

CITY OF HAM LAKE

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

CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY AGENDA MONDAY, JUNE 20, 2022

1.0 CALL TO ORDER - 6:00 P.M. – Pledge of Allegiance ➤ Discussion of the open Councilmember Position

2.0 PUBLIC COMMENT

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

3.1 Commander Paul Lenzmeier, Anoka County Sheriff's Office Monthly Report

3.2 6:01 p.m. – Public Hearing – For citizens to have an opportunity to give written or oral input to reduce or eliminate pollutants from storm water runoff as part of the National Pollutant Discharge Elimination System (NPDES)

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 June 6, 2022 and Budget Workshop Meeting Minutes of June 6, 2022

4.2 Approval of claims

4.3 Approval of terminating the contract with Gratitude Farms effective September 21, 2022 and approving the Letter of Understanding for Impound Housing Services with the Animal Humane Society effective September 21, 2022

4.4 Approval of a 50% reduction for the Performance Security for Evergreen Estates Development

4.5 Approval of hiring Juan Cabral for the full-time Public Works Mechanic/Operator position, subject to a BCA check and CDL drug test

4.6 Approval of a Resolution scheduling a public hearing to vacate a portion of the drainage and utility easement at 13339 Shenandoah Street NE (Lot 1, Block 2, Hidden Forest)

5.0 PLANNING COMMISSION RECOMMENDATIONS

5.1 Gerald and Arlene Mager, Mager Trust, requesting Preliminary Plat and Final Plat Approval and Rezoning from CD-2, Commercial Development II, to R-1, Single Family Residential, for Magers Meadows, a minor plat (3 single family residential lots), located in Section 29 (this is considered the First Reading of a rezoning Ordinance)

6.0 ECONOMIC DEVELOPMENT AUTHORITY – None

7.0 APPEARANCES – None

8.0 CITY ATTORNEY

8.1 Discussion of dredging the channel between South Coon Lake and Coon Lake

9.0 CITY ENGINEER

10.0 CITY ADMINISTRATOR

11.0 COUNCIL BUSINESS

11.1 Committee Reports

11.2 Consideration of appointment of Acting Mayor, Committee liaisons and liaisons with other organizations: Acting Mayor, , EDA President, EDA Vice President, Personnel (2), Economic Development, Met Council & Metropolitan Council Reform (2), Law Enforcement (2), Fire Department Liaisons (2), North Central Suburban Cable Communications Commission (and alternate), Ham Lake Chamber of Commerce (2), Road Committee (2), *Ham Laker* Task Force (2), Audit (2), Building/Energy Committee (2), Park Committee (2), Fire Relief Association Board of Trustees (3), Code Review Committee (2) (and alternate), Metropolitan Council reform effort Committee, Building Department Committee (2), CERT Committee

11.3 Announcements and future agenda items

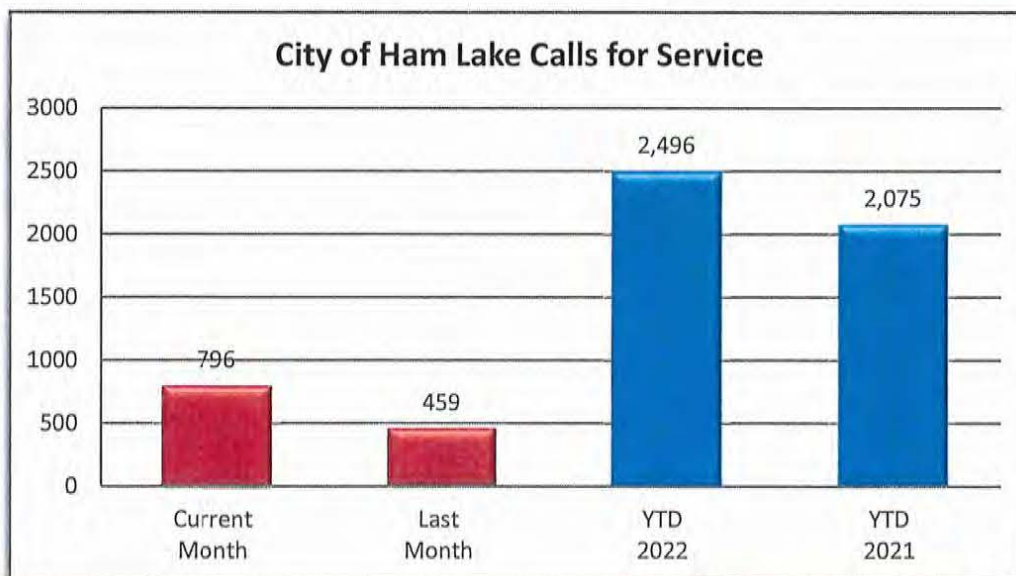
ANOKA COUNTY SHERIFF'S OFFICE MONTHLY REPORT

SECTION II

PATROL DIVISION

CITY OF HAM LAKE - JANUARY - MAY 2022

OFFENSE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD 2022	YTD 2021
Call for Service	455	362	424	459	796								2,496	2,075
Burglaries	2	1	2	1	2								8	4
Thefts	14	11	8	18	16								67	63
Crim Sex Conduct	0	0	3	0	1								4	2
Assault	1	0	1	0	2								4	1
Dam to Property	5	2	5	5	2								19	23
Harass Comm	1	0	0	0	0								1	0
Felony Arrests	5	3	7	4	6								25	34
Gross Misd Arrests	3	1	3	4	4								15	5
Misd Arrests	3	2	6	4	9								24	23
DUI Arrests	3	2	3	2	2								12	11
Domestic Arrests	1	1	7	1	5								15	5
Warrant Arrests	7	6	4	5	7								29	36
Traffic Arrests	49	74	42	41	45								251	252



Voice your concerns on City storm water treatment June 20th

The City of Ham Lake obtained a National Pollutant Discharge Elimination System permit from the Minnesota Pollution Control Agency (MPCA), which addresses areas to reduce or eliminate pollutants from storm water runoff.

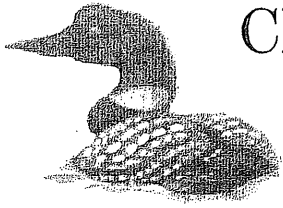
An important component of Ham Lake's permit is public education and outreach. Citizens are invited to participate in an annual public meeting and to report concerns or illicit discharges to City staff.

This meeting allows citizens an opportunity to give written or oral input on the program. The City must consider these suggestions and make appropriate adjustments to the program when submitting its annual report to the MPCA.

The meeting will be held at 6:01 p.m. on June 20, 2022, at the Ham Lake City Council meeting. The public is encouraged to submit written comments/concerns on the Storm Water Pollution Plan by June 24, 2022 to City Hall, 15544 Central Avenue NE, Ham Lake MN 55304.

A copy of the SWPPP will be available for review at City Hall or from the City web site - www.ci.ham-lake.mn.us - under Services and Water/Stormwater.

For more information, contact the City at (763) 434-9555.



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CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES MONDAY, JUNE 6, 2022

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, June 6, 2022 at 6:00 p.m. in the Council Chambers at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Mayor Brian Kirkham and Councilmembers Jim Doyle, Gary Kirkeide and Jesse Wilken

MEMBERS ABSENT: None

OTHERS PRESENT: City Attorney, Joe Murphy; City Engineer, Tom Collins; City Administrator, Denise Webster; Finance Director, Andrea Murff; and Deputy City Clerk, Dawnette Shimek

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

Mayor Kirkham called the meeting to order and the Pledge of Allegiance was recited by all in attendance.

2.0 PUBLIC COMMENT - None

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

3.1 6:01 P.M. – Public Hearing – To consider the vacation of a portion of road right-of-way on 133rd Avenue NE in Section 32 (13319 Aberdeen Street NE) and adoption of a Resolution No. 22-18

Mayor Kirkham opened the public hearing at 6:01 and asked for public comment.

Engineer Collins stated that the right-of-way for 133rd Avenue NE has 33' on the south side (Blaine) and 66' on the north side (Ham Lake). Engineer Collins stated that there is no public purpose for the additional 33' of right-of-way on the north side and it can be vacated.

Julie Britz, 13276 Aberdeen Street NE, Blaine, Minnesota, stated she wanted to make sure that the trees on the Blaine side would not be removed as they provide privacy and questioned what would be happening on the north side.

James Miller, 13278 Aberdeen Street NE, Blaine, Minnesota, asked if they are going to leave the road alone or would it be improved for trucking.

Mayor Kirkham stated that nothing will be done with the road and it will remain as it is.

Mayor Kirkham asked for further public comment and with there being none, closed the public hearing at 6:05 p.m.

Motion by Doyle, seconded by Wilken, to approve the vacation of a portion of road right-of-way on 133rd Avenue NE in Section 32 (13319 Aberdeen Street NE) and adoption of Resolution No. 22-18. All in favor, motion carried.

4.0 CONSENT AGENDA

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

- 4.1 Approval of minutes of May 16, 2022 and Special Meeting Minutes of May 23, 2022 and May 26, 2022
- 4.2 Approval of claims in the amount of \$250,894.34
- 4.3 Approval of Resolution No. 22-19 accepting a \$4,000 donation from the Ham Lake Chamber of Commerce
- 4.4 Approval of a set-back variance for a proposed addition to be constructed at 2360 148th Avenue NE
- 4.5 Approval of a Grant of License Agreement for 17710 National Street NE
- 4.6 Approval of amending the Fire Department Regulations
- 4.7 Approval of hiring Absentee Voting Election Staff
- 4.8 Approval of Liquor Licenses, subject to the approval of the City Attorney:

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

3.2% Off-Sale

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

Wine and 3.2% Malt Liquor

- Mansetti's Pizza & Pasta, 16220 Aberdeen Street NE, Suite C, 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 (previously Carey's Liquor)
 - Rama Corporation dba Network Liquors, 13548 Highway 65 NE, Ham Lake, MN
- 4.8 Road Committee Recommendations
- 1) Approval of the Assessment amount of \$22,000 for 2022

Motion by Kirkeide, seconded by Doyle to approve the June 6, 2022 Consent Agenda with the omission of item 4.6. All in favor, motion carried.

Motion by Kirkeide, seconded by Doyle, to approve item 4.6, approval of amending the Fire Department Regulations. Mayor Kirkham and Councilmembers Doyle and Kirkeide voted yes. Councilmember Wilken abstained. Motion carried.

5.0 PLANNING COMMISSION RECOMMENDATIONS

5.1 Schoenrock Holdings, LLC requesting Commercial Site Plan approval to construct an 11,800 square foot office/warehouse building at 13319 Aberdeen Street NE (PID# 32-32-23-43-0001)

Mayor Kirkham stated that the limited parking area was discussed at the Planning Commission. Mayor Kirkham addressed the applicant to be aware that if parking becomes an issue in the future, it will need to be addressed. **Motion by Wilken, seconded by Doyle, to concur with the Planning Commission and approve the commercial site plan to construct an 11,800 square foot office/warehouse building at 13319 Aberdeen St NE, directing the City Attorney draft license agreements with the City for septic and fire apparatus lanes within setback areas and meeting all City, State and County requirements. All in favor, motion carried.**

6.0 ECONOMIC DEVELOPMENT AUTHORITY

6.1 Consideration of Resolution No. 22-20 approving the American Rescue Plan Act (ARPA) Business and Nonprofit Relief Grant Program applications

Motion by Kirkham, seconded by Wilken, to adopt Resolution No. 22-20 approving the American Rescue Plan Act (ARPA) Business and Nonprofit Relief Grant Program Applications. 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 Reports

Councilmember Kirkeide stated that he, Engineer Collins, Building Official Jones, Administrator Webster and Deputy City Clerk Shimek met with Peter Wojciechowski and his daughter Mary Bottineau to discuss a lot line adjustment they are requesting. With the proposed lot line adjustment road right-of-way will be dedicated to the City for the future development of a service road.

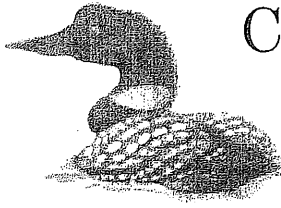
11.2 Discussion of the open Councilmember Position

Mayor Kirkham stated that there are six months left for the open Council seat and per City Charter the City Council can appoint the position. It would benefit the City to have someone take the open Council seat that has experience. Mayor Kirkham stated two people come to mind and that would be past Councilmembers Tom Johnson and Al Parranto. Tom Johnson stated he would serve on the open council seat but would not be running for re-election. Al Parranto stated he would also be interested in serving and is also interested in running for the open seat on the City Council. The Council directed Administrator Webster to contact Al Parranto to inquire if he is interested in being appointed to the open seat.

11.3 Announcements and future agenda items - None

Motion by Kirkeide, seconded by Doyle, to adjourn the meeting at 6:12 p.m. All in favor, motion carried.

Dawnette Shimek, Deputy City Clerk



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CITY OF HAM LAKE CITY COUNCIL BUDGET WORKSHOP MINUTES MONDAY, JUNE 6, 2022

The Ham Lake City Council met on Monday, June 6, 2022 immediately following the regularly scheduled Council Meeting in the Conference Room at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Mayor Brian Kirkham and Councilmembers Jim Doyle, Gary Kirkeide, and Jesse Wilken

MEMBERS ABSENT: None

OTHERS PRESENT: Finance Director, Andrea Murff; City Administrator, Denise Webster; Fire Chief, Mike Raczkowski; and Public Works Superintendent, John Witkowski

1.0 Call to Order

Mayor Kirkham called the meeting to order at 6:16 p.m.

2.0 Discussion of the Proposed 2023 Budget and CIP Review

Finance Director Murff recapped the budget memo stating the total levy will increase 10.0% from 2022 and using a conservative tax capacity increase of 10.0% will increase the tax rate 0.07%. The biggest expense at this time increasing the budget is due to the increasing transfers to the equipment funds. Finance Director Murff continued that she did an analysis of all assets by department and believes some things have been removed or not been added back into the Capital Improvement Plan schedule and that an increase to the equipment funds would help to alleviate some of the needs of the departments to replace the needed equipment. She reflected on the increase in property values and stated that even if the tax rate remains the same, taxes would still increase due to the housing market and asked the City Council for direction on how they wanted the 2023 budget to look. Direction was given to keep the tax rate the same and then re-evaluate in August once more information is received, such as vendor pricing increases and tax capacities values. Councilmember Kirkeide also asked to have the Anoka County Sheriff's Office budget be a County levy on a separate line item. Finance Director Murff replied that it was not possible since the Anoka County Sheriff's Office does not have levying powers and the cost would just get lumped in with our operating levy on the property tax statements.

The discussion then turned to the American Rescue Plan Act (ARPA) funding and how the City was going to continue to best utilize the funds. It was advised to use two-thirds of the funding for roads and the remaining for City needs. City staff was instructed to create a list of what was needed and could be funded with this grant. Finance Director Murff requested to be at the next Road Committee meeting to help determine the road budget for these funds.

Finance Director Murff then asked about the Community Emergency Response Team (CERT) and how it was going to be funded with either the Emergency Operations Center (EOC) funds or ARPA funds. EOC funds can be used; however, it seems more planning for the program is needed.

City Administrator Webster asked Council about changing City Hall hours to 7:00 a.m. to 11:00 a.m. on Fridays since this is currently how Public Works operates and it would make it consistent among all employees. **It was the consensus of the City Council to change the operating hours at City Hall on Fridays from 7:00 a.m. to Noon to 7:00 a.m. to 11:00 a.m.**

Motion by Doyle, seconded by Kirkeide, to adjourn the meeting at 6:56 p.m. All in favor, motion carried.

Andrea Murff, Finance Director

CITY OF HAM LAKE
CLAIMS SUBMITTED TO COUNCIL
June 20, 2022

CITY OF HAM LAKE

EFTS, CHECKS, AND BANK DRAFTS	06/9/22 - 06/20/22	
EFT	# 1667 - 1683	\$ 48,040.26
CHECKS	# 64033 - 64073	\$ 203,845.25
BANK DRAFTS	DFT0002382 - DFT0002386	\$ 27,011.41
REFUND CHECKS	# 64030	\$ 14,900.00
	# 64031 - 64032	\$ 300.00
	# 64077-64078	\$ 300.00
TOTAL EFTS, CHECKS, AND BANK DRAFTS		<u>\$ 294,396.92</u>
PAYROLL CHECKS		
05/20/22		\$ 50,222.14
TOTAL PAYROLL CHECKS		<u>\$ 50,222.14</u>
TOTAL OF ALL PAYMENTS		<u><u>\$ 344,619.06</u></u>
VOID CHECKS		
CHECKS	# 64029; 64074-64076	\$ -
EFT		
BANK DRAFTS		

APPROVED BY THE HAM LAKE CITY COUNCIL THIS 20TH DAY OF JUNE 2022

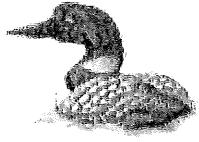
MAYOR

COUNCILMEMBER

COUNCILMEMBER

COUNCILMEMBER

COUNCILMEMBER



Payment Dates 6/9/2022 - 6/20/2022

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1667	OPTUM BANK - 6011	Health Savings Account-6011	Flexible spending	100-21705	54.17
1676	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	74.57
1676	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	12.00
1676	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	25.65
1677	BRODIN PRESS	HAM LAKER	Editing	211-41704-3125	900.00
1678	MEDTOX LABORATORIES	DRUG TESTING - AK	Personnel testing & recruitme	100-42201-3150	32.46
1679	MOBILE HEALTH SERVICES LLC	MED EXAM - AS	Personnel testing & recruitme	100-42201-3150	195.00
1680	O'REILLY AUTOMOTIVE STORE	Battery	Equipment parts & supplies	100-42201-2320	297.18
1681	RFC ENGINEERING, INC.	Twin Birch Acres Street Recon	Engineering	431-43301-3135	118.30
1681	RFC ENGINEERING, INC.	Lund's Lakeview Forest Recon	Engineering	431-43301-3135	248.24
1681	RFC ENGINEERING, INC.	Meadow Park Street Reconstr	Engineering	431-43301-3135	7,869.42
1681	RFC ENGINEERING, INC.	Creek Vally Street Reconstruc	Engineering	431-43301-3135	7,543.94
1681	RFC ENGINEERING, INC.	Polk Street Upgrade	Engineering	431-43301-3135	1,288.93
1681	RFC ENGINEERING, INC.	Tippecanow Street Upgrade	Engineering	431-43301-3135	1,212.01
1681	RFC ENGINEERING, INC.	MSA - Crosstown Business Par	Capital assets	262-46101-5110	6,981.57
1681	RFC ENGINEERING, INC.	Available Residential Lots	Engineering	100-41101-3135	918.31
1681	RFC ENGINEERING, INC.	Council Meetings	Engineering	100-41101-3135	180.13
1681	RFC ENGINEERING, INC.	City Code Update	Engineering	100-41101-3135	401.82
1681	RFC ENGINEERING, INC.	2020 - 2021 Assets	Engineering	100-41101-3135	27.71
1681	RFC ENGINEERING, INC.	Westlund Drive Upgrade	Engineering	100-41101-3135	41.57
1681	RFC ENGINEERING, INC.	Assessments	Engineering	100-41101-3135	41.57
1681	RFC ENGINEERING, INC.	13-32-23-42-0002 Lot Line Ad	Engineering	100-41601-3135	41.57
1681	RFC ENGINEERING, INC.	Zoning Map	Engineering	100-41601-3135	27.71
1681	RFC ENGINEERING, INC.	Planning/Potential Developm	Engineering	100-41601-3135	443.40
1681	RFC ENGINEERING, INC.	Ham Lake Building Permits	Engineering	100-42401-3135	287.11
1681	RFC ENGINEERING, INC.	Public Works Trffic Sign Policy	Engineering	100-43101-3135	245.72
1681	RFC ENGINEERING, INC.	Thoroughfare Plan	Engineering	100-43101-3135	55.42
1681	RFC ENGINEERING, INC.	Stormwater Pond Inventory	Engineering	100-43201-3135	41.57
1681	RFC ENGINEERING, INC.	CCWD Rules Amendments	Engineering	100-43201-3135	755.73
1681	RFC ENGINEERING, INC.	Park & Tree Maps	Engineering	100-44101-3135	12.69
1681	RFC ENGINEERING, INC.	NPDES	Engineering	230-43201-3135	69.29
1681	RFC ENGINEERING, INC.	Lexington Ave, Bunker to Cons	Engineering	431-43301-3135	83.14
1681	RFC ENGINEERING, INC.	181st, Concord-65	Engineering	431-43301-3135	995.29
1681	RFC ENGINEERING, INC.	Millings Surface Street	Engineering	431-43301-3135	690.09
1681	RFC ENGINEERING, INC.	2022 Rehab	Engineering	431-43301-3135	1,058.56
1681	RFC ENGINEERING, INC.	MNDOT Master Partnership A	Engineering	431-43301-3135	138.57
1681	RFC ENGINEERING, INC.	2022 Tree Clearing	Engineering	431-43301-3135	390.00
1681	RFC ENGINEERING, INC.	Growing Generations Daycare	Engineering	890-90001-3135	27.71
1681	RFC ENGINEERING, INC.	Bluegrass Estates 3rd	Engineering	890-90001-3135	138.56
1681	RFC ENGINEERING, INC.	Constance Blvd Terr	Engineering	890-90001-3135	1,290.01
1681	RFC ENGINEERING, INC.	Storage World RV Storage	Engineering	890-90001-3135	55.42
1681	RFC ENGINEERING, INC.	Radisson Sunset Estates	Engineering	890-90001-3135	275.94
1681	RFC ENGINEERING, INC.	Magers Meadows	Engineering	890-90001-3135	780.27
1681	RFC ENGINEERING, INC.	Live Wire Electric	Engineering	890-90001-3135	803.30
1681	RFC ENGINEERING, INC.	M & B Braastad	Engineering	890-90001-3135	41.57
1681	RFC ENGINEERING, INC.	Evergreen Estates	Engineering	890-90001-3135	309.91
1681	RFC ENGINEERING, INC.	Harmony Estates 3rd Addition	Engineering	890-90001-3135	362.26
1681	RFC ENGINEERING, INC.	Crosstown Rolling Acres	Engineering	890-90001-3135	41.57
1681	RFC ENGINEERING, INC.	Holiday	Engineering	890-90001-3135	425.41
1681	RFC ENGINEERING, INC.	Group Permit Building	Engineering	100-43501-3135	8,243.27
1681	RFC ENGINEERING, INC.	Century Link - Twin Birch Acre	Engineering	431-43301-3135	27.71
1681	RFC ENGINEERING, INC.	MSA Group Billing	Engineering	431-43301-3135	1,115.98
1683	STAR TRIBUNE MEDIA COMPA	Public Hearing for Schoenrock	Legal notices/publications/bid	100-41101-3950	79.20
1683	STAR TRIBUNE MEDIA COMPA	Ordinance 22-04 Notice	Legal notices/publications/bid	100-41102-3950	221.76

Expense Approval Report

Payment Dates: 6/9/2022 - 6/20/2022

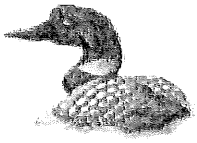
Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
64033	ACCESS	May Shred Service	Waste management & recycli	231-43601-3630	137.20
64034	ADAM'S PEST CONTROL, INC	SPRAYED CITY HALL FOR WAS	Building repair & maintenanc	100-41702-3420	219.00
64035	ALLDATA LLC	2023 GENERATOR SERIVCE	Prepaid expense	100-15501	750.00
64035	ALLDATA LLC	2022 GENERATOR SERICE	Equipment repair & maintena	100-43101-3440	750.00
64036	ANOKA COUNTY FIRE PROTEC	2022 ANNUAL DUES	Dues & subscriptions	100-42201-3920	460.00
64037	ANOKA COUNTY PROPERTY	Smith Driveway	Refunds & reimbursements	100-37601	46.00
64037	ANOKA COUNTY PROPERTY	Thorson Driveway	Refunds & reimbursements	100-37601	46.00
64037	ANOKA COUNTY PROPERTY	Vertachnik Driveway	Refunds & reimbursements	100-37601	46.00
64037	ANOKA COUNTY PROPERTY	Powell Driveway	Refunds & reimbursements	100-37601	46.00
64037	ANOKA COUNTY PROPERTY	Wolters Driveway	Refunds & reimbursements	100-37601	46.00
64038	ANOKA COUNTY TREASURY D	RADIOS, BATTERIES, AND ANT	Capital assets	100-42201-5110	19,800.41
64039	ARCHITECT MECHANICAL INC	FIRE #2 IN FLOOR HEATING RE	Building repair & maintenanc	100-42202-3420	3,180.00
64040	BERGANKDV	2021 AUDIT AND FINANCIALS	Audit & actuarial services	100-41402-3115	8,450.00
64041	CARSON, CLELLAND, & SCHRE	Council Meetings	Attorney	100-41101-3110	180.00
64041	CARSON, CLELLAND, & SCHRE	Council Vacancy	Attorney	100-41101-3110	122.50
64041	CARSON, CLELLAND, & SCHRE	CUP for Car Lot Repairs	Attorney	100-41101-3110	87.50
64041	CARSON, CLELLAND, & SCHRE	Transient Sales License	Attorney	100-41101-3110	70.00
64041	CARSON, CLELLAND, & SCHRE	Special Meetings	Attorney	100-41101-3110	70.00
64041	CARSON, CLELLAND, & SCHRE	Freedom Fest	Attorney	100-41101-3110	70.00
64041	CARSON, CLELLAND, & SCHRE	Tower Lease	Attorney	100-41101-3110	52.50
64041	CARSON, CLELLAND, & SCHRE	Coon Lake Dredge	Attorney	100-41101-3110	35.00
64041	CARSON, CLELLAND, & SCHRE	Subdivision Ordinance	Attorney	100-41102-3110	140.00
64041	CARSON, CLELLAND, & SCHRE	May Prosecution	Attorney	100-41501-3110	6,500.00
64041	CARSON, CLELLAND, & SCHRE	Copart	Attorney	431-43301-3110	140.00
64041	CARSON, CLELLAND, & SCHRE	La Machine	Attorney	890-90001-3110	87.50
64042	CENTERPOINT ENERGY	CITY HALL	Natural gas	100-41702-3620	413.82
64042	CENTERPOINT ENERGY	FIRE #2	Natural gas	100-42202-3620	405.03
64042	CENTERPOINT ENERGY	FIRE #1	Natural gas	100-42202-3620	219.26
64042	CENTERPOINT ENERGY	PW	Natural gas	100-43104-3620	840.40
64042	CENTERPOINT ENERGY	H.L. PARK BUILDING	Natural gas	100-44102-3620	468.53
64042	CENTERPOINT ENERGY	H.L. PARK PAVILION	Natural gas	100-44102-3620	48.26
64042	CENTERPOINT ENERGY	SR CENTER	Natural gas	100-44202-3620	222.82
64043	CENTURY COLLEGE	Q2 FIRE CEU PROGRAM	Training/conferences/schools	100-42201-3510	1,356.25
64044	CITY OF ROSEVILLE	2022 DW LASERFICHE & ADO	Software licenses & upgrades	100-41201-2510	26.64
64044	CITY OF ROSEVILLE	2022 DS, LASERFICHE & ADOB	Software licenses & upgrades	100-41301-2510	26.64
64044	CITY OF ROSEVILLE	2022 AM, SK LASERFICHE & A	Software licenses & upgrades	100-41401-2510	53.27
64044	CITY OF ROSEVILLE	2022 JB LASERFICHE & ADOBE	Software licenses & upgrades	100-41601-2510	26.64
64044	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-41701-3210	187.17
64044	CITY OF ROSEVILLE	IT SERVICE	Computer & software support	100-41707-3120	4,398.75
64044	CITY OF ROSEVILLE	2022 TM, MR LASERFICHE & A	Software licenses & upgrades	100-42201-2510	32.47
64044	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-42201-3210	78.00
64044	CITY OF ROSEVILLE	2022 NW, TD, LASERFICHE &	Software licenses & upgrades	100-42401-2510	59.11
64044	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-42401-3210	93.59
64044	CITY OF ROSEVILLE	2022 JW ADOBE LICENSE	Software licenses & upgrades	100-43101-2510	5.84
64044	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-43101-3210	46.75
64044	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-44101-3210	15.58
64044	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-44201-3210	62.42
64045	COTTENS' ANOKA INC	#81 Combination Lock Box	Vehicle parts & supplies	100-43101-2340	57.97
64046	DEHN OIL CO	400 GALLONS - DYED DIESEL	Fuel	100-43101-2230	1,864.00
64046	DEHN OIL CO	250 GALLONS- 87 GASOLINE	Fuel	100-43101-2230	1,058.75
64047	DO ALL PRINTING	JUNE HAM LAKER DELIVERY	Other services and charges	211-41704-3990	130.00
64048	GIS WORKSHOP LLC	2023 MAINTENANCE AND SU	Prepaid expense	100-15501	225.00
64048	GIS WORKSHOP LLC	2022 MAINTENANCE AND SU	Computer & software support	100-43101-3120	225.00
64049	GRATITUDE FARMS	MAY ANIMAL CONTROL	Other professional services	100-42501-3190	250.00
64050	HAM LAKE HARDWARE INC	Caulk and Sealant	Building repair & maintenanc	100-41702-2310	15.98
64051	MACQUEEN EQUIPMENT/MA	SCBA FLOW TEST	Equipment repair & maintena	100-42201-3440	1,945.00
64052	MENARDS-BLAINE	Tarp and Bungees	Operating supplies	100-43101-2290	32.98
64052	MENARDS-BLAINE	Supplies for Senior Ctr Ice Cle	Building repair & maintenanc	100-44202-2310	14.43
64052	MENARDS-BLAINE	Concrete Mix	Operating supplies	100-43101-2290	173.04
64053	MINNESOTA EQUIPMENT	24" Walk Behind Mower	Equipment parts & supplies	100-44101-2320	21.94

Expense Approval Report

Payment Dates: 6/9/2022 - 6/20/2022

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
64053	MINNESOTA EQUIPMENT	#46 Shaft Spindle	Equipment parts & supplies	100-44101-2320	73.14
64054	MINNESOTA PETROLEUM SER	MAC Controller Service	Fuel	100-43101-2230	276.00
64055	MN FIRE SERVICE CERT BOAR	APPARATUS OP CERT - PD	Training/conferences/schools	100-42201-3510	145.00
64056	MN PEIP	HEALTH INSURANCE	Flexible spending	100-21705	13,336.88
64057	NELSON SANITATION & RENTA	CULVERT CAMERA AT 149TH	Equipment rentals	100-43103-3320	1,100.00
64058	NORTHWEST FAMILY PHYSICI	MRO - DRUG TESTING AK	Personnel testing & recruitme	100-42201-3150	25.00
64059	PREMIUM WATERS INC	JUNE RENTAL AND MAY WATE	Equipment rentals	100-41701-3320	44.45
64060	S & S INDUSTRIAL SUPPLY INC	Pln Key Stk	Operating supplies	100-43101-2290	3.85
64061	SUMMIT COMPANIES	Senior Bus Inspection	Vehicle repair & maintenance	100-44201-3470	229.00
64062	SYSCO MINNESOTA	Detergent	Operating supplies	100-44201-2290	111.85
64063	TURFWERKS	#65 Parts& filters	Equipment parts & supplies	100-44101-2320	904.14
64064	ZARNOTH BRUSH WORKS, INC	Sweeper Broom	Street sweeping	100-43101-2610	963.00
64065	FIRST CLASS AUTOMOTIVE DE	COVID - 19 SMALL BUSINESS/	Covid 19	100-41701-4153	10,000.00
64066	JAM HOPS GYMNASTICS FACT	COVID - 19 SMALL BUSINESS/	Covid 19	100-41701-4153	10,000.00
64067	J'S REMODELING SPECIALITIES	COVID - 19 SMALL BUSINESS/	Covid 19	100-41701-4153	10,000.00
64068	ROBERT & WILMA BURBACH	COVID - 19 SMALL BUSINESS/	Covid 19	100-41701-4153	10,000.00
64069	ROOS LEARNING TREE LLV	COVID - 19 SMALL BUSINESS/	Covid 19	100-41701-4153	20,000.00
64070	SOTA CLEAN LLC	COVID - 19 SMALL BUSINESS/	Covid 19	100-41701-4153	20,000.00
64071	TRAVEL EXPERTS	COVID - 19 SMALL BUSINESS/	Covid 19	100-41701-4153	20,000.00
64072	TWIN CITIES WALL SYSTEM, LL	COVID - 19 SMALL BUSINESS/	Covid 19	100-41701-4153	20,000.00
64073	WILLOW TREE VINEYARD & W	COVID - 19 SMALL BUSINESS/	Covid 19	100-41701-4153	10,000.00
DFT0002382	COMPENSATION CONSULTAN	Health Savings Account	Flexible spending	100-21705	333.32
DFT0002383	EMPOWER	Deferred Compensation	Deferred compensation	100-21704	1,520.00
DFT0002383	EMPOWER	Roth IRA	Deferred compensation	100-21704	100.00
DFT0002384	IRS-Payroll Tax	Federal Withholding	Federal WH/FICA/MC	100-21701	5,065.67
DFT0002384	IRS-Payroll Tax	Medicare Payable	Federal WH/FICA/MC	100-21701	1,980.16
DFT0002384	IRS-Payroll Tax	Social Security Payable	Federal WH/FICA/MC	100-21701	7,934.26
DFT0002385	MN STATE DEPT OF REVENUE-	MN State Withholding	State W/H	100-21702	2,398.58
DFT0002386	PERA	Retirement-Coordinated	PERA	100-21703	6,491.80
DFT0002386	PERA	Retirement-Elected Officials	PERA	100-21703	40.84
DFT0002386	PERA	Retirement-Police & Fire	PERA	100-21703	1,146.78

Grand Total: 278,896.92



City of Ham Lake, MN

Refund Check Register

Packet: ARPKT00428 - Refund Escrow - L3B1

Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00147	S & R BUILDERS	6/8/2022	64030	14,900.00
Total Refund Amount:				14,900.00

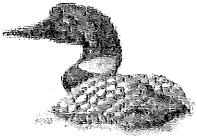
Revenue Totals

Revenue Code	Total Distribution
TR- PERF BOND - PERFORMANCE BOND DEPOSIT	14,900.00
Revenue Totals:	14,900.00

General Ledger Distribution

Posting Date: 06/08/2022

Account Number	Account Name	Posting Amount	IFT
Fund: 890 - TRUST FUND			
890-10101	Cash-claim on pooled cash	-14,900.00	Yes
890-22804	Performance bonds	14,900.00	
	890 Total:	0.00	
Fund: 999 - POOLED CASH			
999-10100	Pooled Cash	-14,900.00	
999-20702	Due to other funds	14,900.00	Yes
	999 Total:	0.00	
	Distribution Total:	0.00	



Packet: ARPKT00429 - HL Park Refund

Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00204	SHANNON CLARK	6/9/2022	64031	150.00
00213	ANN MURPHY	6/9/2022	64032	150.00
Total Refund Amount:				300.00

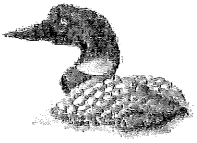
Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	300.00
Revenue Totals:	300.00

General Ledger Distribution

Posting Date: 06/09/2022

Account Number	Account Name	Posting Amount	IFT
Fund: 890 - TRUST FUND			
890-10101	Cash-claim on pooled cash	-300.00	Yes
890-11501	Misc receivables	300.00	
	890 Total:	0.00	
Fund: 999 - POOLED CASH			
999-10100	Pooled Cash	-300.00	
999-20702	Due to other funds	300.00	Yes
	999 Total:	0.00	
	Distribution Total:	0.00	



City of Ham Lake, MN

Refund Check Register

Packet: ARPKT00435 - 06.15.22 REFUND

Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00159	SUZANNE PEACH	6/15/2022	64077	150.00
00244	Patrick Wolfram	6/16/2022	64078	150.00
Total Refund Amount:				300.00

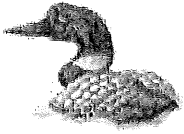
Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	300.00
Revenue Totals:	300.00

General Ledger Distribution

Posting Date: 06/15/2022

Account Number	Account Name	Posting Amount	IFT
Fund: 890 - TRUST FUND			
890-10101	Cash-claim on pooled cash	-300.00	Yes
890-11501	Misc receivables	300.00	
	890 Total:	0.00	
Fund: 999 - POOLED CASH			
999-10100	Pooled Cash	-300.00	
999-20702	Due to other funds	300.00	Yes
	999 Total:	0.00	
	Distribution Total:	0.00	



City of Ham Lake, MN

Payroll Check Register Report Summary

Pay Period: 5/29/2022-6/11/2022

Packet: PYPKT01335 - PPE 6/11/22 PAID 6/17/22

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	67	50,222.14
Total	67	50,222.14

Meeting Date: June 20, 2022



**CITY OF HAM LAKE
STAFF REPORT**

To: Mayor and Councilmembers

From: Denise Webster, on behalf of the Personnel Committee

Item/Title/Subject: Animal Control

Introduction/Discussion: The Personnel Committee has been discussing the animal control contract that the City of Ham Lake has with Gratitude Farms. Staff has contacted the Animal Humane Society located in Coon Rapids and they are willing to enter into a Letter of Understanding for Impound Housing Services with City of Ham Lake for animal control. The Personnel Committee would like to terminate the contract with Gratitude Farms effective September 21, 2022. Per the Animal Control Contract “either party may terminate this agreement without cause giving of 90 days’ written notice of termination”.

Recommendation: The Personnel Committee recommends the termination of the contract with Gratitude Farms effective September 21, 2022 and approval of the Letter of Understanding for Impound Housing Services with the Animal Humane Society, effective September 21, 2022.

**Animal Humane Society
and
City of Ham Lake**

**Letter of Understanding for Impound Housing Services
2022**

1. Animal Humane Society (AHS) agrees to provide the following services:
 - a. Housing for stray or abandoned animals that are retrieved or legally seized by your municipality's community service officer (CSO) or animal control officer (ACO), or for stray animals that are brought into the shelter by a citizen and verbal permission is given by your agency via phone for intake. Housing includes kennel space, daily cleaning, food and water.
 - b. AHS is unable to house wildlife or farm animals.
 - i. Exceptions can be made for chickens with prior approval of the site manager at AHS.
 - c. Herd management vaccination following our standard vaccination protocols, as well as medically necessary and/or emergency care for sick or injured animals impounded during regular business hours.
 - d. Euthanasia services as deemed necessary by an AHS veterinarian. These services may be provided at the end of the legally required holding period or in the case of a medical situation that requires immediate euthanasia.
 - e. Adoption services as deemed appropriate by AHS veterinary staff. The animals will be evaluated for these services at the end of the legally required holding period.
 - f. Euthanasia services and body disposal as deemed appropriate by AHS veterinary staff. The animals will be evaluated for these services at the end of the legally required holding period.
 - g. Provide animal rabies quarantine or diagnostic service for stray felines or canines that have bitten a person.
 - h. Hold animal for the legally required stray holding period: 5 days in MN, 4 Days in WI if a live release, 7 days in WI if euthanized or until reclaimed by owner within this holding period.
 - i. AHS will follow internal policy and best practice for unclaimed animals. **City of Ham Lake** may request and view AHS policies at any time.

2. AHS expectations:
 - a. AHS is not responsible for sick or injured animals that are left after hours. Outside treatment must be sought for these animals by the animal control officer or community service officer prior to leaving the animals at the AHS facility when veterinary staff members are not on duty.
 - b. AHS has the sole authority to disposition all animals that have not been reclaimed upon the expiration of the legally designated holding period.

- c. AHS will not accept feral cats seized under municipal authority by your municipality's CSO or ACO.
 - d. AHS is not responsible for collecting any fees from an owner for a municipality.
3. **City of Ham Lake** agrees to:
- a. Adhere to the drop off procedure set forth by AHS including animal housing at the shelter and paperwork. Drop off procedures and paperwork training for community service or animal control officers will be provided.
 - b. Adhere to state laws and local ordinances that apply to the handling of stray or abandoned animals and the seizure and return of animals to their owners.
 - c. Direct citizens where to take stray animals when not receiving permission for impoundment at AHS.
 - d. Seek care for injured or sick animals prior to drop off in the event that it is after hours and/or AHS veterinary staff is not on duty.
 - e. Pay the designated fees for each animal cared for from your municipality.
 - i. AHS will charge a standard hold fee of \$208 per canine or feline and a \$48 fee per "other" domestic animals (rabbits, guinea pigs, birds etc.) not reclaimed by its owner.
 - ii. AHS will charge a municipality mandated quarantine fee of \$416 per canine or feline that is held for a quarantine or other holding period lasting more than 5 days independent of who claims the animal after that hold.
 - iii. AHS will charge a \$24 administrative/processing fee to the municipality for each animal reclaimed by its owner in place of the standard fee. In these instances, AHS will charge the owner the additional reclaim fees.
 - iv. AHS will charge a \$24 administrative/processing fee for disposal of any cadavers brought to and AHS facility by a representative of the municipality.
 - v. **City of Ham Lake** is responsible for fees if the owner does not reclaim by the last day of the stray hold.
 - f. Adhere to AHS policy and best practice for unclaimed animals. **City of Ham Lake** may request and view AHS policies at any time.
 - g. Adhere to building access rules and ensure that the service access door is closed and locked after use in an after-hours drop off.
 - h. Ensure that the municipality's CSO/ACO uses his/her discretion in the field as to whether or not to impound an animal. AHS is not responsible for those decisions.
 - i. Be available to members of your community to resolve their concerns related to the actions of your ACO/CSO officers and your municipality's procedures, policies and requirements.
4. Administration
- a. AHS will bill the municipality at the end of each quarter on a fiscal calendar year. Billing will be mailed in the first month following the end of the quarter. Payment is expected within 30 days of receipt of billing.

- b. AHS will assign a contact person who should be contacted in the event of any problems, concerns or to receive feedback regarding the program.
- c. Any billing disputes must be raised within 10 days of receipt of billing.
- d. The AHS agrees to maintain all data received from **City of Ham Lake** in the same manner as **City of Ham Lake** as required under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13.
- e. Insurance Requirements.
 - i. Liability. AHS agrees to maintain commercial general liability insurance in a minimum amount of \$1,000,000 per occurrence; \$2,000,000 annual aggregate. The policy shall cover liability arising from premises, operations, products-completed operations, personal injury, advertising injury, and contractually assumed liability. Upon request **City of Ham Lake** shall be named as an additional insured.
 - ii. Automobile Liability. If AHS operates a motor vehicle in performing the services under this agreement, AHS shall maintain commercial automobile liability insurance, including owned, hired, and non-owned automobiles, with a minimum liability limit of \$1,000,000, combined single limit.
 - iii. Workers' Compensation. AHS agrees to comply with all applicable workers' compensation laws in Minnesota.
 - iv. Certificate of Insurance. The AHS shall deliver to **City of Ham Lake** a Certificate of Insurance as evidence that the above coverages are in full force and effect.
- f. Indemnification:
 - i. AHS. To the fullest extent permitted by law, AHS agrees to defend and indemnify **City of Ham Lake** and its officers, employees, and volunteers, from and against all claims, damages, losses, and expenses, including attorney fees, arising out of or resulting from the performance of work under this agreement; but only to the extent caused in whole or in part by the negligent acts, errors or omissions of AHS, AHS's subcontractor(s), or anyone directly or indirectly employed or hired by AHS, or anyone for whose acts AHS may be liable. AHS agrees this indemnity obligation shall survive the completion or termination of this agreement.
 - ii. **City of Ham Lake**. To the fullest extent permitted by law, **City of Ham Lake** agrees to defend and indemnify AHS, and its officers, employees, and volunteers, from and against all claims, damages, losses, and expenses, including attorney fees, arising out of or resulting from the performance of work under this agreement; but only to the extent caused in whole or in part by the negligent acts, errors or omissions of **City of Ham Lake** or anyone directly or indirectly employed or hired by **City of Ham Lake** or anyone for whose acts **Ham Lake** may be liable. **City of Ham Lake** agrees this indemnity obligation shall survive the completion or termination of this agreement.

This agreement is based on a one year commitment, which is renewed annually from the date your administrator signs the agreement below. If the municipality brings animals to AHS without a signed contract, it will be assumed that the agreement is extended for term of the next contract. The agreement can be ended at any time by either party with a 30 day written notice.

This agreement is entered into on the _____ day of _____, 2022 by

Janelle Dixon, President & CEO
Animal Humane Society

Signed on behalf of Municipal Authority

Printed Name and Title

Signed on behalf of Municipal Authority

Printed Name and Title

Dawnette Shimek

From: Tom Collins <TCollins@rfcengineering.com>
Sent: Monday, June 13, 2022 3:59 PM
To: Dawnette Shimek
Cc: Jim Malvin
Subject: Evergreen Estates

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

Dawnette,

The City policy is that there is a one-time reduction of performance security. The policy is a 50% reduction after 75% completion. Evergreen Development Company LLC posted \$304,200 letter of credit for the Evergreen Estates residential development project. More than 75% of the construction items covered by the performance security have been completed. The letter credit can be reduced from \$304,200 to \$152,100. Thanks.

Tom

Meeting Date: June 20, 2022



**CITY OF HAM LAKE
STAFF REPORT**

To: Mayor and Councilmembers

**From: Denise Webster, City Administrator, on behalf of the
Personnel Liaison's**

Item/Title/Subject: Public Works Mechanic/Operator Position

Introduction/Discussion: Seven applications were received for the Public Works Mechanic/Operator Position. Human Resource Director Andrea Murff, Public Works Superintendent John Witkowski, Streets/Parks Supervisor Jim Kappelhoff and I interviewed two of the qualified applicants.

We felt that both applicants were outstanding candidates that could fill the open position. Mayor Kirkham and Councilmember Doyle were informed of the interviews and agreed that staff should make the recommendation.

Recommendation: Staff is recommending offering the open position of the Public Works Mechanic/Operator to Juan Cabral at a pay rate of Year 3 - \$32.96 per hour, subject to a BCA check and CDL drug test.

Meeting Date: June 20, 2022



**CITY OF HAM LAKE
STAFF REPORT**

To: Mayor and Councilmembers

From: Dawnette Shimek, Deputy City Clerk

Item/Title/Subject: Vacation of Drainage and Utility Easement on Lot 1, Block 2, Hidden Forest (13339 Shenandoah Street NE)

Introduction/Discussion:

Jeff Good is requesting to vacate a portion of the Drainage and Utility Easement on Lot 1, Block 4, Hidden Forest. Engineer Collins has reviewed the legal description and has no issue with this vacation being there is no public need for the easement.

Recommendation:

I recommend approval of the Resolution scheduling a Public Hearing for July 5, 2022 to vacate a portion of the drainage and utility easement on Lot 1, Block 2, Hidden Forest.

RESOLUTION NO. 22-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:

Commencing at the Southeast corner of Lot 1, Block 2, HIDDEN FOREST, Anoka County, Minnesota;

thence on an assumed bearing of North 88 degrees 58 minutes 34 seconds West, along the southerly line of said Lot 1, a distance of 30.00 feet;

thence North 26 degrees 51 minutes 21 seconds West, along the westerly line of the dedicated drainage and utility easement a distance of 41.52 feet to the point of beginning of the easement to be vacated;

thence continuing North 26 degrees 51 minutes 21 seconds West, along said westerly line, a distance of 29.04 feet;

thence South 88 degrees 45 minutes 41 seconds East, a distance of 13.68 feet;

thence South 01 degrees 14 minutes 19 seconds West, a distance of 25.62 to the point of beginning.

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 June 23, 2022 and July 5, 2022, 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 July 5, 2022, with publication to occur in the Star Tribune on June 23, 2022.

Adopted by the City Council of the City of Ham Lake this 20th day of June, 2022.

Brian Kirkham, Mayor

Denise Webster, City Clerk

CERTIFICATE OF SURVEY

~for~ JEFF GOOD
 ~of~ 13339 SHENANDOAH STREET NE
 HAM LAKE, MN

LEGAL DESCRIPTION

(PER ANOKA COUNTY TAX DESCRIPTION)

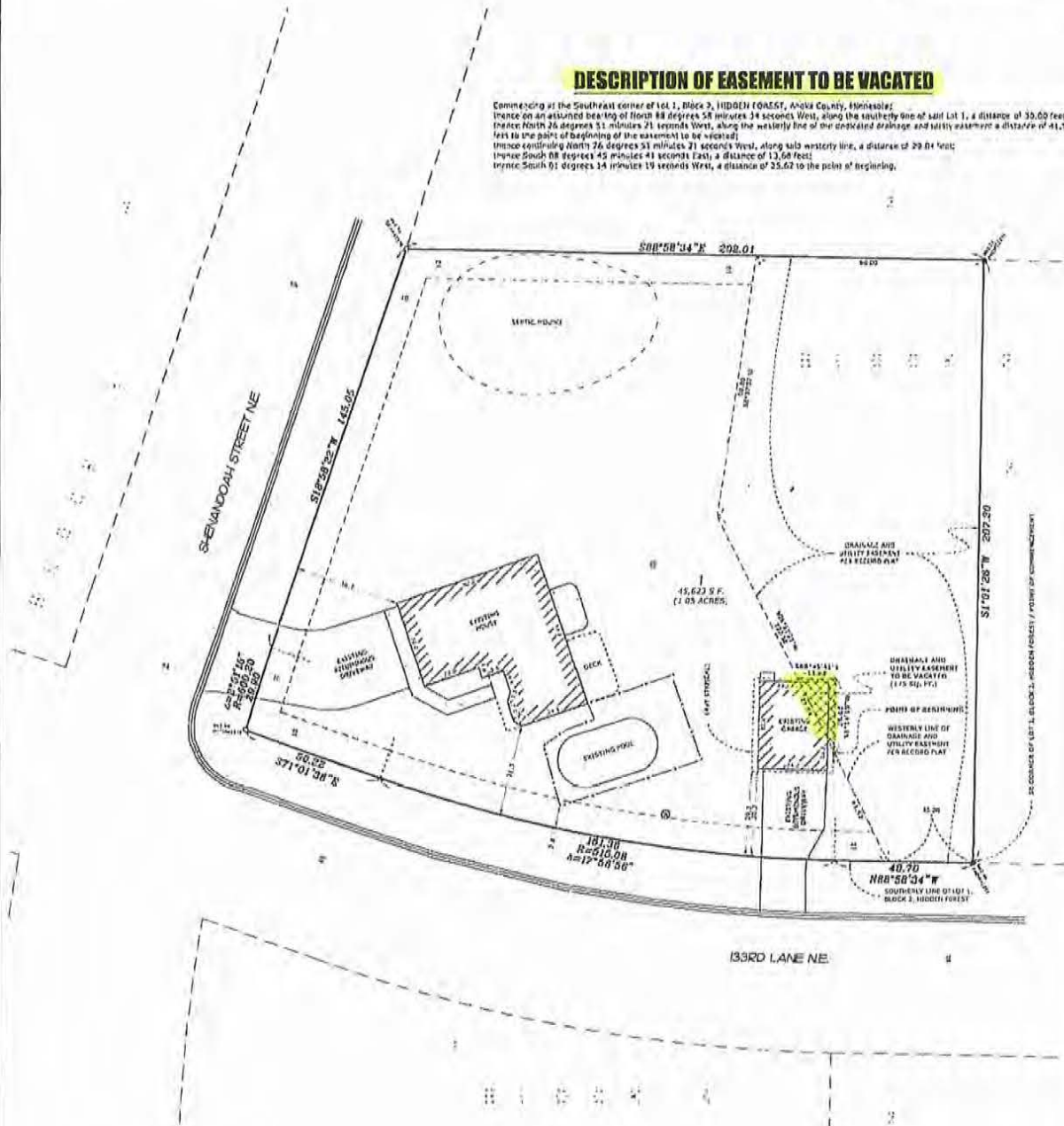
Lot 1, Block 2, HIDDEN FOREST, Anoka County, Minnesota.

NOTES

- Field survey was completed by R. G. Rud and Sons, Inc. on 06/07/22.
- Bearings shown are on Anoka County datum.
- Parcel ID Number: 35-32-23-34-0004.
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work; additional easements, restrictions and/or encumbrances may exist other than those shown herein. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.

DESCRIPTION OF EASEMENT TO BE VACATED

Commencing at the Southeast corner of Lot 1, Block 2, HIDDEN FOREST, Anoka County, Minnesota; thence on an assumed bearing of North 88 degrees 58 minutes 34 seconds West, along the southerly line of said Lot 1, a distance of 30.00 feet; thence North 26 degrees 51 minutes 21 seconds West, along the westerly line of the dedicated drainage and utility easement a distance of 41.57 feet to the point of beginning of the easement to be vacated; thence continuing along 26 degrees 51 minutes 21 seconds West, along said westerly line, a distance of 29.84 feet; thence South 88 degrees 45 minutes 41 seconds East, a distance of 13.68 feet; thence South 91 degrees 14 minutes 19 seconds West, a distance of 25.62 to the point of beginning.



LEGEND

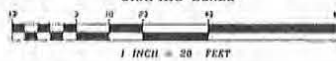
- DENOTES IRON MONUMENT FOLIO AS LABELED
- ⊙ DENOTES IRON MONUMENT SET, MARKED ILS# 4157H
- DENOTES CATCH BASIN
- DENOTES SEPTIC MANHOLE
- ⊕ DENOTES WELL
- DENOTES FENCE
- ~ DENOTES BITUMINOUS SURFACE
- ▨ DENOTES CONCRETE SURFACE
- - - DENOTES EASEMENT TO BE VACATED



E.G. RUD & SONS, INC.
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

NORTH

GRAPHIC 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.

(Signature)
 R. G. RUD

Date: 07/02/22 License No. 4157H

DATE	DESCRIPTION	BY

Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit: Coon Creek Watershed District (CCWD)	County: Anoka
Applicant Name: Jeffrey S. Good	
Applicant Representative:	
Project Name: 13339 Shenandoah St NE LGU Project No. (if any): W22-015	
Date Complete Application Received by LGU: 6/14/2022	
Date of LGU Decision: 6/15/2022	
Date this Notice was Sent: 6/15/2022	

WCA Decision Type - check all that apply

<input type="checkbox"/> Wetland Boundary/Type	<input type="checkbox"/> Sequencing	<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Bank Plan (not credit purchase)
<input type="checkbox"/> No-Loss (8420.0415)	<input checked="" type="checkbox"/> Exemption (8420.0420)		
Part: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H		Subpart: <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input checked="" type="checkbox"/> 8 <input type="checkbox"/> 9	

Replacement Plan Impacts (replacement plan decisions only)

Total WCA Wetland Impact Area:
Wetland Replacement Type: <input type="checkbox"/> Project Specific Credits: <input type="checkbox"/> Bank Credits:
Bank Account Number(s):

Technical Evaluation Panel Findings and Recommendations (attach if any)

<input type="checkbox"/> Approve <input type="checkbox"/> Approve w/Conditions <input type="checkbox"/> Deny <input checked="" type="checkbox"/> No TEP Recommendation
--

LGU Decision

<input type="checkbox"/> Approved with Conditions (specify below) ¹ List Conditions:	<input checked="" type="checkbox"/> Approved ¹	<input type="checkbox"/> Denied
Decision-Maker for this Application: <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board/Council <input type="checkbox"/> Other:		
Decision is valid for: <input checked="" type="checkbox"/> 5 years (default) <input type="checkbox"/> Other (specify):		

¹ *Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project-specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded on the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.*

LGU Findings – Attach document(s) and/or insert narrative providing the basis for the LGU decision¹.

<input checked="" type="checkbox"/> Attachment(s) (specify): Site Location, Site Map <input checked="" type="checkbox"/> Summary: The site is located in Section 35, Township 32N, Range 23W, City of Ham Lake, Anoka County. The site is located at 13339 Shenandoah St NE, and is approximately 1 acre. A detached garage was constructed on the property approximately 18 years ago. Construction of the garage may have impacted a Type 7 wetland. LGU staff conducted a site review and determined that wetland impact may have occurred but was no greater than 175 square feet. Because the de minimis is 2,500 square feet, the project would have been exempt under the de minimis exemption. To resolve any outstanding wetland

issues, the property owner has requested an exemption for the past activity. The LGU concurs with the exemption request. This decision approves the de minimis exemption.

¹ Findings must consider any TEP recommendations.

Attached Project Documents

Site Location Map Project Plan(s)/Descriptions/Reports (specify): Site Map

Appeals of LGU Decisions

If you wish to appeal this decision, you must provide a written request within 30 calendar days of the date you received the notice. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator
Minnesota Board of Water & Soils Resources
520 Lafayette Road North
St. Paul, MN 55155
travis.germundson@state.mn.us

Does the LGU have a local appeal process applicable to this decision?

Yes¹ No

¹If yes, all appeals must first be considered via the local appeals process.

Local Appeals Submittal Requirements (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)

Notice Distribution (include name)

Required on all notices:

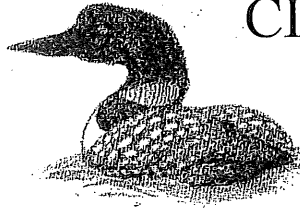
- | |
|--|
| <input checked="" type="checkbox"/> SWCD TEP Member: Becky Wozney (becky.wozney@anokaswcd.org) |
| <input checked="" type="checkbox"/> BWSR TEP Member: Ben Meyer (ben.meyer@state.mn.us) |
| <input type="checkbox"/> LGU TEP Member (if different than LGU contact): |
| <input checked="" type="checkbox"/> DNR Representative: Melissa Collins (melissa.collins@state.mn.us); Julie Siems (Julie.Siems@state.mn.us) |
| <input type="checkbox"/> Watershed District or Watershed Mgmt. Org.: |
| <input checked="" type="checkbox"/> Applicant: Jeffrey Goods (thegoods123@msn.com) |
| <input type="checkbox"/> Agent/Consultant: |

Optional or As Applicable:

- | |
|--|
| <input checked="" type="checkbox"/> Corps of Engineers: usace_requests_mn@usace.army.mil |
| <input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only): |
| <input checked="" type="checkbox"/> Members of the Public (notice only): Eric Trelstad <input checked="" type="checkbox"/> Other: City of Ham Lake |

Signature: 	Date: 6/15/2022
--	-----------------

This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.



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, JUNE 13, 2022

CALL TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: May 23, 2022

PUBLIC HEARING:

6:01 p.m. Gerald and Arlene Mager, Mager Trust, requesting Preliminary Plat and Final Plat Approval and Rezoning from CD-2, Commercial Development II, to R-1, Single Family Residential, for Magers Meadows, a minor plat (3 single family residential lots), located in Section 29.

NEW BUSINESS:

1. None

COMMISSION BUSINESS:

1. City Council Update

ORDINANCE NO. 22-XX

AN ORDINANCE AMENDING A PORTION OF CHAPTER 9 OF THE CITY OF HAM LAKE, COUNTY OF ANOKA, STATE OF MINNESOTA.

The City Council of the City of Ham Lake does hereby ordain as follows, pursuant to Article 9 of the Ham Lake City Code.

That the zoning classification for the following described property situated in the City of Ham Lake, Anoka County, Minnesota is hereby designated R-1 (Single Family Residential) (Magers Meadows).

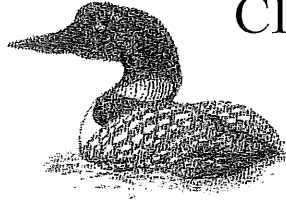
PID# 29-32-23-22-0001

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 32, RANGE 23, ANOKA COUNTY, MINNESOTA.

Presented to the Ham Lake City Council on June 20, 2022 and adopted by a unanimous vote this ____ day of _____, 2022.

Brian Kirkham, Mayor

Denise Webster, City 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 MINUTES MONDAY, JUNE 13, 2022

The Ham Lake Planning Commission met for its regular meeting on Monday, June 13, 2022 in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Chair Brian Pogalz and Commissioners Kyle Lejonvarn, Scott Heaton, Jeff Entsminger, Jonathan Fisher and Erin Dixon

MEMBERS ABSENT: Commissioner Dave Ringler

OTHERS PRESENT: City Engineer, Tom Collins 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 Lejonvarn, seconded by Fisher, to approve the minutes of the May 23, 2022 Planning Commission meeting as written. All present in favor, motion carried.

PUBLIC HEARING:

Gerald and Arlene Mager, Mager Trust, requesting Preliminary Plat and Final Plat Approval and Rezoning from CD-2, Commercial Development II, to R-1, Single Family Residential, for Magers Meadows, a minor plat (3 single family residential lots), located in Section 29.

Mr. and Mrs. Gerald Mager were present. Mr. Mager stated he and his wife have chosen to subdivide the land to downsize the amount of property they need to maintain and for retirement planning. Commissioner Fisher completed the inspection, a copy which is on file. Commissioner Fisher stated the subdivision will create large lots and nice places to live. Chair Pogalz asked Engineer Collins to comment on the plat. Engineer Collins stated City Code requires a septic compliance inspection for parcels that have existing septic systems that are subdivided by platting; the existing septic system was found to be non-compliant and, per City Code, it must be brought into compliance within 24 months. Engineer Collins stated the Building Department will administer action related to bringing the existing septic system into compliance. Chair Pogalz asked for clarification on actions that could be taken related to the plat due to the existing property having a non-compliant septic system. Engineer Collins stated the findings on the septic system are separate

from the plat and should not delay the plat process. Engineer Collins stated right-of-way and drainage and utility easements along Pierce Street NE were dedicated in 2008 via the City of Ham Lake Highway Right-of-Way Plat No. 1. Engineer Collins stated the wetland boundary is significantly higher now than the 2007 delineated wetland per a December 20, 2019 wetland delineation study which has reduced the buildable area within the plat; because the buildable area within the plat has been reduced it is no longer feasible to market the lots for commercial development. Engineer Collins stated the plat approved in 2008 rezoned the property from R-1, Single Family Residential to CD-2, Commercial Development II; this plat will change the zoning back to R-1, Single Family Residential. Engineer Collins stated this minor plat is utilizing existing infrastructure and no construction is required other than individual lot development so a development agreement will not be required; the developer will need to pay a \$200 drainage fee and a \$2500 parkland dedication fee for each of the three lots.

Chair Pogalz opened the public hearing at 6:06 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 6:07 p.m.

Motion by Fisher, seconded by Entsminger, to recommend approval of the request of Gerald and Arlene Mager, Mager Trust, for Preliminary Plat and Final Plat approval and rezoning of Magers Meadows, a 3 lot Minor Plat, from CD-2, Commercial Development II to R-1, Single Family Residential, located in Section 29 (PID# 29-32-23-22-0001), subject to the existing septic system on Lot 2, Block 2 being brought into compliance by May 4, 2024 and meeting all City, State and County requirements. All present in favor, motion carried. *This application will be placed on the City Council's Monday, June 20, 2022 agenda.*

NEW BUSINESS: None

COMMISSION BUSINESS:

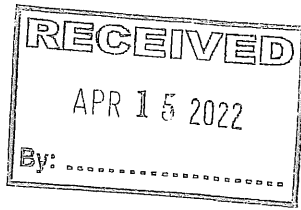
City Council Update

Commissioner Heaton attended the June 6, 2022 City Council meeting. Commissioner Heaton stated the City Council approved the Commercial Site Plan for Live Wire Electrical Services; the Mayor did state that if parking becomes an issue in the future, the applicant would need to address the problem. A Planning Commissioner will not be present at the June 20, 2022 City Council meeting

ADJOURNMENT:

Motion by Heaton, seconded by Fisher, to adjourn the Planning Commission meeting at 6:10 p.m. All present in favor, motion carried.

Jennifer Bohr
Building and Zoning Clerk



CITY OF HAM LAKE

15544 Central Avenue NE

Ham Lake, MN 55304

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

PLANNING REQUEST

Date of Application April 15, 2022

Date of Receipt _____

Receipt # _____

Meeting Appearance Dates:

Planning Commission 6-13-22

City Council 6-20-22

Please check request(s):

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

- Commercial Building Site
- 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: Magers Meadows

Address/Location of property: 1157 Andover Boulevard NE, Ham Lake, Minnesota, 55304

Legal Description of property: The NW 1/4 of the NW 1/4, Sec. 29, T 32, R 23

PIN # 29-32-23-22-0001 Current Zoning CD-2 Proposed Zoning R-1

Notes: 3 lot minor plat

Applicant's Name: Gerald and Arlene Mager

Business Name: Mager Trust

Address 1157 Andover Boulevard NE

City Ham Lake State MN Zip Code 55304

Phone 763-434-5200 Cell Phone 763-245-1157 Fax n/a

Email address mager95@aol.com

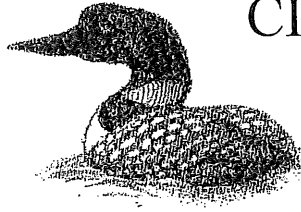
You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.

SIGNATURE Gerald Mager DATE 4-14-2022

- FOR STAFF USE ONLY -

ACTION BY: Planning Commission 6-13-22
City Council _____

PROPERTY TAXES CURRENT YES NO



CITY OF HAM LAKE

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

NOTICE OF PUBLIC HEARING
CITY OF HAM LAKE
COUNTY OF ANOKA
STATE OF MINNESOTA

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Monday, June 13, 2022 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Gerald and Arlene Mager, Mager Trust, requesting preliminary plat approval and rezoning from CD-2 (Commercial Development II) to R-1 (Single Family Residential) of a minor plat, Magers Meadows (3 residential lots), in Section 29 a parcel of certain land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

PID# 29-32-23-22-0001

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29,
TOWNSHIP 32, RANGE 23, ANOKA COUNTY, MINNESOTA.

At such hearing both written and oral comments will be heard.

DATED: June 3, 2022

Jennifer Bohr
Building and Zoning Clerk
City of Ham Lake

Memorandum

Date: May 26, 2022
To: Planning Commissioners
From: Tom Collins, City Engineer *TPC*
Subject: Magers Meadows

Introduction:

The Preliminary and Final Plat for Magers Meadows subdivides the 36.3-acre 1157 Andover Boulevard / 29-32-23-22-0001 parcel (<https://gis.anokacountymn.gov/propertysearch/?find=29-32-23-22-0001>) into three lots. The existing house and accessory buildings are located on proposed Lot 2, Block 2. The current zoning is Commercial Development Tier 2 (CD-2) and the proposed zoning is Single Family Residential (R-1). A 500-scale zoning map, 300-scale half-section map and a 300-scale aerial photo are also attached.

Discussion:

The Preliminary Plat and Livability Plan received May 24th, the Title Sheet, Legend & Existing Conditions, Grading, Drainage and Erosion Control Plan, Details & Notes and Stormwater Pollution Prevention Plan and Drainage Report received May 12th and the Final Plat received April 15th address the prior review comments. The proposed subdivision falls under the Minor Plat portion of City Code Section 10-101. The dedication of Pierce Street right-of-way and drainage and utility easements were dedicated in 2009 via the attached City of Ham Lake Highway Right-of-Way Plat No. 1. The plat dedicated the required 10-foot drainage and utility easements around the perimeter of both Block 1 and Block 2, easements over County Ditch 57-2 and easements to contain the 2019 delineated wetland boundary.

Because the minor plat is utilizing the existing infrastructure, and no construction is required other than individual lot development, a Development Agreement will not be required. The developer will need to pay a \$200 drainage fund contribution along with a \$2,500 parkland dedication fee for each of the three lots.

The Soil Boring Test Report confirms that there is adequate area for a primary and secondary septic system for Lot 1, Block 1 and Lot 1, Block 2, and for a secondary septic system for Lot 2, Block 2. 11-450.4c of City Code requires that a septic compliance inspection be performed when a parcel with an existing septic system is subdivided. The attached Tradewell septic inspection found that the existing 1157 Andover Boulevard septic system is non-compliant. The system will need to be replaced within 24 months of the May 4th inspection letter, per section 11-450.7.B of City Code. The replacement septic area is shown on the plans and has been verified with an additional Soil Boring Test Report. Per 10-430E.2 of City Code, the existing 1157 Andover Boulevard driveway will have to be paved prior to consideration of any future building permits.

The April 28th Anoka County Transportation Division review, and the May 24th County email are attached. The additional Andover Boulevard right-of-way dedication is shown on the Final Plat to meet the 60-foot minimum and County review of the plans is not required since there will not be impacts to the County right-of-way.

Coon Creek Watershed District (CCWD) conditionally approved the minor plat at their April 11th Board of Directors meeting. The Notice of Permit Application Status is attached. The CCWD permit will be issued once the \$2,130 escrow is paid. The CCWD did not require a Natural Heritage Information System data review by the DNR to determine whether any state-protected species may be located within the property.

Recommendations:

It is recommended that the Preliminary Plat and Final Plat for Magers Meadows be recommended for approval, contingent on the existing septic system being brought into compliance by May 4, 2024.

PRELIMINARY PLAT

~of~ MAGERS MEADOWS
 ~for~ GERALD MAGER
 1157 ANDOVER BOULEVARD NE
 HAM LAKE, MN 55304

LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES EXISTING ELEVATION
- DENOTES AIR CONDITIONING UNIT
- ⊙ DENOTES BOLLARD
- DENOTES CATCH BASIN
- DENOTES ELECTRICAL BOX
- DENOTES GAS METER
- ✓ DENOTES SIGN
- DENOTES GUY WIRE
- DENOTES MAILBOX
- ⊖ DENOTES POWER POLE
- ⊙ DENOTES SOIL BORING, (BY MARK TRADEWELL)
- ⊖ DENOTES STORM SEWER APRON
- ⊖ DENOTES TELEPHONE PEDESTAL
- ⊖ DENOTES WELL
- ⊖ DENOTES WET LAND
- DENOTES FENCE
- DENOTES RESTRICTED ACCESS DEDICATED TO ANOKA COUNTY
- DENOTES EXISTING STORM SEWER
- DENOTES EXISTING CONTOURS
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES ADJACENT PARCEL OWNER INFORMATION (PER ANOKA COUNTY TAX INFORMATION)

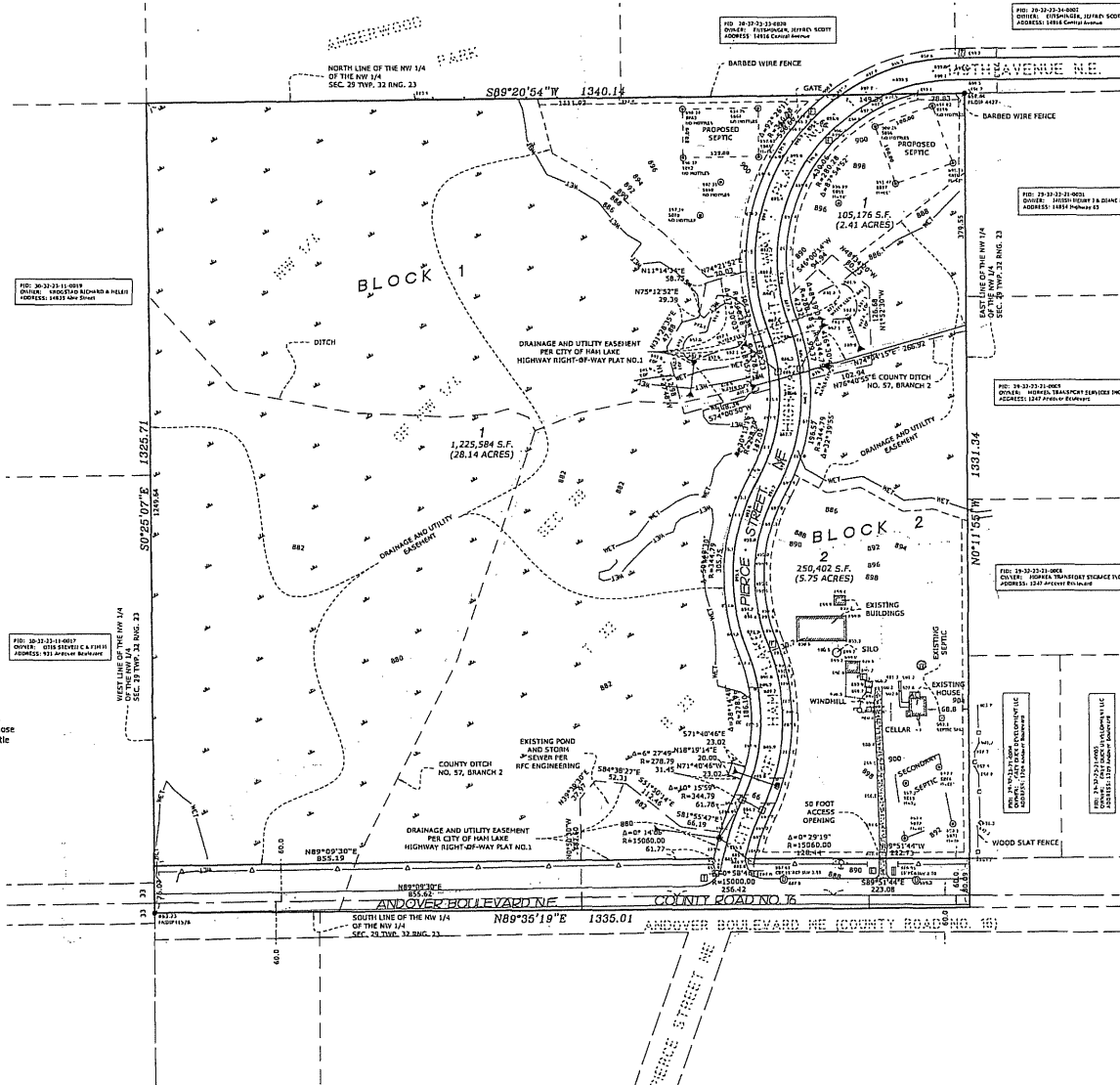
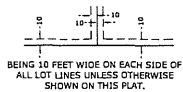
ZONING INFORMATION

- EXISTING = CD-2 (COMMERCIAL DEVELOPMENT TIER 2)
- PROPOSED = R-1 (SINGLE FAMILY RESIDENTIAL)

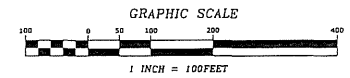
NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 02-24-22.
- Bearings shown are on Anoka County datum.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Wetland delineation completed by Jacobson Environmental.
- Parcel ID Number: 29-32-23-22-0001.
- Curb shots are taken at the top and back of curb.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



NORTH



LEGAL DESCRIPTION:

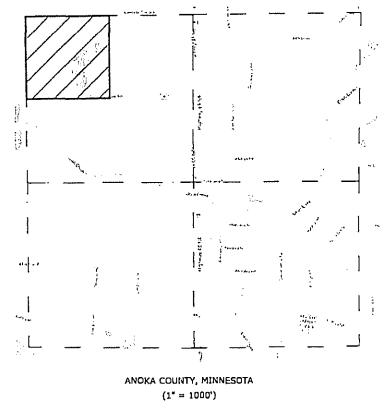
The Northwest Quarter of the Northwest Quarter of Section 29, Township 32, Range 23, Anoka County, Minnesota.

BENCHMARK

BENCHMARK: MNDOT 0208 N
 ELEVATION: 890.297 (NAVD85)

VICINITY MAP

PART OF SEC. 29, TWP. 32, RNG. 23



ANOKA COUNTY, MINNESOTA
 (1" = 100')

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 or under the laws of the State of Minnesota.

JASON E. RUD
 Date: 05-24-22 License No. 41578

NO.	DATE	DESCRIPTION	BY
1	03-11-22	ADDED FIELD INFO.	RAF
2	04-14-22	UPDATE EASEMENTS	BCD
3	05-24-22	ADDED FIELD INFO.	BCD

LIVABILITY PLAN

~of~ MAGERS MEADOWS
~for~ GERALD MAGER

1157 ANDOVER BOULEVARD NE
HAM LAKE, MN 55304

LIVABILITY STANDARDS

All residential lots shall contain at least 29,500 square feet of land which lies above the 100 year flood contour. Of this 29,500 square feet, the following additional requirements must be present.

- ISTS Area** Each lot must contain at least 7,500 square feet of contiguous area which is reserved for both the ISTS originally constructed and a future ISTS. The ISTS Area need not be contiguous to the Eligible Building Area or the Yard Area, but the entire ISTS Area must exist at an elevation at least one foot above Unsuitable Soils, and must contain Undisturbed Soils or soils which meet the requirements of Rule 7080 of the Minnesota Pollution Control Agency for ISTS construction standards. The ISTS Area may be irregular in shape, provided they do not encroach into areas reserved by easement or otherwise for roadway, drainage or utility purposes, and provided that all of the area can be reasonably used for ISTS construction without the need for variances.
- Eligible Building Area** Each lot shall contain at least 10,000 square feet of contiguous land which lies at an elevation at least four feet above Unsuitable Soils. The Eligible Building Area may not be irregular in shape, and should be generally rectangular or oval, with no peninsulas, narrow necks or peninsulas. Eligible Building Areas may not encroach into any areas reserved by easement or otherwise for roadway, drainage or utility purposes. Fill may be used to create Eligible Building Area.
- Yard Area** Each lot shall contain at least 12,000 contiguous square feet which:
 - Lies above the 100 year flood contour, and
 - Lies at least one foot above soils unsuitable for the intended usage of the Yard area, and
 - Is contiguous to the Eligible Building Area for a distance of at least fifty percent of the lineal perimeter of the Eligible Building Area. Yard Areas may encroach into the dedicated easement area which lies at a distance of ten feet from the perimeter of the lot, and may encroach into areas reserved by easement or otherwise for other public utility purposes, but may not encroach into any other area reserved by dedication or otherwise for road or drainage purposes, any may not encroach into areas within the 100 year flood contour or into designated wetlands. Yard Areas may be irregular in shape except within thirty feet of the locations where the Yard Area is contiguous to the Eligible Building Area, at which locations the Yard Area shall be a logical extension or expansion of the generally rectangular or oval shape of the Eligible Building Area. Fill may be used to create Yard Area.
- Building Pad Areas** The entire Building Pad must lie within the Eligible Building Area, and shall meet the separation requirements for the Eligible Building Area.
- Low Floor Elevations**
 - For walkout designs, the low floor elevation shall be at least one foot above the 100 year flood contour, but, notwithstanding the 100 year flood contour, not less than one foot above unsuitable soils, as determined by the City's engineer.
 - For other designs, the low floor elevation shall be at least one foot above the 100 year flood contour, but, notwithstanding the 100 year flood contour, not less than one foot above unsuitable soils, as determined by the City's engineer.

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 02-24-22.
- Bearings shown are on Anoka County datum.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Wetland delineation completed by Jacobson Environmental.
- Parcel ID Number: 29-32-23-22-0001.
- Curb shots are taken at the top and back of curb.
- Proposed building pads, grading, and civil design provided by Plowe Engineering.

LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES EXISTING ELEVATION
- ▭ DENOTES AIR CONDITIONING UNIT
- DENOTES BOLLARD
- DENOTES CATCH BASIN
- ▭ DENOTES ELECTRICAL BOX
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- DENOTES EXISTING CONTOURS
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES ADJACENT PARCEL DWNER INFORMATION (PER ANOKA COUNTY TAX INFORMATION)
- ▨ DENOTES PROPOSED BUILDING PAD AREA
- ▨ DENOTES PROPOSED YARD AREA
- ▨ DENOTES PROPOSED SEPTIC AREA

NOTES: * INDICATES DROPPED GARAGE ELEVATIONS BASED UPON 12 COURSE BASEMENT

Lot #	Block #	Total Lot Area (sf)	Yard Area (sf)	Septic Area (sf)	Building Pad Area (sf)	Building Pad Area Above Mortling (sf)	Garage Floor Elevation	Proposed Low Opening Elevation	Proposed Low Floor Elevation	Lowest Opening Elevation	Lowest Floor Elevation	Boring #	Boring Elevation	Mottles Elevation	Building Type
1	1	1,225,584	51,848	10,000	14,552	10,497	896.7	893.1	893.1	893.1	893.1	60	902.35	NONE	W/O*
							896.7	893.1	893.1	893.1	893.1	61	897.63	892.1	DROP 3 COURSES
							896.7	893.1	893.1	893.1	893.1	62	898.32	NONE	
							896.7	893.1	893.1	893.1	893.1	63	898.34	NONE	
							896.7	893.1	893.1	893.1	893.1	64	894.79	NONE	
1	2	305,176	29,969	10,000	13,059	8,318	899.4	891.7	891.7	891.7	891.1	55	885.89	890.7	W/O
							899.4	891.7	891.7	891.7	891.1	56	900.76	NONE	
							899.4	891.7	891.7	891.7	891.1	57	895.47	890.0	
							899.4	891.7	891.7	891.7	891.1	58	895.51	890.3	
							899.4	891.7	891.7	891.7	891.1	59	898.82	NONE	
2	2	250,402	175,917	8,429	N/A	N/A	N/A	N/A	N/A	N/A	N/A	65	897.20	891.2	N/A
							N/A	N/A	N/A	N/A	N/A	66	897.80	892.1	
							N/A	N/A	N/A	N/A	N/A	71	892.12	889.0	
							N/A	N/A	N/A	N/A	N/A	72	892.64	888.8	

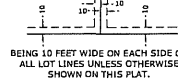
BENCHMARK

BENCHMARK: MNDOT 020B N
ELEVATION: 890.297 (NAVD88)

LEGAL DESCRIPTION:

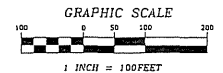
The Northwest Quarter of the Northwest Quarter of Section 29, Township 32, Range 23, Anoka County, Minnesota.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

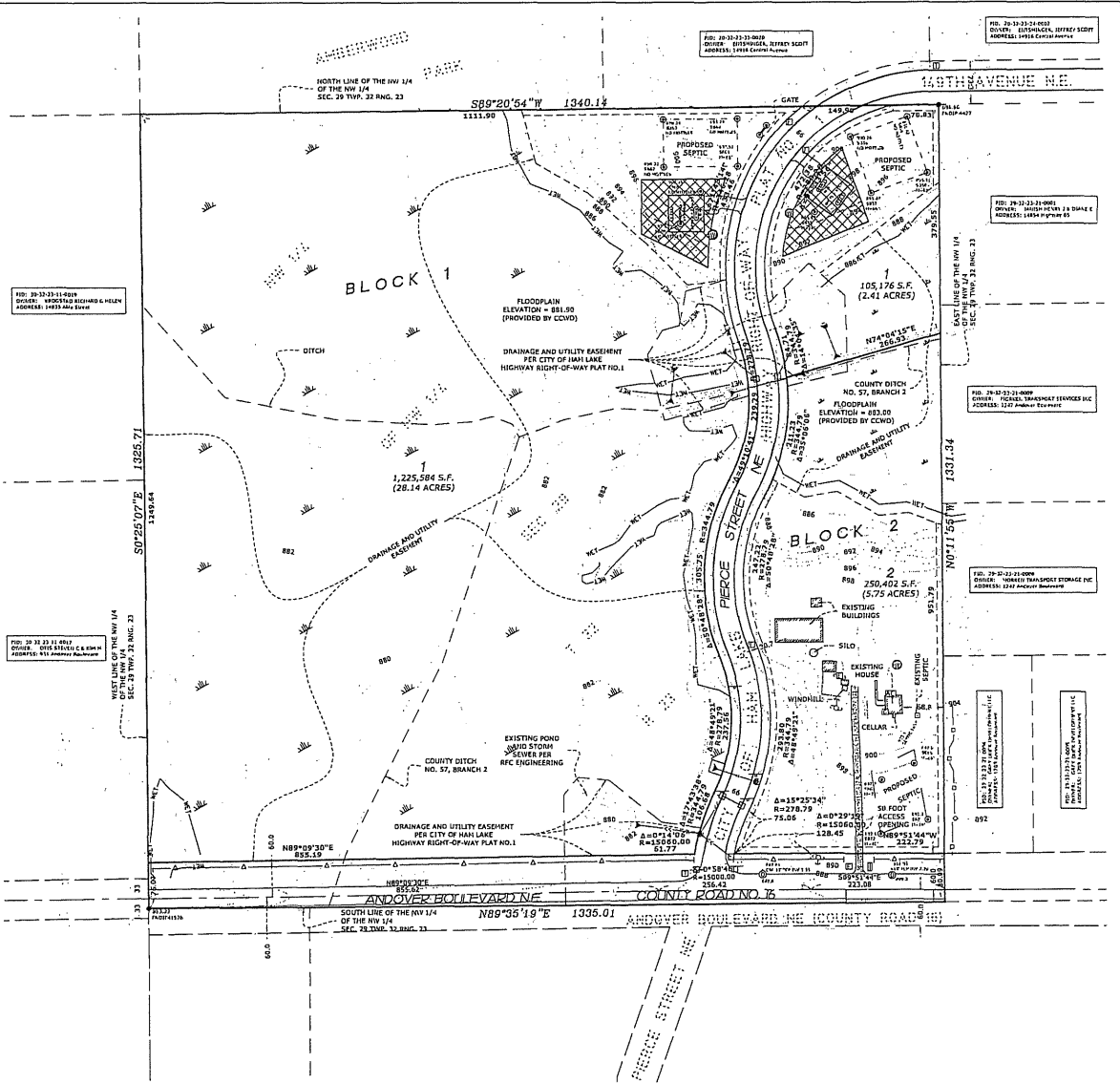


I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

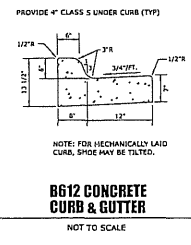
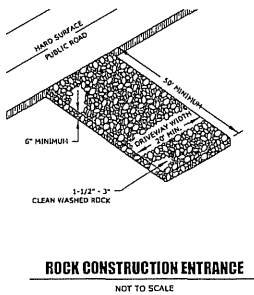
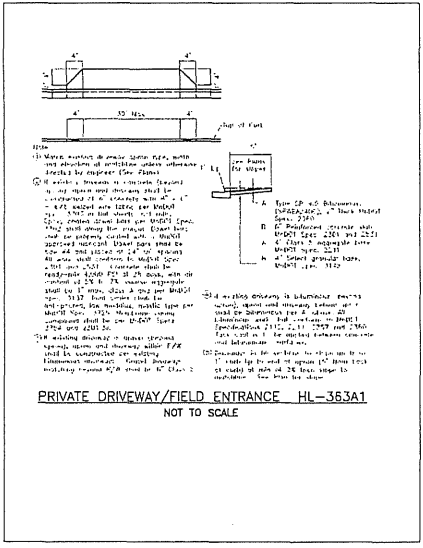
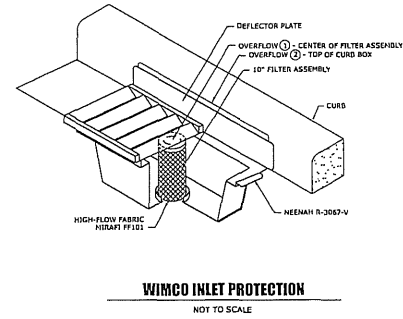
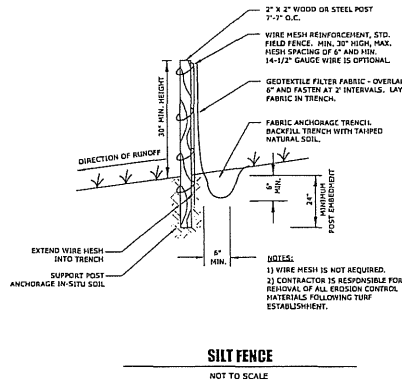
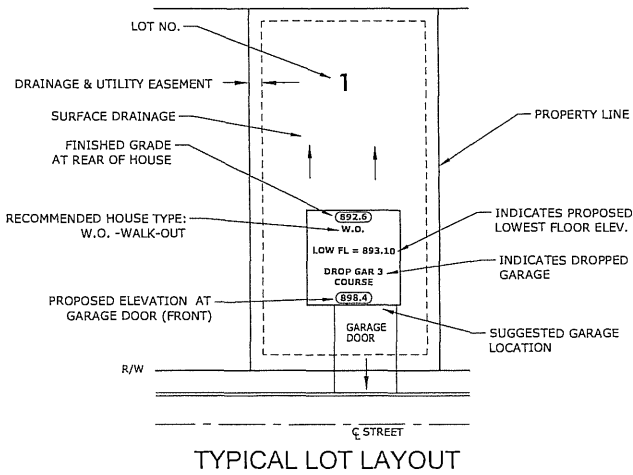
Date: 05-24-22 License No. 41570



DRAWN BY: BCD	JOB NO: 2201027P	DATE: 04-14-22
CHECK BY: JER	FIELD CREW: RYAN/R	
1	05-03-21	CITY COMMENTS
2	05-24-22	ADDED FIELD INFO
3		
NO.	DATE	DESCRIPTION



E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701



DRAWN BY:	DESIGN BY:
M.C.A.	C.W.P.
CHECKED BY:	PROJ. NO.
M.C.A.	2017
ORIGINAL DATE:	
FEBRUARY 9, 2022	
DATE:	REVISION DESCRIPTION
05/02/22	ADDED BRTZ CURB

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

CHARLES W. PLOWE, P.E.

DATE: 05/12/2022

PLATE NO. 16227

MAGERS MEADOWS
HINK LAKE, MINNESOTA

DETAILS & NOTES

PREPARED FOR:
GERALD MAGER

SITE PLANNING & ENGINEERING

PLOWE
ENGINEERING, INC.

6775 LAKE DRIVE
SUITE 110
LIND LAKES, MN 55214
PHONE: (651) 251-8210
FAX: (651) 251-8701

PRELIMINARY COPY
UNRECORDED AS OF 04/13/2022

MAGERS MEADOWS

KNOW ALL PERSONS BY THESE PRESENTS: That Gerald A. Mager and Arlene H. Mager as Trustees of the Mager Trust, dated August, 2008, owner of the following described property:

The Northwest Quarter of the Northwest Quarter of Section 29, Township 32, Range 23, Anoka County, Minnesota.

Have caused the same to be surveyed and plotted as MAGER MEADOWS and do hereby dedicate to the public for public use the public ways and the drainage and utility easements as shown by this plat. Also dedicated to the County of Anoka the right of access onto County Road No. 16 as shown on this plat.

In witness whereof said Gerald A. Mager and Arlene H. Mager as Trustees of the Mager Trust, dated August, 2008, have hereunto set their hands this ____ day of _____, 20____

Gerald A. Mager, Trustee of the Mager Trust, dated August, 2008. Arlene H. Mager, Trustee of the Mager Trust, dated August, 2008.

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this ____ day of _____, 20____ by Gerald A. Mager and Arlene H. Mager as Trustees of the Mager Trust, dated August, 2008.

Notary Public, _____ County, Minnesota
My Commission Expires _____

I, Jason E. Rud do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 20____

Jason E. Rud, Licensed Land Surveyor
Minnesota License No. 41578

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this ____ day of _____, 20____ by Jason E. Rud.

Notary Public, _____ County, Minnesota
My Commission Expires _____

City Council, City of Ham Lake, Minnesota

This plat of MAGER MEADOWS was approved and accepted by the City Council of the City of Ham Lake, Minnesota at a regular meeting thereof held this ____ day of _____, 20____ and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Ham Lake, Minnesota

By _____ Mayor

By _____ Clerk

County Surveyor

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this ____ day of _____, 20____

David M. Ziegler
Anoka County Surveyor

County Auditor/Treasurer

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this ____ day of _____, 20____

Property Tax Administrator

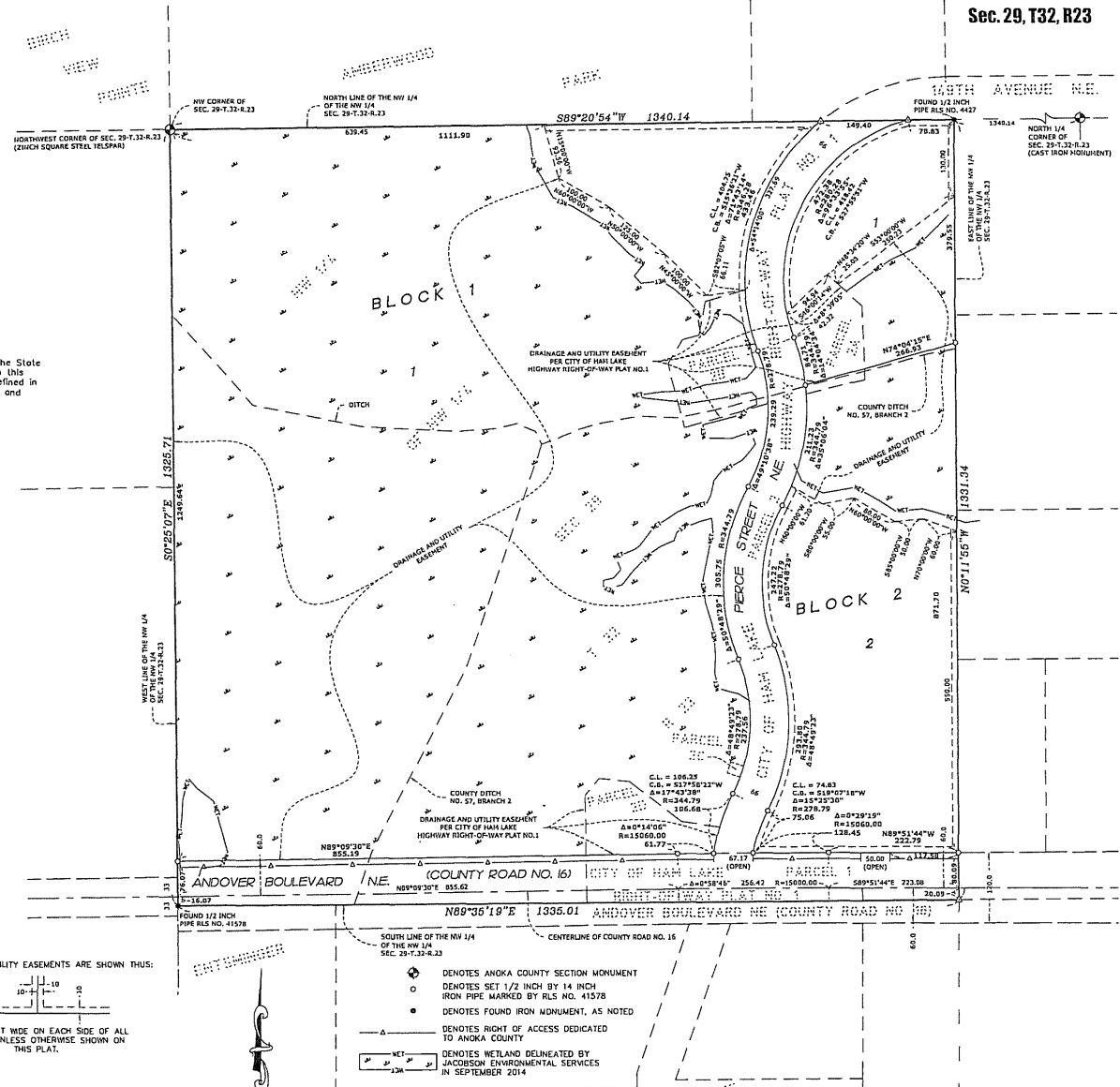
By _____ Deputy

County Recorder/Registrar of Titles
County of Anoka, State of Minnesota

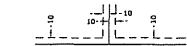
I hereby certify that this plat of MAGER MEADOWS was filed in the office of the County Recorder/Registrar of Titles for public record on this ____ day of _____, 20____ at ____ o'clock ____ M. and was duly recorded as Document Number _____

County Recorder/Registrar of Titles

By _____ Deputy

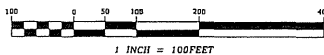


DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THIS:



BEING 10 FEET WIDE ON EACH SIDE OF ALL LOT LINES UNLESS OTHERWISE SHOWN ON THIS PLAT.

GRAPHIC SCALE



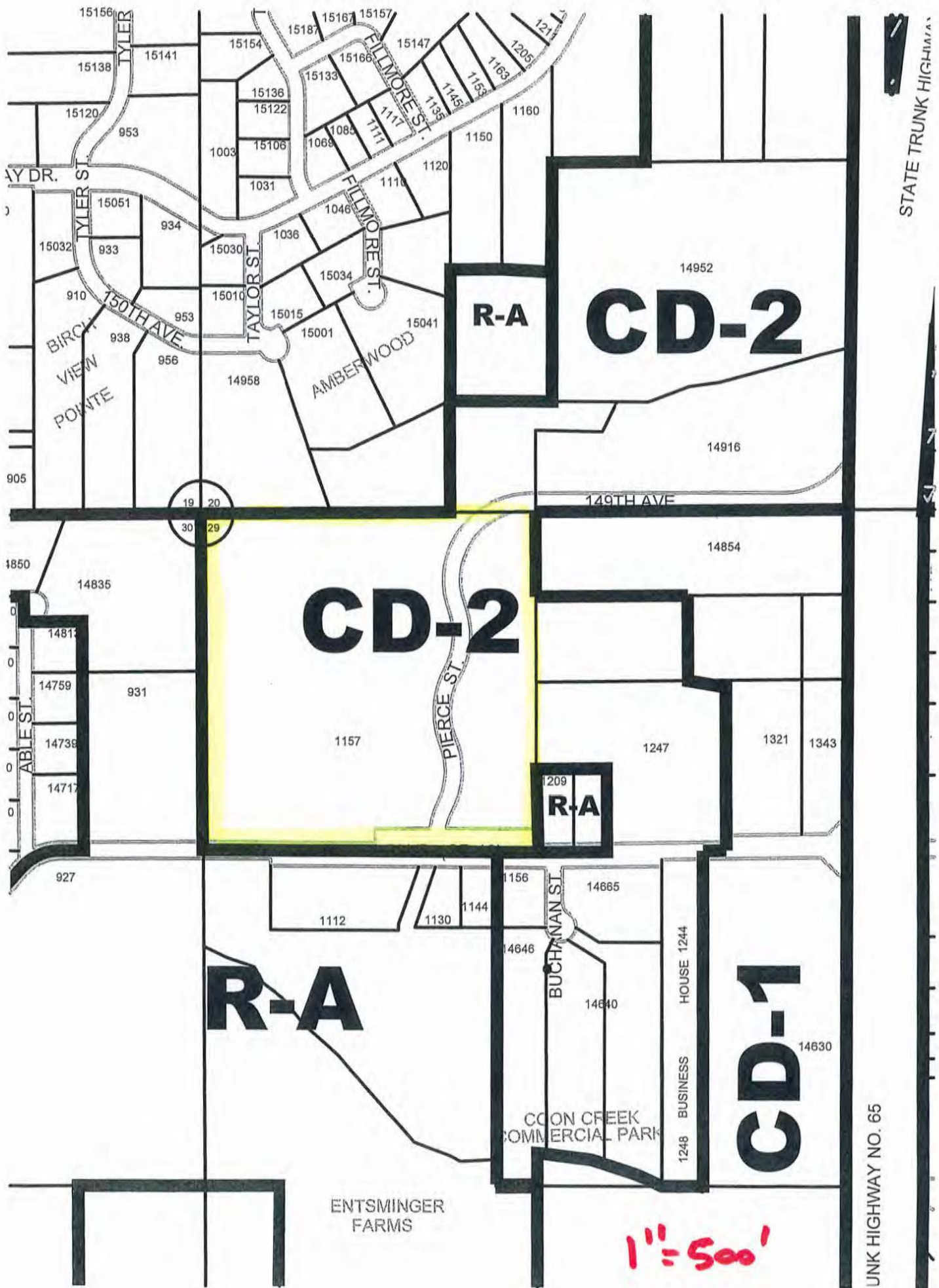
1 INCH = 100 FEET

- ⊕ DENOTES ANOKA COUNTY SECTION MONUMENT
- DENOTES SET 1/2 INCH BY 14 INCH IRON PIPE MARKED BY RLS NO. 41578
- DENOTES FOUND IRON MONUMENT, AS NOTED
- △ DENOTES RIGHT OF ACCESS DEDICATED TO ANOKA COUNTY
- ▭ DENOTES WETLAND DELINEATED BY JACOBSON ENVIRONMENTAL SERVICES IN SEPTEMBER 2014

FOR THE PURPOSES OF THIS PLAT THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 32, RANGE 23 ASSUMED TO HAVE A BEARING OF SOUTH 00 DEGREES 25 MINUTES 07 SECONDS EAST.

City of Ham Lake
County of Anoka
Sec. 29, T32, R23

E. G. RUD & SONS, INC.
EST. 1917 Professional Land Surveyors



STATE TRUNK HIGHWAY

R-A

CD-2

CD-2

R-A

R-A

CD-1

1" = 500'

UNK HIGHWAY NO. 65

ENTSMINGER FARMS

COTTON CREEK COMMERCIAL PARK

HOUSE 1244

BUCHANAN ST

PIERCE ST

AMBERWOOD

150TH AVE

BIRCHVIEW POINTE

TAYLOR ST

FILLMORE ST

TYLER

AY DR.

19 20
30 29

1850
14835
14817
14759
931
14739
14717
927

15156
15138
15141
15154
15187
15167
15157
15147
15166
15133
1205
1163
1153
1145
1135
1150
1160
1120
1110
1085
1069
1031
1003
15136
15122
15106
1036
1046
1117
1111
15051
934
15030
15034
15010
15015
15001
15041
14952
14916
14958

149TH AVE

14854

1157

1247

1321

1343

1209

927

1112

1130

1144

1156

14665

14646

14640

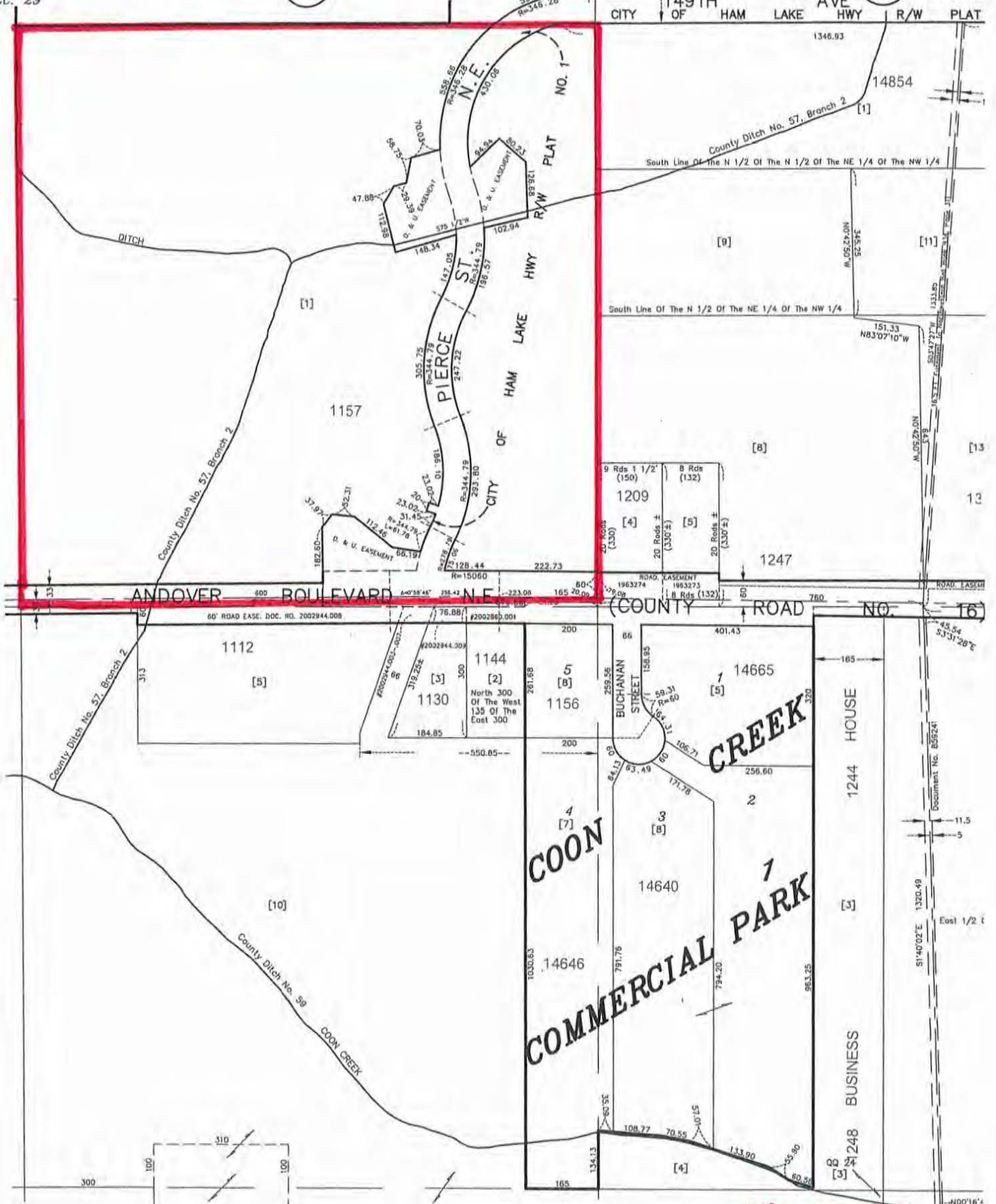
14630

CORNER
EC. 29

22

21

CITY OF HAM LAKE AVE HWY R/W PLAT



1" = 300'

Document No. 65924

S1°40'02"E 1320.49

East 1/2

1400'16"



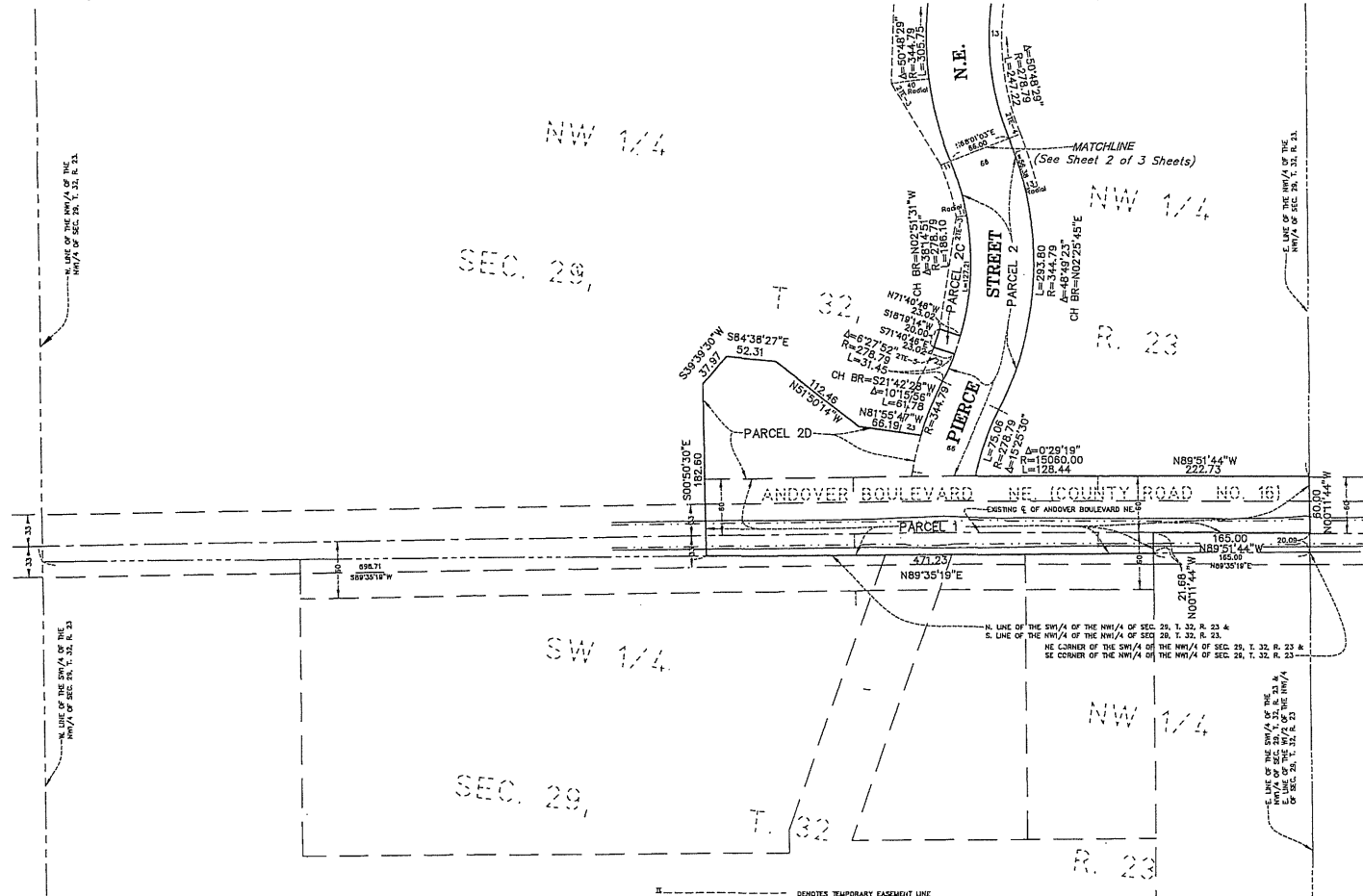
1" = 300'

OFFICIAL PLAT

CITY OF HAM LAKE HIGHWAY RIGHT-OF-WAY PLAT NO. 1

BL 1 of Misc. Pg. 12

City of Ham Lake
County of Anoka
Sec. 20 & 29, T.32, R.23



2008080.001
OFFICE OF COUNTY RECORDER
STATE OF MINNESOTA, COUNTY OF ANOKA
I hereby certify that the within instrument was filed in this office for record on the 12th day of June, A.D., 2009 at 9:38 o'clock A.M., and was duly recorded in book 1 of page 12.
Maurice O. Deacon
County Recorder
By: M.E.W.

- DENOTES TEMPORARY EASEMENT LINE
- DENOTES EXISTING GRAVEL EDGE
- DENOTES PROPERTY LINE
- DENOTES SECTION LINE
- DENOTES QUARTER SECTION LINE
- DENOTES SIXTEENTH SECTION LINE
- DENOTES R/W BOUNDARY LINE
- DENOTES POSSIBLE EXISTING ROAD R/W LINE
- DENOTES EXISTING CENTER LINE AS TRAVELLED
- DENOTES EXISTING EDGE OF BITUMINOUS

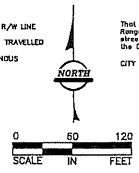
I hereby certify that this is a true and correct representation of a survey of the boundaries as shown and that said survey was made under my direct supervision, that the distances are correctly shown in feet and decimals of a foot, that the Right of Way boundary lines are established as shown, and it was prepared pursuant to Chapter 500.1793, Minnesota Statutes.

By: *[Signature]* This 12th day of June, 2009.
Kent H. Kitch, LSG Surveyor
Minnesota Registration No. 23268

That portion of 148th Avenue N.E., Pierce Street N.E. and Andover Boulevard N.E. located in Sections 20 & 29, Township 32, Range 23, as shown on this plat affected by the City of Ham Lake is certified to be the official plat of that portion of said streets which said streets pursuant to Minnesota Statutes Chapter 500.1793. The foregoing plat was accepted and approved by the City Council of Ham Lake, Minnesota at a regular meeting thereof held this 12th day of June, 2009.

CITY OF HAM LAKE, MINNESOTA
By: *[Signature]* Mayor
Checked and approved this 12th day of June, 2009.
By: *[Signature]* Clerk

By: *[Signature]*
Anoka County Surveyor
by Charles F. Stetson



DATA CONTAINED WITHIN THIS BOX FOR INSTRUCTIVE AND INFORMAL PURPOSES ONLY

PARCEL	OWNER	LOCATION: BY PARCEL IDENTIFICATION NUMBER (PLAN)	DEED RECORD DOCUMENT NUMBER	TORRENS CERTIFICATE NUMBER	ENTIRE TRACT ACRES	EXISTING RIGHT OF WAY OUTSIDE OF PLAT ACRES	EXISTING RIGHT OF WAY WITHIN PLAT ACRES	ADDITIONAL RIGHT OF WAY ACRES	DRAINAGE AND UTILITY EASEMENT ACRES	TEMPORARY EASEMENT ACRES	TEMP. EASE. EXPIRES ON DATE	BALANCE OF TRACT REMAINING ACRES
1	Sheld and Arlene Hojer	293223220001	386882		0.829	0.724	0.395					

NOTE: SEE SHEET 2 OF 3 SHEETS FOR TOTAL OF PARCELS 1 AND 2

NOTE: FOR THE PURPOSES OF THIS PLAT, THE SOUTH LINE OF THE SW 1/4 OF THE NW 1/4 OF SEC. 20, T. 32, R. 23 IS ASSUMED TO HAVE A BEARING OF N89°29'4"E.

854.00

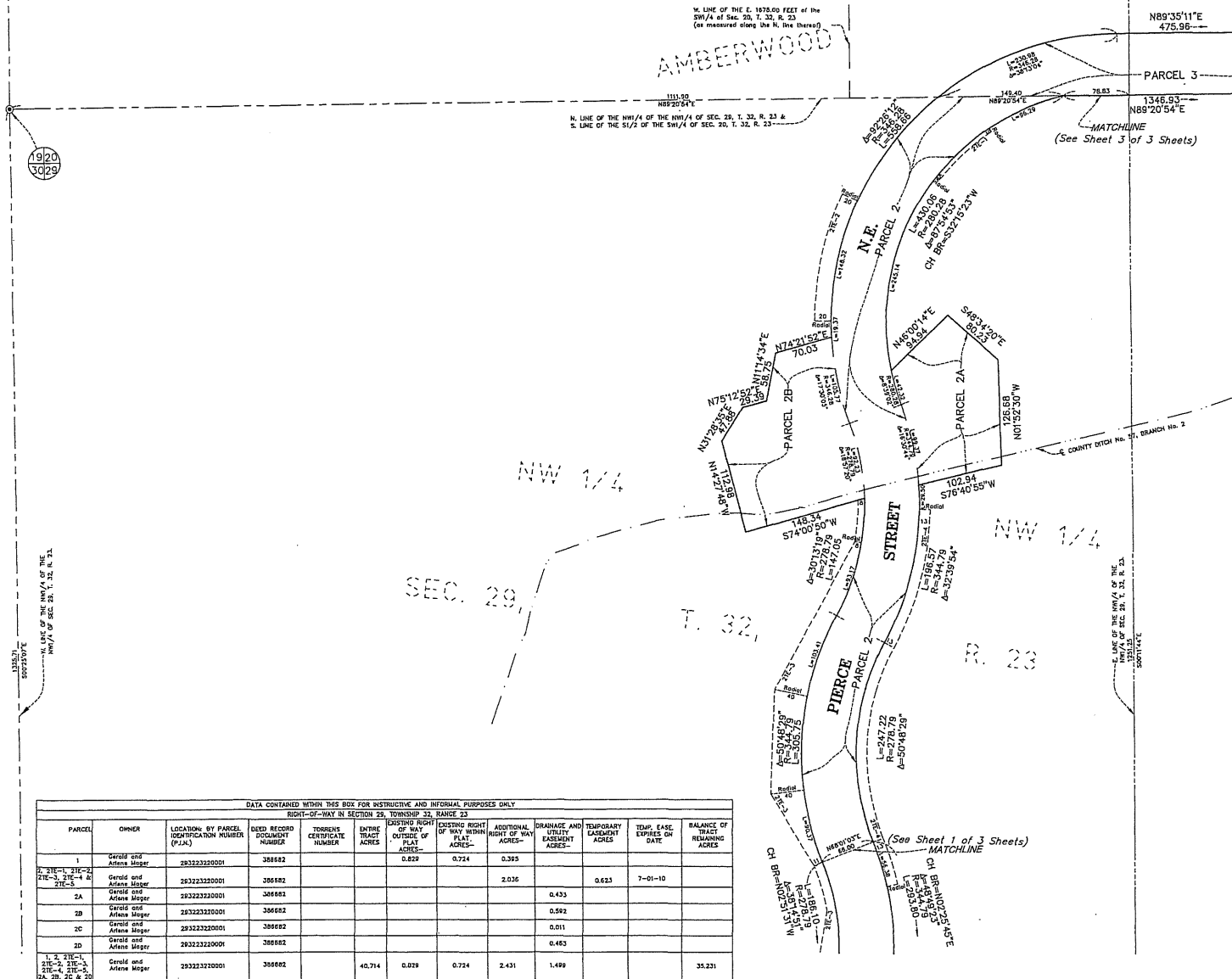


OFFICIAL PLAT

CITY OF HAM LAKE HIGHWAY RIGHT-OF-WAY PLAT NO. 1

Bk 1 of Misc. Pg 12

City of Ham Lake
County of Anoka
Sec. 20 & 29, T.32, R.23



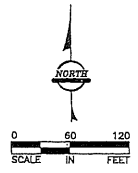
DATA CONTAINED WITHIN THIS BOX FOR INSTRUCTIVE AND INFORMAL PURPOSES ONLY

RIGHT-OF-WAY IN SECTION 29, TOWNSHIP 32, RANGE 23

PARCEL	OWNER	LOCATION BY PARCEL IDENTIFICATION NUMBER (P.I.N.)	DEED RECORD DOCUMENT NUMBER	TORRENS CERTIFICATE NUMBER	ENTIRE TRACT ACRES	EXISTING RIGHT OF WAY OUTSIDE OF PLAT ACRES	EXISTING RIGHT OF WAY WITHIN PLAT ACRES	ADDITIONAL RIGHT OF WAY ACRES	DRAINAGE AND UTILITY EASEMENT ACRES	TEMPORARY EASEMENT ACRES	TEMP. EASE. EXPIRES ON DATE	BALANCE OF TRACT REMAINING ACRES
1	Gerald and Aileen Moger	29322320001	386882			0.829	0.724	0.395		0.623	7-01-10	
2, 2Ic-1, 2Ic-2, 2Ic-3, 2Ic-4 & 2Ic-5	Gerald and Aileen Moger	29322320001	386882					2.036		0.623	7-01-10	
2A	Gerald and Aileen Moger	29322320001	386882					0.433				
2B	Gerald and Aileen Moger	29322320001	386882					0.592				
2C	Gerald and Aileen Moger	29322320001	386882					0.011				
2D	Gerald and Aileen Moger	29322320001	386882					0.463				
1, 2, 2Ic-1, 2Ic-2, 2Ic-3, 2Ic-4 & 2Ic-5, 2A, 2B, 2C & 2D	Gerald and Aileen Moger	29322320001	386882		40.714	0.029	0.724	2.431	1.499			35.231

- DENOTES TEMPORARY EASEMENT LINE
- DENOTES PROPERTY LINE
- DENOTES SECTION LINE
- DENOTES QUARTER SECTION LINE
- DENOTES SIXTEENTH SECTION LINE
- DENOTES R/W BOUNDARY LINE
- DENOTES SIXTEENTH SECTION LINE
- DENOTES EXISTING ROAD R/W LINE
- DENOTES EXISTING CENTER LINE AS TRAVELLED

NOTE: FOR THE PURPOSES OF THIS PLAT, THE SOUTH LINE OF THE 51/2 OF THE SW 1/4 OF SEC. 20, T. 32, R. 23 IS ASSUMED TO HAVE A BEARING OF N89°20'54"E.

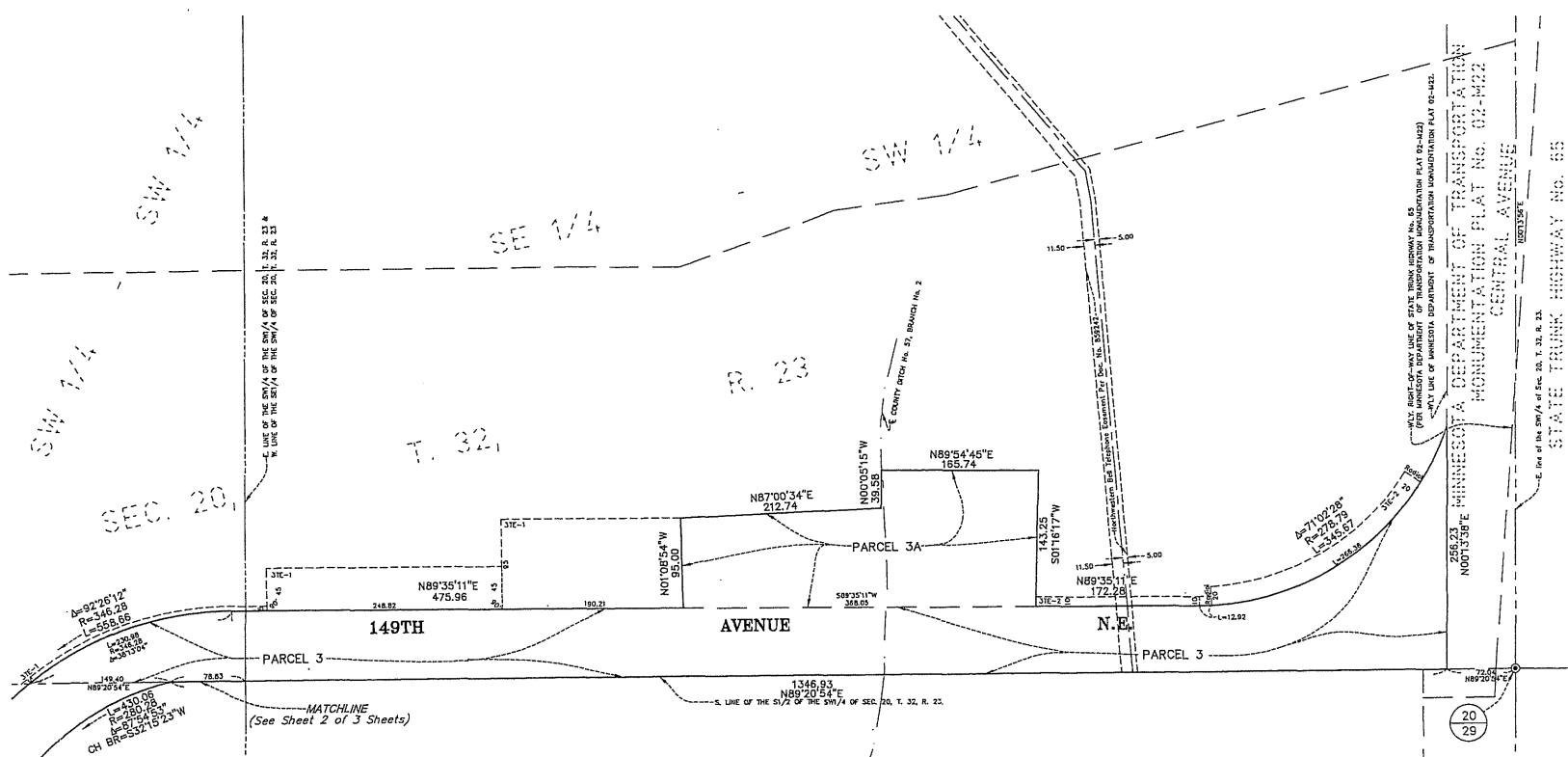


OFFICIAL PLAT

CITY OF HAM LAKE HIGHWAY RIGHT-OF-WAY PLAT NO. 1

Bk 1 of Misc Pg 12

City of Ham Lake
County of Anoka
Sec. 20 & 29, T.32, R.23

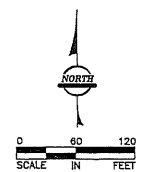


DATA CONTAINED WITHIN THIS BOX FOR INSTRUCTIVE AND INFORMAL PURPOSES ONLY
RIGHT-OF-WAY IN SECTION 20, TOWNSHIP 32, RANGE 23

PARCEL	OWNER	LOCATION: BY PARCEL IDENTIFICATION NUMBER (P.I.N.)	DEED RECORD DOCUMENT NUMBER	TORRENS CERTIFICATE NUMBER	ENTIRE TRACT ACRES	EXISTING RIGHT OF WAY OUTSIDE OF PLAT ACRES	EXISTING RIGHT OF WAY WITHIN PLAT ACRES	ADDITIONAL RIGHT OF WAY ACRES	DRAINAGE AND UTILITY EASEMENT ACRES	TEMPORARY EASEMENT ACRES	TEMP. EASE. EXPIRES ON DATE	BALANCE OF TRACT REMAINING ACRES
3, JTE-1 & JTE-2	Jeffrey and Coral Estabinger	203223330020 & 203223340002	1689507		1.077		2.430			0.861	7-01-10	
3A	Jeffrey and Coral Estabinger	203223330020 & 203223340002	1689507					1.028				
3, JTE-1, JTE-2 & 3A	Jeffrey and Coral Estabinger	203223330020 & 203223340002	1088507		18.976	1.077	2.430	1.028				14.243

- DENOTES TEMPORARY EASEMENT LINE
- DENOTES PROPERTY LINE
- DENOTES SECTION LINE
- DENOTES QUARTER SECTION LINE
- DENOTES SIXTEENTH SECTION LINE
- DENOTES R/W BOUNDARY LINE
- DENOTES EXISTING ROAD R/W LINE
- DENOTES EXISTING CENTER LINE AS TRAVELED

NOTE: FOR THE PURPOSES OF THIS PLAT, THE SOUTH LINE OF THE S1/2 OF THE SW1/4 OF SEC. 20, T. 32, R. 23 IS ASSUMED TO HAVE A BEARING OF N89°20'54"E.



RLK INCORPORATED

**Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011
(763) 286-9095**

May 4th, 2022

Re: 1157 Andover Blvd. NE, Ham Lake, MN 55304

A compliance inspection report was requested by RFC Engineering for the property above for platting of the property. After interviewing the homeowner, I found out that the system is very old and has a block cesspool type tank. As far as compliance goes, this is an automatic fail.

The system is functioning fine and is not discharging effluent to the surface or backing up in the home. Therefore it is not an imminent threat to public safety, however it is not protecting groundwater.

Based on this information, the system will need to be replaced within 24 months of this notice as per City of Ham Lakes ordinance. This will be on file with the City of Ham Lake as notification of such. I do not believe that we need to do a formal compliance inspection report to identify these items.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Tradewell". The signature is written in a cursive, flowing style.

Mark Tradewell
MPCA #307



Anoka County
TRANSPORTATION DIVISION

Highway

Jennifer Bohr
City of Ham Lake
15544 Central Avenue NE
Ham Lake, MN 55304

April 28, 2022

RE: Preliminary Plat – Magers Meadows

Dear Jennifer,

We have reviewed the Preliminary Plat for Magers Meadows, to be located north of CR 16 (Andover Boulevard NE) and at Pierce Street NE within the city of Ham Lake, and I offer the following comments:

The existing right of way along CR 16 varies from 33 feet to 60 feet north of centerline. An additional 27 feet of right of way along CR 16 will be required where needed for future reconstruction purposes (60 feet total right of way width north of CR 16). As proposed, the plat will not introduce any new residential access points onto CR 16 and all lots will gain access via City streets. No new access points onto CR 16 will be permitted for this plat and the right of access along CR 16 should be dedicated to Anoka County with exception for existing Pierce Street NE which has a WB CR 16 right turn lane and EB CR 16 bypass lane already in place. Internal site grading shall not commence until the required ACHD Engineering plan approvals are received and the applicable permits can be issued. If there will be any utility relocation on CR 16, it will be required to be completed by the City/developer as a part of the ACHD Engineering Plan Review process. County Ditch #57, Branch 2 runs through the middle of the property, and this ditch may not be altered without first submitting detailed plans to the appropriate agencies and obtaining their permission as well as permission from the County Engineer. Please note that no plantings or private signs will be permitted within the county right of way and care must be exercised when locating private signs, buildings, structures, plantings, berms, etc. outside of the county right of way, so as not to create any new sight obstructions for this section of CR 16.

ACHD would like to work with local governments in promoting compatibility between land use and the county highway system. It should be recognized that residential land uses located adjacent to County highways often results in complaints about traffic noise. Existing and/or future traffic noise from CR 16 could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where establishment of the land use would result in violations of established noise standards. It is advised that the City and the Developer assess the noise situation for this development as it is proposed to be located directly adjacent to CR 16, and take the level of action deemed necessary to minimize the impact of any highway noise by incorporating the appropriate noise mitigation elements into the design and phasing of this plat as applicable.

Our Passion Is Your Safe Way Home

1440 Bunker Lake Boulevard N.W. Δ Andover, MN 55304-4005
Office: 763-324-3100 Δ Fax: 763-324-3020 Δ www.anokacounty.us/highway

Affirmative Action / Equal Opportunity Employer

If there will be any grading within or affecting the county right of way, the ACHD Engineering Plan Review process will apply to this site. Calculations must be submitted along with a grading and erosion control plan that delineates the drainage areas for this development. The post-developed rate/volume of runoff must not exceed the pre-developed rate/volume of runoff for the 10-year critical design storm. Contact Brandon Ulvenes, Engineer I, via phone at 763.324.3159 or via email at Brandon.Ulvenes@co.anoka.mn.us for further information and to coordinate the ACHD Engineering Plan Review Process. Please submit the drainage calculations, grading and erosion control plans, ACHD Design Requirements Checklist for County Highway Modifications (copy available via our website), and the applicable engineering plan review fee (estimated at \$150.00 if applicable) to Mr. Ulvenes for his review and approval.

If any work will be performed in the County Right of Way, a Permit for Work within the County Right of Way (\$150.00) must be obtained prior to the commencement of any construction. License permit bonding, methods of construction, design details, work zone traffic control, restoration requirements and follow-up inspections are typical elements of the permitting process. Contact Sue Burgmeier of the ACHD Permit Office at 763.324.3142 or via email at Susan.Burgmeier@co.anoka.mn.us for further information and to coordinate the ACHD Permit process.

Thank you for the opportunity to comment. Feel free to contact me if you have any questions regarding this review.

Sincerely,



Logan Keehr
Traffic Engineering Technician

xc: CR 16/Plats+Developments/2022
Jerry Auge, Assistant County Engineer
Jane Rose, Traffic Engineering Manager
David Zieglmeier, County Surveyor
Sean Thiel, Graduate Engineer
Sue Burgmeier, Traffic Engineering Technician
Brandon Ulvenes, Engineer I

Tom Collins

From: Charles Plowe Sr <chuck@plowe.com>
Sent: Tuesday, May 24, 2022 3:28 PM
To: Tom Collins; David Krugler
Subject: FW: Magers Meadows (Ham Lake) Plans & Document Submission - To City & CCWD (4.14.22)

From: Brandon T. Ulvenes <Brandon.Ulvenes@co.anoka.mn.us>
Sent: Tuesday, May 24, 2022 2:53 PM
To: Mohammad Abughazleh <moe@PLOWE.COM>
Cc: Charles Plowe Sr <chuck@plowe.com>; Marty Fisher (mfisher@premiercommercialproperties.com) <mfisher@premiercommercialproperties.com>; JERRY & ARLENE MAGER <mager95@aol.com>
Subject: RE: Magers Meadows (Ham Lake) Plans & Document Submission - To City & CCWD (4.14.22)

Hi Mohammad –

* After having some internal conversations, we do not feel like the County needs to review these plans, as the work/drainage will not impact the County right-of-way nor are there any improvements planned for the County system.

Have a good afternoon,
Brandon

From: Mohammad Abughazleh <moe@PLOWE.COM>
Sent: Tuesday, May 10, 2022 10:50 AM
To: Brandon T. Ulvenes <Brandon.Ulvenes@co.anoka.mn.us>
Cc: Charles Plowe Sr <chuck@plowe.com>; Marty Fisher (mfisher@premiercommercialproperties.com) <mfisher@premiercommercialproperties.com>; JERRY & ARLENE MAGER <mager95@aol.com>
Subject: RE: Magers Meadows (Ham Lake) Plans & Document Submission - To City & CCWD (4.14.22)

Good morning,

I have like 3 more review comments to take care of per the latest review I received last Friday. If you would like/need to review this job, please feel free to review the documents in the Dropbox link below. Discharge has increased to the Ditches (no issue with CCWD and the City barring a CFS item related to the EOF) but no discharge or changes have occurred to the actual street. Everything is going to the existing BMPs on site. Let me know if you need anything else. Thanks, Brandon.

Sincerely,

Mohammad Abughazleh, P.E.
PLOWE ENGINEERING, INC.
(651) 361-8210 (Office)
(651) 361-8237 (Direct)
moe@plowe.com

From: Brandon T. Ulvenes <Brandon.Ulvenes@co.anoka.mn.us>
Sent: Monday, May 9, 2022 3:52 PM

NOTICE OF PERMIT APPLICATION STATUS

Project: Magers Meadows
Date: April 20, 2022
Applicant: Gerald Mager
1157 Andover Blvd NE
Ham Lake, MN 55304
Permit Application#: P22-041
Purpose: Construction of 2 single family residences
Location: 1157 Andover Blvd NE, Ham Lake

At their meeting on April 11, 2022, the Board of Managers of the Coon Creek Watershed District **conditionally approved** the above referenced project with 3 conditions and no stipulations. **This is NOT a permit.**

Since your last submittal on 4/15/2022, the following 2 conditions remain which must be addressed before permit issuance (please see note below on how to address conditions).

1. Receipt of escrows.
2. Provide confirmation that the City has reviewed the proposed project and that no significant changes are anticipated to the plans as a result of their review. If significant changes are required, additional board review and approval may be required.

Please be advised that **this is NOT a permit**, and that work without a permit is a violation of the terms of the Coon Creek Watershed District Rule 5.1. If you have any questions, please call 763-755-0975.

Sincerely,



Erin Edison
Watershed Development Coordinator

cc: File P22-041
Eileen Weigel, Stantec
Danielle Tourtillott, Stantec
Tom Collins, City of Ham Lake

Note: Please respond to each of these items in writing when resubmitting the revised plans to the District. Resubmittals can be sent via email to permitsubmittals@cooncreekwd.org. **Please submit written responses below the original typed comments, using extra sheets as necessary, addressing comments from the District.** If you have any questions, feel free to contact Erin Edison at (763) 755-0975. Pursuant to Coon Creek rule 7.3 deficiencies must be addressed and resubmitted within 60 days. Failure to so shall be deemed a withdrawal of the permit application.

Meeting Date: June 20, 2022



***CITY OF HAM LAKE
STAFF REPORT***

To: Mayor and Councilmembers

From: Denise Webster, City Administrator

Item/Title/Subject: Dredging between South Coon Lake and Coon Lake

Introduction/Discussion: Please see the attached information regarding South Coon Lake and Coon Lake. There has been a request by a resident of Hiawatha Beach to have the channel dredged between South Coon Lake and Coon Lake. In the past there was a verbal agreement between the Public Works Department and the homeowner at 3317 Interlachen Drive NE to access the channel. I believe that the access has only been used in the past to trim trees that were obstructing the channel and to trap beavers. Since that time, the property has been sold. Attorney Murphy has been in contact with the new property owner to acquire an easement, but has been unsuccessful so far.

Public Works Superintendent Witkowski has been in contact with the DNR regarding the dredging and it is in their opinion that “they are not aware of any reasons that this would “have” to be completed, in fact, MN Rule 6115.0200 Subp 1 states “it is the goal of the department to limit the excavation of materials from the beds of public waters...”.

Recommendation: Staff needs direction regarding the dredging between South Coon Lake and Coon Lake.

Denise Webster

From: John Witkowski
Sent: Wednesday, June 8, 2022 10:35 AM
To: Denise Webster
Subject: FW: Coon Lake Dredge, 2001-6042

From: John Witkowski <>
Sent: Thursday, August 12, 2021 7:41 AM
To: 'Youngsma, Lucas (DNR)' <Lucas.Youngsma@state.mn.us>
Subject: RE: Coon Lake Dredge, 2001-6042

Thank you for the information. This is very helpful.

Thank You,



John Witkowski

Public Works Superintendent

City Hall (763) 434-9555

Desk (763) 235-1662

jwitkowski@ci.ham-lake.mn.us

From: Youngsma, Lucas (DNR) <Lucas.Youngsma@state.mn.us>
Sent: Wednesday, August 11, 2021 2:30 PM
To: John Witkowski <JWitkowski@ci.ham-lake.mn.us>
Cc: Gleason, John (DNR) <john.gleason@state.mn.us>; Youngsma, Lucas (DNR) <Lucas.Youngsma@state.mn.us>
Subject: RE: Coon Lake Dredge, 2001-6042

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

Hi John

Thank you for reaching out regarding permit 2001-6042. DNR doesn't have a list of contractors who could accomplish this work from the water. As for the obligation question, I am not aware of any reasons that this work would "have" to be completed, and in fact, MN Rule 6115.0200 Subp 1 states "It is the goal of the department to limit the excavation of materials from the beds of public waters...".

I extended the permit last August, it is now valid through 8/25/2025. The permit file includes record of the property owners having given permission. If these permissions have changed, the validity of the permit may be in question, and I would request you pursue regaining these rights/permissions before

undertaking any work. However if permissions are still in place, and this is strictly a practical issue of not having a feasible means of access with equipment by land, then the city may seek to address this as you are doing by seeking to accomplish the work from the water or seeking other alternatives.

Lucas Youngsma

Lake City Area Hydrologist – Goodhue, Wabasha & Winona Counties
Acting North Metro Area Hydrologist – Anoka, Hennepin Counties
Ecological and Water Resources

Minnesota Department of Natural Resources

1801 South Oak Street
Lake City, MN 55041
651-299-4020
Cell: 651-341-1526
Email: Lucas.Youngsma@state.mn.us
mndnr.gov



From: John Witkowski <JWitkowski@ci.ham-lake.mn.us>
Sent: Tuesday, August 10, 2021 7:50 AM
To: Youngsma, Lucas (DNR) <Lucas.Youngsma@state.mn.us>
Subject: Coon Lake Dredge

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Lucas Youngsma,
My name is John Witkowski and I'm the Public Works Superintendent for the City of Ham Lake. We have a culvert located at 3325 Interlachen Dr Ham Lake, MN 55304 (Anoka County) and it connects Little Coon lake (also known as South Coon Lake) to Coon Lake. On the North end of that culvert Coon Lake fills the end with sand therefore not letting canoes/kayaks pass between the two lakes. The City does have a permit to remove the sand that builds there however we have no way to access that area due to private property on both sides. My question I guess is do you know of any company that would be able to dredge that area while being in the water? Also does the City "have" to do this because it would need to be done nearly every year due to the sand constantly filling the area back in.

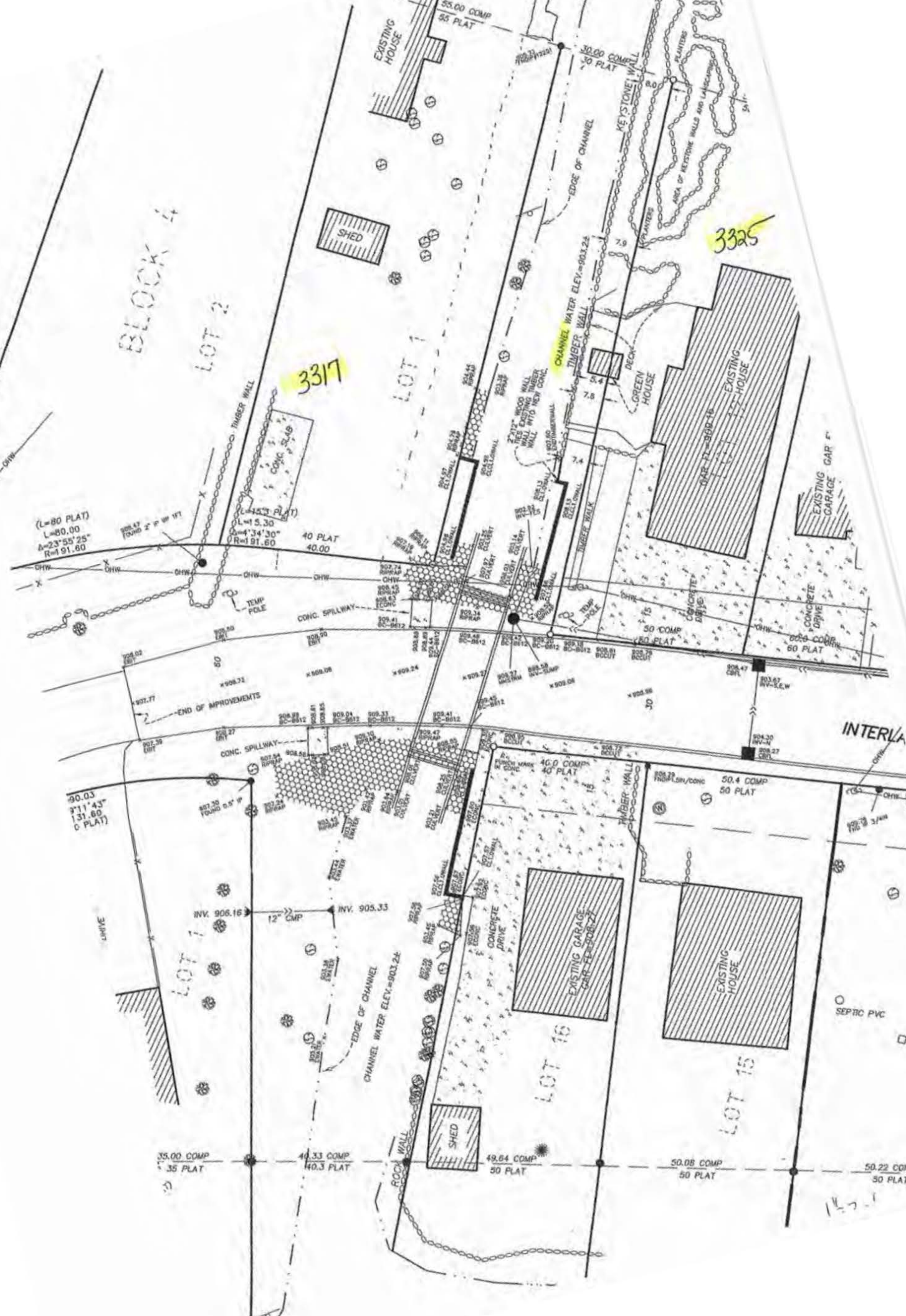
Thank You,



BLOCK 4
LOT 2

3317

3325



AS-BUILT EXHIBIT

-for- RFC Engineering
-of- INTERLACHEN BRIDGE PROJECT

Field as-built survey was completed by E.G. Rud and Sons, Inc. November 18, 2010

BENCHMARK

Anoka County Surveyor Benchmark is in ground in corner of S&B lot southwest of Coon Lake public access sign at corner of Coon Lake across from lot BENCHMARK. Co. #09134 (2009 19).



VICINITY MAP

COON LAKE

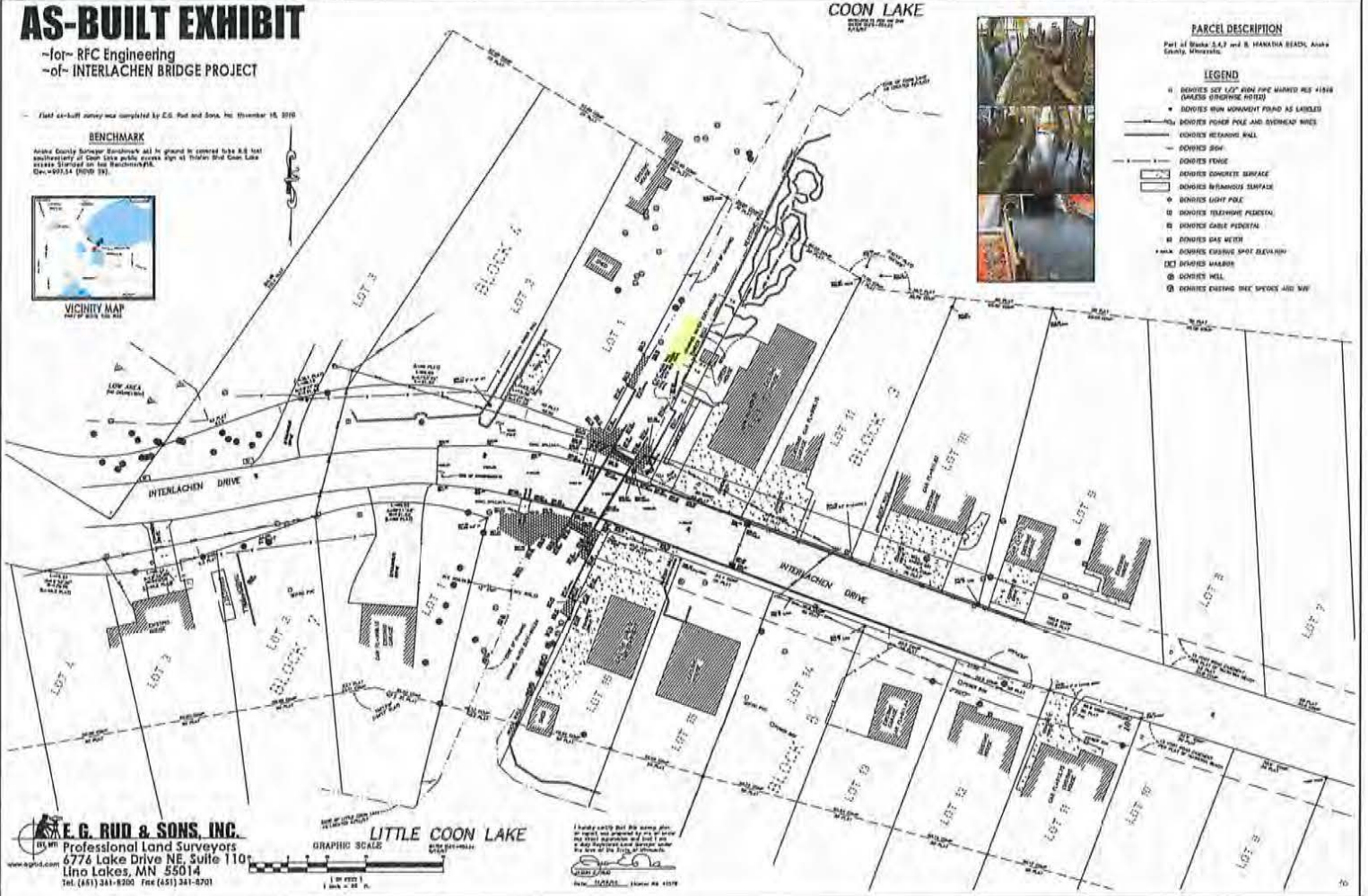


PARCEL DESCRIPTION

Part of Blocks 5, 6, 7 and 8, HANAKIA BEACH, Anoka County, Minnesota.

LEGEND

- DENOTES SET LOT WITH FIRE MARKED RES. HIGH (CIRCLES OR SQUARES, ETC.)
- DENOTES SURV. MONUMENT FOUND AS LABLED
- DENOTES POWER POLE AND OVERHEAD WIRES
- DENOTES RETAINING WALL
- DENOTES SIGN
- DENOTES FENCE
- DENOTES CONCRETE SURFACE
- DENOTES ASPHALT SURFACE
- DENOTES LIGHT POLE
- DENOTES TELEPHONE PEDIESTAL
- DENOTES CABLE PEDIESTAL
- DENOTES GAS METRI
- DENOTES CHARGING SPOT BLAVARUM
- DENOTES MARBON
- DENOTES WELL
- DENOTES EXTERIOR TREE TRUNKS AND SIGN



E. G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 341-8200 Fax (651) 341-8701

LITTLE COON LAKE
GRAPHIC SCALE
1 inch = 40 feet

I hereby certify that this survey plan or map 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.
E. G. RUD & SONS, INC.
Date: 11/22/2010 License No. 11578

Denise Webster

From: NOREPLY.MPARS.dnr@state.mn.us
Sent: Tuesday, August 25, 2020 10:00 AM
To: Tom Collins
Subject: [MPARS] Permit 2001-6042 Amended - Anoka County
Attachments: 2001-6042_83391_permit.pdf

The DNR has issued an amended Public Waters Work permit to Ham Lake, City Of, RFC Engineering, Inc. in Anoka County (see attachment). If you are not the permittee, you are receiving this notification as a courtesy.

Issuance of this permit does not exempt you from compliance with pertinent laws, ordinances and regulations, including Executive Orders that limit public activities. Permittees should not assume that the DNR issuing a permit allows them to conduct their work. They should consult the Minnesota Department of Employment and Economic Development (<https://mn.gov/deed/newscenter/covid/business-exemptions/>), who will determine whether an activity is exempt.

If you are the permittee or their agent, please carefully read all permit conditions and limitations. You are responsible for complying with all terms of the permit. You may sign-in to the MNDNR Permitting and Reporting System (MPARS) using the link below anytime you wish to view or request further changes to your permit. If you are using MPARS for the first time, you will need to create an account.

<https://webapps11.dnr.state.mn.us/mpars/public/permits>

If you have any questions about the permit, please contact Lucas Youngsma at lucas.youngsma@state.mn.us, 651-259-5822.

*** DO NOT REPLY TO THIS EMAIL ***

Amended

Public Waters Work Permit

Expiration Date: 08/25/2025

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below. This permit supersedes the original permit and all previous amendments.

Project Name: N/A	County: Anoka	Watershed: Lower St. Croix River	Resource: Lake: Coon (02004200)
Purpose of Permit: Channel/Ditch Cleanout/Restoration		Authorized Action: Remove sediment from existing Coon Lake to South Coon Lake channel to a depth of no lower than 0.5 feet below invert of Interlachen Drive NE crossing culvert, 10 feet width, and with channel side slopes no steeper than 2:1 (horizontal:vertical); all as shown and described in permit application, supporting materials and as originally authorized under permit 2001-6042.	
Permittee: HAM LAKE, CITY OF CONTACT: WEBSTER, DENISE, (763) 235-1680 15544 CENTRAL AVE NE HAM LAKE, MN 55304 (763) 434-9555		Authorized Agent: RFC ENGINEERING, INC. CONTACT: COLLINS, TOM 13635 JOHNSON STREET HAM LAKE, MN 55304 (763) 862-8000	
Property Description (land owned or leased or where work will be conducted): UTM zone 15N, 485490m east, 5015153m north, NESE of Section 3, T32N, R23W			
Issued Date: 08/25/2020	Effective Date: 08/25/2020	Expiration Date: 08/25/2025	
Authorized Issuer: Lucas Youngsma	Title: Area Hydrologist	Email Address: lucas.youngsma@state.mn.us	Phone Number: 651-259-5822

This permit is granted **subject to** the following **CONDITIONS**:

APPLICABLE FEDERAL, STATE, OR LOCAL REGULATIONS: The permittee is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning.

NOT ASSIGNABLE: This permit is not assignable by the permittee except with the written consent of the Commissioner of Natural Resources.

NO CHANGES: The permittee shall make no changes, without written permission or amendment previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.

SITE ACCESS: The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.

TERMINATION: This permit may be terminated by the Commissioner of Natural Resources at any time deemed

CONDITIONS (Continued from previous page)

necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.

COMPLETION DATE: Construction work authorized under this permit shall be completed on or before the date specified above. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the Commissioner of Natural Resources.

WRITTEN CONSENT: In all cases where the permittee by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

PERMISSIVE ONLY / NO LIABILITY: This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.

EXTENSION OF PUBLIC WATERS: Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.

WETLAND CONSERVATION ACT: Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the permittee shall not initiate any work under this permit until the permittee has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.

CONTRACTOR RESPONSIBILITY: The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit. Contractors must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required, and mail a copy of the statement to the regional DNR Enforcement office where the proposed work is located. The Landowner Statement and Contractor Responsibility Form can be found at: https://bwsr.state.mn.us/sites/default/files/2019-01/Wetland_WCA_Contractor_Responsibility_Form.doc

INVASIVE SPECIES - EQUIPMENT DECONTAMINATION: All equipment intended for use at a project site must be free of prohibited invasive species and aquatic plants prior to being transported into or within the state and placed into state waters. All equipment used in designated infested waters, shall be inspected by the Permittee or their authorized agent and adequately decontaminated prior to being transported from the worksite. The DNR is available to train inspectors and/or assist in these inspections. For more information refer to the "Best Practices for Preventing the Spread of Aquatic Invasive Species" at http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best_practices_for_prevention_ais.pdf. Contact your regional Invasive Species Specialist for assistance at www.mndnr.gov/invasives/contacts.html. A list of designated infested waters is available at www.mndnr.gov/invasives/ais/infested.html. A list of prohibited invasive species is available at www.mndnr.gov/invasives/laws.html#prohibited.

CONSTRUCTION DEWATERING - GENERAL: All construction dewatering in excess of 10,000 gallons per day or one million gallons per year must be authorized by a separate water appropriation permit. All worksite discharge water must be treated for sediment reduction prior to return to the surface water. Water from designated infested waters shall not be diverted to other waters, transported on a public road, or transported or appropriated off property riparian to infested waters without a DNR permit specifically for this use. All equipment in contact with infested waters must be decontaminated upon leaving the site.

EROSION AND SEDIMENT CONTROL - SILT CURTAIN: Any work below the water level shall be encircled by a flotation sediment curtain to prevent sediment from being transported beyond the construction site. An example of an appropriately constructed silt curtain is illustrated in Chapter 6.32 Treatment Measures: Flotation Silt Curtains, found in the document Protecting Water Quality in Urban Areas (2000), at www.pca.state.mn.us/index.php/view-document.html?gid=7157. Curtain should be held close to shoreline, encircling the work area, and not interfere with main flows in channels. The barrier shall be removed upon completion of the work after the silt has settled.

EXCAVATED MATERIALS - FLOODPLAIN CONCERN: Excavated material shall not be permanently placed within community designated floodplain areas or shoreland areas, unless all necessary local permits and approvals have been

CONDITIONS (Continued from previous page)

obtained.

EXCAVATED MATERIALS - RUNOFF CONCERN: Excavated materials must be deposited or stored in an upland area, in a manner where the materials will not be redeposited into the public water by reasonably expected high water or runoff. Departure from any previously approved spoil disposal plans may be allowed only through permit amendment.

cc: John Gleason, EWR District Manager
Witkowski, John, Contact; Ham Lake, City Of
Palo, Elizabeth, Contact; RFC Engineering, Inc.
Tony Salzer, Conservation Officers, Ham Lake
Ben Meyer, BWSR Wetland Specialists, Anoka
Erica Hoaglund, DNR Regional Nongame Specialists, Region 3 - North
Leslie Parris, DNR Regional Environmental Assessment Ecologist, Region 3
Melissa Collins, DNR Regional Environmental Assessment Ecologist, Region 3
Scott Noland, DNR Wildlife, Forest Lake
TJ DeBates, DNR Fisheries, East Metro Area
Abby Shea, County, Anoka
Marie Holm, Watershed District, SUNRISE RIVER WMO
Corps of Engineers, Corps of Engineers, Anoka
Chris Lord, SWCD, Anoka SWCD
Doris Nivala, City, Ham Lake

Denise Webster

From: MNDNR MPARS <NOREPLY.MPARS.dnr@state.mn.us>
Sent: Tuesday, August 25, 2015 1:15 PM
To: Tom Collins
Subject: [MPARS] Permit 2001-6042 Amended
Attachments: 2001-6042_15453_permit.pdf

The DNR has issued an amended Public Waters Work permit to Ham Lake, City Of, RFC Engineering, Inc., Elizabeth Palo in Anoka County (see attachment). If you are not the permittee, you are receiving this notification as a courtesy.

If you are the permittee or their agent, please carefully read all permit conditions and limitations. You are responsible for complying with all terms of the permit. You may sign-in to the MNDNR Permitting and Reporting System (MPARS) using the link below anytime you wish to view or request further changes to your permit. If you are using MPARS for the first time, you will need to create an account.

<https://webapps11.dnr.state.mn.us/mpars/public/permits>

If you have any questions about the permit, please contact Kate Drewry at kate.drewry@state.mn.us, (651) 259-5753.

*** DO NOT REPLY TO THIS EMAIL ***



MINNESOTA DEPARTMENT OF NATURAL RESOURCES

**Amended
Public Waters Work Permit**

Expiration Date: 08/25/2020

**Permit Number
2001-6042**

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below. This permit supersedes the original permit and all previous amendments.

Project Name: N/A	County: Anoka	Watershed: Lower St. Croix River	Resource: Lake: Coon (02004200)	
Purpose of Permit: Channel/Ditch Cleanout/Restoration		Authorized Action: Remove sediment and debris from channel to the same dimensions as originally authorized under Permit # 2001-6042.		
Permittee: HAM LAKE, CITY OF CONTACT: REINER, TOM, (763) 434-9555 x1672 15544 CENTRAL AVE NE HAM LAKE, MN 55304 (763) 434-9555		Authorized Agents (2): RFC ENGINEERING, INC. CONTACT: COLLINS, TOM 13635 JOHNSON STREET HAM LAKE, MN 55304 (763) 862-8000 ELIZABETH PALO 13635 JOHNSON ST. NE HAM LAKE, MN 55304 (763) 862-8000 x121 epalo@rfcengineering.com		
Property Description (land owned or leased or where work will be conducted): UTM zone 15N, 485521m east, 5015152m north, NESE of Section 3, T32N, R23W				
Authorized Issuer: Kate Drewry	Title: Area Hydrologist	Issued Date: 08/25/2015	Effective Date: 08/25/2015	Expiration Date: 08/25/2020

This permit is granted **subject to** the following **CONDITIONS**:

APPLICABLE FEDERAL, STATE, OR LOCAL REGULATIONS: The permittee is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning.

NOT ASSIGNABLE: This permit is not assignable by the permittee except with the written consent of the Commissioner of Natural Resources.

NO CHANGES: The permittee shall make no changes, without written permission or amendment previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.

SITE ACCESS: The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.

TERMINATION: This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.

CONDITIONS (Continued from previous page)

COMPLETION DATE: Construction work authorized under this permit shall be completed on or before the date specified above. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the Commissioner of Natural Resources.

WRITTEN CONSENT: In all cases where the permittee by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

PERMISSIVE ONLY / NO LIABILITY: This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.

EXTENSION OF PUBLIC WATERS: Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.

WETLAND CONSERVATION ACT: Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the permittee shall not initiate any work under this permit until the permittee has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.

CONTRACTOR RESPONSIBILITY: The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit. Contractors must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required, and mail a copy of the statement to the regional DNR Enforcement office where the proposed work is located. The Landowner Statement and Contractor Responsibility Form can be found at: <http://www.bwsr.state.mn.us/wetlands/wca/index.html#general>.

INVASIVE SPECIES - EQUIPMENT DECONTAMINATION: All equipment intended for use at a project site must be free of prohibited invasive species and aquatic plants prior to being transported into or within the state and placed into state waters. All equipment used in designated infested waters, shall be inspected by the Permittee or their authorized agent and adequately decontaminated prior to being transported from the worksite. The DNR is available to train inspectors and/or assist in these inspections. For more information refer to the "Best Practices for Preventing the Spread of Aquatic Invasive Species" at http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best_practices_for_prevention_ais.pdf. Contact your regional Invasive Species Specialist for assistance at www.mndnr.gov/invasives/contacts.html. A list of designated infested waters is available at www.mndnr.gov/invasives/ais/infested.html. A list of prohibited invasive species is available at www.mndnr.gov/eco/invasives/laws.html#prohibited.

CONSTRUCTION DEWATERING - GENERAL: All construction dewatering in excess of 10,000 gallons per day or one million gallons per year must be authorized by a separate water appropriation permit. All worksite discharge water must be treated for sediment reduction prior to return to the surface water. Water from designated infested waters shall not be diverted to other waters, transported on a public road, or transported or appropriated off property riparian to infested waters without a DNR permit specifically for this use. All equipment in contact with infested waters must be decontaminated upon leaving the site.

EROSION AND SEDIMENT CONTROL - SILT CURTAIN: Any work below the water level shall be encircled by a flotation sediment curtain to prevent sediment from being transported beyond the construction site. An example of an appropriately constructed silt curtain is illustrated in Chapter 6.32 Treatment Measures: Flotation Silt Curtains, found in the document Protecting Water Quality in Urban Areas (2000), at www.pca.state.mn.us/index.php/view-document.html?gid=7157. Curtain should be held close to shoreline, encircling the work area, and not interfere with main flows in channels. The barrier shall be removed upon completion of the work after the silt has settled.

EXCAVATED MATERIALS - FLOODPLAIN CONCERN: Excavated material shall not be permanently placed within community designated floodplain areas or shoreland areas, unless all necessary local permits and approvals have been obtained.

EXCAVATED MATERIALS - RUNOFF CONCERN: Excavated materials must be deposited or stored in an upland area, in

CONDITIONS *(Continued from previous page)*

a manner where the materials will not be redeposited into the public water by reasonably expected high water or runoff. Departure from any previously approved spoil disposal plans may be allowed only through permit amendment.

cc: Jeanne Daniels, EWR District Manager
Tony Salzer, Conservation Officers, Ham Lake
Dennis Rodacker, BWSR Wetland Specialists, Anoka
Brooke Haworth, DNR Regional Environmental Assessment Ecologist, Region 3
Scott Noland, DNR Wildlife, North Metro
TJ DeBates, DNR Fisheries, East Metro Area
Marie Holm, Watershed District, SUNRISE RIVER WMO
Andy Beaudet, Corps of Engineers, Anoka
Chris Lord, SWCD, Anoka SWCD



Minnesota Department of Natural Resources

Central Region Waters, 1200 Warner Road, St. Paul, MN 55106-6793

Telephone: (651) 772-7910 Fax: (651) 772-7977

May 17, 2005



Mr. Tom Reiner
Public Works Superintendent
City of Ham Lake
15544 Central Avenue NE
Ham Lake, Minnesota 55304

RE: Transferred Permit No. 2001-6042, Sediment Removal for Navigation, Coon Lake (2-42P)
Anoka County

Dear Mr. Reiner:

Enclosed please find Transferred Permit No. 2001-6042, which has been transferred to the City of Ham Lake from Robert J. Hoff, the previous permittee, per your letter dated March 10, 2005.

Please note that the dimensions for sediment removal are consistent with that approved for the previous permittee. Please note Condition 14. which discusses maintenance. Also, especially note Condition 14. which states that **no activity** affecting the bed of Coon Lake may be conducted **between April 1 and June 30** to protect fish spawning and migration. Also of note is Condition 17. dealing with Eurasian water milfoil and other exotic species.

Please don't hesitate to call me at 651-772-7923, if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Thomas E. Hovey".

Thomas E. Hovey
Area Hydrologist

Enclosures

c: City of Ham Lake, Doris Nivala ✓
Anoka Conservation District, Chris Lord
Sunrise River Watershed Management Organization
U.S. Army Corps of Engineers, Tim Fell
Coon Lake (2-42P) File

DNR Conservation Officer, Travis Muyres
DNR Ecological Services, Wayne Barstad
DNR Fisheries, Dave Zappetillo
DNR Wildlife, Bob Welsh
DNR Waters Permits Unit, Ron Anderson

DNR Information: 651-296-6157 • 1-888-646-6367 • TTY: 651-296-5484 • 1-800-657-3929





TRANSFERRED PUBLIC WATERS WORK PERMIT

Permit Number

2001-6042

This transferred permit supersedes the original and all previous amendments.

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made a part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform the work as authorized below:

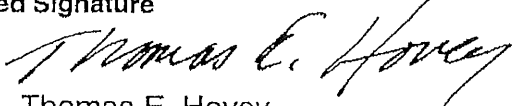
Public Water Name Coon Lake (2-42P)	County Anoka (02)
Name of Permittee City of Ham Lake Attn: Tom Reiner	Telephone Number (Include Area Code) (763) 434-9555
Address (No. & Street, RFD, Box No., City, State, Zip Code) 15544 Central Avenue NE, Ham Lake, Minnesota 55304	
Authorized Work: Remove sediment from existing Coon Lake to South Coon Lake channel to a depth of no lower than 0.5 feet below invert of Interlachen Drive NE crossing culvert, 10 feet width, and with channel side slopes no steeper than 2:1 (horizontal:vertical); all as shown and described in permit application and supporting materials received October 5, 2000 and May 20, 2004, and the Conditions of this permit.	
Purpose of Permit Sediment Removal	Expiration Date of Permit November 30, 2005
Property Described As: Part of NE¼ NE¼ SE¼ Section 3, T32N-R23W	

This permit is granted **subject** to the following **CONDITIONS**:

1. The **permittee** is not released from any rules, regulations, requirements, or standards of any applicable federal, state or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning. This permit does not release the **permittee** of any permit requirement of the St. Paul District, U.S. Army Corps of Engineers, Army Corps of Engineers Centre, 190 Fifth Street East, St. Paul, MN 55101-1638.
2. This permit is not assignable by the **permittee** except with the written consent of the Commissioner of Natural Resources.
3. The **permittee** shall notify the Area Hydrologist at least five days in advance of the commencement of the work authorized hereunder and notify him/her of its completion within five days. The Notice of Permit issued by the Commissioner shall be kept securely posted in a conspicuous place at the site of operations.
4. The **permittee** shall make no changes, without written permission previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.
5. The **permittee** shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.
6. This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the Conditions or applicable law of this permit, unless otherwise provided in the Conditions.
7. Construction work authorized under this permit shall be completed on or before the date specified above. The **permittee** may request an extension of time to complete the project, stating the reason thereof, upon written request to the Commissioner of Natural Resources.
8. In all cases where the **permittee** by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the **permittee**, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

9. This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the **permittee** or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the **permittee**, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the **permittee**, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable provisions of law.
10. Any extension of the surface of protected waters from work authorized by this permit shall become protected waters and left open and unobstructed for use by the public.
11. Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the **permittee** shall not initiate any work under this permit until the **permittee** has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.
12. Erosion control measures shall be adequately designed for the site characteristics. They may include staked haybales, diversion channels, sediment ponds, or sediment fences. They shall be installed in accordance with "Protecting Water Quality in Urban Areas" MPCA, March 1, 2000 (and as revised in the future), prior to commencement and maintained throughout the project. All exposed soil shall be stabilized as soon as possible and no later than 72 hours after the completion of the project. Topsoil should be used to re-dress disturbed soil areas and indigenous plant species should be used to revegetate disturbed areas whenever possible.
13. The **permittee** is authorized to maintain the approved work to the dimensions herein described. Prior to commencing any maintenance work, the **permittee** shall advise the Department of Natural Resources of the extent and method of maintenance. Maintenance work shall not be commenced until permittee receives written approval from the Department.
14. No activity affecting the bed of the protected water may be conducted between **April 1** and **June 30**, to minimize impacts on fish spawning and migration. If work during this time is essential, it shall be done only upon written approval of the Area Fisheries Manager, at 651-772-7950.
15. Upon completion of the authorized work, the **permittee** shall submit representative photographs and any as-built surveys, as appropriate, of the project area to DNR Metro Region Waters (1200 Warner Road, St. Paul, MN 55106).
16. Excavated materials must be deposited or stored in an upland area, in a manner where the materials will not be redeposited into the protected water by reasonably expected high water or runoff.
17. All equipment shall be inspected for Eurasian water milfoil and other exotic species, and decontaminated following project completion and/or when equipment is moved from one waterbody to another. Every reasonable precaution shall be taken to prevent inoculation of other waterbodies. DNR-Ecological Services (651-296-2835) may be contacted for information on how to decontaminate equipment.

c: City of Ham Lake, Doris Nivala
 Anoka Conservation District, Chris Lord
 Sunrise River Watershed Management Organization
 U.S. Army Corps of Engineers, Tim Fell
 DNR Conservation Officer, Travis Muyres
 DNR Ecological Services, Wayne Barstad
 DNR Fisheries, Dave Zappetillo
 DNR Wildlife, Bob Welsh
 DNR Central Waters, Ron Anderson
 Coon Lake File (2-42P)

Authorized Signature	Title	Date
 Thomas E. Hovey	Area Hydrologist	May 17, 2005

Denise Webster

From: Tom Collins <TCollins@rfcengineering.com>
Sent: Thursday, August 27, 2020 10:59 AM
To: John Witkowski
Cc: Denise Webster
Subject: Interlachen Drive bridge
Attachments: Interlachen Drive Bridge As-Built Exhibit.pdf; cc06192017.docx; 2001-6042_83391_permit.pdf; DNR Permit 2001-6042.pdf; Hoff- Hiawatha Channel Letter.docx

John,

The as-built survey from the Interlachen Drive bridge (box culvert) construction project is attached. Per the survey there is an iron pipe that identifies the northeast corner of 3317 Interlachen Drive.

The attached DNR permit allows for dredging of the channel between South Coon Lake and Coon Lake. RFC renews this permit for the City every 5 years. The responsibility for dredging was transferred in 2005 from Bob Hoff (3325 Interlachen Drive) to the City per the attached 5/17/05 DNR letter. I do not know what the discussions were for the City taking over this responsibility. I also do not know how that could be completed now, as there is no room on the north side. As shown on the survey, there are a number of encroachments for 3325 Interlachen Drive within the 30-foot wide channel easement. The City did notify 3325 in 2011 that the encroachments needed to be removed (letter attached). I do not know whether that has been completed. There is no room to access the channel thru the 3317 parcel either, due to the wing walls of the 12-foot wide x 7-foot high box culvert. Any maintenance would have to be completed on the ice in the winter (not safe due to moving water) or via a “barge” that would hold a backhoe. The condition of the timber wall is of concern also.

I agree with your concerns on maintaining the channel and adjacent tree trimming. There was prior discussion at a City Council meeting regarding the ability of snowmobiles to go around the bridge due to thin ice under and adjacent to the box culvert. The City Council directed the City Attorney to acquire an easement over the east 10 feet of the 3317 Interlachen Drive parcel. This is item 10.1 of the attached City Council minutes. I do not know what the status is of that acquisition.

Tom

- 4.5 Approval of Resolution No. 17-23 accepting a \$10,500.00 donation from Ham Lake Chamber of Commerce
- 4.6 Approval of Resolution No. 17-24 accepting a \$450.00 donation from Andover Football Association
- 4.7 Approval of a lot line adjustment between Lot 10, Block 2 Hidden Forest North 2nd Addition and Lot 1 Block 1, Hidden Forest North
- 4.8 Approval of Resolution No. 17-25 for the Findings of Fact denying the request of Freedom Auto Sales for a Conditional Use Permit to operate a used car sales lot at 14954 Aberdeen Street NE
- 4.9 Approval of Liquor Licenses, subject to the approval of the City Attorney
 - On-Sale and Sunday On-Sale
 - Maxx Bar & Grill, 17646 Highway 65 NE, Ham Lake, MN
 - Off-Sale
 - Carey's Liquor, 16205 Lexington Avenue NE, Ham Lake, MN

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

5.0 PLANNING COMMISSION RECOMMENDATIONS

- 5.1 Tom Kuehn requesting Commercial Site Plan approval to construct a building for Kuehn Roof Systems located at 14815 Aberdeen Street NE

Motion by Van Kirk, seconded by Johnson, to concur with the recommendation of the Planning Commission and approve the Commercial Site Plan to construct a building for Kuehn Roof Systems at 14815 Aberdeen Street NE as presented by Tom Kuehn subject to meeting all State, County and City requirements. All present in favor, motion carried.

6.0 PARK AND TREE COMMISSION RECOMMENDATIONS – None

7.0 ECONOMIC DEVELOPMENT AUTHORITY – None

8.0 APPEARANCES – None

9.0 CITY ATTORNEY – None

10.0 CITY ENGINEER

- 10.1 Discussion of Lot 1, Block 4, Hiawatha Beach (3317 Interlachen Drive NE)

Engineer Collins stated that back in 2009 a bridge was built between south Coon Lake and Coon Lake. Engineer Collins stated that the Public Works Department is responsible for dredging the channel. Engineer Collins stated that the Public Works Department uses the property located at 3317 Interlachen Drive NE to access the channel for dredging. Engineer Collins stated that it has always been a verbal agreement between the property owner and Public Works to allow them to go onto this property to do the dredging. Engineer Collins stated that this property has recently been placed for sale for \$150,000 and there are concerns that Public Works will not be able to use this property to access the channel once sold to new owners. There was discussion of how much of an easement is needed to access the channel. **It was the consensus of the City Council to direct Attorney Murphy to contact the owner and negotiate a 10 foot drainage and utility easement so Public Works can access the channel for dredging.**

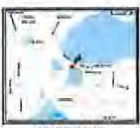
AS-BUILT EXHIBIT

~for~ RFC Engineering
 ~of~ INTERLACHEN BRIDGE PROJECT

Field as-built survey was completed by E.E. Rud and Sons, Inc. November 18, 2010

BENCHMARK

Anoka County Surveyor Benchmark set in ground in corner Lake AS had authenticity of Coon Lake water surface from 40' within first Coon Lake Survey Station on lot 18/20/21/22. Date=09/14/2009 135.



VICINITY MAP
 FOR THIS LOT

COON LAKE
 SURFACE FROM THE
 CORNER

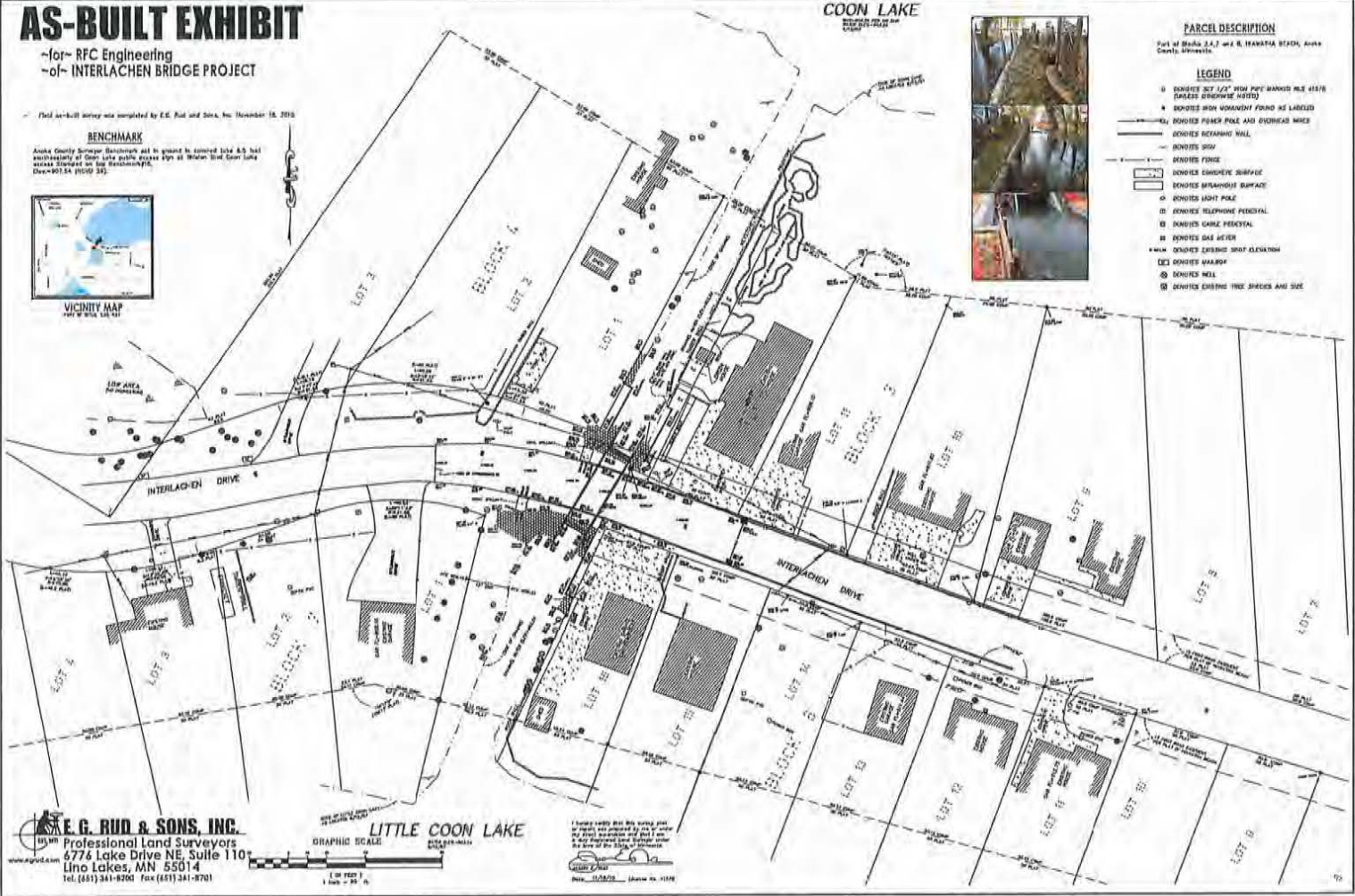


PARCEL DESCRIPTION

Part of Blocks 2, 3, 4 and 5, TARRANTY BLOCK, ANOKA COUNTY, MINNESOTA

LEGEND

- SURVEY SET 1/2" HIGH PINE BARKED PILE 41/2" DIAMETER (SHOWN HATCHED)
- ▲ SURVEY SIGN W/ALUMINUM FINISH AS LABELED
- SURVEY POWER POLE AND ENDHEAD WIRE
- SURVEY RETAINING WALL
- SURVEY SIGN
- SURVEY FENCE
- SURVEY EMBANKMENT SURFACE
- SURVEY ASPHALT SURFACE
- SURVEY LIGHT POLE
- SURVEY TELEPHONE PEDENTAL
- SURVEY GARB PEDENTAL
- SURVEY GAS METER
- SURVEY EMBANKMENT SHOT ELEVATION
- SURVEY MARSH
- SURVEY WELL
- SURVEY EXISTING TREE (DIMENSION AND SIZE)



E. E. RUD & SONS, INC.
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel: (651) 341-8200 Fax: (651) 341-8701

LITTLE COON LAKE
 GRAPHIC SCALE
 1" = 100' 0"

I hereby certify that this survey, plan or map was prepared by me or under my direct supervision and that I am a duly registered land surveyor in the State of Minnesota.
 E. E. Rud
 Date: 11/18/10 (Sheet No. 11/10)

Permit Number

2001-6042

Amended

Public Waters Work Permit

Expiration Date: 08/25/2025

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below. This permit supersedes the original permit and all previous amendments.

Project Name: N/A	County: Anoka	Watershed: Lower St. Croix River	Resource: Lake: Coon (02004200)
Purpose of Permit: Channel/Ditch Cleanout/Restoration		Authorized Action: Remove sediment from existing Coon Lake to South Coon Lake channel to a depth of no lower than 0.5 feet below invert of Interlachen Drive NE crossing culvert, 10 feet width, and with channel side slopes no steeper than 2:1 (horizontal:vertical); all as shown and described in permit application, supporting materials and as originally authorized under permit 2001-6042.	
Permittee: HAM LAKE, CITY OF CONTACT: WEBSTER, DENISE, (763) 235-1680 15544 CENTRAL AVE NE HAM LAKE, MN 55304 (763) 434-9555		Authorized Agent: RFC ENGINEERING, INC. CONTACT: COLLINS, TOM 13635 JOHNSON STREET HAM LAKE, MN 55304 (763) 862-8000	
Property Description (land owned or leased or where work will be conducted): UTM zone 15N, 485490m east, 5015153m north, NESE of Section 3, T32N, R23W			
Issued Date: 08/25/2020	Effective Date: 08/25/2020	Expiration Date: 08/25/2025	
Authorized Issuer: Lucas Youngsma	Title: Area Hydrologist	Email Address: lucas.youngsma@state.mn.us	Phone Number: 651-259-5822

This permit is granted **subject to** the following **CONDITIONS**:

APPLICABLE FEDERAL, STATE, OR LOCAL REGULATIONS: The permittee is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning.

NOT ASSIGNABLE: This permit is not assignable by the permittee except with the written consent of the Commissioner of Natural Resources.

NO CHANGES: The permittee shall make no changes, without written permission or amendment previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.

SITE ACCESS: The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.

TERMINATION: This permit may be terminated by the Commissioner of Natural Resources at any time deemed

CONDITIONS (Continued from previous page)

necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.

COMPLETION DATE: Construction work authorized under this permit shall be completed on or before the date specified above. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the Commissioner of Natural Resources.

WRITTEN CONSENT: In all cases where the permittee by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

PERMISSIVE ONLY / NO LIABILITY: This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.

EXTENSION OF PUBLIC WATERS: Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.

WETLAND CONSERVATION ACT: Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the permittee shall not initiate any work under this permit until the permittee has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.

CONTRACTOR RESPONSIBILITY: The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit. Contractors must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required, and mail a copy of the statement to the regional DNR Enforcement office where the proposed work is located. The Landowner Statement and Contractor Responsibility Form can be found at: https://bwsr.state.mn.us/sites/default/files/2019-01/Wetland_WCA_Contractor_Responsibility_Form.doc

INVASIVE SPECIES - EQUIPMENT DECONTAMINATION: All equipment intended for use at a project site must be free of prohibited invasive species and aquatic plants prior to being transported into or within the state and placed into state waters. All equipment used in designated infested waters, shall be inspected by the Permittee or their authorized agent and adequately decontaminated prior to being transported from the worksite. The DNR is available to train inspectors and/or assist in these inspections. For more information refer to the "Best Practices for Preventing the Spread of Aquatic Invasive Species" at http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best_practices_for_prevention_ais.pdf. Contact your regional Invasive Species Specialist for assistance at www.mndnr.gov/invasives/contacts.html. A list of designated infested waters is available at www.mndnr.gov/invasives/ais/infested.html. A list of prohibited invasive species is available at www.mndnr.gov/invasives/laws.html#prohibited.

CONSTRUCTION DEWATERING - GENERAL: All construction dewatering in excess of 10,000 gallons per day or one million gallons per year must be authorized by a separate water appropriation permit. All worksite discharge water must be treated for sediment reduction prior to return to the surface water. Water from designated infested waters shall not be diverted to other waters, transported on a public road, or transported or appropriated off property riparian to infested waters without a DNR permit specifically for this use. All equipment in contact with infested waters must be decontaminated upon leaving the site.

EROSION AND SEDIMENT CONTROL - SILT CURTAIN: Any work below the water level shall be encircled by a flotation sediment curtain to prevent sediment from being transported beyond the construction site. An example of an appropriately constructed silt curtain is illustrated in Chapter 6.32 Treatment Measures: Flotation Silt Curtains, found in the document Protecting Water Quality in Urban Areas (2000), at www.pca.state.mn.us/index.php/view-document.html?gid=7157. Curtain should be held close to shoreline, encircling the work area, and not interfere with main flows in channels. The barrier shall be removed upon completion of the work after the silt has settled.

EXCAVATED MATERIALS - FLOODPLAIN CONCERN: Excavated material shall not be permanently placed within community designated floodplain areas or shoreland areas, unless all necessary local permits and approvals have been

CONDITIONS (Continued from previous page)

obtained.

EXCAVATED MATERIALS - RUNOFF CONCERN: Excavated materials must be deposited or stored in an upland area, in a manner where the materials will not be redeposited into the public water by reasonably expected high water or runoff. Departure from any previously approved spoil disposal plans may be allowed only through permit amendment.

cc: John Gleason, EWR District Manager
Witkowski, John, Contact; Ham Lake, City Of
Palo, Elizabeth, Contact; RFC Engineering, Inc.
Tony Salzer, Conservation Officers, Ham Lake
Ben Meyer, BWSR Wetland Specialists, Anoka
Erica Hoaglund, DNR Regional Nongame Specialists, Region 3 - North
Leslie Parris, DNR Regional Environmental Assessment Ecologist, Region 3
Melissa Collins, DNR Regional Environmental Assessment Ecologist, Region 3
Scott Noland, DNR Wildlife, Forest Lake
TJ DeBates, DNR Fisheries, East Metro Area
Abby Shea, County, Anoka
Marie Holm, Watershed District, SUNRISE RIVER WMO
Corps of Engineers, Corps of Engineers, Anoka
Chris Lord, SWCD, Anoka SWCD
Doris Nivala, City, Ham Lake



Minnesota Department of Natural Resources

Central Region Waters, 1200 Warner Road, St. Paul, MN 55106-6793

Telephone: (651) 772-7910 Fax: (651) 772-7977

May 17, 2005



Mr. Tom Reiner
Public Works Superintendent
City of Ham Lake
15544 Central Avenue NE
Ham Lake, Minnesota 55304

RE: Transferred Permit No. 2001-6042, Sediment Removal for Navigation, Coon Lake (2-42P)
Anoka County

Dear Mr. Reiner:

Enclosed please find Transferred Permit No. 2001-6042, which has been transferred to the City of Ham Lake from Robert J. Hoff, the previous permittee, per your letter dated March 10, 2005.

Please note that the dimensions for sediment removal are consistent with that approved for the previous permittee. Please note Condition 14, which discusses maintenance. Also, especially note Condition 14, which states that **no activity** affecting the bed of Coon Lake may be conducted **between April 1 and June 30** to protect fish spawning and migration. Also of note is Condition 17, dealing with Eurasian water milfoil and other exotic species.

Please don't hesitate to call me at 651-772-7923, if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Thomas E. Hovey".

Thomas E. Hovey
Area Hydrologist

Enclosures

c: City of Ham Lake, Doris Nivala ✓
Anoka Conservation District, Chris Lord
Sunrise River Watershed Management Organization
U.S. Army Corps of Engineers, Tim Fell
Coon Lake (2-42P) File

DNR Conservation Officer, Travis Muyres
DNR Ecological Services, Wayne Barstad
DNR Fisheries, Dave Zappetillo
DNR Wildlife, Bob Welsh
DNR Waters Permits Unit, Ron Anderson

DNR Information: 651-296-6157 • 1-888-646-6367 • TTY: 651-296-5484 • 1-800-657-3929





TRANSFERRED PUBLIC WATERS WORK PERMIT

Permit Number

2001-6042

This transferred permit supersedes the original and all previous amendments.

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made a part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform the work as authorized below:

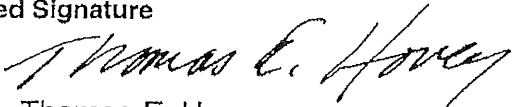
Public Water Name Coon Lake (2-42P)	County Anoka (02)
Name of Permittee City of Ham Lake Attn: Tom Reiner	Telephone Number (Include Area Code) (763) 434-9555
Address (No. & Street, RFD, Box No., City, State, Zip Code) 15544 Central Avenue NE, Ham Lake, Minnesota 55304	
Authorized Work: Remove sediment from existing Coon Lake to South Coon Lake channel to a depth of no lower than 0.5 feet below invert of Interlachen Drive NE crossing culvert, 10 feet width, and with channel side slopes no steeper than 2:1 (horizontal:vertical); all as shown and described in permit application and supporting materials received October 5, 2000 and May 20, 2004, and the Conditions of this permit.	
Purpose of Permit Sediment Removal	Expiration Date of Permit November 30, 2005
Property Described As: Part of NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T32N-R23W	

This permit is granted **subject to** the following **CONDITIONS**:

1. The **permittee** is not released from any rules, regulations, requirements, or standards of any applicable federal, state or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning. This permit does not release the **permittee** of any permit requirement of the St. Paul District, U.S. Army Corps of Engineers, Army Corps of Engineers Centre, 190 Fifth Street East, St. Paul, MN 55101-1638.
2. This permit is not assignable by the **permittee** except with the written consent of the Commissioner of Natural Resources.
3. The **permittee** shall notify the Area Hydrologist at least five days in advance of the commencement of the work authorized hereunder and notify him/her of its completion within five days. The Notice of Permit issued by the Commissioner shall be kept securely posted in a conspicuous place at the site of operations.
4. The **permittee** shall make no changes, without written permission previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.
5. The **permittee** shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.
6. This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the Conditions or applicable law of this permit, unless otherwise provided in the Conditions.
7. Construction work authorized under this permit shall be completed on or before the date specified above. The **permittee** may request an extension of time to complete the project, stating the reason thereof, upon written request to the Commissioner of Natural Resources.
8. In all cases where the **permittee** by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the **permittee**, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

9. This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the **permittee** or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the **permittee**, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the **permittee**, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable provisions of law.
10. Any extension of the surface of protected waters from work authorized by this permit shall become protected waters and left open and unobstructed for use by the public.
11. Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the **permittee** shall not initiate any work under this permit until the **permittee** has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.
12. Erosion control measures shall be adequately designed for the site characteristics. They may include staked haybales, diversion channels, sediment ponds, or sediment fences. They shall be installed in accordance with "Protecting Water Quality in Urban Areas" MPCA, March 1, 2000 (and as revised in the future), prior to commencement and maintained throughout the project. All exposed soil shall be stabilized as soon as possible and no later than 72 hours after the completion of the project. Topsoil should be used to re-dress disturbed soil areas and indigenous plant species should be used to revegetate disturbed areas whenever possible.
13. The **permittee** is authorized to maintain the approved work to the dimensions herein described. Prior to commencing any maintenance work, the **permittee** shall advise the Department of Natural Resources of the extent and method of maintenance. Maintenance work shall not be commenced until permittee receives written approval from the Department.
14. No activity affecting the bed of the protected water may be conducted between **April 1** and **June 30**, to minimize impacts on fish spawning and migration. If work during this time is essential, it shall be done only upon written approval of the Area Fisheries Manager, at 651-772-7950.
15. Upon completion of the authorized work, the **permittee** shall submit representative photographs and any as-built surveys, as appropriate, of the project area to DNR Metro Region Waters (1200 Warner Road, St. Paul, MN 55106).
16. Excavated materials must be deposited or stored in an upland area, in a manner where the materials will not be redeposited into the protected water by reasonably expected high water or runoff.
17. All equipment shall be inspected for Eurasian water milfoil and other exotic species, and decontaminated following project completion and/or when equipment is moved from one waterbody to another. Every reasonable precaution shall be taken to prevent inoculation of other waterbodies. DNR-Ecological Services (651-296-2835) may be contacted for information on how to decontaminate equipment.

c: City of Ham Lake, Doris Nivala
 Anoka Conservation District, Chris Lord
 Sunrise River Watershed Management Organization
 U.S. Army Corps of Engineers, Tim Fell
 DNR Conservation Officer, Travis Muyres
 DNR Ecological Services, Wayne Barstad
 DNR Fisheries, Dave Zappetillo
 DNR Wildlife, Bob Welsh
 DNR Central Waters, Ron Anderson
 Coon Lake File (2-42P)

Authorized Signature  Thomas E. Hovey	Title Area Hydrologist	Date May 17, 2005
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DORN LAW FIRM, LTD.

Wilbur F. Dorn, Jr., Attorney at Law
Jody L. Erickson, Certified Paralegal
Telephone: 763-783-7000

9380 Central Avenue NE
Blaine, MN 55434
Fax: 763-783-5715

September 16, 2011

Doris Nivala, City Administrator
City of Ham Lake
15544 Central Avenue NE
Ham Lake, MN 554304

RE: Hoff Path Usage Issue

Dear Doris:

I have completed my research regarding the above matter and offer the following report.

I. Background

I have reviewed the plat of Hiawatha Beach, a subdivision that was filed in 1928. At that time, Ham Lake was a Township and plats were approved by the County. Included in the plat was the dedication of a "ditch" and a "path", side by side, between Lot 1, Block 4, and Lot 12, Block 3. The total width of these two easements is 30 feet on the north end, and 34 feet on the south end. No dimensions are called out as to the respective width of the ditch and the path – only a total combined width. The path appears to be drawn about twice as wide as the ditch, so it should be assumed that the ditch was dedicated to be 10 feet in width on the north end, and about 11.5 feet wide on the south end; the path was dedicated to be 20 feet in width on the north end, and about 22.5 feet wide on the south end.

The ditch connected Coon Lake with Little Coon Lake, and now lies within the channel that connects those two lakes. Over time, the ditch grew much wider than it appears on the plat. In 1953, a large round metal culvert was installed under Interlachen Drive, and State records show that the culvert was 12.5 feet in width. We do not know who installed the culvert but it was likely the Township, possibly with financial assistance from the County or even the State. This culvert was replaced by the City in the summer of 2010, with a concrete box culvert that is also about 12.5 feet in width. Both the old culvert and the new culvert allow for small watercraft to go between the lakes.

We do not have any information as to just how wide this channel was in 1928. The fact that it was dedicated at about 10 feet in width does not mean that it was actually that wide at the time. The oldest aerial photograph of the area that we have been able to locate dates to 1938, and the ditch is not visible on that aerial. It is clear that the channel was wider than dedicated by 1953,

when the metal culvert was installed. The channel was at its present width by 1960, as shown on aerial photos.

Over time, due to erosion and possibly with the assistance of users and neighbors, the channel has grown to its current width, ranging from about 23 feet at the culvert to about 18 feet on the north end. In addition, the channel has shifted to the east. About 4 to 6 feet of what was originally “ditch” on the west side of the platted easement is now dry ground. On the east side of the channel, the original pathway of 20 to 22.5 feet in width has now become a Path that is from 4 to 8 feet in width.

The existing path is now bordered on the west side by a sheer retaining wall. The wall near the culvert is concrete, installed by the City in 2010, and the remaining wall is timber, installed by the owner of the adjoining lot. The water depth of the channel in this location is not known for sure, but it is deep enough to enable fishing from shore. There is no safety fence along the west side of what remains of the path, and it is a sheer drop of about five feet from edge of path to the surface of the water.

The present owner of Lot 12, Block 3 has encroached into what remains of the path with numerous landscaping features (including hundreds of feet of keystone block walls) a greenhouse and a garden. I observed the garden to completely block the path at an inspection in August. While the path is capable of being used by pedestrians, there is less than three feet of walking space available in some spots due to the encroachments. If there were no encroachments, the path would be about 7 feet in width for its length along Lot 12.

This situation came to the attention of the City in that some other neighbors complained that the path was not being made available for their use as pedestrian access to Coon Lake. The present owner would like to retain the encroachments. It is likely that without the timber retaining wall, the entire path by now would have eroded into the channel.

II. Issues

A. Previous Actions of the City

The City has had numerous issues with the paths in Hiawatha Beach over the years. They were dedicated in 1928 to give other lot owners in the plat the opportunity to obtain direct access to Coon Lake, and were no doubt a sales gimmick. At one time the City viewed these as parkland, but they are in fact travel routes and to be treated much like public roads. We have vacated portions of some of these paths over the years, including a substantial vacation of a path to Little Coon Lake to accommodate an encroaching garage. The portion of the path vacated was not needed to provide access to the lake and reasonable access was still available via that path after the vacation.

B. Ordinance

In 2010, the City adopted an ordinance to deal with these pathways, including the path discussed above. The paths are limited to pedestrian, bicycle, ATV and snowmobiles. Given the

encroachments, the path would not be suitable for anything but pedestrian access. If the encroachments were moved, it would be a tight squeeze for snowmobiles or ATVs at the south end, and trailered boats would not be able to use the path at all.

C. Usage

The land dedicated as a Path is now largely being used as a channel. This is not the purpose for which the land was dedicated and could create problems, although it appears that the “path” land has been used as a channel for well over 60 years. Nature may well have caused this widening, and it would be difficult to prove otherwise.

D. Vacating the Path

The City could consider vacating the path, in which case the path would revert to the ownership of the adjoining property owner. However, this would leave the City without a sufficient drainage easement to contain the present channel. By advance agreement with the adjoining owner, the City could vacate the path and then obtain a drainage easement over the portion needed for the channel.

A second problem with vacating the path is the potential issue of damages to persons who claim to have suffered property value loss due to the vacation. To vacate any public way, the City must hold a public hearing. If in that process it appears that some property owners may claim damages due to the fact that their lot values diminish without this access to the lake, we would need to evaluate that possibility.

E. Enforcing the Ordinance

The City has the legal right to demand that the owner of Lot 12 remove all of the encroachments and not interfere with the use of the path by neighbors. Today, the City has a duty to maintain the path in a safe condition, but the wall, the narrowness of the path even with encroachments removed, and the sheer five foot drop to the channel could present liability problems, since there is no safety fence along the wall. None of our other paths are flanked by channels, and the risk of falling into a channel is not present on any of the other paths. The height of the drop is a safety hazard for all users, and the presence of water, even though shallow, could be an issue for a toddler who tumbles into the channel. In short, unless there is a safety fence erected on the west side, the risk of encouraging use of this path by the public may not be worth the effort. Fencing would further narrow the width for Snowmobiles and ATVs.

III. Discussion and Recommendation

Due to the narrow confines, I do not believe it is safe for Snowmobiles or ATVs to use this path for access to the lake. Even a slight error in judgment by a machine operator would propel such a vehicle over the wall, or cause the vehicle to damage or go through a fence. There are many other accesses for those vehicles.

Vacating the path over the objections of pedestrians who do want to use the path could subject the City to damages. In addition, vacating the path is essentially a gift of the land to the adjoining property owner, and a reward to that owner for deliberately encroaching on the path. It is not the message we should be sending to other such owners, and not a good legal precedent to set.

Maintaining the path as a public walkway with no safety fence creates a liability situation for the City, and the only other alternatives would be to spend the money for a sturdy fence, or to close the path for safety reasons, which is tantamount to vacating the path.

A “hybrid” solution to this problem would be to negotiate a license agreement with the adjoining owner as follows:

- 1) Grant a license for the owner to maintain some landscaping features (keystone walls) in the path, providing for minimum widths and the construction of steps where the walls cross the path; the greenhouse would need to be moved and the garden kept out of the path;
- 2) Amend the ordinance to prohibit any access other than pedestrian on the path, and so post it;
- 3) Make it a condition of the license that the owner of the adjacent path erect and maintain a sturdy fence along the west line to minimize risk to pedestrians of falling over the abrupt edge.
- 4) It could be a condition that the owner also reimburse the City for its costs in reviewing this matter.

If the owner and the City could not negotiate acceptable terms, then I would recommend that the City demand removal of all encroachments, and that we either fence the west side or that we close the path temporarily until funds are available to erect a fence.

Sincerely,

Wilbur F. Dorn, Jr.

Denise Webster

From: Denise Webster
Sent: Thursday, August 15, 2019 4:42 PM
To: 'joseph.murphy@carsoncs.net'
Cc: 'Tom Collins (TCollins@rfcengineering.com)'
Subject: Easement to Coon Lake
Attachments: 3317 Interlachen Dr.pdf; 3325 Interlachen Dr.pdf

Joe,
Attached is the information that I told you about regarding trying to acquire a 10 foot easement along 3317 Interlachen Drive.

There are actually two items going on there.

- 1) Trying to acquire the easement from the vacant property at 3317 Interlachen Drive. I have attached information regarding that.
- 2) Back in 2010/2011 the City discussed in length the encroachments on 3325 Interlachen Drive. I have attached information regarding that.

This is confusing so if we need to discuss it after the council meeting that would work.

Thanks,

Denise Webster, City Administrator
City of Ham Lake
15544 Central Avenue NE
Ham Lake, MN 55304
(763) 235-1680
dwebster@ci.ham-lake.mn.us



Don Krueger

From: Tom Collins <TCollins@rfcengineering.com>
Sent: Wednesday, February 20, 2019 10:32 AM
To: Don Krueger
Subject: Interlachen Drive Bridge/Channel
Attachments: Interlachen Bridge As-Built.pdf; Zoomed In as-built.pdf; HIAWATHA_BEACH.PDF; Portion of Plat.pdf; Hoff- Hiawatha Channel Letter.docx

Don

The post-bridge construction as-built is attached, along with a zoomed in portion of the north side of Interlachen Drive. Also attached are the 1928 plat and a zoomed in portion of the plat. The channel is shown as a Path, which does not have a separate PID on the half-section map. Per the as-built, a pin was placed at the SE corner of 3317 and a pin was found at the NE corner. Pins were also placed at both westerly corners of 3325.

Joe was directed to try to acquire an easement on the easterly portion of the 3317 parcel at the June 19, 2017 City Council meeting. There were some issues with the County not updating the property owner information. We last discussed this at our November 15, 2018 meeting with Joe. I do not know whether there has been any developments since that meeting.

Encroachments on the 3325 were directed to be removed per the attached 2011 letter. I do not know what the status is of removal.

Tom Collins

RFC Engineering, Inc.
13635 Johnson Street
Ham Lake, Minnesota 55304
P: (763) 862-8000
F: (763) 862-8042

- 4.5 Approval of Resolution No. 17-23 accepting a \$10,500.00 donation from Ham Lake Chamber of Commerce
- 4.6 Approval of Resolution No. 17-24 accepting a \$450.00 donation from Andover Football Association
- 4.7 Approval of a lot line adjustment between Lot 10, Block 2 Hidden Forest North 2nd Addition and Lot 1 Block 1, Hidden Forest North
- 4.8 Approval of Resolution No. 17-25 for the Findings of Fact denying the request of Freedom Auto Sales for a Conditional Use Permit to operate a used car sales lot at 14954 Aberdeen Street NE
- 4.9 Approval of Liquor Licenses, subject to the approval of the City Attorney
 - On-Sale and Sunday On-Sale
 - Maxx Bar & Grill, 17646 Highway 65 NE, Ham Lake, MN
 - Off-Sale
 - Carey's Liquor, 16205 Lexington Avenue NE, Ham Lake, MN

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

5.0 PLANNING COMMISSION RECOMMENDATIONS

- 5.1 Tom Kuehn requesting Commercial Site Plan approval to construct a building for Kuehn Roof Systems located at 14815 Aberdeen Street NE

Motion by Van Kirk, seconded by Johnson, to concur with the recommendation of the Planning Commission and approve the Commercial Site Plan to construct a building for Kuehn Roof Systems at 14815 Aberdeen Street NE as presented by Tom Kuehn subject to meeting all State, County and City requirements. All present in favor, motion carried.

6.0 PARK AND TREE COMMISSION RECOMMENDATIONS – None

7.0 ECONOMIC DEVELOPMENT AUTHORITY – None

8.0 APPEARANCES – None

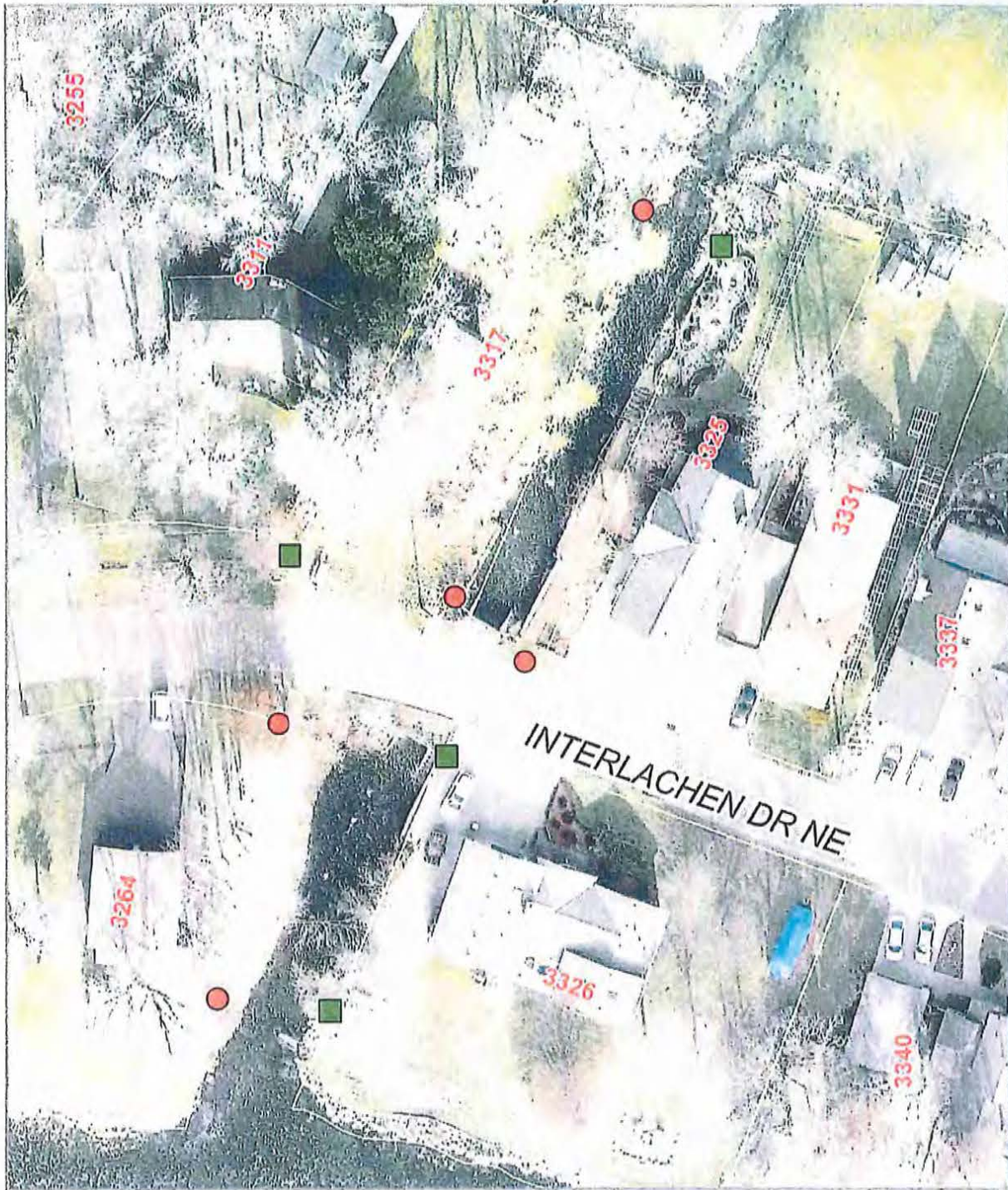
9.0 CITY ATTORNEY – None

10.0 CITY ENGINEER

- 10.1 Discussion of Lot 1, Block 4, Hiawatha Beach (3317 Interlachen Drive NE)

Engineer Collins stated that back in 2009 a bridge was built between south Coon Lake and Coon Lake. Engineer Collins stated that the Public Works Department is responsible for dredging the channel. Engineer Collins stated that the Public Works Department uses the property located at 3317 Interlachen Drive NE to access the channel for dredging. Engineer Collins stated that it has always been a verbal agreement between the property owner and Public Works to allow them to go onto this property to do the dredging. Engineer Collins stated that this property has recently been placed for sale for \$150,000 and there are concerns that Public Works will not be able to use this property to access the channel once sold to new owners. There was discussion of how much of an easement is needed to access the channel. **It was the consensus of the City Council to direct Attorney Murphy to contact the owner and negotiate a 10 foot drainage and utility easement so Public Works can access the channel for dredging.**

Anoka County, MN



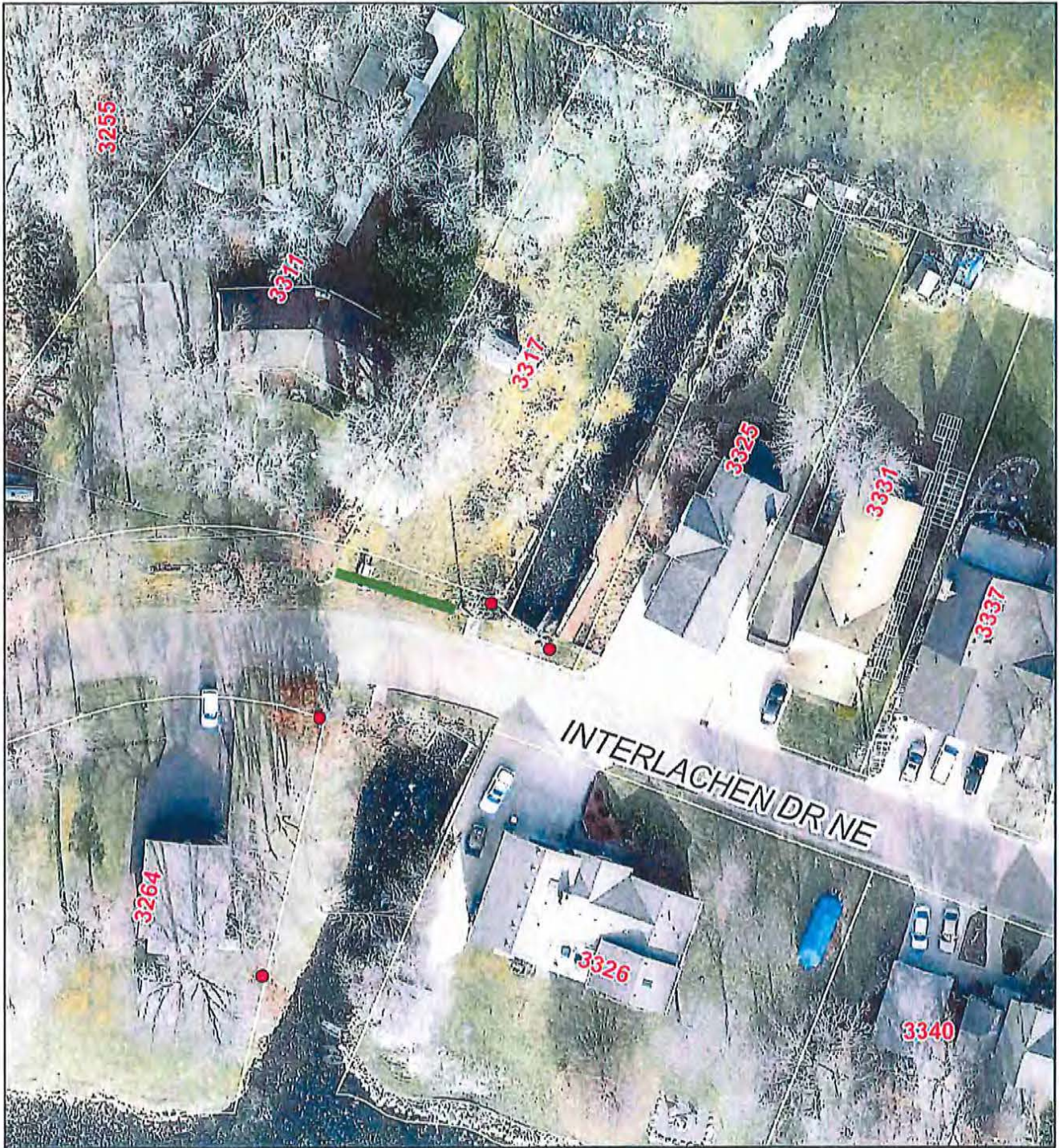
Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale
1 inch = 50 feet
4/26/2019

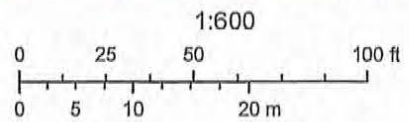
● - FOUND PINS

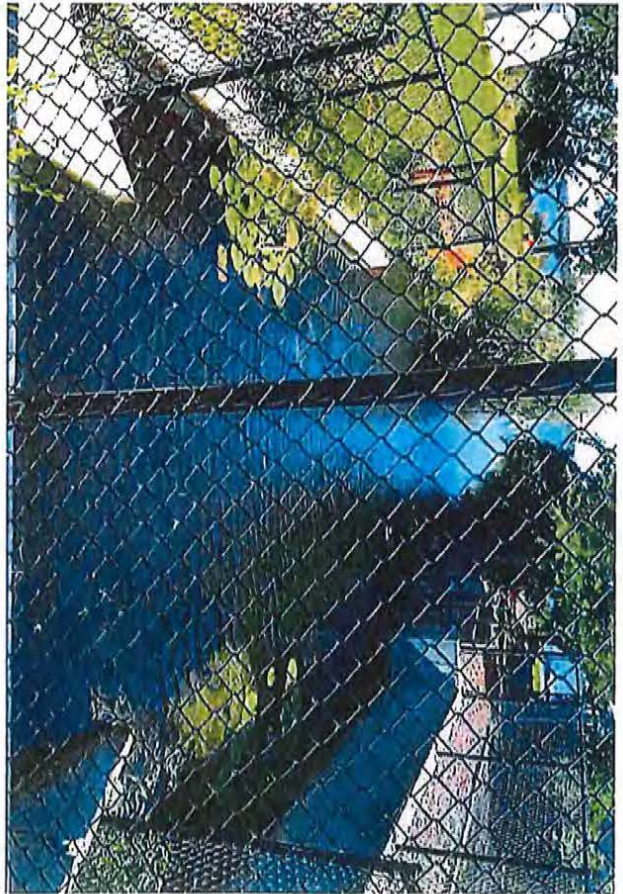
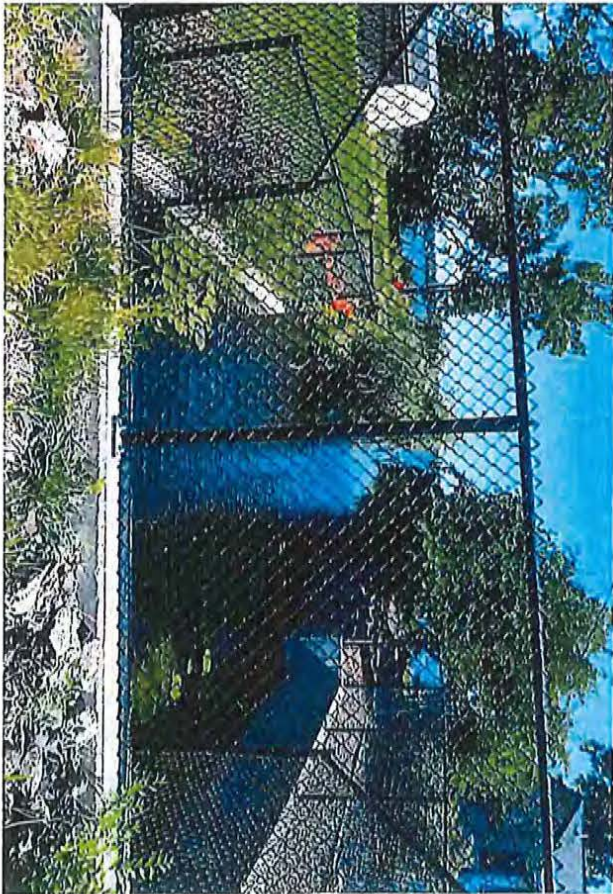
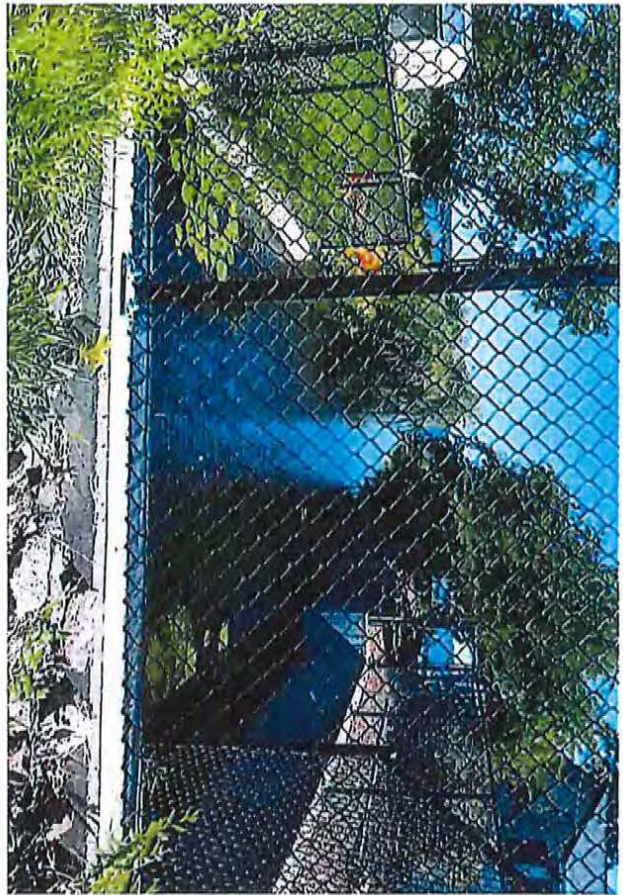
■ - CLOSE PROX TO LOCATION
- UNDER Landscaping or FENCE

Anoka County, MN



August 9, 2019





8/14/19

DORN LAW FIRM, LTD.

Wilbur F. Dorn, Jr., Attorney at Law
Jody L. Erickson, Certified Paralegal
Telephone: 763-783-7000

9380 Central Avenue NE
Blaine, MN 55434
Fax: 763-783-5715

October 24, 2011

Mr. Robert Hoff
3325 Interlachen Drive NE
Ham Lake, MN 55304

Re: Channel Issues

Dear Mr. Hoff:

I discussed the concept of the City acquiring the parcel west of the channel that abuts your lot, and there was a considerable level of interest, particularly if there was a possibility of acquiring this by gift. The Council has authorized me to continue discussions in this regard, and of course if the City were able to make that acquisition, that could justify vacating the portion of the path that now exists between the channel and your lot.

Please contact me as soon as possible to discuss this further. I left a message for you last week but did not get a return call.

Sincerely,

Wilbur F. Dorn, Jr.

5.0 **PLANNING COMMISSION RECOMMENDATIONS - none**

6.0 **PARK AND TREE COMMISSION RECOMMENDATIONS – none**

7.0 **ECONOMIC DEVELOPMENT AUTHORITY – none**


8.0 **APPEARANCES - none**

9.0 **CITY ATTORNEY**

9.1 Discussion of Hiawatha Beach walkway adjacent to Interlachen Drive Bridge

Attorney Dorn had provided the City Council with a memorandum, summarizing his research regarding the pathway in Hiawatha Beach between Lot 1, Block 4 and Lot 12, Block 3, beginning with the filing of the plat in 1928. The original plat dedicated a ditch and path totaling 30 feet, with an approximate size of the pathway as 20 feet. A diagram was displayed showing the current location of the ditch and pathway in that easement and the landscaping (including a keystone blocks, deck and greenhouse) that had been constructed by the owner of Lot 12 which encroaches on the easement. Residents in the area have brought to the attention of the City staff that it is difficult to use the path with the encroachments and that the paths were dedicated to allow property owners direct access to Coon Lake. Attorney Dorn explained that in 2010 the City adopted an ordinance to deal with the pathways in this area that limits them to pedestrian, bicycle, ATV and snowmobiles. With the encroachments, the path is not suitable for anything but pedestrian access. Attorney Dorn stated that if the City vacated the path, the property would revert to the adjacent property owner and the other property owners in the area may have a basis for claims. This path, unlike others in the area, abuts a channel, with the height of the drop a safety hazard for all users. Therefore, unless there is a safety fence erected on the west side of the pathway, the pathway could present liability problems. With the erection of a fence, the pathway would only allow pedestrian traffic and would need to be excluded from the current ordinance. The City Attorney stated that given the liability, one solution would be to grant a license for the owner of Lot 12 to maintain some landscaping features (keystone walls) in the path, providing for minimum widths and the construction of steps where the walls cross the path; the greenhouse and deck would need to be removed, with a condition that the owner erect and maintain a sturdy four foot fence along the west line of the pathway to minimize the risk to pedestrians.

Mayor Van Kirk stated he talked to the property owner and the owner has maintained the pathway and channel since 1974 and is willing to move the greenhouse and put up a fence.

 Motion by Kirkeide, seconded by Johnson, to direct the City Attorney to prepare a license agreement for the property owner of Lot 12, Block 3, Hiawatha Beach (3325 Interlachen Drive NE), allowing him to maintain some landscaping features (keystone walls) in the path, providing for minimum widths and the construction of steps where the walls cross the path; the greenhouse and deck would need to be removed, subject to the owner erecting and maintaining a sturdy four foot fence along the west line of the pathway. All in favor, motion carried.

DORN LAW FIRM, LTD.

Wilbur F. Dorn, Jr., Attorney at Law
Jody L. Erickson, Certified Paralegal
Telephone: 763-783-7000

9380 Central Avenue NE
Blaine, MN 55434
Fax: 763-783-5715

*cc
approved
Success
agreement
9/19/11*

September 16, 2011

Doris Nivala, City Administrator
City of Ham Lake
15544 Central Avenue NE
Ham Lake, MN 554304

RE: Hoff Path Usage Issue

Dear Doris:

I have completed my research regarding the above matter and offer the following report.

I. Background

I have reviewed the plat of Hiawatha Beach, a subdivision that was filed in 1928. At that time, Ham Lake was a Township and plats were approved by the County. Included in the plat was the dedication of a "ditch" and a "path", side by side, between Lot 1, Block 4, and Lot 12, Block 3. The total width of these two easements is 30 feet on the north end, and 34 feet on the south end. No dimensions are called out as to the respective width of the ditch and the path – only a total combined width. The path appears to be drawn about twice as wide as the ditch, so it should be assumed that the ditch was dedicated to be 10 feet in width on the north end, and about 11.5 feet wide on the south end; the path was dedicated to be 20 feet in width on the north end, and about 22.5 feet wide on the south end.

The ditch connected Coon Lake with Little Coon Lake, and now lies within the channel that connects those two lakes. Over time, the ditch grew much wider than it appears on the plat. In 1953, a large round metal culvert was installed under Interlachen Drive, and State records show that the culvert was 12.5 feet in width. We do not know who installed the culvert but it was likely the Township, possibly with financial assistance from the County or even the State. This culvert was replaced by the City in the summer of 2010, with a concrete box culvert that is also about 12.5 feet in width. Both the old culvert and the new culvert allow for small watercraft to go between the lakes.

We do not have any information as to just how wide this channel was in 1928. The fact that it was dedicated at about 10 feet in width does not mean that it was actually that wide at the time. The oldest aerial photograph of the area that we have been able to locate dates to 1938, and the ditch is not visible on that aerial. It is clear that the channel was wider than dedicated by 1953,

when the metal culvert was installed. The channel was at its present width by 1960, as shown on aerial photos.

Over time, due to erosion and possibly with the assistance of users and neighbors, the channel has grown to its current width, ranging from about 23 feet at the culvert to about 18 feet on the north end. In addition, the channel has shifted to the east. About 4 to 6 feet of what was originally "ditch" on the west side of the platted easement is now dry ground. On the east side of the channel, the original pathway of 20 to 22.5 feet in width has now become a Path that is from 4 to 8 feet in width.

The existing path is now bordered on the west side by a sheer retaining wall. The wall near the culvert is concrete, installed by the City in 2010, and the remaining wall is timber, installed by the owner of the adjoining lot. The water depth of the channel in this location is not known for sure, but it is deep enough to enable fishing from shore. There is no safety fence along the west side of what remains of the path, and it is a sheer drop of about five feet from edge of path to the surface of the water.

The present owner of Lot 12, Block 3 has encroached into what remains of the path with numerous landscaping features (including hundreds of feet of keystone block walls) a greenhouse and a garden. I observed the garden to completely block the path at an inspection in August. While the path is capable of being used by pedestrians, there is less than three feet of walking space available in some spots due to the encroachments. If there were no encroachments, the path would be about 7 feet in width for its length along Lot 12.

This situation came to the attention of the City in that some other neighbors complained that the path was not being made available for their use as pedestrian access to Coon Lake. The present owner would like to retain the encroachments. It is likely that without the timber retaining wall, the entire path by now would have eroded into the channel.

II. Issues

A. Previous Actions of the City

The City has had numerous issues with the paths in Hiawatha Beach over the years. They were dedicated in 1928 to give other lot owners in the plat the opportunity to obtain direct access to Coon Lake, and were no doubt a sales gimmick. At one time the City viewed these as parkland, but they are in fact travel routes and to be treated much like public roads. We have vacated portions of some of these paths over the years, including a substantial vacation of a path to Little Coon Lake to accommodate an encroaching garage. The portion of the path vacated was not needed to provide access to the lake and reasonable access was still available via that path after the vacation.

B. Ordinance

In 2010, the City adopted an ordinance to deal with these pathways, including the path discussed above. The paths are limited to pedestrian, bicycle, ATV and snowmobiles. Given the

encroachments, the path would not be suitable for anything but pedestrian access. If the encroachments were moved, it would be a tight squeeze for snowmobiles or ATVs at the south end, and trailered boats would not be able to use the path at all.

C. Usage

The land dedicated as a Path is now largely being used as a channel. This is not the purpose for which the land was dedicated and could create problems, although it appears that the "path" land has been used as a channel for well over 60 years. Nature may well have caused this widening, and it would be difficult to prove otherwise.

D. Vacating the Path

The City could consider vacating the path, in which case the path would revert to the ownership of the adjoining property owner. However, this would leave the City without a sufficient drainage easement to contain the present channel. By advance agreement with the adjoining owner, the City could vacate the path and then obtain a drainage easement over the portion needed for the channel.

A second problem with vacating the path is the potential issue of damages to persons who claim to have suffered property value loss due to the vacation. To vacate any public way, the City must hold a public hearing. If in that process it appears that some property owners may claim damages due to the fact that their lot values diminish without this access to the lake, we would need to evaluate that possibility.

E. Enforcing the Ordinance

The City has the legal right to demand that the owner of Lot 12 remove all of the encroachments and not interfere with the use of the path by neighbors. Today, the City has a duty to maintain the path in a safe condition, but the wall, the narrowness of the path even with encroachments removed, and the sheer five foot drop to the channel could present liability problems, since there is no safety fence along the wall. None of our other paths are flanked by channels, and the risk of falling into a channel is not present on any of the other paths. The height of the drop is a safety hazard for all users, and the presence of water, even though shallow, could be an issue for a toddler who tumbles into the channel. In short, unless there is a safety fence erected on the west side, the risk of encouraging use of this path by the public may not be worth the effort. Fencing would further narrow the width for Snowmobiles and ATVs.

III. Discussion and Recommendation

Due to the narrow confines, I do not believe it is safe for Snowmobiles or ATVs to use this path for access to the lake. Even a slight error in judgment by a machine operator would propel such a vehicle over the wall, or cause the vehicle to damage or go through a fence. There are many other accesses for those vehicles.

Vacating the path over the objections of pedestrians who do want to use the path could subject the City to damages. In addition, vacating the path is essentially a gift of the land to the adjoining property owner, and a reward to that owner for deliberately encroaching on the path. It is not the message we should be sending to other such owners, and not a good legal precedent to set.

Maintaining the path as a public walkway with no safety fence creates a liability situation for the City, and the only other alternatives would be to spend the money for a sturdy fence, or to close the path for safety reasons, which is tantamount to vacating the path.

A "hybrid" solution to this problem would be to negotiate a license agreement with the adjoining owner as follows:

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- 4) It could be a condition that the owner also reimburse the City for its costs in reviewing this matter.

If the owner and the City could not negotiate acceptable terms, then I would recommend that the City demand removal of all encroachments, and that we either fence the west side or that we close the path temporarily until funds are available to erect a fence.

Sincerely,

Wilbur F. Dorn, Jr.

Doris Nivala

From: Jason Rud <jrud@egrud.com>
Sent: Tuesday, July 26, 2011 7:24 AM
To: Tom Collins; Doris Nivala
Subject: RE: Interlachen Channel Boundary Staking

Good morning Tom and Doris,

Our field crew monumented the corners for the east side of the channel yesterday. In addition to verifying the front and rear corner, we also set points along the line so that it was clearly identified.

Please let me know if you have any additional questions or needs pertaining to this work.

Jason Rud
E.G. Rud and Sons

From: Tom Collins [mailto:TCollins@rfcengineering.com]
Sent: Wednesday, July 20, 2011 1:48 PM
To: Jason Rud
Subject: RE: Interlachen As-built Drawing

Hi Jason,

The City sent a letter to Bob Hoff at 3325 Interlachen Drive in the spring of this year. The letter informed him of the encroachments into the channel easement, and gave him until July 15th to remove the encroachments. Doris called Bob this morning, and he was not sure that the City was serious about him removing his property. She told Bob that he will have 30 days to remove the property, after his westerly property corners are clearly identified. Per the as-builts, you had to set pipe at both of these corners. I need you to verify that the pipes are as placed and then flag the location of both corners. It would be helpful if stakes/flagging were placed at both corners so that they were visible from each other. I am not sure how high the stakes would have to be to see over the encroachments.

Tom

From: Jason Rud [mailto:jrud@egrud.com]
Sent: Monday, November 22, 2010 9:32 AM
To: Tom Collins
Subject: Interlachen As-built Drawing

Good morning Tom,

Attached is the requested as-built survey for your Interlachen Bridge project.

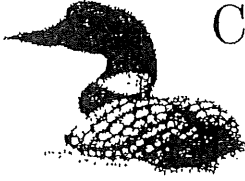
In summary, we are showing the following:

- Existing retaining walls, greenhouse, fence, and other improvements within the public right of way.
- As-built elevations on the storm sewer, culvert, street, and other improvements.

-
- Existing field monumentation. All points are in place for the city's viewing.

Please let me know if you need any additional information from our office, or if you have any additional questions.

Jason



CITY OF HAM LAKE

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

July 25, 2011

Robert and Patricia Hoff
3325 Interlachen Drive NE
Ham Lake, MN 55304

Dear Mr. and Mrs. Hoff:

On February 9, 2011, I sent a letter to you stating that the Ham Lake City Council directed that the encroachments you have placed on the walking trail adjacent to your property must be removed by July 15, 2011. Tom Reiner and I met with you and discussed the necessary actions to satisfy this directive. To date, these encroachments are still in place.

E. G. Rud Surveying will be placing survey stakes at either end of the walking trail and at intermittent locations along the path so that it will be clearly marked. The portions of your deck, green house, and retaining wall blocks located within this area must be removed within 30 days or the City will move them off of the public trail. The timber wall in the channel can remain in place.

If you have any questions, please feel free to call.

Sincerely,

Doris A. Nivala
Administrator

Road Committee
7/19/11

Easement encroachments at 3325 Interlachen Drive (Bob Hoff parcel)

Engineer Collins showed the as-built survey for the Interlachen Drive Bridge project which showed encroachments within the channel easement between South Coon Lake and Coon Lake by Bob Hoff. Administrator Nivala told the Committee that she and Superintendent Reiner met with Bob Hoff to discuss required action to comply with the February letter that required the encroachments to be removed from the easement, and that directed removal of the encroachments by July 15th. Superintendent Reiner said that the encroachments still remain in the easement. Councilmember Doyle recommended that Mr. Hoff be notified that the City will be identifying the easement line and that he will have 30 days to remove the encroachments after the survey is completed. Administrator Nivala recommended that after the encroachments are removed that the easement location be marked in the field with fence and/or cable.

Tom Collins
City Engineer

AS-BUILT EXHIBIT

-for- RFC Engineering
-of- INTERLACHEN BRIDGE PROJECT

This as-built survey was completed by G.S. Rud and Sons, Inc. November 18, 2016.

BENCHMARK

Area, County of Cook, Minnesota, was in 1895 to 1900 and 6.5 feet above mean sea level. The benchmark is located at the intersection of East 185th St. (N 100 15).



PARCEL DESCRIPTION

Part of Block 3,7 and 8, Interlachen Bridge, Cook County, Minnesota.

LEGEND

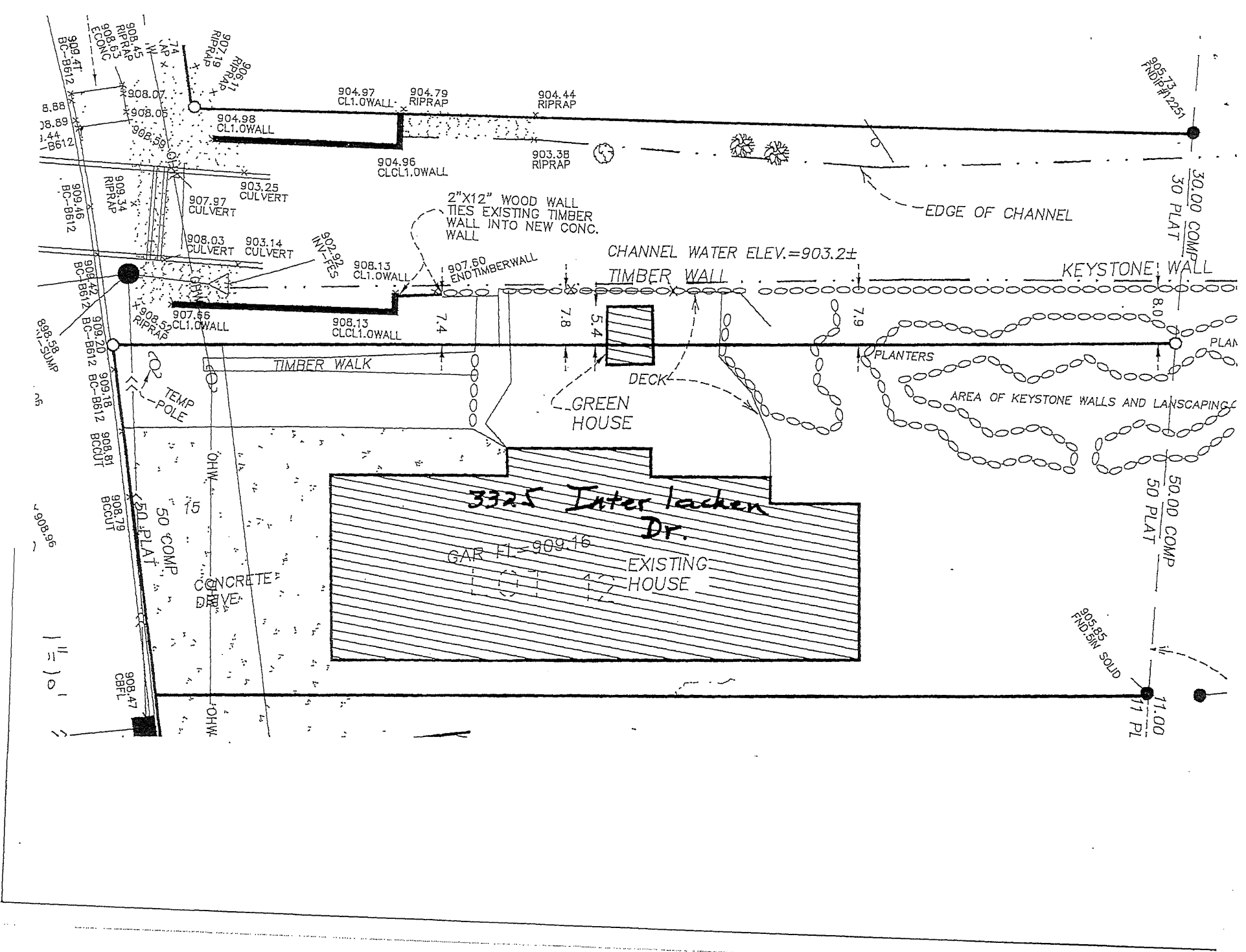
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COON LAKE

LITTLE COON LAKE

GRAPHIC SCALE
1" = 100'

G.S. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel: (651) 341-8200 Fax: (651) 341-4701



908.45
RIPRAP
908.53
ECONC
908.41
BC-B612
8.68
38.89
1.4
B612
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RIPRAP
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904.97
CL1.OWALL
904.79
RIPRAP
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904.96
CLCL1.OWALL
903.38
RIPRAP

907.97
CULVERT
903.25
CULVERT
908.03
CULVERT
903.14
CULVERT

2"x12" WOOD WALL
TIES EXISTING TIMBER
WALL INTO NEW CONC.
WALL

CHANNEL WATER ELEV.=903.2±
TIMBER WALL

EDGE OF CHANNEL

KEYSTONE WALL

GREEN HOUSE
DECK

PLANTERS

AREA OF KEYSTONE WALLS AND LANDSCAPING

3325 Interlachen
Dr.

GAR FL=909.16
EXISTING
HOUSE

905.85
FIND SW SOJD

11.00
11 PL

50.00 COMP
50 PLAT

30.00 COMP
30 PLAT



CITY OF HAM LAKE

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

February 9, 2011

434-6927

Robert and Patricia Hoff
3325 Interlachen Drive NE
Ham Lake, MN 55304

Dear Mr. and Mrs. Hoff:

During the construction of the bridge last summer, it came to our attention that portions of your deck, retaining walls, and other landscaping may encroach on the pathway adjacent to your property. Enclosed is a copy of a survey that was completed showing that portions of your deck, green house, and other landscaping does, in fact, encroach on the public pathway.

The Ham Lake City Council reviewed the site survey and discussed these encroachments at their meeting on Monday, February 7, 2011. It was the consensus of the City Council that these items be removed from the public pathway. These items must be removed by July 15, 2011.

If you have any questions, feel free to call.

Sincerely,

Doris A. Nivala
Administrator

Enc.

explained that the County is requiring removal of a secondary driveway at 13414 Bunker Lake Boulevard NE. Councilmember Braastad requested an explanation of making a U-turn at Bunker Lake Blvd. NE. Engineer Collins reviewed the possible realignment of the Elwell/Lennes private access and the inability to make a U-turn at Bunker Lake Boulevard NE (with a semaphore) with a semi-truck, but it will be possible with a car. Councilmember Johnson questioned the funding of the bike path and the Engineer explained the future reimbursement for 50% of trail cost for the ten foot trail on west side. Councilmember Johnson explained he was not sure of the concept of paying for a regional trail system and wanted to make sure that it would be connected. Councilmember Kirkeide stated the trail would be funded through Parkland Dedication fees. **Motion by Kirkeide, seconded by Doyle, to concur with the recommendations of the Road Committee and approve the Joint Powers agreement with Anoka County for the improvement of CSAH 17 (Lexington Ave. NE). All in favor, motion carried.**

B.) Ordering the plans and specifications for the improvement of 153rd Avenue NE

Engineer Collins explained the turn-back of 153rd Avenue NE, from the County to the City and that Anoka County is giving the City 1.275 million dollars to help the cost of improving the road. Engineer Collins explained that the Road Committee is recommending that the plans be ordered now, but the project will not be completed until 2012, in conjunction with the Frontage Road, north of 153rd Avenue NE. **Motion by Doyle, seconded by Kirkeide, to concur with the recommendations of the Road Committee and order the plans and specifications for the improvement of 153rd Avenue NE, east of Trunk Highway 65. All in favor, motion carried.**

C.) Directing the removal of encroachments on a pathway in Hiawatha Beach

Engineer Collins had provided the City Council with diagrams and pictures of improvements made by the owner of the property at 3325 Interlachen Drive NE that encroach on the easement. The easement abuts the Interlachen Bridge and includes a channel and walking pathway to the lake. Due to the improvements, there is not a walking pathway and the neighbors are angry that they cannot access the lake through this public pathway. The improvements include keystone, greenhouse, deck, etc. Also, the property owner has deposited brush, etc. on the property on the opposite side of the pathway, which is unimproved. Engineer Collins explained that we have required other property owners in the area to remove encroachments from the pathways so it is the same policy as before. **Motion by Johnson, seconded by Braastad, to concur with the recommendations of the Road Committee directing the City Administrator to contact the property owner of 3325 Interlachen Drive, requiring the removal of improvements encroaching on the public pathway and removing the brush, etc. on the abutting property. All in favor, motion carried.**

D.) Designating the speed limit on 153rd Avenue NE

Engineer Collins explained, based on OSHA requirements, that in order to maintain this road (due to the 55 mph) an additional trailer (Traffix TL-2 Trailer TMA, complete attenuator) would need to be purchased for safety purposes. The City currently does not maintain any roads posted at this speed limit. The cost for this trailer is \$17,678. In addition, Engineer Collins explained that the MnDOT Bikeway Facility Design Manual recommends that on roads with speed limits up to 45 mph, bike lanes can be 6 feet wide, but over 45 mph, bike lanes must be 8 feet wide. Discussion followed on whether to post a new limit now or wait until the improvement is completed. Superintendent Reiner was present and

Boulevard (with a semaphore) with a semi truck. Administrator Nivala noted that the City is responsible for lamping the semaphore and discussion followed regarding alternatives. The cost estimate to the City for the project is \$169,040.56, which is based on the 30% Plans. Engineer Collins explained that this cost is subject to change with development of the Plans by the County. **It was the consensus of the Committee to recommend to the City Council to approve the Joint Powers Agreement with Anoka County for the improvement of CSAH 17 from the southern border of the City to 2,303 feet north of Bunker Lake Boulevard, subject to review of the JPA by the City Attorney.**

Interlachen Drive encroachments – 3325 Interlachen Drive

Engineer Collins displayed diagrams and pictures of improvements made by the owner of the property at 3325 Interlachen Drive that encroach on the easement. The easement abuts the Interlachen Bridge and includes a channel and walking pathway to the lake. Due to the improvements, there is not a walking pathway and the neighbors are angry that they cannot access the lake through this public pathway. The improvements include keystone, greenhouse, deck, etc. Also, the property owner has deposited brush, etc. on the property on the opposite side of the pathway, which is unimproved. **It was the consensus of the Committee to recommend to the City Council that the City contact the property owner of 3325 Interlachen Drive, directing the removal of improvements encroaching on the public pathway and removing the brush, etc. on the abutting property.**

Discussion of east frontage road, north of 153rd Avenue and 153rd Avenue

Engineer Collins reviewed the proposed improvement, stating that the Access Management funds (1.3 million dollars) are set aside for project award in 2012. Engineer Collins reviewed the need to replace that portion of Ham Lake Park land used for the project with land abutting the park. Federal appraisals are being completed to show value of land and the City has not received the Environmental Assessment. The City is receiving 1.275 million dollars from Anoka County for the improvement of 153rd Avenue. Discussion followed regarding the value of doing both projects together. **It was the consensus of the Committee to recommend to the City Council that the plans and specifications be ordered for the 153rd Avenue Improvement Project so that geotechnical and survey work can be started in 2011 for reconstruction in 2012.**

Potential for east frontage road connection to Aberdeen Street S of 153rd Avenue

Engineer Collins presented an alignment that connects Aberdeen Street (south of 153rd Avenue) to 153rd Avenue. Engineer Collins explained that the project would not qualify for state grant funding unless 153rd Avenue access to TH 65 was closed, which would have an impact on the businesses. Discussion followed and the Committee stated that due to cost (wetland mitigation) the proposal should be delayed until driven by a developer or the sale of the property previously owned by Majestic RV.

Speed limit on 153rd Avenue – cost implications to Public Works and bike lane width recommendations

Engineer Collins reported Public Works Superintendent Reiner's recommendation to lower the speed limit from 55 mph to 40 mph on 153rd Avenue, east of Highway 65. Superintendent Reiner's reasoning is based on OSHA requirements, that in order to maintain this road (due to the 55 mph) an additional trailer (Traffix TL-2 Trailer TMA, complete attenuator) would need to be purchased for safety purposes. The cost for this trailer is \$17,678. In addition, Engineer

explained that the County is requiring removal of a secondary driveway at 13414 Bunker Lake Boulevard NE. Councilmember Braastad requested an explanation of making a U-turn at Bunker Lake Blvd. NE. Engineer Collins reviewed the possible realignment of the Elwell/Lennes private access and the inability to make a U-turn at Bunker Lake Boulevard NE (with a semaphore) with a semi-truck, but it will be possible with a car. Councilmember Johnson questioned the funding of the bike path and the Engineer explained the future reimbursement for 50% of trail cost for the ten foot trail on west side. Councilmember Johnson explained he was not sure of the concept of paying for a regional trail system and wanted to make sure that it would be connected. Councilmember Kirkeide stated the trail would be funded through Parkland Dedication fees. **Motion by Kirkeide, seconded by Doyle, to concur with the recommendations of the Road Committee and approve the Joint Powers agreement with Anoka County for the improvement of CSAH 17 (Lexington Ave. NE). All in favor, motion carried.**

B.) Ordering the plans and specifications for the improvement of 153rd Avenue NE

Engineer Collins explained the turn-back of 153rd Avenue NE, from the County to the City and that Anoka County is giving the City 1.275 million dollars to help the cost of improving the road. Engineer Collins explained that the Road Committee is recommending that the plans be ordered now, but the project will not be completed until 2012, in conjunction with the Frontage Road, north of 153rd Avenue NE. **Motion by Doyle, seconded by Kirkeide, to concur with the recommendations of the Road Committee and order the plans and specifications for the improvement of 153rd Avenue NE, east of Trunk Highway 65. All in favor, motion carried.**

C.) Directing the removal of encroachments on a pathway in Hiawatha Beach

Engineer Collins had provided the City Council with diagrams and pictures of improvements made by the owner of the property at 3325 Interlachen Drive NE that encroach on the easement. The easement abuts the Interlachen Bridge and includes a channel and walking pathway to the lake. Due to the improvements, there is not a walking pathway and the neighbors are angry that they cannot access the lake through this public pathway. The improvements include keystone, greenhouse, deck, etc. Also, the property owner has deposited brush, etc. on the property on the opposite side of the pathway, which is unimproved. Engineer Collins explained that we have required other property owners in the area to remove encroachments from the pathways so it is the same policy as before. **Motion by Johnson, seconded by Braastad, to concur with the recommendations of the Road Committee directing the City Administrator to contact the property owner of 3325 Interlachen Drive, requiring the removal of improvements encroaching on the public pathway and removing the brush, etc. on the abutting property. All in favor, motion carried.**

D.) Designating the speed limit on 153rd Avenue NE

Engineer Collins explained, based on OSHA requirements, that in order to maintain this road (due to the 55 mph) an additional trailer (Traffix TL-2 Trailer TMA, complete attenuator) would need to be purchased for safety purposes. The City currently does not maintain any roads posted at this speed limit. The cost for this trailer is \$17,678. In addition, Engineer Collins explained that the MnDOT Bikeway Facility Design Manual recommends that on roads with speed limits up to 45 mph, bike lanes can be 6 feet wide, but over 45 mph, bike lanes must be 8 feet wide. Discussion followed on whether to post a new limit now or wait until the improvement is completed. Superintendent Reiner was present and

expenditures to the original budget. Resolution No. 07-75 states that the year-end General Fund balance be maintained at a level of 35 to 50 percent of the next year's budgeted fund revenues. The preliminary General Fund balance as of December 31, 2009 is 53.3% of the 2010 budgeted revenues. Finance Director Kutzke showed a comparison of the previous four years regarding the General Fund balances at year-end. Finance Director Kutzke reviewed and explained the fund balance for the Ham Laker, the Debt Service Fund for the 2000 Street Improvements, the Fire Station 2 Debt Service Fund, the Lawful Gambling Fund, the MSA Street Fund, Revolving Street Fund, and Equipment Funds. Finance Director Kutzke presented a summary of the City's cash and investments in the beginning of 2009 compared to the end of 2009. Finance Director Kutzke noted the publicity regarding unallotment being proposed at the state level for 2010, explaining that the City does not receive LGA and allowances had already been made in the 2010 budget for 100% unallotment of MVHC. Therefore, the City's 2010 budget will not be affected.

3.2 6:30 p.m. – Informational meeting regarding the use of the paths in the plat of Hiawatha Beach

Mayor Meunier explained that many discussions of the paths in the Hiawatha Beach area have taken place by City Councils, past and present. The discussions have included that these paths were intended to grant lake access to residents who do not abut the lake. The City adopted an ordinance (Ordinance No. 09-11) regarding motorized vehicles in parks. Signs were then placed in the parks and on the paths stating that motorized vehicles could be seized. A resident contacted the City regarding his use of a four-wheeler to pull an ice fishing house onto the lake and his desire to be able to legally continue doing it. Since that time, the City Attorney has informed the staff that these paths are not parkland and the signs were removed regarding seizure of motorized vehicles. But, there are still signs stating motorized vehicles are not allowed, which have been in place for a number of years. Because of the resident's request, the City Council discussed the use of the paths and physically viewed all of them. The meeting this evening was an opportunity for residents in that area to give the City Council feedback. Councilmember Theodorski stated that they want to hear from both sides, so they can try and make the best decision.

Gilbert Watson, 3366 Interlachen Drive NE, stated he has lived in the Hiawatha Beach area for 45 years, has been told that the paths were there so that everyone has lake access and would like them to continue to be there so that people can have lake access and maybe even launch a boat.

Dan Gressman, 3516 Interlachen Dr. NE, stated he has lived in the area 35 years and uses his four-wheeler three or four times a week to access his icehouse. Mr. Gressman stated in the summer he uses the path to launch his fishing boat, but doesn't drive a full size vehicle on the path. Mr. Gressman stated that the channel gets heavy snowmobile usage, but it is not local residents. Mr. Gressman pointed out which paths he uses, on the displayed map, stating that he does not abuse the path but is retired and wants to continue to use it in the same way he uses it now.

Kelly Melgren, 3450 Interlachen Dr. NE, stated that it is nice to be able to use a motorized vehicle, such as a four-wheeler, to access the lake. Therefore, she is in favor of allowing it.

Mike Bury, 3431 Interlachen Drive NE, displayed a copy of the 1928 plat map of Hiawatha Beach, reading the dedication of the paths. Mr. Bury stated his father-in-law purchased this property in 1960. Mr. Bury explained he lives adjacent to one of the paths, that the path is currently posted as no motorized

vehicles, he has seen cars and trucks use the path and erosion occurs. Mr. Bury read portions of the City Code regarding the use of snowmobiles and four-wheelers, stating the Code would need to be amended if the Council allows that use. Mr. Bury stated that there have been snowmobilers as late as 1:30 a.m. on the path and explained that if the Council is going to amend the ordinance they should also find a way to enforce the ordinance.

Bruce Christensen, 3415 Interlachen Drive NE, asked why the new signs were put up and then taken down.

Public Works Superintendent, Tom Reiner, explained that the signs with language about confiscating vehicles were placed after the Council adopted the new ordinance and they were put in all the parks and on all the paths. Subsequently, the City Attorney informed staff that the paths in the Hiawatha Beach area were not actually parkland, and the signs were then removed.

Sonya Griffith, 3460 Interlachen Drive NE, stated that her home is next to one of the paths, agrees that sometimes snowmobiles have come through it between 1:00 to 2:00 a.m., but understands how difficult it is to enforce. Ms. Griffith stated that most residents respect their neighbors, and therefore, she does not think all residents in the area should be punished just because a few do not obey the law. Mr. Griffith stated that she does not think the lake is deep enough in that area to launch big boats, but can certainly understand using motorized vehicles to access icehouses.

Councilmember Theodorski explained that when speed signs are put into neighborhoods, it is usually the residents of the neighborhood who are ticketed for speeding.

Mayor Meunier stated that there are some people abusing rights in all neighborhoods and you cannot legislate respect.

Gilbert Watson stated that he is required to buy a license from the state for his four-wheeler. In his opinion, it doesn't seem right that he has to buy a license, but then is not allowed to use it on the roadway.

Councilmember Kirkeide stated his opinion that the paths should be kept open for public use forever. Councilmember Kirkeide stated he agrees with Mr. Bury, that if the Council is going to allow the four-wheelers on the paths (or on the road to access the path) the ordinance will need to be amended. Councilmember Kirkeide suggested that the City Staff research and develop an ordinance that allows motorized vehicles defining them as four-wheelers and snowmobiles, not cars and trucks, and allow the usage year around.

Discussion took place regarding the narrow roads in the area and the problems that could occur with parking.

The City Attorney stated that Hiawatha Beach is a unique situation with the original plat filed in 1928, and that it would not be allowed today. Ordinances were not written at the time with these paths in mind, but an ordinance could be crafted that would apply only to these paths. Councilmember Johnson stated that clearly these paths were dedicated for public use and he agrees that snowmobiles or four-wheelers

should be allowed, but not large vehicles (cars and trucks). Mayor Meunier stated that a new ordinance would need to be written and the paths may have to be maintained differently. **It was the consensus of the Council to direct the City Staff/City Attorney to draft an ordinance allowing the use of snowmobiles and four-wheelers on these paths, and allowing four-wheelers access to the paths from City streets.**

Bruce Christensen, 3415 Interlachen Drive NE, requested that signage remain on the paths with the same hours of use.

Jerome Hansen, 3571 Interlachen Drive NE, asked the Council to consider allowing different usages on different paths. Mr. Hansen suggested allowing snowmobiles on some paths, ATVs on others, and take into consideration the grade or slope of the path or the fact that some are more shielded from neighbors than others.

Discussion took place regarding whether there were paths dedicated in Comfort Resort and the City Attorney explained that Comfort Resort was an Auditor's Subdivision, and since the auditor did not own the property, the auditor could not dedicate roads or paths.

9.0 CITY ATTORNEY

9.1 Approval of the first reading of an Ordinance relating to Temporary Seasonal Land Uses

Attorney Dorn summarized the proposed ordinance that would allow a Seasonal Temporary Conditional Use in R-A districts, listing the types of activities that would be allowed, stating the requirement that the application must be reviewed by the Planning Commission and noting that the City Council would have the ability to place any conditions it so wishes on the permit. Councilmember Theodorski questioned why the proposed ordinance was not more specific and did not address public safety issues such as the number of attendees, parking requirements, etc. Discussion took place regarding the types of activities that could be permitted under this ordinance and that each application would be reviewed, with conditions placed on it. Councilmember Kirkeide stated that since the Planning Commission would be reviewing the application, the site would be visited and recommendations would come from them. Councilmember Johnson stated that it was important to accommodate this type of family orientated activity. **This is the First Reading of an Ordinance relating to Temporary Seasonal Land Uses and it was the consensus of the Council to refer this item to the Planning Commission for the scheduling of a public hearing as it is an amendment to Article 9, the zoning code.**

9.2 Approval of the first reading of an Ordinance relating to delinquent real estate taxes and municipal sanctions

Attorney Dorn reviewed the ordinance which relates to delinquent real estate taxes and municipal sanctions. Attorney Dorn explained that the criteria is stated in the ordinance for the Council to use when ruling on extensions of licenses/permits due to the non-payment of real estate taxes. **This is the first reading of an Ordinance relating to delinquent real estate taxes and municipal sanctions.**

Attorney Dorn reported that the appraisals for the land condemnation for the Service Road, north of Crosstown Blvd. NE, have been completed and the Council will receive a written report for its next meeting.

ORDINANCE NO. 10 -10

An Ordinance relating to the usage of certain dedicated public roads and pathways in the plat of Hiawatha Beach in the City of Ham Lake, Minnesota.

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

I. There is hereby added to the Ham Lake City Code an Article 6-800, to read as follows:

6-800 Usages in the Plat of Hiawatha Beach

The following conditions apply exclusively to dedicated roads and paths in the plat of Hiawatha Beach.

6-810 Definitions

A. All-Terrain Vehicles ("ATVs") shall be as defined in Ham Lake City Code Article 6-410.

B. "Paths" mean those facilities illustrated in the original plat of Hiawatha Beach as providing access between public roads and the shorelines of Coon Lake or Little Coon Lake, whether or not so labeled, which exist between:

Lot 1, Block 2 and Lot 6, Block 1, Hiawatha Beach

Lot 19, Block 2 and Lot 1, Block 3, Hiawatha Beach

Lot 13, Block 9 and Lot 1, Block 13, Hiawatha Beach

Lot 11, Block 13, and Lot 1, Block 14, Hiawatha Beach

Lot 1, Block 4 and Lot 12 Block 3, Hiawatha Beach

Lot 1, Block 7 and Lot 16, Block 8, Hiawatha Beach

And which exist easterly and southerly of Lots 1 and 2, Block 8 and westerly of Lots 11 and 12, Block 9, Hiawatha Beach;

And which exist southerly of Lot 13, Block 14, and westerly of Lots 8, 9, 10, 11, 12 and 13, Block 14, Hiawatha Beach.

6-810 Parking of Trailers

No trailers may be parked or stored on any dedicated path in the plat of Hiawatha Beach, nor may any such item be parked or stored within the right-of-way of any public street in the plat of Hiawatha Beach.

6-820 Vehicle Parking in Connection with Path Usage

No motor vehicle (including ATV's) may be parked or stored within the right-of-way of any dedicated path or dedicated public road in the plat of Hiawatha Beach in connection with the concurrent usage of any path in the plat of Hiawatha Beach. This prohibition includes, without limitation, vehicles that have been used to pull or push trailers bearing

3317
Interlachen
Drive

3325 Interlachen Dr.

watercraft, snowmobiles, fish houses or other devices to the shore of Coon Lake or Little Coon Lake.

6-830 Travel on Paths

Paths in the plat of Hiawatha Beach may be used by pedestrians, bicycles, snowmobiles or all terrain vehicles. Paths may also be used to convey watercraft or fish houses to the shore of Coon Lake or Little Coon Lake if pulled or pushed by an ATV. No travel on any path is permitted at a speed in excess of 15 miles per hour.

6-840 ATV Travel on Public Roads

ATV's may travel on public roads outside of paths in the plat of Hiawatha Beach under the following conditions:

- A. The travel must be for the sole purpose of accessing one of the paths in the Plat of Hiawatha Beach.
- B. The ATV shall not exceed a speed of 15 miles per hour.
- C. The origin of the trip must be from a point within the plat of Hiawatha Beach, and return trips from paths must be to a point within the plat of Hiawatha Beach.
- D. The course of travel must be the shortest route on dedicated public roads between the point of origin and the path that is used or intended to be used, and the course of travel may not extend beyond the boundaries of the plat of Hiawatha Beach.
- E. Travel in conformance with Article 6-400 is permitted.

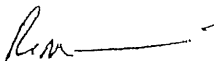
6-850 Towing or Removal of Illegally Stored or Parked Objects

The City may cause the towing or other removal of any vehicle, trailer, ATV, snowmobile or other object found to be stored or parked in violation of this ordinance, and may post signage on or near all paths in the plat of Hiawatha Beach advising of the prohibition on parking and storage, and further advising of the possibility of removal of any illegally stored or parked object without notice to the owner thereof.

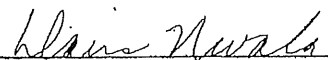
II. There is hereby added to the beginning of Article 4-450 of the Ham Lake City Code the following sentence:

Usage of ATV's within the plat of Hiawatha Beach shall be as outlined in Article 6-800 of the Ham Lake City Code.

Presented to the Ham Lake City Council on April 5, 2010 and adopted by a unanimous vote this 19th day of April, 2010.



Paul Meunier, Mayor



Doris Nivala, Administrator

- 5.0 PLANNING COMMISSION RECOMMENDATIONS - None
- 6.0 ECONOMIC DEVELOPMENT AUTHORITY – None
- 7.0 APPEARANCES – None
- 8.0 CITY ATTORNEY – None
- 9.0 CITY ENGINEER – None
- 10.0 CITY ADMINISTRATOR – None

11.0 COUNCIL BUSINESS

11.1 Committee Reports – None

11.2 Consideration of appointment of Acting Mayor, Committee liaisons and liaisons with other organizations: Acting Mayor, Personnel (2), Economic Development, Met Council (2), Law Enforcement (2), Fire Department Liaisons (2), North Central Suburban Cable Communications Commission (and alternate), Ham Lake Chamber of Commerce (2), Road Committee (2), Ham Laker Task Force (2), Audit (2), Building/Energy Committee (2), Park and Tree Liaison (2), Fire Relief Association Board of Trustees (3), Code Review Committee (2) (and alternate), Metropolitan Council reform effort Committee, Building Department Committee (2)

Motion by Kirkeide, seconded by Van Kirk, to approve the following appointments for 2022:

- Acting Mayor (1).....Councilmember Kirkham
- EDA President (1).....Mayor Van Kirk
- EDA Vice President (1).....Councilmember Kirkham
- Personnel (2).....Mayor Van Kirk & Councilmember Doyle
- Economic Development (2).....Mayor Van Kirk & Councilmember Kirkham
- Met Council & Metropolitan Council reform effort Committee (2).....Councilmembers Kirkeide & Kirkham
- Law Enforcement (2).....Mayor Van Kirk & Councilmember Wilken
- Fire Department Liaisons (2).....Mayor Van Kirk & Councilmember Kirkham
- North Metro Telecommunications.....Councilmember Wilken (alternate: Mayor Commission (1) Van Kirk)
- Chamber of Commerce (2).....Councilmember Kirkham & Administrator Webster
- Road Committee (2).....Councilmembers Kirkeide & Doyle
- Ham Laker Task Force (2).....Mayor Van Kirk & Councilmember Wilken
- Audit (2).....Councilmembers Doyle & Kirkham
- Building/Energy Committee (2).....Mayor Van Kirk and Councilmember Kirkeide
- Park Committee (2).....Councilmembers Kirkham & Wilken
- Fire Relief Association Board of Trustees (3).....Councilmember Kirkham, Fire Mike Raczkowski & Administrator Webster
- Code Review Committee (2).....Mayor Van Kirk & Councilmember Kirkeide (alternate: Councilmember Kirkham)
- Building Department Committee (2).....Mayor Van Kirk & Councilmember Kirkeide
- CERT Committee.....Mayor Van Kirk, Councilmember Wilken, Fire Mike Raczkowski, Al Parranto and a Liaison from the Sheriff's Department

All present in favor, motion carried.