

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
June 23, 2014
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 Ryan Karasek, Bruce Miller, and Kara Terry.
- Excused Absent: Councilmember Eric Johnson.
- Also present were City Administrator Bret Heitkamp, Community Development Director John Cox, City Engineer Tim Hanson, Assistant City Engineer Todd Tuominen, Park Facility Manager Charlie Lehn, City Attorney Scott Lepak, and City Clerk Roberta Colotti.
- Approval of Agenda
(June 23, 2014)
Motion Motion by Councilmember Miller and seconded by Councilmember Terry to approve the agenda for the June 23, 2014 Regular Meeting as presented. Voting in favor were Mayor Nelson, 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 June 9, 2014 Worksession and June 9, 2014 Regular Meeting as presented. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller, and Terry. Voting against: none. Motion carried.
- Approval of Bills
(June 23, 2014)
Motion Motion by Councilmember Terry and seconded by Councilmember Miller to approve the bills as submitted for payment on June 23, 2014. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller, and Terry. Voting against: none. Motion carried.
- Announcements Mayor Nelson made the following announcements:
- Ribbon Cutting for the Andrew’s Park Splash Pad – Wednesday, June 25th at 6:30 p.m.
 - Champlin Business Networking Event – Thursday, June 26th from 7:30 to 9:00 a.m. at QCTV, 12254 Ensign Avenue.
 - Council Worksession – Monday, July 14th at 5:45 p.m. in the Council Conference Room.
 - Economic Development Authority Worksession – Monday, July 14th at 6:30 p.m. in the Council Conference Room.
 - City Council Meeting – Monday, July 14th at 7:00 p.m. in the Council Chambers.
 - Council Executive Session – Monday, July 14th following the regular City Council meeting, in the Council Conference Room.
- Overview of Worksession
Discussion Special Presentations
The City Administrator provided an overview of the discussion that occurred earlier in the evening at the Council Worksession regarding the Council Bylaw Amendments in regard to guidelines associates with open forum and the use of interactive media at City Council meetings. He noted that the proposed bylaw amendments will come back before the Council for formal action.
- The City Administrator reported that the Council also discussed park facility rental and the process for issuing a Special Use Permit that includes having alcohol at the event. He stated that this item will be presented this evening for formal action.
- Consent Agenda
Councilmember Miller requested to pull Item Five, Change Order Nos. 18-31 for Andrews Park Improvement Project – Phase II, from the Consent Agenda for further discussion.

Appointment of Election Judges
Motion

Motion by Councilmember Karasek and seconded by Councilmember Terry to appoint the list of Election Judge and Student Election Judge candidates as presented to serve at the Primary Election on August 12th and the General Election on November 4th. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller, and Terry. Voting against: none. Motion carried.

Councilmember Karasek introduced the following resolution and moved its adoption:

Resolution No. 2014-51
Creating an Absentee Ballot Board

A Resolution Creating an Absentee Ballot Board

Motion
Resolution 2014-51

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 Karasek, Miller, and Terry, and the following voted against the same: none, whereupon said resolution was passed this 23rd day of June 2014.

Massage Therapy License for the Balanced Orchid
Motion

Motion by Councilmember Karasek and seconded by Councilmember Terry to approve the massage therapy license for The Balanced Orchid, to be located at 1113 Wisconsin Avenue North in Champlin. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller, and Terry. Voting against: none. Motion carried.

Massage Therapy License for Healing Hands Massage, LLC
Motion

Motion by Councilmember Karasek and seconded by Councilmember Terry to approve the massage therapy business license for Healing Hands Massage, LLC to be located at 11575 Theatre Drive contingent upon submittal of a certificate of insurance; and to approve a massage therapist license for Sokope Mbayo and Marilyn Morgan. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller, and Terry. Voting against: none. Motion carried.

Change Order Nos. 18-31 for Andrews Park Improvement Project – Phase II
Motion

Councilmember Miller referenced certain items and questioned why they were not included in the original bid, such as the garage door colors.

The Park Facilities Manager explained that certain aesthetic items arose as the project moved forward and some items were recommended in order to make the appearance more congruent. He noted that the garage doors were originally chosen in brown but then to make them match other existing garage doors they were changed to green.

Councilmember Karasek commended the Park Facilities Manager and others that have contributed to the project. He noted that he visited the park this weekend with his child and believed that the park is now one of the greatest assets in Champlin.

Motion by Councilmember Miller and seconded by Councilmember Terry to approve Change Orders #18-31 at a total cost of \$22,065.03 for Phase II of the Andrews Park Improvement Project. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller, and Terry. Voting against: none. Motion carried.

Resolution No. 2014-52
Accepting the Bid and Awarding the Contract for City-Wide Curb and Catch Basin Repairs
(Improvement Project No. 21406)
Resolution 2014-52

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Accepting the Bid and Awarding the Contract for City-Wide Curb and Catch Basin Repairs (Improvement Project No. 21406)

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 Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 23rd day of June 2014.

Open Forum

No comments made.

New Business

Resolution No. 2014-53
Accepting the Bid and Awarding the Contract

The Parks Facilities Manager reported that four bids were received for the Andrews Park Phase III Improvement Project. He stated the company that completed Phase II was the lowest bidder. He reviewed the improvements that would be included in Phase III. He recommended that the contract for

Phase III of the Andrews Park Improvement Project

Phase III be awarded to A & M Construction Inc. in the amount of \$861,187.20.

Councilmember Terry referred to the dugout fencing and questioned if it is necessary to replace that material.

The Park Facilities Manager explained the logistics of the dugouts and the fencing used and noted that gates would also be installed. He confirmed that the fencing would only be replaced in the dugouts and at the gates.

Resolution 2014-53

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Accepting the Bid and Awarding the Contract for Phase III of the Andrews Park Improvement Project

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 Karasek, Miller, and Terry, and the following voted against the same: none, whereupon said resolution was passed this 23rd day of June 2014.

Adopt Ordinance No. 740 Amending Chapter 42 – Parks and Recreation, Article II Public Conduct in Parks and Ordinance No. 741 Amending Chapter 22 - Fees

The Park Facility Manager stated that the current policy for the Parks Department when receiving a Special Use Permit application that includes a request for alcohol consumption is to submit that request to the City Council for approval. He explained that with the improvements to the parks, there have been more inquiries/requests for Special Use Permits that include alcohol and as a result the department would like to process the requests on an administrative basis. He explained that the proposed policy integrates aspects taken from neighboring cities and the Three Rivers Park District.

The Park Facility Manager stated that under the proposed policy and ordinance amendments governing alcohol consumption in the parks, the permit holder would be required to contract through the City for security at a cost set forth in the proposed fee schedule. He noted that Special Use Permits involving alcohol consumption are limited to four hours.

The Park Facility Manager stated that in addition to the security fee for all events involving alcohol, any event over 100 people would require security even if they are not serving alcohol.

The Park Facility Manager stated that it recommended that the security fee for residents and non-residents be set at different rates.

Councilmember Miller stated that in another community this became a controversial issue and he asked the Park Facility Manager to further explain staff's position on the proposed fees.

The Park Facilities Manager explained that because of the rentals that have been in place within Champlin he believed that the costs were very competitive and noted that the fees simply cover the costs for the facility. He noted that staff believes that the presence of security encourages users to use good behavior and also provides a sense of security to neighboring property owners.

The City Administrator explained that general tax dollars are used more for maintenance and use of City facilities and noted that the additional fee would apply to exclusive use.

Mayor Nelson appreciated the clause that prohibits glass because of the surrounding cement and questioned if there is a specified area that would be allowed for alcohol.

The Park Facilities Manager noted that patrons would be asked to stay within the outer boundaries of the reserved shelter and advised that the security would also enforce that aspect.

Mayor Nelson asked if residents had an opportunity to reserve the park buildings prior to non-residents.

The Park Facilities Manager explained that the rentals are based on a first come first serve basis, but advised that in the event two reservations were requested at the same time, the reservation would be awarded to the resident.

Councilmember Miller questioned if a two-week period could be set that would allow reservations for residents only, with open registration allowed after that point.

The City Administrator confirmed that could be done. He confirmed the consensus of the Council to direct staff to create a two-week period whereby residents would be allowed to reserve a park facility prior to non-residents being allowed to make a reservation.

Councilmember Karasek referenced the resident and non-resident security fees and advised that the Council discussed this item during the Worksession and the consensus was to have a higher security fee for non-residents.

The City Attorney recommended that three motions be made related to this matter. He noted that for the first motion additional language should be added specifying that no alcohol may be consumed by anyone under the legal drinking age.

Mayor Nelson directed staff to analyze the outcomes of the new regulations and report back to the City Council at the end of the season.

Ordinance No. 740

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

An Ordinance Amending Chapter 42 – Parks and Recreation, Article II Public Conduct in Parks

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 Karasek, Miller, and Terry, and the following voted against the same: none, whereupon said ordinance was passed this 23rd day of June 2014.

Ordinance No. 741

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

An Ordinance Amending Chapter 22 – Fees

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 Karasek, Miller, and Terry, and the following voted against the same: none, whereupon said ordinance was passed this 23rd day of June 2014.

Motion to Use Publication Summary

Motion by Councilmember Karasek and seconded by Councilmember Miller to authorize the use of publication summary for Ordinance No. 740 and No. 741. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller and Terry. Voting against: none. Motion carried.

Resolution No. 2014-54
Waiving Preliminary Plat and Approving Final Plat for Champlin Medical (Project 2014-11)

The Community Development Director stated that MSP Commercial is purchasing the 6.2-acre Allina Health site located at 11269 Jefferson Highway, legally described as Tracts A, B and C, REGISTERED LAND SURVEY NO. 1527 and Outlot A, ENSTROM'S WHITE OAKS. MSP plans to enter into a lease agreement with Allina Health.

The Community Development Director stated that to support the land transaction and simplify the property description, MSP requests plat approval creating a single commercial lot. The lot supports the existing building and plans for a new 26,500 square foot medical office building and associated improvements. The site plan for said project, including demolition phasing plans, has had recent changes not yet vetted by staff and will be considered by the City Council on July 14th .

Resolution No. 2014-54

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Waiving Preliminary Plat and Approving Final Plat for Champlin Medical

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

Karasek, Miller, and Terry, and the following voted against the same: none, whereupon said resolution was passed this 23rd day of June 2014.

Public Hearings

Resolution 2014-55
Vacating 112th Lane North
and Resolution Nos. 2014-
56, 2014-57, 2014-58
Approving the Vacation of
Certain Street and Utility
Easements Along
Jefferson Highway: MSP
Commercial (Project
2014-11)

The Community Development Director stated that the title commitment for the Allina Health site, 11269 Jefferson Highway, identified four recorded public easements encumbering the property. The public easements provide street and utility rights for 112th Lane North (an undeveloped roadway) and Jefferson Highway. MSP Commercial is requesting the City to vacate the public street and utility easements.

Public Hearing

Mayor Nelson opened the public hearing at 7:31 p.m.

No comments made.

Motion

Motion by Councilmember Karasek and seconded by Councilmember Miller to close the public hearing at 7:31 p.m. Voting in favor were Mayor Nelson, Councilmembers Karasek, Miller, and Terry. Voting against: none. Motion carried.

Resolution 2014-55

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Approving the Vacation of a Public Easement for Street and Utility Purposes Over Tract A and B, Registered Land Survey No. 1527 as Recorded on Document No. 1413233

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 Karasek, Miller, and Terry, and the following voted against the same: none, whereupon said resolution was passed this 23rd day of June 2014.

Resolution 2014-56

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Approving the Vacation of a Public Easement for Street and Utility Purposes as Recorded on Document No. 1912466

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 Karasek, Miller and Terry, and the following voted against the same: none, whereupon said resolution was passed this 23rd day of June 2014.

Resolution 2014-57

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Approving the Vacation of a Public Easement for Street and Utility Purposes as Recorded on Document No. 1912467

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 Karasek, Miller, and Terry, and the following voted against the same: none, whereupon said resolution was passed this 23rd day of June 2014.

Resolution 2014-58

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Approving the Vacation of a Public Easement for Street and Utility Purposes as Recorded on Document No. 2384689

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

Karasek, Miller, and Terry, and the following voted against the same: none, whereupon said resolution was passed this 23rd day of June 2014.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:33 p.m.

ArMand Nelson, Mayor

Attest:

Roberta Colotti, CMC, City Clerk