

**CITY OF HAM LAKE
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES
MONDAY, OCTOBER 2, 2023**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, October 2, 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 and Al Parranto

MEMBERS ABSENT: Councilmember Jesse Wilken

OTHERS PRESENT: City Attorney, Mark Berglund; City Engineer, Dave Krugler; 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

Gary Osendorf, 13450 Staples Street NE, was present before the City Council and asked for an update regarding his concerns with the disturbed boulevard not being replaced with black soil when the road was upgraded. Engineer Krugler stated that the Road Committee concluded that the city does not want to get in the position where the city has to separate each parcels portion of dirt within the right-of-way. Engineer Krugler stated that that the right-of-way is acceptable if turf is established; the City is not required to put down black dirt. Mr. Osendorf stated that the City is obligated to put back what was there and in the condition is was in prior to the project. Attorney Berglund stated that the City is obligated to meet the City standards when the right-of way is completed and what was put there by the contractor meets the city standards which calls for turf establishment and it does fall back to the property owners to maintain the right-of-way the best they can. Attorney Berglund stated at this point the right-of-way has been established and is done. Mr. Osendorf stated if the City is not going to do anything regarding the right-of-way, that he will then pursue everything regarding the project such as the driveway is cracking, the driveway is still lower and has flooding issues and there was a hydraulic leak on the land that wasn't corrected and he is going to contact the Environmental Protection Agency.

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS – None

4.0 CONSENT AGENDA

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

4.1 Approval of minutes of September 18, 2023

4.2 Approval of claims in the amount of \$176,907.22

- 4.3 Approval of a Letter of Support for the TH65 and Bunker Lake Boulevard NE Interchange funding application
- 4.4 Approval of the 2024 Residential Recycling Agreement with Anoka County
- 4.5 Approval of Ordinance No. 23-09 rezoning Hidden Forest East Fourth Addition
- 4.6 Approval of Ordinance No. 23-10 rezoning 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
- 4.7 Approval of appointing David Ross to the Planning Commission with the term of October 9, 2023 to March 15, 2026
- 4.8 Approval of Plans and Specifications for replacement of the 152nd Avenue NE cross-culverts in Brook View Meadows
- 4.9 Approval of a lot line adjustment for Tom Elwell (4611 139th Lane NE) in Section 36
- 4.10 Approval of the proposed Sunrise Watershed Management Organization Funding Formula and invoice to complete the revisions of the Joint Powers Agreement (JPA)
- 4.11 Approval of Resolution No. 23-45 accepting a \$5,000 donation from the Ham Lake Chamber of Commerce
- 4.12 Approval of Resolution No. 23-46 scheduling a public hearing to vacate a portion of Stutz Street NE dedicated on the recorded plat of Hidden Forest East Third Addition

Motion by Kirkeide, seconded by Doyle, to approve the October 2, 2023 Consent Agenda as written. All present in favor, motion carried.

5.0 PLANNING COMMISSION RECOMMENDATIONS

- 5.1 Tom Elwell requesting rezoning of 4611 139th Lane NE from R-A (Rural Single Family Residential) to R-1 (Single Family Residential) (first reading of an ordinance)

Motion by Kirkeide, seconded by Parranto, to concur with the Planning Commission and approve Tom Elwell's request to rezone parcel 4611 139th Lane NE from R-A (Rural Single Family Residential) to R-1 (Single Family Residential) in Section 36 subject to the City Council approving the requested lot line adjustment, documentation of the 66-foot wide easement over the eastern 66-foot of parcel 4653 138th Avenue NE, the drainage and utility and County Ditch drainage easements being filed with the County, meeting the conditions of the City Engineer and meeting all City, County and State requirements. All present in favor, motion carried. This is considered the first reading of a rezoning ordinance.

- 5.2 Jeff Stalberger, HFN Properties, LLC, requesting Final Plat approval for Hidden Forest East Fourth Addition (22 Single Family Residential lots and 3 Out lots) in Sections 24 and 25

Motion by Kirkeide, seconded by Parranto, to concur with the Planning Commission and approve the Final Plat of Hidden Forest East Fourth Addition, 22 Single Family Residential lots and 3 out-lots, in Sections 24 and 25 as presented by HFN Properties, LLC subject to parkland dedications fees to be determined by the City Attorney, filing an encroachment agreement for Lot 10, Block 1, for a septic sewer pipe crossing a drainage and utility easement, obtaining FEMA LOMA's for Lots 1, 2, 3, 5, 6 and 7 of Block 1 and Lots 2 and 3 of Block 3, prior to the issuance of building permits, vacating right-of-way for the Stutz Street NE cul-de-sac dedicated with the Hidden Forest East Third Addition, the developer agreeing to provide an additional ingress/egress point for the Hidden Forest East development in the next phase of development, meeting all requirements of the City Engineer and meeting all City, State and County requirements. All present in favor, motion carried. Mr.

Stalberger stated that blacktop is scheduled for October 26th and asked if the development agreement could be ready so he could proceed with filing the plat as soon as the blacktop is finished. Engineer Krugler will get the necessary information to the City Attorney so he can proceed with drafting the development agreement.

6.0 ECONOMIC DEVELOPMENT AUTHORITY – None

7.0 APPEARANCES – None

8.0 CITY ATTORNEY – None

9.0 CITY ENGINEER

Engineer Krugler stated that they are going to have grants through MnDOT that will be paying for the installation of the culvert at 152nd Avenue NE in Brook View Meadows.

10.0 CITY ADMINISTRATOR – None

11.0 COUNCIL BUSINESS

11.1 Committee Reports

Councilmember Doyle stated that a Road Committee meeting was held prior to the City Council meeting and the discussion regarding Constance Boulevard NE and the proposed backage road at Buchanan Street NE discussion is continuing.

11.2 Announcements and future agenda items

Mayor Kirkham reminded the Councilmembers that there is a workshop meeting to discuss the Sheriff's contract at 3:00 p.m. on Tuesday, October 3, 2023.

Motion by Kirkeide, seconded by Doyle, to adjourn the meeting at 6:09 p.m. All present in favor, motion carried.

Dawnette Shimek, Deputy City Clerk