

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
November 10, 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 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, Assistant City Engineer Todd Tuominen, City Planner Scott Schulte, Police Chief Dave Kolb, City Attorney Scott Lepak and City Clerk Roberta Colotti.
- Approval of Agenda
(November 10, 2014)
Motion Motion by Councilmember Johnson and seconded by Councilmember Karasek to approve the agenda for the November 10, 2014 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 Miller and seconded by Councilmember Karasek to approve the minutes of the October 8, 2014 Budget Worksession, October 27, 2014 Worksession and October 27, 2014 Regular Meeting as presented. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.
- Approval of Bills
(November 10, 2014)
Motion Motion by Councilmember Terry and seconded by Councilmember Miller to approve the bills as submitted for payment on November 10, 2014. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.
- Announcements Mayor Nelson made the following announcements:
- City Council Worksession – Following tonight’s Council meeting in the Mayor and Council Conference Room.
 - City Hall Closed – Tuesday, November 11th for the Veterans Day holiday.
 - Three Rivers Park District plans to hold a shotgun deer hunt in Elm Creek Park Reserve the weekend of November 15-16, 2014. Residents are advised that the park and connection trails will be closed during the time of the hunt. If you have questions call 763-694-7700.
 - Council Worksession – Monday, November 24th at 5:45 p.m. in the Council Conference Room.
 - City Council Meeting – Monday, November 24th at 7:00 p.m. in the Council Chambers.
- Overview of Worksession
Discussion Special Presentations
The City Administrator provided a brief overview of the discussion that occurred earlier in the evening at the Council Worksession regarding the different aspects of the Elm Creek Dam reconstruction project and floodplain mitigation project. He noted that this item is on the agenda tonight for action and advised that bids would be opened in December.
- Maple Grove Yard Waste
Site – Contract Extension
Motion Consent Agenda
Motion by Councilmember Miller and seconded by Councilmember Terry to approve the contract agreement with Lynde & McLeod, Inc. for the use of the Maple Grove Yard Waste Site for the term January 1, 2015 through December 31, 2019. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.
- Transient Merchant
License for PQT
Company/Rum River Tree Motion by Councilmember Miller and seconded by Councilmember Terry to approve the PQT Company/Rum River Tree Farm Transient Merchant License for a tree sale stand to be located in the Champlin Plaza Shopping Center parking lot from November 10, 2014 to December 31, 2014. Voting

Farm Motion in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Open Forum

No comments.

Review of West River Road and Hennepin Landing Three-Way Stop Control The City Engineering stated that staff has been monitoring the three way stop at the intersection of West River Road and Hennepin Landing. He stated that the City received numerous calls following the installation of the stop sign. He recommended that an informational meeting be held for the public on November 19th at 6:00 p.m. at City Hall.

Councilmember Karasek stated that personally he would like to see the stop sign removed and encouraged residents to attend the public meeting.

Motion Motion by Councilmember Miller and seconded by Councilmember Terry to approve an informational meeting for the public to discuss the West River Road and Hennepin Landing three way stop control and the long-term design of the roadway on November 19, 2014 at 6:00 p.m. at City Hall. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Public Hearings

Resolution No. 2014-89 Approving Plans and Specifications and Order Bids for Elm Creek Dam Reconstruction (Improvement Project No. 21008) The Assistant City Engineer reviewed the purpose of the project and the project status. He advised that staff would alert homeowners once the flood map is updated and if their home has been removed from the floodplain. He reviewed the tasks that have been completed thus far and advised of the remaining project tasks. He highlighted the proposed aspects of the project along with the bid alternates. He stated that once the bids are received the Council will review which alternate options they would like to select and/or remove. He reviewed the proposed project schedule, noting that bid opening would take place in December.

Public Hearing Mayor Nelson opened the public hearing at 7:13 p.m.

No comments made.

Motion Motion by Councilmember Johnson and seconded by Councilmember Karasek to close the public hearing at 7:13 p.m. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Councilmember Johnson asked for a timeframe regarding road closures and when signage regarding closures would be posted.

The Assistant City Engineer stated that the plans specify that signage will be posted regarding upcoming closures. He stated that it could start this winter but he expects the road closure to start in the spring of 2015 and to for the work to be substantially completed by November 15, 2015.

Councilmember Johnson questioned if this would affect the Father Hennepin Festival.

The Assistant City Engineer confirmed that the reconstruction area would be within the area uses in past years for the festival and that the footprint of the festival would be adjusted accordingly.

Councilmember Terry questioned the length of the roadway that would be closed.

The Assistant City Engineer stated that the roadway would be closed between Hennepin Landing and the north section of the dam.

Councilmember Miller asked for additional information regarding the required historic documentation process.

The Assistant City Engineer provided additional information, noting that the history of the Mill Pond, the dam and the old mill is needed. He stated that a consultant has been hired to work with the City and Historical Society to develop that history. He noted that coordinating signage would be installed

in the project area.

Councilmember Miller asked if members of the public could provide their input.

The Assistant City Engineer stated that staff would certainly welcome any historic pictures or stories from residents.

Councilmember Johnson commended the Assistant City Engineer for his efforts as well as Representative Mark Uglem and Senator John Hoffman for their efforts securing the bonding funds.

The City Administrator noted that in referenced to Father Hennepin Festival, the activities will need to stay north of construction and would be limited to Mississippi Point Park.

Resolution 2014-89

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Approving Plans and Specifications and Order Bids for Elm Creek Dam Reconstruction (Improvement Project No. 21008)

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 10th day of November 2014.

Resolution No. 2014-90
Approving a Waiver of
Plat/Lot Split and
Resolution No. 2014-91
Approving the Vacation of
Drainage and Utility
Easements at 11716 Utah
Avenue North (Lots 1 &
6, Block 2, Southland
Acres 1st Addition): Janice
Fechner (Project 2014-23)

The City Planner presented a request for a lot split from Janice Fechner, the property owner at 11716 Utah Avenue. He explained that the property was originally two lots which were then combined in order to construct the existing home. He stated that the request is to split the lot in order to create a second lot. He advised that the proposed lot meets the minimum requirements of the City and would support construction of a single family home. He stated that the City will work with a home builder on the newly established lot regarding tree preservation and/or replacement. He stated that there are no pending or deferred assessments for the property.

The City Planner advised that the development pre-dates the issue of park dedication and therefore park dedication would be required. He stated that there have been debates regarding park dedication any time a situation of this nature comes before the Planning Commission and/or Council. He stated that although the issue has been discussed, park dedication has never been waived.

The City Planner advised that vacation of easements would be required as well as the dedication of additional easements.

The City Planner reported that the Planning Commission held a public hearing where two neighbors voiced concern that another home would be built in a currently open area. He advised that the applicant also spoke at the hearing, noting that the request meets the requirements of the City, and requested that park dedication be waived. He stated that the Planning Commission did discuss park dedication but ultimately because of the ordinance recommended park dedication. He stated that the Planning Commission recommended that the City Council review the park dedication ordinance in the future.

The City Planner stated that staff recommends approval of the request as proposed and asked for feedback from the Council regarding possible discussion of park dedication in the future.

Public Hearing

Mayor Nelson opened the public hearing at 7:27 p.m.

Janice Fechner, 11716 Utah Avenue North, stated that when she moved into the property in May, she was under the impression that she owned two lots. She was not aware that she would have to pay park dedication fees to move the lot lines in order to create the second lot. She stated that she does not use the park system. She stated that after the lot split she plans to remain living in her existing home. She understood the need to charge park dedication for a new lot but did not understand why she would have to pay park dedication on a home that has been in its place since 1969.

Motion

Motion by Councilmember Johnson and seconded by Councilmember Miller to approve close the

public hearing at 7:30 p.m. Voting in favor were Mayor Nelson, Councilmembers Johnson, Karasek, Miller and Terry. Voting against: none. Motion carried.

Councilmember Miller confirmed that notification had been sent to all necessary property owners and/or renters.

The City Planner confirmed that proper notice had been sent including to renters. He stated that the residents that spoke against the project also expressed their understanding that the project meets the guidelines of the City.

Councilmember Johnson referenced a statement made by the Planning Commission regarding the aesthetics matching the existing neighborhood and questioned if that language was included in the conditions of approval.

The City Planner explained that requirement had been placed on a City owned lot in the past but noted that could not be done in this situation as the land is privately owned, although he did believe that a builder would most likely match the aesthetics of the neighborhood. He stated that the issue of tree preservation would be reviewed when a building permit actually comes in, as this is simply a lot split request.

Councilmember Terry questioned how many lots in the City would potentially be impacted by a change in the ordinance defining when park dedication fees are required.

The City Planner stated that if the Council determines to bring back the issue of park dedication fees for further consideration that information could be prepared for presentation.

Councilmember Terry confirmed that if a lot split were approved tonight, it would then be approved with the park dedication charges.

The City Planner stated that the applicant has six months to file the lot split. He advised that if there were a change in the park dedication policy the applicant could then reapply for a lot split.

Councilmember Miller stated that he would like to review the issue of park dedication via a Worksession in the near future.

Councilmember Karasek also agreed that the Council should discuss the issue of park dedication in a Worksession.

Councilmember Miller asked that the property owner be kept informed of any changes to park dedication requirements.

Resolution 2014-90

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Approving the Vacation of Drainage and Utility Easements at 11716 Utah Avenue North (lots 1 & 6, Block 2, Southland Acres 1st Addition): Janice Fechner (Project 2014-23)

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 10th day of November 2014.

Resolution No. 2014-91

Councilmember Johnson introduced the following resolution and moved its adoption:

A Resolution Approving a Waiver of Plat/Lot Split at 11716 Utah Avenue North (Lots 1 and 6, Block 2, Southland Acres 1st Addition): Janice Fechner (Project 2014-23)

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 10th day of November 2014.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:37 p.m.

ArMand Nelson, Mayor

Attest:

Roberta Colotti, CMC, City Clerk