



CITY OF HAM LAKE

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CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY WORKSHOP MEETING MINUTES MONDAY, APRIL 15, 2024

The Ham Lake City Council met on Monday, April 15, 2024 at 5:00 p.m. in the Council Chambers at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Mayor Brian Kirkham and Councilmembers Jim Doyle, Gary Kirkeide, Al Parranto and Jesse Wilken

MEMBERS ABSENT: None

OTHERS PRESENT: City Attorney, Mark Berglund; City Administrator, Denise Webster; Building Official, Mark Jones; and Deputy City Clerk, Dawnette Shimek

1.0 Call to Order

Mayor Kirkham called the meeting to order at 5:00 p.m.

2.0 Discussion of Foster Trucking and Excavation located at 1561 Bunker Lake Boulevard NE

Attorney Berglund stated that he has recently had productive conversations with Noel Foster regarding the background of his business. Attorney Berglund stated that all concerns with Mr. Foster's cancelled CUP (Conditional Use Permit) have been met, other than the requirement to construct a building. Attorney Berglund stated that Mr. Foster is not wanting to run a truck terminal where trucks load or unload on site. Attorney Berglund stated that Mr. Foster's trucks work off-site, the trucks leave the site empty and return empty. Attorney Berglund stated that the noise study showed that the trucks do not exceed noise standards. Attorney Berglund stated that Mr. Foster's business is a permitted use with a CUP. Attorney Berglund stated that the concerns raised during the public hearing, when Mr. Foster originally applied for the CUP, were by people that had moved into the area while Mr. Foster's business was operating. Mr. Foster reviewed history regarding his business. Mr. Foster stated that he spoke with former Attorney Dorn before he moved to the property. Mr. Foster stated that Attorney Dorn had said that the home located on the property was a non-conforming use because the property is located in CD-2 Zoning (Commercial Development Tier 2). Mr. Foster stated that Attorney Dorn said that he could operate a business there and also have his homestead there. Mr. Foster stated Attorney Dorn said that Mr. Foster would be limited with improving the house and once the house no longer was used as a residential home, the residential use would terminate. Mr. Foster stated Attorney Dorn also told him that the City would not approve a building addition because the property was a non-conforming use. Mr. Foster stated that he made site improvements required by the CUP including construction of a varying fence height insulated stockade fence to create screening from the north and east sides of the property. Mr. Foster stated that Larson Systems recently constructed a building and the loading docks face a residential home. Mr. Foster stated that in 2019, he did not trust the economy and decided not to construct a building. Mr. Foster stated that he rents a shop in Spring Lake Park where truck repairs are done, but he will change tires on site if necessary. Mr. Foster stated he is a sewer and water contractor and that he has seven trucks but runs three to five trucks a day, sometimes more in the winter in case of emergencies. Mr. Foster knows other business owners in the city and asked why is his business being

picked out from other similar businesses. Attorney Berglund stated that if he gets a CUP, everyone will be satisfied. Mr. Foster stated he wants a good relationship with the City. Attorney Berglund stated that once a CUP is in place and the conditions are being complied with, the CUP will not expire. Zoning Official Jones stated that the past issue was that Mr. Foster's trucks are semi-tractors and semi-trailers and there were noise concerns. Attorney Berglund stated he will follow-up with Mr. Foster regarding his request for a Conditional Use Permit.

Motion by Kirkham, seconded by Parranto, to adjourn the City Council Workshop Meeting at 5:33 p.m. All in favor, motion carried


Dawnette Shimek, Deputy City Clerk