

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
March 23, 2015
Municipal Center

- Call to Order The Champlin City Council met in Regular Session and was called to order by Acting Mayor Eric Johnson at 7:00 p.m.
- Pledge of Allegiance The Pledge of Allegiance was recited.
- Roll Call Present were Acting Mayor Eric Johnson and Councilmembers Ryan Karasek, Bruce Miller and Kara Terry.
- Excused Absent: Mayor ArMand Nelson.
- Also present were City Administrator Bret Heitkamp, City Engineer Tim Hanson, Park Facilities Manager Charlie Lehn, Assistant City Engineer Todd Tuominen, City Attorney Scott Lepak and City Clerk Roberta Colotti.
- Approval of Agenda
(March 23, 2015)
Motion Motion by Councilmember Karasek and seconded by Councilmember Miller to approve the agenda for the March 23, 2015 Regular Meeting as presented. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.
- Approval of Minutes
Motion Motion by Councilmember Miller and seconded by Councilmember Karasek to approve the minutes of the March 9, 2015 Worksession and March 9, 2015 Regular Meeting as presented. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Abstained: Councilmember Terry. Voting against: none. Motion carried.
- Approval of Bills
(March 23, 2015)
Motion Motion by Councilmember Terry and seconded by Councilmember Miller to approve the bills as submitted for payment on March 23, 2015. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.
- Announcements Acting Mayor Johnson made the following announcements:
- Council Worksession – Monday, April 13th at 5:45 p.m. in the Council Conference Room.
 - City Council Meeting – Monday, April 13th at 7:00 p.m. in the Council Chambers.
 - Post Meeting Worksession – Monday, April 13th following the Council meeting in the Council Conference Room.
 - West River Road north of Hayden Lake Road will be closed to traffic beginning Wednesday, March 25th and will mark the start of construction of the Mill Pond Dam. It is estimated that West River Road will reopen to traffic in November of 2015. Advanced road closed signs have been posted and Hayden Lake Road and Highway 169 will be utilized as the detour route.
- Overview of Worksession
Discussion Special Presentations
Acting Mayor Johnson reported that the Worksession earlier in the night had been canceled.
- Award 2015 Street
Sweeping Contract
Motion Consent Agenda
Motion by Councilmember Miller and seconded by Councilmember Karasek to award the 2015 Street Sweeping Contract to Allied Blacktop Company in the amount of \$82 per hour. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.
- Resolution No. 2015-27
Authorizing Execution of
Grant Agreement Between
the Minnesota Department
of Public Safety and the Councilmember Miller introduced the following resolution and moved its adoption:
- A Resolution Authorizing Execution of Grant Agreement Between the Minnesota Department of
Public Safety and the City of Champlin

City of Champlin
Resolution 2015-27

The motion for the adoption of the resolution was duly seconded by Councilmember Karasek, and upon vote being taken thereon, the following voted in favor thereof: Acting Mayor Johnson, Councilmembers, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 23rd day of March 2015.

Ice Cream Vendor License
Motion

Motion by Councilmember Miller and seconded by Councilmember Karasek to approve the license for an ice cream vending truck, for the period April 1, 2015 to March 31, 2016, for Faysal Hasan, Blaine Anoka Ice Cream, subject to the conditions as listed. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.

Resolution No. 2015-28
Authorizing Execution of
Master Subscriber
Agreement for Minnesota
Court Data Services for
Governmental Agencies
Resolution 2015-28

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Authorizing Execution of Master Subscriber Agreement for Minnesota Court Data
Services for Governmental Agencies

The motion for the adoption of the resolution was duly seconded by Councilmember Karasek, and upon vote being taken thereon, the following voted in favor thereof: Acting Mayor Johnson, Councilmembers, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 23rd day of March 2015.

Contract for Auction
Service
Motion

Motion by Councilmember Miller and seconded by Councilmember Karasek to approve the contract with Assets2Cash for auction services for police department property items. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.

Response to Open Forum
Questions at March 9th
Council Meeting

Open Forum

The City Administrator stated that at the March 9th Council meeting a resident expressed concerns regarding repeated police responses to his apartment, which resulted in a strike letter via the rental licensing code. He stated that staff researched the issue and found that there were three times in which the police responded to the residence, all as a result of 911 calls. He reported that two of the three incidents involved disorderly behavior, as defined by the rental licensing ordinance, and as a result, there were two strike notice letters sent to the resident. He stated that on February 26th a Police Investigator met with the resident to provide additional information and clarification on the strike letters and noted that the Police Chief also met with the resident on March 16th to provide additional clarification on the apartment rental code process. He believed that the resident has a more clear understanding of the process after meeting with staff.

Acting Mayor Johnson questioned if property managers provide a copy of the rental code policy to renters when they sign their lease.

The City Administrator stated that staff from the livable housing unit meets with the property managers once a month, and their superiors on a quarterly basis, to review the service calls. He stated that he would confirm whether property managers were providing a copy of the rental code information to the renters. Deputy City Administrator John Cox will be preparing a report on this topic for distribution to the City Council in the next couple of weeks.

Resolution No. 2015-29
Approving the Department
of Natural Resources
Local Trail Connections
Grant to the City of
Champlin

New Business

Acting Mayor Johnson reported that Councilmember Karasek will be recusing himself from this item due to a possible perceived conflict of interest.

The Park Facilities Manager reported that the Elm Creek Greenway Trail is eligible for grant funding through the Department of Natural Resources (DNR) Local Trail Connections Grant. The project is located along the City-owned land at 1001 Cartway Road. He stated that the Park and Recreation Commission reviewed the proposed trail and funding application and recommends moving forward with the application. He identified City owned properties along the Elm Creek as well as areas for future consideration. He identified the proposed trail connection on an aerial photograph and provided a reference to the location of Reynold's Park.

The Park Facilities Manager noted that during the Park and Recreation Commission discussion there was a request from adjacent residents to provide additional trees and prairie grasses as well as trash

receptacles along the trail.

The Park Facilities Manager stated that staff believes that this is a viable and ready to construct trail connection and was hopeful that DNR grant funds could be obtained to assist in the project. He stated that grant award notifications would be sent in July 2015 and construction would need to be complete by 2017.

Councilmember Miller stated that the Park and Recreation Commission was quite thorough in their review of this item. He questioned if this issue had come before the Park and Recreation Commission before the March 19th regular meeting.

The Park Facilities Manager replied that March 19th was the first time the item had come before the Commission at a regular meeting, noting that the item was discussed in a Worksession on March 3rd which was to have been the regular meeting date however there wasn't a quorum present that night.

Councilmember Miller stated that it was his understanding that the first plan included a different trail alignment and questioned when that path changed.

The Park Facilities Manager explained that staff met on-site and made recommendations to the Commission to amend the location to better align with the existing trail and maintain a larger distance from the existing homes in the area. He stated that this trail alignment provides a closer experience to the Creek as well for trail users.

Councilmember Miller stated that while this is not a large amount of money, his point is that this is an increase from the other proposed path. He asked for additional information on the proximity of the trail to the existing homes.

The Park Facilities Manager reported that the first alignment was 20' from the neighboring homes and the new alignment is 125' from the nearest home on the west end and approximately 100' to where the trail will connect to the existing trail to the same residence aforementioned on the east end.

Councilmember Miller stated that this is an increase in construction costs as well as maintenance and noted that he was simply attempting to seek justification in that additional cost.

The Park Facilities Manager reported that the maintenance for the boardwalk would be minimal and provided comparison information for boardwalks and hard surface trails. He provided additional information on the elements of the boardwalk.

Councilmember Miller questioned if changes could be made to the layout once the grant application is submit.

The Park Facilities Manager stated that it is his understanding that when an application is submit the DNR looks at the intention and did not believe that the DNR would object if the boardwalk were changed to a berm. He noted that if the boardwalk were changed to a hard surface trail, the cost and numerical portion of the application would change which could impact the grant.

Councilmember Terry questioned what would occur if the grant is not received and noted that her support for this project is based on the grant funding being received.

The Park Facilities Manager stated that if the grant is not awarded the first time, the City could reapply in the next grant cycle.

The City Administrator clarified that the purpose of the wetland delineation is to determine where the crossing can occur and whether a berm or boardwalk would be the best fit. He advised that the section of trail has been included in the CIP previously and if the grant is not received, the trail would continue to be on the CIP noting that the trail would simply then complete against the other items on the CIP.

Councilmember Miller stated that at the Park and Recreation Commission meeting residents spoke regarding the cleanliness and safety issues in that area and stated that perhaps the additional traffic would assist in deterring those issues.

The Park Facilities Manager stated that staff is working to address those issues and would also be working the ERC to include this area in the Earth Day Clean-up Event.

Acting Mayor Johnson questioned the width of the proposed trail.

The Park Facilities Manager advised that the trail width is proposed to be 10’.

Acting Mayor Johnson confirmed that if the trail is constructed at a 10’ width, staff could then drive the trail to empty trash receptacles.

Councilmember Karasek stated that he is recusing himself from tonight’s vote and any future votes on this issue due to a possible perceived conflict of interest as his brother owns property backing up to the potential trail segment. He furthermore stated that he has not given any direction to staff regarding the project and proposed trail location. He noted that he did speak with residents in that area, as this is within his ward, and he wanted to pass along their comments to the Council. They expressed concerns regarding the proximity to their homes, screening between the trail segment and their homes, and trash.

Resolution 2015-29

Councilmember Terry introduced the following resolution and moved its adoption:

A Resolution Approving the Department of Natural Resources Local Trail Connections Grant to the City of Champlin

The motion for the adoption of the resolution was duly seconded by Councilmember Miller, and upon vote being taken thereon, the following voted in favor thereof: Acting Mayor Johnson, Councilmembers, Miller and Terry, and the following voted against the same: none, abstained: Councilmember Karasek, whereupon said resolution was passed this 23rd day of March 2015.

Resolution No. 2015-30
Approving the Acquisition
the 11-Acre Schmidt
Wildlife Management
Area from the Minnesota
Department of Natural
Resources

The Park Facilities Manager stated that in January the Council approved the permitting of the Three Rivers Park District purchase of the 39-acre Wildlife Management Area. He stated that 50 years ago the Henry Schmidt estate donated to the DNR the 11-acre and 39-acre properties. He stated that 78 to 80 percent of the 11-acre property is deciduous forest with rolling terrain. He stated that staff believes that this parcel fits within the direction of the Comprehensive Plan and noted that the proposed purchase price is \$1,552.10. He advised that the tree inspector has reviewed the property and provided a letter with his comments to the Council. He stated that the Park and Recreation Commission recommends approval of the purchase.

Councilmember Miller questioned if future development could occur on the property or whether stipulations would be applied.

The Park Facilities Manager advised that there would be restrictions and limits to the land use, noting that property would need to be maintained wildlife and public use for at least the next 40 years.

The City Administrator advised that this would be public open space and any future improvements would need to go through the Park and Recreation Commission as well as the City Council.

Acting Mayor Johnson referenced the letter from the tree inspector, regarding buckthorn, and questioned if there would be a maintenance plan for that.

The Park Facilities Manager advised that the City has asked for Sentence to Service (STS) crews to assist over the past year or so and this area could be added to the list for the future.

Resolution 2015-30

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Approving the Acquisition the 11-Acre Schmidt Wildlife Management Area from the Minnesota Department of Natural Resources

The motion for the adoption of the resolution was duly seconded by Councilmember Karasek, and upon vote being taken thereon, the following voted in favor thereof: Acting Mayor Johnson, Councilmembers, Karasek, Miller and Terry, and the following voted against the same: none,

whereupon said resolution was passed this 23rd day of March 2015.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:37 p.m.

ArMand Nelson, Mayor

Attest:

Roberta Colotti, CMC, City Clerk