

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 27, 2015
Municipal Center

- Call to Order The Champlin City Council met in Regular Session and was called to order by Mayor ArMand Nelson at 7:00 p.m.
- Pledge of Allegiance The Pledge of Allegiance was recited.
- Roll Call Present were Mayor ArMand Nelson and Councilmembers Ryan Karasek, Bruce Miller and Kara Terry.
- Excused Absent: Councilmember Eric Johnson.
- 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 and City Clerk Roberta Colotti.
- Approval of Agenda
(April 27, 2015)
Motion Motion by Councilmember Karasek and seconded by Councilmember Miller to approve the agenda for the April 27, 2015 Regular Meeting as presented. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.
- Approval of Minutes
Motion Motion by Councilmember Terry and seconded by Councilmember Miller to approve the minutes of the April 13, 2015 Worksession and April 13, 2015 Regular Meeting as presented. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.
- Approval of Bills
(April 27, 2015)
Motion Motion by Councilmember Miller and seconded by Councilmember Karasek to approve the bills as submitted for payment on April 27, 2015. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.
- Announcements Mayor Nelson made the following announcements:
- Open Book Meeting regarding assessment and classification of property – Tuesday, April 28th from 5:00 to 6:30 p.m. in the Council Chambers.
 - Council Worksession – Monday, May 11th at 5:45 p.m. in the Council Conference Room.
 - Economic Development Authority Meeting – Monday, May 11th at 6:30 p.m. in the Chambers
 - City Council Meeting – Monday, May 11th at 7:00 p.m. in the Council Chambers.
 - Economic Development Authority Meeting – Monday, May 11th, following the Council meeting, in the Council Chambers.
 - Work Plan Priority Worksession – Wednesday, May 27th at 5:30 p.m. in the Emergency Operations Center of the Public Safety Building.
- Overview of Worksession
Discussion Special Presentations
The City Administrator provided an overview of the discussion that occurred earlier in the evening at the Council Worksession regarding alternative land uses on the Highway 169 Corridor, noting that this was the second discussion on this topic, reviewing 11 properties. He stated that the Council also discussed business networking options for the Economic Development Authority. He stated that the Council also considered the Egan Companies Site Plan, which will formally come before the Council on May 11th.
- Resolution No. 2015-34
Approving Plans and
Specifications and
Ordering Advertisement
of Bids for Fiber Optic Consent Agenda
Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Approving Plans and Specifications and Ordering Advertisement of Bids for Fiber Optic Cable Extension: Phase II SCADA System (Improvement Project No. 21405)

Cable Extension: Phase II
SCADA System
(Improvement Project No.
21405)
Resolution 2015-34

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, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 27th day of April 2015.

License Application for
the Sale of Consumer
Fireworks for Target
Motion

Motion by Councilmember Karasek and seconded by Councilmember Miller to approve a license for the sale of consumer fireworks, for the period June 20, 2015 to June 20, 2016, submitted by Target for their business located at 11990 Business Park Boulevard, contingent upon a successful Fire Department site inspection. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.

Open Forum

Open Forum

Pat Robson, 404 Lancaster Lane, stated that she sent emails to Councilmember Karasek and Mayor Nelson regarding parks, ponds and staffing. She stated that the parks are frequently being vandalized, specifically Galloway Park. She stated that a resident volunteered to lock the gate but he had been out of town this past weekend and vandalism occurred. She questioned if the City is relying on volunteers alone to resolve this situation. She stated that the ponds are very low right now and there is a lot of garbage, which should be removed. She stated that it seems there is a lot of activity on the weekends and the City office is not opened and questioned how that is being addressed, other than relying on volunteers and the Police Department. She believed that City staff should be provided on the weekend.

Mayor Nelson directed staff to coordinate the locking of the gate at Galloway park at times when the citizen volunteer is unavailable. He further directed staff to review the pond cleaning and general park vandalism concerns at the next Council meeting.

New Business

Resolution No. 2015-35
Approving the Reserve at
Elm Creek Preliminary
Planned Unit
Development Plan

The City Planner stated that one year ago the Council approved a Preliminary Plat, which included 101 single family homes for The Reserve at Elm Creek. He stated that the developer has re-evaluated the market and adjusted their plan in order to react to the current market conditions. He presented the revised Preliminary Plat noting reduced lot widths, which is reactive to market preferences. He also highlighted the curvilinear alignment of the streets, which creates a more distinct neighborhood and more beneficial lot layout. He identified the amenity lot, which includes the swimming and community areas, the playground, and green space. He noted that possible American Indian burial grounds are also included in that area.

The City Planner stated that the request tonight includes Preliminary Planned Unit Development (PUD) and Preliminary Plat approval.

The City Planner highlighted landscaping and pedestrian features within the development, noting connections would be provided to neighboring trail systems. He referenced the excavation of dirt that will occur to create the lake and noted that fill will be reused to grade another portion of the site.

The City Planner stated that while it would not be desirable to have one access point for this development, dual vehicle stacking will be provided to assist in moving traffic in and out of the site. He advised that when the adjacent parcel develops there could be additional connection opportunities for access to the site.

The City Planner stated that additional engineering review would be needed regarding the amount of rear yard storm sewer. He referenced the grading of the northwest corner of the development which identifies walkout lots, noting that staff has concern regarding the burden that could be placed on the property owner to the north should they choose to develop. He stated that staff recommends reducing the grades of that street, which would result in a split entry type home. He noted that if the developer obtains consent from the neighbor to the north, an agreement could be made to keep that grading plan the same.

The City Planner reported that the Planning Commission held a public hearing on April 20th at which the applicant spoke in support of the request. He advised of comments made from a neighboring property owner regarding a cul-de-sac, which will become permanent with this development as the road is not planned to continue due to the location of the pond as well as a concern regarding the burial

grounds being included in the amenity area. He stated that the property owner also testified in regard to the investigation of the burial sites, noting that the process recommended by the State has been followed. He reported that the Commission discussed the project in detail and recommended approval with a vote of 8-1, noting that the opposing Commissioner did not support the smaller lot widths. He stated that staff recommends approval.

Ken Bogren, Quaker Lane, stated that he has concern with the Indian burial grounds. He referenced the three Oak trees identified in the burial area and did not believe the planned area for preservation will meet the minimum requirements. He believed that the area should be preserved to the minimum standards and should remain as open space rather than active play space. He referenced the temporary cul-de-sac, which was created about 26 years ago. He stated that the City Ordinance states that a dead end road should not exceed 500 feet and noted that this road will be 1,400 feet. He commented on a possible connection to French Lake Road.

Councilmember Terry asked for additional information regarding the burial mounds.

Martin Harstead, 2195 Silver Lake Road, the property owner stated that there have been two studies completed regarding burial grounds on this property. He noted that the first study was completed by the City of Champlin during which no remains were found or identified. He stated that he conducted another study through the State Archeologist in order to clear the property prior to sale. He stated that he developed a topographic map of the property, which the Archeologist then used to identify possible burial locations. He stated that they then went through the possible sites in order to determine if remains could be found. He stated that there was nothing found on the site. He stated that the only three spots that were not able to be cleared were in the location of the three Oak trees because he did not want to damage the trees. He stated that if the trees were to fall down, the Archeologist could then return to clear those remaining sites. He noted that he did call the Archeologist to see how close to the trees building could occur. He stated that the Archeologist returned to the site and was able to clear up to the drip line of the trees. He clarified that there are only potential burial grounds and not actual burial grounds.

Councilmember Karasek stated that when this development request came through about one year ago he was the strongest voice of decent. He noted that he is extremely pleased to see this project evolve since that time and believes this to be a great outcome where both the developer and City have compromised. He believed that the new curvilinear alignment of the streets is much better and stated that this could be one of the best developments in the City, bringing in new families to the community. He noted that the large pond/lake would be a great amenity for the community as a whole. He stated that he is 100 percent in support of the request and wished the developer the best.

Councilmember Miller referenced the comments regarding the permanent cul-de-sac and questioned if that would affect the progress of the development.

The City Planner stated that the cul-de-sac will become permanent as part of this development request but noted that staff could investigate a possible emergency connection to French Lake Road in the future.

Councilmember Miller referenced the yard widths proposed and stated that for comparison he toured similar sized developments. He stated that while he prefers a yard he did note that the trend is larger homes on smaller lots and he does not have a problem with that design for this project. He referenced the main entrance landscaping and was concerned with the line of site because of the curve in the connecting road. He wanted to ensure that there is a sufficient site line for the entrance to the development.

Mayor Nelson referenced the condition of approval regarding the preservation of the site line. He referenced the right-of-way and drainage and questioned what would occur if there are drainage issues after construction.

The City Planner stated that the developer has designed the system to accommodate back to back 100 year storm events. He stated that there are conditions created to oversize pipes, no clog pipes and preventative measures planned.

Mayor Nelson also referenced the three foot drop, should the emergency access need to be provided.

Resolution 2015-35

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Approving the Reserve at Elm Creek Preliminary Planned Unit Development Plan

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, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 27th day of April 2015.

Resolution 2015-36

Approving the Preliminary Plat of the Reserve at Elm Creek

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Approving the Preliminary Plat of the Reserve at Elm Creek

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, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 27th day of April 2015.

Resolution No. 2015-37

Approving a Site Plan to Construct a 24 Foot by 15 Foot Covered Gazebo at 12450 Business Park Boulevard (Willy McCoys Bar & Grill) (Project 2015-07)

The City Planner stated that the City Council approved a Site Plan and Conditional Use Permit (CUP) for Willy McCoys last fall. He reviewed some of the aspects addressed by the Site Plan and CUP, noting that most of the CUP conditions applied to the patio activity. He stated that the applicant is requesting to construct a covered gazebo on the patio, which would support covered outdoor seating for patrons. He stated that the gazebo is proposed to be centered and would be screened from neighboring residential properties. He stated that the Council packet included photographs from a similar gazebo located at the applicant's Ramsey location. He stated that the applicant desired to use the gazebo for direct sales and instead staff is recommending that the gazebo be used only for seating at this time and further Council approval would be needed to convert that use for direct sales in the future. He reported that the Planning Commission held a public hearing on April 20th and no public testimony was received. He stated that the Commission recommended unanimous approval and advised that staff also recommends approval as proposed.

Councilmember Miller stated that he believed that the Planning Commission thoroughly discussed the issue and he could also support the request.

Councilmember Karasek stated that he is glad to see that the applicant is supportive of the community. He noted that it is great to see the parking lot full on a regular basis.

The City Planner stated that a recent example of their community involvement; the tent currently on the property will be holding a Hennepin County job fair.

Resolution 2015-37

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Approving a Site Plan to Construct a 24 Foot by 15 Foot Covered at 12450 Business Park Boulevard (Willy McCoys Bar & Grill)

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, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 27th day of April 2015.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:54 p.m.

ArMand Nelson, Mayor

Attest:

Roberta Colotti, CMC, City Clerk