

# CITY OF HAM LAKE

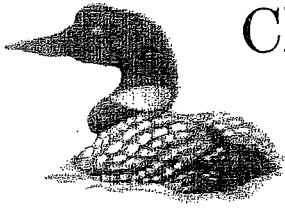
15544 Central Avenue NE  
Ham Lake, Minnesota 55304  
(763) 434-9555  
Fax: (763) 434-9599

## CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY AGENDA TUESDAY, SEPTEMBER 5, 2023

- 1.0 CALL TO ORDER - 6:00 P.M. – Pledge of Allegiance**
- 2.0 PUBLIC COMMENT**
- 3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS**
  - 3.1 Anoka County Sheriff Brad Wise, Commander Paul Lenzmeier and Lt. Derek Schuldt – discussion of the 2024 Law Enforcement Contract
- 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 21, 2023
  - 4.2 Approval of claims
  - 4.3 Approval of scheduling the Truth-In-Taxation meeting allowing public input for December 4, 2023 at 6:01 p.m. to consider the 2024 Budget and Property Tax Levy
  - 4.4 Approval of the Outdoor Lighting Energy and Maintenance Agreement for street lights in Hidden Forest East Fourth Addition
  - 4.5 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 28, 2023
  - 4.6 Approval of the classification and sale of the tax forfeited parcels (PIN 03-32-23-23-0023, PIN 23-32-23-11-0016, PIN 09-32-23-44-0187 and PIN 09-32-23-44-0188)
  - 4.7 Approval of a Resolution scheduling a public hearing to vacate a portion of the drainage and utility easement at 14932 Harpers Street NE (Lot 3, Block 1, Maple Ridge)
  - 4.8 Approval of a Resolution to appoint signers and authorized traders for bank and investment accounts
- 5.0 PLANNING COMMISSION RECOMMENDATIONS**
  - 5.1 Consideration of amendments to Article 9 of the Ham Lake City Code regarding Affordable Housing District (RA-H), Assisted Living Facilities and Nursing Homes as Conditional Uses in RA-H and repealing pigeons (this is considered the First Reading of an Ordinance)
  - 5.2 Jeff Entsminger requesting rezoning of portions of land of the Entsminger Farms from R-A (Rural Single Family Residential) to CD-2 (Commercial Development II) and a portion of land of the Coon Creek Commercial Park from CD-2 (Commercial Development II) to R-A (Rural Single Family Residential) in Section 29 (this is considered the First Reading of a Rezoning Ordinance)
  - 5.3 Jeff Entsminger requesting a Lot Line Adjustments/Courtesy Combinations in Section 29
- 6.0 ECONOMIC DEVELOPMENT AUTHORITY – None**
- 7.0 APPEARANCES – None**
- 8.0 CITY ATTORNEY**
  - 8.1 Discussion of the Sunrise Watershed Management Organization
- 9.0 CITY ENGINEER**
- 10.0 CITY ADMINISTRATOR**
- 11.0 COUNCIL BUSINESS**
  - 11.1 Committee Reports
  - 11.2 Announcements and future agenda items



# CITY OF HAM LAKE

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## CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES MONDAY, AUGUST 21, 2023

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, August 21, 2023 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, Jesse Wilken and Al Parranto

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** City Attorney, Mark Berglund; City Administrator, Denise Webster; City Engineer, Dave Krugler; Finance Director, Andrea Murff; 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 – None

### 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 to give the July 2023 Sheriff's Office Monthly Report. Lt. Schuldt stated that there has been some inquiries regarding the Ham Lake Investigators position now that Ham Lake has had the investigator for one year. Lt Schuldt stated that Rob Young has been an investigator since 2020 with the Sheriff's office and in the last year he has had 106 thefts, 34 burglaries, 16 assaults and two damage to property cases. Investigator Young had 30 active cases on his desk as of a week and a half ago and this number could have gone up significantly because the number of cases fluctuates. In the past year Investigator Young has signed 128 complaints for criminal charges from the City and County Attorneys. Once the complaint is signed, Investigator Young then gathers all of the digital evidence, such as the body-cam, squad cameras and anything else they might need in court. Investigator Young also does the follow-up for the City and County Attorneys to obtain interviews and statements and also reads all reports to help solve cases. Investigator Young is busy and successfully closes a case a week on average.

### 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 7, 2023 and Budget Workshop Meeting Minutes of August 7, 2023
- 4.2 Approval of claims in the amount of \$299,641.86
- 4.3 Approval of accepting the resignation of Finance/Human Resource Director Andrea Murff

- 4.4 Approval of contracting with Abdo Financial Solutions for Interim Finance Director Services
- 4.5 Approval of write-offs for uncollectible accounts
- 4.6 Approval of Ordinance No. 23-07 Regarding Pigeons
- 4.7 Approval of the 2024 Law Enforcement Contract with the Anoka County Sheriff's Office
- 4.8 Approval of a Proclamation proclaiming September 17 – September 23 as Constitution Week
- 4.9 Approval of a New Tobacco License for Courtney Alana Kujala dba Ham Lake Tobacco and Vape LLC, 16220 Aberdeen Street NE, Suite B
- 4.10 Approval of Resolution No. 23-38 ordering the preparation of the assessment roll and scheduling a Public Hearing for Street Light Assessments for 2024
- 4.11 Approval of Resolution No. 23-39 for the American Rescue Plan Act (ARPA) Funding for equipment for the City of Ham Lake's Fire Department
- 4.12 Approval of purchasing Emergency Lighting and Truck Accessories for the F-350 Utility Vehicle for the Fire Department

Councilmember Kirkeide requested that items 4.4 and 4.7 be removed from the consent agenda. **Motion by Kirkeide, seconded by Doyle, to approve the August 21, 2023 consent agenda with the omission of items 4.4 and 4.7.** Mayor Kirkham thanked Finance Director, Andrea Murff, for her service to the City of Ham Lake. **All in favor, motion carried.**

Councilmember Kirkeide asked how long the City will contract with Abdo Financial Solutions for Interim Finance Director Services and if there is a less expensive alternative. Administrator Webster stated that the City needs someone with government finance background. Councilmember Doyle stated it has been reviewed by the personnel committee and this is the best-case scenario and hopefully the hiring process can be accelerated. Administrator Webster stated that the position will be posted until the position is filled. **Motion by Kirkeide, seconded by Doyle, to approve item 4.4 on the August 21, 2023 consent agenda. All in favor, motion carried.**

Councilmember Kirkeide stated that the budgeted amount for the Anoka County Law Enforcement Contract with the Anoka County Sheriff's Office has increased substantially over the past 3 years. **Motion by Kirkeide, seconded by Doyle, to table item 4.7 on the August 21, 2023 consent agenda until more information is received and a workshop meeting can be scheduled with someone from the Anoka County Finance Department to discuss the Anoka County Sheriff's Office Contract.** Discussion followed regarding the \$720,000.00 the City will be receiving from the State of Minnesota for public safety and possibly some of that money can be applied to the Sheriff's Office contract. **All in favor, motion carried.**

## **5.0 PLANNING COMMISSION RECOMMENDATIONS**

- 5.1 Erik Grams of Touchdown Tile and Richards Carpet + Flooring, requesting Commercial Site Plan approval to construct an 8,400 square foot office/warehouse building addition to an existing 1,300 square foot building at 15555 Baltimore Street NE - PID# 20-32-23-12-0025

**Motion by Doyle, seconded by Wilken, to concur with the Planning Commission and approve the request from Erik Gram of Touchdown Tile and Richards Carpet + Flooring, to construct an 8,400 square foot office/warehouse building addition to an existing 1,300 square foot building at 15555 Baltimore Street NE, subject to the applicant submitting architectural plans, with engineering, that meet Article 9-220.2.a of the City Code-standards for site and building construction for CD-1 zoning, the parking and septic system meeting the maximum occupancy load of the building, identifying an area for the trash enclosure and including its location on the documents submitted with the building**

permit application, no ground work being done until a Coon Creek Watershed District permit and National Pollutant Discharge Elimination System permit have been issued, changing the seven Red Twig Dogwood trees to seven coniferous trees that keep their needles through the winter and that have a starting height of at least five feet, waiving the requirement to plant trees along the right-of-way to the west of the building as allowed by Article 11-1860 of the City Code, obtaining a variance for the west sign and parking setback as allowed by Article 9-150.5.b of the City Code, business hours of 7:00 am to 5:00 pm Monday through Friday, meeting the requirements of the City Engineer and the Building Official, and meeting all City, County and State requirements. All in favor, motion carried.

## 6.0 ECONOMIC DEVELOPMENT AUTHORITY

### 6.1 Approval of the Purchase Agreement for Permanent Roadway, Drainage and utility Easement and Temporary Construction Easement for PIN #08-32-23-12-0021 (17255 Highway 65 NE)

Mayor Kirkham stated that this property and easements are being purchased for the future service road East of Highway 65 NE, South of Crosstown Boulevard NE to 169th Avenue NE. **Motion by Kirkham, seconded by Doyle, to approve the Purchase Agreement for Permanent Roadway, Drainage and Utility Easement and Temporary Construction Easement for PIN #08-32-23-12-0021 (17255 Highway 65 NE) for the purpose of constructing a service road East of Highway 65 NE, South of Crosstown Boulevard NE to 169th Avenue NE. All in favor, motion carried.**

7.0 APPEARANCES – None

8.0 CITY ATTORNEY – None

9.0 CITY ENGINEER – None

10.0 CITY ADMINISTRATOR – None

## 11.0 COUNCIL BUSINESS

11.1 Committee Report – None

### 11.2 Consideration of a Resolution No. 23-40 approving the 2024 proposed budget and the proposed 2023 levy for payable in 2024

Councilmember Kirkeide stated that the proposed budget that is being approved can be lowered, but cannot be raised when adopted in December. **Motion by Kirkham, seconded by Doyle, to adopt Resolution No. 23-40 approving the 2024 proposed budget and the proposed 2023 levy for payable 2024. All in favor, motion carried.**

### 11.3 Discussion of The Willows of Ham Lake Senior Housing, 845 Bunker Lake Boulevard NE

Councilmember Kirkeide stated that he along with Administrator Webster and Deputy City Clerk Shimek met with Anoka County Commissioner Julie Braastad, Anoka County Executive Director of HRA (Housing and Redevelopment Authority), Karen Skepper and Ehlers representatives Jessica Cook and Schane Rudlang last week. Councilmember Kirkeide stated that back in 1994 or 1995 the City Council purchased a General Obligation Bond in the amount of \$3.2 million to construct a 50-unit senior housing building; the bond call date is coming up on January 1, 2024 and the maturity date on January 1, 2026. Councilmember Kirkeide stated that Attorney Dorn drafted a portion of the JPA (Joint Powers Agreement) that gave the City of Ham Lake exclusive access to a certain amount of funds generated from rentals. These funds paid for the Coon Lake sewer survey and the east service road off of Crosstown Boulevard NE. Councilmember Kirkeide stated the way the agreement was written benefitted the City. Councilmember Kirkeide stated that



the HRA suggested that the City continue its business relationship with them, only without a bond obligation. Councilmember Kirkeide stated that the investment is now generating money. Councilmember Kirkeide stated when the JPA was written, it included two buildings; and it has not been the intent of the City Council to construct additional housing. Councilmember Kirkeide stated that improving the property with a park area, walking trails and a pavilion would benefit the residents of the facility. The discussion now is to decide whether the City is interested in keeping the partnership with the HRA. Councilmember Kirkeide stated that with using the money and land provided by the City; there is now 3.9 million dollars in the account. Councilmember Kirkeide stated that \$500,000.00 is set aside for replacing the septic system. Councilmember Kirkeide stated that the money generated can be used for infrastructure in the City. Councilmember Kirkeide stated that they are looking at updating the property as it has been 30 years since construction. Councilmember Kirkeide added that keeping the property provides Ham Lake citizens peace and security in their old age as Ham Lake residents have priority to rent the apartments. **It was the consensus of the City Council to schedule a workshop meeting with Executive Director of HRA, Karen Skepper and representatives of Ehlers; and to also remove the future construction of a second building from the JPA.**

11.4 Announcements and future agenda items – None

**Motion by Kirkeide, seconded by Parranto, to adjourn the meeting at 6:21 p.m. All in favor, motion carried.**

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Dawnette Shimek, Deputy City Clerk

**CITY OF HAM LAKE**  
**CLAIMS SUBMITTED TO COUNCIL**  
September 5, 2023

CITY OF HAM LAKE

<b>EFTS, CHECKS, AND BANK DRAFTS</b>		<b>08/2/23 - 09/05/23</b>	
EFT	# 1908 - 1918		\$ 80,402.84
REFUND CHECKS	65344 - 65355		\$ 51,598.32
CHECKS	# 65356 - 65400		\$ 151,672.79
BANK DRAFTS	DFT0002586 -DFT0002592		\$ 30,720.43
<b>TOTAL EFTS, CHECKS, AND BANK DRAFTS</b>			<u>\$ 314,394.38</u>
<b>PAYROLL CHECKS</b>			
08/25/23	Direct Deposits		\$ 49,236.76
<b>TOTAL PAYROLL CHECKS</b>			<u>\$ 49,236.76</u>
<b>VOID CHECKS</b>			
CHECKS	#65351, 65396		\$ (5,100.00)
ZERO EFT	#1916 - 1917		\$ -
BANK DRAFTS			\$ -
<b>TOTAL VOIDS</b>			<u>\$ (5,100.00)</u>
<b>TOTAL OF ALL PAYMENTS</b>			<u><u>\$ 358,531.14</u></u>

APPROVED BY THE HAM LAKE CITY COUNCIL THIS 5TH DAY OF SEPTEMBER 2023

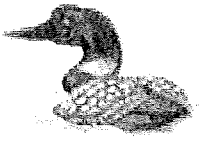
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER



Packet: ARPKT00867 - 08/21/23 TRUST REFUNDS

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00343	DREW BRODEEN	8/21/2023	65344	150.00
00395	ALYSSA ELLSON	8/21/2023	65345	150.00
Total Refund Amount:				300.00

## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	300.00
Revenue Totals:	300.00

## General Ledger Distribution

Posting Date: 08/21/2023

Account Number	Account Name	Posting Amount	IFT
<b>Fund: 890 - TRUST FUND</b>			
890-10101	Cash-claim on pooled cash	-300.00	Yes
890-11501	Misc receivables	300.00	
	<b>890 Total:</b>	<b>0.00</b>	
<b>Fund: 999 - POOLED CASH</b>			
999-10100	Pooled Cash	-300.00	
999-20702	Due to other funds	300.00	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



City of Ham Lake, MN

# Refund Check Register

Packet: ARPKT00870 - 8/23/23 TRUST REFUND

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00336	HAPPY BEANS LLC	8/23/2023	65346	28,000.00
			Total Refund Amount:	28,000.00

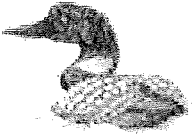
## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	28,000.00
Revenue Totals:	28,000.00

## General Ledger Distribution

Posting Date: 08/23/2023

Account Number	Account Name	Posting Amount	IFT
<b>Fund: 890 - TRUST FUND</b>			
890-10101	Cash-claim on pooled cash	-28,000.00	Yes
890-11501	Misc receivables	28,000.00	
	<b>890 Total:</b>	<b>0.00</b>	
<b>Fund: 999 - POOLED CASH</b>			
999-10100	Pooled Cash	-28,000.00	
999-20702	Due to other funds	28,000.00	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



Packet: ARPKT00878 - 08/28/23 TRUST REFUNDS

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00251	PARENT BUILDERS	8/28/2023	65347	2,500.00
00307	BRENNAN HERZOG	8/28/2023	65348	348.32
00312	DHI HOLDINGS LLC	8/28/2023	65349	2,500.00
00318	DAKOTA HOMES INC	8/28/2023	65350	2,500.00
00337	SHADE TREE CONSTRUCTION	8/28/2023	65351	5,100.00
00372	PRICE CUSTOM HOMES	8/28/2023	65352	2,500.00
00394	VICKI VAN DALE	8/28/2023	65353	150.00
00407	LANG BUILDERS	8/28/2023	65354	5,100.00
<b>Total Refund Amount:</b>				<b>20,698.32</b>

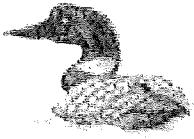
## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	20,698.32
<b>Revenue Totals:</b>	<b>20,698.32</b>

## General Ledger Distribution

Posting Date: 08/28/2023

Account Number	Account Name	Posting Amount	IFT
<b>Fund: 890 - TRUST FUND</b>			
890-10101	Cash-claim on pooled cash	-20,698.32	Yes
890-11501	Misc receivables	20,698.32	
	<b>890 Total:</b>	<b>0.00</b>	
<b>Fund: 999 - POOLED CASH</b>			
999-10100	Pooled Cash	-20,698.32	
999-20702	Due to other funds	20,698.32	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



City of Ham Lake, MN

# Refund Check Register

Packet: ARPKT00882 - 8/28/23 TRUST REFUND CORRECTION

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00337	SHADE TREE CONSTRUCTION	8/28/2023	65355	2,600.00
			<b>Total Refund Amount:</b>	<b>2,600.00</b>

## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	2,600.00
<b>Revenue Totals:</b>	<b>2,600.00</b>

## General Ledger Distribution

Posting Date: 08/28/2023

Account Number	Account Name	Posting Amount	IFT
<b>Fund: 890 - TRUST FUND</b>			
890-10101	Cash-claim on pooled cash	-2,600.00	Yes
890-11501	Misc receivables	2,600.00	
	<b>890 Total:</b>	<b>0.00</b>	
<b>Fund: 999 - POOLED CASH</b>			
999-10100	Pooled Cash	-2,600.00	
999-20702	Due to other funds	2,600.00	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



Payment Dates 8/22/2023 - 9/5/2023

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1908	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	89.98
1908	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	12.00
1908	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	59.08
1908	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	89.98
1908	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	12.00
1908	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	59.08
1909	BRODIN PRESS	SEPT HAM LAKER	Editing	211-41704-3125	900.00
1910	CMT JANITORIAL SERVICES	CITY HALL CLEANING	Cleaning service	100-41702-3430	612.00
1910	CMT JANITORIAL SERVICES	SHERIFF'S OFFICE CLEANING	Cleaning service	100-41702-3430	153.00
1910	CMT JANITORIAL SERVICES	FIRE #1 CLEANING	Cleaning service	100-42202-3430	161.00
1910	CMT JANITORIAL SERVICES	FIRE #2 CLEANING	Cleaning service	100-42202-3430	151.00
1910	CMT JANITORIAL SERVICES	PW CLEANING	Cleaning service	100-43104-3430	148.00
1910	CMT JANITORIAL SERVICES	SR CENTER CLEANING	Cleaning service	100-44202-3430	300.00
1911	DELTA DENTAL PLAN OF MINN	SEPT COBRA - DK	COBRA receivable	100-11502	51.04
1911	DELTA DENTAL PLAN OF MINN	SEPT DENTAL	Dental Insurance	100-21711	956.53
1911	DELTA DENTAL PLAN OF MINN	AUG DENTAL - MR	Dental Insurance	100-21711	51.04
1912	METRO SALES INC	5/23 - 8/22 COPIER LEASE	Equipment rentals	100-41701-3320	1,206.24
1912	METRO SALES INC	5/23 - 8/22 COPIER LEASE	Equipment rentals	100-42401-3320	565.26
1913	O'REILLY AUTOMOTIVE STORE	THREAD TAPE FOR FUEL PUM	Equipment parts & supplies	100-43101-2320	3.29
1913	O'REILLY AUTOMOTIVE STORE	T-3 SILICONE	Vehicle parts & supplies	100-42201-2340	15.99
1913	O'REILLY AUTOMOTIVE STORE	DRIP TRAY	Operating supplies	100-43101-2290	14.99
1913	O'REILLY AUTOMOTIVE STORE	#80 PARTS BRUSH	Vehicle parts & supplies	100-43101-2340	4.99
1913	O'REILLY AUTOMOTIVE STORE	#84 OIL FILTER, AIR FILTER, OI	Vehicle parts & supplies	100-43101-2340	127.72
1914	QUADIANT FINANCE USA INC	POSTAGE	Postage	100-41701-2120	500.00
1915	RFC ENGINEERING, INC.	TWIN BIRCH ACRES	Engineering	431-43301-3135	1,302.08
1915	RFC ENGINEERING, INC.	LUND'S LAKEVIEW FOREST	Engineering	431-43301-3135	1,169.89
1915	RFC ENGINEERING, INC.	MEADOW PARK RECONSTRUC	Engineering	431-43301-3135	593.14
1915	RFC ENGINEERING, INC.	CREEK VALLEY RECONSTRUCTI	Engineering	431-43301-3135	24,009.54
1915	RFC ENGINEERING, INC.	TIPPECANOE STREET	Engineering	431-43301-3135	54.08
1915	RFC ENGINEERING, INC.	CROSSTOWN BUSINESS PARK	Capital assets	262-46101-5110	3,539.60
1915	RFC ENGINEERING, INC.	CROSSTOWN SHOPPING CENT	Engineering	431-43301-3135	14,378.33
1915	RFC ENGINEERING, INC.	BASE MAP	Engineering	100-41101-3135	806.12
1915	RFC ENGINEERING, INC.	COON LAKE CHANNEL DREDG	Engineering	100-41101-3135	761.92
1915	RFC ENGINEERING, INC.	BLAINE WELL IMPACTS	Engineering	100-41101-3135	28.54
1915	RFC ENGINEERING, INC.	AERIAL MAPPING	Engineering	100-41101-3135	509.65
1915	RFC ENGINEERING, INC.	COUNCIL MEETING	Engineering	100-41101-3135	148.57
1915	RFC ENGINEERING, INC.	CITY CODE UPDATE	Engineering	100-41102-3135	765.52
1915	RFC ENGINEERING, INC.	PLANNING/POTENTIAL DEVEL	Engineering	100-41601-3135	888.29
1915	RFC ENGINEERING, INC.	ZONING MAP	Engineering	100-41601-3135	308.32
1915	RFC ENGINEERING, INC.	PLANNING COMMISSION MEE	Engineering	100-41601-3135	39.20
1915	RFC ENGINEERING, INC.	L3 B1 MAPLE RIDGE EASEME	Engineering	100-41601-3135	99.90
1915	RFC ENGINEERING, INC.	ASSESSOR	Engineering	100-42401-3135	14.27
1915	RFC ENGINEERING, INC.	HAM LAKE BUILDING PERMIT	Engineering	100-42401-3135	255.69
1915	RFC ENGINEERING, INC.	THROUGHFARE PLAN	Engineering	100-43101-3135	271.16
1915	RFC ENGINEERING, INC.	BALTIMORE/166TH AVE ROW	Engineering	100-43101-3135	120.02
1915	RFC ENGINEERING, INC.	5-YEAR PLAN	Engineering	100-43101-3135	114.18
1915	RFC ENGINEERING, INC.	136TH LANE/LINCOLN ST	Engineering	100-43101-3135	99.90
1915	RFC ENGINEERING, INC.	ROAD COMMITTEE MEETING	Engineering	100-43101-3135	546.80
1915	RFC ENGINEERING, INC.	PUBLIC WORKS TRAFFIC SIGN	Engineering	100-43101-3135	65.34
1915	RFC ENGINEERING, INC.	L1 B1 RED FOX HOLLOW INFIL	Engineering	100-43103-3135	42.82
1915	RFC ENGINEERING, INC.	CULVERT COLLAPSE - SWEDIS	Engineering	100-43103-3135	276.59
1915	RFC ENGINEERING, INC.	COUNTY DITCH #58 CROSS CU	Engineering	100-43103-3135	1,258.00
1915	RFC ENGINEERING, INC.	17034 EAST LAKE NETTA DRIV	Engineering	100-43103-3135	99.90
1915	RFC ENGINEERING, INC.	COUNTY DITCH 28 CROSSING	Engineering	100-43103-3135	110.56

Council Approval List

Payment Dates: 8/22/2023 - 9/5/2023

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1915	RFC ENGINEERING, INC.	CCWD RULES AMENDMENTS	Engineering	100-43201-3135	235.22
1915	RFC ENGINEERING, INC.	STORMWATER POND INVENT	Engineering	100-43201-3135	42.82
1915	RFC ENGINEERING, INC.	HAM LAKE AS LGU-WCA	Engineering	100-43201-3135	57.09
1915	RFC ENGINEERING, INC.	SRWMO 2023 BUDGET	Engineering	100-43201-3135	71.35
1915	RFC ENGINEERING, INC.	CCWD JURISDICTIONAL BOUN	Engineering	100-43201-3135	171.26
1915	RFC ENGINEERING, INC.	RUM RIVER HUC 8 WATERSHE	Engineering	100-43201-3135	91.48
1915	RFC ENGINEERING, INC.	NPDES	Engineering	230-43201-3135	114.17
1915	RFC ENGINEERING, INC.	FIRE #3	Capital assets	420-42201-5110	2,068.28
1915	RFC ENGINEERING, INC.	SWEDISH DRIVE ROW	Engineering	431-43301-3135	114.17
1915	RFC ENGINEERING, INC.	162ND LANE/BUCHANAN STR	Engineering	431-43301-3135	65.34
1915	RFC ENGINEERING, INC.	2023 REHAB	Engineering	431-43301-3135	955.86
1915	RFC ENGINEERING, INC.	1360 CONSTANCE BLVD/1614	Engineering	431-43301-3135	42.82
1915	RFC ENGINEERING, INC.	181ST, CONCORD - HW7 65	Engineering	431-43301-3135	141.47
1915	RFC ENGINEERING, INC.	162ND LANE CONNECTION TO	Engineering	431-43301-3135	1,470.01
1915	RFC ENGINEERING, INC.	CROSSTOWN ROLLING ACRES	Engineering	890-90001-3135	1,666.47
1915	RFC ENGINEERING, INC.	TOUCHDOWN TILE	Engineering	890-90001-3135	1,192.30
1915	RFC ENGINEERING, INC.	H&H LANDSCAPE	Engineering	890-90001-3135	743.85
1915	RFC ENGINEERING, INC.	CONSTANCE BOULEVARD TER	Engineering	890-90001-3135	573.75
1915	RFC ENGINEERING, INC.	CREEKSIDE FARMS	Engineering	890-90001-3135	952.11
1915	RFC ENGINEERING, INC.	LIVE WIRE ELECTRIC	Engineering	890-90001-3135	242.62
1915	RFC ENGINEERING, INC.	HIDDEN FOREST EAST WETLA	Engineering	890-90001-3135	428.16
1915	RFC ENGINEERING, INC.	BOBBY'S CAR WASH	Engineering	890-90001-3135	39.20
1915	RFC ENGINEERING, INC.	ENCHANTED ESTATES 3RD	Engineering	890-90001-3135	33.75
1915	RFC ENGINEERING, INC.	L2B1 CREEKSIDE FARMS - UNL	Engineering	890-90001-3135	28.54
1915	RFC ENGINEERING, INC.	NETTAS PRESERVE	Engineering	890-90001-3135	14.27
1915	RFC ENGINEERING, INC.	L1 B2 ENTERPRISE PLAZA 2ND	Engineering	890-90001-3135	57.09
1915	RFC ENGINEERING, INC.	SCOOTER'S COFFEE	Engineering	890-90001-3135	57.09
1915	RFC ENGINEERING, INC.	HIDDEN FOREST EAST 4TH	Engineering	890-90001-3135	70.11
1915	RFC ENGINEERING, INC.	16905 BALTIMORE ST LOT LIN	Engineering	890-90001-3135	42.82
1915	RFC ENGINEERING, INC.	HOLIDAY	Engineering	890-90001-3135	89.05
1915	RFC ENGINEERING, INC.	FEMA LOMR - DNR	Engineering	890-90001-3135	142.72
1915	RFC ENGINEERING, INC.	4536 CROSSTOWN BOULEVAR	Engineering	890-90001-3135	156.99
1915	RFC ENGINEERING, INC.	TOBY'S TRAILS	Engineering	890-90001-3135	181.93
1915	RFC ENGINEERING, INC.	L1 B1 EAGLE RIDGE EASEMEN	Engineering	890-90001-3135	199.81
1915	RFC ENGINEERING, INC.	HIDDEN FOREST EAST 3RD	Engineering	890-90001-3135	519.75
1915	RFC ENGINEERING, INC.	SCHWARTZ ESTATES	Engineering	890-90001-3135	276.19
1915	RFC ENGINEERING, INC.	CATCHERS CREEK	Engineering	890-90001-3135	371.25
1915	RFC ENGINEERING, INC.	EVERGREEN ESTATES	Engineering	890-90001-3135	135.00
1915	RFC ENGINEERING, INC.	JAM HOPS	Engineering	890-90001-3135	52.27
1915	RFC ENGINEERING, INC.	GROUP PERMIT BILLING	Engineering	100-43501-3135	6,346.19
1915	RFC ENGINEERING, INC.	TWIN BIRCH ACRES ROW2020	Engineering	431-43301-3135	214.08
1915	RFC ENGINEERING, INC.	CREEK VALLEY ROW2023-10	Engineering	431-43301-3135	114.18
1915	RFC ENGINEERING, INC.	TWIN BIRCH ACRES ROW2020	Engineering	431-43301-3135	71.36
1915	RFC ENGINEERING, INC.	MSA GROUP BILLING	Engineering	431-43301-3135	159.22
1918	WICK COMMUNICATIONS-LEA	SEPT HAM LAKER	Printing	211-41704-3970	667.25
65356	ANOKA COUNTY TREASURY D	AUG BROADBAND FIRE #2	Internet & website	100-41301-3220	75.00
65356	ANOKA COUNTY TREASURY D	AUG BROADBAND	Internet & website	100-41301-3220	37.50
65357	ARCHITECT MECHANICAL INC	PLANNING DEPT THERMOSTA	Building repair & maintenanc	100-41702-3420	375.00
65358	ASPEN MILLS INC	FIREFIGHTER UNIFORM - AF	Clothing & personal protectiv	100-42201-2210	202.62
65359	BLAINE BROTHERS INC	IMPACT DRIVER, IMPACT WRE	Covid 19	100-41701-4153	430.40
65359	BLAINE BROTHERS INC	#71 HOSE SUPPORTS, CLAMP,I	Equipment parts & supplies	100-43101-2320	58.61
65359	BLAINE BROTHERS INC	#54 DRIVE SHAFT SUPPORT, C	Vehicle parts & supplies	100-43101-2340	131.02
65359	BLAINE BROTHERS INC	#54 HORN ASSY, AUTO SLACK	Vehicle parts & supplies	100-43101-2340	203.26
65359	BLAINE BROTHERS INC	#79 HOSE SUPPORT	Vehicle parts & supplies	100-43101-2340	3.75
65360	BLAINE LOCK & SAFE, INC.	PADLOCKS	Operating supplies	100-43101-2290	98.85
65361	COMCAST BUSINESS	SEPT FIRE #1 ADD'L CABLE BO	Other professional services	100-42201-3190	11.23
65362	DEARBORN LIFE INS CO	SEPT VOL LIFE	Life Insurance	100-21714	221.70
65362	DEARBORN LIFE INS CO	SEPT LIFE	Life Insurance	100-21714	57.60
65363	DEHN OIL CO	246 GAL. GASOLINE	Fuel	100-43101-2230	810.67
65363	DEHN OIL CO	257 GAL DIESEL	Fuel	100-43101-2230	851.88



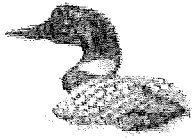
Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
65363	DEHN OIL CO	251 GAL GASOLINE	Fuel	100-43101-2230	742.49
65363	DEHN OIL CO	451 GAL DIESEL	Fuel	100-43101-2230	1,535.75
65364	DELL MARKETING L.P.	P2422H MONITOR - JC	Computer supplies & small eq	100-43101-2520	146.35
65364	DELL MARKETING L.P.	WD22TB4 DOCKING STATION	Computer supplies & small eq	100-43101-2520	197.82
65365	EMC FIRE	R-1 & R-2 CUTTER REPAIRS	Equipment repair & maintena	100-42201-3440	1,692.52
65366	ENFORCEMENT LIGHTING LLC	R-3 LIGHTING	Capital assets	420-42201-5110	10,250.00
65367	ERA STRUCTURAL ENGINEERI	STRUCTURAL ENG - CITY HALL	Engineering	100-41101-3135	470.00
65367	ERA STRUCTURAL ENGINEERI	STRUCTURAL ENG - COON LA	Engineering	100-41101-3135	470.00
65367	ERA STRUCTURAL ENGINEERI	STRUCTURAL ENG - PW BUILD	Engineering	100-43101-3135	797.50
65368	ERIK SKOGQUIST	3RD QTR ASSESSING	Assessing/property tax admin	100-41403-3105	10,273.25
65369	FIRE INSTRUCTION & RESCUE	DECON SCENARIOS	Training/conferences/schools	100-42201-3510	650.00
65370	FIRE SAFETY USA INC	LANTERN	Operating supplies	100-42201-2290	228.00
65371	GOODYEAR TIRE	FLOW THRU GATOR CAPS	Operating supplies	100-43101-2290	105.00
65372	HAM LAKE HARDWARE INC	WEED WHIP PARTS	Equipment parts & supplies	100-44101-2320	9.20
65372	HAM LAKE HARDWARE INC	NUTS, BOLTS, SCREWS	Operating supplies	100-44101-2290	4.05
65373	IDEAL ADVERTISING	T-SHIRTS	Clothing & personal protectiv	100-43101-2210	585.00
65373	IDEAL ADVERTISING	T-SHIRTS	Clothing & personal protectiv	100-44101-2210	180.00
65374	INSPIRE ARCHITECTS	FIRE #3	Capital assets	420-42201-5110	2,875.75
65375	I-STATE TRUCK CENTER INC	#52 RELAY, AIR BRAKE	Vehicle parts & supplies	100-43101-2340	491.86
65376	KINGS III EMERGENCY COMM	ELEVATOR PHONE	Phones/radios/pagers	100-41701-3210	39.17
65377	LEPAGE & SONS INC	8/7 & 8/8 YARDWASTE	Waste management & recycli	231-43601-3630	984.12
65377	LEPAGE & SONS INC	8/15 YARDWASTE	Waste management & recycli	231-43601-3630	492.06
65378	MARY WELLS	3RD QTR ASSESSING	Assessing/property tax admin	100-41403-3105	10,273.25
65379	MCCLELLAN SALES INC	BARRICADES	Safety supplies	100-43101-2240	150.00
65379	MCCLELLAN SALES INC	GLOVES	Safety supplies	100-43101-2240	40.20
65379	MCCLELLAN SALES INC	TRAFFIC CONES	Safety supplies	100-43101-2240	220.31
65379	MCCLELLAN SALES INC	14" DIAMOND SAWBLADE	Operating supplies	100-43101-2290	249.00
65380	MENARDS-BLAINE	#52 HOSE ADAPTOR, COUPLI	Vehicle parts & supplies	100-43101-2340	7.22
65380	MENARDS-BLAINE	CITY HALL ROOF REPAIR PART	Building repair & maintenanc	100-41702-2310	43.36
65380	MENARDS-BLAINE	SODERVILLE BLEACHER PARTS	Operating supplies	100-44101-2290	36.55
65381	MN METRO NORTH TOURISM	JULY LODGING TAX	Convention bureau	263-46101-4120	3,633.09
65382	NCPERS GROUP LIFE INSURAN	SEPT LIFE	Life Insurance	100-21714	96.00
65383	NEW LOOK CONTRACTING IN	TWIN BIRCH ACRES	Contractors	431-43301-3810	92,028.94
65384	NORTHERN TOOL & EQUIPME	COUPLERS, PUNCH/CHISEL SE	Building repair & maintenanc	100-43104-2310	218.93
65384	NORTHERN TOOL & EQUIPME	FILTER REGULATOR, COUPLIN	Building repair & maintenanc	100-43104-2310	401.33
65384	NORTHERN TOOL & EQUIPME	SLIDE HAMMER PULLER W/2	Small tools	100-43101-2410	119.99
65384	NORTHERN TOOL & EQUIPME	JACK STANDS, BRUSH	Safety supplies	100-43101-2240	103.98
65385	PRINT CENTRAL	SEPTIC FORMS	Office supplies	100-42401-2110	160.49
65386	RDO EQUIPMENT CO.	#60 BLACK SCRAPER	Equipment parts & supplies	100-43101-2320	62.60
65387	RECYCLE TECHNOLOGIES INC	SR CENTER REFRIGERATOR REC	Waste management & recycli	231-43601-3630	100.00
65388	RIVARD COMPANIES	TREE WASTE DISPOSAL	Operating supplies	100-43101-2290	200.00
65388	RIVARD COMPANIES	TREE WASTE DISPOSAL	Operating supplies	100-43101-2290	200.00
65389	ROBIN MANTHEI	FIELD PARTY PERMIT - NOT NE	Burning/party/large assembly	100-32203	30.00
65390	SCHAEFFER MANUFACTURIN	#57 LUBE, OIL	Equipment parts & supplies	100-43101-2320	560.89
65391	SIEGFRIED FAMILY TOOLS INC	PLIER SET	Covid 19	100-41701-4153	368.00
65391	SIEGFRIED FAMILY TOOLS INC	DRIVE LINE	Covid 19	100-41701-4153	62.95
65391	SIEGFRIED FAMILY TOOLS INC	PUNCHES, AIR HAMMER	Covid 19	100-41701-4153	547.23
65392	SUMMIT COMPANIES	RESIDENT EXTINGUISHER SER	Fire Extinguisher	100-20203	76.00
65393	TASC	OCT COBRA ADMINISTRATION	Other professional services	100-41701-3190	26.74
65394	UNLIMITED SUPPLIES INC	SOCKETS, RETAINING RINGS,	Operating supplies	100-43101-2290	204.42
65395	US BANK CORPORATE PAYME	ZOOM-Aug Zoom-DW	Dues & subscriptions	100-41201-3920	13.70
65395	US BANK CORPORATE PAYME	MCFOA-DUES-JB	Dues & subscriptions	100-41301-3920	50.00
65395	US BANK CORPORATE PAYME	AMAZON-folding tables-NW	Office supplies	100-41302-2110	376.92
65395	US BANK CORPORATE PAYME	AMAZON-folding tables-NW	Office supplies	100-41302-2110	193.34
65395	US BANK CORPORATE PAYME	IOS-toner Jennifer-NW	Office supplies	100-41601-2110	149.91
65395	US BANK CORPORATE PAYME	IOS-office supplies-NW	Office supplies	100-41701-2110	183.47
65395	US BANK CORPORATE PAYME	IOS-D batteries-NW	Operating supplies	100-41701-2290	9.76
65395	US BANK CORPORATE PAYME	AMAZON-coffee and creamer-	Operating supplies	100-41701-2290	59.89
65395	US BANK CORPORATE PAYME	IOS-paper towels-NW	Operating supplies	100-41701-2290	20.22
65395	US BANK CORPORATE PAYME	AMAZON-stain remover-NW	Operating supplies	100-41701-2290	58.19

Council Approval List

Payment Dates: 8/22/2023 - 9/5/2023

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
65395	US BANK CORPORATE PAYME	IOS-hand soap City Hall & She	Operating supplies	100-41701-2290	26.51
65395	US BANK CORPORATE PAYME	PANTHEON-Aug website-NW	Software licenses & upgrades	100-41701-2510	300.00
65395	US BANK CORPORATE PAYME	HARBOR FREIGHT-SOCKETS, J	Covid 19	100-41701-4153	245.97
65395	US BANK CORPORATE PAYME	HEY DUDE SHOES-MR SHOES-	Clothing & personal protectiv	100-42201-2210	109.98
65395	US BANK CORPORATE PAYME	HOLIDAY-NON-OXY FUEL-MR	Fuel	100-42201-2230	22.02
65395	US BANK CORPORATE PAYME	INTERSTATE BATTERY-Extracti	Equipment parts & supplies	100-42201-2320	87.60
65395	US BANK CORPORATE PAYME	BIG MIKES-T-3 CONE WASHER	Vehicle parts & supplies	100-42201-2340	23.30
65395	US BANK CORPORATE PAYME	BIG MIKES-T-3 GASKET, SEALS,	Vehicle parts & supplies	100-42201-2340	405.60
65395	US BANK CORPORATE PAYME	AMAZON-gas leak detector re	Small tools	100-42201-2410	-98.45
65395	US BANK CORPORATE PAYME	MN STATE COLLEGE-PM NFA T	Training/conferences/schools	100-42201-3510	585.00
65395	US BANK CORPORATE PAYME	AMAZON-weed whip spark pl	Equipment parts & supplies	100-43101-2320	22.98
65395	US BANK CORPORATE PAYME	AME RED-E-MIX-Barricades fo	Street repair & maintenance s	100-43101-2330	750.00
65395	US BANK CORPORATE PAYME	IOS-hand soap-NW	Operating supplies	100-44201-2290	12.59
65397	US POSTAL SERVICE	PERMIT PI 289 MARKETING M	Postage	211-41704-2120	310.00
65398	VERIZON WIRELESS	MR	Phones/radios/pagers	100-42201-3210	41.12
65398	VERIZON WIRELESS	TD, MJ & 2 LAPTOPS	Phones/radios/pagers	100-42401-3210	162.26
65398	VERIZON WIRELESS	JK, JW, JC, CS, EH, & 2 LAPTOP	Phones/radios/pagers	100-43101-3210	293.63
65398	VERIZON WIRELESS	DH, AC, MS	Phones/radios/pagers	100-44101-3210	123.34
65399	WINNICK SUPPLY INC	CULVERT BANDS	Operating supplies	100-43103-2290	26.59
65400	WRIGHT-HENNEPIN COOPERA	SEPT ELEVATOR MONITORING	Monitoring	100-41702-3145	10.00
65400	WRIGHT-HENNEPIN COOPERA	SEPT SECURITY MONITORING	Monitoring	100-41702-3145	33.95
65400	WRIGHT-HENNEPIN COOPERA	SEPT PW FIRE PANEL MONITO	Monitoring	100-43104-3145	52.95
DFT0002586	COMPENSATION CONSULTAN	Health Savings Account	HSA Account	100-21712	150.00
DFT0002587	EMPOWER	Deferred Compensation	Deferred compensation	100-21704	1,955.00
DFT0002587	EMPOWER	Roth IRA	Deferred compensation	100-21704	50.00
DFT0002588	IRS-Payroll Tax	Federal Withholding	Federal WH/FICA/MC	100-21701	6,108.13
DFT0002588	IRS-Payroll Tax	Medicare Payable	Federal WH/FICA/MC	100-21701	2,018.24
DFT0002588	IRS-Payroll Tax	Social Security Payable	Federal WH/FICA/MC	100-21701	8,006.10
DFT0002589	MN STATE DEPT OF REVENUE-	MN State Withholding	State W/H	100-21702	2,720.83
DFT0002590	PERA	Retirement-Coordinated	PERA	100-21703	7,151.60
DFT0002590	PERA	Retirement-Elected Officials	PERA	100-21703	81.68
DFT0002590	PERA	Retirement-Police & Fire	PERA	100-21703	1,243.22
DFT0002591	US POSTMASTER	SEPT HAM LAKER POSTAGE	Postage	211-41704-2120	1,193.62
DFT0002592	US POSTMASTER	AUG SR CENTER POSTAGE	Postage Liability	100-20204	42.01

Grand Total: 262,796.06



City of Ham Lake, MN

# EFT Payroll Check Register

## Report Summary

Pay Period: 8/6/2023-8/19/2023

Packet: PYPKT01506 - PPE 08/19/23 PAID 08/25/23

Payroll Set: City of Ham Lake - 01

Type	Count	Amount
Regular Checks	0	0.00
Manual Checks	0	0.00
Reversals	0	0.00
Voided Checks	0	0.00
Direct Deposits	70	49,236.76
<b>Total</b>	<b>70</b>	<b>49,236.76</b>



Packet: ARPKT00880 - REVERSE CK#65351 - 4533 - 161ST AVE

### Other Adjustments Detail

Account Number	Adjustment Reference	Name	Payment Amount	Invoice Number	Revenue Code	Amount
<b>REV REFUND CHECK - REVERSE REFUND CHECK</b>						
00337	REVERSE CHECK #65351	SHADE TREE CONSTRUCTION	-5,100.00		TRUST DEPOSITS - TRUST DEPOSITS	-5,100.00
Check: 65351						
Other Adjustments Detail Totals:			-5,100.00			

### Revenue Totals

Revenue Code	Total Distributed
TRUST DEPOSITS - TRUST DEPOSITS	-5100.00
<b>Revenue Totals:</b>	<b>-5100.00</b>

### General Ledger Distribution

Posting Date: 08/28/2023

Account Number	Account Name	Posting Amount	IFT
<b>Fund: 890 - TRUST FUND</b>			
890-10101	Cash-claim on pooled cash	5,100.00	Yes
890-11501	Misc receivables	-5,100.00	
	<b>890 Total:</b>	<b>0.00</b>	
<b>Fund: 999 - POOLED CASH</b>			
999-10100	Pooled Cash	5,100.00	
999-20702	Due to other funds	-5,100.00	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	

Meeting Date: September 5, 2023



**CITY OF HAM LAKE**

**STAFF REPORT**

**To: Mayor and Councilmembers**

**From: Dawnette Shimek, Deputy City Clerk**

**Subject: Outdoor Street Light Proposal for Hidden Forest East Fourth Addition**

**Introduction/Discussion:** Attached is the Energy and Maintenance Agreements for street lights in Hidden Forest East Fourth Addition. The system includes 8 fixtures for the residential development.

**Recommendation:** I recommend approval of the Outdoor Lighting Energy and Maintenance Agreement for Hidden Forest East Fourth Addition.

## Outdoor Lighting

your most powerful membership<sup>®</sup>

### Energy and Maintenance Agreement

City of Ham Lake  
15544 Central Ave NE  
Ham Lake, MN 55304

Account #411023-240512

Location: HIDDEN FOREST EAST 4TH (Service order: SORD000W2300570)

Connexus Energy shall provide the energy and maintenance for the outdoor lighting system as detailed below:

- (8) LED Traditionaire Light fixture installed on a smooth fiberglass pole

The current energy and maintenance rate for these fixtures is \$7.00 per month, per fixture. This rate adheres to Connexus Energy's published rate schedule, and is subject to change.

Maintenance of the fixtures, including lamp replacement, will be provided by Connexus Energy for a period of 25 years (According to Connexus Energy's Outdoor Lighting Guidelines). If, in Connexus Energy's opinion, after 25 years, the condition of the outdoor lighting system is such that replacement or significant renovation is necessary (due to deterioration from age), the customer will be responsible for the replacement cost.

Please indicate your acceptance of this monthly Energy and Maintenance Agreement by signing on the line below and return in the envelope provided.

Sincerely,

Becky Bergherr  
Engineering Services Specialist

August 14, 2023

\_\_\_\_\_  
(Accepted By)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Title)





**Outdoor Lighting New Construction**

**Bill To:** HFN PROPERTIES LLC  
 17404 WARD LAKE DR  
  
 ANDOVER MN 55304

Quote Number	LGT0001027
Date	8/14/2023
Customer ID	808212
Service Order	SORD000W2300570
Representative	beckberg
Page	1

Re: Outdoor Lighting System at: HIDDEN FOREST EAST 4TH ADDN

Thank you for your Outdoor Lighting request. Listed below are the estimated charges that includes the cost of all materials and labor. Payment is required upfront before construction will be scheduled. Installation of your outdoor lighting system is subject to the enclosed Conditions of Service. Please review the documents and include a signed copy along with your payment.

Winter construction fees may apply between November 1st and April 1st.

To avoid fees, requirements must be met prior to November 1st.

Payment must be made by check or money order.

**\*\*Do not combine payment for this invoice with electric service payments or application may be delayed.\*\***

Quantity	U of M	Unit Price	Description	Ext. Price
8	EA	\$1,847.00	COMPLETE LIGHT FIXTURE(S)	\$14,776.00
1,515	EA	\$3.20	LIGHTING CONDUCTOR	\$4,848.00

<b>Subtotal:</b>	\$19,624.00
<b>Tax:</b>	\$0.00
<b>Total:</b>	\$19,624.00

----- Detach Along Line -----

**Please Remit with Payment!**

**Customer Number:** 808212  
**Amount Due:** \$19,624.00

**Quote:** LGT0001027  
**Service Order:** SORD000W2300570  
**Due Date:** Upon Receipt

HFN PROPERTIES LLC  
 17404 WARD LAKE DR  
 ANDOVER MN 55304

**Remit To:** Connexu Energy  
 Attn: AR Accounting  
 14601 Ramsey Blvd  
 Ramsey, MN 55303



**Meeting Date: September 5, 2023**



***CITY OF HAM LAKE  
STAFF REPORT***

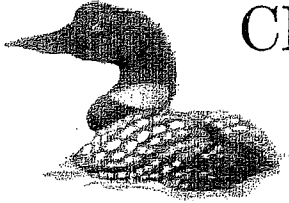
**To: Mayor and Councilmembers**

**From: Dawnette Shimek, Deputy City Clerk**

**Item/Title/Subject: Temporary One-Day Liquor License**

**Introduction/Discussion:** Attached is an application from the Dylan Witschen Foundation requesting a Temporary One-Day Liquor License at The Willow Tree Winery, 828 Constance Boulevard NE, Ham Lake for October 28, 2023.

**Recommendation:** I recommend approval of the Temporary One-Day Liquor License for the Dylan Witschen Foundation for October 28, 2023.



# CITY OF HAM LAKE

15544 Central Avenue NE  
Ham Lake, Minnesota 55304  
(763) 434-9555  
Fax: (763) 434-9599

Receipt # 97262 \$25.00 Fee

## APPLICATION FOR TEMPORARY ONE-DAY ON-SALE/OFF-SALE 3.2 PERCENT MALT LIQUOR

TO: Ham Lake City Council  
Of the City of Ham Lake  
County of Anoka, State of Minnesota

Debbie Witschen, whose name and address is subscribed hereto, hereby make application for an On sale/Off sale license to sell 3.2 percent malt liquor on those certain premises in the City of Ham Lake, County of Anoka, State of Minnesota known and described as follows: The Willow Tree Winery, 828 Constance Blvd. NE, Ham Lake MN, in connection with the Dylan Witschen Foundation (non-profit) business there now and therefore conducted by said applicants since March 4, 2011.

Applicant states and represents:

(a – if an individual or partnership) That they are a citizen of the United States of America, who is of good moral character and repute and has attained the age of twenty-one years and who is proprietor of the establishment for which this license is applied.

(b – if a corporation) That it is a corporation organized under the laws of Minnesota. That said corporation is an affiliate or subsidiary of the \_\_\_\_\_ . That the application is made on behalf of said corporation by the undersigned (officer of manager)

(c – if a club or charitable, religious or other non-profit corporation that has existed for at least three years) That it is a bona fid club and is an organization for social or business purposes – or for intellectual improvement – or for the promotion of sports – where the serving of such 3.2 percent malt liquor is incidental and not the major purpose of the club.

Date of event: Saturday, October 28, 2023

The applicant represents that no manufacturer or wholesaler of 3.2 percent malt liquor has any ownership, in whole or in part, in the business of applicant.

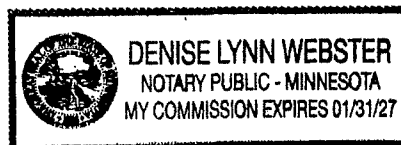
Applicant herein agrees to abide and be governed by all rules and regulations of the municipality and all laws of the state pertaining to the sale of 3.2 percent malt liquor.

Debbie Witschen (Name)  
17065 Waco Street NE (Address)  
Andover, MN 55304

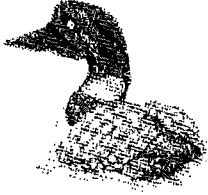
STATE OF MINNESOTA  
COUNTY OF ANOKA

Debbie Witschen being duly sworn on oath says that he/she is the person who made and signed the foregoing application, that he/she has read said application and knows the contents thereof, and that the same is true of his/her own knowledge.

Subscribed and sworn to before me this  
29th day of October, 2023.  
Denise Lynn Webster  
(Notary Public)



Meeting Date: September 5, 2023



**CITY OF HAM LAKE**

***STAFF REPORT***

**To:** Mayor and Councilmembers  
**From:** Dawnette Shimek, Deputy City Clerk  
**Subject:** Tax Forfeited Parcels

**Introduction/Discussion:** We have received notification from Anoka County regarding four parcels that have gone tax forfeit. State Statutes require that the City Council approve the classification and sale of forfeit parcels. The City does have the option to acquire these parcels if there is a public purpose. Engineer Collins has confirmed that these parcels are not required for a public purpose. I have attached site maps showing the parcels for your review.

**Recommendation:** I recommend that the City Council approve the classification and sale of PINS 03-32-23-23-0023, 09-32-23-44-0187-0188, and 23-32-23-11-0016 per State Statute 282.01 Subd. 1A.



# Anoka County Parcel Viewer



Show search results for 03-32-...



68

179TH AVE NE

2658

DUNKIRK ST

17833

17834

17819

17801

XYLITE ST NE

2629

17811

2721

2618

2630

Tax Link

Property ID: 03-32-23-23-0023

Address:

City: HAM LAKE

State: MN

Zip Code: 55304

Plat Name: WOODLAND BLUFFS THIRD ADDITION

Estimated Acres: 0.11

Commissioner: JULIE BRAASTAD

Watershed District: COON CREEK WSD

School District: 11

Elementary Attendance Area: MCKINLEY ELEMENTARY

Middle School Attendance Area:

ROOSEVELT MIDDLE SCHOOL

High School Attendance Area: BLAINE HIGH SCHOOL

Owner: WOODLAND DEVELOPMENT CORP

Owner Address: 605 HIGHWAY 169 N STE 650

Owner City: PLYMOUTH

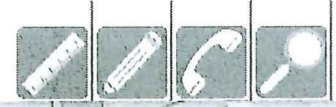
Zoom to

17735

2733

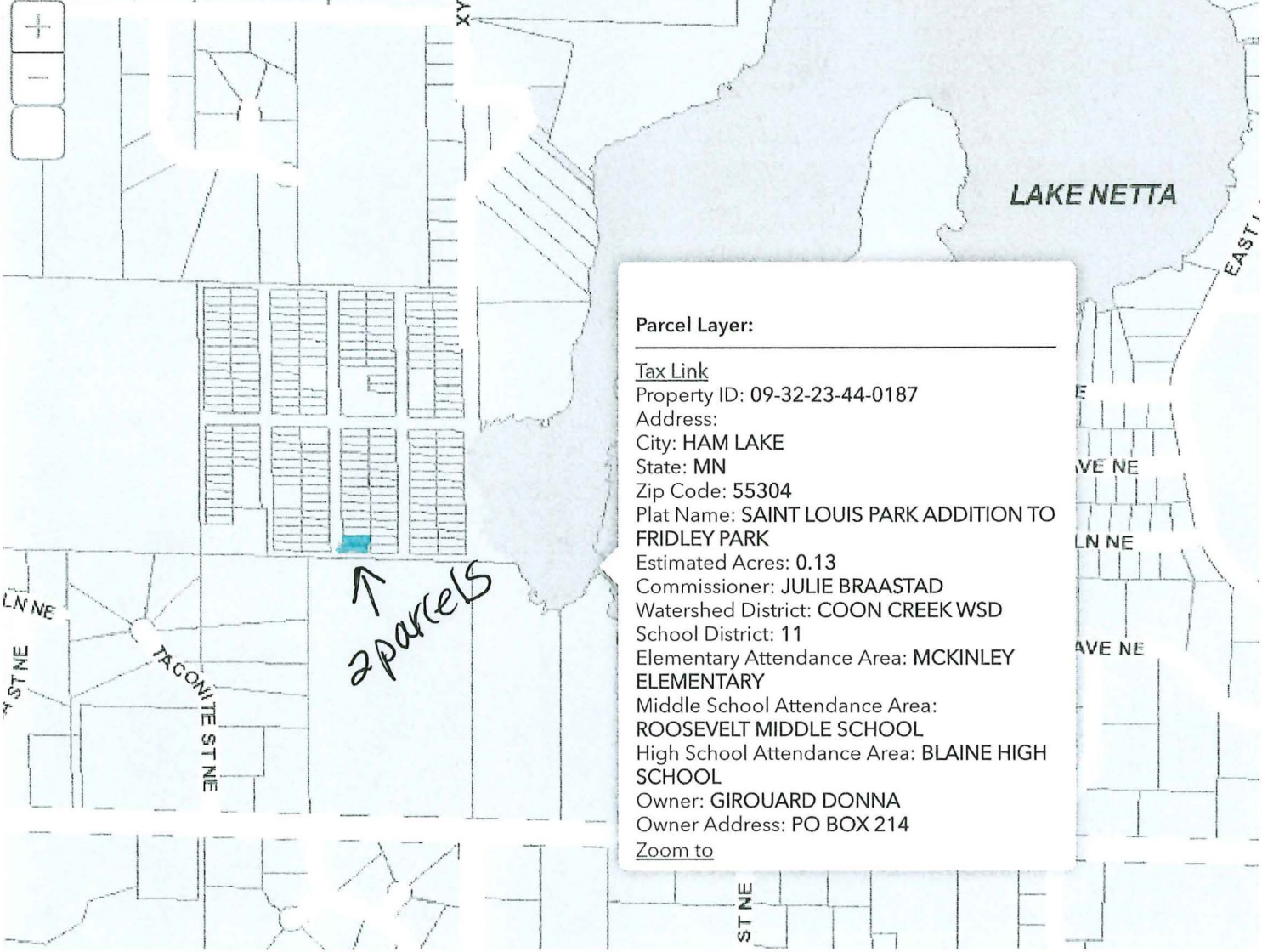


# Anoka County Parcel Viewer



09-32-23-44-0187 X Q

Show search results for 09-32-...

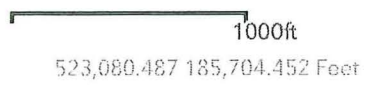


↑  
2 parcels

**Parcel Layer:**

---

Tax Link  
 Property ID: 09-32-23-44-0187  
 Address:  
 City: HAM LAKE  
 State: MN  
 Zip Code: 55304  
 Plat Name: SAINT LOUIS PARK ADDITION TO FRIDLEY PARK  
 Estimated Acres: 0.13  
 Commissioner: JULIE BRAASTAD  
 Watershed District: COON CREEK WSD  
 School District: 11  
 Elementary Attendance Area: MCKINLEY ELEMENTARY  
 Middle School Attendance Area: ROOSEVELT MIDDLE SCHOOL  
 High School Attendance Area: BLAINE HIGH SCHOOL  
 Owner: GIROUARD DONNA  
 Owner Address: PO BOX 214  
Zoom to







Search bar with ID 23-32-23-11-0016 and search icon

Show search results for 23-32-...



**Parcel Layer:**

---

Tax Link  
 Property ID: 23-32-23-11-0016  
 Address:  
 City: HAM LAKE  
 State: MN  
 Zip Code: 55304  
 Plat Name: FOX RUN 5TH ADDITION  
 Estimated Acres: 0.16  
 Commissioner: JULIE BRAASTAD  
 Watershed District: COON CREEK WSD  
 School District: 11  
 Elementary Attendance Area: MCKINLEY ELEMENTARY  
 Middle School Attendance Area: ROOSEVELT MIDDLE SCHOOL  
 High School Attendance Area: BLAINE HIGH SCHOOL  
 Owner: MAPLE LEAF HOMES INC  
 Owner Address: 15375 ZUNI CT NW  
 Owner City: RAMSEY  
[Zoom to](#)



Meeting Date: September 5, 2023



**CITY OF HAM LAKE  
STAFF REPORT**

**To:** Mayor and Councilmembers

**From:** Dawnette Shimek, Deputy City Clerk

**Item/Title/Subject:** Vacation of Drainage and Utility Easement on Lot 3, Block 1, Maple Ridge (14932 Harpers Street NE)

**Introduction/Discussion:**

The easements as described have no public purpose. Engineer Collins has reviewed the legal description and has no issue with this vacation.

**Recommendation:**

I recommend approval of the Resolution scheduling a Public Hearing for September 18, 2023 to vacate a portion of the drainage and utility easement on Lot 3, Block 1, Maple Ridge (14932 Harpers Street NE).

RESOLUTION NO. 23-XX

WHEREAS, the Ham Lake City Council, on its own motion, wishes to consider the vacation of the following described land in the City of Ham Lake, pursuant to Minnesota Statutes Chapter 412.851:

**LOT 3, BLOCK 1, MAPLE RIDGE**  
**DRAINAGE AND UTILITY EASEMENT VACATION DESCRIPTION**

All of the drainage and utility easement as created and dedicated over, under and across Lot 3, Block 1, MAPLE RIDGE, Anoka County, Minnesota, according to the recorded plat thereof, described as follows:

Commencing at the southeasterly corner of said Lot 3, Block 1; thence northwesterly a distance of 15.00 feet along the southerly line of said Lot 3, Block 1, said line being a curve concave to the southwest having a radius of 60.00 feet, a central angle of 14 degrees 19 minutes 26 seconds and whose chord bears North 55 degrees 44 minutes 04 seconds West (The southeasterly line of said Lot 3, Block 1, is assumed to bear North 41 degrees 25 minutes 29 seconds East from the point of commencement.); thence North 03 degrees 53 minutes 15 seconds East, not tangent to said curve, a distance of 57.70 feet; thence North 41 degrees 25 minutes 29 seconds East a distance of 100.00 feet to the point of beginning of the easement to be vacated; thence South 88 degrees 44 minutes 32 seconds West a distance of 285.08 feet; thence North 65 degrees 50 minutes 22 seconds East a distance of 85.39 feet; thence North 84 degrees 50 minutes 33 seconds East a distance of 138.57 feet; thence South 88 degrees 51 minutes 27 seconds East a distance of 29.22 feet; thence South 67 degrees 50 minutes 32 seconds East a distance of 31.45 feet; thence North 81 degrees 57 minutes 15 seconds East a distance of 30.00 feet; thence North 59 degrees 00 minutes 30 seconds East a distance of 32.26 feet; thence North 82 degrees 09 minutes 59 seconds East a distance of 39.93 feet; thence South 56 degrees 27 minutes 20 seconds East a distance of 11.87 feet to its intersection with a line drawn parallel with and 10.00 feet northwesterly of said southeasterly line of Lot 3, Block 1; thence South 41 degrees 25 minutes 29 seconds West, along said parallel line with the southeasterly line of Lot 3, Block 1, a distance of 91.16 feet to a line which bears South 60 degrees 49 minutes 11 seconds East from said point of beginning; thence North 60 degrees 49 minutes 11 seconds West a distance of 40.93 feet to said point of beginning.

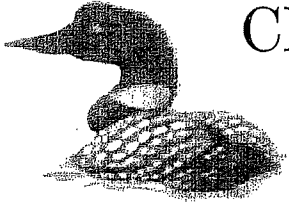
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ham Lake, that the City Clerk is directed to post in a conspicuous place in the City Hall between the dates of September 8, 2023 and September 18, 2023 and to cause publication of a NOTICE OF PUBLIC HEARING, a copy of which is attached to this Resolution, for a public hearing to be held on September 18, 2023, with publication to occur in the Star Tribune on September 8, 2023.

Adopted by the City Council of the City of Ham Lake this 5th day of September, 2023.

\_\_\_\_\_  
Brian Kirkham, Mayor

\_\_\_\_\_  
Denise Webster, City Clerk





# CITY OF HAM LAKE

15544 Central Avenue NE  
Ham Lake, Minnesota 55304  
(763) 434-9555  
Fax: (763) 434-9599

## NOTICE OF PUBLIC HEARING VACATION OF PUBLIC LAND

NOTICE IS HEREBY GIVEN, that a Public Hearing will be held before the Ham Lake City Council on September 18, 2023 at 6:01 p.m. in the City Council Chambers, City Hall, 15544 Central Avenue N.E. Ham Lake, Minnesota 55304, to hear comments and questions concerning the proposed vacation of the following described land within the City of Ham Lake, Minnesota:

### **LOT 3, BLOCK 1, MAPLE RIDGE DRAINAGE AND UTILITY EASEMENT VACATION DESCRIPTION**

All of the drainage and utility easement as created and dedicated over, under and across Lot 3, Block 1, MAPLE RIDGE, Anoka County, Minnesota, according to the recorded plat thereof, described as follows:

Commencing at the southeasterly corner of said Lot 3, Block 1; thence northwesterly a distance of 15.00 feet along the southerly line of said Lot 3, Block 1, said line being a curve concave to the southwest having a radius of 60.00 feet, a central angle of 14 degrees 19 minutes 26 seconds and whose chord bears North 55 degrees 44 minutes 04 seconds West (The southeasterly line of said Lot 3, Block 1, is assumed to bear North 41 degrees 25 minutes 29 seconds East from the point of commencement.); thence North 03 degrees 53 minutes 15 seconds East, not tangent to said curve, a distance of 57.70 feet; thence North 41 degrees 25 minutes 29 seconds East a distance of 100.00 feet to the point of beginning of the easement to be vacated; thence South 88 degrees 44 minutes 32 seconds West a distance of 285.08 feet; thence North 65 degrees 50 minutes 22 seconds East a distance of 85.39 feet; thence North 84 degrees 50 minutes 33 seconds East a distance of 138.57 feet; thence South 88 degrees 51 minutes 27 seconds East a distance of 29.22 feet; thence South 67 degrees 50 minutes 32 seconds East a distance of 31.45 feet; thence North 81 degrees 57 minutes 15 seconds East a distance of 30.00 feet; thence North 59 degrees 00 minutes 30 seconds East a distance of 32.26 feet; thence North 82 degrees 09 minutes 59 seconds East a distance of 39.93 feet; thence South 56 degrees 27 minutes 20 seconds East a distance of 11.87 feet to its intersection with a line drawn parallel with and 10.00 feet northwesterly of said southeasterly line of Lot 3, Block 1; thence South 41 degrees 25 minutes 29 seconds West, along said parallel line with the southeasterly line of Lot 3, Block 1, a distance of 91.16 feet to a line which bears South 60 degrees 49 minutes 11 seconds East from said point of beginning; thence North 60 degrees 49 minutes 11 seconds West a distance of 40.93 feet to said point of beginning.

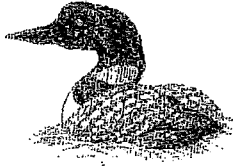
Said hearing is conducted pursuant to Minnesota Statutes Chapter 412.851.

Dated: September 8, 2023

\_\_\_\_\_  
Dawnette Shimek, Deputy City Clerk

Posted at City Hall between the dates of September 8, 2023 and September 18, 2023.

Published in the Star Tribune on September 8, 2023



# CITY OF HAM LAKE

## REQUEST FOR AN APPEARANCE BEFORE THE CITY COUNCIL

15544 Central Avenue NE  
Ham Lake, MN 55304  
Phone (763) 434-9555

DATE OF APPLICATION 8-24-23

DEPOSIT \$ 200.<sup>00</sup>  
RECEIPT # 97199

CITY COUNCIL MEETING DATE  
(if all required information is received) \_\_\_\_\_

APPLICANT'S NAME REGINALD R. LARSON

MAILING ADDRESS 14932 HARPER'S ST NE

CITY, STATE, ZIP CODE HAM LAKE MN 55304

PHONE (daytime) 763-355-4774

EMAIL ADDRESS reginald.larson@yahoo.com

### SITE ADDRESS / NATURE OR REQUEST:

(Please attach any relevant information including maps, diagrams, and a descriptive narrative of the request)\*\*

VACATION OF DRAINAGE AND UTILITIES EASEMENT.

LOT 3, BLOCK 1, MAPLE RIDGE

Signature of Applicant

8-23-23  
Date

Signature of Current Property Owner

8-23-23  
Date

*(If the applicant is not the property owner - the property owner signature is required)*

**\*\*You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required information has been submitted to the City of Ham Lake.**



**NOTICE TO ALL APPLICANTS FOR MUNICIPAL  
PERMITS, LICENSES,  
OR OTHER MUNICIPAL ACTION**

1. *If you are requesting municipal action on any request for any of the above, you will be required to furnish certain information about yourself, the project you are involved in, or other matters pertaining to the subject. Some of the information you are asked to provide is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data.*
  
2. *The purpose of this information is to enable the City Staff, Commissions, Council or other government agencies to evaluate relevant factors in considering your request. You are not legally required to provide this information. If you do not provide the requested information, the City may not act upon your request.*
  
3. *The information you supply will be public and available to any entity requesting to inspect the information.*

**DATA PRACTICES ADVISORY  
TENNESSEN WARNING**

**REQUIRED BY MINNESOTA STATUTES CHAPTER 13.04**

**SIGNED BY** \_\_\_\_\_

**COMPANY/TITLE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**CITY OF HAM LAKE  
ACKNOWLEDGMENT OF RESPONSIBILITY  
TO REIMBURSE EXPENSES**

The undersigned, REGINALD LARSON, having applied to the City of Ham Lake for consideration of a planning and zoning request, or any other permit, license, or action requiring review and/or approval of the City, as follows:

EASEMENT VACATE.

*Type of Application*

acknowledges that the sum of \$ \_\_\_\_\_, has been deposited with the City of Ham Lake to reimburse the City of Ham Lake for any out of pocket expenses incurred by the City in reviewing the proposal, including but not limited to a staff review fee, any signage required by ordinance, and City Engineer and City Attorney's fees for their review, in amounts which are not known to the City at this time. The applicant acknowledges that it is the responsibility of the undersigned to reimburse the City for any such engineering or attorney's fees incurred in review of the applicant's request, or any other expenses incurred by the City in connection with this requires, and further acknowledges that in the event that the undersigned fails to promptly remit any amounts incurred by the City in excess of the deposit, the City shall have the right to discontinue further consideration or action upon the undersigned's request, shall have the right to rescind any approvals, withdraw any permits, licenses or other consents, shall have the right to vacate any street or road, plat or other dedication, and the undersigned waives the right to claim damages arising out of any such act by the City. Furthermore, the applicant agrees that in the event that the City is required to take legal action in order to effect recovery of any of the expenses incurred by the City from the undersigned, the City shall be entitled, in addition to principle and interest, to recover its reasonable attorney's fees incurred in collecting said sums from the undersigned.

Applicant Signature



Dated

8.23.23

The following statement must be signed if the applicant is not the property owner:

\_\_\_\_\_, as owner of the property involved in the foregoing application, agrees to be jointly and severally liable for payment of the foregoing fees.

Property Owner Signature

Dated

August 23, 2023

**LOT 3, BLOCK 1, MAPLE RIDGE**  
**DRAINAGE AND UTILITY EASEMENT VACATION DESCRIPTION**

All of the drainage and utility easement as created and dedicated over, under and across Lot 3, Block 1, MAPLE RIDGE, Anoka County, Minnesota, according to the recorded plat thereof, described as follows:

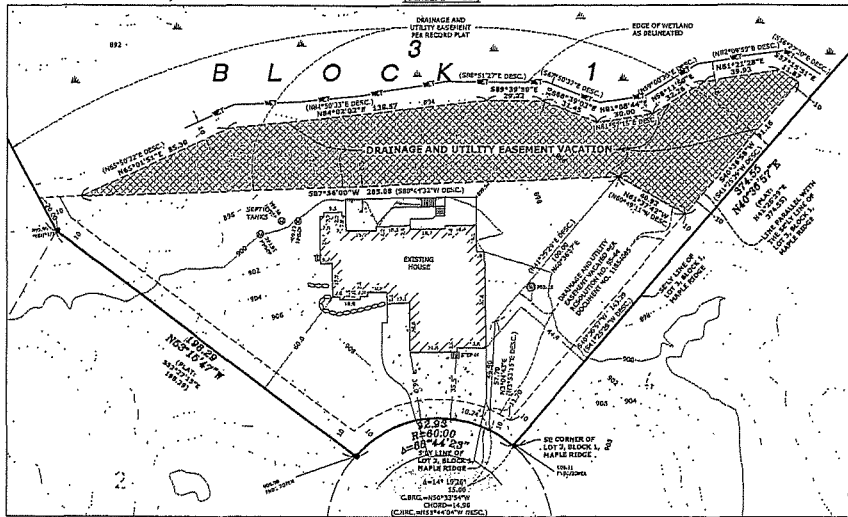
Commencing at the southeasterly corner of said Lot 3, Block 1; thence northwesterly a distance of 15.00 feet along the southerly line of said Lot 3, Block 1, said line being a curve concave to the southwest having a radius of 60.00 feet, a central angle of 14 degrees 19 minutes 26 seconds and whose chord bears North 55 degrees 44 minutes 04 seconds West (The southeasterly line of said Lot 3, Block 1, is assumed to bear North 41 degrees 25 minutes 29 seconds East from the point of commencement.); thence North 03 degrees 53 minutes 15 seconds East, not tangent to said curve, a distance of 57.70 feet; thence North 41 degrees 25 minutes 29 seconds East a distance of 100.00 feet to the point of beginning of the easement to be vacated; thence South 88 degrees 44 minutes 32 seconds West a distance of 285.08 feet; thence North 65 degrees 50 minutes 22 seconds East a distance of 85.39 feet; thence North 84 degrees 50 minutes 33 seconds East a distance of 138.57 feet; thence South 88 degrees 51 minutes 27 seconds East a distance of 29.22 feet; thence South 67 degrees 50 minutes 32 seconds East a distance of 31.45 feet; thence North 81 degrees 57 minutes 15 seconds East a distance of 30.00 feet; thence North 59 degrees 00 minutes 30 seconds East a distance of 32.26 feet; thence North 82 degrees 09 minutes 59 seconds East a distance of 39.93 feet; thence South 56 degrees 27 minutes 20 seconds East a distance of 11.87 feet to its intersection with a line drawn parallel with and 10.00 feet northwesterly of said southeasterly line of Lot 3, Block 1; thence South 41 degrees 25 minutes 29 seconds West, along said parallel line with the southeasterly line of Lot 3, Block 1, a distance of 91.16 feet to a line which bears South 60 degrees 49 minutes 11 seconds East from said point of beginning; thence North 60 degrees 49 minutes 11 seconds West a distance of 40.93 feet to said point of beginning.

# SKETCH AND DESCRIPTION

~of~ DRAINAGE AND UTILITY EASEMENT VACATION  
 ~for~ REGINALD LARSON  
 14932 HARPERS STREET NE  
 HAM LAKE, MN

## HOUSE DETAIL

(SCALE: 1" = 30')



## LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES EXISTING SPOT ELEVATION
- ⊕ DENOTES GAS METER
- DENOTES WELL
- DENOTES RETAINING WALL
- DENOTES EXISTING CONTOURS
- DENOTES SITUOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES DRAINAGE AND UTILITY EASEMENT VACATION (12,918 S.F., MORE OR LESS)
- DENOTES VALUES SHOWN ON THE RECORDED PLAT OF MAPLE RIDGE (DESC.)
- DENOTES VALUES PER VACATION DESCRIPTION

## DRAINAGE AND UTILITY EASEMENT VACATION DESCRIPTION

All of the drainage and utility easement as created and dedicated over, under and across Lot 3, Block 1, MAPLE RIDGE, Anoka County, Minnesota, according to the recorded plat thereof, described as follows:

Commencing at the southeasterly corner of said Lot 3, Block 1; thence northwesterly a distance of 15.00 feet along the southerly line of said Lot 3, Block 1, said line being a curve concave to the southwest having a radius of 60.00 feet, a central angle of 14 degrees 19 minutes 16 seconds and whose chord bears North 85 degrees 44 minutes 04 seconds West (The southeasterly line of said Lot 3, Block 1, is assumed to bear North 41 degrees 25 minutes 29 seconds East from the point of commencement); thence North 03 degrees 53 minutes 19 seconds East, not tangent to said curve, a distance of 57.79 feet; thence North 41 degrees 25 minutes 29 seconds East a distance of 100.00 feet to the point of beginning of the easement to be vacated; thence South 88 degrees 14 minutes 32 seconds West a distance of 285.00 feet; thence North 05 degrees 22 seconds East a distance of 83.29 feet; thence North 84 degrees 50 minutes 33 seconds East a distance of 138.57 feet; thence South 88 degrees 51 minutes 27 seconds East a distance of 39.22 feet; thence South 67 degrees 50 minutes 32 seconds East a distance of 33.45 feet; thence North 81 degrees 57 minutes 15 seconds East a distance of 33.00 feet; thence North 59 degrees 10 minutes 30 seconds East a distance of 37.26 feet; thence North 82 degrees 09 minutes 59 seconds East a distance of 39.93 feet; thence South 56 degrees 27 minutes 10 seconds East a distance of 11.87 feet to its intersection with a line drawn parallel with and 10.00 feet northwesterly of said southeasterly line of Lot 3, Block 1; thence South 41 degrees 25 minutes 29 seconds West, along said parallel line with the southeasterly line of Lot 3, Block 1, a distance of 33.10 feet to a line which bears South 60 degrees 49 minutes 11 seconds East from said point of beginning; thence North 50 degrees 49 minutes 11 seconds West a distance of 40.93 feet to said point of beginning.

## NOTES

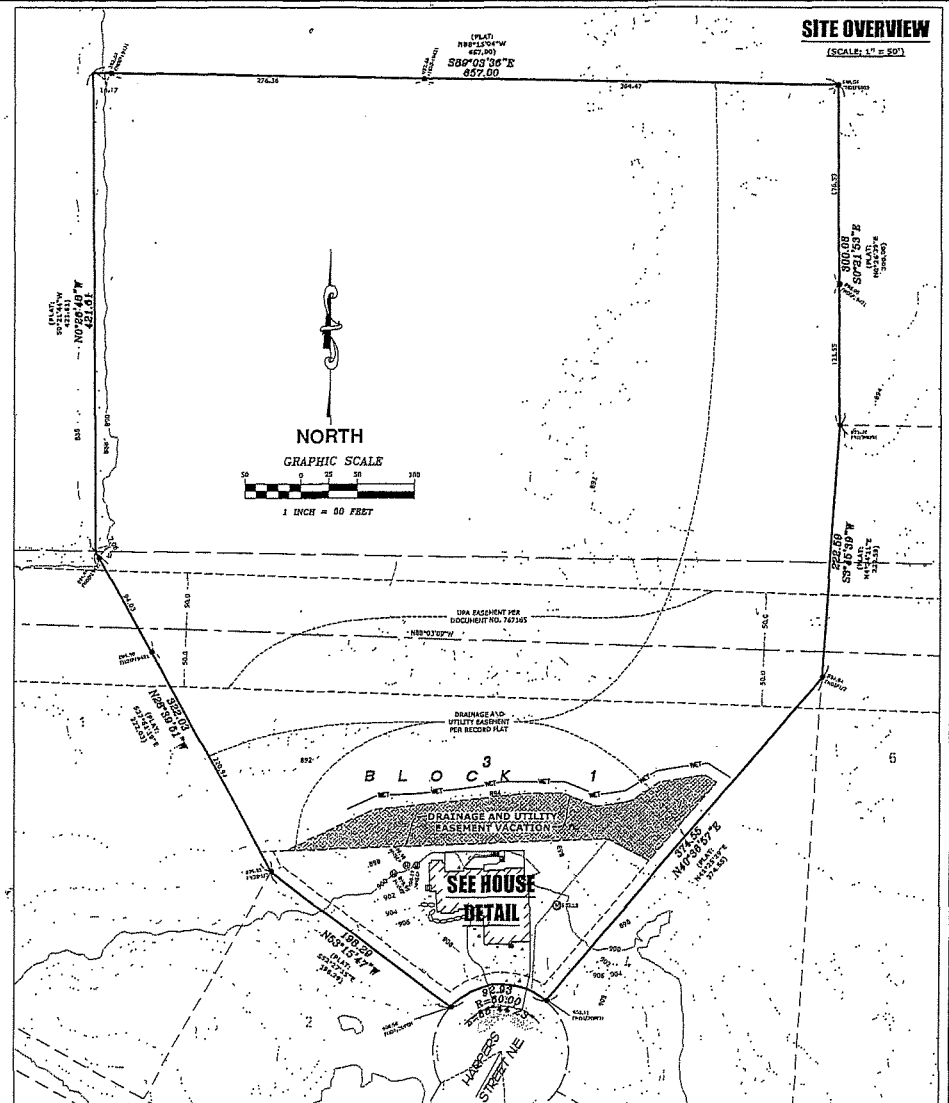
- Field survey was completed by E.G. Rud and Sons, Inc. on 06/12/23.
- Bearings shown are on Anoka County datum.
- Parcel ID Number: 25-32-23-43-0007.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Wetland delineation was completed by Hakanson Anderson.
- Contours are shown per a combination of field survey data and LIDAR mapping as provided by vendor.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD License No. 41578  
 Date: 8/23/2023

## SITE OVERVIEW

(SCALE: 1" = 80')



**E.G. RUD & SONS, INC.**  
 1871-1971  
 Professional Land Surveyors  
 6776 Lake Drive NE, Suite 110  
 Lino Lakes, MN 55014  
 Tel. (651) 361-0200 Fax (651) 361-8701

**BENCHMARK**  
 ANOKA COUNTY BENCHMARK NO. 3100  
 ELEVATION = 906.96 (NAVD83)

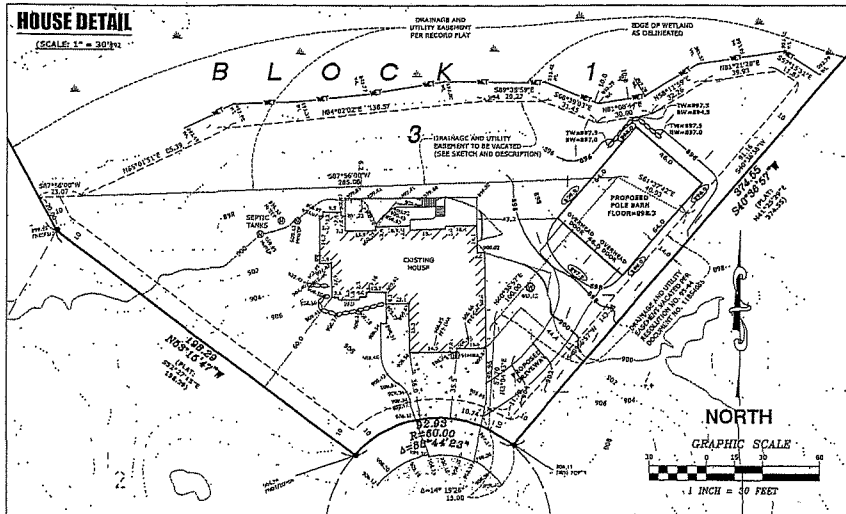
Lot 3, Block 1, MAPLE RIDGE, Anoka County, Minnesota.

DRAWN BY:	CHB	CON NO.:	2305237	DATE:	06/13/23
CHECK BY:	JER	FIELD CHECK BY:			
		CONVERT TO CASE NUMBER:			

# CERTIFICATE OF SURVEY

~for~ REGINALD LARSON  
 ~of~ 14932 Harpers Street NE  
 Ham Lake, MN

Lot 3, Block 1, MAPLE RIDGE, Anoka County, Minnesota.



**BENCHMARK**  
 ANOKA COUNTY BENCHMARK NO. 3100  
 ELEVATION = 996.96 (LAWORS)

## LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED ALS# 41578
- DENOTES EXISTING SPOT ELEVATION
- DENOTES GAS METER
- ⊕ DENOTES WELL
- ▬ DENOTES RETAINING WALL
- ▬ DENOTES EXISTING CONTOURS
- ▬ DENOTES BITUMINIOUS SURFACE
- ▬ DENOTES CONCRETE SURFACE
- ▬ DENOTES PROPOSED RETAINING WALL
- ▬ DENOTES PROPOSED CONTOURS
- ▬ DENOTES PROPOSED ELEVATION

## NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 06/12/23.
- Bearings shown are on Anoka County datum.
- Parcel ID Number: 23-23-23-43-0007.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Wetland delineation was completed by Helkanson Anderson.
- Contours are shown per a combination of field survey data and LiDAR mapping as provided by mdsar.

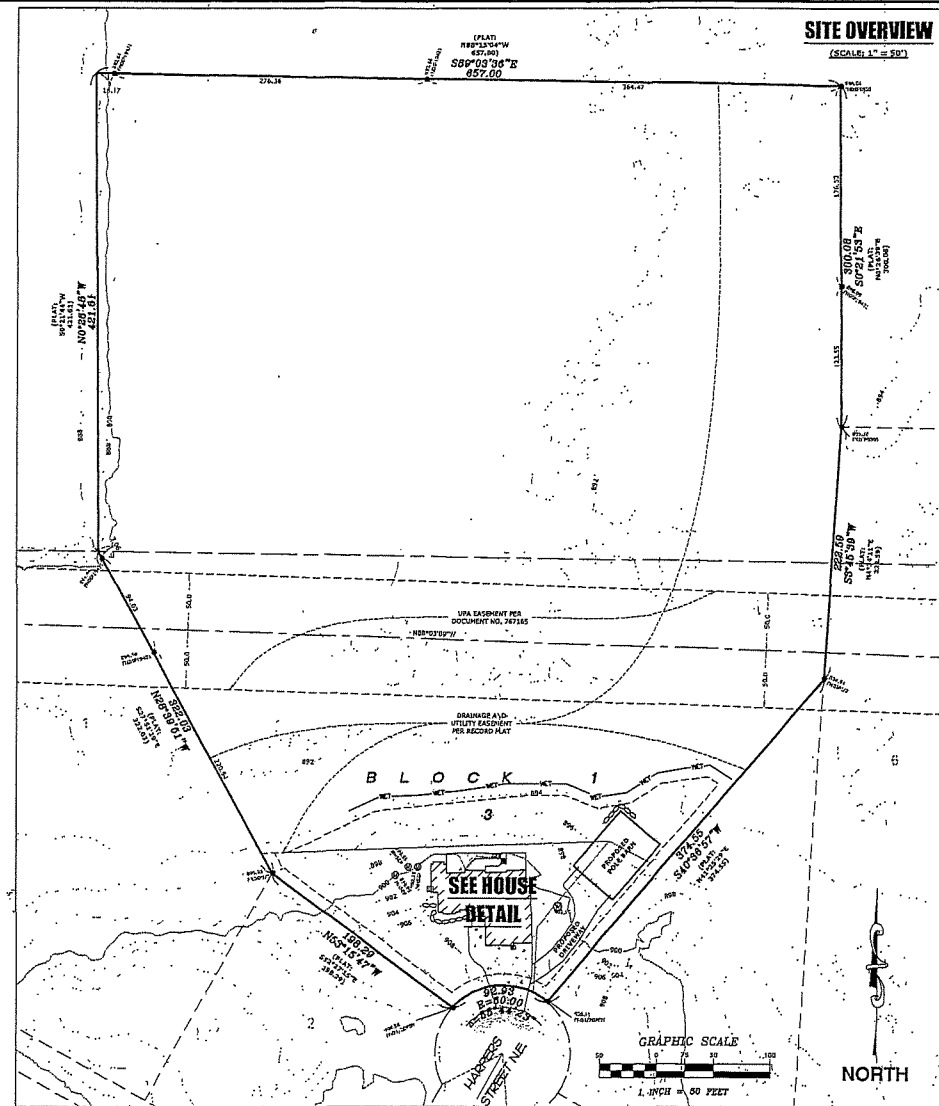
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD  
 Date: 8/23/2023 License No. 41578

**E.G. RUD & SONS, INC.**  
 Professional Land Surveyors  
 6776 Lake Drive NE, Suite 110  
 Lino Lakes, MN 55014  
 Tel. (651) 351-8200 Fax (651) 351-8701

# SITE OVERVIEW

(SCALE: 1" = 50')



NO.	DATE	DESCRIPTION	BY
1	06/12/23	Field assessment/valuation	JER
2	08/23/23	As-built measurement/pedal hours	JER

Meeting Date: September 5, 2023

**CITY OF HAM LAKE**

**STAFF REPORT**

**To: Mayor and Councilmembers**

**From: Andrea Murff, Finance/Human Resource Director**

**Item/Title/Subject: Signers for bank and investment accounts**

**Introduction/: Discussion:**

Finance/Human Resource Director Andrea Murff has resigned causing the need to update signers on our checking and investment accounts. Finance/Human Resource Director Murff will be removed as an authorized signer on the bank accounts and replaced with our Accounting Technician Susan Knouse.

The signers/authorized traders will be as follows:

21st Century Bank:

General Checking – Denise Webster, City Administrator, Mayor Kirkham, Councilmember Wilken, Dawnette Shimek, Deputy City Clerk, and Susan Knouse, Accounting Technician

Falcon Bank:

Money Market Account and Certificates of Deposit – Denise Webster, City Administrator, Mayor Kirkham, Councilmember Wilken, and Susan Knouse, Accounting Technician

4M Fund, RBC, US Bank, and ICS:

Denise Webster, City Administrator and Susan Knouse, Accounting Technician

**Recommendation:**

I recommend that Council adopt the Resolution removing Finance/Human Resource Director Andrea Murff and adding Susan Knouse, Accounting Technician as a signer to the 21<sup>st</sup> Century General Checking Bank Account, the Falcon Bank accounts, 4M Fund accounts, RBC accounts, US Bank Accounts and ICS accounts.



RESOLUTION NO. 23-XX

RESOLUTION RELATING TO APPOINTING SIGNERS AND AUTHORIZED TRADERS FOR  
THE CITY'S CASH AND INVESTMENT ACCOUNTS

WHEREAS, Andrea Murff, Finance/Human Resource Director will be removed as a signer for the following accounts:

- 21<sup>st</sup> Century – General Checking
- ICS – Money Market Account
- Falcon Bank – Money Market and Certificate of Deposits
- RBC – Money Market and Investment Accounts
- US Bank – Money Market and Investment Accounts
- 4M Fund – Money Market Accounts

WHEREAS, Susan Knouse, Accounting Technician will be added as a signer for the following accounts:

- 21<sup>st</sup> Century – General Checking
- ICS – Money Market Account
- Falcon Bank – Money Market and Certificate of Deposits
- RBC – Money Market and Investment Accounts
- US Bank – Money Market and Investment Accounts
- 4M Fund – Money Market Accounts

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HAM LAKE,  
MINNESOTA:

That the City Council hereby appoints Susan Knouse, Accounting Technician to replace Andrea Murff, Finance/Human Resource Director as a signer to the 21<sup>st</sup> Century General Checking Bank Account, the Falcon Bank accounts, 4M Fund accounts, RBC accounts, US Bank Accounts and ICS accounts.

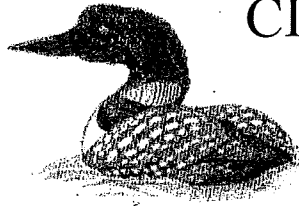
Adopted by the City Council of the City of Ham Lake this 5th day of September, 2023.

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Brian Kirkham, Mayor

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Denise Webster, City Clerk



# CITY OF HAM LAKE

15544 Central Avenue NE  
Ham Lake, Minnesota 55304  
(763) 434-9555  
Fax (763) 434-9599

## CITY OF HAM LAKE PLANNING COMMISSION MINUTES MONDAY, AUGUST 28, 2023

The Ham Lake Planning Commission met for its regular meeting on Monday, August 28, 2023 in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

**MEMBERS PRESENT:** Commissioners Brian Pogalz, Kyle Lejonvarn, Jeff Entsminger, Jonathan Fisher and Erin Dixson

**MEMBERS ABSENT:** Commissioner Dave Ringler

**OTHERS PRESENT:** City Engineer Dave Krugler and Building and Zoning Clerk Jennifer Bohr

**CALL TO ORDER:** Chair Pogalz called the meeting to order at 6:00 p.m.

**PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was recited by all in attendance.

**APPROVAL OF MINUTES:**

**Motion by Dixson, seconded by Lejonvarn, to approve the minutes of the August 14, 2023 Planning Commission meeting as written. All present in favor, motion carried.**

**PUBLIC HEARING:**

Consideration of amendments to Article 9 of the Ham Lake City Code

Chair Pogalz read the proposed amendments to Article 9 from the public hearing notice. The commissioners briefly discussed existing R-AH, Affordable Housing Districts, in the City. Chair Pogalz summarized the changes related to raising of pigeons. Chair Pogalz stated the City recently revised the chicken ordinance; it was determined the pigeon ordinance also needed revising. Chair Pogalz stated the proposed modifications to the pigeon ordinance seem to be in line with the chicken ordinance. Commissioner Lejonvarn asked if requirements for raising pigeons were within the chicken ordinance. Commissioner Dixson asked if the pigeon ordinance contained the same regulations as the chicken ordinance. Chair Pogalz stated the new pigeon ordinance addresses loft construction standards, population limits, noise, sanitation, confinement and screening.

**Chair Pogalz opened the public hearing at 6:10 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 6:11 p.m.**

**Motion by Pogalz, seconded by Fisher, to recommend approval of the amendments to Article 9 as presented. All present in favor, motion carried. This application will be placed on the City Council's Tuesday, September 5, 2023 agenda.**

Commissioner Entsminger removed himself from the table due to being the applicant for the next two agenda items and his ownership interest in the developments of Entsminger Farms and Coon Creek Commercial Park.

**PUBLIC HEARING:**

Jeff Entsminger requesting rezoning of portions of land of Entsminger Farms from R-A (Rural Single Family Residential) to CD-2 (Commercial Development II) and a portion of land of the Coon Creek Commercial Park from CD-2 (Commercial Development II) to R-A (Rural Single Family Residential) in Section 29

Mr. Entsminger stated he would like to change the zoning assigned to Lot 1, Block 1 of Entsminger Farms, the lot north of Coon Creek Ditch #59, to CD-2. Mr. Entsminger stated NACS is interested in purchasing Lot 4, Block 1 of Coon Creek Commercial Park plus the eastern portion of Lot 1, Block 1 of Entsminger Farms so a lot line adjustment of the western property line of Lot 4, Block 1, Coon Creek Commercial Park is also being requested. Mr. Entsminger stated he would like to move the lot line to the west to the point of where the roadway easement begins. Mr. Entsminger stated he is requesting a second lot line adjustment to move the lot lines around a small portion of Lot 4, Block 1 of Coon Creek Commercial Park, that lies south of Coon Creek Ditch #59, to the north so that portion of land will become part of Lot 2, Block 1, Entsminger Farms (1163 143<sup>rd</sup> Avenue NE). Commissioner Fisher asked Mr. Entsminger if the drainage and utilities easements being requested are acceptable to him. Mr. Entsminger stated they are. Engineer Krugler stated a revised survey document was provided today, August 28, 2023, by Mr. Entsminger's contract surveyors that provided an updated description of the drainage and utility easements adjacent to the future roadway and showed the portion of the driveway for the 1163 143<sup>rd</sup> Avenue NE parcel, that had been in the eastern drainage and utility easement, had been moved to the west. Engineer Krugler stated since the western lot line of Lot 4, Block 1, of Coon Creek Commercial Park will be moving to the west to the point of the easement for the future roadway, dedicating drainage and utility easements around the perimeter of the proposed smaller lot to the west and the proposed larger lot to the east of the future roadway easement were in order. Engineer Krugler stated the septic area for Lot 1, Block 1, Entsminger Farms was on the eastern side of the parcel. Engineer Krugler stated soil borings were done for the remnant of Lot 1, Block 1, Entsminger Farms, proposed Parcel A, to determine buildability of the lot; it has been determined a Type III septic system can be designed for the area shown on the survey. Engineer Krugler stated a Type III system requires compliance with Article 11-450.5.E of the City Code upon installation, including a Management Plan and surety. Engineer Krugler stated Building Official Jones approves of a Type III system for proposed Parcel A. Chair Pogalz stated a memo from Building Official Jones is in the packet: Building Official Jones recommends approval of Mr. Entsminger's request for rezoning and the lot line adjustments subject to meeting the requirements of the City Engineer. Commissioner Fisher completed the inspection; a copy which is on file. Commissioner Fisher stated he inspected the site, which is currently undeveloped land, and stated he hoped it could be put to good use.

**Chair Pogalz opened the public hearing at 6:18 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 6:19 p.m.**

**Motion by Fisher, seconded by Lejonvarn, to recommend approval of Jeff Entsminger's request to rezone portions of land of Entsminger Farms from R-A (Rural Single Family Residential) to CD-2 (Commercial Development II) and a portion of land of the Coon Creek Commercial Park from CD-2 (Commercial Development II) to R-A (Rural Single Family Residential) in Section 29 subject to meeting the conditions of the City Engineer and meeting all City, County and State requirements. Commissioners Pogalz, Lejonvarn, Fisher and Dixson voted yes, Commissioner Entsminger abstained. Motion carried. *This application will be placed on the City Council's Tuesday, September 5, 2023 agenda.***

#### **NEW BUSINESS:**

Jeff Entsminger requesting Lot Line Adjustments/Courtesy Combinations in Section 29  
Chair Pogalz asked if this request is to move the lot lines of the small portion of Lot 4, Block 1 of Coon Creek Commercial Park, that lies south of Coon Creek Ditch #59, identified on the plan. Building and Zoning Clerk Bohr stated it is but the request also includes moving the western lot line of Lot 4, Block 1, of Coon Creek Commercial Park to the west. Building and Zoning Clerk Bohr stated comments have been made about splitting the lots but no new lots are being created, the request is only for the movement of some lot lines. **Motion by Fisher, seconded by Dixson, to recommend approval of Jeff Entsminger's request for a lot line adjustment of the western property line of Lot 4, Block 1, Coon Creek Commercial Park, north of Coon Creek Ditch #59, west to the future roadway easement dedicated on Lot 1, Block 1, Entsminger Farms, so to combine the property lying there within, and the lot line adjustment of a portion of Lot 4, Block 1, Coon Creek Commercial Park, south of Coon Creek Ditch #59, to the north so to combine that land with Lot 2, Block 1, of Entsminger Farms in Section 29 subject to the meeting the septic requirements for proposed Parcel A, dedicating drainage and utility easements as required by the City Engineer, meeting all requirements of the City Engineer and Building Official and meeting all City, County and State requirements. Commissioners Pogalz, Lejonvarn, Fisher and Dixson voted yes, Commissioner Entsminger abstained. Motion carried. *This application will be placed on the City Council's Tuesday, September 5, 2023 agenda.***

#### **COMMISSION BUSINESS:**

##### City Council Update

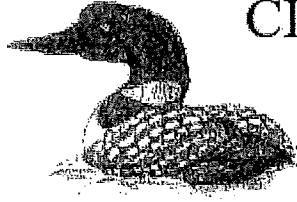
Chair Pogalz stated the City Council concurred with the Planning Commission's conditions and recommendation to approve Touchdown Tile's commercial building plans at the August 21, 2023 City Council meeting. A Planning Commissioner will not be present at the September 5, 2023 City Council meeting.

#### **ADJOURNMENT:**

**Motion by Fisher, seconded by Dixson, to adjourn the Planning Commission meeting at 6:23 p.m. All present in favor, motion carried.**

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Jennifer Bohr, Building and Zoning Clerk



# CITY OF HAM LAKE

15544 Central Avenue NE  
Ham Lake, Minnesota 55304  
(763) 434-9555  
Fax (763) 434-9599

## CITY OF HAM LAKE PLANNING COMMISSION AGENDA MONDAY, AUGUST 28, 2023

**CALL TO ORDER:** 6:00 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:** August 14, 2023

**PUBLIC HEARINGS:**

**6:01 p.m.** Consideration of amendments to Article 9 of the Ham Lake City Code.

**6:01 p.m.** Jeff Entsminger requesting rezoning of portions of land of the Entsminger Farms from R-A (Rural Single Family Residential) to CD-2 (Commercial Development II) and a portion of land of the Coon Creek Commercial Park from CD-2 (Commercial Development II) to R-A (Rural Single Family Residential) in Section 29.

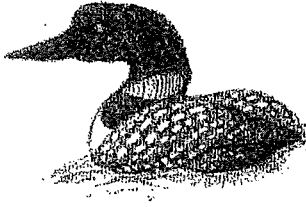
**NEW BUSINESS:**

1. Jeff Entsminger requesting Lot Line Adjustments/Courtesy Combinations in Section 29.

**COMMISSION BUSINESS:**

1. City Council Update

# CITY OF HAM LAKE



15544 Central Avenue NE  
Ham Lake, Minnesota 55304  
(763) 434-9555  
Fax (763) 434-9599

## NOTICE OF PUBLIC HEARING CITY OF HAM LAKE COUNTY OF ANOKA STATE OF MINNESOTA

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Monday, August 28, 2023, at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the following amendments to Article 9 of the Ham Lake City Code:

### **AMENDING**

1. Article 9-210.4 to read: Affordable Housing District (R-AH) R-AH Districts are areas intended for the creation of multiple-family apartment buildings targeted for occupancy by persons aged 55 or older or having low or moderate income, as those terms are from time to time defined by the City Council in concert with the commonly established guidelines of various governmental social service agencies. Further, R-AH Districts may conditionally include assisted living facilities as defined in MN Statute 144G.08, Subd. 7 and nursing homes as defined in MN Statute 144A.01 Subd. 5.
2. Article 9-210.4(b) by adding Assisted Living Facilities and Nursing Homes as Conditional Uses in R-AH (Affordable Housing District) Zoning
3. Article 9-210.1(c) by removing Raising of Pigeons from Temporary Conditional Uses under Article 9-330.9

### **REPEALING**

1. Article 9-330.8, Raising of Pigeons, in its entirety

At such hearing both written and oral comments will be heard.

DATED: August 18, 2023

Jennifer Bohr  
Building and Zoning Clerk  
City of Ham Lake

**ORDINANCE NO. 23-XX**

An Ordinance Amending ARTICLE 9, COMPREHENSIVE ZONING, to amend the Ham Lake City Code to add Assisted Living Facilities and Nursing Homes as Conditional Uses in the (R-AH), Affordable Housing District, zoning district and removing Raising of Pigeons in its entirety.

Be it Ordained by the City Council of the City of Ham Lake, Anoka County, Minnesota as follows:

ARTICLE 9, COMPREHENSIVE ZONING of the Ham Lake City Code is hereby amended as indicated in the following section:

**9-210.1 Single Family Residential (R-1)**

...

**c) *Temporary Conditional Uses***

- Therapeutic Massage Facilities
- ~~Raising of Pigeons under Article 9-330.9~~

...

**9-210.4 Affordable Housing District (R-AH)** R-AH Districts are areas intended for the creation of multiple-family apartment buildings targeted for occupancy by persons aged 55 or older or having low or moderate income, as those terms are from time to time defined by the City Council in concert with the commonly established guidelines of various governmental social service agencies. Further, R-AH Districts may conditionally include assisted living facilities as defined in MN Statute 144G.08, Subd. 7 and nursing homes as defined in MN Statute 144A.01 Subd. 5.

**a) *Permitted Uses***

- Multiple family apartment buildings or cottages and ancillary facilities
- Recreational facilities for the exclusive use of tenants
- Underground Utilities
- Storage Buildings or Garages for the exclusive use of tenants
- A single business office for building or complex management, of not more than 1500 square feet

**b) *Conditional Uses and Temporary Conditional Uses***

- Assisted Living Facilities
- Nursing Homes

...

**9-330.8 Raising of Pigeons**

**A. Definitions**

1) ***Pigeon*** means a member of the family *Columbidae*, and consists of birds known as "Racing Pigeons", "Fancy Pigeons" and "Sporting Pigeons" as those terms are commonly known and used in the pigeon raising community.

2) ***Recognized Pigeon Association*** means the International Federation of Raging Pigeon Fanciers, the American Racing Pigeon Union, Inc., the National Pigeon Club, the American Pigeon Club, the Rare Breeds Pigeon Club, the American Tippler Society, and the International Roller Association.

3) ***Loft*** means a structure especially built for the housing of pigeons.

## **B. Conditions**

The following conditions shall be observed by every person granted a conditional use permit to keep, breed and raise pigeons:

1) **Location.** All pigeons shall be kept in a Loft containing at least 50 square feet of floor area. If the Loft contains more than 120 feet of floor area, the structure shall be deemed an *Accessory Building* and subject to the provision of Article 9-370. A Loft shall not be considered a *Farm Building*.

2) **Construction Standards.** The Loft shall be constructed as a wood frame building, of sufficient height and other security measures to discourage invasion by predatory animals. The property owner shall not be required to obtain a building permit for the Loft, but plans for the Loft shall be submitted at the time of application for Conditional Use Permit. The Loft shall provide adequate shelter from the elements, and meet any standards recommended by a Recognized Pigeon Association.

3) **Population Limitations.** No more than 32 pigeons may be kept on any parcel of land. Pigeons that are 28 days old or younger shall not be counted against this limit.

4) **Noise.** The permit holder shall take adequate steps to insure that noise from the pigeons are not audible to nearby properties.

5) **Personal Hobby Use Only.** Pigeons kept in any district but the R-A districts shall be for the personal hobby use of the permit holder, and the activity shall not be operated as any kind of a mercantile venture in areas zoned other than R-A.

6) **Sanitation.** All animal waste shall be removed and properly disposed of in a manner that promotes general health and safety, and all feed shall be stored inside the Loft, safe from invasion by vermin or disease-promoting forces. All feeding activities shall be carried on within the Loft.

7) **Confinement.** Except when involved in exercise, competition or training activities under the supervision of the permit holder, pigeons shall be confined to the Loft, and shall not be permitted to perch or linger on the property of others. Pigeons that have been fed within the previous four hours shall not be released from the Loft.

8) **Banding and Registration.** All pigeons that are six months old or older shall be banded and registered with at Recognized Pigeon



Association.

~~9) **Screening.** All lofts shall be placed in locations where they are screened by buildings, fences or coniferous vegetation from view from adjoining properties.~~

~~**C. Annual Inspection.** All facilities shall be subject to an annual inspection by the City. The City may, at the discretion of its staff, delegate the inspection to a Recognized Pigeon Association. The permit holder shall comply with all requirements imposed by any inspection. All costs of inspection shall be the responsibility of the permit holder.~~

~~**D. General Nuisance.** The permit holder shall conduct all activities in connection with the keeping and raising of pigeons in a manner that avoids the creation of public or private nuisances, and to this end, and without limitation, the activities shall be conducted so as to eliminate from outside the Loft all odor, noise, vibrations, attraction of rodents, vermin or predatory animals, attractive nuisance, eyesores or other aesthetic detractions from neighborhood appearance, traffic or accumulation of debris or waste.~~

**Presented to the Ham Lake City Council on September 5, 2023 and adopted by a unanimous vote this \_\_\_\_ day of \_\_\_\_\_, 2023.**

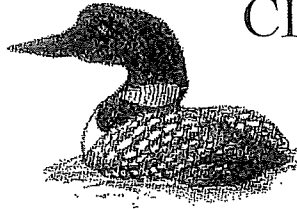
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**Brian Kirkham, Mayor**

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**Denise Webster, City Clerk**





# CITY OF HAM LAKE

15544 Central Avenue NE  
Ham Lake, Minnesota 55304  
(763) 434-9555  
Fax (763) 434-9599

NOTICE OF PUBLIC HEARING  
CITY OF HAM LAKE  
COUNTY OF ANOKA  
STATE OF MINNESOTA

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Monday, August 28, 2023 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Jeff Entsminger requesting rezoning of portions of land of the Entsminger Farms development from R-A (Rural Single Family Residential) to CD-2 (Commercial Development II) and a portion of land of the Coon Creek Commercial Park from CD-2 (Commercial Development II) to R-A (Rural Single Family Residential) in Section 29 parcels of certain land situated in the City of Ham Lake, Anoka County, Minnesota and which are described as follows to wit:

PARCEL A:

That part of Lot 1, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota, lying westerly of the following described line:

Commencing at the southeast corner of Lot 2, Block 1, said ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 583.80 feet; thence North 65 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 353.86 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 35 minutes 21 seconds West, tangent to the last described curve, a distance of 460.05 feet to the South line of said Lot 1 and the point of beginning of the line to be described; thence continuing North 00 degrees 35 minutes 21 seconds West, a distance of 136.84 feet; thence northwesterly a distance of 149.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 23 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 113.42 feet; thence northerly a distance of 527.99 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.44 feet to the North line of said Lot 1 and said line there terminating.

PARCEL B:

That part of Lot 1, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota, lying easterly of the following described line and its southerly extension:

Commencing at the southeast corner of Lot 2, Block 1, said ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 583.80 feet; thence North 65 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 353.86 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 35 minutes 21 seconds West, tangent to the last described curve, a distance of 460.05 feet to the South line of said Lot 1 and the point of beginning of the line to be described; thence continuing North 00 degrees 35 minutes 21 seconds West, a distance of 136.84 feet; thence northwesterly a distance of 149.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 23 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 113.42 feet; thence northerly a distance of 527.99 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.44 feet to the North line of said Lot 1 and said line there terminating.

PARCEL C:

That part of Lot 4, Block 1, COON CREEK COMMERCIAL PARK, Anoka County, Minnesota, lying southerly of the following described line:

Commencing at the southwest corner of said Lot 4, Block 1; thence on an assumed bearing of North 00 degrees 11 minutes 55 seconds West along the West line of said Lot 4, Block 1, a distance of 105.33 to the point of beginning of the line to be described; thence North 79 degrees 55 minutes 14 seconds East, a distance of 167.48 feet to a point on the East line of said Lot 4, Block 1, and said line there terminating.

At such hearing both written and oral comments will be heard.

DATED: August 18, 2023  
Jennifer Bohr  
Building and Zoning Clerk  
City of Ham Lake

**ORDINANCE NO. 23-XX**

**AN ORDINANCE AMENDING A PORTION OF CHAPTER 9 OF THE CITY OF HAM LAKE, COUNTY OF ANOKA, STATE OF MINNESOTA.**

**The City Council of the City of Ham Lake does hereby ordain as follows, pursuant to Article 9 of the Ham Lake City Code.**

That the zoning classification for the following described property situated in the City of Ham Lake, Anoka County, Minnesota is hereby designated in Entsminger Farms development from R-A (Rural Single Family Residential) to CD-2 (Commercial Development II) and a portion of land of the Coon Creek Commercial Park from CD-2 (Commercial Development II) to R-A (Rural Single Family Residential) in Section 29.

**PARCEL A:**

That part of Lot 1, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota, lying westerly of the following described line:

Commencing at the southeast corner of Lot 2, Block 1, said ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 583.80 feet; thence North 65 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 353.86 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 35 minutes 21 seconds West, tangent to the last described curve, a distance of 460.05 feet to the South line of said Lot 1 and the point of beginning of the line to be described; thence continuing North 00 degrees 35 minutes 21 seconds West, a distance of 136.84 feet; thence northwesterly a distance of 149.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 23 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 113.42 feet; thence northerly a distance of 527.99 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.44 feet to the North line of said Lot 1 and said line there terminating.

**PARCEL B:**

That part of Lot 1, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota, lying easterly of the following described line and its southerly extension:

Commencing at the southeast corner of Lot 2, Block 1, said ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 583.80 feet; thence North 65 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 353.86 feet along a tangential curve concave to the

northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 35 minutes 21 seconds West, tangent to the last described curve, a distance of 460.05 feet to the South line of said Lot 1 and the point of beginning of the line to be described; thence continuing North 00 degrees 35 minutes 21 seconds West, a distance of 136.84 feet; thence northwesterly a distance of 149.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 23 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 113.42 feet; thence northerly a distance of 527.99 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.44 feet to the North line of said Lot 1 and said line there terminating.

**PARCEL C:**

That part of Lot 4, Block 1, COON CREEK COMMERCIAL PARK, Anoka County, Minnesota, lying southerly of the following described line:

Commencing at the southwest corner of said Lot 4, Block 1; thence on an assumed bearing of North 00 degrees 11 minutes 55 seconds West along the West line of said Lot 4, Block 1, a distance of 105.33 to the point of beginning of the line to be described; thence North 79 degrees 55 minutes 14 seconds East, a distance of 167.48 feet to a point on the East line of said Lot 4, Block 1, and said line there terminating.

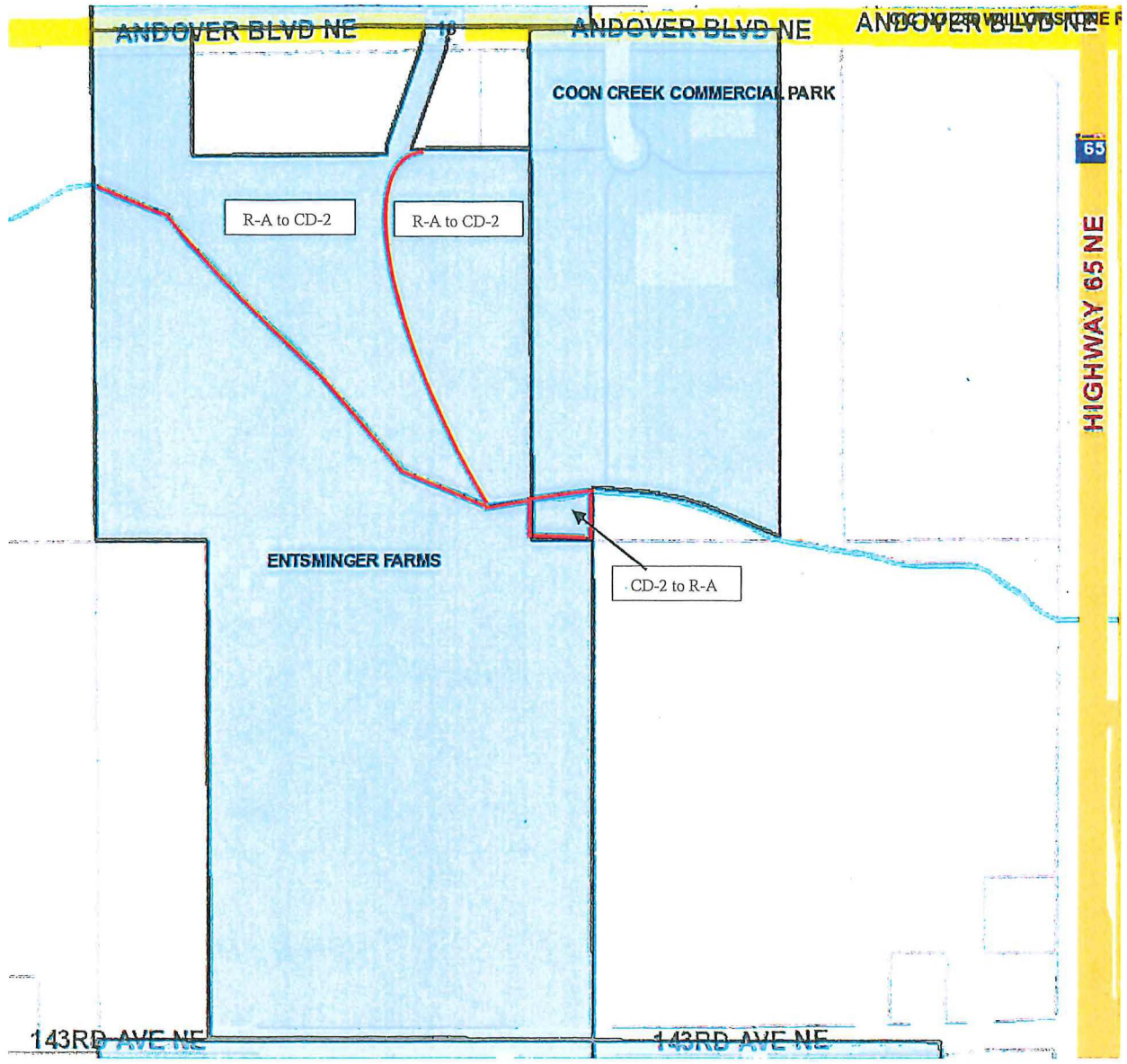
**Presented to the Ham Lake City Council on September 5, 2023 and adopted by a unanimous vote this \_\_\_\_ day of \_\_\_\_\_, 2023.**

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**Brian Kirkham, Mayor**

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**Denise Webster, City Clerk**



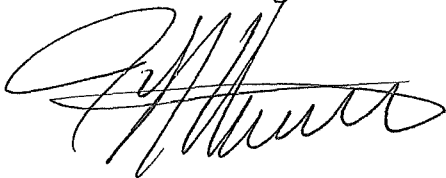
All,

What I am asking for is to change zoning on 29-32-23-23-0011 (16.64 acres) from RA to CD-2.

Also, I would like to combine the south piece of 14646 Buchanan St NE lying south of Coon Creek with 1163 143<sup>rd</sup> Ave NE and combine 14646 Buchanan St NE with Parcel B of 29-32-23-23-0011 (16.64 acres).

Thanks,

Jeff Entsminger

A handwritten signature in black ink, appearing to read "Jeff Entsminger", written in a cursive style.



August 28, 2023

**CITY OF HAM LAKE**

**STAFF REPORT**

**To: Members of the Planning Commission**

**From: Mark Jones, Building Official**

**Subject: Entsminger Farms/Coon Creek Commercial Park Lot Line Adjustment and Rezoning**

**Introduction/Discussion:**

In 2021 the minor plat of Entsminger Farms was approved with stipulations which included correcting the 1163 143<sup>rd</sup> Avenue NE driveway encroachment in the drainage and utility easement and bringing the existing septic system on Lot 2 into compliance. Those issues were recently addressed. Mr. Entsminger would now like to rezone Lot 1, Block 1 of Entsminger Farms from R-A, Rural Residential Single Family to CD-2, Commercial Development II and increase the size of Lot 4, Block 1 Coon Creek Commercial Park by moving the western property line further west. Moving the lot line reduces the size of Lot 1, Block 1 of Entsminger Farms to 9.73-acres (Originally it was 16.64 acres.). Soil borings were done on the proposed 9.73-acre lot to identify a viable septic area to ensure the lot was buildable. Mr. Entsminger has also requested that a small part of Lot 4, Block 1 Coon Creek Commercial Park, which is south of Coon Creek, be rezoned to R-A and combined with Lot 2, Block 1 of Entsminger Farms. Mr. Entsminger has addressed all requirements for his request.


**Recommendation:**

I recommend approval of Jeff Entsminger's request for rezoning and the lot line adjustment subject to meeting the requirements of the City Engineer.

## Memorandum

Date: August 24, 2023

To: Planning Commission

From: David A. Krugler, City Engineer 

Subject: Proposed lot line adjustments – Lot 4 Block 1 of Coon Creek Commercial Park and Lots 1 and 2 Block 1 of Entsminger Farms

---

### **Introduction:**

Lot line adjustments are being proposed for both Entsminger Farms lots and Lot 4 Block 1 of Coon Creek Commercial Park. A 400-scale aerial photo, a 500-scale zoning map and a 400-scale half section map are attached.

### **Discussion:**

The Lot Line Adjustment Exhibit received August 24<sup>th</sup> address prior review comments.

The proposed lot line adjustments combine the southerly portion of Lot 4 Block 1 of Coon Creek Commercial Park, which is that portion south of County Ditch #59, with Lot 2 Block 1 of Entsminger Farms. This combination is identified as Parcel C. The proposed lot line adjustments also combine the easterly portion of Lot 1 Block 1 of Entsminger Farms with Lot 4 Block 1 of Coon Creek Commercial Park. This is identified as Parcel B. The remaining portion of Lot 1 Block 1 of Entsminger Farms, which is that portion west of the centerline of the Pierce Street roadway easement, is identified as Parcel A.

The attached Certified Soil Borings show that there is adequate room for a primary and secondary septic system on the remaining portion of Lot 1 Block 1 of Entsminger Farms. The soil borings provided do not meet separation requirements for a Type I system. Per the attached Article 10-302A:

*The ISTS Area need not be contiguous to the Eligible Building Area or the Yard Area, but the entire ISTS Area must exist at an elevation at least one foot above Unsuitable Soils, and must contain Undisturbed Soils or soils which meet the requirements of Rule 7080 of the Minnesota Pollution Control Agency for ISTS construction standards.*

Per the attached Article 11-450.6 (C):

*CD-1, CD-2, CD-3, CD-4 and I-P (Industrial Park Land) SSTS's in the foregoing zoning districts may be Non-Standard Systems, provided that they meet the design criteria outlined in Minnesota Rules 7080, 7082 and 7083.*

The Building Official has determined that a Type 3 system can be designed for the area identified on the Exhibit that will meet the design criteria outlined in Minnesota Rules 7080, 7082 and 7083. Because the septic system will not be type I, compliance with 11-450.5.E (attached) of City Code is required upon installation, including a Management Plan and surety.

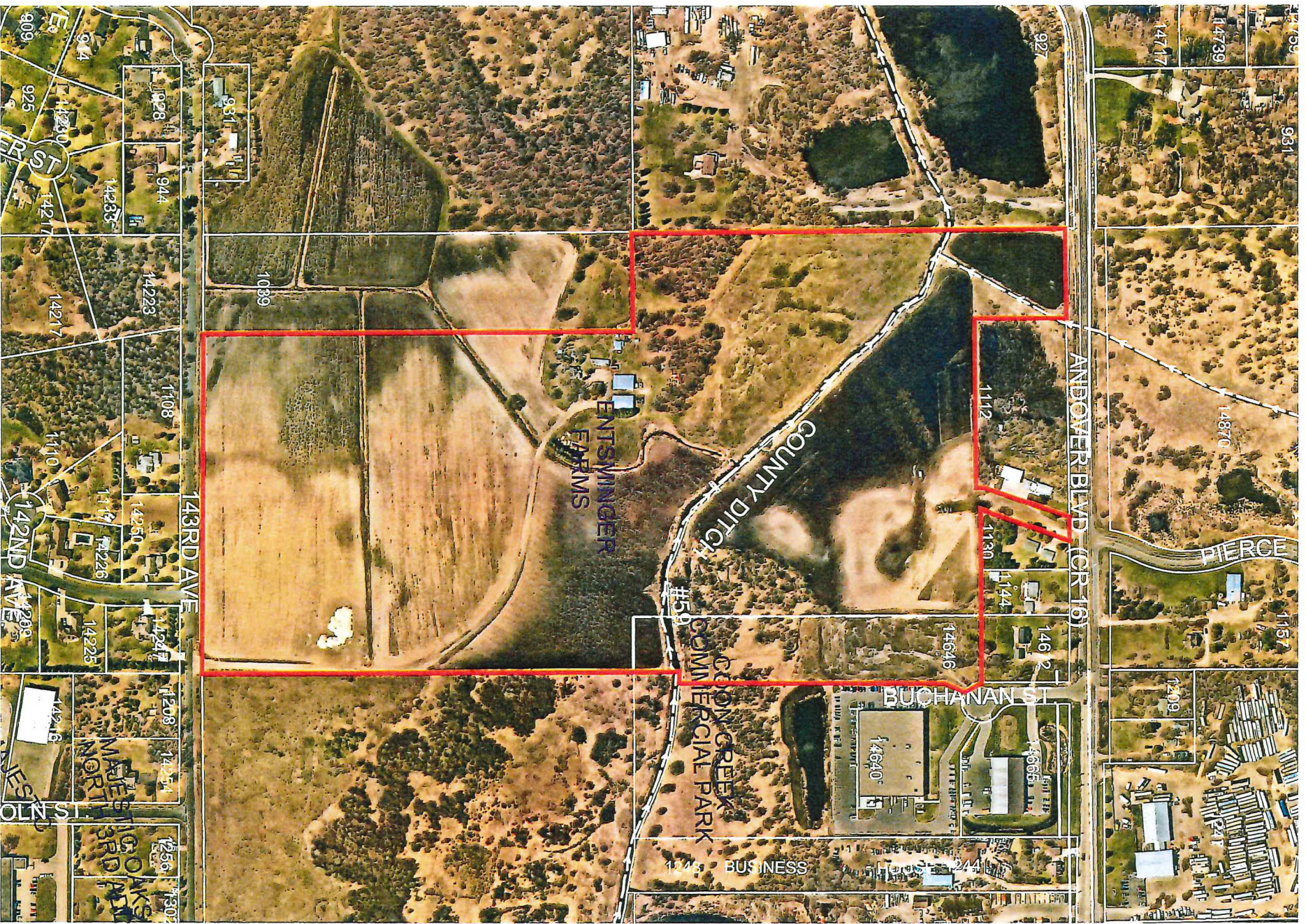
The southerly portion of Lot 4 Block 1 of Coon Creek Commercial Park which is proposed to be combined with Lot 2 Block 1 of Entsminger Farms is proposed to be rezoned from CD-2 (Commercial Development Tier 2) to R-A (Rural Residential). Parcel A and the portion of Lot 1 Block 1 of Entsminger Farms proposed to be combined with Lot 4 Block 1 of Coon Creek Commercial Park is proposed to be zoned CD-2.

Drainage and utility easement that were dedicated on the west side of Lot 4 Block 1 of Coon Creek Commercial Park and on the east side of Lot 1 Block 1 of Entsminger Farms will need to be vacated before consideration of the issuance of a building permit for Parcel B.

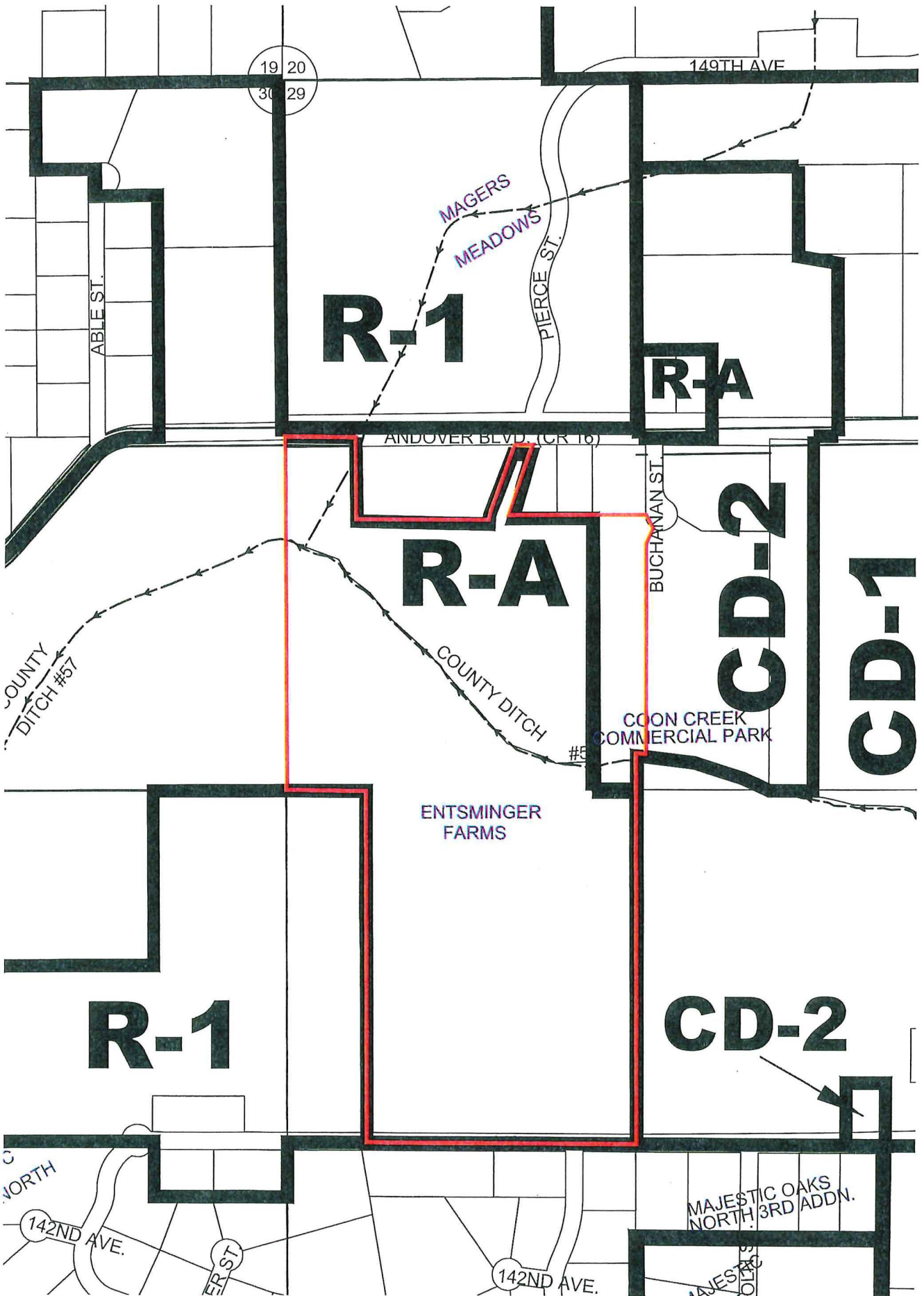
**Recommendation:**

It is recommended that the lot line adjustment be approved, subject to dedicating a 10-foot wide drainage and utility easement on Parcels A and B adjacent to the dedicated Pierce Street roadway easement.









19 20  
30 29

149TH AVE

ABLE ST.

R-1

MAGERS  
MEADOWS

PIERCE ST.

R-A

ANDOVER BLVD. (CR 16)

R-A

BUCHANAN ST.

CD-2

CD-1

COUNTY  
DITCH #57

COUNTY DITCH

COON CREEK  
COMMERCIAL PARK

ENTSMINGER  
FARMS

R-1

CD-2

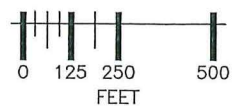
NORTH

142ND AVE.

ER ST.

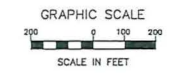
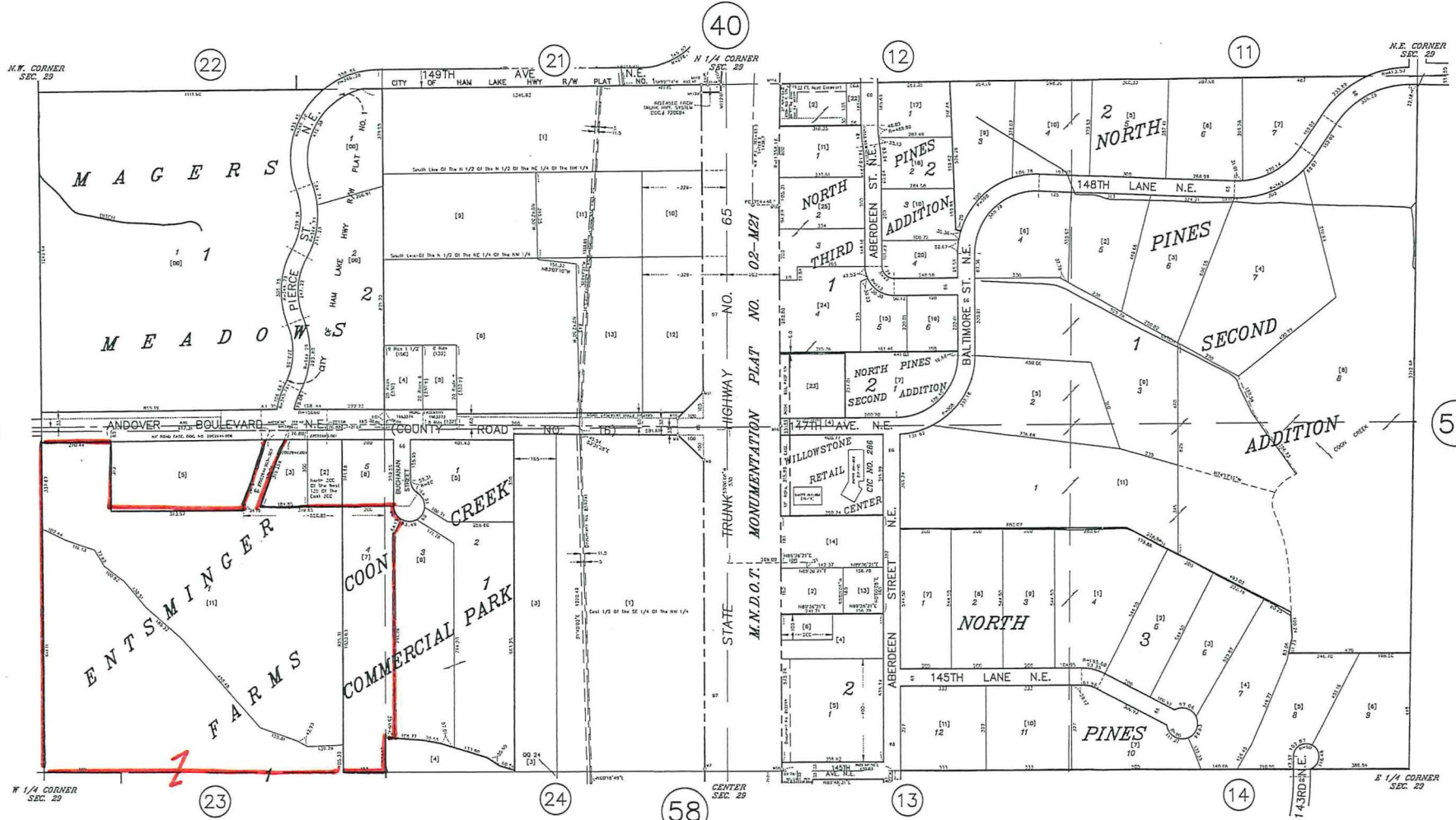
142ND AVE.

MAJESTIC OAKS  
NORTH 3RD ADDN.



# N 1/2 SECTION 29, T. 32, R. 23

CITY OF HAM LAKE



ANOKA COUNTY  
SURVEYOR'S OFFICE  
ROOM 224  
2100 3RD AVENUE  
ANOKA, MN 55303  
(763) 324-3200

QUARTER QUARTER INDEX

22	21	12	11	NORTH HALF OF SECTION
23	24	13	14	
32	31	42	41	SOUTH HALF OF SECTION
33	34	43	44	

PROPERTY IDENTIFICATION NUMBER

Section Number	Township Number	Range Number	Quarter	Specific Parcel
XX	XX	XX	XX	XXXX

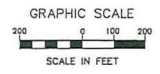
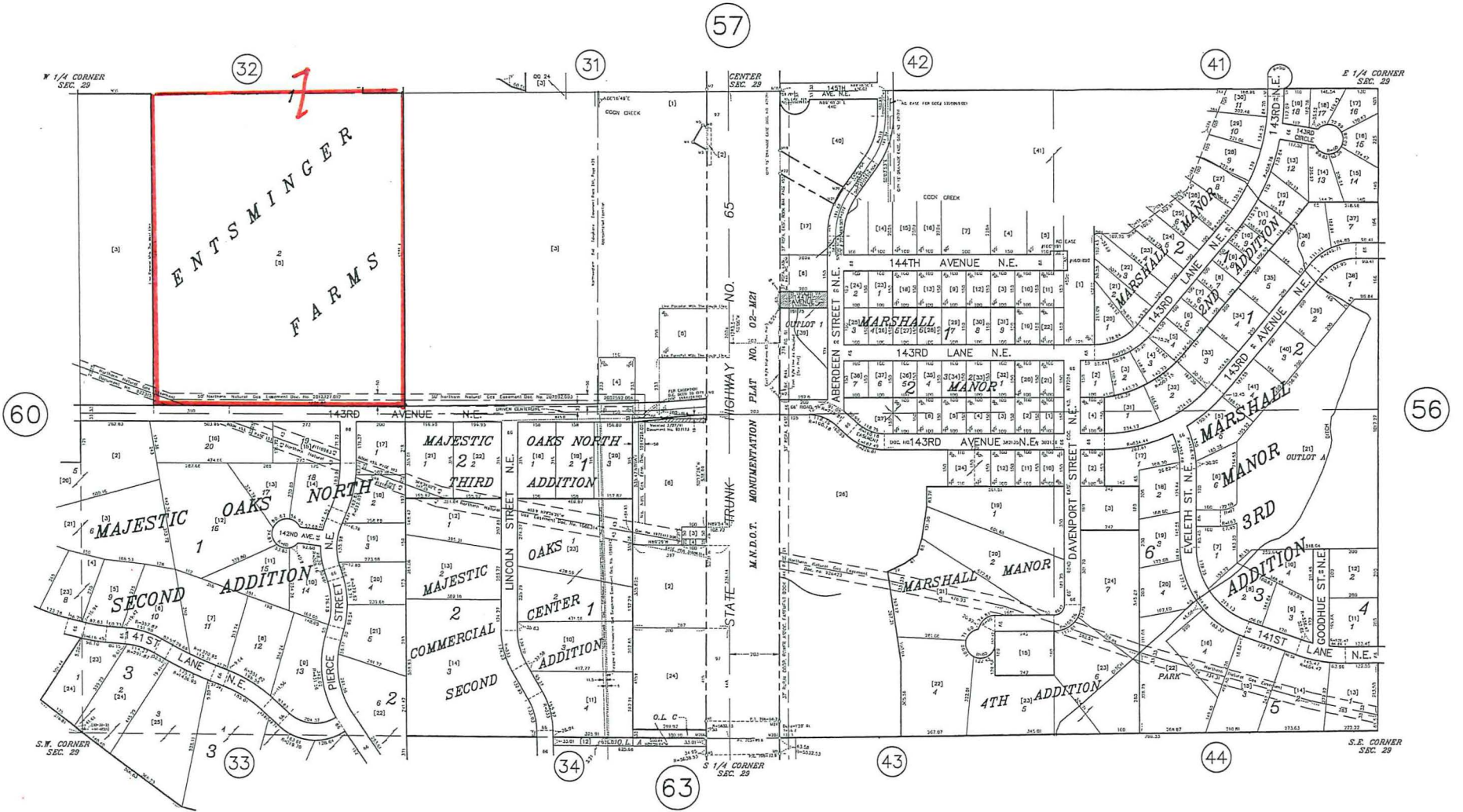
SPECIFIC PARCEL NUMBERS ARE IN BRACKETS: (1)  
EXAMPLE OF PIN NUMBER: 29-32-23-13-0011

THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE ANOKA COUNTY OFFICES AFFECTING THE AREA SHOWN. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.



# S 1/2 SECTION 29, T. 32, R. 23

CITY OF HAM LAKE



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QUARTER QUARTER INDEX

22	21	12	11
23	24	13	14
32	31	42	41
33	34	43	44

NORTH HALF OF SECTION  
SOUTH HALF OF SECTION

PROPERTY IDENTIFICATION NUMBER

Section	Township	Range	Quarter	Specific
Number	Number	Number	Quarter	Parcel
XX	XX	XX	XX	XXXX

SPECIFIC PARCEL NUMBERS ARE IN BRACKETS: [1]  
EXAMPLE OF PIN NUMBER: 29-32-23-43-0022

THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE ANOKA COUNTY OFFICES AFFECTING THE AREA SHOWN. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.

# LOT LINE ADJUSTMENT

~for~ ENTSMINGER ENTERPRISES

## BENCHMARK

POINT NAME: 0356 N  
 GRID STATION: 1563  
 ELEVATION: 699.297 (NAVD8)

## NOTES

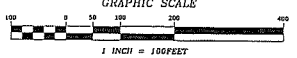
- Field survey was completed by E.C. Rud and Sons, Inc. on 02/28/2023 and 11/24/22.
- Bearings shown are in Anoka County datum.
- Existing contours are shown per a combination of LIDAR mapping as provided by mtrbtr and field survey data.
- Wet lands were partially delineated by Jacobson Environmental on 8-19-22.
- This survey was prepared with the benefit of titlework, Commitment for UIC Insurance prepared by Registered Abstractors, Inc., as issuing agent for First American Title Insurance Company, Issuing Agent File No. 731-08064, dated effective July 16, 2021 at 8:00 A.M.
- Existing Parcel ID's:
  - 29-32-23-23-0007
  - 29-32-23-23-0011
  - 29-32-23-23-0005
- Proposed Zoning:
  - Parcel A: Proposed CD-2
  - Parcel B: Proposed CD-2
  - Parcel C: Proposed R-A

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JACOB E. RUD

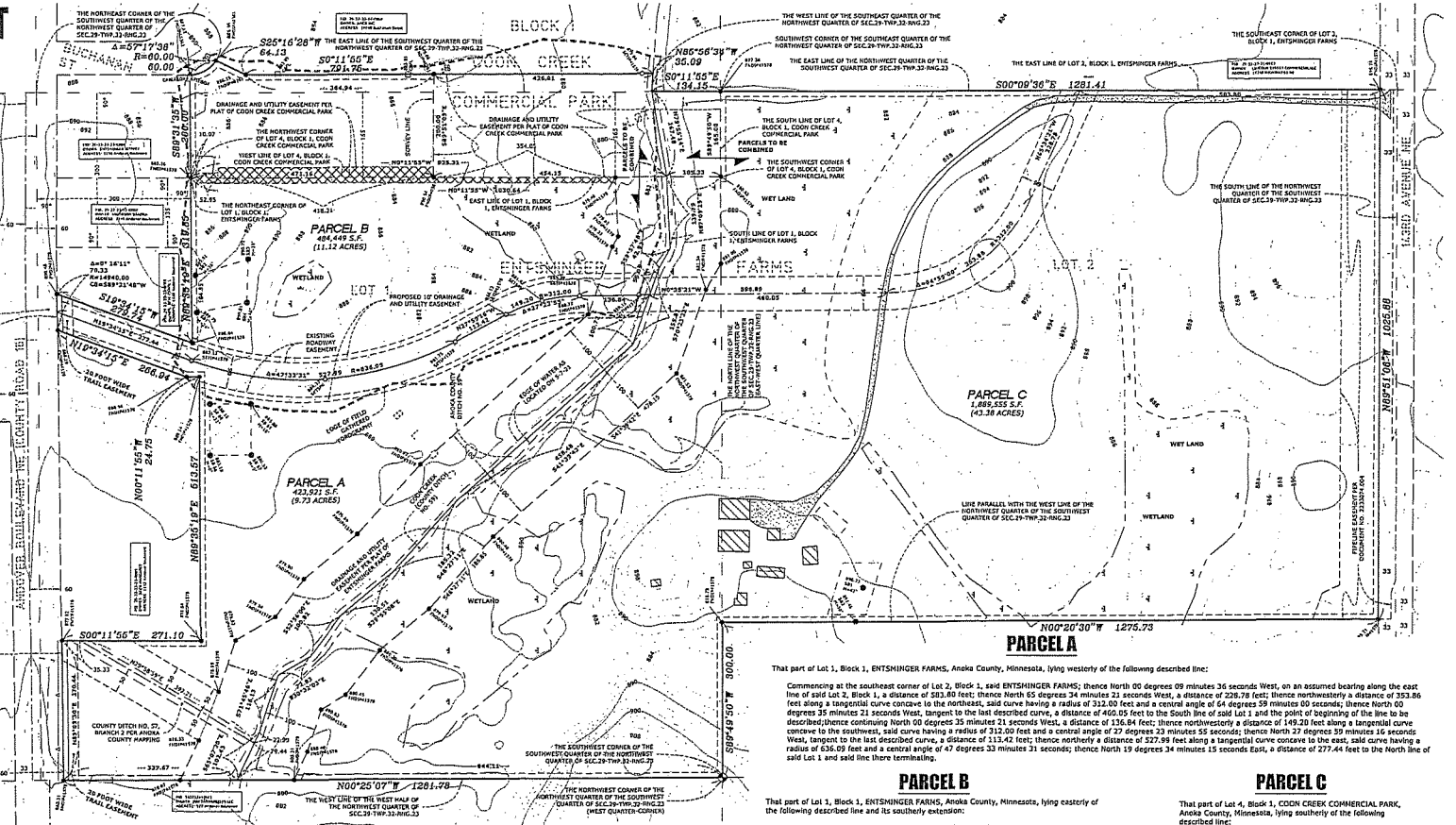
Date: 02/28/2023 License No. 41578

## NORTH GRAPHIC SCALE



NO.	DATE	DESCRIPTION	BY
1	02-23-23	CITY COPIES	CRB
2	02-23-23	CITY COPIES	CRB
3	02-23-23	AND SAIL SERVICES	CRB
4	02-23-23	WETLAND Delineation	CRB
5	02-23-23	PROPOSED EASEMENT DESC.	CRB
6	02-23-23	PROPOSED EASEMENT DESC.	CRB

**E.C. RUD & SONS, INC.**  
 Professional Land Surveyors  
 6776 Lake Drive NE, Suite 110  
 Lino Lakes, MN 55014  
 Tel. (651) 961-8200 Fax (651) 361-8701



## PROPOSED DRAINAGE AND UTILITY EASEMENT

A 10.00 foot wide easement for drainage and utility purposes over, under and across Lot 1, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota. Said 10.00 foot wide easement being adjacent to and contiguous with both sides of a 66 foot wide strip of land. The centerline of said strip of land is described as follows:

Commencing at the southeast corner of Lot 2, Block 1, ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 300.00 feet; thence North 05 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 352.86 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 25 minutes 21 seconds West, tangent to the last described curve, a distance of 466.05 feet to the southerly line of said Lot 1, also being the point of beginning of the centerline to be described; thence continuing North 00 degrees 35 minutes 21 seconds West, a distance of 136.84 feet; thence northwesterly a distance of 343.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 39 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 312.42 feet; thence northerly a distance of 527.59 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, tangent to the last described curve, a distance of 277.44 feet to the North line of said Lot 1 and said centerline there terminating.

The side lines of said easement are prolonged or shortened to terminate said southerly and North lines of Lot 1.

## EXISTING LEGAL DESCRIPTION

- Lots 1 and 2, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota.
- AND
- Lot 4, Block 1, COON CREEK COMMERCIAL PARK, Anoka County, Minnesota.

## LEGEND

- DENOTES IRON MONUMENT FOUND AS Labeled
- DENOTES IRON MONUMENT SET, MARKED AL# 41578
- DENOTES SOLID BORING. (BY MARK TRADEWELL)
- DENOTES EXISTING CONTOURS
- DENOTES ADJACENT PARCELS, OWNER INFORMATION (PER ANOKA COUNTY TAX INFORMATION)
- DENOTES BITUMINOUS SURFACE
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES EASEMENT TO BE VACATED
- DENOTES RIGHT OF ACCESS DEDICATED TO ANOKA COUNTY PER PLAT OF ENTSMINGER FARMS

That part of Lot 1, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota, lying westerly of the following described line:

Commencing at the southeast corner of Lot 2, Block 1, said ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 300.00 feet; thence North 05 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 352.86 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 25 minutes 21 seconds West, tangent to the last described curve, a distance of 466.05 feet to the South line of said Lot 1; and the point of beginning of the line to be described; thence continuing North 00 degrees 35 minutes 21 seconds West, a distance of 136.84 feet; thence northwesterly a distance of 343.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 39 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 312.42 feet; thence northerly a distance of 527.59 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.44 feet to the North line of said Lot 1 and said line there terminating.

## PARCEL B

That part of Lot 1, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota, lying easterly of the following described line and its southerly extension:

Commencing at the southeast corner of Lot 2, Block 1, said ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 300.00 feet; thence North 05 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 352.86 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 25 minutes 21 seconds West, tangent to the last described curve, a distance of 466.05 feet to the South line of said Lot 1; and the point of beginning of the line to be described; thence continuing North 00 degrees 35 minutes 21 seconds West, a distance of 136.84 feet; thence northwesterly a distance of 343.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 39 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 312.42 feet; thence northerly a distance of 527.59 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.44 feet to the North line of said Lot 1 and said line there terminating.

AND

Lot 4, Block 1, COON CREEK COMMERCIAL PARK, Anoka County, Minnesota, EXCEPT that part lying southerly of the following described line:

Commencing at the southwest corner of said Lot 4, Block 1; thence on an assumed bearing of North 00 degrees 11 minutes 55 seconds West along the West line of said Lot 4, Block 1, a distance of 105.33 to the point of beginning of the line to be described; thence North 79 degrees 28 minutes 14 seconds East, a distance of 167.48 feet to a point on the East line of said Lot 4, Block 1, and said line there terminating.

AND

All of the drainage and utility easements lying over, under, and across the east easterly 10.00 feet of Lot 1, Block 1, as created and delineated in the plat of COON CREEK COMMERCIAL PARK, Anoka County, Minnesota, lying South of the north 30.00 feet of said Lot 4 and lying northerly of the following described line:

Commencing at the Northeast corner of said Lot 4, Block 1; thence South 00 degrees 11 minutes 55 seconds East, assumed bearing, along the West line of said Lot 4, a distance of 471.16 feet to the point of beginning of the line to be described; thence South 09 degrees 09 seconds East, a distance of 20.00 feet to the East line of the West 20.00 feet of said Lot 4 and said line there terminating.

## DESCRIPTION OF EASEMENT TO BE VACATED

All of the drainage and utility easements lying over, under, and across that part of the West 20.00 feet of Lot 4, Block 1, as created and delineated in the plat of COON CREEK COMMERCIAL PARK, Anoka County, Minnesota, lying South of the north 30.00 feet of said Lot 4 and lying northerly of the following described line:

Commencing at the Northeast corner of said Lot 4, Block 1; thence South 00 degrees 11 minutes 55 seconds East, assumed bearing, along the West line of said Lot 4, a distance of 471.16 feet to the point of beginning of the line to be described; thence South 09 degrees 09 seconds East, a distance of 20.00 feet to the East line of the West 20.00 feet of said Lot 4 and said line there terminating.



**Tradewell Soil Testing**  
**18330 Dahlia Street NW**  
**Cedar, MN 55011**

Date: February 26<sup>th</sup>, 2022

Name: Jeff Entsminger

Address: XXXX Pierce Street NE, Ham Lake, MN

**SOIL BORING TEST REPORT**

<b>Boring #66</b>	<b>Boring #67</b>	<b>Boring #68</b>	<b>Boring #69</b>
0"- 10" Topsoil Loamy Fine Sand 10YR 3/2	0"- 12" Topsoil Fine Sandy Loam 10YR 2/1	0"- 28" Topsoil Organic Loam (Peat) 10YR 2/1 2/0 Black	0"- 10" Topsoil Loamy Fine Sand 10YR 3/2
10"- 24" Fine Sand 10YR 3/4 4/4	12"- 40" Organic Loam (Peat) 10YR 2/1 2/0 Black	28"- 36" Medium Sand (Mottled Gray)	10"- 34" Medium Fine Sand 10YR 4/3 5/3 5/2
24"- 44" Medium Fine Sand (Mottled Gray & Orange)	40"- 48" Medium Fine Sand (Mottled Gray & Orange)		34"- 44" Loamy Sand (Mottled Gray & Orange)
Mottles @ 22" Dry Hole	Mottles @ 0" Dry Hole	Mottles @ 0" Dry Hole	Mottles @ 10" Dry Hole



Mark Tradewell  
MPCA #307

**H. Building Pad** - The specific perimeter within the Eligible Building Area where footings for structural foundations are or will be placed, and the area around said perimeter for a distance of thirty feet.

**10-302 Livability Standards**

All residential lots shall contain at least 29,500 square feet of land which lies above the 100 year flood contour. Of this 29,500 square feet, the following additional requirements must be present.

**A. ISTS Area** Each lot must contain at least 7,500 square feet of contiguous area which is reserved for both the ISTS originally constructed and a future ISTS. The ISTS Area need not be contiguous to the Eligible Building Area or the Yard Area, but the entire ISTS Area must exist at an elevation at least one foot above Unsuitable Soils, and must contain Undisturbed Soils or soils which meet the requirements of Rule 7080 of the Minnesota Pollution Control Agency for ISTS construction standards. The ISTS Area may be irregular in shape, provided they do not encroach into areas reserved by easement or otherwise for roadway, drainage or utility purposes, and provided that all of the area can be reasonably used for ISTS construction without the need for variances.

**B. Eligible Building Area** Each lot shall contain at least 10,000 square feet of contiguous land which lies at an elevation at least four feet above Unsuitable Soils. The Eligible Building Area may not be irregular in shape, and should be generally rectangular or ovoid, with no panhandles, narrow necks or peninsulas. Eligible Building Areas may not encroach into any areas reserved by easement or otherwise for roadway, drainage or utility purposes. Fill may be used to create Eligible Building Area.

**C. Yard Area** Each lot shall contain at least 12,000 contiguous square feet which:

- i) Lies above the 100 year flood contour, and
- ii) Lies at least one foot above soils unsuitable for the intended usage of the Yard area, and
- iii) Is contiguous to the Eligible Building Area for a distance of at least fifty-percent of the lineal perimeter of the Eligible Building Area.

Yard Areas may encroach into the dedicated easement area which lies at a distance of ten feet from the perimeter of the lot, and may encroach into areas reserved by easement or otherwise for other public utility purposes, but may not encroach into any other area reserved by dedication or

**D. Identification of Failed System or Failing System**

If an SSTS is reported by an Inspector to be a Failed or Failing System and the property owner does not agree with the finding, the property owner may request that the City Building Official re-inspect the SSTS to provide a second opinion as to the status of the SSTS. A fee equal to the City's actual labor and mileage costs to perform such second opinion inspections may be established by resolution of the City Council. In such cases, the decision of the City's Building Official shall be deemed final.

**E. Special Provisions for Inspections of Systems Other than Standard**

Notwithstanding the provisions of Article 11-450.4 (A), (B) and (C) above, inspections of SSTS that are other than Standard Systems shall be in accord with a Management Plan to be developed on a case-by-case basis at the time that a permit is issued for such a system. The Management Plan shall be established in writing by the System Designer, and may include, without limitation, the following features:

i) Inspections, as often as semi-annually, to standards described in the Management Plan;

ii) Periodic pumping different than that described in Article 11-450.4(C) above;

iii) Maintenance of a cash deposit or performance security on an ongoing basis to guarantee proper maintenance and inspections of the system;

iv) Monitoring or inspections may be required to be made by independent agents.

**11-450.6 Types of SSTS Permitted, Standards and Requirements**

All SSTS shall be constructed in accord with the standards imposed by Minnesota Rules 7080 and 7081, except that the following table shall be substituted for the table found in 7080.1930, subp. 1:

<b><u>Number of Bedrooms</u></b>	<b><u>Septic Tank Liquid Capacity</u></b>
<b>4 or Less</b>	<b>1,500 Gallons (two compartments)</b>
<b>5 or 6</b>	<b>2,000 Gallons (two compartments)</b>
<b>7 or More</b>	<b>As determined by Building Official</b>

**A. Vacant Residential Land**

For land which is not currently being used for residential purposes, meaning parcels which do not presently have an SSTS, including new residential development, the preferred type of SSTS shall be a Standard System. Notwithstanding the foregoing language, all lots in newly platted residential subdivisions shall be required to install Standard Systems.

**B. Occupied Residential Land**

For lots which currently have an SSTS which is a Failed or Failing System, the system shall, if possible, be replaced by a Standard System.

**C. CD-1, CD-2, CD-3, CD-4 and I-P (Industrial Park Land)**

SSTS's in the foregoing zoning districts may be Non-Standard Systems, provided that they meet the design criteria outlined in Minnesota Rules 7080, 7082 and 7083.

**D. Flood Plain**

SSTS shall be not permitted to be constructed in whole or in part within any Flood Plain area or drainage easement, unless there are no other options available, and then only in accord with specifications established on a case-by-case basis by City officials.

**E. Backup Absorption Area**

All residential lots that were created by subdivision after January 23, 1996 shall have adequate space for a primary and successor SSTS in accord with Article 10 and 11 of this code. This requirement shall also apply to any unplatted tracts of land for which a residential building permit is requested, and to any platted residential lots created by subdivision on or prior to January 23, 1996 if the lot area and soil composition afford sufficient space for a primary and successor SSTS.

**F. Technical Standards**

The technical standards found in Minnesota Rules 7080 and 7081 are hereby adopted by reference.

**G. Variances**

Variances to normal setback requirements may be granted in accord with variance standards found in Articles 9 and 10 of this code, and where not prohibited by state or federal law or county codes.

**H. Holding Tanks**

Holding Tanks may be allowed as replacements for an SSTS that poses an imminent threat to public safety. The holding tank must be installed by a Qualified Technician (see Code Article 11-450.9 below) who shall also direct the following of a written monitoring and disposal program. The owner must enter into and furnish a true and correct copy of a monitoring and disposal contract with a licensed maintenance business, which contract must guarantee the removal of the tank contents before overflow or any discharge.

SUNRISE RIVER WATERSHED MANAGEMENT ORGANIZATION  
JOINT POWERS AGREEMENT

THIS SUNRISE RIVER WATERSHED MANAGEMENT ORGANIZATION JOINT POWERS AGREEMENT (“**Agreement**”) is made and entered into by and among the local government units of the City of Columbus, City of East Bethel, City of Ham Lake, and Linwood Township. The purpose of this Joint Powers Agreement is to continue the Water Management Organization previously established by the local government units to assist them with surface water, ground water, water quality, and water usage issues. The named local government units may hereinafter be referred to individually as a “party” or collectively as the “parties.”

**RECITALS**

- A. The parties have elected to exercise their authority under the Metropolitan Surface Water Management Act contained in Minnesota Statutes, sections 103B.201 to 103B.255 (“**Act**”) to establish the Sunrise River Water Management Organization (“**WMO**”), a joint powers watershed management organization, to cooperatively manage and plan for the management of surface water within the watershed.
- B. The parties have authority pursuant to Minnesota Statutes, section 471.59 to enter into a joint powers agreement to jointly exercise any power common to the parties and are expressly authorized by the Act to form the WMO.
- C. The parties have previously acted pursuant to its authority to establish the “Sunrise River Watershed Management Organization Board” (“**Board**”) and said Board is hereby reaffirmed as the entity charged with the authority and responsibility to manage the WMO.
- D. The Board has previously acted to adopt a watershed management plan (“**Watershed Management Plan**”) for the watershed.
- E. The parties desire to enter into this Agreement to reaffirm the WMO and the Board in furtherance of its efforts to continue working cooperatively to prepare and administer a surface water management plan to manage and implement program in accordance with the Act and Minnesota Rules, chapter 8410.

**AGREEMENT**

In consideration of the mutual promises and agreements contained herein, the parties mutually agree as follows:

**SECTION I**

**Establishment and General Purpose**

1.1 **Establishment**: The establishment of the “Sunrise River Water Management Organization” is hereby reaffirmed in accordance with the Act and such other laws and rules as

may apply. The official office of the WMO shall be the East Bethel City Hall, 2241 221st Avenue NE, East Bethel, MN 55011. All notices required under this Agreement shall be delivered or served at said office. The Board may change the location of the office as it determines it needed. Upon any such change the Board shall provide written notice to the parties of the new location.

1.2 Purpose: It is the general purpose of the parties to this Agreement to continue the Board the parties established to jointly and cooperatively develop a Watershed Management Plan for the WMO to carry out the purposes identified in Minnesota Statutes, section 103B.201. The plan and programs shall operate within the boundaries of the Sunrise River Watershed as identified in the official map attached hereto as Appendix 1 (“**Area**”). The boundaries of the Area are subject to change utilizing the procedure set out in Minnesota Statutes, section 103B.225 as may be needed to better reflect the hydrological boundaries of the Area.

## **SECTION II**

### **Sunrise River Watershed Management Organization Board**

2.1 Establishment: The parties hereby reaffirm the establishment and continued operation of the “Sunrise River Watershed Management Organization Board” in accordance with the Act. Each party to this Agreement is a member of the Board, which shall carry out the purposes and have the powers as provided herein.

2.2 Joint Board: The WMO is governed by the Board, which is comprised of up to eight (8) members (individually a “**Board Member**” and collectively the “**Board Members**”) appointed by the parties. The Board has the duties and powers as provided in state law and this Agreement.

2.3 Board Membership: Each party shall appoint two (2) members to represent it on the Board, one of which shall be the mayor or councilmember of the city or an elected or appointed official of the town board. Each party shall notify the Board of each Board Member it appoints by providing it a copy of the appointment resolution or a copy of the meeting minutes at which the appointment occurred. Each Board Member shall have one (1) vote on the Board and must be present to vote. The authority of a Board Member to vote shall be suspended if the appointing party is delinquent in making any payments due to the WMO. The voting authority of the Board Member shall be restored once the party pays all past due amounts.

2.4 Alternate Board Members: Each party may appoint one alternate member (“**Alternate Member**”) to the Board in the same manner required to appoint a Board Member. The Alternate Member is authorized to attend and vote at a Board meeting in the absence or disability of the appointing party’s Board Member. If the absent Board Member is also an officer of the Board, the Alternate Member shall not be entitled to serve as such officer. If necessary, the Board may select a current Board Member to temporarily undertake the duties of the absent officer.

2.5 Term: Board Members serve indefinite terms as determined by the appointing party. A party may remove its Board Member or Alternate Member as provided in Minnesota Statutes, section 103B.227, subdivision 3. The party shall notify the Board of the removal in writing

within ten (10) days of acting to remove the Board Members. The appointing party shall act to fill the vacancy as provided in this Agreement.

2.6 Vacancies: The Board shall notify the Board of Water and Soil Resources of member appointments and vacancies in member positions within 30 days. The party with the vacancy on the Board shall act to fill it by appointment within 90 days after the vacancy occurs. The party is required to follow the procedures set out in Minnesota Statutes, section 103B.227 to fill the vacancy.

2.7 Compensation and Expenses: Board Members shall not be entitled to compensation or reimbursement for expenses incurred in attending meetings from the WMO. Nothing herein prohibits a party from choosing, in its sole discretion and cost, to compensate or reimburse the expenses of its Board Members.

2.8 Officers: The Board shall elect from its membership a Chair, a Vice-Chair, a Secretary, and a Treasurer. All such officers shall hold office for a term of one (1) year and until their successors have been qualified and duly elected by the Board. An officer may serve only while a member of the Board. A vacancy in an officer position shall be filled from the membership of the Board by election for the remainder of the unexpired term of such office.

2.9 Duties of Officers: The Chair shall serve as the presiding officer at Board meetings, execute documents on behalf of the Board, sign checks, and perform other duties and functions as may be determined by the Board. The Vice-Chair shall undertake the duties of the Chair in the absence or disability of the Chair. The Secretary shall maintain the records of the WMO, Board meeting minutes, ensure meetings are properly noticed, countersign documents with the Chair, and performs such other duties as assigned by the Board. The Secretary may delegate one or more specific duties of the position. The Treasurer shall oversee the WMO's budget and finances, sign checks, and performs such other duties as assigned by the Board.

2.10 Quorum: A majority of the Board Members shall constitute a quorum. Less than a quorum may adjourn a scheduled meeting. A simple majority of the quorum is required for the Board to act unless a higher number of votes is required by this Agreement or by law. A Board vacancy or the suspension of voting rights as provided herein shall temporarily reduce the number of Board Members required for a quorum.

2.11 Meetings:

- A. Regular Meetings. The Board shall develop a schedule of its regular meetings and post the schedule on the WMO's website. The Secretary shall maintain a copy of the schedule of regular meetings. The Chair and Vice-Chair may cancel a meeting due to a lack of business items. The Secretary shall make a good faith effort to notify Board Members of a meeting cancellation.
- B. Special Meetings. The Board may hold such special meetings as it may determine are needed to conduct the business of the WMO. A special meeting may be called

by the Chair or by any two Board Members. The Secretary shall post and provide notice of special meetings to the Board Members.

- C. Annual Meeting. The Board shall hold an annual meeting in or around February. At the annual meeting the Board, at a minimum, shall:
1. Elect officers for the next fiscal year;
  2. Establish the annual budget and work plan;
  3. Hear recommendations on amendments to this Agreement and the Watershed Management Plan;
  4. Biennially renew or decide on contracts for professional, legal, and administrative services;
  5. Decide on regular meeting dates; and
  6. Select a newspaper of record and designate the bulletin board for the posting of public notices.
- D. Location. The Board shall conduct its meetings at the location designated by the Board, which shall constitute its regular meeting location. The Board may change the location of its regular meeting or for one or more particular meetings.
- E. Compliance. Board meetings shall be noticed and conducted in accordance with the requirements of the Minnesota Open Meeting Law (Minnesota Statutes, chapter 13D). The official posting place for notices shall be the meeting location designated by the Board for its regular meetings. Meeting notices will also be posted on the WMO's website.
- F. Conduct of Meetings: The Board shall adopt rules of order and procedure for the conduct of its meetings. The Board may adopt any such rules upon a majority vote of all the Board Members. In accordance with Minnesota Statutes, section 103B.211, subdivision 1(c), decisions by the Board may not require more than a majority vote, except a decision on a capital improvement project may require up to a two-thirds vote if expressly required in the Board's rules. This limitation does not apply to votes required by the parties under this Agreement, which may expressly require a unanimous vote by all parties.

### **SECTION III** **Board Powers and Duties**

3.1 Authority: The Board shall have authority provided for in this Agreement and the Act, subject to any limitations contained in this Agreement. The Board's authority includes, but is not limited to, the following:



- A. The authority to prepare, adopt, and implement a plan for the Sunrise River Watershed that satisfies the requirements of Minnesota Statutes, section 103B.231;
- B. The authority to review and approve local water management plans as provided in Minnesota Statutes, section 103B.235, subdivision 3;
- C. The authority to contract for services, including with a party, as needed to carry out its duties and may employ such other persons as it deems necessary. Where staff services of a party are contracted, such services shall not reduce the financial commitment of such party to the operating fund of the Board unless the Board so authorizes;
- D. The authority to work cooperatively with other watersheds and, if unanimously approved by the parties, to participate in a comprehensive watershed management planning program provided for in Minnesota Statutes, section 103B.801; and
- E. The Board shall have such other powers necessary to exercise the authorities provided in this Agreement and may take such actions as are reasonably necessary and convenient to carry out the purpose of this Agreement.

3.2 Watershed Management Plan: The Board shall update as needed and administer the Watershed Management Plan for the Sunrise River Watershed. The Watershed Management Plan shall comply with Minnesota Statutes, section 103B.231, subdivision 4, Minnesota Rules, chapter 8410, and other applicable laws.

3.3 Committees: The Board may appoint such committees and subcommittees as it deems necessary. The Board shall establish a citizen advisory committee and technical advisory committee and promote other means of public participation.

- A. Citizen and/or technical advisory committees will be formed from time-to-time as deemed appropriate by the Board and shall be issue-specific. Committees may be formed that include both citizens and technical experts. Committees shall operate by seeking consensus, while noting any dissenting opinions. Committee findings shall be reduced to writing and submitted to the Board. In all cases, committees shall be advisory in nature and their findings shall be referred to the Board. Issues that may warrant formation of advisory committees include, but are not limited to, the following: amendments or updates to the WMO's Watershed Management Plan; lake level or water quality issues; a total maximum daily load (TMDL) impaired waters study or implementation of the study; capital improvement projects; major hydrological changes in the watershed; and others as deemed appropriate by the Board.
- B. Technical advisory committees shall include technical experts in areas relating to land use, natural resources, pollution control, and soil and water resources.

C. Citizen advisory committees shall include residents and elected officials from the affected area including, but not limited to, homeowners, business owners, lake association or lake improvement district representatives, and others as may be selected by the Board.

D. All advisory committees shall include at least one Board member.

3.4 Rules and Regulations: The Board may prescribe and promulgate such rules and regulations as it deems necessary or expedient to carry out its powers and duties and the purpose of the Agreement.

3.5 Review and Recommendations: Where the Board is authorized or requested to review and make recommendations on any matter relating to the Watershed Management Plan, the Board shall act on such matter within 60 days of receipt of the matter referred. Failure of the Board to act within 60 days shall constitute a recommendation of approval of the matter referred, unless the Board requests and receives from the referring unit of government an extension of time to act on the matter referred. Such extension shall be in writing and acknowledged by both parties.

3.6 Ratification: The Board may, and where required by this Agreement shall, refer matters to the governing bodies of the parties for review, comment, or action.

3.7 Financial Matters:

A. Method of Operation. The Board may collect and receive money and contract for services subject to the provision of the Agreement from the parties and from any other sources approved by the Board. The Board may incur expenses and make disbursements necessary and incidental to the effectuation of the purposes of this Agreement. Funds may be expended by the Board in accordance with procedures established herein. Checks shall be signed by the Chair and Treasurer. Other legal instruments shall, upon Board approval, be executed on behalf of the Board by the Chair or Vice-Chair and countersigned by the Secretary.

B. Budgeting.

1. Prepared. The WMO's fiscal year shall be the calendar year. On or before June 1<sup>st</sup> of each year, the WMO shall prepare a work plan and budget for the following year. The annual budget shall provide details to support the proposed revenues and expenditures for the WMO. This detail shall be sufficient to meet standard budget and/or accounting principles generally recognized for governmental organizations. Expenditures may include administrative expenses, plan development costs, review expenses, capital improvement costs, and insurance costs. A majority vote of the Board is required to approve the proposed work plan and budget.

2. Party Review. The Board shall forward the approved proposed budget to the parties for review and ratification along with a statement showing each party's proposed share of the budget. Within 60 days of receipt of the proposed budget, each party shall communicate its ratification of the budget or provide a written explanation of any objections or concerns it has regarding the proposed budget. No party may withhold ratification solely based on objections to the terms of this Agreement or to matters that do not directly relate to a budgeted item to be funded entirely by the parties. Any party that fails to respond within that period shall be deemed to have ratified the proposed budget. The Board shall consider any written objections or concerns received from a party and shall provide a written response that is copied to all of the parties. If the response includes any proposed changes in the proposed budget, the parties shall act on ratifying the revised budget within 30 days.
3. Adoption. The proposed budget shall be deemed approved upon ratification by all of the parties. If only one party refuses to ratify the proposed budget, the previous year's budget shall be extended to the current fiscal year together with any increases in the proposed budget, but the total of all such increases from the previous year shall not exceed a 10% increase of the total community contributions for the prior year as represented in the currently approved Watershed Management Plan. If the proposed budget contains a total increase of more than 10% of the total community contributions for the prior year as represented in the currently approved Watershed Management Plan, the Board shall reduce it as needed so the approved budget meets this criterion. The proposed budget, with any required reductions, shall become the adopted budget. If a party refuses to ratify the proposed budget for three consecutive years, that party is required to participate in mediation with the representatives of the other parties as provided in Section 7.1 of this Agreement, unless a majority of the other parties elect not to require mediation. The purpose of the mediation is to identify and resolve the specific reasons causing the party to not ratify the budgets. Engaging in mediation, or the failure to reach agreement in mediation, does not delay or alter the process set out in this paragraph for reaching an approved budget regardless of one party's refusal to ratify it.
4. Payment. The Board shall certify the approved budget to each party together with a statement showing the budgeted amounts applicable to each party. Each party shall pay to the WMO the amount owing in two (2) equal installments, the first on or before January 15 and the second on or before July 15 in accordance with the tax year for which the amount due is being paid.
5. Failure to Pay. Any party who is more than 60 days in default in paying its share to the WMO's general fund shall have the vote of its Board Members suspended pending the payment of its proportionate share. Any Board

Member whose vote is under suspension shall reduce the number required for a quorum and to act on matters before the Board.

C. Party Contributions. The budget will include a work plan and operating costs in accordance with the following.

1. Work Plan Budget. Each party's percentage share of the Board's work plan budget shall be based on the following formula with 50% weight given to each private land area and lakes & rivers area.

$$((\text{Party's Private Land Area} / \text{Watershed Private Land Area}) + (\text{Party's Water Area} / \text{Watershed Water Area})) / 2 = \text{the party's percentage share of the Board's operating budget.}$$

2. Operating Costs Budget. Each party's percentage share of the operating costs shall be determined in the same manner as the work plan costs. Operating costs included in this budget are defined as copies, postage, recording secretary fees, insurance, and administrative fee charged to each party. The administrative fee may include fees for general administrative services, annual reporting to the State and parties, providing required public notices, and required advertisement for secretarial or administrative professional services.

D. Review Services. When the Board is authorized or requested to undertake a review and submit recommendations to a party as provided in this Agreement, the Board shall conduct such review, without charge, except as provided below. Where the project size and complexity of review are deemed by the Board to be extraordinary and substantial, the Board may charge a fee for such review services, the amount to be based upon direct and indirect costs attributable to that portion of review services determined by the Board to be extraordinary and substantial. Where the Board determines that a fee will be charged for extraordinary and substantial review services, or where the flowage enters the Sunrise River, but the entity is not a member of the Sunrise River Watershed Management Organization Board, the entity to be charged shall receive written notice from the Board of the services to be performed and the fee therefore, prior to undertaking such review services. Unless the entity to be charged objects within fifteen (15) days of receipt of such written notice to the amount of the fee to be charged, such review services shall be performed and the entity shall be responsible for the cost thereof. If the entity to be charged objects to the proposed fee for such services with fifteen (15) days and the entity and the Board are unable to agree on a reasonable alternative amount for review services, such extraordinary and substantial review services shall not be undertaken by the Board. Payment for such services shall be in advance of any work performed.

3.8 Annual Audit: The Board shall prepare a comprehensive financial report on operations and activities at the frequency required by law. An audit, by an independent accounting firm or

the State Auditor, shall be provided for that includes a full and complete audit of all books and accounts the Board is charged with maintaining. Such audit shall be conducted in accordance with generally accepted auditing principles and guidelines. A copy of the financial report and auditor's statement shall be provided to all parties to this Agreement and to the Board of Water and Soil Resources. The report to the Board of Water and Soil Resources shall include an annual activity report. All books, reports and records of the WMO shall be available for and open to examination by any party at all reasonable times.

3.9 Gifts and Grants: The Board may, within the scope of this Agreement, accept gifts, may apply for and use grants of money or other property from the United States, the State of Minnesota, a local government unit or other governmental unit or organization or any person or entity for the purpose described herein. The Board may enter into any reasonable agreement required in connection therewith. The Board shall comply with any laws or regulations applicable to grants, donations, and agreements. The Board may hold, use, and dispose of such money or property in accordance with the terms of the gift, grant, or agreement relating thereto.

3.10 Contracts. The Board may make such contracts and enter into any such agreements as it deems necessary to make effective any power granted to it by this Agreement. Every contract for the purchase or sale of merchandise, materials, or equipment by the Board shall be let in accordance with the Uniform Municipal Contracting Law, Minnesota Statutes, Section 471.345 and the Joint Exercise of Powers Statute, Minnesota Statutes, Section 471.59. No member or employee of the Board or officer or employee of any of the parties shall be directly or indirectly have an interest in any contract made by the Board.

3.11 Works of Improvement: Works of improvement for protection and management of the natural resources of the Area including, but not limited to, improvements to property, land acquisition, easements, or right-of-way, may be initiated by:

- A. Inclusion in the Watershed Management Plan;
- B. Majority vote of the Board for projects using less than \$10,000 in funds from the Parties;
- C. Recommendation of the Board to a party or parties; or
- D. Petition to the Board by the governing body of a party or parties.

Where works of improvement are recommended by the Board, the Board shall first determine whether such improvement will result in a local or regional benefit to the area. Where the Board determines that the benefits from the improvement will be local or not realized beyond the boundaries of the party in which the improvement is to be established, the Board may recommend such improvement to the governing body of the unit of government which the Board determines will be benefited. The recommendation shall include the total estimated cost of the improvement and a detailed description of the benefits to be realized.

Where the Board determines that the benefits from the improvement will be beyond the local unit or beyond the boundaries of the party in which the improvement is to be established, the Board may recommend such improvement to each party to this Agreement which the Board determines will be benefited thereby. The recommendation of the Board shall include the total estimated cost of the improvement, a description of the extent of the benefits to be realized by each party to this Agreement and the portion of the cost to be borne by each party benefited in accordance with the benefit of party to this Agreement.

Each party to whom the Board submits such recommendation shall respond within 60 days from receipt of such recommendation. Where the Board determines that the benefits of such improvement will be local, the unit of government to whom such recommendation is made may decline to ratify and undertake said improvement. Where the Board determines that the benefits of such improvement will be regional, all Parties to this Agreement must ratify the project proposal before any project is moved forward by the Board. Should the project not be ratified by all Parties to this Agreement, the Board shall continue to review and recommend alternative methods of cooperation and implementation among those parties ratifying the recommendation of the Board, unless and until the Board determines that said improvement is no longer feasible.

When works of improvement are initiated by a Party to this Agreement, a copy of the proposed project shall be submitted to the Board for review and comment. The Board shall review and make recommendations on the proposed improvement and its compliance with the Board's management plan.

When a proposed improvement may be eligible for grant funds, the Board may apply. Any local matching funds committed must be in an approved Board budget, in the Watershed Management Plan, or secured by a written commitment from other sources.

Projects on real property require a written maintenance agreement.

3.12 Property Entry: The Board or its agents may enter upon lands within or without the Sunrise River Watershed to make surveys and investigations to accomplish the purpose of the Board. The Board shall be liable for actual damages resulting there from. But every person who claims damages shall serve the Chair or Secretary of the Board with a notice of claim as required by Minnesota Statutes, section 466.05. The Board shall obtain court orders authorizing and directing such entries when necessary due to refusals of landowners to allow the same.

3.13 Indemnification: Any and all claims that arise or may arise against the WMO, its agents or employees as a consequence of any act or omission on the part of the WMO or its agents or employees while engaged in the performance of this Agreement shall in no way be the obligation or responsibility of the parties. The WMO shall indemnify, hold harmless and defend the parties, their officers and employees against any and all liability, loss, costs, damages, expenses, claims, or actions, including attorney's fees which the parties, their officers, or employees may hereafter sustain, incur, or be required to pay, arising out of or by reason of any act or omission of the WMO, its agents or employees in the execution, performance, or failure to adequately perform the WMO's obligations under this Agreement. The WMO's duty to indemnify does not constitute, and shall not be construed as, a waiver by either the WMO or any or all parties of any

exemptions, immunities, or limitations on liability provided by law or of being treated as a single governmental unit as provided in Minnesota Statutes, section 471.59, subdivision 1a. To the fullest extent permitted by law, this Agreement and the activities carried out hereunder thereof are intended to be and shall be construed as a “cooperative activity” and it is the intent of the parties that they, together with the WMO, shall be deemed a “single governmental unit” for the purposes of liability, all as set forth in Minnesota Statutes, section 471.59, subdivision 1a. For purposes of the statute, each party to this Agreement expressly declines responsibility for the acts or omissions of the other parties.

3.14 Insurance: The Board shall at all times during the term of this Agreement keep in force such insurance policies as it determines are needed, including general liability coverage in the amount of the applicable limit of liability established in Minnesota Statutes, section 466.04. Any policy obtained and maintained under this section shall provide that it shall not be cancelled, materially changed or not renewed without a minimum of thirty (30) days prior notice thereof to each of the parties. The Board will furnish the parties with certificates of insurance listing each party to the Agreement as an additional insured.

#### **SECTION IV** **Termination and Withdrawal**

4.1 Termination: This Agreement may be terminated by approval of two-thirds vote of the governing bodies of each party hereto, provided that all such approvals occur within a ninety (90) day period.

4.2 Party Withdrawal: Withdrawal of any party may be accomplished by filing written notice with the Board and the other parties sixty (60) days prior to the effective date of termination. No party may withdraw from this Agreement until the withdrawing party has met its full financial obligations through the effective date of such withdrawal.

#### **SECTION V** **Dissolution of WMO**

5.1 Dissolution:

- A. Occurrences. The WMO shall be dissolved under any of the following occurrences:
1. Upon termination of this Agreement;
  2. Upon unanimous agreement of all parties; or
  3. Upon the membership of the WMO being reduced to fewer than three (3) parties.
- B. Process. At least 90 days notice of the intent to dissolve shall be given to affected counties and the Board of Water and Soil Resources. Upon dissolution, all

personal property of the Board shall be sold, and the proceeds thereof, together with monies on hand after payment of all obligations, shall be distributed to the parties after all outstanding obligations of the WMO have been paid. Such distribution of Board assets shall be made in proportion to the total contributions to the WMO for such costs made by each party. All amounts due and owing to the WMO by any party shall continue to be the lawful obligation of the party and shall be paid before being eligible to receive any distribution of assets.

## **SECTION VII** **General Provisions**

7.1 Mediation: The parties agree that any controversy that cannot be resolved between parties shall be submitted to mediation. Mediation shall be conducted by a mutually agreeable process by all parties. If the parties are not able to mutually agree on a mediator, the party and the Board shall each select a mediator and the two mediators shall select a third. Each party to the mediation shall be responsible for the cost of the mediator it selected and shall share equally in the costs of the mediation and of the third mediator.

7.2 Data Practices: The WMO shall comply with the requirements of Minnesota Statutes, chapter 13, the Minnesota Government Data Practices Act (“Act”). Any entity with which the WMO contracts is required to comply with the Act as provided in Minnesota Statutes, section 13.05. The contractor shall be required to notify the Board if it receives a data request and to work with the WMO to respond to it.

7.3 Amendments: The Board may recommend changes and amendments to this Agreement to the governing bodies of the parties. Amendments shall be adopted by all governing bodies of the parties. Adopted amendments shall be evidenced by appropriate resolutions or certified copies of meeting minutes of the governing bodies of each party filed with the Board and shall, if no effective date is contained in the amendment, become effective as of the date all such filings have been completed.

7.4 Waiver: The delay or failure of any party of this Agreement at any time to require performance or compliance by any other party of any of its obligations under this Agreement shall in no way be deemed a waiver of those rights to require such performance or compliance.

7.5 Headings and Captions: The headings and captions of these paragraphs and sections of this Agreement are included for convenience or reference only and shall not constitute a part hereof.

7.6 Entire Agreement: This Agreement, including the recitals, contains the entire understanding among the parties concerning the subject matter hereof. This Agreement supersedes and replaces the prior joint powers agreement among the parties regarding the WMO and such prior agreement is hereby terminated. Any outstanding obligations of the parties under the prior agreement are not affected by the termination and shall be continued under this Agreement.



7.7 Examination of Books: Pursuant to Minnesota Statutes, section 16C.05, subdivision 5, the books, records, documents and accounting procedures and practices of the Board are subject to examination by the State.

7.8 Governing Law: The respective rights, obligations, and remedies of the parties under this Agreement and the interpretation thereof shall be governed by the laws of the State of Minnesota which pertain to agreements made and to be performed in the State of Minnesota.

7.9 Counterparts: This Agreement shall be executed in several counterparts and all so executed shall constitute one Agreement, binding on all of the parties hereto. Each party to the agreement shall receive a fully executed copy of the entire document following adoption by all parties.

IN WITNESS OF, the parties hereto have executed this Agreement effective as of the \_\_\_\_ day of \_\_\_\_\_ 2023.

CITY OF COLUMBUS

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
City Administrator

CITY OF EAST BETHEL

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
City Administrator

CITY OF HAM LAKE

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
City Administrator

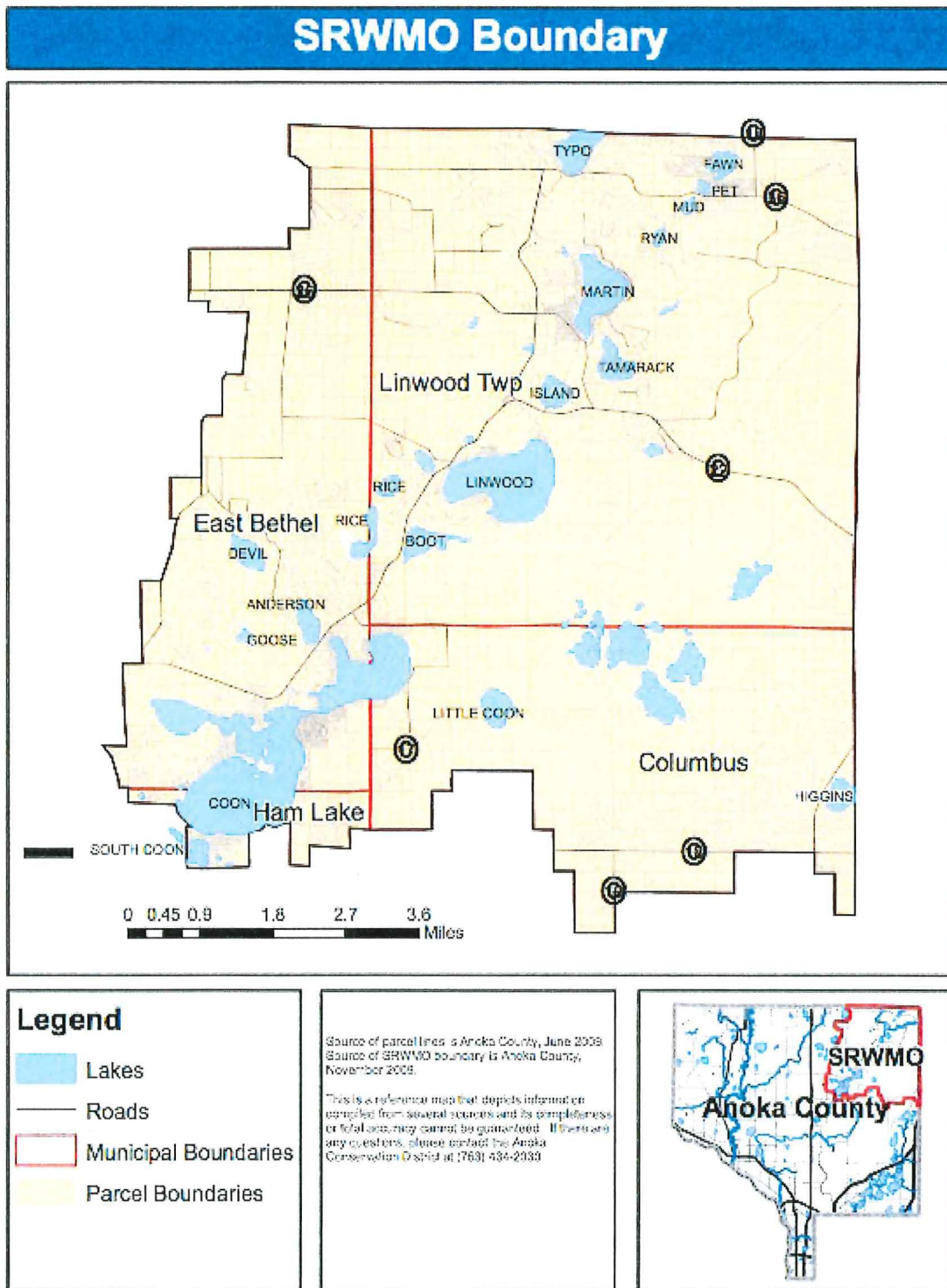
LINWOOD TOWNSHIP

By: \_\_\_\_\_  
Board Chair

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Township Clerk

Appendix 1  
SRWMO AREA BOUNDARIES





# Sunrise River

## Watershed Management Organization

### Member Community Contributions (12/5/2022 UPDATE)

**SCENARIO EXPLORATION:** This spreadsheet compares funding contributions from each community under the current SRWMO joint powers agreement and scenarios requested.

**IMPORTANT NOTE:** Land areas and market valuations used are as of Oct 2022 for all scenarios below. Therefore the scenario 1 percents for each community will not exactly match what you see in most recent SRWMO budgets. This method allowed the greatest comparability amongst scenarios. Market valuations vary annually and the SRWMO updates community contributions with the latest market valuations every five years (last done in 2019). The SRWMO boundary was changed in 2021.

**OPTIONS CONSIDERED BY MEMBER COMMUNITY REPS AND REMOVED:** Option 2: 50% weight on each private lands & public waters.  
Option 3: 33% weight on each private lands, public waters, & market valuation.

Summary of Scenarios					
Factor	SCENARIO 1 - Current SRWMO formula	SCENARIO 4 - Private lands, lakes & rivers (a subset of public waters where projects are most likely).	VARIATION A: All expenses split by formula (operating expenses not split equally).	VARIATION B: \$1,300 Minimum contribution	VARIATION C: \$2,233 Minimum contribution
Land area	50%		Operating and non-operating expenses are not differentiated. All costs split by calculated percentage.	Operating and non-operating expenses are not differentiated. Min contribution from each city req'd, then remaining costs split by calculated percentage.	Operating and non-operating expenses are not differentiated. Min contribution from each city req'd, then remaining costs split by calculated percentage.
Market value	50%				
Private land area		50%			
Public water area					
Lakes and rivers		50%			

**COMMUNITY PREFERENCES as of 12/1/2022**

	Scenario 1	Variation 1A	Variation 1B	Scenario 4	Variation 4A	Variation 4B	Variation 4C
Columbus	Opposed	Opposed	Dropped from consideration	Dropped from consideration	Favored option	Could live with it	To discuss - Likely OK
East Bethel	Support				Will discuss – unlikely to support	Support	To discuss
Ham Lake		Favored option			Will discuss	Will discuss	To discuss
Linwood	Favored Option	Opposed			Opposed	Only if minimum contribution is equivalent to current operating expense items (which is option 4)	To discuss – concerned that not all admin costs are shared equally in this scenario



**SCENARIO 1 - Current SRWMO formula**

Community	Non-Operating		Operating		Total
	%	Average SRWMO budget (last 5 yrs)	%	Average SRWMO budget (last 5 yrs)	
Columbus	18.91%	\$5,915.72	25%	\$3,112.04	\$9,027.76
East Bethel	30.06%	\$9,402.81	25%	\$3,112.04	\$12,514.85
Ham Lake	4.13%	\$1,290.64	25%	\$3,112.04	\$4,402.68
Linwood	46.91%	\$14,673.13	25%	\$3,112.04	\$17,785.17

**VARIATION 1A - Operating and non-operating not differentiated.**

Community	All Expenses		Total
	%	Average SRWMO budget (last 5 yrs)	
Columbus	18.91%	\$8,269.76	\$8,269.76
East Bethel	30.06%	\$13,144.47	\$13,144.47
Ham Lake	4.13%	\$1,804.22	\$1,804.22
Linwood	46.91%	\$20,512.00	\$20,512.00

**VARIATION 1B - Operating and non-operating not differentiated, and \$1,300 minimum contribution**

Community	Minimum Contribution		All Expenses after Min Contribution		Total
	%	Average SRWMO budget (last 5 yrs)	%	Average SRWMO budget (last 5 yrs)	
Columbus	NA	\$1,300.00	18.91%	\$7,286.40	\$8,586.40
East Bethel	NA	\$1,300.00	30.06%	\$11,581.46	\$12,881.46
Ham Lake	NA	\$1,300.00	4.13%	\$1,589.68	\$2,889.68
Linwood	NA	\$1,300.00	46.91%	\$18,072.91	\$19,372.91

**SCENARIO 4 - Private lands, lakes and rivers**

Community	Non-Operating		Operating		Total
	%	Average SRWMO budget (last 5 yrs)	%	Average SRWMO budget (last 5 yrs)	
Columbus	17.94%	\$5,613.54	25%	\$3,112.04	\$8,725.58
East Bethel	29.13%	\$9,111.51	25%	\$3,112.04	\$12,223.55
Ham Lake	6.97%	\$2,178.87	25%	\$3,112.04	\$5,290.91
Linwood	45.96%	\$14,378.37	25%	\$3,112.04	\$17,490.41

**VARIATION 4A - Operating and non-operating not differentiated.**

All Expenses			
Community	%	Average SRWMO budget (last 5 yrs)	Total
Columbus	17.94%	\$7,847.34	\$7,847.34
East Bethel	29.13%	\$12,737.25	\$12,737.25
Ham Lake	6.97%	\$3,045.91	\$3,045.91
Linwood	45.96%	\$20,099.95	\$20,099.95

**VARIATION 4B - Operating and non-operating not differentiated, and \$1,300 minimum contribution**

\$1,300 min contribution approx covers orange and yellow admin items on following page. Orange: annual reports to State, advertise bids for pro services, member community local water plans review/approve. Yellow: insurance & recording secretary.

Minimum Contribution		All Expenses after Min Contribution			
Community	%	Minimum Contribution*	%	Average SRWMO budget (last 5 yrs)	Total
Columbus	NA	\$1,300.00	17.94%	\$6,914.21	\$8,214.21
East Bethel	NA	\$1,300.00	29.13%	\$11,222.66	\$12,522.66
Ham Lake	NA	\$1,300.00	6.97%	\$2,683.72	\$3,983.72
Linwood	NA	\$1,300.00	45.96%	\$17,709.86	\$19,009.86

**VARIATION 4C - Operating and non-operating not differentiated, and \$2,233 minimum contribution**

\$2,233 min contribution approx covers orange, yellow and half of green admin items on following page. Orange: annual reports to State, advertise bids for pro services, community local water plans review/approve. Yellow: insurance & recording secretary. Green: admin staff.

Minimum Contribution		All Expenses after Min Contribution			
Community	%	Minimum Contribution*	%	Average SRWMO budget (last 5 yrs)	Total
Columbus	NA	\$2,233.00	17.94%	\$6,244.51	\$8,477.51
East Bethel	NA	\$2,233.00	29.13%	\$10,135.65	\$12,368.65
Ham Lake	NA	\$2,233.00	6.97%	\$2,423.78	\$4,656.78
Linwood	NA	\$2,233.00	45.96%	\$15,994.51	\$18,227.51

**VARIATION B - MINIMUM CONTRIBUTION amount considerations**

Member community reps discussed a possible minimum contribution from each community, but wished to further examine actual costs for operating expenditures in order to develop a reasoning for any minimum contribution amount. Below are actual operating costs.

Member community reps discussed, with some support but not unanimous agreement, that the minimum contribution might be based on operating costs excluding administrative staff costs. In the last five years, on average, that amount was \$5,200. Therefore, in the Variation B examples above, \$1,300 (\$5,200 divided by 4 communities) was used as the minimum contribution. Further discussion by community officials is needed to determine any minimum contribution amount. \$1,300 is an example only.

Note: The same numerical outcome is achieved by using Scenario 1 and excluding admin services from the definition of operating expenses. That option would not require regularly revisiting the minimum dollar amount because that amount would be percentage-based.

\*Minimum contribution amount applied in Scenarios above:

**\$1,300.00**

(change this cell to update all of the above tables)

**Operating Breakdown**

	Required by law			Not Required, but likely essential			Admin Staff	Other	
Year	Annual reports to State	Advertise bids for professional services	Member community local water plans review/approve	Insurance	Rec Sec	Financial Director (EB) assist	Admin services*	Annual written communication to member communities	Market valuations update for funding formula (every 5 yrs)
2023	\$1,220.00	\$100.00	\$0.00	\$1,613.00	\$1,600.00	\$0.00	\$8,800.00	\$665.00	\$0.00
2022	\$1,178.00	\$0.00	\$0.00	\$1,800.00	\$1,600.00	\$0.00	\$8,800.00	\$643.00	\$0.00
2021	\$1,139.00	\$100.00	\$0.00	\$1,550.00	\$1,449.00	\$0.00	\$8,450.00	\$621.00	\$0.00
2020	\$1,200.00	\$0.00	\$1,920.00	\$1,850.00	\$1,400.00	\$0.00	\$6,000.00	\$600.00	\$320.00
2019	\$1,200.00	\$0.00	\$0.00	\$1,850.00	\$1,750.00	\$300.00	\$4,645.00	\$0.00	\$0.00
LAST 5 YRS AVERAGE	\$1,187.40	\$40.00	\$384.00	\$1,732.60	\$1,559.80	\$60.00	\$7,339.00	\$505.80	\$64.00
MAX	\$1,220.00	\$100.00	\$1,920.00	\$1,850.00	\$1,750.00	\$300.00	\$8,800.00	\$665.00	\$320.00
MOST RECENT	\$1,220.00	\$100.00	\$0.00	\$1,613.00	\$1,600.00	Donated by EB	\$8,800.00	\$665.00	\$0.00

\*Admin services tasks from the most recent 5 yrs: Prepare agendas and meeting packets, advise the board, coordinate special meetings, prepare budgets, annual MN Campaign Finance Board documents, joint powers agreement updates, public notices, coordinate audits, prepare materials for State performance reviews of the WMO, WMO boundary update, secure bids for recording secretary, prepared financial management policies for the WMO under the State Auditor's guidance, respond to public and board member inquiries, respond to inquiries from member cities, receive resident requests for SRWMO cost share grant funds, complete annual risk assessments required by the WMO's insurer, staff liaison to the Lower St. Croix One Watershed One Plan process, prepared meeting minutes in the Recording Secretary's absence, and others.