

Minutes of the Proceedings of the City Council of the City of Champlin in the County of Hennepin and the State of Minnesota  
Pursuant to Due Call and Notice Thereof

Regular Session  
April 26, 2010  
Municipal Center

- Call to Order                   The Champlin City Council met in Regular Session and was called to order by Mayor Mark Uglem at 7:00 p.m.
- Pledge of Allegiance        The Pledge of Allegiance was recited.
- Roll Call                      Council present: Mayor Mark Uglem, Councilmembers Eric Johnson, ArMand Nelson, Greg Payer and Julia Whalen.
- Council absent: none.
- Staff present: City Administrator Bret Heitkamp, Deputy City Administrator John Cox, City Engineer Tim Hanson, City Attorney Darrell Jensen, City Planner Scott Schulte, Assistant City Engineer Todd Tuominen, Parks Facilities Manager Dan Masloski, Fire Chief Charlie Thompson, Building Inspector Jerry Hart and City Clerk Roberta Colotti.
- Guest present: Hennepin County Commissioner Jeff Johnson.
- Approval of Agenda  
(April 26, 2010)  
Motion                        Motion by Councilmember Johnson and seconded by Councilmember Payer to approve the agenda for the April 26, 2010 Regular Meeting as presented. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.
- Approval of Minutes  
(April 12, 2010  
Committee-of-the-Whole,  
Regular, Worksession and  
Executive Meetings)  
Motion                        Motion by Councilmember Johnson and seconded by Councilmember Payer to approve the minutes of the April 12, 2010 Committee-of-the-Whole, April 12, 2010 Regular Session, April 12, 2010 Worksession and April 12, 2010 Executive Session Meetings as presented. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.
- Councilmember Johnson advised that in regard to the April 12, 2010 Tobacco Compliance Hearing minutes, he voted against the motion to uphold the \$500 civil fine for a first violation of the tobacco ordinance by Champlin BP.
- (April 12, 2010 Hearing)  
Motion                        Motion by Councilmember Johnson and seconded by Councilmember Nelson to approve the minutes of the April 12, 2010 Tobacco Compliance Hearing Meeting as amended. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.
- Approval of Bills  
(April 26, 2010)  
Motion                        Motion by Councilmember Whalen and seconded by Councilmember Nelson to approve the bills as submitted for payment on April 26, 2010. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.
- Announcements              Mayor Uglem made the following announcements:
- On Saturday, May 1<sup>st</sup> the City will be hosting the Recycling Material Drop-Off Day from 9:00 a.m. to 4:00 p.m. in the Champlin Plaza Shopping Center parking lot. We will be accepting bicycles, scrap metal and small engines at no charge. We will also accept tires for a small fee. The Fire Department will be on-site collecting fire extinguishers for testing and inspection for a \$5.00 fee. Extinguishers will be ready for pick-up on Friday, May 7<sup>th</sup> at the Champlin Fire Station.
  - The curbside collection of used appliances will take place on Monday, May 10<sup>th</sup> at 7:00 a.m. To participate, you must purchase a sticker at City Hall by Wednesday, May 5<sup>th</sup> for \$15 per appliance.
  - Economic Development Authority Meeting – Monday, May 10<sup>th</sup> at 5:45 p.m. in the Council Chambers.
  - Reconvene of Board of Appeal and Equalization – Monday, May 10<sup>th</sup> at 6:45 p.m. in the Council Chambers.
  - City Council Meeting – Monday, May 10<sup>th</sup> at 7:00 p.m. in the Council Chambers.

- Every household in Champlin should have received their 2010 Census form. We encourage all residents to return their 2010 Census form as soon as possible. To see how well Champlin residents are responding to the 2010 Census, log on to the Census Bureau's Take 10 Challenge map at <http://2010.census.gov/2010census/take10map>
- 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.
- The Three River Parks District and the City of Coon Rapids are going to raise the level of the Mississippi River recreational pool beginning May 3, 2010. The summer elevation of 830.01 feet should be reached by May 15<sup>th</sup>.
- Road construction season is beginning in Champlin including the T.H. 610 and T.H. 169 triangle. An informational meeting will be held Thursday, May 6<sup>th</sup> from 6:00 to 8:00 p.m. at the Osseo Senior High School cafeteria.

#### Special Presentations

Presentation by Hennepin County Commissioner Jeff Johnson Regarding 2010 Budget

Hennepin County Commissioner Jeff Johnson provided an update on the adopted 2010 Hennepin County budget, and current discussions regarding the 2011 budget process. He advised that County spending decreased from 2009 to 2010 by nearly four percent, while there was an increase of 4.95 percent to the property tax levy. He explained that the property tax levy was increased, although there was a decrease in spending, because of a decrease in the amount of funding from the State.

Commissioner Johnson advised that GMAC continues to be a very big issue for the County, as HCMC takes in more GMAC patients than any other hospital in Minnesota. He advised that approximately \$45,000,000 was received by HCMC in 2009 from the State for GMAC patients and explained that it is possible that HCMC would receive nothing from the State this year for GMAC patients. He advised that budgets in the next few years will be some of the toughest for the County because of the issue of GMAC. He believed that the issue could be resolved but more people need to recognize the impact of the problem.

Mayor Uglen sought confirmation that the HCMC hospital budget continually has a negative budget by millions of dollars.

Hennepin County Commissioner Johnson confirmed that the budget of the hospital does go into the negative each year because of uncompensated care. He explained that it is not a legal obligation for the hospital but that it is the mission of the hospital not to turn away any patient because of their ability, or inability, to pay for services, even providing those services above and beyond emergency care. He advised that while Hennepin County does not have a legal obligation, it has an understanding, to fill the hole that providing uncompensated care for patients creates; which was \$32,000,000 in 2009. He explained that because the hole will increase in the 2010 and 2011, with the lack of funding from the State, the County will not be able to fill the hole created in the budget for HCMC. He stated that one suggestion would be for HCMC to only provide uncompensated care to residents of Hennepin County. He advised that the issue of GMAC will be the largest issue the Hennepin County Board will need to solve.

Councilmember Nelson questioned the percentage of uncompensated care that is provided by HCMC to residents outside of Hennepin County.

Commissioner Johnson reported that approximately 15 to 20 percent of uncompensated care is provided to residents living outside of Hennepin County.

Mayor Uglen stated that on a different note, Hennepin County has worked very well with the City of Champlin in regard to the issue of transportation.

Hennepin County Commissioner Johnson stated that he is always pleased to hear good comments from a city.

The City Administrator stated that he would like to compliment Commissioner Johnson on his accessibility, as Champlin staff had requested to meet with him to discuss some concerns that the City had. He explained that Commissioner Johnson promptly met with City staff, listened to their concerns and worked to find a solution.

The Fire Chief reported that in 2009 the Department responded to a total of 690 fires, which is typical of the number of fire calls received in the past five years. Anoka had 455 fires and Champlin had 195.

The Fire Chief reported that the Inspections program is supervised by him and involves three full-time firefighters who perform scheduled fire code inspections. In 2009 they concentrated on apartment buildings in both cities.

The Fire Chief reported that in 2009 the members spent approximately 3,271 hours in training.

The Fire Chief reported that due to the H1N1 flu scare, the Department did not participate in as many events as usual. Even with the reduction, they had a total of 1,380 visitors to the stations and trucks going to different events. They also participated in National Night Out.

The Fire Chief reported fire loss continues to be consistent with the past four years.

The Fire Chief reported in 2009 the response time average for the department was 5 minutes and 56 seconds, this compares to an average response time of 6 minutes and 2 seconds in 2008. The average response time for paid on-call firefighters in the metro area is 12 minutes.

The Fire Chief stated that our per capita costs are significantly lower than all other departments we compared to (Albert Lea, Andover, Brooklyn Center, Brooklyn Park, Chanhassen, Columbia Heights, Fridley, Ramsey and Richfield). Anoka's per capita cost is \$24.36 and Champlin's is \$17.76 and the two cities combined per capita cost is \$20.81. The next lowest comparable city is Chanhassen at \$32.15.

Mayor Uglen noted that recently many communities have, or have attempted to, combine services or form joint mutual aid units with neighboring communities. He questioned how long Champlin and Anoka have provided joint fire services.

The Fire Chief reported that the joint efforts began 25 years ago.

Mayor Uglen commented that the collaboration has worked very well for the City of Champlin and noted that he and the City Administrator serve on the Fire Board.

Councilmember Whalen asked about the upcoming award ceremony. .

The Fire Chief confirmed that the award ceremony is scheduled for next Thursday, May 6<sup>th</sup> at 6:00 p.m.

#### Step To It Challenge

The Parks Facilities Manager presented information regarding the Step To It Challenge, which is held May 17<sup>th</sup> through June 13<sup>th</sup>. The Step To It Challenge is sponsored by Hennepin County and the Minnesota Twins as a way to promote physical activity within the County.

The Parks Facilities Manager explained that you simply count the steps you walk or convert other physical activity into steps, and track your steps on the website [www.steptoit.org](http://www.steptoit.org) or by calling in your information to 612-348-5618.

The Parks Facilities Manager advised that there would be awards/celebrations for both individual residents and cities with the most participation. He encouraged everyone to participate in the event and reviewed the health benefits.

The Parks Facilities Manager reviewed the 19 cities within Hennepin County that are currently participating and reported that each city would receive five pairs of Twins tickets to distribute to the winners from their city. The person with the most steps wins the first pair of tickets and the City will give away four additional sets by random drawing, from those who participate each week. He reported that the City of Hopkins, the winner from the previous year, has issued a challenge to the other Hennepin County Mayors and City Councilmembers.

Mayor Uglen commented that this is a great way to increase physical fitness.

Consent Agenda

Final Change Order and Final Payment for the Municipal Facilities Expansion Site Improvements (Project 20602)  
Motion

Motion by Councilmember Johnson and seconded by Councilmember Nelson to approve the final change order and final payment for the Municipal Facilities Expansion site improvements. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.

Approve AFSCME Employee Contract Agreement for 2010-2012  
Motion

Motion by Councilmember Johnson and seconded by Councilmember Nelson to approve the AFSCME employee contract agreement for 2010-2012. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.

Approve Energy Conservation – System Efficiency Audit  
Motion

Motion by Councilmember Johnson and seconded by Councilmember Nelson to approve that the City Council enter into a contract with Building Environmental Management Corporation (BEM Corp.) for the preparation of a re-commissioning study in the amount of \$24,300 for all municipal campus buildings and the Mill Pond Gables Apartment building. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.

Approve Purchase of 2010 Playground Equipment for Highpointe Park  
Motion

Motion by Councilmember Johnson and seconded by Councilmember Nelson to approve the purchase of new playground equipment from Gametime for Highpointe Park in the amount of \$43,000. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.

Resolution No. 2010-35 Accepting the Bid and Awarding the Contract for Well No. 5 Rehabilitation (Improvement Project No. 21007)  
Resolution 2010-35

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Accepting the Bid and Awarding the Contract for Well No. 5 Rehabilitation (Improvement Project No. 21007).

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Nelson, and upon vote being taken thereon, the following voted in favor thereof: Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen, and the following voted against the same: none, whereupon said resolution was passed this 26<sup>th</sup> day of April, 2010.

Open Forum

No one was present for Open Forum.

Unfinished Business

Adoption of Ordinance No. 697 Adding Article V to Chapter 106 Regarding Private Swimming Pools and Ordinance No. 698 Amending Chapter 22 Fees

The City Planner reported that the final ordinance had been revised to address the Council concerns expressed at the first reading of the ordinance.

The City Planner provided a draft of the handout that will be used for resident education regarding the ordinance, and advised that the information would be posted on the City website as well. He reminded everyone that the ordinance was only for pools of a minimum size of 24 inches deep.

Ordinance 697

Councilmember Johnson introduced the second reading of an ordinance and moved its adoption:

An Ordinance Adding Article V to Chapter 106 Regarding Private Swimming Pools.

The motion for the adoption of the foregoing ordinance was duly seconded by Councilmember Whalen, and upon vote being taken thereon, the following voted in favor thereof: Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen, and the following voted against the same: none, whereupon said ordinance was passed this 26<sup>th</sup> day of April, 2010.

Ordinance 698

Councilmember Johnson introduced the following ordinance amendment and moved its adoption:

An Ordinance Amending Chapter 22 Fees.

The motion for the adoption of the foregoing ordinance was duly seconded by Councilmember Whalen, and upon vote being taken thereon, the following voted in favor thereof: Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen, and the following voted against the same: none, whereupon said ordinance was passed this 26<sup>th</sup> day of April, 2010.

Ice Cream Vendor License for Faysal Hasan

The City Clerk explained that conditional approval was given for this license application at the previous Council meeting, with direction given to staff to review whether the applicant was selling prior to his license approval. She advised that the applicant has sold ice cream in the City for several years now and confirmed that he did sell ice cream prior to the approval of his 2010/2011 license. She stated that the applicant submitted his application for his license on March 23<sup>rd</sup> and was then scheduled for the next available Council meeting, which was April 12<sup>th</sup>. She advised that the applicant apologized for the violation and he did not sell any additional products in the two weeks since the April 12<sup>th</sup> meeting. She explained that the applicant will apply for a renewal of his permit well in advance of the expiration in the future so that this situation does not arise again. She advised that staff recommends approval of the request and reviewed the proposed conditions of approval for the Council.

Motion

Motion by Councilmember Whalen and seconded by Councilmember Nelson to approve an ice cream vendor license for Faysal Hasan subject to the following conditions:

1. Safety arm must be used at all times.
2. No vending operations are permitted within 500 feet of any public parks where concessions are sold or within 100 feet of any state or county road.

Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.

Approve Electrical Services Contract

The Parks Facilities Manager provided a brief summary of background information regarding the electrical services contract, which was sent to ten companies for bid, with the results reported back to the City Council at the April 12<sup>th</sup> meeting. He explained that the Council directed staff to further negotiate for a lower rate with the low bidder, Killmer Electric. He advised that staff was able to negotiate a lower rate of \$69.50 per hour, compared to the bid of \$72.00 per hour. He stated that staff has confidence in Killmer Electric, and the relationship that has developed in the past six years.

Councilmember Payer commended staff on their work. He suggested that the City develop a policy that would allow staff to continually renew positive contracts through negotiations, rather than going out for bid.

Mayor Uglem stated that he is in favor of going out into the market to determine the best rate for services, especially when the agreement will be for multiple years.

Motion

Motion by Councilmember Payer and seconded by Councilmember Nelson to approve the Electrical Service Contract with Killmer Electric to perform repairs for the City of Champlin as presented. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.

#### New Business

Resolution No. 2010-36 Accepting the Feasibility Study and Ordering the Public Hearing for the 2010 Mill and Overlay Project (Improvement Project No. 21002)

The City Engineer presented the feasibility study for the 2010 Mill and Overlay project and reviewed the proposed project area. He reviewed the assessment policy of the City and reported that the assessment rate set by the Council for the year is \$1,432 per unit, with 100 units in the proposed project for a total assessment cost of \$143,200. He advised that the remaining funding of \$238,800 would be paid using the Capital Improvement Fund. He reviewed the proposed project schedule highlighting the neighborhood meeting on May 19<sup>th</sup> at 6:00 p.m. in the City Council Chambers and the public hearing on May 24<sup>th</sup> at 7:00 p.m. in the Council Chambers. He stated that construction would be taking place during the months of August and September, and an assessment hearing would follow in October 2010. He recommended that the Council accept the feasibility study and order a public hearing for the 2010 Mill and Overlay project.

Motion

Councilmember Whalen introduced the following resolution and moved its adoption:

A Resolution Accepting the Feasibility Study and Ordering the Public Hearing for the 2010 Mill and Overlay Project (Improvement Project No. 21002)

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Johnson, and upon vote being taken thereon, the following voted in favor thereof: Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen, and the following voted against the same: none, whereupon said resolution was passed this 26<sup>th</sup> day of April, 2010.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:51 p.m.

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Mark W. Uglem, Mayor

Attest:

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Roberta Colotti, CMC, City Clerk