

CITY OF HAM LAKE
PLANNING COMMISSION MINUTES
MONDAY, APRIL 9, 2018

The Ham Lake Planning Commission met for its regular meeting on Monday, April 9, 2018 in the Council Chambers at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Commissioners Erin Dixson, Jeff Entsminger, Jonathan Fisher, Scott Heaton, Kyle Lejonvarn, Brian Pogalz and Dave Ringler

MEMBERS ABSENT: None

OTHERS PRESENT: City Engineer, Tom Collins; City Attorney, Joe Murphy; and Zoning Official/Building Clerk, Dawnette Shimek

CALL TO ORDER: Chair Pogalz called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited by all in attendance.

APPROVAL OF MINUTES:

Motion by Lejonvarn, seconded by Fisher, to approve the minutes, as written, of the March 26, 2018 Planning Commission meeting. All in favor, motion carried.

OLD BUSINESS:

Jim Malvin, I.R. Properties, LLC, requesting Preliminary Plat approval and rezoning to PUD (Planned Unit Development) the plat of Rylie's Way (6 lots) in Section 1 (this application was tabled at the Planning Commission's April 10, 2017 meeting.

Jim Malvin of I.R. Properties, LLC, was present before the Planning Commission requesting Preliminary Plat approval and rezoning the development of Rylie's Way to PUD (Planned Unit Development). Mr. Malvin stated that the plat design is in order. Engineer Collins stated that the revised plat includes one additional lot. Engineer Collins added that the Coon Creek Watershed District is recommending approval and the plat meets all City and Watershed requirements. **Motion by Pogalz, seconded by Ringler, to recommend approval of the Preliminary Plat and Rezoning to PUD (Planned Unit Development) the plat of Rylie's Way, as submitted by Jim Malvin, I.R. Properties, LLC, consisting of six lots in Section 1, subject to meeting the**

recommendations of the City Engineer and all City, State and County requirements. All in favor, motion carried. This application will be placed on the City Council's April 16, 2018 agenda.

Consideration of renewal of the Private Kennel License for Samir Salama (renewal date May 1, 2018) to keep 3 dogs at 1818 140th Avenue NE (this discussion was tabled at the Planning Commission's October 23, 2017 meeting).

Samir Salama and Attorney Adam Ripple, Rinke Noonan Attorneys at Law, were present before the Planning Commission to discuss Dr. Salama's private kennel license. Dr. Salama explained that he has received approval for the kennel in Athens Township, has obtained a building permit and construction is progressing. Dr. Salama stated that the building should be completed within 90 days from today. Attorney Ripple stated that Dr. Salama wants to keep his Ham Lake Private Kennel License to keep three dogs as pets. Dr. Salama stated that the new kennel is located 30 minutes away from his house as he has made this sacrifice to the City. Chair Pogalz stated that in October, Dr. Salama stated he would no longer keep his Private Kennel License in Ham Lake following the move to Athens Township. Dr. Salama said he never said he wanted to give up his license. Chair Pogalz asked Attorney Murphy what the Planning Commission's options would be for this license. Attorney Murphy explained that the Planning Commission has a decision to renew the license with the same conditions, renew the license with different conditions or proceed with revocation or request a public hearing. Attorney Murphy stated that the Planning Commission is to determine whether or not it is appropriate to renew the license. Attorney Murphy stated that they can have two dogs without a private kennel license. Commissioner Lejonvarn asked if in the past Private Kennel Licenses have been issued for certain dogs rather than just a number of dogs. Zoning Official/Building Clerk Shimek stated that there have been Private Kennel Licenses issued to certain dogs and when a dog is no longer kept, the Private Kennel License would then expire. Discussion followed regarding inspections on the property and Attorney Murphy stated an onsite inspection has never been done. Discussion followed regarding past complaints. Chair Pogalz asked if Dr. Salama had any additional comments. Dr. Salama stated that the complaints are not true and he has been harassed even before he had any dogs. Dr. Salama added that he just wants to be able to survive in his community and have pets, otherwise it's just not fair. Chair Pogalz stated that everyone lives by the same set of rules. Dr. Salama added that he has always followed the rules and has not stopped trying to comply with the ordinance. **Motion by Fisher, seconded by Pogalz, to recommend renewal of the Private Kennel License for Samir Salama (renewal date May 1, 2018) at 1818 140th Avenue NE subject to the following conditions: 1) To keeping no more than three dogs. 2) All dogs must maintain current licensing. 3) Dogs will not be intentionally bred; any puppies produced are to be removed by six months of age. 4) Meeting all City, State and County requirements. Commissioners Dixson, Entsminger, Fisher, Heaton, Pogalz and Ringler voted yes. Commissioner Lejonvarn voted no. Motion carried.** This recommendation will be placed on the City Council's April 16, 2018 agenda.

COMMISSION BUSINESS:

City Council Update

Commissioner Lejonvarn updated the Planning Commission on action taken at the City Council's April 2, 2018 meeting. Commissioner Ringler will be attending the City Council's Monday, April 16, 2018 meeting.

ADJOURNMENT:

Motion by Heaton, seconded by Fisher, to adjourn the Planning Commission meeting at 6:32 p.m. All in favor, motion carried.

Dawnette Shimek
Zoning Official/Building Clerk