

**CITY OF HAM LAKE
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES
MONDAY, OCTOBER 3, 2022**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, October 3, 2022 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 Engineer, Dave Krugler; City Attorney, Mark Berglund; City Administrator, Denise Webster; Deputy City Clerk, Dawnette Shimek and Finance Director, Andrea Murff

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

David Ross, 13450 Quincy Street NE, stated he recently moved to Ham Lake. Mr. Ross stated he has read the comprehensive plan, Ham Lake history, Ham Laker newsletters, housing and development plans. Mr. Ross is here to affirm the path the City is on. Mr. Ross stated with the one-acre minimum, Ham Lake will have a competitive advantage. Mr. Ross thanked the City Council. Mayor Kirkham thanked Mr. Ross and stated thanks goes to Councilmember Kirkeide for aiding in keeping the City as it is.

Dwight McCullough, 554 138th Lane NE, stated that the bike lane on the east side of Jefferson Street NE should be painted to identify the pedestrian and bike lanes. Mayor Kirkham stated that this would be discussed with the Public Works Superintendent and City Engineer.

Caitlin Aronson, 3859 Interlachen Drive NE, stated that she wants to advocate for adaptive equipment at the Grandpa Scott Park as it is not wheelchair accessible and she would like to see updates. Mayor Kirkham stated that Public Works Superintendent Witkowski is currently looking into purchasing playground equipment and this could be brought to his attention. Ms. Aronson stated that the basketball courts are being resurfaced at Hiawatha Beach Park; and reconstructing one of the basketball courts to a Tennis Court/Pickle Ball Court would be a nice addition. Councilmember Kirkeide stated that there have been neighborhood meetings in the past to discuss what residents would like to see in their parks. Councilmember Doyle added that there is money available in the City's park budget for park improvements.

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

3.1 PUBLIC HEARING – 6:01 p.m. – to consider the assessment roll for 2023 Street Light Fees and adoption of Resolution No. 22-35

Mayor Kirkham opened the public hearing for comment at 6:09 p.m.

Finance Director, Andrea Murff, stated that there was an error during the printing process where the property identification number and the address may not match. However, every address being assessed has been mailed a postcard notifying them that the annual street light assessment for 2023 is \$45.00 per parcel.

Ryan Fredin, 15807 Austin Street NE (Enchanted Estates), stated he lives on a corner that has three lights. The Council stated that streetlights have been required in developments since the 1990's (Ordinance 97-12 adopted April 21, 2007) and all the lot owners in the development pay for the street lights, following the initial installation payment and three-years of electric payments paid by the developer. Mr. Fredin asked what if he wants the streetlights removed? Mr. Fredin would like residents to be able to opt out.

Dylan King, 17638 Dunkirk Street NE (Woodland Bluffs Third Addition), asked the City Council if the lights could be replaced with solar powered lights. Mr. King stated that he is located on a corner lot and asked who would be responsible to repair a street light if it were damaged. It was determined that Connexus Energy would repair or replace the street light.

Councilmember Kirkeide stated that years ago the City was approached by a person with a telescope who wanted dark skies. The City Council proceeded to require downcast lights and a lesser number of lights in developments. Councilmember Kirkeide stated the City Council could review the code regarding street lighting requirements.

Jerry Powaser, 15809 Van Buren Street NE (Braastad Farms), stated that he supports looking at the need for street lights. Mr. Powaser asked if there is any additional action needed because of the misprint of the postcards. Finance Director Murff stated that if the assessment is prepaid the address be on noted on the payment; otherwise the assessment in the amount of \$45.00 (no interest would be charged) will be added to the 2023 property taxes.

Rudy Vertachnik, 3409 Crosstown Boulevard NE (Ehrnreiter Estates 2nd Addition), stated that he is located on Crosstown Boulevard NE where he does not benefit from the streetlights in his development and does not understand why he is paying for the streetlights.

Discussion followed regarding looking into the street light requirement and if anything can be done to remove the assessments for lights that residents do not benefit from.

Mr. Vertachnik asked if the Council can do anything to remove the assessment from his property.

Attorney Berglund stated that streetlights are required by City Code and developers are installing street lights per their Development Agreements. Attorney Berglund added that the Council could exempt properties moving forward. Mayor Kirkham stated that the City Council can review the street lighting requirements. Councilmember Kirkeide agreed they could review the requirements but there is no guarantee that any changes can be done with the existing developments. Administrator Webster stated that there is an approval process and the developer pays for the street light installation up front along with three years of street light electricity payments.

Mayor Kirkham asked for further public comment, and with there being none, he closed the public hearing at 6:27 p.m.

Councilmember Kirkeide asked that staff contact Connexus regarding down cast lighting, solar options, and minimizing the number of street lights required within a development.

Motion by Kirkeide, seconded by Doyle, to approve Resolution No. 22-35 adopting the assessment roll for the 2023 Street Light Fees. 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 September 19, 2022
- 4.2 Approval of claims in the amount of \$119,034.28
- 4.3 Approval of accepting the FEMA Grant Award for the Ham Lake Fire Department
- 4.4 Approval of Resolution No. 22-36 for the American Rescue Plan Act (ARPA) Funding expenditures for the City of Ham Lake
- 4.5 Approval of the resignation of Firefighter Andrew Kuntz
- 4.6 Approval of a Lot Line Adjustment request by HJR Family L.L.P. at 16905 Baltimore Street NE
- 4.7 Approval of the amended dates for the contract with Minnesota Pyrotechnics for the fireworks display dates being July 1, 2023, June 29, 2024 and June 28, 2025
- 4.8 Approval of appointment of Fire Department Captains, Officers, Training, and Investigators for 2023-2024
- 4.9 Approval of the 2023 Residential Recycling Agreement with Anoka County

Councilmember Wilken pulled item 4.8 off the consent agenda. **Motion by Wilken, seconded by Parranto, to approve the October 3, 2022 Consent Agenda with the omission of item 4.8. All in favor, motion carried.**

Motion by Kirkeide, seconded by Parranto, to approve item 4.8 of the October 3, 2022 Consent Agenda. Mayor Kirkham and Councilmembers Doyle, Kirkeide and Parranto voted yes. Councilmember Wilken abstained. Motion carried.

5.0 PLANNING COMMISSION RECOMMENDATIONS - None

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 the Code Review Committee met earlier to discuss solar panels on agriculture property for commercial use because the Building Official received a request and the City Code does not address commercial solar panels. Councilmember Kirkeide is concerned with who would be responsible for the costly removal of the hazardous materials in the panels if the property foreclosed. Attorney Berglund asked if the concern of the City Council was abandonment of the hazardous solar materials; Councilmember Kirkeide stated that is a concern.

11.2 Announcements and future agenda items

The Council discussed the South Coon Lake Channel dredging that has been requested by the residents of South Coon Lake and it has been determined that the Sunrise Watershed District is not responsible for the maintenance of the channel. Discussion followed regarding who is responsible for the wall in the channel along with the septic near the channel if it should fail. Administrator Webster, Engineer Collins, Engineer Krugler, Public Works Superintendent Witkowski and Attorneys Baumgartner and Berglund will be meeting on October 4, 2022 to discuss the South Coon Lake dredging and path.

Mayor Kirkham stated that Administrator Webster, Councilmember Kirkeide and City Engineer Collins will be attending a meeting with the Sunrise Watershed Management Organization on October 4, 2022 to discuss the Joint Powers Agreement (JPA). Councilmember Kirkeide stated that he will not be attending the meeting being he has a prior commitment.

Motion by Kirkeide, seconded by Wilken, to adjourn the meeting at 6:41 p.m. All in favor, motion carried.

Dawnette Shimek, Deputy City Clerk