



CITY OF HAM LAKE

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CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY WORKSHOP MEETING MINUTES MONDAY, APRIL 15, 2024

The Ham Lake City Council met on Monday, April 15, 2024 at 5:30 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 Brian Kirkham and Councilmembers Jim Doyle, Gary Kirkeide, Al Parranto and Jesse Wilken

MEMBERS ABSENT: None

OTHERS PRESENT: City Attorney, Mark Berglund; City Administrator, Denise Webster; Building Official, Mark Jones; and Deputy City Clerk, Dawnette Shimek

1.0 Call to Order

Mayor Kirkham called the meeting to order at 5:33 p.m.

2.0 Discussion of B&L Farms located at 2461 Crosstown Boulevard NE

Attorney Berglund stated that Mr. and Mrs. Wawers are operating B&L Farm Wedding Venue from their property zoned R-A (Rural Single Family Residential) located at 2461 Crosstown Boulevard NE. Attorney Berglund stated that this business is operating without a Conditional Use Permit and the City is concerned that the business/property does not meet commercial standards as required by the building code. Building Official Jones stated that bathrooms need to be constructed, the building and property need to be brought into compliance with building codes and city code. Building Official Jones stated that hard surfaced parking is also required, and approval from the Anoka County Highway Department is required because the business accesses on Crosstown Boulevard NE (County State-Aid Highway 18). Mrs. Wawers stated that it is not a business because they have less than 100 people for events held 10 times a year. Mrs. Wawers stated that it is not a commercial building because it is not commercial property. Councilmember Kirkeide stated if they are holding events, and being paid, it is a business. Mrs. Wawers stated the county assessor said it is not a commercial building. Councilmember Kirkeide stated that the Building Official can allow an exemption to not require a building permit for construction of a building that is for a bonafide agricultural purpose, not a commercial purpose. Mrs. Wawers stated the building is not used as commercial, it is cold storage. Mrs. Wawers stated that she spoke with someone from the state, off the record, and were told that if they are only using the building 3% of the time, they would not need to follow commercial plumbing requirements. Councilmember Kirkeide stated that they should have gotten the information in writing. Attorney Berglund stated that the City has an obligation to follow code. Mrs. Wawers stated their use is not any different than Anoka County Farms or the winery. Attorney Berglund stated there is no reason for them to continue comparing themselves to other businesses. Mrs. Wawers stated that all they receive is lies, incorrect and inaccurate information from the City. Building Official Jones stated that they need one bathroom for every 40 people. Attorney Berglund asked the Wawers if they would install the bathrooms required. Mr. and Mrs. Wawers stated they would not install bathrooms. Mrs. Building Official Jones stated that the commercial plumbing code requires bathrooms in the building or in the building with access

from outside. Mrs. Wawers stated that that is what they have, a portable restroom with a holding tank and running water. Building Official Jones stated that they would also need 35 hard-surface parking spaces for an occupancy of 99 people. Attorney Berglund stated that the Wawers are disagreeing with all of the requirements needed to obtain a CUP and do not intend to meet code and city requirements. Mrs. Wawers stated that City Code allows for a Temporary Conditional Use Permit where they could use tents, so they would start using tents instead of the building. Building Official Jones stated that having a minimum of 20 acres is one of the requirements for a Seasonal Temporary Use Permit.

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


Dawnette Shimek, Deputy City Clerk