

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 13, 2015  
Municipal Center

Call to Order	The Champlin City Council met in Regular Session and was called to order by Mayor ArMand Nelson at 7:05 p.m.
Pledge of Allegiance	The Pledge of Allegiance was recited.
Roll Call	Present were Mayor ArMand Nelson and Councilmembers Eric Johnson, Ryan Karasek, Bruce Miller and Kara Terry.  Absent: None.  Also present were City Administrator Bret Heitkamp, City Engineer Tim Hanson, City Finance Director June Johnston, Assistant City Engineer Todd Tuominen, City Attorney Scott Lepak and City Clerk Roberta Colotti.
Approval of Agenda (April 13, 2015) Motion	Motion by Councilmember Johnson and seconded by Councilmember Karasek to approve the agenda for the April 13, 2015 Regular Meeting as presented. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.
Approval of Minutes Motion	Motion by Councilmember Johnson and seconded by Councilmember Miller to approve the minutes of the March 23, 2015 Regular Meeting as presented. Voting in favor were Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Abstained: Mayor Nelson. Motion carried.
Approval of Bills (April 13, 2015) Motion	Motion by Councilmember Miller and seconded by Councilmember Terry to approve the bills as submitted for payment on April 13, 2015. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.
Announcements	Mayor Nelson made the following announcements: <ul style="list-style-type: none"><li>• Special Economic Development Authority Closed Session – Thursday, April 16<sup>th</sup> at 6:00 p.m. in the Council Conference Room.</li><li>• Economic Development Authority Regular Meeting – Thursday, April 16<sup>th</sup>, immediately following the EDA closed session, in the Council Conference Room.</li><li>• City Council Worksession – Thursday, April 16<sup>th</sup>, immediately following the EDA regular meeting, in the Council Conference Room.</li><li>• Environmental Resources Commission Earth Day Clean-Up Event – Tuesday, April 21<sup>st</sup> from 4:30 to 6:30 p.m. at Andrews Park. Contact the City Clerk at 763-923-7111 to register yourself or your community group.</li><li>• Council Worksession – Monday, April 27<sup>th</sup> at 5:45 p.m. in the Council Conference Room.</li><li>• City Council Meeting – Monday, April 27<sup>th</sup> at 7:00 p.m. in the Council Chambers.</li><li>• Open Book Meeting – Regarding assessment and classification of property on Tuesday, April 28<sup>th</sup> from 5:00 to 6:30 p.m. in the Council Chambers.</li></ul>
Council Committee Quarterly Reports	<u>Special Presentations</u> Councilmember Terry, Anoka-Champlin Fire Board, reported that the Board met the previous week and discussed the 2014 Fire Department Report as well as potential vehicle and boat replacements over the next few years. She stated that there was also an exhibit of the ladder trucks.  Councilmember Johnson, QCTV Board, reported that new equipment is being installed in the four City Halls as well as updates to the mobile van. He advised that CenturyLink has shown interest in this area and reported that the Comcast transfer to GreatLand has been completed. He reported that QCTV continues to be financially stable.  Councilmember Karasek, District Advisory Council on Community Education, reported that the Advisory Council has not met since the last update.

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 Reserve at Elm Creek development noting that the Planning Commission will consider the Preliminary Plat request on April 20<sup>th</sup> with the Council reviewing that request on April 27<sup>th</sup>. He stated that Final Plat approval will come before the Council on May 11<sup>th</sup>. He reported that the Council also discussed the Water System Maintenance Policy.

Consent Agenda

Councilmember Johnson requested to pull Item #5, "Ice Cream Vendor License", and #8, "Approve Water System Maintenance Policy", from the Consent Agenda for further discussion.

Councilmember Terry requested to pull item #4, "Tobacco License for Central Minnesota Vapor", from the Consent Agenda for further discussion.

Reschedule May 25<sup>th</sup> Council Meeting Motion

Motion by Councilmember Johnson and seconded by Councilmember Karasek to reschedule the May 25<sup>th</sup> Council meeting to Tuesday, May 26<sup>th</sup> due to the Memorial Day Holiday. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Tobacco License for Central Minnesota Vapor Motion

Councilmember Terry referenced the staff memorandum and questioned if there was any opposition from the neighboring tenants.

The City Clerk reported that there has not been any opposition. She noted that this business will be taking the place of a similar type of business that had been in that location.

Motion by Councilmember Terry and seconded by Councilmember Miller to approve the request for a tobacco license for Central Minnesota Vapor to operate at 12484 Champlin Drive. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Ice Cream Vendor License Motion

Councilmember Johnson questioned if this is the only ice cream vendor in the City.

The City Clerk reported that there is one other license holder under the current, April 1, 2015 to May 31, 2016, license period. She reported that the City does not have a limit on the number of available licenses and noted that there had been two licenses issued the previous year as well.

Motion by Councilmember Johnson and seconded by Councilmember Miller to approve the license for an ice cream vending truck, for the period April 13, 2015 to March 31, 2016, for Winta Ice Cream 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.
3. The vendor will be required to wear an identification tag and display the license in the vehicle.

Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Resolution No. 2015-31 Amending Joint Powers Agreement for the Creation of the West Mississippi Watershed Management Commission and Ratifying the Acts Thereof Resolution 2015-31

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Amending the Joint Powers Agreement for the Creation of the West Mississippi Watershed Management Commission and Ratifying the Acts Thereof

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: Mayor Nelson, Councilmembers, Johnson, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 13<sup>th</sup> day of April 2015.

Acceptance of Towing, Impounding and Storage of Motor Vehicles Contract Motion

Motion by Councilmember Johnson and seconded by Councilmember Karasek to approve the contact with Champlin Towing Inc. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Approve Water System Maintenance Policy Motion

Councilmember Johnson questioned how this item would be communicated to the residents to ensure that they understand this going forward.

The City Engineer stated that when an incident occurs staff would communicate with the property owner. He stated that once adopted the information will also be published on the City website and Facebook page.

Councilmember Johnson suggested utility staff compose a video with QCTV that could be played on the local station for residents.

Motion by Councilmember Johnson and seconded by Councilmember Miller to approve the amended water system maintenance policy as proposed. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Resolution No. 2015-32  
Authorizing Amendments  
to the Health Care Facilities  
Revenue Series 2011B for  
the Benefit of Oxbow Lake  
Care Center, LLC and St.  
Therese Foundation, Inc.  
Resolution 2015-32

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Authorizing Amendments to the Health Care Facilities Revenue Series 2011B for the Benefit of Oxbow Lake Care Center, LLC and St. Therese Foundation, Inc.

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: Mayor Nelson, Councilmembers, Johnson, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 13<sup>th</sup> day of April 2015.

#### Open Forum

No comments made.

#### New Business

Resolution No. 2015-33  
Accepting the Feasibility  
Study and Ordering a  
Public Hearing for 2015  
Mill and Overlay Project  
(Improvement Project No.  
21505)

The City Engineer reviewed the proposed project area and provided background information regarding the pavement management scale index, which is used to rate roadways. He described the work that will occur within the project area, noting that curb repairs will also be done where needed as well as the installation of pedestrian crossing ramps. He displayed photographs of the current roadway conditions and noted that the City shares jurisdiction on some of the roadways within the project area and will only be completing improvements on the roadway within the jurisdiction of the City. He provided the total project cost of \$316,100 and reviewed the proposed financing, which includes the Capital Improvement Revolving Fund, Municipal State Aid Funds, and assessments were applicable. He explained how the proposed assessment rate was calculated for each portion of the project. He reviewed the project schedule noting that there will be a neighborhood meeting on April 29<sup>th</sup> with the public hearing to be held on May 11<sup>th</sup>. He stated that the contract would be awarded in July and the work would be completed in August.

Councilmember Miller questioned if it would be normal to begin the work in July.

The City Engineer stated that the process was started later than it typically would because some of the issues arose during this past winter which caused the City to include additional roadway in the current year's plan. He stated that the project would be relatively quick, estimating only two to three weeks for completion.

Councilmember Johnson compared the cost to Business Park Boulevard and 109<sup>th</sup> and asked for clarification on the calculations used to determine the assessment rate.

The City Engineer explained that Business Park Boulevard only has frontage on one side of the road and therefore the assessment would be half.

Councilmember Johnson asked for clarification on the width of 109<sup>th</sup> compared to Business Park Boulevard.

The City Engineer replied that 109<sup>th</sup> is a wider roadway, with four lanes, noting that there is a maximum width allowed for assessment and provided further clarification on the assessment rates.

Councilmember Johnson stated that in his opinion assessments proposed for the businesses appeared high.

The City Engineer stated that the assessment amount would be finalized at the assessment hearing.

Councilmember Karasek commended staff for including Business Park Boulevard, noting that his daughter reminds him that the roadway needs to be fixed each day when they travel on the roadway.

Resolution 2015-33

Councilmember Terry introduced the following resolution and moved its adoption:

A Resolution Accepting the Feasibility Study and Ordering a Public Hearing for 2015 Mill and Overlay

Project (Improvement Project No. 21505)

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: Mayor Nelson, Councilmembers, Johnson, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 13<sup>th</sup> day of April 2015.

The City Engineer reported that the County will also be conducting a Mill and Overlay on East Hayden Lake Road, he believed prior to the Father Hennepin Festival.

Approve Supplementary Agreement #1 and #2 for Elm Creek Dam (Improvement Project No. 21008)

The Assistant City Engineer presented two supplementary agreements for the Elm Creek Dam project. He reported that the Council approved C.S. McCrossan as the contractor for the project but noted that alternative options should be reviewed for any additional aspects. He stated that there was also direction to pursue alternatives including ADA accessibility. He stated that as part of Supplementary Agreement #1, some aspects of the project costs had been reduced. He stated that the contractor had asked that the City waive the substantial completion date of November 2015, which relates to the opening of West River Road, because of the 30-day delay in the project beginning. He stated that the contractor has offered a lump sum volume of concrete for the City in return. He stated that the contractor will still work aggressively to meet the substantial completion date and would not request to change the final completion date. He stated that the cost savings obtained through Supplementary Agreement #1 will be \$277,380. He reviewed the items that will be included in Supplementary Agreement #2, which will have a cost of \$95,882.50. He stated that the City received three bids and the contractor for the project was the low bidder.

Councilmember Karasek referenced the language proposed for the substantial completion date, which stated about 30 days longer.

The Assistant City Engineer stated that language would allow an extension of about 30 days, which is equal to the delay in the date the project could begin.

Councilmember Miller asked for additional information on Supplementary Agreement #2.

The Assistant City Engineer provided further clarification noting that this option had been found to be a less costly option than the boardwalk, which was originally an alternate option.

Councilmember Terry referenced the substantial completion date of November 20<sup>th</sup> and the language that the road could remain closed until the final completion date.

The Assistant City Engineer stated that the contractor will still strive to meet the substantial completion date but did not want to have penalties in the case that date could not be met. He stated that the reduced concrete rate was given to the City in return.

Councilmember Terry stated that her issue would be that there is not date when the road will be opened.

The City Engineer stated that the contractor believes that he could meet the November 20<sup>th</sup> date and will strive to do so, but in the case that the weather does not cooperate, he does not want to have that risk element.

Motion

Motion by Councilmember Miller and seconded by Councilmember Karasek to approve Supplementary Agreement #1 with C.S. McCrossan for the Elm Creek Dam project. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Motion by Councilmember Miller and seconded by Councilmember Johnson to approve Supplementary Agreement #2 with C.S. McCrossan Construction Inc. in the amount of \$95,882.50. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:49 p.m.

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ArMand Nelson, Mayor

Attest:

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Roberta Colotti, CMC, City Clerk