

CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
(763) 434-9555
info@ci.ham-lake.mn.us

CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY AGENDA MONDAY, MAY 20, 2024

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

2.0 PUBLIC COMMENT

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

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

3.2 Ham Lake Chamber of Commerce – Discussion of Article 7-1200 Lawful Gambling

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 May 6, 2024

4.2 Approval of claims

4.3 Approval of scheduling a Budget Meeting on Monday, June 3, 2024 at 5:15 p.m.

4.4 Approval of appointing Finance/Human Resource Director Andrea Murff to the Safety Committee and Ham Lake Fire Relief Association Board of Trustees

4.5 Approval of the 2025 Budget Calendar

4.6 Approval of hiring summer seasonal employees in Public Works

4.7 Approval of the First Reading of an Ordinance regarding Article 11-1400- Shade Tree Damage

4.8 Approval of the Findings of Fact Resolution for Touchdown Tile

4.9 Approval of an Exempt Permit for Zachary NF Research Fund to hold a raffle on August 12, 2024 at Majestic Oaks Golf Club, 701 Bunker Lake Boulevard NE

4.10 Approval of a Resolution scheduling a public hearing for the Conduit Bonding for Vista Prairie at Eagle Pointe, LLC

4.11 Approval of a lot line adjustment between Pin # 19-32-23-33-0004 and 19-32-23-34-0001

4.12 Approval of a Resolution accepting a \$4,000 donation from the Ham Lake Chamber of Commerce

4.13 Approval of a Resolution scheduling a public hearing to vacate a portion of the road right-of-way for Tippecanoe Street NE on Lot 1, Block 2, Constance Boulevard Terrace

4.14 Approval of the Local Bridge Replacement Program Grant Agreement for replacement of the County Ditch 58 cross culverts underneath 152nd Avenue NE and approval of a resolution

4.15 Approval of accepting Creekside Farms and commencing of warranty period

4.16 Approval of the Anoka Conservation District being the holder of the conservation easement for the compensatory rate plant mitigation plan within a portion of Soderville Park associated with the East Frontage Road construction project and the Crosstown Shopping Center reconstruction project

4.17 Approval of Liquor Licenses:

On-Sale and Sunday On-Sale

- T-Box Bar & Grill, 1431 147th Avenue NE, Ham Lake, MN
- Ham Lake Lanes, 16465 Highway 65 NE, Ham Lake, MN
- Acapulco Mexican Restaurant, 18015 Ulysses Street NE, Suite 1000, Ham Lake, MN
- EAGL Beverages Holding LLC, dba Majestic Oaks Golf Club, 701 Bunker Lake Boulevard NE, Ham Lake, MN

- Maxx Bar & Grill, 17646 Highway 65 NE, Ham Lake, MN

Off-Sale

- Grape Expectations, dba Tournament Liquor, 1434 147th Avenue NE, Ham Lake, MN
- Bidhipur Beverage, Inc., dba Ham Lake Liquors, 17720 Central Avenue NE, Ham Lake, MN
- Broadview Operations, LLC, dba 1 Stop Liquor, 16205 Lexington Avenue NE, Ham Lake
- Rama Corporation dba Network Liquors, 13548 Highway 65 NE, Ham Lake, MN

Wine and 3.2% Malt Liquor

- Mansetti's Pizza & Pasta, 16220 Aberdeen Street NE, Suite C, Ham Lake, MN

3.2% Off-Sale

- Speedway, 1442 Constance Boulevard NE, Ham Lake, MN

5.0 PLANNING COMMISSION RECOMMENDATIONS

- 5.1 Art Rosenberg of Lincoln Street Commercial, LLC, requesting Sketch Plan approval for a commercial development (four lots and one outlot) in Section 29
- 5.2 Melinda McDermott, Elevate Hope House, requesting Sketch Plan approval of a residential development (two lots, one outlot) in Section 16

6.0 ECONOMIC DEVELOPMENT AUTHORITY – None

7.0 APPEARANCES

- 7.1 Finance Director Andrea Murff, 1st Quarter Financial Report

8.0 CITY ATTORNEY

9.0 CITY ENGINEER

10.0 CITY ADMINISTRATOR

11.0 COUNCIL BUSINESS

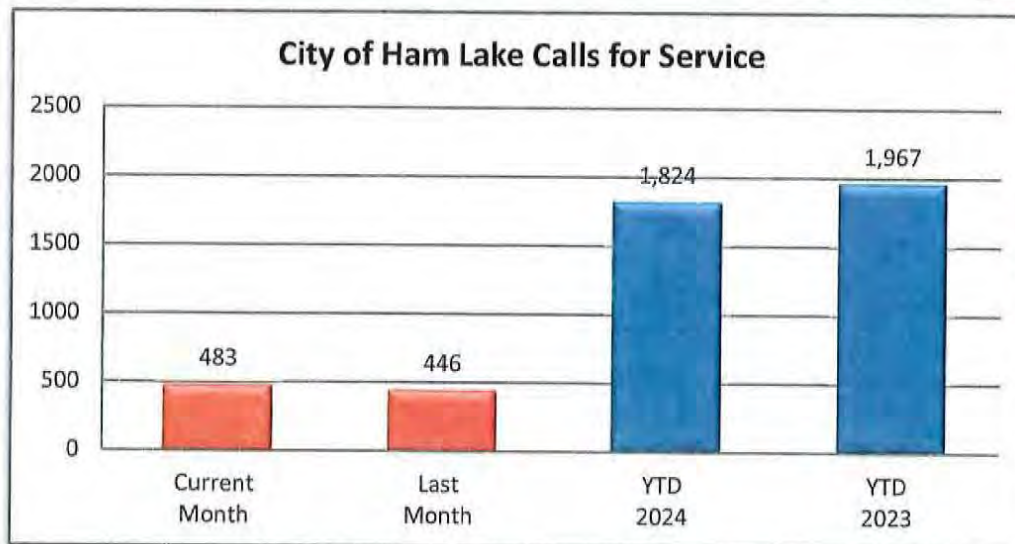
- 11.1 Committee Reports

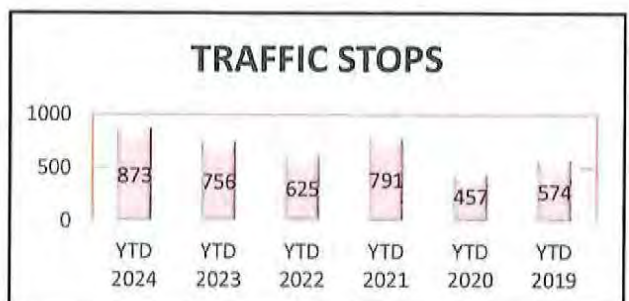
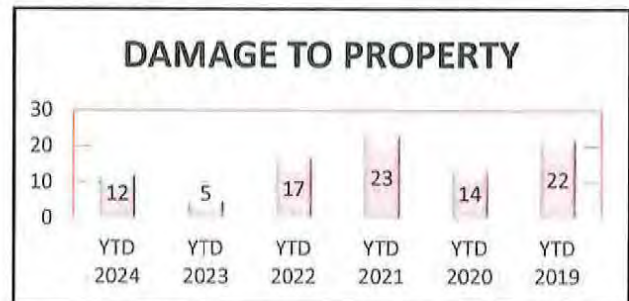
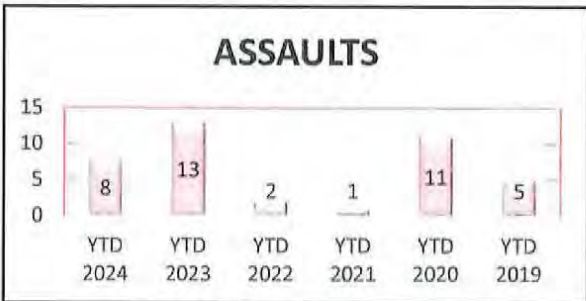
- 11.2 Announcements and future agenda items

PATROL DIVISION

CITY OF HAM LAKE - JANUARY - APRIL 2024

OFFENSE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD 2024	YTD 2023
Call for Service	453	442	446	483									1,824	1,967
Burglaries	0	2	0	1									3	5
Thefts	17	12	5	9									43	45
Crim Sex Conduct	0	0	0	0									0	0
Assault	1	5	0	2									8	13
Dam to Property	1	3	5	3									12	5
Harass Comm	0	0	0	1									1	0
PI Accidents	3	2	5	5									15	20
PD Accidents	24	21	30	22									97	115
Medical	58	47	63	79									247	253
Animal Complaint	25	18	30	27									100	108
Alarms	31	23	26	18									98	95
Felony Arrests	1	8	1	3									13	13
GM Arrests	2	5	4	4									15	20
Misd Arrests	5	6	6	5									22	22
DUI Arrests	2	3	2	2									9	12
Drug Arrests	0	2	1	3									6	6
Domestic Arrests	0	1	0	2									3	7
Warrant Arrests	9	3	2	6									20	16
Traffic Stops	227	224	219	203									873	756
Traffic Arrests	71	64	78	59									272	177



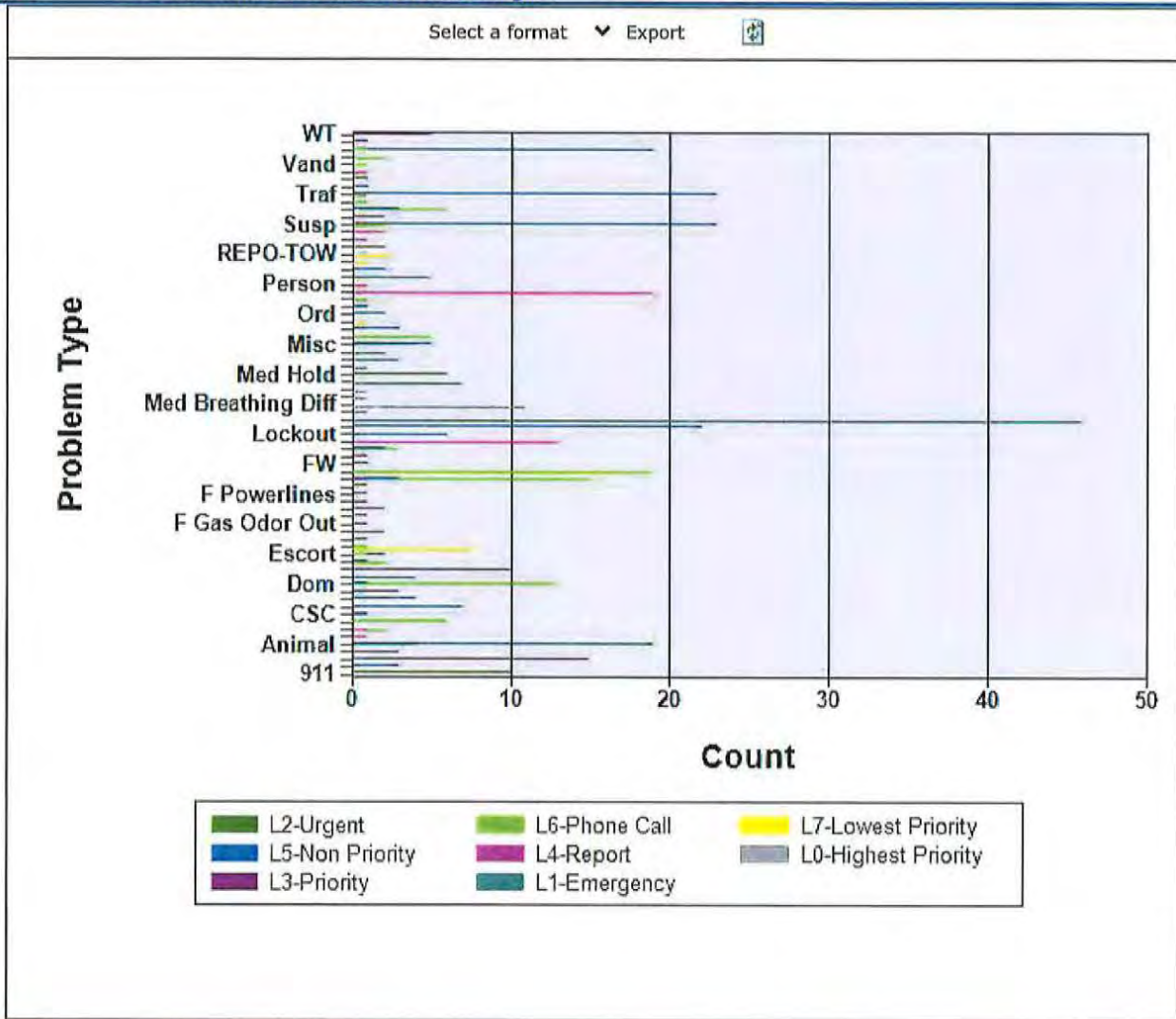


Problem Type Summary

12:45 PM 05/02/2024

Data Source: Data Warehouse

Agency:	LAW ENFORCEMENT
Division:	Ham Lake Law
Day Range:	Date From 4/1/2024 To 4/30/2024
Exclusion:	• Calls canceled before first unit assigned



Priority	Description
0	L0-Highest Priority
1	L1-Emergency
2	L2-Urgent
3	L3-Priority
4	L4-Report
5	L5-Non Priority
6	L6-Phone Call
7	L7-Lowest Priority

Problem Type	Priority								Total
	0	1	2	3	4	5	6	7	
911	0	0	10	0	0	0	0	0	10
Abandon	0	0	0	0	0	3	0	0	3
Abuse	0	0	0	0	0	0	0	0	0
AbuseP	0	0	0	0	0	0	0	0	0
AlarmB	0	0	0	15	0	0	0	0	15

MA	0	0	0	0	0	22	0	0	22
MASS	0	0	0	0	0	0	0	0	0
Med -	0	46	0	0	0	0	0	0	46
Med Alarm	0	1	0	0	0	0	0	0	1
Med Allergic	0	0	0	0	0	0	0	0	0
Med Assault	0	0	0	0	0	0	0	0	0
Med Bleed	0	0	0	0	0	0	0	0	0
Med Breathing Diff	11	0	0	0	0	0	0	0	11
Med Breathing Not	1	0	0	0	0	0	0	0	1
Med Choking	1	0	0	0	0	0	0	0	1
Med Drown	0	0	0	0	0	0	0	0	0
Med Electro	0	0	0	0	0	0	0	0	0
Med Fall	0	0	0	0	0	0	0	0	0
Med Heart	0	7	0	0	0	0	0	0	7
Med Hold	0	0	6	0	0	0	0	0	6
Med ILL	0	1	0	0	0	0	0	0	1
Med Info	0	0	0	0	0	0	0	0	0
Med OB	0	0	0	0	0	0	0	0	0
Med Priority	0	0	0	0	0	0	0	0	0
Med Seizure	0	0	0	0	0	0	0	0	0
Med Stab-Gunshot	0	0	0	0	0	0	0	0	0
Med Stroke	0	3	0	0	0	0	0	0	3
Med Uncon	0	2	0	0	0	0	0	0	2
Medex	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	5	4	0	9
MiscO	0	0	0	0	0	3	5	0	8
Noise	0	0	0	0	0	3	0	0	3
NoTag	0	0	0	0	0	0	0	1	1
Ord	0	0	0	0	0	2	0	0	2
Other	0	0	0	0	0	1	1	0	2
Park	0	0	0	0	0	0	1	0	1
PD	0	0	0	0	19	0	3	0	22
Person	0	0	0	0	1	0	0	0	1
PI	0	5	0	0	0	0	0	0	5
PQR	0	0	0	0	0	2	0	0	2
Property	0	0	0	0	0	0	0	0	0
PW	0	0	0	0	0	0	0	1	1
REPO-TOW	0	0	0	0	0	0	0	2	2
RJ	0	0	0	0	0	0	0	0	0
RoadClosure	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
RobberyP	0	0	0	0	0	0	0	0	0
Shots	0	0	0	2	0	0	0	0	2
Slumper	0	0	0	0	1	0	0	0	1
StolenProp	0	0	0	0	0	0	0	0	0
Suicide	0	0	0	0	2	0	0	0	2
SuicideP	0	0	0	0	0	0	0	0	0
Susp	0	0	0	1	0	23	2	0	26
SuspP	0	0	0	2	0	0	0	0	2
Theft	0	0	0	0	0	3	6	0	9
TheftP	0	0	0	0	0	0	0	0	0
Threat	0	0	0	0	0	1	1	0	2
ThreatP	0	0	0	0	0	0	0	0	0
Traf	0	0	0	0	0	23	1	0	24
Tres	0	0	0	0	0	1	0	0	1
UNK	0	0	1	0	0	0	0	0	1
Unsecure	0	0	0	0	1	0	0	0	1
Vand	0	0	0	0	0	0	1	0	1
VandP	0	0	0	0	0	0	0	0	0
VehTheft	0	0	0	0	0	0	2	0	2
VehTheftP	0	0	0	0	0	0	0	0	0
Weapon	0	0	0	0	0	0	0	0	0
Weather	0	0	0	0	0	0	0	0	0
Welfare	0	0	0	0	0	19	1	0	20
WelfareP	0	0	0	1	0	0	0	0	1
WT	0	0	0	5	0	0	0	0	5

Total

13	69	19	58	41	159	95	29	483
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Go Back

Close



Kari Lund
Executive Director
kari@hamlakecc.org

Carrie Folstrom
Charitable Gambling Manager
carrie@hamlakecc.org

2024 Executive Board

Board Chair
Tim Sofie
Minuteman Press

Vice Chair
Theresa DeGeest
Anoka-Hennepin Educational
Foundation

Secretary/Treasurer
Nancy Braastad
CorTrust Bank

Board of Directors

Tyler Messerole
Falcon National Bank

Danielle Hedberg
Bold North Insurance

William Israelson
13th Hour Training and
Self Defense

Shana Schmitz
Jam Hops

Board members can be reached at
board@hamlakecc.org

April 30, 2024

City of Ham Lake
Mayor and City Council
15544 Central Ave NE
Ham Lake, MN 55304

RE: Charitable Gambling City Code

On behalf of the Ham Lake Area Chamber of Commerce (HLACC) Board of Directors, members, and staff, we are writing to request a review of the current city code as it pertains to charitable gambling policies. As written, the current Ham Lake city code allows any charitable gambling organization within our trade area to operate a gambling site.

The HLACC has been searching for a re-placement site since the closure of our 2nd largest gambling site earlier this year which has significantly impacted our funding for donations. During this search, we have found that many other cities in our trade area are much more restrictive and do not allow Ham Lake based organizations to operate within them or significantly limit where charitable donations can be given (see code comparison enclosed). Although all non-profit charitable gambling organizations serve areas of need, the majority of these neighboring organizations are quite specific in their charitable giving with most of these funds going to youth sports or festivals in other communities.

In 2023 the HLACC donated just under \$500,000 dispersed to 94 different charities and youth programs (see attached). Over the last 5 years the top 3 community benefactors were:

1. City of Ham Lake has received over \$160,000 in support of the Freedom Festival & Ham Laker Newsletter in addition to the required 10% net profits paid annually.
2. NACE – we have provided monetary support benefiting local families in need of over \$100,000
3. Anoka-Hennepin Educational Foundation – support for our local schools in Dist #11, funding grants for new programs with equitable, innovative & meaningful educational opportunities benefiting 1000's of students.



Charitable Gambling is very competitive in Anoka County. As reported by the Minnesota Gambling Control Board in the 2023 annual report dated June 30, 2023, 4 of the top 10 sites by Gross Receipts are nearby in the communities of Blaine (2 sites), Ramsey & Champlin (see attached).

Ham Lake Area Chamber of Commerce has enjoyed a long partnership with the city providing monetary support for our newsletter and community events like the Farmers Market, Freedom Festival and Hometown Holiday. We are grateful for this relationship and strive to continue our mission to support our local community and help those in need.

At this time, we would like to request that the city council review our current code in regards to charitable gambling regulations. Our request is to mirror the codes of our neighboring trade area to require organizations that are allowed to conduct gambling in our city to have a Ham Lake address or to add a "first right of refusal" requirement that must be given to a Ham Lake based charitable gambling organization before considering any other organizations. We feel that with this update to our city code, the city will be protecting our local charitable gambling organizations and allowing them to continue supporting the needs of our local youth and non-profit charities.

Thank you for your time and consideration.

Sincerely,

Kari Lund
Executive Director

Carrie Folstrom
Gambling Manager

Tim Sofie
Board Chair

Enclosures: 3
CC: Denise Webster, City Administrator



Our Charitable Gambling donations are focused on giving back directly to our local community. In 2023, Ham Lake Area Chamber of Commerce gave back a total of **\$446,325.35. The following organizations received donations in 2023:**

- Achieve Services
- Andover Athletic Association
- Andover HS Community Scholarship
- Andover HS Senior Party Association
- Andover HS Swim and Dive
- Andover HS Drama Choir Parent Org
- Anoka-Hennepin Educational Foundation
- Anoka County ASCO & Veteran Services
- Arthritis Foundation JIA
- Bikes 4 Kids
- Blaine Area Little League
- Blaine Boys Basketball Volunteers
- Blaine Boys Golf
- Blaine Community Scholarship
- Blaine Dance Team
- Blaine HS Alpine Ski Team
- Blaine HS Band
- Blaine HS Bowling
- Blaine HS Cheer Boosters
- Blaine HS Girls Basketball Booster Club
- Blaine HS Girls Lacrosse
- Blaine HS Robotics Association
- Blaine HS Swim and Dive
- Blaine HS Trap Shooting Boosters
- Blaine Nordic Booster Club
- Blaine HS Senior Party
- Blaine Youth Basketball
- Blaine Youth Lacrosse Association
- Brown Boys Benefit
- BSA Troops 3506, 3509 & 5509 Ham Lake
- Cars for Neighbors
- Christmas Committee, Inc (Toys for Joy)
- City of Ham Lake
- Clearview Works, Inc.
- Coon Rapids HS Boys Basketball
- Coon Rapids HS Boys Nordic Ski Team
- Coon Rapids HS Boys Soccer Club
- Coon Rapids HS Boys Track & Field
- Coon Rapids Competition Cheer
- Coon Rapids Girls Basketball Boosters
- Cub Scout Pack 508
- Dylan Witschen Foundation
- East Bethel Booster Days
- East Bethel Fire Auxilliary
- Elevate Hope House
- Every Meal
- Family Pathways
- Family Promise in Anoka County
- Four Seasons Curling Club
- Foundations Christian Academy
- Glen Cary Lutheran Church
- Granny's Closet
- Ham Lake Senior Center
- Hometown Hero Outdoors
- IBC Youth Bowling
- Impact Services
- Invisible Wounds
- Jam HOPE Foundation
- Lee Carlson Center
- Lupus Research Foundation
- Majestic Oaks/DKM Community Foundation
- Midwest Special Services
- Minnesota 100 Club
- Minnesota Chiefs of Police Association
- Minnesota Warriors Ice Hockey
- Minnesota Freeze Basketball
- Mom's Haven of Hope
- North Anoka County Emergency Food Shelf
- Northwoods Humane Society
- Stories Foundation
- Superman Sam's Survival Kit
- The Dwelling Place
- Univ of Minnesota ALD Research
- Wishes & More
- Yaya Foundation 4H Leukodystrophy
- Youth First Community of Promise
- Youth Investment Foundation Timber Bay
- Patriot Assistance Dogs
- The Reel Hope Project
- Ronnie's Fight for CDH
- Rum River Art Center
- Rum River Assoc. of Families and Teachers
- Safe Haven Foster Shoppe
- Soderville Blaine Athletic Association
- SLP Band Boosters
- SLP Girls Basketball
- SLP HS Girls Soccer
- SLP Youth Fastpitch Softball Association
- SparkPath
- St. Francis Elementary Association of Parents and Teachers
- St. Francis Gladiators Wrestling Club
- St. Francis HS All Night Party
- St. Francis HS Scholarship Fund
- Stepping Stone Emergency Housing



Making a difference in our community, one bingo, pull tab, and meat raffle at a time!

Follow us on Facebook!

 [@hlacccharitablegambling](https://www.facebook.com/hlacccharitablegambling)

LIC # 02948

7-1200 Lawful Gambling

7-1210 Regulations Supplemental to Statutory Control

The regulations found in this Article 7-1200 shall be supplemental to any regulations found in Minnesota Statutes

Chapter 349, and any State Agency regulations adopted pursuant to said statute. Any and all portions of said statute and regulations not inconsistent with this Article are adopted by reference.

7-1220 Places Eligible for License

Lawful Gambling licenses shall be permitted only in bars or "sit-down" restaurants. A bar is any facility which maintains an on-sale liquor or non-intoxicating malt liquor license. A "sit-down" restaurant is a restaurant that regularly employs wait-persons as food servers at tableside, as opposed to a "fast-food" restaurant having the majority of orders placed at a service counter and drive-up window. The reason for this distinction is to prohibit Lawful Gambling devices from locations which have a large number of customers under 18 years of age, often unaccompanied by adults.

7-1230 Conditions

The conduct of Lawful Gambling under license issued by the Board shall be subject to the following conditions in the City of Ham Lake:

- a. A copy of any lease agreement between a non-profit organization and a gambling location owner or operator shall be filed with the City Administrator together with the Gambling license application;
- b. The City Council may refuse to issue a Lawful Gambling license for a location in which gambling violations have previously occurred, and the Council may refuse to issue a Lawful Gambling license to a non-profit organization which has previously violated terms of this Ordinance and/or Minnesota Statutes, Chapter 349;
- c. The maximum number of separate gambling locations that any one license organization shall be permitted to operate within the City is 3.

7-1240 Investigation

Every organization which files an application for issuance or renewal of a Lawful Gambling License shall deliver the application to the City Administrator. The City Administrator shall investigate each application and report any findings and recommendations to the City Council.

7-1250 Filings of Records; inspection; Access to Records.

- a. Every organization licensed to conduct Lawful Gambling in the City of Ham Lake shall file with the City Administrator copies of all records and reports required to be filed with the Board pursuant to Minnesota Statutes, Chapter 349 and the rules and regulations promulgated thereunder. The records and reports shall be filed in the office of the City Administrator on or before the day they are required to be filed with the Board;
- b. Every gambling event in the City of Ham Lake conducted by an organization under Minnesota Statutes, Chapter 349 shall be open to inspection by law enforcement officers;
- c. The City Administrator or agents at the direction of the City Administrator, may inspect at any reasonable time, without notice or search warrant, all records of licensed

organization, including gambling account and other bank records required by the Board to be maintained and preserved.

7-1260 Fee

The City will charge all new applications the maximum investigation fee permitted by Minnesota Statutes, Chapter 349 in order to cover costs incurred investigating the application. Any unused portion of this fee will be refunded to the applicant. This fee does not apply to applications for renewal of licenses.

7-1270 Organizations Eligible for License

Lawful gambling licenses shall be permitted only for organizations whose primary spending of profits earned from lawful gambling activities are directed to activities or donated to organizations existing within a Trade Area encompassing the Anoka County, Minnesota communities of Ham Lake, Oak Grove, East Bethel, Linwood Township, Columbus Township, Lino Lakes, Blaine, Coon Rapids and Andover.

7-1280 Charitable Gaming

A. Contribution Required.

Pursuant to the authority granted by Minnesota Statutes Chapter 349.213, all organizations licensed or registered by the Minnesota Gambling Control Board shall be required to contribute ten per cent of their net profits derived from lawful gambling conducted at premises within the City's corporate limits to a fund administered and regulated by the City without cost to such fund, for disbursement by the City for (i) charitable contributions as defined in Minnesota Statutes Chapter 349.12, subdivision 7(a), or (ii) disbursements for police, fire and other emergency or public safety-related services, equipment and training.

B. Annual Report

By March 15 of each year, the City Administrator shall file with the Gaming Control Board the report required by Minnesota Statutes Chapter 349.213, Subd. 1 (a) on forms to be prescribed the Gaming Control Board.

C. Computations

In computing net profit, the organization shall use generally accepted accounting principles, and any organization that is specifically allowed by statute or State Regulations to expend lawful gambling proceeds for certain operating expenses of the host establishment in which the organization conducts its lawful gambling operation may deduct such expenses actually paid in computing its net profit.

D. Due Date

Organizations have the option of payment of the amounts required under this article on a monthly or annual basis. If payment is made monthly, payment is due by the 20th of the following month, accompanied by a copy of the monthly report that is filed at that time with the Minnesota Gambling Control Board. If the organization chooses to pay annually, payment is due within sixty days after the close of the fiscal year for the organization. Organizations paying annually must still provide the City with a copy of each monthly report that is filed with the Minnesota Gambling Control Board.

E. Repealer

Any and all previous ordinances, resolutions or other policies previously adopted by the City regarding contributions by organizations involved in lawful gambling in the City are superseded and replaced by this ordinance, or, in the case of prior ordinances, are repealed.

4/2/2024

Ham Lake Area Charitable Gambling City Code Review and Comparison

City	Trade Area	# of sites allowed per org	Contribution to City	Additional Requirements	Notes
Ham Lake	Ham Lake, Oak Grove, East Bethel, Linwood Township, Columbus Township, Lino Lakes, Blaine, Coon Rapids, Andover	3	10%	Primary spending of profits to be expended within trade area	We are allowed in Ham Lake :) All of our trade area would also be allowed without restriction.
Andover	Andover, Anoka, Coon Rapids, Ramsey, Oak Grove, Ham Lake	3	10%	Eligible organizations MUST have a principal business location or registered business office within the city for at least 2 years. At least 15 members must reside in Andover. Must conduct monthly meetings with no less than 50% of these members attending. These meetings must be conducted at a physical site in Andover. At least 90% of profits to be expended within trade area and 10% must be within the city of Andover.	We are NOT allowed to have a site in Andover
Blaine	Blaine, Circle Pines, Coon Rapids, Ham Lake, Lexington, Lino Lakes, Mounds View, Shoreview, Spring Lake Park	4	10%	All profits to be expended within trade area	We would be allowed to have a site in Blaine but the profits expended to trade area only could be restrictive
Coon Rapids	Coon Rapids, Andover, Anoka, Blaine, Brooklyn Park, Champlin, Fridley and Ham Lake	5 (but 2 of the 5 are limited to pull tab dispensing machines only)	5%	Eligible organizations MUST have a principal business location within the city for at least 2 years. One third of membership must also reside in Coon Rapids. At least 60% of profits to be expended within trade area.	We are NOT allowed to have a site in Coon Rapids
East Bethel	Andover, Bethel, Columbus, Ham Lake, Isanti, Oak Grove, St. Francis, Linwood Township	2	10%	Organization shall expend 90% of lawful purpose expenditures within trade area	We are allowed in East Bethel
Bethel	undefined for gambling	undefined	3%	must be a non profit with at least 15 active members (no additional note restricting to city residency)	We are allowed in Bethel

Oak Grove	Andover, Anoka, Ham Lake, East Bethel, Bethel, St. Francis, Nowthen	3	10%	All profits to be expended within trade area	We would be allowed to have a site in Oak Grove but the profits expended to trade area only could be restrictive
Lino Lakes	Lino Lakes and every city and township contiguous to the city	undefined	no requirement	Must meet one of the following to be eligible: 1. have a principal business location or registered business office within the city for at least 2 years. 2. At least 15 members must reside in Lino Lakes. 3. Owns property and conducts gambling on that property. 4. Physical meeting site other than gambling is within the city. At least 50% of profits to be expended within trade area	We are NOT allowed to have a site in Lino Lakes.
Linwood Township	undefined for gambling	undefined	no requirement	undefined	We are allowed in Linwood Township
Columbus Township	undefined for gambling	undefined	10%	1% local gambling tax as well	We are allowed in Columbus Township



Annual Report

Minnesota Gambling Control Board
Fiscal Year 2023
July 1, 2022—June 30, 2023



FY23 Gambling Control Board Annual Report

Summary and Highlights

November 10, 2023

The Minnesota Gambling Control Board provides the resources and regulation needed to make Minnesota's lawful (charitable) gambling industry successful. We ensure the integrity of operations, create educational and outreach materials, and confirm that net profits are used to support Minnesota nonprofit organizations and their missions. This report summarizes the lawful gambling activity from paper and electronic pull-tabs, paper and electronic bingo, raffles, paddlewheels, and tipboards for fiscal year 2023 (FY23), beginning July 1, 2022, and ending June 30, 2023.

Highlights:

- FY23 gross receipts (total sales) totaled \$4.6 billion – a record high. This is a 7.5% increase from FY22 and a 48.1% increase from FY21. Minnesota's lawful gambling gross receipts have increased 275% over the past ten years.
- Net profit (total sales minus prizes and allowable expenses) totaled \$330 million, a 1.5% increase from FY22 and a 231% increase for the past decade.
- Licensed and exempt nonprofit organizations used lawful gambling to raise approximately \$157 million for their charitable missions.
- State taxes paid on lawful gambling receipts totaled \$193 million, a 7.2% increase over FY22.
- Pull-tabs made up 96% of total sales (paper pull-tabs 44.7% and electronic pull-tabs 51.1%). For the first time, electronic pull-tab gross receipts surpassed paper pull-tab gross receipts.
- Pull-tab gross receipts (paper and electronic) increased 7.9% in FY23, while gross receipts for all other forms of lawful gambling increased 8.9%.
- Paper bingo gross receipts totaled \$79 million, a 3.7% increase from FY22, while electronic linked bingo gross receipts totaled \$64 million, a 16% increase from FY22.
- As of June 30, 2023, there were 1,144 licensed organizations conducting lawful gambling at 3,026 locations throughout Minnesota. The number of organizations and locations has remained relatively constant over the past five years.
- As of June 30, 2023, the Gambling Control Board had a staff of 41 employees. Twenty-nine were based at the agency's central office in Roseville, and 12 employees were based at the agency's regional offices in Fergus Falls, Hibbing, and Mankato.

The Gambling Control Board and staff continue to diligently provide the oversight, regulation, and outreach needed to keep this multibillion-dollar industry successful.

Respectfully submitted,



Janet Lorenzo
Board Chair



Tim Mahoney
Executive Director

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Agency Statement of Receipts and Expenditures

License/permit/testing fees ¹	\$1,707,157
Regulatory fees	\$6,690,742
Total Gambling Control Board fees collected ²	\$8,397,899
Legislative appropriation.....	\$6,365,000
Expenditures	\$5,210,261
Unused appropriation returned to dedicated account.....	\$1,230,865
Civil penalties, fines (consent orders, citations) deposited into the state’s general fund.....	\$18,700

¹ Includes manufacturer, distributor, distributor salesperson, linked bingo game provider, organization, gambling manager licenses, along with premises permit, exempt permit, and game approval/testing fees.

² Fees collected are assigned to a designated account controlled by legislative appropriation.

Board-Issued Licenses and Permits as of June 30, 2023

8	Manufacturers	Produce and sell gambling equipment (pull-tab games, bingo paper, bingo ball selection devices, etc.) to licensed distributors.																					
2,414	Games	Manufacturer-produced games tested/approved for sale to licensed distributors.																					
2	Linked bingo game providers	Provide electronic linked bingo games to licensed lawful gambling organizations.																					
9	Distributors	Businesses that sell games and other gambling equipment to licensed, exempt, and excluded lawful gambling organizations.																					
102	Distributor salespersons	Distributor employees licensed to sell games and other gambling equipment to nonprofit organizations.																					
1,144	Licensed organizations	Nonprofit organizations licensed to conduct gambling at permitted premises.																					
		<table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Type of Nonprofit Organization</u></th> <th style="text-align: right;"><u>Count</u></th> <th style="text-align: right;"><u>Percent</u></th> </tr> </thead> <tbody> <tr> <td>Veterans—American Legions, VFWs, and Auxiliaries</td> <td style="text-align: right;">290</td> <td style="text-align: right;">25%</td> </tr> <tr> <td>Fraternal—Eagles, Moose, Elks, Lions</td> <td style="text-align: right;">227</td> <td style="text-align: right;">20%</td> </tr> <tr> <td>Youth sports and activities</td> <td style="text-align: right;">212</td> <td style="text-align: right;">19%</td> </tr> <tr> <td>Firefighter relief associations</td> <td style="text-align: right;">184</td> <td style="text-align: right;">16%</td> </tr> <tr> <td>Civic, religious, outdoor, and other misc. organizations</td> <td style="text-align: right;"><u>231</u></td> <td style="text-align: right;"><u>20%</u></td> </tr> <tr> <td style="text-align: right;">Total licensed organizations</td> <td style="text-align: right;">1144</td> <td style="text-align: right;">100%</td> </tr> </tbody> </table>	<u>Type of Nonprofit Organization</u>	<u>Count</u>	<u>Percent</u>	Veterans—American Legions, VFWs, and Auxiliaries	290	25%	Fraternal—Eagles, Moose, Elks, Lions	227	20%	Youth sports and activities	212	19%	Firefighter relief associations	184	16%	Civic, religious, outdoor, and other misc. organizations	<u>231</u>	<u>20%</u>	Total licensed organizations	1144	100%
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Civic, religious, outdoor, and other misc. organizations	<u>231</u>	<u>20%</u>																					
Total licensed organizations	1144	100%																					
1,144	Gambling managers	Members of licensed nonprofit organizations responsible for supervising organizations’ lawful gambling operations.																					
3,026	Premises permits	Allows a licensed organization to conduct lawful gambling at a location.																					
3,347	Exempt permits	2,219 nonprofit organizations were issued permits to conduct limited gambling on up to five days per calendar year. 3,347 activities were conducted in FY23 (July 1, 2022 – June 30, 2023) with tax-exempt total sales of \$55,600,720. These receipts are not included in the total sales amounts for licensed organizations.																					
587	Excluded permits	343 nonprofit organizations were issued permits to conduct 587 excluded bingo activities. “Excluded” bingo may be conducted for four or fewer annual events or be conducted up to 12 consecutive days in conjunction with a county fair, civic celebration, or the State Fair. Sales amounts from excluded organizations are not included in the licensed organization totals.																					

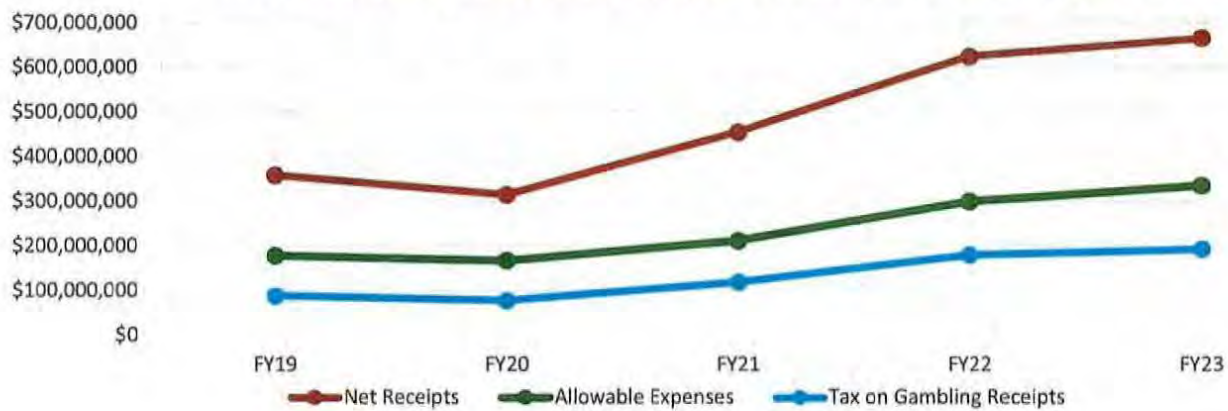
Calculation of Net Receipts		Total Expenditures	
Gross receipts	\$4,572,210,494	Allowable expenses ¹	\$335,195,312
Prizes paid	– \$3,907,332,817	Lawful purposes ²	+ \$330,364,035
Net receipts	\$664,877,676	Total expenditures ³	\$665,559,347

¹ Allowable expenses are the costs related to the conduct of gambling such as inventory, wages, and rent.
² Lawful purposes include charitable contributions, nonprofit program expenditures, taxes, and fees.
³ Total expenditures exceeded net receipts by \$681,671. These funds came from prior years' retained earnings.

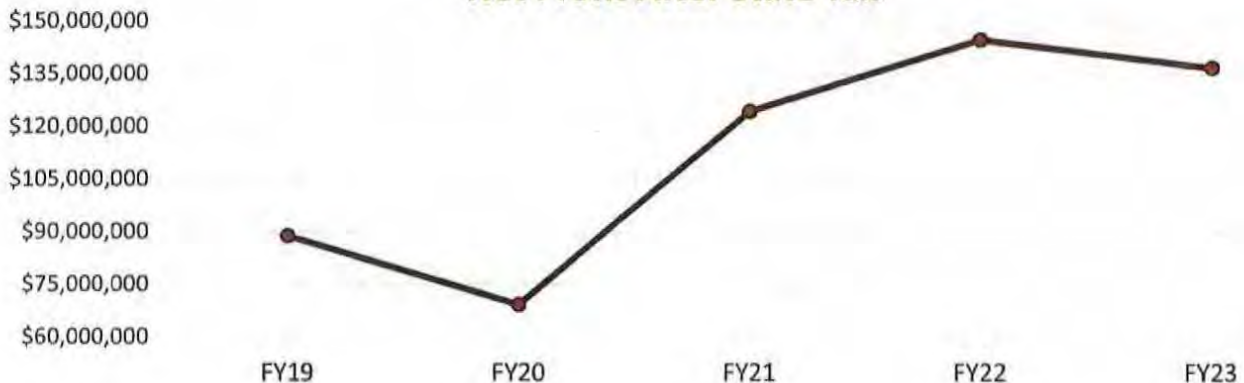
Lawful Purpose Expenditures	
Charitable contributions, nonprofit program expenditures, and regulatory fees	\$137,234,097
State tax	+ \$193,129,939
Total lawful purpose expenditures	\$330,364,035

Net Profit After State Tax	
Net receipts	\$664,877,676
Allowable expenses	– \$335,195,312
State tax	– \$193,129,939
Net profit after state tax	\$136,552,425

Net Receipts, Allowable Expenses, Tax on Gambling Receipts



Net Profit After State Tax

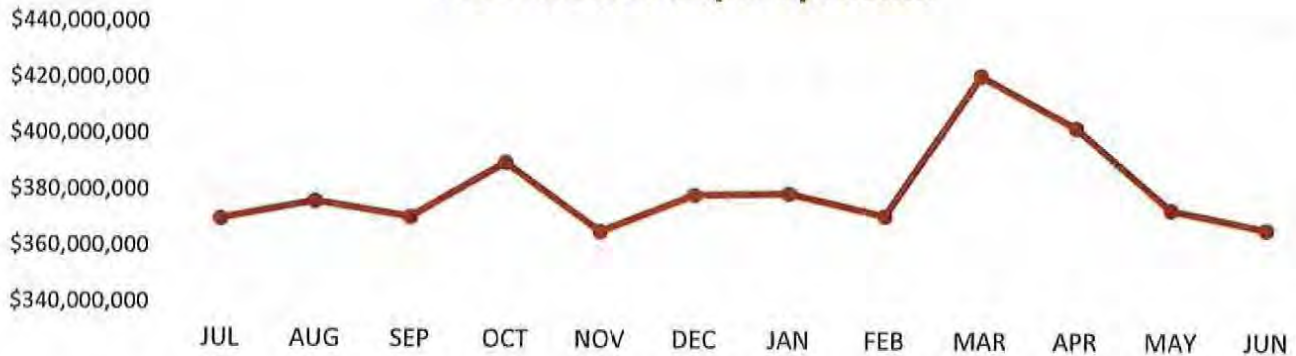


Gross Receipts

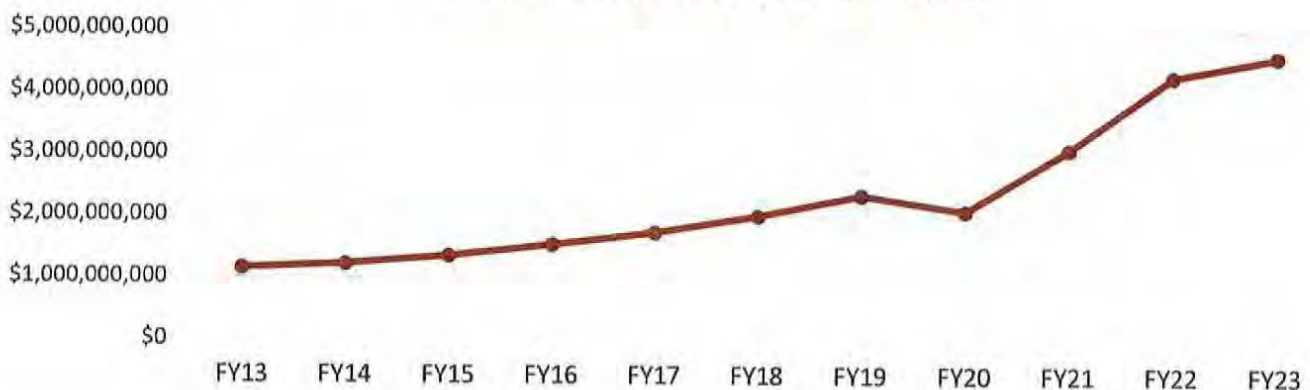
FY23 Sales Activity Summary (in \$1,000s)						
Activity	Gross Receipts ¹		Prizes Paid		Net Receipts ²	
	FY23	FY22	FY22	FY22	FY23	FY22
Pull-tabs - Paper	\$2,041,725	\$2,131,293	\$1,750,638	\$1,824,415	\$291,087	\$306,878
Pull-tabs - Electronic	\$2,334,760	\$1,940,575	\$2,013,346	\$1,670,572	\$321,414	\$270,003
Bingo - Paper	\$79,028	\$76,203	\$59,339	\$56,963	\$19,688	\$19,240
Bingo - Electronic	\$63,765	\$54,972	\$50,271	\$43,977	\$13,494	\$10,995
Tipboards - Sports	\$3,381	\$2,586	\$2,652	\$2,038	\$729	\$548
Tipboards - Non-sports	\$14,651	\$13,639	\$10,942	\$10,198	\$3,709	\$3,441
Paddlewheel - w/table	\$3,129	\$3,783	\$2,733	\$3,263	\$396	\$520
Paddlewheel - w/o table	\$15,446	\$14,369	\$10,081	\$9,290	\$5,365	\$5,079
Raffles	\$16,031	\$14,020	\$7,330	\$6,289	\$8,700	\$7,731
Interest	\$296	\$158	\$0	\$0	\$296	\$158
Totals	\$4,572,211	\$4,251,598	\$3,907,332	\$3,627,005	\$664,879	\$624,593

¹ "Gross receipts" means the amount wagered.
² "Net receipts" means the amount wagered that was not returned to players in prizes.

FY23 Gross Receipts by Month



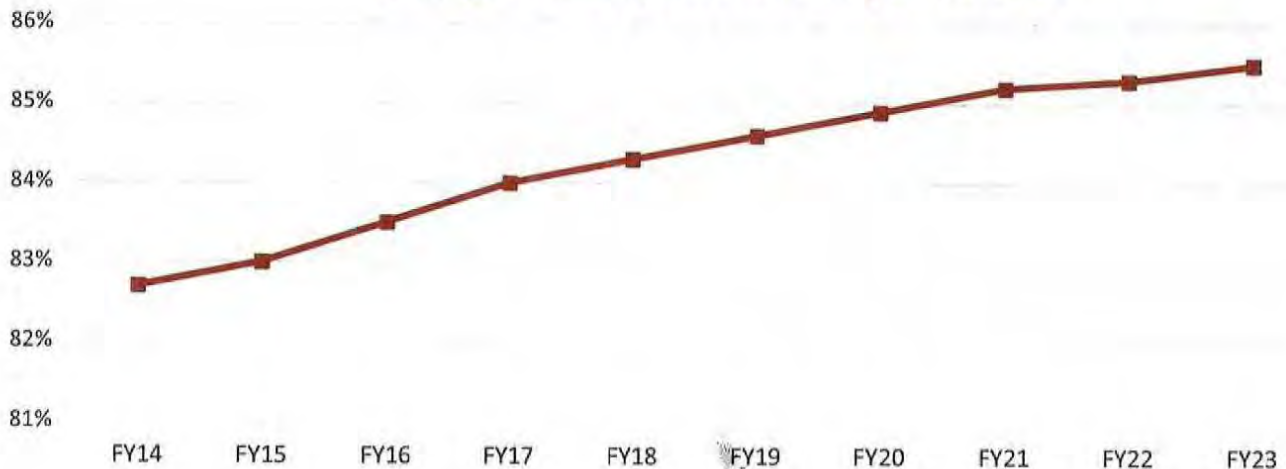
Annual Gross Receipts - 10 Years



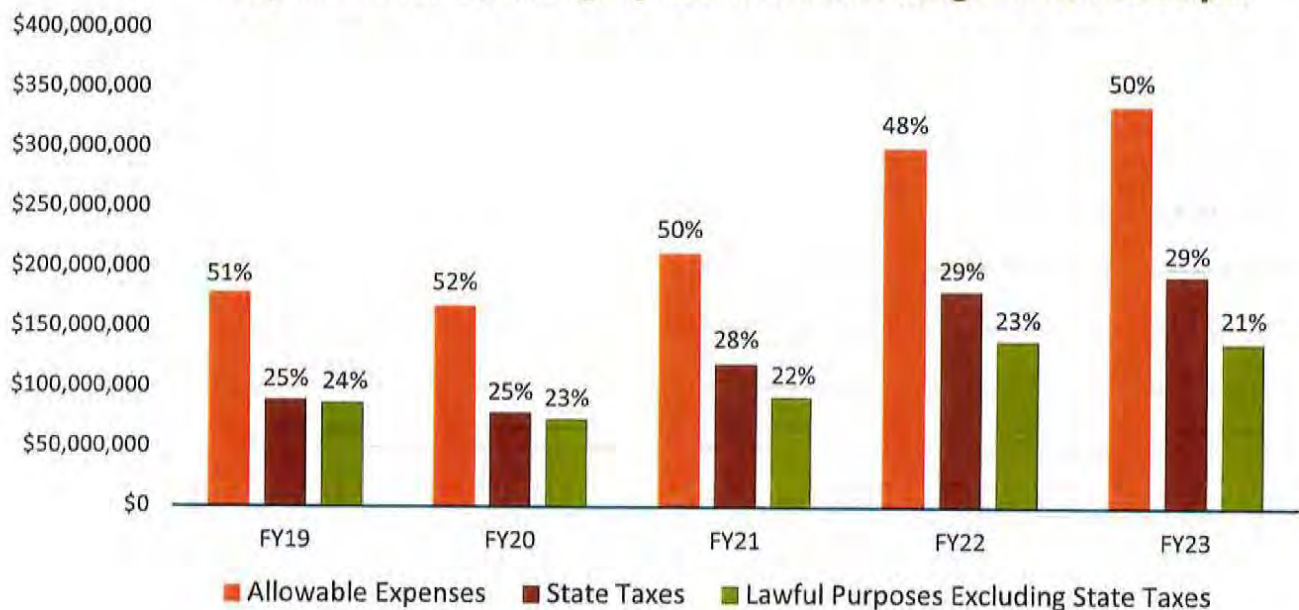
Net Receipts

Calculation of Net Receipts		Annual gross receipts increased 275% from FY14 to FY23, while annual net receipts only increased by 216%. This was due to the prize payout percentage increasing from 82.7% to 85.5% over the same ten-year period.
Gross receipts	\$4,572,210,494	
Prizes paid	– \$3,907,332,817	
Net receipts	\$664,877,676	

Average Prize Payout Percentage - 10 Years

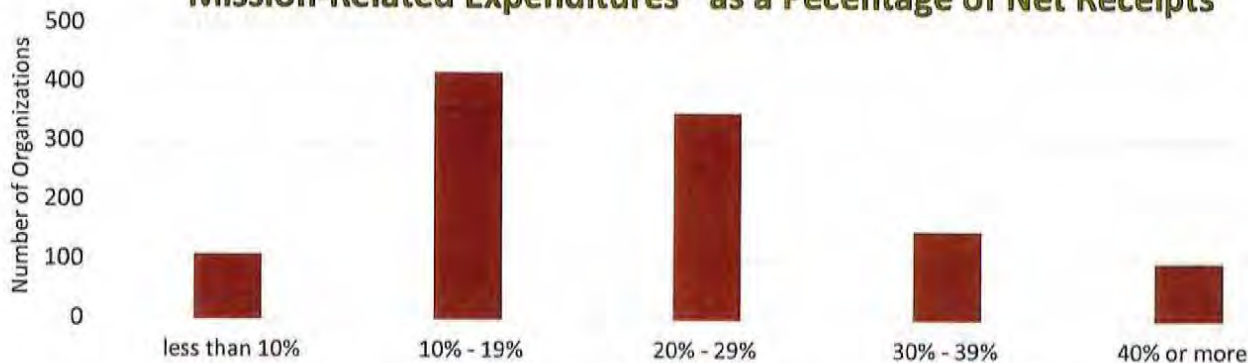


Expenditures by Category and as a Percentage of Net Receipts



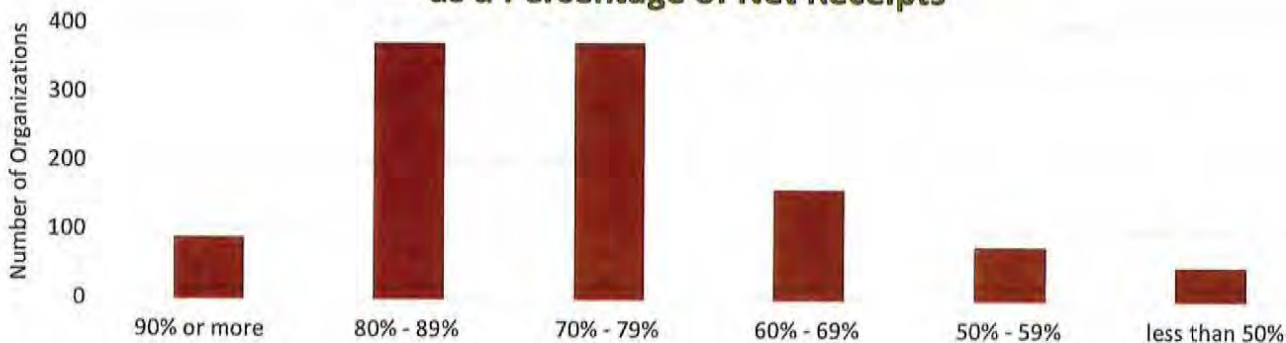
The graphs below are three measures of organizations' efficiency in raising funds for their charitable missions. For example, the first graph shows that 108 of the 1144 licensed organizations spent less than 10% of their net receipts on mission-related expenditures, while 96 spent 40% or more. The second graph shows the percentage of net receipts spent on expenses, taxes, and fees. The higher this percentage, the less is available for donations and other mission-related expenditures. The third graph shows the percentage of net receipts spent on all lawful purpose expenditures (including taxes and fees).

Mission-Related Expenditures* as a Percentage of Net Receipts

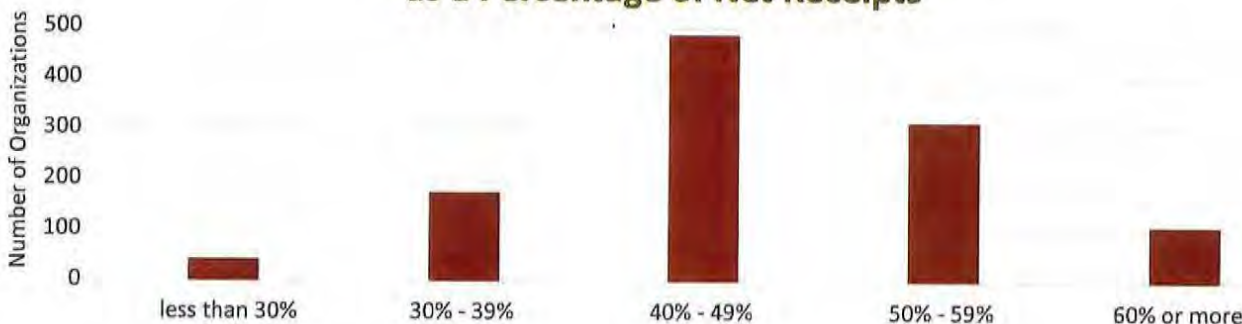


* Includes charitable and other lawful purpose expenditures excluding taxes and fees.

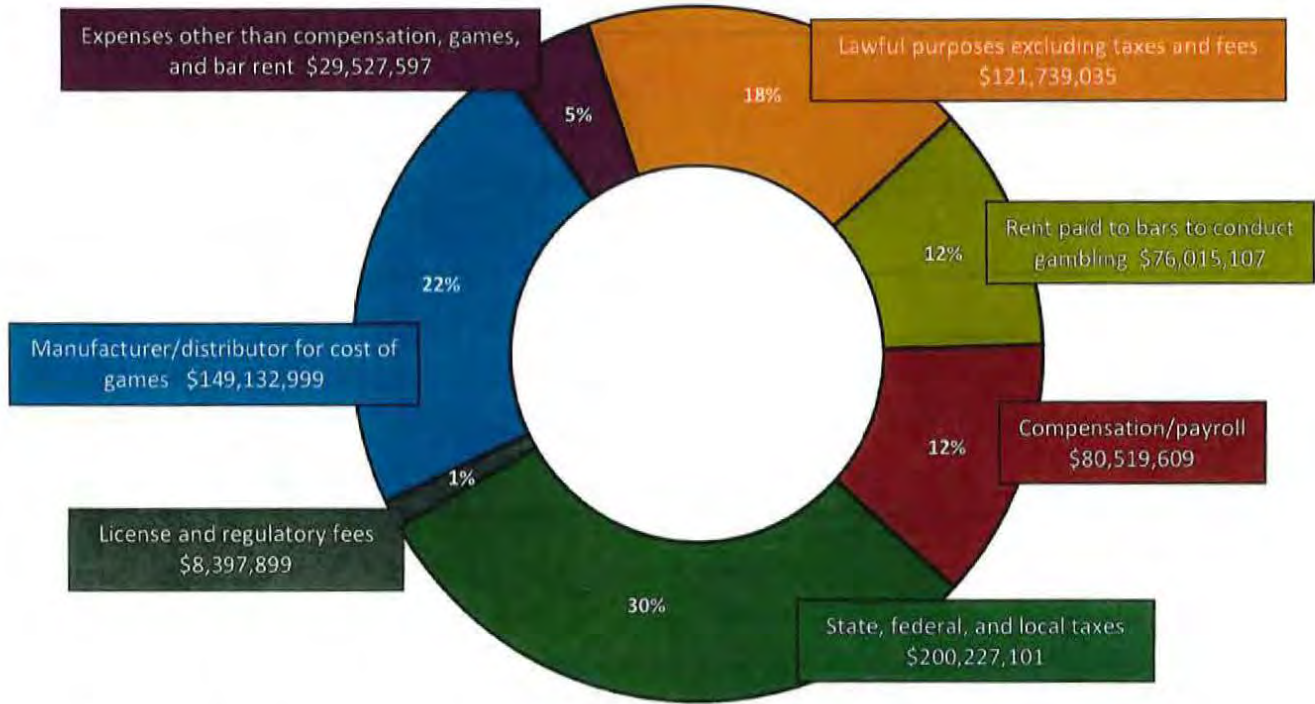
Sum of Allowable Expenses, Taxes, and Fees as a Percentage of Net Receipts



Total Lawful Purpose Expenditures as a Percentage of Net Receipts

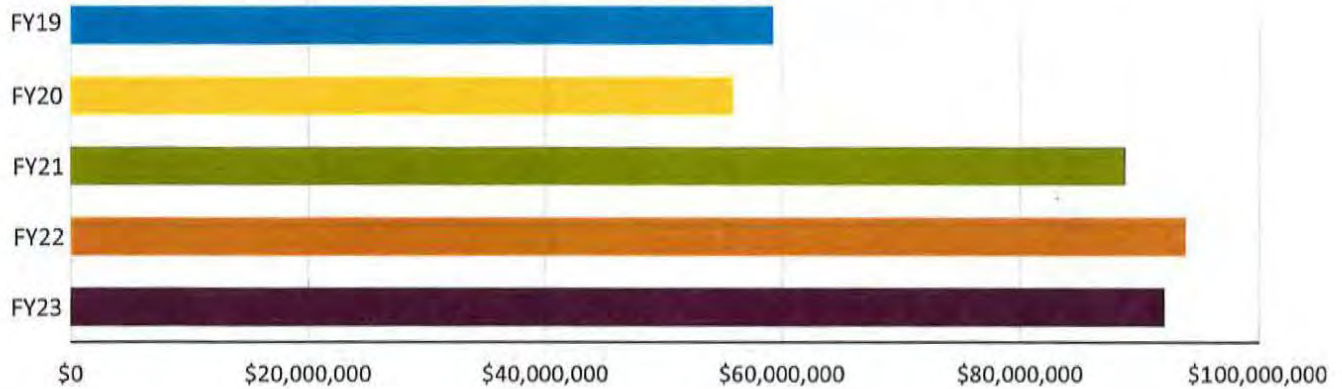


Expenditure of Lawful Gambling Proceeds*



* Excluding prizes, organizations spent \$665,559,347 in FY23, of which \$681,671 was retained earnings from prior years.

**Fiscal Year-End Profit Carryover
(cummulative retained cash and prizes not yet awarded)**

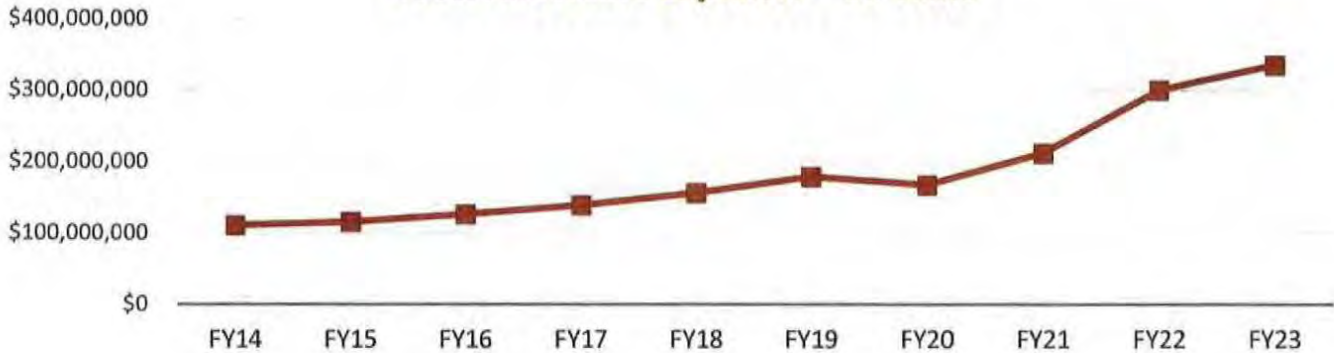


Allowable Expenses

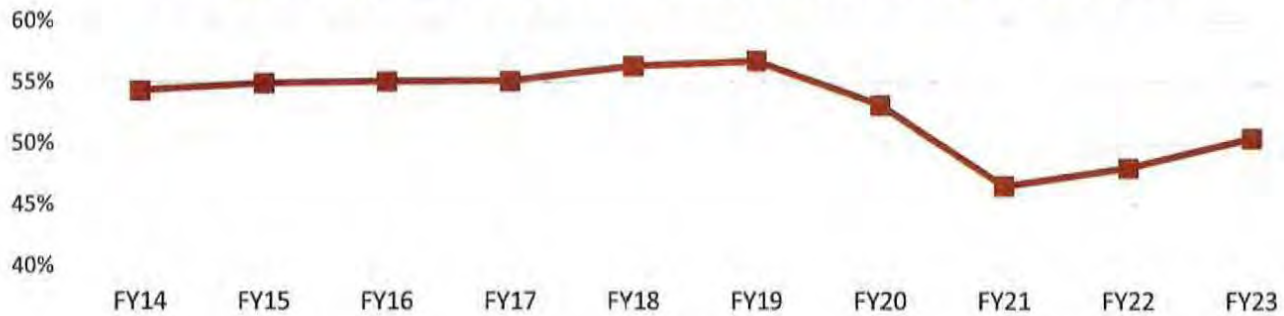
Allowable expenses are operating costs directly related to the conduct of gambling. Examples include product costs, rent paid to sites, wages, accounting fees, and supplies. The FY23 cost of games, primarily paper and electronic pull-tabs, increased 12.1% over FY22. The increased cost of games was the main factor driving the increase in total allowable expenses.

Allowable Expenses	\$335,195,312
Lawful Purposes	+ \$330,364,035
Total Expenditures	\$665,559,347

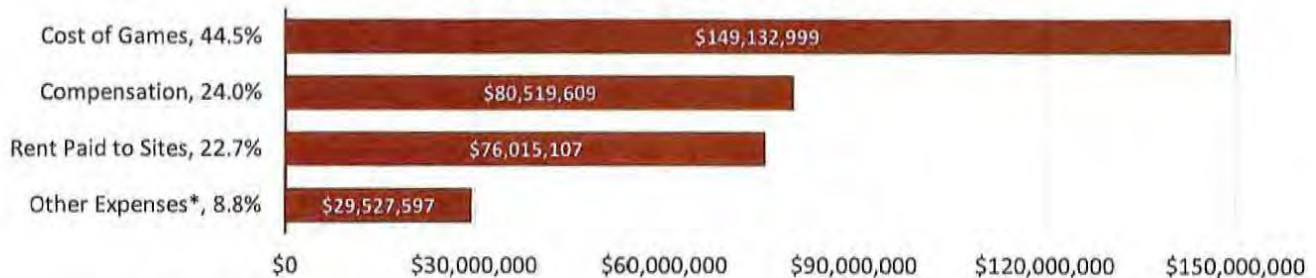
Total Allowable Expenses - 10 Years



Allowable Expenses as a Percentage of Net Receipts - 10 Years



FY23 Allowable Expenses by Category



* Other expenses include accounting fees, office equipment and supplies, travel expenses, gambling manager's bond, and cash shortages.



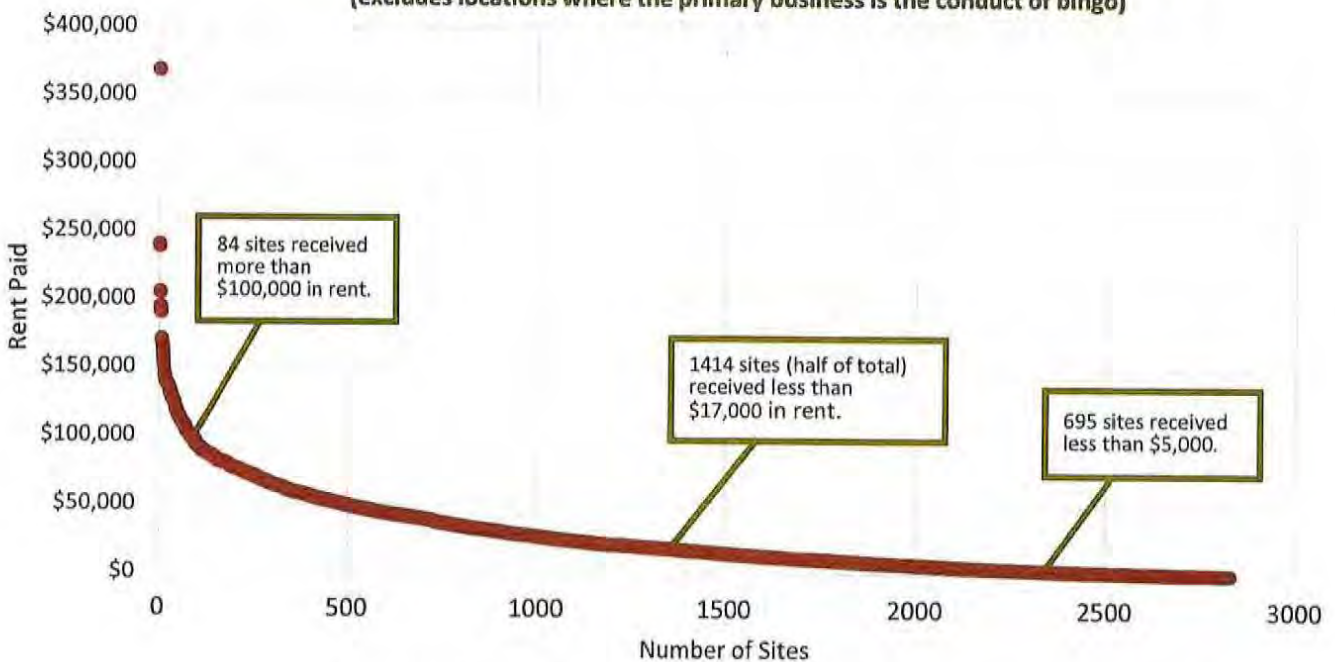
An organization that conducts lawful gambling at a site it owns may use lawful gambling proceeds to pay the property taxes for that site. An organization may also lease space (typically from a bar or restaurant) for the conduct of gambling. Nearly all rent for these leased premises is paid at the following rates:

- if the organization’s employees conduct the gambling, 10% of net receipts with a monthly cap of \$1,750;
- if the site owner’s employees conduct the gambling, 20% of net receipts less cash shortages for paper pull-tabs;
- if the site owner’s employees conduct the gambling, 15% for electronic pull-tabs and electronic linked bingo.

Rent paid to site owners in 2023 totaled \$76 million, a 110% increase since 2019.

Distribution of Total Annual FY23 Rent Paid* to Each Site

(excludes locations where the primary business is the conduct of bingo)



*As of June 30, 2023 there were 3026 active sites, with 85% of them leased by licensed organizations, and 15% owned by licensed organizations.

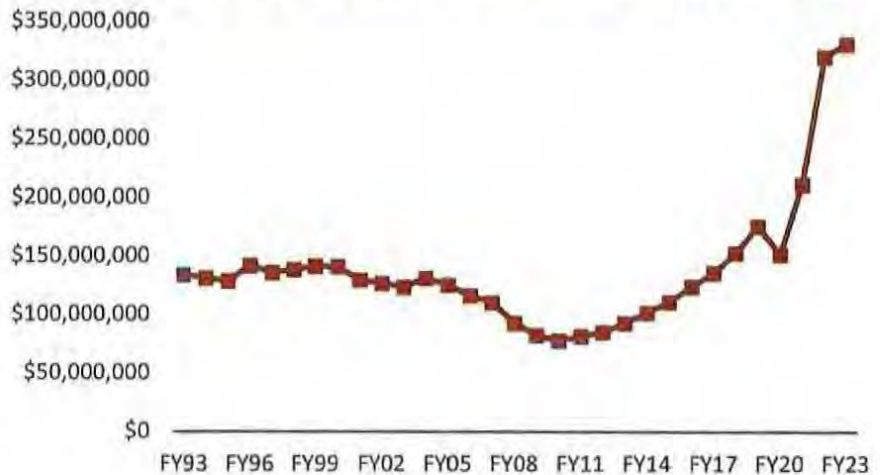
Lawful Purpose Expenditures

<p>Lawful gambling net profits (net receipts less allowable expenses) may be spent for the lawful purposes described below. The total expended in each category is based on amounts reported to the Board by licensed organizations each month.</p> <p>Each organization is required to spend at least 30% of its fiscal-year's net receipts on lawful purpose expenditures (20% for organizations that conduct gambling exclusively at locations where the primary business is the conduct of bingo).</p>	Total Expenditures	\$665,559,347
	Allowable Expenses	\$335,195,312
	Lawful Purpose Expenditures	\$330,364,035

State gambling taxes.....	\$193,129,939	Recognition of military service and support of non-licensed veterans' clubs	\$2,312,389
Contributions to/expenditures by 501(c)(3) or 501(c)(4) festival organizations.....	\$54,659,400	Religious purposes.....	\$1,256,295
Programs/projects by the United States, the State of Minnesota, or local units of government (excluding taxes).....	\$19,647,372	Wildlife management projects, grooming and maintaining snowmobile and all-terrain vehicle trails approved by DNR, and monitoring surface water quality.....	\$1,335,148
Youth activities.....	\$16,708,311	Contributions to another licensed organization or parent organization (with Board approval).....	\$603,636
Specific utility costs by licensed veterans and fraternal organizations.....	\$6,061,569	Congregate dining, nutritional programs, or food shelves for the disabled or persons age 62 and older.....	\$378,557
Public or private nonprofit educational institutions and scholarships.....	\$7,150,392	Membership events by licensed veterans organizations.....	\$287,557
Lawful gambling license & regulatory fees.....	\$6,830,458	Community arts organizations or program sponsorships.....	\$175,935
Local and federal gambling taxes.....	\$7,097,162	Recognition of humanitarian service.....	\$70,224
Relieving effects of poverty, homelessness, or disabilities.....	\$3,923,084	Compulsive gambling programs.....	\$2,036
Acquisition or improvement of qualifying capital assets or real property of organization-owned buildings.....	\$5,552,584		
Real estate taxes.....	\$2,206,407		

Program Expenditures, Taxes, and Fees	
(in \$1,000s)	
State taxes on gambling receipts	\$193,130
Charitable contributions and other program expenditures	\$122,331
Board license and regulatory fees	\$6,830
Federal, local, and unrelated business income taxes	\$7,097
Total lawful purpose expenditures	\$330,364

Lawful Purpose Expenditures - Historical



State Taxes on Gambling Receipts

State taxes on lawful gambling include the net receipts tax and the combined net receipts tax. Under state statute, these taxes are categorized as lawful purpose expenditures.

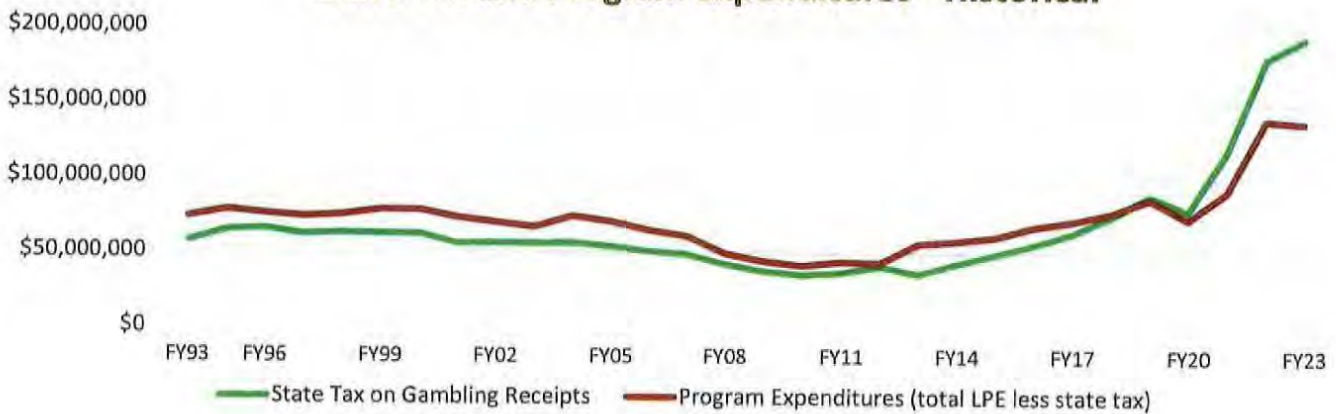
Net receipts tax is an 8.5% tax on the net receipts from paper bingo, raffles, and paddlewheels.

Combined net receipts tax is a progressive tax on the net receipts from electronic and paper pull-tabs, tipboards, electronic linked bingo, and interest. In FY23, each organization's first \$87,500 of net receipts from these activities was taxed at 9%, the next \$35,000 at 18%, the next \$35,000 at 27%, and net receipts over \$157,000 were taxed at 36%.

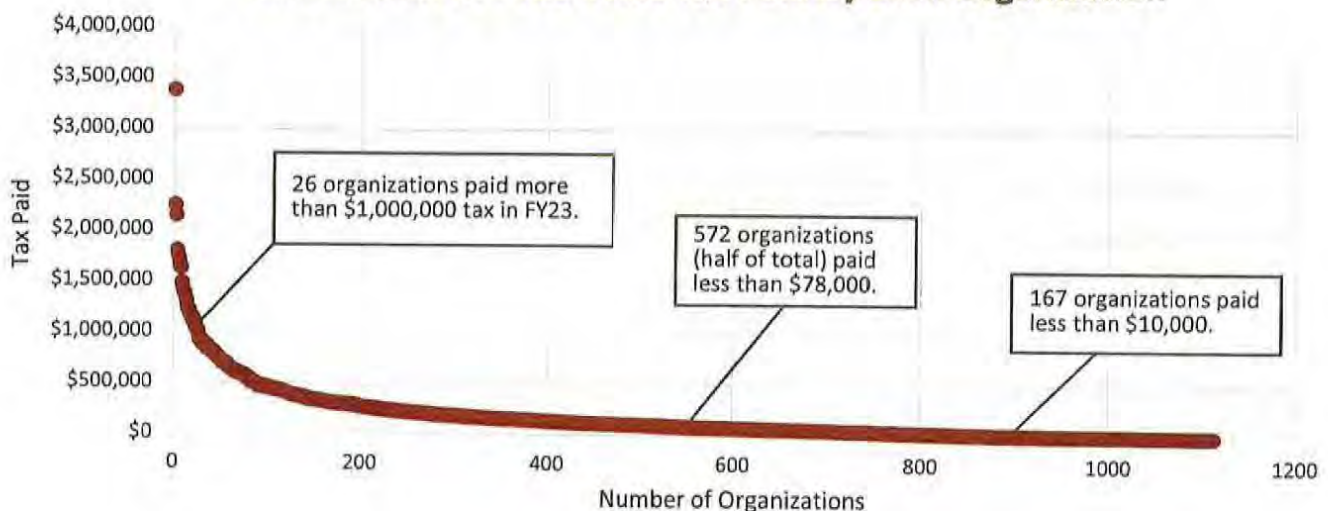
FY22 and FY23 Totals by Tax Type		
	FY23	FY22
Net receipts tax	\$2,902,628	\$2,768,421
Combined net receipts tax	\$190,227,311	\$177,431,875
Total state gambling tax	\$193,129,939	\$180,200,296

State Tax as % of Gross and Net Receipts			
FY	Tax Paid	% Gross Receipts	% Net Receipts
2023	\$193,129,939	4.22%	29.05%
2022	\$180,200,296	4.20%	28.90%
2021	\$119,096,000	3.90%	26.20%
2020	\$78,303,000	3.80%	24.90%
2019	\$88,777,000	3.80%	24.80%
2018	\$75,178,000	3.70%	23.80%

State Tax and Program Expenditures - Historical



Distribution of FY23 State Tax Paid by Each Organization

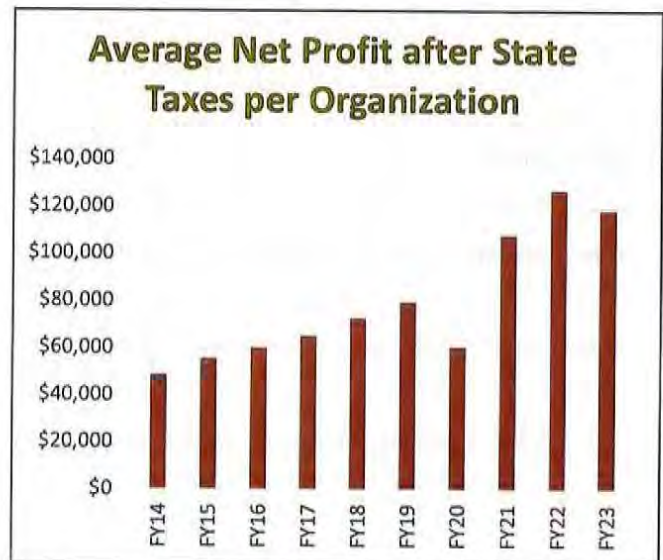
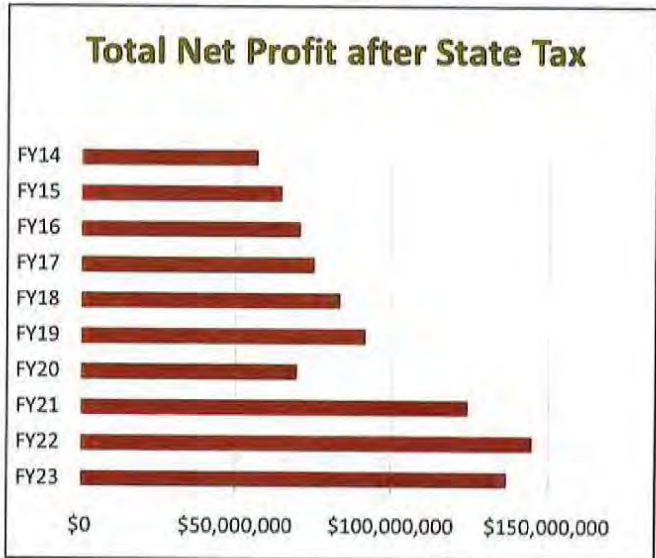


Net Profit after State Taxes

“Net profit after state taxes” is calculated by subtracting prizes paid, allowable expenses, and state lawful gambling taxes from gross receipts. Net profit after state taxes is commonly used to identify how much an organization made from its lawful gambling operation.

FY23 net profits after state taxes fell 4.5% from FY22. This was the result of FY23 allowable expenses increasing 11.8% and taxes increasing 7.2%, while net receipts only increased 6.4%.

FY23 Net Profit After State Taxes	
Net receipts	\$664,877,676
Allowable expenses	– \$335,195,312
State tax	– \$193,129,939
Net profit after state tax	\$136,552,425



Top Ten Organizations by Gross Receipts

Organizations (# of active sites as of June 30, 2023)	Total Sales	Prize Payout %	Net Receipts
Merrick Inc (26)	\$62,541,768	84.5%	\$9,710,469
White Bear Lake Area Hockey Assoc (6)	\$46,387,672	85.7%	\$6,625,173
Centennial Youth Hockey Assoc (9)	\$44,107,833	88.2%	\$5,208,406
Confidence Learning Center (39)	\$40,085,292	84.3%	\$6,277,978
Amvets Post 1 Mendota (13)	\$40,051,323	87.4%	\$5,045,366
St. Cloud Youth Hockey Association (7)	\$37,809,985	86.9%	\$4,934,453
Burnsville Savage Lions Club (4)	\$32,831,199	87.6%	\$4,076,525
Community Charities of Minnesota (31)	\$32,569,525	85.7%	\$4,667,364
Irving Community Association (26)	\$31,178,769	85.9%	\$4,392,866
American Legion Post 491 Bayport (17)	\$29,905,866	86.0%	\$4,189,097

Top Ten Sites by Gross Receipts

Sites	Total Sales	Prize Payout %	Net Receipts
JR's Outpost, Ramsey	\$16,604,073	87.9%	\$2,013,318
Jimmy's Food & Drink, Vadnais Heights	\$13,757,314	84.8%	\$2,094,260
American Legion Post 580, Chanhassen	\$12,467,920	87.3%	\$1,582,237
HR Pesty's Saloon, Waite Park	\$11,814,304	87.2%	\$1,510,380
American Legion Post 1776, Apple Valley	\$11,279,313	87.6%	\$1,399,379
VFW Post 8731, Monticello	\$11,180,350	87.1%	\$1,438,777
Ole Piper Inn, Blaine	\$10,832,374	86.7%	\$1,446,083
Willy McCoys of Champlin, Champlin	\$10,569,361	86.0%	\$1,484,415
Blainbrook Entertainment Center, Blaine	\$10,526,566	85.3%	\$1,547,642
VFW Post 494, Crystal	\$10,390,705	84.8%	\$1,582,316

Exemptions and Exclusions

Full Licensure not Required

Minnesota Statutes, Section 349.166, allows organizations to conduct some limited lawful gambling activities without obtaining an annual license from the Board or complying with certain regulations (such as having a licensed gambling manager or having two signatures on all gambling account checks). These non-licensed activities are classified as either exemptions or exclusions.

State Tax on Net Receipts Waived

Exempt and excluded gambling activity is not subject to either the net receipts tax or the combined net receipts tax.

Exempt Lawful Gambling

	Activity	Gross Receipts	Profit
The Board may issue a nonprofit organization an "exempt permit" if it only conducts lawful gambling on five or fewer days in a calendar year (January 1-December 31) and does not award more than \$50,000 in prizes for lawful gambling during that calendar year.	Raffles	\$51,494,915	\$31,717,553
	Bingo	\$3,101,000	\$1,778,603
	Pull-Tabs	\$753,605	\$197,924
	Paddlewheel	\$196,893	\$137,825
	Tipboards	\$54,307	\$21,792
	Tax-Exempt Totals	\$55,600,720	\$33,853,697

Excluded Lawful Gambling*

Excluded Raffles

A nonprofit organization may conduct a raffle without a license or permit if, for the calendar year, the total value of all prizes donated and purchased is less than \$1,500, OR if the organization is a 501(c)(3) and the total value of all prizes donated and purchased for one event does not exceed \$5,000.

Excluded Bingo

A nonprofit organization may obtain a permit to conduct excluded bingo if bingo is conducted at 4 or fewer events during the year or if bingo will be conducted 12 or fewer consecutive days in conjunction with a county fair, civic celebration, or the Minnesota State Fair. No fee is required to apply for this permit.

Senior Citizen Bingo

Bingo may be conducted in a nursing home or a senior citizen housing project or by a senior citizen organization if the prizes for a single game do not exceed \$10 and total prizes for the day do not exceed \$200. Only residents and their guests are allowed to play.

* No financial reports are required for excluded lawful gambling.

Gambling Control Board Mission and Members

Board Mission and Functions

The Gambling Control Board regulates the lawful (charitable) gambling industry to ensure the integrity of operations and provide for the lawful use of net profits. The Board performs many tasks to accomplish this mission including an in-depth licensing process, monitoring of licensees' gambling activities and expenditures, and providing education and technical assistance to our clientele regarding a wide range of licensing and compliance questions. Staff conducts compliance audits of organizations' operations, performs inspections of lawful gambling sites, investigates alleged misconduct, theft, and fraud, monitors daily electronic game activity, and tests each electronic and paper game made available for play in Minnesota.

Audits, Inspections, and Investigations

Regulation and guidance are provided to licensed organizations through compliance audits, inspections, and investigations. Organizations are notified of areas that are working well and areas that may require correction. Site inspections are routinely performed to determine if gambling is conducted in compliance with gambling statutes and rules. Board staff also conducts investigations into allegations of misconduct, theft, and fraud.

Education

Education is provided to organizations through the following opportunities:

- **Continuing Education.** Gambling managers are required to complete one continuing education class each calendar year. Online classes were offered and 24 in-person classes were conducted. Classes are free and open to the public.
- **Gambling Manager Seminars.** A required multi-day online Gambling Manager Seminar was offered monthly for all prospective gambling managers and the CEOs of newly licensed organizations.
- **Mentoring.** The Board's mentoring program provides one-on-one training to organizations on how to properly manage their gambling operation and comply with all reporting requirements.

Monthly Financial Reports

Licensed organizations are required to file a financial report with the Board each month. The report includes information on the organization's receipts and expenses for each site where gambling was conducted, a listing of its lawful purpose expenditures, and a reconciliation of its profit carryover with its bank balance. These reports are used to monitor gambling activity, identify potential problems, and ensure transparency of operations for organization members and the public.

Website

The Board makes several publications available to the public on its website (www.mn.gov/gcb).

- **Gaming News.** The Board's quarterly newsletter provides information on compliance, licensing, and education issues. *Gaming News* also includes information on legislative and rule changes, continuing education classes, forms, and Board activities. In addition to being available on the website, gambling managers and CEOs are emailed a link to each new edition of *Gaming News* upon publication.
- **Lawful Gambling Manual.** The *Lawful Gambling Manual* is a reference guide for CEOs, gambling managers, and organizations. The manual is divided into indexed chapters that are easily referenced for:
 - licensing requirements;
 - conducting paper and electronic pull-tabs, paper and electronic bingo, raffles, paddlewheels, and tipboards;
 - establishing and maintaining adequate internal controls over the gambling operation;
 - how net receipts may be spent; and
 - record-keeping and reporting procedures and requirements.
- **Other Information.** Agency annual reports, lists of licensees, staff contact information, links to statutes and rules, forms, crime alerts, bulletins, and many more publications are available on the Board's website.

Board Members

The Gambling Control Board is comprised of seven members. Five are appointed by the Governor. The Attorney General and Commissioner of Public Safety each appoint one of the remaining two members.

Member	Appointed By:	Term Expiration
Janet Lorenzo, Chair, Inver Grove Heights	Governor	June 30, 2025
James Nardone, Vice Chair, Grand Rapids	Governor	June 30, 2024
Mike Sundin, Secretary, Esko	Governor	June 30, 2026
William English, Plymouth	Attorney General	June 30, 2023
Kate Luthner, Forest Lake	Governor	June 30, 2024
Doug Forsman, Shakopee	Public Safety	June 30, 2027
Vacant	Governor	

-NOTES-

Minnesota Gambling Control Board

www.mn.gov/gcb

651-539-1900



Roseville Central Office:

**Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113**

Fergus Falls Regional Office:

**Minnesota Gambling Control Board
1415 College Way
Fergus Falls, MN 56537**

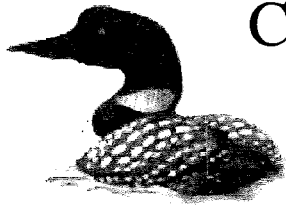
Hibbing Regional Office:

**Minnesota Gambling Control Board
522 East Howard Street, Suite 208
Hibbing, MN 55746**

Mankato Regional Office (mailing address):

**Minnesota Gambling Control Board
1819 Adams Street, #402
Mankato, MN 56001**

This publication will be made available in alternative formats (large print, braille) upon request.



CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
(763) 434-9555
info@ci.ham-lake.mn.us

CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES MONDAY, MAY 6, 2024

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, May 6, 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 Gary Kirkeide, Jim Doyle, Jesse Wilken and Al Parranto

MEMBERS ABSENT: None

OTHERS PRESENT: City Attorney, Mark Berglund; City Engineer, Dave Krugler; City Administrator, Denise Webster; 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 – 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 April 15, 2024 and Workshop Minutes of April 15, 2024

4.2 Approval of claims in the amount of \$256,054.72

4.3 Approval of appointing Andrea Murff as the Finance and Human Resource Director

4.4 Approval of Resolution No. 24-17 to appoint signers and authorized traders for bank and investment accounts

4.5 Approval of a Temporary On-Sale Liquor License for the Ham Lake Lion's at Lion's Park, 1220 157th Avenue NE, for the Freedom Festival on Saturday, June 29, 2024

4.6 Approval of an Exempt Permit for Special Olympics Minnesota to hold a raffle on July 22, 2024 at Majestic Oaks Golf Club, 701 Bunker Lake Boulevard NE

4.7 Approval of Ordinance No. 24-01 rezoning portions of land from R-M (Residential-Manufactured Mobile Home) to R-A (Rural Single Family Residential) and portions of land from CD-2 (Commercial Development II) to R-A (Rural Single Family Residential) in Section 8

4.8 Approval of hiring summer season employees in Public Works

4.9 Approval of Resolution No. 24-18 accepting a \$2,500 donation from the Ham Lake Chamber of Commerce

4.10 Approval of a Change Order for the 2024 Bituminous Overlay Project

4.11 Approval of Resolution No. 24-19 accepting the low bid for the Meadow Park North of Constance Boulevard NE (163rd Lane NE from Hasting Street NE to Isanti Street NE and Isanti Street NE from 163rd Lane NE to 164th Lane NE) Street Reconstruction Project

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

5.0 PLANNING COMMISSION RECOMMENDATIONS – None

6.0 ECONOMIC DEVELOPMENT AUTHORITY

6.1 Discussion of property PIN # 05-32-23-42-0003

Mayor Kirkham stated that there is a 2-acre property located at 17535 Chisholm Street NE just north of Crosstown Boulevard NE that is zoned CD-2 (Commercial Development Tier 2) with a non-conforming home on the property that is currently bank owned. Mayor Kirkham stated that the City currently has 3.5 million dollars in HRA (Housing & Redevelopment Authority) funds. Mayor Kirkham stated that he contacted Karen Skepper, the Anoka County HRA Executive Director, and she confirmed that these funds can be used to purchase the property, clean it up, tear down the house, so it can be sold as commercial property. Mayor Kirkham stated that he spoke with Engineer Collins about the property and he said a Phase II study should be completed before the City would purchase the property. Mayor Kirkham stated that the current price on the property is \$290,000. Mayor Kirkham stated he spoke with the real estate agent and currently the property is bank owned. Mayor Kirkham stated he did speak with PGM about demoing the house and cleaning up the property and they came back with a quote of \$49,000, if all went well. Mayor Kirkham stated he also spoke with Marty Fisher, Premier Commercial Properties, and Mr. Fisher stated that if the property were flat-level graded, it could sell for about \$215,000, which would be a loss to the City, but that is what these funds are for. Engineer Krugler stated that after speaking with Building Official Jones, the property was owned by an HVAC contractor and there could be refrigerant, asbestos, etc. on the property because of the cars, furnaces and air conditioners being stored on the property for years. Engineer Krugler stated that the septic would need to be removed and the well capped. Engineer Krugler stated that he was unsure whether HRA funds would be used to cover the clean-up costs. Attorney Berglund stated that the Sheriff's sale was on December 11, 2023, so the redemption period would be for six-month, which would be June 11, 2024. Attorney Berglund stated that currently the City would work with the property owner to purchase the property, but after the redemption period, it would be with the highest bidder at the Sheriff's sale, which is the lender out of Virginia Beach, Virginia. Attorney Berglund stated that it looks like the highest bidder was around \$213,000 in the Sheriff's sale. Councilmember Kirkeide stated that the City could abate the property due to code violations and add the costs to the property's taxes. Councilmember Kirkeide questioned if the private sector could buy the property and do the same thing and maybe we should allow that to happen as the property has been on the market for months already. Councilmember Parranto stated they should let it run its course and then see where things stand. Engineer Krugler stated that he would recommend an Environmental Assessment be done by the bank. Councilmember Kirkeide stated the best move is to find out when the property was abandoned as residential and whether the property could continue to be a non-conforming use.

7.0 APPEARANCES – None

8.0 CITY ATTORNEY

Attorney Berglund stated that there was a question on the valve that was missing on the AIA (American Institutes of Architects) by the architect for Fire Station 3 and by omission, it is the responsibility of the City to install a double back-flow preventer, which is necessary to make the project code compliant.

9.0 CITY ENGINEER

Engineer Krugler stated that the substantial completion for Fire Station 3 was signed off last week and there are only minor punch list items that need to be completed, which should be done by the end of the month. Engineer Krugler stated that the Fire Chief is hoping to move into the station soon.

10.0 CITY ADMINISTRATOR – None

11.0 COUNCIL BUSINESS

11.1 Committee Reports

Councilmember Kirkeide stated that at a previous workshop meeting with B&L Farms requesting to use a building on their property as an event center was cut short because of the scheduled City Council meeting following it. Councilmember Kirkeide stated that the property does not have 20 acres and therefore the activity would not be allowed. Councilmember Kirkeide stated that even with parking and restrooms in the building, the zoning still disallows that activity entirely and there is nothing else to discuss that he is aware of. There was discussion if it could still be allowed under a CUP (Conditional Use Permit). Councilmember Kirkeide stated that a CUP in R-A (Rural Single Family Residential) zoning is based on how much land you have and it must be over 20 acres, just like if you have more acreage you can have larger garages or multiple garages on a property. Councilmember Kirkeide stated that the Building Official previously made the comment that you cannot compare this property to other properties. Mayor Kirkham stated that they were comparing themselves to Anoka County Farms and the Winery, where these uses are allowed with a Conditional Use Permit in R-A zoning being on parcels larger than 20 acres. Councilmember Kirkeide stated that zoning is everything and it supersedes the building code. There was discussion that a letter was sent by Attorney Berglund letting them know that they currently cannot run an event center on the property and gave them a list of some conditions they needed to do to try and get a Conditional Use Permit and as far as he knows, they have not been in contact with the City. Councilmember Kirkeide stated that you cannot disturb the residential character of a neighborhood. Councilmember Doyle stated that they were sent a letter by the Attorney and have not communicated to staff so this is where he also stands.

11.2 Announcements and future agenda items – None

Motion by Kirkeide, seconded by Parranto, to adjourn the meeting at 6:30 p.m. All in favor, motion carried.

Dawnette Shimek, Deputy City Clerk

CITY OF HAM LAKE
CLAIMS SUBMITTED TO COUNCIL
May 20, 2024

CITY OF HAM LAKE

EFTS, CHECKS, AND BANK DRAFTS		05/07/24 - 05/20/24	
EFT	# 2055 - 2063	\$	63,331.92
REFUND CHECKS	# 66060 - 66068	\$	2,719.87
CHECKS	# 66069 - 66104	\$	45,787.89
BANK DRAFTS	DFT0002713 -DFT0002719	\$	31,349.87
TOTAL EFTS, CHECKS, AND BANK DRAFTS		\$	<u>143,189.55</u>
PAYROLL CHECKS			
05/17/24	Direct Deposits	\$	48,990.77
TOTAL PAYROLL CHECKS		\$	<u>48,990.77</u>
VOID CHECKS			
CHECKS		\$	-
ZERO CHECKS	#66076, 66091	\$	-
ZERO EFT	#2060	\$	-
BANK DRAFTS		\$	-
TOTAL VOIDS		\$	<u>-</u>
TOTAL OF ALL PAYMENTS		\$	<u>192,180.32</u>

APPROVED BY THE HAM LAKE CITY COUNCIL THIS 20TH DAY OF MAY 2024

MAYOR

COUNCILMEMBER

COUNCILMEMBER

COUNCILMEMBER

COUNCILMEMBER



Packet: ARPKT01085 - 05/15/24 TRUST REFUNDS

Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00037	LA MACHINE SHOP	5/15/2024	66060	118.73
00045	STORAGE WORLD	5/15/2024	66061	593.01
00314	ROGER & SUE HAUGEN	5/15/2024	66062	100.00
00323	CROSTOWN DEVELOPMENT LLC	5/15/2024	66063	1,266.24
00373	ANB AUTO LLC	5/15/2024	66064	80.00
00374	TIM LANG	5/15/2024	66065	111.89
00399	JUSTIN & CHRISTINA DAVIS	5/15/2024	66066	150.00
00495	ANOKA COUNTY RADIO CLUB	5/15/2024	66067	150.00
00544	SHAWN RUNG	5/15/2024	66068	150.00
Total Refund Amount:				2,719.87

Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	2,719.87
Revenue Totals:	2,719.87

General Ledger Distribution

Posting Date: 05/15/2024

Account Number	Account Name	Posting Amount	IFT
Fund: 890 - TRUST FUND			
890-10101	Cash-claim on pooled cash	-2,719.87	Yes
890-11501	Misc receivables	2,719.87	
890 Total:		0.00	
Fund: 999 - POOLED CASH			
999-10100	Pooled Cash	-2,719.87	
999-20702	Due to other funds	2,719.87	Yes
999 Total:		0.00	
Distribution Total:		0.00	

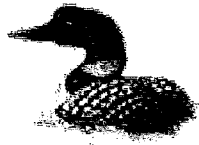


Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
2055	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	94.53
2055	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	14.99
2055	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	58.56
2056	FES, INC	COAT & PANTS - JD	Clothing & personal protectiv	100-42201-2210	3,830.99
2057	NICOLE WHEELER	MMCI CONFERENCE MILEAGE	Mileage	100-41301-3960	80.40
2058	O'REILLY AUTOMOTIVE STORE	CONNECTOR, BUTT SPLICE	Operating supplies	100-43101-2290	13.48
2058	O'REILLY AUTOMOTIVE STORE	REGULATOR	Operating supplies	100-43101-2290	10.99
2058	O'REILLY AUTOMOTIVE STORE	LIFT SUPPORT	Operating supplies	100-43101-2290	25.17
2058	O'REILLY AUTOMOTIVE STORE	#54 OIL FILTER	Vehicle parts & supplies	100-43101-2340	5.68
2059	RFC ENGINEERING, INC.	LUND'S LAKEVIEW FOREST	Engineering	431-43301-3135	74.26
2059	RFC ENGINEERING, INC.	MEADOW PARK RECONSTRUC	Engineering	431-43301-3135	2,718.65
2059	RFC ENGINEERING, INC.	CREEK VALLEY RECONSTRUCTI	Engineering	431-43301-3135	9.28
2059	RFC ENGINEERING, INC.	CROSSTOWN BUSINESS PARK	Capital assets	262-46101-5110	4,419.49
2059	RFC ENGINEERING, INC.	CROSSTOWN SHOPPING CENT	Engineering	431-43301-3135	5,888.60
2059	RFC ENGINEERING, INC.	COUNCIL MEETING	Engineering	100-41101-3135	56.32
2059	RFC ENGINEERING, INC.	BASE MAP	Engineering	100-41101-3135	121.15
2059	RFC ENGINEERING, INC.	COON LAKE CHANNEL DREDG	Engineering	100-41101-3135	365.00
2059	RFC ENGINEERING, INC.	HAM LAKE STORM NETWORK	Engineering	100-41101-3135	193.09
2059	RFC ENGINEERING, INC.	CITY CODE UPDATE	Engineering	100-41102-3135	4,365.25
2059	RFC ENGINEERING, INC.	ZONING MAP	Engineering	100-41601-3135	28.08
2059	RFC ENGINEERING, INC.	PLANNING COMMISSION	Engineering	100-41601-3135	26.92
2059	RFC ENGINEERING, INC.	PLANNING/POTENTIAL DEVEL	Engineering	100-41601-3135	847.75
2059	RFC ENGINEERING, INC.	AVAILABLE RESIDENTIAL LOTS	Engineering	100-41601-3135	13.46
2059	RFC ENGINEERING, INC.	BUCHANAN STREET ROAD EA	Engineering	100-41601-3135	191.12
2059	RFC ENGINEERING, INC.	L6 B1 CROSSTOWN ROLLING	Engineering	100-42401-3135	26.92
2059	RFC ENGINEERING, INC.	HAM LAKE BUILDING PERMIT	Engineering	100-42401-3135	691.01
2059	RFC ENGINEERING, INC.	1505 - 143RD AVE CULVERT E	Engineering	100-43101-3135	14.70
2059	RFC ENGINEERING, INC.	SNOW PLOW MAP	Engineering	100-43102-3135	83.55
2059	RFC ENGINEERING, INC.	CCWD JURISDICTIONAL BOUN	Engineering	100-43201-3135	108.93
2059	RFC ENGINEERING, INC.	URRWMO TAXING DISTRICT	Engineering	100-43201-3135	13.46
2059	RFC ENGINEERING, INC.	SRWMO TAXING DISTRICT	Engineering	100-43201-3135	13.46
2059	RFC ENGINEERING, INC.	STORMWATER POND INVENT	Engineering	100-43201-3135	174.99
2059	RFC ENGINEERING, INC.	PARK & TREE MAP	Engineering	100-44101-3135	42.12
2059	RFC ENGINEERING, INC.	PARK & TREE COMMISSION	Engineering	100-44101-3135	211.82
2059	RFC ENGINEERING, INC.	NPDES	Engineering	230-43201-3135	102.91
2059	RFC ENGINEERING, INC.	FIRE #3	Capital assets	420-42201-5110	2,967.43
2059	RFC ENGINEERING, INC.	2024 REHAB	Engineering	431-43301-3135	4,004.81
2059	RFC ENGINEERING, INC.	COUNTY DITCH #58	Engineering	431-43301-3135	6,696.62
2059	RFC ENGINEERING, INC.	BUNKER LAKE BLVD INTERCH	Engineering	431-43301-3135	573.38
2059	RFC ENGINEERING, INC.	162ND/BUCHANAN	Engineering	431-43301-3135	8,793.53
2059	RFC ENGINEERING, INC.	181ST, CONCORD - HWY 65	Engineering	431-43301-3135	249.93
2059	RFC ENGINEERING, INC.	BALTIMORE, 177TH - 181ST	Engineering	431-43301-3135	29.40
2059	RFC ENGINEERING, INC.	HIDDEN FOREST EAST WETLA	Engineering	440-44103-3135	323.44
2059	RFC ENGINEERING, INC.	HIDDEN FOREST EAST PARK U	Engineering	440-44103-3135	2,249.94
2059	RFC ENGINEERING, INC.	EVERGREEN ESTATES	Engineering	890-90001-3135	1,489.96
2059	RFC ENGINEERING, INC.	CONSTANCE BOULEVARD TER	Engineering	890-90001-3135	42.86
2059	RFC ENGINEERING, INC.	SWEDISH CHAPEL ESTATES	Engineering	890-90001-3135	2,474.20
2059	RFC ENGINEERING, INC.	LINCOLN STREET COMMERCIA	Engineering	890-90001-3135	2,020.20
2059	RFC ENGINEERING, INC.	15155 UNIVERSITY AVE LOT LI	Engineering	890-90001-3135	236.28
2059	RFC ENGINEERING, INC.	CATCHERS CREEK	Engineering	890-90001-3135	44.11
2059	RFC ENGINEERING, INC.	HIDDEN FOREST EAST 4TH	Engineering	890-90001-3135	21.06
2059	RFC ENGINEERING, INC.	ENCHANTED ESTATES 4TH	Engineering	890-90001-3135	496.99
2059	RFC ENGINEERING, INC.	H&H LANDSCAPE	Engineering	890-90001-3135	457.67
2059	RFC ENGINEERING, INC.	16759 POLK LOT LINE ADJUST	Engineering	890-90001-3135	111.41

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
2059	RFC ENGINEERING, INC.	ELEVATE HOPE HOUSE	Engineering	890-90001-3135	352.84
2059	RFC ENGINEERING, INC.	WHITETAIL CROSSING 2ND	Engineering	890-90001-3135	327.36
2059	RFC ENGINEERING, INC.	ENTSMINGER FARMS LOT LIN	Engineering	890-90001-3135	296.14
2059	RFC ENGINEERING, INC.	L6B1 HEDGEWOOD VAC 3843	Engineering	890-90001-3135	80.76
2059	RFC ENGINEERING, INC.	PIONEER AUTO LABELS	Engineering	890-90001-3135	25.00
2059	RFC ENGINEERING, INC.	GROUP PERMIT BILLING	Engineering	100-43501-3135	1,816.87
2059	RFC ENGINEERING, INC.	COUNTY DITCH #58 ROW2024	Engineering	431-43301-3135	58.81
2059	RFC ENGINEERING, INC.	MEADOW PARK ROW2024-05	Engineering	431-43301-3135	73.51
2059	RFC ENGINEERING, INC.	MSA GROUP BILLING	Engineering	431-43301-3135	798.67
2061	STAR TRIBUNE MEDIA COMPA	MEADOW PARK BIDS	Legal notices/publications/bid	431-43301-3950	183.28
2062	UNLIMITED SUPPLIES INC	NUTS, BOLTS, BULBS, BRAKE C	Operating supplies	100-43101-2290	380.88
2063	WRUCK SEWER & PORTABLE	SBAA LION'S PARK TOILET REN	Rentals-other	100-44101-3390	79.00
2063	WRUCK SEWER & PORTABLE	SBAA TWIN BIRCH PARK TOILE	Rentals-other	100-44101-3390	12.50
2063	WRUCK SEWER & PORTABLE	PATRICIA'S WILDERNESS TOILE	Rentals-other	100-44101-3390	12.50
2063	WRUCK SEWER & PORTABLE	SBAA PATRICIA'S WILDERNESS	Rentals-other	100-44101-3390	12.50
2063	WRUCK SEWER & PORTABLE	PINGER'S PARK TOILET RENTA	Rentals-other	100-44101-3390	12.50
2063	WRUCK SEWER & PORTABLE	SBAA PINGER'S PARK TOILET R	Rentals-other	100-44101-3390	12.50
2063	WRUCK SEWER & PORTABLE	HAM LAKE BALL FIELD TOILET	Rentals-other	100-44101-3390	19.75
2063	WRUCK SEWER & PORTABLE	SBAA HAM LAKE BALL FIELD T	Rentals-other	100-44101-3390	19.75
2063	WRUCK SEWER & PORTABLE	TWIN BIRCH PARK TOILET REN	Rentals-other	100-44101-3390	12.50
2063	WRUCK SEWER & PORTABLE	GRANT PARK	Rentals-other	100-44101-3390	25.00
2063	WRUCK SEWER & PORTABLE	BLUEGRASS ESTATES TOILET R	Rentals-other	100-44101-3390	25.00
2063	WRUCK SEWER & PORTABLE	SODERVILLE PARK TOILET REN	Rentals-other	100-44101-3390	27.00
2063	WRUCK SEWER & PORTABLE	SBAA SODERVILLE PARK TOILE	Rentals-other	100-44101-3390	27.00
2063	WRUCK SEWER & PORTABLE	TENNIS COURT TOILET RENTA	Rentals-other	100-44101-3390	108.00
2063	WRUCK SEWER & PORTABLE	HAM LAKE BOAT LANDING TO	Rentals-other	100-44101-3390	79.00
2063	WRUCK SEWER & PORTABLE	LION'S PARK PLAYGROUND TO	Rentals-other	100-44101-3390	79.00
2063	WRUCK SEWER & PORTABLE	LION'S PARK TOILET RENTALS	Rentals-other	100-44101-3390	79.00
2063	WRUCK SEWER & PORTABLE	CONSTANCE ESTATES PARK TO	Rentals-other	100-44101-3390	25.00
2063	WRUCK SEWER & PORTABLE	SBAA WISEN'S PARK TOILET R	Rentals-other	100-44101-3390	12.50
2063	WRUCK SEWER & PORTABLE	LARSON'S HERITAGE OAKS TOI	Rentals-other	100-44101-3390	25.00
2063	WRUCK SEWER & PORTABLE	WISEN'S PARK TOILET RENTAL	Rentals-other	100-44101-3390	12.50
66069	ACCESS	APRIL SHREDDING	Waste management & recycli	231-43601-3630	219.63
66070	ACE SOLID WASTE INC	MAY ORGANICS	Waste management & recycli	231-43601-3630	363.14
66071	ALERT-ALL CORPORATION	SHIELDS & COLORING BOOKS	Fire prevention-supplies	100-42201-2810	441.00
66072	ANCOM COMMUNICATIONS I	ANTENNAS & BELT CLIPS	Phones/radios/pagers	100-42201-3210	108.70
66073	ANOKA COUNTY FIRE PROTEC	2024 MEMBERSHIP DUES	Dues & subscriptions	100-42201-3920	700.00
66074	ANOKA COUNTY PROPERTY	2024 NEARMAP AERIAL IMAG	Other professional services	100-41701-3190	1,000.00
66075	BERGLUND, BAUMGARTNER,	B & L FARMS	Attorney	100-41101-3110	424.35
66075	BERGLUND, BAUMGARTNER,	COUNCIL MEETINGS & WRKS	Attorney	100-41101-3110	400.53
66075	BERGLUND, BAUMGARTNER,	COUNCIL JAIL TOUR	Attorney	100-41101-3110	118.82
66075	BERGLUND, BAUMGARTNER,	PROSECUTIONS	Attorney	100-41501-3110	6,895.85
66075	BERGLUND, BAUMGARTNER,	L4B2 MAJESTIC OAKS COMM	Attorney	100-41601-3110	314.01
66075	BERGLUND, BAUMGARTNER,	MORKEN PROPERTY	Attorney	100-41601-3110	101.84
66075	BERGLUND, BAUMGARTNER,	RICHLAND REFRIGERATION SA	Attorney	100-41601-3110	67.90
66075	BERGLUND, BAUMGARTNER,	FIRE #3 VALVE DISPUTE	Attorney	100-42201-3110	526.19
66075	BERGLUND, BAUMGARTNER,	PERMIT INQUIRY	Attorney	100-42401-3110	135.79
66075	BERGLUND, BAUMGARTNER,	PARKED CARS COMPLAINT	Attorney	100-42401-3110	84.87
66075	BERGLUND, BAUMGARTNER,	FOSTER TRUCKING	Attorney	100-42401-3110	152.77
66075	BERGLUND, BAUMGARTNER,	LIVE WIRE CO	Attorney	100-42401-3110	101.84
66075	BERGLUND, BAUMGARTNER,	CROSSTOWN BUS PARK - HOLI	Capital assets	262-46101-5110	254.61
66075	BERGLUND, BAUMGARTNER,	CROSSTOWN BUS PARK - OSB	Capital assets	262-46101-5110	254.61
66075	BERGLUND, BAUMGARTNER,	CRAWFORD ACQUISITION	Attorney	431-43301-3110	899.62
66075	BERGLUND, BAUMGARTNER,	SWEDISH CHAPEL ESTATES	Attorney	890-90001-3110	127.31
66075	BERGLUND, BAUMGARTNER,	H&H LETTER OF CREDIT	Engineering	890-90001-3135	186.71
66077	BLAINE LOCK & SAFE, INC.	RE-KEY CYLINDER WITH 6 KEY	Building repair & maintenanc	100-41702-3420	69.50
66078	BLUE CROSS BLUE SHIELD OF	JUNE VISION	Vision Insurance	100-21715	37.98
66079	CENTERPOINT ENERGY	CITY HALL	Natural gas	100-41702-3620	339.74
66079	CENTERPOINT ENERGY	FIRE #2	Natural gas	100-42202-3620	331.05
66079	CENTERPOINT ENERGY	FIRE #1	Natural gas	100-42202-3620	232.75

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
66079	CENTERPOINT ENERGY	PW	Natural gas	100-43104-3620	714.30
66079	CENTERPOINT ENERGY	H.L. PARK PAVILION	Natural gas	100-44102-3620	89.67
66079	CENTERPOINT ENERGY	H.L. PARK BUILDING	Natural gas	100-44102-3620	330.37
66079	CENTERPOINT ENERGY	SR CENTER	Natural gas	100-44202-3620	182.94
66080	CITY OF COLUMBUS	SIGNAL LEXINGTON & BROAD	Electricity	100-43401-3610	22.26
66081	DEHN OIL CO	101.3 GAL GASOLINE	Fuel	100-43101-2230	281.52
66081	DEHN OIL CO	193 GAL DIESEL	Fuel	100-43101-2230	530.31
66082	EVERGREEN RECYCLING LLC	SPRING RECYCLING DAY MATT	Waste management & recycli	231-43601-3630	360.00
66083	FIRE SAFETY USA INC	WRECKING BAR, CROWBAR,FI	Operating supplies	100-42201-2290	420.70
66083	FIRE SAFETY USA INC	T1 ISO PUMP TEST/INTAKE LE	Fire apparatus repair & maint	100-42201-3450	255.00
66083	FIRE SAFETY USA INC	A1 ISO PUMP TEST/INTAKE GA	Fire apparatus repair & maint	100-42201-3450	403.00
66083	FIRE SAFETY USA INC	E1 ISO PUMP TEST/REPAIR	Fire apparatus repair & maint	100-42201-3450	310.00
66083	FIRE SAFETY USA INC	E2 ISO PUMP TEST/INTAKE GA	Fire apparatus repair & maint	100-42201-3450	319.00
66084	FTR TWIN CITIES INC	ABANDONED BOAT DISPOSAL	Operating supplies	100-43101-2290	1,810.00
66085	HAM LAKE HARDWARE INC	SUPER GLUE	Operating supplies	100-43101-2290	8.99
66086	J.R.'S ADVANCED RECYCLERS	SPRING RECYCLING DAY	Waste management & recycli	231-43601-3630	285.00
66087	LINCOLN NATIONAL LIFE INSU	JUNE LT DISABILITY-AB	STD/LTD	100-21713	166.01
66087	LINCOLN NATIONAL LIFE INSU	JUNE LT DISABILITY	STD/LTD	100-21713	775.26
66087	LINCOLN NATIONAL LIFE INSU	JUNE ST DISABILITY	STD/LTD	100-21713	823.91
66087	LINCOLN NATIONAL LIFE INSU	MAR - MAY LT DISABILITY-DW	STD/LTD	100-21713	239.58
66087	LINCOLN NATIONAL LIFE INSU	JUNE ST DISABILITY-AB	STD/LTD	100-21713	61.00
66088	MARKERS, INC	TEMPORARY FENCE ANCHORS	Operating supplies	100-44101-2290	400.33
66089	MCLELLAN SALES INC	GLOVES	Safety supplies	100-43101-2240	889.36
66090	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-41201-2510	40.43
66090	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-41301-2510	32.13
66090	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-41401-2510	55.95
66090	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-41601-2510	23.83
66090	METRO - INET	PHONES	Phones/radios/pagers	100-41701-3210	72.78
66090	METRO - INET	IT SUPPORT	Computer & software support	100-41707-3120	2,870.99
66090	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-42201-2510	55.95
66090	METRO - INET	IT SUPPORT	Computer & software support	100-42201-3120	1,310.29
66090	METRO - INET	PHONES	Phones/radios/pagers	100-42201-3210	30.32
66090	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-42401-2510	96.38
66090	METRO - INET	IT SUPPORT	Computer & software support	100-42401-3120	794.91
66090	METRO - INET	PHONES	Phones/radios/pagers	100-42401-3210	36.39
66090	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-43101-2510	22.33
66090	METRO - INET	IT SUPPORT	Computer & software support	100-43101-3120	801.81
66090	METRO - INET	PHONES	Phones/radios/pagers	100-43101-3210	18.19
66090	METRO - INET	PHONES	Phones/radios/pagers	100-44101-3210	6.06
66090	METRO - INET	PHONES	Phones/radios/pagers	100-44201-3210	24.26
66092	MINNEAPOLIS OXYGEN COMP	OXYGEN	Operating supplies	100-43101-2290	38.27
66092	MINNEAPOLIS OXYGEN COMP	ARGON	Operating supplies	100-43101-2290	90.27
66093	MINNESOTA EQUIPMENT	CHAINSAW	Controllable assets	100-43101-5120	-939.00
66093	MINNESOTA EQUIPMENT	CHAINSAW	Controllable assets	100-43101-5120	826.32
66093	MINNESOTA EQUIPMENT	#73 FILTERS	Equipment parts & supplies	100-44101-2320	86.12
66093	MINNESOTA EQUIPMENT	#73 FILTER ELEMENT	Equipment parts & supplies	100-44101-2320	34.67
66093	MINNESOTA EQUIPMENT	#65 SKIRTS, TIRE REPAIR PART	Equipment parts & supplies	100-44101-2320	72.17
66094	MN FIRE SERVICE CERT BOAR	INSTRUCTOR I CERTIFICATION	Training/conferences/schools	100-42201-3510	504.00
66095	MN METRO NORTH TOURISM	MARCH LODGING TAX	Convention bureau	263-46101-4120	1,688.28
66096	MN PEIP	JUNE HEALTH INSURANCE	Health Insurance	100-21710	9,427.50
66096	MN PEIP	JUNE HEALTH INSURANCE-AB	Health Insurance	100-21710	734.82
66097	NCPERS GROUP LIFE INSURAN	JUNE LIFE	Life Insurance	100-21714	96.00
66098	NORTHERN TOOL & EQUIPME	TRANSPORT CHAIN & CLEVIS	Operating supplies	100-43102-2290	413.31
66098	NORTHERN TOOL & EQUIPME	DOCK REPAIR SUPPLIES	Operating supplies	100-44101-2290	133.64
66099	PREMIUM WATERS INC	APRIL WATER/BOTTLE DEPOSI	Equipment rentals	100-41701-3320	53.00
66099	PREMIUM WATERS INC	MAY WATER COOLER RENTAL	Equipment rentals	100-41701-3320	14.00
66100	PTL TIRE INC	C-1 OIL CHANGE	Fire apparatus repair & maint	100-42201-3450	73.93
66101	SCHAEFFER MANUFACTURIN	30 GAL SIMPLEX HYDRAULIC F	Operating supplies	100-43101-2290	781.63
66102	SITEONE LANDSCAPE SUPPLY	HERBICIDE	Operating supplies	100-44101-2290	400.00
66103	TURFWERKS	#65 BELT, MMP COMPRES	Equipment parts & supplies	100-44101-2320	125.85

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
66103	TURFWERKS	#65 SWITCH	Equipment parts & supplies	100-44101-2320	180.67
66104	XCEL ENERGY	APR FIRE #3 NATURAL GAS	Natural gas	100-42202-3620	89.82
DFT0002713	COMPENSATION CONSULTAN	Health Savings Account	HSA Account	100-21712	150.00
DFT0002714	EMPOWER	Deferred Compensation	Deferred compensation	100-21704	2,260.00
DFT0002714	EMPOWER	Roth IRA	Deferred compensation	100-21704	200.00
DFT0002715	IRS-Payroll Tax	Federal Withholding	Federal WH/FICA/MC	100-21701	6,073.95
DFT0002715	IRS-Payroll Tax	Medicare Payable	Federal WH/FICA/MC	100-21701	2,016.78
DFT0002715	IRS-Payroll Tax	Social Security Payable	Federal WH/FICA/MC	100-21701	7,984.58
DFT0002716	MN STATE DEPT OF REVENUE-	MN State Withholding	State W/H	100-21702	2,659.86
DFT0002717	PERA	Retirement-Coordinated	PERA	100-21703	7,294.93
DFT0002717	PERA	Retirement-Elected Officials	PERA	100-21703	81.68
DFT0002717	PERA	Retirement-Police & Fire	PERA	100-21703	1,280.53
DFT0002718	MN STATE DEPT OF REVENUE-	APRIL FUEL TAX	Fuel	100-43101-2230	43.04
DFT0002719	US POSTMASTER	MAY HAM LAKER POSTAGE	Postage	211-41704-2120	1,304.52
Grand Total:					140,469.68



City of Ham Lake, MN

EFT Payroll Check Register Report Summary

Pay Period: 4/28/2024-5/11/2024

Packet: PYPKT01617 - PPE 05/11/24 PAID 05/17/24

Payroll Set: City of Ham Lake - 01

Type	Count	Amount
Regular Checks	0	0.00
Manual Checks	0	0.00
Reversals	0	0.00
Voided Checks	0	0.00
Direct Deposits	76	48,990.77
Total	76	48,990.77

Meeting Date: May 20, 2024

CITY OF HAM LAKE
STAFF REPORT

To: Mayor and Councilmembers

From: Denise Webster, City Administrator

Subject: Safety Committee Replacement of member and Ham Lake Fire Relief Association Board of Trustee

Introduction/Discussion: With the new appointment of Finance/Human Resource Director Andrea Murff, her position has been appointed to the Safety Committee and Fire Relief Association Board of Trustees.

Recommendation: I am recommending appointing Finance/Human Resource Director Andrea Murff to the Safety Committee with a term ending June 30, 2026 and the Ham Lake Fire Relief Association Board of Trustees.

HAM LAKE BUDGET CALENDAR

BUDGET YEAR 2025

June 3rd	Review budget process and priorities with Council and Department Heads
June 4th	Distribution of draft budget reports and YTD 2024 Financial Reports from Finance to directors
By June 10th	Department directors complete budget work papers and submit to Finance Director
June 24th	Initial review of departmental budgets with department staff, City Administrator, Finance Director, and Finance Committee
July 15 th	Budget Meeting with Council to present draft budget and re-visit priorities and department budget requests
August 19th	Budget Meeting with Council to re-present draft budget and finalize the Preliminary Budget
September 3rd	City Council will adopt a proposed budget and certify a proposed property tax levy to the County Auditor for taxes payable in 2025 City Council will establish initial and continuation public hearing dates and publish as required to meet compliance with Truth in Taxation legislation
By September 30	Finance Director sends certified copy of proposed budget resolution and tax levy to Anoka County
October 21	Council amends general fund budgets with city administrator; dept. heads, and Finance Director
Early November	County mails notices of proposed property taxes to the owner of each individual parcel of property. The dates for 2025 activity will be adjusted by pending legislative action
November 4th	Final budget draft presented to Council
By November 15th	City Clerk publishes notice of public hearings and City will advertise the proposed budget and property tax levy in official newspaper
November 25th	Creation of budget resolution
December 2nd	City will hold public hearings and Truth in Taxation meeting
December 2nd	Council adoption of Final Budget and Property Tax Levy
By December 27th	Finance Director certifies copy of Property Tax Levy to Anoka County
Late December	Summary of adopted budget available for public inspection
Early January	Publish summary budget data in official newspaper

Meeting Date: May 20, 2024

CITY OF HAM LAKE

STAFF REPORT

To: Mayor and Councilmembers

From: John Witkowski, Public Works Superintendent

Subject: Hiring Seasonal Maintenance Workers

Introduction: I am recommending the hiring of one Public Works part-time seasonal maintenance worker. At this time, we are still actively seeking applicants, and in the future, may recommend additional personnel to fill open spots.

Recommendation: Listed below is an individual that is being recommended for the Public Works part-time seasonal maintenance position.

Leif Nielsen is a new employee at a pay rate of \$15.00 per hour.

Meeting Date: May 20, 2024

CITY OF HAM LAKE

STAFF REPORT

To: Mayor and Councilmembers

From: John Witkowski, Public Work Superintendent, on behalf of the Park Committee

Subject: Article 11-1400, Shade Tree Damage

Introduction:

Park Committee members Mayor Brian Kirkham and Councilmember Al Parranto discussed with staff the need to revise the inspection process for Oak Wilt. It was determined to have residents contact the Tree Inspector if they suspect any oak wilt or diseased trees on their property.

Recommendation:

We are recommending the approval of the First Reading of an Ordinance regarding Article 11-1400, Shade Tree Damage.

ORDINANCE NO. 24-XX

An Ordinance relating to ARTICLE 11-1400, SHADE TREE DAMAGE, subject to certain conditions.

Be it ordained by the City Council of the City of Ham Lake, Anoka County, Minnesota, as follows:

ARTICLE 11-1400 SHADE TREE DAMAGE

It is the intention of the City of Ham Lake to make reasonable efforts to preserve and protect certain species of shade trees that are threatened by various pests or diseases. These species include the Ash Group (*Fraxinus* species – White, Black and Green - Ash trees that are affected by the Emerald Ash Borer); the Elm Group (American Elm, Red Elm, Rock Elm, Siberian Elm and Chinese Elm); and the Red Oak Group (Red Oak, Pin Oak, Northern Pin Oak, Scarlet Oak and Black Oak). These three groups may be collectively referred to herein as the “Target Trees”. The specific tree damages that are addressed are damage caused by the Emerald Ash Borer; Dutch Elm Disease, and Oak Wilt, sometimes collectively referred to herein as “Target Damage”.

11-4000.1 Annual Tree Inspections Period The City’s Tree Inspector shall inspect trees from the Ash Group, the Elm Group and the Oak Group if requested by a property owner who suspects a tree to be diseased on their property. shall conduct an annual inspection in the month of July of each year of the City’s trees from the Ash Group, the Elm Group and the Oak Group, by drive-by inspections from public roads. The inspection shall be carried out by a tree inspector or inspectors certified by the State of Minnesota (the “Inspector”).

11-1400.2 Inventory of Damaged Trees As inspections are made, the Inspector shall take note of all Target Trees that show visible evidence of any Target Damage, recording the street address of such conditions and taking photographs where feasible.

11-1400.3 Notification to Property Owners

A. Ash Damage or Dutch Elm Disease. Where these types of damages are observed, the Inspector shall notify the owner of the property on which the trees are located of the conditions that were observed. Notification shall be by US Mail, and shall include the following information:

- 1) A description of the conditions observed;
- 2) A suggested method of action that may be taken by the owner to treat the damage or to prevent the spread of the damage, if any such treatment or protocol is in fact available.

B. Oak Wilt. Where Oak Wilt is observed, the Inspector shall notify the owner of the property on which the trees are located of the conditions that were observed. Notification shall be by US Mail, and shall include the following information:

- 1) A description of the conditions observed;

- ~~2) An offer to make a further inspection of the property, with the owner's permission, for the purpose of identifying and marking all trees on the property that may be infected with Oak Wilt.~~
- ~~3) Educational information about remedial measures, if any, that may be taken by the owner to treat the disease or to prevent the spread of the disease, if any such treatment or protocol is in fact available.~~
- ~~4) Educational information about any City programs that are available to financially assist property owners in treating or removing diseased trees;~~
- ~~5) Educational information about the availability of the use of a City-owned vibratory plow to prevent the future spread of Oak Wilt;~~
- ~~6) Educational information about the City's "no-cut" policy as described in Article 11-1400.4 hereof.~~

11.1400.4 "No-Cut" Period No person shall cut, trim or otherwise wound any Red Oak Group tree between April 1 and July 15 of any given year, unless the person has obtained a Permit from the City.

A. Permit Permits may be issued to any person with approval of a certified tree inspector engaged or employed by the City where the Inspector, in his or her sole discretion, deems that the cutting, trimming or wounding of the tree does not present a significant danger of the spread of Oak Wilt. Permits so issued may contain specific requirements or conditions to observe in the activity. The City may impose a fee for such permits, and if so, the permit fees so collected shall be placed in a dedicated fund to re-forest areas on public or private property that have been affected by Target Damage.

B. Violation Any person who violates the provisions of the "No-Cut" period or who violates the conditions a permit issued in connection therewith shall be guilty of a petty misdemeanor, punishable in the manner prescribed by Minnesota Statutes for that offense level.

11-1400.5 Other Assistance or Educational Programs

A. Dissemination of Information ~~City staff shall use the City's website, any periodical published with civic news or any other media to provide educational or informative information about Target Damages to the general public.~~

B. Financial Assistance Program ~~The City Council may, by resolution, establish and amend from time to time a financial assistance program to help property owners in need to deal with Target Damages. Funds for such a program may come from any lawful source.~~

Presented the Ham Lake City Council on May 20, 2024 and adopted by a unanimous vote this ____ of _____, 2024.

Brian Kirkham, Mayor

Denise Webster, City Clerk

Meeting Date: May 20, 2024

CITY OF HAM LAKE
STAFF REPORT

To: Mayor and Councilmembers
From: Denise Webster, Administrator
Subject: Finding of Fact Resolution for Touchdown Tile

Introduction:

Staff was reviewing the file for Touchdown Tile and realized that the variances were approved at the August 21, 2023 City Council meeting, but the Findings of Fact Resolution was not. This is just a formality and we are asking that the City Council approve the Findings of Fact Resolution.

Recommendation:

We are recommending the approval of the Finding of Fact Resolution for Touchdown Tile.

**CITY OF HAM LAKE, MINNESOTA
RESOLUTION 24-XX**

WHEREAS, Touchdown Tile, et al, are the owners of the following parcel:

15555 Baltimore Avenue NE, Ham Lake, MN 55304
PIN: 20-32-23-12-0025

And,

WHEREAS, the City's service road project between 153rd Avenue NE and 157th Avenue NE included the acquisition of numerous easements and access control rights, some of which directly or indirectly touch upon the parcel, but which nevertheless directly affect the parcel by limiting the amount of space that has been traditionally used by the owner for parking and driveways, and

WHEREAS, Ham Lake City Code Article 9-150.5 (d) specifically authorizes the City Council to grant variances to any City Code section where governmental action has affected the utility of any parcel of land,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAM LAKE, ANOKA COUNTY, MINNESOTA, AS FOLLOWS:

Findings of Fact

1. The City of Ham Lake acquired right-of-way from said parcel;
2. The City of Ham Lake in the purchase agreement identified items that would be eligible for variances, including sign setbacks;
3. Allowing a variance to the ten-foot setback from the west lot line will help to alleviate the spatial problem created by the governmental action and meets the intent of Article 9-150.5 in terms of qualified situations.

Accordingly, a variance is hereby granted to the owner and the parcel to locate signs within the 10-foot setback line from the west property line.

Accordingly, a variance is hereby granted to the owner and the parcel to locate parking within the 10-foot setback line from the west property line.


ADOPTED BY A UNANIMOUS VOTE OF THE HAM LAKE CITY COUNCIL THIS 20th DAY OF MAY, 2024.

ATTEST:

Brian Kirkham, Mayor

Denise Webster, City Clerk

Memorandum

Date: August 10, 2023
To: Planning Commissioners
From: David A. Krugler, City Engineer 
Subject: Touchdown Tile

Introduction:

The proposed 8,400 square-foot Touchdown Tile building is located on the 2.88-acre 15555 Baltimore Street NE. The parcel is zoned Commercial Development Tier 1 (CD-1). A 100-scale aerial photo, a 500-scale zoning map and a 400-scale half section map are attached.

Discussion:

The Title Sheet, Civil Legend, Civil Details, Existing Conditions and Removal Plan, Site Plan, Grading and Drainage Plan, Turf Establishment and Erosion Control Plan and Storm Water Pollution Prevention Plan were received August 9th address prior review comments.

The parcel is within 1,000 feet of Ham Lake which is defined as a Recreational Development Lake by the DNR. The plans comply with Shoreland Ordinance 92-35, portions of which are attached, including the 25-percent maximum impervious surface coverage per 12-5.52A. Per the current plans, this requirement is met. 12-5.61B of the Shoreland Ordinance requires the parcel to be 150 feet from the Ordinary High-Water Level or provide substantial screening. Ham Lake Park is between Touchdown Tile and Ham Lake.

The attached Landscape Plan which was received on August 9th, shows no trees to the west of the proposed building. Per 11-1853(B) of the City code, decorative trees shall be planted along the right-of-way lines of adjacent public roadways. 11-1860 allows for case-by-case evaluation for landscape approval and "strict adherence to the remaining provisions of Article 11-1800 may be unnecessary where size, spatial relationships, topography or other physical features render a given landscaping plan aesthetically acceptable, and departures from the strict observance of the elements of Article 11-1800 shall not be considered variances requiring a showing of physical hardship. Conversely, an applicant shall be expected to meet the general spirit of this article in establishing an aesthetically pleasing landscaping plan". A determination needs to be made as to whether the proposed Landscaping is adequate where adjacent to Ham Lake Park and the City Right-of-Way or if additional screening is required.

The Touchdown Tile project was conditionally approved by the Coon Creek Watershed District (CCWD) Board of Managers at their July 24th meeting. The Notice of Application Status is attached. The execution of an Operation and Maintenance Agreement for storm water treatment is required to obtain the CCWD Permit. A CCWD permit is required before grading operations can commence. A Minnesota Pollution Control Agency National Pollutant Discharge

Elimination System Construction Stormwater Permit is also required before grading operations can commence because the disturbed area is over one-acre.

The City of Ham Lake constructed Baltimore Street NE from 153rd Avenue to 159th Avenue in 2012. In order to accomplish this, property was acquired from multiple owners along Baltimore Street NE to satisfy the MnDOT 60-foot minimum right-of-way width. In order to facilitate the purchase of property along Baltimore Street NE, language was added to the purchase agreement between the City and land owners. This was to allow future developments to accommodate certain restrictions imposed on the property owner by the road project. The attached portion of the purchase agreement specifies that certain variances are permitted, including setbacks. Currently the City has a 10-foot setback requirement for all signs and parking in the right-of-way. The billboard, sign posts and portions of the proposed parking are within this 10-foot setback area. A variance for allowing the existing signs and proposed parking within the setback area is included.

Recommendation:

It is recommended that the Touchdown Tile commercial site plan and variance be recommended for approval, including the determination if the proposed screening is adequate.

- 4.4 Approval of contracting with Abdo Financial Solutions for Interim Finance Director Services
- 4.5 Approval of write-offs for uncollectible accounts
- 4.6 Approval of Ordinance No. 23-07 Regarding Pigeons
- 4.7 Approval of the 2024 Law Enforcement Contract with the Anoka County Sheriff's Office
- 4.8 Approval of a Proclamation proclaiming September 17 – September 23 as Constitution Week
- 4.9 Approval of a New Tobacco License for Courtney Alana Kujala dba Ham Lake Tobacco and Vape LLC, 16220 Aberdeen Street NE, Suite B
- 4.10 Approval of Resolution No. 23-38 ordering the preparation of the assessment roll and scheduling a Public Hearing for Street Light Assessments for 2024
- 4.11 Approval of Resolution No. 23-39 for the American Rescue Plan Act (ARPA) Funding for equipment for the City of Ham Lake's Fire Department
- 4.12 Approval of purchasing Emergency Lighting and Truck Accessories for the F-350 Utility Vehicle for the Fire Department

Councilmember Kirkeide requested that items 4.4 and 4.7 be removed from the consent agenda. **Motion by Kirkeide, seconded by Doyle, to approve the August 21, 2023 consent agenda with the omission of items 4.4 and 4.7.** Mayor Kirkham thanked Finance Director, Andrea Murff, for her service to the City of Ham Lake. **All in favor, motion carried.**

Councilmember Kirkeide asked how long the City will contract with Abdo Financial Solutions for Interim Finance Director Services and if there is a less expensive alternative. Administrator Webster stated that the City needs someone with government finance background. Councilmember Doyle stated it has been reviewed by the personnel committee and this is the best-case scenario and hopefully the hiring process can be accelerated. Administrator Webster stated that the position will be posted until the position is filled. **Motion by Kirkeide, seconded by Doyle, to approve item 4.4 on the August 21, 2023 consent agenda. All in favor, motion carried.**

Councilmember Kirkeide stated that the budgeted amount for the Anoka County Law Enforcement Contract with the Anoka County Sheriff's Office has increased substantially over the past 3 years. **Motion by Kirkeide, seconded by Doyle, to table item 4.7 on the August 21, 2023 consent agenda until more information is received and a workshop meeting can be scheduled with someone from the Anoka County Finance Department to discuss the Anoka County Sheriff's Office Contract.** Discussion followed regarding the \$720,000.00 the City will be receiving from the State of Minnesota for public safety and possibly some of that money can be applied to the Sheriff's Office contract. **All in favor, motion carried.**

5.0 PLANNING COMMISSION RECOMMENDATIONS

- 5.1 Erik Grams of Touchdown Tile and Richards Carpet + Flooring, requesting Commercial Site Plan approval to construct an 8,400 square foot office/warehouse building addition to an existing 1,300 square foot building at 15555 Baltimore Street NE - PID# 20-32-23-12-0025

Motion by Doyle, seconded by Wilken, to concur with the Planning Commission and approve the request from Erik Gram of Touchdown Tile and Richards Carpet + Flooring, to construct an 8,400 square foot office/warehouse building addition to an existing 1,300 square foot building at 15555 Baltimore Street NE, subject to the applicant submitting architectural plans, with engineering, that meet Article 9-220.2.a of the City Code-standards for site and building construction for CD-1 zoning, the parking and septic system meeting the maximum occupancy load of the building, identifying an area for the trash enclosure and including its location on the documents submitted with the building

permit application, no ground work being done until a Coon Creek Watershed District permit and National Pollutant Discharge Elimination System permit have been issued, changing the seven Red Twig Dogwood trees to seven coniferous trees that keep their needles through the winter and that have a starting height of at least five feet, waiving the requirement to plant trees along the right-of-way to the west of the building as allowed by Article 11-1860 of the City Code, **obtaining a variance for the west sign and parking setback as allowed by Article 9-150.5.b of the City Code**, business hours of 7:00 am to 5:00 pm Monday through Friday, meeting the requirements of the City Engineer and the Building Official, and meeting all City, County and State requirements. All in favor, motion carried.

6.0 ECONOMIC DEVELOPMENT AUTHORITY

6.1 Approval of the Purchase Agreement for Permanent Roadway, Drainage and utility Easement and Temporary Construction Easement for PIN #08-32-23-12-0021 (17255 Highway 65 NE)

Mayor Kirkham stated that this property and easements are being purchased for the future service road East of Highway 65 NE, South of Crosstown Boulevard NE to 169th Avenue NE. **Motion by Kirkham, seconded by Doyle, to approve the Purchase Agreement for Permanent Roadway, Drainage and Utility Easement and Temporary Construction Easement for PIN #08-32-23-12-0021 (17255 Highway 65 NE) for the purpose of constructing a service road East of Highway 65 NE, South of Crosstown Boulevard NE to 169th Avenue NE. All in favor, motion carried.**

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 Report – None

11.2 Consideration of a Resolution No. 23-40 approving the 2024 proposed budget and the proposed 2023 levy for payable in 2024

Councilmember Kirkeide stated that the proposed budget that is being approved can be lowered, but cannot be raised when adopted in December. **Motion by Kirkham, seconded by Doyle, to adopt Resolution No. 23-40 approving the 2024 proposed budget and the proposed 2023 levy for payable 2024. All in favor, motion carried.**

11.3 Discussion of The Willows of Ham Lake Senior Housing, 845 Bunker Lake Boulevard NE

Councilmember Kirkeide stated that he along with Administrator Webster and Deputy City Clerk Shimek met with Anoka County Commissioner Julie Braastad, Anoka County Executive Director of HRA (Housing and Redevelopment Authority), Karen Skepper and Ehlers representatives Jessica Cook and Schane Rudlang last week. Councilmember Kirkeide stated that back in 1994 or 1995 the City Council purchased a General Obligation Bond in the amount of \$3.2 million to construct a 50-unit senior housing building; the bond call date is coming up on January 1, 2024 and the maturity date on January 1, 2026. Councilmember Kirkeide stated that Attorney Dorn drafted a portion of the JPA (Joint Powers Agreement) that gave the City of Ham Lake exclusive access to a certain amount of funds generated from rentals. These funds paid for the Coon Lake sewer survey and the east service road off of Crosstown Boulevard NE. Councilmember Kirkeide stated the way the agreement was written benefitted the City. Councilmember Kirkeide stated that

MINNESOTA LAWFUL GAMBLING
LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: Zachary NF Research Fund Previous Gambling Permit Number: X- 95287-23-001

Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: 83-4581219

Mailing Address: 30799 Wallmark Lake Dr

City: Chisago City State: MN Zip: 55013 County: Chisago

Name of Chief Executive Officer (CEO): Jessica Bartz

CEO Daytime Phone: 763-227-6659 CEO Email: _____
 (permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): bryan@relaynetworks.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

- Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- A current calendar year Certificate of Good Standing**
 Don't have a copy? Obtain this certificate from:
 MN Secretary of State, Business Services Division Secretary of State website, phone numbers:
 60 Empire Drive, Suite 100 www.sos.state.mn.us
 St. Paul, MN 55103 651-296-2803, or toll free 1-877-551-6767
- IRS income tax exemption (501(c)) letter in your organization's name**
 Don't have a copy? To obtain a copy of your federal income tax exempt letter; have an organization officer contact the IRS toll free at 1-877-829-5500.
- IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
 If your organization falls under a parent organization, attach copies of both of the following:
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted
 (for raffles, list the site where the drawing will take place): Majestic Oaks Golf Course

Physical Address (do not use P.O. box): 701 Bunker Lake Blvd NE

Check one:
 City: Ham Lake Zip: 55304 County: Anoka
 Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): 8/12/2024

Check each type of gambling activity that your organization will conduct:

- Bingo Paddlewheels Pull-Tabs Tipboards Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LG220 Application for Exempt Permit

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

**CITY APPROVAL
for a gambling premises
located within city limits**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- The application is denied.

Print City Name: _____

Signature of City Personnel: _____

Title: _____ Date: _____

The city or county must sign before submitting application to the Gambling Control Board.

**COUNTY APPROVAL
for a gambling premises
located in a township**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: *Jessica Bartz* Date: 5/13/24
(Signature must be CEO's signature; designee may not sign)

Print Name: Jessica Bartz

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- _____ a copy of your proof of nonprofit status; and
- _____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

This form will be made available in alternative format (i.e. large print, braille) upon request.

BINGO AND RAFFLE – Checklist for Excluded/Exempt Permits

The purpose of this form is to help your organization conduct excluded/exempt gambling in compliance with the requirements listed below. Exempt and Excluded activities cannot be conducted in the same calendar year. The five forms of lawful gambling are bingo, paddlewheels, pull-tabs, raffles and tipboards. Detailed information regarding each requirement is available by clicking on the following links [In blue italics]: 1) applicable statutes and rules; 2) the *Lawful Gambling Manual*; 3) the online class, *“Conduct of Raffles”*; and 4) the *phone number and email address* of your county’s Licensing (license, permits and leases) and Compliance (conduct and reporting) Specialists.

Check Box	RAFFLES
	1. Tickets are printed in accordance with MN Rule 7861.0310.
	2. Tickets contain the sequential number of the raffle ticket. Theatre style tickets may be used. (349.173)
	3. A list of prizes and a statement of other relevant information is made available to ticket purchasers. (349.173)
	4. The organization must pay in full or otherwise become the owner of all prizes prior to the raffle drawing, except for raffles with gross receipts of \$60 or less. (7861.0260)
	5. A merchandise certificate is used when a prize requiring registration or licensure (guns, cars, ATVs, etc.) is offered. (7861.0260)
	6. Prizes must not consist of lawful gambling equipment including raffle tickets for another raffle. (7861.0260)
	7. The total value of lawful gambling prizes awarded (use fair market value for donated prizes) does not exceed \$50,000 in a calendar year. (349.166)
	8. Cash must not be substituted for merchandise prizes that have been won. (7861.0260 Subp. 4C(2))
	9. Alcohol is only awarded as a prize to persons who demonstrate that they are 21 years of age or older. (340A.707)
	10. Only cash, personal checks, cashier’s checks, money orders, travelers’ checks, and debit cards may be accepted for the purchase of tickets (NO CREDIT CARDS – NO INTERNET SALES). (349.2127) (7861.0260)
	11. The method of winner selection cannot be manipulated or based on the outcome of an event not under the organization’s control. (349.173)
	12. Persons are not required to be present at a raffle drawing to be eligible to win. (349.173) (7861.0310)
	13. Raffle tickets are not sold to or won by persons under age 18. (349.181) (7861.0310)
	14. Purchasers are not required to buy anything other than the ticket. (349.173) (7861.0310)
	15. Clear and legible house rules in accordance with MN Rule 7861.0310 are prominently posted at the point of winner selection.
	16. An exempt permit financial report (LG220A) must be submitted to the Gambling Control Board within 30 days of the gambling occasion. (349.166)
	BINGO
	1. Clear and legible house rules in accordance with MN Rule 7861.0270 are prominently posted at the point of winner selection.
	2. House rules include the policy on declaring bingo and last number called. (7861.0270 Subp. 2A(1))
	3. House rules include the reasons for potentially cancelling bingo occasions. (7861.0270 Subp. 2A(1))
	4. All sales must be on a cash basis and take place at the permitted premises during or immediately prior to the bingo occasion. (NO CREDIT CARDS – NO INTERNET SALES) (7861.0270 Subp. 5B(1))
	5. Bingo paper must not be offered for free or discounted unless the price is reduced with a coupon. (7861.0270 Subp. 5B(7))
	6. Bingo balls must be available for inspection by at least one player before the occasion begins to determine that all are present and in operating condition. (7861.0270 Subp. 3A)
	7. No reservation of bingo cards or bingo paper for any person (7861.0270 Subp. 3F)
	8. Bingo records (including bingo program) must be kept for 3½ years. (7861.0270 Subp. 11)
	BINGO AND RAFFLES
	1. Gambling records must be kept for 3½ years. (7861.0310)
	2. Gambling funds may only be spent for allowable expenses and lawful purposes. (349.12 Subd. 3a) (349.12 Subd. 25) (mn.gov/gcb/faq-exemptexcluded.html) and (mn.gov/gcb/assets/infosheetspendinggamblingfunds.pdf)

<p align="center">How You May Spend Gambling Funds</p>	<p align="center">How You May Not Spend Gambling Funds</p>
<p>Allowable expenses - Gambling funds may be spent for allowable expenses, such as:</p> <ul style="list-style-type: none"> • gambling equipment (pull-tabs, bingo paper, bingo blower, paddlewheel tickets, tipboard games); • advertising; • printing raffle tickets; or • any services or goods that are directly related to the conduct of your gambling. <p>Charitable contributions - Gambling funds may be spent for the following charitable contributions (lawful purpose):</p> <ul style="list-style-type: none"> • to or by 501(c)(3) organization and 501(c)(4) festival organizations; • relieving the effects of poverty, homelessness, or disability; • problem gambling programs approved by the Minnesota Department of Human Services; • public or private nonprofit school; • scholarships (if a contribution is made to a scholarship fund, it must be made to a nonprofit organization whose primary mission is to award scholarships); • church; • recognition of military service (open to public or active military personnel in need); • activities and facilities benefiting youth under age 21; • citizen monitoring of surface water quality, with data submitted to Minnesota PCA; • unit of government (NOTE: A direct contribution to a law enforcement or prosecutorial agency is not allowed); • wildlife management projects or activities that benefit the public-at-large, with DNR approval; • grooming and maintaining snowmobile or all-terrain trails that are grant-in-aid trails, or other trails open to public use, with DNR approval; • supplies and materials for DNR training and educational programs; • nutritional programs, food shelves, and congregate dining programs primarily for persons who are 62 or older or disabled; • community arts organizations or programs; • humanitarian service recognizing volunteerism or philanthropy; and • acquisition and repair of real property and capital assets (contact the Gambling Control Board for requirements). 	<ol style="list-style-type: none"> 1. Controlled contribution - An organization may not retain any control over any contribution made from gambling funds. The only exception is for expenditures by a 501(c)(3) organization or a 501(c)(4) festival organization to its general fund. 2. Financial gain - A contribution or expenditure may not be made if it results in any monetary, economic, financial, or material benefit to the organization making the contribution or expenditure. 3. Government - An expenditure may not be made for: <ul style="list-style-type: none"> • influencing the nomination or election of a candidate for public office; • promoting or defeating a ballot question; or • any activity intended to influence an election or a governmental decision-making process. 4. Law enforcement - A direct contribution may not be made to a law enforcement or prosecutorial agency. 5. Pension - A contribution may not be made to a government pension or retirement fund, such as a fire relief association. 6. Conflict of interest - A contribution or expenditure may not be made if it is not allowed under the conflict of interest provisions of the Minnesota Nonprofit Corporation Act, Minnesota Statutes, Section 317A.255. 7. Alcohol - An expenditure may not be made for the purchase of any intoxicating liquor, wine, or malt beverages. 8. Fundraising - An expenditure may not be made for fundraising costs, except as allowed for a 501(c)(3) organization or 501(c)(4) festival organization from its general fund. 9. Other organizations - With few exceptions, gambling funds may not be contributed to other organizations or clubs such as veterans, fraternal, Lions, etc. unless it is a 501(c)(3) organization. 10. Other contributions - A contribution may not be made to a 501(c)(3) organization or another entity with the intent or effect of not complying with lawful purpose restrictions or requirements.



Fifth Street Towers
150 South Fifth Street, Suite 700
Minneapolis, MN 55402
(612) 337-9300 telephone
(612) 337-9310 fax
kennedy-graven.com
Affirmative Action, Equal Opportunity Employer

JULIE A. EDDINGTON
Attorney at Law
Direct Dial: (612) 337-9213
Email: jeddington@kennedy-graven.com

May 14, 2024

Denise Webster, City Administrator
City of Ham Lake, Minnesota
15544 Central Avenue NE
Ham Lake, MN 55304

Re: Resolution calling a public hearing on the proposed issuance of revenue obligations by the City of Ham Lake for the benefit of Vista Prairie at Eagle Pointe, LLC

Dear Denise,

Vista Prairie at Eagle Pointe, LLC, a Minnesota limited liability company, or any of its affiliates (collectively, the "Borrower"), the sole member of which is Governmental and Educational Assistance Corporation, an Arkansas nonprofit corporation doing business as Vista Prairie Communities, has proposed to acquire, construct, and equip an approximately 134-unit senior living community, including approximately 59 independent living units, 43 assisted living units, 8 assisted living care suites, and 24 memory care units, to be located at 23440 Ambassador Boulevard NW, St. Francis, Minnesota (the "Project"). The Borrower is requesting that the City of Ham Lake, Minnesota (the "City") issue one or more series of tax-exempt or taxable obligations (the "City Note") in the maximum principal amount of \$10,000,000 in order to finance a portion of the costs of the Project. The Borrower is also requesting that the City of St. Francis, Minnesota issue one or more series of tax-exempt and taxable revenue obligations in an estimated maximum principal amount of \$11,000,000 and that the City of Nowthen, Minnesota issue one or more series of tax-exempt or taxable revenue obligations in an estimated maximum principal amount of \$10,000,000 to finance a portion of the costs of the Project. Proceeds of the City Note will also be used to fund any required reserves, finance capitalized interest during the construction of the Project, if necessary, and pay costs of issuance of the City Note.

The City Note will be issued pursuant to Minnesota Statutes, Chapter 462C, as amended (the "Housing Act"), and Minnesota Statutes, Sections 471.59 and 471.656, as amended. Pursuant to Section 462C.04, subdivision 2 of the Housing Act and Section 147(f) of the Internal Revenue Code of 1986, as amended, the City Council is required to conduct a public hearing on the issuance of the City Note. Enclosed is a resolution to be considered by the City Council on May 20, 2024, calling a public hearing on the issuance of the City Note. If the City Council adopts the enclosed resolution, the City will be asked to conduct the public hearing on June 17, 2024. Following the public hearing, the City Council will be asked to consider a resolution providing final approval of the issuance of the City Note, approving a joint housing program required under the terms of the Housing Act, and authorizing the execution of documents in connection with the issuance of the City Note.

The Borrower will agree to pay the out-of-pocket expenses of the City with respect to this transaction as well as the City's administrative fees. If the City Council approves the enclosed resolution, my office will prepare and publish the public hearing notice and provide the City with the final approval resolution, the joint housing program, and all loan documentation.

Please contact me with any questions you may have prior to the City Council meeting.

Sincerely,

Julie A. Eddington

SA330-28 (JAE)
952907v1

Denise Webster

7.1

From: Eddington, Julie A. <JEddington@Kennedy-Graven.com>
Sent: Monday, March 25, 2024 1:22 PM
To: Denise Webster
Cc: Eddington, Julie A.; Gerdts, Ellen G.
Subject: St. Francis Senior Living Project

You don't often get email from jeddington@kennedy-graven.com. [Learn why this is important](#)

Caution: This email originated outside our organization; please use caution.

Good afternoon Ms. Webster,

As you may know, a non-profit has been given permission to build a senior living facility in the City of St. Francis. The plan is to have several cities issue four different bond issues in the amount of \$10,000,000. The cities St. Francis, Nowthen, and Fairmont have agreed to issue tax-exempt bonds for the project. We need one additional city to issue bonds.

If you don't plan on issuing bonds for your own purposes this year, would you consider issuing conduit bonds for the St. Francis project?

Each city that issues one of the conduit bonds will receive a fee of \$50,000. If you are interested in this, please let me know and I can provide a memo for you providing more detail. The bonds would be conduit bonds, which means that the bonds will not impact your credit rating.

Thank you

Julie Eddington
Kennedy & Graven, Chartered
150 South Fifth Street, Suite 700
Minneapolis, MN 55402-1299
Cell Phone 651-341-9685
Office Phone 612-337-9213
Fax 612-337-9310
jeddington@kennedy-graven.com

To the extent the preceding correspondence and or any attachment is a written tax advice communication, it is not a full "covered opinion." Accordingly, this advice is not intended and cannot be used for the purpose of (1) avoiding penalties that may be imposed under the Internal Revenue Code of 1986, as amended, or (2) promoting, marketing, or recommending to another party any matters addressed herein.

This message (including any attachments) is from a law firm and may contain confidential client information or an attorney-client communication that is confidential and privileged by law. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the addressee or the employee or agent responsible to deliver this e-mail to its intended recipient, please delete this message (and any attachments) without any review, distribution, or copying and notify the sender of the inadvertent transmission.

- 4.10 Approval of Resolution No. 24-13 accepting a \$5,000 donation from the Ham Lake Fire Relief Association
- 4.11 Approval of Resolution No. 24-14 accepting the low bid for the replacement of County Ditch 58 cross-culvert underneath 152nd Avenue NE Project
- 4.12 Approval of Plans and Specifications and authorization to advertise for bids for the Meadow Park North of Constance Boulevard NE reconstruction project
- 4.13 Approval to award seal coating, striping/symbols and crack sealing to the low bidders, Allied Blacktop Company, Sir Lines-A-Lot, and Allied Blacktop Company
- 4.14 Approval of purchasing a used 2013 GMC 1-Ton Pick-up for the Fire Department
- 4.15 Road Committee Recommendations:
 - 1. Approval of the Expansion of the 2024 bituminous overlay project to include Idlewood 1st Addition, Idlewood 3rd Addition, 175th Lane NE West of Swedish Drive NE, Wisen's 11th Addition, Westlund's Creekside and a portion of McKay Drive NE
 - 2. Approval to Authorize the City Engineer to prepare the fiscal year 2026 LPP grant application for construction of the 162nd Lane NE and Buchanan Street NE backage road
 - 3. Approval of the proposed 901 Bunker Lake Boulevard NE cul-de-sac
 - 4. Approval of the MSA designation of Aberdeen Street NE and 165th Avenue and adoption of Resolution No. 24-15

Motion by Kirkeide, seconded by Parranto, 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 Angela Brumbaugh, Finance Director – Discussion of Conduit Bonding request

Finance Director Brumbaugh stated that a non-profit has been given permission to build a senior living facility in the City of St. Francis. Finance Director Brumbaugh stated the Cities of St. Francis, Nowthen, and Fairmont have agreed to issue tax-exempt bonds for the project. Finance Director Brumbaugh stated that each city that issues a conduit bond will receive a fee of \$50,000.00. Finance Director Brumbaugh stated that Conduit Bonding does not impact the City's credit rating, has no financial burden for the City and it will not show as a debt for the City of Ham Lake. **Motion by Kirkham, seconded by Doyle, to consider the request for the conduit bonding on behalf of a senior living facility located in St. Francis, Minnesota. All in favor, motion carried.**

8.0 CITY ATTORNEY

Attorney Berglund stated that Noel Foster, Foster Trucking & Excavating at 1561 Bunker Lake Boulevard NE, has reached out to try to come to a resolution with the City Council to operate his business. Attorney Berglund stated that the Council should schedule a future workshop meeting to discuss the operation of Foster Trucking and Excavating with Noel Foster.

9.0 CITY ENGINEER

City Engineer Krugler stated that the contractor at Fire Station 3 is working on the final punch-list and the City should be able to take ownership within a month. Engineer Krugler stated that there is a \$35,000 - \$40,000 change order because the design missed a necessary plumbing element. Attorney Berglund stated that the AIA (American Institute of Architects) is reviewing this as to whether the cost should be to the

CITY OF HAM LAKE, MINNESOTA

RESOLUTION NO. 24-XX

**RESOLUTION CALLING A PUBLIC HEARING REGARDING
THE ISSUANCE OF REVENUE NOTES FOR THE BENEFIT OF
VISTA PRAIRIE AT EAGLE POINTE, LLC**

BE IT RESOLVED by the City Council of the City of Ham Lake, Minnesota (the “City”) as follows:

Section 1. Recitals.

1.01. Pursuant to Minnesota Statutes, Chapter 462C, as amended (the “Housing Act”), the City is authorized to carry out the public purposes described in the Housing Act by providing for the issuance of revenue bonds to provide funds to finance or refinance multifamily housing developments.

1.02. Minnesota Statutes, Section 471.656, as amended, authorizes a municipality to issue obligations to finance the acquisition or improvement of property located outside of the corporate boundaries of such municipality if the obligations are issued under a joint powers agreement between the municipality issuing the obligations and the municipality in which the property to be acquired or improved is located. Pursuant to Minnesota Statutes, Section 471.59, as amended, by the terms of a joint powers agreement entered into through action of their governing bodies, two or more municipalities may jointly or cooperatively exercise any power common to the contracting parties or any similar powers, including those which are the same except for the territorial limits within which they may be exercised and the joint powers agreement may provide for the exercise of such powers by one or more of the participating governmental units on behalf of the other participating units.

1.03. Vista Prairie at Eagle Pointe, LLC, a Minnesota limited liability company, or any of its affiliates (collectively, the “Borrower”), the sole member of which is Governmental and Educational Assistance Corporation, an Arkansas nonprofit corporation doing business as Vista Prairie Communities (the “Sole Member”), has proposed that the City issue one or more series of tax-exempt and taxable revenue obligations (the “City Note”) in an estimated aggregate principal amount not to exceed \$10,000,000. The Borrower has proposed to apply the proceeds of the City Note, along with the proceeds of revenue notes proposed to be issued by the City of Nowthen, Minnesota (the “City of Nowthen”) in an estimated aggregate principal amount not to exceed \$10,000,000 (the “Nowthen Note”) and the City of St. Francis, Minnesota (the “City of St. Francis”) in an estimated aggregate principal amount not to exceed \$11,000,000 (the “St. Francis Notes,” and collectively with the City Note and the Nowthen Note, the “Notes”), to finance all or a portion of the costs of the acquisition, construction, and equipping of an approximately 134-unit senior living community, including approximately 59 independent living units, 43 assisted living units, 8 assisted living care suites, and 24 memory care units, to be located at 23440 Ambassador Boulevard NW, St. Francis, Minnesota (the “Project”). The Project will be owned and operated by the Borrower.

1.04. As a condition to the issuance of the Notes under the Housing Act to provide financing for Project, the City, the City of Nowthen, and the City of St. Francis must adopt a joint housing program providing the information required by Section 462C.03, subdivision 1a of the Housing Act (the “Housing Program”).

1.05. Under Section 147(f) of the Code, prior to the issuance of the City Note, the City Council must conduct a public hearing after one publication of notice in a newspaper of general circulation in the

City at least seven (7) days before the hearing. Under Section 462C.04, subdivision 2 of the Housing Act, a public hearing must be held on the Housing Program after one publication of notice in a newspaper of general circulation in the City at least fifteen (15) days before the hearing.

1.06. The Borrower has requested that the City Council conduct a public hearing to (i) approve the issuance of the City Note pursuant to the requirements of Section 147(f) of the Code and the regulations promulgated thereunder; and (ii) approve the Housing Program for the Project under Section 462C.03, subdivision 1a of the Housing Act.

Section 2. Required Actions.

2.01. The City Council will meet at 6:00 p.m. on Monday, June 17, 2024, to conduct a public hearing as requested by the Borrower, notice of which hearing (the "Public Notice") will be published as required by Section 462C.04, subdivision 2 of the Housing Act and Section 147(f) of the Code.

2.02. Kennedy & Graven, Chartered, as bond counsel with respect to the issuance of the Notes, is hereby authorized and directed to publish, on behalf of the City, the Public Notice in substantially the form attached hereto as EXHIBIT A in the *Star Tribune*, the official newspaper of and a newspaper of general circulation in the City. The notice shall be published once at least fifteen (15) days prior to the date of the public hearing.

Section 3. Reimbursement of Costs under the Code.

3.01. Treasury Regulations. The United States Department of the Treasury has promulgated final regulations governing the use of the proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City or a borrower from the City for project expenditures paid prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the "Regulations") require that the City adopt a statement of official intent to reimburse an original expenditure not later than sixty (60) days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds occur within eighteen months after the later of: (i) the date the expenditure is paid; or (ii) the date the project is placed in service or abandoned, but in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

3.02. Reimbursement for Expenditures. To the extent any portion of the proceeds of the City Note will be applied to expenditures with respect to the capital improvements to the Project, the City reasonably expects to reimburse the Borrower for the expenditures made for costs of the Project from the proceeds of the City Note after the date of payment of all or a portion of such expenditures. All reimbursed expenditures shall be capital expenditures, costs of issuance of the City Note, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations and also qualifying expenditures under the Housing Act.

Section 4. Costs. The Borrower will pay the administrative fees of the City and pay, or, upon demand, reimburse the City for payment of, any and all costs incurred by the City in connection with the financing of the Project and issuing the City Note, whether or not the City Note is issued.

Section 5. Commitment Conditional. The adoption of this resolution does not constitute a guaranty or firm commitment that the City will issue the City Note as requested by the Borrower. The City retains the right in its sole discretion to withdraw from participation and accordingly not to issue the City Note, or issue the City Note in an amount less than the amount referred to herein, should the City at any time prior to issuance thereof determine that it is in the best interest of the City not to issue the City Note,

or should the parties to the transaction be unable to reach agreement as to the terms and conditions of any of the documents required for the transaction.

Adopted on the 20th day of May, 2024, by the City Council of the City of Ham Lake, Minnesota.

Mayor

ATTEST:

City Clerk

EXHIBIT A

NOTICE OF PUBLIC HEARING

CITY OF HAM LAKE, MINNESOTA

NOTICE OF PUBLIC HEARING ON THE ISSUANCE OF REVENUE NOTES UNDER MINNESOTA STATUTES, CHAPTER 462C AND SECTIONS 471.59 AND 471.656, AS AMENDED, FOR THE BENEFIT OF VISTA PRAIRIE AT EAGLE POINTE, LLC

NOTICE IS HEREBY GIVEN that the City Council of the City of Ham Lake, Minnesota (the “City Council”), will hold a public hearing on Monday, June 17, 2024, at or after 6:00 p.m. at City Hall, located at 15544 Central Avenue NE in the City, to consider a proposal that the City approve and authorize the issuance of one or more series of tax-exempt or taxable revenue notes (the “Note”) in the aggregate principal amount estimated not to exceed \$10,000,000, all under Minnesota Statutes, Chapter 462C, as amended (the “Act”), and Minnesota Statutes, Sections 471.59 and 471.656, as amended, for the benefit of Vista Prairie at Eagle Pointe, LLC, a Minnesota limited liability company, or any of its affiliates (collectively, the “Borrower”). The sole member of the Borrower is the Governmental and Educational Assistance Corporation, an Arkansas nonprofit corporation doing business as Vista Prairie Communities. The proceeds of the Note, along with other available funds and proceeds of other revenue notes, will be used by the Borrower to (i) finance a portion of the costs of the acquisition, construction, and equipping of an approximately 134-unit senior living community, including approximately 59 independent living units, 43 assisted living units, 8 assisted living care suites, and 24 memory care units, to be located at 23440 Ambassador Boulevard NW, St. Francis, Minnesota (the “Project”); (ii) finance capitalized interest during the construction of the Project, if necessary; (iii) fund any required reserve funds; and (iv) pay costs of issuance of the Note. The Project will be owned and operated by the Borrower.

Following the public hearing, the City Council will consider adoption of a resolution approving the issuance of the Note by the City and approving a housing program prepared for the Project in accordance with the Act.

The Note will not constitute a charge, lien or encumbrance upon any property of the City except its interest in the Project and revenues to be paid by the Borrower. The Note will be a special, limited revenue obligation of the City, payable solely from the revenues expressly pledged to the payment thereof, will not constitute a general or moral obligation of the City, and will not be a charge against the general credit or taxing powers of the City, but will be payable solely from revenues or collateral to be paid or provided by the Borrower payable under revenue agreements.

At the time and place fixed for the public hearing, the City will give all persons who appear at the hearing an opportunity to express their views with respect to the proposal. In addition, interested persons may file written comments respecting the proposal with the City Administrator at or prior to the public hearing.

Dated: [Date of Publication]

BY ORDER OF THE CITY COUNCIL OF THE
CITY OF HAM LAKE, MINNESOTA

/s/ Denise Webster
City Administrator
City of Ham Lake, Minnesota

SA330-28 (JAE)
952900v1

Memorandum

Date: May 14, 2024
To: Planning Commissioners
From: Tom Collins, City Engineer *TPC*
Subject: Proposed lot line adjustments – 19-32-23-33-0004 and 19-32-23-34-0001

Introduction:

A lot line adjustments is being proposed for the 19-32-23-33-0004 (33.19 acres) and 19-32-23-34-0001 (40.05 acres). A 400-scale aerial photo, a 800-scale zoning map and a 400-scale half section map are attached.

Discussion:

The proposed Parcel A is 59.53 acres and proposed Parcel B is 13.71 acres. Parcel A is zoned Rural Single Family Residential (R-A) and Parcel B is zoned Single Family Residential (R-1) and zoning category revisions are not warranted. Parcel B is that portion of 19-32-23-34-0001 located on the south side of County Ditch #58.

Certified soil borings have been provided that show that there is adequate room for a primary and secondary septic system on Parcel B. It is anticipated that the County will assign two different property identification numbers for Parcel A, because they are on different 40s. If there are two properties, then they will need to be combined thru the attached Anoka County Division/Combination Request Form, else what is proposed would have required Minor Subdivision approval per 10-101 of City Code. Neither parcel will be eligible for building permits until a single Parcel A property identification assignment is received from Anoka County.

Parcel B frontage is from the extension of the Washington Street temporary cul-de-sac constructed within the attached plat of Timberline 2nd Addition. The temporary cul-de-sac will be removed and constructed to a permanent cul-de-sac. The extended cul-de-sac length is under the 1,100-foot maximum of 10-430K of City Code. Parcel B will not be eligible for a building permit until after Washington Street construction has been approved, including the submittal of stormwater treatment as-builts.

The Washington Street temporary cul-de-sac extension will require revisions to the Lot 1, Block 3 and Lot 1, Block 4 driveways in Timberline 2nd Addition. A portion of both bituminous driveways will need to be removed and replaced. The applicant is to coordinate construction with both property owners. The Lot 1, Block 3 property owner is to be contacted regarding the recommended relocation of the mailbox to the north. Restoration will be required of all disturbed areas adjacent to Washington Street.

In addition to dedicating Washington Street roadway easement for the cul-de-sac, as shown on Sheet 2 of the Lot Line Adjustment exhibit, 10-foot drainage and utility easements are being dedicated around the perimeter of both Parcel A and Parcel B. Drainage and utility easements are also being dedicated for the stormwater treatment associated with the Washington Street cul-de-sac extension, along with the infiltration basin overflow to County Ditch #58. The required 100-foot-wide County Ditch #58 easement, centered on the Ditch, is also being dedicated. Neither parcel will be eligible for building permits until proof of easement recording with Anoka County is provided.

Per the attached email, the Coon Creek Watershed District (CCWD) staff recommendation will be to approve the lot line adjustment at their May 28th Board of Managers meeting. The CCWD will require that an Operations and Maintenance Agreement be executed related to maintenance responsibilities associated with stormwater treatment that is not associated with Washington Street. A CCWD permit is required before grading operations can commence.

Recommendation:

It is recommended that the lot line adjustment be approved, subject to Parcel A being combined into one parcel, easements being recorded and construction being coordinated with the two Timberline 2nd Addition parcels.



CITY OF HAM LAKE

REQUEST FOR AN APPEARANCE BEFORE THE CITY COUNCIL

15544 Central Avenue NE
Ham Lake, MN 55304
Phone (763) 434-9555

DATE OF APPLICATION 12-11-23

DEPOSIT \$ 500
RECEIPT # 98388

CITY COUNCIL MEETING DATE
(if all required information is received) _____

APPLICANT'S NAME RICHARD MAC GLOVER

MAILING ADDRESS 15245 UNIV. AVE N.E.

CITY, STATE, ZIP CODE HAM LAKE MINN 55304

PHONE (daytime) 612-670-5479

EMAIL ADDRESS Rick Weber 47@gmail.com

SITE ADDRESS / NATURE OR REQUEST:

(Please attach any relevant information including maps, diagrams, and a descriptive narrative of the request)**

Lot line adjustment

P/n no 19-32-23-34-0001

Richard Mac Glover

Signature of Applicant

12/8/2023

Date

Richard Mac Glover

Signature of Current Property Owner

12/8/2023

Date

(If the applicant is not the property owner - the property owner signature is required)

**You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required information has been submitted to the City of Ham Lake.



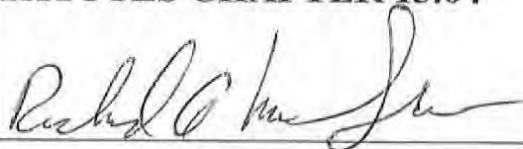
**NOTICE TO ALL APPLICANTS FOR MUNICIPAL
PERMITS, LICENSES,
OR OTHER MUNICIPAL ACTION**

- 1. If you are requesting municipal action on any request for any of the above, you will be required to furnish certain information about yourself, the project you are involved in, or other matters pertaining to the subject. Some of the information you are asked to provide is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data.**
- 2. The purpose of this information is to enable the City Staff, Commissions, Council or other government agencies to evaluate relevant factors in considering your request. You are not legally required to provide this information. If you do not provide the requested information, the City may not act upon your request.**
- 3. The information you supply will be public and available to any entity requesting to inspect the information.**

**DATA PRACTICES ADVISORY
TENNESSEN WARNING**

REQUIRED BY MINNESOTA STATUTES CHAPTER 13.04

SIGNED BY



COMPANY/TITLE: _____

DATE: _____

12/8/2023

**CITY OF HAM LAKE
ACKNOWLEDGMENT OF RESPONSIBILITY
TO REIMBURSE EXPENSES**

The undersigned, Rick Weber, having applied to the City of Ham Lake for consideration of a planning and zoning request, or any other permit, license, or action requiring review and/or approval of the City, as follows:

Lot Line adjustment
Type of Application

acknowledges that the sum of \$ 500.⁰⁰, has been deposited with the City of Ham Lake to reimburse the City of Ham Lake for any out of pocket expenses incurred by the City in reviewing the proposal, including but not limited to a staff review fee, any signage required by ordinance, and City Engineer and City Attorney's fees for their review, in amounts which are not known to the City at this time. The applicant acknowledges that it is the responsibility of the undersigned to reimburse the City for any such engineering or attorney's fees incurred in review of the applicant's request, or any other expenses incurred by the City in connection with this requires, and further acknowledges that in the event that the undersigned fails to promptly remit any amounts incurred by the City in excess of the deposit, the City shall have the right to discontinue further consideration or action upon the undersigned's request, shall have the right to rescind any approvals, withdraw any permits, licenses or other consents, shall have the right to vacate any street or road, plat or other dedication, and the undersigned waives the right to claim damages arising out of any such act by the City. Furthermore, the applicant agrees that in the event that the City is required to take legal action in order to effect recovery of any of the expenses incurred by the City from the undersigned, the City shall be entitled, in addition to principle and interest, to recover its reasonable attorney's fees incurred in collecting said sums from the undersigned.

Applicant Signature Rick Weber Dated 12/8/2023

The following statement must be signed if the applicant is not the property owner:

Rick MacBlower, as owner of the property involved in the foregoing application, agrees to be jointly and severally liable for payment of the foregoing fees.

Property Owner Signature Rick MacBlower Dated 12/8/2023

From: Abbey Lee <alee@cooncreekwd.org>
Sent: Wednesday, May 8, 2024 1:43 PM
To: Adam Ginkel <adam@plowe.com>
Subject: RE: Lot Line Adjustment- Rick Weber- University Avenue

Hi Adam,

After a review of the recent submittal, CCWD agrees that mottled soils are likely remnants of previous conditions and not reflective of current HWLs. We don't have any further comments and plan to **recommend approval at the May 28 Board Meeting.**

Thanks,

Abbey Lee

Watershed Development Manager

763.258.7928 direct
763.755.0975 office

13632 Van Buren NE
Ham Lake, MN 55304
www.cooncreekwd.org



Attn: New electronic submittals (except TA and Wetland Applications) should be sent through our new online application portal at the following link: [Online Application](#). You will be instructed on how to submit any additional materials that may be requested by District staff. If submittal instructions are not followed, it will not be considered a submittal. This is in an effort to ensure submittals are not missed and are processed in a timely manner.

From: Adam Ginkel <adam@plowe.com>
Sent: Wednesday, May 1, 2024 6:45 PM
To: Abbey Lee <alee@cooncreekwd.org>
Subject: FW: Lot Line Adjustment- Rick Weber- University Avenue

Hi Abbey,

Tom is making the comment that the new infiltration basin (west) does not meet the three-foot separation to mottles. Is that how CCWD will view this, too? I just thought that this mottling elevation is likely from many MANY years ago before ditches were installed. The borings were dry down to 5.5+ feet.

Adam Ginkel
Plowe Engineering, Inc.
(651) 361-8234

From: Tom Collins <TCollins@rfcengineering.com>
Sent: Wednesday, May 1, 2024 2:42 PM
To: Adam Ginkel <adam@plowe.com>

Cc: rickweber47@gmail.com; Jason Rud <jrud@egrud.com>; Erin Margl <emargl@cooncreekwd.org>; Jennifer Jo Bohr - City of Ham Lake <jbohr@ci.ham-lake.mn.us>; James E. Napier <jnapier@egrud.com>
Subject: RE: Lot Line Adjustment- Rick Weber- University Avenue

Hi Adam,

The plan review comments are attached. Please contact me if you have any questions. Thanks.

Tom

From: Adam Ginkel <adam@plowe.com>
Sent: Monday, April 29, 2024 9:26 AM
To: Tom Collins <TCollins@rfcengineering.com>
Subject: RE: Lot Line Adjustment- Rick Weber- University Avenue

And here are the additional borings. I'll send these off to CCWD, too.

Adam Ginkel
Plowe Engineering, Inc.
(651) 361-8234

From: Adam Ginkel
Sent: Wednesday, April 24, 2024 11:09 AM
To: Tom Collins <TCollins@rfcengineering.com>
Cc: rickweber47@gmail.com; Jason Rud <jrud@egrud.com>; Erin Margl <emargl@cooncreekwd.org>; Jennifer Bohr <jbohr@ci.ham-lake.mn.us>; James E. Napier <jnapier@egrud.com>
Subject: RE: Lot Line Adjustment- Rick Weber- University Avenue

Tom,

Attached please find a .zip file that contains:

- Updated civil plan set
- Updated lot line adjustment plans (EG Ruds)
- Updated stormwater drainage report
- Multiple correspondence from CCWD regarding wetlands
- Response letter to CCWD review comments
- Response letter to RFC review comments
- Information regarding Tradewell borings

This information was also submitted to CCWD this AM.

Please let me know if you have any questions.

Thank you.

Adam Ginkel
Plowe Engineering, Inc.
(651) 361-8234

**Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011**

January 30th, 2024

RFC Engineering
13635 Johnson Street NE
Ham Lake, MN 55304
Attention: Tom Collins

Dear Mr. Collins:

As a licensed site evaluator who conducted the soil borings for Rick Weber property, I found the following: Each boring has at least 12" of natural, undisturbed and unmottled soil. In order to design and install a standard soil treatment system according to MN Chapter 7080 Code, at least 12" of natural soil with no signs of mottling is required. Therefore, each of the proposed lots will support 2 "standard" septic systems within the 7,500 square feet septic area as shown on the Grading Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Tradewell". The signature is fluid and cursive, with the first name "Mark" written in a larger, more prominent script than the last name "Tradewell".

Mark Tradewell
MPCA #307

Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011

Date: December 26th, 2022

Name: Rick Weber

(PROPOSED HOME PARCEL)

Address: Parcel- XXXXX Washington Street NE, Ham Lake, MN

13.71 ACRES

SOIL BORING TEST REPORT

Boring #1	Boring #2	Boring #3	Boring #4
0"- 8" Topsoil Loamy Fine Sand 10YR 3/2	0"- 8" Topsoil Loamy Fine Sand 10YR 3/2	0"- 8" Topsoil Loamy Fine Sand 10YR 3/2	0"- 6" Topsoil Loamy Fine Sand 10YR 3/2
8"- 28" Fine Sand 10YR 3/4 4/4	8"- 26" Fine Sand 10YR 3/4	8"- 28" Fine Sand 10YR 3/4 4/4	6"- 24" Fine Sand 10YR 3/6 3/4
28"- 62" Fine Sand 10YR 5/4 5/6	26"- 56" Fine Sand 10YR 4/3 5/3 5/4	28"- 64" Fine Sand 10YR 5/4 5/3	24"- 54" Medium Fine Sand 10YR 4/4 5/4
			54"- 63" Fine Sandy Loam 7.5YR 3/4
Mottles @ 54" Dry Hole	Mottles @ 46" Dry Hole	Mottles @ 54" Dry Hole	Mottles @ 52" Dry Hole



Mark Tradewell
MPCA #307

Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011

Date: December 26th, 2022

Name: Rick Weber

Address: North Parcel- XXXXXX Washington Street NE, Ham Lake, MN

SOIL BORING TEST REPORT

Boring #5 (House)			
0"- 8" Topsoil Loamy Fine Sand 10YR 3/2			
8"- 26" Fine Sand 10YR 3/4 4/4			
26"- 66" Fine Sand 10YR 5/4 5/3 6/3			
Mottles @ 54" Dry Hole			



Mark Tradewell
MPCA #307

**Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011**

Date: November 30th, 2023


Name: Rick Weber

Address: 150XX University Avenue NE, Ham Lake, MN

SOIL BORING TEST REPORT

Boring #1	Boring #2	Boring #3	Boring #4
0"- 10" Topsoil Loamy Fine Sand 10YR 3/2	0"- 4" Topsoil Loamy Fine Sand 10YR 3/3	0"- 6" Topsoil Loamy Fine Sand 10YR 3/3	0"- 16" Topsoil Loamy Fine Sand 10YR 3/2 3/3
10"- 26" Fine Sand 10YR 3/4 4/4	4"- 30" Fine Sand 10YR 4/4 5/4	6"- 48" Medium Fine Sand 10YR 4/4 5/4	16"- 28" Fine Sand 10YR 4/4 4/3
26"- 42" Fine Sand 10YR 5/3 5/3 6/2	30"- 77" Medium Fine Sand 10YR 5/4 6/4	48"- 77" Medium Fine Sand 10YR 6/4	28"- 48" Fine Sand 10YR 5/3 5/2
Redox @ 26" Dry Hole	No Redox Found Dry Hole	No Redox Found Dry Hole	Redox @ 28" Dry Hole

Soil borings above encompass 7,500 square feet 12" or more above redox for proposed septic area for parcel split. Surveyor to locate and show on plat for property split.



Mark Tradewell
MPCA #307

PERPETUAL EASEMENT FOR
DRAINAGE AND UTILITY
PURPOSES PER DOC. NO. 844118

1314.45

898

893.0
TOP

893.6
TOP

33

896

894

33

34.81

892

890

888.2
TOP

886.6
TOP

B₂ *B₁*

PERPETUAL EASEMENT FOR
PUBLIC ROADWAY PURPOSES
PER DOC. NO. 844118

888

886.1
TOP

904

902

898

890

887.6
TOP

900

896

894

892

885.2
TOP

819.34

50°06'08"E

893.0
SB4

893.9
SB1

887.0
TOP

885.1
TOP

UNIVERSITY AVENUE N.E.

1191.45

50°28'17"E

2628.90

890

892

885.2
TOP

PERPETUAL EASEMENT FOR
DRAINAGE AND UTILITY
PURPOSES PER DOC. NO. 844118

PIN NO. 19-32-23-23-0004

892.5
SB3

894.8
SB2

887.0
TOP

885.1
TOP

50°28'17"W

1191.45

150

20

886.3
TOP

884.4
TOP

884.7
TOP

884.8
TOP

884.1
TOP

885.6
TOP

885.0
TOP

884.1
TOP

892

894

890



1"=400'



Anoka County

PROPERTY RECORDS & TAXATION DIVISION

Respectful, Innovative, Fiscally Responsible

DIVISION/COMBINATION REQUEST FORM

Date _____ Municipality _____

For Taxes Payable In _____ Taxes Certified _____

- Division
- Combination

Fee Owner	
Contract Purchaser	
Taxpayer Name	
Address	

Parcel IDs	Legal Description	TCA

Note:

- If request is for a Division of a tax parcel, without transferring title, the legal descriptions of the new parcels and copy of survey must be attached and stamped with city approval
- If request is by a Contract Purchase, the applicant must already appear as the contract purchaser in the county tax records or a copy of the contract for deed must be attached
- All delinquent taxes must be paid in full – Divisions must have current taxes paid per MN Statute 272.121

Is Combination required for a building permit? Yes No

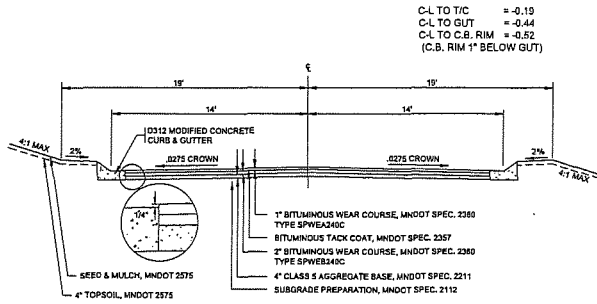
Phone _____

Email _____

Signature _____

- Fee Owner
- Contract Purchaser

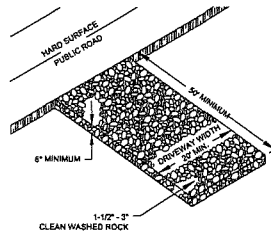
I:\PropTax\~DeptShare\Seg Merge\Divisions & Combinations\Division Combo Request Form.docx



TYPICAL STREET SECTION (7-TON)

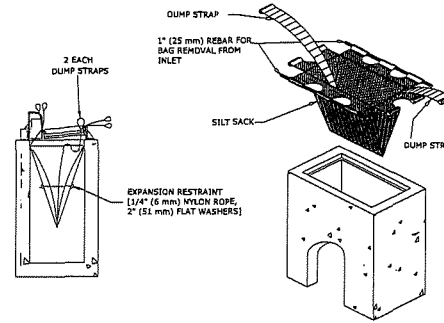
N.T.S.

C-L TO T/C = -0.10
 C-L TO GUT = -0.44
 C-L TO C.B. RIM = -0.52
 (C.B. RIM 1\"/>



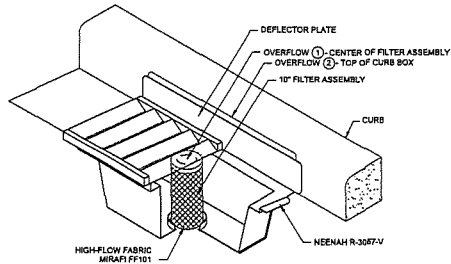
ROCK CONSTRUCTION EXIT

N.T.S.



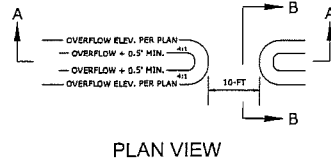
SILT SACK

N.T.S.



WIMCO INLET PROTECTION

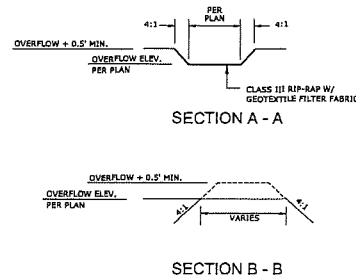
N.T.S.



PLAN VIEW

RIP-RAP OVERFLOWS

N.T.S.



SECTION A - A

SECTION B - B

PLOWE
 ENGINEERING, INC.
 5711 13TH AVE
 SUITE 100
 LAKEVILLE, MN 56001
 PHONE: (763) 441-1111
 FAX: (763) 441-1112



NO.	DATE	DESCRIPTION
1	3.13.24	CITY ESCROW INITIAL COMMENTS
2		
3		
4		
5		
6		
7		
8		

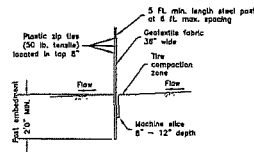
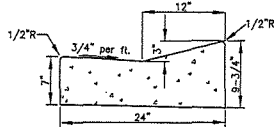
I hereby certify that the plans prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer with the State of Minnesota.
 Date: 05.12.2024 License No. 43983

McGLOVER FARM
 HAM LAKE, MN
 DETAILS
 PREPARED FOR: RICK WEBER

SHEET
C3.1

**D312 MODIFIED
CONCRETE CURB AND GUTTER HL-355A**

NOT TO SCALE

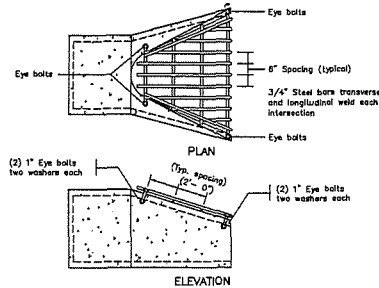


GENERAL SILT FENCE NOTES:

Refer to stdDOT specs. 2573 & 3560
Silt fence shall be installed along the contour (on a level horizontal plane)
Curve the end of the silt fence up-gradient so that it contains the muddy water.
Maximum confining area shall be one acre.
No single fencing unit should exceed 330 feet.
Follow slope grade/length guidelines:

SLOPE GRADE	MAX LENGTH
1:1	100 FT.
1:1.5	75 FT.
1:2	50 FT.
1:3	25 FT.

SILT FENCE: MACHINE SLICED HL-760A
NOT TO SCALE



- Note:
- 1.) Trash guard to be galvanized after fabrication
 - 2.) The size of each trash guard will vary to fit the open size.
 - 3.) All bolts to be non-rusting stainless steel.
 - 4.) Weld all bolts to prevent entry after final storm sewer cleaning.
 - 5.) Round all steel bars such that ends are smooth and free of burrs.

FOR PIPE DIAMETERS 30" AND SMALLER
RCP TRASH GUARD HL-466B
NOT TO SCALE

TABLE OF QUANTITIES
Rimpap at RCP Outlets

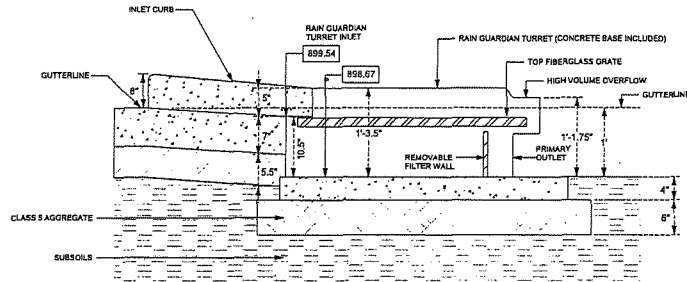
Class	Class II	Class III	Class IV
Pipe (in.)	12"	16"	24"
Depth (ft.)	3.0	4.4	5.9
12	8	3.0	4.4
15	8	3.2	4.8
18	10	4.3	6.4
21	10	4.7	7.1
24	12	6.2	9.2
27	12	6.6	9.9
30	14	8.2	12.3
36	16	10.6	15.8
42	18	12.5	18.7
48	20	14.8	22.2

TABLE OF QUANTITIES
Rimpap at RCPA Outlets

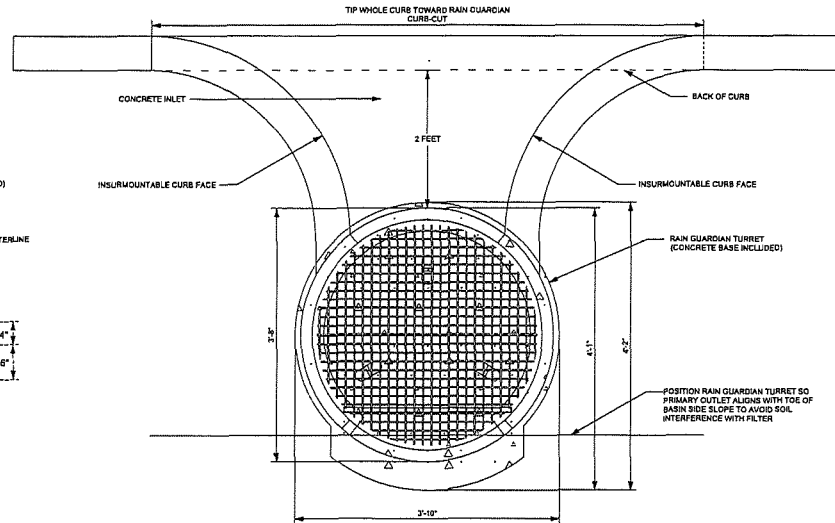
Class	Class II	Class III	Class IV
Pipe (in.)	12"	16"	24"
Depth (ft.)	3.0	4.4	5.9
22	10	5.1	6.1
28	12	5.7	6.8
36	15	7.5	9.2
42	18	9.5	11.5
48	20	11.3	13.8
54	24	14.2	18.0
60	28	17.2	22.2
66	32	20.3	26.4

RIPRAP AT RCP OUTLETS HL-480A1
NOT TO SCALE

- Note:
1. For pipes greater than or equal to 30" use 1.5" geotextile fabric, Spec. 380H. The fabric should cover the area of the riprap and extend under the culvert apron 3 feet.
 2. Headwalls for riprap are to show in the plan.



RAIN GARDEN - TURRET STYLE
N.T.S.



**PLOWE
ENGINEERING, INC.**
REGISTERED PROFESSIONAL ENGINEER
STATE OF MINNESOTA
LICENSE NO. 00014
P.L. 00014



PROJECT NO.:
JOB NO.:
SHEET NO.:
DATE:

NO.	DATE	DESCRIPTION
1	8/23/24	ISSUE FOR PERMIT
2	8/23/24	ISSUE FOR REVIEW
3		
4		
5		
6		
7		
8		

I hereby certify that I am a duly Licensed Professional Engineer in the State of Minnesota.
Date: 08/23/2024 License No. 00014
Signature: [Signature]

McGLOVER FARM
HAM LAKE, MN
DETAILS
PREPARED FOR: RICK WEBER

SHEET
C3.2

S 1/2 SECTION 19, T. 32, R. 23

CITY OF HAM LAKE



1"=400'



ANOKA COUNTY
SURVEYOR'S OFFICE
ROOM 224
2100 3RD AVENUE
ANOKA, MN 55303
(763) 324-3200

QUARTER QUARTER INDEX

23	23	13	11
23	24	13	14
32	31	43	41
33	34	43	44

NORTH HALF OF SECTION

SOUTH HALF OF SECTION

PROPERTY IDENTIFICATION NUMBER

Section Number	Township Number	Range Number	Quarter	Specific Parcel
XX	XX	XX	XX	XXXX

SPECIFIC PARCEL NUMBERS ARE IN BRACKETS: (1)
EXAMPLE OF PDN NUMBER: 19-32-23-43-001

THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE ANOKA COUNTY OFFICES AFFECTING THE AREA SHOWN. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.

RESOLUTION NO. 24-XX
RESOLUTION APPROVING CONTRIBUTIONS

WHEREAS, the City of Ham Lake is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statutes Sections 412.21 and 465.03 for the benefit of its citizens, and

WHEREAS, the following persons and entities have offered to contribute the cash sums set forth below to the City:

<u>Name of Donor</u>	<u>Amount</u>
Ham Lake Chamber of Commerce <i>(Ham Laker/Freedom Festival)</i>	\$4,000.00

WHEREAS, all such sums have been contributed to assist the City in the establishment and operation of programs within the City's corporate limits either alone or in cooperation with others, as allowed by law; and

WHEREAS, the City Council hereby finds that it is appropriate to accept the contributions offered.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ham Lake, Minnesota, as follows:

1. The contributions described above are hereby accepted by the City of Ham Lake and shall be used to establish and operate programs within the City's corporate limits either alone or in cooperation with others, as allowed by law.
2. That the City Clerk is hereby directed to issue receipts to each donor acknowledging the City's receipt of the donor's contribution.

Adopted by the City Council of the City of Ham Lake this 20th day of May, 2024.

Brian Kirkham, Mayor

Denise Webster, City Clerk

LG555 Government Approval or Acknowledgment for Use of Gambling Funds

Keep this completed form attached to the LG100C in your organization's records. You do not need to submit this form to the Gambling Control Board or the Department of Revenue.

ORGANIZATION AND EXPENDITURE INFORMATION (attach additional sheets if necessary)

Organization Name: <u>HLACC</u>	License Number: <u>02948</u>
---------------------------------	------------------------------


Address: <u>1524 Central Ave. NE</u>	City/State/Zip: <u>Ham Lake, MN 55304</u>
--------------------------------------	---

1. Amount of proposed lawful purpose expenditure: \$ 4000.-
2. Check one expenditure category:
- A. **Contribution to a unit of government**—United States, state of Minnesota, or any of its subdivisions, agencies, or instrumentalities.
 - B. **Wildlife management project or activity** that benefits the public at large, with approval by the Minnesota Department of Natural Resources (DNR).
 - C. **Grooming and maintaining snowmobile or all-terrain vehicle trails** established under Minnesota Statutes, Sections 84.83 and 84.927, including purchase or lease of equipment, with approval by the DNR. All trails must be open to public use.
 - D. **Supplies and materials for safety training and educational programs** coordinated by the DNR, including the Enforcement Division.
 - E. **Citizen monitoring of surface water quality testing** for public waters by individuals or nongovernmental organizations, with Minnesota Pollution Control Agency (MPCA) guidance on monitoring procedures, quality assurance protocols, and data management, providing that data is submitted to the MPCA.

3. Describe the proposed expenditure, including vendors:

Freedom festival / Ham Lake

- **NO FINANCIAL OR OTHER BENEFIT:** I affirm that the contribution or expenditure does not result in any monetary, economic, financial, or material benefit to our organization, in compliance with Minn. Rule 7861.0320, subp. 17, para. C.
- **FOR DNR-RELATED PROJECTS:** I affirm that when lawful gambling funds are used for grooming and maintaining snowmobile or all-terrain vehicle trails or for any wildlife management project for which reimbursement is received from a unit of government, the reimbursement funds must be deposited in our lawful gambling account and recorded on form LG100C.
- **FOR SURFACE WATER QUALITY TESTING:** I affirm that the MPCA has been consulted in developing the monitoring plan and that the data collected will be submitted to the MPCA. Send form for signature to: Manager, Water Monitoring Section, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155. Website: www.pca.state.mn.us

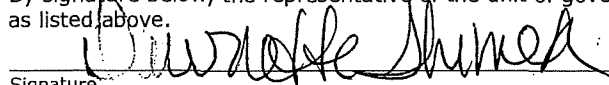
 Chief Executive Officer's Signature	<u>5-15-24</u> Date
<u>Timothy Soffel</u> Print Name	<u>612-396-9763</u> Daytime Phone

GOVERNMENT APPROVAL/ACKNOWLEDGMENT

- Contribution amount: \$ _____ . Government use of contribution (check one):
- Wildlife**—DNR approves the wildlife management project or activity.
 - Trails**—DNR approves the grooming/maintaining of snowmobile and/or all-terrain vehicle trails.
 - Safety training**—DNR approves the supplies/materials for DNR safety training and educational programs.
 - Water quality testing**—MPCA approves the surface water quality testing project.
 - Donation to other unit of government** (city, county, state, federal, or any of their subdivisions) provided the funds will not be used for a pension or retirement fund.

Unit of Government:	Phone:
Address:	City/State/Zip:

By signature below, the representative of the unit of government acknowledges and approves the contribution amount for the use as listed above.

 Signature	<u>5/15/2024</u> Date
<u>Dawnette Shimek</u> Print Name	<u>Deputy City Clerk</u> Title

Questions? Contact the Minnesota Gambling Control Board at 651-539-1900. This form will be made available in alternative format (i.e. large print, braille) upon request. The information requested on this form will become public information, when requested by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Meeting Date: May 20, 2024



**CITY OF HAM LAKE
STAFF REPORT**

To: Mayor and Councilmembers

From: Dawnette Shimek, Deputy City Clerk

Item/Title/Subject: Vacation of a portion of Tippecanoe Street NE right-of-way located within the plat of Constance Boulevard Terrace

Introduction/Discussion:

The Tippecanoe Street NE roadway purposes are being vacated and drainage and utility easements will be maintained. The road right-of-way is no longer needed and therefore needs to be vacated. Engineer Collins has reviewed the legal descriptions and has no issue with this vacation.

Recommendation:

I recommend approval of a Resolution scheduling a Public Hearing for June 3, 2024 at 6:01 p.m. to consider vacation of a portion of Tippecanoe Street NE road right-of-way located within the plat of Constance Boulevard Terrace.

RESOLUTION NO. 24-XX

WHEREAS, the Ham Lake City Council, on its own motion, wishes to consider the vacation of the following described land in the City of Ham Lake, pursuant to Minnesota Statutes Chapter 412.851:

RIGHT OF WAY TO BE VACATED:

That part of Tippecanoe Street N.E. as dedicated on the plat of CONSTANCE BOULEVARD TERRACE, Anoka County, Minnesota, which lies westerly and southwesterly of a line drawn 66 feet westerly from and parallel with the westerly line of Lot 11, Block 1 in said CONSTANCE BOULEVARD TERRACE.

Subject to a drainage and utility easement throughout said part of vacated Tippecanoe Street NE, and subject to a 50 foot wide ditch easement across the northwesterly 50 feet of said vacated Tippecanoe Street NE for county ditch purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ham Lake, that the City Clerk is directed to post in a conspicuous place in the City Hall between the dates of May 23, 2024 and June 3, 2024 and to cause publication of a NOTICE OF PUBLIC HEARING, a copy of which is attached to this Resolution, for a public hearing to be held on June 3, 2024, with publication to occur in the Star Tribune on May 23, 2024.

Adopted by the City Council of the City of Ham Lake this 20th day of May, 2024.

Brian Kirkham, Mayor

Denise Webster, City Clerk

NOTICE OF PUBLIC HEARING
VACATION OF PUBLIC LAND

NOTICE IS HEREBY GIVEN, that a Public Hearing will be held before the Ham Lake City Council on June 3, 2024 at 6:01 p.m. in the City Council Chambers, City Hall, 15544 Central Avenue N.E. Ham Lake, Minnesota 55304, to hear comments and questions concerning the proposed vacation of the following described land within the City of Ham Lake, Minnesota:

RIGHT OF WAY TO BE VACATED:

That part of Tippecanoe Street N.E. as dedicated on the plat of CONSTANCE BOULEVARD TERRACE, Anoka County, Minnesota, which lies westerly and southwesterly of a line drawn 66 feet westerly from and parallel with the westerly line of Lot 11, Block 1 in said CONSTANCE BOULEVARD TERRACE.

Subject to a drainage and utility easement throughout said part of vacated Tippecanoe Street NE, and subject to a 50 foot wide ditch easement across the northwesterly 50 feet of said vacated Tippecanoe Street NE for county ditch purposes.

Said hearing is conducted pursuant to Minnesota Statutes Chapter 412.851.

Dated: June 3, 2024

Dawnette Shimek, Deputy City Clerk

Posted at City Hall between the dates of May 23, 2024 and June 3, 2024.

Published in the Star Tribune on May 23, 2024



CITY OF HAM LAKE

REQUEST FOR AN APPEARANCE BEFORE THE CITY COUNCIL

15544 Central Avenue NE
Ham Lake, MN 55304
Phone (763) 434-9555

DATE OF APPLICATION 5-7-24

DEPOSIT \$ 200.00
RECEIPT # 99571

CITY COUNCIL MEETING DATE
(if all required information is received) _____

APPLICANT'S NAME CONSTANCE BLVD/Terrace LLC.

MAILING ADDRESS 4050 85th Lane NE

CITY, STATE, ZIP CODE Circle Pine MN. 55014

PHONE (daytime) 612 751 2600

EMAIL ADDRESS GUSAFROGZ@YAHOO.COM

SITE ADDRESS / NATURE OR REQUEST:

(Please attach any relevant information including maps, diagrams, and a descriptive narrative of the request)**

REQUESTING THE VACATION OF TIPPECANOE

STREET RIGHT OF WAY, NORTH OF LOT 1, BLOCK 2

CONSTANCE BOULEVARIS TERRACE.

[Signature]
Signature of Applicant

5/7/24
Date

[Signature]
Signature of Current Property Owner

5/7/24
Date

(If the applicant is not the property owner - the property owner signature is required)

**You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required information has been submitted to the City of Ham Lake.



**NOTICE TO ALL APPLICANTS FOR MUNICIPAL
PERMITS, LICENSES,
OR OTHER MUNICIPAL ACTION**

- 1. If you are requesting municipal action on any request for any of the above, you will be required to furnish certain information about yourself, the project you are involved in, or other matters pertaining to the subject. Some of the information you are asked to provide is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data.**
- 2. The purpose of this information is to enable the City Staff, Commissions, Council or other government agencies to evaluate relevant factors in considering your request. You are not legally required to provide this information. If you do not provide the requested information, the City may not act upon your request.**
- 3. The information you supply will be public and available to any entity requesting to inspect the information.**

**DATA PRACTICES ADVISORY
TENNESSEN WARNING**

REQUIRED BY MINNESOTA STATUTES CHAPTER 13.04

SIGNED BY

Gus A. Probst

COMPANY/TITLE:

owner

DATE:

5/7/24

**CITY OF HAM LAKE
ACKNOWLEDGMENT OF RESPONSIBILITY
TO REIMBURSE EXPENSES**

The undersigned, _____, having applied to the City of Ham Lake for consideration of a planning and zoning request, or any other permit, license, or action requiring review and/or approval of the City, as follows:

Type of Application

acknowledges that the sum of \$ 208⁰⁰/₁₀₀, has been deposited with the City of Ham Lake to reimburse the City of Ham Lake for any out of pocket expenses incurred by the City in reviewing the proposal, including but not limited to a staff review fee, any signage required by ordinance, and City Engineer and City Attorney's fees for their review, in amounts which are not known to the City at this time. The applicant acknowledges that it is the responsibility of the undersigned to reimburse the City for any such engineering or attorney's fees incurred in review of the applicant's request, or any other expenses incurred by the City in connection with this requires, and further acknowledges that in the event that the undersigned fails to promptly remit any amounts incurred by the City in excess of the deposit, the City shall have the right to discontinue further consideration or action upon the undersigned's request, shall have the right to rescind any approvals, withdraw any permits, licenses or other consents, shall have the right to vacate any street or road, plat or other dedication, and the undersigned waives the right to claim damages arising out of any such act by the City. Furthermore, the applicant agrees that in the event that the City is required to take legal action in order to effect recovery of any of the expenses incurred by the City from the undersigned, the City shall be entitled, in addition to principle and interest, to recover its reasonable attorney's fees incurred in collecting said sums from the undersigned.

Applicant Signature _____

Dated 5/7/24

The following statement must be signed if the applicant is not the property owner:

_____, as owner of the property involved in the foregoing application, agrees to be jointly and severally liable for payment of the foregoing fees.

Property Owner Signature _____

Dated _____

ANOKA COUNTY HIGHWAY PERMIT REQUIRED PRIOR TO ANY WORK WITHIN CONSTANCE RIGHT-OF-WAY
S89°08'24"W 1336.55

844.44
(717± DESC.)

EXCEPTION

COUNTY DITCH No. 11

TIPPECANOE STREET WITH EXISTING GRAVEL
(TO BE VACATED FOLLOWING 162ND LANE CONNECTION. 50' EASEMENT FOR COUNTY DITCH PURPOSES TO REMAIN AFTER VACATION)

WETLAND 3

LOWEST FLOOR 903.5

BLOCK 2
Primary

65,374 ± SQ. FT.
(1.50 ACRES)

TIPPECANOE STREET 162ND LANE

56,755 ± SQ. FT.
(1.30 ACRES)

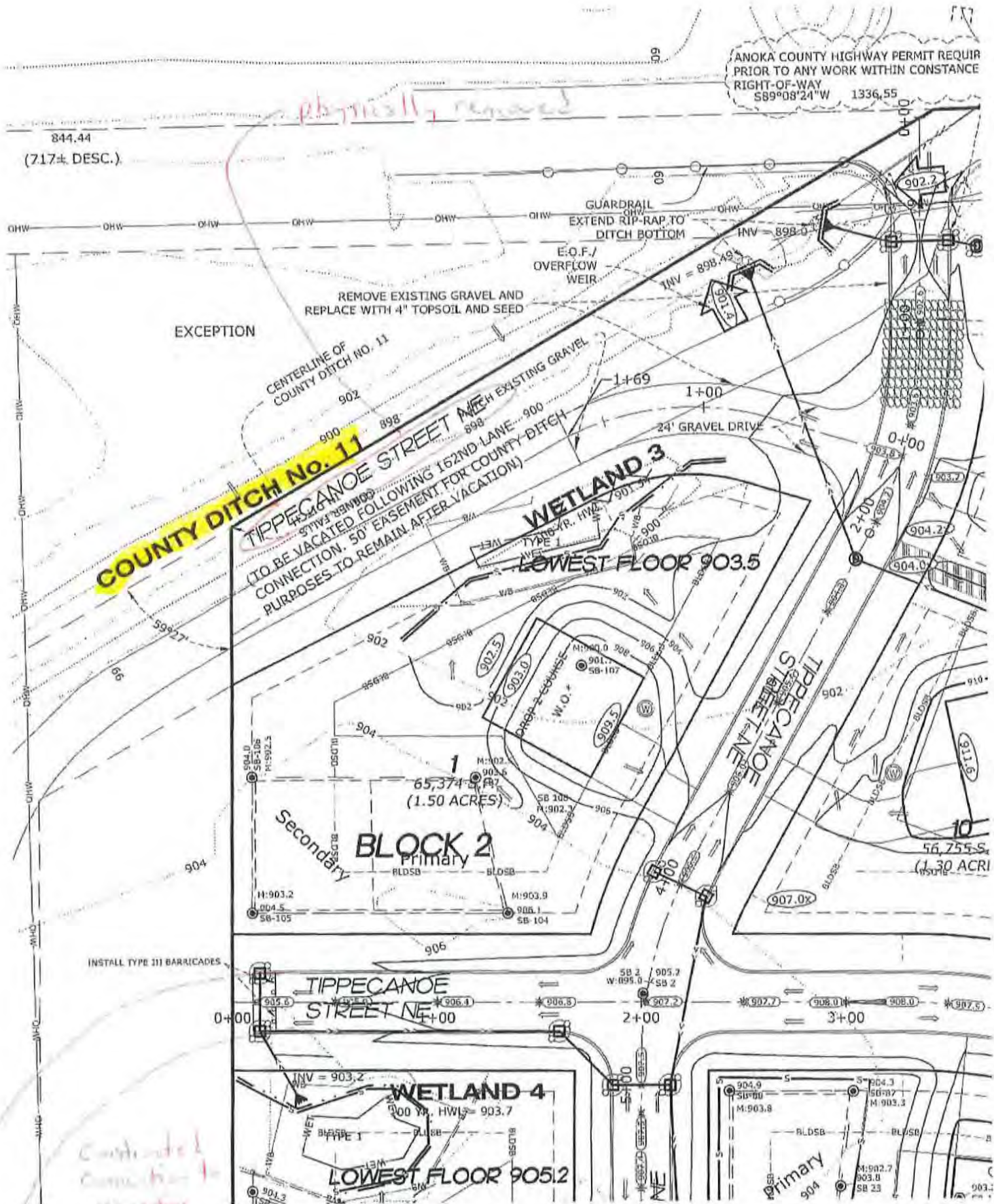
INSTALL TYPE III BARRICADES

TIPPECANOE STREET NE

WETLAND 4

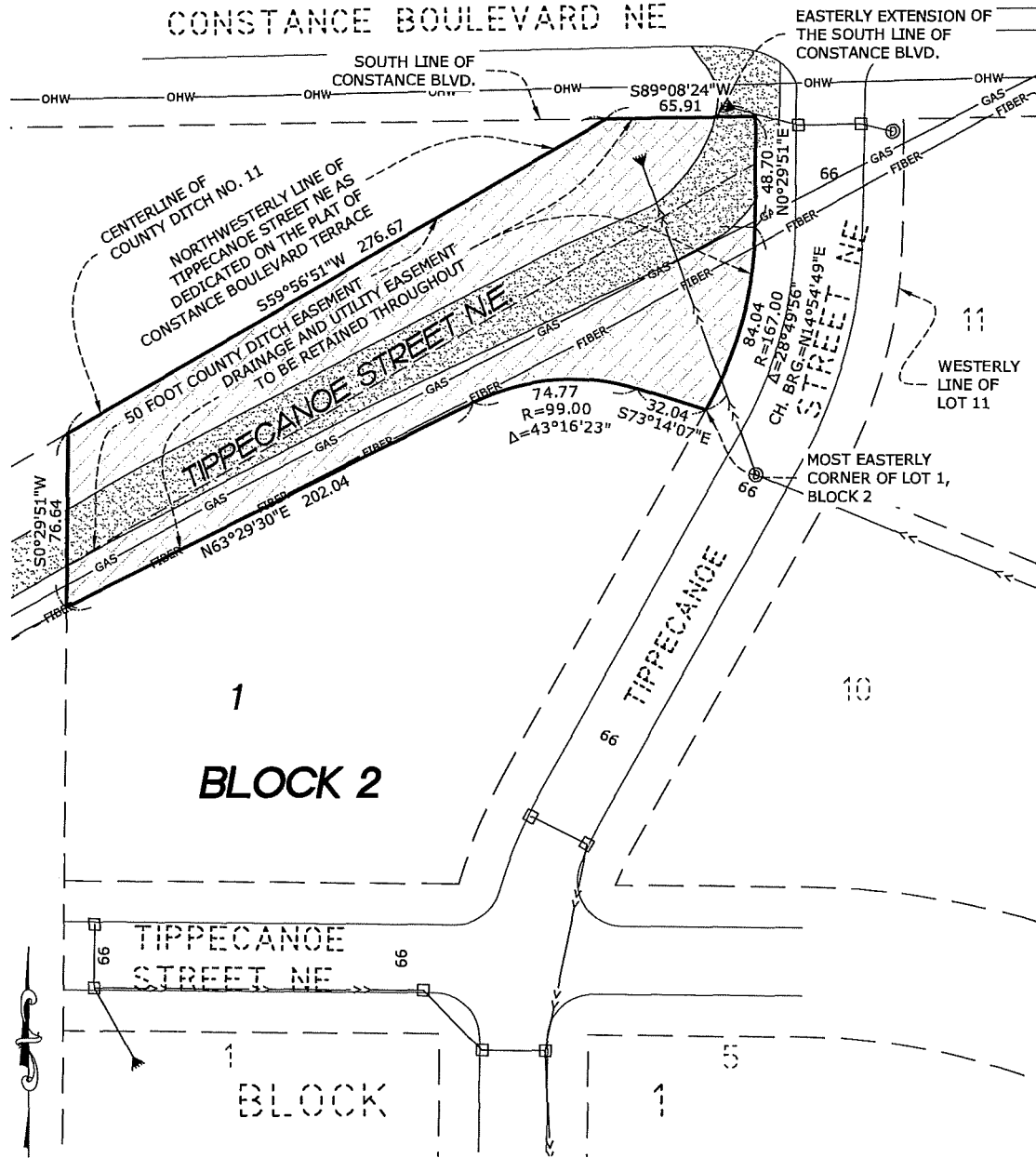
LOWEST FLOOR 905.2

Contingent Connection - Existing



SKETCH AND DESCRIPTION

~for~ CONSTANCE BOULEVARD TERRACE



NORTH

RIGHT OF WAY TO BE VACATED:

That part of Tippecanoe Street N.E. as dedicated on the plat of CONSTANCE BOULEVARD TERRACE, Anoka County, Minnesota, which lies westerly and southwestly of a line drawn 66 feet westerly from and parallel with the westerly line of Lot 11, Block 1 in said CONSTANCE BOULEVARD TERRACE.

Subject to a drainage and utility easement throughout said part of vacated Tippecanoe Street NE, and subject to a 50 foot wide ditch easement across the northwesterly 50 feet of said vacated Tippecanoe Street NE for county ditch purposes.

- GAS DENOTES UNDERGROUND GAS LINE
- FIBER DENOTES UNDERGROUND FIBER OPTIC LINE
- DENOTES EXISTING STORM SEWER
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES RIGHT OF WAY TO BE VACATED (AREA: 28,575 SQ. FT.)

NOTES:

- Field survey was completed by E.G. Rud and Sons on 4/22/2024.
- Location of utilities existing on or serving the surveyed property determined by markings requested by E.G. Rud and Sons, Inc. per Gopher State One Call Ticket No. 241062632.

SCALE: 1" = 60'	BEARING DATUM: Anoka County	JOB NO. 18402PP	DRAWN BY: BPN	DATE: 5/7/2024
-----------------	-----------------------------	-----------------	---------------	----------------

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.


By: Minnesota License No. 41578

Dated 7th day of May 2024.

REVISIONS		
#	DATE	DESCRIPTION
1		
2		
3		
4		
5		

E.G. RUD & SONS, INC.
 PROFESSIONAL LAND SURVEYORS
 6776 LAKE DRIVE NE, SUITE 110
 LINO LAKES, MINNESOTA 55014
 TEL. (651) 361-8200
 FAX (651) 361-8701
 www.egrud.com

Memorandum

Date: May 15, 2024
To: Mayor and Councilmembers
From: David A. Krugler, City Engineer 
Subject: 152nd Avenue cross-culverts in Brook View Meadows

Introduction:

The twin 72-inch corrugated metal cross-culverts installed in 1994 with the Brook View Meadows subdivision have separated and needs to be replaced. The project to replace the two culverts with one ten-foot span bridge (box culvert) was awarded to Northdale Construction, with construction scheduled to commence in early June. The road has been closed since then due to concerns for public safety.

Discussion:

MnDOT will be funding a portion of the proposed bridge project with their general obligation bonds (state bridge funds). In order to accept the funds, the City must enter into an Agreement which includes providing a Resolution and agree not to relinquish ownership of the proposed bridge for 37.5 years.

The Contractor must supply an Equal Pay Certificate as a requirement of MnDOT funding. An Equal Pay Certificate requires employers to pay men and women equal wages for equal work. Northdale Construction has supplied the Workforce Certificate and applied for the Equal Pay Certificate on April 28th. Northdale has not supplied the Equal Pay Certificate.

Recommendations:

Approve of the Local Bridge Replacement Program Grant Agreement for replacement of the County Ditch 58 cross culverts underneath 152nd Avenue, contingent on Northdale Construction providing the required Equal Pay Certificate.

**LOCAL BRIDGE REPLACEMENT PROGRAM (LBRP)
 GRANT AGREEMENT**

This Agreement between the Minnesota Department of Transportation (“MnDOT”) and the Grantee named below is made pursuant to Minnesota Statutes Section 174.50 and pursuant to Minn. Laws 2023, Chapter 72- H.F. 669. The provisions in that section and the Exhibits attached hereto and incorporated by reference constitute this Agreement and the persons signing below agree to fully comply with all of the requirements of this Agreement. This Agreement will be effective on the date State obtains all required signatures under Minnesota Statutes §16C.05, subdivision 2.

1. Public Entity (Grantee) name, address and contact person:

City of Ham Lake
15544 Central Avenue NE
Ham Lake, MN 55304
Contact: Denise Webster, City Administrator

2. Project(s):

Name of Project & Project Number (See Exhibit C for location)	Amount of LBRP Funds	Amount of Required Matching Funds	Completion Date
SAP 197-080-001 Old Bridge #R0951	\$ 221,541.93	\$ 81,884.21	September 15, 2024

3. Total Amount of LBRP Grant for all projects under this Agreement: \$ 221,541.93

4. The following Exhibits for each project are attached and incorporated by reference as part of this Agreement:

- Exhibit A Completed Sources and Uses of Funds Schedule
- Exhibit B Project Schedule, Workforce Certificate, and Equal Pay Certificate
- Exhibit C Bond Financed Property Certification
- Exhibit D Grant Application
- Exhibit E Grantee Resolution Approving Grant Agreement
- Exhibit F General Terms and Conditions

5. Additional requirements, if any:

NONE

6. Any modification of this Agreement must be in writing and signed by both parties.

(The remaining portion of this page was intentionally left blank.)

PUBLIC ENTITY (GRANTEE)

By: _____
Brian Kirkham

Title: Mayor

Date: _____

By: _____
Denise Webster

Title: City Administrator

Date: _____

DEPARTMENT OF TRANSPORTATION
Approval and Certifying Encumbrance

By: _____
State Aid Programs Manager

Date: _____

Office of Contract Management

By: _____
Contract Administrator

Date: _____

EXHIBIT A

SOURCES AND USES OF FUNDS SCHEDULE

SOURCES OF FUNDS		USES OF FUNDS	
Entity Supplying Funds	Amount	Expenses	Amount
State Funds:		Items Paid for with LBRP	
LBRP Grant	\$ 221,541.93	Grant Funds:	
SAAS Acct 377		Mobilization	\$ 42,658.75
Other:		Box Culvert	\$ 176,993.18
	\$	Traffic Control	\$ 1,890.00
	\$		\$
	\$		\$
Subtotal	\$ 221,541.93	Subtotal	\$ 221,541.93
Public Entity Funds:		Items paid for with Non-LBRP Grant Funds:	
Matching Funds		Bridge Construction	\$ 81,884.21
Local Match	\$ 81,884.21		\$
Other:			
	\$		
	\$		
	\$		
Subtotal	\$ 81,884.21	Subtotal	\$ 81,884.21
TOTAL FUNDS	<u>\$ 303,426.14</u>	TOTAL PROJECT COSTS	<u>\$ 303,426.14</u>

EXHIBIT B

PROJECT SCHEDULE, WORKFORCE CERTIFICATE, AND EQUAL PAY CERTIFICATE

Award Date April 1, 2024
Construction Start Date June 3, 2024
Contract Final Completion Date: September 15, 2024

INSERT APPARENT LOW BIDDER WORKFORCE CERTIFICATE BID FORM



WORKFORCE CERTIFICATE OF COMPLIANCE

The Commissioner of the Minnesota Department of Human Rights by the signature below attests that **NORTHDAL CONSTRUCTION COMPANY, INC.** is hereby certified as a contractor under the Minnesota Human Rights Act, § 363A.

Certificate start date: **9/7/2023**

Certificate expiration date: **9/6/2027**

Minnesota Department of Human Rights

FOR THE DEPARTMENT BY:

A handwritten signature in black ink, appearing to read 'Rebecca Lucero'.

Rebecca Lucero, Commissioner

AN EQUAL OPPORTUNITY EMPLOYER
540 Fairview Ave N, Suite 201 ☎ St. Paul, MN 55104 ☎ Tel 651.539.1100
MN Relay 711 or 1.800.627.3529 ☎ Toll Free 1.800.657.3704 ☎ mn.gov/mdhr

INSERT APPARENT LOW BIDDER EQUAL PAY CERTIFICATE BID FORM

EXHIBIT C

BOND FINANCED PROPERTY CERTIFICATION

State of Minnesota
General Obligation Bond Financed Property

The undersigned states that it has a fee simple, leasehold and/or easement interest in the real property located in the County(ies) of Anoka, State of Minnesota that is generally described or illustrated graphically in **Attachment 1** attached hereto and all improvements thereon (the “Restricted Property”) and acknowledges that the Restricted Property is or may become State bond-financed property. To the extent that the Restricted Property is or becomes State bond-financed property, the undersigned acknowledges that:

- A. The Restricted Property is State bond-financed property under Minn. Stat. Sec. 16A.695, is subject to the requirements imposed by that statute, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget; and
- B. The Restricted Property is subject to the provisions of the Local Bridge Replacement Program Grant Agreement between the Minnesota Department of Transportation and the undersigned dated May 20, 2024; and
- C. The Restricted Property shall continue to be deemed State bond-financed property for 37.5 years or until the Restricted Property is sold with the written approval of the Commissioner of Minnesota Management and Budget.

Date: May 20, 2024

City of Ham Lake,
a political subdivision of the State of Minnesota

By: _____
Name: Brian Kirkham
Title: Mayor

By: _____
Name: Denise Webster
Title: City Administrator

Attachment 1 to Exhibit C

GENERAL DESCRIPTION OF RESTRICTED PROPERTY

The SAP 197-080-001 is located in the City of Ham Lake, Anoka County, Minnesota on 152nd Avenue NE from 482 feet east of Jackson Street NE to 352 feet west of Tyler Street.

EXHIBIT D

GRANT APPLICATION

Attach the grant application for the project



APPLICATION FOR BRIDGE FUNDS

State of Minnesota - Department of Transportation
State Aid for Local Transportation

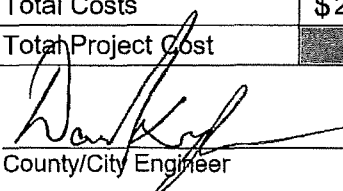
Identification	Project Number	<u>197-080-001</u>	Old Bridge Number	<u>R0951</u>	
	New Bridge No.	<u>02J59</u>	Over	<u>County Ditch #58</u>	
	County of	<u>Anoka</u>	Road or Street No.	<u>152nd Ave. NE</u>	
	Township of	_____	Road or Street Name	_____	
	Municipality of	<u>Ham Lake</u>	Proposed Const Year	<u>2024</u>	
	Does the municipality have a population of 5,000 or less? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Eligibility	Local Bridge Planning Index (LPI) <u>15</u>				
	NBI Appraisal Ratings: Deck Geometry <u>0</u> Approach Roadway <u>8</u> Waterway Adequacy <u>7</u>				
	Date of Council/Board action prioritizing this bridge <u>December 18, 2023</u>				
Is this a road-in-lieu of bridge project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Prioritization	How many people are affected by this deficiency? <u>10</u>		What is the ADT on this bridge? <u>10</u>		
	Describe the economic importance of replacing this bridge.				
	Is the road designated or planned to be designated as a Minimum Maintenance road? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
	(Attach additional sheets for explanation if necessary)				
Is the township net tax capacity less than \$300,000? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Is the bridge listed on the National Register of Historic Places or been determined to be eligible? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
National Register of Historic Places link here: http://www.nps.gov/history/nr/research/					
Cost Estimate		Eligible Amount		Ineligible Amount	
	Structure Costs	\$291,430.20		\$	
	Approach Costs	\$		\$44,999.18	
	Engineering Costs	\$		\$69,925.99	
	Total Costs	\$291,430.20		\$114,925.17	
	Total Project Cost	\$ 406,355.37			
 County/City Engineer		<u>3/13/24</u> Date			
DSAE	DISTRICT STATE AID ENGINEER RECOMMENDATION				
	Replace <u>X</u>	Defer _____	For _____	_____	
Approval	STATE AID USE ONLY		Federal-Aid	\$	
			State-Aid	\$	
			Local/Other	\$	
			Town Bridge	\$	
			Unallocated Town Bridge	\$	
			State Bridge Funds	\$	
			Total	\$	

EXHIBIT E

GRANTEE RESOLUTION APPROVING GRANT AGREEMENT

RESOLUTION NO. 24-XX

RESOLUTION APPROVING THE GRANT TERMS AND CONDITIONS OF THE LOCAL
BRIDGE REPLACEMENT GRANT AGREEMENT FOR SAP 197-080-001

WHEREAS, the City of Ham Lake has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund related to Bridge No. R0951; and

WHEREAS, the Bridge No. R0951 replacement has been assigned State Aid Project Number SAP 197-080-001; and

WHEREAS, the Commissioner of Transportation has given notice that grant funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be **\$221,541.93** by reason of the lowest responsible bid;

NOW THEREFORE, BE IT RESOLVED that the Ham Lake City Council does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate and will return to the Minnesota State Transportation Fund any amount appropriated for the project but not required. The proper City officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

Adopted by the Ham Lake City Council this 20th day of May, 2024.

Brian Kirkham, Mayor

Denise Webster, City Clerk

EXHIBIT F

GENERAL TERMS AND CONDITIONS FOR LOCAL BRIDGE REPLACEMENT PROGRAM (LBRP) GRANTS

Article I DEFINITIONS

Section 1.01 **Defined Terms.** The following terms shall have the meanings set out respectively after each such term (the meanings to be equally applicable to both the singular and plural forms of the terms defined) unless the context specifically indicates otherwise:

“Advance(s)” - means an advance made or to be made by MnDOT to the Public Entity and disbursed in accordance with the provisions contained in Article VI hereof.

“Agreement” - means the Local Bridge Replacement Program Grant Agreement between the Public Entity and the Minnesota Department of Transportation to which this Exhibit is attached.

“Certification” - means the certification, in the form attached as **Exhibit C**, in which the Public Entity acknowledges that its interest in the Real Property is bond financed property within the meaning of Minn. Stat. Sec. 16A.695 and is subject to certain restrictions imposed thereby.

“Code” - means the Internal Revenue Code of 1986, as amended, and all treasury regulations, revenue procedures and revenue rulings issued pursuant thereto.

“Commissioner” - means the Commissioner of Minnesota Management & Budget.

“Commissioner’s Order” - means the “Fourth Order Amending Order of the Commissioner of Minnesota Management & Budget Relating to Use and Sale of State Bond Financed Property” dated July 30, 2012, as it may be amended or supplemented.

“Completion Date” - means the projected date for completion of the Project as indicated in the Agreement.

“Construction Contract Documents” - means the document or documents, in form and substance acceptable to MnDOT, including but not limited to any construction plans and specifications and any exhibits, amendments, change orders, modifications thereof or supplements thereto, which collectively form the contract between the Public Entity and the Contractor(s) for the completion of the Construction Items on or before the Completion Date for either a fixed price or a guaranteed maximum price.

“Construction Items” - means the work to be performed under the Construction Contract Documents.

“Contractor” - means any person engaged to work on or to furnish materials and supplies for the Construction Items including, if applicable, a general contractor.

“Draw Requisition” - means a draw requisition that the Public Entity, or its designee, submits to MnDOT when an Advance is requested, as referred to in Section 4.02.

“G.O. Bonds” - means the state general obligation bonds issued under the authority granted in Article XI, Sec. 5(a) of the Minnesota Constitution, the proceeds of which are used to fund the LBRP Grant, and any bonds issued to refund or replace such bonds.

“Grant Application” - means the grant application that the Public Entity submitted to MnDOT which is attached as **Exhibit D**.

“LBRP Grant” - means a grant from MnDOT to the Public Entity under the LBRP in the amount specified in the Agreement, as such amount may be modified under the provisions hereof.

“LBRP” - means the Local Bridge Replacement Program pursuant to Minn. Stat. Sec. 174.50 and rules relating thereto.

“MnDOT” - means the Minnesota Department of Transportation.

“Outstanding Balance of the LBRP Grant” - means the portion of the LBRP Grant that has been disbursed to the Public Entity minus any amounts returned to the Commissioner.

“Project” - means the Project identified in the Agreement to be totally or partially funded with a LBRP grant.

“Public Entity” - means the grantee of the LBRP Grant and identified as the Public Entity in the Agreement.

“Real Property” - means the real property identified in the Agreement on which the Project is located.

Article II **GRANT**

Section 2.01 Grant of Monies. MnDOT shall make the LBRP Grant to the Public Entity, and disburse the proceeds in accordance with the terms and conditions herein.

Section 2.02 Public Ownership. The Public Entity acknowledges and agrees that the LBRP Grant is being funded with the proceeds of G.O. Bonds, and as a result all of the Real Property must be owned by one or more public entities. The Public Entity represents and warrants to MnDOT that it has one or more of the following ownership interests in the Real Property: (i) fee simple ownership, (ii) an easement that is for a term that extends beyond the date that is 37.5 years from the Agreement effective date, or such shorter term as authorized by statute, and which cannot be modified or terminated early without the prior written consent of MnDOT and the Commissioner; and/or (iii) a prescriptive easement for a term that extends beyond the date that is 37.5 years from the Agreement effective date.

Section 2.03 Use of Grant Proceeds. The Public Entity shall use the LBRP Grant solely to reimburse itself for expenditures it has already made, or will make, to pay the costs of one or more of the following activities: (i) constructing or reconstructing a bridge, (ii) abandoning an existing bridge that is deficient and in need of replacement, but where no replacement will be made, or (iii) constructing a road to facilitate the abandonment or removal of an existing bridge determined to be deficient. The Public Entity shall not use the LBRP Grant for any other purpose, including but not limited to, any work to be done on a state trunk highway or within a trunk highway easement.

Section 2.04 Operation of the Real Property. The Real Property must be used by the Public Entity in conjunction with or for the operation of a county highway, county state-aid highway, town road, or city

street and for other uses customarily associated therewith, such as trails and utility corridors, and for no other purposes or uses. The Public Entity shall have no intention on the effective date of the Agreement to use the Real Property as a trunk highway or any part of a trunk highway. The Public Entity must annually determine that the Real Property is being used for the purposes specified in this Section and, upon written request by either MnDOT or the Commissioner, shall supply a notarized statement to that effect.

Section 2.05 Sale or Lease of Real Property. The Public Entity shall not (i) sell or transfer any part of its ownership interest in the Real Property, or (ii) lease out or enter into any contract that would allow another entity to use or operate the Real Property without the written consent of both MnDOT and the Commissioner. The sale or transfer of any part of the Public Entity's ownership interest in the Real Property, or any lease or contract that would allow another entity to use or operate the Real Property, must comply with the requirements imposed by Minn. Stat. Sec. 16A.695 and the Commissioner's Order regarding such sale or lease.

Section 2.06 Public Entity's Representations and Warranties. The Public Entity represents and warrants to MnDOT that:

- A. It has legal authority to execute, deliver and perform the Agreement and all documents referred to therein, and it has taken all actions necessary to its execution and delivery of such documents.
- B. It has the ability and a plan to fund the operation of the Real Property for the purposes specified in Section 2.04, and will include in its annual budget all funds necessary for the operation of the Real Property for such purposes.
- C. The Agreement and all other documents referred to therein are the legal, valid and binding obligations of the Public Entity enforceable against the Public Entity in accordance with their respective terms.
- D. It will comply with all of the provisions of Minn. Stat. Sec. 16A.695, the Commissioner's Order and the LBRP. It has legal authority to use the G.O. Grant for the purpose or purposes described in this Agreement.
- E. All of the information it has submitted or will submit to MnDOT or the Commissioner relating to the LBRP Grant or the disbursement of the LBRP Grant is and will be true and correct.
- F. It is not in violation of any provisions of its charter or of the laws of the State of Minnesota, and there are no actions or proceedings pending, or to its knowledge threatened, before any judicial body or governmental authority against or affecting it relating to the Real Property, or its ownership interest therein, and it is not in default with respect to any order, writ, injunction, decree, or demand of any court or any governmental authority which would impair its ability to enter into the Agreement or any document referred to herein, or to perform any of the acts required of it in such documents.
- G. Neither the execution and delivery of the Agreement or any document referred to herein nor compliance with any of the provisions or requirements of any of such documents is prevented by, is a breach of, or will result in a breach of, any provision of any agreement or document to which it is now a party or by which it is bound.
- H. The contemplated use of the Real Property will not violate any applicable zoning or use statute, ordinance, building code, rule or regulation, or any covenant or agreement of record relating thereto.

- I. The Project will be completed and the Real Property will be operated in full compliance with all applicable laws, rules, ordinances, and regulations of any federal, state, or local political subdivision having jurisdiction over the Project and the Real Property.
- J. All applicable licenses, permits and bonds required for the performance and completion of the Project and for the operation of the Real Property as specified in Section 2.04 have been, or will be, obtained.
- K. It reasonably expects to possess its ownership interest in the Real Property described in Section 2.02 for at least 37.5 years, and it does not expect to sell such ownership interest.
- L. It does not expect to lease out or enter into any contract that would allow another entity to use or operate the Real Property.
- M. It will supply whatever funds are needed in addition to the LBRP Grant to complete and fully pay for the Project.
- N. The Construction Items will be completed substantially in accordance with the Construction Contract Documents by the Completion Date and all such items will be situated entirely on the Real Property.
- O. It will require the Contractor or Contractors to comply with all rules, regulations, ordinances, and laws bearing on its performance under the Construction Contract Documents.
- P. It shall furnish such satisfactory evidence regarding the representations and warranties described herein as may be required and requested by either MnDOT or the Commissioner.
- Q. It has made no material false statement or misstatement of fact in connection with its receipt of the G.O. Grant, and all the information it has submitted or will submit to the State Entity or Commissioner of MMB relating to the G.O. Grant or the disbursement of any of the G.O. Grant is and will be true and correct.

Section 2.07 **Event(s) of Default.** The following events shall, unless waived in writing by MnDOT and the Commissioner, constitute an Event of Default under the Agreement upon either MnDOT or the Commissioner giving the Public Entity 30 days' written notice of such event and the Public Entity's failure to cure such event during such 30-day time period for those Events of Default that can be cured within 30 days or within whatever time period is needed to cure those Events of Default that cannot be cured within 30 days as long as the Public Entity is using its best efforts to cure and is making reasonable progress in curing such Events of Default; however, in no event shall the time period to cure any Event of Default exceed six (6) months unless otherwise consented to, in writing, by MnDOT and the Commissioner.

- A. If any representation, covenant, or warranty made by the Public Entity herein or in any other document furnished pursuant to the Agreement, or to induce MnDOT to disburse the LBRP Grant, shall prove to have been untrue or incorrect in any material respect or materially misleading as of the time such representation, covenant, or warranty was made.
- B. If the Public Entity fails to fully comply with any provision, covenant, or warranty contained herein.

- C. If the Public Entity fails to fully comply with any provision, covenant or warranty contained in Minn. Stat. Sec. 16A.695, the Commissioner's Order, or Minn. Stat. Sec. 174.52 and all rules related thereto.
- D. If the Public Entity fails to use the proceeds of the LBRP Grant for the purposes set forth in Section 2.03, the Grant Application, and in accordance with the LBRP.
- E. If the Public Entity fails to operate the Real Property for the purposes specified in Section 2.04.
- F. If the Public Entity fails to complete the Project by the Completion Date.
- G. If the Public Entity sells or transfers any portion of its ownership interest in the Real Property without first obtaining the written consent of both MnDOT and the Commissioner.
- H. If the Public Entity fails to provide any additional funds needed to fully pay for the Project.
- I. If the Public Entity fails to supply the funds needed to operate the Real Property in the manner specified in Section 2.04.

Notwithstanding the foregoing, any of the above events that cannot be cured shall, unless waived in writing by MnDOT and the Commissioner, constitute an Event of Default under the Agreement immediately upon either MnDOT or the Commissioner giving the Public Entity written notice of such event.

Section 2.08 **Remedies.** Upon the occurrence of an Event of Default and at any time thereafter until such Event of Default is cured to the satisfaction of MnDOT, MnDOT or the Commissioner may enforce any or all of the following remedies.

- A. MnDOT may refrain from disbursing the LBRP Grant; provided, however, MnDOT may make such disbursements after the occurrence of an Event of Default without waiving its rights and remedies hereunder.
- B. If the Event of Default involves a sale of the Public Entity's interest in the Real Property in violation of Minn. Stat. Sec. 16A.695 or the Commissioner's Order, the Commissioner, as a third-party beneficiary of the Agreement, may require that the Public Entity pay the amounts that would have been paid if there had been compliance with such provisions. For other Events of Default, the Commissioner may require that the Outstanding Balance of the LBRP Grant be returned to it.
- C. Either MnDOT or the Commissioner, as a third-party beneficiary of the Agreement, may enforce any additional remedies it may have in law or equity.

The rights and remedies specified herein are cumulative and not exclusive of any rights or remedies that MnDOT or the Commissioner would otherwise possess.

If the Public Entity does not repay the amounts required to be paid under this Section or under any other provision contained herein within 30 days of demand by the Commissioner, or any amount ordered by a court of competent jurisdiction within 30 days of entry of judgment against the Public Entity and in favor of MnDOT and/or the Commissioner, then such amount may, unless precluded by law, be offset against any aids or other monies that the Public Entity is entitled to receive from the State of Minnesota.

Section 2.09 Notification of Event of Default. The Public Entity shall furnish to MnDOT and the Commissioner, as soon as possible and in any event within seven (7) days after it has obtained knowledge of the occurrence of each Event of Default, a statement setting forth details of each Event of Default and the action which the Public Entity proposes to take with respect thereto.

Section 2.10 Effect of Event of Default. The Agreement shall survive Events of Default and remain in full force and effect, even upon full disbursement of the LBRP Grant, and shall only be terminated under the circumstances set forth in Section 2.11.

Section 2.11 Termination of Agreement and Modification of LBRP Grant.

A. If the Project is not started within five (5) years after the effective date of the Agreement or the LBRP Grant has not been disbursed within four (4) years after the date the Project was started, MnDOT's obligation to fund the LBRP Grant shall terminate. In such event, (i) if none of the LBRP Grant has been disbursed by such date, MnDOT shall have no obligation to fund the LBRP Grant and the Agreement will terminate, and (ii) if some but not all of the LBRP Grant has been disbursed by such date, MnDOT shall have no further obligation to provide any additional funding for the LBRP Grant and the Agreement shall remain in force but shall be modified to reflect the amount of the LBRP Grant that was actually disbursed and the Public Entity is still obligated to complete the Project by the Completion Date.

B. The Agreement shall terminate upon the Public Entity's sale of its interest in the Real Property and transmittal of the required portion of the proceeds of the sale to the Commissioner in compliance with Minn. Stat. Sec. 16A.695 and the Commissioner's Order, or upon the termination of the Public Entity's ownership interest in the Real Property if such ownership interest is an easement.

Section 2.12 Excess Funds. If the full amount of the G.O. Grant and any matching funds referred to in Section 5.13 are not needed to complete the Project, then, unless language in the G.O. Bonding Legislation indicates otherwise, the G.O. Grant shall be reduced by the amount not needed.

Article III
COMPLIANCE WITH MINNESOTA STATUTE, SEC. 16A.695
AND THE COMMISSIONER'S ORDER

Section 3.01 State Bond Financed Property. The Public Entity acknowledges that its interest in the Real Property is, or when acquired by it will be, "state bond financed property", as such term is used in Minn. Stat. Sec. 16A.695 and the Commissioner's Order and, therefore, the provisions contained in such statute and order apply, or will apply, to its interest in the Real Property, even if the LBRP Grant will only pay for a portion of the Project.

Section 3.02 Preservation of Tax Exempt Status. In order to preserve the tax-exempt status of the G.O. Bonds, the Public Entity agrees as follows:

- A. It will not use the Real Property or use or invest the LBRP Grant or any other sums treated as "bond proceeds" under Section 148 of the Code (including "investment proceeds," "invested sinking funds" and "replacement proceeds") in such a manner as to cause the G.O. Bonds to be classified as "arbitrage bonds" under Code Section 148.
- B. It will deposit and hold the LBRP Grant in a segregated non-interest-bearing account until such funds are used for payments for the Project.

- C. It will, upon written request, provide the Commissioner all information required to satisfy the informational requirements set forth in the Code, including Sections 103 and 148, with respect to the G.O. Bonds.
- D. It will, upon the occurrence of any act or omission by the Public Entity that could cause the interest on the G.O. Bonds to no longer be tax exempt and upon direction from the Commissioner, take such actions and furnish such documents as the Commissioner determines to be necessary to ensure that the interest to be paid on the G.O. Bonds is exempt from federal taxation, which such action may include: (i) compliance with proceedings intended to classify the G.O. Bonds as a “qualified bond” within the meaning of Code Section 141(e), or (ii) changing the nature of the use of the Real Property so that none of the net proceeds of the G.O. Bonds will be deemed to be used, directly or indirectly, in an “unrelated trade or business” or for any “private business use” within the meaning of Code Sections 141(b) and 145(a).
- E. It will not otherwise use any of the LBRP Grant or take, permit or cause to be taken, or omit to take, any action that would adversely affect the exemption from federal income taxation of the interest on the G.O. Bonds, and if it should take, permit or cause to be taken, or omit to take, as appropriate, any such action, it shall take all lawful actions necessary to correct such actions or omissions promptly upon obtaining knowledge thereof.

Section 3.03 **Changes to G.O. Compliance Legislation or the Commissioner’s Order.** If Minn. Stat. Sec. 16A.695 or the Commissioner’s Order is amended in a manner that reduces any requirement imposed against the Public Entity, or if the Public Entity’s interest in the Real Property becomes exempted from Minn. Stat. Sec. 16A.695 and the Commissioner’s Order, then upon written request by the Public Entity, MnDOT shall execute an amendment to the Agreement to implement such amendment or exempt the Public Entity’s interest in the Real Property from Minn. Stat. Sec. 16A.695 and the Commissioner’s Order.

Article IV DISBURSEMENT OF GRANT PROCEEDS

Section 4.01 **The Advances.** MnDOT agrees, on the terms and subject to the conditions set forth herein, to make Advances of the LBRP Grant to the Public Entity from time to time in an aggregate total amount not to exceed the amount of the LBRP Grant. If the amount of LBRP Grant that MnDOT cumulatively disburses hereunder to the Public Entity is less than the amount of the LBRP Grant delineated in Section 1.01, then MnDOT and the Public Entity shall enter into and execute whatever documents MnDOT may request in order to amend or modify this Agreement to reduce the amount of the LBRP Grant to the amount actually disbursed. Provided, however, in accordance with the provisions contained in Section 2.11, MnDOT’s obligation to make Advances shall terminate as of the dates specified in Section 2.11 even if the entire LBRP Grant has not been disbursed by such dates.

Advances shall only be for expenses that (i) are for those items of a capital nature delineated in Source and Use of Funds that is attached as **Exhibit A**, (ii) accrued no earlier than the effective date of the legislation that appropriated the funds that are used to fund the LBRP Grant, or (iii) have otherwise been consented to, in writing, by the Commissioner.

It is the intent of the parties hereto that the rate of disbursement of the Advances shall not exceed the rate of completion of the Project or the rate of disbursement of the matching funds required, if any, under Section 5.13. Therefore, the cumulative amount of all Advances disbursed by the State Entity at any point in time shall not exceed the portion of the Project that has been completed and the percentage of the matching funds required, if any, under Section 5.13 that have been disbursed as of such point in time. This requirement is

expressed by way of the following two formulas:

Formula #1:

Cumulative Advances \leq (Program Grant) \times (percentage of matching funds, if any, required under Section 5.13 that have been disbursed)

Formula #2:

Cumulative Advances \leq (Program Grant) \times (percentage of Project completed)

Section 4.02 **Draw Requisitions.** Whenever the Public Entity desires a disbursement of a portion of the LBRP Grant the Public Entity shall submit to MnDOT a Draw Requisition duly executed on behalf of the Public Entity or its designee. Each Draw Requisition with respect to construction items shall be limited to amounts equal to: (i) the total value of the classes of the work by percentage of completion as approved by the Public Entity and MnDOT, plus (ii) the value of materials and equipment not incorporated in the Project but delivered and suitably stored on or off the Real Property in a manner acceptable to MnDOT, less (iii) any applicable retainage, and less (iv) all prior Advances.

Notwithstanding anything herein to the contrary, no Advances for materials stored on or off the Real Property will be made by MnDOT unless the Public Entity shall advise MnDOT, in writing, of its intention to so store materials prior to their delivery and MnDOT has not objected thereto.

At the time of submission of each Draw Requisition, other than the final Draw Requisition, the Public Entity shall submit to MnDOT such supporting evidence as may be requested by MnDOT to substantiate all payments which are to be made out of the relevant Draw Requisition or to substantiate all payments then made with respect to the Project.

The final Draw Requisition shall not be submitted before completion of the Project, including any correction of material defects in workmanship or materials (other than the completion of punch list items). At the time of submission of the final Draw Requisition the Public Entity shall submit to MnDOT: (I) such supporting evidence as may be requested by MnDOT to substantiate all payments which are to be made out of the final Draw Requisition or to substantiate all payments then made with respect to the Project, and (ii) satisfactory evidence that all work requiring inspection by municipal or other governmental authorities having jurisdiction has been duly inspected and approved by such authorities and that all requisite certificates and other approvals have been issued.

If on the date an Advance is desired the Public Entity has complied with all requirements of this Agreement and MnDOT approves the relevant Draw Requisition, then MnDOT shall disburse the amount of the requested Advance to the Public Entity.

Section 4.03 **Additional Funds.** If MnDOT shall at any time in good faith determine that the sum of the undisbursed amount of the LBRP Grant plus the amount of all other funds committed to the Project is less than the amount required to pay all costs and expenses of any kind which reasonably may be anticipated in connection with the Project, then MnDOT may send written notice thereof to the Public Entity specifying the amount which must be supplied in order to provide sufficient funds to complete the Project. The Public Entity agrees that it will, within 10 calendar days of receipt of any such notice, supply or have some other entity supply the amount of funds specified in MnDOT's notice.

Section 4.04 **Condition Precedent to Any Advance.** The obligation of MnDOT to make any Advance hereunder (including the initial Advance) shall be subject to the following conditions precedent:

- A. MnDOT shall have received a Draw Requisition for such Advance specifying the amount of funds being requested, which such amount when added to all prior requests for an Advance shall not exceed the amount of the LBRP Grant set forth in Section 1.01.
- B. No Event of Default under this Agreement or event which would constitute an Event of Default but for the requirement that notice be given or that a period of grace or time elapse shall have occurred and be continuing.
- C. No determination shall have been made by MnDOT that the amount of funds committed to the Project is less than the amount required to pay all costs and expenses of any kind that may reasonably be anticipated in connection with the Project, or if such a determination has been made and notice thereof sent to the Public Entity under Section 4.03, then the Public Entity has supplied, or has caused some other entity to supply, the necessary funds in accordance with such section or has provided evidence acceptable to MnDOT that sufficient funds are available.
- D. The State Entity shall have received evidence, in form and substance acceptable to the State Entity, that the Public Entity has sufficient funds to fully and completely pay for the Project and all other expenses that may occur in conjunction therewith.
- E. The Public Entity has supplied to the State Entity all other items that the State Entity may reasonably require

Section 4.05 **Processing and Disbursement of Advances.** The Public Entity acknowledges and agrees as follows:

- A. Advances are not made prior to completion of work performed on the Project.
- B. All Advances are processed on a reimbursement basis.
- C. The Public Entity must first document expenditures to obtain an Advance.
- D. Reimbursement requests are made on a partial payment basis or when the Project is completed.
- E. All payments are made following the “Delegated Contract Process or State Aid Payment Request” as requested and approved by the appropriate district state aid engineer.

Section 4.06 **Construction Inspections.** The Public Entity shall be responsible for making its own inspections and observations regarding the completion of the Project, and shall determine to its own satisfaction that all work done or materials supplied have been properly done or supplied in accordance with all contracts that the Public Entity has entered into regarding the completion of the Project.

Article V **MISCELLANEOUS**

Section 5.01 **Insurance.** If the Public Entity elects to maintain general comprehensive liability insurance regarding the Real Property, then the Public Entity shall have MnDOT named as an additional named insured therein.

Section 5.02 **Condemnation.** If, after the Public Entity has acquired the ownership interest set forth in Section 2.02, all or any portion of the Real Property is condemned to an extent that the Public Entity can no longer comply with Section 2.04, then the Public Entity shall, at its sole option, either: (i) use the

condemnation proceeds to acquire an interest in additional real property needed for the Public Entity to continue to comply with Section 2.04 and to provide whatever additional funds that may be needed for such purposes, or (ii) submit a request to MnDOT and the Commissioner to allow it to sell the remaining portion of its interest in the Real Property. Any condemnation proceeds which are not used to acquire an interest in additional real property shall be applied in accordance with Minn. Stat. Sec. 16A.695 and the Commissioner's Order as if the Public Entity's interest in the Real Property had been sold. If the Public Entity elects to sell its interest in the portion of the Real Property that remains after the condemnation, such sale must occur within a reasonable time period after the date the condemnation occurred and the cumulative sum of the condemnation and sale proceeds applied in accordance with Minn. Stat. Sec. 16A.695 and the Commissioner's Order.

If MnDOT receives any condemnation proceeds referred to herein, MnDOT agrees to or pay over to the Public Entity all of such condemnation proceeds so that the Public Entity can comply with the requirements of this Section.

Section 5.03 Use, Maintenance, Repair and Alterations. The Public Entity shall not, without the written consent of MnDOT and the Commissioner, (i) permit or allow the use of any of the Real Property for any purpose other than the purposes specified in Section 2.04, (ii) substantially alter any of the Real Property except such alterations as may be required by laws, ordinances or regulations, or such other alterations as may improve the Real Property by increasing its value or which improve its ability to be used for the purposes set forth in Section 2.04, (iii) take any action which would unduly impair or depreciate the value of the Real Property, (iv) abandon the Real Property, or (v) commit or permit any act to be done in or on the Real Property in violation of any law, ordinance or regulation.

If the Public Entity fails to maintain the Real Property in accordance with this Section, MnDOT may perform whatever acts and expend whatever funds necessary to so maintain the Real Property, and the Public Entity irrevocably authorizes MnDOT to enter upon the Real Property to perform such acts as may be necessary to so maintain the Real Property. Any actions taken or funds expended by MnDOT shall be at its sole discretion, and nothing contained herein shall require MnDOT to take any action or incur any expense and MnDOT shall not be responsible, or liable to the Public Entity or any other entity, for any such acts that are performed in good faith and not in a negligent manner. Any funds expended by MnDOT pursuant to this Section shall be due and payable on demand by MnDOT and will bear interest from the date of payment by MnDOT at a rate equal to the lesser of the maximum interest rate allowed by law or 18% per year based upon a 365-day year.

Section 5.04 Recordkeeping and Reporting. The Public Entity shall maintain books and records pertaining to Project costs and expenses needed to comply with the requirements contained herein, Minn. Stat. Sec. 16A.695, the Commissioner's Order, and Minn. Stat. Sec. 174.52 and all rules related thereto, and upon request shall allow MnDOT, its auditors, the Legislative Auditor for the State of Minnesota, or the State Auditor for the State of Minnesota, to inspect, audit, copy, or abstract all of such items. The Public Entity shall use generally accepted accounting principles in the maintenance of such items, and shall retain all of such books and records for a period of six years after the date that the Project is fully completed and placed into operation.

Section 5.05 Inspections by MnDOT. The Public Entity shall allow MnDOT to inspect the Real Property upon reasonable request by MnDOT and without interfering with the normal use of the Real Property.

Section 5.06 Liability. The Public Entity and MnDOT agree that each will be responsible for its own acts and the results thereof to the extent authorized by law, and neither shall be responsible for the acts of the other party and the results thereof. The liability of MnDOT and the Commissioner is governed by the

provisions of Minn. Stat. Sec. 3.736. If the Public Entity is a “municipality” as that term is used in Minn. Stat. Chapter 466, then the liability of the Public Entity is governed by the provisions of Chapter 466. The Public Entity’s liability hereunder shall not be limited to the extent of insurance carried by or provided by the Public Entity, or subject to any exclusion from coverage in any insurance policy.

Section 5.07 Relationship of the Parties. Nothing contained in the Agreement is to be construed as establishing a relationship of co-partners or joint venture among the Public Entity, MnDOT, or the Commissioner, nor shall the Public Entity be considered to be an agent, representative, or employee of MnDOT, the Commissioner, or the State of Minnesota in the performance of the Agreement or the Project.

No employee of the Public Entity or other person engaging in the performance of the Agreement or the Project shall be deemed have any contractual relationship with MnDOT, the Commissioner, or the State of Minnesota and shall not be considered an employee of any of those entities. Any claims that may arise on behalf of said employees or other persons out of employment or alleged employment, including claims under the Workers’ Compensation Act of the State of Minnesota, claims of discrimination against the Public Entity or its officers, agents, contractors, or employees shall in no way be the responsibility of MnDOT, the Commissioner, or the State of Minnesota. Such employees or other persons shall not require nor be entitled to any compensation, rights or benefits of any kind whatsoever from MnDOT, the Commissioner, or the State of Minnesota, including tenure rights, medical and hospital care, sick and vacation leave, disability benefits, severance pay and retirement benefits.

Section 5.08 Notices. In addition to any notice required under applicable law to be given in another manner, any notices required hereunder must be in writing and personally served or sent by prepaid, registered, or certified mail (return receipt requested), to the address of the party specified below or to such different address as may in the future be specified by a party by written notice to the others:

To the Public Entity: At the address indicated on the first page of the Agreement.

To MnDOT at: Minnesota Department of Transportation
Office of State Aid
395 John Ireland Blvd., MS 500
Saint Paul, MN 55155
Attention: Marc Briese, State Aid Programs Engineer

To the Commissioner at: Minnesota Management & Budget
400 Centennial Office Bldg.
658 Cedar St.
St. Paul, MN 55155
Attention: Commissioner

Section 5.09 Assignment or Modification. Neither the Public Entity nor MnDOT may assign any of its rights or obligations under the Agreement without the prior written consent of the other party.

Section 5.10 Waiver. Neither the failure by the Public Entity, MnDOT, or the Commissioner, as a third party beneficiary of the Agreement, in one or more instances to insist upon the complete observance or performance of any provision hereof, nor the failure of the Public Entity, MnDOT, or the Commissioner to exercise any right or remedy conferred hereunder or afforded by law shall be construed as waiving any breach of such provision or the right to exercise such right or remedy thereafter. In addition, no delay by any of the Public Entity, MnDOT, or the Commissioner in exercising any right or remedy hereunder shall operate as a waiver thereof, nor shall any single or partial exercise of any right or remedy preclude other or further exercise thereof or the exercise of any other right or remedy.

Section 5.11 **Choice of Law and Venue.** All matters relating to the validity, interpretation, performance, or enforcement of the Agreement shall be determined in accordance with the laws of the State of Minnesota. All legal actions arising from any provision of the Agreement shall be initiated and venued in the State of Minnesota District Court located in St. Paul, Minnesota.

Section 5.12 **Severability.** If any provision of the Agreement is finally judged by any court to be invalid, then the remaining provisions shall remain in full force and effect and they shall be interpreted, performed, and enforced as if the invalid provision did not appear herein.

Section 5.13 **Matching Funds.** Any matching funds as shown on Page 1 of the Grant Agreement that are required to be obtained and supplied by the Public Entity must either be in the form of (i) cash monies, (ii) legally binding commitments for money, or (iii) equivalent funds or contributions, including equity, which have been or will be used to pay for the Project. The Public Entity shall supply to MnDOT whatever documentation MnDOT may request to substantiate the availability and source of any matching funds.

Section 5.14 **Sources and Uses of Funds.** The Public Entity represents to MnDOT and the Commissioner that the Sources and Uses of Funds Schedule attached as **Exhibit A** accurately shows the total cost of the Project and all of the funds that are available for the completion of the Project. The Public Entity will supply any other information and documentation that MnDOT or the Commissioner may request to support or explain any of the information contained in the Sources and Uses of Funds Schedule. If any of the funds shown in the Sources and Uses of Funds Schedule have conditions precedent to the release of such funds, the Public Entity must provide to MnDOT a detailed description of such conditions and what is being done to satisfy such conditions.

Section 5.15 **Project Completion Schedule.** The Public Entity represents to MnDOT and the Commissioner that the Project Completion Schedule attached as **Exhibit B** correctly and accurately sets forth the projected schedule for the completion of the Project.

Section 5.16 **Third-Party Beneficiary.** The Governmental Program will benefit the State of Minnesota and the provisions and requirements contained herein are for the benefit of both the State Entity and the State of Minnesota. Therefore, the State of Minnesota, by and through its Commissioner of MMB, is and shall be a third-party beneficiary of this Agreement.

Section 5.17 **Public Entity Tasks.** Any tasks that the Agreement imposes upon the Public Entity may be performed by such other entity as the Public Entity may select or designate, provided that the failure of such other entity to perform said tasks shall be deemed to be a failure to perform by the Public Entity.

Section 5.18 **Data Practices.** The Public Entity agrees with respect to any data that it possesses regarding the G.O. Grant or the Project to comply with all of the provisions and restrictions contained in the Minnesota Government Data Practices Act contained in Minnesota Statutes Chapter 13, as such may subsequently be amended or replaced from time to time.

Section 5.19 **Non-Discrimination.** The Public Entity agrees to not engage in discriminatory employment practices regarding the Project and it shall fully comply with all of the provisions contained in Minnesota Statutes Chapters 363A and 181, as such may subsequently be amended or replaced from time to time.

Section 5.20 **Worker's Compensation.** The Public Entity agrees to comply with all of the provisions relating to worker's compensation contained in Minn. Stat. Secs. 176.181 subd. 2 and 176.182, as they may be amended or replaced from time to time with respect to the Project.

Section 5.21 **Antitrust Claims.** The Public Entity hereby assigns to MnDOT and the Commissioner of MMB all claims it may have for over charges as to goods or services provided with respect to the Project that arise under the antitrust laws of the State of Minnesota or of the United States of America.

Section 5.22 **Prevailing Wages.** The Public Entity agrees to comply with all of the applicable provisions contained in Minnesota Statutes Chapter 177, and specifically those provisions contained in Minn. Stat. §. 177.41 through 177.435 as they may be amended or replaced from time to time with respect to the Project. By agreeing to this provision, the Public Entity is not acknowledging or agreeing that the cited provisions apply to the Project.

Section 5.23 **Entire Agreement.** The Agreement and all of the exhibits attached thereto embody the entire agreement between the Public Entity and MnDOT, and there are no other agreements, either oral or written, between the Public Entity and MnDOT on the subject matter hereof.

Section 5.24 **E-Verification.** The Public Entity agrees and acknowledges that it is aware of Minn. Stat. § 16C.075 regarding e-verification of employment of all newly hired employees to confirm that such employees are legally entitled to work in the United States, and that it will, if and when applicable, fully comply with such order.


Section 5.25 **Telecommunications Certification.** If federal funds are included in Exhibit A, by signing this agreement, Contractor certifies that, consistent with Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. 115-232 (Aug. 13, 2018), and 2 CFR 200.216, Contractor will not use funding covered by this agreement to procure or obtain, or to extend, renew, or enter into any contract to procure or obtain, any equipment, system, or service that uses "covered telecommunications equipment or services" (as that term is defined in Section 889 of the Act) as a substantial or essential component of any system or as critical technology as part of any system. Contractor will include this certification as a flow down clause in any contract related to this agreement.

Section 5.26 **Title VI/Non-discrimination Assurances.** Public Entity agrees to comply with all applicable US DOT Standard Title VI/Non-Discrimination Assurances contained in DOT Order No. 1050.2A, and in particular Appendices A and E, which can be found at: https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=11149035. If federal funds are included in Exhibit A, Public Entity will ensure the appendices and solicitation language within the assurances are inserted into contracts as required. MnDOT may conduct a review of the Public Entity's compliance with this provision. The Public Entity must cooperate with MnDOT throughout the review process by supplying all requested information and documentation to MnDOT, making Public Entity staff and officials available for meetings as requested, and correcting any areas of non-compliance as determined by MnDOT.

Section 5.27 **Electronic Records and Signatures.** The parties agree to contract by electronic means. This includes using electronic signatures and converting original documents to electronic records.

Section 5.28 **Certification.** By signing this Agreement, the Grantee certifies that it is not suspended or debarred from receiving federal or state awards.

Memorandum

Date: May 15, 2024
To: Mayor and Councilmembers
From: David A. Krugler, City Engineer 
Subject: Creekside Farms

Introduction:

An inspection of the Creekside Farms commercial development project was completed May 9th.

Discussion:

An initial inspection of the site was completed July 31, 2023. The site was found to be in an acceptable condition, with the exception of the required screening along the eastern portion of the development, as required by the conditions of the final plat approval. The original proposed screening consisted of a combination of trees, privacy fences, and future buildings. At the October 16, 2023 City Council meeting, a revised screening plan was approved that replaced the buildings and privacy fence portions of the screening with trees. Once the developer installed the tree screening, all the requirements set forth by the City for project acceptance would have been met. The Developer installed the tree screening in late October 2023, but did not notify the City that the trees had been planted until May. An inspection of the site was completed on May 9th and the site was found to be in an acceptable condition. All of the Development Agreement Work Items that were guaranteed by the performance security have been completed.

Due to the screening being installed in October 2023, the project would have been able to have been accepted at the November 6, 2023 City Council meeting, if the City had been notified of their installation. This would have commenced the one-year maintenance period for the development. A reduction in the maintenance period from one-year to 6-months that will end November 20th is proposed to take into account the screening being installed October 2023.


Recommendation:

It is recommended that the project be accepted, the standard one-year maintenance period be reduced to 6-months, and the maintenance period commence.

Memorandum

Date: May 15, 2024

To: Mayor and Councilmembers

From: David A. Krugler, City Engineer 

Subject: Rare Plant Taking Permit for construction of the Highway 65 East Frontage Road from 171st Avenue to 334 feet south of Crosstown Boulevard and the Crosstown Shopping Center Street Reconstruction

Introduction:

The Department of Natural Resources (MnDNR) requires the issuance of a Rare Plant Taking Permit (Permit) for the proposed taking (impacting) of rare plant species as a result of construction. The two options presented by the MnDNR that would satisfy the Permit were to either (1) pay the MnDNR \$60,000 to do mitigation at the Blaine Airport Rich Fen Scientific and Natural Area, which would cover the East Frontage Road only; or (2) have the City propose and conduct a compensatory rare plant mitigation plan, which can cover multiple projects. At the February 29th City Council meeting Option 2 was chosen and the Anoka Conservation District (ACD) was chosen to conduct the compensatory rare plant mitigation on behalf of the City for the cost of \$60,000 that would cover both the East Frontage Road Construction and the Crosstown Shopping Center Reconstruction. In conjunction to the City doing its own compensatory rare plant mitigation project, a conservation easement needs to be established over the proposed mitigation area. This will ensure the rare plants will be protected and managed in the future.

Discussion:

As previously discussed in the February 29th memo, Midwest Natural Resources conducted a botanical survey of rare plants for the East Frontage Road construction project (aka Crosstown Business Park) in October 2021. The survey involved documenting and recording any rare plants species located within the survey limits. A botanical survey was previously performed in the area for the Holiday Station redevelopment in June 2021. Along with those botanical surveys, an additional botanical survey was performed for the Crosstown Shopping Center Street Reconstruction project in July 2023. Between the three botanical surveys conducted in the area, eight rare plant species were identified at the sites. Of the eight species found, one species has been designated as endangered, four species have been designated as threatened, one species has been designated as special concern and two species have been designated as watch listed. As part of the construction project, six of the eight species identified will be taken. For the six species taken in conjunction with the road projects, only the four endangered and/or threatened species require a MnDNR Permit. A botanical survey was completed at Soderville Park in October 2023. This site was chosen due to the size of the Park and the proximity to the two projects. The results of the botanical survey determined that the Park has all of the rare plants that are proposed to be taken from both projects.

Performing the mitigation at Soderville Park, the MnDNR will require the City to issue a protection status over the area that the mitigation will be performed. Protection alternatives for the portion of the park area shown in the attached exhibit are: (1) registering the area in the Natural Area Registry (NAR); (2) registering the area with the Minnesota Land Trust (MN Land Trust); (3) establishing the area as a Scientific Natural Area (SNA); or (4) having the ACD hold the conservation easement.

The first alternative explored for a conservation easement was the NAR. This type of easement is a non-binding voluntary agreement. The MnDNR does not generally allow this type of conservation easement to be used since it does not offer strong protection for the rare plants. In order for this type of easement to be allowed by the MnDNR, a Memorandum of Understanding (MOU) would have to be drafted that meets the requirements for the protection of the rare plants. Some of the requirements would be to limit the types of activities and land usage within the easement, yearly inspections of the property to ensure the area remains in good condition for the rare plants located in the Park, as well as having the City's proposed mitigation plan be conducted for 20 years. The MnDNR quoted the cost of this route at \$5,000 for the drafting and reviewing of the MOU documents. There would be no endowment cost or title work cost associated with this type of easement. The City would have to pay upfront for the cost to conduct the yearly inspections which can be estimated at \$1,500 per year. This cost would only include the inspections conducted at the site. Should additional work be required outside of what is provided through the ACD, the City would have to pay for that cost upfront as well. It can be assumed that additional work beyond the inspections would follow the same path as the ACD's mitigation plan and can be estimated at \$60,000. If the bare minimum of work is required on the site for the next 20 years, (i.e. only inspections are required and no additional work), this easement will cost around a total of \$35,000. Should any additional work be needed, the decision to which would be solely up to the MnDNR, the cost will increase by \$60,000 each time work is done over the next 20 years.

The second alternative explored for a conservation easement was the MN Land Trust. This type of easement is a permanent and binding agreement. After discussions with a representative of the MN Land Trust, this is not a viable alternative. MN Land Trust has specific grant funding that they use to manage the land under their protection. The program prevents the funding from being used on public land without special approval. MN Land Trust has stated that Soderville Park does not have enough acreage to receive special approval. It was stated that MN Land Trust would be willing to hold the easement for the City if the City covered all of the costs associated with procuring and managing the easement. After repeated inquiries, a cost estimate has still not been provided.

The third alternative explored for the conservation easement was to register the area as a SNA. This type of easement is a permanent and binding agreement. Establishing a SNA would limit activities allowed within the Park, as SNA restrictions are governed by Minnesota Rule 6136.0550. These activities include the operation of motorized vehicles outside of designated areas and private events such as athletics and social events as a few examples. In order for the park to be enrolled as a SNA, the site must qualify. A SNA staff member at the MnDNR would have to come to the site and complete an evaluation form. The staff member would then discuss the viability of managing the area and if the site is worth enrolling in the program. There is no size requirement for enrolling the site as a SNA. However, the MnDNR considers the location,

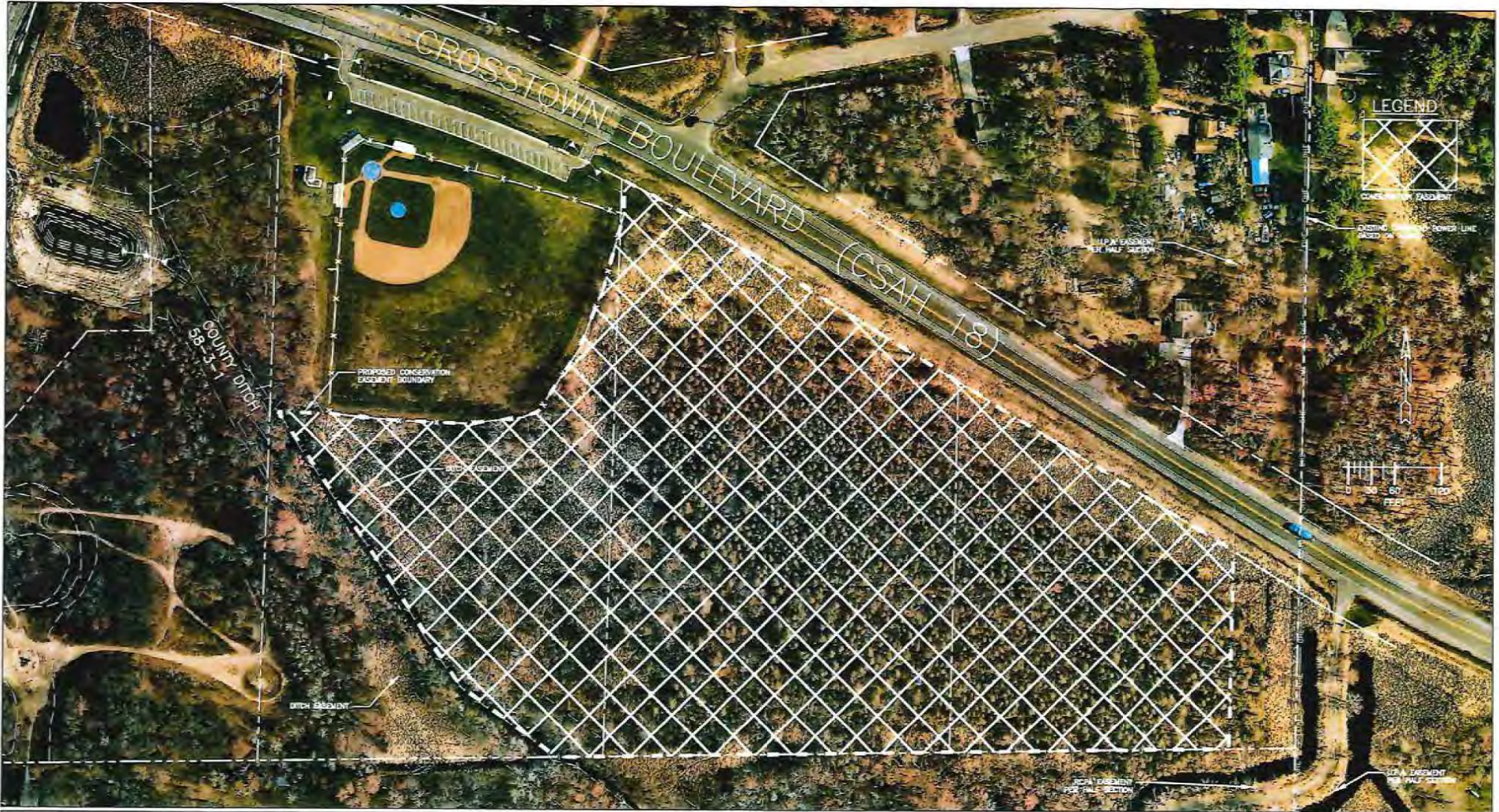
size, and how managing the site fits into the existing management schedule in place for other locations. The MnDNR quoted the cost of establishing the Park as a SNA at \$30,000 for an endowment and \$12,000 for title work. This alternative would have a total cost of \$42,000 to establish the site as a SNA. This type of easement would require the City's planned mitigation to be conducted for 5 years.

The fourth alternative explored for the conservation easement is to have the ACD hold the easement. This easement would be permanent and legally binding, similar to the SNA and MN Land Trust. However, the easement requirements could be negotiated to have more favorable conditions and restrictions for the City, similar to the NAR easement. While this easement is not the strongest conservation easement listed, it provides the most flexible terms and doesn't require an extension of the timeline for the mitigation project. The ACD quoted the cost for the easement at \$25,000 for the endowment and \$5,000 for title work. This will give a total cost of \$30,000 for the easement. This type of easement would require the City's planned mitigation to be conducted for 5 years.

Overall, out of the four conservation easements explored three were considered as viable options NAR, SNA, and ACD. MN Land Trust was not considered viable due to the lack of funding available and no cost estimate being provided. Of the three remaining easement holders, the most expensive was the SNA with a quote of \$42,000, followed by the NAR with a quote of \$35,000, and the least expensive being the ACD with a quote of \$30,000. It is worth noting that the NAR cost will become the most expensive should the MnDNR require additional work on the site. The NAR will also require the City's mitigation plan to be conducted for 20 years, while the SNA and ACD will only require 5 years.

Recommendation:

It is recommended to approve the Anoka Conservation District to become the holder of the conservation easement for the compensatory rare plant mitigation plan for the East Frontage Road Project and the Crosstown Shopping Center reconstruction project.



Description
 CONSERVATION EASEMENT WITHIN SODERVILLE PARK

Drawn LZ	Date 5/15/24	Project No. 2111	Sheet No. 1
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Project
 EAST FRONTAGE ROAD SOUTH OF CROSSTOWN BOULEVARD

13635 Johnson Street
 Ham Lake, MN 55304
 Voice: 763.882.8000
 Fax: 763.882.8042



Map Data: P:\2111\2111\2111.dwg | Date: 5/15/24 | Drawn: LZ



CITY OF HAM LAKE - STAFF REPORT

To: Mayor and Councilmembers
From: Dawnette Shimek, Deputy City Clerk
Item/Title/Subject: Renewal of Liquor Licenses

Introduction:

All Liquor Licenses in the City expire on June 30, 2024. The following licensees have applied for renewal and have submitted documentation required.

Approval of the following renewal of Liquor Licenses:

On-Sale and Sunday On-Sale

- T-Box Bar & Grill, 1431 147th Avenue NE, Ham Lake, MN (*pending payment of property taxes*)
- Ham Lake Lanes, 16465 Highway 65 NE, Ham Lake, MN (*pending payment of property taxes*)
- Acapulco Mexican Restaurant, 18015 Ulysses Street NE, Suite 1000, Ham Lake, MN
- EAGL Beverages Holding LLC, dba Majestic Oaks Golf Club, 701 Bunker Lake Boulevard NE, Ham Lake, MN
- Maxx Bar & Grill, 17646 Highway 65 NE, Ham Lake, MN

Off-Sale

- Grape Expectations, dba Tournament Liquor, 1434 147th Avenue NE, Ham Lake, MN (*pending payment of property taxes*)
- Bidhipur Beverage, Inc., dba Ham Lake Liquors, 17720 Central Avenue NE, Ham Lake, MN
- Broadview Operations, LLC, dba 1 Stop Liquor, 16205 Lexington Avenue NE, Ham Lake
- Rama Corporation dba Network Liquors, 13548 Highway 65 NE, Ham Lake, MN

Wine and 3.2% Malt Liquor

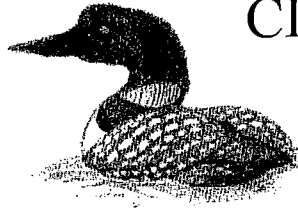
- Mansetti's Pizza & Pasta, 16220 Aberdeen Street NE, Suite C, Ham Lake, MN

3.2% Off-Sale

- Speedway, 1442 Constance Boulevard NE, Ham Lake, MN

Recommendation:

I recommend approval of the renewal of Liquor Licenses for the period of July 1, 2024 to June 30, 2025, pending payment of property taxes.



CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
(763) 434-9555
Fax (763) 434-9599

CITY OF HAM LAKE PLANNING COMMISSION MINUTES MONDAY, MAY 13, 2024

The Ham Lake Planning Commission met for its regular meeting on Monday, May 13, 2024 in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Commissioners Brian Pogalz, Kyle Lejonvarn, Jeff Entsminger, David Ross, Jonathan Fisher, Dave Ringler and Erin Dixson

MEMBERS ABSENT: None

OTHERS PRESENT: City Engineer Dave Krugler and Building and Zoning Clerk Jennifer Bohr

CALL TO ORDER: Chair Pogalz called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE:
The pledge of allegiance was recited by all in attendance.

APPROVAL OF MINUTES:
Motion by Ross, seconded by Lejonvarn, to approve the minutes of the April 8, 2024 Planning Commission meeting as written. All in favor, motion carried.

NEW BUSINESS:
Art Rosenberg of Lincoln Street Commercial, LLC, requesting Sketch Plan approval for a commercial development (four lots and one outlot) in Section 29
Mr. Art Rosenberg and Mr. Paul Boerboom from Lincoln Street Commercial, LLC, and Mr. Matt Davich from E.G. Rud and Sons, Inc. were present. Mr. Rosenberg spoke on behalf of the project. Mr. Rosenberg stated this project has been a work in progress for a couple of years. Mr. Rosenberg stated there are potential buyers for some of the lots so they have decided to take the next step and move forward with the platting process. Chair Pogalz asked Engineer Krugler to comment. Engineer Krugler stated the plat is a four-lot subdivision with one outlot. Engineer Krugler stated the property is currently zoned CD-1 (Commercial Development I) and CD-2 (Commercial Development II); future zoning is proposed to be CD-1, CD-2 and R-A (Rural Residential Single Family). Engineer Krugler stated Johnson Street NE, as shown on the plan, meets the separation requirement of 300 feet from Highway 65 NE. Engineer Krugler stated the plan realigns Lincoln Street NE from what was proposed on the Entsminger Farms plat; the future backage road that would connect Bunker Lake Boulevard NE to Andover Boulevard NE

will eventually be realigned. Engineer Krugler stated vacation of excess roadway, drainage and utility easements within 1163 143rd Avenue NE will be done after the Lincoln Street Commercial plat is filed. Engineer Krugler stated Coon Creek County Ditch No. 59 runs along the northern border of the plat and will require a 100-foot easement. Engineer Krugler stated there are FEMA Zone A limits adjacent to the county ditch but a FEMA Letter of Map Amendment will not be required. Engineer Krugler stated Northern Natural Gas (NNG) has a 50-foot-wide easement within the southerly portion of the proposed development and Johnson Street NE will cross the easement; written approval of the development from NNG is required. Engineer Krugler stated written approval is also required from Lumen (aka CenturyLink and Qwest) due to the north/south Northwestern Bell Telephone easement over the easterly portion of proposed Lots 3 and 4 and within Outlot A. Engineer Krugler stated the Northwestern Bell Telephone easement is a blanket easement now as it is not confined to a typical 50-foot-wide easement; further discussion is needed related to the limits of this easement. Engineer Krugler stated the minimum building setback from Highway 65 is 50 feet. Engineer Krugler stated Article 11-1850 of City Code states decorative trees, such as conifers, shall be planted along the right-of-way lines of adjacent public roadways or where property lines are adjacent to residential areas. Engineer Krugler stated tree planting can be discussed when site plans are reviewed for the parcels. Engineer Krugler stated that there is a billboard within/adjacent to the east property line of proposed Lot 2 which will be relocated. Engineer Krugler stated Coon Creek Watershed District approval and a Natural Heritage Information System data review by the DNR is required. Chair Pogalz stated Commissioner Entsminger is abstaining from comment and voting on this matter as his business may be hired by the applicant to do work on this project. Chair Pogalz asked what the process is to convey Outlot A to 1163 143rd Avenue NE. Engineer Krugler stated that will be determined by the applicant but must be completed before building permits can be issued for lots within the plat. Chair Pogalz asked Mr. Rosenberg if he had reviewed the City Engineer's memo in the packet and if he understood the requirements noted in the memo. Mr. Rosenberg stated he had read the memo and is okay with the direction and requirements noted.

Motion by Pogalz, seconded by Fisher, to recommend approval of the Sketch Plan, presented by Art Rosenberg, of Lincoln Street Commercial, LLC, a four lot, one outlot commercial subdivision in Section 29 subject to roadway, drainage and utility easement dedication within Lot 2, Block 1 of Entsminger Farms to align with the proposed Lincoln Street right-of-way within Outlot A, a revision of the west lot line of Lot 3 to match the centerline of the proposed Lincoln Street NE extension, conveyance of Outlot A to the owner of the 29-32-23-32-0005 (1163 143rd Avenue NE) parcel, dedication of an easement within 100 feet of Coon Creek County Ditch No. 59, obtaining written approval from Northern Natural Gas to allow Johnson Street NE to cross the easement, obtaining a written Release or Confinement of Easement from Lumen, or half-section correction from Anoka County, for the easement over the easterly portions of proposed Lots 3 and 4 and within Outlot A, relocating the billboard that is within/adjacent to the easterly property line of proposed Lot 2 to meet setback requirements, complying with sign standards in Article 11-320 of City Code and obtaining a permit for any new sign that may be constructed, Coon Creek Watershed District approval, a Natural Heritage Information System data review by the DNR, meeting the requirements of the City Engineer, and meeting all City, State and County requirements. Commissioners

Pogalz, Lejonvarn, Ringer, Ross, Fisher and Dixson voted yes, Commissioner Entsminger abstained from the vote. Motion carried. *This application will be placed on the City Council's Tuesday, May 20, 2024 agenda.*

Chair Pogalz asked Mr. Rosenberg if any of the requirements noted in the motion were of concern to him. Mr. Rosenberg stated the requirements were acceptable.

Melinda McDermott, Elevate Hope House, requesting Sketch Plan approval of a residential development (two lots, one outlot) in Section 16

Ms. Melinda McDermott, Founder of Elevate Hope House, and Mr. Matt Davich from E.G. Rud and Sons were present. Ms. McDermott stated Elevate Hope House is a 501(c) (3) organization that was founded in 2018. Elevate Hope House renovated the Oak Haven church parsonage in 2020. Ms. McDermott stated the organization provides hybrid, transitional housing for single moms (Ages 18-24.) and their kids for up to 2 years along with programming via a family advocate so residents are self-sufficient when they leave. Ms. McDermott stated the proposal is to obtain two acres of the Ham Lake Baptist Camp property to construct two separate homes over time. Ms. McDermott stated their organization has a partnership with Spring Lake Park High School and students taking the construction trades course are currently building a three-bedroom house that will be moved out to a lot in the plat for a slab on grade home. Chair Pogalz asked Engineer Krugler to comment on the project. Engineer Krugler stated the 55-acre parcel that will be subdivided is zoned R-1 (Residential Single Family) and RS-2 (Shoreland Residential-Recreational Development). Engineer Krugler stated this subdivision will follow the minor plat process which permits preliminary and final plat review to be done at the same time. Engineer Krugler stated the driveway of proposed Lot 1 shows access from County Road 61 or Xylite Street NE. Engineer Krugler stated the Anoka County Highway Department must review and approve the proposed 50-foot wide access opening, drainage and utility easement and Xylite Street NE right-of-way width. Engineer Krugler stated a 15-foot wide bike trail easement is required adjacent to the easterly 10-foot drainage and utility easement of both proposed residential lots. Engineer Krugler stated Coon Creek Watershed District approval is required. Engineer Krugler stated, per the plans, a United Power Association easement encroaches 25-feet into the easterly portion of the two proposed lots; written approval must be obtained for the Lot 1 driveway crossing, the future trail and any grading that will be done within the easement. Engineer Krugler stated the balance of a deferred, special assessment from the upgrade done on East Ham Lake Drive in 1994, must be paid in full due to subdividing the parcel. Chair Pogalz asked Engineer Krugler what will be required for Parkland Dedication. Engineer Krugler stated dedicating land for the trail easement along Xylite Street NE will satisfy the parkland requirement as the value of the trail easement is estimated to be in excess of the \$2500 per lot cash requirement for the two lots to be developed. Chair Pogalz asked Ms. McDermott if she had reviewed the memo from the City Engineer. Ms. McDermott stated she had and did not have any questions or concerns. **Motion by Pogalz, seconded by Fisher, to recommend approval of the Sketch Plan presented by Melinda McDermott, Elevate Hope House, for a two lot, one outlot, residential subdivision**

in Section 16 subject to dedicating 10-foot drainage and utility easements around the perimeter of each proposed lot, identifying Outlot A as Lot 3 or combining the outlot with the adjacent 16-32-23-34-0036 parcel under the same ownership, dedicating a 15-foot wide bike trail easement adjacent to the easterly 10-foot drainage and utility easement for both proposed lots to meet the parkland dedication requirement, Coon Creek Watershed District approval, a Natural Heritage Information System data review by the DNR, obtaining approval of the 50-foot wide Lot 1 access opening, drainage and Xylite Street NE right-of-way width and an Access Permit for the Lot 1 driveway from the Anoka County Highway Department, obtaining written approval from United Power Association for the driveway of Lot 1 crossing the easement, future trail construction and any grading within the easement, paying the balance of the deferred, special assessment for the 1994 upgrade of East Ham Lake Drive NE in full prior to the plat being filed with Anoka County, meeting the requirements of the City Engineer and meeting all City, State and County requirements. All in favor, motion carried. *This application will be placed on the City Council's May 20, 2024 agenda.*

COMMISSION BUSINESS:

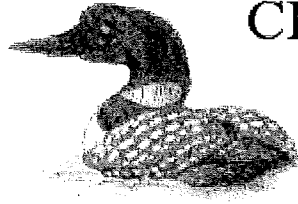
City Council Update

Chair Pogalz informed the Commissioners that the City Council concurred with the Commission's recommendations to approve the request from Jesse Osborne, Storage World, for rezoning and Wesam Alkubaisy's request for a Conditional Use Permit to operate Pioneer Auto Tronics at 15903 Lincoln Street NE. There will not be a Planning Commissioner present at the May 20, 2024 City Council meeting.

ADJOURNMENT:

Motion by Dixson, seconded by Fisher, to adjourn the Planning Commission meeting at 6:24 p.m. All in favor, motion carried.

Jennifer Bohr
Building and Zoning Clerk



CITY OF HAM LAKE

15544 Central Avenue NE
Ham Lake, Minnesota 55304
(763) 434-9555
Fax (763) 434-9599

CITY OF HAM LAKE PLANNING COMMISSION AGENDA MONDAY, MAY 13, 2024

CALL TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: April 8, 2024

PUBLIC HEARING: None

NEW BUSINESS:

1. Art Rosenberg of Lincoln Street Commercial, LLC, requesting Sketch Plan approval for a commercial development (four lots and one outlot) in Section 29.
2. Melinda McDermott, Elevate Hope House, requesting Sketch Plan approval of a residential development (two lots, one outlot) in Section 16.

COMMISSION BUSINESS:

1. City Council Update



CITY OF HAM LAKE

PLANNING REQUEST

15544 Central Avenue NE

Ham Lake, MN 55304

Phone (763) 434-9555 Fax (763) 235-1697

Date of Application 4-11-2024

Date of Receipt 4-17-24

Receipt # 99327

Meeting Appearance Dates:
Planning Commission 5-13-24

City Council 5-20-24

Please check request(s):

- Metes & Bounds Conveyance
- Sketch Plan
- Preliminary Plat Approval*
- Final Plat Approval
- Rezoning*
- Multiple Dog License*

- Commercial Building Permit
- Certificate of Occupancy
- Home Occupation Permit
- Conditional Use Permit (New)*
- Conditional Use Permit (Renewal)
- Other _____

**NOTE: Advisory Signage is required for land use alterations and future road connections. This application also requires a Public Hearing. Such fees shall be deducted from deposit.*

Development/Business Name: LINCOLN STREET COMMERCIAL LLC

Address/Location of property: 14350-14334 HWY 65 1323 143RD AVE

Legal Description of property: SEE ATTACHED

29-32-23-24-0004 29-32-23-31-0003
PIN # 29-32-23-31-0005 Current Zoning CA-1,2 Proposed Zoning CD1,2 + R-A

Notes: Four lot Commercial subdivision with one outlot

Applicant's Name: ART ROSENBERG

Business Name: LINCOLN STREET COMMERCIAL LLC

Address P.O. Box 9076

City FARGO State ND Zip Code 58106

Phone _____ Cell Phone 701-219-4828 Fax _____

Email address ART.ROSENBERG@LCLCOO.COM

You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.

SIGNATURE [Signature] DATE 4/11/24

- FOR STAFF USE ONLY -

ACTION BY: Planning Commission 5-13-24
City Council _____

PROPERTY TAXES CURRENT YES NO

Memorandum

Date: May 7, 2024
To: Planning Commissioners
From: Tom Collins, City Engineer *TPC*
Subject: Lincoln Street Commercial Sketch Plan

Introduction:

The proposed four lot commercial development, with one Outlot, is located on the combined 37.25-acres of 29-32-23-24-0004 and 29-32-23-31-0003 (14350 Highway 65), 29-32-23-31-0004 (1323 143rd Avenue) and 29-32-23-31-0005 (14334 Highway 65). The three houses and associated accessory buildings from 14350 Highway 65, 1323 143rd Avenue and 14334 Highway 65 have been removed. The 1323 143rd Avenue parcel is zoned Commercial Development Tier 2 (CD-2) and the remaining parcels are zoned Commercial Development Tier 1 (CD-1). A 300-scale aerial photo, a 400-scale zoning map and 400-scale half-section maps are attached.

Discussion:

Lots 1 and 2 are proposed to be CD-1 and Lots 3 and 4 are proposed to be CD-2. The 21.54-acre Outlot A will need to be combined with the adjacent 29-32-23-32-0005 (1163 143rd Avenue) parcel, that is Lot 2, Block 1 of Entsminger Farms. Outlot A will be rezoned to the same Rural Single Family Residential (R-A) zoning as 1163 143rd Avenue. Two potential future lots are shown in the R-A zoning southwest of the future Lincoln Street extension. Future approvals, including rezoning, would be required for any future lots within any portion of the expanded 1163 143rd Avenue parcel. The Development Agreement will include conveyance of Outlot A to 1163 143rd Avenue, stipulating that building permits for the four commercial lots cannot be considered until Outlot A is conveyed.

The Johnson Street cul-de-sac exceeds the 300-foot spacing requirement from the Highway 65 right-of-way, per the attached Resolution 05-10. 143rd Avenue is not designed to commercial specifications, and will need to be upgraded. The extent of upgrade is dependent on the driveway location of Lot 4. If the Lot 4 driveway is off of Johnson Street, then the extent of the upgrade will be limited to Johnson Street. If the Lot 4 driveway is off 143rd Avenue, then the extent of the upgrade will be to the west lot line of Lot 4. Any future development to the west would require the upgrade of 143rd Avenue and/or construction of the Lincoln Street extension north of 143rd Avenue.

The Lincoln Street extension north of 143rd Avenue does not align with the roadway, drainage and utility easement recorded in conjunction with the Entsminger Farms plat, per the attached Anoka County Document #2366821.002 and Sketch and Description. Additional roadway, drainage and utility easement is required, prior to consideration of preliminary plat approval of the Lincoln Street Commercial development, that aligns with the proposed roadway easement. A public hearing can be scheduled for vacation of excess roadway, drainage and utility easements within 1163 143rd Avenue after the Lincoln Street Commercial plat is recorded with Anoka County. The west lot line of Lot 3 needs to be revised to match the centerline of the proposed Lincoln Street extension. The Lincoln Street extension is designated as a municipal state aid (MSA) route. The minimum design speed of MSA streets is 30 mph, which requires a minimum centerline radius of 312 feet. The centerline radii shown within the proposed development meet that requirement.

County Ditch 59 (Coon Creek) is located in the northerly portion of the proposed development. An easement is required for that portion of the plat within 100 feet of Coon Creek. There are FEMA Zone A limits adjacent to the County Ditch but a FEMA Letter of Map Amendment will not be required. The attached 7-21-2021 Existing Conditions wetland boundary was approved by the Coon Creek Watershed District in September 2022. All wetlands within the four lots will be contained within drainage and utility easements.

A 50-foot-wide Northern Natural Gas (NNG) easement is located within the southerly portion of the proposed development. Johnson Street crosses this easement. Written approval of the proposed development from NNG is required. Written approval is also required from Lumen due to the north/south Northwestern Bell Telephone (aka Lumen, CenturyLink and Qwest) easement over the easterly portions of proposed Lots 3 and 4 and within Outlot A. Based on the legal description of the easement, a Release of Easement is warranted or half-section correction by Anoka County is required. Unclear on the owner of the 10-foot telephone easement that is shown on the west side of 1323 143rd Avenue parcel. Additional information needs to be provided.

Per Table 10-1 of City Code, the minimum building setback from Highway 65 right-of-way is 50 feet. Per 11-1850 of City Code, decorative tree planting is required along the right-of-way lines of 143rd Avenue, Johnson Street, Highway 65 and the Lincoln Street extension. The use of conifers is encouraged and preferred. Tree planting will be reviewed on an individual basis in conjunction with each of the future four commercial site plan approval applications.

The topography is from the MnDNR LIDAR rather than from field survey. The topography shown on future plans will need to be based on field survey. The paved driveway aprons for 14350 and 14334 Highway 65 need to be shown as being removed with future plan submittals. A MnDOT Permit will be required.

The billboard within/adjacent to the east property line of proposed Lot 2 is non-compliant with the 10-foot setback requirement per 11-310.1 of City Code. The billboard is proposed to be relocated. The billboard is a sign, and because the sign is being relocated, it will not be considered to be grandfathered and will require compliance with 11-320 of City Code. A Sign Permit is required, per 11-310.2 of City Code, that will include access to the billboard.

Coon Creek Watershed District (CCWD) approval is required. Per the CCWD, drainage sensitive land uses exist downstream of the site. The CCWD will require that post-development 100-year discharge rates not exceed pre-development 25-year rates.

The Natural Resources Inventory and Assessment (NRIA) completed in 2008 by the Anoka Conservation District (Appendix K of the Storm Water Pollution Prevention Plan) does not identify any portion of the proposed development area as being within a Major Natural Resource Concentration, per the attached Map 3. A Natural Heritage Information System data review by the DNR will be required to determine whether any state-protected species may be located within the proposed plat boundary.

Recommendations:

It is recommended that the Sketch Plan of Lincoln Street Development be recommended for approval.

CONCEPT PLAN

~for~ LINCOLN STREET COMMERCIAL, LLC
 P.O. BOX 9076
 FARGO, ND 58106
 (701) 219-4828

PROPERTY DESCRIPTION

Parcel 1:

All that part of the SE 1/4 of the NW 1/4 and the NW 1/4 of SW 1/4 of Section 29, Township 22, Range 23, lying south of Olive Creek, according to the United States Government Survey District, Anoka County, Minnesota.

EXCEPT:

That part of the NE 1/4 of SW 1/4 of Section 29, Township 22, Range 23, Anoka County, Minnesota described as follows:

Commencing at a point on the South line of said Northeast Quarter of the Southwest Quarter distance 280 feet West from the Southeast corner of said Northeast Quarter of the Southwest Quarter; thence North at right angles to said South line a distance of 223.20 feet to actual Point of Beginning of the tract of land to be hereby described; thence variously North along East course a distance of 208.00 feet; thence East and parallel with the South line of said Northeast Quarter of the Southwest Quarter to the East line of said Northeast Quarter of the Southwest Quarter, thence South along said East line a distance of 200 feet, more or less, to its intersection with a line drawn parallel with the South line of said Northeast Quarter of the Southwest Quarter from the actual point of beginning except that part thereof taken for State Trunk Highway No. 65.

AND EXCEPT, That part of the Northeast 1/4 of the Southwest 1/4 of Section 29, Township 22, Range 23, Anoka County, Minnesota, described as follows:

Commencing at a point on the South line of said Northeast 1/4 of the Southwest 1/4 of Section 29, Township 22, Range 23, Anoka County, Minnesota, described as follows: thence West along said South line a distance of 129.00 feet; thence North at right angles to said South line a distance of 223 feet; thence East at right angles to said North line a distance of 150.00 feet; thence South at right angles to said East line a distance of 223.00 feet to the point of commencement. Subject to an easement for road purposes over the South 23.00 feet thereof. Subject to an easement for telephone purposes over the West 10.00 feet thereof, according to the map or plat thereof on file in the office of the Register of Deeds in and for Anoka County, Minnesota. Together with any part or portion of any street or alley lying adjacent thereto hereinafter vacated or to be vacated.

AND

Parcel 2:

That part of the Northeast 1/4 of the Southwest 1/4 of Section 29, Township 22, Range 23, Anoka County, Minnesota, described as follows:

Commencing at a point on the South line of said Northeast 1/4 of the Southwest 1/4 of Section 29, Township 22, Range 23, Anoka County, Minnesota, described as follows: thence West along said South line a distance of 129.00 feet; thence North at right angles to said South line a distance of 223 feet; thence East at right angles to said North line a distance of 150.00 feet; thence South at right angles to said East line a distance of 223.00 feet to the point of commencement. Subject to an easement for road purposes over the South 23.00 feet thereof. Subject to an easement for telephone purposes over the West 10 feet thereof.

AND

Parcel 3:

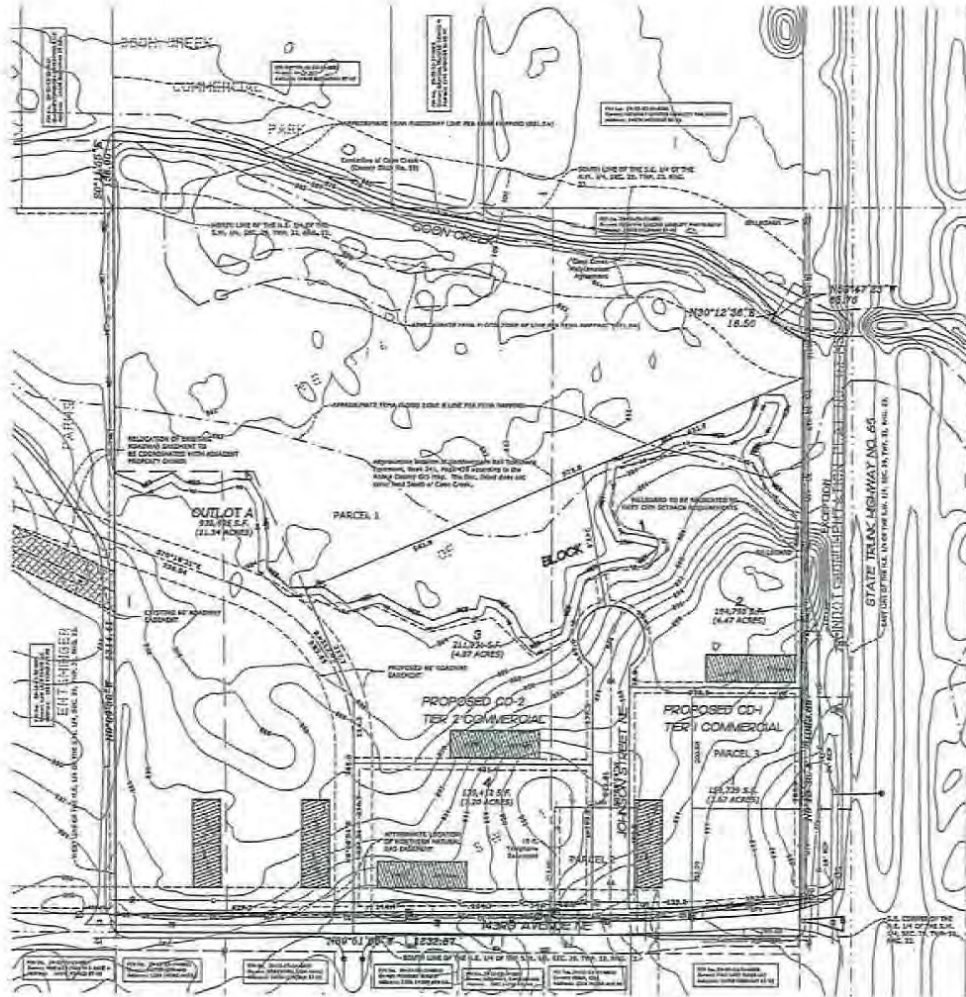
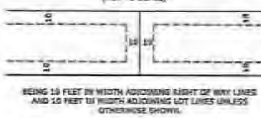
That part of the Northeast Quarter of the Southwest Quarter of Section 29, Township 22, Range 23, Anoka County, Minnesota, described as follows:

Commencing at a point on the South line of said Northeast Quarter of the Southwest Quarter a distance of 288.00 feet west from the southwest corner of said Northeast Quarter of the Southwest Quarter; thence North at right angles to said South line a distance of 223.20 feet to the actual Point of Beginning of the tract of land to be hereby described; thence variously North along East course a distance of 208.00 feet; thence East parallel with the South line of said Northeast Quarter of the Southwest Quarter to the East line of said Northeast Quarter of the Southwest Quarter, thence South along said East line a distance of 200.00 feet, more or less, to its intersection with a line drawn parallel with the South line of said Northeast Quarter of the Southwest Quarter from the actual point of beginning; thence West along said parallel line to the actual point of beginning.

Except that part thereof taken for State Trunk Highway No. 65.

TYPICAL EASEMENTS

(NOT TO SCALE)



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly registered Land Surveyor under the laws of the State of Minnesota.

DATE: 04/27/2024 License No. 41212

VICINITY MAP

PART OF SEC. 29, TWP. 22, RANG. 23



ANOKA COUNTY, MINNESOTA
 (NO SCALE)

NOTES:

- Base Mapping from Landstar, Inc.
- Easement shown are on Anoka County datum.
- Parcel ID Numbers: 29-22-23-24-088A, 29-22-23-21-0811, 29-22-23-21-0855 and 29-22-23-21-0904.
- Contour shown per NAD83 data distribution.
- Wetlands delineated by Topking Environmental, Inc.
- 07/07/24 to be conveyed to nearby adjacent property owner.

DEVELOPMENT DATA

- TOTAL SITE AREA = 27.29 ACRES
- EXISTING ZONING:
 CO-1 COMMERCIAL DEVELOPMENT TIER 1 (Parcels 1 and 2)
 CO-2 COMMERCIAL DEVELOPMENT TIER 2 (Parcel 3)
- PROPOSED ZONING:
 CO-1 COMMERCIAL DEVELOPMENT TIER 1 (LOTS 1 AND 2)
 CO-2 COMMERCIAL DEVELOPMENT TIER 2 (LOTS 3 AND 4)
 S.A. RESIDENTIAL SINGLE FAMILY RESIDENTIAL (LOTS 1 AND 2)
- MINIMUM STREET FRONTAGE = 200 FEET
 MINIMUM LOT SIZE = 1.00 ACRES (INCLUDING HALF OF STREET FRONT)

LEGEND

- DENOTES LOT/ACRE CONTIGUOUS TO INTERNAL
- DENOTES DRAINAGE AND UTILITY EASEMENT
- DENOTES WETLAND LINE DELINEATED BY AQUILA AND/OR ENVIRONMENTAL SERVICES INC.
- DENOTES WETLAND BUFFER LINE
- DENOTES EXISTING GAS LINE
- DENOTES EXISTING TV LINE
- DENOTES EXISTING FIBER OPTIC LINE
- DENOTES EXISTING ELECTRIC LINE
- DENOTES APPROXIMATE FEMA FLOOD ZONE LINES FROM FEMA FLOOD INSURANCE RATE MAP NO. 22022C0204P PARCEL NO. 0335 SUFFIX E, EFFECTIVE DATE DECEMBER 18TH, 2015.
- DENOTES ADJACENT PARCEL OWNER INFORMATION (PER ANOKA COUNTY TAX INFORMATION)



NO.	DATE	DESCRIPTION	BY
1	04/27/2024	CITY COMMISSION	MMB
2	04/27/2024	ZONING	MMB
3			
4			

E.G. RUD & SONS, INC.
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-9200 Fax (651) 361-0701

ANDOVER BLVD (CR 16)

1112

1130

1144

14672

L5

14665

L1

14646

L4

14640

L2

B1

BUCHANAN ST

HOUSE 1244

1248 BUSINESS

14630

COUNTY DITCH

L1

L3

B1

COON CREEK COMMERCIAL PARK

#59

ENTSMINGER FARMS

STATE TRUNK HIGHWAY NO. 65

14350

14334

1323

1" = 300'

143RD AVE

1108
L20

L19

14250

14247

L1

1208
L1

14254
L2

1256
L1

1302
L2

1324
L3

14260

B1

1117

L17

14226

L18

14225

B2

MAJESTIC OAKS
NORTH 3RD ADDN.

B1

R-1

PIERC

1247

1321

1343

R-A

ANDOVER BELMONT

R-A

14672

14665

1112

1138

1174

14646

BUCHANAN ST.

14640

CD-2

1248 BUSINESS HOUSE 1244

CD-1

14630

R-A

CD-2

14350

14334

1039

132

CD-1

STATE TRUNK HIGHWAY NO. 65

944

14223

1108

14250

14247

1208

14254

1256

1302

1324

14260

14233

1117

14226

14225

14217

14217

1110

1116

142ND AVE.

14209

14216

53

965

1011

1023

14157

CD-2

CD-1

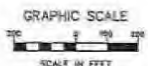
1"=400'

S 1/2 SECTION 29, T. 32, R. 23

CITY OF HAM LAKE



1" = 400'



ANOKA COUNTY
SURVEYOR'S OFFICE
ROOM 224
2100 3RD AVENUE
ANOKA, MN 55303
(763) 324-3200

QUARTER-QUARTER INDEX

22	21	12	11	NORTH HALF OF SECTION
23	24	15	14	
32	31	42	41	SOUTH HALF OF SECTION
33	34	43	44	

PROPERTY IDENTIFICATION NUMBERS

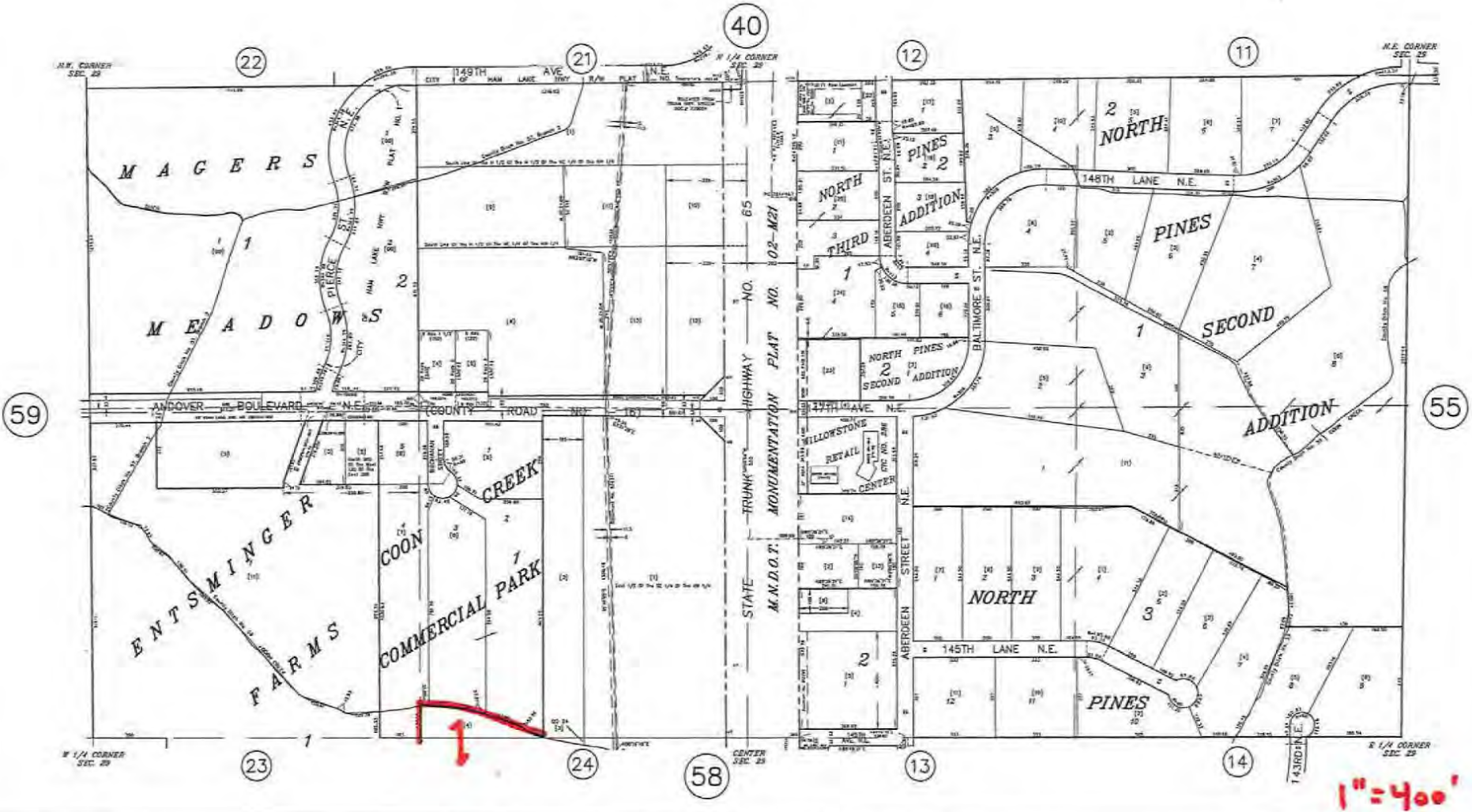
Section Number	Township	Range	Quarter	Specific
XX	XX	XX	XX	XXXX

SPECIFIC PARCEL NUMBERS ARE IN BRACKETS; (1)
EXAMPLE OF PIN NUMBER: 23-32-23-43-0022

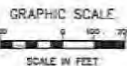
THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE ANOKA COUNTY OFFICE AFFECTING THIS AREA ONLY. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.

N 1/2 SECTION 29, T. 32, R. 23

CITY OF HAM LAKE



1" = 400'



ANOKA COUNTY
SURVEYOR'S OFFICE
ROOM 224
2100 3RD AVENUE
ANOKA, MN 55305
(763) 324-3200

QUARTER QUARTER INDEX

22	21	12	11	NORTH HALF OF SECTION
23	24	13	14	
32	31	42	41	SOUTH HALF OF SECTION
33	34	43	44	

PROPERTY IDENTIFICATION NUMBER

Section Number	Township Number	Range Number	Quarter Quarter	Specific Parcel
XX	XX	XX	XX	XXXX

SPECIFIC PARCEL NUMBERS ARE IN BRACKETS; (1)
EXAMPLE OF PIN NUMBER: 29-32-23-13-40-1

THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE ANOKA COUNTY OFFICES AFFECTING THE AREA SHOWN. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.

RESOLUTION NO. 05-10

WHEREAS, Article 10-430K states that specific design standards for streets and roads shall be established from time to time by Resolution of the City Council, upon recommendation of the City Engineer;


NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Ham Lake that the following specific design standards for streets and roads be adopted.

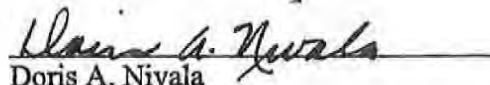
GENERAL REQUIREMENTS

In the case of subdivisions for commercial, industrial and public purposes, no street giving access upon arterial road shall be located closer than three hundred (300) feet from right-of-way line to right-of-way line along the same side of such arterial road, to any other driveway, public or private street in the same or another subdivision.

- A. As a general requirement, a 66-foot minim right-of-way width service road shall be dedicated to the public parallel with the Minnesota State right-of-way. Such service road to be provided on both sides of the highways and lands adjacent to the highway are subdivided and platted.
- B. The intersection of a Service Road with a street which intersects the Minnesota State Highway, shall observe a minimum distance of 300 feet from the Minnesota State right-of-way.
- C. Where access is restricted to one directional ingress and same directional egress, and competent professional review of traffic patterns indicates that no traffic hazard will be present, a right-in/right-out ingress/egress point may be permitted at a distance closer than 300 feet from the right-of-way of a public street, in the sound discretion of the City Council, and upon review of the Planning Commission, City Engineer, and such other professionals as the City may choose to engage.

Adopted by a unanimous vote of the Ham Lake City Council this 7th day of March, 2005.


Gary W. Kirkeide, Mayor


Doris A. Nivala
Administrator

ANOKA COUNTY MINNESOTA

Document No.: 2366821.002 ABSTRACT

06/02/2022 01:57 PM

Fees/Taxes in the Amount of: \$46.00

Pamela J. LeBlanc

Anoka County Property Records and Taxation

Property Tax Administrator and

Recorder/Registrar of Titles

Deputy: ratendoh

EASEMENTS

Quit Claim Deed: LLC to Corporation

State Deed Tax Due Hereon: \$ Exempt per Minnesota Statutes Chapter 287.22 (13)


Date: March 9, 2022

FOR VALUABLE CONSIDERATION, **Entsminger Enterprises, LLC**, a Minnesota limited liability company, (Grantor) hereby conveys and quitclaims to the City of Ham Lake, a Political Subdivision under the laws of the State of Minnesota (Grantee) a **Perpetual Easement for Roadway, Drainage and Utility Purposes** in Anoka County, Minnesota described on hereto attached Exhibit A and depicted graphically on hereto attached Exhibit B:

together with all hereditaments and appurtenances.

X The Grantor certifies that there are no wells on the portion of the above described property.


Entsminger Enterprises, LLC



Jeffery Entsminger, Manager

State of Minnesota)
) ss Acknowledgment
County of Anoka)

This instrument was acknowledged before me on March 9, 2022, by Jeffrey Entsminger, Manager of Entsminger Enterprises, LLC, a Minnesota limited liability company.

Notarial Seal:  Dawnette M. Shimek
Notary Public

_____ This property is Torrens.
Send Tax Statements to: N/A – Easement only.
Drafted by:
Carson, Clelland & Schreder
Brookdale Corporate Center
6300 Shingle Creek Parkway, Suite 305
Minneapolis, MN 55430

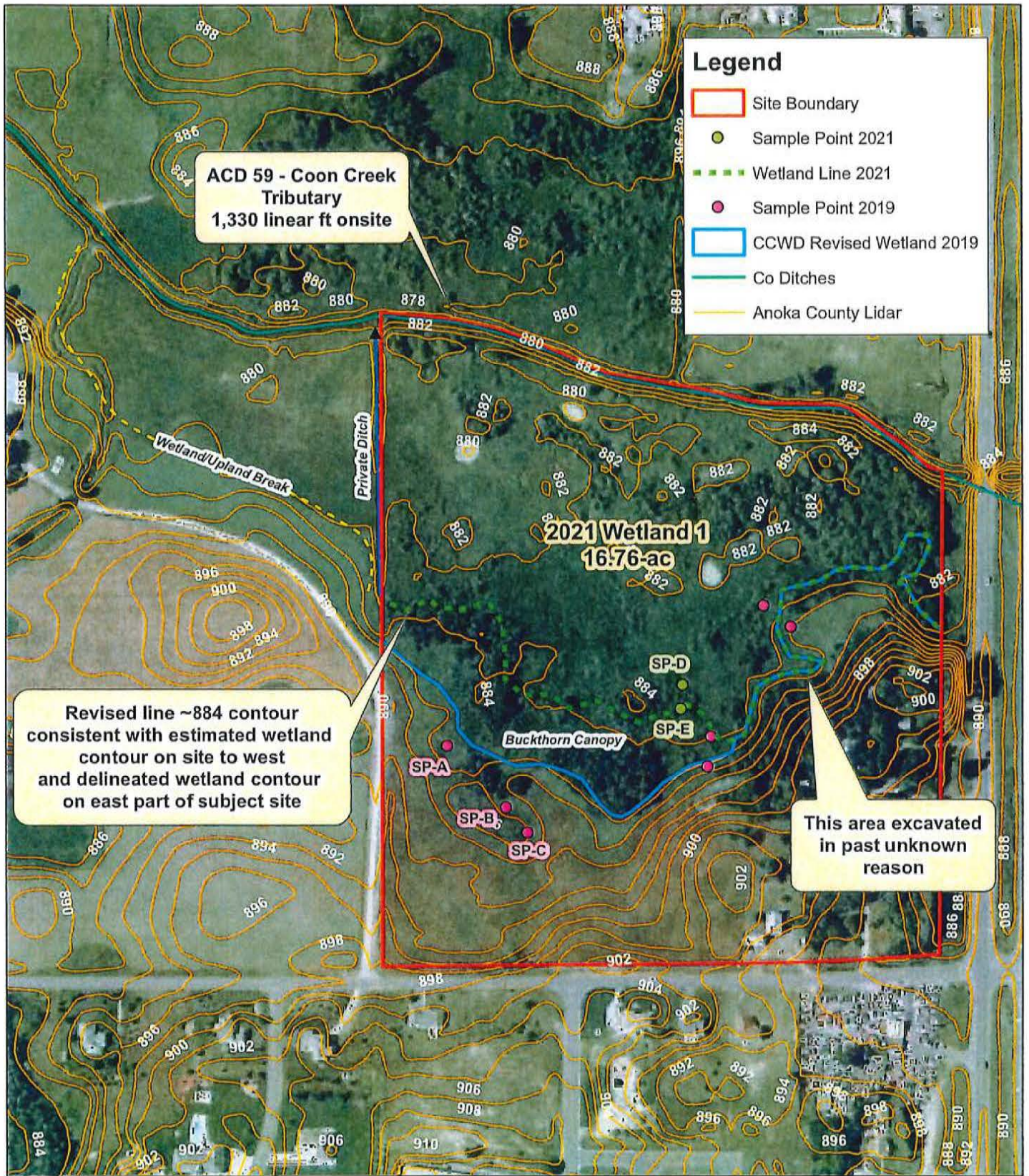
EXHIBIT A

Roadway, Drainage and Utility Easement

A 66 foot wide perpetual easement for public roadway, drainage and utility purposes, over, under and across Lots 1 and 2, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota. The centerline of said easement is described as follows:

Commencing at the southeast corner of said Lot 2, Block 1, ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 583.80 feet to the point of beginning of the centerline to be described; thence North 65 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 353.86 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 35 minutes 21 seconds West, tangent to the last described curve, a distance of 596.89 feet; thence northwesterly a distance of 149.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 23 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 113.42 feet; thence northerly a distance of 527.99 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.44 feet to the North line of said Lot 1 and said line there terminating.

The side lines of said easement are prolonged or shortened to terminate on the north line of said Lot 1 and the east line of said Lot 2.



7-21-2021 - Existing Conditions (2016 MnGEO)



N



0 250
Feet



14350 Highway 65 (KES 2019-137)
Ham Lake, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.


 ENVIRONMENTAL SERVICES COMPANY
 Source: MNGEO Spatial Commons

requirements on the uses being dictated by the land use restrictions as stated by the operative documents. The City's review of any requested change in the land use restrictions imposed shall not be limited to compliance with parking and ISTS issues.

10-600 Variances

The City Council shall have the power to authorize variances from the requirements of Article 10, and to attach such conditions to the variance as it deems necessary to assure compliance with the purpose of this Code. A variance may be permitted if the following requirements are met:

- a) There is an unusual physical hardship to the land that would prevent the reasonable usage of the land without a variance, and all the conditions of sub-paragraph b), c) and d) below are met.
- b) The variance is in harmony with the general purpose and intent of the Code and is consistent with the Comprehensive Plan.
- c) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
- d) The variance, if granted, will not alter the essential character of the locality.

Table 10-1: Lot Standards

Standards	I-P (Industrial Park) CD-1, CD-2, CD-3, CD-4 (Commercial Development)	I-1 (Light Industry)	GF (Government Facilities)
Lot Size	1 acre	1 acre	1 acre
Lot Width **	200 ft.	200 ft.	200 ft.
Front Yard Setbacks *	30 ft.	30 ft.	30 ft.
Side Yard Setbacks	10 ft.	30 ft.	10 ft.
Rear Yard Setbacks ***	20 ft.	20 ft.	10 ft.

All setbacks refer to the minimum distance between a given lot line and any building, other structure, or curb line or pavement edge of any driveway, aisle, sidewalk or parking lot.

EXCEPTION: Non-residential structures or uses shall not be located or conducted closer to any lot line of any other lot in any "R" or "PUD" District than the distances specified in the following schedule:

- Twenty Feet Off-street parking spaces and access drives for non-residential uses, churches, schools, and public or semi-public functions, recreational

facilities, entertainment facilities, motels, all business uses, and all industrial uses.

***For lots wholly abutting the turnaround circle portion of a cul-de-sac street, the Lot Width may be 60 feet as measured at the right-of-way line. For lots partially abutting the turnaround circle portion of a cul-de-sac street, the total of that frontage plus the remaining frontage on the street must total 200 or more feet.*

****Commercial Condominiums under Article 10-550(D) of this Code may have a Rear Yard Setback of 10 feet.*

Standards	R-A (Rural Res)	R-1 (Single-Family Res)	RS-1 & RS-2 (Shoreland Res.)
Lot Size	1 acre	1 acre	1 acre
Lot Width **	200 ft.	200 ft.	200 ft.
Front Yard Setbacks *	30 ft.	30 ft.	30 ft.
Side Yard Setbacks *****	10 ft.	10 ft.	10 ft.
Rear Yard Setbacks *****	10 ft. – Accessory Buildings, 50 ft. for All other structures	10 ft. – Accessory Buildings, 50 ft. for All other structures	10 ft. – Accessory Buildings, 50 ft. for All other structures
Standards	PUD (Planned Unit Dev.)		
Lot Size	1 acre		
Lot Width **	200 ft.		
Front Yard Setbacks *	30 ft.		
Side Yard Setbacks	10 ft.		
Rear Yard Setbacks	50 ft.		
Standards	R-AH (Aff. Housing)	Townhomes	Other
Lot Size	Sufficient for Sewerage	50'x 50'***** or 1 A.	***
Lot Width	***	***	***
Front Setback *	***	***	***
Side Setback	***	***	***
Rear Setback	***	***	***

Standards	R-2 (Multiple Family Residential)
Lot Size	3 acres or more for two unit buildings; four acres or more for three unit buildings; five acres or more for four unit buildings. For buildings having more than four units, five acres plus one acre for every unit in excess of four units.
Lot Width	300 ft.
Front Yard Setbacks *	30 ft.
Side Yard Setbacks	10 ft.
Rear Yard Setbacks	50 ft.



- * 50 Ft. when abutting any State or County Highway
- ** For lots located on cul-de-sacs the width may be 60 feet at the right-of-way line.
- *** As approved by the City Council
- **** If used in connection with Common Areas owned by Association
- ***** For corner lots, the lot owner, at the time of application for the first building permit on the lot, may choose which of the non-road frontage lot lines shall be considered the side yard and which shall be the rear yard, regardless of which road provides the driveway access. Once this selection is made, this choice shall apply to all future building permits on this lot. For corner lots abutting two streets, both street lines shall be considered front yard, not side yard, lot lines for purposes of applying the setback requirements.

Physical Standards for RS-1 and RS-2 lands shall be identical with CD-1 or CD-2 Standards for Commercial Uses, I-1 Standards for Industrial Uses, R-A Standards for Residential Agricultural Uses, PUD Standards for planned Unit Development Uses, all subject to any modification imposed by Article 12 of this Code.

Updated through Ord 21-02, 22-04

11-1800 LANDSCAPING IN COMMERCIAL ZONED AREAS

In all areas of the City zoned CD-1, CD-2, CD-3 or CD-4, the following conditions shall apply to landscaping and ground cover.

11-1810 Landscape Plan Required No building permit shall be issued for construction on a vacant lot, nor for any addition to an existing building involving the addition of 500 square feet or more of additional building space, unless the applicant shall have first submitted and obtained approval of the City Council, after review by the Planning Commission, of a landscaping plan meeting the requirements of this code.


11-1820 Installation Required No certificate of occupancy shall be issued for any construction which required a landscaping plan unless the applicant has installed all of the elements of the landscaping plan, or unless the applicant has posted security acceptable to the City to guarantee timely installation of all landscaping.

11-1830 Time for Submission The landscaping plan shall be submitted, whenever possible, at the time of site plan approval. If the landscaping plan is not submitted at the time of site plan approval, it must be separately reviewed by the Planning Commission and approved by the City Council prior to the issuance of any building permits.

11-1840 Contents and Specifications

The landscaping plan shall be a quality document prepared at a scale of one-inch equals thirty feet, showing all relevant dimensions. Fifteen copies of the plan shall be submitted by the applicant. The following data shall be displayed on the plan, legibly labeled:

- A. Perimeter of all buildings, signs or other structures;
- B. Parking lots and walkways, identifying pavement material;
- C. Areas of decorative rock, identifying type of rock;
- D. Areas of lawn;
- E. Other areas where other than natural wooded vegetation is to be used as ground cover, identifying the ground cover to be used;
- F. Locations, trunk size, height and species of all trees to be planted;
- G. Locations where existing natural wooded vegetation will remain undisturbed;
- H. All other landscaping features to be used.

 **11-1850 MINIMUM LANDSCAPING REQUIREMENTS**

11-1851 Paved Surfaces All surfaces upon which motor vehicles will be parked or driven, and all areas in which pedestrians will be walking from point to point shall be surfaced with asphalt or concrete, to specifications established by the City's engineer.

11-1852 Ground Cover On any side of a lot which abuts a public road, the area from the road right-of-way to the nearest building side shall be entirely covered with ground cover consisting of pavement, decorative rock bordered with edging, lawn grass intended for regular mowing, mulch, bark, wood chips or other commonly used landscaping ground cover. Shingles, aggregate and clay mixtures such as Class V material, recycled concrete or asphalt, and other non-conventional ground covers shall not be permitted. Loose ground cover shall be installed to a depth of at least three inches. Any area which is covered by landscaping ground cover (not lawn or pavement) shall also include one decorative shrub for each ten square feet of ground cover.

Side yards and rear yards which do not contain existing natural wooded vegetation shall either be covered with ground cover in the manner stated above for front yards, or shall be planted so as to encourage the emergence of natural wooded vegetation, through the planting of tree species expected to reach a height of at least twenty five feet. Areas so prepared shall not be required to have mown lawn areas, but may be allowed to return to a natural state.

11-1853 Tree Plantings Trees which are planted outside of areas intended to return to a natural wooded state shall be of a variety indigenous to the local climate. Deciduous trees shall, when planted, have a trunk size of at least one and one half inches at a height of four feet from ground level. Conifers shall have a height of at least five feet. Tree locations are subject to review and approval of the City in the landscaping plan review process, and while no specific number of trees are required, the following general principles shall be observed;

- A. Where property lines are adjacent to residential areas, a planting screen of conifers shall be required, of sufficient size and proximity to provide an intermingled screen within five years;
- B. Decorative trees shall be planted along the right of way lines of adjacent public roadways;
- C. The use of conifers shall be encouraged and preferred.
- D. Whenever possible, an attempt will be made to preserve stands of existing vegetation, particularly treed or wooded areas.

11-1860 Case by Case Evaluation

Recognizing that the City contains a wide variety of commercial land, the landscape approval process shall be on a case by case basis. Where wetlands are present, or where large distances separate a commercial lot from adjacent lands, for example, strict adherence to screening requirements may be unnecessary. Likewise, strict adherence to the remaining provisions of Article 11-1800 may be unnecessary where size, spatial relationships, topography or other physical features render a given landscaping plan aesthetically acceptable,

- (a) The electrification is necessary to prevent or deter intrusion into an outdoor storage area during non-business hours. In order to document need, the applicant shall furnish a written communication from a representative of the Anoka County Sheriff's Office confirming that an electrified fence would constitute a crime deterrent for the particular parcel to be served;
- (b) The electrification is charged only during non-business hours of the establishment;
- (c) The electrification is at a voltage level that is non-lethal to humans, and otherwise not a threat to cause serious injury;
- (d) The installation meets all applicable electrical codes;
- (e) The design of the system is approved by the City's building official after review by the Fire Department and the Anoka County Sheriff's Office. The City may establish as a design limitation a condition that only limited strands of wires at predetermined heights may be electrified;
- (f) Adequate warning signs are posted, to the specifications of the City's building official;
- (g) The system has a shutoff that is easily accessible by emergency responders;
- (h) A permit has been obtained from the City's building official, after payment of a permit fee to be established from time to time by the City Council. The City may revoke a permit if the fence is not properly constructed, used or maintained.

11-300 GENERAL PROVISIONS APPLICABLE TO ALL SIGNS AND DEFINITION A "sign" shall mean any device designed to attract attention to a particular object, message, or activity, however, this definition shall not include flags mounted on a pole.

Substitution Clause: In the body of the following article, references may be made to specific messages that may appear on a particular sign, Notwithstanding such references, nothing in this code shall be deemed to limit the message that may appear on any sign described in this code, and any message may be substituted for any specific content characterized below, so long as the size, number of signs and other required physical characteristics of the sign are compliant with this code. The use of specific content references is intended only to serve as an example of what types of content typically appear on various signs, but does not limit content to those examples.



11-310 Regulations Common to all Signs

11-310.1 Locations No sign shall be permitted within ten (10) feet any public right-of-way, or in any location which interferes with sight lines for motorists or pedestrians in a manner which could be inimical to public safety. No sign shall be permitted upon any public or private utility

easement unless the benefited party under such easement has granted written consent for the sign.



11-310.2 Permits Required Except as exempted under Article 11-350, or Article 11-350, no sign shall be erected unless a permit shall have first been obtained from the City. The City's building official shall issue permits for all signs, except that any sign proposed to be located in any commercial or industrial district may, if referred by the building official, be reviewed by the Planning Commission and the City Council. Sign review shall be limited to commentary on sign aesthetics, and no regulation of sign content shall be permitted or attempted. The building official may also, in his or her discretion, refer any other application for a sign permit for Planning Commission review and City Council action. If a sign for which a permit is obtained is not properly completed within one year after the date of the permit, the permit shall be deemed expired.

11-310.3 Maintenance The party to whom a sign permit is issued shall be responsible to maintain the sign at all times, both in terms of structural integrity and physical appearance. Maintenance shall include, without limitation, the avoidance of faded coloring, cracked or peeling paint, visible rust, broken fixtures, cracked or broken masonry, malfunctioning or non-functioning electrical components, untrimmed, dead or dying landscape vegetation, or unrepaired vandalism. The failure of a permittee to correct an improperly maintained sign within thirty days of written notice from the City shall be grounds for the City to revoke the sign permit.

11-320 Standards in Commercially Zoned Districts

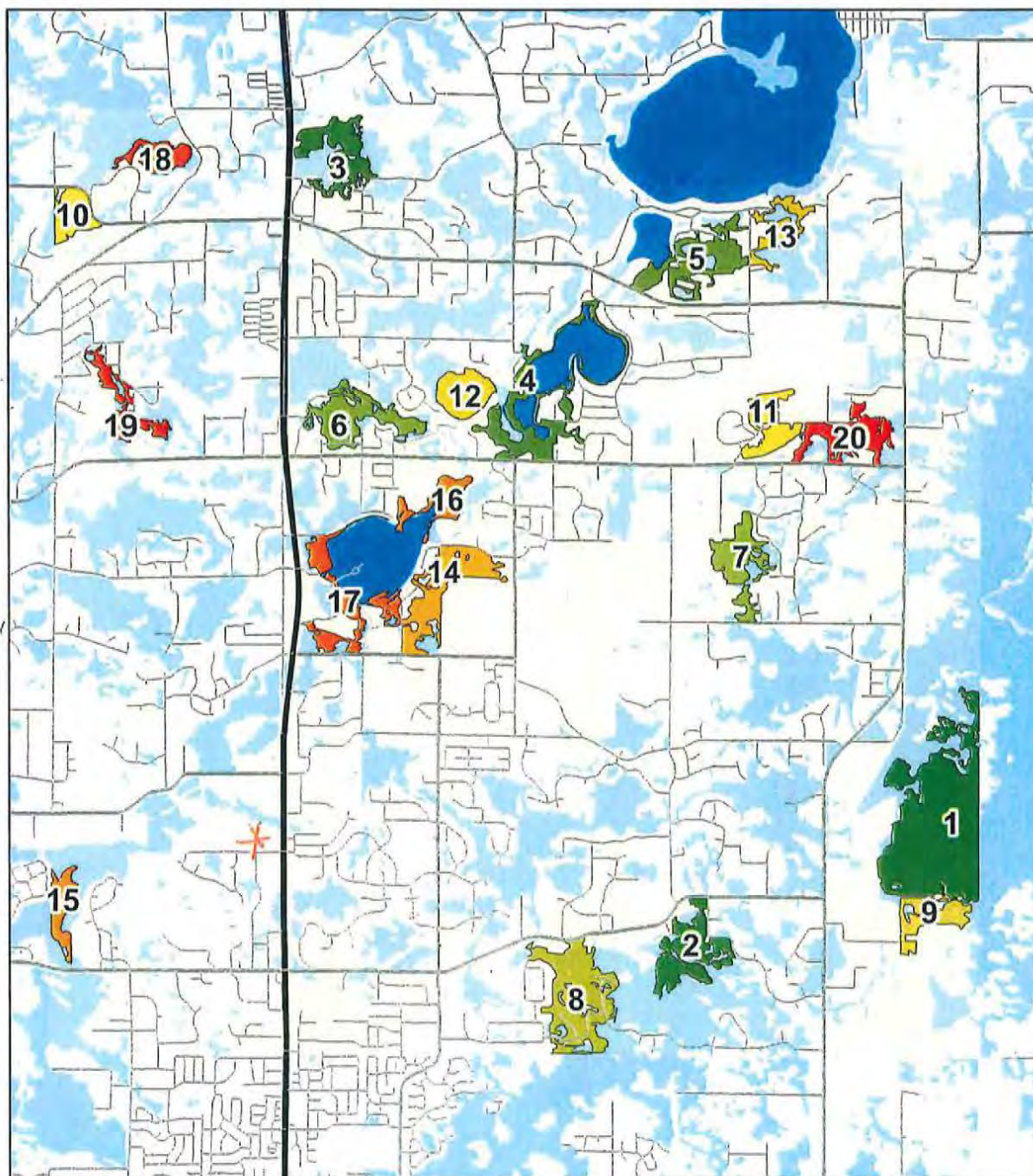
The following standards shall be followed for all signs located in areas zoned CD-1, CD-2, CD-3, CD-4, I-P, I-1, or GF.

11-320.1 Construction Except as specifically excluded by this code, all signs shall be constructed in conformance with standards prescribed by the Uniform Building Code and by the 1991 edition of the Uniform Sign Code. These standards include, without limitation, structural requirements, specifications for materials, seismic and wind loads, glass and plastic usage and specifications, electrical wiring specifications and other requirements.

11-320.2 Height of Freestanding Signs No portion of any freestanding sign shall exceed twenty-five feet in height, as measured from the highest elevation of ground level beneath the sign footprint. Berms or hills created to artificially increase the natural or normal elevation of ground level beneath the sign shall be disregarded in computing sign height.

11-320.3 Height of Signs Affixed to Buildings No portion of any sign which is affixed to a building (including a sign placed upon an awning)

Major Natural Resource Concentrations City of Ham Lake



Natural Resource Clusters

(Top 20 Natural Resource Clusters, by Undeveloped Acreage)

- Largest Undeveloped Acreage
-
-
- Smallest Undeveloped Acreage

Lakes



Wetlands



Roads

- Interstate Highways
- U.S. Highways
- State Highways
- County Roads/CSAHs
- Municipal Streets
- Misc. Other



CITY OF HAM LAKE

PLANNING REQUEST

15544 Central Avenue NE

Ham Lake, MN 55304

Phone (763) 434-9555 Fax (763) 235-1697

Date of Application 4/24/24

Date of Receipt 4-24-24
Receipt # 99409

Meeting Appearance Dates:
Planning Commission 5-13-24

City Council 5-20-24

Please check request(s):

- Metes & Bounds Conveyance
- Sketch Plan
- Preliminary Plat Approval*
- Final Plat Approval
- Rezoning*
- Multiple Dog License*

- Commercial Building Permit
- Certificate of Occupancy
- Home Occupation Permit
- Conditional Use Permit (New)*
- Conditional Use Permit (Renewal)
- Other _____

**NOTE: Advisory Signage is required for land use alterations and future road connections. This application also requires a Public Hearing. Such fees shall be deducted from deposit.*

Development/Business Name: Elevate Hope House

Address/Location of property: Ham Lake Baptist Camp

Legal Description of property: _____

PIN # 16-32-23-43-0007 Current Zoning R-1/RS-2 Proposed Zoning R-1

Notes: 2 lot subdivision / 1 out lot

Applicant's Name: Melinda McDermott

Business Name: Elevate Hope House

Address 2168 - 7th Ave, suite #845

City Anoka State MN Zip Code 55303

Phone — Cell Phone 612.615.8224 Fax —

Email address melinda @ elevatehopehouse.org

You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.

SIGNATURE [Signature] DATE 4/24/24

- FOR STAFF USE ONLY -

ACTION BY: Planning Commission 5-13-24
City Council _____

PROPERTY TAXES CURRENT (YES) NO

Memorandum

Date: May 7, 2024
To: Planning Commissioners
From: Tom Collins, City Engineer *TPC*
Subject: Elevate Hope House Sketch Plan

Introduction:

The Sketch Plan proposes to subdivide the 55.07-acre 16-32-23-43-0007 parcel into two residential lots and one outlot. The easterly portion of the parcel is zoned Single Family Residential (R-1) and the westerly portion is zoned Shoreland Residential – Recreational (RS-2). A zoning revision will not be needed for the two residential lots. There are no existing structures on the parcel. A 600-scale zoning map, a 400-scale half-section map and a 300-scale aerial photo are attached.

Discussion:

The proposed subdivision falls under the Minor Plat portion of City Code Section 10-101. Consideration of approving both the preliminary and final plat will be before the Planning Commission at the same meeting, following the public hearing. Easement dedication will be required around the perimeter of each proposed parcel. The 52.55-acre Outlot A either needs to be identified as Lot 3, or the Outlot needs to be combined with the adjacent 16-32-23-34-0036 under the same ownership. The attached bike trail system map identifies a future bike path adjacent to Xylite Street. A 15-foot-wide trail easement is required adjacent to the easterly 10-foot drainage and utility easement of both proposed residential lots, similar to the easement that was dedicated with the Evergreen Estates residential development to the south.

The Sketch Plan shows the location and surface elevation of six soil borings. These soil boring logs, along with soil borings logs required per 10-204 of City Code, need to be submitted for review of compliance with septic separation from mottling and low floor determinations.

Submittal to the Coon Creek Watershed District (CCWD) is required to determine whether a CCWD Permit is required. The results of a DNR Natural Heritage Information System data review determining whether any state-protected species may be located within the Minor Subdivision boundary will need to be supplied. No portion of the proposed two residential lots is located in the FEMA Zone A 100-year flood boundary.

Xylite Street (County Road 61) is under the jurisdiction of Anoka County. The proposed Lot 1 driveway to Xylite Street has been approved, per the attached April 23rd email. A County Access Permit will be required for the proposed driveway. The preliminary plans will need to be submitted to the County for review and approval of the proposed 50-foot-wide Lot 1 access opening, drainage and Xylite Street right-of-way width.

There is an 85-foot side United Power Association Easement that encroaches 25-feet into the easterly portion of the two proposed lots. Written approval needs to be provided for the Lot 1 driveway crossing, the future trail and any grading within the Easement.

Special assessments were assigned for the 1994 upgrade of East Ham Lake Drive. The 16-32-23-43-0007 parcel received a special assessment. The City Council approved a deferral of the special assessment in 2015, per the attached Resolution 15-47. Per the Resolution, the special assessment shall be deferred until 2025 or until such time as the property is sold or subdivided. The special assessment, with a current balance of \$2,870.70, must be paid in full prior to the plat being filed with Anoka County.

Recommendations:

It is recommended that the Elevate Hope House Sketch Plan be recommended for approval.

CONCEPT PLAN

~for~ **ELEVATE HOPE HOUSE**
7533 SUNWOOD DRIVE NW, SUITE 216
612-615-8824

NOTES

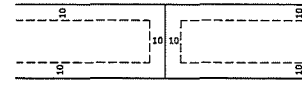
Bearings shown are on Anoka County datum.
 Parcel ID Number: 16-32-23-43-0007
 Owner: Ham Lake Baptist Camp Association (Per Anoka County GIS)

DEVELOPMENT DATA

TOTAL SITE AREA = 56.074 ACRES
 OUTLOT AREA = 52.554 ACRES (CALCULATED PER HAM LAKE ORDINANCE)
 2 PROPOSED SINGLE FAMILY LOTS
 1 PROPOSED OUTLOT
 AVERAGE LOT SIZE IN BLOCK 1 = 1.264 ACRES (CALCULATED PER HAM LAKE ORDINANCE)
 MINIMUM STREET FRONTAGE = 200 FEET
 MINIMUM LOT SIZE = 1.00 ACRES (INCLUDING HALF OF STREET ROW)
 PROPOSED ZONING = R-1
 BUILDING SETBACKS: FRONT = 30 FEET, SIDE = 10 FEET, REAR = 50 FEET, COUNTY ROAD = 50 FEET

TYPICAL EASEMENTS

(NOT TO SCALE)



BEING 10 FEET IN WIDTH ADJOINING RIGHT OF WAY LINES AND 10 FEET IN WIDTH ADJOINING LOT LINES UNLESS OTHERWISE SHOWN.

EXISTING LEGAL DESCRIPTION

Lot 12, Auditor's Subdivision No. 125, EXCEPT that part lying northeasterly and northwesterly of the centerline of East Ham Lake Drive.

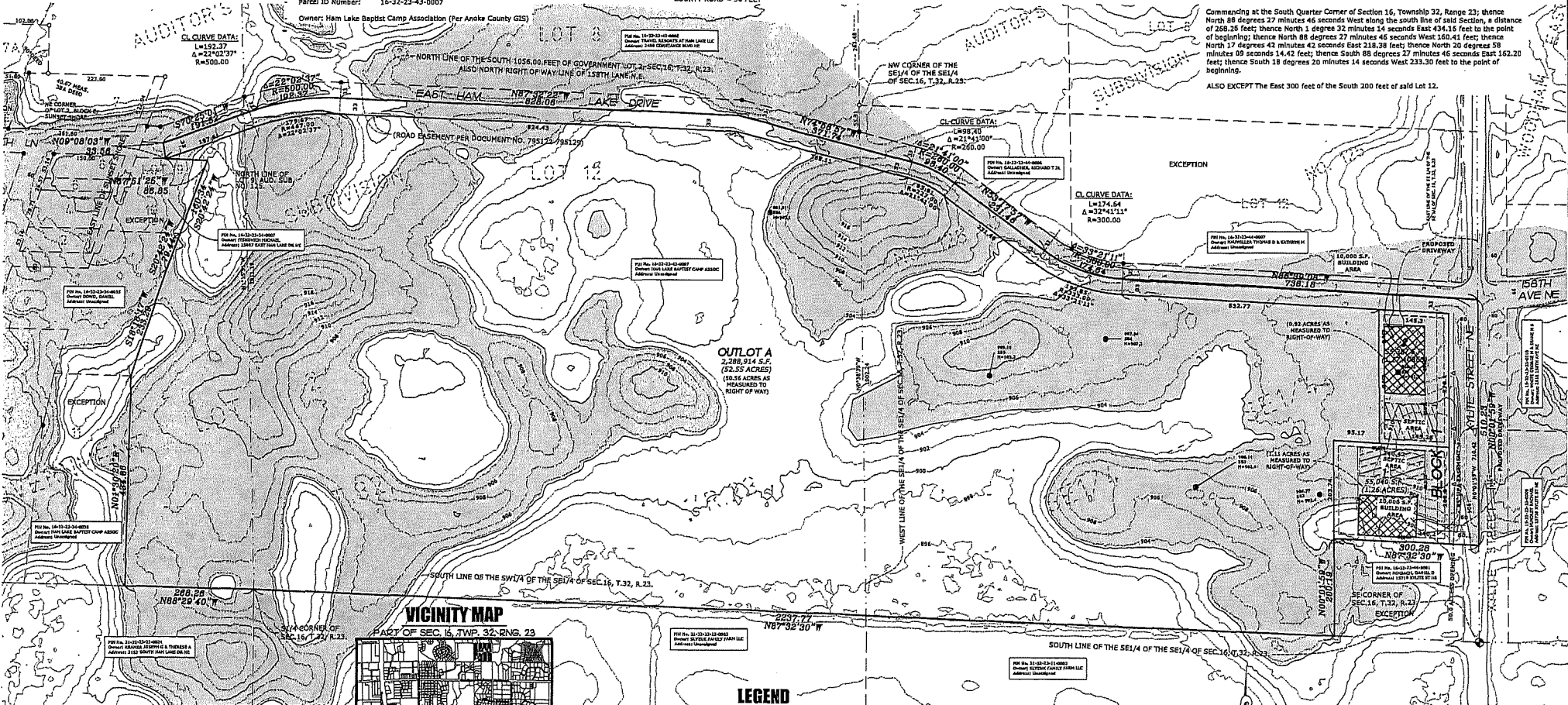
ALSO EXCEPT that part described as follows:

Commencing at the northeast corner of Lot 8, Block D, SUNSET SHORE; thence southwesterly along the westerly line of alley 212.56 feet; thence easterly along the northerly right of way line of vacated East Ham Lake Drive to easterly line of said alley and point of beginning; thence continue East 150 feet along said vacated road; thence northeasterly and parallel with said easterly line 53.14 feet; thence west parallel with said northerly right of way line 150 feet to said easterly line; thence southwesterly 53.14 feet to the point of beginning.

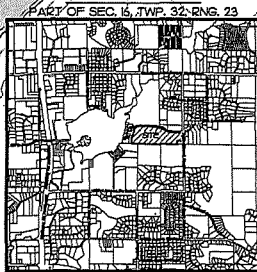
ALSO EXCEPT that part described as follows:

Commencing at the South Quarter Corner of Section 16, Township 32, Range 23; thence North 88 degrees 27 minutes 46 seconds West along the south line of said Section, a distance of 289.25 feet; thence North 1 degree 32 minutes 14 seconds East 434.15 feet to the point of beginning; thence North 88 degrees 27 minutes 46 seconds West 150.41 feet; thence North 17 degrees 42 minutes 42 seconds East 318.38 feet; thence North 30 degrees 59 minutes 09 seconds 14.42 feet; thence South 88 degrees 27 minutes 46 seconds East 162.20 feet; thence South 18 degrees 20 minutes 14 seconds West 233.30 feet to the point of beginning.

ALSO EXCEPT the East 300 feet of the South 200 feet of said Lot 12.



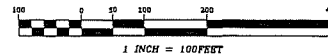
VICINITY MAP



LEGEND

- DENOTES SOIL BORING BY TYPHOIDWELL SOIL TESTING
- DENOTES EXISTING 3 FOOT CONTOUR
- DENOTES EASEMENT LINE
- DENOTES SETBACK LINE
- DENOTES EXISTING AREA 1' ABOVE HOURLING
- DENOTES PROPOSED BUILDING PAD AREA
- DENOTES PROPOSED SEPTIC AREA
- ▲ DENOTES ANOKA COUNTY CAST IRON MOUND
- DENOTES RESTRICTED ACCESS

GRAPHIC SCALE



NORTH

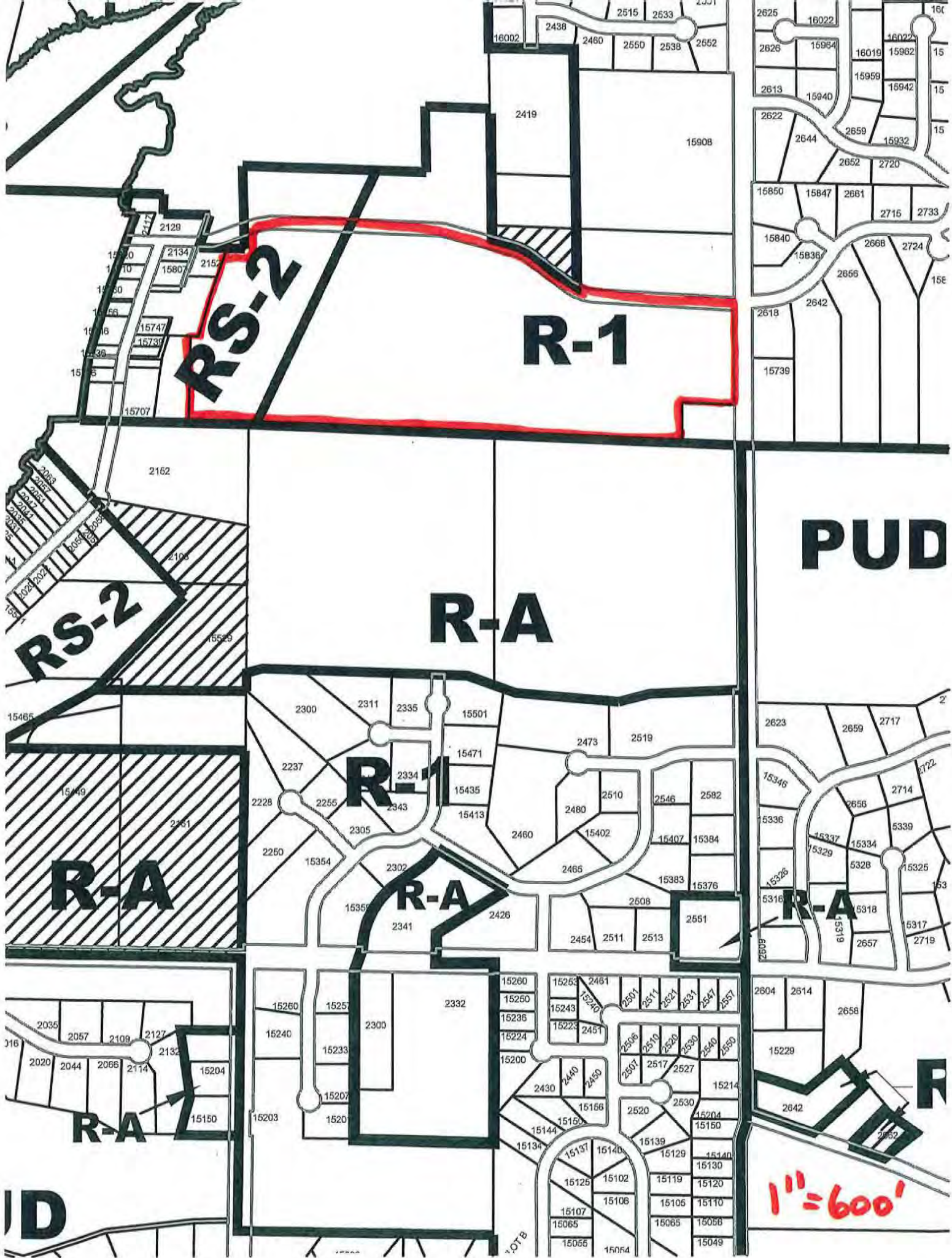
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD

Date: 4/18/2024 License No. 41578

DRAWN BY: CHR | JOB NO: 240100P | DATE: 02/09/24

NO.	DATE	DESCRIPTION	BY
1	3-23-24	REVISE LAYOUT	CHR
2	4-18-24	REVISE LAYOUT	CHR
3			



RS-2

R-1

R-A

PUD

RS-2

R-A

R-1

R-A

R-A

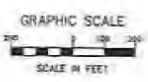
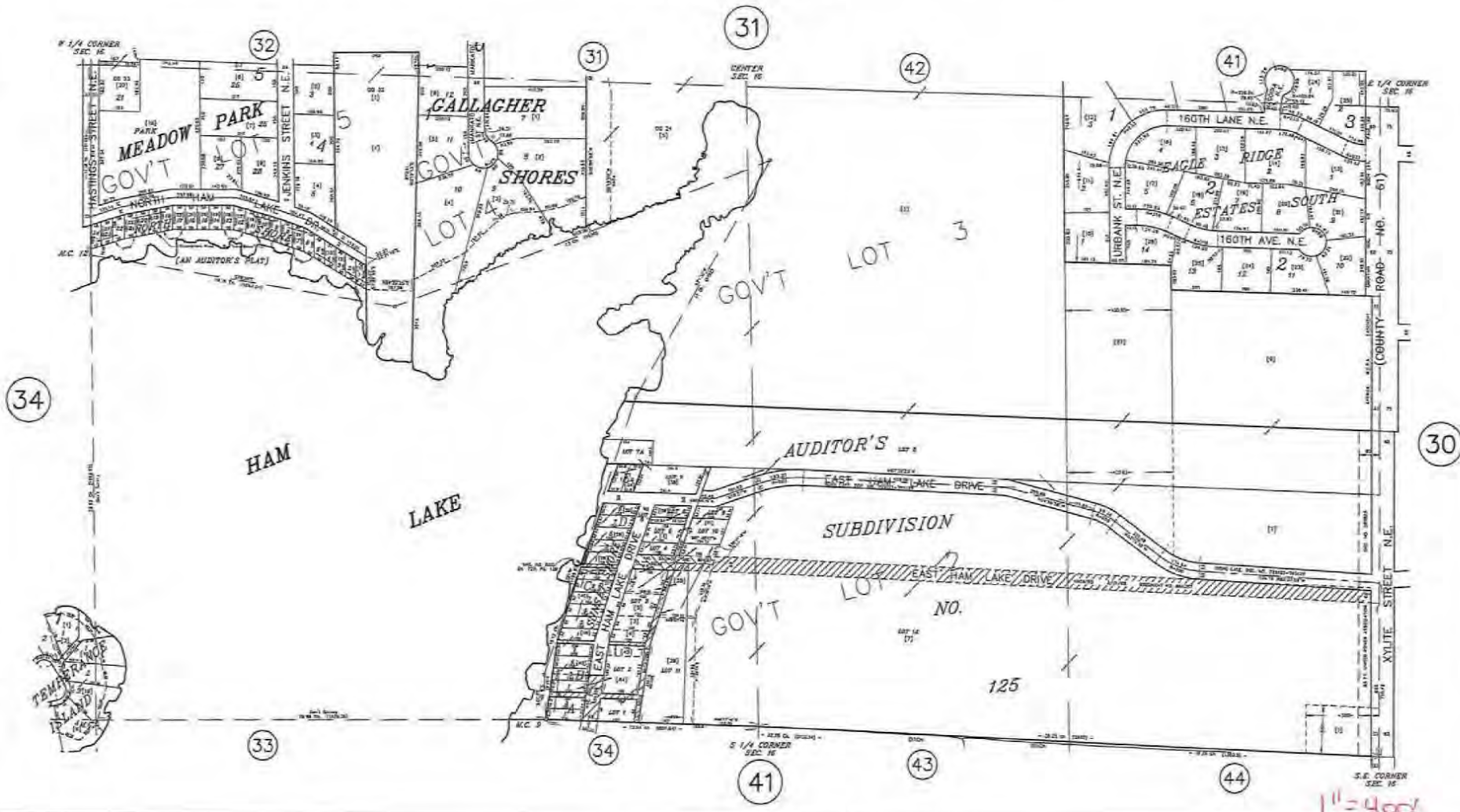
R-A

R

1" = 600'

S 1/2 SECTION 16, T. 32, R. 23

CITY OF HAM LAKE



ANOKA COUNTY
SURVEYOR'S OFFICE
ROOM 224
2100 3RD AVENUE
ANOKA, MN 55305
(763) 324-3200

QUARTER QUARTER INDEX

22	21	12	11
23	24	13	14
32	31	42	41
33	34	43	44

NORTH HALF OF SECTION
SOUTH HALF OF SECTION

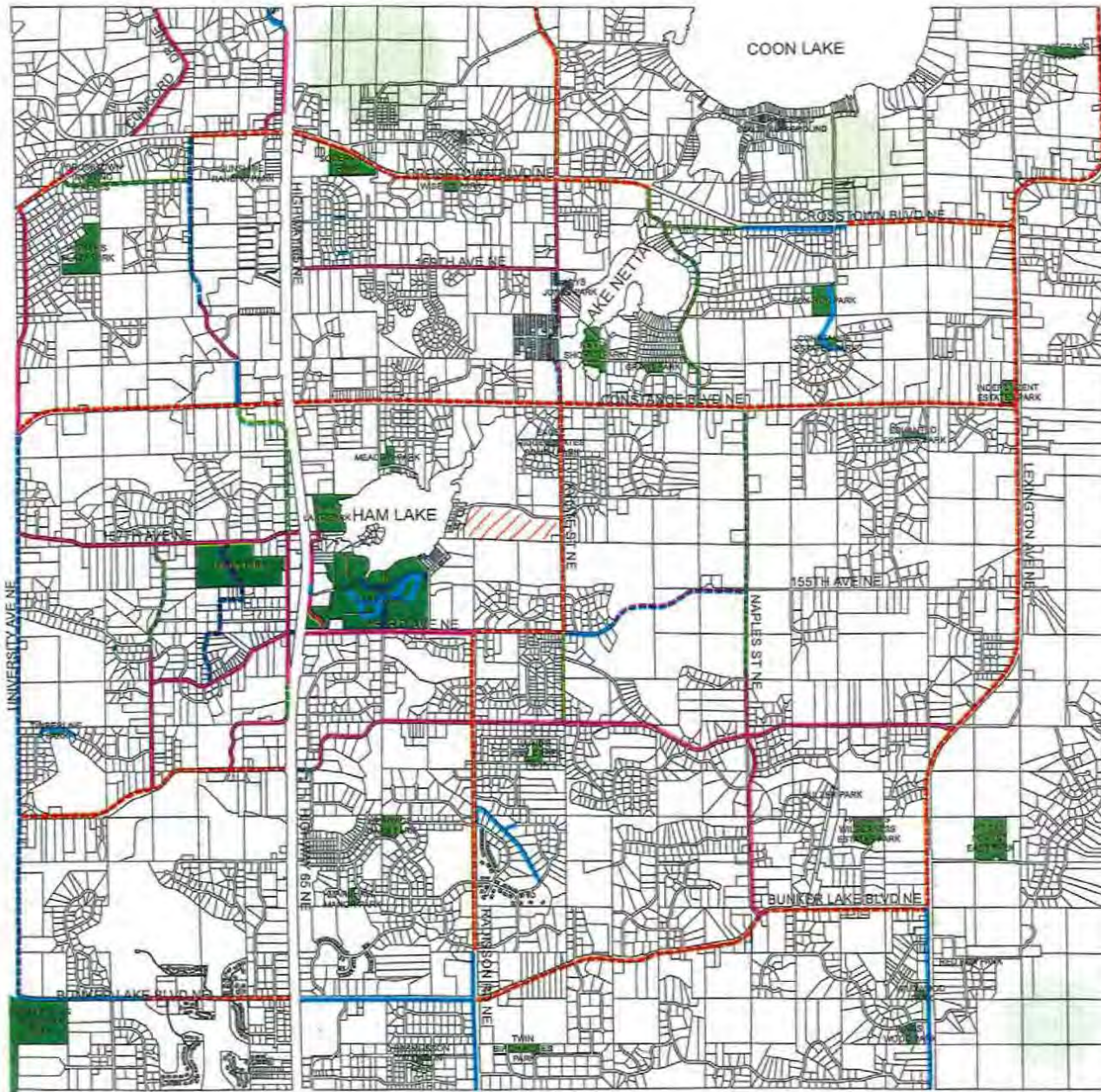
PROPERTY IDENTIFICATION NUMBER

Section Township Range Quarter Specific
Number Number Number Quarter Parcel
XX XX XX XX XXXX

SPECIFIC PARCEL NUMBERS ARE IN BRACKETS: (1)
EXAMPLE OF PIN NUMBER: 16-31-21-34-004

THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE ANOKA COUNTY OFFICES AFFECTING THE AREA SHOWN. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.

1" = 400'



 **HAM LAKE, MINNESOTA**
BIKE FACILITIES MAP

Legend

-  Existing Bike Lane
-  Existing Bike Path
-  Proposed County Bike Path
-  Proposed Bike Lane/Path
-  Proposed Bike Lane
-  Proposed Bike Path
-  Existing Park
-  Potential Future Park



MAP DATE:

4/23/2024



From: Logan Keehr <Logan.Keehr@anokacountymn.gov>
Sent: Tuesday, April 23, 2024 8:25 AM
To: Adam Ginkel <adam@plowe.com>
Subject: RE: Xylite St NE access

Hi Adam,

The County is fine with the 1 driveway connection onto Xylite St.

Logan Keehr, P.E.

Traffic Engineer II

Anoka County Transportation Division
Highway-Transit-Fleet-Surveyor-GIS
1440 Bunker Lake Boulevard NW
Andover, MN 55304
www.anokacountymn.gov

Office: 763-324-3100
Direct: 763-324-3183
Fax: 763-324-3020

Our passion is your safe way home!

From: Brandon Ulvenes <Brandon.Ulvenes@anokacountymn.gov>
Sent: Friday, April 19, 2024 1:22 PM
To: Logan Keehr <Logan.Keehr@anokacountymn.gov>
Subject: FW: Xylite St NE access

From: Adam Ginkel <adam@plowe.com>
Sent: Friday, April 19, 2024 1:08 PM
To: Brandon Ulvenes <Brandon.Ulvenes@anokacountymn.gov>
Subject: Xylite St NE access

Brandon,

You might not be the correct person for this... if not, could you forward it to the correct person?

Attached is a sketch that is going to the city of Ham Lake for concept plan review. The city has asked that we get the county's preliminary feedback on the proposed driveway connection to Xylite (Lot 1). It should be noted that this is the only chunk of land that the property owner, Ham Lake Baptist Church Camp, is willing to let go of for the proposed two lots.

Thank you!

Adam Ginkel
PLOWE ENGINEERING, INC.
6776 Lake Dr Ste 110
Lino Lakes, MN 55014
(651) 361-8234

RESOLUTION NO. 15-47

WHEREAS, the City Council of the City of Ham Lake has a policy for deferral of special assessments if certain requirements are met; and

WHEREAS, the City has received a request for extending the deferral of the large acreage special assessment against the following described property for an additional 10 years:

PIN #16-32-23-43-0007

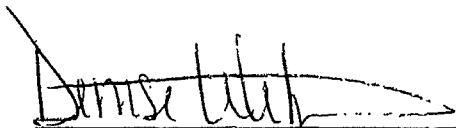
LOT 12 AUD SUB NO 125, EX THAT PRT OF SD LOT LYG NELY & NWLY OF C/L OF EAST HAM LAKE DR, ALSO EX THAT PRT DESC AS FOL: COM AT NE COR OF LOT 8 BLK D SUNSET SHORE, TH SWLY ALG WLY LINE OF ALLEY 212.56 FT, TH ELY ALG NLY R/W LINE OF VAC EAST HAM LAKE DR TO ELY LINE OF SD ALLEY & POB, TH CONT E 150 FT ALG SD VAC RD, TH NELY PRLL/W SD ELY LINE 53.14 FT, TH W PRLL/W SD NLY R/W LINE 150 FT TO SD ELY LINE, TH SWLY 53.14 FT TO POB, ALSO EX THAT PRT DESC AS FOL: COM AT S1/4 COR OF SEC 16 TWP 32 RGE 23, TH N 88 DEG 27 MIN 46 SEC W ALG S LINE OF SD SEC 268.26 FT TH N 1 DEG 32 MIN 14 SEC E 434.66 FT TO POB, TH N 88 DEG 27 MIN 46 SEC W 160.41 FT, TH N 17 DEG 42 MIN 42 SEC E 218.38 FT, TH N 20 DEG 58 MIN 09 SEC E 14.42 FT, TH S 88 DEG 27 MIN 46 SEC E 162.20 FT, TH S 18 DEG 20 MIN 14 SEC W 233.30 FT TO POB, ALSO EX E 300 FT OF S 200 FT OF SD LOT 12, EX RD, SUBJ TO EASE OF REC; and

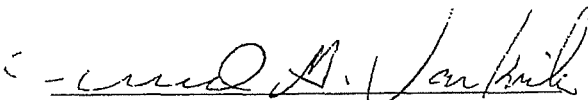
WHEREAS, the owner of the property, Ham Lake Baptist Camp Association, has met the requirements set forth in the City's policy regarding large acreage deferral of special assessments.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THIS CITY OF HAM LAKE, MINNESOTA:

That the special assessment against the above described property shall be deferred until the year 2025 or until such time as the property is sold or subdivided and the interest rate shall be determined at the time the assessment becomes due.

Adopted by the Ham Lake City Council this 21st day of September, 2015.


Denise Webster, City Clerk


Michael G. Van Kirk, Mayor



**CITY OF HAM LAKE
STAFF REPORT**

To: Mayor and Councilmembers
From: Andrea Murff, Finance/Human Resource Director
Item/Title/Subject: 2024 1st Quarter Financials

INTRODUCTION/DISCUSSION:

Bank accounts have been reconciled through March 31, 2024 as well as a review of all activity in all funds has been performed. The following is a summary of my observations on the City’s financial position at the end of the 1st Quarter of 2024. All information presented is unaudited and is subject to end-of-year adjustments.

Cash and Investments

The City’s cash and investment balances are as follows:

	03/31/2024	12/31/2023	Increase/ (Decrease)
Checking	\$ 1,489,640	\$ (408,172)	\$ 1,897,750
Investments (at Market Value)	7,847,697	11,580,629	(3,732,932)
Total Cash and Investments	\$ 9,337,337	\$ 11,172,457	\$ (1,835,182)
Investment Type	03/31/2024	12/31/2023	Increase/ (Decrease)
Checking	\$ 63,487	\$ (408,172)	\$ 471,597
Money Market	4,288,704	7,785,636	(3,496,932)
Negotiable CDs	3,558,994	3,794,994	(236,000)
Municipal Bond	-	-	-
Government Agency Securities	1,426,153	-	1,426,153
Total Cash and Investments	\$ 9,337,337	\$ 11,172,457	\$ (1,835,182)

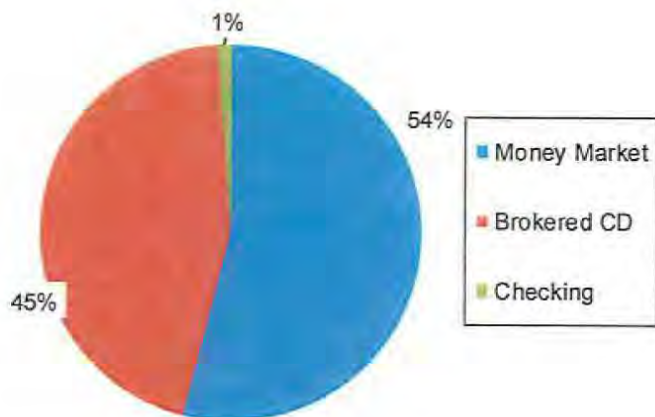
Investment Summary As of 03/31/2024 (unaudited)

Institution	Description	Type	Market Value 1/1/2024	Deposits - Purchases	Expenditures - Sales	Transfers	Interest	Unadjusted Market Value 3/31/2024	Market Value 3/31/2024	Unrealized gain / loss
RBC	RBC	Money Market	246,369.00	-	-	(246,369.00)	-	-	-	-
RBC	Bank Hapoalim New York	Brokered CD	229,871.75	-	(231,000.00)	(3,340.32)	3,340.32	(1,328.25)	-	1,328.25
RBC	BMO Harris BK NATL ASSN	Brokered CD	235,337.37	-	-	(310.40)	310.40	235,337.37	237,949.38	2,612.01
RBC	Memick BK South Jordan Utah	Brokered CD	230,698.50	-	-	(332.90)	332.90	230,698.50	232,941.99	2,243.49
RBC	Texas Exchange Bk Crowley	Brokered CD	223,539.75	-	-	(582.60)	582.60	223,539.75	226,286.22	2,746.47
RBC	Malaga BK Palos Verdes Calif	Brokered CD	213,283.44	-	-	(518.47)	518.47	213,283.44	217,389.45	4,106.01
			1,378,899.81	-	(231,000.00)	(251,453.69)	5,084.69	901,530.81	914,567.04	13,036.23
US Bank	US Bank	Money Market	669,024.51	(1,920,061.02)	1,217,637.00	42,721.22	8,584.91	17,906.82	11,513.41	(6,393.21)
US Bank	US Treasury Bill	Government Se	496,795.00	-	(487,345.00)	(12,655.00)	12,655.00	9,450.00	-	815.85
US Bank	US Treasury Bill	Government Securities		698,794.27	-	655.10	(655.10)	698,794.27	698,097.83	(17,101.73)
US Bank	US Treasury Bill	Government Securities		730,027.50	-	1,514.42	(1,514.42)	730,027.50	728,055.00	-
US Bank	American Express National Bank	Brokered CD	242,393.20	-	-	(3,828.71)	3,828.71	242,393.20	243,360.95	967.75
US Bank	Bmo Harris Bank Natl Assn	Brokered CD	242,448.16	-	(242,292.00)	(4,196.80)	4,196.80	156.16	-	(156.16)
US Bank	Discover Bank	Brokered CD	238,830.90	-	-	(4,013.97)	4,013.97	238,830.90	239,607.55	776.65
US Bank	Fifth Third Bk - CD	Brokered CD	243,041.31	-	(243,000.00)	(6,553.68)	6,553.68	41.31	-	(9,450.00)
US Bank	Israel Dis Bk New York	Brokered CD	242,989.84	-	-	(5,199.21)	5,199.21	242,989.84	243,297.28	307.44
US Bank	Security First Bank - Nebraska	Brokered CD	244,282.15	-	(245,000.00)	(3,911.61)	3,911.61	(717.85)	-	717.85
US Bank	Nicolet Natl Bk - Greenbay WI	Brokered CD	-	249,000.00	-	(898.79)	898.79	249,000.00	248,477.10	815.85
US Bank	State Bank India - Illinois	Brokered CD	242,207.00	-	-	(4,137.48)	4,137.48	242,207.00	243,022.85	815.85
US Bank	Riverside CA Cmnty College Dist	Brokered CD	-	242,239.25	-	504.51	(504.51)	242,239.25	240,784.50	815.85
			2,862,012.07	-	-	(0.00)	51,306.13	2,913,318.20	2,896,216.47	(27,068.01)
Falcon National Bank	Falcon National Bank	Money Market	79,817.64	-	(49,500.00)	2,237.81	99.48	32,654.93	32,575.15	(79.78)
Falcon National Bank	CD 88834 (renewed)	Brokered CD	200,000.00	-	-	(266.70)	266.70	200,000.00	200,000.00	-
Falcon National Bank	CD 89417 (renewed)	Brokered CD	300,000.00	-	(300,000.00)	(203.54)	203.54	-	-	-
Falcon National Bank	CD 89417 matured	Brokered CD	-	300,000.00	-	(91.80)	91.80	300,000.00	300,000.00	-
Falcon National Bank	CD 90376 (renewed)	Brokered CD	535,876.55	-	-	(533.27)	533.27	535,876.55	535,876.55	-
Falcon National Bank	CD 90484 (renewed)	Brokered CD	100,500.00	49,500.00	-	(1,142.50)	1,142.50	150,000.00	150,000.00	-
			1,210,194.19	349,500.00	(349,500.00)	-	2,337.29	1,218,531.48	1,218,451.70	(79.78)
21st CENTURY BANK	ICS	Money Market	766,730.76	2,989,890.55	(3,257,326.99)	-	11,978.19	511,272.51	176,197.25	(335,075.26)
21st CENTURY BANK	CD		-	-	-	-	-	-	-	-
			766,730.76	2,989,890.55	(3,257,326.99)	-	11,978.19	511,272.51	176,197.25	(335,075.26)
4 M	4M Liquid Assets-101	Money Market	88,712.28	-	-	-	1,555.59	90,267.87	89,879.02	(388.85)
4 M	4M Plus Fund-101	Money Market	4,922,596.29	274,546.38	-	(2,517,546.31)	68,916.75	2,748,513.11	3,978,538.76	1,230,025.65
			5,011,308.57	274,546.38	-	(2,517,546.31)	70,472.34	2,838,780.98	4,068,417.78	1,229,636.80
21st CENTURY BANK	General/Checking	Checking	100,021.23	3,804,810.89	(6,804,894.46)	3,000,000.00	82.89	100,020.55	100,021.24	0.69
			100,021.23	3,804,810.89	(6,804,894.46)	3,000,000.00	82.89	100,020.55	100,021.24	0.69
			\$ 11,335,166.63	\$ 7,418,747.82	\$ (10,642,721.45)	\$ 231,000.00	\$ 141,261.53	\$ 8,483,454.53	\$ 9,373,871.48	\$ 880,450.67

Deposits in Transf	594.09
O/S Checks	(39,281.91)
Total	\$ 9,335,183.66

Investment Summary (continued)
As of 03/31/2024 (unaudited)

Maturities



Maturity	Unadjusted Market Value 3/31/2024	Market Value 3/31/2024	Variance 3/31/2024
Current	\$ 4,228,814.46	\$ 5,116,779.83	\$ 887,965.37
< 1 year	2,158,253.96	2,153,507.01	(4,746.95)
1-2 years	469,529.40	472,549.54	3,020.14
2-3 years	922,334.02	924,384.05	2,050.03
3-4 years	213,283.44	217,389.45	4,106.01
5+ years	491,239.25	489,261.60	(1,977.65)
	<u>\$ 8,483,454.53</u>	<u>\$ 9,373,871.48</u>	<u>\$ 890,416.95</u>

Weighted average Rate of return	0.00%	3/31/2024
Average Maturity (years)	0.20	3/31/2024

Investment Type	Market Value 3/31/2024
Money Market	\$ 4,288,703.59
Brokered CD	\$ 3,558,993.82
Savings	\$ -
Government Securities	\$ 1,426,152.83
Municipal Securities	\$ -
Checking	\$ 100,021.24
	<u>\$ 9,373,871.48</u>

Operating Account	
O/S Deposits	\$ 594.09
O/S Checks	(39,281.91)
	<u>Reconciled Balance</u>
	<u>\$ 9,335,183.66</u>

Investment Summary (continued)

Current short-term rates being offered by financial institutions are very low as evidenced by the table of U.S. Treasury rates below. The U.S. Treasury rates provide a benchmark perspective for rate of return.

Treasury Yields									
Date	1 mo	3 mo	6 mo	1 yr	2 yr	3 yr	5 yr	7 yr	10 yr
12/31/2015	0.14	0.16	0.49	0.65	1.06	1.31	1.76	2.09	2.27
12/31/2016	0.44	0.51	0.62	0.85	1.20	1.47	1.93	2.25	2.45
12/31/2017	1.28	1.39	1.53	1.76	1.89	1.98	2.20	2.33	2.40
09/30/2018	2.12	2.19	2.36	2.59	2.81	2.88	2.94	3.01	3.05
12/31/2018	2.44	2.45	2.45	2.56	2.63	2.48	2.46	2.51	2.59
03/29/2019	2.43	2.44	2.40	2.44	2.40	2.27	2.21	2.23	2.31
06/28/2019	2.18	2.12	2.09	1.92	1.75	1.71	1.76	1.87	2.00
09/30/2019	1.91	1.88	1.83	1.75	1.63	1.56	1.55	1.62	2.12
12/31/2019	1.48	1.55	1.60	1.59	1.58	1.62	1.69	1.83	1.92
03/31/2020	0.05	0.11	0.15	0.17	0.23	0.29	0.37	0.55	0.70
06/30/2020	0.13	0.16	0.18	0.16	0.16	0.18	0.29	0.49	0.66
09/30/2020	0.08	0.10	0.11	0.12	0.13	0.16	0.28	0.47	0.69
12/31/2020	0.08	0.09	0.09	0.10	0.13	0.17	0.36	0.65	0.93
03/31/2021	0.01	0.03	0.05	0.07	0.16	0.35	0.92	1.40	1.74
06/30/2021	0.05	0.05	0.06	0.07	0.25	0.74	0.87	1.21	1.45
09/30/2021	0.07	0.04	0.05	0.09	0.28	0.53	0.98	1.32	1.52
12/31/2021	0.06	0.06	0.19	0.39	0.73	0.97	1.26	1.44	1.52
03/31/2022	0.17	0.52	1.06	1.63	2.28	2.45	2.42	2.40	2.32
06/30/2022	1.28	1.72	2.51	2.80	2.92	2.99	3.01	3.04	2.98
09/30/2022	2.79	3.33	3.92	4.05	4.22	4.25	4.06	3.97	3.83
12/31/2022	4.12	4.42	4.76	4.73	4.41	4.22	3.99	3.96	3.88
03/31/2023	4.74	4.85	4.94	4.64	4.06	3.81	3.60	3.55	3.48
06/30/2023	5.24	5.43	5.47	5.40	4.87	4.49	4.13	3.97	3.81

<https://home.treasury.gov/resource-center/data-chart-center/interest-rates>

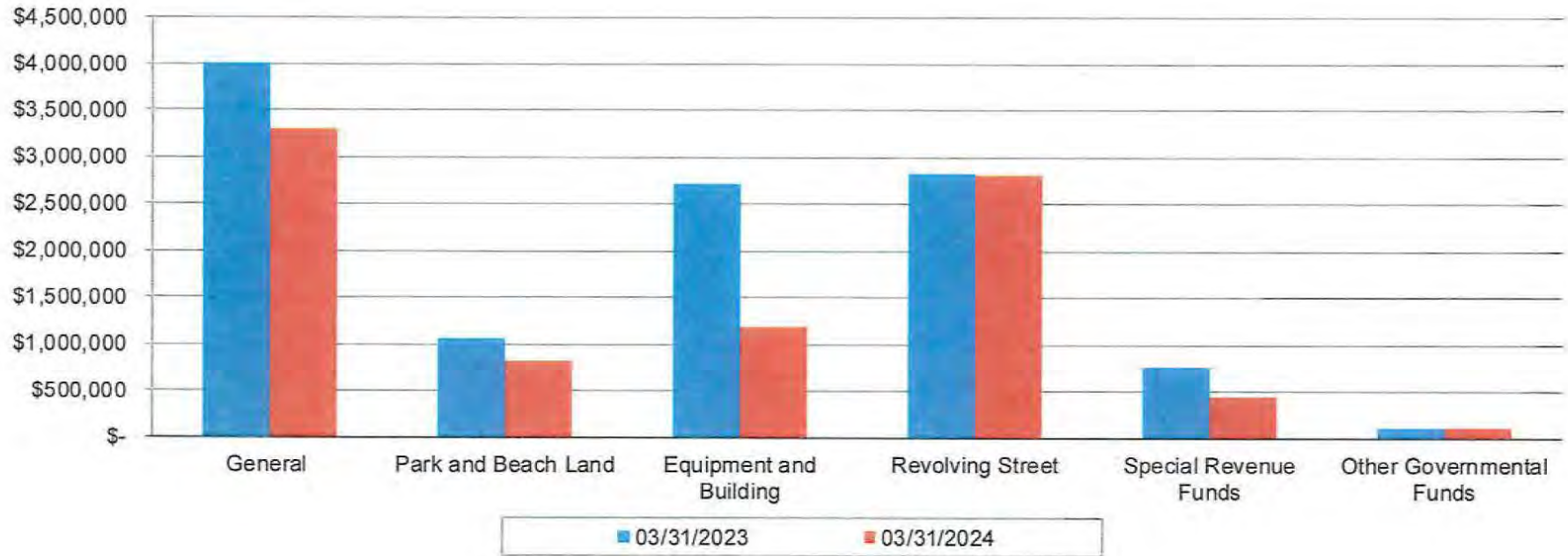
Cash Balance Summary by Fund
As of 03/31/2023, 12/31/23 and 03/31/2024 (unaudited)

	Balance 03/31/2023	Balance 12/31/2023	Balance 03/31/2024	YTD Change From 12/31/2023
100 General Fund	\$ 4,009,579	\$ 4,623,603	\$ 3,294,026	\$ (1,329,577) ^{¶(1)}
210 Cable TV Fund	191,548	95,013	117,483	22,470
211 Ham Laker Fund	22,422	1,876	(7,307)	(9,183)
212 Lawful Gambling Contributions Fund	126,883	145,966	164,239	18,273
217 CARES Act Grant	-	-	-	-
230 Future Drainage Fund	124,765	130,057	128,378	(1,679)
231 Recycling Fund	69,251	37,944	67,705	29,760
232 Street Light Fund	189,175	225,349	213,670	(11,679)
250 Oakwilt Fund	11,279	11,458	11,598	140
261 Economic Development Fund	1,674	1,722	1,743	21
262 Ham Lake EDA Fund	17,454	(231,212)	(265,926)	(34,715)
263 Lodging Tax Fund	5,206	5,385	5,688	303
370 2010 Cip Bond Debt Service Fund	103,787	306,854	116,694	(190,160) ^{¶(2)}
371 2016 Go Capital Note Debt Service Fund-Nmtc	26	26	26	-
410 General Govt Equipment Fund	69,324	75,487	77,786	2,299
411 Election Equipment Fund	3,924	3,450	4,492	1,042
412 Building Fund	250,822	265,621	271,373	5,752
420 Fire Department Equipment Fund	1,734,912	558,633	(121,667)	(680,300) ^{¶(3)}
421 Emergency Operations Center Fund	36,601	38,527	39,498	972
422 Siren Replacement Fund	33,829	38,650	39,123	473
428 Building Inspection Equipment Fund	8,866	10,772	13,404	2,632
430 Public Works Equipment Fund	450,119	614,450	686,695	72,244 ^{¶(4)}
431 Revolving Street Fund	2,833,457	2,515,523	2,802,661	287,138 ^{¶(4)}
440 Park And Beach Land Fund	1,051,096	930,594	826,952	(103,642) ^{¶(5)}
441 Parks Equipment Fund	132,952	167,214	179,761	12,547
890 Trust	611,356	599,498	669,243.43	69,745 ^{¶(6)}
Total	<u>\$ 12,090,303</u>	<u>\$ 11,172,457</u>	<u>\$ 9,337,337</u>	<u>\$ (1,835,120)</u>

Item Explanation of changes greater than \$50,000.

- ¶(1) See rev/exp for the General Fund for further explanation.
- ¶(2) Annual bond payment and first payment of interest on bond.
- ¶(3) Payments for Firestation #3 and Pumper Truck
- ¶(4) Cash increased due to budgeted transfers from General Fund.
- ¶(5) Purchase of backstops, shades, and bleachers.
- ¶(6) Refunds of escrow accounts and more trust activity.

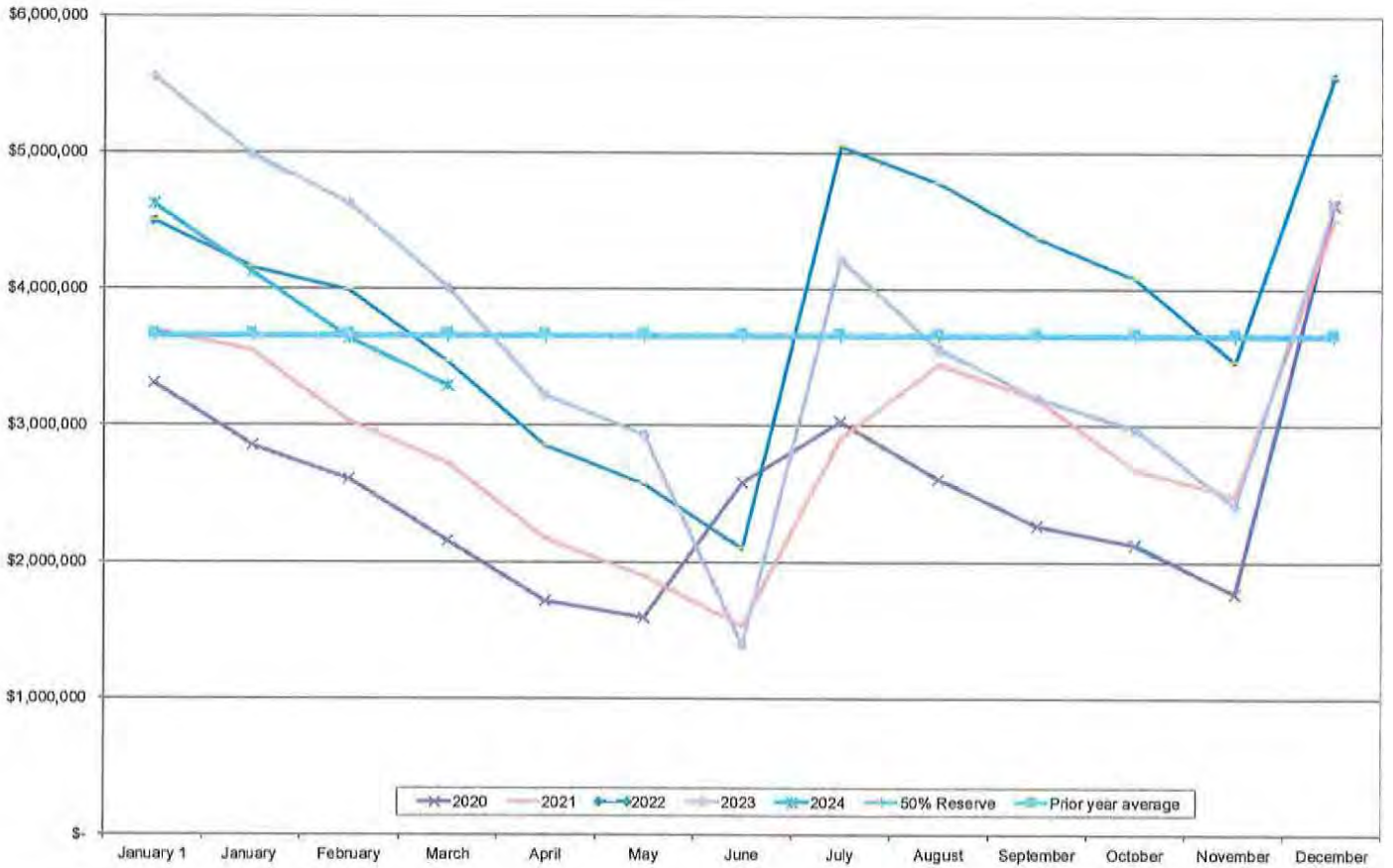
Cash Balance by Fund Compared to Prior Year (unaudited)



Fund	Key
General	Balance decreased by more than 10% over prior year
Park and Beach Land	Balance decreased by more than 10% over prior year
Equipment and Building	Balance decreased by more than 10% over prior year
Revolving Street	Balance within 10% of prior year
Special Revenue Funds	Balance decreased by more than 10% over prior year
Other Governmental Funds	Balance within 10% of prior year

General Fund Budget Cash Summary (unaudited)

General Fund Cash Balances 2020-2024



General Fund

Receipts	YTD Budget	YTD Actual	Percent of YTD Budget	Disbursements	YTD Budget	YTD Actual	Percent of YTD Budget
Taxes	\$ 1,571,617	\$ -	- %	Council	\$ 27,508	\$ 44,719	162.6 %
Special Assessments	-	-	100.0	Administration/Clerk	85,459	98,004	112.3
Licenses and permits	134,400	76,394	56.8	Finance	95,423	84,792	88.9
Intergovernmental	44,000	(45)	(0.1)	Planning & Zoning	26,038	24,015	92.2
Charges for services	38,721	46,365	119.7	General Government	35,327	93,784	265.5
Fines and forfeitures	7,875	8,025	76.5	Information Technology	10,525	9,705	92.2
Interest on investments	7,500	48,219	642.9	Public Safety	602,422	563,350	93.5
Miscellaneous	2,625	5,346	203.7	Building Department	94,628	88,616	93.6
Transfers in	500	-	-	Public Works	318,657	258,857	81.2
	\$ 1,807,238	\$ 182,303	10.1 %	Parks and recreation	98,742	29,582	30.0
				Senior Center	4,982	4,687	94.1
				Transfers Out	427,125	427,125	100.0 %
					\$ 1,826,835	\$ 1,725,236	94.4

Key

- 🟢 Varies more than 10% than budget positively
- 🔴 Varies more than 10% than budget negatively
- 🟡 Within 10% of budget

**General Fund Budget Summary
As of 03/31/24 (unaudited)**

	Annual Budget	Budget Thru 3/31/2024 25%	Actual Thru 3/31/2024	Variance - Favorable (Unfavorable)	Percent Received or Expended Based on Budget thru 3/31/2024
Revenues					
Taxes	\$ 6,286,468	\$ 1,571,617	\$ -	\$ (1,571,617) ^{¶(1)}	- %
Special Assessments	-	-	-	-	N/A
Licenses and permits	537,600	134,400	76,394	(58,006) ^{¶(2)}	56.84
Intergovernmental	176,000	44,000	(45)	(44,045) ^{¶(3)}	(0.10)
Charges for services	154,885	38,721	46,365	7,643 ^{¶(4)}	119.74
Fines and forfeitures	31,500	7,875	6,025	(1,850)	76.51
Interest on investments	30,000	7,500	48,219	40,719 ^{¶(5)}	642.91
Miscellaneous	10,500	2,625	5,346	2,721	203.66
Total Revenues	7,226,953	1,806,738	182,303	(1,624,435)	
Expenditures					
Council	\$ 110,031	\$ 27,508	\$ 44,719	\$ (17,211)	162.57 %
Administration/Clerk	341,836	85,459	96,004	(10,545)	112.34
Finance	381,693	95,423	84,792	10,631	88.86
Planning & Zoning	104,151	26,038	24,015	2,023	92.23
General Government	141,308	35,327	93,784	(58,457) ^{¶(6)}	265.47
Information Technology	42,100	10,525	9,705	820	92.21
Public Safety	2,409,687	602,422	563,350	39,072	93.51
Building Department	378,512	94,628	88,616	6,012	93.65
Public Works	1,274,627	318,657	258,857	59,800 ^{¶(7)}	81.23
Parks and recreation	394,968	98,742	29,582	69,160 ^{¶(8)}	29.96
Senior Center	19,926	4,982	4,687	295	94.08
Total Expenditures	5,598,840	1,399,710	1,298,111	101,599	92.74
Excess Revenues (Expenditures)	1,628,113	407,028	(1,115,808)	(1,522,836)	
Other Financing Sources (Uses)					
Transfers in	2,000	500	-	-	-
Transfers out	(1,708,500)	(427,125)	(427,125)	0	100.00
TOTAL OTHER FINANCING SOURCES (USES)	(1,706,500)	(426,625)	(427,125)	0	
Excess (Deficiency) of Revenues and Other Financing Sources Over (Under) Expenditures and Other Uses	\$ (78,387)	\$ (19,597)	\$ (1,542,933)	\$ (1,522,836)	

Item Explanation of items percentage received/expended less than 90% or greater than 110% and \$ variance greater than \$20,000.

- (1) Tax Settlements are received in June, December, and January
- (2) Permits are coming in lower than anticipated for the year. They are currently 34% below 2022 2nd quarter revenues.
- (3) State aid for fire relief and 2nd MSA maintenance payment comes in the fall.
- (4) Tower revenue is coming in higher than anticipated.
- (5) Money market rates have been higher than last several years resulting in higher monthly interest revenue.
- (6) ARPA spending is not budgeted and we have currently expended \$61,761 in 2024.
- (7) Public works is under budget due to annual expenditures such as Work Comp Insurance, Street Sweeping and ROW Permits not being received at the time of the report.
- (8) The favorable variance is due to seasonal activity with park projects and activity.

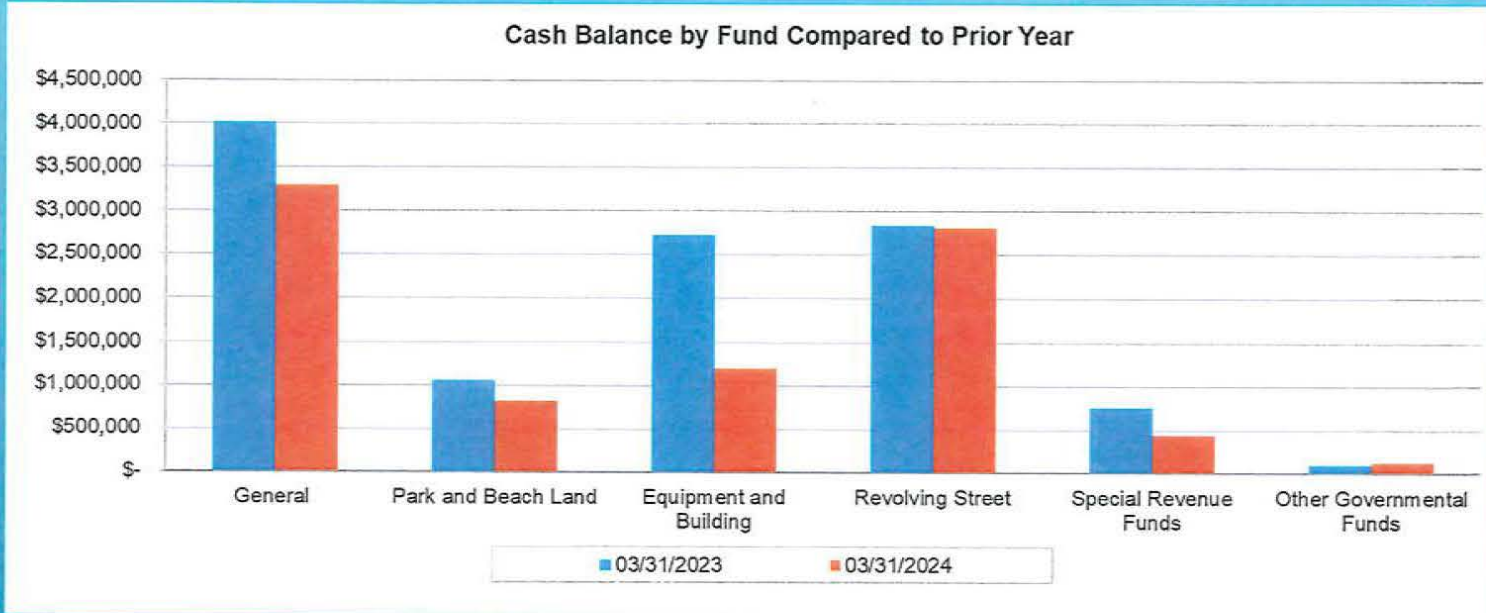
A detailed report of revenues and expenditures can be provided upon request.

CITY OF HAM LAKE 1ST QUARTER REPORT

Presented by Finance/Human Resource Director, Andrea Murti

OVERALL CASH POSITION

		Balance 03/31/2023	Balance 12/31/2023	Balance 03/31/2024	YTD Change From 12/31/2023
100	General Fund	\$ 4,009,579	\$ 4,623,603	\$ 3,294,026	\$ (1,329,577)
210	Cable TV Fund	191,548	95,013	117,483	22,470
211	Ham Laker Fund	22,422	1,876	(7,307)	(9,183)
212	Lawful Gambling Contributions Fund	126,883	145,966	164,239	18,273
217	CARES Act Grant	-	-	-	-
230	Future Drainage Fund	124,765	130,057	128,378	(1,679)
231	Recycling Fund	69,251	37,944	67,705	29,760
232	Street Light Fund	189,175	225,349	213,670	(11,679)
250	Oakwilt Fund	11,279	11,458	11,598	140
261	Economic Development Fund	1,674	1,722	1,743	21
262	Ham Lake EDA Fund	17,454	(231,212)	(265,926)	(34,715)
263	Lodging Tax Fund	5,206	5,385	5,688	303
370	2010 Cip Bond Debt Service Fund	103,787	306,854	116,694	(190,160)
371	2016 Go Capital Note Debt Service Fund-Nmtc	26	26	26	-
410	General Govt Equipment Fund	69,324	75,487	77,786	2,299
411	Election Equipment Fund	3,924	3,450	4,492	1,042
412	Building Fund	250,822	265,621	271,373	5,752
420	Fire Department Equipment Fund	1,734,912	558,633	(121,667)	(680,300)
421	Emergency Operations Center Fund	36,601	38,527	39,498	972
422	Siren Replacement Fund	33,829	38,650	39,123	473
428	Building Inspection Equipment Fund	8,866	10,772	13,404	2,632
430	Public Works Equipment Fund	450,119	614,450	686,695	72,244
431	Revolving Street Fund	2,833,457	2,515,523	2,802,661	287,138
440	Park And Beach Land Fund	1,051,096	930,594	826,952	(103,642)
441	Parks Equipment Fund	132,952	167,214	179,761	12,547
890	Trust	611,356	599,498	669,243.43	69,745
	Total	\$ 12,090,303	\$ 11,172,457	\$ 9,337,337	\$ (1,835,120)



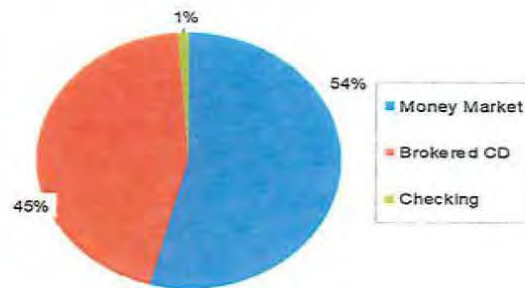
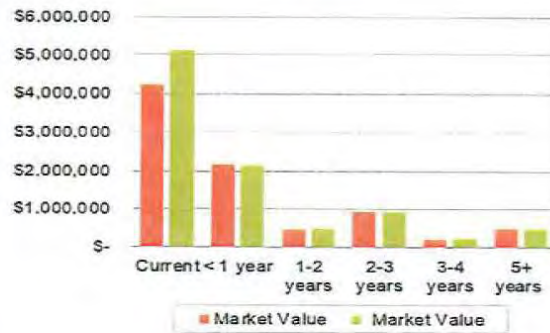
GRAPH OF OVERALL CASH POSITION BY FUND TYPE

INVESTMENT SUMMARY

Institution	Description	Type	Market Value 1/1/2024	Deposits - Purchases	Expenditures - Sales	Transfers	Interest	Unreconciled Market Value 3/31/2024	Market Value 3/31/2024	Unrealized gain / loss
RBC	RBC	Money Market	246,369.00	-	-	(246,369.00)	-	-	-	-
RBC	Bank Hapoalim New York	Brokered CD	229,571.75	-	(231,000.00)	(3,340.32)	3,340.32	(1,328.25)	-	1,328.25
RBC	BMO Harris BK NATL ASSN	Brokered CD	235,337.37	-	-	(310.40)	310.40	235,337.37	237,949.38	2,612.01
RBC	Merrick BK South Jordan Utah	Brokered CD	230,698.50	-	-	(332.90)	332.90	230,698.50	232,941.99	2,243.49
RBC	Texas Exchange Bk Crowley	Brokered CD	223,539.75	-	-	(582.50)	582.50	223,539.75	226,286.22	2,746.47
RBC	Malaga BK Palos Verdes Calif	Brokered CD	213,283.44	-	-	(518.47)	518.47	213,283.44	217,389.45	4,106.01
			1,378,899.81	-	(231,000.00)	(251,453.69)	5,084.69	901,530.81	914,567.04	13,036.23
US Bank	US Bank	Money Market	669,024.51	(1,920,051.02)	1,217,637.00	42,721.22	8,584.91	17,906.52	11,513.41	(6,393.21)
US Bank	US Treasury Bill	Government Se	496,795.00	-	(487,345.00)	(12,655.00)	12,655.00	9,450.00	-	815.85
US Bank	US Treasury Bill	Government Securities	-	598,794.27	-	655.10	(655.10)	698,794.27	698,097.83	(17,101.73)
US Bank	US Treasury Bill	Government Securities	-	730,027.50	-	1,514.42	(1,514.42)	730,027.50	728,055.00	-
US Bank	American Express National Bank	Brokered CD	242,393.20	-	-	(3,828.71)	3,828.71	242,393.20	243,360.95	967.75
US Bank	Bmo Harris Bank Natl Assn	Brokered CD	242,448.16	-	(242,292.00)	(4,196.80)	4,196.80	156.16	-	(156.16)
US Bank	Discover Bank	Brokered CD	238,830.90	-	-	(4,013.97)	4,013.97	238,830.90	239,607.55	776.65
US Bank	Fifth Third Bk - CD	Brokered CD	243,041.31	-	(243,000.00)	(6,553.68)	6,553.68	41.31	-	(9,450.00)
US Bank	Israel Dis Bk New York	Brokered CD	242,989.84	-	-	(5,199.21)	5,199.21	242,989.84	243,297.28	307.44
US Bank	Security First Bank - Nebraska	Brokered CD	244,282.15	-	(245,000.00)	(3,911.61)	3,911.61	(717.85)	-	717.85
US Bank	Nicolet Natl Bk - Greenbay WI	Brokered CD	-	249,000.00	-	(898.79)	898.79	249,000.00	248,477.10	815.85
US Bank	State Bank India - Illinois	Brokered CD	242,207.00	-	-	(4,137.48)	4,137.48	242,207.00	243,022.85	815.85
US Bank	Riverside CA Cmnty College Dist	Brokered CD	-	242,239.25	-	504.51	(504.51)	242,239.25	240,784.50	815.85
			2,862,012.07	-	-	(0.00)	51,306.13	2,913,318.20	2,896,216.47	(27,068.01)
Falcon National Bank	Falcon National Bank	Money Market	79,817.64	-	(49,500.00)	2,237.81	99.48	32,654.93	32,575.15	(79.78)
Falcon National Bank	CD 88834 (renewed)	Brokered CD	200,000.00	-	-	(266.70)	266.70	200,000.00	200,000.00	-
Falcon National Bank	CD 89417 (renewed)	Brokered CD	300,000.00	-	(300,000.00)	(203.54)	203.54	-	-	-
Falcon National Bank	CD 89417 matured	Brokered CD	-	300,000.00	-	(91.80)	91.80	300,000.00	300,000.00	-
Falcon National Bank	CD 90376 (renewed)	Brokered CD	535,876.55	-	-	(533.27)	533.27	535,876.55	535,876.55	-
Falcon National Bank	CD 90484 (renewed)	Brokered CD	100,500.00	49,500.00	-	(1,142.50)	1,142.50	150,000.00	150,000.00	-
			1,216,194.19	349,500.00	(349,500.00)	-	2,337.29	1,218,531.48	1,218,451.70	(79.78)
21st CENTURY BANK	ICS	Money Market	766,730.76	2,989,890.55	(3,257,326.99)	-	11,978.19	511,272.51	176,197.25	(335,075.26)
21st CENTURY BANK	CD		-	-	-	-	-	-	-	-
			766,730.76	2,989,890.55	(3,257,326.99)	-	11,978.19	511,272.51	176,197.25	(335,075.26)
4 M	4M Liquid Assets-101	Money Market	88,712.28	-	-	-	1,555.59	90,267.87	89,879.02	(388.85)
4 M	4M Plus Fund-101	Money Market	4,922,596.29	274,546.38	-	(2,517,546.31)	68,916.75	2,748,513.11	3,978,538.76	1,230,025.65
			5,011,308.57	274,546.38	-	(2,517,546.31)	70,472.34	2,838,780.98	4,068,417.78	1,229,638.80
21st CENTURY BANK	General/Checking	Checking	100,021.23	3,804,810.89	(6,804,894.46)	3,000,000.00	82.89	100,020.55	100,021.24	0.69
			100,021.23	3,804,810.89	(6,804,894.46)	3,000,000.00	82.89	100,020.55	100,021.24	0.69
			\$ 11,335,168.63	\$ 7,418,747.82	\$ (10,642,721.45)	\$ 231,000.00	\$ 141,261.53	\$ 8,483,454.53	\$ 9,373,871.48	\$ 880,450.67

INVESTMENT SUMMARY

Maturities



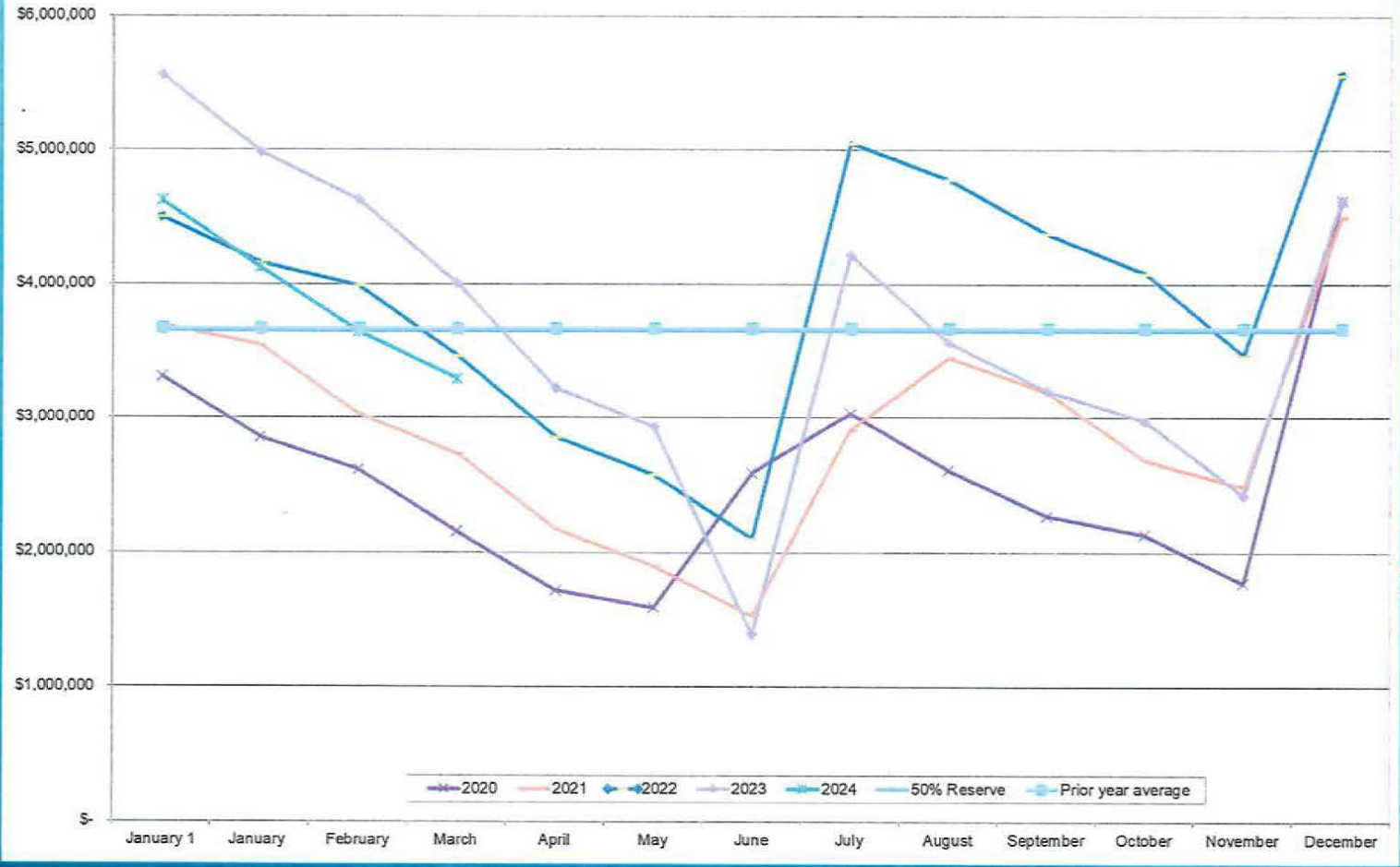
Maturity	Unadjusted Market Value 3/31/2024	Market Value 3/31/2024	Variance 3/31/2024
Current	\$ 4,228,814.46	\$ 5,116,779.83	\$ 887,965.37
< 1 year	2,158,253.96	2,153,507.01	(4,746.95)
1-2 years	469,529.40	472,549.54	3,020.14
2-3 years	922,334.02	924,384.05	2,050.03
3-4 years	213,283.44	217,389.45	4,106.01
5+ years	491,239.25	489,261.60	(1,977.65)
	<u>\$ 8,483,454.53</u>	<u>\$ 9,373,871.48</u>	<u>\$ 890,416.95</u>

Weighted average Rate of return	0.00%	3/31/2024
Average Maturity (years)	0.20	3/31/2024

Investment Type	Market Value 3/31/2024
Money Market	\$ 4,288,703.59
Brokered CD	\$ 3,558,993.82
Savings	\$ -
Government Securities	\$ 1,426,152.83
Municipal Securities	\$ -
Checking	\$ 100,021.24
	<u>\$ 9,373,871.48</u>

Operating Account	
O/S Deposits	\$ 594.09
O/S Checks	(39,281.91)
Reconciled Balance	<u>\$ 9,335,183.66</u>

General Fund Cash Balances 2020-2024



GENERAL FUND BUDGET TO ACTUAL

	Annual Budget	Budget Thru 3/31/2024 25%	Actual Thru 3/31/2024	Variance - Favorable (Unfavorable)	Percent Received or Expended Based on Budget thru 3/31/2024
Revenues					
Taxes	\$ 6,286,468	\$ 1,571,617	\$ -	\$ (1,571,617) ^{R(1)}	- %
Special Assessments	-	-	-	-	N/A
Licenses and permits	537,600	134,400	76,394	(58,006) ^{R(2)}	58.84
Intergovernmental	176,000	44,000	(45)	(44,045) ^{R(3)}	(0.10)
Charges for services	154,885	38,721	46,365	7,643 ^{R(4)}	119.74
Fines and forfeitures	31,500	7,875	6,025	(1,850)	76.51
Interest on investments	30,000	7,500	48,219	40,719 ^{R(5)}	642.91
Miscellaneous	10,500	2,625	5,346	2,721	203.66
Total Revenues	7,226,953	1,806,738	182,303	(1,624,435)	
Expenditures					
Council	\$ 110,031	\$ 27,508	\$ 44,719	\$ (17,211)	162.57 %
Administration/Clerk	341,836	85,459	96,004	(10,545)	112.34
Finance	381,693	95,423	84,792	10,631	88.86
Planning & Zoning	104,151	26,038	24,015	2,023	92.23
General Government	141,308	35,327	93,784	(58,457) ^{R(6)}	265.47
Information Technology	42,100	10,525	9,705	820	92.21
Public Safety	2,409,687	602,422	563,350	39,072	93.51
Building Department	378,512	94,628	88,616	6,012	93.65
Public Works	1,274,627	318,657	258,857	59,800 ^{R(7)}	81.23
Parks and recreation	394,968	98,742	29,582	69,160 ^{R(8)}	29.96
Senior Center	19,926	4,962	4,687	295	94.08
Total Expenditures	5,598,840	1,399,710	1,298,111	101,599	92.74
Excess Revenues (Expenditures)	1,628,113	407,028	(1,115,808)	(1,522,836)	
Other Financing Sources (Uses)					
Transfers in	2,000	500	-	-	-
Transfers out	(1,708,500)	(427,125)	(427,125)	0	100.00
TOTAL OTHER FINANCING SOURCES (USES)	(1,706,500)	(426,625)	(427,125)	0	
Excess (Deficiency) of Revenues and Other Financing Sources Over (Under) Expenditures and Other Uses	\$ (78,387)	\$ (19,597)	\$ (1,542,933)	\$ (1,522,836)	



QUESTIONS?