

**CITY OF HAM LAKE
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES
MONDAY, AUGUST 19, 2024**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, August 19, 2024 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, Al Parranto and Jesse Wilken

MEMBERS ABSENT: None

OTHERS PRESENT: City Attorney, Mark Berglund; City Engineer, Dave Krugler; City Administrator, Denise Webster; 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. Anthony Mendoza, Anoka County Sheriff's Office Monthly Report

Lt. Mendoza gave a summary of the Sheriff's Report for the month of July 2024.

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 5, 2024

4.2 Approval of claims in the amount of \$428,991.05

4.3 Approval of a Proclamation proclaiming September 17-September 23 as Constitution Week

4.4 Approval of the 2025 North Metro Telecommunications Commission Budget (NMTV)

4.5 Approval of Resolution No. 24-36 ordering the preparation of the assessment roll and scheduling a Public Hearing for Street Light Assessments for 2025

4.6 Approval of Resolution No. 24-37 regarding Post-Election Review

4.7 Approval of Resolution No. 24-38 establishing Two Special Revenue Funds for Watershed Management Organization Levies

4.8 Approval of the contract renewal with BerganKDV, Ltd. for the 2024-2026 auditing services

Motion by Parranto, seconded by Doyle, to approve the Consent Agenda as written. All in favor, motion carried.

5.0 PLANNING COMMISSION RECOMMENDATIONS – None

6.0 ECONOMIC DEVELOPMENT AUTHORITY – None

7.0 APPEARANCES

7.1 Finance Director Andrea Murff, 2nd Quarter Financial Report

Finance Director Murff gave the financial report for the 2nd Quarter of 2024. Finance Director Murff reported on the Overall Cash Position by Fund Type being down approximately \$4.48 million from December 31st, 2023. This is due to General Fund operation expenditures, the development of the Crosstown Business Park, the annual bond payment, and the purchase of a pumper truck for Fire Station #3. The Cash Balances by Fund Compared to Prior Year had also decreased due to City Projects such as building and equipping Fire Station #3 and Park upgrades. The Revolving Street Fund decreased due to 2024 Bituminous project and reconstruction of Creek Valley and Meadow Park. The overall General Fund had expenditures in excess of revenues due to not yet receiving the tax settlement from Anoka County. Overall, expenditures were favorable by coming in slightly under budget for the quarter. Finance Director Murff spoke about the City’s investments continuing to rebound from previous years and coming in higher than budgeted. The City Council thanked Finance Director Murff.

8.0 CITY ATTORNEY

8.1 Discussion of the new Cannabis Laws

Attorney Berglund stated he asked for this item to be placed on the agenda for City Council discussion. Attorney Berglund stated that information was included in the packet for the City Council to review, which included the City of Anoka Ordinance as an example for the City Council. Attorney Berglund stated that an ordinance is needed for staff purposes for consistency and stability. Mayor Kirkham stated that permits to grow and sell are issued by the State of Minnesota. Mayor Kirkham stated that rules would fall under local control such as where, hours, compliance with state law, sales to minors and requiring compliance checks. Councilmember Doyle stated concern regarding training that should be required with the license to require employees to have some degree of knowledge to explain the products. Councilmember Kirkeide asked if the state requires certain regulations as currently the cannabis laws are highly unregulated except by the state. Attorney Berglund stated that the State of Minnesota says that the City must allow cannabis sales and the City should be prepared to control where it is legal to be sold. Councilmember Kirkeide asked if Attorney Berglund could research the statute and note key items for the City Council to review and discuss at a workshop meeting. Mayor Kirkham stated the ordinance should be modeled like alcohol sales. Councilmember Wilken stated he has researched the State Statute regarding cannabis and what local control municipalities have. Councilmember Wilken stated that the City cannot restrict allowing the minimum of one establishment per 12,500 residents. Councilmember Wilken stated that the City can cap the number of licenses issued in the City to two; require local government to conduct compliance checks; designate certain zonings for establishments; and hours of operation. Councilmember Wilken stated that the City cannot prohibit cannabis sales, but can require a license similar to cigarette and alcohol sales. Councilmember Wilken stated that growing facilities are highly regulated. **It was the consensus of the City Council that the Attorney draft key items for review and place discussion of this topic on a future workshop agenda.**

8.2 Discussion of Resolution No. 24-39 approving a Certificate of Occupancy for Live Wire Electrical Services LLC (Livewire) located at 13319 Aberdeen Street NE

Attorney Berglund stated that there have been problems with issuing a Certificate of Occupancy for Live Wire Electrical Services LLC located at 13319 Aberdeen Street NE. Attorney Berglund stated that the

owners had previously received a Temporary Certificate of Occupancy and had several conditions that needed to met pursuant to the issuance of that Temporary Certificate. Attorney Berglund stated that the owner had leased out part of the building to Superior Motorwerks, LLC dba Goodfella's Motors, Inc and its principals to operate a used car sales business which is not permitted in the CD-1 Zoning District and is in violation of the Ham Lake City Code. Attorney Berglund stated that an inspection was done on August 8, 2024 and the tenant had removed all vehicles from the building and was not operating an illegal business out of the building. Attorney Berglund stated the Resolution presented allows the Building and Zoning Official to issue a Certificate of Occupancy to Schoenrock for the building located at 13319 Aberdeen Street NE subject to the owners ongoing compliance as stated on Resolution No. 24-39. **Motion by Kirkham, seconded by Parranto, to approve Resolution No. 24-39, a Certificate of Occupancy for Live Wire Electrical Services LLC (Livewire) located at 13319 Aberdeen Street NE. All in favor, motion carried.**

9.0 CITY ENGINEER

Engineer Krugler stated that the Minnesota Department of Transportation will be working on the bridge that crosses Coon Creek located at 144th – 145th Avenue NE and Highway 65.

Engineer Krugler stated that the funding for the Crosstown Business Park project has been dropped by the Senate, but is still in the house version and Representative Emmer is vigorously fighting to keep it in the final version. Mayor Kirkham asked if he should contact Senator Klobuchar and Senator Smith for input on this funding.

10.0 CITY ADMINISTRATOR – None

11.0 COUNCIL BUSINESS

11.1 Committee Report – None

11.2 Announcements and future agenda items– None

Motion by Kirkeide, seconded by Parranto, to adjourn the meeting at 6:36 p.m. All in favor, motion carried.

Dawnette Shimek, Deputy City Clerk