

**CITY OF HAM LAKE
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES
MONDAY, APRIL 19, 2021**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, April 19, 2021 at 6:00 p.m. in the Council Chambers at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Mayor Mike Van Kirk and Councilmembers Jim Doyle, Gary Kirkeide, Brian Kirkham and Jesse Wilken

MEMBERS ABSENT: None

OTHERS PRESENT: City Attorney, Joe Murphy; City Engineer, Tom Collins; City Administrator, Denise Webster; and Deputy City Clerk, Dawnette Shimek

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

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

2.0 PUBLIC COMMENT – None

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

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

Lt. Schuldt gave the summary of the Sheriff's Report for the month of March, 2021.

3.2 Andrew Grice, BerganKDV – Presentation of 2020 Audit

Andrew Grice was before the City Council to present the 2020 Annual Financial Audit and Single Audit Findings. Mr. Grice stated the Independent Auditor's Report gave the City an "unmodified" or "clean" opinion for both audits. Mr. Grice noted there is a deficiency in internal control with lack of segregation of the accounting duties, which is common with a small staff and recommends segregation or independent review be implemented whenever practical and cost effective. Mr. Grice summarized the financial analysis for the General Fund Performance. Revenues increased \$191,869 with this being due to the tax levy and an increase in building permits. Expenditures decreased overall by \$429,136 this was due to a decrease in severance pay needing to be paid out in 2020 as well as a portion of the Sheriff's Contract being paid with CARES Funding. The increase in revenue and decrease in expenditures for 2020 are the driving forces as to why there was \$588,609 added to the fund balance for 2020. Mr. Grice stated that the City's financial health is strong with a 66.6% fund balance. Mr. Grice also presented an analysis of the City's historical total tax capacity amounts, tax levy amounts and tax rate for the years 2016 – 2020. He explained the tax capacity for the City continues to increase faster than relative flat tax levy amount, which helps explain why the tax rate for the City has decreased year over year. The tax rate for 2020 was 21.92%. The Council thanked Mr. Grice for his presentation.

3.3 6:01 P.M. – PUBLIC HEARING – To vacate a portion of the drainage and utility easement on Lot 1, Block 1, Hidden Forest West 2nd Addition (3011 137th Avenue NE) and adoption of Resolution No. 21-13

Mayor Van Kirk opened the public hearing at 6:19 p.m. and asked for public comment and with there being none he closed the public hearing.

Motion by Van Kirk, seconded by Doyle, to adopt Resolution No. 21-13 vacating a portion of the drainage and utility easement on Lot 1, Block 1, Hidden Forest West 2nd Addition (3011 137th Avenue NE). All in favor, motion carried.

4.0 CONSENT AGENDA

These items are considered to be routine and will be enacted in one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in normal sequence. (All items listed on the Consent Agenda are recommended for approval.)

- 4.1 Approval of minutes of April 5, 2021
- 4.2 Approval of claims in the amount of \$493,999.04
- 4.3 Approval of Ordinance No. 21-04 rezoning Radisson Sunset Estates
- 4.4 Approval of Resolution No. 21-14 supporting the termination of the Northstar Commuter Rail Line
- 4.5 Approval of a Large Assembly License for the Ham Lake Chamber of Commerce at Lion's Park (1220 157th Avenue NE) on July 3, 2021
- 4.6 Approval of engagement letter with BerganKDV, Ltd. for the 2021-2023 audits
- 4.7 Approval of the Ham Lake Member City Grant Agreement with Twin Cities Gateway

Motion by Kirkeide, seconded by Doyle, to approve the March 15, 2021 Consent Agenda with the omission of Item 4.4. All in favor, motion carried.

Councilmember Kirkeide stated that he would like to share Resolution No. 21-14 supporting the termination of the Northstar Commuter Rail Line along with the Resolution No. 03-12 adopted by the City Council in 2003 opposing the establishment of the Northstar Commuter Rail Line with Anoka County Officials.

Motion by Kirkeide, seconded by Doyle, to approve Item 4.4 on the consent agenda. All in favor, motion carried.

5.0 PLANNING COMMISSION RECOMMENDATIONS

- 5.1 Alexander Hattstrom requesting a Special Home Occupation Permit to operate Tactical Finishes, LLC at 14350 Ural Street NE

Motion by Kirkham, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve a Special Home Occupation Permit as requested by Alexander Hattstrom to operate Tactical Finishes, LLC at 14350 Ural Street NE, subject to meeting the guidelines for Special Home Occupation Permits per Article 9-350.3, completing the hard surface driveway between the existing driveway and accessory building, installation of a proper exhaust system meeting Minnesota Mechanical Code requirements, obtaining a permit for the garage heater, maintaining Safety Data Sheets (SDS) on-site for chemicals and paint products used, disposing of products used in an environmentally sound manner, no coating or selling of automotive parts or accessories, no discharging of firearms on-site, no on-street parking, generating no noise that is audible to neighboring properties, no outdoor storage, operating hours of 8:00 a.m. to 3:30 p.m. seven days a week, obtaining a Federal Firearms License and providing a copy of the license to the City before

assembling or coating any firearms, completion of required actions by June 1, 2021 and meeting all City, State and County requirements. All in favor, motion carried.

5.2 Benjamin Cedarberg of Cedar Hill Group, LLC, requesting a Conditional Use Permit to operate Everwood Friends at 4453 Crosstown Boulevard NE

Motion by Wilken, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve a Conditional Use Permit as requested by Benjamin Cedarberg to operate Everwood Friends at 4453 Crosstown Boulevard NE, subject to meeting the guidelines outlined in Article 9, Section 9-210.32.vii related to generating no noise which would violate the standards for residential uses found in the Minnesota Pollution Control Agency regulations, generating no odors, fumes, vibrations or light beyond the property lines, no on-site retail sales, any construction or building modifications meeting all chapters of the Minnesota State Building Code, no accumulation of sawdust, or wood shaving or trimmings on-site, business hours of 8:00 a.m. to 6:00 p.m. Monday through Saturday, and meeting all City, State and County requirements. All in favor, motion carried.

5.3 Anton Vovk requesting a Conditional Use Permit to operate A & A Companies, an auto repair shop, at 13408 Highway 65 NE, Suite 109

Motion by Wilken, seconded by Kirkeide, to concur with the recommendation of the Planning Commission and approve the application by Anton Vovk, requesting a Conditional Use Permit to operate A & A Companies at 13408 Highway 65 NE, Suite 109, subject to the following conditions: (1) No motor vehicle sales (2) Allocating a total of thirteen parking spaces; three in front of the suite the business is renting (#109) for employee parking during business hours only and ten in the fenced area as presented on the site plan (3) All parking to be on hard surface in designated areas as shown on the site plan (4) A maximum of three employees (5) No outside storage of liquids, tires, parts, etc. (6) All repairs to be done inside the building (repairs include general auto maintenance and mechanical work such as replacing brakes, headlights and bulbs; all fluids to be contained and disposed of according to County and State requirements (7) No painting at this location (8) Hours of operation to be 9:00 a.m. to 6:00 p.m., Monday through Saturday (9) Security Lighting required (10) Maintain an open fire lane on the north side of the building (11) Meeting all City, State and County requirements. All in favor, motion carried.

5.4 William Dwyer requesting a Conditional Use Permit to operate Gunner Insulation at 14665 Buchanan Street NE, Units 1 & 2

Motion by Kirkeide, seconded by Wilken, to concur with the recommendation of the Planning Commission and approve the application by William Dwyer, requesting a Conditional Use Permit to operate Gunner Insulation at 14665 Buchanan Street NE, Units 1 & 2, subject to the following conditions: operating hours of 6:30 a.m. to 7:30 p.m. Monday through Friday with occasional Saturdays, no outside storage of materials, parking per site plan for passenger vehicles in front of the building and company trucks in the back of the building, and meeting all City, State and County requirements. All in favor, motion carried.

5.5 Harlan Worsham requesting a Conditional Use Permit to operate Solid Rock Construction at 14665 Buchanan Street NE, Unit 4

Motion by Kirkeide, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve the application by Harlan Worsham, requesting a Conditional Use Permit

to operate Solid Rock Construction at 14665 Buchanan Street NE, Unit 4, subject to the following conditions: operating hours of 7:00 a.m. to 7:00 p.m. Monday through Friday with occasional Saturdays, no outside storage of materials, parking per site plan for passenger vehicles in front of the building and company trucks in the back of the building, and meeting all City, State and County requirements. All in favor, motion carried.

5.6 Andrew Berg requesting a Certificate of Occupancy to operate Latitude Studios Co. at 14665 Buchanan Street NE, Unit 3

Motion by Kirkeide, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve the Certificate of Occupancy requested by Andrew Berg to operate Latitude Studios Co. at 14665 Buchanan Street NE, Unit 3, subject to the following conditions: operating hours of 7:00 a.m. to 7:30 p.m. Monday through Saturday, no outside storage, deliveries occurring between the hours of 7:30 a.m. to 7:30 p.m. Monday through Saturday, and meeting all City, State and County requirements. All in favor, motion carried.

5.7 Holiday Stationstores LLC requesting Sketch Plan approval for a Minor Plat in Section 5

Motion by Kirkham, seconded by Kirkeide, to concur with the recommendation of the Planning Commission and approve the Sketch Plan as presented by Holiday Stationstores LLC for a minor plat in Section 5 subject to meeting the recommendations of the City Engineer and meeting all City, State and County requirements. All in favor, motion carried.

6.0 **ECONOMIC DEVELOPMENT AUTHORITY** – None

7.0 **APPEARANCES** - None

8.0 **CITY ATTORNEY** – None

9.0 **CITY ENGINEER** – None

10.0 **CITY ADMINISTRATOR** – None

11.0 **COUNCIL BUSINESS**

11.1 Committee Reports

Councilmember Kirkeide stated he had a meeting with Connexus and would like to invite them to make a presentation to the City Council at a future meeting. Councilmember Kirkeide stated they discussed running 3-Phase Power along the Lexington Avenue NE corridor to allow for commercial development and Connexus stated that would not be a problem.

11.2 Discussion of reduced School Zone Speed Limit signage at Davinci Academy, 532 Bunker Lake Boulevard NE

Engineer Collins stated that Anoka County has agreed to enter into a Joint Powers Agreement (JPA) to operate the timing of the light. Engineer Collins stated that the Public Works Department can make the signs. Engineer Collins stated that the County requires a sign layout, a JPA would need to be drafted along with other potential agreements would need to be drafted by the City Attorney, along with determining the costs for the operation and construction of the sign. The City Council agreed to construct the sign with solar power with battery back-up if feasible. Engineer Collins will contact the school to inquire if they can share maintenance costs for the sign. It was agreed that the sign should be in operation by the 2021 fall school year.

11.3 Discussion of Article 9-220 of the City Code

Councilmember Wilken stated that some of the Conditional Use Permits that were approved earlier in the meeting are for properties located in CD-2 Zoning (Commercial Development Tier 2) and are to operate office/warehouse businesses; Commissioner Wilken feels that an office/warehouse business should be a permitted use in CD-2 Zoning. Councilmember Wilken stated the City Code should be reviewed and one of the changes should be to allow an office/warehouse as a permitted use in CD-2 Zoning. Councilmember Kirkeide agreed with Councilmember Wilken. **It was the consensus of the City Council to refer the review of Article 9-220 of the Ham Lake City Code to the Planning Commission for review.**

11.4 Announcements and future agenda items

Councilmember Kirkham stated after the signage was approved for properties with Home Occupation Permits, he was notified by the Home Occupation Permit holder that sells honey, that within an hour after placement of the sign someone stopped to buy honey.

Motion by Kirkeide, seconded by Kirkham, to adjourn the meeting at 6:47 p.m. All in favor, motion carried.

Dawnette Shimek, Deputy City Clerk