

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 11, 2016
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 and Bruce Miller.
- Excused Absent: Mayor ArMand Nelson and Councilmember Kara Terry.
- Also present were City Administrator Bret Heitkamp, City Engineer Tim Hanson, Assistant City Engineer Todd Tuominen, City Attorney Scott Lepak and City Clerk Roberta Colotti.
- Approval of Agenda
(April 11, 2016)
Motion Motion by Councilmember Karasek and seconded by Councilmember Miller to approve the agenda for the April 11, 2016 Regular Meeting as presented. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. 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 28, 2016 Worksession and March 28, 2016 Regular Meeting as presented. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Voting against: none. Motion carried.
- Approval of Bills
(April 11, 2016)
Motion Motion by Councilmember Miller and seconded by Councilmember Karasek to approve the bills as submitted for payment on April 11, 2016. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Voting against: none. Motion carried.
- Announcements Acting Mayor Johnson made the following announcements:
- Joint Meeting with the City of Dayton – Tuesday, April 19th at 6:30 p.m. at Buona Sera Ristorante
 - The Earth Day Clean-Up Event is Thursday, April 21st at 5:00 p.m. at Andrews Park. Sign-up to volunteer by contacting the City Clerk at 763-421-8100
 - Council Worksession – Monday, April 25th at 5:45 p.m. in the Council Conference Room
 - EDA Meeting – Monday, April 25th at 6:30 p.m. in the Council Chambers
 - City Council Meeting – Monday, April 25th at 7:00 p.m. in the Council Chambers
 - The Police and Fire Departments are hosting a Red Cross blood drive on April 26th from Noon to 6:00 p.m. in the EOC. Pre-registration is encouraged but not required and can be completed online at www.Redcrossblood.org
 - Open Book Meeting – April 26th from 5 p.m. to 6:30 p.m. in the Council Chambers. If you believe the value or classification of your property is incorrect, please contact the Assessor's office at 763-421-8100 or present your concerns at the Open Book meeting.
- Special Presentations
- Council Committee
Quarterly Reports Councilmember Karasek reported that the District Advisory Council on Community Education has not met since the last update.
- The City Administrator provided an update on the recent activity of the QCTV Board noting that the negotiations for the Franchise Agreement with CenturyLink continue and advised that the 2017 budget discussions will soon begin.
- Acting Mayor Johnson noted that QCTV purchased a new vehicle, with improved safety features.
- 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 Elm Creek Dam. He stated that the bid alternates that were

originally rejected were discussed including the live roof and irrigation. He noted that the Council also reviewed a proposal for a raingarden adjacent to the dam. He reported that these items received consensus approval from the Council. He also reported that the dam construction will be substantially complete by June 1st with West River Road opening the Monday following the Father Hennepin Festival. He confirmed that pedestrians will be able to walk across the dam during the festival.

Consent Agenda

Councilmember Karasek requested to pull Item #6 “Resolution No. 2016-27 Accepting the Bid and Awarding the Contract for Street Reconstruction on South Diamond Lake Road, Depue Drive and Mississippi View Estates Area (Improvement Project No. 20813)”, from the Consent Agenda for further discussion.

Schedule Closed Meeting to Discuss Employee Contract Settlement Proposal Motion

Motion by Councilmember Miller and seconded by Councilmember Karasek to establish a Closed Meeting to discuss an employee contract settlement. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Voting against: none. Motion carried.

Resolution No. 2016-30 Approving Satisfaction of Development Agreement for Elm Creek Commons Resolution 2016-30

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Approving Satisfaction of Development Agreement for Elm Creek Commons

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, and Miller, and the following voted against the same: none, whereupon said resolution was passed this 11th day of April 2016.

Resolution No. 2016-27 Accepting the Bid and Awarding the Contract for Street Reconstruction on South Diamond Lake Road, Depue Drive and Mississippi View Estates Area (Improvement Project No. 20813) Resolution 2016-27

Councilmember Karasek referenced the Mississippi View Estates portion of the project noting that the engineer’s estimate for the project was \$2,750,000 while the low bid was \$2,123,000. He asked whether the proposed assessments would be reduced.

The City Engineer reviewed the cost sharing plan between the City’s funds and assessments. He reviewed the street reconstruction, sanitary sewer, water main and street light costs that made up the bid. He stated that while there will not be a significant change in the assessment rates, those paying assessments will see the most savings on the street light costs.

Acting Mayor Johnson asked if the City has worked with the low bidder in the past.

The City Engineer stated that the City has worked with the low bidder as a subcontractor on the Andrews Park Phase I Improvements, and was pleased with the work completed.

Councilmember Miller stated that he has heard positive comments from others about the low bidder.

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Accepting the Bid and Awarding the Contract for Street Reconstruction on South Diamond Lake Road, Depue Drive and Mississippi View Estates Area (Improvement Project No. 20813)

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, Karasek, and Miller, and the following voted against the same: none, whereupon said resolution was passed this 11th day of April 2016.

Resolution No. 2016-28 Removing Vacant Building Registration Fee Certified to Taxes Resolution 2016-28

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Removing Vacant Building Registration Fee Certified to Taxes

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, and Miller, and the following voted against the same: none, whereupon said resolution was passed this 11th day of April 2016.

Authorize Change Order
No. 1 for Sanitary Sewer
Rehabilitation
(Improvement Project No.
21204)
Motion

Motion by Councilmember Miller and seconded by Councilmember Karasek to approve Change Order No. 1 in the amount of \$3,531.87 for the Sanitary Sewer Rehabilitation, Improvement Project No. 21204. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Voting against: none. Motion carried.

Massage Therapist
License for Quiet Time
Massage
Motion

Motion by Councilmember Miller and seconded by Councilmember Karasek to approve a massage therapy license for Su Juan Liu, to work at Quiet Time Massage, located at 512 Jefferson Highway North, to be valid from April 11, 2016 through December 31, 2016. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Voting against: none. Motion carried.

Open Forum

No comments made.

New Business

Resolution No. 2016-29
Determining the Necessity
for and Authorizing the
Acquisition of Certain
Property by Proceedings
in Eminent Domain for
Improvement Project No.
20813

The City Engineer stated that the South Diamond Lake Road project requires the acquisition of 12 easements. He reported that the City has secured ten of the required easements. He identified the easements that are still needed on two parcels. He noted that the requested action tonight will start the clock on the eminent domain process. He advised that one property owner had been out of town for an extended time and just returned, he felt confident that the City would be able to reach a negotiated agreement with the property owner. He recommended that the Council condemn portions of parcels one and five. He stated that parcel two was settled today and therefore was removed from the list.

Councilmember Karasek asked for additional information on the length of time needed to go through the eminent domain process and whether that would impact the project construction schedule.

The City Engineer replied that once eminent domain proceedings are initiated there is a 120 day waiting period. He hoped that a negotiated settlement could be reached within that period but noted that if an agreement is not reached the City would have the necessary access after the 120 days expire. He explained that the project is setup to allow work to begin in the Mississippi View Estates area and then move north. He noted that only the Depue Drive portion of the project would be delayed.

Councilmember Miller asked if the two property owners that have not yet reached a negotiated agreement have contracted with attorneys to negotiate on their behalf.

The City Engineer stated that parcel one is held by a fiduciary company that holds the estate and has a lawyer on staff that the City has been working with. He noted that the fiduciary company is obtaining their own appraisal and believed that negotiations would continue after that is obtained.

The City Engineer stated that the City is working directly with the property owner on the second property agreement.

Councilmember Miller stated that although he typically does not support eminent domain he believes that the City has followed the right steps and therefore would support this action.

Resolution 2016-29

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Determining the Necessity for and Authorizing the Acquisition of Certain Property by Proceedings in Eminent Domain for the City of Champlin, South Diamond Lake Road, Depue Drive, Mississippi View Estates and Dayton Road Utilities
(Improvement Project No. 20813)

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, Karasek, and Miller, and the following voted against the same: none, whereupon said resolution was passed this 11th day of April 2016.

Recess to Closed Session

Approve 2016-2018
Police Officers
Employment Contract

Acting Mayor Johnson recessed the meeting to closed session at 7:19 p.m.

The meeting reconvened at 7:38 p.m.

Motion

Motion by Councilmember Karasek and seconded by Councilmember Miller to approve the 2016-2018 Labor Agreement between the City of Champlin and Law Enforcement Labor Services, Inc. (Local #63). Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Voting against: none. Motion carried.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:39 p.m.

ArMand Nelson, Mayor

Attest:

Roberta Colotti, CMC, City Clerk