

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  
September 14, 2015  
Municipal Center

- Call to Order                   The Champlin City Council met in Regular Session and was called to order by Acting Mayor Eric Johnson at 7:00 p.m.
- Pledge of Allegiance        The Pledge of Allegiance was recited.
- Roll Call                      Present were Acting Mayor Eric Johnson and Councilmembers Ryan Karasek, Bruce Miller and Kara Terry.
- Absent: Mayor ArMand Nelson.
- Also present were City Administrator Bret Heitkamp, City Engineer Tim Hanson, Park Facilities Manager Charlie Lehn, Finance Director June Johnston, Assistant City Engineer Todd Tuominen, City Planner Scott Schulte, City Attorney Scott Lepak and City Clerk Roberta Colotti.
- Approval of Agenda  
(September 14, 2015)  
Motion                        Motion by Councilmember Miller and seconded by Councilmember Karasek to approve the agenda for the September 14, 2015 Regular Meeting as presented. Voting in favor were Acting Mayor Johnson, Councilmembers 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 August 24, 2015 Worksession and August 24, 2015 Regular Meeting as presented. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.
- Approval of Bills  
(September 14, 2015)  
Motion                        Motion by Councilmember Terry and seconded by Councilmember Miller to approve the bills as submitted for payment on September 14, 2015. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.
- Announcements             Acting Mayor Johnson made the following announcements:
- The Farmers Market is open Wednesdays from 9:00 a.m. – 1:00 p.m. at the Ice Forum parking lot through October 7<sup>th</sup>.
  - Joint Council meeting with City of Anoka – Tuesday, September 15<sup>th</sup> at 6:30 p.m. at Buona Sera Ristorante.
  - Public Informational Meeting for Mississippi View Estates Project (Improvement Project No. 20813) – Wednesday, September 16<sup>th</sup> at 6:30 p.m. in the Council Chambers.
  - Beyond the Yellow Ribbon Certification Ceremony – Thursday, September 24<sup>th</sup> at 6:30 p.m. at Andrews Park.
  - Council Worksession – Monday, September 28<sup>th</sup> at 5:45 p.m. in the Council Conference Room.
  - City Council Meeting – Monday, September 28<sup>th</sup> at 7:00 p.m. in the Council Chambers.
- Special Presentations
- Proclamation Designating  
September 20-26, 2015 as  
Women of Today Week     The City Administrator introduced the representatives from the Champlin Women of Today present this evening.
- Acting Mayor Johnson presented the Proclamation designating September 20-26, 2015 as Women of Today Week.
- Proclamation Designating  
the City of Champlin as a  
Beyond the Yellow  
Ribbon City                 The Park Facilities Manager presented background information on the Beyond the Yellow Ribbon program, which was created in Minnesota and has chapters across the country. The organization provides a network of connections for veterans returning to civilian life. He stated that after much work by the volunteers involved, the State of Minnesota has accepted the master plan. He stated that there will be a certification celebration on September 24<sup>th</sup> at Andrews Park and welcomed residents to

attend.

Acting Mayor Johnson read presented the Proclamation Designating the City of Champlin as a Beyond the Yellow Ribbon City.

Overview of Worksession Discussion

The City Administrator provided an overview of the discussion that occurred earlier in the evening at the Council Worksession on the 2016 operating budget. He stated that the average home value in Champlin will rise from \$177,000 to \$184,000 in 2016, which will increase the tax base but noted that there are some budget challenges because of fiscal disparities payment reductions. He stated that tonight the Council will be asked to certify the Preliminary Levy, which will then be sent to the County. He stated that on October 8<sup>th</sup> the Council will meet with department heads to further analyze the budget. He stated that the figures certified tonight cannot be raised and could only be lowered when the Final Levy is established on December 14<sup>th</sup>.

Consent Agenda

Councilmember Karasek requested to pull Item Eight, Resolution No. 2015-66 Accepting the Bid and Awarding the Contract for the Wethern Park Trail and Basketball/Pickle Ball Court Improvement Project, from the Consent Agenda for further discussion.

Resolution No. 2015-65  
Rejecting the Bid for the  
2015 Storm Sewer Repairs  
(Improvement Project No.  
21506)  
Resolution 2015-65

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Rejecting the Bid for the 2015 Storm Sewer Repairs (Improvement Project No. 21506)

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: Acting Mayor Johnson, Councilmembers, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 14<sup>th</sup> day of September 2015.

Appointment to Park and  
Recreation Commission  
Motion

Motion by Councilmember Miller and seconded by Councilmember Terry to appoint Ms. Tina LaCroix to the Park and Recreation Commission representing Ward 4, with a term expiring December 31, 2015. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.

Appointment of Public  
Service Workers: Public  
Works/Ice Forum  
Motion

Motion by Councilmember Miller and seconded by Councilmember Terry to appoint Mr. Myrvik and Mr. Madsen to the positions of Public Service Worker: Public Works/Ice Forum, contingent upon successful completion of a City provided pre-employment physical and drug screen, driver's license check, criminal background check and past two-year drug and alcohol testing history per federal requirements for a CDL. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.

Approve Employee  
Separation  
Motion

Motion by Councilmember Miller and seconded by Councilmember Terry to approve the termination of Ms. Hicken. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.

Resolution No. 2015-66  
Accepting the Bid and  
Awarding the Contract for  
the Wethern Park Trail  
and Basketball/Pickle-Ball  
Court Improvement  
Project  
Resolution 2015-66

Councilmember Karasek asked for additional details on the planned improvements to the park.

The Park Facilities Manager reported that if the layout of the existing basketball court is reconfigured there is sufficient space to add two pickle-ball courts. He stated that the City had been approached last year by interested residents that desired additional pickle-ball courts. He stated that the asphalt at Wethern Park needed replacement and advised that the City can, at the same time, create additional space that will accommodate the desired use.

Councilmember Karasek stated that he was invited to play pickle-ball the previous year and he found it to be very fun and great exercise.

Councilmember Miller stated that he has also found the activity to be popular and asked if there is sufficient parking for the use.

The Park Facilities Manager stated that the park is currently designed to accommodate t-ball and therefore there is available parking, noting that there is additional parking adjacent to the site as well.

Acting Mayor Johnson confirmed that these courts combined with those at the Ice Forum will bring the total to five dedicated pickle-ball courts in the City. He asked how many dedicated courts other cities offer.

The Park Facilities Manager stated that he believed that Maple Grove may have five courts, but was unsure if that included both indoor and outdoor courts.

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Accepting the Bid and Awarding the Contract for the Wethern Park Trail and Basketball/Pickle-Ball Court Improvement Project

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: Acting Mayor Johnson, Councilmembers, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 14<sup>th</sup> day of September 2015.

Resolution No. 2015-67  
Rejecting the Bid for the Jefferson Highway Bridge Rehabilitation  
(Improvement Project No. 21507)

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Rejecting the Bid for the Jefferson Highway Bridge Rehabilitation (Improvement Project No. 21507)

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: Acting Mayor Johnson, Councilmembers, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 14<sup>th</sup> day of September 2015.

Open Forum

No comments made.

New Business

Resolution No. 2015-68  
Accepting the Feasibility Study and Ordering a Public Hearing for South Diamond Lake Road, Depue Drive, and Mississippi View Estates  
(Improvement Project No. 20813)

The City Engineer presented the South Diamond Lake Road, Depue Drive, and Mississippi View Estates street and utility improvement project. He explained that the project is broken into four areas and reviewed the existing conditions for each area beginning with South Diamond Lake Road.

The City Engineer reported that originally it appeared that Hennepin County while not supporting the funding for a three-legged or four-legged roundabout would support the City's construction of either of these types of intersections at the City's cost for the intersection of South Diamond Lake Road and Dayton Road. However, more recent discussions with the County Engineer have determined that they will not only not provide financial support for these types of intersections they will not allow the City to construct them at the City's cost. The difference between the County and City on future traffic predictions is the County uses a growth factor and the City is using the comprehensive plan from the City of Dayton which shows significantly more residential growth in the coming years. The options now open to the City for this intersection are a four-way intersection or a three-way intersection. He noted that the intersection would be realigned and would be improved in attempt to reduce accidents and improve safety.

The City Engineer presented information on Depue Drive, noting that the roadway is currently gravel, which requires continual maintenance and advised that the residents have requested paving. He highlighted the Dayton Road section of the project, noting that there is no sanitary sewer or water service to those properties, and also reviewed the existing condition of the Mississippi View Estates portion of the project. He noted that there are limited fire protection capabilities in the areas that do not have public utilities available and there is inadequate storm water treatment in those areas because of the lack of storm sewer utilities.

The City Engineer reviewed the proposed improvements for the project in each of the four project areas that include public utilities and roadway improvements. He provided additional details on the LAWCON grant land exchange that would occur as a part of the project. He reviewed the estimated project cost of \$3,886,600 noting that various City funds would be used to pay the City portion of \$2,024,057, while the remaining cost would be assessed. He provided an overview of the assessment terms for each project area. He displayed the preliminary project schedule highlighting the neighborhood meeting, which will occur

Wednesday September 16<sup>th</sup>.

Councilmember Karasek stated that staff has met with the residents in the project area a number of times and taken note of their concerns. He stated that he was looking forward to the upcoming neighborhood meeting as an opportunity to gather further input.

Councilmember Karasek referenced the intersection on South Diamond Lake Road and received confirmation that the County will not authorize a roundabout at that location. He stated that along with the residents in that area he has concern with speeds in that area because of all the foot and bicycle traffic. He stated that there are concerns with speeds exceeding 50 miles per hour as the roadway leads into a residential area. He stated that he was looking forward to the reduced speeds that a roundabout would provide and was disappointed that the County would not allow that improvement even though the City would have been paying for it. He asked if that intersection could be a candidate for a four way stop.

The City Engineer believed that the County would be quite resistant to that. He noted that if the traffic volume increases the intersection could evolve from a two way stop to a traffic signal.

Councilmember Miller received confirmation that the intersection could possibly be improved in the future if accidents and/or traffic volumes increase. He asked if Dayton Road will be closed at times of construction.

The City Engineer stated that the improvements could be constructed under traffic but noted that it is always easier to construct under detour. He noted that those decisions would be made during the design phase of the project.

Councilmember Miller noted that the City is funding the undeveloped lot assessments and asked if the City would recoup those costs when the lots are sold.

The City Engineer confirmed that the costs assessed to those lots would be recouped when the lots are sold.

Councilmember Miller asked for additional information if the speeds will be changed and/or standardized since the intersection will not be improved.

The City Engineer stated that in order to change speeds the City would need to petition the County, and State, to conduct a speed study.

Councilmember Miller asked and received confirmation that the City could ask for a traffic study to be done for speed once the improvements are completed.

The City Engineer stated that the action would require a Resolution passed by the Council in the future.

Councilmember Terry stated that the intersection was reviewed from both safety and future traffic volume aspects and asked why the County's figures did not match those of the City.

The City Engineer stated that the City used not only the information from Champlin but also the anticipation from Dayton that their city would become more built out in the future. He noted that the County representatives stated that Dayton has predicted that they would be more developed for years and that has not come to fruition.

Acting Mayor Johnson referenced the intersection as well and asked the cost difference between the County recommended plan and what the City had wanted to do.

The City Engineer stated that for construction the difference in cost was about \$120,000 to \$150,000. He stated that the cost difference was more in acquisition of land, which will not necessarily be needed with the County approved plans for the intersection.

Acting Mayor Johnson stated that the County is not contributing to the intersection costs at all, yet they are specifying what can be done there. He referenced the project timeline and confirmed the estimated project start and end dates. He asked if fiber would be installed along with this project.

The City Engineer noted that the fiber could be installed along with the construction.

The City Administrator stated that the cost to install the fiber would be approximately \$25,000 and noted

that item will come back before the Council for consideration at one of the next meetings. He stated that under the current proposal the City would have been paying for the land acquisition costs but noted that in the future when the County determines that the traffic counts warrant a roundabout, the County will share 50 percent of the cost for land acquisition.

Councilmember Karasek asked if the City can appeal the decision of the County Engineer regarding the roundabout.

The City Engineer stated that there was not an appeal process.

The City Administrator stated that the County Commissioner representing Champlin will be attending a Council meeting in the near future at which time concerns such as the roundabout decision can be brought forward.

Acting Mayor Johnson asked when assessments would begin for residents.

The City Engineer outlined the assessment hearing timeline.

Resolution 2015-68

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Accepting the Feasibility Study and Ordering a Public Hearing for South Diamond Lake Road, Depue Drive, and Mississippi View Estates (Improvement Project No. 20813)

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: Acting Mayor Johnson, Councilmembers, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 14<sup>th</sup> day of September 2015.  
No comments made.

Approve 2015 Storm Water Management Guidelines for Champlin's MS-4 Permit (NPDES Program)

The Assistant City Engineer provided information on the three areas included under the new MS-4 permit and the process identified by the Minnesota Pollution Control Agency (MPCA). He stated that the permit is broken into four areas highlighting the areas that have been most affected by the change in the permit rules. He stated that this permit program costs the City \$50,000 per year and the new rules will add an additional \$10,000 to \$20,000 per year to that cost. He reviewed some of the changes to the permit that will be necessary under the new rules. He stated that the Stormwater Management Guidelines include the rules from the MPCA and other agencies, such as Watersheds, in order to include all aspects in a streamlined document. He reviewed the purpose of the Environment and Resource Ordinance and the additional changes that are proposed in order to match the rules of the MPCA under the new MS-4 permit requirements. He stated that the guidelines as proposed tonight for adoption include the updates he highlighted tonight.

Councilmember Terry questioned the cost of this program and whether there is any reimbursement of that cost.

The Assistant City Engineer stated that the \$50,000 in staff time is not reimbursed.

Acting Mayor Johnson asked for additional information on the language proposed.

The Assistant City Engineer noted that some was developed based on language used by the Watersheds and MPCA along with language used in the City's MS-4 permit and local water management plan.

Motion

Motion by Councilmember Karasek and seconded by Councilmember Terry to approve the 2015 Storm Water Management Guidelines. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.

Waive First Reading, Conduct Second Reading and Adopt Ordinance No. 757 Amending Chapter 110, Environment and Resources Ordinance of the Champlin City Code

The Assistant City Engineer stated that this needs to be adopted because of the changed rules of the MPCA, noting that he highlighted aspects of this during the previous discussion. He reviewed the purpose of the ordinance and advised that the new portions also reference the newly adopted guidelines and the new rules of the Watershed. He stated that enforcement has also been added in regard to Best Management Practices (BMPs) for developers.

Ordinance 757

Councilmember Karasek introduced the following ordinance, waiving the first reading, conducting the second reading, and moving its adoption:

An Ordinance Amending Chapter 110, Environment and Resources Ordinance of the Champlin City Code

The motion for the adoption of the ordinance was duly seconded by Councilmember Miller, and upon vote being taken thereon, the following voted in favor thereof: Acting Mayor Johnson, Councilmembers, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said ordinance was passed this 14<sup>th</sup> day of September 2015.

Publication Summary Motion

Motion by Councilmember Karasek and seconded by Councilmember Miller to authorize the use of publication summary as presented. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.

Resolution No. 2015-69 Adopting the 2016 Preliminary Budget and Tax Levy and Establishing Budget Public Hearing Dates and Resolution No. 2015-70 Approving Preliminary Property Tax Levy for Economic Development Activities for Fiscal Year 2016

The Finance Director presented the preliminary budget and tax levy information. She noted that the Council discussed this matter during the Work Session earlier tonight and made the decision to lower the preliminary budget by \$200,000 to \$8,798,086 and directed staff to pursue alternate revenue sources to make up the difference. She reviewed the proposed levy amounts and compared those figures to the previous year's amount. She highlighted personnel costs, including contracted amounts. She stated that there will be a Work Session on October 8<sup>th</sup> with the Council and department heads for the purpose of preparing a balance budget. She stated that once certified the budget and levy cannot be raised and could only remain the same or be lowered between now and the time the final figures are adopted in December. She reported that a public hearing will be held on December 14<sup>th</sup> at 7:00 p.m. in the Council Chambers and noted that the public will be allowed to speak at this meeting and are encouraged to attend.

Councilmember Miller noted that this is a ceiling and the Council and staff will attempt to reduce the amount.

Resolution 2015-69

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Adopting the 2016 Preliminary Budget and Tax Levy and Establishing Budget Public Hearing Dates

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: Acting Mayor Johnson, Councilmembers, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 14<sup>th</sup> day of September 2015.

Resolution 2015-70

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Approving Preliminary Property Tax Levy for Economic Development Activities for Fiscal Year 2016

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: Acting Mayor Johnson, Councilmembers, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 14<sup>th</sup> day of September 2015.

Adjournment

The Champlin City Council adjourned the regular meeting at 8:20 p.m.

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ArMand Nelson, Mayor

Attest:

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Roberta Colotti, CMC, City Clerk