

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
May 24, 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 Present were Mayor Mark Uglem, Councilmembers Eric Johnson, ArMand Nelson, Greg Payer and Julia Whalen.
- Absent: No one.
- Also present were City Administrator Bret Heitkamp, Deputy City Administrator John Cox, City Engineer Tim Hanson, Finance Director June Johnston, City Attorney Darrell Jensen, City Planner Scott Schulte, Assistant City Engineer Todd Tuominen, Police Chief Dave Schwarze, Recreation Supervisor Andy Singleton, Recreation Manager Alicia Jahnke and City Clerk Roberta Colotti.
- Approval of Agenda
(May 24, 2010)
Motion The City Administrator requested to add Item 6A “Establish an Executive Session Meeting to Discuss the Hayden Lake Road Condemnation Hearing” to the consent agenda.
- Motion by Councilmember Whalen and seconded by Councilmember Nelson to approve the agenda for the May 24, 2010 Regular Meeting as amended. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.
- Approval of Minutes
(April 21, 2010 Board of
Appeal)
Motion Motion by Councilmember Payer and seconded by Councilmember Johnson to approve the minutes of the April 21, 2010 Local Board of Appeal and Equalization Meeting as presented. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson and Payer. Voting against: none. Abstain: Councilmember Whalen. Motion carried.
- (May 10, 2010 Reconvene
of Board of Appeal and
Regular Meetings)
Motion Motion by Councilmember Whalen and seconded by Councilmember Payer to approve the minutes of the May 10, 2010 Reconvene of the Local Board of Appeal and Equalization, and May 10, 2010 Regular Meetings as presented. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.
- Approval of Bills
(May 24, 2010)
Motion Motion by Councilmember Whalen and seconded by Councilmember Nelson to approve the bills as submitted for payment on May 24, 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:
- 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
- Presentation of 2010
Father Hennepin Festival
Activity and Event
Schedule The Recreation Supervisor presented the 2010 Father Hennepin Festival activity and event schedule. He noted that Gerry Winship will be the Grand Marshal of the festival.
- The Recreation Manager reviewed the scheduled events for each day of the festival, highlighting events such as the medallion hunt.

The Recreation Supervisor reported that West River Road would experience closures due to the festival.

The Recreation Manager thanked First Student for their shuttle bus services and advised that parking, for the festival, was available at Champlin Plaza. She reported that a Wii games family tournament would be held for the first time and that a button would be required for the event. She stated that buttons will be available prior to the festival and at the festival. She thanked Wells Fargo for their annual sponsorship of the youth and open age coin searches, which is also a button required event. She also thanked Filtration Engineering for their ongoing sponsorship of the annual fireworks, which occur at 10:15 Saturday evening.

The Recreation Supervisor highlighted the bands that would provide annual entertainment on Saturday beginning at 4:00 p.m. with the Killer M's and then following with Boogie Wonderland. He continued to review the remaining events of the festival with the Recreation Manager, including the Mayor and City Council kids fishing contest on Sunday at 10:30 a.m. He advised that the carnival will run Friday through Sunday, with rides for both children and adults. He stated that single tickets can be purchased on Friday and Saturday, with unlimited ride wristbands available for purchase on Sunday. He then thanked all the bronze, silver, and gold level sponsors for the event. Any additional information can be found at www.fatherhennepinfestival.com. He reported that Melissa Brown, Minneapolis, was the winner of the button design contest.

Mayor Uglem thanked all the volunteers for their donation of time and effort for the festival. He welcomed all residents to attend the community event.

Consent Agenda

License Application for the Sale of Consumer Fireworks for Walgreens Motion

Motion by Councilmember Nelson and seconded by Councilmember Whalen to approve 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. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.

License Application for the Sale of Consumer Fireworks for Aldi Foods Motion

Motion by Councilmember Nelson and seconded by Councilmember Whalen to approve 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. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.

Massage Therapist License at Han Spa and Body Care Motion

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

Authorize Change Order No. 1 to Well No. 5 (Project No. 21007) Motion

Motion by Councilmember Nelson and seconded by Councilmember Whalen to approve Change Order No. 1, in the amount of \$7,450 for the installation of a new motor on Well No. 5 (Improvement Project No. 21007). Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.

Safe & Sober Grant Resolution No. 2010-41 Authorizing Acceptance of a Traffic Safety Award Resolution 2010-41

Councilmember Nelson introduced the following resolution and moved its adoption:

A Resolution Authorizing Acceptance of a Traffic Safety Award.

The motion for the adoption of the foregoing resolution 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 resolution was passed this 24th day of May, 2010.

Establish an Executive Session to Discuss the Hayden Lake Road Condemnation Hearing

Motion by Councilmember Nelson and seconded by Councilmember Whalen to approve establishing an Executive Session, immediately following the City Council meeting, to discuss the Hayden Lake Road condemnation hearing. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried.

Open Forum

No one was present for Open Forum.

Public Hearings

Review 2009 National Pollutant Discharge Elimination System Program (NPDES)

The Assistant City Engineer noted that each year the City is required to hold a public hearing as part of the permitting process. This is done to update the Council and to educate the public. He provided background information regarding the origins of the NPDES permit process and explained the principles behind the permit.

The Assistant City Engineer summarized the six minimum control measures, including public education and outreach, public participation and involvement, illicit discharge detection and elimination, construction site storm water runoff control, post construction storm water management, and pollution prevention and good housekeeping. He then explained how the City currently meets each measure and the plans for the future. He briefly reviewed additional Best Management Practices (BMP) and provided the schedule for the MS4 permit for the City.

Public Hearing

Mayor Uglem opened the public hearing at 7:36 p.m.

No public comment was given.

Motion

Motion by Councilmember Payer and seconded by Councilmember Johnson to close the public hearing. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried. The public hearing was closed at 7:37p.m.

Resolution No. 2010-42 Directing the Preparation of Plans and Specifications and Ordering the 2010 Mill & Overlay Project (Improvement Project No. 21002)

The City Engineer reviewed the proposed project area for the 2010 Mill and Overlay project, explained the City street repair plan and process of rating a road on the pavement condition index. He explained that an edge Mill and Overlay would occur in a portion of the proposed project area, while full depth reclamation improvements would occur in the other portion of the project area. He stated that catch basin repair work would also occur in other portions of the City.

The City Engineer reported the total estimated project cost at \$408,000, with \$382,000 proposed to occur in the identified project area, and the remainder of the cost due to repairs made throughout the City. He advised that the rate of assessment is set at \$1,432 per unit, and a total assessment of \$143,200. He summarized the assessment process and reviewed the proposed project schedule. He recommended approval of the project as identified.

Public Hearing

Mayor Uglem opened the public hearing at 7:45 p.m.

Shane Folmer, 10840 Linwood Forest Drive, stated that he lives on one of the two private drive cul-de-sacs in the project area. He advised that the cul-de-sacs are considered private drives and therefore, although the homes pay the same amount in taxes as other homes in Champlin, they do not receive the same City services including snow plowing. He stated that the homes are zoned multi-family but only single family homes exist in the area. He questioned the best course of action for the property owners, as he represented more than one family on this issue.

Mayor Uglem stated that the Council would direct staff to research the assessment options for these properties and the proposed project plans.

Motion

Motion by Councilmember Payer and seconded by Councilmember Nelson to close the public hearing. Voting in favor were Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen. Voting against: none. Motion carried. The public hearing was closed at 7:50 p.m.

The City Engineer stated that the Council could switch the road to a private street but explained that the road would then need to be reconstructed to the public street standards, as currently the driveway has the consistency of a private driveway.

Councilmember Payer requested additional information in regard to the assessment policy in application with the private drive.

The City Engineer explained that in situations of a private drive, any unit accessing their property through the private drive would share the cost of the improvements because of the equal access. He advised that townhomes are assessed at one quarter of the rate because of the multi-family development but explained that these parcels would be assessed at a full rate because they are single family homes.

Councilmember Johnson was unsure why the townhomes would receive a discount on the assessment because their drive is shared by four homes, but the homes on the cul-de-sac would be charged a full rate of assessment, when their drive is shared by six homes.

Resolution 2010-42

Councilmember Payer introduced the following resolution and moved its adoption:

A Resolution Directing Preparation of Plans and Specifications and Ordering the 2010 Mill & Overlay Project (Improvement Project No. 21002), with Additional Review of the Private Drive.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Whalen, and upon vote being taken thereon, the following voted in favor thereof: Voting: Mayor Uglem, Councilmembers Johnson, Nelson, Payer and Whalen, and the following voted against the same: none, whereupon said resolution was passed this 24th day of May, 2010.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:57 p.m.

Mark W. Uglem, Mayor

Attest:

Roberta Colotti, CMC, City Clerk