

**CITY OF HAM LAKE
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES
MONDAY, AUGUST 1, 2022**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, August 1, 2022 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 Brian Kirkham and Councilmembers Jim Doyle, Gary Kirkeide, Al Parranto and Jesse Wilken

MEMBERS ABSENT: None

OTHERS PRESENT: City Engineer, Dave Krugler; Finance Director, Andrea Murff; City Administrator, Denise Webster; and Deputy City Clerk, Dawnette Shimek

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

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

2.0 PUBLIC COMMENT

Dan Kocher, 3480 Bunker Lake Boulevard NE, stated he is in contest of requiring driveways to be hard surfaced as a condition of a building permit. Mr. Kocher stated a tree came down and destroyed his garage. He has requested a building permit to reconstruct the garage and add a third parking stall. Mr. Kocher stated that his driveway is Class V and is higher than the road and has never had silt or sand encroach on the road across the fog-line on Bunker Lake Boulevard NE. Mr. Kocher stated that the Anoka County Highway Department does not require approved surface driveways and doesn't understand why the City would require a driveway to be paved on a County road. Mr. Kocher quoted a portion of the City Code that states for any remodeling or other project that requires a building permit requires the driveway to be paved or a minimum a of 30-foot apron be paved abutting the road. Mr. Kocher stated that 30-feet of concrete is not cheap and his driveway is located on a curve at Naples Street NE and Bunker Lake Boulevard NE and the sightlines are limited; he would have to have a crew out there preparing for concrete, he would have to acquire a permit from Anoka County to work in the right-of-way, lane closures and safety signs and flagmen would also be required. **It was the consensus of the City Council that this be referred to the Code Review Committee for discussion.**

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS – None

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 July 18, 2022

- 4.2 Approval of claims in the amount of \$313,783.94
- 4.3 Approval of a Temporary One-Day Liquor License for the Ham Lake Lion's (non-profit) at Fitaholic Fitness, 13352 Aberdeen Street NE on September 10, 2022
- 4.4 Approval of Resolution No. 22-25 offering support to Anoka County to expand Broadband Services in the City of Ham Lake
- 4.5 Approval of Resolution No. 22-26 for the American Rescue Plan Act (ARPA) Funding for North Metro Telecommunications Commission (NMTV)
- 4.6 Approval of the resignation of Building Inspector Thomas Knight
- 4.7 Approval of the updated Emergency Operations Plan (EOP) for the City of Ham Lake

Motion by Wilken, seconded by Doyle, to approve the August 1, 2022 Consent Agenda as written. All in favor, motion carried.

5.0 PLANNING COMMISSION RECOMMENDATIONS

- 5.1 Kris Daniels, Happy Beans, LLC, requesting Commercial Site Plan approval to construct Scooter's Coffee, a 664 square foot drive-thru retail coffee shop at 16310 Highway 65 NE

Mr. Daniels was present before the City Council and stated that he is still waiting from the Anoka County Highway Department right-of-way permit. Councilmember Wilken questioned if the County would be installing a median on Constance Boulevard. Mayor Kirkham stated that the City needs to move to get road right-of-way for the service road on the south side of Constance Boulevard NE. **Motion by Doyle, seconded by Wilken, to approve the commercial site plan as requested by Kris Daniels, Happy Beans, LLC to construct Scooter's Coffee, a 664 square foot drive-thru retail coffee shop, at 16310 Highway 65 NE contingent on receipt of a compliance inspection that meets the approval of the Building Official showing that the septic is sized to meet all needs including any water treatment for arsenic, iron or other treatment needs, the issuance of a MnDOT drainage permit, the issuance of a ACHD right-of-way permit, subject to meeting the requirements of the City Building Official and the City Engineer and meeting all City, State and County requirements. All in favor, motion carried.**

- 6.0 **ECONOMIC DEVELOPMENT AUTHORITY – None**

7.0 APPEARANCES

- 7.1 Andrea Murff, Finance Director, 2nd Quarter Financial Report

Finance Director Murff gave the financial report for the 2nd Quarter of 2022. Finance Director Murff reported on the Overall Cash Position by Fund Type being down approximately \$2.3M from December due to General Fund operation expenditures, purchase of a chassis, and the annual bond payment, however, the Cash Balances by Fund Compared to Prior Year were mostly on track with the General fund coming in higher due to ARPA funding and the Revolving street fund increasing due to an increase in transfers. Finance Director Murff explained the cash balance for the General Fund was down due to not receiving the tax settlement from the County until July, however, overall General Fund was on track with budget projections and was currently slightly better than expected. Finance Director Murff spoke about the City investments being down approximately \$103,000 due to the low rates, which are making it difficult to find good investments.

- 8.0 **CITY ATTORNEY – None**

9.0 CITY ENGINEER

9.1 Consideration of approving a Resolution accepting the low bid for the reconstruction of the streets within Creek Valley

Engineer Krugler stated that the reconstruction of the streets within Creek Valley would not begin until next spring. Councilmember Wilken asked if the drainage problem in the development will be fixed. Engineer Krugler stated that the culvert will be removed and it will be replaced with a swale. Mayor Kirkham asked that the residents be informed of when the project will start. **Motion by Kirkeide, seconded by Doyle, to adopt Resolution No. 22-27 accepting the low bid from Douglas-Kerr Underground in the amount of \$1,365,898.90 for the reconstruction of the streets within Creek Valley. All in favor, motion carried.**

10.0 CITY ADMINISTRATOR – None

11.0 COUNCIL BUSINESS

11.1 Committee Reports

The City Council requested that a Code Review Committee meeting be scheduled to review Article 10 regarding requiring driveways being hard surfaced on County Roads and also to discuss an ordinance relating to solar panels.

11.2 Announcements and future agenda items

Mayor Kirkham asked that discussion of a service road south of Constance Boulevard NE be placed on a future Road Committee agenda.

Mayor Kirkham stated that the tree clearing was recently done for the project of Creek Valley, Tippecanoe Street NE, Polk Street NE and Meadow Park North. The Creek Valley project was approved earlier in the meeting; however, the other projects have not yet been bid and the residents should be notified that the projects will not be done this year. Councilmember Kirkeide stated that tree clearing and utility work is frequently done a year before the road project so these contractors are not getting in the way of each other.

Councilmember Doyle stated he has been wrestling with the facts that some roads are dirt, some millings and others blacktop and maintenance is one thing and street improvement is another. People have paid \$20,000-\$30,000 to have tar on their road and they pay taxes to keep the roads maintained, such as snow removal and street sweeping. The individuals on the dirt or millings roads also pay taxes to keep their roads maintained, such as snow removal, pothole repairs and grading. Improvement of these roads should be extra. How can the City improve a gravel road that has been built inferior for 50-years and then everyone wants the City to subsidize the project and improve the road. Councilmember Doyle stated that if they want the road perfect, they should have to pay for it like everyone else did. The \$32,000.00 cost of paving is built into the cost of a newly constructed home. Councilmember Kirkeide stated they have talked about placing weight restrictions on Rockney Street NE; but then garbage trucks or septic pumping trucks may not be able to go down the road. Councilmember Kirkeide stated he drove down Rockney Street NE and the millings are in surprisingly good shape until the cul-de-sac area where it appears trucks turning around may be destroying that area. This is a perfect opportunity for Public Works Superintendent to monitor the costs of maintaining the roads constructed with millings. Councilmember Doyle stated that taxes are paying for the maintenance of roads, not the construction of roads. Councilmember Kirkeide questioned if the City wants these streets improved enough to subsidize the projects or if the residents want their roads improved,

they pay market rate for the project. Councilmember Doyle stated that this could be discussed at a future Road Committee meeting.

Motion by Kirkeide, seconded by Wilken, to adjourn the meeting at 6:38 p.m. All in favor, motion carried.

Dawnette Shimek, Deputy City Clerk