

CITY OF HAM LAKE
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY
WORKSHOP MEETING MINUTES
JANUARY 2, 2024

The Ham Lake City Council met on Tuesday, January 2, 2024 at 5:00 p.m. in the Conference Room at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Mayor Brian Kirkham and Councilmembers Gary Kirkeide, Al Parranto and Jesse Wilken

MEMBERS ABSENT: Councilmember Jim Doyle

OTHERS PRESENT: City Engineer, Tom Collins; City Attorney, Mark Berglund; and Deputy City Clerk, Dawnette Shimek

1.0 Call to Order

Mayor Kirkham called the meeting to order at 5:00 p.m.

2.0 Discussion of Wetland Banks

Kris Daniels, Scooters Coffee; Ben Hodapp, Anderson Engineering; and Bill Stoddard were present to discuss a proposed wetland bank. Mr. Stoddard stated he has been a developer for many years and gave his background. Mr. Stoddard is interested in creating a wetland bank thru wetland restoration on a 127-acre parcel. Mr. Stoddard stated that he has been working with the Army Corps of Engineers, BWSR (Minnesota Board of Water and Soil Resources), Anoka Conservation District and Coon Creek Watershed District; and expects their approvals this winter and spring. Mr. Stoddard stated they would include a trail designation on the property that would connect Constance Estates Park, MAC (Metropolitan Airport Commission) property and Fox Run Park. Mr. Stoddard would propose a 10-foot or 20-foot-wide trail, preferably a 10-foot-wide trail, that would run approximately one-half mile and with connections to the other trails would provide about 1-1/4 miles of trail. Mr. Stoddard stated they have purchased the property and are looking for the City's approval to create a wetland bank on the property. Mr. Stoddard stated that the property would remain under their ownership and they would sell the wetland credits. Mr. Stoddard stated that the property could not be further developed or mined in the future because BWSR requires the placement of a perpetual conservation easement over the wetland bank. Councilmember Kirkeide summarized that the average amount of tax revenue that the City gets from sod fields is minimal and a trail system would be a benefit to residents.

Ben Hodapp, Anderson Engineering, stated that there are Federal and State regulation programs and there is a high need for wetland credits. Mayor Kirkham stated he would like all of the sod farmers to be able to create wetland banks. Councilmember Kirkeide stated that with restoring the property it reestablishes the property to the way it originally was.

Attorney Berglund stated that wetland banks have been studied by Forest Lake, and they placed a moratorium on them and then banned wetland banks. Attorney Berglund stated that the City of Ham Lake would have to create a zoning code for this as it is currently not allowed in City Code. Attorney Berglund stated that there were concerns raised in forest Lake regarding that the property can never be changed. Attorney Berglund stated that designation of land as a wetland bank is a permanent and very restrictive decision that can never be changed. Attorney Berglund stated that the City does have a Comprehensive Plan that has roads connecting in this area that could never be constructed. Attorney Berglund stated that the Council needs to think of how many the City would want to own as the property value would be significantly reduced after a wetland bank is created due to the perpetual easement.

Councilmember Wilken affirmed that there could be eight residential lots on the property. Mr. Stoddard stated that there could be eight lots, but that it was not cost-effective to construct the roads for development of eight lots. Mr. Hodapp stated that the existing upland areas are proposed to remain, and would generate wetland credits at a reduced rate of a 25% return as a buffer. Councilmember Wilken asked the Councilmembers if they should require keeping the upland areas out of the wetland banking easement. Mr. Stoddard stated that the property needs to be a contiguous easement for wetland crediting. Councilmember Wilken asked if the City can limit wetland banking as he is concerned with locking up a considerable amount of property. Attorney Berglund stated that City Code could be more restrictive rather than less restrictive.

Engineer Collins stated that the Hedgewood residential development results in a cul-de-sac that is longer than the City Code Article 10 maximum of 1,100-foot maximum, and that development included a future thoroughfare plan of extending Xebec Street NE to the north to Vickers Street NE and/or extending 166th Lane NE to the east and south to 165th Avenue NE. Engineer Collins questioned whether approval of a wetland bank without a street connection would require approval of a variance.

Attorney Berglund stated that the City could designate areas where wetland banking would be allowed. Councilmember Kirkeide stated in inventory of some type of properties where this could be considered would be helpful. Engineer Collins stated that the City has excavation precincts in the City Code with restrictions.

Mr. Stoddard stated that he wants to work with the City. Mr. Hodapp stated that they were working to get approval from the City this summer.

3.0 Discussion of request for funding for the Bunker Lake Boulevard NE Engineering Interchange Design

Engineer Collins summarized the November 2023 meeting that he and City Administrator Webster attended at the Anoka County Highway Department regarding the proposed Interchange, and stated that the County request for City participation in the engineering design was between \$25,000 and \$50,000. Engineer Collins stated that County requested up to \$100,000 from the City at the December 4, 2023 Council Workshop. Engineer Collins stated that there was discussion at the Workshop if Anoka County Housing and Redevelopment Authority (HRA) funding could be used for the City's participation, and that it was subsequently determined by the County that the design engineering was not eligible for HRA funding. Councilmember Kirkeide stated concern with being reimbursed in the future for the City contribution being this is a County/State project. Mayor Kirkham stated that he would agree with contributing \$25,000.00 to the engineering design. Councilmember Parranto suggested that the City Council send a letter of support of the project to Anoka County and discuss potential City participation at a future Council meeting.

Motion by Kirkham, seconded by Kirkeide, to adjourn the workshop meeting at 5:57 p.m. All present in favor, motion carried.

Dawnette Shimek, Deputy City Clerk