

**CITY OF HAM LAKE
CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES
MONDAY, DECEMBER 17, 2018**

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, December 17, 2018 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: Acting Mayor Tom Johnson and Councilmembers Jim Doyle, Gary Kirkeide and Al Parranto

MEMBERS ABSENT: Mayor Mike Van Kirk

OTHERS PRESENT: City Attorney, Joe Murphy; Fire Chief, Don Krueger; City Engineer, Tom Collins; and City Clerk, Denise Webster

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

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

2.0 PUBLIC COMMENT

Dustin Reichert, 1254 133rd Lane NE, was present. Mr. Reichert stated that he has the same concerns as before with the Planning Commission agenda Item 5.3. Mr. Reichert stated that he feels that the City is doing a good job of addressing the neighborhood concerns. Mr. Reichert stated that screening at the property will help and resolve most of the issues. Mr. Reichert stated that the property owner is doing a great job on fixing up the building.

3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

3.1 Lt. Derek Schuldt – Anoka County Sheriff’s Monthly Report

Lt. Derek Schuldt gave a summary of the sheriff’s report for the month of November.

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 December 3, 2018
- 4.2 Approval of claims in the amount of \$307,224.23
- 4.3 Approval of Resolution No. 18-58 for the 2019 CDBG Application for a new mini bus for the Ham Lake Senior Center
- 4.4 Approval of a pole building in the front yard setback at 220 Andover Boulevard NE
- 4.5 Approval of Ordinance No. 18-10 rezoning Rylies Way

- 4.6 Approval of Plans and Specifications and authorization to advertise for bids for the 2019 tree removal projects for 155th Avenue NE from Naples Street NE to Lexington Avenue NE and Aberdeen Street NE between 144th Avenue NE and 145th Avenue NE
- 4.7 Approval of the following 2019 Business Licenses:
Tobacco – Bidhipur Beverage, Inc. (Ham Lake Liquors), Holiday Stationstores, Inc., Grape Expectations, Inc. (Tournament Liquor), Northern Tier Retail, LLC (Speedway #4537), Eagle Beverage Holdings, LLC (Majestic Oaks Golf Club), Network Liquor and Wine Corp., AP RZA Inc. (Little Wonder), Carey’s Liquor LLC (Carey’s Liquor), Ham Lake One Stop LLC (Ham Lake One Stop), E-Cig Clubhouse, Ham Lake BP
Cabaret – Maxx Bar & Grill, Eagle Beverage Holdings, LLC (Majestic Oaks Golf Club), Dan Dahlin Inc., (Ham Lake Lanes)
Hotel/Motel – Kevin Eggerth (Ham Lake Apartments), Oasis Life, LLC (AmericInn Ham Lake)
Vending Machine – Mendota Valley Amusement, Inc. (for Majestic Oaks Golf Club, Brown Family Adventure Park and Maxx Bar & Grill), Midwest Coin Concepts (Ham Lake Lanes)
Recycling/Refuse – Ham Lake Haulers

Motion by Parranto, seconded by Doyle, to approve the Consent Agenda, removing Item 4.6. All present in favor, motion carried.

Councilmember Kirkeide removed Item 4.6 for discussion. Engineer Collins stated that the Public Works Department has a site that has a pile of tree debris that needs to be chipped and hauled away and is requesting to add the chipping and hauling away to Item 4.6, the 2019 tree removal project. Engineer Collins stated that the cost would be an estimated \$5,000. **Motion by Johnson, seconded by Parranto, to table Item 4.6, Approval of Plans and Specifications and authorization to advertise for bids for the 2019 tree removal projects for 155th Avenue NE from Naples Street NE to Lexington Avenue NE and Aberdeen Street NE between 144th Avenue NE and 145th Avenue NE, and add the removal of the tree debris to the bid. All present in favor, motion carried.** (This item will be added to the January 7, 2019 City Council agenda).

5.0 PLANNING COMMISSION RECOMMENDATIONS

- 5.1 Jim Malvin requesting Final Plat Approval of Rylies Way (6 Single Family Residential Lots) located in Section 1

Motion by Johnson, seconded by Kirkeide, to concur with the recommendation of the Planning Commission and approve the Final Plat for Rylies Way, a Planned Unit Development (PUD) consisting of six single family residential lots and an agricultural lot located in Section 1, as presented, subject to meeting the recommendations of the City Engineer and all City, State and County requirements. All present in favor, motion carried.

- 5.2 Mark Smith requesting Sketch Plan Approval for Catchers Creek of Ham Lake (4 Single Family Residential Lots) in Section 30 (40 Andover Boulevard NE)

Motion by Johnson, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve the Sketch Plan for Catchers Creek of Ham Lake as presented by Mark Smith consisting of four Single Family Residential Lots in Section 30 (40 Andover Boulevard NE), subject to the developer cooperating with the State Archaeologist in initiating and following any burial ground authentication procedures outlined in state statute and used by the state archaeologist, subject to meeting the recommendations of the City Engineer, City Attorney and all City, State and County requirements. All present in favor, motion carried.

5.3 Adam Alaiwi requesting a Conditional Use Permit to operate Delta Auto (automotive repair) at 13408 Highway 65 NE

Acting Mayor Johnson read the conditions of the Conditional Use Permit (CUP) recommended by the Planning Commission. Acting Mayor Johnson stated that a memo was added to the packet stating that staff is requesting that condition #6 be revised to say “All repairs be done inside the building; when performing repairs some body parts may need to be disassembled in order to perform repairs, all fluids to be contained and disposed of according to the County and State Requirements and no bodywork or painting at this location”. Acting Mayor Johnson questioned the property owner on what exactly is taking place at the property for this business. Acting Mayor Johnson stated that from the applicant’s testimony, most customers drive their vehicles in for repair, but some vehicles are also towed to the site. Acting Mayor Johnson stated that this doesn’t sound like the previous business that was approved; this would be an auto repair shop, which is an allowed use with a CUP. Acting Mayor Johnson stated that the vehicles need to be screened. Anthony Revutskiy, property owner, stated that this is going to be an auto repair shop. Acting Mayor Johnson stated that Mr. Revutskiy has been a man of his words and is working towards fixing up the property in good faith with the City. **Motion by Johnson, seconded by Doyle, to approve the application, as presented, by Adam Alaiwi requesting a Conditional Use Permit (CUP) to operate Delta Auto (automotive repair) at 13408 Highway 65 NE, subject to the following conditions: (1) No motor vehicle sales (2) Allocating ten parking spaces plus handicap as presented on the site plan (3) All parking to be on hard surface in designated areas as shown on the site plan (4) One employee (5) No outside storage of liquids, tires, parts, etc. (6) All repairs to be done inside the building; when performing repairs some body parts may need to be disassembled in order to perform repairs, all fluids to be contained and disposed of according to County and State Requirements and no bodywork or painting at this location (7) Hours of operation to be 9:00 a.m. to 6:00 p.m., Monday through Saturday (8) Security Lighting required (9) present a site plan for fencing/screening to the City Council within 60 days from November 19, 2018 (10) complete the fencing/screening, striping and accessibility requirements of the parking lot by June 1, 2019 (11) meeting all City, State and County requirements. All present in favor, motion carried.** Acting Mayor Johnson requested that the minutes reflect that this business is an auto repair business.

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

7.0 **ECONOMIC DEVELOPMENT AUTHORITY** – None

8.0 **APPEARANCES** – None

9.0 **CITY ATTORNEY** – None

10.0 CITY ENGINEER

10.1 Discussion of Comprehensive Plan

Engineer Collins stated that the 2020 and 2030 Future Lane Use (FLU) maps from the 2008 Comprehensive Plan are included in the Council packet. Engineer Collins stated that these maps are being updated to reflect all developments since 2008. Engineer Collins stated that there are discrepancies between these maps that should be rectified. Engineer Collins explained that there are other areas in the City that could benefit from being classified as Multiple Use Options, not just Commercial property. Engineer Collins stated that the 2020 FLU map identifies parcels as Multiple Use Options, which are located in the northwest corner of Bunker Lake Boulevard NE and Radisson Road NE, northeast corner of Bunker Lake Boulevard NE and Lexington Avenue NE, the City owned parcel between Lexington Avenue NE, 149th Avenue NE and Durant Street NE, northeast corner of 155th Avenue NE and Lexington Avenue NE and the southeast corner of

Constance Boulevard NE and Lexington Avenue NE. Engineer Collins state that with the exception of the parcel located at the northeast corner of Bunker Lake Boulevard NE and Lexington Avenue NE, the 2030 FLU map excludes the other parcels listed above. Engineer Collins stated that the 2030 FLU map does add three parcels on the east side of Lexington Avenue NE south of 149th Avenue NE. Engineer Collins stated that in addition to rectifying the two maps, other future land use revisions could be considered, such as the additional properties adjacent to Lexington Avenue NE and a portion of the northerly commercial properties between Highway 65 NE and Xylite Street NE, which could be revised to a multiple use option. Engineer Collins stated that he has included a commercial/residential sketch plan for the westerly 260 acres on the north half of Sections 4 and 5 east of Highway 65. Engineer Collins stated that the 2020 FLU map identifies approximately 500 acres of commercial and industrial property as Sewered Commercial-Industrial. There was discussion of having a meeting and invite property owners to get their input on what they would like to see happen with their properties. Marty Harstad, the property owner of the 260 acres that was previously mentioned stated that he would like to participate in that discussion. **It was the consensus of the of the City Council to add the “Discussion of the Comprehensive Plan” to the February 19, 2019 meeting and place an article in the Ham Laker inviting property owners to attend the meeting to give their input.**

11.0 FIRE CHIEF – None

12.0 COUNCIL BUSINESS

12.1 Committee Reports – None

12.2 Update on the Certificate of Achievement for Excellence in Financial Reporting (CAFR)

Acting Mayor Johnson stated that he had questioned whether the City pays for the Certificate of Achievement for Excellence in Financial Reporting (CAFR). Fire Chief Krueger stated that the City pays \$500 a year for the CAFR. Acting Mayor Johnson stated that he likes to see the extra reporting from the CAFR in the City’s financial report. **It was the consensus of the City Council to continue preparing the Certificate of Achievement for Excellence in Financial Reporting (CAFR).**

12.3 Discussion of Airbnb’s

Acting Mayor Johnson stated that Zoning Clerk Shimek prepared a memo to show what other surrounding cities are doing to regulate short-term rentals/Airbnb. Acting Mayor Johnson stated that unfortunately most cities do not have any regulations at this time. Acting Mayor Johnson stated that the City of Savage does regulate short-term rentals and does not allow them if it is less than 15 days. The Council discussed several scenarios and the possibility of having the property owner apply for a Home Occupation Permit (HOP). There was discussion regarding the nuisance ordinance and that it can be hard to enforce. Acting Mayor Johnson stated that a homeowner that has been renting their home for a year or so is taxed differently than a home that is used for short-term rentals. Acting Mayor Johnson stated that he feels short-term rentals are a commercial business and should be licensed. Acting Mayor Johnson stated that for any business that is being run out of a home would need to have a HOP. There was discussion that there have been several complaints at one property, which is why this has become an issue. Councilmember Doyle stated that he does not want to take away rights from the property owners who are not creating an issue and doing things right. **It was the consensus of the City Council to direct Attorney Murphy to look at the Home Occupation Permits (HOP) and determine if there is a way to incorporate short-terms rentals into the City Code.**

3.2 Karen Skepper, Director of Community and Government Relation and Jacquell Hajder, Anoka County Economic Development Specialist – Discussion of the Memorandum of Understanding (MOU) for Anoka Regional County Economic Development (ACRED) and HRA funds and adoption of Resolution No. 18-59 and Resolution No. 18-60

Jacquell Hajder, Anoka County Economic Development Specialist, was present. Ms. Hajder stated that in 2017 there was a SWOT analysis completed and from the analysis, there were three overall goals of the study; 1) address and work to change the perception of Anoka County, among stakeholders, partners, developers, potential talent, etc. 2) Ensure Anoka County is ready for development from both a talent and product (sites and building perspective), and 3) Clearly define roles within the county, as well as with regional partners, as it relates to economic development marketing, incentives, business retention and expansion, etc. Ms. Hajder stated that the Employment & Target Industries is to keep jobs in the region and create more opportunity for people to work closer to home. Ms. Hajder stated that an Executive Committee was formed to regulate budgets and activities. Ms. Hajder stated that the Memorandum of Understanding is a partnership agreement between 21 communities in Anoka County. Ms. Hajder explained that there are three subcommittees; 1) Marketing 2) Readiness and 3) Alignment & Regionalism, whose role is to connect partnerships. Ms. Hajder stated that the Local Partnership will market properties and community, business outreach & retention with the Chamber, attract future workforce, housing development and business and the HRA. Ms. Hajder stated that the regional budget is \$20,000 and with this budget, everyone will see a value and partnership. Ms. Hajder stated that the Voluntary Share Cost is voluntary from year to year.

Karen Skepper, Director of Community and Government Relations, was present. Ms. Skepper stated that if the City decides to participate in the Voluntary Cost Share of \$900 for this year, there would be no additional cost to taxpayers. Ms. Skepper stated that HRA funds can be used for the Voluntary Cost Share as long as the City Council adopts a resolution stating so. Acting Mayor Johnson stated that it is a fairly modest amount. Councilmember Kirkeide stated the Anoka County is an asset for development and creating jobs is very important. Ms. Hajder explained the terms of the Executive Committee and Subcommittees. **Motion by Johnson, seconded by Doyle, to approve Resolution No. 18-59 to opt into the Economic Development Activities and Memorandum of Understanding for Anoka County Economic Development. All present in favor, motion carried.**

Motion by Parranto, seconded by Doyle, to approve Resolution No. 18-60 to approve the funding request to cover the cost of the Voluntary Cost Share Agreement for Anoka County Economic Development. All present, in favor, motion carried.

12.4 Announcements and future agenda items – None

Motion by Kirkeide, seconded by Parranto, to adjourn the City Council meeting at 7:34 p.m. All present in favor, motion carried.

Denise Webster, City Clerk