

**CITY OF HAM LAKE  
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY AGENDA  
MONDAY, MARCH 4, 2019**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, March 4, 2019 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 Jim Doyle, Tom Johnson and Brian Kirkham

MEMBERS ABSENT: Councilmember Gary Kirkeide

OTHERS PRESENT: City Attorney, Joe Murphy; Fire Chief, Don Krueger; 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**

Christine Dahlman, 17540 Highway 65 NE, Ham Lake, Minnesota - Ms. Dahlman described and presented documents regarding Gratitude Farms failure to comply with conditions required by the State and the City of East Bethel. **It was the consensus of the City Council to keep the current animal control contract with Gratitude Farms.**

Ashley Wellman, 336 Laurel Road, East Bethel, Minnesota - Ms. Wellman stated that she wanted the City Council to understand that her dog “Duke” had been picked up by Gratitude Farms and clarified that she did not surrender her dog to Gratitude Farms; Tammy Gimpl stated that the dog had been surrendered to a reputable rescue, but rather Tammy Gimpl surrendered the dog to herself. Ms. Wellman stated that she tried various times to contact Gratitude Farms and was told that she had five days to pick-up the dog. Ms. Wellman stated that a matter of \$20 prevented her from getting the dog back on the first day. Ms. Wellman stated that there is low income housing being constructed in East Bethel and these people are going to have pets; it is her opinion that just because of money constraints or people falling financially upon hard times, they should still be able to enjoy pets.

**It was the consensus of the City Council to keep the current animal control contract with Gratitude Farms.**

**3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS**

3.1 Shana Schmitz, Executive Director – Ham Lake Area Chamber of Commerce Monthly Report  
Shana Schmitz had notified city staff stating she was unable to attend the meeting.

#### **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 February 19, 2019

4.2 Approval of claims

4.3 Approval of an Ordinance amending Article 5 of the Public Dog Kennel, Section 5-136 b. regarding noise control

4.4 Approval of the resignation of Temporary Public Works Maintenance Worker Rebecca Snyder effective March 8, 2019

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

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

5.1 Diverse Co., LLC requesting Commercial Site Plan approval to construct and operate an office and warehouse facility at 17121 Lincoln Street NE (Lot 2, Block 2, Landborg Industrial Park)

**Motion by Van Kirk, seconded by Kirkham, to concur with the Planning Commission and approve the Commercial Site Plan for Diverse Co., LLC to construct and operate an office and warehouse facility at 17121 Lincoln Street NE (Lot 2, Block 2, Landborg Industrial Park), subject to meeting the requirements of the City Engineer, meeting all CCWD requirements, release of the Northwestern Bell Telephone easement, planting trees and installing slats in the chain link fence along the southern border of the lot, and meeting all City, State and County requirements. All present in favor, motion carried.**

#### **6.0 PARK AND TREE COMMISSION RECOMMENDATIONS**

6.1 2019 Park Projects – Archery Park and liability to the City; Dog Park and Liability to the City; and request for playground equipment costs

Mayor Van Kirk stated that the Public Works Department is working on park needs. Park and Tree Commissioner, Al Stauffacher, was present before the City Council and stated that the Park and Tree Commission is asking the Council to look at liability issues for an Archery Park and Dog Park. Mayor Van Kirk stated they are looking into more of an open air park that you can bring a dog to. Mayor Van Kirk stated that there is an archery park by the Anoka County Sheriff's Station and maybe the City could obtain some information from them. Mayor Van Kirk is interested in options for recreation areas to be integrated into parks rather than just playground equipment. Commissioner Stauffacher asked for a price catalog from vendors on playground equipment. They would also like an article in the Ham Laker requesting resident's input of their parks need upgrades or what they are looking for in their parks or if they prefer open space. The City Council concurred with the Park & Tree Commission and directed Attorney Murphy to obtain information regarding liability for both archery and dog parks. Commissioner Stauffacher thanked Interim Street and Park Supervisor John Witkowski and City Staff for their work on the Snowbowl.

**7.0 ECONOMIC DEVELOPMENT AUTHORITY – None**

**8.0 APPEARANCES – None**

**9.0 CITY ATTORNEY - None**

**10.0 CITY ENGINEER**

**10.1 Discussion of Future Land Use**

City Engineer Collins summarized the proposed revisions to future land use per the discussion at the February 19, 2019 City Council Meeting. The City Council concurred with the proposed revisions.

**11.0 FIRE CHIEF – None**

**12.0 COUNCIL BUSINESS**

**12.1 Committee Reports – None**

**12.2 Discussion about Airbnb’s and short-term rentals**

Jenna and Kerry Eldstrom, 17801 Dunkirk Street NE and Kevin and Julie Peterson, 17746 Dunkirk Street NE, were present before the City Council to discuss an Airbnb that has been operating in their neighborhood. Ms. Eldstrom stated that the Airbnb has been operating in their neighborhood since December 2017. Ms. Eldstrom stated that the Internal Revenue Service defines this as a business and they charge \$500 to \$1000 per night. Ms. Eldstrom stated that the neighborhood has safety concerns with random strangers, noise and cars parked on the cul-de-sac. The house is frequently rented for parties and the owner has it set-up with alcohol and other amenities for the renters. Typically, the homeowners are not onsite. Ms. Eldstrom stated that these rentals interfere with the neighborhood family’s enjoyment of their own properties. In the past the City Council had directed them to contact the Sheriff’s Department when they had a noise or nuisance complaint. They have tried talking to the homeowner about their concerns and the disturbances from the property. The property is listed as offering rental of one to eight rooms, all of the house or a portion of the house. The property owner has all sorts of policies in place, and even states “no parties”, and these policies are not followed. Ms. Eldstrom stated that they cannot take it anymore, as the noise is bad enough, but they can’t even be outside with their kids because of the noise and offensive language. Ms. Eldstrom stated they are just trying to help the City Council understand the situation. Councilmember Doyle said he personally would not want it in his neighborhood. Mr. Eldstrom had recorded some audio taken between 12:30 a.m. and 2:00 a.m., from inside of their house, with the windows closed and played it for the City Council. Councilmember Kirkham said he was sorry and added that he lives in the neighborhood and has heard about the problems with this rental. Mayor Van Kirk stated he did not know it was that bad. Councilmember Johnson said this activity needs to stop. The City Council discussed the following options which are to do nothing, to get involved and require licensing or to ban short term rentals. City Attorney Murphy suggested that it be addressed as a short term rental. **It was the consensus of the City Council to direct Attorney Murphy to draft an ordinance for short term rentals.** The City Council thanked the residents for their input regarding this matter.

**12.3 Announcements and future agenda items - None**

**Motion by Johnson, seconded by Kirkham, to adjourn the meeting at 6:53 p.m. All present in favor, motion carried.**

---

Dawnette Shimek  
Deputy City Clerk