

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
February 13, 2017
Municipal Center

- Call to Order The Champlin City Council met in Regular Session and was called to order by Mayor Ryan Karasek at 7:00 p.m.
- Pledge of Allegiance The Pledge of Allegiance was recited.
- Roll Call Present: Mayor Ryan Karasek and Councilmembers Jessica Tesdall (Ward 1), Eric Johnson (Ward 2), Nate Truesdell (Ward 3) and Ryan Sabas (Ward 4).
- Absent: None.
- Also present were City Administrator Bret Heitkamp, Community Development Director John Cox, City Engineer Tim Hanson, Assistant City Engineer Todd Tuominen, Assistant Finance Director Reidun Zollicoffer, City Attorney Scott Lepak and City Clerk Roberta Colotti.
- Approval of Agenda
(February 13, 2017)
Motion Motion by Councilmember Sabas and seconded by Councilmember Truesdell to approve the agenda for the February 13, 2017 Regular Meeting as presented. Voting in favor were Mayor Karasek, Councilmembers Tesdall, Johnson, Truesdell and Sabas. Voting against: none. Motion carried.
- Approval of Minutes
Motion Motion by Councilmember Johnson and seconded by Councilmember Sabas to approve the minutes of the January 23, 2017 Worksession and January 23, 2017 Regular Meeting as presented. Voting in favor were Mayor Karasek, Councilmembers Tesdall, Johnson, Truesdell and Sabas. Voting against: none. Motion carried.
- Motion by Councilmember Sabas and seconded by Councilmember Tesdall to approve the minutes of the January 18, 2017 Legislative Worksession and January 20 & 21, 2017 Strategic Planning Worksession as presented. Voting in favor were Mayor Karasek, Councilmembers Tesdall, Truesdell and Sabas. Voting against: none. Abstained: Councilmember Johnson. Motion carried.
- Approval of Bills
(February 13, 2017)
Motion Motion by Councilmember Johnson and seconded by Councilmember Sabas to approve the bills as submitted for payment on February 13, 2017. Voting in favor were Mayor Karasek, Councilmembers Tesdall, Johnson, Truesdell and Sabas. Voting against: none. Motion carried.
- Announcements Mayor Karasek made the following announcements:
- Feed My Starving Children is holding a Mega Pack Event February 22-26 at Egan Companies in Champlin. The event is a wonderful opportunity for Champlin residents, businesses, and their employees to work together to make a difference. In all, thousands are expected to visit our community during the five-day event to produce two million meals for starving children across the world. The City of Champlin is organizing a team to participate on Thursday, February 23rd from 5:00 to 7:00 p.m. If you're interested in joining us contact John Cox at 763-923-7104. If you're not able to join us on the 23rd but would like to participate, you can do so by visiting the event website at www.Give.FMSC.org/northwest.
 - Council Worksession – Monday, February 27th at 5:30 p.m. in the Council Conference Room
 - City Council Meeting – Monday, February 27th at 7:00 p.m. in the Council Chambers
 - EDA Board Meeting – Monday, February 27th following the City Council meeting in the Council Chambers
 - Visioning/Work Plan Priority Worksession – Wednesday, March 1st at 6:00 p.m. in the Emergency Operations Center
- Special Presentations
- Presentation of ACEC
Engineering Award for
Elm Creek Dam The Assistant City Engineer announced that the City and WSB received a Grand Award for the ACEC for the construction of the Elm Creek Dam Project. He stated that the ceremony was held on January 27th and the project will be eligible for a national award. He provided an overview of the history of the dam and the project. He noted that a coalition of agencies worked together to design, fund and

complete the project. He expressed his appreciation to the Council for their support of the project, the City Administrator for his leadership and other staff members that assisted in making this a great project. He presented the award to Mayor Karasek.

Mayor Karasek thanked City staff for their hard work on this project. He stated that this is an exceptional award and recognition for the community. He stated that the project would not have happened without the strong support of Senator Hoffman and Representative Uglem.

Councilmember Johnson thanked the Assistant City Engineer for the years of work he dedicated to the project.

Overview of Worksession Discussion

The City Administrator provided an overview of the discussion that occurred earlier in the evening at the Council Worksession regarding the 2017 Street Improvement Project. He stated that the Council reviewed the various aspects of the project in October 2016 and has conducted a public hearing on the project. He stated that because there are new members on the City Council staff wanted to ensure that everyone was well informed as the item will come back for formal action on February 27th.

The City Administrator reported that the EDA met in Worksession and reviewed the draft Mann Theater development agreement. He stated that the EDA also reviewed proposed changes to the business subsidy policy. He stated that due to time constraints the EDA recessed the meeting and will reconvene after the Regular City Council meeting tonight.

Consent Agenda

Councilmember Johnson requested to pull Item #6, "Appoint Representatives to Coordinate Fundraising and Planning for a River Gauge", from the Consent Agenda for further discussion.

Approve Replacement of Public Works Trucks Motion

Motion by Councilmember Johnson and seconded by Councilmember Sabas to approve the purchase of a one-ton four-wheel drive truck with a drop side dump box and plow and a two-wheel drive one-ton with a drop side dump box at a total purchase price of \$90,097.70, including trades, through the State Contract Program from Midway Ford Commercial Fleet and Government Sales. Voting in favor were Mayor Karasek, Councilmembers Tesdall, Johnson, Truesdell and Sabas. Voting against: none. Motion carried.

Resolution No. 2017-15 Approving the Final Plat for the Reserve at Elm Creek Fourth Addition: Gonyea Companies (Project 2017-02)

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Approving the Final Plat of The Reserve at Elm Creek Fourth Addition

The motion for the adoption of the resolution was duly seconded by Councilmember Sabas, and upon vote being taken thereon, the following voted in favor thereof: Mayor Karasek, Councilmembers, Tesdall, Johnson, Truesdell and Sabas, and the following voted against the same: none, whereupon said resolution was passed this 13th day of February 2017.

Approve Final Payment to Rum River Contracting Company for Brittany Drive Area Mill and Overlay (Improvement Project No. 21508) Motion

Motion by Councilmember Johnson and seconded by Councilmember Sabas to approve the final pay estimate and accept the Brittany Drive Mill and Overlay Improvement Project, Improvement Project No. 21508, with the final payment to the contractor in the amount of \$31,902.83. Voting in favor were Mayor Karasek, Councilmembers Tesdall, Johnson, Truesdell and Sabas. Voting against: none. Motion carried.

Appoint Representatives to Coordinate Fundraising and Planning for a River Gauge Motion

Councilmember Johnson stated that there are three river gauges identified in the report "Stage", "State & Discharge" and "Stage, Discharge & Velocity" with prices ranging from \$13,000 to \$30,000 and annual maintenance ranging from \$6,000 to \$20,000. He asked which gauge the appointed representatives have identified as their fundraising goal.

The Community Development Director stated that the goal is to raise funds for the "Stage, Discharge & Velocity" gauge at a purchase price of \$30,000 and annual maintenance cost of \$20,000. However, the gauge can be installed in phases beginning with the "Stage" and improving the gauge over time as funds allow.

Councilmember Johnson questioned if the annual maintenance cost would become part of the City's general fund operating budget or if outside funds would be raised each year.

The Community Development Director stated they are asking for an up-front contribution as well as an annual contribution from other cities and agencies as part of the fundraising effort.

Mayor Karasek stated that Councilmember Sabas and City Planner Scott Schulte are the representatives identified for appointment tonight to the fundraising effort.

Motion by Councilmember Johnson and seconded by Councilmember Tesdall to establish the need for a Mississippi River forecasting gauge, appointing Councilmember Ryan Sabas and City Planner Scott Schulte to represent the City on this matter, and charge them with spearheading an effort to secure funding for a river gauge. Voting in favor were Mayor Karasek, Councilmembers Tesdall, Johnson, Truesdell and Sabas. Voting against: none. Motion carried.

Resolution No. 2017-16
Approving Proposed
Application for 2017
Urban Hennepin County
Community Development
Block Grant (CDBG)
Program Funds and
Authorizing Execution of
Sub-recipient Agreement
with Urban Hennepin
County and any Third
Party Agreements
Motion

Councilmember Johnson introduced the following resolution and moved its adoption:

Approving Proposed Application for 2017 Urban Hennepin County Community Development Block Grant (CDBG) Program Funds and Authorizing Execution of Sub-recipient Agreement with Urban Hennepin County and any Third Party Agreements

The motion for the adoption of the resolution was duly seconded by Councilmember Sabas, and upon vote being taken thereon, the following voted in favor thereof: Mayor Karasek, Councilmembers, Tesdall, Johnson, Truesdell and Sabas, and the following voted against the same: none, whereupon said resolution was passed this 13th day of February 2017.

Open Forum

Laurie spoke in representation of Matt Shaust, 201 East Hayden Lake Road, explaining that Matt and his wife live at Mill Pond Gables and have had some challenges in the last year with the smoking policy. She stated that the management has designated a portion of an attached screened in porch as a smoking area and Matt and his wife have some challenges with that. She noted that their lease agreement clearly states that the premises are non-smoking. She stated that they also feel smoking on-site is a violation of the Freedom to Breathe Act. She noted that the management is currently providing ashtrays and smoking equipment and the Act prohibits that and requires no smoking signs. She asked if the Council has the ability to enforce these requirements.

The Community Development Director stated that he has worked with Matt and his wife for years. He stated that smoking has always existed on the deck at that property and there has always been a struggle between those that smoke and those that do not. He stated that his understanding is that the Council would not have the authority to enforce the private lease but noted that he has reached out to the management.

The City Attorney stated that the Freedom to Breathe Act is enforced by the Minnesota Department of Health. He stated that the City's jurisdiction would be limited to enforcement of its own ordinances.

Laurie asked if there is any licensing the City does that could tie into enforcement.

The Community Development Director noted that the City does hold rental licenses but does not require them to be smoke free.

Mr. Shaust stated that they have been bullied.

The Community Development Director recognized that this has been a contentious issue for that location.

New Business

Accept Resignation of

The City Administrator stated that the City Council is required to take formal action to accept the

Councilmember Eric Johnson (Ward 2) and Approve Process to Fill the Vacant Position

resignation of Ward 2 Councilmember Eric Johnson which was submitted on January 23, 2017 and is effective March 27, 2017.

Councilmember Johnson asked if he should vote on this.

The City Attorney advised that Councilmember Johnson should abstain from this vote but could vote on the appointment process vote.

Motion

Motion by Councilmember Sabas and seconded by Councilmember Tesdall to accept the resignation of Ward Two City Councilmember Eric Johnson, effective March 27, 2017. Voting in favor were Mayor Karasek, Councilmembers Tesdall, Truesdell and Sabas. Voting against: none. Abstain: Councilmember Johnson. Motion carried.

Motion

The City Administrator outlined the proposed appointment timeline as follows:

- February 13th City Council Accepts Resignation
- February 14th Announce Timeline and Process on Website & Facebook
- February 16th Champlin Dayton Press – News Notice of Vacancy
- February 21st Applications Begin Being Accepted
- March 10th Applications Close
- March 23rd City Council Meeting – Candidate Interviews
- March 27th – Councilmember Johnson’s Final Meeting
- April 10th – Ward 2 City Council Candidate Appointment

Motion by Councilmember Sabas and seconded by Councilmember Truesdell to approve the process to fill the vacant position on the City Council. Voting in favor were Mayor Karasek, Councilmembers Tesdall, Johnson, Truesdell and Sabas. Voting against: none. Motion carried.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:29 p.m.

Attest:

Ryan Karasek, Mayor

Roberta Colotti, CMC, City Clerk