

**CITY OF HAM LAKE  
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES  
TUESDAY, SEPTEMBER 7, 2021**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Tuesday, September 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 Van Kirk and Councilmembers Jim Doyle, Gary Kirkeide, Brian Kirkham and Jesse Wilken

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** City Attorney, Joe Murphy; City Engineer, Dave Krugler; 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** - None

**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 August 16, 2021 and August 24, 2021

4.2 Approval of claims in the amount of \$399,058.15

4.3 Approval of Ordinance No. 21-06 regarding signage

4.4 Approval of Ordinance No. 21-07 rezoning of Holiday Station Store Ham Lake Development

4.5 Approval of Ordinance No. 21-08 rezoning Creekside Farms

4.6 Approval of Resolution No. 21-28 designating polling site for the 2022 Elections

4.7 Approval of Resolution No. 21-29 requesting the use of Anoka County Housing and Redevelopment Authority (HRA) funds to construct Crosstown Business Park on the east side of Highway 65 NE and South of Crosstown Boulevard NE

4.8 Approval of Compensation Plan Adjustment

4.9 Approval of the 2022 Law Enforcement Contract with the Anoka County Sheriff's Office

4.10 Approval of the updated Weekend Duty Officer Program and Compensation Plan

4.11 Approval of services contract with CMT Janitorial Services for janitorial services for City Buildings

4.12 Approval of a Field Party License for Ham Lake Chamber of Commerce located at Ham Lake Lanes, 16465 Highway 65 NE on October 9, 2021

4.13 Approval of scheduling the truth-in-taxation meeting allowing public input for December 6, 2021 at 6:01 p.m. to consider the 2022 Budget and Property Tax Levy

Councilmember Doyle requested that item 4.1 be removed from the consent agenda.

**Motion by Kirkeide, seconded by Wilken, to approve the September 7, 2021 Consent Agenda with the omission of item 4.1. All in favor, motion carried.**

**Motion by Kirkham, seconded by Wilken, to approve item 4.1 of the September 7, 2021 Consent Agenda. Mayor Van Kirk and Councilmembers Kirkeide, Kirkham and Wilken voted yes. Councilmember Doyle abstained. Motion carried.**

## **5.0 PLANNING COMMISSION RECOMMENDATIONS**

5.1 Joseph P. Toupal requesting a Special Home Occupation Permit to operate Great Northern Engraving at 14954 Naples Street NE

**Motion by Doyle, seconded by Kirkham, to concur with the Planning Commission and approve the Special Home Occupation Permit as requested by Joseph P. Toupal to operate Great Northern Engraving at 14954 Naples Street NE, subject to meeting the guidelines for Special Home Occupation Permits per Article 9-350.3, no discharging of firearms on-site, no customer traffic, no on-street parking, generating no noise that is audible to neighboring properties, no outdoor storage, operating hours of 9:00 a.m. to 5:00 p.m. Monday through Friday, obtaining a Federal Firearms License and providing a copy of the license to the City before engraving any firearms and meeting at State, City and County requirements. All in favor, motion carried.**

5.2 Xiao Xin Qu, of A Massage, requesting a Conditional Use Permit to practice massage therapy at 1444 147<sup>th</sup> Avenue NE, Suite 250

**Motion by Kirkham, seconded by Doyle, to concur with the Planning Commission and approve the Conditional Use Permit requested by Xiao Xin Qu of A Massage, to practice massage therapy at 1444 147<sup>th</sup> Avenue NE, Suite 250, subject to the Conditional Use Permit being issued only to Xiao Xin Qu (It is non-transferable.), the permit holder shall maintain compliance with the licensing and certification criteria as listed in Article 9-330.5 of the Ham Lake City Code at all times, allowing one additional massage therapist that meets the requirements of Article 9-330.5, hours of operation being 9:30 a.m. to 9:30 p.m. seven days a week and the permit holder is to maintain compliance with all City, State and County requirements. All in favor, motion carried.**

## **6.0 ECONOMIC DEVELOPMENT AUTHORITY**

Mayor Van Kirk stated that the City has received the metro Local Partnership Program Funding from the Minnesota Department of Transportation for the new frontage road located south of Crosstown Boulevard NE. Councilmember Kirkham added that the City received the maximum amount of \$710,000.00.

**7.0 APPEARANCES – None**

## **8.0 CITY ATTORNEY**

8.1 Discussion of the request from John Swanberg, 3905 149<sup>th</sup> Avenue NE, for payment of right-of-way for the 1992 road improvement of 149<sup>th</sup> Avenue NE

Mr. Swanberg was present. Mayor Van Kirk explained to Mr. Swanberg that the deed was never signed and that is why Mr. Swanberg was not paid for the right-of-way back in 1992. The right-of-way in question has since been obtained through the area development. Mayor Van Kirk advised Mr. Swanberg that he could take legal action if he feels that is necessary. **It was the consensus of the City Council to not pay John Swanberg for right-of-way for the 149<sup>th</sup> Avenue NE 1992 road project because Mr. Swanberg never signed the right-of-way deed.**

**9.0 CITY ENGINEER** – None

**10.0 CITY ADMINISTRATOR** – None

**11.0 COUNCIL BUSINESS**

**11.1 Committee Reports**

Councilmember Kirkeide stated that the Code Review Committee met prior to the City Council meeting and discussed a number of updates to the City Code. Attorney Murphy stated that he would prepare the ordinance in time to allow for publication of the public hearing to be held before the Planning Commission at its September 27, 2021 meeting.

**11.2 Consideration of Resolution No. 21-30 approving the proposed 2022 budget and the proposed 2021 levy for payable in 2022**

Finance Director Worcester presented the proposed 2022 budget and 2021 levy. Finance Director Worcester explained nothing had changed from the City Council meeting held on August 16, 2021 to discuss the budget. Finance Director Worcester stated that the City was still slated to levy \$5,391,443 for the general fund which would slightly decrease the tax rate by 0.49 percent. Finance Director Worcester also stated the Anoka County Sheriff's contract was budgeted for the full amount and if the City Council decided to deviate from this budgeted amount, the savings would be put into the reserves. Mayor Van Kirk stated that the levy for 2022 was raised, but it was to help pay for the Anoka County Sheriff's Law Enforcement contract, Revolving Street Fund and the future construction of Fire Station #3. Mayor Van Kirk stated it is better to increase the levy now when the City can benefit from the additional development while maintaining a lower tax rate. Finance Director Worcester also added that this year the budget is balanced, which helps the City not use reserves.

**Motion by Van Kirk, seconded by Doyle, to adopt Resolution No. 21-30 approving the proposed 2022 budget and the proposed 2021 ley for payable in 2022. All in favor, motion carried.**

**11.3 Discussion of a COVID Guidance Resolution presented by Councilmember Wilken**

Mayor Van Kirk read Resolution No. 21-31 regarding COVID Guidance. The resolutions intent is to uphold and protect the Constitutional rights of the citizens and employees of the City of Ham Lake. **Motion by Van Kirk, seconded by Doyle, to adopt Resolution No. 21-31 regarding COVID Guidance. All in favor, motion carried.**

**11.4 Announcements and future agenda items**

Councilmember Doyle stated that it has been 20 years since the Terrorist attack and to keep them in our prayers. Mayor Van Kirk added to also keep the troops in Afghanistan in our prayers.

Mayor Van Kirk stated that he would like to meet with Councilmember Jesse Wilken and move forward with the CERT (Community Emergency Response Team) Program.

**Motion by Kirkeide, seconded by Kirkham, to adjourn the meeting at 6:22 p.m. All in favor, motion carried.**

---

Dawnette Shimek, Deputy City Clerk