session, the City Council discussed the merits of the sign code amendment. Council directed the amendment be forwarded to the Planning Commission. The Council also discussed requiring a penalty/fee for permanent sign violations to reduce their likelihood. Currently, Sign Code violations require written notice and removal provisions and as punishable as a misdemeanor. Staff is not aware of any permanent signs constructed without permit in the last 12 years.

If the Council supports establishing a fine for sign violations, it is recommended that the code be modified to double the fee for permanent signs built without a permit and triple the fee for permanent signs built without permit that would need to be removed, relocated or reduced in size. A typical sign permit is \$150.00.

PLANNING COMMISSION RECOMMENDATION

On June 21, 2010, the Planning Commission held a public hearing regarding the sign code amendments. No public testimony was offered. The Planning Commission discussed details of the code amendment and recommended language changes to clarify the code. Comments were generally supportive as they felt the amendment benefits the business community without aesthetic detriment to the highway corridor. The amendments were unanimously recommended for approval. The Commission review pertained solely to the setback provisions and not penalties/fines. Meeting minutes are attached.

RECOMMENDATION

It is recommended that the City Council approve first reading of a sign code amendment allowing monument signs up to the property line for qualifying establishments. Further it is recommended that language be inserted to provide fines for certain permanent sign violations.

Lacking a fine provision in our current ordinance, the City cannot legally fine Culver's for their error. Mr. O'Sullivan, however, has offered to contribute \$3,000 towards the City's park system as an "olive branch." In addition, Culver's is responsible for application fees and City review costs associated with the text amendment.

Attachments. Aerial maps
Sign Code amendment
Planning Commission minutes

CITY OF CHAMPLIN

REQUEST FOR COUNCIL ACTION

AGENDA SECTION	ORIGINATING DEPARTMENT	MEETING DATE
NEW BUSINESS	PARKS & PUBLIC WORKS	JUNE 28, 2010
ITEM #	ITEM DESCRIPTION	PREPARED BY
10	CONSIDER PURCHASE OF REAL PROPERTY AT 12701 QUAKER LANE N	DAN MASLOSKI

BACKGROUND

At the June 14th work session, the Council directed staff to negotiate the acquisition of 12701 Quaker Lane North. Staff has reached a purchase agreement consistent with Council's direction.

REVIEW OF ISSUES

The property at 12701 Quaker Lane N, owned by the Richard Hyland estate, is located immediately north of Elm Creek. The 1.6-acre property consists of mature trees, 400 linear feet of Elm Creek frontage and a single family home with attached garage. The property is listed at \$249,900, and has an assessed value of \$235,000 (2010). The agreement sets the purchase price at \$235,000 and calls for the City to pay closing costs; not to exceed \$3,900. The offer is contingent upon Council approval and clean title.

The City's Northwest Visioning Plan calls for the development of a linear park along the Elm Creek corridor and recommends the City initiate an acquisition program. Over the past decade, the City has secured several key parcels along the corridor which are highlighted on the attached map. This acquisition is a continuation of this effort.

At the work session, it was recommended the Park Reserve Fund finance the acquisition. The Council questioned whether the Fund could support the expenditure. The attached pro forma suggests the Park Reserve can support all planned future capital expenditures and the proposed acquisition. The acquisition, however, will limit new, unplanned priorities. The pro forma does not acknowledge the value of the Park Reserve's landholdings including the property at 1001 Cartway Road.

As for use, staff is exploring the options. The property could be leased short term in anticipation of a future teardown or could be leased long-term. A family member of the estate has shown an interest in a lease back. Another option could be to dedicate trail and access easements and re-sell the property. Staff will present these options and a recommendation at a later date.

ALTERNATIVES/IMPACTS (UPSIDE/DOWNSIDE)

UPSIDE

Acquiring the property allows the City to secure a key parcel along the Elm Creek and to add to the linear park corridor along Elm Creek. Opportunities to secure key creek corridor parcels at market rate prices are limited.

DOWNSIDE

The acquisition is not a budgeted expenditure and will diminish but not significantly impact the Park Reserve Fund's ability to accomplish other projects.

RECOMMENDATION

It is recommended the Council approve the purchase agreement establishing a sale price of \$235,000 and direct staff to complete their analysis regarding future park, trail and /or redevelopment opportunities and report back to the City Council.

Attachments