

**CITY OF HAM LAKE
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES
TUESDAY, JANUARY 19, 2010**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Tuesday, January 19, 2010 at 6:00 p.m. in the Council Chambers at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Acting Mayor Theodorski and Councilmembers Johnson, Braastad and Kirkeide

MEMBERS ABSENT: Mayor Meunier

OTHERS PRESENT: City Administrator, Doris Nivala; City Attorney, Bill Dorn; City Engineer, Tom Collins; and Deputy City Clerk, Sharon Ayshford

1.0 CALL TO ORDER - 6:00 P.M.

Acting Mayor Theodorski called the meeting to order at 6:00 p.m.

2.0 PUBLIC COMMENT

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

3.1 Lt. Ron Bouley, Anoka County Sheriff's Department, summarized the activities of the Anoka County Sheriff's Office within the City of Ham Lake in the month of December. Lt. Bouley also presented a comparison of the number and types of calls in 2008 versus 2009.

4.0 CONSENT AGENDA

(These items are considered to be routine and will be enacted in one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in normal sequence. All items listed on the Consent Agenda are recommended for approval.) The Mayor will read the Consent Agenda.

4.1 Approval of minutes of January 4, 2010

4.2 Approval of claims in the amount of \$250,913.30

4.3 Approval of Resolution No. 10-01, accepting a donation from the Ham Lake Chamber of Commerce in the amount of \$300.00

4.4 Approval of Spring Recycling Day on May 1, 2010 and Fall Recycling Day on September 18, 2010, both from 8:00 to noon

4.5 Approval of agreements with the following vendors for both spring and fall Recycling Days: First State Tire Disposal, Inc., Green Lights Recycling, J.R.'s Appliance Disposal, Inc., PGM, and Vietnam Veterans of America

4.6 Approval of Joint Powers Agreement for Sunrise River WMO and the need to appoint a representative

Motion by Kirkeide, seconded by Braastad, to approve the Consent Agenda, removing Items 4.4 and 4.6. All present in favor, motion carried.

Councilmember Kirkeide noted that the dates of the Recycling Days are May 1, 2010 and September 18, 2010. **Motion by Kirkeide, seconded by Braastad, to approve Item 4.4, the dates of the Spring (May 1, 2010) and Fall (September 18, 2010) Recycling Days, 8:00 to noon, at City Hall. All present in favor, motion carried.**

Acting Mayor Theodorski stated that she would like Park and Tree Commissioners contacted to see if one of them would be interested in being appointed as the City's representative to the Sunrise River Watershed Management Organization. Commissioner Kirkeide stated that he would like the Planning Commissioners contacted also. **Motion by Theodorski, seconded by Braastad, to approve Item 4.6, the Joint Powers Agreement with Sunrise River Watershed Management Organization, contacting the Park and Tree Commissioners and Planning Commissioners informing them of the need for a representative and advertising this opening in the Ham Laker and Anoka Union. All present in favor, motion carried.**

5.0 PLANNING COMMISSION RECOMMENDATIONS - none

6.0 PARK AND TREE COMMISSION RECOMMENDATIONS - none

7.0 ECONOMIC DEVELOPMENT AUTHORITY - none

8.0 APPEARANCES

9.0 CITY ATTORNEY

Attorney Dorn informed the Council that the appraisals for the right-of-way acquisition for the West Service Road, north of Crosstown Blvd. NE, project were close to completion. Attorney Dorn stated that the owners of the largest parcel, abutting the Service Road, were willing to deal with the City, but only on the necessary right-of-way and not the whole parcel. The legal descriptions for the agreement for the Braastad parcel have been completed, so the agreement is awaiting Mr. Braastad's review and signature.

10.0 CITY ENGINEER

10.1 Update on Excavation Projects

Engineer Collins reviewed the current excavation projects in the City. The Amenrud/Eagle Trucking project (abutting Constance Blvd. NE and University Avenue NE) has completed the excavation portion of the permit and is completing the post-excavation/restoration portion, with a deadline of July 31, 2010.

Emily's Waters (abutting Lexington Avenue NE) received an amended completion date of December 31, 2011. There is between 570,000 and 1,170,000 cubic yards of material remaining to be excavated of the total 1.5 million and 2.1 million cubic yard excavation.

The Lennes (abutting Lexington Avenue NE) excavation has not yet commenced and the completion deadline is December 31, 2014. It is anticipated that the excavated material from this site will be utilized for the Anoka County reconstruction of Lexington Avenue NE.

The Schoumaker/Forest Lake Contracting (abutting Bunker Lake Blvd. NE) excavation has not commenced and must be completed by November 1, 2010. It is approximately 75% to 80% complete from the previous permit. Engineer Collins reviewed the required information that has not yet been submitted. Engineer Collins stated that he hoped the excavated material from this site can be used for the Radisson Road/Bunker Lake Blvd. NE Improvement Project by Anoka County.

10.2 Road Committee Recommendations

a) Update and discussion on County Road 61/153rd Avenue; and

b) Update and discussion of "Turn-Up" of County Road 58 for Anoka County designation as CSAH

Engineer Collins explained that Anoka County wants to "turn back" County Road 61 (153rd Avenue NE) to the City, in two phases. The first phase would be from Highway 65 to Radisson Road NE, which they would like to turn back in 2010. The second phase, between Radisson Road NE and Xylite Street NE, would take place when Radisson Road NE is extended. Engineer Collins stated he has completed a feasibility study for the improvement of County Road 61, which he is recommending be presented to representatives at Anoka County Highway Department. Then the Road Committee would invite the representatives to discuss the improvements that would need to be made to the road, prior to the turn back. Engineer Collins summarized the feasibility study and the costs. Also, included in this discussion, would be the willingness of the City to approve the "turn up" of County Road 58 to a CSAR, and the cost implications to the City, including loss of MSA designated roadway, which means the City would have to modify its MSA plan. **It was the consensus of the Council to direct the City Engineer to submit the feasibility plan for the improvement of 153rd Avenue NE (County Road 61) to the Anoka County Highway Department and then invite them to a joint meeting with the Road Committee to discuss the turn back in conjunction with the redesignation of County Road 58.**

c) Update on discussions regarding the construction of a West Service Road, between Crosstown Blvd. and Constance Blvd. and discussion of East Service Road, between 153rd Avenue NE and 159th Avenue NE

Engineer Collins reviewed discussions with Anoka County where the City of Ham Lake had requested full access to Crosstown Blvd. NE at both Lincoln Street NE and Johnson Street NE. Anoka County has refused the request based on there being less than 600 feet between the two intersections. Because of a stipulation by Mr. Braastad, as a part of the gifting of right-of-way, the full access will be located at Lincoln Street NE. Engineer Collins reviewed discussions he has had with property owners to the south of Crosstown Blvd. NE (Lashinski and Osborne) regarding the construction of a Service Road between Crosstown Blvd. NE and Constance Blvd. NE (Lincoln St. NE –Buchanan St. NE).

The City of Ham Lake has been approved for \$1.3 million in Access Management Funds for the Service Road, east of Highway 65, between 153rd and 159th Avenue NE. During the design process a LAWCON (Land and Water Conservation) restriction was found on Ham Lake Park. This restriction would require conditions that would add approximately \$114,500 to the project. In discussions with MnDOT, they are

considering funding the additional \$114,500. In addition, Engineer Collins reviewed potential DNR funding for the LAWCON land purchase.

Engineer Collins explained that funding from the East Frontage Road (described above) could possibly be moved to the West Frontage Road (described above), with certain implications. The amount granted may not be the same, as the funds were allocated through the Access Management Program and the program may not see the benefit as far as access closures and warrants as they did with the East Frontage Road. If the funds are not used at this time for the East Frontage Road, further applications for this same project may not receive as much of a priority, as the warrants will not be timely. Also, the West Frontage Road project will need preparation of cost, proposed access removals, crash data and proposed timeframe for construction before it can be submitted. Engineer Collins reviewed the timelines for submittal, including submitting the West Frontage Road project to the Cooperative Agreement Program for potential funding in phases.

Discussion followed and Councilmember Kirkeide suggested that the City proceed with the possibility of the 153rd-159th Avenue East Service Road Project, continuing discussions with MnDOT and the DNR for possible additional funding and submit the West Frontage Road (between Crosstown Blvd. and Constance Blvd.) in increments for funding through MnDOT's Cooperative Agreement Program. **It was the consensus of the Council to concur with Councilmember Kirkeide.**

11.0 CITY ADMINISTRATOR

11.0 Discussion of funding MSA projects

Administrator Nivala provided a recap of expenditures from the MSA Revolving Street Fund of projects that have not been bid. The City Administrator explained that the City will not be reimbursed for these expenditures, citing the engineering costs in particular, until a project is bid and awarded. Administrator Nivala explained that this information has been provided to the Council so that they are aware of the reasons why the MSA Revolving Street Fund has a negative balance.

12.0 COUNCIL BUSINESS

12.1 Committee Reports

Councilmember Kirkeide reviewed the Building & Energy Committee meeting that had taken place with Fire Chief Krueger to discuss the remodeling and addition to Fire Station 1. The Needs Assessment has been received from Lampert Architects and with some refining will be presented to the Council at its February 1, 2010 meeting.

Councilmember Braastad reminded everyone of the Snowbowl on February 13, 2010, from 9:00 a.m. to 3:00 p.m., and that there is still available space in the business expo tent for more participants.

12.2 Consideration of scheduling a public hearing for the paths in the Hiawatha Beach/Interlachen/Comfort Resort area

Councilmember Theodorski reviewed the tour that had taken place on Saturday, January 16, 2010 of the pathways in the Hiawatha Beach/Comfort Resort/Interlachen area. Administrator Nivala stated that the cable/chain is being removed from the one remaining path. Discussion followed. **It was the consensus**

of the Council to hold an informational meeting on February 16, 2010, 6:30 p.m., with a mailed notice to all residents in that area, to gather input on the use of the pathways.

12.3 Discussion on policy for payment of real estate taxes prior to receiving City approval on requests for licenses etc.

Administrator Nivala stated that Anoka County does accept monthly payments towards the full payment of real estate taxes. Discussion took place regarding the fact that all businesses need to be treated equally, the City Code requires payment of real estate taxes as a condition for approval of licenses and that interest and penalties are quite large when taxes are not paid. Acting Mayor Theodorski stated that hopefully the applicants will have their taxes paid by the February 1, 2010 Council meeting which is the deadline that the Council had granted.

12.4 Discussion of request from Ham Lake Chamber for office space

Acting Mayor Theodorski summarized a letter from the Ham Lake Chamber, withdrawing its request for office space at the City Hall, stating they are going to remain at their current location.

12.5 Discussion of parking space requirements

The Council discussed the memorandum from the City Administrator, noting the recommendation to exclude the previous recommended standard, and refer this item back to the Planning Commission. The City Administrator also recommended that following review by the Planning Commission and City Council the off-street parking requirements be adopted by ordinance, to be included in the City Code. **Motion by Kirkeide, seconded Braastad, to direct the Planning Commission to review the off-street parking requirements, recommending a standard or formula to be adopted by ordinance. All present in favor, motion carried.**

12.6 Discussion of definition of "Lodging Houses" (First reading of an Ordinance)

This is the first reading of an Ordinance amending Article 11.1101.2 of the City Code pertaining to the definition of Lodging Houses.

12.7 Announcements and future agenda items

There will be an informational meeting, on Tuesday, January 26, 2010 at Ham Lake City Hall regarding the proposed improvement to Lexington Avenue NE by Anoka County.

Motion by Kirkeide, seconded by Braastad, to adjourn the meeting at 6:45 p.m. All present in favor, motion carried.

Sharon Ayshford, Deputy City Clerk