

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
August 24, 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, Bruce Miller and Kara Terry.
- Absent: None.
- Also present were City Administrator Bret Heitkamp, Community Development Director John Cox, City Engineer Tim Hanson, City Attorney Scott Lepak, City Planner Scott Schulte and City Clerk Roberta Colotti.
- Approval of Agenda
(August 24, 2015)
Motion Motion by Councilmember Terry and seconded by Councilmember Miller to approve the agenda for the August 24, 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 Terry and seconded by Councilmember Miller to approve the minutes of the August 10, 2015 Regular Meeting as presented. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried. Councilmember Johnson abstained.
- Approval of Bills
(August 24, 2015)
Motion Motion by Councilmember Karasek and seconded by Councilmember Miller to approve the bills as submitted for payment on August 24, 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:
- The Farmers Market is open Wednesdays from 9:00 a.m. to 1:00 p.m. at the Ice Forum parking lot through October 7th.
 - City Council Work Plan Priority Planning Meeting – Thursday, August 27th at 5:30 p.m. in the Emergency Operations Center.
 - City Hall Closed – Monday, September 7th for the Labor Day Holiday.
 - Council Worksession – Monday, September 14th at 5:45 p.m. in the Council Conference Room.
 - City Council Meeting – Monday, September 14th at 7:00 p.m. in the Council Chambers.
- Overview of Worksession
Discussion Special Presentations
The City Administrator provided an overview of the Worksession held at 6:15 p.m. this evening. He reported that the Council directed staff to continue the analysis of the three-legged roundabout and four-legged round about options for the South Diamond Lake Road and Dayton Road intersection and that this information will be presented at a Public Informational Meeting scheduled for September 16th at 6:30 p.m. in the Council Chambers.
- Consent Agenda
Councilmember Karasek requested to pull Item #5 “Change Order No. 1 for Storm Sewer Headwall Improvements (Improvement Project No. 21540), from the Consent Agenda for further discussion.
- Waive First Reading,
Conduct Second Reading
and Adopt Ordinance No.
756 Amending Chapter
22: Fees, Section 106
(Building Permit and Councilmember Terry introduced the following ordinance, waiving the first reading, conducting the second reading and moving its adoption:
- An Ordinance Amending Chapter 22: Fees Section 108
- The motion for the adoption of the ordinance was duly seconded by Councilmember Miller, and upon

Electrical Fee Schedules) Ordinance 756 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 ordinance was passed this 24th day of August 2015.

Appointment of Utility Maintenance Operator Motion Motion by Councilmember Terry and seconded by Councilmember Miller to appoint Mr. Miles Camarata to the position of Utility Maintenance Worker beginning at Step 4, subject to a one-year probationary period. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Appointment of Police Officer Rolf to Police Sergeant Motion Motion by Councilmember Terry and seconded by Councilmember Miller to appoint Officer Rolf to Police Sergeant, effective October 1st, including a six-month probationary period. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Approve Change Order No. 1 for Storm Sewer Headwall Improvements (Improvement Project No. 21504) Motion Councilmember Karasek requested to make the approval of this Change Order subject to the homeowner signing a Release and Liability document as proposed by the City Attorney.

Resolution No. 2015-61 Approving Plans and Specifications and Authorizing Advertisement of Bids for the Jefferson Highway Rehabilitation (Improvement Project No. 21507) Resolution 2015-61 Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Approving Plans and Specifications and Authorizing Advertisement of Bids for the Jefferson Highway Rehabilitation (Improvement Project No. 21507)

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 24th day of August 2015.

Open Forum
No comments made.

New Business
The City Planner stated that the Champlin Economic Development Authority (EDA) proposes to plat three City-owned properties, 201 East Hayden Lake Road (Mill Pond Gables), 331 East Hayden Lake Road and 337 East Hayden Lake Road. The plat area encompasses 6.7 acres and creates three new lot configurations.

The City Planner stated that Planning Commissioner Dan Costello is present this evening to answer any questions regarding the Planning Commission recommendations on the planning items being presented this evening.

Commissioner Costello stated the Commission is unanimously in favor of the Preliminary and Final Plat for Mill Pond Shores Addition.

Resolution 2015-62 Approving the Preliminary and Final Plat for Mill Pond Shores Addition: Champlin EDA (Project 2015-09) Resolution 2015-62 Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Approving the Preliminary and Final Plat for Mill Pond Shores Addition: Champlin EDA (Project 2015-09)

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 24th day of August 2015.

Resolution No. 2015-63
Approving a Conditional
Use Permit for a 2,200
Square Foot Restaurant on
the South Half of Lot 1,
Block 1, South Pond
Center: TOLD
Development (Project
2015-1

The City Planner stated that since there is a second restaurant within the South Pond Center, there needed to be more consideration for parking. There are 91 parking stalls for the two buildings. City Code would require 92 parking stalls. There are provisions in the City Code that provide for peak use mixed parking. He further explained offering one stall per 200 square feet is common in the marketplace. This development will be offering 1.5 stalls per 200 square feet. This is more than neighboring communities. He stated a hearing was held on the Conditional Use Permit last month. The Planning Commission was supportive of the use. The Planning Commission recommended approval, pending recording with Hennepin County.

Planning Commissioner Costello stated the Planning Commission was responsive to staff's concern and their analysis. He said the Commission does not feel the building/parking uses will occur at the same time. He noted the Commission felt this development was an benefit to the community, and a good solution to some of the vacancies in the area.

Councilmember Karasek commented he is glad the developers are investing in this community, and he knows the owner is thrilled to be here.

Mayor Nelson expressed concern with opening all the businesses at once. He inquired if each new business openings will be phased.

Trent Mayberry, TOLD Development explained there will be a 30-day phase in. He said the north building will be delivered at the end of September 2015. The "Chipotle" building will be delivered at the end of October 2015. Each of the other retailers has 60 to 120 days for buildout. There will be a staggered nature for the openings.

The City Planner stated given the popularity of the uses coming in, parking will likely be tight at the beginning. It may even spill over into adjacent parking. He commented that when Ruby Tuesday opened, they had 100 parking stalls and for the first few months, cars were parked in adjacent lots. Over the following few months, parking eased and today the restaurant is able to host all parking on-site. He stated the amount of traffic that is expected, and the number of customers that will be coming through will hopefully benefit adjacent businesses as well.

Councilmember Miller asked if the City should amend the City Code regarding the number of required parking spaces, in consideration of the ratios used by neighboring communities.

The City Planner explained staff has recently reviewed the City's parking ratios. However, he would not recommend amending the Champlin Code at this time as there is a provision in the City Code to look at what others are doing, so flexibility is already built into the Code.

Councilmember Johnson identified that if the businesses are going to be phased in throughout September and October, and buildout is up to 120 days, that puts the openings in the winter months. He asked since there is an anticipated high initial demand for these places, if there is a plan by the developer for snow removal and cross parking agreements with other retail developments in the area. He inquired if this has been addressed with the tenants.

Mr. Mayberry responded that winter parking has not been addressed specifically. He offered to talk to the property manager, whom they have worked with since 1988 and has a lot of experience in this area.

Resolution 2015-63

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Approving a Conditional Use Permit for a 2,200 Square Foot Restaurant on the South Half of Lot 1, Block 1, South Pond Center: TOLD Development (Project 2015-18)

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 24th day of August 2015.

Resolution No. 2015-64
Approving a Conditional

The City Planner reported that the modular block retaining wall behind 11385-11397 Preserve Lane North in the Meadows of Elm Creek was constructed in 2000 and has partially collapses, dropping

Use Permit to Replace an Existing Modular Block Retaining Wall: Omega Management (Project 2015-17)

blocks onto Three Rivers Park District property with soil eroding through the open section. An Engineer has determined that the entire wall is unstable and requires immediate replacement. Omega Management, on behalf of the Meadows of Elm Creek Association, requests a conditional use permit to remove the existing modular block retaining wall and replace it with a similar type retaining wall.

Planning Commissioner Costello stated the Planning Commission recommended the contractor hire a geotechnical engineer and civil engineer to ensure this will be a strong wall.

Councilmember Johnson inquired how many trucks will be going through the area.

The City Planner responded he does not know the number of trucks, but an estimate can be made knowing there will be over 1,300 yards of clay soil removed.

Councilmember Johnson asked what period of time the trucks will haul. He inquired whether the residents have been notified of this pending work.

The City Planner replied there are no residents in the immediate construction zone; however, he agreed the adjacent homeowners should be notified.

Councilmember Miller asked if barricades should be put on the trail in addition to the planned sand and plywood.

The City Planner agreed that barricades should be placed on the trail.

Councilmember Johnson pointed out there is no parking designated for site 11 on the trail. He asked if construction employees would be walking through residents' yards.

The City Planner explained the recommendation is for the employees to park on Reserve Lane. That way they would primarily walk on the City-owned lots.

Councilmember Terry stated it looks like it will conclude in the winter of 2015. She asked if the sodding and seeding can be done early enough to take hold this year, or if it is planned to wait until next year.

The City Planner responded the plan is to finish that this year, though it may have to wait until next.

Mayor Nelson asked if the contractors will be required to fix any grass that is damaged by mud and water.

The City Planner confirmed that they would be responsible for repairing any damage.

Resolution 2015-64

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Approving a Conditional Use Permit to Replace an Existing Modular Block Retaining Wall Located Behind Lots 8 through 11, Block 2, The Meadows at Elm Creek 3rd 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 24th day of August 2015.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:40 p.m.

ArMand Nelson, Mayor

Attest:

Roberta Colotti, CMC, City Clerk