

# 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, OCTOBER 16, 2023

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

### **2.0 PUBLIC COMMENT**

### **3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS**

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

3.2 PUBLIC HEARING – 6:01 p.m. – to consider the vacation of a portion of Stutz Street NE dedicated on the recorded plat of Hidden Forest East Third Addition and adoption of a Resolution

### **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 October 2, 2023 and Workshop minutes of October 3, 2023

4.2 Approval of claims

4.3 Approval of scheduling a Budget Workshop Meeting for Monday, October 23, 2023 at 3:00 p.m.

4.4 Approval of scheduling a Workshop Meeting with Karen Skepper, Executive Director of Anoka County HRA for Monday, November 6, 2023 at 5:15 p.m. to discuss the Willows of Ham Lake Senior Housing

4.5 Approval of appointing Angela Brumbaugh as the Finance/Human Resource Director

4.6 Approval of an Ordinance rezoning 4611 139<sup>th</sup> Lane NE to R-1 (Single Family Residential)

4.7 Approval of the invoice and final Sunrise Watershed Management Organization Joint Powers Agreement (JPA)

4.8 Approval of a warranty extension for Lund's Lakeview Forest Street Reconstruction Project

4.9 Road Committee Recommendation:

1) Approval of Ordering plans and specifications for the 2024 bituminous overlay project

### **5.0 PLANNING COMMISSION RECOMMENDATIONS**

5.1 Jeremy Larson of Hampton Companies requesting to rezone certain parcels of land, 1016 Bunker Lake Boulevard NE, from R-1 (Single Family Residential) to R-AH (Affordable Housing District) (this is considered the First Reading of a rezoning Ordinance)

5.2 Jesse Osborne requesting a revision to the approved conditions of the final plat for the Creekside Farms Commercial Development in Sections 7 and 8

### **6.0 ECONOMIC DEVELOPMENT AUTHORITY – None**

### **7.0 APPEARANCES – None**

### **8.0 CITY ATTORNEY**

8.1 Discussion of Wetland Banks

8.2 Discussion of authorizing the City Attorney to act on the Letter of Credit from Shingobee (Circle K/Holiday Station Store)

**9.0 CITY ENGINEER**

**10.0 CITY ADMINISTRATOR**

**11.0 COUNCIL BUSINESS**

11.1 Committee Reports

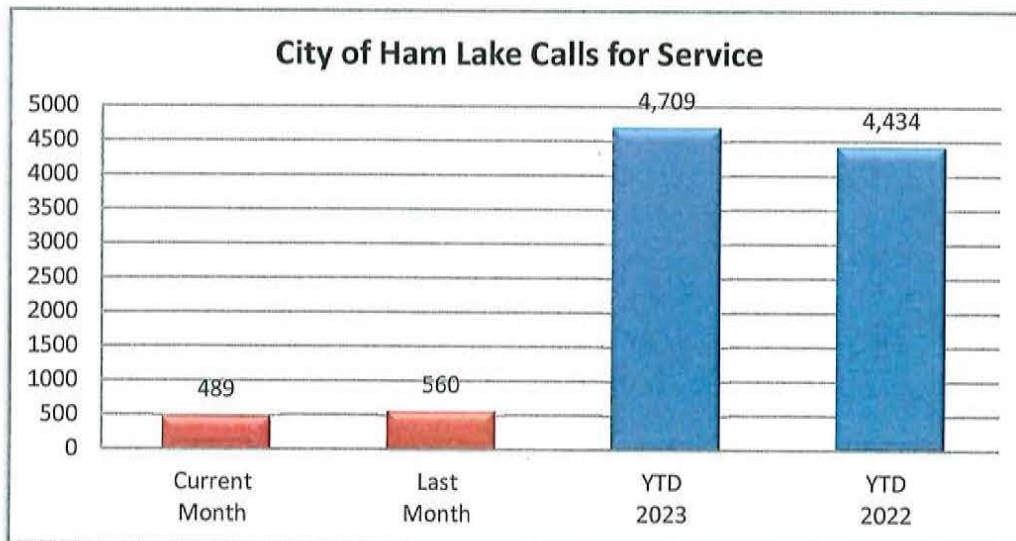
11.2 Discussion of the 2024 Law Enforcement Contract

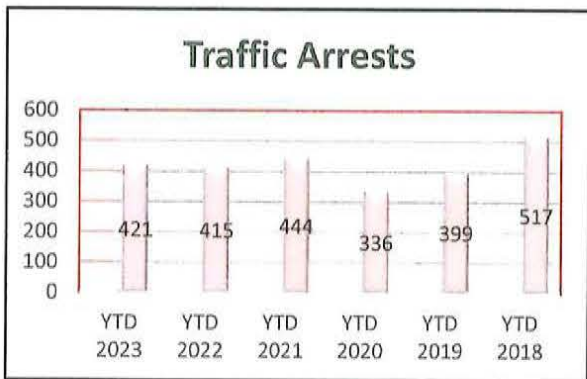
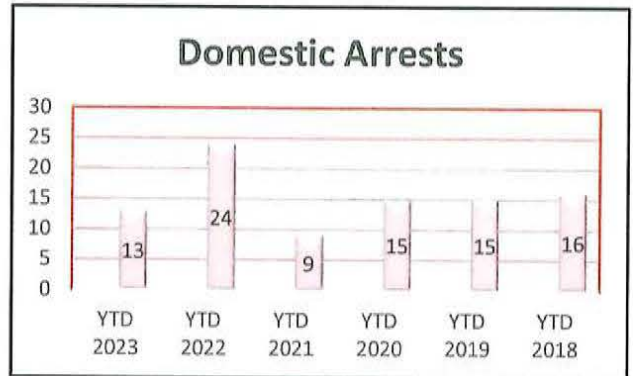
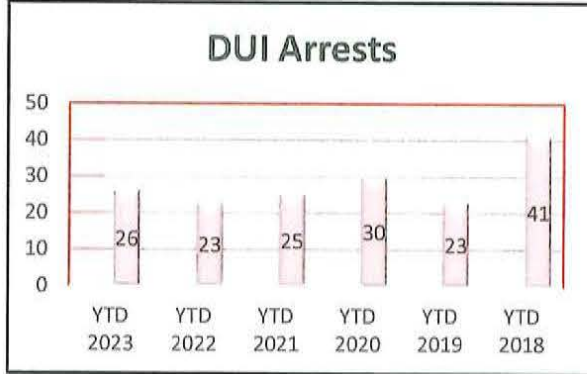
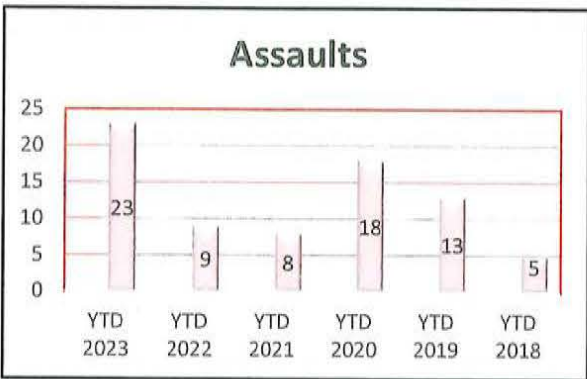
11.3 Announcements and future agenda items

**PATROL DIVISION**

**CITY OF HAM LAKE - SEPTEMBER 2023**

OFFENSE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD 2023	YTD 2022
Call for Service	505	456	494	512	568	619	560	506	489				4,709	4,434
Burglaries	3	0	1	1	1	0	0	0	0				6	19
Thefts	17	11	10	7	6	13	8	12	8				92	121
Crim Sex Conduct	0	0	0	0	0	0	1	2	1				4	7
Assault	2	3	1	7	2	0	1	3	4				23	9
Dam to Property	0	3	1	1	2	2	1	2	2				14	36
Harass Comm	0	0	0	0	0	0	0	0	0				0	2
PI Accidents	5	6	5	4	9	2	7	4	5				47	64
PD Accidents	27	26	33	29	30	30	26	22	26				249	287
Medical	68	63	60	62	47	55	61	56	55				527	544
Animal Complaint	28	36	19	25	37	38	29	33	22				267	24
Alarms	19	26	29	21	30	36	34	30	35				260	265
Felony Arrests	6	2	2	3	1	2	3	1	2				22	50
GM Arrests	4	4	6	6	8	0	2	3	2				35	32
Misd Arrests	3	5	7	7	3	4	2	7	4				42	53
DUI Arrests	0	6	3	3	3	1	3	5	2				26	23
Domestic Arrests	1	1	1	4	1	0	2	2	1				13	24
Warrant Arrests	6	1	4	5	10	3	3	5	3				40	62
Traffic Stops	223	145	228	160	189	220	213	158	159				1,695	1458
Traffic Arrests	53	35	51	38	48	51	53	36	56				421	415



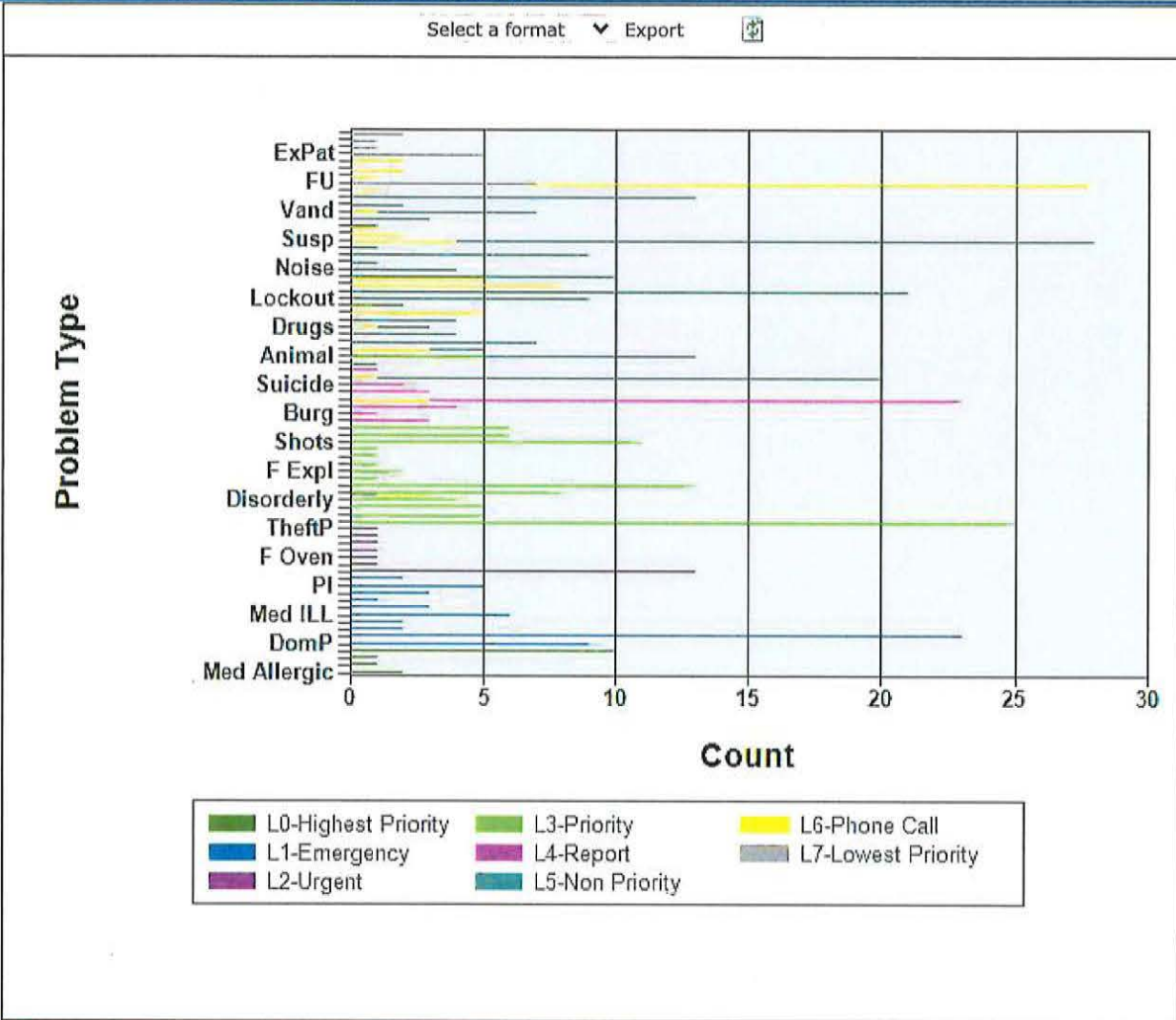


## Problem Type Summary

1:27 PM 10/03/2023

Data Source: Data Warehouse

<b>Agency:</b>	<b>LAW ENFORCEMENT</b>
<b>Division:</b>	<b>Ham Lake Law</b>
<b>Day Range:</b>	<b>Date From 9/1/2023 To 9/30/2023</b>
<b>Exclusion:</b>	• <b>Calls canceled before first unit assigned</b>



4

▶

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

Problem Type	Priority								Total
	0	1	2	3	4	5	6	7	
911	0	0	13	0	0	0	0	0	13
Abandon	0	0	0	0	0	1	0	0	1
Abuse	0	0	0	0	0	0	1	0	1
AbuseP	0	0	0	0	0	0	0	0	0
AlarmD	0	0	0	25	0	0	0	0	25





WT

Total

0	0	0	6	0	0	0	0	6
<b>14</b>	<b>56</b>	<b>19</b>	<b>89</b>	<b>38</b>	<b>179</b>	<b>77</b>	<b>17</b>	<b>489</b>

Go Back

Close



RESOLUTION NO. 23-XX

WHEREAS, a public hearing was held before the Ham Lake City Council on the 16th day of October, 2023 at 6:01 p.m. to consider the proposed vacation of certain lands within the City of Ham Lake;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ham Lake, that the following described property be vacated;

STUTZ STREET NE – VACATION DESCRIPTION

That part of Stutz Street as dedicated on the recorded plat of Hidden Forest East Third Addition, Anoka County, Minnesota, which lies north of the westerly extension of the northerly line of Lot 9, Block 1, Hidden Forest East Third Addition.

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 October 5, 2023 and October 16, 2023 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 October 2, 2023, with publication to occur in the Star Tribune on October 5, 2023.

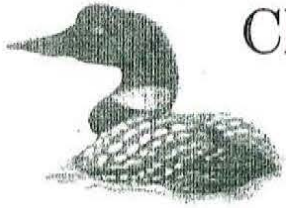
Adopted by the City Council of the City of Ham Lake this 16th day of October, 2023.

---

Brian Kirkham, Mayor

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Denise Webster, City Clerk



# CITY OF HAM LAKE

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

## NOTICE OF PUBLIC HEARING VACATION OF PUBLIC LAND

NOTICE IS HEREBY GIVEN, that a Public Hearing will be held before the Ham Lake City Council on October 16, 2023 at 6:01 p.m. in the City Council Chambers, City Hall, 15544 Central Avenue N.E. Ham Lake, Minnesota 55304, to hear comments and questions concerning the proposed vacation of the following described land within the City of Ham Lake, Minnesota:

### STUTZ STREET NE – VACATION DESCRIPTION

That part of Stutz Street as dedicated on the recorded plat of Hidden Forest East Third Addition, Anoka County, Minnesota, which lies north of the westerly extension of the northerly line of Lot 9, Block 1, Hidden Forest East Third Addition

Said hearing is conducted pursuant to Minnesota Statutes Chapter 412.851.

Dated: October 5, 2023

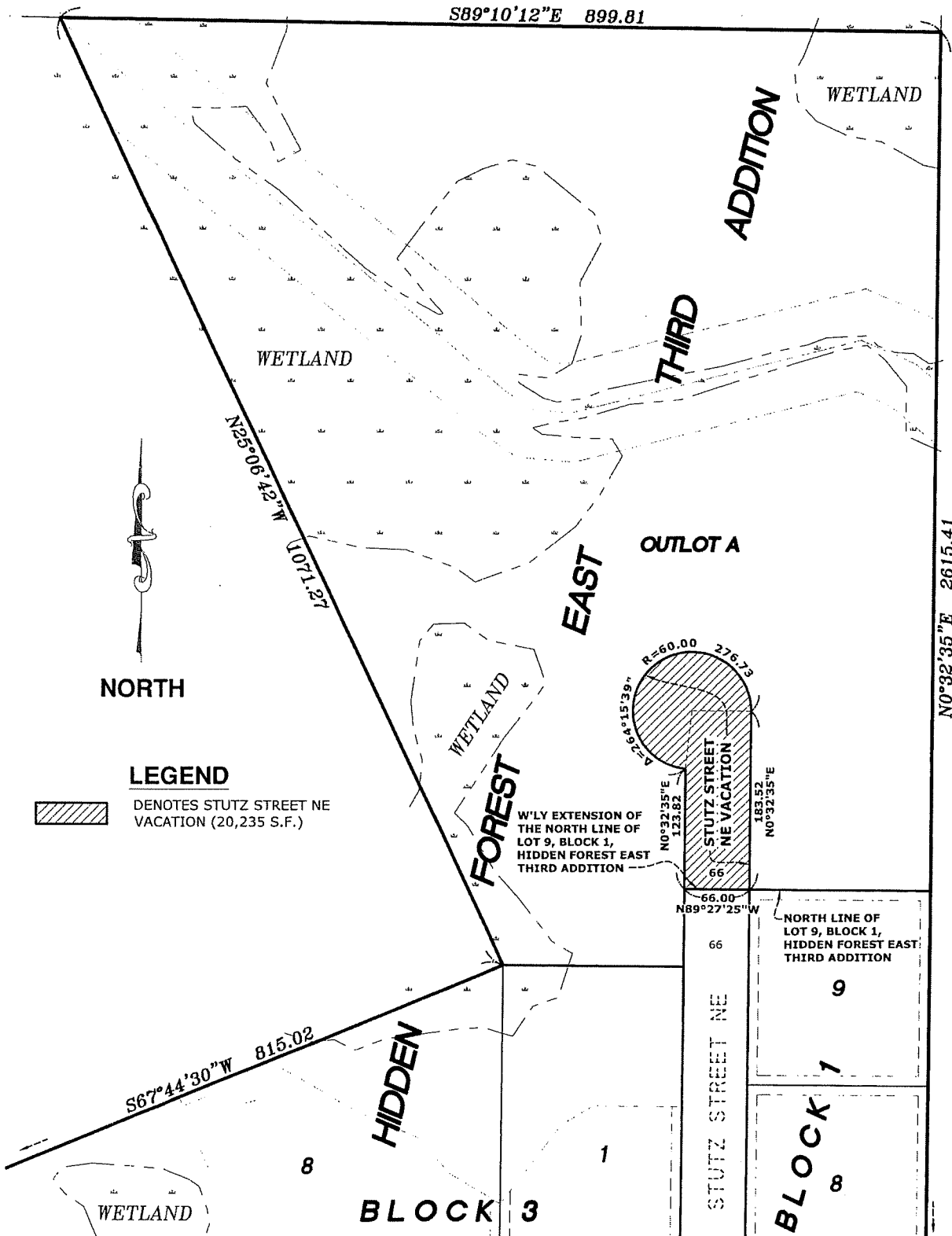
  
Dawnette Shimek, Deputy City Clerk

Posted at City Hall between the dates of October 5, 2023 and October 16, 2023.

Published in the Star Tribune on October 5, 2023

# SKETCH AND DESCRIPTION

~for~ HIDDEN FOREST EAST FOURTH ADDITON  
 ~of~ STUTZ STREET NE VACATION



NORTH

### LEGEND



DENOTES STUTZ STREET NE VACATION (20,235 S.F.)

W'LY EXTENSION OF THE NORTH LINE OF LOT 9, BLOCK 1, HIDDEN FOREST EAST THIRD ADDITION

## STUTZ STREET NE - VACATION DESCRIPTION

That part of Stutz Street as dedicated on the recorded plat of HIDDEN FOREST EAST THIRD ADDITION, Anoka County, Minnesota, which lies north of the westerly extension of the northerly line of Lot 9, Block 1, HIDDEN FOREST EAST THIRD ADDITION.

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

By: *[Signature]*  
 Minnesota License No. 41578

Dated 31st day of July 2023.

DATUM: COUNTY		JOB NO. 210452PP	
REVISIONS		SCALE: 1" = 100'	
1		DATE: 07-31-23	
2		DRAWN BY: JEN	
3		CREW: TBD	
NO.	DATE	DESCRIPTION	BY

**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  
 www.egrud.com

HFN PROPERTIES LLC	PIN: 24-32-23-44-0001	17404 WARD LAKE DR NW	ANDOVER, MN 55304
MN STATE OF DNR	PIN: 19-32-22-33-0001	500 LAFAYETTE RD	ST PAUL, MN 55155
PIEDADE ROBERTO TABAJARA	PIN: 25-32-23-11-0004	14719 STUTZ ST	HAM LAKE, MN 55304
AARESTAD ANDREW	PIN: 25-32-23-11-0005	14743 STUTZ ST NE	HAM LAKE, MN 55304
BORDEN JAMIE	PIN: 25-32-23-14-0012	14687 STUTZ ST NE	HAM LAKE, MN 55304
GORHAM CUSTOM HOMES LLC	PIN: 25-32-23-11-0006	P O BOX 846	ANOKA, MN 55303
O'SHEA NICHOLAS PAUL	PIN: 25-32-23-11-0007	2048 119TH AVE NE	BLAINE, MN 55449



# CITY OF HAM LAKE

**REQUEST FOR  
AN APPEARANCE  
BEFORE THE CITY COUNCIL**

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

DATE OF APPLICATION 9-28-2023

DEPOSIT \$ 200.00  
RECEIPT # 97724

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

APPLICANT'S NAME HFN Properties, LLC  
Jeffrey A. Stalburg

MAILING ADDRESS 17404- WARD LK. Dr. NW

CITY, STATE, ZIP CODE Anodoun, MN. 55304

PHONE (daytime) 612-799-1471

EMAIL ADDRESS \_\_\_\_\_

**SITE ADDRESS / NATURE OR REQUEST:**  
(Please attach any relevant information including maps, diagrams, and a descriptive narrative of the request)\*\*

Vacate Cal-de-Sac easement @ HFE III

Stutz Street Cal-de-Sac

Jeffrey A. Stalburg  
Signature of Applicant

9-28-2023  
Date

Some  
Signature of Current Property Owner

\_\_\_\_\_  
Date

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

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

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

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

Vacate easement @ HFE III Cul-de-Sac  
Type of Application

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

Applicant Signature Jeffrey A. Sorsby Dated 9-28-2023

The following statement must be signed if the applicant is not the property owner:  
SAME, as owner of the property involved in the foregoing application, agrees to be jointly and severally liable for payment of the foregoing fees.

Property Owner Signature \_\_\_\_\_ Dated \_\_\_\_\_



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

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

**DATA PRACTICES ADVISORY  
TENNESSEN WARNING**

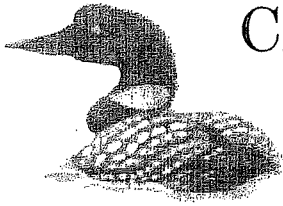
REQUIRED BY MINNESOTA STATUTES CHAPTER 13.04

SIGNED BY

COMPANY/TITLE:

DATE:

*Jeffrey L. Hally*  
*HEN Properties, LLC*  
*9-28-2023*



# CITY OF HAM LAKE

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Ham Lake, Minnesota 55304  
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## CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES MONDAY, OCTOBER 2, 2023

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, October 2, 2023 at 6:00 p.m. in the Council Chambers at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

**MEMBERS PRESENT:** Mayor Brian Kirkham and Councilmembers Jim Doyle, Gary Kirkeide and Al Parranto

**MEMBERS ABSENT:** Councilmember Jesse Wilken

**OTHERS PRESENT:** City Attorney, Mark Berglund; City Engineer, Dave Krugler; and Deputy City Clerk, Dawnette Shimek

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

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

### 2.0 PUBLIC COMMENT

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

### 3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS – None

### 4.0 CONSENT AGENDA

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

4.1 Approval of minutes of September 18, 2023

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



- 4.3 Approval of a Letter of Support for the TH65 and Bunker Lake Boulevard NE Interchange funding application
- 4.4 Approval of the 2024 Residential Recycling Agreement with Anoka County
- 4.5 Approval of Ordinance No. 23-09 rezoning Hidden Forest East Fourth Addition
- 4.6 Approval of Ordinance No. 23-10 rezoning portions of land of Entsminger Farms from R-A (Rural Single Family Residential) to CD-2 (Commercial Development II) and a portion of land of the Coon Creek Commercial Park from CD-2 (Commercial Development II) to R-A (Rural Single Family Residential) in Section 29
- 4.7 Approval of appointing David Ross to the Planning Commission with the term of October 9, 2023 to March 15, 2026
- 4.8 Approval of Plans and Specifications for replacement of the 152<sup>nd</sup> Avenue NE cross-culverts in Brook View Meadows
- 4.9 Approval of a lot line adjustment for Tom Elwell (4611 139<sup>th</sup> Lane NE) in Section 36
- 4.10 Approval of the proposed Sunrise Watershed Management Organization Funding Formula and invoice to complete the revisions of the Joint Powers Agreement (JPA)
- 4.11 Approval of Resolution No. 23-45 accepting a \$5,000 donation from the Ham Lake Chamber of Commerce
- 4.12 Approval of Resolution No. 23-46 scheduling a public hearing to vacate a portion of Stutz Street NE dedicated on the recorded plat of Hidden Forest East Third Addition

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

## **5.0 PLANNING COMMISSION RECOMMENDATIONS**

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

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

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

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

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

**6.0 ECONOMIC DEVELOPMENT AUTHORITY – None**

**7.0 APPEARANCES – None**

**8.0 CITY ATTORNEY – None**

**9.0 CITY ENGINEER**

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

**10.0 CITY ADMINISTRATOR – None**

**11.0 COUNCIL BUSINESS**

**11.1 Committee Reports**

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

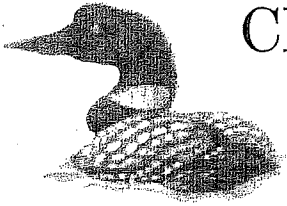
**11.2 Announcements and future agenda items**

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

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

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Dawnette Shimek, Deputy City Clerk



# CITY OF HAM LAKE

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Ham Lake, Minnesota 55304  
(763) 434-9555  
Fax: (763) 434-9599

## CITY OF HAM LAKE CITY COUNCIL WORKSHOP MINUTES TUESDAY, OCTOBER 3, 2023

The Ham Lake City Council met for a workshop meeting on Tuesday, October 3, 2023 at 3:00 p.m. 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, Al Parranto and Jesse Wilken

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** City Administrator, Denise Webster; and Deputy City Clerk, Dawnette Shimek

### 1.0 Call to Order

Mayor Kirkham called the meeting to order at 3:00 p.m.

### 2.0 Discussion of the 2024 Law Enforcement Contract with the Anoka County Sheriff's Office Anoka County Sheriff Brad Wise and Chief Deputy Bill Jacobson were present.

Mayor Kirkham stated that due to the increase in the 2024 Law Enforcement Contract, the City Council wanted to look at cost saving measures. Mayor Kirkham stated that Ham Lake currently has a full-time Investigator and could they possibly go back to a part-time Investigator.

Sheriff Wise stated that he knows how difficult it is for City Council's to decide how much police protection is needed for their cities. Sheriff Wise stated that generally the rule is 1 police officer per 1,000 in population. Currently, Ham Lake has 36 hours of coverage a day, which is 3 deputies a day on 12-hour shifts. Sheriff Wise stated that there are two things that are used: 1) answering calls for service, which is allocated time with all 911 calls being answered by dispatch; and 2) unallocated time, such as traffic stops. Sheriff Wise stated that Ham Lake's calls for service so far for 2023 is at 6,371, in 2018 the calls for service was 6,694, calls for service in 2013 was 5,841, calls for service in 2008 was 6,626 and in 2003 calls for service were 6,318. Sheriff Wise did explain that if a 911 call is answered for a second or third time for a follow-up on a previous call, that call is only counted one time. Sheriff Wise stated that the follow up calls are the role of the Investigator. Sheriff Wise stated that the Investigator is exclusively for Ham Lake. Sheriff Wise stated that at a bare minimum, residents want to know that they won't be forgotten and that they will be contacted by someone.

Sheriff Wise gave some Crime Rate data for Ham Lake and other cities in Minnesota. In 2022, Ham Lake's Crime Rate data was 1.4%, which means that in any given year 1.4% residents in Ham Lake can expect to be a victim of crime. Sheriff Wise stated that it comes down to community expectations of Law Enforcement and if the Investigator is removed, the perception of residents is that less crimes will be solved. Sheriff Wise stated that having deputies assigned to the City keeps the deputies familiar with the City and residents familiar with the deputies. Sheriff Wise stated he would be concerned with recidivism.

Sheriff Wise stated that currently, the City of Coon Rapids is in negotiations for an increase for the next 3 years of 7% for each year.

Councilmember Kirkeide stated that over the last several years, the budget has increased from 1.1 million to 1.6 million, which is concerning. Councilmember Doyle stated that he doesn't like trying to keep up with the Joneses. Councilmember Kirkeide stated that the City won't be able to keep the tax capacity rate the same with these increases on the Law Enforcement Contract. Councilmember Kirkeide stated that he spoke with Anoka County Commissioner Julie Braastad and they discussed that the \$720,000 that Ham Lake will be receiving for Public Safety is supposed to be used for helping with the increase in the Law Enforcement Contract. Councilmember Kirkeide stated that it would just be a band-aid and the city would still need to increase the budget for future contracts. Councilmember Kirkeide stated that he would like to see a County wide levy for the Law Enforcement Contract. Councilmember Doyle questioned who would be the voice of that levy. Councilmember Kirkeide stated that the Sheriff's Office knows how to run their department and they can move deputies and investigators around the County as needed. There was discussion that the City can control the Fire Department purchases, such as equipment, but the City really has no control over when a vehicle is bought for the Sheriff's Office. Mayor Kirkham stated if there were a County wide levy, there would be no more boundaries and deputies would go where they are needed, and not just be dedicated to Ham Lake. Sheriff Wise stated that he would be concerned about the tax payers. Councilmember Kirkeide stated that law enforcement would be more stable County wide rather than City wide. Councilmember Doyle stated that he is concerned about what the start-up cost would be to create a levy.

Sheriff's Wise stated that it is his opinion, the full-time Investigator is good for Ham Lake. Councilmember Wilken would like to see a comparison from the part-time Investigator to full-time Investigator regarding solved crimes. Chief Deputy Jacobson stated that he can gather that information. Councilmember Kirkeide asked if the "pencil can be sharpened" on the 2024 contract and does every bit of the increase need to be passed onto the City, or rather passed directly to the County. Sheriff Wise stated that all residents of Anoka County share and benefit from the same things, such as the jail.

Councilmember Doyle stated that he thinks highly of the Sheriff's Office and if they can trim the budget, they should. Sheriff Wise stated that he is a fiscal conservative himself, but they are investing in human beings.

Councilmember Kirkeide stated that the Council needs to review what the Sheriff's Office comes back with. Mayor Kirkham stated that he would like to look at seeing if the Sheriff's Office can levy for the Law Enforcement Contract, just like we are looking at doing with the Upper Rum River and Sunrise Watershed Management Organizations.

**Motion by Kirkeide, seconded by Parranto, to adjourn the meeting at 4:06 p.m. All in favor, motion carried.**

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Dawnette Shimek, Deputy City Clerk

**CITY OF HAM LAKE**  
**CLAIMS SUBMITTED TO COUNCIL**  
October 16, 2023

CITY OF HAM LAKE

<b>EFTS, CHECKS, AND BANK DRAFTS</b>	<b>10/03/23 - 10/16/23</b>	
EFT	# 1931 - 1938	\$ 4,867.14
REFUND CHECKS	# 65475 - 65485	\$ 22,650.00
CHECKS	# 65486 - 65534	\$ 529,510.54
BANK DRAFTS	DFT0002607 -DFT0002613	\$ 27,278.75
<b>TOTAL EFTS, CHECKS, AND BANK DRAFTS</b>		<u>\$ 584,306.43</u>
<b>PAYROLL CHECKS</b>		
10/06/23	Direct Deposits	\$ 35,094.66
<b>TOTAL PAYROLL CHECKS</b>		<u>\$ 35,094.66</u>
<b>VOID CHECKS</b>		
CHECKS	#65495, 65500, 65532	\$ -
ZERO EFT	#1929, 1930 (FROM 10/2/23)	\$ -
BANK DRAFTS		\$ -
<b>TOTAL VOIDS</b>		<u>\$ -</u>
<b>TOTAL OF ALL PAYMENTS</b>		<u>\$ 619,401.09</u>

APPROVED BY THE HAM LAKE CITY COUNCIL THIS 16TH DAY OF OCTOBER 2023

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER



Packet: ARPKT00912 - 10/04/23 TRUST REFUNDS

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00246	EKN PROPERTIES	10/4/2023	65475	2,500.00
00327	MAO ZHE GONG	10/4/2023	65476	2,000.00
00372	PRICE CUSTOM HOMES	10/4/2023	65477	2,600.00
00411	WAY OF THE SHEPHERD	10/4/2023	65478	150.00
00428	SHARPER HOMES	10/4/2023	65479	2,500.00
00433	GALE MERRIMAN	10/4/2023	65480	150.00
			<b>Total Refund Amount:</b>	<b>9,900.00</b>

## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	9,900.00
<b>Revenue Totals:</b>	<b>9,900.00</b>

## General Ledger Distribution

Posting Date: 10/04/2023

Account Number	Account Name	Posting Amount	IFT
<b>Fund: 890 - TRUST FUND</b>			
890-10101	Cash-claim on pooled cash	-9,900.00	Yes
890-11501	Misc receivables	9,900.00	
	<b>890 Total:</b>	<b>0.00</b>	
<b>Fund: 999 - POOLED CASH</b>			
999-10100	Pooled Cash	-9,900.00	
999-20702	Due to other funds	9,900.00	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



Packet: ARPKT00917 - 10/11/23 TRUST REFUNDS

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00309	TJB HOMES	10/11/2023	65481	2,500.00
00334	HENDERSON, MICHAEL & CHRISTINE	10/11/2023	65482	2,500.00
00365	KATIE NGUYEN	10/11/2023	65483	2,500.00
00401	PARENT BUILDERS INC	10/11/2023	65484	5,100.00
00432	MARCI GUTHMILLER	10/11/2023	65485	150.00
			<b>Total Refund Amount:</b>	<b>12,750.00</b>

## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	12,750.00
<b>Revenue Totals:</b>	<b>12,750.00</b>

## General Ledger Distribution

Posting Date: 10/11/2023

Account Number	Account Name	Posting Amount	IFT
<b>Fund: 890 - TRUST FUND</b>			
890-10101	Cash-claim on pooled cash	-12,750.00	Yes
890-11501	Misc receivables	12,750.00	
	<b>890 Total:</b>	<b>0.00</b>	
<b>Fund: 999 - POOLED CASH</b>			
999-10100	Pooled Cash	-12,750.00	
999-20702	Due to other funds	12,750.00	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



Payment Dates 10/3/2023 - 10/16/2023

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1931	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	89.91
1931	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	12.00
1931	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	59.59
1931	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	89.98
1931	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	12.00
1931	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	59.08
1931	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	89.98
1931	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	59.08
1931	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	89.98
1931	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	59.08
1931	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	89.98
1931	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	59.08
1931	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	89.98
1931	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	59.08
1932	BRODIN PRESS	OCT HAM LAKER	Editing	211-41704-3125	900.00
1933	KILLMER ELECTRIC CO INC	CROSTOWN/HWY 65 SIGNAL	Equipment repair & maintena	100-43401-3440	305.40
1934	O'REILLY AUTOMOTIVE STORE	#89 TOGGLE SWITCH	Vehicle parts & supplies	100-43101-2340	11.99
1934	O'REILLY AUTOMOTIVE STORE	#89 FUEL & OIL FILTERS	Vehicle parts & supplies	100-43101-2340	33.88
1934	O'REILLY AUTOMOTIVE STORE	DUAL USB POWER OUTLET	Operating supplies	100-43101-2290	19.99
1934	O'REILLY AUTOMOTIVE STORE	#78 EGR PRESSURE SENSOR	Vehicle parts & supplies	100-43101-2340	98.36
1934	O'REILLY AUTOMOTIVE STORE	#78 DEF HEATER	Vehicle parts & supplies	100-43101-2340	201.54
1935	STAR TRIBUNE MEDIA COMPA	ORD.23-08 ASSISTED LIVING,	Legal notices/publications/bid	100-41102-3950	317.58
1935	STAR TRIBUNE MEDIA COMPA	LARSON VACATION - MAPLE R	Legal notices/publications/bid	890-90001-3950	156.42
1935	STAR TRIBUNE MEDIA COMPA	HAMPTON CO. REZONE (1016	Legal notices/publications/bid	890-90001-3950	61.62
1935	STAR TRIBUNE MEDIA COMPA	CREEKSIDE FARMS REVISIONS	Legal notices/publications/bid	890-90001-3950	55.30
1935	STAR TRIBUNE MEDIA COMPA	ELWELL REZONE	Legal notices/publications/bid	890-90001-3950	58.46
1936	SUSAN KNOUSE	JUL - SEP 21ST CENTURY BAN	Mileage	100-41401-3960	40.61
1937	WICK COMMUNICATIONS-LEA	OCT HAM LAKER	Printing	211-41704-3970	667.25
1938	WRUCK SEWER & PORTABLE	WISEN'S PARK TOILET RENTAL	Rentals-other	100-44101-3390	25.00
1938	WRUCK SEWER & PORTABLE	SBAA SODERVILLE PARK TOILE	Rentals-other	100-44101-3390	54.00
1938	WRUCK SEWER & PORTABLE	GRANT PARK	Rentals-other	100-44101-3390	50.00
1938	WRUCK SEWER & PORTABLE	LARSON'S HERITAGE OAKS TOI	Rentals-other	100-44101-3390	50.00
1938	WRUCK SEWER & PORTABLE	SBAA LION'S PARK TOILET REN	Rentals-other	100-44101-3390	158.00
1938	WRUCK SEWER & PORTABLE	LION'S PARK TOILET RENTALS	Rentals-other	100-44101-3390	158.00
1938	WRUCK SEWER & PORTABLE	TENNIS COURT TOILET RENTA	Rentals-other	100-44101-3390	108.00
1938	WRUCK SEWER & PORTABLE	HAM LAKE BOAT LANDING TO	Rentals-other	100-44101-3390	79.00
1938	WRUCK SEWER & PORTABLE	SBAA HAM LAKE BALL FIELD T	Rentals-other	100-44101-3390	39.50
1938	WRUCK SEWER & PORTABLE	SBAA PINGER'S PARK TOILET R	Rentals-other	100-44101-3390	25.00
1938	WRUCK SEWER & PORTABLE	PINGER'S PARK TOILET RENTA	Rentals-other	100-44101-3390	25.00
1938	WRUCK SEWER & PORTABLE	SBAA PATRICIA'S WILDERNESS	Rentals-other	100-44101-3390	25.00
1938	WRUCK SEWER & PORTABLE	PATRICIA'S WILDERNESS TOILE	Rentals-other	100-44101-3390	25.00
1938	WRUCK SEWER & PORTABLE	SBAA TWIN BIRCH PARK TOILE	Rentals-other	100-44101-3390	25.00
1938	WRUCK SEWER & PORTABLE	TWIN BIRCH PARK TOILET REN	Rentals-other	100-44101-3390	25.00
1938	WRUCK SEWER & PORTABLE	SBAA WISEN'S PARK TOILET R	Rentals-other	100-44101-3390	25.00
1938	WRUCK SEWER & PORTABLE	HAM LAKE BALL FIELD TOILET	Rentals-other	100-44101-3390	39.50
1938	WRUCK SEWER & PORTABLE	LION'S PARK PLAYGROUND TO	Rentals-other	100-44101-3390	79.00
1938	WRUCK SEWER & PORTABLE	CONSTANCE ESTATES PARK TO	Rentals-other	100-44101-3390	50.00
1938	WRUCK SEWER & PORTABLE	SODERVILLE PARK TOILET REN	Rentals-other	100-44101-3390	54.00
1938	WRUCK SEWER & PORTABLE	BLUEGRASS ESTATES TOILET R	Rentals-other	100-44101-3390	50.00
65486	ABDO FINANCIAL SOLUTIONS	FINANCIAL SERVICES	Other professional services	100-41401-3190	6,527.39
65487	ACCESS	FALL RECYCLE DAY SHREDDIN	Waste management & recycli	231-43601-3630	589.40
65487	ACCESS	SEPT SHREDDING	Waste management & recycli	231-43601-3630	137.20
65488	ACE SOLID WASTE INC	OCT ORGANICS	Waste management & recycli	231-43601-3630	349.17
65489	ALL CITY ELEVATOR INC	4TH QTR MAINTENANCE	Building repair & maintenanc	100-41702-3420	212.00
65490	ALL SEASONS RENTAL	BOBCAT BREAKER RENTAL	Equipment rentals	100-43101-3320	192.50
65491	ANOKA COUNTY PROPERTY	BOTTINEAU DRAINAGE & UTIL	Filing fees	431-43301-3980	46.00



Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
65491	ANOKA COUNTY PROPERTY	BOTTINEAU TEMPORARY CON	Filing fees	431-43301-3980	46.00
65491	ANOKA COUNTY PROPERTY	L3B1 MAPLE RIDGE VACATION	Filing fees	890-90001-3980	46.00
65492	ANOKA COUNTY TREASURY D	SEPT BROADBAND	Internet & website	100-41301-3220	37.50
65492	ANOKA COUNTY TREASURY D	SEPT BROADBAND FIRE #2	Internet & website	100-41301-3220	75.00
65493	ASPEN MILLS INC	PANTS - AF	Clothing & personal protectiv	100-42201-2210	52.95
65494	BERGLUND, BAUMGARTNER,	COUNCIL MEETINGS	Attorney	100-41101-3110	733.84
65494	BERGLUND, BAUMGARTNER,	NOTICE OF COMPLETION/PRI	Attorney	100-41101-3110	65.92
65494	BERGLUND, BAUMGARTNER,	DUPONT WATER POLUTION	Attorney	100-41101-3110	65.92
65494	BERGLUND, BAUMGARTNER,	PROSECUTIONS	Attorney	100-41501-3110	6,695.00
65494	BERGLUND, BAUMGARTNER,	RICHLAND REFRIGERATION VI	Attorney	100-42401-3110	230.72
65494	BERGLUND, BAUMGARTNER,	CARLSON BUILDING	Attorney	100-42401-3110	49.44
65494	BERGLUND, BAUMGARTNER,	1845 - 145TH VIOLATION	Attorney	100-42401-3110	82.40
65494	BERGLUND, BAUMGARTNER,	14643 YANCY VIOLATION	Attorney	100-42401-3110	82.40
65494	BERGLUND, BAUMGARTNER,	SRWMO	Attorney	100-43201-3110	1,049.23
65494	BERGLUND, BAUMGARTNER,	JAKE'S AUTO MALL	Attorney	262-46101-3110	346.08
65494	BERGLUND, BAUMGARTNER,	CROSTOWN BUSINESS PARK	Capital assets	262-46101-5110	840.48
65494	BERGLUND, BAUMGARTNER,	FIRE #3	Capital assets	420-42201-5110	263.68
65494	BERGLUND, BAUMGARTNER,	BOTTINEAU DATA REQUEST	Attorney	431-43301-3110	818.51
65494	BERGLUND, BAUMGARTNER,	BARTHOLD APPRAISALS	Attorney	431-43301-3110	131.84
65494	BERGLUND, BAUMGARTNER,	CROSTOWN SHOPPING CENT	Attorney	431-43301-3110	82.40
65494	BERGLUND, BAUMGARTNER,	TOBY'S TRAILS LICENSE AGREE	Attorney	890-90001-3110	461.44
65494	BERGLUND, BAUMGARTNER,	CREEKSIDE FARMS DEVELOP	Attorney	890-90001-3110	115.36
65494	BERGLUND, BAUMGARTNER,	ELWELL LOT SPLIT	Attorney	890-90001-3110	82.40
65494	BERGLUND, BAUMGARTNER,	HIDDEN FOREST EAST 4TH PA	Attorney	890-90001-3110	82.40
65494	BERGLUND, BAUMGARTNER,	HENTGES WETLAND	Engineering	890-90001-3135	983.30
65496	BLUE CROSS BLUE SHIELD OF	NOV VISION	Vision Insurance	100-21715	37.98
65497	CENTERPOINT ENERGY	CITY HALL	Natural gas	100-41702-3620	74.34
65497	CENTERPOINT ENERGY	FIRE #2	Natural gas	100-42202-3620	67.85
65497	CENTERPOINT ENERGY	FIRE #1	Natural gas	100-42202-3620	34.74
65497	CENTERPOINT ENERGY	PW	Natural gas	100-43104-3620	87.21
65497	CENTERPOINT ENERGY	H.L. PARK PAVILION	Natural gas	100-44102-3620	25.20
65497	CENTERPOINT ENERGY	H.L. PARK BUILDING	Natural gas	100-44102-3620	32.30
65497	CENTERPOINT ENERGY	SR CENTER	Natural gas	100-44202-3620	40.03
65498	CITY OF COLUMBUS	SEPT SIGNAL LEXINGTON & B	Electricity	100-43401-3610	23.29
65499	CONNEXUS ENERGY	CITY HALL	Electricity	100-41702-3610	1,106.18
65499	CONNEXUS ENERGY	GARAGE	Electricity	100-41702-3610	32.48
65499	CONNEXUS ENERGY	SOUTH WELCOME	Electricity	100-41703-3610	15.47
65499	CONNEXUS ENERGY	CITY SIGN	Electricity	100-41703-3610	238.32
65499	CONNEXUS ENERGY	FIRE #2	Electricity	100-42202-3610	214.10
65499	CONNEXUS ENERGY	FIRE #1	Electricity	100-42202-3610	384.68
65499	CONNEXUS ENERGY	SIRENS	Electricity	100-42302-3610	68.25
65499	CONNEXUS ENERGY	PW	Electricity	100-43104-3610	795.18
65499	CONNEXUS ENERGY	BUNKER/JEFFERSON SIGNALS	Electricity	100-43401-3610	63.72
65499	CONNEXUS ENERGY	STREET LIGHTS #2	Electricity	100-43401-3610	258.96
65499	CONNEXUS ENERGY	RADISSON/BUNKER SIGNALS	Electricity	100-43401-3610	72.85
65499	CONNEXUS ENERGY	HWY 65/ANDOVER BLVD SIGN	Electricity	100-43401-3610	71.88
65499	CONNEXUS ENERGY	LEXINGTON/CROSTOWN SIG	Electricity	100-43401-3610	46.70
65499	CONNEXUS ENERGY	BUNKER/LEXINGTON SIGNALS	Electricity	100-43401-3610	62.53
65499	CONNEXUS ENERGY	HWY 65/BUNKER SIGNALS	Electricity	100-43401-3610	78.20
65499	CONNEXUS ENERGY	CROSTOWN/HWY 65 SIGNAL	Electricity	100-43401-3610	71.03
65499	CONNEXUS ENERGY	HWY 65/CONSTANCE SIGNALS	Electricity	100-43401-3610	113.05
65499	CONNEXUS ENERGY	STREET LIGHTS #1	Electricity	100-43401-3610	22.56
65499	CONNEXUS ENERGY	HAM LAKE AERATOR	Electricity	100-44101-3610	14.50
65499	CONNEXUS ENERGY	SODERVILLE PARK	Electricity	100-44101-3610	34.78
65499	CONNEXUS ENERGY	HAM LAKE WELL	Electricity	100-44101-3610	106.36
65499	CONNEXUS ENERGY	SODERVILLE PARK WELL	Electricity	100-44101-3610	18.63
65499	CONNEXUS ENERGY	HAM LAKE PARK	Electricity	100-44101-3610	117.76
65499	CONNEXUS ENERGY	LION'S PARK CONCESSION	Electricity	100-44102-3610	70.76
65499	CONNEXUS ENERGY	LION'S PARK PAVILION	Electricity	100-44102-3610	114.58
65499	CONNEXUS ENERGY	HAM LAKE PARK SHELTER	Electricity	100-44102-3610	23.25

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
65499	CONNEXUS ENERGY	HAM LAKE PARK BUILDING	Electricity	100-44102-3610	88.14
65499	CONNEXUS ENERGY	HAM LAKE PARK CONCESSION	Electricity	100-44102-3610	99.20
65499	CONNEXUS ENERGY	SR CENTER	Electricity	100-44202-3610	595.63
65499	CONNEXUS ENERGY	STREET LIGHTS	Electricity	232-43701-3610	4,391.11
65501	DEARBORN LIFE INS CO	OCT VOL LIFE	Life Insurance	100-21714	198.30
65501	DEARBORN LIFE INS CO	OCT LIFE	Life Insurance	100-21714	54.40
65501	DEARBORN LIFE INS CO	SEPT VOL LIFE - AM	Life Insurance	100-21714	-6.30
65501	DEARBORN LIFE INS CO	OCT VOL LIFE - DS/PS	Life Insurance	100-21714	17.10
65501	DEARBORN LIFE INS CO	SEPT LIFE - AM	Life Insurance	100-21714	-3.20
65502	DEHN OIL CO	227 GAL. GASOLINE	Fuel	100-43101-2230	650.34
65502	DEHN OIL CO	350 GAL. DIESEL	Fuel	100-43101-2230	1,374.45
65503	EBERT COMPANIES	FIRE #3	Capital assets	420-42201-5110	387,075.06
65504	EVERGREEN RECYCLING LLC	SPRING RECYCLING - MATTRE	Waste management & recycli	231-43601-3630	290.00
65505	FIRE INSTRUCTION & RESCUE	ROPES & KNOTS	Training/conferences/schools	100-42201-3510	650.00
65506	FORCE AMERICA, INC	#89 DUEL AXIS CONTROL LEV	Vehicle parts & supplies	100-43101-2340	147.75
65507	GOODYEAR TIRE	#79 TIRES	Equipment repair & maintena	100-43101-3440	1,449.86
65507	GOODYEAR TIRE	#71 TIRES	Equipment repair & maintena	100-43101-3440	1,021.09
65507	GOODYEAR TIRE	#75 TIRES	Equipment repair & maintena	100-43101-3440	1,164.01
65508	GREAT RIVER ENERGY	CROSTOWN SHOPPING CENT	Other professional services	431-43301-3190	67,345.37
65509	HEALTH PARTNERS INC	SEP EAP	Other professional services	100-41701-3190	25.50
65510	HYDRAULIC SPECIALTY CO INC	#71 REPAIR PARTS	Equipment parts & supplies	100-43101-2320	79.06
65511	I-STATE TRUCK CENTER INC	#54 TANK-SURGE, SEAT PAD	Vehicle parts & supplies	100-43101-2340	221.37
65512	J.R.'S ADVANCED RECYCLERS	FALL RECYCLE DAY - TIRES	Waste management & recycli	231-43601-3630	357.00
65512	J.R.'S ADVANCED RECYCLERS	FALL RECYCLE DAY	Waste management & recycli	231-43601-3630	80.00
65513	LEPAGE & SONS INC	9/21 YARDWASTE	Waste management & recycli	231-43601-3630	492.06
65513	LEPAGE & SONS INC	9/29 YARDWASTE	Waste management & recycli	231-43601-3630	506.07
65514	LINCOLN NATIONAL LIFE INSU	NOV ST DISABILITY	STD/LTD	100-21713	797.85
65514	LINCOLN NATIONAL LIFE INSU	NOV LT DISABILITY	STD/LTD	100-21713	574.84
65515	MCCLELLAN SALES INC	SAFETY GLASSES	Safety supplies	100-43101-2240	86.93
65516	MENARDS-BLAINE	SEALANT	Building repair & maintenanc	100-41702-2310	20.97
65516	MENARDS-BLAINE	HEXKEY SET	Small tools	100-43101-2410	13.79
65516	MENARDS-BLAINE	TRASH BAGS & PLUG COVERS	Operating supplies	100-44101-2290	50.42
65516	MENARDS-BLAINE	PROPANE TORCH	Small tools	100-43101-2410	37.72
65516	MENARDS-BLAINE	ROOF CEMENT, PROPANE & T	Building repair & maintenanc	100-41702-2310	12.79
65516	MENARDS-BLAINE	ROOF CEMENT, PROPANE & T	Small tools	100-43101-2410	26.23
65516	MENARDS-BLAINE	MARKING PAINT	Operating supplies	100-43101-2290	29.23
65516	MENARDS-BLAINE	TRASH BAGS	Operating supplies	100-44101-2290	14.58
65516	MENARDS-BLAINE	VACUUM	Operating supplies	100-44101-2290	149.99
65517	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-41201-2510	39.36
65517	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-41301-2510	31.76
65517	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-41401-2510	55.93
65517	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-41601-2510	24.16
65517	METRO - INET	PHONES	Phones/radios/pagers	100-41701-3210	124.00
65517	METRO - INET	IT SUPPORT	Computer & software support	100-41707-3120	5,370.00
65517	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-42201-2510	55.93
65517	METRO - INET	PHONES	Phones/radios/pagers	100-42201-3210	52.00
65517	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-42401-2510	95.30
65517	METRO - INET	PHONES	Phones/radios/pagers	100-42401-3210	62.00
65517	METRO - INET	LASERFICHE & ADOBE LICENS	Software licenses & upgrades	100-43101-2510	21.56
65517	METRO - INET	PHONES	Phones/radios/pagers	100-43101-3210	31.00
65517	METRO - INET	PHONES	Phones/radios/pagers	100-44101-3210	10.00
65517	METRO - INET	PHONES	Phones/radios/pagers	100-44201-3210	41.00
65518	MN METRO NORTH TOURISM	AUG LODGING TAX	Convention bureau	263-46101-4120	2,779.29
65519	MN PEIP	NOV HEALTH INSURANCE	Health Insurance	100-21710	9,602.58
65520	NEWMAN TRAFFIC SIGNS INC	ORANGE & BLACK SIGN MATE	Street signs	100-43401-2250	2,694.04
65521	NORTHERN TOOL & EQUIPME	MASONRY DRILL BIT	Small tools	100-43101-2410	24.99
65522	PREMIUM WATERS INC	SEPT WATER	Equipment rentals	100-41701-3320	23.50
65522	PREMIUM WATERS INC	OCT WATER COOLER RENTAL	Equipment rentals	100-41701-3320	14.00
65523	RESPEC	4TH QTR MAPFEEDER SUBSCR	Software licenses & upgrades	230-43201-2510	1,250.00
65523	RESPEC	4TH QTR FULCRUM LICENSES	Software licenses & upgrades	230-43201-2510	315.00

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
65524	RIVARD COMPANIES	MULCH	Operating supplies	100-43101-2290	119.70
65524	RIVARD COMPANIES	TREE WASTE DISPOSAL	Operating supplies	100-43101-2290	300.00
65524	RIVARD COMPANIES	TREE WASTE DISPOSAL	Operating supplies	100-43101-2290	200.00
65525	SIEGFRIED FAMILY TOOLS INC	LOGIC LIGHT TEST LIGHT	Covid 19	100-41701-4153	39.95
65525	SIEGFRIED FAMILY TOOLS INC	GREASE	Covid 19	100-41701-4153	16.78
65525	SIEGFRIED FAMILY TOOLS INC	CIRCUIT TESTER	Covid 19	100-41701-4153	-79.95
65525	SIEGFRIED FAMILY TOOLS INC	AIR TOOL CARE KIT	Covid 19	100-41701-4153	58.25
65525	SIEGFRIED FAMILY TOOLS INC	MAX CORDLESS RECHARGE S	Covid 19	100-41701-4153	151.95
65525	SIEGFRIED FAMILY TOOLS INC	COOL SYSTEM - REFILL, RETAI	Covid 19	100-41701-4153	479.95
65525	SIEGFRIED FAMILY TOOLS INC	TRUCK WHEEL STUD INSTALLE	Covid 19	100-41701-4153	54.90
65526	SUMMIT COMPANIES	RESIDENT EXTINGUISHERS - S	Fire Extinguisher	100-20203	5.50
65526	SUMMIT COMPANIES	RESIDENT EXTINGUISHERS - C	Fire Extinguisher	100-20203	11.00
65527	SUNRISE RIVER WMO	SRWMO JPA	Sunrise WMO	100-43201-3710	3,320.03
65528	TASC	NOV COBRA ADMINISTRATIO	Other professional services	100-41701-3190	26.74
65529	THE MPX GROUP	OCT HAM LAKER DELIVERY	Other services and charges	211-41704-3990	225.00
65530	UNLIMITED SUPPLIES INC	NUTS, BRAKE CLEANER, BUTA	Operating supplies	100-43101-2290	257.21
65530	UNLIMITED SUPPLIES INC	WIRE SPOOL RACK	Operating supplies	100-43101-2290	117.44
65530	UNLIMITED SUPPLIES INC	COTTER PINS, COUPLINGS, PL	Operating supplies	100-43101-2290	19.27
65531	US BANK CORPORATE PAYME	ZOOM-- Zoom - September-D	Dues & subscriptions	100-41201-3920	13.70
65531	US BANK CORPORATE PAYME	LIVINGDOT.COM-9/19/23 - 9/	Internet & website	100-41301-3220	165.45
65531	US BANK CORPORATE PAYME	AMAZON-folders-NW	Office supplies	100-41701-2110	22.04
65531	US BANK CORPORATE PAYME	AMAZON-doorbell batteries-N	Operating supplies	100-41701-2290	5.24
65531	US BANK CORPORATE PAYME	IOS-dish soap-NW	Operating supplies	100-41701-2290	11.52
65531	US BANK CORPORATE PAYME	IOS-dishwasher soap, large tr	Operating supplies	100-41701-2290	81.19
65531	US BANK CORPORATE PAYME	PANTHEON-sept website-NW	Software licenses & upgrades	100-41701-2510	300.00
65531	US BANK CORPORATE PAYME	NABPCO AUTO-AIR COMPRES	Covid 19	100-41701-4153	2,010.00
65531	US BANK CORPORATE PAYME	IOS-toner station 1-NW	Office supplies	100-42201-2110	90.99
65531	US BANK CORPORATE PAYME	HEY DUDE-MR SHOES-MR	Clothing & personal protectiv	100-42201-2210	-50.76
65531	US BANK CORPORATE PAYME	IOS-trash bags, urinal screens,	Operating supplies	100-42201-2290	302.82
65531	US BANK CORPORATE PAYME	IOS-small trash can liners-NW	Operating supplies	100-42201-2290	30.23
65531	US BANK CORPORATE PAYME	IOS-large trash can liners-NW	Operating supplies	100-42201-2290	60.40
65531	US BANK CORPORATE PAYME	BIG MIKE'S-T-3 PARTS-JC	Vehicle parts & supplies	100-42201-2340	21.65
65531	US BANK CORPORATE PAYME	BIG MIKE'S-T-3 PARTS-JC	Vehicle parts & supplies	100-42201-2340	108.35
65531	US BANK CORPORATE PAYME	POSITIVE PROMOTIONS-TREA	Fire prevention-supplies	100-42201-2810	170.92
65531	US BANK CORPORATE PAYME	AMAZON-co/fire detectors, es	Fire prevention-supplies	100-42201-2810	176.12
65531	US BANK CORPORATE PAYME	MN STATE COLLEGES-TRAININ	Training/conferences/schools	100-42201-3510	585.00
65531	US BANK CORPORATE PAYME	ICC-ICC MEMBERSHIP - MJ-A	Dues & subscriptions	100-42401-3920	160.00
65531	US BANK CORPORATE PAYME	IOS-large trash can liners-NW	Operating supplies	100-43101-2290	60.40
65531	US BANK CORPORATE PAYME	U-HAUL-PROPANE-JW	Operating supplies	100-43101-2290	100.87
65531	US BANK CORPORATE PAYME	AMAZON-measuring cup-NW	Operating supplies	100-43101-2290	17.27
65531	US BANK CORPORATE PAYME	BP-#100 TAC TRAILER PROPAN	Street repair & maintenance s	100-43101-2330	117.75
65531	US BANK CORPORATE PAYME	JACKNOB-HAM LAKE PARK BA	Building repair & maintenanc	100-44102-2310	44.80
65531	US BANK CORPORATE PAYME	GOOD CUSTOMER REBATE	Refunds & reimbursements	420-37601	-274.52
65531	US BANK CORPORATE PAYME	ANOKA COUNTY-CC SERVICE F	Capital assets	420-42201-5110	0.58
65531	US BANK CORPORATE PAYME	ANOKA COUNTY-R-3 TITLE-A	Capital assets	420-42201-5110	27.00
65533	VERIZON WIRELESS	MR	Phones/radios/pagers	100-42201-3210	41.20
65533	VERIZON WIRELESS	TD, MJ & 2 LAPTOPS	Phones/radios/pagers	100-42401-3210	162.42
65533	VERIZON WIRELESS	JK, JW, JC, CS, EH, & 2 LAPTOP	Phones/radios/pagers	100-43101-3210	294.03
65533	VERIZON WIRELESS	DH, AC, MS	Phones/radios/pagers	100-44101-3210	123.58
65534	WRIGHT-HENNEPIN COOPERA	OCT ELEVATOR MONITORING	Monitoring	100-41702-3145	10.00
65534	WRIGHT-HENNEPIN COOPERA	OCT SECURITY MONITORING	Monitoring	100-41702-3145	33.95
65534	WRIGHT-HENNEPIN COOPERA	OCT PW FIRE PANEL MONITO	Monitoring	100-43104-3145	52.95
DFT0002607	COMPENSATION CONSULTAN	Health Savings Account	HSA Account	100-21712	150.00
DFT0002608	EMPOWER	Deferred Compensation	Deferred compensation	100-21704	2,005.00
DFT0002608	EMPOWER	Roth IRA	Deferred compensation	100-21704	50.00
DFT0002609	IRS-Payroll Tax	Federal Withholding	Federal WH/FICA/MC	100-21701	5,868.03
DFT0002609	IRS-Payroll Tax	Medicare Payable	Federal WH/FICA/MC	100-21701	1,551.92
DFT0002609	IRS-Payroll Tax	Social Security Payable	Federal WH/FICA/MC	100-21701	6,113.56
DFT0002610	MN STATE DEPT OF REVENUE-	MN State Withholding	State W/H	100-21702	2,486.66
DFT0002611	PERA	Retirement-Coordinated	PERA	100-21703	6,570.00

Council Approval List

Payment Dates: 10/3/2023 - 10/16/2023

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
DFT0002611	PERA	Retirement-Police & Fire	PERA	100-21703	1,243.22
DFT0002612	MN STATE DEPT OF REVENUE-	SEPTEMBER FUEL TAX	Fuel	100-43101-2230	46.74
DFT0002613	US POSTMASTER	OCT HAM LAKER POSTAGE	Postage	211-41704-2120	1,193.62
				<b>Grand Total:</b>	<b>561,656.43</b>

## Report Summary

## Fund Summary

Fund	Payment Amount
100 - GENERAL	88,283.08
211 - HAM LAKER	2,985.87
230 - FUTURE DRAINAGE	1,565.00
231 - RECYCLING	2,800.90
232 - STREET LIGHT	4,391.11
262 - HAM LAKE EDA	1,186.56
263 - LODGING TAX	2,779.29
420 - FIRE EQUIPMENT	387,091.80
431 - REVOLVING STREET	68,470.12
890 - TRUST FUND	2,102.70
<b>Grand Total:</b>	<b>561,656.43</b>

## Account Summary

Account Number	Account Name	Payment Amount
100-20203	Fire Extinguisher	16.50
100-21701	Federal WH/FICA/MC	13,533.51
100-21702	State W/H	2,486.66
100-21703	PERA	7,813.22
100-21704	Deferred compensation	2,055.00
100-21710	Health Insurance	9,602.58
100-21712	HSA Account	150.00
100-21713	STD/LTD	1,372.69
100-21714	Life Insurance	260.30
100-21715	Vision Insurance	37.98
100-41101-3110	Attorney	865.68
100-41102-3950	Legal notices/publicatio	317.58
100-41201-2510	Software licenses & upgr	39.36
100-41201-3920	Dues & subscriptions	13.70
100-41301-2510	Software licenses & upgr	31.76
100-41301-3220	Internet & website	277.95
100-41401-2510	Software licenses & upgr	55.93
100-41401-3190	Other professional servi	6,527.39
100-41401-3960	Mileage	40.61
100-41501-3110	Attorney	6,695.00
100-41601-2510	Software licenses & upgr	24.16
100-41701-2110	Office supplies	22.04
100-41701-2290	Operating supplies	97.95
100-41701-2510	Software licenses & upgr	300.00
100-41701-3190	Other professional servi	52.24
100-41701-3210	Phones/radios/pagers	124.00
100-41701-3320	Equipment rentals	37.50
100-41701-4153	Covid 19	2,731.83
100-41702-2310	Building repair & mainte	33.76
100-41702-3145	Monitoring	43.95
100-41702-3420	Building repair & mainte	212.00
100-41702-3610	Electricity	1,138.66
100-41702-3620	Natural gas	74.34
100-41703-3610	Electricity	253.79
100-41707-3120	Computer & software su	5,370.00
100-42201-2110	Office supplies	90.99
100-42201-2210	Clothing & personal prot	2.19
100-42201-2290	Operating supplies	393.45
100-42201-2340	Vehicle parts & supplies	130.00
100-42201-2510	Software licenses & upgr	55.93
100-42201-2810	Fire prevention-supplies	347.04
100-42201-3210	Phones/radios/pagers	93.20
100-42201-3510	Training/conferences/sc	1,235.00

**Account Summary**

Account Number	Account Name	Payment Amount
100-42202-3610	Electricity	598.78
100-42202-3620	Natural gas	102.59
100-42302-3610	Electricity	68.25
100-42401-2510	Software licenses & upgr	95.30
100-42401-3110	Attorney	444.96
100-42401-3210	Phones/radios/pagers	224.42
100-42401-3920	Dues & subscriptions	160.00
100-43101-2210	Clothing & personal prot	449.83
100-43101-2230	Fuel	2,071.53
100-43101-2240	Safety supplies	110.93
100-43101-2290	Operating supplies	1,241.38
100-43101-2320	Equipment parts & suppl	79.06
100-43101-2330	Street repair & mainten	117.75
100-43101-2340	Vehicle parts & supplies	714.89
100-43101-2410	Small tools	102.73
100-43101-2510	Software licenses & upgr	21.56
100-43101-3210	Phones/radios/pagers	325.03
100-43101-3320	Equipment rentals	192.50
100-43101-3440	Equipment repair & mai	3,634.96
100-43104-3145	Monitoring	52.95
100-43104-3610	Electricity	795.18
100-43104-3620	Natural gas	87.21
100-43201-3110	Attorney	1,049.23
100-43201-3710	Sunrise WMO	3,320.03
100-43401-2250	Street signs	2,694.04
100-43401-3440	Equipment repair & mai	305.40
100-43401-3610	Electricity	884.77
100-44101-2210	Clothing & personal prot	295.91
100-44101-2290	Operating supplies	214.99
100-44101-3210	Phones/radios/pagers	133.58
100-44101-3390	Rentals-other	1,169.00
100-44101-3610	Electricity	292.03
100-44102-2310	Building repair & mainte	44.80
100-44102-3610	Electricity	395.93
100-44102-3620	Natural gas	57.50
100-44201-3210	Phones/radios/pagers	41.00
100-44202-3610	Electricity	595.63
100-44202-3620	Natural gas	40.03
211-41704-2120	Postage	1,193.62
211-41704-3125	Editing	900.00
211-41704-3970	Printing	667.25
211-41704-3990	Other services and charg	225.00
230-43201-2510	Software licenses & upgr	1,565.00
231-43601-3630	Waste management & r	2,800.90
232-43701-3610	Electricity	4,391.11
262-46101-3110	Attorney	346.08
262-46101-5110	Capital assets	840.48
263-46101-4120	Convention bureau	2,779.29
420-37601	Refunds & reimburseme	-274.52
420-42201-5110	Capital assets	387,366.32
431-43301-3110	Attorney	1,032.75
431-43301-3190	Other professional servi	67,345.37
431-43301-3980	Filing fees	92.00
890-90001-3110	Attorney	741.60
890-90001-3135	Engineering	983.30
890-90001-3950	Legal notices/publicatio	331.80
890-90001-3980	Filing fees	46.00
	<b>Grand Total:</b>	<b>561,656.43</b>

**Project Account Summary**

<b>Project Account Key</b>	<b>Payment Amount</b>
**None**	489,544.93
201202.070-130	950.35
202111-160	840.48
202205-150	67,427.77
202302.032-130	92.00
231002001	959.40
231004009	998.13
231005003	357.00
231009001	349.17
231010001	137.20
<b>Grand Total:</b>	<b>561,656.43</b>



City of Ham Lake, MN

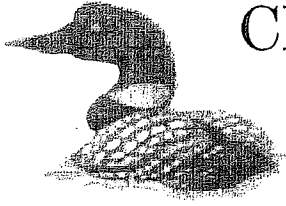
# EFT Payroll Check Register Report Summary

Pay Period: 9/17/2023-9/30/2023

Packet: PYPKT01515 - PPE 09/30/23 PAID 10/06/23  
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	33	35,094.66
<b>Total</b>	<b>33</b>	<b>35,094.66</b>



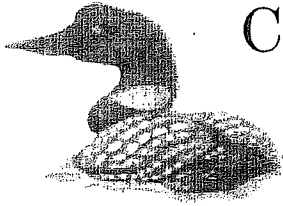


# CITY OF HAM LAKE

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

## **CITY OF HAM LAKE BUDGET WORKSHOP MEETING OCTOBER 23, 2023**

- 1.0 3:00 P.M. CALL TO ORDER**
- 2.0 DISCUSSION OF THE PROPOSED 2024 BUDGET AND CIP REVIEW**



# 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  
WORKSHOP MEETING AGENDA  
NOVEMBER 6, 2023  
5:15 P.M.**

- 1.0 CALL TO ORDER – 5:15 P.M.**
  
- 2.0 DISCUSSION OF THE WILLOWS OF HAM LAKE SENIOR HOUSING  
WITH KAREN SKEPPER, EXECUTIVE DIRECTOR OF ANOKA  
COUNTY HOUSING AND REDEVELOPMENT AUTHORITY (HRA)**

**Meeting Date: October 16, 2023**



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

**To: Mayor and Councilmembers**

**From: Denise Webster, on behalf of the Personnel Committee**

**Item/Title/Subject: Hiring a Full-Time Finance/Human Resource Director**

**Introduction/Discussion:** With the recent resignation of our Finance/Human Resource Director, we are currently contracting with Abdo Financial Solutions for our financial services until the position is filled. The Personnel Committee interviewed Angela Brumbaugh and feels that she would be a great fit for the City.

The Personnel Committee would like to appoint Angela Brumbaugh as the full-time Finance/Human Resource Director. The position has a comp worth rating of 308 and with her knowledge, she will be starting at the two year pay scale of \$8,223/per month and year 5-6 of the PTO schedule.

**Recommendation: The Personnel Committee recommends appointing Angela Brumbaugh as the Full-time Finance/Human Resource Director.**

**ORDINANCE NO. 23-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) (4611 139<sup>th</sup> Lane NE).

The North 512.41 feet of the West 325.00 feet of the Northwest Quarter of the Northeast Quarter, all in Section 36, Township 32, Range 23, Anoka County, Minnesota.

**Presented to the Ham Lake City Council on October 2, 2023 and adopted by a unanimous vote this 16th day of October, 2023.**

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**Brian Kirkham, Mayor**

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**Denise Webster, City Clerk**

**Denise Webster**

**From:** jamie.schurbon@anokaswcd.org  
**Sent:** Friday, September 29, 2023 11:15 AM  
**To:** Janet Hegland; Elizabeth Mursko; Jack Davis; Linwood Township; Denise Webster  
**Cc:** Brian Kirkham; Tim Mel; Leon Mager Mager; Troy Wolens; Jeff Entsminger; Jonn Olson; wyomingkellys@yahoo.com; Brian Mundle; Gilchrist, Troy J.  
**Subject:** SRWMO JPA  
**Attachments:** Memo to JPA partners\_funding formula proposal\_9.18.23.docx

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

SRWMO community administrators,  
So far I've heard notice that East Bethel and Columbus city councils have approved the concepts in Janet's Sept 18 memo (attached) for the SRWMO JPA. Linwood and Ham Lake, please keep us all posted. Once all councils agree to these concepts, a revised JPA will be circulated.

Troy Gilchrist and I have each locked down upcoming costs to finish the JPA. Those costs are only a couple of hours each, and presume issues are now settled without more back-and-forth. Previous plus upcoming costs total \$21,280. Equal shares are \$5,320 per community. The communities have each already paid varying amounts and therefore have different amounts remaining to be paid, as shown below. **Notice that even for communities that were all caught up on previous payments, there is an additional payment of \$320.** Please process payment to the SRWMO.

Community	Contributions to Date (9/29/23)	Remaining to be Paid
Columbus	\$5,000.00	\$320.03
Ham Lake	\$2,000.00	\$3,320.03
East Bethel	\$5,000.00	\$320.03
Linwood	\$3,000.00	\$2,320.03

*← approved \$3,000 on Oct. 2<sup>nd</sup>  
\$320 remaining*

Jamie Schurbon  
Anoka Conservation District  
763-434-2030 ext. 210

**From:** Janet Hegland <counciljaneth@ci.columbus.mn.us>  
**Sent:** Monday, September 18, 2023 6:49 PM  
**To:** Elizabeth Mursko <cityadministrator@ci.columbus.mn.us>; Jack Davis <jack.davis@ci.east-bethel.mn.us>; Linwood Township <pam.olson@linwoodtownship.org>; Denise Webster <DWebster@ci.ham-lake.mn.us>  
**Cc:** jamie.schurbon@anokaswcd.org; Brian Kirkham <bkirkham@ci.ham-lake.mn.us>; Tim Mel <timothymelchior@gmail.com>; Leon Mager Mager <lamj3@outlook.com>; Troy Wolens <denise@pioneercycle.com>; Jeff Entsminger <jeff@allseasonservices.com>; Jonn Olson <Jonn.Olson@linwoodtownship.org>; millerberndashley@gmail.com; wyomingkellys@yahoo.com; Brian Mundle <brian.mundle@ci.east-bethel.mn.us>; Gilchrist, Troy J. <TGilchrist@Kennedy-Graven.com>  
**Subject:** Proposed SRWMOI Funding Formula

Good Evening,

SUNRISE RIVER WATERSHED MANAGEMENT ORGANIZATION  
JOINT POWERS AGREEMENT

THIS SUNRISE RIVER WATERSHED MANAGEMENT ORGANIZATION JOINT POWERS AGREEMENT (“**Agreement**”) is made and entered into by and among the local government units of the City of Columbus, City of East Bethel, City of Ham Lake, and Linwood Township. The purpose of this Joint Powers Agreement is to continue the Water Management Organization previously established by the local government units to assist them with surface water, ground water, water quality, and water usage issues. The named local government units may hereinafter be referred to individually as a “party” or collectively as the “parties.”

**RECITALS**

- A. The parties have elected to exercise their authority under the Metropolitan Surface Water Management Act contained in Minnesota Statutes, sections 103B.201 to 103B.255 (“**Act**”) to establish the Sunrise River Water Management Organization (“**WMO**”), a joint powers watershed management organization, to cooperatively manage and plan for the management of surface water within the watershed.
- B. The parties have authority pursuant to Minnesota Statutes, section 471.59 to enter into a joint powers agreement to jointly exercise any power common to the parties and are expressly authorized by the Act to form the WMO.
- C. The parties have previously acted pursuant to its authority to establish the “Sunrise River Watershed Management Organization Board” (“**Board**”) and said Board is hereby reaffirmed as the entity charged with the authority and responsibility to manage the WMO.
- D. The Board has previously acted to adopt a watershed management plan (“**Watershed Management Plan**”) for the watershed.
- E. The parties desire to enter into this Agreement to reaffirm the WMO and the Board in furtherance of its efforts to continue working cooperatively to prepare and administer a surface water management plan to manage and implement program in accordance with the Act and Minnesota Rules, chapter 8410.

**AGREEMENT**

In consideration of the mutual promises and agreements contained herein, the parties mutually agree as follows:

**SECTION I**

**Establishment and General Purpose**

1.1 Establishment: The establishment of the “Sunrise River Water Management Organization” is hereby reaffirmed in accordance with the Act and such other laws and rules as

may apply. The official office of the WMO shall be the East Bethel City Hall, 2241 221st Avenue NE, East Bethel, MN 55011. All notices required under this Agreement shall be delivered or served at said office. The Board may change the location of the office as it determines it needed. Upon any such change the Board shall provide written notice to the parties of the new location.

1.2 Purpose: It is the general purpose of the parties to this Agreement to continue the Board the parties established to jointly and cooperatively develop a Watershed Management Plan for the WMO to carry out the purposes identified in Minnesota Statutes, section 103B.201. The plan and programs shall operate within the boundaries of the Sunrise River Watershed as identified in the official map attached hereto as Appendix 1 (“**Area**”). The boundaries of the Area are subject to change utilizing the procedure set out in Minnesota Statutes, section 103B.225 as may be needed to better reflect the hydrological boundaries of the Area.

## **SECTION II**

### **Sunrise River Watershed Management Organization Board**

2.1 Establishment: The parties hereby reaffirm the establishment and continued operation of the “Sunrise River Watershed Management Organization Board” in accordance with the Act. Each party to this Agreement is a member of the Board, which shall carry out the purposes and have the powers as provided herein.

2.2 Joint Board: The WMO is governed by the Board, which is comprised of up to eight (8) members (individually a “**Board Member**” and collectively the “**Board Members**”) appointed by the parties. The Board has the duties and powers as provided in state law and this Agreement.

2.3 Board Membership: Each party shall appoint two (2) members to represent it on the Board, one of which shall be the mayor or councilmember of the city or an elected or appointed official of the town board. Each party shall notify the Board of each Board Member it appoints by providing it a copy of the appointment resolution or a copy of the meeting minutes at which the appointment occurred. Each Board Member shall have one (1) vote on the Board and must be present to vote. The authority of a Board Member to vote shall be suspended if the appointing party is delinquent in making any payments due to the WMO. The voting authority of the Board Member shall be restored once the party pays all past due amounts.

2.4 Alternate Board Members: Each party may appoint one alternate member (“**Alternate Member**”) to the Board in the same manner required to appoint a Board Member. The Alternate Member is authorized to attend and vote at a Board meeting in the absence or disability of the appointing party’s Board Member. If the absent Board Member is also an officer of the Board, the Alternate Member shall not be entitled to serve as such officer. If necessary, the Board may select a current Board Member to temporarily undertake the duties of the absent officer.

2.5 Term: Board Members serve indefinite terms as determined by the appointing party. A party may remove its Board Member or Alternate Member as provided in Minnesota Statutes, section 103B.227, subdivision 3. The party shall notify the Board of the removal in writing

within ten (10) days of acting to remove the Board Members. The appointing party shall act to fill the vacancy as provided in this Agreement.

2.6 Vacancies: The Board shall notify the Board of Water and Soil Resources of member appointments and vacancies in member positions within 30 days. The party with the vacancy on the Board shall act to fill it by appointment within 90 days after the vacancy occurs. The party is required to follow the procedures set out in Minnesota Statutes, section 103B.227 to fill the vacancy.

2.7 Compensation and Expenses: Board Members shall not be entitled to compensation or reimbursement for expenses incurred in attending meetings from the WMO. Nothing herein prohibits a party from choosing, in its sole discretion and cost, to compensate or reimburse the expenses of its Board Members.

2.8 Officers: The Board shall elect from its membership a Chair, a Vice-Chair, a Secretary, and a Treasurer. All such officers shall hold office for a term of one (1) year and until their successors have been qualified and duly elected by the Board. An officer may serve only while a member of the Board. A vacancy in an officer position shall be filled from the membership of the Board by election for the remainder of the unexpired term of such office.

2.9 Duties of Officers: The Chair shall serve as the presiding officer at Board meetings, execute documents on behalf of the Board, sign checks, and perform other duties and functions as may be determined by the Board. The Vice-Chair shall undertake the duties of the Chair in the absence or disability of the Chair. The Secretary shall maintain the records of the WMO, Board meeting minutes, ensure meetings are properly noticed, countersign documents with the Chair, and performs such other duties as assigned by the Board. The Secretary may delegate one or more specific duties of the position. The Treasurer shall oversee the WMO's budget and finances, sign checks, and performs such other duties as assigned by the Board.

2.10 Quorum: A majority of the Board Members shall constitute a quorum. Less than a quorum may adjourn a scheduled meeting. A simple majority of the quorum is required for the Board to act unless a higher number of votes is required by this Agreement or by law. A Board vacancy or the suspension of voting rights as provided herein shall temporarily reduce the number of Board Members required for a quorum.

2.11 Meetings:

A. Regular Meetings. The Board shall develop a schedule of its regular meetings and post the schedule on the WMO's website. The Secretary shall maintain a copy of the schedule of regular meetings. The Chair and Vice-Chair may cancel a meeting due to a lack of business items. The Secretary shall make a good faith effort to notify Board Members of a meeting cancellation.

B. Special Meetings. The Board may hold such special meetings as it may determine are needed to conduct the business of the WMO. A special meeting may be called



by the Chair or by any two Board Members. The Secretary shall post and provide notice of special meetings to the Board Members.

- C. Annual Meeting. The Board shall hold an annual meeting in or around February. At the annual meeting the Board, at a minimum, shall:
1. Elect officers for the next fiscal year;
  2. Establish the annual budget and work plan;
  3. Hear recommendations on amendments to this Agreement and the Watershed Management Plan;
  4. Biennially renew or decide on contracts for professional, legal, and administrative services;
  5. Decide on regular meeting dates; and
  6. Select a newspaper of record and designate the bulletin board for the posting of public notices.
- D. Location. The Board shall conduct its meetings at the location designated by the Board, which shall constitute its regular meeting location. The Board may change the location of its regular meeting or for one or more particular meetings.
- E. Compliance. Board meetings shall be noticed and conducted in accordance with the requirements of the Minnesota Open Meeting Law (Minnesota Statutes, chapter 13D). The official posting place for notices shall be the meeting location designated by the Board for its regular meetings. Meeting notices will also be posted on the WMO's website.
- F. Conduct of Meetings: The Board shall adopt rules of order and procedure for the conduct of its meetings. The Board may adopt any such rules upon a majority vote of all the Board Members. In accordance with Minnesota Statutes, section 103B.211, subdivision 1(c), decisions by the Board may not require more than a majority vote, except a decision on a capital improvement project may require up to a two-thirds vote if expressly required in the Board's rules. This limitation does not apply to votes required by the parties under this Agreement, which may expressly require a unanimous vote by all parties.

### **SECTION III** **Board Powers and Duties**

3.1 Authority: The Board shall have authority provided for in this Agreement and the Act, subject to any limitations contained in this Agreement. The Board's authority includes, but is not limited to, the following:

- A. The authority to prepare, adopt, and implement a plan for the Sunrise River Watershed that satisfies the requirements of Minnesota Statutes, section 103B.231;
- B. The authority to review and approve local water management plans as provided in Minnesota Statutes, section 103B.235, subdivision 3;
- C. The authority to contract for services, including with a party, as needed to carry out its duties and may employ such other persons as it deems necessary. Where staff services of a party are contracted, such services shall not reduce the financial commitment of such party to the operating fund of the Board unless the Board so authorizes;
- D. The authority to work cooperatively with other watersheds and, if unanimously approved by the parties, to participate in a comprehensive watershed management planning program provided for in Minnesota Statutes, section 103B.801; and
- E. The Board shall have such other powers necessary to exercise the authorities provided in this Agreement and may take such actions as are reasonably necessary and convenient to carry out the purpose of this Agreement.

3.2 Watershed Management Plan: The Board shall update as needed and administer the Watershed Management Plan for the Sunrise River Watershed. The Watershed Management Plan shall comply with Minnesota Statutes, section 103B.231, subdivision 4, Minnesota Rules, chapter 8410, and other applicable laws.

3.3 Committees: The Board may appoint such committees and subcommittees as it deems necessary. The Board shall establish a citizen advisory committee and technical advisory committee and promote other means of public participation.

- A. Citizen and/or technical advisory committees will be formed from time-to-time as deemed appropriate by the Board and shall be issue-specific. Committees may be formed that include both citizens and technical experts. Committees shall operate by seeking consensus, while noting any dissenting opinions. Committee findings shall be reduced to writing and submitted to the Board. In all cases, committees shall be advisory in nature and their findings shall be referred to the Board. Issues that may warrant formation of advisory committees include, but are not limited to, the following: amendments or updates to the WMO's Watershed Management Plan; lake level or water quality issues; a total maximum daily load (TMDL) impaired waters study or implementation of the study; capital improvement projects; major hydrological changes in the watershed; and others as deemed appropriate by the Board.
- B. Technical advisory committees shall include technical experts in areas relating to land use, natural resources, pollution control, and soil and water resources.

C. Citizen advisory committees shall include residents and elected officials from the affected area including, but not limited to, homeowners, business owners, lake association or lake improvement district representatives, and others as may be selected by the Board.

D. All advisory committees shall include at least one Board member.

3.4 Rules and Regulations: The Board may prescribe and promulgate such rules and regulations as it deems necessary or expedient to carry out its powers and duties and the purpose of the Agreement.

3.5 Review and Recommendations: Where the Board is authorized or requested to review and make recommendations on any matter relating to the Watershed Management Plan, the Board shall act on such matter within 60 days of receipt of the matter referred. Failure of the Board to act within 60 days shall constitute a recommendation of approval of the matter referred, unless the Board requests and receives from the referring unit of government an extension of time to act on the matter referred. Such extension shall be in writing and acknowledged by both parties.

3.6 Ratification: The Board may, and where required by this Agreement shall, refer matters to the governing bodies of the parties for review, comment, or action.

3.7 Financial Matters:

A. Method of Operation. The Board may collect and receive money and contract for services subject to the provision of the Agreement from the parties and from any other sources approved by the Board. The Board may incur expenses and make disbursements necessary and incidental to the effectuation of the purposes of this Agreement. Funds may be expended by the Board in accordance with procedures established herein. Checks shall be signed by the Chair and Treasurer. The Board may appoint another member to sign checks on behalf of the Chair or Treasurer when either is not available to sign. Other legal instruments shall, upon Board approval, be executed on behalf of the Board by the Chair or Vice-Chair and countersigned by the Secretary.

B. Budgeting.

1. Prepared. The WMO's fiscal year shall be the calendar year. On or before June 1<sup>st</sup> of each year, the WMO shall prepare a work plan and budget for the following year. The annual budget shall provide details to support the proposed revenues and expenditures for the WMO. This detail shall be sufficient to meet standard budget and/or accounting principles generally recognized for governmental organizations. Expenditures may include administrative expenses, plan development costs, review expenses, capital

improvement costs, and insurance costs. A majority vote of the Board is required to approve the proposed work plan and budget.

2. Party Review. The Board shall forward the approved proposed budget to the parties for review and ratification along with a statement showing each party's proposed share of the budget. Within 60 days of receipt of the proposed budget, each party shall communicate its ratification of the budget or provide a written explanation of any objections or concerns it has regarding the proposed budget. No party may withhold ratification solely based on objections to the terms of this Agreement or to matters that do not directly relate to a budgeted item to be funded entirely by the parties. Any party that fails to respond within that period shall be deemed to have ratified the proposed budget. The Board shall consider any written objections or concerns received from a party and shall provide a written response that is copied to all of the parties. If the response includes any proposed changes in the proposed budget, the parties shall act on ratifying the revised budget within 30 days.
3. Adoption. The proposed budget shall be deemed approved upon ratification by all of the parties. If only one party refuses to ratify the proposed budget, the previous year's budget shall be extended to the current fiscal year together with any increases in the proposed budget, but the total of all such increases shall not exceed a 10% of the total community contributions for that year as represented in the currently approved Watershed Management Plan. If the proposed budget contains a total increase of more than 10% of the total community contributions for the year as represented in the currently approved Watershed Management Plan, the Board shall reduce it as needed so the approved budget meets this criterion. The proposed budget, with any required reductions, shall become the adopted budget. If a party refuses to ratify the proposed budget for three consecutive years, that party is required to participate in mediation with the representatives of the other parties as provided in Section 7.1 of this Agreement, unless a majority of the other parties elect not to require mediation. The purpose of the mediation is to identify and resolve the specific reasons causing the party to not ratify the budgets. Engaging in mediation, or the failure to reach agreement in mediation, does not delay or alter the process set out in this paragraph for reaching an approved budget regardless of one party's refusal to ratify it.
4. Payment. The Board shall certify the approved budget to each party together with a statement showing the budgeted amounts applicable to each party. Each party shall pay to the WMO the amount owing in two (2) equal installments, the first on or before January 15 and the second on or before July 15 in accordance with the tax year for which the amount due is being paid.

5. Failure to Pay. Any party who is more than 60 days in default in paying its share to the WMO's general fund shall have the vote of its Board Members suspended pending the payment of its proportionate share. Any Board Member whose vote is under suspension shall reduce the number required for a quorum and to act on matters before the Board.

C. Party Contributions. The budget will include a work plan and operating costs in accordance with the following.

1. Work Plan Budget. Each party's percentage share of the Board's work plan (non-operational) budget for which they are responsible shall be as follows:

<b>PARTY</b>	<b>PERCENTAGE</b>
Columbus	19%
East Bethel	30%
Ham Lake	4%
Linwood	47%

2. Operating Costs Budget. Each party's percentage share of the operating costs for which they are responsible shall be as set out below. Operating costs included in this budget are defined as copies, postage, recording secretary fees, insurance, and administrative fee charged to each party. The administrative fee may include fees for general administrative services, annual reporting to the State and parties, providing required public notices, and required advertisement for secretarial or administrative professional services.

<b>PARTY</b>	<b>PERCENTAGE</b>
Columbus	25%
East Bethel	25%
Ham Lake	25%
Linwood	25%

D. Review Services. When the Board is authorized or requested to undertake a review and submit recommendations to a party as provided in this Agreement, the Board shall conduct such review, without charge, except as provided below. Where the project size and complexity of review are deemed by the Board to be extraordinary and substantial, the Board may charge a fee for such review services, the amount to be based upon direct and indirect costs attributable to that portion of review services determined by the Board to be extraordinary and substantial. Where the Board determines that a fee will be charged for extraordinary and substantial review services, or where the flowage enters the Sunrise River, but the entity is not a member of the Sunrise River Watershed Management Organization Board, the entity to be charged shall receive written notice from the Board of the services to be performed and the fee therefore, prior to undertaking such review services. Unless the entity to be charged objects

within fifteen (15) days of receipt of such written notice to the amount of the fee to be charged, such review services shall be performed and the entity shall be responsible for the cost thereof. If the entity to be charged objects to the proposed fee for such services with fifteen (15) days and the entity and the Board are unable to agree on a reasonable alternative amount for review services, such extraordinary and substantial review services shall not be undertaken by the Board. Payment for such services shall be in advance of any work performed.

3.8 Annual Audit: The Board shall prepare a comprehensive financial report on operations and activities at the frequency required by law. An audit, by an independent accounting firm or the State Auditor, shall be provided for that includes a full and complete audit of all books and accounts the Board is charged with maintaining. Such audit shall be conducted in accordance with generally accepted auditing principles and guidelines. A copy of the financial report and auditor's statement shall be provided to all parties to this Agreement and to the Board of Water and Soil Resources. The report to the Board of Water and Soil Resources shall include an annual activity report. All books, reports and records of the WMO shall be available for and open to examination by any party at all reasonable times.

3.9 Gifts and Grants: The Board may, within the scope of this Agreement, accept gifts, may apply for and use grants of money or other property from the United States, the State of Minnesota, a local government unit or other governmental unit or organization or any person or entity for the purpose described herein. The Board may enter into any reasonable agreement required in connection therewith. The Board shall comply with any laws or regulations applicable to grants, donations, and agreements. The Board may hold, use, and dispose of such money or property in accordance with the terms of the gift, grant, or agreement relating thereto.

3.10 Contracts. The Board may make such contracts and enter into any such agreements as it deems necessary to make effective any power granted to it by this Agreement. Every contract for the purchase or sale of merchandise, materials, or equipment by the Board shall be let in accordance with the Uniform Municipal Contracting Law, Minnesota Statutes, Section 471.345 and the Joint Exercise of Powers Statute, Minnesota Statutes, Section 471.59. No member or employee of the Board or officer or employee of any of the parties shall be directly or indirectly have an interest in any contract made by the Board.

3.11 Works of Improvement: Works of improvement for protection and management of the natural resources of the Area including, but not limited to, improvements to property, land acquisition, easements, or right-of-way, may be initiated by:

- A. Inclusion in the Watershed Management Plan;
- B. Majority vote of the Board for projects using less than \$10,000 in funds from the Parties;
- C. Recommendation of the Board to a party or parties; or
- D. Petition to the Board by the governing body of a party or parties.

Where works of improvement are recommended by the Board, the Board shall first determine whether such improvement will result in a local or regional benefit to the area. Where the Board determines that the benefits from the improvement will be local or not realized beyond the boundaries of the party in which the improvement is to be established, the Board may recommend such improvement to the governing body of the unit of government which the Board determines will be benefited. The recommendation shall include the total estimated cost of the improvement and a detailed description of the benefits to be realized.

Where the Board determines that the benefits from the improvement will be beyond the local unit or beyond the boundaries of the party in which the improvement is to be established, the Board may recommend such improvement to each party to this Agreement which the Board determines will be benefited thereby. The recommendation of the Board shall include the total estimated cost of the improvement, a description of the extent of the benefits to be realized by each party to this Agreement and the portion of the cost to be borne by each party benefited in accordance with the benefit of party to this Agreement.

Each party to whom the Board submits such recommendation shall respond within 60 days from receipt of such recommendation. Where the Board determines that the benefits of such improvement will be local, the unit of government to whom such recommendation is made may decline to ratify and undertake said improvement. Where the Board determines that the benefits of such improvement will be regional, all Parties to this Agreement must ratify the project proposal before any project is moved forward by the Board. Should the project not be ratified by all Parties to this Agreement, the Board shall continue to review and recommend alternative methods of cooperation and implementation among those parties ratifying the recommendation of the Board, unless and until the Board determines that said improvement is no longer feasible.

When works of improvement are initiated by a Party to this Agreement, a copy of the proposed project shall be submitted to the Board for review and comment. The Board shall review and make recommendations on the proposed improvement and its compliance with the Board's management plan.

When a proposed improvement may be eligible for grant funds, the Board may apply. Any local matching funds committed must be in an approved Board budget, in the Watershed Management Plan, or secured by a written commitment from other sources.

Projects on real property require a written maintenance agreement.

3.12 Property Entry: The Board or its agents may enter upon lands within or without the Sunrise River Watershed to make surveys and investigations to accomplish the purpose of the Board. The Board shall be liable for actual damages resulting there from. But every person who claims damages shall serve the Chair or Secretary of the Board with a notice of claim as required by Minnesota Statutes, section 466.05. The Board shall obtain court orders authorizing and directing such entries when necessary due to refusals of landowners to allow the same.

3.13 Indemnification: Any and all claims that arise or may arise against the WMO, its agents or employees as a consequence of any act or omission on the part of the WMO or its agents or employees while engaged in the performance of this Agreement shall in no way be the obligation or responsibility of the parties. The WMO shall indemnify, hold harmless and defend the parties, their officers and employees against any and all liability, loss, costs, damages, expenses, claims, or actions, including attorney's fees which the parties, their officers, or employees may hereafter sustain, incur, or be required to pay, arising out of or by reason of any act or omission of the WMO, its agents or employees in the execution, performance, or failure to adequately perform the WMO's obligations under this Agreement. The WMO's duty to indemnify does not constitute, and shall not be construed as, a waiver by either the WMO or any or all parties of any exemptions, immunities, or limitations on liability provided by law or of being treated as a single governmental unit as provided in Minnesota Statutes, section 471.59, subdivision 1a. To the fullest extent permitted by law, this Agreement and the activities carried out hereunder thereof are intended to be and shall be construed as a "cooperative activity" and it is the intent of the parties that they, together with the WMO, shall be deemed a "single governmental unit" for the purposes of liability, all as set forth in Minnesota Statutes, section 471.59, subdivision 1a. For purposes of the statute, each party to this Agreement expressly declines responsibility for the acts or omissions of the other parties.

3.14 Insurance: The Board shall at all times during the term of this Agreement keep in force such insurance policies as it determines are needed, including general liability coverage in the amount of the applicable limit of liability established in Minnesota Statutes, section 466.04. Any policy obtained and maintained under this section shall provide that it shall not be cancelled, materially changed or not renewed without a minimum of thirty (30) days prior notice thereof to each of the parties. The Board will furnish the parties with certificates of insurance listing each party to the Agreement as an additional insured.

#### **SECTION IV** **Termination and Withdrawal**

4.1 Termination: This Agreement may be terminated by approval of two-thirds vote of the governing bodies of each party hereto, provided that all such approvals occur within a ninety (90) day period.

4.2 Party Withdrawal: Withdrawal of any party may be accomplished by filing written notice with the Board and the other parties sixty (60) days prior to the effective date of termination. No party may withdraw from this Agreement until the withdrawing party has met its full financial obligations through the effective date of such withdrawal.

#### **SECTION V** **Dissolution of WMO**

5.1 Dissolution:

A. Occurrences. The WMO shall be dissolved under any of the following occurrences:



1. Upon termination of this Agreement;
  2. Upon unanimous agreement of all parties; or
  3. Upon the membership of the WMO being reduced to fewer than three (3) parties.
- B. Process. At least 90 days notice of the intent to dissolve shall be given to affected counties and the Board of Water and Soil Resources. Upon dissolution, all personal property of the Board shall be sold, and the proceeds thereof, together with monies on hand after payment of all obligations, shall be distributed to the parties after all outstanding obligations of the WMO have been paid. Such distribution of Board assets shall be made in proportion to the total contributions to the WMO for such costs made by each party. All amounts due and owing to the WMO by any party shall continue to be the lawful obligation of the party and shall be paid before being eligible to receive any distribution of assets.

## **SECTION VII**

### **General Provisions**

7.1 Mediation: The parties agree that any controversy that cannot be resolved between parties shall be submitted to mediation. Mediation shall be conducted by a mutually agreeable process by all parties. If the parties are not able to mutually agree on a mediator, the party and the Board shall each select a mediator and the two mediators shall select a third. Each party to the mediation shall be responsible for the cost of the mediator it selected and shall share equally in the costs of the mediation and of the third mediator.

7.2 Data Practices: The WMO shall comply with the requirements of Minnesota Statutes, chapter 13, the Minnesota Government Data Practices Act (“Act”). Any entity with which the WMO contracts is required to comply with the Act as provided in Minnesota Statutes, section 13.05. The contractor shall be required to notify the Board if it receives a data request and to work with the WMO to respond to it.

7.3 Amendments: The Board may recommend changes and amendments to this Agreement to the governing bodies of the parties. Amendments shall be adopted by all governing bodies of the parties. Adopted amendments shall be evidenced by appropriate resolutions or certified copies of meeting minutes of the governing bodies of each party filed with the Board and shall, if no effective date is contained in the amendment, become effective as of the date all such filings have been completed.

7.4 Waiver: The delay or failure of any party of this Agreement at any time to require performance or compliance by any other party of any of its obligations under this Agreement shall in no way be deemed a waiver of those rights to require such performance or compliance.

7.5 Headings and Captions: The headings and captions of these paragraphs and sections of this Agreement are included for convenience or reference only and shall not constitute a part hereof.

7.6 Entire Agreement: This Agreement, including the recitals, contains the entire understanding among the parties concerning the subject matter hereof. This Agreement supersedes and replaces the prior joint powers agreement among the parties regarding the WMO and such prior agreement is hereby terminated. Any outstanding obligations of the parties under the prior agreement are not affected by the termination and shall be continued under this Agreement.

7.7 Examination of Books: Pursuant to Minnesota Statutes, section 16C.05, subdivision 5, the books, records, documents and accounting procedures and practices of the Board are subject to examination by the State.

7.8 Governing Law: The respective rights, obligations, and remedies of the parties under this Agreement and the interpretation thereof shall be governed by the laws of the State of Minnesota which pertain to agreements made and to be performed in the State of Minnesota.

7.9 Counterparts: This Agreement shall be executed in several counterparts and all so executed shall constitute one Agreement, binding on all of the parties hereto. Each party to the agreement shall receive a fully executed copy of the entire document following adoption by all parties.

IN WITNESS OF, the parties hereto have executed this Agreement effective as of the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

CITY OF COLUMBUS

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
City Administrator

CITY OF EAST BETHEL

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
City Administrator

CITY OF HAM LAKE

By: \_\_\_\_\_  
Mayor

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
City Administrator

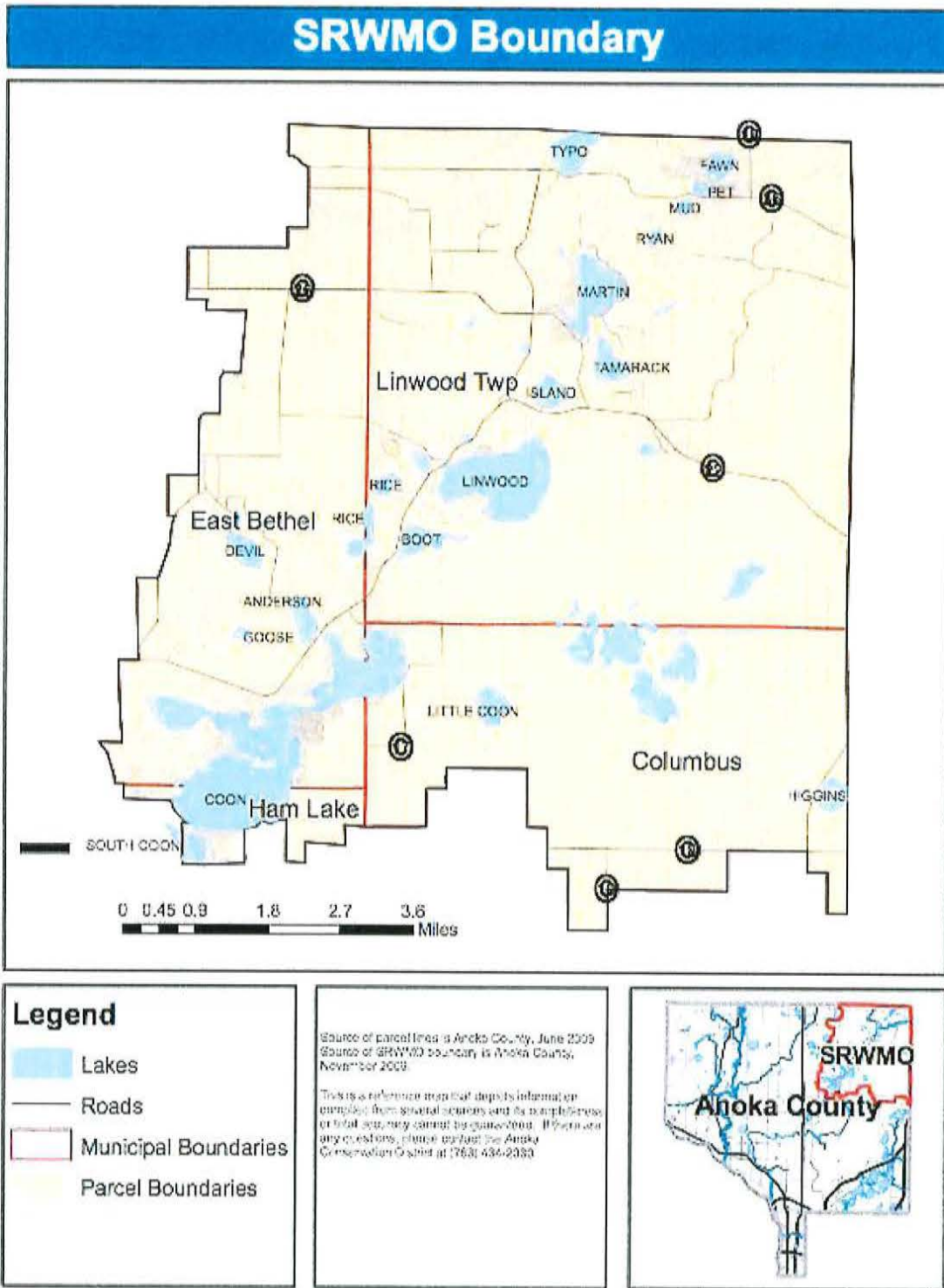
LINWOOD TOWNSHIP

By: \_\_\_\_\_  
Board Chair

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Township Clerk


Appendix 1  
SRWMO AREA BOUNDARIES



## Memorandum

Date: October 11, 2023

To: Mayor and Councilmembers

From: David A Krugler, City Engineer 

Subject: Lund's Lakeview Forest street reconstruction

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**Introduction:**

The Lund's Lakeview Forest street reconstruction project was accepted at the August 15, 2022 City Council meeting, which commenced the one-year warranty period that the project is free from all defects due to faulty workmanship or defective materials. An item has been identified on the last punch list that needs to be resolved.

**Discussion:**

The original contract was extended to be completed by October 17<sup>th</sup> 2023. Warranty inspections determined that turf establishment is not acceptable in select areas. Additional seeding was completed on October 2<sup>nd</sup> 2023 to attempt to correct; however, the turf has not been established within the select areas. The attached Addendum to Construction Agreement extends the timeframe and warranty period to correct the remaining item to June 4<sup>th</sup> 2024.

**Recommendation:**

It is recommended that the attached Addendum to Construction Agreement be approved.



ADDENDUM TO CONSTRUCTION AGREEMENT

This Amended Contract Agreement made and entered into this 11 day of October, 2023, by and between the City of Ham Lake, party of the first part, hereinafter referred to as the Owner, and Veit & Company, Inc., party of the second part, hereinafter referred to as the Contractor. The purpose is to amend the completion date of the warranty period from October 17, 2023 to June 4, 2024, to amend 25.04 of the Specifications to extend the Performance Bond guarantee for that unfinished portion of the construction project, which includes turf establishment per Plans and Specifications and any damage to the project due to completion of the project, herein referred to as the unfinished portion of the construction project, to reduce the amount of the bond from one million fifty-six thousand four hundred ninety-six dollars and thirty cents (\$1,056,496.30) to seven thousand dollars and zero cents (\$7,000.00) and to amend 33.01 of the Specifications to extend that unfinished portion of the work warranty period of the Contract Agreement dated June 28, 2021 from October 17, 2023 to June 4, 2024.

WHEREAS, the Owner accepted the project on the 15<sup>th</sup> day of August, 2022, and the (1) year warranty period has commenced and expires on the 15<sup>th</sup> day of August, 2023.

WHEREAS, the warranty period expiration has been previously extended from the 15<sup>th</sup> day of August, 2023 to the 17<sup>th</sup> day of October, 2023.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH, that the Contractor agrees with the Owner to furnish all necessary materials, labor, plant, machinery and appliances, and at the Contractor's own risk and expense, construct and complete the said work within the amended time specified herein, TIME BEING OF THE ESSENCE OF THIS AMENDED CONTRACT.

THIS AGREEMENT FURTHER WITNESSETH, that the Contractor shall commence work under this Amended Contract on a date acceptable to both parties and the Contractor shall complete all of the work under this Amended Contract as follows: All unfinished portions of the project shall be completed by May 20, 2024.

THIS AGREEMENT FURTHER WITNESSETH, that the Contractor agrees to pay all persons furnishing labor and material in and about the performance of this Amended Contract; and the Contractor will, within ten (10) days after the acceptance of the revised completion date, execute this Amended Contract and furnish an amended Performance Bond to be approved by the Owner in a sum equal to seven thousand and zero cents (\$7,000.00). The Performance Bond and warranty period shall be kept effective and in full force until June 4, 2024 after the completion and approval of the work not completed to date. The bond shall serve as a guarantee of the function and workmanship of the work. This bond shall make the Contractor's sureties responsible for underwriting the work against faulty workmanship or defective materials. Final acceptance of the work shall immediately relieve the sureties of responsibility after the final acceptance of the unfinished portion of the construction project. The performance bond shall remain in full force and effect through the warranty period. The Contractor further agrees to take all precautions to protect the public against injury and to save the Owner harmless from all damages and claims of the Contractor or the Contractor's Agents or Employees while engaged in the performance of this Amended Contract and will indemnify the Owner against all claims, liens and claims for liens for labor performed or material furnished as aforesaid and against all loss by reason of the failure of the Contractor in any respect to fully perform all obligations of this Amended Contract.

The Contractor and the Owner agree that all of the terms of this Amended Contract shall be binding upon themselves, their heirs, administrator, executors, legal and personal representatives, successors and assigns.

This Amended Contract is entered into under and pursuant to the laws of the State of Minnesota and shall in all respects be construed in accordance with the laws of said State.

IN WITNESS WHEREOF, the parties hereto have executed this instrument under their several seals this 11 day of October, 2023, the name and corporate seal of each corporate party being hereto affixed and those present duly signed by its undersigned representative, pursuant to authority of its governing body.

City of Ham Lake, Minnesota  
Owner

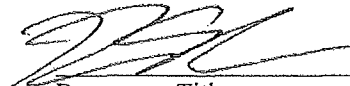
\_\_\_\_\_  
By Title

\_\_\_\_\_  
By Title

PARTY OF THE SECOND PART

Veit & Company, Inc.  
Contractor

\_\_\_\_\_  
Contractor

 PM  
\_\_\_\_\_  
By Title

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me personally appeared \_\_\_\_\_ to me known and known to me to be the individual(s) described in and who executed the above instrument and he acknowledged to me that he executed the same.

\_\_\_\_\_  
Notary Public

**CORPORATION ACKNOWLEDGMENT**

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me personally appeared \_\_\_\_\_ to me known, who being by me duly sworn, did depose and say the he is the \_\_\_\_\_ of

the corporation described in and which executed the above instrument; that he knows the seal of said corporation, affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

\_\_\_\_\_  
Notary Public

**FIRM ACKNOWLEDGMENT (For Proprietorships and Partnerships)**

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me personally appeared \_\_\_\_\_ to me known and known to me to be one of the firm

described in and who executed the foregoing instrument, and he thereupon acknowledged to me that he executed the same as and for the act and deed of said firm.

\_\_\_\_\_  
Notary Public

Road Committee Agenda  
October 2, 2023

1. 162<sup>nd</sup> Lane / Buchanan Street
2. 136<sup>th</sup> Lane and Lincoln Street acquisitions
3. Order plans and specifications for the 2024 bituminous overlay project
4. Proposed County Ditch 59-1 culvert extension request - 1505 143<sup>rd</sup> Avenue
5. Staples Street temporary cul-de-sac parking north of 133<sup>rd</sup> Lane
6. 13450 Staples Street property owner complaints regarding turf establishment

**CITY OF HAM LAKE  
ROAD COMMITTEE NOTES  
OCTOBER 2, 2023**

The Road Committee met on Monday, October 2, 2023 at 5:00 p.m. Present were Councilmember Gary Kirkeide; Councilmember Jim Doyle; City Attorney Mark Berglund; City Engineer Tom Collins; City Engineer Dave Krugler; and Deputy City Clerk Dawnette Shimek.

1. 162<sup>nd</sup> Lane NE / Buchanan Street NE

Present were residents with concerns regarding the Buchanan Street NE Backage Road: Sue Savarese (16455 Buchanan Street NE); Cathy Montain (1160 Constance Boulevard NE); John Sheehan (1160 Constance Boulevard NE); and Colin Crawford (1222 Constance Boulevard NE). City Engineer Collins presented plans A, B and C received from Anoka County relating to the Constance Boulevard NE west of Highway 65 NE improvement project. Engineer Collins stated that the Buchanan Street NE intersection will move 60' to the east. The residents present stated they would prefer the connection at Johnson Street NE. Engineer Collins stated that the backage road spacing from the highway at a major intersection is ¼ mile. It was determined that Buchanan Street NE is ¼ mile west of Highway 65 NE. The residents at the meeting stated concern that the commercial properties on the northwest corner of Highway 65 NE and Constance Boulevard NE will suffer with only having a right-in and right-out. Attorney Berglund stated that the County has the right to close access as they see fit to improve safety.

Ms. Savarese suggested that the connection be at Lincoln Street NE, which would require Lincoln Street NE to be constructed.

There was discussion regarding the easements that have been obtained for the project. Engineer Collins stated that Dollar General was required to give the City road easements when they proposed construction and easements were also obtained from the Bottineau's when they requested a lot split. Engineer Collins stated that additional road easement was purchased by the City from the Bottineau's to obtain a portion of road easement necessary for the road connection. Once the backage road is completed, the access to Constance Boulevard NE via Central Avenue NE would be closed. Engineer Collins stated that the roadway to Dollar General would be vacated and revert back to Dollar General.

Engineer Collins stated that they should meet in another 6 weeks or so to further discuss this matter. Engineer Collins stated that the County will be scheduling a meeting to discuss Constance Boulevard NE improvements and perhaps residents could attend.

2. 136<sup>th</sup> Lane NE and Lincoln Street NE acquisitions

Engineer Collins updated the Road Committee regarding the 2028 project planned by Anoka County for the extension of Bunker Lake Boulevard NE. Engineer Collins stated that the backage road on the southwest corner will proceed as a City project.

3. Order plans and specifications for the 2024 bituminous overlay project

**It was the recommendation of the Road Committee to recommend to the City Council to order the plans and specifications for the 2024 bituminous overlay project.**



4. Proposed County Ditch 59-1 culvert extension request - 1505 143<sup>rd</sup> Avenue NE  
The resident at 1505 143<sup>rd</sup> Avenue NE is requesting that the ditch culvert be extended. The current culvert is a corrugated metal pipe and is no longer allowed in the City. **It was the consensus of the Road Committee that the property owner will not be allowed to extend the culvert until it is upgraded.**
  
5. Staples Street temporary cul-de-sac parking north of 133<sup>rd</sup> Lane NE  
It has been observed that a resident uses the cul-de-sac for private parking for trailers, etc. **It was the consensus of the Road Committee that the new parking ordinance be observed.**
  
6. 13450 Staples Street NE property owner complaints regarding turf establishment  
Engineer Krugler stated that the property owner is requesting that black soil be placed on the boulevard in front of his house following construction of the street. Engineer Krugler stated that would add \$50,000.00 to \$75,000.00 to the project. This is because all of the property owners within the project would want black soil placed on the boulevard. Councilmember Kirkeide asked if the soil meets City criteria. Engineer Krugler stated the soil does meet the City's criteria. **It was the consensus of the Road Committee to not change the soil as the soil placed on the boulevard does comply with the City's criteria.**



# 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, OCTOBER 9, 2023

**CALL TO ORDER:** 6:00 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:** September 25, 2023

**PUBLIC HEARINGS:**

**6:01 p.m.** Jeremy Larson of Hampton Companies requesting to rezone certain parcels of land, 1016 Bunker Lake Boulevard NE, from R-1 (Single Family Residential) to R-AH (Affordable Housing District)

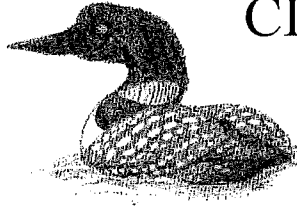
**6:01 p.m.** Jesse Osborne requesting a revision to the approved conditions of the final plat for the Creekside Farms Commercial Development in Sections 7 and 8

**NEW BUSINESS:**

1. None

**COMMISSION BUSINESS:**

1. City Council Update



# 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, OCTOBER 9, 2023

The Ham Lake Planning Commission met for its regular meeting on Monday, October 9, 2023 in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

**MEMBERS PRESENT:** Commissioners Brian Pogalz, Kyle Lejonvarn, Jeff Entsminger, Jonathan Fisher and David Ross

**MEMBERS ABSENT:** Commissioners Dave Ringler and Erin Dixon

**OTHERS PRESENT:** City Engineer Dave Krugler, Building and Zoning Official Mark Jones 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.

Chair Pogalz welcomed members of BSA Troop 3509 who were in attendance.

Chair Pogalz introduced newly appointed Commissioner David Ross. Commissioner Ross was recently chosen to fill the seat vacated by Scott Heaton.

**APPROVAL OF MINUTES:**

**Motion by Lejonvarn, seconded by Entsminger, to approve the minutes of the September 25, 2023 Planning Commission meeting as written. All present in favor, motion carried.**

**PUBLIC HEARING:**

Jeremy Larson of Hampton Companies requesting to rezone certain parcels of land, 1016 Bunker Lake Boulevard NE, from R-1 (Single Family Residential) to R-AH (Affordable Housing District)

Mr. Jeremy Larson from Hampton Companies/Suite Living was present. Mr. Larson stated Suite Living provides high-acuity through end of life specialty care to its residents. Mr. Larson stated his company intends to construct a Suite Living Senior Care facility featuring 32 units on this parcel, with 20 units dedicated to assisted living and 12 units dedicated to memory care; hospice services will be provided to residents as well. Mr. Larson stated there are currently 14 Suite Living Senior Care facilities in the Twin Cities area; there will be 18 by the end of the year. Mr. Larson stated there will be 20-25 part-



time or full-time basis employees. Chair Pogalz stated a memo was provided by Building and Zoning Official Mark Jones recommending approval of the rezoning request. Commissioner Fisher completed the inspection; a copy which is on file. Commissioner Fisher stated the parcel has no structures on it, it is adjacent to townhomes and Majestic Oaks Golf Course and appears to be a suitable location for an assisted living facility. Building and Zoning Official Jones stated the Willows of Ham Lake and Majestic Greens senior apartment buildings are nearby. Chair Pogalz asked Mr. Larson if access to the parcel will only be from Bunker Lake Boulevard NE. Mr. Larson stated that it would be and that the access would be directly across from the 138<sup>th</sup> Lane NE access point onto Bunker Lake Boulevard NE to the north. Commissioner Lejonvarn asked Mr. Larson if he had plans to use the facility for anything other than an affordable housing memory care and assisted living unit. Mr. Larson stated he did not. Mr. Larson stated no other uses are being proposed and added they do offer 20% of their rooms on Elderly Waiver paid by the State of Minnesota which could be considered affordable housing. Mr. Larson stated most residents are private pay. Mr. Larson stated the company is a family owned business; he and his Dad own the company and have one business partner. Mr. Larson stated they have a unique business model as they own the real estate company, construction company and care facility; they do not hire third-party operators.

**Chair Pogalz opened the public hearing at 6:09 p.m. and asked for public comment.**

Joan Olchefske, 967 138<sup>th</sup> Lane NE. Ms. Olchefske asked what happens if the parcel is rezoned and the project isn't completed. Ms. Olchefske asked if that opened it up to something else.

Nancy Schardin, 912 136<sup>th</sup> Lane NE. Ms. Schardin stated she lives in the townhomes adjacent to the property. Ms. Schardin stated she has a few questions based on concerns from townhome owners. Ms. Schardin stated there is a path through the woods near the townhomes that golf carts drive on to get to the tunnel that leads to the golf course. Ms. Schardin asked if that path is on the 1016 Bunker Lake Boulevard NE parcel and will that path no longer be available to the townhome residents. Ms. Schardin asked if the lighting will be intrusive to homes nearby. Ms. Schardin stated there is currently woods between the townhomes facing the southern border of the property and owners of those townhomes are concerned about the view they will have if all of the trees are removed. Ms. Schardin stated the residents are concerned about where the well and septic system will be located and will the water usage by the facility cause their wells to dry up.

Terry Blackwelder, 13830 Pierce Street NE. Ms. Blackwelder stated her property is across Bunker Lake Boulevard NE, northeast of the parcel being considered for rezoning. Ms. Blackwelder stated she is one of the board members of the Majestic Oaks Townhome Association for the first through third townhome additions. Ms. Blackwelder asked if the property is rezoned to R-AH, and the current assisted living facility project falls through, could a larger apartment complex be constructed on the parcel; residents are concerned about the size of the structure that could be built on the small parcel. Ms. Blackwelder asked if there was an investigation being done to determine if there is enough land mass to support a well and septic system for the proposed facility so the residents water supply is not compromised; some residents has issues with their wells when the City of Blaine

turned on several wells at a time. Ms. Blackwelder asked if zoning is converted from single family homes to multiple family homes does an environmental impact statement or Phase 1 Analysis need to be done on the property. Ms. Blackwelder stated Bunker Lake Boulevard NE is pretty busy and there are plans to widen it to two lanes in each direction. Ms. Blackwelder asked if additional traffic control will be needed. Ms. Blackwelder asked if the addition of this building would affect traffic patterns and are there plans to do a study to determine if a traffic circle or traffic light is needed. Ms. Blackwelder stated an alternative to an assisted living facility could be townhomes that match those that have already been constructed.

George Dahlman, 954 136<sup>th</sup> Lane NE. Mr. Dahlman stated he lives to the southwest of 1016 Bunker Lake Boulevard NE. Mr. Dahlman stated he and his wife purchased their property approximately seven years ago. Mr. Dahlman stated they have enjoyed the privacy the grove of trees along 136<sup>th</sup> Lane NE has afforded them. Mr. Dahlman stated he would like an agreement stating the trees will remain for privacy so they will not be looking at a building or a parking lot.

Paul Thinesen, 911 138<sup>th</sup> Lane NE. Mr. Thinesen stated his property is across Bunker Lake Boulevard NE, northwest of the parcel being considered for rezoning. Mr. Thinesen stated he has many concerns related to traffic and traffic control, lighting, the fundamental change to the area, water and sewage. Mr. Thinesen stated he would like to see a sketch of what is proposed to be constructed. Mr. Thinesen asked what the process is moving forward if rezoning was recommended for approval tonight, and how does the community continue to provide input.

Bill Zawislak, 1062 137<sup>th</sup> Lane NE. Mr. Zawislak stated he has two concerns: where will the parking be and where will the well be placed.

Jim Donald, 932 136<sup>th</sup> Lane NE. Mr. Donald stated he lives west of the parcel being considered for rezoning. Mr. Donald has a concern on how much water will be drawn from the aquifer. Mr. Donald stated he has a brother that lives off of Madison Street NE and 142<sup>nd</sup> Avenue NE who is having difficulties with water and is having to put filtration systems in his house. Mr. Donald asked if access to the parcel will be off of Bunker Lake Boulevard NE and how will that impact traffic now and when Bunker Lake Boulevard NE is widened. Mr. Donald asked if the septic system will have a drainfield or holding tank.

Chair Pogalz addressed the questions asked related to the following:

Rezoning. If the rezoning request is approved for the parcel and the assisted living/memory care project is abandoned, the property will remain in the R-AH zoning district. Building and Zoning Clerk Bohr read what was written in the City Code for R-AH zoning.

Well, Septic and Water Use. Chair Pogalz asked how many acres the parcel is. Mr. Larson stated the parcel is just under three acres. Mr. Larson stated the building will take up just under two acres which leaves adequate space for a well and septic system. Chair Pogalz asked Building and Zoning Official Jones how much space would be needed for

the septic system. Building and Zoning Official Jones stated the area needed for the septic system will be determined by the State of Minnesota Rules. The Minnesota Department of Health will regulate the well drilling. Building and Zoning Official Jones stated the well problems in other parts of the city occurred when the City of Blaine opened up four new wells all at once when they were only supposed to open one. Building and Zoning Official Jones stated the size of the well for this project will not be anywhere near the size of the well(s) opened up in Blaine.

Traffic. Mr. Larson stated there will be 32 units in the building. Mr. Larson stated none of the residents drive and they have very few visitors. Mr. Larson stated there will be a total of 20-25 full and part-time employees. Mr. Larson stated six to eight employees will be working during the day and three to five at night. Chair Pogalz stated he did not know if a traffic study had been done but the project will be reviewed by the Anoka County Highway Department.

Site Plan/Size of Project. Commissioner Lejonvarn asked if a site plan was available. Mr. Larson stated a site plan will be presented during the commercial site plan approval process. Chair Pogalz stated considering the space needed for the building, setbacks, a well, a septic system and parking, this project is one of a few that will fit well on the parcel.

Path for golf carts. Chair Pogalz stated if golf carts are driving on the property now, that will no longer be possible when Mr. Larson purchases the land and constructs the facility.

Lighting. Building and Zoning Official Jones stated City Code regulates outdoor lighting and proposed lighting will be evaluated during the commercial site plan review process. Mr. Larson stated the city and state regulate lighting and lighting typically shines down not out.

Existing trees. Chair Pogalz stated tree removal will be part of the construction process. Chair Pogalz asked Mr. Larson if he intends to keep as many existing trees as possible. Mr. Larson stated he does plan to keep as many existing trees as possible and will plant new trees as they want the site to look nice. Building and Zoning Official Jones stated City Code outlines screening requirements.

Parking. Chair Pogalz stated information on parking will also be available during the commercial site plan and Conditional Use Permit review process.

Environmental Impact Statement/Phase One Assessment. Chair Pogalz stated an environmental impact statement is not required for a project of this size. Mr. Larson stated a Phase One Assessment is required by his lender.

Availability of information on process/Process going forward. Chair Pogalz explained the City provides notification on projects as required by State Statute. Chair Pogalz stated notices were mailed to residents as required and a sign was posted at the location. Building and Zoning Clerk Bohr stated notices were sent as required to residents within a 350-foot radius of the parcel, a notice was published in the Star Tribune and on the City's website and was also posted on the bulletin board in the vestibule of City Hall.

Chair Pogalz stated the Planning Commission is a board that provides recommendations to the City Council. Chair Pogalz stated the City Council will review the recommendation and determine if they want to approve the request. Chair Pogalz stated there is a public comment period at the beginning of each City Council meeting for residents who want to bring issues to the attention of the City Council, but there is not a discussion period like there is during a public hearing. Commissioner Fisher stated another public hearing will be held in the future for the review of a Conditional Use Permit application for this project.

Suggestion of constructing townhomes on the parcel. Building and Zoning Official Jones stated the City Code allows one dwelling unit per acre; this parcel is under three acres allowing for a maximum of two units. Building and Zoning Official Jones stated the townhomes that were constructed in the area in the past utilized density from the golf course. (The Majestic Oaks Golf Course and townhome area is in a PUD zoning district which permits the construction of townhomes.)

Mark Taube, 13814 Pierce Street NE. Mr. Taube stated he is concerned about property values. Mr. Taube stated his concern is if rezoning is approved, and the assisted living/memory care project doesn't go through, the lot could become affordable housing for low income families. Mr. Taube stated he has seen affordable housing built in nice neighborhoods where he has lived in the past. Mr. Taube stated property values were affected and traffic and crime increased. Mr. Taube asked if any restrictions would be put in place to prevent that from happening.

Chair Pogalz asked if anyone else wanted to comment on the project. A woman in the audience stated she had questions about the type of building that would be constructed-would it be a high-rise. The woman stated this meeting has provided her with some of the answers she was seeking. Mr. Larson confirmed his plans are to construct a single-story building.

Paul Thinesen, 911 138<sup>th</sup> Lane NE. Mr. Thinesen stated, there has been discussion about how many living units the parcel could support. Mr. Thinesen asked how many could it support? Building and Zoning Official Jones stated a high-rise building would require a large septic area. Building and Zoning Official Jones stated it would be difficult to put in a parking lot and septic system to support a multi-level building on a lot under 3 acres. Mr. Thinesen stated per the discussion, the City believes the parcel can support a building that houses 32 residents. Engineer Krugler stated the plans and septic design will be evaluated by the City to determine if the parcel can support the proposed occupancy of the proposed facility. Mr. Thinesen asked why evaluation of the plans and septic design wasn't done prior to rezoning the parcel. Chair Pogalz stated if the land did not get rezoned, Mr. Larson would not be able to move forward with the project.

Property value. Chair Pogalz stated property value is not something the Planning Commission can speculate on. Chair Pogalz stated the City's goal is to keep properties maintained to the highest level possible within the limits of the City's control. Building and Zoning Official Jones stated he has seen the Suite Living Senior Care facility in Ramsey and it is a nice-looking building.

Mark Taube, 13814 Pierce Street NE. Mr. Taube asked if restrictions could be put in place to prevent the parcel from being converted to low-income, affordable housing usage should the property be sold to someone else in the future. Chair Pogalz stated that could be a discussed during public hearing for the Conditional Use Permit.

Terry Blackwelder, 13830 Pierce Street NE. Ms. Blackwelder had a document of the area and stated it appears the corner of the property actually intersects with 136<sup>th</sup> Lane NE. Ms. Blackwelder asked if there is some kind of easement that will be between the street and where Mr. Larson's company will build or plant. Engineer Krugler stated right-of-way requirements are typically 33-feet from one side to the other and an additional ten-feet of drainage and utility easement is required. Engineer Krugler stated easements will be included on the site plan and reviewed during the commercial site plan process. Ms. Blackwelder asked what the City knew about the parcel immediately west of 1016 Bunker Lake Boulevard NE. Chair Pogalz stated it is a separate parcel with a different owner not subject to being reviewed with the rezoning request.

**Chair Pogalz closed the public hearing at 6:55 p.m.**

**Motion by Fisher, seconded by Lejonvarn, to recommend approval of Jeremy Larson's request to rezone parcel 1016 Bunker Lake Boulevard NE from R-1 (Single Family Residential) to R-AH (Affordable Housing District) subject to meeting all City, County and State requirements. All present in favor, motion carried. *This application will be placed on the City Council's Monday, October 16, 2023 agenda.***

Chair Pogalz informed the residents in attendance there is a public comment period at the beginning of City Council meetings if they have comments to share. Chair Pogalz stated when the commercial site plan is reviewed, a public hearing will be held to discuss the Conditional Use Permit as well. Chair Pogalz stated a land use sign will be put in place again and notices will be sent and published on the City's website.

Jesse Osborne requesting a revision to the approved conditions of the final plat for the Creekside Farms Commercial Development in Sections 7 and 8

Mr. Jesse Osborne stated the original screening plan for the east side of the property was going to use part of the buildings and some fencing in addition to trees. Mr. Osborne stated he is not going to construct the buildings at this time. Mr. Osborne stated he would like to modify the screening proposal originally approved so he will be able complete his final performance requirement for the plat's Development Agreement. Mr. Osborne stated he has decided he would like to plant three to four-foot pine trees along the eastern property line of the plat. Chair Pogalz asked the Commissioners if they had any questions. There were none. Commissioner Lejonvarn completed the inspection; a copy which is on file. Commissioner Lejonvarn stated he spoke with Mr. Osborne and visited the site. Commissioner Lejonvarn stated he and Mr. Osborne discussed all landscaping plans that had been presented, including the plan suggested by Building and Zoning Official Jones. Commissioner Lejonvarn stated the screening plan will create a barrier between the development, a field and some residential homes. Commissioner Lejonvarn stated City Code states coniferous trees planted for screening should be five feet tall; the plans propose three and four-foot coniferous trees. Commissioner Lejonvarn stated

along the eastern property line there are residential parcels, utility easements, an infiltration basin and the locations Mr. Osborne proposes to construct the buildings. Commissioner Lejonvarn stated he will describe the plan he and Mr. Osborne discussed starting from the northeast corner of the plat and going to the southeast corner. Commissioner Lejonvarn detailed where trees would be planted, the number of rows of trees to be planted in each area, the spacing and placement of the trees as well as the type and height of trees for Phase 1 of the screening plan. Commissioner Lejonvarn stated the trees are not to be dug up and moved. Chair Lejonvarn stated the screening for Phase 2 will be done when buildings have been constructed and will consist of fencing being constructed between the east-facing walls of the buildings. (The original fencing approved is six-foot, slatted, chain link fencing.) Commissioner Lejonvarn stated the screening will consist of trees as the first barrier and then the buildings and fencing will be another barrier. Engineer Krugler stated there is a thirty-five-foot U.P.A. (a.k.a. rural Cooperative Power Association and Great River Energy) easement on the east side of the plat; no trees are to be planted in that easement. Building and Zoning Official Jones asked Mr. Osborne for verification that all the trees would be planted in Phase 1 and that the trees would not be moved. Mr. Osbourne stated the trees will stay there. Mr. Osborne stated he will plant four-foot trees near 167<sup>th</sup> Avenue NE and at the south entrance to the development along Buchanan St NE. Building and Zoning Official Jones stated he had concerns with the original screening plan as he does not believe the use of buildings for screening is the intent of the Code. Building and Zoning Official Jones stated Phase 2 of the proposed, new screening plan will use the buildings as screening, but the overall screening plan being proposed is an improvement to what was originally presented.

**Chair Pogalz opened the public hearing at 7:10 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 7:10 p.m.**

**Motion by Lejonvarn, seconded by Fisher, to recommend approval of Jesse Osborne's request to revise the approved conditions of the final plat for the Creekside Farms Commercial Development in Sections 7 and 8 related to screening subject to adhering to the screening plan exhibit modified by Commissioner Lejonvarn and meeting the approval of the Building Official. The Phase 1 screening exhibit has green lines indicating where trees are to be planted and is described as:**

- 1. From the northeast corner of the plat to the north edge of 167<sup>th</sup> Avenue NE a single row of four-foot conifers are to be planted ten-feet apart.**
- 2. From the south edge of 167<sup>th</sup> Avenue NE to where the line begins to angle slightly to the west, a single row of three-foot conifers are to be planted ten-feet apart.**
- 3. From the point where the line begins to angle to the west again, south to just north of the infiltration basin located in the southeast corner of the plat, two rows of three-foot conifers are to be planted ten-feet apart with the second row of trees being staggered to give the appearance that all trees are planted five-feet apart.**
- 4. From the point just north of the southeast infiltration basin, to the edge of Buchanan Street NE, a single row of three-foot conifers are to be planted ten-feet apart.**

5. From the southeast corner of the infiltration basin, to the eastern edge of Buchanan Street NE, a single row of four-foot conifers are to be planted ten-foot apart.

Trees for Phase 1 are to be planted by December 1, 2023. Phase 2 screening to include six-foot, slatted, chain link fencing which is to be constructed between the proposed buildings, no trees are to be moved or removed and all screening must be outside of nearby easements. Chair Pogalz asked if a new screening plan will be submitted for the record. Commissioner Lejonvarn stated he would modify the screening exhibit to reflect what he discussed with Mr. Osborne, and what Mr. Osborne agreed to. **All present in favor, motion carried.** *This application will be placed on the City Council's Monday, October 16, 2023 agenda.*

**NEW BUSINESS:** None

**COMMISSION BUSINESS:**

City Council Update

Chair Pogalz stated the City Council concurred with the Commission's recommendations to approve Tom Elwell's rezoning request and the final plat of Hidden Forest East Fourth Addition. Chair Pogalz will attend the October 16, 2023 City Council meeting.

**ADJOURNMENT:**

**Motion by Fisher, seconded by Entsminger, to adjourn the Planning Commission meeting at 7:16 p.m. All present in favor, motion carried.**

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Jennifer Bohr  
Building and Zoning Clerk

**ORDINANCE NO. 23-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-AH (Affordable Housing District) (1016 Bunker Lake Boulevard NE).

The West 345 feet of the North 400 feet of the West half of the Southwest Quarter of Section 32, Township 32 Range 23, Anoka County, Minnesota.

**Presented to the Ham Lake City Council on October 16, 2023 and adopted by a unanimous vote this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

\_\_\_\_\_  
**Brian Kirkham, Mayor**

\_\_\_\_\_  
**Denise Webster, City Clerk**





# CITY OF HAM LAKE

## PLANNING REQUEST

15544 Central Avenue NE

Ham Lake, MN 55304

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

Date of Application 9-27-2023

Date of Receipt 9-27-23

Receipt # \_\_\_\_\_

### Meeting Appearance Dates:

Planning Commission 10-9-23 City Council 10-16-23

### Please check request(s):

- |   |   |
|---|---|
| <input type="checkbox"/> Metes & Bounds Conveyance  | <input type="checkbox"/> Commercial Building Site         |
| <input type="checkbox"/> Sketch Plan                | <input type="checkbox"/> Certificate of Occupancy         |
| <input type="checkbox"/> Preliminary Plat Approval* | <input type="checkbox"/> Home Occupation Permit           |
| <input type="checkbox"/> Final Plat Approval        | <input type="checkbox"/> Conditional Use Permit (New)*    |
| <input checked="" type="checkbox"/> Rezoning*       | <input type="checkbox"/> Conditional Use Permit (Renewal) |
| <input type="checkbox"/> Multiple Dog License*      | <input type="checkbox"/> 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: Hampton Companies

Address/Location of property: 1016 Bunker Lake Blvd

Legal Description of property: 32-32-23-32-0002

PIN # 32-32-23-32-0002 Current Zoning R-1 Proposed Zoning R-AH

Notes: Request to rezone 1016 Bunker Lake Blvd

Applicant's Name: Jeremy Larson

Business Name: Hampton Companies

Address 1824 Buerkle Rd.

City White Bear Lake State MN Zip Code 55110

Phone 651-200-4365 Cell Phone 651-253-8924 Fax \_\_\_\_\_

Email address jeremy@hamptoncos.com

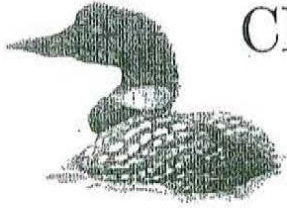
*You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.*

SIGNATURE [Signature] DATE 9-27-2023

### - FOR STAFF USE ONLY -

ACTION BY: Planning Commission 10-9-23  
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

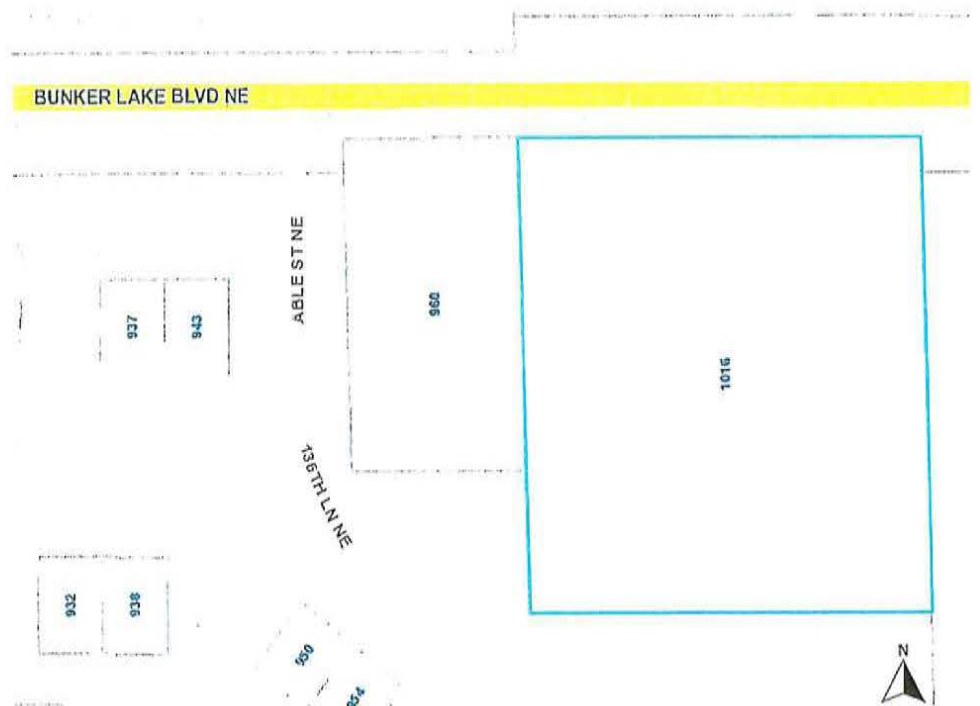
TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Monday, October 9, 2023 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Jeremy Larson of Hampton Companies requesting to rezone certain parcels of land, 1016 Bunker Lake Boulevard NE, from R-1 (Single Family Residential) to R-AH (Affordable Housing District) such land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

The West 345 feet of the North 400 feet of the West half of the Southwest Quarter of Section 32, Township 32 Range 23, Anoka County, Minnesota.

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

DATED: September 29, 2023

Jennifer Bohr  
Building and Zoning Clerk  
City of Ham Lake



October 9, 2023

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

**To: Members of the Planning Commission**

**From: Mark Jones, Building Official**

**Subject: Rezoning request for 1016 Bunker Lake Boulevard NE**

**Introduction/Discussion:**

KE Properties LLC is requesting to rezone 1016 Bunker Lake Boulevard NE to R-AH (Affordable Housing District) to allow for the construction of a senior care/assisted living facility. The parcel is currently zoned R-1 (Residential Single Family). R-AH districts are areas intended for the creation of multiple-family apartment buildings targeted for occupancy by persons aged 55 or older or having low or moderate income. The City Attorney and staff have determined this would not be spot zoning and an assisted living facility would be a suitable land use in the area as The Willows of Ham Lake and Majestic Greens senior apartment buildings are nearby. Per a recent Code change, assisted living facilities are a conditionally permitted use in the R-AH zoning district.

**Recommendation:**

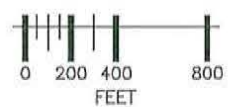
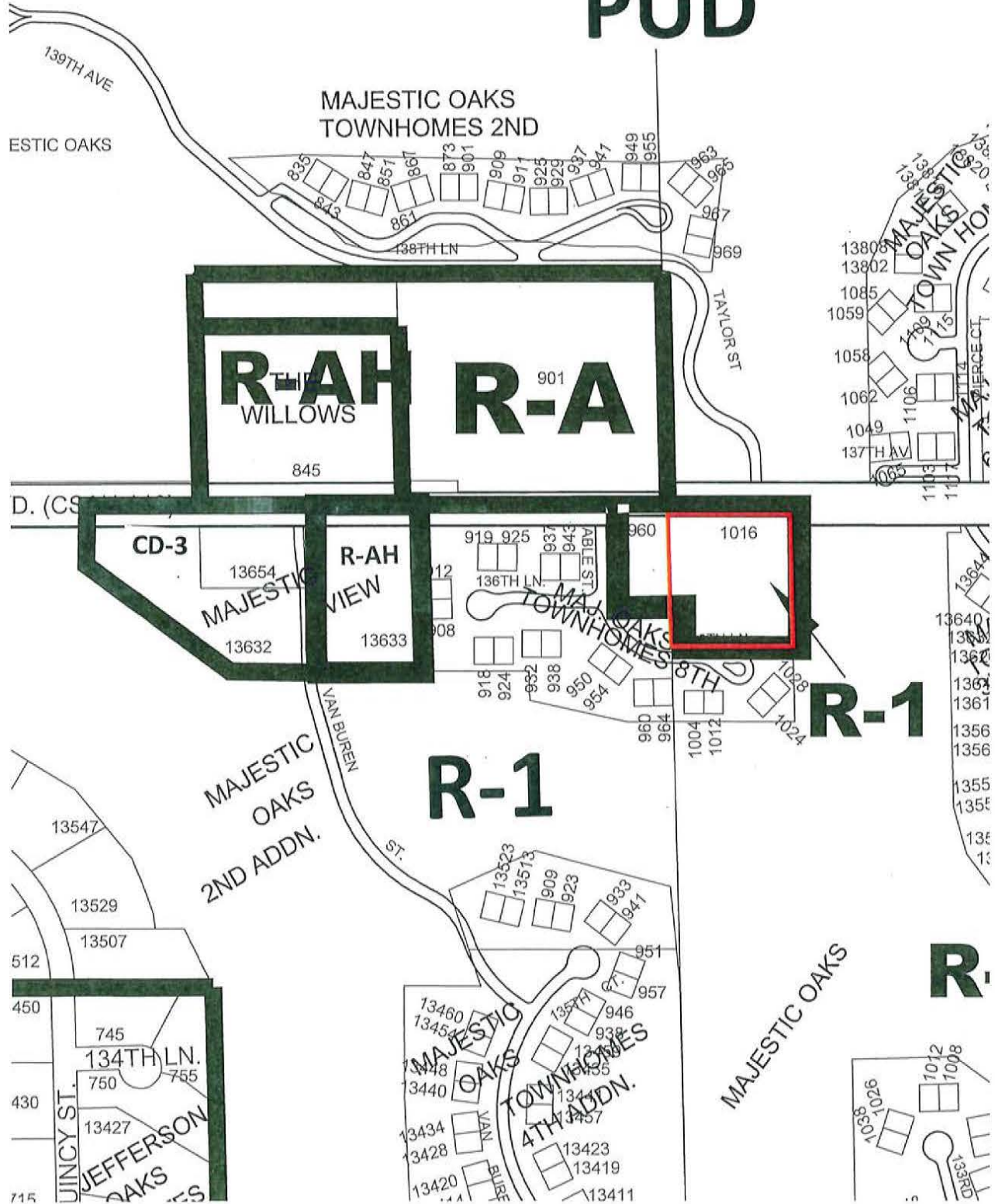
I recommend approval of KE Properties LLC request to rezone 1016 Bunker Lake Boulevard NE from R-1 to R-AH.

To the City of Ham Lake,

KE Properties LLC requests that the property at 1016 Bunker Lake Blvd be rezoned from R-1 to R-AH to allow Hampton companies to build Suite Living Senior Care Assisted Living Facility.

 9/27/2023

# PUD



## Anoka County Parcel Viewer



**Parcel Information:**  
 32-32-23-32-0002  
 1016 BUNKER LAKE BLVD NE  
 HAM LAKE  
 MN 55304

Approx. Acres: 2.90542168  
 Plat:  
 Commissioner: JULIE BRAASTAD

**Owner Information:**  
 KE PROPERTIES LLC  
 3143 104TH LN NE  
 BLAINE  
 MN  
 55449

# PARCEL SKETCH

~for~ KE PROPERTIES  
 ~of~ 1016 Bunker Lake Boulevard NE  
 Ham Lake, MN

## LEGAL DESCRIPTION

(Per Anoka County Tax Information)

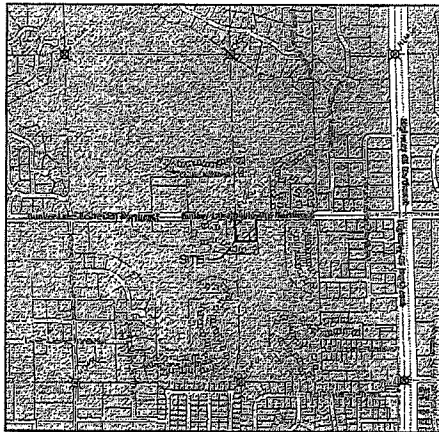
The West 345 feet of the North 400 feet of the West Half of the Southwest Quarter of Section 32, Township 32, Range 23, Anoka County, Minnesota. Subject to roads.

## NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 10/25/12.
- Bearings shown are on Anoka County datum.
- Parcel ID Number: 32-32-23-32-0002.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or circumstances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Entire site appears to be more than 1 foot above mottled soils.
- Site area 3.17± Acres

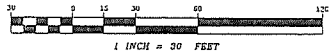
## VICINITY MAP

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



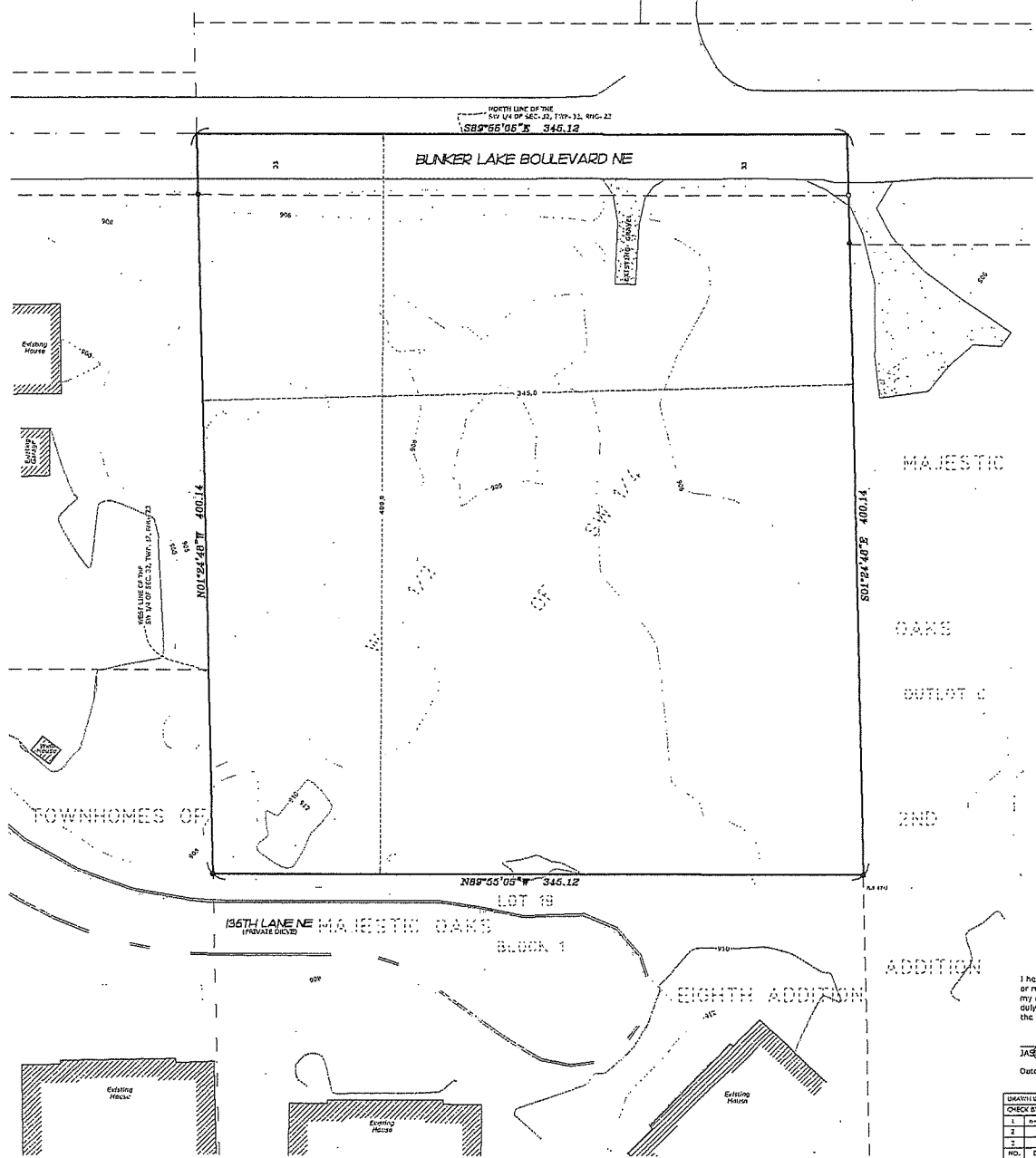
ANOKA COUNTY, MINNESOTA  
 (NO SCALE)

GRAPHIC SCALE



## LEGEND

- DENOTES EXISTING CONTOURS
- DENOTES BUILDING SETBACK LINE
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE



MAJESTIC  
 OAKS  
 OUTLOT C  
 2ND  
 ADDITION

NORTH

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

JASON E. RUD  
 Date: 9/27/2023 License No. 4157B

DATE/TIME: CMB	JOB NO: 13741PP	DRAWN BY: JER
CHECK BY: JER	FIELD CHECK:	DATE: 09/26/21
1. PROJECT: MAJESTIC LAWN/II		CMB
2. DATE:		
3. DATE:		
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





ORDINANCE NO. 23-08

An Ordinance Amending ARTICLE 9, COMPREHENSIVE ZONING, to amend the Ham Lake City Code to add Assisted Living Facilities and Nursing Homes as Conditional Uses in the (R-AH), Affordable Housing District, zoning district and removing Raising of Pigeons in its entirety.

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

ARTICLE 9, COMPREHENSIVE ZONING of the Ham Lake City Code is hereby amended as indicated in the following section:

9-210.1 Single Family Residential (R-1)

...

c) *Temporary Conditional Uses*

- Therapeutic Massage Facilities
- ~~Raising of Pigeons under Article 9-330.9~~

...

9-210.4 Affordable Housing District (R-AH) R-AH Districts are areas intended for the creation of multiple-family apartment buildings targeted for occupancy by persons aged 55 or older or having low or moderate income, as those terms are from time to time defined by the City Council in concert with the commonly established guidelines of various governmental social service agencies. Further, R-AH Districts may conditionally include assisted living facilities as defined in MN Statute 144G.08, Subd. 7 and nursing homes as defined in MN Statute 144A.01 Subd. 5.

a) *Permitted Uses*

- Multiple family apartment buildings or cottages and ancillary facilities
- Recreational facilities for the exclusive use of tenants
- Underground Utilities
- Storage Buildings or Garages for the exclusive use of tenants
- A single business office for building or complex management, of not more than 1500 square feet

b) *Conditional Uses and Temporary Conditional Uses*

- Assisted Living Facilities
- Nursing Homes

...

9-330.8 Raising of Pigeons

A. Definitions

1) **"Pigeon"** means a member of the family *Columbidae*, and consists of birds known as "Racing Pigeons", "Fancy Pigeons" and "Sporting Pigeons" as those terms are commonly known and used in the pigeon raising community.

2) **"Recognized Pigeon Association"** means the International Federation of Raging Pigeon Fanciers, the American Racing Pigeon Union, Inc., the National Pigeon Club, the American Pigeon Club, the Rare Breeds Pigeon Club, the American Tippler Society, and the International Roller Association.

3) **"Loft"** means a structure especially built for the housing of pigeons.

## **B. Conditions**

The following conditions shall be observed by every person granted a conditional use permit to keep, breed and raise pigeons:

1) **Location.** All pigeons shall be kept in a Loft containing at least 50 square feet of floor area. If the Loft contains more than 120 feet of floor area, the structure shall be deemed an *Accessory Building* and subject to the provision of Article 9-370. A Loft shall not be considered a *Farm Building*.

2) **Construction Standards.** The Loft shall be constructed as a wood frame building, of sufficient height and other security measures to discourage invasion by predatory animals. The property owner shall not be required to obtain a building permit for the Loft, but plans for the Loft shall be submitted at the time of application for Conditional Use Permit. The Loft shall provide adequate shelter from the elements, and meet any standards recommended by a Recognized Pigeon Association.

3) **Population Limitations.** No more than 32 pigeons may be kept on any parcel of land. Pigeons that are 28 days old or younger shall not be counted against this limit.

4) **Noise.** The permit holder shall take adequate steps to insure that noise from the pigeons are not audible to nearby properties.

5) **Personal Hobby Use Only.** Pigeons kept in any district but the R-A districts shall be for the personal hobby use of the permit holder, and the activity shall not be operated as any kind of a mercantile venture in areas zoned other than R-A.

6) **Sanitation.** All animal waste shall be removed and properly disposed of in a manner that promotes general health and safety, and all feed shall be stored inside the Loft, safe from invasion by vermin or disease-promoting forces. All feeding activities shall be carried on within the Loft.

7) **Confinement.** Except when involved in exercise, competition or training activities under the supervision of the permit holder, pigeons shall be confined to the Loft, and shall not be permitted to perch or linger on the property of others. Pigeons that have been fed within the previous four hours shall not be released from the Loft.

8) **Banding and Registration.** All pigeons that are six months old or older shall be banded and registered with at Recognized Pigeon

Association.

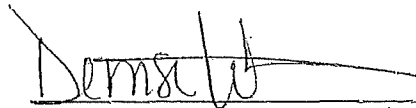
~~9) **Screening.** All lofts shall be placed in locations where they are screened by buildings, fences or coniferous vegetation from view from adjoining properties.~~

~~**C. Annual Inspection.** All facilities shall be subject to an annual inspection by the City. The City may, at the discretion of its staff, delegate the inspection to a Recognized Pigeon Association. The permit holder shall comply with all requirements imposed by any inspection. All costs of inspection shall be the responsibility of the permit holder.~~

~~**D. General Nuisance.** The permit holder shall conduct all activities in connection with the keeping and raising of pigeons in a manner that avoids the creation of public or private nuisances, and to this end, and without limitation, the activities shall be conducted so as to eliminate from outside the Loft all odor, noise, vibrations, attraction of rodents, vermin or predatory animals, attractive nuisance, eyesores or other aesthetic detractions from neighborhood appearance, traffic or accumulation of debris or waste.~~

Presented to the Ham Lake City Council on September 5, 2023 and adopted by a unanimous vote this 18th day of September, 2023.

  
\_\_\_\_\_  
Brian Kirkham, Mayor

  
\_\_\_\_\_  
Denise Webster, City Clerk



# CITY OF HAM LAKE

## PLANNING REQUEST

15544 Central Avenue NE

Ham Lake, MN 55304

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

Date of Application 9-27-23

Date of Receipt 9-27-23  
Receipt # 97679

### Meeting Appearance Dates:

Planning Commission 10/9/23

City Council 10-16-23

### Please check request(s):

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

- Commercial Building Permit
- Certificate of Occupancy
- Home Occupation Permit
- Conditional Use Permit (New)\*
- Conditional Use Permit (Renewal)
- Other Amend Final Plat

*\*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: CSE

Address/Location of property: Creek Side Farms

Legal Description of property: Creek Side Farms

PIN # \_\_\_\_\_ Current Zoning CD2 Proposed Zoning \_\_\_\_\_

Notes: Modification of Plat/Screening Variance

Applicant's Name: Jesse Osborne

Business Name: CSE

Address 16800 Hwy 65 NE

City Ham Lake State MN Zip Code 55304

Phone 651-403-0782 Cell Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email address \_\_\_\_\_

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

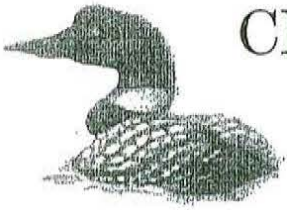
SIGNATURE [Signature] DATE 9-27-23

\*\*\*\*\*

### - FOR STAFF USE ONLY -

ACTION BY: Planning Commission 10-9-23  
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

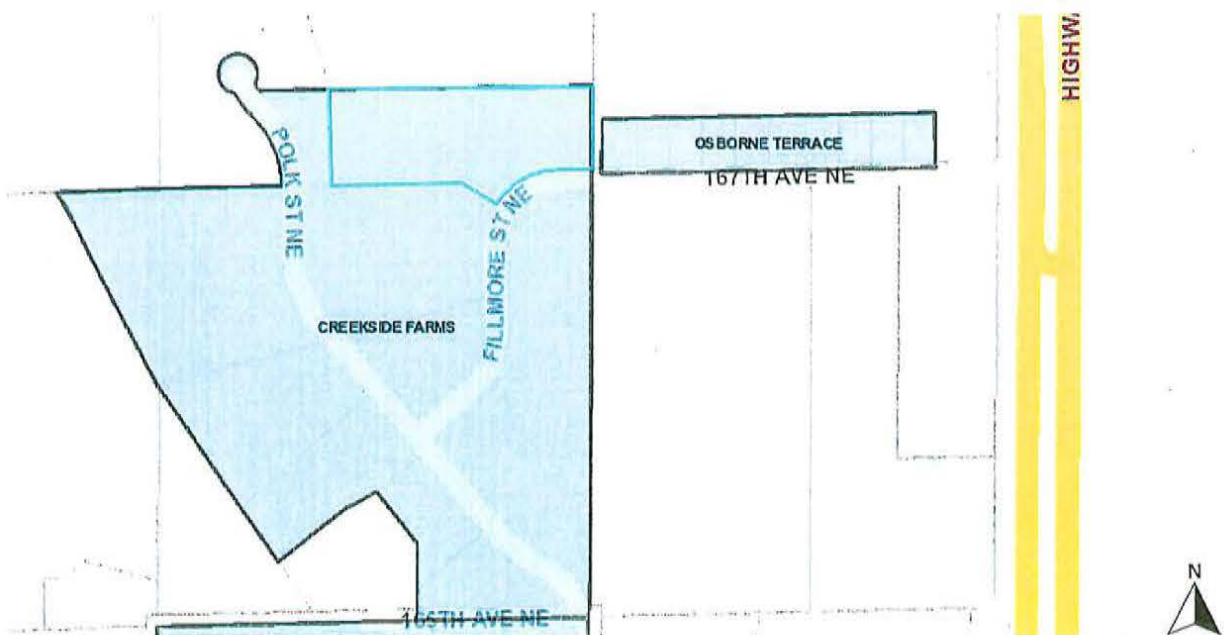
TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Monday, October 9, 2023 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Jesse Osborne requesting a revision to the approved conditions of the final plat for the Creekside Farms Commercial Development in Sections 7 and 8 parcels of certain land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

The Plat of Creekside Farms

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

DATED: September 29, 2023

Jennifer Bohr  
Building and Zoning Clerk  
City of Ham Lake



October 9, 2023

**CITY OF HAM LAKE**

**STAFF REPORT**

**To: Members of the Planning Commission**

**From: Mark Jones, Building Official**

**Subject: Request for an amendment to final plat approval for the commercial plat of Creekside Farms**

**Introduction/Discussion:**

Mr. Jesse Osborne received final plat approval for a subdivision by the name of Creekside Farms, a nine-lot commercial development, on April 4, 2022. A condition of final plat approval, and a “work item” listed in the Development Agreement, was that screening was to be completed By November 1, 2022. The approved screening was a combination of six-foot tall colored, slatted privacy fence and evergreen trees planted ten-feet apart on the east side of the development as shown on the screening exhibit submitted by Mr. Osborne. The east side of the property is adjacent to residential property and screening is required per Article 11-1853.A.

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

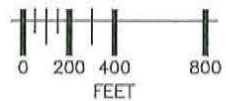
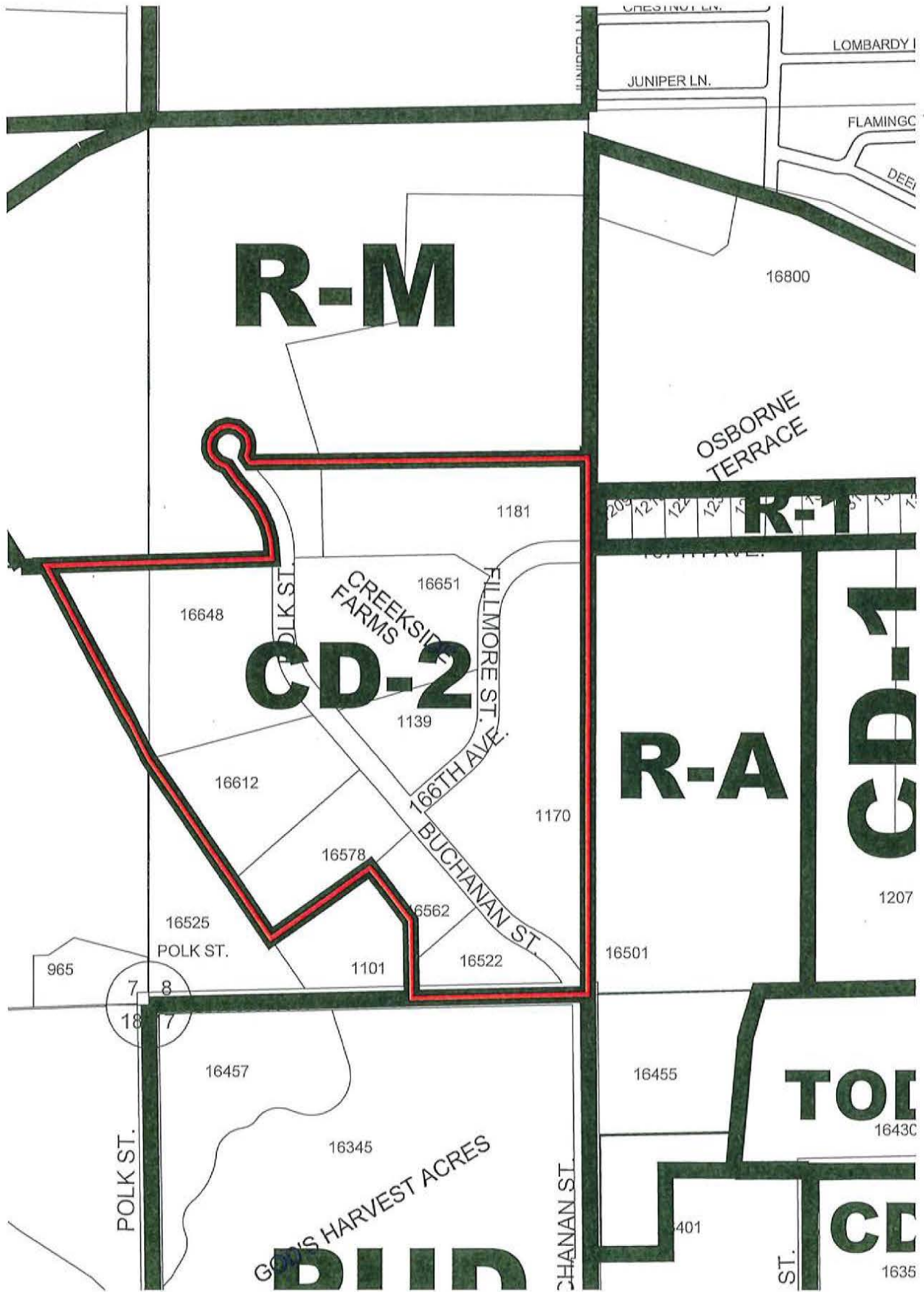
- A.** Where property lines are adjacent to residential areas, a planting screen of conifers shall be required, of sufficient size and proximity to provide an intermingled screen within five years;
- B.** Decorative trees shall be planted along the right of way lines of adjacent public roadways;
- B.**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

At this time, Mr. Osborne is requesting a change to what was presented at the public hearing and approved by the City Council. Mr. Osborne is requesting approval of a new screening arrangement that would be completed in two phases because no buildings are being constructed on Lot 1, Block 1 and Lot 1, Block 2 at this time. In the first phase, Mr. Osborne would plant a combination of three-foot and four-foot conifer trees ten-feet apart on the east side of the plat adjacent to R-1 and R-A properties. Four-foot trees would be planted in locations where no future buildings would be constructed and

three-foot trees would be planted in between. (See the First Phase exhibit.) In the second phase, when construction begins on the buildings, the three-foot trees would be removed and transplanted in a second row between the four-foot trees to allow the trees to intermingle as they grow in order to provide an opaque barrier between residential and commercial properties. A colored, slatted fence would also be installed to provide screening between the buildings during the second phase. In the original screening plan, and the proposed plan, buildings are proposed to be used as screening. I do not believe the use of buildings for screening is the intent of the Code. Screening should be provided to help block all aspects of a commercial property from neighboring properties, including the buildings.

**Recommendation:**

I recommend that the Planning Commissioners first discuss what the intent of the Code is to determine if buildings should be used as screening. If the buildings should not be used for screening, then I would recommend that two rows of three-foot trees be planted. The rows of trees are to be planted ten-feet apart, but each row should be staggered to look as if the trees are five-feet apart. If the buildings are to be used as screening, then I would recommend that four-foot conifers be planted as shown on the first phase exhibit, as well as north of the drainage pond (Southeast area of the plat.) as originally presented during the plat approval process and along the eastern property line of Lot 1, Block 2 from 167<sup>th</sup> Avenue NE north until at least the northern property line of the adjacent residential lot and three-foot conifers be planted in between. During the second phase, the original three-foot conifer trees are to be transplanted to create a second row of trees parallel with the four-foot trees, staggering them so the trees look as if they are planted five-feet apart.







Anoka County Parcel Viewer



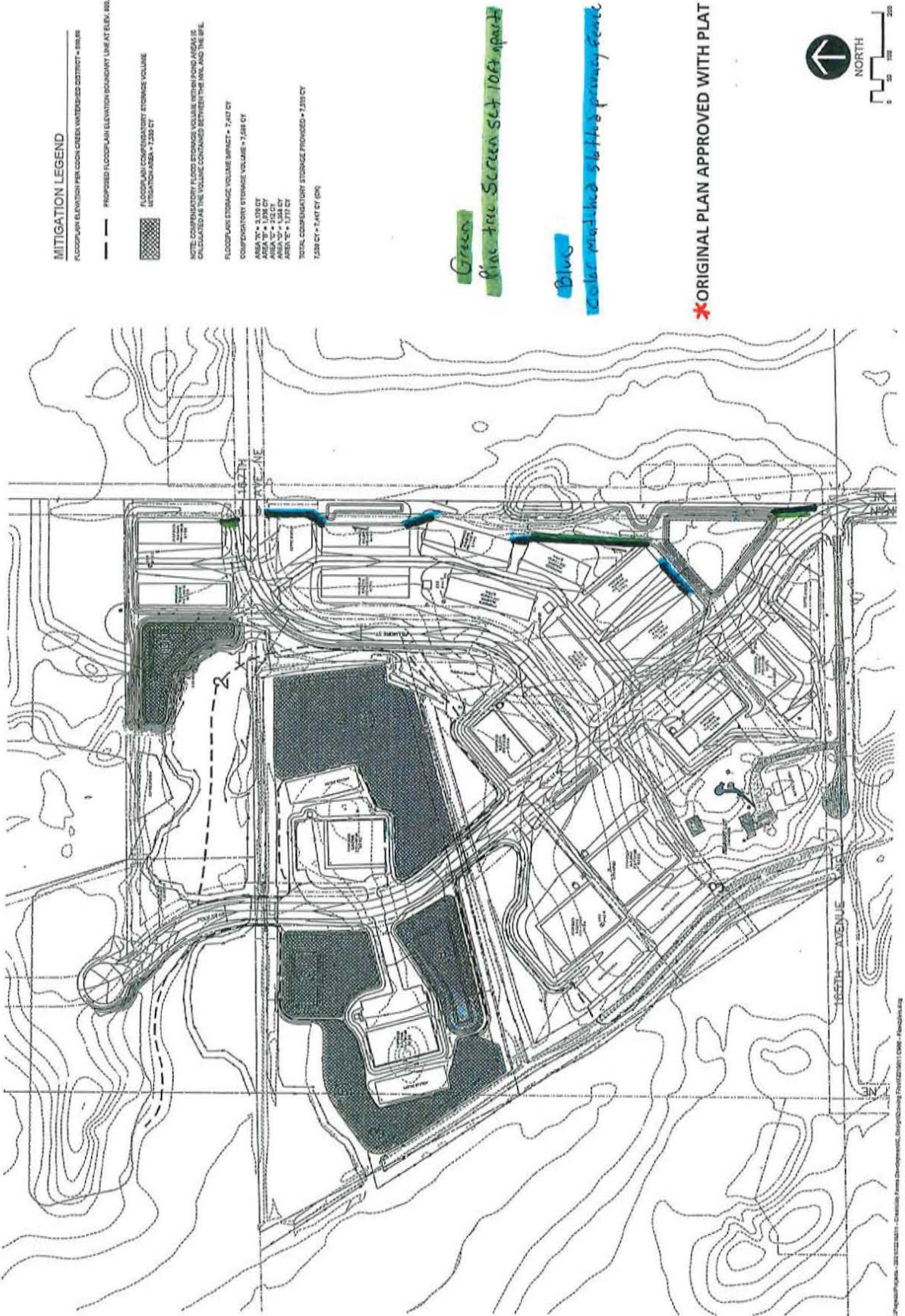





500,254,671 186,544,979 Feet

<p><b>Larson Engineering, Inc.</b>          616 W. 51. Denmark Street          Suite 208          St. Cloud, MN 55301          320.774.1844          www.larsoneng.com          © 2017 Larson Engineering, Inc. All Rights Reserved.</p>	<p><b>JESSE OSBORNE, C.S.F.</b>          DEVELOPMENT, LLC          HAM LAKE, MN 55304          16800 HWY. 65 NE          HAM LAKE, MN 55304</p>	<p><b>CREEKSIDE FARMS DEVELOPMENT</b>          HAM LAKE, MN, 55304</p>	<p>Project Title:          Date: 05/22/23          User: JLS          Version: 1.0          Project No.: 230001</p>	<p>Sheet:          No.:          Date:          Description:          Project No.: 230001-003          Drawn By: JLS          Checked By: JLS          Issue Date: 05/22/2023          Scale: N/A  <b>PRELIMINARY FLOOD PLAN MITIGATION</b>  <b>C601</b></p>
--	---	--	---	--

PRELIMINARY NOT FOR CONSTRUCTION



**MITIGATION LEGEND**

FLOODPLAIN ELEVATION PER COON CREEK WATERSHED DISTRICT - 858.88  
 PROPOSED FLOODPLAIN ELEVATION BOUNDARY LINE AT ELEV. 863.8

FLOODPLAIN COMPENSATORY STORAGE VOLUME  
 MITIGATION AREA = 1,239 CY

NOTE: COMPENSATORY FLOOD STORAGE VOLUME EXCEPT FLOOD STORAGE IS  
 CALCULATED AS THE VOLUME CONTAINED BETWEEN THE MFL AND THE IFL.

FLOODPLAIN STORAGE VOLUME IMPACT = 7,492 CY  
 COMPENSATORY STORAGE VOLUME = 1,239 CY  
 AREA 1\* = 1,038 SQ FT  
 AREA 2\* = 1,038 SQ FT  
 AREA 3\* = 1,038 SQ FT  
 AREA 4\* = 1,038 SQ FT  
 TOTAL COMPENSATORY STORAGE PROVIDED = 1,239 CY  
 1,239 CY = 1,441 CY (8%)

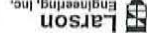
**Green**  
 Pine Tree Screen Set 10ft apart

**Blue**  
 Cooler material with 6ft x 6ft passing fence

**\*ORIGINAL PLAN APPROVED WITH PLAT**



Project: 230001-003 - Creekside Farms Development - Drainage and Flood Mitigation - C601 - 05/22/2023

 <p>Latson Engineering, Inc. 1515 W. Dakota Street Suite 100 Rice, MN 55359 763.774.1344 www.latsoneng.com</p>	<p>JESSE OSBORNE, CSPE DEVELOPMENT, LLC 16902 HWY. 65 NE HAM LAKE, MN 55304</p>	<p>CREEKSIDE FARMS DEVELOPMENT HAM LAKE, MN, 55304</p>	<p>DATE: 03/11/2023 DRAWN BY: J. J. J. J. CHECKED BY: J. J. J. J. SCALE: AS SHOWN</p>	<p>OVERALL SITE PLAN <b>C000</b></p>
	<p>PROJECT NO. 2023-001 PROJECT NAME: CREEKSIDE FARMS DEVELOPMENT SHEET NO. 01 OF 01</p>			<p>DATE: 03/11/2023</p>

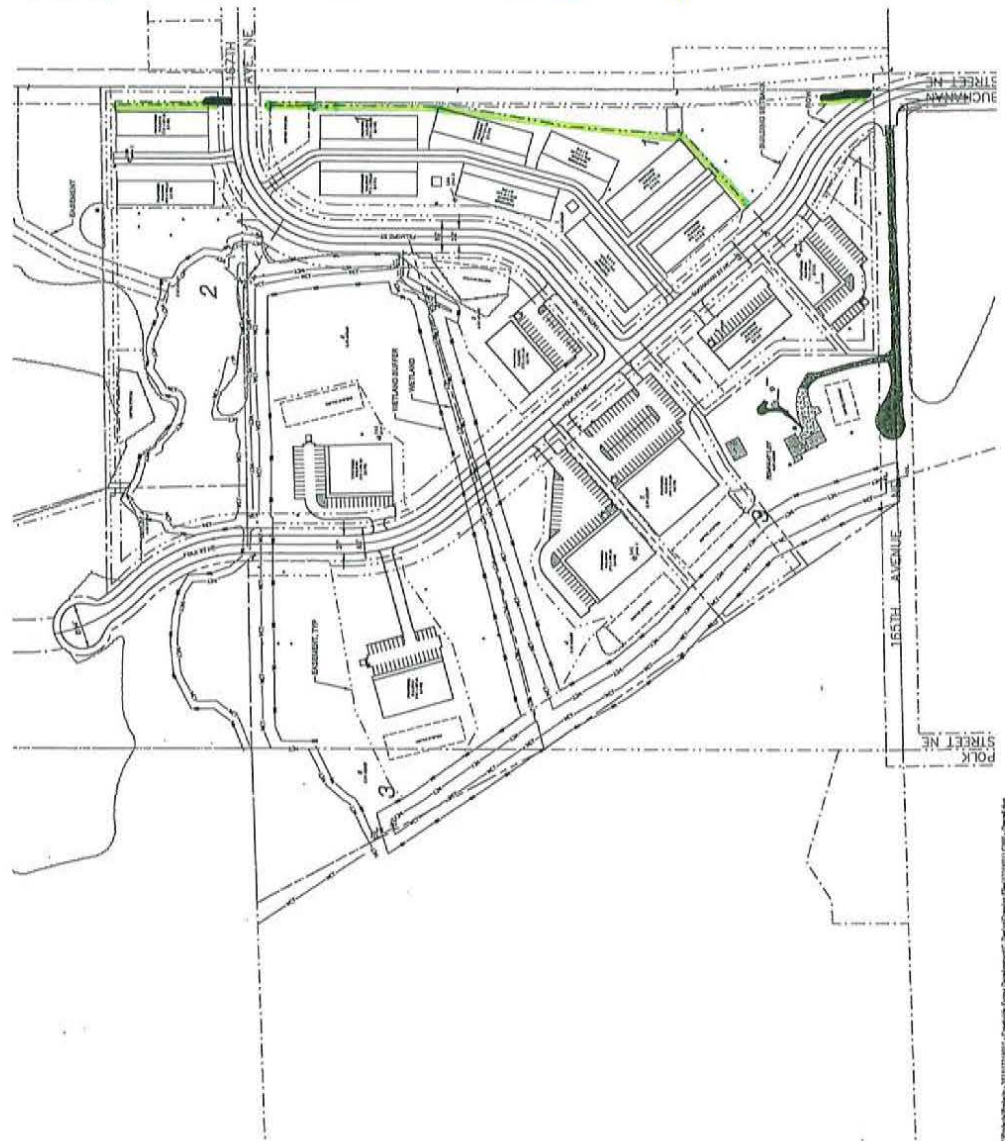
PRELIMINARY NOT FOR CONSTRUCTION

NOTE: PROJECT WILL BE COMPLETED IN TWO PHASES.  
 PHASE 1: 187 AVE NE & BUCHANAN ST (SOUTH OF INTERSECTION)  
 (SCHEDULE: BEGIN SUMMER 2021, END SPRING 2023)  
 PHASE 2: BUCHANAN ST (NORTH OF INTERSECTION)  
 (SCHEDULE: TBD)

**1ST Phase  
OCT 2023**

Single Row Pine tree  
10' apart / 3' Tall  
Green

Single Row Pine tree  
10' apart / 4' Tall  
Green / Black



**RECEIVED**  
SEP 27 2023

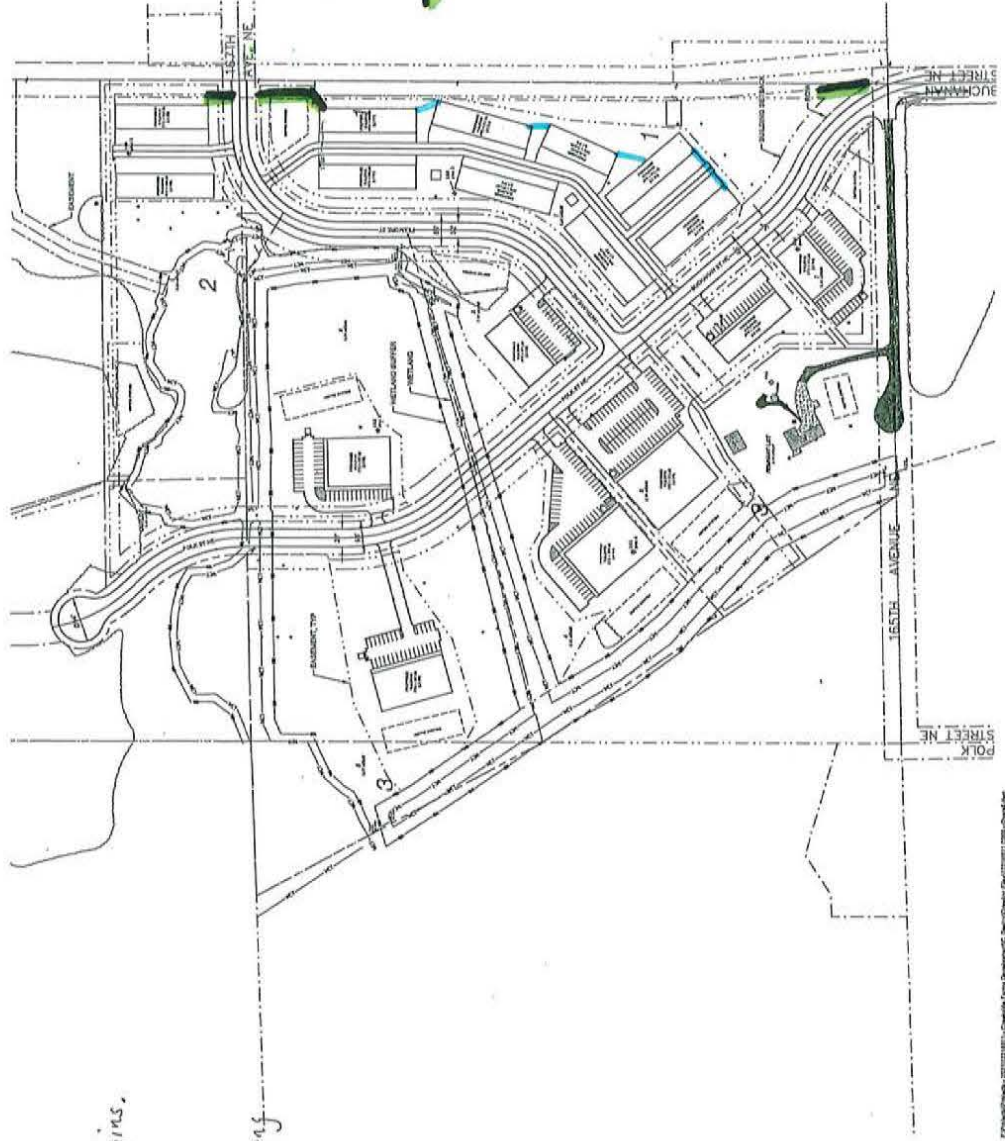
<p>Latson Engineering, Inc. 816 W. Grand Street Rm 202 St. Cloud, MN 56301 202.774.1848 www.latsoneng.com</p>	<p>JESSE OSBORNE, CSF DEVELOPMENT, LLC 16800 HWY. 65 NE HWM LAKE, MN 55304</p>	<p>CREEKSIDE FARMS DEVELOPMENT HWM LAKE, MN, 55304</p>	<p>Project Title: Date: Scale: Author: Checked By: Date:</p>	<p>OVERALL SITE PLAN <b>C000</b></p>

PRELIMINARY NOT FOR CONSTRUCTION

NOTE: PROJECT WILL BE COMPLETED IN TWO PHASES.  
 PHASE 1: 167 AVE NE & BUCHANAN ST (SOUTH OF INTERSECTION)  
 (SCHEDULE: BEGIN SUMMER 2021, END SPRING 2022)  
 PHASE 2: BUCHANAN ST (NORTH OF INTERSECTION)  
 (SCHEDULE: TBD)

**2nd Phase**  
 5' Pine tree  
 Double Set 10' apart  
 Green/Black

Color Matched  
 Slotted Fence  
 Blue



**RECEIVED**  
 SEP 27 2023  
 By: .....

\* 2nd Phase will start once construction begins.  
 2nd phase will be complete once 10th building is built CSF will maintain Scrimmy throughout construction.

All trees to be Contained

<p><b>Latson</b> Engineering, Inc. 1115 St. Cloud Street St. Cloud, MN 56304 507.325.1111 www.latsoneng.com</p>	<p><b>JESSE OSBORNE, CSP</b> DEVELOPMENT, LLC 1680 HWY. 66 NE HAM LAKE, MN 55304</p>	<p><b>CREEKSIDE FARMS</b> DEVELOPMENT HAM LAKE, MN, 55304</p>	<p><b>OVERALL SITE PLAN</b> C000</p>
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NOTE: PROJECT WILL BE COMPLETED IN TWO PHASES.  
 PHASE 1: 167 AVE NE & BUCHANAN ST (SOUTH OF INTERSECTION)  
 (SCHEDULE: BEGIN SUMMER 2021, END SPRING 2022)  
 PHASE 2: BUCHANAN ST (NORTH OF INTERSECTION)  
 (SCHEDULE: TBD)

**1ST Phase**  
**OCT 2023**

1) Single Row pine tree  
10' apart / 3' Tall

Green

2) trees

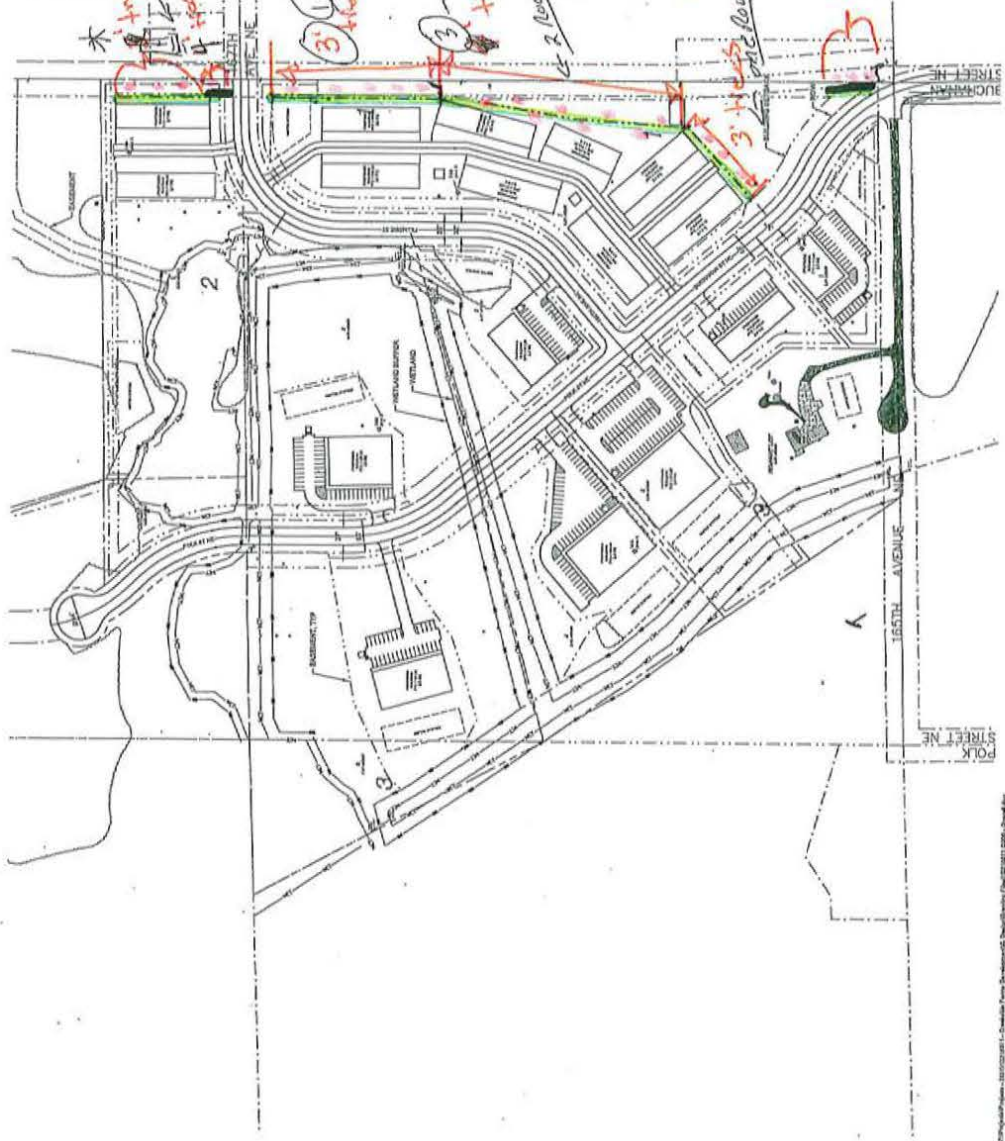
2) Single Row pine tree  
10' apart / 4' Tall

Green / Black

3) trees

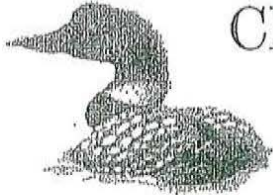
3) trees

4) trees  
one Row



**RECEIVED**  
 SEP 27 2023  
 By: .....

**\*\* Recommended Screening Plan \*\***



# 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 MINUTES MONDAY, APRIL 4, 2022**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, April 4, 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 Mike Van Kirk and Councilmembers Gary Kirkeide, Brian Kirkham and Jesse Wilken

**MEMBERS ABSENT:** Councilmember Jim Doyle

**OTHERS PRESENT:** City Attorney, Joe Murphy; City Engineer, Tom Collins; and Deputy City Clerk, Dawnette Shimek

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

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

### **2.0 PUBLIC COMMENT - None**

### **3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS - None**

### **4.0 CONSENT AGENDA**

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

4.1 Approval of minutes of March 21, 2022

4.2 Approval of claims in the amount of \$275,812.05

4.3 Approval of the American Rescue Plan Act (ARPA) Business/Non-Profit Grant Program

4.4 Approval of the Building Destruction Agreement for 901 Bunker Lake Boulevard NE

4.5 Approval of Resolution No. 22-12 accepting a \$5,000 donation from the Ham Lake Chamber of Commerce

4.6 Road Committee Recommendations:

- 1) Approval of Resolution No. 22-13 requiring "No Parking" on Central Avenue NE from 157<sup>th</sup> Avenue NE to Constance Boulevard NE

**Motion by Kirkham, seconded by Wilken, to approve the April 4, 2022 Consent Agenda as written. All present in favor, motion carried.**

### **5.0 PLANNING COMMISSION RECOMMENDATIONS**

**5.1** Jesse Osborne requesting Final Plat approval of Creekside Farms, a 9 lot Commercial Development located in Sections 7 and 8

**Motion by Kirkham, seconded by Wilken, to concur with the Planning Commission and approve the Final Plat of Creekside Farms, a 9 lot Commercial Development located in Sections 7 and 8 subject**

to applying for a Conditional Use Permit prior to construction of the heated storage buildings, installing No Truck and No Hauling signage along 167<sup>th</sup> Avenue NE, installation of six-foot tall colored, slatted privacy fence and ten-foot spaced pine trees as shown on the screening exhibit, following guidance provided in the Minnesota DNR Natural Heritage Review for Blanding Turtles, complying with Coon Creek Watershed District permit requirements, meeting the requirements of the City Engineer and meeting all City, State and County requirements. All present in favor, motion carried.

6.0 ECONOMIC DEVELOPMENT AUTHORITY – None

7.0 APPEARANCES - None

8.0 CITY ATTORNEY - None

9.0 CITY ENGINEER – None

10.0 CITY ADMINISTRATOR – None

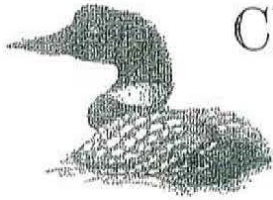
11.0 COUNCIL BUSINESS

11.1 Committee Reports - None

11.2 Announcements and future agenda items - None

Motion by Kirkham, seconded by Kirkeide, to adjourn the meeting at 6:03 p.m. All present in favor, motion carried.

  
\_\_\_\_\_  
Dawnette Shimek, Deputy 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, MARCH 28, 2022

The Ham Lake Planning Commission met for its regular meeting on Monday, March 28, 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 Scott Heaton, Jeff Entsminger, Jonathan Fisher, Kyle Lejonvarn 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 March 14, 2022 Planning Commission meeting as written. All present in favor, motion carried.

**PUBLIC HEARING:** None

**NEW BUSINESS:**

Jesse Osborne requesting Final Plat approval of Creekside Farms, a 9 lot Commercial Development located in Sections 7 & 8.

Mr. Jesse Osborne was present. Mr. Osborne stated grading was done in the development last fall and he plans to have curbing and the first lift of asphalt in place in June. Mr. Osborne stated he currently has purchase agreements for three of the seven commercial lots; the sale of the commercial lots will help finance the construction of the heated storage units in the summer of 2023. Chair Pogalz read key points from Engineer Collin's memo and asked Engineer Collins to comment. Engineer Collins stated a Conditional Use Permit, with a public hearing, will be required for the heated storage units in the future; due to previous soil disturbance within the development a variance to septic soil conditions, per Section 10-302F of Article 10 of the City Code, was granted; septic systems must meet specific design requirements before building permits can be issued. Commissioner Lejonvarn inquired about the type of fencing and screening that



will be between the residential property along 165<sup>th</sup> Avenue NE and Storage World. Mr. Osborne stated that was a separate project in which he put up a slatted, chain-link fence. Mr. Osborne stated the fence has worked well and he hasn't heard anything from residents since the fence was constructed. Mr. Osborne stated North Pine Aggregate trucks were driving on 167<sup>th</sup> Avenue NE when they did grading work last fall for the Creekside Farms development. Mr. Osborne stated he informed North Pine Aggregate that their truck and equipment drivers could not utilize that street and were directed to access the development by Buchanan Street NE from Constance Boulevard NE. Mr. Osborne stated he has met with each potential buyer of his commercial lots and informed them they must access the development via Buchanan Street NE from Constance Boulevard NE. Mr. Osborne stated each buyer has acknowledged they understand where to access the development. Mr. Osborne stated No Hauling and No Truck signs will be posted along 167<sup>th</sup> Avenue NE. Commissioner Heaton asked what type of businesses will be purchasing the lots. Mr. Osborne stated purchase agreements have been written for two trucking companies and a warehouse company. Commissioner Heaton stated there have been issues in the past when commercial property borders residential property and he wanted Mr. Osborne to be mindful of that. Mr. Osborne stated he has created covenants for the development which include requirements for at least a ten-foot high fence on property bordering residential property. Mr. Osborne stated the residential property bordering the development is his family's property; he wants to keep things nice, neat and clean as the City does. Engineer Collins stated the location of structures and parking areas on the current plans are speculative; each property owner will need to submit a commercial site plan for review by the Planning Commission and City Council; screening will be part of the site plan requirements. **Motion by Pogalz, seconded by Lejonvarn, to recommend approval of the Final Plat of Creekside Farms, a 9 lot Commercial Development located in Sections 7 and 8 subject to applying for a Conditional Use Permit prior to construction of the heated storage buildings, installing No Truck and No Hauling signage along 167<sup>th</sup> Avenue NE, installation of six-foot tall colored, slatted privacy fence and ten-foot spaced pine trees as shown on the screening exhibit, following guidance provided in the Minnesota DNR Natural Heritage Review for Blanding Turtles, complying with Coon Creek Watershed District permit requirements, meeting the requirements of the City Engineer and meeting all City, State and County requirements. All present in favor, motion carried. *This item will be placed on the April 4, 2022 City Council Agenda.***

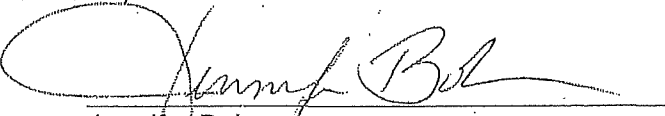
#### **COMMISSION BUSINESS:**

##### City Council Update

Commissioner Fisher attended the March 21, 2022 City Council meeting. Commissioner Fisher stated the Planning Commission had reviewed and recommended approval of a Special Home Occupation Permit application for Curls and Purls Salon; the City Council, after discussion with staff, determined a Home Occupation Permit was sufficient and required less restrictions so a Home Occupation Permit was approved by the City Council for Curls and Purls Salon. Commissioner Fisher stated the City Council approved the Preliminary Plat Reapproval for Harmony Estates 3rd Addition without further discussion. A Planning Commissioner will not be present at the April 4, 2022 City Council meeting.

**ADJOURNMENT:**

Motion by Heaton, seconded by Fisher, to adjourn the Planning Commission meeting at 6:17 p.m. All present in favor, motion carried.



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Jennifer Bohr  
Building and Zoning Clerk

3.3 PUBLIC HEARING – 6:01 P.M. to consider the vacation of the Baltimore Street NE right-of-way, south of Crosstown Boulevard NE and adoption of a Resolution No. 21-26

Engineer Collins explained that there is a cul-de-sac on Baltimore Street NE that had been previously been used by the VFW. Engineer Collins stated that there is no public purpose for the existing right-of-way for Baltimore Street NE south of Crosstown Boulevard NE.

**Acting Mayor Kirkeide opened the public hearing at 6:24 p.m. and asked for public comment and with there being none, closed the public hearing at 6:25 p.m.**

**Motion by Kirkham, seconded by Wilken, to approve the vacation of the Baltimore Street NE right-of-way south of Crosstown Boulevard NE and adopt Resolution No. 21-26. All present in favor, motion carried.**

**4.0 CONSENT AGENDA**

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

4.1 Approval of minutes of August 2, 2021 and Budget Workshop Minutes of August 2, 2021

4.2 Approval of claims in the amount of \$327,384.24

4.3 Approval of a Temporary One-Day Liquor License for the Dylan Witschen Foundation (non-profit) at the Willow Tree Winery, 828 Constance Boulevard NE on October 23, 2021

4.4 Approval of a Temporary One-Day Liquor License for the Ham Lake Lion's (non-profit) at Fitaholic Fitness, 13352 Aberdeen Street NE on September 11, 2021

4.5 Approval of a Proclamation proclaiming September 17 – September 23 as Constitution Week

4.6 Approval of scheduling a Special City Council meeting on Tuesday, August 24, 2021 at 8:00 a.m.

4.7 Road Committee Recommendations:

1) Approval of Resolution No. 21-27 requesting an advancement of MSA Funds

2) Approval of any costs associated with flashing signage be paid by Da Vinci Academy, which will require an agreement between the City and Da Vinci and a Joint Powers Agreement (JPA) between the City and Anoka County

**Motion by Kirkham, seconded by Wilken, to approve the August 16, 2021 Consent Agenda as written. All present in favor, motion carried.**

**5.0 PLANNING COMMISSION RECOMMENDATIONS**

5.1 Jesse Osborne requesting Preliminary Plat approval of Creekside Farms, a 9 lot Commercial Development located in Sections 7 & 8, and rezoning of parcels of land from R-M (Residential Manufactured Mobile Homes) and R-A (Rural Single Family Residential) to CD-2 (Commercial Development II) (this is considered the First Reading of a rezoning Ordinance)

There was discussion that Jesse Osborne, the developer, would place signage directing trucks to access the development via Constance Boulevard NE to Buchanan Street NE (as these are 9-ton roads) and not 167<sup>th</sup> Avenue NE through the residential neighborhood. **Motion by Kirkeide, seconded by Kirkham, to concur with the Planning Commission and approve the Preliminary Plat, lot line adjustment and rezoning to CD-2 (Commercial Development II) of the plat of Creekside Farms, a 9-lot Commercial Development located in Sections 7 & 8, as presented by Jesse Osborne subject to a variance being approved for soil disturbance in septic areas per Article 10-302F of the City Code, dedicating ten-**

foot drainage and utility easements around the perimeter of Parcels B-1, C-2 and D-1, signing a license agreement for Lot 2, Block 1, due to the proposed septic system crossing the drainage and utility easement, dedicating thirty-three feet of right-of-way on the north side of 165<sup>th</sup> Avenue NE on Parcel C-2 and providing the City with proof of recording of the right-of-way over the southerly thirty-three (33) feet of Parcel C-2, obtaining FEMA Letter of Map Amendments for Lot 1, Block 2, Lot 2, Block 2, Lot 3, Block 2, Lot 4, Block 3 and Lot 5, Block 3, no building permits to be issued on lots requiring LOMA until LOMA on file with the City, providing the City with proof of recording of conveyance of 1.22 acres from Outlot A to the adjacent Parcel B-1 for the lot line adjustment, meeting all the conditions of the City Engineer and meeting at State, City and County requirements. All present in favor, motion carried.

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 the First Reading of an Ordinance regarding signage

Attorney Murphy stated that this was discussed previously with the Council regarding residential signage. Attorney Murphy stated that he has amended the Ordinance to not include flags mounted on a pole as signage. **This is considered the First Reading of a rezoning Ordinance for residential signage.**

9.0 CITY ENGINEER – None

10.0 CITY ADMINISTRATOR – None

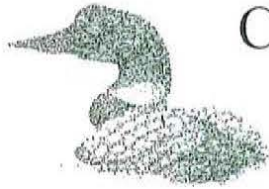
11.0 COUNCIL BUSINESS

11.1 Committee Reports – None

11.2 Discussion of the 2022 Anoka County Sheriff's Office Law Enforcement Contract and Budget

Finance Director Andrea Worcester explained the increase in the Law Enforcement Contract for next year was due to adding a full-time Investigator. Finance Director Worcester stated that by adding the investigator, it will increase the pro-active time for Deputies from 33% to 41% within the City. Finance Director Worcester compared the contract amount if the Investigator started on January 1, 2022 versus July 1, 2022. It was discussed to have the Investigator start on July 1, 2022. Acting Mayor Kirkeide stated he would like have the Law Enforcement Liaisons discuss the possibility of having the Sheriff's Department assess property owners with a line item for law enforcement services as this would give the Sheriff's Department more control and would in turn, cut the City's budget.

Finance Director Worcester stated that the draft preliminary 2022 General Fund Budget is mainly funded by a levy of \$5,391,443. Finance Director Worcester stated this an increase of \$382,622 or a 7.64% increase from 2021 is mainly due to the Law Enforcement Contract. Finance Director Worcester stated that this would balance the budget and no reserves would be used to cover the General Fund Expenditures. Finance Director Worcester stated that based on preliminary tax capacity numbers, the tax rate for the city would



# CITY OF HAM LAKE

15544 Central Avenue NE  
Ham Lake, Minnesota 55304  
(763) 434-9555  
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## CITY OF HAM LAKE PLANNING COMMISSION MINUTES MONDAY, AUGUST 9, 2021

The Ham Lake Planning Commission met for its regular meeting on Monday, August 9, 2021 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 Dave Ringler, Scott Heaton, Jeff Entsminger, Jonathan Fisher, Kyle Lejonvarn and Erin Dixson

**MEMBERS ABSENT:** None

**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 Ringler, seconded by Entsminger, to approve the minutes of the July 26, 2021 Planning Commission meeting as written. All in favor, motion carried.**

**PUBLIC HEARING:**

Jesse Osborne requesting Preliminary Plat approval of Creekside Farms, a 9 lot Commercial Development located in Sections 7 & 8, and rezoning of parcels of land from R-M (Residential Manufactured Mobile Homes) and R-A (Rural Single Family Residential) to CD-2 (Commercial Development II).

Mr. Jesse Osborne was present. Mr. Osborne stated the development will have a total of nine lots; seven commercial lots that will be for sale and two lots on which Mr. Osborne will construct heated storage units. (There will be a total of ten buildings constructed for heated storage rental.) Mr. Osborne stated the heated storage units are being marketed to owners of high-end recreational vehicles (RV) and other vehicles. Mr. Osborne stated he is concerned about potential RV and large truck traffic on 167<sup>th</sup> Avenue NE. Mr. Osborne stated he intends to install "No Trucks" signs along 167<sup>th</sup> Avenue NE and will provide instructions to all heated storage lessees to access the units via Constance Boulevard NE and Buchanan Street NE. Chair Pogalz asked Mr. Osborne what the project timeline was. Mr. Osborne stated dirt will be moved this year, new street construction is projected to be complete in the spring of 2022 and construction of the

buildings should start the second half of 2022 or first half of 2023. Mr. Osborne stated material costs have tripled since he started the project so he is going to wait to see if costs decrease. Mr. Osborne stated he intends to construct the covered RV parking buildings that are part of the Storage World expansion project in the spring or summer of 2022. Commissioner Lejonvarn asked Mr. Osborne how many rental units he will have. Mr. Osborne stated there will be a total of 98 heated storage units available for rent. Commissioner Heaton completed the inspection, a copy which is on file. Commissioner Heaton stated the property is near the Flamingo Terrace mobile home park. Commissioner Heaton stated the development appears to be a good use of the land. Commissioner Heaton stated there will be a large amount of dirt moved between the Storage World expansion project and the Creekside Farms development; Mr. Osborne should try to minimize the impact the dirt movement will have on the residents who live nearby and the surrounding area. Commissioner Heaton referenced the screening plan between the development and the residential property shown in the packet; screening will be provided by six-foot tall slatted, chain link fence in between the buildings on the east side of the development. Commissioner Heaton stated the City Code wasn't clear as to whether or not fencing had to be continuous and making use of the buildings for screening makes sense. Commissioner Lejonvarn asked if any other commercial development had used buildings as part of their screening plan. Engineer Collins stated this scenario is unique as there is a thirty-five (35) foot U.P.A. (a.k.a. Rural Cooperative Power Association and Great River Energy) easement on the east side of the proposed plat; no encroachments are allowed within easement so a fence cannot be placed on the property line. Commissioner Lejonvarn asked what color the buildings would be. Mr. Osborne stated they will have white walls with a black roof; the fence color will match whatever the siding color is. Chair Pogalz asked Engineer Collins to comment on the plat. Engineer Collins stated the sketch plan for the development was reviewed in April of 2020; since that time the development has been reduced to nine lots from eleven lots. Engineer Collins stated the proposed zoning of the plat is CD-2 (Commercial Development II); changing from residential to commercial zoning will require approval by a 4/5 vote of the City Council; heated storage units are permitted as a conditional use under 9-220.3c of the City Code per an email from the City Attorney dated March 4, 2021. Engineer Collins stated water is available to the heated storage units but there are limitations on what type of elements can be permitted within the structures. Mr. Osborne stated no water will be made available within the heated storage units; water will only be available in small, restroom structures, constructed separately from the heated storage units. Commissioner Lejonvarn asked Engineer Collins to comment on the 1,400-foot cul-de-sac on 167<sup>th</sup> Avenue NE. Engineer Collins stated at the time the plat of Osborne Terrace was created (1961) the existing cul-de-sac was created for future development; with the property to the south of 167<sup>th</sup> Avenue NE being undeveloped, the property to the west being residential and the property to the east being commercial it is likely more commercial development will be done in the area in the future. Engineer Collins stated the new streets align with the City's thoroughfare plan; at some point the Polk Street NE/Buchanan Street NE alignment will extend to Polk Street NE at 173<sup>rd</sup> Avenue NE; the plans also include the construction of a six-foot-wide bike lane in both directions along the north/south Buchanan Street NE and Polk Street NE connecting with the bike path that is currently on the west side of Buchanan Street NE between Constance Boulevard NE and 165<sup>th</sup> Avenue NE. Engineer Collins state he has discussed the potential for commercial truck

traffic on residential streets and how to address it with Mr. Osborne. Engineer Collins stated 36,000 cubic yards of material will be moved from the Storage World expansion project to the Creekside Farms development to build up roads and building pads. Mr. Osborne stated he felt the material could be moved from one location to the other in one to two weeks and felt there would not be any excess material. Engineer Collins stated a lot line adjustment will be done in the westerly portion of the plat for parcel C-2 (1101 165<sup>th</sup> Avenue NE) and Parcel 07-32-23-44-0001; proof of conveyance of the 1.22-acre Outlot A to the adjacent Parcel C-2 must be provided. Engineer Collins stated soil borings have been done to demonstrate there is adequate area for septic systems within the proposed development and on Parcel C-2; significant grading in the past has been done in the proposed septic areas; per an email from City Attorney Murphy dated March 23, 2020 Section 10-302F of the City Code may apply; the City Council will need to authorize a variance if all information submitted meets the requirements outlined in the City Code. Engineer Collins stated right-of-way will need to be obtained on the north side of 165<sup>th</sup> Avenue NE from parcel C-2 (1101 165<sup>th</sup> Avenue NE) as shown in the exhibit included in the packet and ten-foot drainage and utility easements must be dedicated around the perimeter of Parcels B-1, C-2 and D-1. Engineer Collins stated Letters of Map Amendment (LOMA) must be obtained from FEMA for Lot 1, Block 2, Lot 2, Block 2, Lot 3, Block 2, Lot 4, Block 3 and Lot 5, Block 3; the lots will not be eligible for building permits until the LOMA's are approved by FEMA. Engineer Collins stated a license agreement is needed for Lot 2, Block 1, due to the proposed septic system crossing the drainage and utility easement. Engineer Collins questioned why a septic area was shown on Lot 1, Block 2, when water was not going to be provided to heated storage units on that lot. Mr. Osborne stated that water was not being provided for Lot 1, Block 2, and that there was no need for a septic system. Mr. Osborne stated that the heated storage buildings will have a key to the restroom structures on Lot 1, Block 1. Engineer Collins stated the haul route for transferring material from the Storage World site to the Creekside Farms development is directly south/southwest of the proposed RV storage building on the Storage World property. Mr. Osborne stated the haul route is an existing road. Engineer Collins stated Coon Creek Watershed approval has been received and the Minnesota DNR Natural Heritage review found Blanding Turtles in the vicinity of the proposed project.

**Chair Pogalz opened the public hearing at 6:28 p.m. and asked for public comment.**

Debra Skees, 1209 167<sup>th</sup> Avenue NE, stated she lives on the parcel along 167<sup>th</sup> Avenue NE closest to the proposed new development; a property she purchased 40 years ago. Ms. Skees stated she is disquieted to learn the land that has been residential for so many years is going to be converted to commercial property. She is concerned about how the development will affect her property value, the additional traffic and the impact the dirt movement will have on her septic system. Ms. Skees asked what she will see when she looks out her kitchen window when the development is complete and what type of businesses could purchase the commercial lots. Ms. Skees stated the last time a hearing was held for an expansion on the Storage World property they were promised it would be the last expansion of Storage World. Ms. Skees stated residents were promised screening (of mature trees) would be put in place for the previous Storage World project;

the trees put in place are approximately 2' tall after three years. Ms. Skees stated she has a little distrust on this process.

Sue Savarese, 16455 Buchanan Street NE, requested a copy of the development plans. Ms. Savarese stated she was concerned about the water table if water was going to be available in each building. Ms. Savarese asked what development will be on 165<sup>th</sup> Avenue NE and how far would the street need to be extended and would it be tarred, what the weight restriction on Buchanan Street NE is for trucks, what types of businesses could operate in the development and what type of traffic would they generate, what is the long-range plan for the Polk Street NE and 173<sup>rd</sup> Avenue NE street extension and what will the next phase of development be in that area.

Cathy Pederson, 1219 167<sup>th</sup> Avenue NE, stated she has the same concerns as mentioned by Ms. Skees. Ms. Pederson asked what type of traffic is going to be coming down 167<sup>th</sup> Avenue NE. Chair Pogalz stated it would be passenger car traffic, which can include a pick-up truck pulling a trailer.

Chair Pogalz stated the types of businesses that could operate in the new development are those allowed in the CD-2 zoning district which is an extensive list. Commissioner Dixon referred the residents to the City's website to review allowed uses in the commercial zoning districts and copies of the packet, which included this information, were offered to the residents. Chair Pogalz stated 167<sup>th</sup> Avenue NE has been constructed to meet residential standards. Engineer Collins confirmed that and stated the proposed streets within the development will be constructed as 9-ton roads meeting commercial development standards; Buchanan Street NE from Constance Boulevard NE to 165<sup>th</sup> Avenue NE is currently a 9-ton road. Ms. Savarese asked how much of 165<sup>th</sup> Avenue will be paved. Engineer Collins stated that none of it would be paved. Chair Pogalz stated Ms. Skees will see the back of a building in the development when she looks out of her kitchen window to the west. Mr. Osborne stated there will be approximately 45' between Ms. Skees house and the back of the building. Chair Pogalz stated he is unable to comment on the impact the development may have on property value, the water table should not be affected by this development and he is unable to speculate as to whether or not there will be any impact to Ms. Skees septic system. Mr. Osborne stated he could move the haul route another ten feet to the north if the residents wanted him to. Chair Pogalz stated the type of development that could occur to the north in the future would only be speculation at this point. Chair Pogalz asked Commissioner Heaton to comment on tree cover in the area. Commissioner Heaton stated the trees he saw were not very big but soon they will all be removed and replaced with a fence as the area where the trees are is where the dirt will be hauled from. Ms. Skees requested to see what the fence would look like; a copy of the fence exhibit from the packet was given to her.

**Chair Pogalz closed the public hearing at 6:50 p.m.**

**Motion by Heaton, seconded by Fisher, to recommend approval of the Preliminary Plat, lot line adjustment and rezoning to CD-2 (Commercial Development II) of the plat of Creekside Farms, a 9-lot Commercial Development located in Sections 7 & 8, as presented by Jesse Osborne subject to a variance being approved for soil**



disturbance in septic areas per Article 10-302F of the City Code, dedicating ten-foot drainage and utility easements around the perimeter of Parcels B-1, C-2 and D-1, signing a license agreement for Lot 2, Block 1, due to the proposed septic system crossing the drainage and utility easement, dedicating thirty-three feet of right-of-way on the north side of 165<sup>th</sup> Avenue NE on Parcel C-2 and providing the City with proof of recording of the right-of-way over the southerly thirty-three (33) feet of Parcel C-2, obtaining FEMA Letter of Map Amendments for Lot 1, Block 2, Lot 2, Block 2, Lot 3, Block 2, Lot 4, Block 3 and Lot 5, Block 3, no building permits to be issued on lots requiring LOMA until LOMA on file with the City, providing the City with proof of recording of conveyance of 1.22 acres from Outlot A to the adjacent Parcel B-1 for the lot line adjustment, meeting all the conditions of the City Engineer and meeting at State, City and County requirements. All in favor, motion carried. *This item will be placed on the August 16, 2021 City Council Agenda.*

**NEW BUSINESS:** None

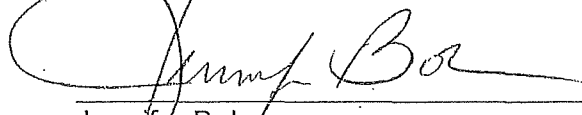
**COMMISSION BUSINESS:**

City Council Update

Chair Pogalz attended the August 2, 2021 City Council meeting. Chair Pogalz stated the City Council had some conversation with the property owner about activity at the location and previous complaints. Chair Pogalz stated everyone agreed that progress is being made with work yet to be done; the Conditional Use Permit recommendation made by the Planning Commission was approved. Commissioner Dixson will attend the August 16, 2021 City Council meeting.

**ADJOURNMENT:**

**Motion by Heaton, seconded by Fisher, to adjourn the Planning Commission meeting at 6:55 p.m. All in favor, motion carried.**



Jennifer Bohr  
Building and Zoning Clerk

## Excerpt for Article 9 of the Ham Lake City Code

...

**9-220 Mercantile Districts** The land uses described in Article 9-220 are intended to be applicable to developments which utilize subsurface sewage treatment systems (SSTS), and to developments which use approved combined sewage treatment systems. All building permits and Certificates of Occupancy in the Mercantile Districts shall require the review and approval of the City Council, after review and recommendation by the Planning Commission, excepting building permits and/or certificates of occupancy being issued for an alteration to an existing structure under circumstances in which the land use will be unchanged, and in which the alteration will not materially affect parking requirements, stormwater runoff, traffic, sewage treatment needs or aesthetics.

### **9-220.1 Standards Common to All Mercantile Districts**

The following standards shall apply to all of the mercantile districts as listed in Article 9-220.

- a) **Paving** All parking lots, drives and surfaces upon which the general public and employees shall have access shall be paved according to specifications to be established by the city's engineer;
- b) **Drainage** Surface water drainage and ponding needs shall be implemented in the manner directed by the city's engineer;
- c) **Landscaping** Landscaping shall be implemented in the manner provided in Article 11-1800;
- d) **Setbacks for Paved Areas** There shall be a ten-foot setback between any lot line and the back of curb of any parking lot or driveway, and a six-foot setback between the back of curb of any parking lot and any building;
- e) **Buffering** When any mercantile land use is located adjacent to a residential area, it shall be screened by opaque fencing, vegetation, or both;

...

# Excerpt for Article 11 of the Ham Lake City Code

...

## 11-200 FENCES AND HEDGES

### 11-210 Definitions

For the purposes of this Code, the following terms shall have the meanings herein stated:

- A. **Fence.** Any structure which is 36 inches or more in height, and a length of 6 feet or more, which is composed on non-living materials which cover the entire area bounded by said height and length criteria;
- B. **Hedge.** Any grouping of vegetation which creates a visual barrier of a substantially opaque nature for a length of 6 feet or more and for a height of from ground level to 36 inches above ground level;
- C. **Front Yard.** The area between the public street right-of-way line and the minimum required building setback line, as measured along any side of a lot. Lakeshore properties shall be considered on both lakeside and roadside to be front yards.
- D. **Side Yard.** The area between the front yard and back yard of any lot;
- E. **Back Yard.** The area lying to the rear of the rear building line of the principal structure on any lot;
- F. **Principal Structure.** In the case of property used wholly or partially for residential purposes, the principal structure shall be the structure housing any dwelling unit. In all other cases, the principal structure shall be the structure located closest to any adjacent street, or, in the case of more than one building equidistant from such street, the building containing the greater square footage shall be deemed the principal structure.

### 11-220 Height

Fences and hedges shall not exceed the following heights unless a variance from this ordinance is granted by the City Council.

#### 11-220.1 Varied Height Requirements

The above fence height requirements may be varied by resolution of the City Council, where the following conditions are met:

- a) The fence will not present any public safety problems;
- b) The height requested will not deprive adjoining properties of air, light, or ventilation, sight lines or create aesthetic problems.

Zoning Classification	Front Yard	Side yard	Back Yard
R-1, R-2, RS-1, RS-2, ML-PUD, PUD	4 feet	6 feet	6 feet
R-A, C-A	4 feet	6 feet	6 feet

<b>CD-1-2-3 &amp; 4, B-1, B-2</b> <b>I-1, I-2</b>	<ul style="list-style-type: none"> <li>• 6-12 feet</li> <li>• 6-12 feet</li> </ul>	<ul style="list-style-type: none"> <li>• 6-12 feet</li> <li>• 6-12 feet</li> </ul>	<ul style="list-style-type: none"> <li>• 6-12 feet</li> <li>• 6- 12 feet</li> </ul>
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- Height marked with an asterisk may be increased by two feet to accommodate a barbed wire security arm top.

**11-230 Permit Required.** No person, firm, or corporation shall hereafter construct or erect or cause to be constructed or erected within any Commercial or Industrial Zoning District any fence which is intended to be a permanent structure on the premises, without first securing a building permit.

**11-240 Construction and Maintenance of Fences Generally.** Every fence shall be constructed in a substantial, workmanlike manner and of substantial material reasonably suited for the purpose for which the fence is proposed to be used. Fences shall be constructed so that their more attractive side faces neighboring property. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private. Any such fence which is, or has become dangerous to the public safety, health or welfare, is a public nuisance and the Ham Lake Building Inspector shall commence proper proceedings for the abatement thereof. Link fences, wherever permitted, shall be constructed in such a manner that no barbed ends shall be at the top except in Industrial and Commercial Districts. Electric and barbed wire fences shall be permitted only on agriculturally zoned property (R-A), and shall be permitted only when necessary to further so bona fide agricultural purpose.

...

**11-260 Commercial and Industrial Fences**

Fences in all Commercial and Industrial Zoning shall not be less than 6 (six) feet and not exceed twelve (12) feet in height and may be increased to accommodate a barbed wire security arm top except that:

- (1) Special Purpose Fences. Fences for special purposes and fences differing in construction, height or length may be permitted in any district in the City of Ham Lake with approval by the Planning and Zoning Commission and City Council. Findings shall be made that the fence is necessary to protect, buffer or improve the premises for which the fence is intended.
- (2) Metal panel and chain link fencing are not appropriate in Commercial Development Tier 1 (CD-1) zoning. Fencing is not appropriate in front yard area facing Highway 65.

...

## **11-1800 LANDSCAPING IN COMMERCIAL ZONED AREAS**

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

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

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

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

### **11-1840 Contents and Specifications**

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

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

## **11-1850 MINIMUM LANDSCAPING REQUIREMENTS**

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

**11-1852 Ground Cover** On any side of a lot which abuts a public road, the area from the road right-of-way to the nearest building side shall be entirely covered

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

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

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

**A.** Where property lines are adjacent to residential areas, a planting screen of conifers shall be required, of sufficient size and proximity to provide an intermingled screen within five years;

**B.** Decorative trees shall be planted along the right of way lines of adjacent public roadways;

**B.** The use of conifers shall be encouraged and preferred.

**C.** Whenever possible, an attempt will be made to preserve stands of existing vegetation, particularly treed or wooded areas.

#### **11-1860 Case by Case Evaluation**

Recognizing that the City contains a wide variety of commercial land, the landscape approval process shall be on a case by case basis. Where wetlands are present, or where large distances separate a commercial lot from adjacent lands, for example, strict adherence to screening requirements may be unnecessary. Likewise, strict adherence to the remaining provisions of Article 11-1800 may be unnecessary where size, spatial relationships, topography or other physical features render a given landscaping plan aesthetically acceptable, and departures from the strict observance of the elements of Article 11-1800 shall not be considered variances requiring a showing of physical hardship. Conversely, an applicant shall be expected to meet the general spirit of this article in establishing an aesthetically pleasing landscaping plan.

# Memorandum

Date: October 11, 2023  
To: Mayor and Councilmembers  
From: Scott Baumgartner, City Attorney  
Subject: Circle K / Holiday Station Store

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## **Introduction:**

The new 7,108 square foot building, that included a 1,458 square foot car wash, is located on the 6.52-acre Commercial Development Tier 1 (CD-1) Lot 1, Block 1 of the plat of Holiday Store Ham Lake located at 1442 Crosstown Boulevard NE (CSAH 18) was substantially completed in April of 2022.

## **Discussion:**

A Temporary Certificate of Occupancy permit was issued to the Holiday Station Store on April 15, 2022. A Letter of Credit was supplied by the construction company Shingobee to ensure work is properly completed. The letter of credit only covers the Holiday Station improvements and not the improvements in the development agreement associated with the preliminary plat submitted to the City for the entire lot. The Final Certificate of Occupancy has not been issued. Per the Temporary Certificate of Occupancy, there are 15 items to be resolved.

Circle K / Holiday Stores have not yet signed the development agreement for the overall plat with the City to perform work to City Standards. The final plat has not been filed with the County. There is one item remaining to be completed at the southern entrance of the Holiday Station Store as shown on the approved plans. The City has sent punch lists requesting remedy by installing a valley gutter to allow water to flow to the north into the catch basin on the north side of the driveway. This work has not been completed. An agreement to provide easements required for the roadway and future development has also not been agreed to. Baltimore Street from Crosstown Boulevard to 151 feet south was vacated on July 19, 2021. As it is now, Chisholm Street is private property and not the City's responsibility.

## **Recommendation:**

It is recommended the council authorize the city attorney to act on the letter of credit if necessary.

City of Ham Lake

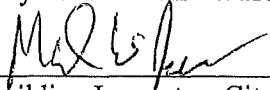
TEMPORARY CERTIFICATE OF OCCUPANCY

**Building Address:** 1442 Crosstown Blvd NE  
**PIN:** 05-32-23-43-0012  
**Legal Description:** HOLIDAY STATION STORE HAM LAKE

**Permit No:** 2021-01563  
**Work Activity:** NEW CONSTRUCTION  
**Construction Type:** VB  
**Occupancy:** M/B  
**Occupant Load:** 66  
**Fire Sprinkler:** NONE

**Owner Name:** HOLIDAY STATION STORES INC  
**Owner Address:** 44567 AMERICAN BLVD WEST  
**City, State, Zip:** MINNEAPOLIS, MN 55437

City of Ham Lake Wastewater Treatment and Dispersal Operating Permit required

  
\_\_\_\_\_  
Building Inspector, City of Ham Lake

4/15/2022  
\_\_\_\_\_  
Date

**Comments:**

THIS TEMPORARY CERTIFICATE OF OCCUPANCY WILL EXPIRE ON AUGUST 1, 2022 AND WILL NOT BE VALID AFTER THAT DATE.

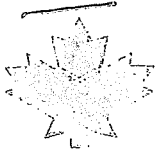
The building permit was issued under the 2020 edition of the Minnesota IBC. The entire structure has been inspected for compliance with the requirement of the code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.

A CERTIFICATE OF OCCUPANCY WILL BE ISSUED UPON COMPLETION OF THE FOLLOWING ITEMS:

1. Hood for ovens if required by state code
2. Canopy finished and all signage for emergency shoot off (IFC 2303.2 and 2303.3.1), and Warning signs (IFC 2305.6) posted, this needs to be done *AS SOON AS POSSIBLE*
3. Containment for dumpsters finished
4. All built on site shelving posted load limits
5. Septic system completed and finalized by Fred Weck
6. All spillways, rain guardians, stormwater ponds, and drains inspected and approved by the City Engineer.



7. Infiltration basin tested and pass by CCWD
8. Final lift of bituminous pavement and striping
9. No parking signs posted as required
10. Anoka County Highway Department inspection and findings provided to the City Engineer, and any correction completed
11. Final grade, landscaping per approved and turf established in the areas disturbed during construction completed.
12. Sidewalks, pedestrian ramps and truncated domes completed
13. All stockpile removed
14. As required by Ham Lake Fire Chief requirements of IFC 2304.3.5 and 2304.3.6 need to be completed.
15. All money owed to city paid for.



# Bank of Maple Plain

**IRREVOCABLE LETTER OF CREDIT NO. 241 DATED 14<sup>TH</sup> OF APRIL 2022 REVISED 18<sup>TH</sup> OF OCTOBER 2022**

October 18<sup>th</sup> 2022

The City of Ham Lake  
15544 Central Avenue Northeast  
Ham Lake, Minnesota 55304

Attention: City Clerk:

We hereby authorize you to draw on us from time to time in an aggregate total amount of \$180,198.75 for the account of Shingobee Builders, Inc. pursuant to all obligations of the Contractor under that Temporary Certificate of Occupancy Agreement with the City of Ham Lake dated April 14<sup>th</sup> 2022, concerning the project known as Holiday Station Stores project.

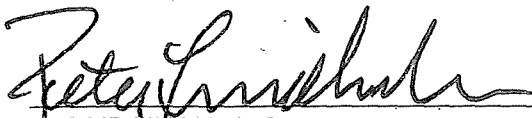
All drafts drawn under this Letter of Credit will be honored if accompanied by a certified copy of a resolution of the City Council of the City of Ham Lake, Minnesota, stating the conditions of default of the Developer, and stating the amount demanded under this Letter of Credit.

This Letter of Credit is irrevocable and we hereby agree that each draft will be honored if received by presentation of the above-mentioned document at our banking house in 4980 Highway 12, Maple Plain, MN 55359 not later than 4:00 pm on November 1<sup>st</sup> 2023.

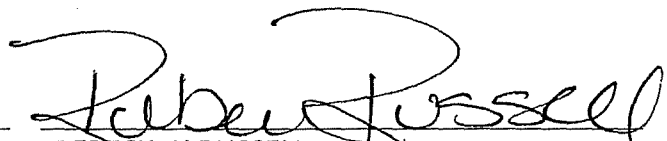
This Letter of Credit is not assignable. This is not a Notation Letter of Credit. More than one draw may be made under this Letter of Credit.

This credit is subject to the "Uniform customs and Practice for Documentary Credit" (1993 Revision) International chamber of commerce Publication No. 500, as most recently published by the International Chamber of Commerce.

We hereby agree that a draft drawn under and in compliance with this Letter of Credit shall be duly honored upon presentation.

  
PETER LINDHOLM

ITS: PRESIDENT

  
REBEKAH RUSSELL

ITS: CHIEF OPERATING OFFICER

## Denise Webster

---

**From:** Bill Jacobson <Bill.Jacobson@anokacountymn.gov>  
**Sent:** Friday, October 6, 2023 1:28 PM  
**To:** Denise Webster  
**Cc:** Paul Lenzmeier  
**Subject:** Follow Up to Budget Workshop  
**Attachments:** 2024 - Ham Lake, 36 Hours.pdf

You don't often get email from bill.jacobson@anokacountymn.gov. [Learn why this is important](#)

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

Good Afternoon –

Here are some answers to the questions raised at the budget workshop session:

1. Where are we seeing other large cost increases if the \$5/hour wage increase only accounts for approximately \$102,000?
  - a. Many of the other fixed costs are based on the deputy wage, so when wages go up, so do these costs
    - i. PERA (retirement fund)
      1. 17.7% of wages (increase of \$21,742 for 2024)
      2. Required by state law
    - ii. Administrative costs
      1. 10% of personnel costs (increase of \$19,696 for 2024)
      2. Administrative costs pay for support of deputies assigned to Ham Lake
        - a. countywide community service officer
        - b. human resources
        - c. public safety data systems, CAD
        - d. 24/7 supervisors
        - e. command staff support
        - f. assigned city liaison
        - g. crime prevention
        - h. accounting
        - i. record technicians
        - j. attorney support
        - k. IT support
        - l. misc. other services
    - iii. Vehicle Costs
      1. Our costs to purchase and equip squad cars has increased drastically (increase of \$25,806 for 2024)
      2. This includes the cost of the vehicle as well as:
        - a. graphics
        - b. insurance
        - c. cell phone
        - d. preventative maintenance
        - e. fuel
        - f. unplanned repairs
        - g. cameras systems (in car and body camera)
        - h. emergency replacement of crashed or damaged squads

i. emergency lights, siren, etc.

2. Where can we cut costs?

a. Vehicles

i. Currently replaced at .83 squads per year

1. This was reduced from 1.5 squads per year in 2022 to save costs for the city

2. Additional extensions on the squad rotation could result in higher maintenance costs

ii. Many of the vehicle costs are fixed costs that cannot be reduced

b. Patrol coverage

i. Current patrol coverage is 36 hours per day

ii. Coverage has remained steady at 36 hours since it was reduced from 40 hours a day in 2011

iii. Since then, calls for service have increased 39% in Ham Lake

1. Calls for service have increased from 6,353 (2011) to 8,862 (2022)

iv. Additional cuts in patrol coverage are not feasible given the call load

c. Investigator coverage

i. Investigator coverage was added in mid-year 2022

ii. Removal of the investigator would have Ham Lake share an investigator with other cities

iii. Total savings to remove the investigator and investigator vehicle would be \$189,288

iv. See attached updated quote w/o investigator coverage

1. This would nullify most of the proposed contract increase for 2024

3. What are the detailed stats on investigator coverage?

a. Ham Lake had a dedicated investigator assigned on July 1<sup>st</sup>, 2022

b. Prior to that, Ham Lake shared an investigator with other cities

c. I compared one year of records with the dedicated investigator and the year prior with a shared investigator

i. July 1<sup>st</sup> 2021 – June 31<sup>st</sup> 2022 (shared investigator)

1. Total cases: 88

2. Cases cleared with criminal charges: 32

a. Cases referred w/charging consideration pending: 1

3. Cases with charges declined: 2

4. Cases exceptionally cleared: 8

5. Cases still active: 2

6. Cases with unknown/undermined disposition: 2

7. Cases referred to other agency: 2

8. Total clearance rate: 48.8%

9. Clearance rate w/still active cases excluded: 50%

ii. July 1<sup>st</sup>, 2022 – June 31<sup>st</sup>, 2023 (dedicated investigator)

1. Total cases: 94

2. Cases cleared with criminal charges: 35

a. Cases referred w/charging consideration pending: 6

3. Cases with charges declined: 1

4. Cases exceptionally cleared: 8

5. Cases still active: 12

6. Cases with unknown/undermined disposition: 1

7. Cases referred to other agency: 0

8. Total clearance rate: 52.1%

9. Clearance rate w/still active cases excluded: 59.7%

Just as an FYI, nationally in 2019, 45.5 percent of violent crimes and 17.2 percent of property crimes were cleared by arrest or exceptional means (FBI Uniform Crime Report, 2019). The cases handled by the Ham Lake investigator are a mix of property crimes and low-level person crimes. Serious violent felony cases are handled by the ACSO Criminal

Investigations Division (CID). This is a service that Ham Lake receives whether they have a dedicated investigator or not and those cases are not included above. As you can see, there was about 10% improvement in clearance rate when Ham Lake moved to a dedicated investigator. The Ham Lake cases assigned remained fairly steady over both sample years, but what changes is how much time a dedicated investigator has to work on them because (s)he is not being assigned cases from other cities above and beyond the Ham Lake cases. Just by the nature of the cases being newer, there are more active cases from the most recent sample year, which has an effect on measuring the clearance rate.

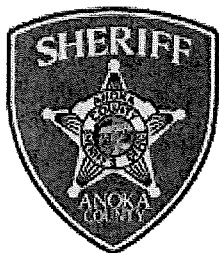
Obviously, Ham Lake and ACSO have had a long-standing partnership that we feel has been very successful. While we are open to creative solutions to the cost increases, wage increases for law enforcement have been the driving factor. There are currently 177 police officer jobs posted on the state's website and I would expect that number to remain very high for all of the reasons that the Sheriff spoke about at our meeting. Although costs have been increasing, I believe that ACSO continues to provide quality service at a fair price, especially when compared to the expenses incurred by cities with their own police department to manage.

Please reach out if you have additional questions that I can try to answer.

Thanks,

**Bill Jacobson #333**

Chief Deputy



**Anoka County Sheriff's Office**

Direct: 763-324-5002

[bill.jacobson@anokacountymn.gov](mailto:bill.jacobson@anokacountymn.gov)

13301 Hanson Blvd NW

Andover, MN 55304

*"To protect and serve the community in a manner  
that preserves the public trust."*

NOTICE: Unless restricted by law, email correspondence to and from Anoka County government offices may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.

**Ham Lake****36 Hour Coverage**

January 2024 - December 2024

365 DAYS/YEAR

Attachment A

**I. PERSONNEL**

<b>A. Sworn Deputy Sheriff</b>		
1.)	7.60 Deputies at \$8,824 /month	804,785
2.)	Patrol Investigator	0
4.)	7 Overtime (Average hours/month per Deputy)	48,751
<b>B. Non-Sworn C.S.O.</b>		
<b>C. Benefits for Sworn and Non-Sworn Personnel</b>		
	P.E.R.A. (Sworn)	151,076
	P.E.R.A. (Non-Sworn)	0
	FICA	0
	Medicare	12,376
	Severance Allowance	21,729
	Unemployment Compensation	1,280
	Life Insurance	340
	Health Insurance	110,375
	Dental Insurance	4,036
	Long Term Disability Insurance	1,195
	Worker's Compensation	8,023
	Uniforms	9,120
	<i>Total Benefits</i>	<b>319,551</b>
<b>TOTAL PERSONNEL COSTS</b>		<b>\$1,173,087</b>

**II. VEHICLE**

<b>A. Police Equipped Vehicles</b>		
	0.83 Squads (1- replaced every other yr)	41,500
<b>B. Investigator Vehicle</b>		
	0 Squads (1- replaced every 5 yrs)	0
<b>C. Maintenance Costs</b>		
1.)	Vehicle	48,750
2.)	Emergency & Communications Equipment & replc/maint fees	36,501
3.)	Emergency Vehicle Equipment replc. Fee	2,000
4.)	Insurance	6,600
5.)	Cellular Telephone	3,648
	<i>Total Maintenance Costs</i>	<b>97,499</b>
<b>TOTAL VEHICLE COSTS</b>		<b>\$138,999</b>

**III. Administrative Costs**

<b>A. PSDS &amp; APS Maintenance costs</b>		10,499
<b>B. Administrative, Clerical,+ computer and line charges, Etc.</b>		121,109
<i>Total Administrative Costs</i>		<b>\$131,608</b>

**IV. TOTAL COST TO CONTRACTING MUNICIPALITY**

		<b>\$1,443,694</b>
	*Less Amount Received From State for Police State Aid	50,920
<b>NET COST TO CONTRACTING MUNICIPALITY</b>		<b>\$1,392,774</b>

\*This figure is determined by the State and is subject to fluctuation.

The latest estimate is \$6700 per Deputy. Revenue received is for previous year Deputy hours hired prior to August 1

**Ham Lake**

January 2024 - December 2024

**36 Hour Coverage**

**1/2 Patrol Investigator**

365 DAYS/YEAR

Attachment A

**I. PERSONNEL**

<b>A. Sworn Deputy Sheriff</b>		
1.)	7.60 Deputies at \$8,824 /month	804,785
2.)	0.50 Patrol Investigator	53,661
4.)	7 Overtime (Average hours/month per Deputy)	48,751
<b>B. Non-Sworn C.S.O.</b>		
<b>C. Benefits for Sworn and Non-Sworn Personnel</b>		
	P.E.R.A. (Sworn)	160,574
	P.E.R.A. (Non-Sworn)	0
	FICA	0
	Medicare	13,154
	Severance Allowance	23,178
	Unemployment Compensation	1,361
	Life Insurance	340
	Health Insurance	117,636
	Dental Insurance	4,301
	Long Term Disability Insurance	1,270
	Worker's Compensation	8,528
	Uniforms	9,202
	<i>Total Benefits</i>	339,544
<b>TOTAL PERSONNEL COSTS</b>		<b>\$1,246,742</b>

**II. VEHICLE**

<b>A. Police Equipped Vehicles</b>	0.83 Squads	(1- replaced every other yr)	41,500
<b>B. Investigator Vehicle</b>	0.5 Squads	(1- replaced every 5 yrs)	3,805
<b>C. Maintenance Costs</b>			
1.)	Vehicle		50,700
2.)	Emergency & Communications Equipment & replc/maint fees		38,540
3.)	Emergency Vehicle Equipment replc. Fee		2,000
4.)	Insurance		8,250
5.)	Cellular Telephone		3,888
	<i>Total Maintenance Costs</i>		103,378
<b>TOTAL VEHICLE COSTS</b>			<b>\$148,683</b>

**III. Administrative Costs**

<b>A. PSDS &amp; APS Maintenance costs</b>	10,499
<b>B. Administrative, Clerical, + computer and line charges, Etc.</b>	130,374
<i>Total Administrative Costs</i>	<b>\$140,874</b>

**IV. TOTAL COST TO CONTRACTING MUNICIPALITY**

	<b>\$1,536,299</b>
*Less Amount Received From State for Police State Aid	54,270
<b>NET COST TO CONTRACTING MUNICIPALITY</b>	<b>\$1,482,029</b>

\*This figure is determined by the State and is subject to fluctuation.

The latest estimate is \$6700 per Deputy. Revenue received is for previous year Deputy hours hired prior to August 1

2024

## Ham Lake

January 2024 - December 2024

## 36 Hour Coverage

1.0 Patrol Investigator

## Attachment A

365 DAYS/YEAR

**I. PERSONNEL**

<b>A. Sworn Deputy Sheriff</b>		
1.)	7.60 Deputies at \$8,824 /month	804,785
2.)	1.00 Patrol Investigator	107,323
4.)	7 Overtime (Average hours/month per Deputy)	48,751
<b>B. Non-Sworn C.S.O.</b>		
<b>C. Benefits for Sworn and Non-Sworn Personnel</b>		
	P.E.R.A. (Sworn)	170,072
	P.E.R.A. (Non-Sworn)	0
	FICA	0
	Medicare	13,932
	Severance Allowance	24,627
	Unemployment Compensation	1,441
	Life Insurance	340
	Health Insurance	124,898
	Dental Insurance	4,567
	Long Term Disability Insurance	1,345
	Worker's Compensation	9,032
	Uniforms	9,445
	<i>Total Benefits</i>	<i>359,700</i>
<b>TOTAL PERSONNEL COSTS</b>		<b>\$1,320,559</b>

**II. VEHICLE**

<b>A. Police Equipped Vehicles</b>	0.83 Squads (1- replaced every other yr)	41,500
<b>B. Investigator Vehicle</b>	1 Squads (1- replaced every 5 yrs)	7,610
<b>C. Maintenance Costs</b>		
1.)	Vehicle	56,550
2.)	Emergency & Communications Equipment & replc/maint fees	40,579
3.)	Emergency Vehicle Equipment replc. Fee	2,000
4.)	Insurance	9,900
5.)	Cellular Telephone	4,128
	<i>Total Maintenance Costs</i>	<i>113,157</i>

**TOTAL VEHICLE COSTS****\$162,267****III. Administrative Costs**

<b>A. PSDS &amp; APS Maintenance costs</b>	10,499
<b>B. Administrative, Clerical, + computer and line charges, Etc.</b>	139,656
<i>Total Administrative Costs</i>	<i>\$150,155</i>

**IV. TOTAL COST TO CONTRACTING MUNICIPALITY****\$1,632,982**

\*Less Amount Received From State for Police State Aid

57,620

**NET COST TO CONTRACTING MUNICIPALITY****\$1,575,362**

\*This figure is determined by the State and is subject to fluctuation.

The latest estimate is \$6700 per Deputy. Revenue received is for previous year Deputy hours hired prior to August 1