

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  
October 24, 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, Park Facilities Manager Charlie Lehn, Finance Director June Johnston, Assistant City Engineer Todd Tuominen, City Attorney David Schaps, City Clerk Roberta Colotti, and City Council Candidates Ryan Sabas (Ward 4) and Rebecca Halling (Ward 4).
- Approval of Agenda  
(October 24, 2016)  
Motion                        Motion by Councilmember Johnson and seconded by Councilmember Karasek to approve the agenda for the October 24, 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 September 26, 2016 Joint Worksession and October 10, 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  
(October 24, 2016)  
Motion                        Motion by Councilmember Johnson and seconded by Councilmember Terry to approve the bills as submitted for payment on October 24, 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:
- Council Worksession – Monday, November 14<sup>th</sup> at 5:45 p.m. in the Council Conference Room
  - Canvass Board Meeting – Monday, November 14<sup>th</sup> at 6:45 p.m. in the Council Chambers
  - City Council Meeting – Monday, November 14<sup>th</sup> at 7:00 p.m. in the Council Chambers
- Special Presentations
- Overview of Worksession  
Discussion                   The City Administrator provided an overview of the discussion that occurred earlier in the evening at the Council Worksession regarding proposed amendments to the liquor ordinance. He explained that the existing ordinance does not allow for tap rooms but the amendments would allow tap rooms and similar micro-brewery businesses. He stated that the amendments would also increase the allowed number of Off-Sale Liquor licenses from four to six.
- Council Committee  
Quarterly Reports           Councilmember Johnson provided an update on the recent activity of the QCT Board, noting that a franchise agreement is being drafted with CenturyLink which would provide residents with an alternative service provider. Once drafted this item will be brought before the City Council for formal action.
- Councilmember Karasek stated that the District Advisory Council on Community Education has not met since the previous update.
- Councilmember Terry reported that the Anoka-Champlin Fire Board has not met since the last update.
- Consent Agenda
- Councilmember Karasek requested to pull Item #5 “Approve Galloway Park Disc Golf Course Master

Plan”, from the Consent Agenda for further discussion.

Second Reading and Adoption of Ordinance No. 771 Amending Section 126-269 of the Zoning Ordinance Regarding the Commercial and Industrial Performance Standards for Noise: City of Champlin (Project 2016-21) Ordinance 771

Councilmember Karasek conducted the second reading of the following ordinance and moved its adoption:

An Ordinance Amending Section 126-269 of the Zoning Ordinance Regarding the Commercial and Industrial Performance Standards for Noise

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: Mayor Nelson, Councilmembers, Johnson, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said ordinance was passed this 24<sup>th</sup> day of October 2016.

Second Reading and Adoption of Ordinance No. 772 Amending Section 114 of the Floodplain Ordinance Incorporating the Flood Insurance Study and Flood Insurance Rate Map Panels: City of Champlin (Project 2016-14) Ordinance 772

Councilmember Karasek conducted the second reading of the following ordinance and moved its adoption:

An Ordinance Amending Section 114 of the Floodplain Ordinance Incorporating the Flood Insurance Study and the Flood Insurance Rate Map Panels

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: Mayor Nelson, Councilmembers, Johnson, Karasek, Miller and Terry, and the following voted against the same: none, whereupon said ordinance was passed this 24<sup>th</sup> day of October 2016.

Approve Galloway Park Disc Golf Course Master Plan

Councilmember Karasek requested staff provide an overview of the review process and the final proposal being presented this evening.

Park Facilities Manager Lehn stated that presented this evening is a plan for a disc golf course at Galloway Park. He stated that the Park and Recreation Commission researched various Champlin park sites over the past 18 months to in order to find a suitable park for a disc golf course. He stated that a small committee was formed to conduct that research and Galloway Park was found to be the best location. He noted that the park system in Champlin currently does not have a disc golf course. He stated that various meetings have been held to discuss the plan and receive public input and the plan proposed is the result of compromises that have been made throughout that process.

Councilmember Karasek stated that the majority of comments he received from resident focused on a desire to keep the course out of the prairies. He stated that he appreciated the efforts of staff and the Park and Recreation Commission in preparing this proposal.

Julie Zdrazil, 13048 Revere Lane N, stated that she has been against the disc golf since she first heard about it last year and has attended almost every related meeting of the Park and Recreation Commission. She stated that she has come to accept the course but still has some concerns. She noted that some of the tee boxes and walking paths intrude into the prairie a bit. She noted that it has been said that the Hennepin County Sentence to Serve (STS) crews would be removing the buckthorn. She believed that is an awful idea as they are not being paid and do not have the necessary knowledge and desire to complete the job well. She was hopeful that the orange areas on the map would be converted to prairie land but asked if that would be done through a controlled burn and whether plants would then be planted before the disc golf construction. She noted that it would be more difficult to complete those actions once the disc golf course is completed. She stated that she also has concerns with vandalism in the night hours. She stated that the police patrol that area and should simply lock the gate at night. She asked if the prairie land shown on the drawing is a promise or just a sketch concept. She stated that if there is not prairie land the course would have sections that would be very boring. She hoped that this would work well for everyone but was worried that the disc golf players would not yield to the walkers in that area.

David Mingo, 13490 Wellington Ct, stated that over 20 years ago residents came forward to speak to the City Council regarding a bike trail proposed to run along Dayton Road. He stated the leaders at that time did not do their homework and the area was a floodplain. He asked two or three of the

Councilmembers to visit the disc golf site in March/April, and they will likely see multiple holes will be under water. He did not understand why the City wants to continually put things in that area, which is a floodplain. He stated that the City will incur more and more costs to replace the materials after the flooding occurs and washes the woodchips and other things away. He asked the Council to visit the site during the spring months to see the flood conditions before taking action.

The Park Facilities Manager stated that the prairie land was proposed by the designer to give topography and provide character, noting that the prairie would be considered after the occupation of the course and perhaps a few years of use and would not be a promise. He noted that after the first year, adjustments to the course may be needed. He noted that the holes would be located with GIS after the buckthorn removal and advised that the tee box for hole #2 would be moved slightly, out of the prairie. He stated that in regard to the use of STS, the City has a good relationship with the Hennepin County STS program. This relationship has resulted in a significant number of projects being completed a low cost. He acknowledged the vandalism issue and stated that there is a hope that a renewed use of the park would curb the vandalism. He advised that there would also be an option to install a solar powered camera to mitigate the vandalism. He stated that if the gate is not shut the park is open to vandalism but the attempt is to allow the use of the park for as many users as possible. He stated that the disc golf course is not intended to have a full year schedule. He stated that there are times that the area floods but the infrastructure stays in place, like the driveway. He stated that the equipment being proposed is made of materials that can be moved if needed. He stated that even though the areas floods, there would not be damage to the materials, and research has been done to find materials that would have longevity.

Councilmember Miller asked why the gate is not being closed, as he believed someone was locking the gate.

The Park Facilities Manager stated that there was a volunteer that was monitoring the gate but that individual was no longer available to open and close the gate consistently for the regular park hours and therefore it was determined that the gates should remain open to provide access to the park during park hours.

Councilmember Miller asked if the police could lock the gate.

The Park Facilities Manager stated he would defer to the Police Chief on a question of that nature.

Councilmember Miller asked the criteria that would be used to determine if the gate is locked.

The Park Facilities Manager stated that he could not verify if the vandalism has increased or decreased but noted that there have been a few incidents this summer and the previous summer. He noted efforts that have been made to stop the "mudding" activity.

Councilmember Miller asked if an attendance number had been identified for the new disc golf course.

The Park Facilities Manager stated that while a specific attendance number is not included in the plan, the park is being designed as a local amenity for Champlin residents vs. a regional amenity.

Councilmember Miller stated that the City is aware of the flooding issues and the materials proposed are designed for that, noting that this would not be a manicured gold course.

Councilmember Karasek asked for logistical information on the cost to develop prairie in the locations proposed. He commented that would not only add to the prairie in the community but would also add to the aesthetic of the course.

The Park Facilities Manager stated that staff would investigate the costs for that.

Councilmember Johnson asked if the STS crew is supervised by the parks department.

The Park Facilities Manager stated that the STS crew has a crew leader and that he also visits the worksite throughout the project to inspect the work being performed.

Councilmember Johnson thought that there was discussion of running fiber lines to Galloway Park for the purpose of automating the gate and installing cameras.

The City Administrator stated that a cost estimate was obtained for \$25,000 and therefore the decision was made to forgo that connection.

The City Engineer added that a conduit was run with the Dayton Road project which provides a conveyance system for future fiber; however the fiber itself was not installed as noted by the City Administrator.

Mayor Nelson asked what kind of disruption would occur to the course if the prairie work is done later.

The Park Facilities Manager replied that the course could simply be shut down temporarily while that work occurs, estimating a three-week time period.

Councilmember Miller asked if there are prairie restoration groups that would be interested in partnering with the City.

The Park Facilities Manager replied that the City does complete prairie restoration activities on some areas and staff could research partnership opportunities.

Motion

Motion by Councilmember Karasek and seconded by Councilmember Terry to approve a nine-hole disc golf course at Galloway Park. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Resolution No. 2016-69  
Accepting the Bid and  
Awarding the Contract for  
the Municipal Campus  
Retaining Walls  
(Improvement Project No.  
21607)  
Resolution 2016-69

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Accepting the Bid and Awarding the Contract for the Municipal Campus Retaining Walls (Improvement Project No. 21607)

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 24<sup>th</sup> day of October 2016.

Open Forum  
Level Three Sex  
Offenders: Regulations

Open Forum

Rebecca Halling, 11101 Idaho Ct, stated that there are three level three sex offenders moving into a house in Dayton. She asked what regulations or ordinances the City has in place to ensure that the same thing does not happen in Champlin.

Mayor Nelson stated that staff will research that and bring an answer back to the next meeting.

Resolution No. 2016-70  
Directing the Preparation  
of Plans and  
Specifications and  
Ordering the 2017 Street  
Improvements  
(Improvement Project No.  
21603)

Public Hearings

The City Engineer presented the proposed 2017 street improvement project, identifying the proposed project area and improvements. He provided background information on the pavement condition index which is used to monitor and rate roadways in the City. He reviewed the pavement conditions for the streets within the proposed project area. He reviewed the street lighting element of the project as well as the sanitary sewer and watermain infrastructure. He summarized the street improvements, drainage, street lights, sanitary sewer forcemain improvements proposed for the project. He noted that when road projects are completed the Post Office has stated that mailboxes should be combined as much as possible, noting that the maximum distance a resident could walk to their mailbox is limited to two houses. He noted that the fill that would be removed from the project area would be reused for improvement of the Ice Forum parking lot. He stated that the Park Commission has reviewed the Ice Forum parking lot project and recommends approval. He reviewed the estimated project cost broken down by project area as well as the proposed funding for the project. He provided information on the preliminary assessments for the different areas of the project.

Councilmember Miller asked for and received clarification on improvements that the City would be funding.

The City Engineer reviewed the preliminary project schedule.

Public Hearing

Mayor Nelson opened the public hearing at 8:05 p.m.

Blanche Evridge, 813 West River Road, stated that for those residents that live within a tight budget they need to be scrupulous in their spending habits and that is why she has interest in this project cost. She stated that she spoke with residents in Brooklyn Park, Brooklyn Center and Anoka and the cost for those in Brooklyn Park and Brooklyn Center for complete reconstructions was \$5,000. She believed that the cost should be lowered by half as the road abuts a County roadway. She asked why the proposed assessment is double what she believed it should be. She asked who would pay the other half of the assessment.

Mayor Nelson replied that is paid through the general fund and therefore the other residents pay that portion. He provided clarification that the road is a City road and is not a County road.

Motion

Motion by Councilmember Miller and seconded by Councilmember Johnson to close the public hearing at 8:09 p.m. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

The City Engineer stated that he would research information on assessments for neighboring cities. He reiterated how the City's assessment policy is setup. He provided additional details on the proposed improvements.

Councilmember Johnson stated that for the residents this will be a major project and asked for information on the timeline and communication method to the residents.

The City Engineer noted that this project would be a step below the project completed this summer and anticipated that if the project began the first of May, it would be finished by the first of September. He outlined the communication methods used including letters to the project area residents.

Councilmember Miller asked and received confirmation on a length of the project area. He asked when the City would begin switching to LED lighting.

The City Engineer stated that Xcel Energy recently sent out a notice that they are converting to LED. He stated that the light that is being installed can be LED or typical high pressure sodium. He stated that the City does have a supply of high pressure sodium lights that they would want to use prior to conversion. He noted that the light does have a different aesthetic and therefore there will be discussion from people on whether they like LED or not.

Councilmember Miller asked that the Council discuss that in the future as there is a significant energy savings with LED. He was surprised that there was not a matrix of what the other cities are doing for assessments, acknowledging that cities are different in their method of assessment. He asked and received confirmation that the Ice Forum round-a-bout would be adequate to allow buses.

Mayor Nelson agreed that the LED lighting should be discussed in the future and further researched. He noted that City taxes also play a role in assessment rates, explaining that some cities choose to have higher taxes and lower assessments.

Resolution 2016-70

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Directing the Preparation of Plans and Specifications and Ordering the 2017 Street Improvements (Improvement Project No. 21603)

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 24<sup>th</sup> day of October 2016.

Resolution No. 2016-71  
Authorizing Certification

The City Administrator presented the delinquent fees that have not been paid for costs associated with removing and abating weeds in 2016.

to the 2017 Taxes the Cost  
for Removal of Weeds and  
Cutting Grass

Public Hearing

Mayor Nelson opened the public hearing at 8:21 p.m.

No comments made.

Motion

Motion by Councilmember Johnson and seconded by Councilmember Miller to close the public hearing at 8:22 p.m. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Resolution 2016-71

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Authorizing Certification to the 2017 Taxes the Cost for Removal of Weeds and Cutting  
Grass

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 24<sup>th</sup> day of October 2016.

Resolution No. 2016-72  
Adopting the Assessment  
on Delinquent Water,  
Sanitary Sewer, Storm  
Water, Street Light and  
Refuse Fees

The Finance Director stated that outstanding utility fees that are 60 or more days delinquent by August 30, 2016 were placed on the proposed assessment roll. She noted that that the total of this list is \$3,900 higher than the assessment roll from the previous year. She explained the process for assessment, noting that no interest will be charged if the amount for a resident is paid in full by November 21, 2016. She recommended approval of the assessment roll for certification to Hennepin County for collection.

Public Hearing

Mayor Nelson opened the public hearing at 8:24 p.m.

No comments made.

Motion

Motion by Councilmember Johnson and seconded by Councilmember Miller to close the public hearing at 8:24 p.m. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Councilmember Johnson asked how much of the delinquent amount is paid this year and how much is collected on a rolling basis.

The Finance Director explained that 95 percent of the list is collected and paid in the following year.

Councilmember Johnson asked if people use this as a method to not pay monthly and just pay the lump sum.

The Finance Director stated that there are a variety of reasons for non-payment; however, some people believe that charges certified to taxes are tax deductible but they are not.

Resolution 2016-72

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Adopting the Assessment on Delinquent Water, Sanitary Sewer, Storm Water, Street  
Light and Refuse Fees

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 24<sup>th</sup> day of October 2016.

Resolution No. 2016-73  
Adopting Assessments for

The Community Development Director presented the unpaid rental inspection fees and vacant building registration fees, recommending approval.

Unpaid Rental Inspection  
Fees and Vacant Building  
Registration Charges

Public Hearing

Mayor Nelson opened the public hearing at 8:27 p.m.

No comments made.

Motion

Motion by Councilmember Johnson and seconded by Councilmember Miller to close the public hearing at 8:27 p.m. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Councilmember Johnson stated that the people on this list could have saved 20 percent on the administrative fee, had they paid up-front.

Resolution 2016-73

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Adopting Assessments for Unpaid Rental Inspection Fees and  
Vacant Building Registration Charges

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 24<sup>th</sup> day of October 2016.

Resolution No. 2016-74  
Adopting the Assessment  
for Unpaid Operations and  
Maintenance Charges for  
Storm Water  
Management/  
Sedimentation Ponds

The City Engineer stated that the City has an agreement for the maintenance of ponds and pond facilities. He provided additional details, noting that a ten percent fee and administrative cost is also included and recommended approval.

Public Hearing

Mayor Nelson opened the public hearing at 7:28 p.m.

No comments made.

Motion

Motion by Councilmember Johnson and seconded by Councilmember Karasek to close the public hearing at 7:28 p.m. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Resolution 2016-74

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Adopting the Assessment for Unpaid Operations and Maintenance Charges for Storm  
Water Management/Sedimentation Ponds

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 24<sup>th</sup> day of October 2016.

New Business

Resolution No. 2016-75  
Approving a Conditional  
Use Permit for Thomas  
Reese Oil and Bistro,  
Located at 12460  
Champlin Drive (Project  
2016-22)

The City Planner stated that when Thomas Reese Olive Oil first opened their business in Hayden Lake Square, the business was retail operations with some tastings. He stated that since that time the business has expanded to a full dining experience and the business will be predominately dining under the new expansion rather than the majority being retail activity and therefore a Conditional Use Permit is required. He stated that the building was constructed in 2005 with 59 parking stalls. He stated that under the building requirements restaurant space was limited to 3,000 square feet and therefore staff would recommend that no additional food operations be allowed in the multi-tenant space. He provided further details on the parking standard noting that the parking can be shared between daytime

and nighttime uses and therefore believes parking to be sufficient. He reported that the Planning Commission held a public hearing on October 17<sup>th</sup> and recommended approval of the request.

Mayor Nelson asked why this was not considered when the business expanded.

The City Planner explained that the permit was simply for demolition and once the plans evolved it was determined that there would be a shift in the majority of sales from retail to restaurant and therefore staff recommended this path.

Councilmember Miller stated that it is nice to see the success of the business.

Resolution 2016-75

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Approving a Conditional Use Permit for Thomas Reese Oil and Bistro, Located at 12460 Champlin Drive: James Deibel (Project 2016-22)

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 24<sup>th</sup> day of October 2016.

Adjournment

The Champlin City Council adjourned the regular meeting at 8:34 p.m.

\_\_\_\_\_  
ArMand Nelson, Mayor

Attest:

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