

**CITY OF HAM LAKE
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES
MONDAY, AUGUST 16, 2021**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, August 16, 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: Acting Mayor Gary Kirkeide and Councilmembers Brian Kirkham and Jesse Wilken

MEMBERS ABSENT: Mayor Mike Van Kirk and Councilmember Jim Doyle

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

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

2.0 PUBLIC COMMENT

Christine Dahlman, 17540 Highway 65 NE, was present to discuss the City's animal control contract with Gratitude Farms and her concerns with their IUP (Interim Use Permit) with the City of East Bethel.

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

3.1 Lt. Schuldt, Anoka County Sheriff's Office Monthly Report

Lt. Schuldt was present before the City Council and gave the Sheriff's Office report from July, 2021.

3.2 Ham Lake Fire Department Trustee, Joe Thomas – Ham Lake Fire Relief Association, Bylaw change for a pension benefit increase

Joe Thomas, Trustee of the Ham Lake Fire Relief Association was present. Mr. Thomas stated that he was before the City Council to request an approval to amend the by-laws to increase the annual retirement benefit from \$4,000 to \$4,500. Mr. Thomas explained that the Ham Lake Fire Relief Association currently stands at a 148% funding through the end of 2021 based on the current \$4,000 per year benefit level. Mr. Thomas stated that if the increase was to be approved at the \$4,500 per year benefit level, the fund would drop to 134%, which still allows a significant buffer should economic conditions drastically change. **It was the consensus of the City Council to add the request of a by-law change for the Ham Lake Relief Association to increase pension benefits to the Special City Council meeting being held on Tuesday, August 24, 2021 under the Consent Agenda.**

3.3 PUBLIC HEARING – 6:01 P.M. to consider the vacation of the Baltimore Street NE right-of-way, south of Crosstown Boulevard NE and adoption of a Resolution No. 21-26

Engineer Collins explained that there is a cul-de-sac on Baltimore Street NE that had been previously been used by the VFW. Engineer Collins stated that there is no public purpose for the existing right-of-way for Baltimore Street NE south of Crosstown Boulevard NE.

Acting Mayor Kirkeide opened the public hearing at 6:24 p.m. and asked for public comment and with there being none, closed the public hearing at 6:25 p.m.

Motion by Kirkham, seconded by Wilken, to approve the vacation of the Baltimore Street NE right-of-way south of Crosstown Boulevard NE and adopt Resolution No. 21-26. All present in favor, motion carried.

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 August 2, 2021 and Budget Workshop Minutes of August 2, 2021

4.2 Approval of claims in the amount of \$327,384.24

4.3 Approval of a Temporary One-Day Liquor License for the Dylan Witschen Foundation (non-profit) at the Willow Tree Winery, 828 Constance Boulevard NE on October 23, 2021

4.4 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 11, 2021

4.5 Approval of a Proclamation proclaiming September 17 – September 23 as Constitution Week

4.6 Approval of scheduling a Special City Council meeting on Tuesday, August 24, 2021 at 8:00 a.m.

4.7 Road Committee Recommendations:

1) Approval of Resolution No. 21-27 requesting an advancement of MSA Funds

2) Approval of any costs associated with flashing signage be paid by Da Vinci Academy, which will require an agreement between the City and Da Vinci and a Joint Powers Agreement (JPA) between the City and Anoka County

Motion by Kirkham, seconded by Wilken, to approve the August 16, 2021 Consent Agenda as written. All present in favor, motion carried.

5.0 **PLANNING COMMISSION RECOMMENDATIONS**

5.1 Jesse Osborne requesting Preliminary Plat approval of Creekside Farms, a 9 lot Commercial Development located in Sections 7 & 8, and rezoning of parcels of land from R-M (Residential Manufactured Mobile Homes) and R-A (Rural Single Family Residential) to CD-2 (Commercial Development II) (this is considered the First Reading of a rezoning Ordinance)

There was discussion that Jesse Osborne, the developer, would place signage directing trucks to access the development via Constance Boulevard NE to Buchanan Street NE (as these are 9-ton roads) and not 167th Avenue NE through the residential neighborhood. **Motion by Kirkeide, seconded by Kirkham, to concur with the Planning Commission and approve the Preliminary Plat, lot line adjustment and rezoning to CD-2 (Commercial Development II) of the plat of Creekside Farms, a 9-lot Commercial Development located in Sections 7 & 8, as presented by Jesse Osborne subject to a variance being approved for soil disturbance in septic areas per Article 10-302F of the City Code, dedicating ten-**

foot drainage and utility easements around the perimeter of Parcels B-1, C-2 and D-1, signing a license agreement for Lot 2, Block 1, due to the proposed septic system crossing the drainage and utility easement, dedicating thirty-three feet of right-of-way on the north side of 165th Avenue NE on Parcel C-2 and providing the City with proof of recording of the right-of-way over the southerly thirty-three (33) feet of Parcel C-2, obtaining FEMA Letter of Map Amendments for Lot 1, Block 2, Lot 2, Block 2, Lot 3, Block 2, Lot 4, Block 3 and Lot 5, Block 3, no building permits to be issued on lots requiring LOMA until LOMA on file with the City, providing the City with proof of recording of conveyance of 1.22 acres from Outlot A to the adjacent Parcel B-1 for the lot line adjustment, meeting all the conditions of the City Engineer and meeting at State, City and County requirements. All present in favor, motion carried.

This is considered the First Reading of a rezoning Ordinance.

6.0 ECONOMIC DEVELOPMENT AUTHORITY – None

7.0 APPEARANCES – None

8.0 CITY ATTORNEY

8.1 Discussion of the First Reading of an Ordinance regarding signage

Attorney Murphy stated that this was discussed previously with the Council regarding residential signage. Attorney Murphy stated that he has amended the Ordinance to not include flags mounted on a pole as signage. **This is considered the First Reading of a rezoning Ordinance for residential signage.**

9.0 CITY ENGINEER – None

10.0 CITY ADMINISTRATOR – None

11.0 COUNCIL BUSINESS

11.1 Committee Reports – None

11.2 Discussion of the 2022 Anoka County Sheriff's Office Law Enforcement Contract and Budget

Finance Director Andrea Worcester explained the increase in the Law Enforcement Contract for next year was due to adding a full-time Investigator. Finance Director Worcester stated that by adding the investigator, it will increase the pro-active time for Deputies from 33% to 41% within the City. Finance Director Worcester compared the contract amount if the Investigator started on January 1, 2022 versus July 1, 2022. It was discussed to have the Investigator start on July 1, 2022. Acting Mayor Kirkeide stated he would like have the Law Enforcement Liaisons discuss the possibility of having the Sheriff's Department assess property owners with a line item for law enforcement services as this would give the Sheriff's Department more control and would in turn, cut the City's budget.

Finance Director Worcester stated that the draft preliminary 2022 General Fund Budget is mainly funded by a levy of \$5,391,443. Finance Director Worcester stated this an increase of \$382,622 or a 7.64% increase from 2021 is mainly due to the Law Enforcement Contract. Finance Director Worcester stated that this would balance the budget and no reserves would be used to cover the General Fund Expenditures. Finance Director Worcester stated that based on preliminary tax capacity numbers, the tax rate for the city would

decrease 0.49% to 21.43%. **It was the consensus of the City Council to add the Law Enforcement Contract for 2022 on the September 7, 2021 Consent agenda.**

11.3 Announcements and future agenda items

Councilmember Wilken asked for an update regarding the CD-1 and CD-2 City Code Changes. Attorney Murphy stated that his is working on it and there was some discussion of having the Code Review Committee discuss Home Occupation Permits again.

Councilmember Wilken stated that he would like to discuss adding a Proclamation regarding Medical Freedom or Health Freedom. **It was the consensus of the City Council to have Councilmember Wilken prepare a Proclamation for discussion at the September 7, 2021 City Council meeting.**

Motion by Kirkeide, seconded by Kirkham, to adjourn the meeting at 6:46 p.m. All present in favor, motion carried.

Dawnette Shimek, Deputy City Clerk