

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  
July 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 Eric Johnson, Ryan Karasek, and Bruce Miller.
- Excused Absent: Councilmember Kara Terry.
- Also present were City Administrator Bret Heitkamp, Community Development Director John Cox, City Engineer Tim Hanson, Park Facilities Manager Charlie Lehn, City Planner Scott Schulte, Assistant City Engineer Todd Tuominen, City Attorney Scott Lepak and City Clerk Roberta Colotti.
- Approval of Agenda  
(July 27, 2015)  
Motion                        Motion by Councilmember Johnson and seconded by Councilmember Karasek to approve the agenda for the July 27, 2015 Regular Meeting as presented. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek and Miller. Voting against: none. Motion carried.
- Approval of Minutes  
Motion                        Motion by Councilmember Johnson and seconded by Councilmember Miller to approve the minutes of the July 13, 2015 Committee-of-the-Whole and July 13, 2015 Regular Meeting as presented. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek and Miller. Voting against: none. Motion carried.
- Approval of Bills  
(July 27, 2015)  
Motion                        Motion by Councilmember Miller and seconded by Councilmember Johnson to approve the bills as submitted for payment on July 27, 2015. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek and Miller. Voting against: none. Motion carried.
- Announcements             Mayor Nelson made the following announcements:
- The Farmers Market is open Wednesdays from 9:00 a.m. to 1:00 p.m. at the Ice Forum parking lot. July 29<sup>th</sup> is “Kids Day at the Market” featuring a free scavenger hunt, bounce house and face painter.
  - Economic Development Authority Worksession – Wednesday, July 29<sup>th</sup> at 5:30 p.m. in the Council Chambers.
  - National Noon Out – Tuesday, August 4<sup>th</sup> at Noon at the Mill Pond Gables, \$5 cost includes lunch, entertainment, bingo entry and prizes. For more information call 763-421-8100.
  - Night to Unite – Tuesday, August 4<sup>th</sup>. For further information, or if you are interested in hosting a block party, please contact the Police Department at 763-421-2971 to obtain a registration form.
  - Council Worksession – Monday, August 10<sup>th</sup> at 5:45 p.m. in the Council Conference Room.
  - City Council Meeting – Monday, August 10<sup>th</sup> at 7:00 p.m. in the Council Chambers.
- Open Forum  
No comments made.
- New Business  
The City Engineer described the Mill and Overlay project, which includes trail segments. He noted that the bid opening occurred on July 21<sup>st</sup> with one bid submitted from Rum River Contracting. He stated that he did contact other potential bidders to determine why they did not bid and received varied responses; one contractor does trail work but not streets, one contractor felt that they could not compete with the bidders on the plan holder list, and another contractor felt that there were too many sites. He stated that he did receive a call from a contractor asking if the City was going to rebid. He stated that the big item was the sport court and stated that staff recommends removing that from the
- Resolution No. 2015-53  
Accepting the Bid for the  
2015 Mill and Overlay,  
Improvement Project No.  
21501

project in order to reduce the cost. He stated that he recommends awarding the contract as bid and then the next agenda item would be to approve Change Order No. 1, which would remove the park improvements from the project. He stated that the park improvements could then be repackaged and bid again separately.

Resolution No. 2015-53

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Accepting the Bid for the 2015 Mill and Overlay, Improvement Project No. 21501

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 and Miller, and the following voted against the same: none, whereupon said resolution was passed this 27<sup>th</sup> day of July 2015.

Authorize Change Order No. 1 for the 2015 Mill and Overlay Project (Project No. 21505)

The City Engineer presented Change Order No. 1 for the 2015 Mill and Overlay project, which was just approved noting that this would reduce the project cost. He stated that the contractor has already signed off on the Change Order.

Motion

Motion by Councilmember Johnson and seconded by Councilmember Karasek to approve Change Order No. 1 for the 2015 Mill and Overlay Project, Improvement Project No. 21505, in the amount of \$94,624.60. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek and Miller. Voting against: none. Motion carried.

Resolution No. 2015-54  
Approving the Preliminary and Final Plat for Elm Creek Commons 2<sup>nd</sup> Addition at 11565 Theatre Drive: Champlin Station LLC, Jay Feider (Project 2015-14)

The City Engineer stated that the subject property was platted in 2005 when Champlin Station was constructed. He stated that the property owner is requesting to subdivide this project to create two commercial lots. He stated that lot one lot would support the existing building while the second would be available for additional commercial development. He noted that future development would require a review by the Planning Commission and City Council. He stated that park dedication has already been paid for this property and therefore is not required. He provided additional information on the shared drive and access, which is in agreement with the PUD for the property. He stated that the Planning Commission held a public hearing on July 20<sup>th</sup> and recommended approval. He stated that staff recommends approval of both the Preliminary Plat and Final Plat for this subdivision.

Councilmember Johnson questioned if this is simply adding flexibility or whether this is in anticipation of a specific development.

The City Planner stated that this would put the owner in a position to sell or convey the property should interest in development arise.

Resolution 2015-54

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Approving the Preliminary and Final Plat for Elm Creek Commons 2<sup>nd</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 and Miller, and the following voted against the same: none, whereupon said resolution was passed this 27<sup>th</sup> day of July 2015.

Resolution No. 2015-55  
Approving a Conditional Use Permit to Construct a 1,088 Square Foot Detached Garage at 11957 Winnetka Avenue: Lori Broman (Project 2015-15)

The City Planner presented a request from Lori Broman, the property owner at 11957 Winnetka Avenue to remove an existing 528 square foot detached garage and replace it with a 1,088 square foot detached garage. He stated that there is a 100 square foot accessory shed on the lot and combined with the proposed garage the property would still be under the 1,200 square foot maximum for accessory structures. He stated that the proposed location will meet the required setback and staff did not believe there would be any impact to the neighborhood. He reported that the Planning Commission held a public hearing on July 20<sup>th</sup> and the applicant answered a few questions. He stated that the Commission recommended approval of the request subject to the conditions outlined in the staff report to the City Council.

Resolution 2015-55

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Approving a Conditional Use Permit to Construct a 1,088 Square Foot Detached Garage at 11957 Winnetka Avenue

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 and Miller, and the following voted against the same: none, whereupon said resolution was passed this 27<sup>th</sup> day of July 2015.

Second Reading and Adoption of Ordinance No. 755 Rezoning Property, Resolution No. 2015-56 Approving the Final Planned Unit Development Plan and Resolution No. 2015-57 Approving the Final Plat of The Reserve at Elm Creek: Gonyea Companies (Project 2015-08)

The City Planner stated that the City Council previously approved the Preliminary Plat for a development with 111 single-family lots and provided some brief background information. He explained that the request tonight would include three actions including: rezoning of the property, approval of the Planned Unit Development (PUD) and approval of the Final Plat for The Reserve at Elm Creek.

The City Planner provided a brief description of the proposed development and its amenities. He stated that this approval would be for the first phase of the project and noted that as the project progresses it would continue with a second and third addition. He identified pedestrian trail connections from the south that would ultimately connect to the Three Rivers Park District trails, noting that while one segment would be built with the first phase another segment would be built with a future phase of the project.

The City Planner described the landscaping, which is a linear row of trees along Elm Creek Crossing and stated that staff is also recommending that another row of trees be planted along French Lake Road. He stated that the City's required seed mixes are to be used for plantings, specifically near the pond. He stated that staff would recommend that the City install the plant plugs, as irrigation will be installed to water the plantings near the pond as an amenity. He explained that the developer will install the irrigation at their expense but the City is considering extending the irrigation on the other side of the trail to keep and maintain those plantings as well which would amend condition #17. He stated that staff recommends that the Council approve all three action items as discussed.

David Gonyea, Gonyea Company, stated that he is present to address any questions. He stated that the property owner was concerned with the definition of Indian burial grounds and thought the language should state "presumed" Native American burial sites. He noted that a conservation easement would be placed in that area even with the change in definition.

The City Planner concurred with the requested change and stated that if the Council wished to amend the PUD approval this evening they would need to amend Item #5 in the PUD as the sites being "presumed" and not "identified".

Councilmember Miller ask what the estimated cost to the City was for the installation of the landscaping plugs and irrigation that was being added to the project.

The Assistant City Engineer referenced the ponds near Douglas Drive and stated that the plan is to follow the same procedure. He stated that if this moves forward he would recommend working with a non-profit group, such as Metro Blooms, which he estimated would have a cost of about \$2,000 for the installation and \$10,000 for materials.

Councilmember Johnson confirmed that the park dedication listed is just for the first phase and additional park dedication would be paid along with future phases.

Mayor Nelson thanked the applicant for their time and cooperative spirit throughout this process.

Ordinance 755

Councilmember Miller moved for second reading and adoption of:

An Ordinance Amending the City of Champlin Zoning Map Relative to Property Known as the Reserve at Elm Creek

The motion for the adoption of the ordinance was duly seconded by Mayor Nelson, and upon vote being taken thereon, the following voted in favor thereof: Mayor Nelson, Councilmembers, Johnson, Karasek and Miller, and the following voted against the same: none, whereupon said ordinance was

passed this 27<sup>th</sup> day of July 2015.

Resolution 2015-56

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Approving The Reserve at Elm Creek Final Planned Unit Development Plan

The motion for the adoption of the resolution was duly seconded by Councilmember Johnson, and upon vote being taken thereon, the following voted in favor thereof: Mayor Nelson, Councilmembers, Johnson, Karasek and Miller, and the following voted against the same: none, whereupon said resolution was passed this 27<sup>th</sup> day of July 2015.

Resolution 2015-57

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Approving the Final Plat of The Reserve at Elm Creek

The motion for the adoption of the resolution was duly seconded by Councilmember Johnson, and upon vote being taken thereon, the following voted in favor thereof: Mayor Nelson, Councilmembers, Johnson, Karasek and Miller, and the following voted against the same: none, whereupon said resolution was passed this 27<sup>th</sup> day of July 2015.

Resolution No. 2015-58  
Approving the Vacation of  
Easements as Recorded  
Via Document No.  
T5022812: Gonyea  
Companies

Public Hearings

The City Planner stated that in 2007 the City obtained easements that served for the Hayden Lake Road extension, now known as the Elm Creek Crossing. He stated that the Plat just approved by the Council provides easements for the area and staff is therefore recommending vacation of the easements recorded on Document No. T5022812 that will help eliminate any overlaps. He stated that trail and driveway easements are not provided on plats and therefore the trail and driveway easements must be recorded for parcel A. He recommended approval of the request subject to the conditions noted in the staff report.

Public Hearing

Mayor Nelson opened the public hearing at 7:38 p.m.

No comments made.

Motion

Motion by Councilmember Johnson and seconded by Councilmember Miller to close the public hearing at 7:38 p.m. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek and Miller. Voting against: none. Motion carried.

Motion

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Approving the Vacation Document No. T5022812

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 and Miller, and the following voted against the same: none, whereupon said resolution was passed this 27<sup>th</sup> day of July 2015.

Adjournment

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

Attest:

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ArMand Nelson, Mayor

\_\_\_\_\_  
Roberta Colotti, CMC, City Clerk