

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  
May 23, 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, Police Chief David Kolb, Code Enforcement Officer Diana Jones, Assistant City Engineer Todd Tuominen, City Attorney Scott Lepak and City Clerk Roberta Colotti.
- Approval of Agenda  
(May 23, 2016)  
Motion                        Motion by Councilmember Johnson and seconded by Councilmember Karasek to approve the agenda for the May 23, 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 Johnson and seconded by Councilmember Karasek to approve the minutes of the April 19, 2016 Joint Meeting, May 9, 2016 Worksession and May 9, 2016 Regular Meeting as presented. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.
- Approval of Bills  
(May 23, 2016)  
Motion                        Motion by Councilmember Johnson and seconded by Councilmember Karasek to approve the bills as submitted for payment on May 23, 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:
- City Hall closed – Monday, May 30<sup>th</sup> for Memorial Day holiday
  - Council Worksession – Monday, June 13<sup>th</sup> at 5:45 p.m. in the Council Conference Room
  - City Council Meeting – Monday, June 13<sup>th</sup> at 7:00 p.m. in the Council Chambers
  - Work Plan Priority Worksession – Tuesday, June 21<sup>st</sup> at 5:30 p.m. in the Emergency Operations Center
- 2015 Code Enforcement  
Summary                      Special Presentations  
The Community Development Director presented the 2015 Code Enforcement Annual Report. He stated that 1,212 code complaints resulted in 443 corrective action letters and 59 citations. He noted that although the number of code complaints has significantly decreased from past years, the number of corrective action letters and citations remains consistent. He stated that while the City primarily reacts to complaints, staff does monitor properties with habitual violations. He reviewed the types of complaints received noting that two issues that receive the most complaints are parking and junk/debris.
- The Code Enforcement Officer stated that in 2007 the City adopted a rental licensing program to insure rental housing was safe, sanitary and properly maintained and she provided an overview of the program. She stated that the program also governs tenant actions that impact the neighborhood.
- The Community Development Director stated that since 2008 there have been 52 tenants evicted through the rental licensing program and noted that the tenants each had the opportunity to appeal the decision to the City Council. He stated that there has not been a tenant appeal to date.
- The Community Development Director provided a brief summary of the foreclosure activity noting

that number continues to decrease. He stated that the water shut-off program, implemented in 2008, has saved dozens of homes that would have had frozen/burst pipes that could have resulted in catastrophic damage.

The Community Development Director reviewed the public nuisance regulations which include tall grass and noxious weeds and abated public nuisances.

The Community Development Director stated that the Code Enforcement Officer, Ms. Jones, has been with the City for many years and has held the Code Enforcement Officer position for the past ten years. He stated that this will be her last year as she plans to retire.

Councilmember Johnson asked for information on when signs are confiscated.

The Community Development Director reviewed the ordinance and noted that commercial signs are not allowed in the public right-of-way and are therefore confiscated.

Councilmember Johnson asked for information on the reduction in parking violations and the decrease to the "other" category.

The Code Enforcement Officer stated that in the past they received a lot of complaints on garbage cart location which was classified as an "other" violation, and that number was reduced.

Councilmember Johnson stated that perhaps that improvement is attributed to the public education efforts that staff and the City have made.

The Code Enforcement Officer noted that the improved economy has also helped reduce the number of code complaints.

Councilmember Miller asked for additional information on the number of investigations compared to the number of citations.

The Community Development Director stated that the City has been more proactive on citations.

Mayor Nelson stated that according to the report the number of single family home rental units continues to grow. He requested staff provide future information on how that number compares to neighboring communities.

Overview of 5/25/16  
Worksession Discussion

The City Administrator stated that the City Council will be receiving their copy of the Council packet electronically beginning June 13<sup>th</sup>. The Council was provided access and training for the electronic agenda program at the Worksession.

The City Administrator reported that the City Council also discussed the 2017 budget, providing staff with a set of budget assumptions to begin their work in preparing the preliminary budget for Council consideration at the Worksession scheduled for August 30<sup>th</sup>. The Council will adopt the preliminary budget on September 12<sup>th</sup>. The final budget will be adopted on December 12<sup>th</sup>.

#### Consent Agenda

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Declaring the Official Intent of the City to Reimburse Certain Expenditures from the Proceeds of Bonds Issued by the City for the Brittany Drive Area Mill and Overlay (Improvement Project No. 21508)

Resolution No. 2016-41  
Declaring the Official  
Intent of the City to  
Reimburse Certain  
Expenditures from the  
Proceeds of Bonds Issued  
by the City for the  
Brittany Drive Area Mill  
and Overlay  
(Improvement Project No.  
21508)  
Resolution 2016-41

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 23<sup>rd</sup> day of May 2016.

Appointment of Full Time  
Police Officer  
Motion

Motion by Councilmember Miller and seconded by Councilmember Terry to authorize the appointment of Matthew Sorgaard to the position of full-time Police Officer conditioned on passing the physical and psychological testing, with a start date to be determined by the Police Chief. Sorgaard is to start at step-one of the police pay scale under the collective bargaining agreement. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Open Forum  
Police Reports

Open Forum

Brian Tommerdahl, 12016 Oregon Circle, referenced a message he received from Mayor Nelson which stated that there is no appetite on the Council to further review Mr. Tommerdahl's request to allow subjects to amend police reports. He asked for confirmation of this from the Council.

Mayor Nelson stated that the current appeal process goes through the Police Chief and City Administrator and then before the City Council. He stated that the Council is not willing to look at a separate process to change that as that process has been decided upon by the City Council.

Councilmember Karasek stated that when he spoke with Mr. Tommerdahl he was of the opinion that he would be willing to look at the process, not to amend a police report, but perhaps to simply allow an addendum to be added.

Mayor Nelson stated that the Council and staff have spent several hours on this matter and he would like to close this issue tonight.

Councilmember Miller stated that he has had lengthy discussions with Mr. Tommerdahl and there has to be a willingness to get it done and if there is no will to get that done, the item will not move forward. He stated that while he appreciates the passion of Mr. Tommerdahl he noted that there is not a consensus to review the process on the City Council.

Councilmember Terry stated that while she appreciates that Mr. Tommerdahl has the courage to speak at the Council meeting she took offense to the comment made that the City Council exists to protect the City. She stated that she was elected by the residents of her ward to represent them. She stated that she has no appetite to allow residents to amend police reports.

Regarding the inability to fight City Hall, Councilmember Johnson stated that he also took offense to Mr. Tommerdal's comments as he too was elected to represent the residents in his ward. He stated that there is not an overwhelming number of residents coming forward with the desire to amend police reports and therefore he would not be interested in pursuing this discussion further.

New Business

Resolution No. 2016-42  
Approving a Preliminary  
Plat Creating Five  
Townhome Lots on Lot 1,  
Block 1, Emery Village  
4th Addition: Thompson  
Townhomes LLC (Project  
2016-08)

The City Planner presented a request for a Preliminary Plat to create five townhome lots. He explained that in 2010 the City approved the plans for Emery Village 4th addition, which included 31 units on four building sites. He stated that ultimately the lots were sold and lot 1, block 1 ended up in the ownership of Thompson Townhomes. He stated that there have been changes to federal law regarding FHA financing for condominiums, which has been limiting for Thompson Townhomes. He stated that the applicant is requesting to re-plat the lot into townhomes rather than condominiums which will provide further financing options for buyers. He stated that there is a prohibition for the association to join with the existing association and therefore the parties involved are going to pursue a reciprocal agreement between the two associations to address the maintenance of common improvements, noting that agreement must be executed prior to the Final Plat approval by the City. He stated that the Planning Commission held a public hearing at their meeting on May 16th, noting that the President of the Emery Village association was present as was Mrs. Thompson. He noted that the Commission and staff both recommend approval of the resolution as presented.

Resolution 2016-42

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Approving the Preliminary Plat of Thompson Townhomes 1<sup>st</sup> Addition

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 23rd day of May 2016.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:38 p.m.

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ArMand Nelson, Mayor

Attest:

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Roberta Colotti, CMC, City Clerk