



CITY OF HAM LAKE

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CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES MONDAY, DECEMBER 2, 2024

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, December 2, 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 Jesse Wilken, Al Parranto and Gary Kirkeide

MEMBERS ABSENT: Councilmember Jim Doyle

OTHERS PRESENT: City Attorney, Mark Berglund; City Engineer, Tom Collins; 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

Mayor Kirkham stated that attendees of the meeting are welcome to speak during public comment regarding item 5.1 related to adding Wetland Banking to the Ham Lake City Code.

Steve Jones, Keller Williams Realty, Maple Grove, asked at what time will the parkland dedication fee of \$2,500 per acre of wetland be collected, whether it would be at the time of filing the plat or as lots sell. Mr. Jones also wanted to clarify that the development could be approved first, and they could then work through the process of the wetland banking approval later.

Attorney Berglund stated that parkland dedication fees are supposed to be collected at the time that the plat is signed and recorded. Attorney Berglund stated that sometimes parkland dedication fees are paid as the lots sell. Attorney Berglund stated the way the code is drafted, that the parkland dedication fees would be paid when the plat is signed. Attorney Berglund stated that the development could be approved and then they could work through the process of the wetland banking and that could be approved at a separate time.

Bill Stoddard, stated that he owns 127-acres of sod farm and that it has always been his intent to be a good steward of the property and work with the city on a trail and its location. Mr. Stoddard added that the trail will be determined with the existing topography and that is still their goal. Mr. Stoddard stated that maybe the site doesn't have the approvability to add residential lots, so he will be one who complains about the amount of the per acre fee. Mr. Stoddard added that the 127-acre sod farm, depending on the land, may come out with only 40 to 50 wetland credits, and still paying a large amount of parkland dedication fees. Mr. Stoddard thanked the City Council for their time.

Erin Casper, 13835 Isetta Street NE, asked the City Council to consider bringing in experts from the Minnesota Board of Water and Soil Resources (BWSR) and the Coon Creek Watershed District (CCWD) to educate the Planning Commission and City Council on wetland banking before something so permanent is finalized.

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

3.1 6:01 p.m. – Public Hearing – to consider the adoption of Resolution No. 24-58 for the 2025 Budget, Levy and Five-Year Capital Improvement Plan

Mayor Kirkham opened the public hearing at 6:09 p.m. for comment and there was none.

Mayor Kirkham stated that the preliminary budget had a 3% increase in the levy, which is the second lowest in Anoka County, with Ham Lake still having the lowest tax capacity rate in Anoka County. Mayor Kirkham stated that Ham Lake does not assess for street repairs and the 2025 budget is the last year to pay off an outstanding bond and the city will be debt free. Mayor Kirkham stated that the new \$2.5 million Fire Station #3 off of Lexington Avenue NE was constructed with cash. Mayor Kirkham stated that within the 5 to 10-year Capital Improvement Plan (CIP), all of the Fire Trucks and Public Works Plow Trucks and equipment are paid for with cash. Mayor Kirkham thanked staff for being frugal with the taxpayer's money.

Mayor Kirkham asked for further public comment and with there being none, closed the public hearing at 6:10 p.m.

Motion by Kirkeide, seconded by Wilken, to adopt Resolution No. 24-58 approving the 2025 Budget, Levy and Fire-Year Capital Improvement Plan. All present 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 November 18, 2024
- 4.2 Approval of claims in the amount of \$143,086.26
- 4.3 Approval of closing (non-emergency City operations) on Christmas Eve
- 4.4 Approval of Officer appointment of an additional Captain
- 4.5 Approval of the Animal Humane Society (AHS) Letter of Understanding for Impound Services for 2025
- 4.6 Approval of hiring part-time Snow Plow Drivers
- 4.7 Approval of hiring part-time Warming House Attendants
- 4.8 Approval of an Off-Site Gambling Permit for The Way of the Shepherd to conduct a raffle on February 28, 2025 at Majestic Oaks Golf Club (701 Bunker Lake Boulevard NE)

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

5.0 PLANNING COMMISSION RECOMMENDATIONS

5.1 Consideration of amendments to Article 9 of the Ham Lake City Code related to adding Wetland Banking as a Conditional Use in R-A (Rural Single Family Residential) zoning (this is considered the First Reading of an Ordinance)

Mayor Kirkham stated that he is a fan of wetland banking for several reasons. The biggest reason is that these sod farms in the city still have the potential of someday, of a future council coming in and saying they want to bring in city sewer and water; then these sod farms would turn into Blaine or Andover, as they take out all of the bad dirt, replace it with good dirt and then build three or four houses on an acre of land. With city sewer and water, you will find townhomes and apartment buildings also being built. Mayor Kirkham stated that wetland banking is a way that can permanently lock-up these lands so that will never happen. Mayor Kirkham stated that a lot of people in Ham Lake love their green space, and that why people move to Ham Lake. Mayor Kirkham stated that he does not want to see something like the Metropolitan Airport Commission that is fenced in and cannot even put a trail through. Mayor Kirkham stated that the wetland banking is being done by private developers who are paying taxes on the property and questions why the city would include a maintenance fee to cover future costs when the property is taken over by the city. Mayor Kirkham asked why the city take over the burden of the property. Councilmember Kirkeide agreed. Attorney Berglund stated that the 3% maintenance fee was in the initial proposal because the city doesn't want the land to be unusable. Attorney Berglund stated that the concept of a trail system being woven through the property would need to be maintained. Councilmember Wilken stated that the city paid for a study about wetland banks when they were exploring whether it was feasible to do wetland banking in the park in Hidden Forest East Park. Councilmember Wilken asked just approximately, how much a credit is or how much wetland credits sell for an acre. Bill Stoddard, developer, stated that wetland banking credits values is based on supply and demand, some credits may be valued at \$200,000, while others are \$25,000 to \$30,000. Councilmember Wilken asked how long it takes for a wetland credit to sell. Mr. Stoddard stated that a public project can decrease credits while others could take 10-20 years to sell. Councilmember Wilken stated he would like to see a percentage-based fee for a credit. Attorney Berglund stated that pathways through a wetland bank property would not be feasible for a trail. Attorney Berglund stated if it is the City Council's goal to have a pathway, then the parkland dedication fee would be on a per acre basis. Attorney Berglund stated that the Planning Commission indicated that they were in favor of the per acre parkland dedication fee. Councilmember Kirkeide stated that maybe they should treat the parkland fee and wetlands fees separately or tie all fees to the scale of the credits sold and on a credit sale basis. Councilmember Parranto asked if they would be billed on only the created wetland banking acreage. Attorney Berglund stated that there is not a lot of historical information regarding wetland banking. Mayor Kirkham stated that the city has a lot of land that potentially could be for wetland banking. Mayor Kirkham stated that the city would benefit from connecting trail systems. Engineer Collins stated that in the past, tax forfeiture property would first be offered to the City and typically because it is wetland. Engineer Collins stated that the Legislature tax forfeit lands and requires that tax forfeit property goes on minimum market value bid auction and if not sold then goes onto a minimum bid envelope auction and then if not sold the land would be offered to the City. **Motion by Kirkham, seconded by Parranto, to table the amendments to Article 9 of the Ham Lake City Code relating to adding Wetland Banking as a Conditional Use in R-A (Rural Single Family Residential) zoning until a workshop meeting can be scheduled with the City Council, Planning Commission and a representative from the Minnesota Board of Water and Soil Resources (BWSR). All present 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

Mayor Kirkham stated that there was a Code Committee meeting before the Council meeting to discuss the city noise ordinances regarding ATV's and snowmobiles and in review of the City of East Bethel and City of Oak Grove's ordinances for guidance in amending the code. Mayor Kirkham stated that variances were discussed, and Attorney Berglund will look at laying out the hardships required for granting a variance so it is clearer.

11.2 Announcements and future agenda items – None

Motion by Kirkeide, seconded by Parranto, to adjourn the meeting at 6:34 p.m. All present in favor, motion carried.


Dawnette Shimek, Deputy City Clerk