

**CITY OF HAM LAKE
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES
MONDAY, FEBRUARY 6, 2017**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, February 6, 2017 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: Mayor Van Kirk and Councilmembers Doyle, Parranto, Johnson and Kirkeide

MEMBERS ABSENT: None

OTHERS PRESENT: City Attorney, Joe Murphy; City Engineer, Tom Collins; City Clerk, Denise Webster; and Administrative Assistant Trudie Falk

1.0 CALL TO ORDER - 6:00 P.M. – Pledge of Allegiance

Mayor Van Kirk called the meeting to order and the Pledge of Allegiance was recited by all in attendance.

2.0 PUBLIC COMMENT

Paul Stone, Stone Construction, was present. Mr. Stone, on behalf of Jam Hops and Primary Automation, is asking for direction on how to obtain water connection from the city of Blaine for these two properties. Jam Hops and Primary Automation Systems have stated they will pay all costs for connecting to water from the City of Blaine for their sprinkler systems and a fire hydrant. There was discussion regarding the agreement that would be needed with the City of Blaine. Mr. Stone stated that the City of Blaine needs a letter from the City of Ham Lake requesting the water connection to the two businesses. Mayor Van Kirk stated that he is in favor as long as there is no expense to the taxpayers of Ham Lake. **It was the consensus of the City Council to direct staff to contact the City of Blaine to discuss what is need to allow the connection of water to Jam Hops at 1460 133rd Lane NE, and Primary Automation Systems at 13361 Aberdeen St NE.**

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

3.1 6:01 p.m. – Public Hearing – To vacate a portion of the drainage and utility easement on Lot 4, Block 1, Heritage Forest and adoption of a Resolution

Engineer Collins reviewed the portion of the drainage and utility easement on Lot 4, Block 1, Heritage Forest that is being requested to be vacated.

Mayor Van Kirk called the Public Hearing to order at 6:11 p.m. Mayor Van Kirk called for public comment and there was none.

Mayor Van Kirk closed the Public Hearing at 6:12 p.m. **Motion by Johnson, seconded by Doyle, to approve Resolution No. 17-03, the vacation of the drainage and utility easement on Lot 4, Block 1, Heritage Forest. All in favor, motion carried.**

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.)

- 4.1 Approval of minutes of January 17, 2017
- 4.2 Approval of claims in the amount of \$350,396.98
- 4.3 Approval of Ordinance No. 17-01 amending Article 6 regarding Parking in Residential Zoning
- 4.4 Approval of the Outdoor Lighting Energy and Maintenance Agreement for street lights in Rylie's Way
- 4.5 Approval of the Agreement with Northern Lighter Pyrotechnics for a fireworks display on Saturday, July 1, 2017
- 4.6 Approval of the Contract with SafeAssure for safety training in 2017
- 4.7 Approval of the 2017 Residential Recycling Agreement with Anoka County
- 4.8 Approval of scheduling the Spring Recycling Day as Saturday, May 6, 2017 and the Fall Recycling Day as Saturday, September 9, 2017, both from 8:00 a.m. to Noon
- 4.9 Approval of the Technology Use and Access Policies (replacing the current MIS Policy)

Motion by Kirkeide, seconded by Parranto, to approve the Consent Agenda. All in favor, motion carried.

5.0 PLANNING COMMISSION RECOMMENDATIONS

- 5.1 Scott Lennes, Property Revolutions Nine, LLC requesting Sketch Plan Approval of Red Fox Hollow Second Addition (22 Residential Single Family Lots) in Section 36

Motion by Van Kirk, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve the Sketch Plan for Red Fox Hollow Second Addition consisting of 22 Residential Single Family Lots in Section 36 as proposed by Scott Lennes of Property Revolutions Nine, LLC subject to the following: moving the Ghia Street NE intersection to the east to comply with intersection separation requirements; extending the 137th Avenue NE cul-de-sac to the east and crossing the ditch to access the proposed park area; dedicating road right-of-way to the east property line of the plat; meeting the recommendations of the City Engineer and all City, State and County requirements. All in favor, motion carried.

- 5.2 Brenda Nolby, Jam Hops, requesting site plan approval for construction of a 10,368 square foot expansion to the building at 1460 133rd Lane NE (previously shown as future expansion when the site plan was approved on May 9, 2016) and requesting approval for Anytime Fitness to occupy the space

Motion by Van Kirk, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve the application of Brenda Nolby, Jam Hops, requesting site plan approval for construction of a 10,368 square foot expansion to the building at 1460 133rd Lane NE (previously shown as future expansion when the site plan was approved on May 9, 2016) and approving occupancy for Anytime Fitness, subject to meeting the recommendations of the City Engineer and all City, State and County requirements. All in favor, motion carried.

6.0 PARK AND TREE COMMISSION RECOMMENDATIONS

6.1 Discussion of Arbor Day tree planting and adoption of the Arbor Day Proclamation for May 6, 2017

Motion by Van Kirk, seconded by Kirkeide, to concur with the recommendation of the Park and Tree Commission to accept the Arbor Day Proclamation for Saturday, May 6, 2017 and to approve using funds, not to exceed \$400.00, from the Public Works budget to purchase a tree to be planted in Lion’s Park on Arbor Day. All in favor, motion carried.

7.0 ECONOMIC DEVELOPMENT AUTHORITY

7.1 Discussion of EDA Property on the southeast corner of Highway 65 and 157th Avenue NE

City Clerk Webster stated that the EDA property has been cleared and staff was looking for direction from the Council on what they would like to do next with the property. **It was the consensus of the City Council to direct staff to order a new survey and request an appraisal for the property located on the southeast corner of Highway 65 and 157th Avenue NE.**

8.0 APPEARANCES – None

9.0 CITY ATTORNEY

9.1 Discussion of an Ordinance amending Article 3 regarding Discharge of Firearms and Bows and Arrows and adoption of Ordinance No. 17-02

Attorney Murphy stated that he was recommending increasing the number of days allowed to shoot from twice a month to twice a week. Mayor Van Kirk stated that there has never been a complaint before this current one. Councilmember Johnson stated that it seems like a lot to him and neighbors have a right to enjoy their property. Mayor Van Kirk stated that they could change the Ordinance to twice and week and see if there are any complaints regarding the change. **Motion by Van Kirk, seconded by Kirkeide, to approve the adoption of Ordinance No. 17-02 amending Article 3 regarding Discharge of Firearms and Bows and Arrows. All in favor, motion carried.**

9.2 Consideration of the First Reading of an Ordinance amending Article 6 regarding Snowmobiles

The City Council discussed amending Article 6 regarding Snowmobiles and discussed removing items 3 through 6.

This is considered the First Reading of an Ordinance regarding Snowmobiles.

9.3 Discussion of a proposed Ordinance amendment in Article 9 regarding used car sales lots

Attorney Murphy explained that there is a classic car sales lot, Route 65, which is located at 14954 Aberdeen Street NE that is renting space to a used car sales lot owner and currently the City Code does not allow for used car sales on this property. The City Council discussed a proposed Ordinance amendment in Article 9 regarding used car sales lots and whether certain lots might have grandfather rights. Councilmember Johnson stated that the business was strictly to sell classic cars and only sell used vehicles when they were used as a trade-in to buy a classic car. There was discussion regarding if the lot has not been used for car sales for more than a year, those grandfather rights are no longer valid. Councilmember Johnson reminded the City

Council of what the residents wanted in a past survey and that was no more used car lots and pole buildings along Highway 65 NE. Mayor Van Kirk agreed with no new car lots but felt if the property had at any time been used as a car lot, it should be allowed to be a car lot again. Councilmember Doyle stated that they are already in violation before obtaining a Conditional Use Permit. Mayor Van Kirk questioned whether the grandfather rights should be extended to a longer time period. Attorney Murphy stated that the business does not meet the statutory guidelines to have grandfather rights. **It was the consensus of the City Council to directed staff to review the Conditional Use Permit for Route 65 and provide the list of businesses that have grandfathered rights and inform Freedom Auto Sales to apply for a Conditional Use Permit as they are not running legally at 14954 Aberdeen Street NE.**

9.4 Discussion of a proposed Ordinance amendment in Article 9 regarding Accessory Buildings

Attorney Murphy discussed the proposed Ordinance Amendment in Article 9 regarding Accessory Buildings. **Motion by Van Kirk, seconded by Kirkeide, to direct the Planning Commission to schedule a Public Hearing regarding the proposed Ordinance amendment in Article 9 regarding Accessory Buildings. All in favor, motion carried.**

10.0 CITY ENGINEER – None

11.0 FIRE CHIEF – None

12.0 COUNCIL BUSINESS

12.1 Committee Reports - None

12.2 2017 Snowbowl Update – Councilmember Al Parranto

Councilmember Parranto discussed the events for the Snowbowl on February 11, 2017, from 10:00 a.m. to 3:00 p.m. at Ham Lake Park. Councilmember Parranto stated that there would be many fun activities such as broomball, dog sled pull, kid’s games, ice fishing and food and beverage by Acapulco and Route 65. There was discussion of allowing the pulled sleighs to be used in the City Park and the Council felt that it would not be an issue.

12.3 Announcements and future agenda items – None

Motion by Kirkeide, seconded Parranto, to adjourn the meeting at 7:23 p.m. All in favor, motion carried.

Trudie Falk, Administrative Assistant