

**CITY OF HAM LAKE  
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES  
MONDAY, JULY 20, 2020**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, July 20, 2020 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 Brian Kirkham and Gary Kirkeide

**MEMBERS ABSENT:** Councilmembers Jim Doyle and Tom Johnson

**OTHERS PRESENT:** City Attorney, Joe Murphy; City Engineer, Tom Collins; City Administrator, Denise Webster; and Deputy 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**

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

Lt. Schuldt gave a summary of the Sheriff's report for the month of June. Lt. Schuldt stated that "Nite to Unite" has been rescheduled from August 4, 2020 to October 6, 2020. Mayor Van Kirk stated that the Law Enforcement Committee met and the Anoka County Sheriff's Department contract cost is going up only 1% in 2021.

**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 July 6, 2020

4.2 Approval of claims in the amount of \$1,024,565.11

4.3 Approval of Ordinance No. 20-07 regarding Article 10-430 (E) Driveways

4.4 Approval of Ordinance No. 20-08 regarding Article 6-813 Parking Surfaces

4.5 Approval of Resolution No. 20-17 to schedule a public hearing to vacate a portion of the drainage and utility easement on Lot 2, Block 1, Kulzer Woodland Addition (3717 143<sup>rd</sup> Lane NE)

4.6 Approval of Resolution No. 20-18 for Jim Adams, Building Official on his retirement after 26 years of service to the City of Ham Lake

- 4.7 Approval of Resolution No. 20-19 accepting the low bid for the reconstruction of the streets within Twin Birch Acres
- 4.8 Approval of a New Tobacco License for Ham Lake Tobacco at 1444 147<sup>th</sup> Avenue NE, Suite 450
- 4.9 Approval of accepting the 2020 bituminous overlay project and commencing the one-year warranty period
- 4.10 Approval of the First Reading of an Ordinance regarding Article 10-430 Physical Standards (I) Lot Standards

**Motion by Kirkeide, seconded by Kirkham, to approve the July 20, 2020 Consent Agenda as presented. All present in favor, motion carried.**

#### **5.0 PLANNING COMMISSION RECOMMENDATIONS**

- 5.1 Nicholas Krause requesting a Conditional Use Permit to operate TN Automotive at 13408 Highway 65 NE

**Motion by Kirkham, seconded by Kirkeide, to concur with the recommendation of the Planning Commission and approve the application, as presented, by Nicholas Kraus, requesting a Conditional Use Permit to operate TN Automotive at 13408 Highway 65 NE, subject to the following conditions: (1) No motor vehicle sales (2) Allocating a total of seven parking spaces; three in front of the suite the business is renting (#112) for customer parking during business hours only and four in the fenced area as presented on the site plan (3) All parking to be on hard surface in designated areas as shown on the site plan (4) A maximum of three employees (5) No outside storage of liquids, tires, parts, etc. (6) All repairs to be done inside the building (repairs include general auto maintenance and mechanical work such as replacing brakes, headlights and bulbs; all fluids to be contained and disposed of according to County and State requirements (7) No painting at this location (8) Hours of operation to be 7:00 a.m. to 7:00 p.m., Monday through Saturday and 9:00 a.m. to 2:00 p.m. on Sunday (9) Security Lighting required (10) Maintain an open fire lane on the north side of the building (11) Meeting all City, State and County requirements. All present in favor, motion carried.**

- 5.2 Consideration of amendments to Article 9 of the Ham Lake City Code – This is considered the First Reading of an Ordinance

Attorney Murphy stated that the Planning Commission held a public hearing on July 13, 2020 to consider amendments to Article 9 that included adding Landscaping Businesses as a Conditional Use in CD-1, Commercial Development Tier 1 zoning, update the terminology referencing sewage treatment systems and manufactured homes, defining Truck Terminals and to correct or update spelling or punctuation errors and inaccurate references to city code or state statute provisions. **This is considered the First Reading of an Ordinance to amend Article 9 of the Ham Lake City Code.**

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

**7.0 ECONOMIC DEVELOPMENT AUTHORITY – None**

**8.0 APPEARANCES - None**

**9.0 CITY ATTORNEY - None**

**10.0 CITY ENGINEER – None**

11.0 **CITY ADMINISTRATOR** - None

**12.0 COUNCIL BUSINESS**

12.1 Committee Reports – None

12.2 Discussion of Article 11-270 – Inground Swimming Pools – fencing

Attorney Murphy researched the League of Minnesota Cities and found the do not have a model ordinance regarding swimming pool safety barriers. Attorney Murphy stated that many states leave the installation of swimming pool barriers or fencing requirements to local cities or counties. Attorney Murphy stated that he found that the State of Indiana does allow a pool cover to substitute as a safety barrier. Councilmember Kirkeide stated that the City of Blaine does require a pool to be fenced. Building and Zoning Official, Mark Jones stated that in the past the fencing of pools was addressed by the State Building Code and self-closing gates were also a requirement. Attorney Murphy stated that he would obtain other ordinances for review to upgrade the ordinance regarding pool fencing to ensure safety. **It was the consensus of the City Council to place this item on the next City Council agenda.**

12.3 Discussion of Community Emergency Response Teams (CERT)

Mayor Van Kirk stated that he would like to start talking with neighborhood watch groups and obtain a list of residents who can provide labor, medical help, or equipment to assist in an emergency. Mayor Van Kirk stated that the residents would first meet their family's concerns, then their neighbors and then check in to help in assisting the Community Emergency Response Teams (CERT). Mayor Van Kirk stated that the CERT group would also offer security for neighborhoods along with helping others. Mayor Van Kirk stated that he would write an article for the Ham Laker to reach out to residents. Mayor Van Kirk stated that the Fire Chief and firefighters would also assist in the CERT. Group leaders would be assigned and training would be provided. Mayor Van Kirk stated that pseudo-events would also be held to offer hands-on experience to CERT members. Mayor Van Kirk asked that this item be placed on the next City Council agenda.

12.4 Announcements and future agenda items - None

**Motion by Kirkeide, seconded by Kirkham, to adjourn the meeting at 6:27 p.m. All present in favor, motion carried.**

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Dawnette Shimek, Deputy City Clerk