

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  
March 9, 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 and Bruce Miller.
- Absent: Mayor ArMand Nelson (excused) and Councilmember Kara Terry (excused).
- Also present were City Administrator Bret Heitkamp, City Engineer Tim Hanson, Assistant City Engineer Todd Tuominen, City Planner Scott Schulte, City Attorney Scott Lepak and City Clerk Roberta Colotti.
- Approval of Agenda  
(March 9, 2015)  
Motion                            Motion by Councilmember Karasek and seconded by Councilmember Miller to approve the agenda for the March 9, 2015 Regular Meeting as presented. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Voting against: none. Motion carried.
- Approval of Minutes  
Motion                            Motion by Councilmember Karasek and seconded by Councilmember Miller to approve the minutes of the February 23, 2015 Worksession, February 23, 2015 Regular Meeting and February 25, 2015 Worksession as presented. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Voting against: none. Motion carried.
- Approval of Bills  
(March 9, 2015)  
Motion                            Motion by Councilmember Karasek and seconded by Councilmember Miller to approve the bills as submitted for payment on March 9, 2015. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Voting against: none. Motion carried.
- Announcements                Acting Mayor Johnson made the following announcements:
- Council Worksession – Monday, March 23<sup>rd</sup> at 5:45 p.m. in the Council Conference Room.
  - City Council Meeting – Monday, March 23<sup>rd</sup> at 7:00 p.m. in the Council Chambers.
  - Council Worksession – Monday, March 23<sup>rd</sup> following the 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 Elm Creek Dam Improvement Project funding sources and alternatives.
- Consent Agenda  
Councilmember Miller requested to pull Item #6, “Resolution No. 2015-21 Supporting Dedicated State Funding for City Streets”, from the Consent Agenda for further discussion.
- Resolution No. 2015-19  
Accepting the Bid and  
Awarding the Contract for  
the 2015 Street Crack Seal  
Project (Improvement  
Project No. 21501)  
Resolution 2015-19                Councilmember Karasek introduced the following resolution and moved its adoption:
- Accepting the Bid and Awarding the Contract for the 2015 Street Crack Seal Project (Improvement Project No. 21501)
- 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: Acting Mayor Johnson, Councilmembers, Karasek and Miller, and the following voted against the same: none, whereupon said resolution was passed this 9<sup>th</sup> day of March 2015.

Resolution No. 2015-20  
Accepting the Bid and  
Awarding the Contract for  
the 2015 Street Seal Coat  
Project (Improvement  
Project No. 21502)  
Resolution 2015-20

Councilmember Karasek introduced the following resolution and moved its adoption:

Accepting the Bid and Awarding the Contract for the 2015 Street Seal Coat Project (Improvement Project No. 21502)

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: Acting Mayor Johnson, Councilmembers, Karasek and Miller, and the following voted against the same: none, whereupon said resolution was passed this 9<sup>th</sup> day of March 2015.

Approve Agreement with  
the State of Minnesota for  
Elm Creek Dam  
Improvement Project  
Motion

Motion by Councilmember Karasek and seconded by Councilmember Miller to approve the agreement between the City of Champlin and the State of Minnesota for the disbursement of funds from the 2014 Minnesota State Bond Proceeds for the Elm Creek Dam at the Mill Pond, Improvement Project 21008. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Voting against: none. Motion carried.

Massage Therapist  
License at Quiet Time  
Massage  
Motion

Motion by Councilmember Karasek and seconded by Councilmember Miller to approve a massage therapist license for Xiu Hua Xue to work at Quiet Time Massage, located at 512 Jefferson Highway N., to be valid March 9, 2015 through December 31, 2015. Voting in favor were Acting Mayor Johnson, Councilmembers Karasek and Miller. Voting against: none. Motion carried.

Resolution No. 2015-21  
Supporting Dedicated  
State Funding for City  
Streets  
Resolution 2015-21

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Supporting Dedicated State Funding for City Streets

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 and Miller, and the following voted against the same: none, whereupon said resolution was passed this 9<sup>th</sup> day of March 2015.

#### Open Forum

Rodney Polk, 11817 Champlin Drive Apartment 308, stated that he moved from Saint Paul in the past month. He stated that he moved to Champlin to get away from the city feeling of Saint Paul but noted that since he has moved to Champlin the police have been to his apartment three times. He stated the first incident the police said that he called 911; however he did not call 911. He stated the second visit was due to an unruly guest he asked to leave his apartment, who then called 911. He stated that incident resulted in a strike, although he was not clear was a strike was. He stated he was at his home the past Friday listening to music and the Police came to his door responding to a call that the music was too loud. He stated that he checked with the neighboring apartments and the apartment below him and they did not have any complaints on the noise level. He stated that he wants to be left in peace and does not appreciate the police knocking on his door three times in the past month.

The City Administrator stated that the strike referenced is part of the rental housing licensing program. He stated that staff would gather additional information and a response will be made at the next Council meeting.

#### New Business

Resolution No. 2015-22  
Conditionally Granting the  
Consent to the Transfer of  
Control of the Cable  
Television Grantee and  
Cable Television System  
from Comcast Corporation  
to GreatLand  
Connections, Inc.

Karen George, Executive Director of QCTV, presented a Resolution, which would conditionally transfer the ownership of the cable franchise from Comcast to GreatLand Communications. She provided background information on the potential merger between Comcast and Time Warner. She stated that QCTV worked with Comcast to establish a settlement agreement and reviewed some of the terms of the settlement, which will extend the franchise to 2020 with an extension option to 2024, as well as a one-time payment.

Resolution 2015-22

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Conditionally Granting the Consent to the Transfer of Control of the Cable Television

Grantee and Cable Television System from Comcast Corporation to GreatLand Connections, Inc.

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: Acting Mayor Johnson, Councilmembers, Karasek and Miller, and the following voted against the same: none, whereupon said resolution was passed this 9<sup>th</sup> day of March 2015.

The City Administrator recognized Ms. George for her work on the agreement.

Acting Mayor Johnson stated that as the City Council's Representative to the Quad Cities Cable Communications Commission he would also like to thank Ms. George for her efforts.

TOLD Development  
Project at 11201 Aquila  
Drive

The City Planner stated that TOLD Development has an agreement to acquire the now vacant BP Gas Station, with plans to raise the existing building and subdivide the parcel into two sites. The first phase of their plan is to construct a multi-tenant retail building on one of the sites. He stated that the lot is 1.7 acres in size as part of the South Pond Center subdivision. He stated that access will be maintained on 114<sup>th</sup> Avenue to the north and noted that the access will actually be improved. He stated that a traffic study was included in the Council packet, which recommends the right-in access on 114<sup>th</sup>. He advised that a secondary access will be provided on Aquila Drive. He stated that renderings and elevation perspectives for the retail building were included in the Council packet. He advised that the proposed design meets the requirements for the Highway 169 Corridor and noted that the treatments being provided will create a four sided aesthetic, which will be a benefit because of the location along Highway 169. He stated that the applicant is proposing to redo the existing monument sign, upgrading the sign to provide signage for the tenants in the building as well as South Pond Center as a development.

The City Planner reported that the Planning Commission held a public hearing on February 17<sup>th</sup>, where the applicant testified in support. He stated that the Commission recommended unanimous approval of the request subject to their recommended conditions. He stated that staff also recommends approval of the two requests tonight.

Councilmember Karasek questioned where the garbage would be located.

The City Planner identified the location for the detached trash enclosure, noting that building materials would need to be consistent with the retail building.

Councilmember Miller confirmed that the trash enclosure would be shared by all three tenants.

Councilmember Karasek questioned if the information shown on the elevation and renderings would be what the final building would look like.

Trent Mayberry, TOLD Development, confirmed that the elevation shown is what the building will look like. He stated that there are also plans for a second phase.

Councilmember Karasek questioned the timing on the second phase.

Mr. Mayberry stated that he has a letter of intent from a user for the second building and noted that if a lease agreement is signed he would move forward on the second phase now. He stated that he would like to start construction within a matter of months on the first building and possibly the second building.

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Approving a Lot Split of 11201 Aquila Drive (Lot 1, Block 1, South Pond Center)

Resolution 2015-23  
Approving a Lot Split of  
11201 Aquila Drive (Lot  
1, Block 1, South Pond  
Center)  
Project No. 2015-01

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 and Miller, and the following voted against the same: none, whereupon said resolution was passed this 9<sup>th</sup> day of March 2015.

Resolution 2015-24  
A Resolution Approving a  
Site Plan for a 6,525  
Square Foot Multi-Tenant  
Retail Building and  
Associated Site  
Improvements 11201  
Aquila Drive North Half  
of Lot 1, Block 1, South  
Pond Center)

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Approving a Site Plan for a 6,525 Square Foot Multi-Tenant Retail Building and Associated Site Improvements 11201 Aquila Drive North Half of Lot 1, Block 1, South Pond Center)

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: Acting Mayor Johnson, Councilmembers, Karasek and Miller, and the following voted against the same: none, whereupon said resolution was passed this 9<sup>th</sup> day of March 2015.

Resolution No. 2015-25  
Authorizing the  
Preparation of Plans and  
Specifications for SCADA  
System Fiber Optic  
Improvements – Phase II  
(Improvement Project No.  
21405)

The City Engineer presented the request for authorization of preparation of plans and specifications for the Supervisory Control and Data Acquisition (SCADA) system, which operates and runs the wells and lift stations for the sanitary sewer. He stated that the Council authorized preparation of plans and specifications for the first phase of the project in January. He explained that this process would include improvement of fiber optic system. He advised that there is an option to lease and an option to own the system, and he reviewed the benefits of each option. He advised of other connections that could be made through fiber including a connection to QCTV and other infrastructure, which could be done over time. He explained that the network would be expanded as additional segments are completed. He reviewed other uses for a fiber optic system within the City. He provided examples and uses of local area networks (LAN) in the metro. He stated that this proposed SCADA system upgrade would be a point to point improvement that would connect four utilities. He estimated the project cost to be between \$290,000 and \$390,000 and reviewed the timeline for the project.

Councilmember Miller stated that during a Worksession he suggested reaching out to other municipalities that have installed a fiber system to gather their input on the system and questioned if that had been done.

The City Engineer reviewed the data he had collected from other cities regarding their use of the system.

Councilmember Miller questioned why there was such a significant range for the project cost estimate.

The City Engineer explained that the price would be per foot and that would be based on the type of soils that the system has to run through.

Resolution 2015-25

Councilmember Miller introduced the following resolution and moved its adoption:

A Resolution Authorizing the Preparation of Plans and Specifications for SCADA System Fiber Optic Improvements – Phase II (Improvement Project No. 21405)

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 and Miller, and the following voted against the same: none, whereupon said resolution was passed this 9<sup>th</sup> day of March 2015.

Resolution No. 2015-26  
Approving the Bid and  
Awarding the Contract for  
Elm Creek Dam  
Improvement Project No.  
21008

The Assistant City Engineer presented the final bid approval for the Elm Creek Dam project. He displayed pictures of the current outfall and weir, which are in disrepair. He stated that as part of the design the City was required to do a flood study and reviewed the results of that study. He advised of areas that will be removed from the floodplain area as a result of this project. He reviewed the tasks completed thus far including the feasibility study, environmental assessment, historical assessment, final permit from the Army Corps of Engineers, final DNR permit, Conditional LOMAR from FEMA, and completion of the design. He stated that staff still needs to finalize the Elm Creek Historical Mitigation Plan, which he believed would be completed by the end of the month

The Assistant City Engineer reviewed the cooperative funding partners for this project. He stated that the bids received were higher than expected, noting that three of the four bids received were close in price. He identified reasons the bids were higher than the engineer's estimate. He reviewed the alternates that staff would recommend eliminating from the project, noting that those could be entertained at a future time. He reviewed the project cost including the base bid, LEAF (legal,

engineering, administrative and finance costs), burying of the power lines, and a five percent contingency. He provided additional information regarding the turn back funding from Hennepin County as well as the different funding the City will use towards the project.

The Assistant City Engineer reviewed the Elm Creek Dam schedule and recommended that the Council move forward on the project, approving the low bid and rejecting the alternates. He noted that representatives from WSB were present to answer any additional questions.

Councilmember Miller commended staff for their efforts and work to make this project possible. He stated that the Council has discussed this topic in several Worksession meetings. He stated while he was disappointed the bid price was higher than the estimate, he believed that there was due diligence to keep the project cost as low as possible. He stated that he would like to discuss the City's bidding process in general at Worksession in the future. He again thanked everyone involved and stated that he believed that this will be a beautiful project that the residents will be proud of.

Councilmember Karasek also thanked everyone for the efforts put into this project. He believed that this would be a standout feature in the community. He especially thanked the Assistant City Engineer for all of his work on this project and design. He referenced the spillway lighting alternate and confirmed that if that is not installed now it could not be added in the future.

The Assistant City Engineer confirmed that the lighting could not be installed at a later time but noted that there will be sufficient lighting provided in the base bid.

Acting Mayor Johnson stated that staff has been working on this for several years and he thanked staff, WSB, and State Representative Mark Uglem and Senator John Hoffman for their work on this project.

Resolution 2015-26

Councilmember Karasek introduced the following resolution and moved its adoption:

A Resolution Approving the Bid and Awarding the Contract for Elm Creek Dam  
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: Acting Mayor Johnson, Councilmembers, Karasek and Miller, and the following voted against the same: none, whereupon said resolution was passed this 9<sup>th</sup> day of March 2015.

Adjournment

The Champlin City Council adjourned the regular meeting at 7:58 p.m.

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ArMand Nelson, Mayor

Attest:

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Roberta Colotti, CMC, City Clerk