

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 25, 2016  
Municipal Center

Call to Order	The Champlin City Council met in Regular Session and was called to order by Mayor ArMand Nelson at 7:00 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, Community Development Director John Cox, City Engineer Tim Hanson, Assistant City Engineer Todd Tuominen, City Attorney Scott Lepak, Fire Chief Charlie Thompson, and City Clerk Roberta Colotti.
Approval of Agenda (April 25, 2016) Motion	Motion by Councilmember Karasek and seconded by Councilmember Terry to approve the agenda for the April 25, 2016 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 Miller and seconded by Councilmember Karasek to approve the minutes of the April 11, 2016 Worksession, April 11, 2016 Regular Meeting and April 11, 2016 Closed Meeting as presented. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.
Approval of Bills (April 25, 2016) Motion	Motion by Councilmember Karasek and seconded by Councilmember Terry to approve the bills as submitted for payment on April 25, 2016. 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>• Council Worksession – Monday, May 9<sup>th</sup> at 5:45 p.m. in the Council Conference Room.</li><li>• City Council Meeting – Monday, May 9<sup>th</sup> at 7:00 p.m. in the Council Chambers.</li><li>• The Police and Fire Department are co-hosting a Red Cross Blood Drive on Tuesday, April 26<sup>th</sup> from Noon to 6 p.m. in the Emergency Operations Center of the Public Safety Facility. You may pre-register at <a href="http://www.Redcrossblood.org">www.Redcrossblood.org</a> or you can simply show up for the event.</li><li>• Open Book Meeting – April 26<sup>th</sup> 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.</li></ul>
Anoka-Champlin Fire Department Annual Report	<u>Special Presentations</u> The Fire Chief presented highlights from the 2015 Annual Report. He summarized information regarding fire calls, noting that Anoka continues to account for two thirds of the calls received; inspections, with a focus on commercial and apartment buildings; training and participation in the Anoka County Fire Investigation Team and Anoka county Specialized Rescue Team; public education, noting events the department participated in such as parades and National Night Out; estimated fire loss, which has continued to decrease for the fourth year; response time, noting the average response time of seven minutes and 41 seconds; and per capita cost, noting that the department's per capita costs are significantly lower than all other departments that they compare to.  The Fire Chief provided information on duty firefighters and their responsibilities and also reviewed the recently updated organizational chart for the department. He noted that the chart would be further amended in 2018.  The Fire Chief gave an example where the department used the new river rescue boats to complete a

rescue.

Councilmember Miller thanked the department for the outstanding job they continue to do. He referenced medical assists and asked if there is an ambulance stationed in Champlin.

The Fire Chief stated that the ambulance is only stationed on the Anoka side. He noted that the department only responds to a medical assist when requested.

Councilmember Miller referenced the 2018 organizational chart and asked if the Duty Captain position appointments would be rotating or whether they would be stationary.

The Fire Chief stated that his intention would be to rotate the position every 12 months.

Councilmember Terry commended the department for their excellent service and forward thinking in planning for the future.

Councilmember Karasek also thanked the department for their service noting that he has had the opportunity to meet several of the members over the course of his term as Councilmember.

Mayor Nelson asked for additional information on the part-time/on-call positions.

The Fire Chief replied that previously they have been able to fill the positions quite easily but noted that they have had more difficulty in the past few years. He noted that there is a process to test and obtain qualified individuals. He stated that the department will continue creative recruitment efforts. He confirmed that other departments are facing the same challenges in finding new recruits.

Mayor Nelson referenced the average attendance for the firefighters, noting low numbers in May and December and asked for additional information.

The Fire Chief noted that opening fishing (May) and the holidays (December) account for those low attendance numbers. He stated that the department plans ahead for those times to ensure it meets staffing level requirements.

#### 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 Wiley Development Concept Plan, which is a 3.7-acre parcel south of Willy McCoy's. He noted that staff will continue to work with the developer regarding the site plan and the operational layout.

#### Consent Agenda

Councilmember Miller requested to pull Item Ten, Resolution No. 2016-37 Establishing Polling Locations, from the Consent Agenda for further discussion.

#### Ice Cream Vendor License for Brain Freeze Ice Cream Motion

Councilmember Karasek requested to pull Item #3 "Ice Cream Vendor License for Brain Freeze Ice Cream", from the Consent Agenda for further discussion.

Councilmember Karasek recognized the business owner that is present tonight and asked if she would like an opportunity to speak.

Michelle Remick, Elk River resident, stated that she started Brain Freeze seven years ago and the business continues to grow. She highlighted athletic events she participates in noting that she donates a portion of her proceeds of sales at those events, back to the sports organization. She stated that she works in eight cities and is excited to come to Champlin.

Motion by Councilmember Karasek and seconded by Councilmember Miller to approve a license for an ice cream vending truck, for the period of April 25, 2016 to March 31, 2017, for Brain Freeze 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 City parks or within 100 feet of any State or County roads.

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. 2016-31  
Approving the Final Plat  
of The Reserve at Elm  
Creek Third Addition:  
Gonyea Companies  
(Project 2016-07)  
Resolution 2016-31

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Approving the Final Plat of The Reserve at Elm Creek Third Addition: Gonyea Companies (Project 2016-07)

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 25<sup>th</sup> day of April 2016.

Resolution No. 2016-32  
Declaring the Official  
Intent to Reimburse  
Certain Expenditures from  
the Proceeds of Bonds for  
Reconstruction of South  
Diamond Lake  
Road/Depue  
Drive/Mississippi View  
Estates/Dayton Road Area  
(Improvement Project No.  
20813)  
Resolution 2016-32

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Declaring the Official Intent to Reimburse Certain Expenditures from the Proceeds of bonds for Reconstruction of South Diamond Lake Road/Depue Drive/Mississippi View Estates/Dayton Road 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: Mayor Nelson, Councilmembers, Johnson, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 25<sup>th</sup> day of April 2016.

Resolution No. 2016-33  
Designating South  
Diamond Lake Road from  
the Champlin-Dayton  
Border to Dayton Road  
(County Road 12) as  
Municipal State Aid Route  
Resolution 2016-33

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Designating South Diamond Lake Road from the Champlin-Dayton Border to Dayton Road (County Road 12) as Municipal State Aid Route

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 25<sup>th</sup> day of April 2016.

Resolution No. 2016-34  
Accepting the Bid and  
Awarding the Contract for  
the SCADA System –  
Phase I (Improvement  
Project No. 21405)  
Resolution 2016-34

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Accepting the Bid and Awarding the Contract for the SCADA System – Phase I (Improvement Project No. 21405)

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 25<sup>th</sup> day of April 2016.

Resolution No. 2016-35  
Entering Into an  
Agreement with Hennepin  
County for Use of  
Electronic Poll Books  
Resolution 2016-35

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Entering Into an Agreement with Hennepin County for Use of Electronic Polling Books

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 25<sup>th</sup> day of April 2016.

Resolution No. 2016-36  
Appointing Deputy Clerks

Councilmember Johnson introduced the following resolution and moved its adoption:

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 25<sup>th</sup> day of April 2016.

Resolution No. 2016-37  
Establishing Polling  
Locations

Councilmember Miller stated that the move back to the Servant of Christ Lutheran Church will be great for Ward 3. He asked how the voters will be notified of the change in polling location.

Resolution 2016-37

The City Clerk noted that Hennepin County will send out direct mailings to those impacted. In addition the City will provide a link to a polling location finder in the FHF issue of the newsletter and include the polling location listing in the summer issue of the newsletter.

Councilmember Miller asked if this will be temporary or permanent.

The City Clerk noted that the owner of Little Newton’s in Ward 1 is allowing the City to have polling at their location. She stated that because that is a privately owned business the length will depend upon the relationship and agreement.

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Establishing Polling Locations

The motion for the adoption of the resolution was duly seconded by Councilmember Terry, 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 25<sup>th</sup> day of April 2016.

License Application for  
the Sale of Consumer  
Fireworks for Target  
Motion

Motion by Councilmember Johnson and seconded by Councilmember Miller to approve the license for the sale of consumer fireworks, for the period June 20, 2016 to June 20, 2017, submitted by Target for their business at 11990 Business Park Boulevard, contingent upon a successful fire department site inspection. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

License Application for  
the Indoor Sale of  
Consumer Fireworks for  
Supervalu, Inc. (DBA Cub  
Foods)  
Motion

Motion by Councilmember Johnson and seconded by Councilmember Miller to approve the license for the indoor sale of consume fireworks submitted by SuperValu, Inc. (dba Cub Foods) for their business located at 8600 114<sup>th</sup> Avenue North, contingent upon a successful fire department inspection, for the period June 16, 2016 to June 16, 2017. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Open Forum

Brian Tommerdahl, 12016 Oregon Circle, requested that the City Council implement a policy whereby the subject of a police report could amend a police report. He noted that currently a resident can file an addendum, but that does not hold the same weight in court as the actual police report.

Mayor Nelson stated that the Council would review this request with legal counsel and provide a response at the next Council meeting.

New Business

Resolution No. 2016-38  
Approving a 2.1 Foot  
Variance to the Side Yard  
Setback for an Attached  
Garage Located at 13395  
Linwood Forest Circle:  
Aaron Zirzow and Acaia  
Huss-Zirzow (Project  
2016-04)

The City Planner stated that the Zirzow family has lived at the home at 13395 Linwood Forest Circle since 2010 and recently decided to sell their home. They were advised by their realtor to research the history of their property to ensure that proper permits were in place. He noted that through this process they identified an encroachment of 2.1 feet to the side yard. He stated that staff further researched this matter and the original survey identified an appropriate setback while the 2001 as-built identifies an encroachment. He stated that this becomes an illegal non-conforming structure and therefore would cause the property owners difficulty in selling their property. He noted that staff reviewed the four practical difficulties outlined in State Statute and finds that this request meets the criteria for a variance because of the unique situation. He noted that the Planning Commission held a public hearing on April 18<sup>th</sup> and recommended unanimous approval. He stated that the adjacent property owner has also contacted him to voice his support for the

request. He noted that staff also recommends approval.

Mayor Nelson expressed his support for the variance request.

Resolution 2016-38

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Approving a 2.1 Foot Variance to the Side Yard Setback for an Attached Garage Located at 13395 Linwood Forest Circle (Project 201604)

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 25<sup>th</sup> day of April 2016.

First Reading of an Ordinance Amending Section 118-7 of the Sign Ordinance Allowing a Third Wall Sign for Commercial Buildings: City of Champlin (Project 2016-06)

The City Planner stated that Toll Development recently completed construction of two multi-tenant retail buildings, which are occupied and have signage consistent with the City’s Sign Ordinance. He reported that during the sign permitting process Toll requested that the City consider allowing a third sign for end-cap tenants. He stated that after review staff believes that it would be appropriate to allow a third sign to end-cap tenants and therefore it is requested that the City amend the sign code.

The City Planner stated that many neighboring communities allow an additional sign of this nature. He used the example of Starbucks which chose to place signage on their most visible sides and therefore does not have a sign above their entrance. He noted that the third sign could not be placed on a wall which faces to residential properties. He noted that the improved visibility would help promote businesses without decreasing the appearance of the corridor. He stated that the Planning Commission discussed this matter at their April 18<sup>th</sup> meeting and voted in unanimous support of the amendment.

Councilmember Miller asked if this would affect other businesses in Champlin and if so, how many.

The City Planner confirmed that this would apply to other commercial businesses, such as Hayden Lake Square and South Pond Center. He believed that six multi-tenant businesses would qualify for additional signage.

Councilmember Karasek stated that he supports this proposed amendment as a way to support our local businesses.

Councilmember Johnson commended the Planning Commission for their thorough discussion.

Motion

Motion by Councilmember Johnson and seconded by Councilmember Karasek to approve the first reading of an ordinance amending Section 118-7 of the Sign Ordinance allowing a third wall sign for commercial buildings. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Solar Energy System Report (Municipal Campus – Year One)

The Community Development Director reported that the first full year of operation (August 2014 to September 2015), the solar energy system installed on the municipal campus generated 151,667 kilowatt hours of energy. This resulted in savings of \$4,309. The savings are higher than the initial projected savings of \$3,368.

City Council Membership

Mayor Nelson announced that this will be his last term as Mayor and he will not seek re-election this fall. He stated that it has been a tremendous experience working with City staff and the other members of the Council.

Adjournment

The Champlin City Council adjourned the regular meeting at 8:05 p.m.

ArMand Nelson, Mayor

Attest:

Roberta Colotti, CMC, City Clerk