

**CITY OF HAM LAKE
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES
MONDAY, JUNE 7, 2021**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, June 7, 2021 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 Mike Van Kirk and Councilmembers Gary Kirkeide, Jim Doyle, Brian Kirkham and Jesse Wilken

MEMBERS ABSENT: None

OTHERS PRESENT: City Attorney, Joe Murphy; City Engineer, Tom Collins; City Administrator, Denise Webster; and Deputy City Clerk, Dawnette Shimek

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

Mayor Van Kirk invited Peter Wojciechowski, 1360 Constance Boulevard NE, to the podium to introduce himself to the Council. Mr. Wojciechowski stated he has lived in Ham Lake for 65 years, was in the United States Marine Corp. from 1953 to 1956 and served as a radio operator. Mr. Wojciechowski served on the Ham Lake Planning Commission for 10 years and has been on the Connexus Energy Board of Directors for 45 years. The City Council thanked Mr. Wojciechowski.

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

3.1 Bruce Saylor (not present) and Don Haller, Connexus Energy Presentation

Don Haller, Representative of Connexus Energy, was present before the City Council and gave a PowerPoint presentation detailing the Connexus Energy service area, involvement with Community and Economic Development including major 3 PH infrastructure within the City, and how the Cooperative is member owned and community focused. Mr. Haller also noted the affordability of the residential and commercial rates and the reliability of the cooperative.

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 May 17, 2021

4.2 Approval of claims in the amount of \$550,777.06

4.3 Approval of a Temporary One-Day 3.2% Liquor License for the Ham Lake Lion's at Lion's Park on July 3, 2021 (1220 157th Avenue NE)

4.4 Approval of re-scheduling the Budget Workshop Meeting for Monday, June 21, 2021 (following the regularly scheduled City Council Meeting)

- 4.5 Approval of an Off-Site Gambling Permit for the Ham Lake Chamber of Commerce to conduct bingo and pull-tabs on July 3, 2021 at Lion's Park (1220 157th Avenue NE)
- 4.6 Approval of an Off-Site Gambling Permit for the Spring Lake Park Lions Club to conduct bingo and paddlewheel at Maxx Bar & Grill, 17646 Central Avenue NE on August 22, 2021
- 4.7 Approval of accepting the resignation of Sandy Flaherty as the City Representative to the Upper Rum River and Sunrise River Watershed Management Organizations and advertising for the open positions in the *Ham Laker*
- 4.8 Approval of Resolution No. 21-18 accepting the low bid for the reconstruction of the streets within Lund's Lakeview Forest
- 4.9 Approval of Liquor Licenses, subject to the approval of the City Attorney:

On-Sale and Sunday On-Sale

- T-Box Bar & Grill, 1431 147th Avenue NE, Ham Lake, MN
- Ham Lake Lanes, 16465 Highway 65 NE, Ham Lake, MN
- Acapulco Mexican Restaurant, 18015 Ulysses Street NE, Suite 1000, Ham Lake, MN
- EAGL Beverages Holding LLC, dba Majestic Oaks Golf Club, 701 Bunker Lake Boulevard NE, Ham Lake, MN
- Maxx Bar & Grill, 17646 Highway 65 NE, Ham Lake, MN

3.2% Off-Sale

- Speedway, 1442 Constance Boulevard NE, Ham Lake, MN

Wine and 3.2% Malt Liquor

- Mansetti's Pizza & Pasta, 16220 Aberdeen Street NE, Suite C, Ham Lake, MN

Off-Sale

- Grape Expectations, dba Tournament Liquor, 1434 147th Avenue NE, Ham Lake, MN
- Bidhipur Beverage, Inc., dba Ham Lake Liquors, 17720 Central Avenue NE, Ham Lake, MN
- Broadview Operations, LLC, dba 1 Stop Liquor, 16205 Lexington Avenue NE, Ham Lake (previously Carey's Liquor)
- Network Liquors, 13548 Highway 65 NE, Ham Lake, MN

4.10 Road Committee Recommendations:

- 1) Approval of ordering the Plans and Specifications for the proposed 2022 street construction projects – Meadow Park (north of Constance Boulevard NE) and Creek Valley
- 2) Approval of directing Engineer Collins to update the feasibility study for Polk Street NE from 165th Avenue NE to 810 feet south and adding the project to the 2022 reconstruction projects of Meadow Park (north of Constance Boulevard NE) and Creek Valley and adopting Resolution No. 21-19

Motion by Kirkham, seconded by Wilken, to approve the June 7, 2021 Consent Agenda as written. All in favor, motion carried.

5.0 PLANNING COMMISSION RECOMMENDATIONS

5.1 Courtney Laufenberg requesting a Home Occupation Permit to operate No Loose Ends at 4614 141st Lane NE

Motion by Wilken, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve the Home Occupation Permit requested by Courtney Laufenberg to operate No Loose Ends at 4614 141st Lane NE, subject to the following conditions: complying with criteria outlined in Article 9-350.1 of the City Code, all activities being carried on indoors, no employees, no customer meetings at the residence, no outside storage of business-related materials and meeting all City, State and County requirements. All in favor, motion carried.

5.2 Discussion of Article 9-220 of the Ham Lake City Code

Building and Zoning Official, Mark Jones, was present and stated he had some concerns regarding the Planning Commissions recommendations and wanted to clarify some issues. Building and Zoning Official Jones stated that modern metal panel systems already have concealed fasteners, so that would not need to be added to the City Code. Building and Zoning Official Jones also wanted to clarify that manufactured homes were previously referred to as mobile homes or trailer homes whereas modular homes are constructed under the International Residential Code (IRC) which comprises all building, plumbing, mechanical, fuel gas and electrical requirements for one and two-family dwellings and townhouses. Discussion followed regarding properties zoned CD-1 and CD-2 being able to have the same uses without a CUP (Conditional Use Permit) and that a CUP only be required when outside storage is required. Councilmember Kirkeide stated that agricultural buildings are not appropriate in commercial zoning, but any products that are allowed in the building code that is metal should be allowed. Discussion followed regarding sending this item back to the Planning Commission. Planning Commissioner Dixson was in the audience and the Planning Commission spent significant time reviewing this portion of the City Code. **It was the consensus of the City Council to have the Code Review Committee and Attorney Murphy review the proposed amendments to the City Code.**

6.0 **ECONOMIC DEVELOPMENT AUTHORITY**

6.1 Road Committee Recommendations:

- 1) Approval of directing Administrator Webster to list the City owned property located west of Aberdeen Street NE and north of 144th Avenue NE

Engineer Collins stated that the lot is one parcel of record with the newly constructed Aberdeen Street NE project with 144th Avenue NE dividing the property. Engineer Collins stated that two small buildings each with its own septic system could be constructed on each portion of the lot, or one larger building could be constructed on one portion of the lot with the septic being constructed across the road on the other portion of the lot. **Motion by Van Kirk, seconded by Doyle, to direct Administrator Webster to list the EDA City owned property located west of Aberdeen Street NE and north of 144th Avenue NE with Marty Fisher of Premier Commercial Properties, LLC for an asking price of \$75,000. All in favor, motion carried.**

7.0 **APPEARANCES**

7.1 Gary Osendorf, 13450 Staples Street NE (Lot 1, Block 1, Twin Birch Acres) – discussion of driveway location

Engineer Collins stated that RFC's Project Engineer, Dave Kruegler and Public Works Superintendent, John Witkowski, visited the property located at 13450 Staples Street NE at Mr. Osendorf's request. Mr. Osendorf was present and stated he had requested that the City straighten his driveway during the road reconstruction as his driveway is curved in such a way that it is not visibly appealing and it is difficult to back out onto Staples Street NE the way it was originally constructed. Engineer Collins stated that they are off-setting the cul-de-sac, the cul-de-sac is not being removed, a straight road is not replacing the cul-de-sac and once the paving is complete backing onto the road will most likely be easier than before the reconstruction. Engineer Collins stated that Mr. Osendorf's driveway was poured last week and the road will be paved on Thursday, June 10, 2021. Councilmember Kirkeide stated that before any decision is made, the Road Committee should meet a week after the road is paved to view the property.

8.0 CITY ATTORNEY

8.1 Discussion of draft Ordinance regarding signage (this is considered the First Reading of an Ordinance)

Councilmember Kirkeide stated that definitions of flags, signs, etc. should be obtained for further review of the sign ordinance. **It was the consensus of the City Council to have the Code Review Committee and Attorney Murphy meet to discuss the sign ordinance.**

9.0 CITY ENGINEER

9.1 Road Committee Recommendations:

1) Discussion of maximum assessment amounts

Engineer Collins stated that he updated the cost per lot spreadsheet to reflect the current costs for road improvements. The current maximum assessment amount is \$20,000.00 per lot and the updated costs show \$25,000.00 to \$26,000.00 per lot. Engineer Collins stated that the higher the cost per lot is, the more chance that the amount will be challenged because the value of the home must increase by the assessed dollar amount. **It was the consensus of the City Council to have the per lot assessment amount remain at \$20,000.00 and assessments should be evaluated project by project.**

10.0 CITY ADMINISTRATOR – None

11.0 COUNCIL BUSINESS

11.1 Committee Reports - None

11.2 Announcements and future agenda items

Councilmember Kirkham stated that the Lion's Club will be serving Invictus Beer and hot dogs at the Freedom Festival on July 3, 2021.

Motion by Kirkeide, seconded by Kirkham, to adjourn the meeting at 7:41 p.m. All in favor, motion carried.

Dawnette Shimek, Deputy City Clerk