## CITY OF HAM LAKE

15544 Central Avenue NE Ham Lake, Minnesota 55304 (763) 434-9555 info@ci.ham-lake.mn.us

# CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY AGENDA MONDAY, AUGUST 4, 2025

- 1.0 CALL TO ORDER 6:00 P.M. Pledge of Allegiance
- 2.0 PUBLIC COMMENT
- 3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS None
- 4.0 CONSENT AGENDA

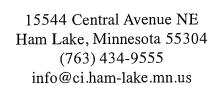
These items are considered to be routine and will be enacted in one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in normal sequence. (All items listed on the Consent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

- 4.1 Approval of minutes of July 21, 2025
- 4.2 Approval of claims
- 4.3 Approval of scheduling a Budget Workshop meeting on Monday, August 18, 2025 at 5:15 p.m.
- 4.4 Approval of a proclamation proclaiming October as Domestic Violence Awareness Month
- 4.5 Approval of the adjustment of the Comp Worth Rating for the Finance/Human Resource Director Position
- 4.6 Approval of the 2026 North Metro Telecommunications Commission Budget (NMTV)
- 4.7 Road Committee Recommendation:
  - 1) Approval of the Street Assessment amount of \$25,000 for 2025
- 4.8 Approval of a Resolution accepting a \$5,000 donation from the Ham Lake Chamber of Commerce
- 4.9 Approval of a Resolution accepting the donation of a smart board and a desk from Coon Creek Watershed District

#### 5.0 PLANNING COMMISSION RECOMMENDATIONS

- Jason Osberg, of JD Ham Lake Holdings, LLC, requesting revised Sketch Plan approval of Kohler Farms, a 43-lot single family residential development in Section 13
- **6.0 ECONOMIC DEVELOPMENT AUTHORITY** None
- 7.0 **APPEARANCES** None
- 8.0 CITY ATTORNEY
- 8.1 Discussion of other types of Cannabis Businesses
- 9.0 CITY ENGINEER
- 10.0 CITY ADMINISTRATOR
- 11.0 COUNCIL BUSINESS
- 11.1 Committee Reports
- 11.2 Announcements and future agenda items

## CITY OF HAM LAKE



# CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES MONDAY, JULY 21, 2025

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, July 21, 2025 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, Andrew Hallberg,

Al Parranto, and Mike Van Kirk

**MEMBERS ABSENT:** 

None

OTHERS PRESENT:

City Attorney, Mark Berglund; City Engineer, Dave Krugler; City

Administrator, Denise Webster; Finance Director, Andrea Murff; and

Deputy City Clerk, Dawnette Shimek

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

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

#### 3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

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

Lt. Mendoza gave a summary of the Sheriff's Report for the months of May and June 2025. Lt. Mendoza also updated the Council on the legal usage of electric-assisted bicycles, motorcycles and motorized foot scooters.

#### 2.0 PUBLIC COMMENT

Dwight McCullough, 554 134<sup>th</sup> Lane NE, stated that there was going to be a vote by the Anoka County Board tomorrow regarding voting and asked if the City Council knew what it was about.

Craig Meyer, Dresel Contracting, Inc., stated that on the agenda was the contract to consider the bid for the construction of 143<sup>rd</sup> Avenue NE and encouraged the Council to approve the bid so the project would not be delayed.

#### 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 7, 2025 and Workshop Meeting minutes of July 7, 2025
- 4.2 Approval of claims in the amount of \$848,358.85
- 4.3 Approval of accepting the Meadow Park (north of Constance Boulevard NE) street reconstruction project and commencing the one-year warranty period
- 4.4 Approval of Transfer Funds and Close CARES Act Fund

4.5 Approval of Resolution No. 25-21 for the Cooperative Construction Agreement Grant for construction of Trunk Highway 65 East Frontage Road from 171<sup>st</sup> Avenue NE to 173<sup>rd</sup> Lane NE, from Baltimore Street NE to Chisholm Street NE, from 173<sup>rd</sup> Lane NE to 334 feet South of Crosstown Boulevard NE

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

#### 5.0 PLANNING COMMISSION RECOMMENDATIONS

5.1 <u>Joseph Radach of Contour Development LLC</u>, requesting Preliminary Plat approval, and rezoning of portions of land from R-A (Rural Single Family) to R-1 (Single Family Residential) for Elwell Farms (107 Single Family Residential lots and 5 outlots) in Section 36 (this is considered the First Reading of a Rezoning Ordinance)

Mayor Kirkham stated that the discussion of the snowmobile trail from the Planning and Zoning Commission meeting last week was to not require the developer to dedicate a snowmobile trail on the Lexington Avenue NE ditch. Mayor Kirkham stated that he agreed with the Planning and Zoning Commission, and the snowmobile club was graciously allowed to use the property for a trail by the private property owners for years. Joseph Radach of Contour Development stated that there was discussion about having the trail located on the southern border of the development. Mayor Kirkham stated that the developer has gone above and beyond what is being required for parkland dedication. Councilmember Van Kirk stated that he agrees and feels that the snowmobile club and developer should work together for the possibility of a snowmobile trail. There was discussion that it is the developers' land, and the City should not be requiring them to dedicate land for a snowmobile trail. Councilmember Parranto stated that he has used the snowmobile trail, but there are property rights for the owner of the land. There was discussion of upgrading 138<sup>th</sup> Avenue NE, Frazier Street NE and 139<sup>th</sup> Lane NE, and that this should be discussed when the Conditional Use Permit for a wetland bank is proposed.

Motion by Kirkham, seconded by Hallberg, to recommend approval of the Preliminary Plat, and First Reading of a rezoning ordinance for portions of land from R-A (Rural Single Family Residential) to R-1 (Single Family Residential), for Elwell Farms (107 Single Family Residential lots and 5 outlots) in Section 36 as presented by Joseph Radach of Contour Development LLC subject to combining outlots A and B to the 4611 139th Lane NE parcel, recording a document with Anoka County that outlots C, D and E are not buildable and not eligible for building permits, applying for a Conditional Use Permit for any outlots to be included in the wetland bank, meeting the requirements of Article 9-330.8(D) for roadway improvements for a wetland bank, vacating, releasing or confining any existing easements as directed by the City Engineer before the issuance of any building permits, obtaining demolition permits for any existing structures that are to be demolished, ensuring any existing buildings that are to remain conform to city code, abandoning existing septic systems and providing proof of abandonment to the Building Official before the issuance of any building permits, signing and filing encroachment agreements with Anoka County for septic lines that cross drainage and utility easements on Lots 29, 36, 55, 51 and 58 of Block 1 and Lot 3 of Block 3, signing and filing encroachment agreements for driveways that cross drainage and utility easements for Lots 35, 36, 37, 38 and 39 of Block 1 before the issuance of any building permits, meeting the requirements of the City Engineer and meeting all City, State and County requirements. All in favor, motion carried.

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

#### 7.0 APPEARANCES

7.1 Finance Director Andrea Murff, 2<sup>nd</sup> Quarter Financial Report

Finance Director Murff gave the financial report for the 2<sup>nd</sup> Quarter of 2025. Finance Director Murff reported on the Overall Cash Position by Fund Type being up approximately \$164,000 from December 31, 2024. Finance Director Murff stated this is due to the General Fund's operation revenues & expenditures and the annual bond payment. Finance Director Murff stated the Cash Balances by Fund Compared to Prior Year with the General Fund had in increase due to receiving an early distribution of tax settlement, the Park and Beach Fund is down due to replacing two new parks, Equipment and Building Fund is up due to transfers into the funds and no large expenditures to date, and the Revolving Street Fund is flat. Finance Director Murff stated the overall General Fund had revenues in excess of expenditures due to receiving the tax settlement from Anoka County and the overall expenditures were favorable by coming in under budget for the quarter. Finance Director Murff stated that the city investments continue to rebound from previous years and are coming in higher than budgeted. The City Council thanked Finance Director Murff.

#### 8.0 CITY ATTORNEY

8.1 Consideration of rejecting or accepting bids for the construction of 143<sup>rd</sup> Avenue NE from Trunk:

Highway 65 to 108 feet West of Lincoln Street NE and re-advertising and adoption of Resolution

No. 25-22

Attorney Berglund stated that there were two bids received for this project and unfortunately there was an addendum acknowledgment regarding where the bid opening would take place was missed on the bid presented by North Valley, Inc., the lowest bidder. Attorney Berglund stated that a bid protest letter was received by the second lowest bidder Dresel Contracting, Inc.'s. legal counsel threatening to pursue legal action if the lowest bid was approved. Attorney Berglund stated that in his opinion both bids should be rejected and put out for re-advertisement to avoid the risk and cost associated with potential litigation. Attorney Berglund stated that no funds are at risk as a result of the potential delay of the project. Motion by Van Kirk, seconded by Parranto, to adopt Resolution No. 25-22 rejecting the bids and readvertising for the construction of 143<sup>rd</sup> Avenue NE from Trunk Highway 65 to 108 feet West of Lincoln Street NE. All in favor, motion carried.

#### 9.0 CITY ENGINEER

9.1 Consideration of adopting Resolution No. 25-23 accepting the low bid for the construction of Trunk Highway 65 East Frontage Road from 171<sup>st</sup> Avenue NE to 173<sup>rd</sup> Lane NE, from Baltimore Street NE to Chisholm Street NE, from 173<sup>rd</sup> Lane NE to 334 feet South of Crosstown Boulevard NE (contingent upon MnDot execution of the Agreement)

Engineer Krugler stated that there was the same issue with the bid for this project where addendum 1 was not acknowledged by the low bidder, along with incomplete forms, and missing a notary on one of the documents. Engineer Krugler stated that he is recommending approving the second lowest bidder, which was A-1 Excavating, LLC. Motion by Van Kirk, seconded by Parranto, to adopt Resolution No. 25-23 accepting the second lowest bid from A-1 Excavating, LLC for the construction of Trunk Highway 65 East Frontage Road from 171st Avenue NE to 173rd Lane NE, from Baltimore Street NE to Chisholm Street NE, from 173rd Lane NE to 334 feet South of Crosstown Boulevard NE, contingent upon MnDot execution of the Agreement. All in favor, motion carried.

#### **10.0 CITY ADMINISTRATOR** – None

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#### 11.1 <u>Committee Reports</u>

Mayor Kirkham stated that before the City Council meeting, there was a Road Committee and Law Enforcement meeting.

11.2 <u>Announcements and future agenda items</u> – None

Motion by Parranto, seconded by Hallberg, to adjourn the meeting at 6:42 p.m. All in favor, motion carried.

Dawnette Shimek, Deputy City Clerk

# CITY OF HAM LAKE CLAIMS SUBMITTED TO COUNCIL August 4, 2025

#### CITY OF HAM LAKE

EFTS, CHECKS, AND BA	NK DRAFTS	07/21/25 - 08/04/2025		
EFT	# 2344 -2348		\$	3,176.10
REFUND CHECKS	#67228-67332		\$	2,112.03
CHECKS	# 67333-67335, 67359	- 67583	\$	24,593.83
BANK DRAFTS	DFT0002924 - DFT00		\$	34,671.68
TOTAL EFTS, CHECKS,	AND BANK DRAFTS		\$	64,553.64
PAYROLL CHECKS 07/25/25	Direct Deposits		\$	52,842.90
TOTAL PAYROLL CHEC	ČKS		\$	52,842.90
VOID CHECKS				
CHECKS			\$	_
ZERO CHECKS	#67336-67358, 67380		\$	_
ZERO EFT	, , , , , , , , , , , , , , , , , , , ,		\$	_
BANK DRAFTS			\$	_
TOTAL VOIDS				-
TOTAL OF ALL PAYME	NTS		\$	117,396.54
APPROVED BY THE HAM	TLAKE CITY COUNCIL	THIS 4TH DAY OF AUGUS	1 2023	
MAYOR			_	
			_	
COUNCILMEMBER				
			-	
COUNCILMEMBER				
COUNCILMEMBER			_	
COUNCILMEMBER				
COUNCILMEMBER			_	

## **Refund Check Register**



City of Ham Lake, MN

Packet: ARPKT01470 - 07/29/25 TRUST REFUNDS

#### 

Account Number	Name	Check Date	Check Number	Amount
00651	MELVIN ANNERUD	7/29/2025	67329	150.00
00657	JENESSA CARPENTER	7/29/2025	67330	150.00
00688	CARLA LEMM	7/29/2025	67331	150.00
			Total Refund Amount:	450.00

#### Revenue Totals——————

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	450.00
R	Revenue Totals: 450.00

#### **General Ledger Distribution**

Posting Date: 07/29/2025

	Account Number	Account Name		Posting Amount	IFT
Fund:	890 - TRUST FUND				
	890-10101	Cash-claim on pooled cash		-450.00	Yes
	890-11501	Misc receivables		450.00	
			890 Total:	0.00	
Fund:	999 - POOLED CASH				
	999-10100	Pooled Cash		-450.00	
	999-20702	Due to other funds	W 7400	450.00	Yes
			999 Total:	0.00	
		Distri	ibution Total:	0.00	

## **Refund Check Register**



City of Ham Lake, MN

Packet: ARPKT01481 - Refund AR00105

#### Refund Detail -

Account Number	Name	Check Date	Check Number	Amount
00105	HOGDAL FARM LTD PARTNERSHIP	7/30/2025	67332	1,662.03
			Total Refund Amounts	1 662 03

Revenue Code		Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS		1,662.03
	Revenue Totals:	1.662.03

#### **General Ledger Distribution**

Posting Date: 07/30/2025

	Account Number	Account Name	Posting Amount	IFT
Fund:	890 - TRUST FUND			
	890-10101	Cash-claim on pooled cash	-1,662.03	Yes
	890-11501	Misc receivables	1,662.03	
,		890 Total:	0.00	
Fund:	999 - POOLED CASH			
	999-10100	Pooled Cash	-1,662.03	
	999-20702	Due to other funds	1,662.03	Yes
		999 Total:		
		Distribution Totals	0.00	



#### City of Ham Lake, MN

## **Council Approval List**

By (None)

Payment Dates 7/22/2025 - 8/4/2025

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
2344	CINTAS CORP	UNIFORMS	Clothing & personal protectiv	100-43101-2210	141.73
2344	CINTAS CORP	UNIFORMS	Clothing & personal protectiv	100-44101-2210	59.08
2345	CMT JANITORIAL SERVICES	CITY HALL CLEANING	Cleaning service	100-41702-3430	612.00
2345	CMT JANITORIAL SERVICES	SHERIFF'S OFFICE CLEANING	Cleaning service	100-41702-3430	153.00
2345	CMT JANITORIAL SERVICES	FIRE #2 CLEANING	Cleaning service	100-42202-3430	151.00
2345	CMT JANITORIAL SERVICES	FIRE #3	Cleaning service	100-42202-3430	387.00
2345	CMT JANITORIAL SERVICES	FIRE #1 CLEANING	Cleaning service	100-42202-3430	161.00
2345	CMT JANITORIAL SERVICES	PW CLEANING	Cleaning service	100-43104-3430	148.00
2345	CMT JANITORIAL SERVICES	SR CENTER CLEANING	Cleaning service	100-44202-3430	300.00
2346	DELTA DENTAL PLAN OF MINN	AUG COBRA - DK	COBRA receivable	100-11502	52.06
2346	DELTA DENTAL PLAN OF MINN	AUG DENTAL	Dental Insurance	100-21711	906.47
2347	O'REILLY AUTOMOTIVE STORE	#65 EX REPR PIPE, ELBOW, PIP	Equipment parts & supplies	100-44101-2320	58.81
2347	O'REILLY AUTOMOTIVE STORE		Equipment parts & supplies	100-44101-2320	9.98
2347		#65 EX REPR PIPE, ELBOW, PIP	Equipment parts & supplies	100-44101-2320	-58.81
2348	UNLIMITED SUPPLIES INC	NUTS, CABLE TIES, PLUGS, TH	Operating supplies	100-43101-2290	94.78
67333	AUTO AIR & ACCESSORIES	#65 A/C REPAIR	Equipment repair & maintena	100-44101-3440	165.00
67334	CITY OF COLUMBUS	JUNE SIGNAL LEXINGTON & B	Electricity	100-43401-3610	23.50
67335	CITY OF ST PAUL	4 TN Asphalt	•	100-43101-2330	308.86
67359	COMCAST BUSINESS	AUG FIRE #1 ADD'L CABLE BO	Rentals-other	100-42201-3390	11.32
67360	DAMA METAL PRODUCTS INC		Operating supplies	100-42201-2290	368.00
67361	DEARBORN LIFE INS CO	AUG LIFE	Life Insurance	100-21714	53.28
67361	DEARBORN LIFE INS CO	AUG VOL LIFE	Life Insurance	100-21714	204.00
67362	DEHN OIL CO	239.9 GAL GASOLINE	Fuel	100-43101-2230	576.41
67362	DEHN OIL CO	299.7 Gal Diesel	Fuel	100-43101-2230	811.74
67363	DIAMOND AUTO COLLISION	G-2 REAR FENDER REPAIR	Fire apparatus repair & maint	100-42201-3450	1,500.00
67364	HAM LAKE HARDWARE INC	WEED WHIP REPAIR	Equipment repair & maintena	100-44101-3440	116.67
67365	HYLEN OIL	HYDRAULIC FLUID	Operating supplies	100-43101-2290	107.45
67365	HYLEN OIL	GREASE	Operating supplies	100-43101-2290	181.80
67366	KINGS III EMERGENCY COMM	AUG ELEVATOR PHONE	Phones/radios/pagers	100-41701-3210	39.17
67367	LEAGUE OF MN CITIES INS. TR	WORK COMP AUDIT	Worker's comp insurance	100-41101-1510	1.00
67367	LEAGUE OF MN CITIES INS. TR	WORK COMP AUDIT	Worker's comp insurance	100-41201-1510	-125.00
67367	LEAGUE OF MN CITIES INS. TR	WORK COMP AUDIT	Worker's comp insurance	100-41301-1510	-83.00
67367	LEAGUE OF MN CITIES INS. TR	WORK COMP AUDIT	Worker's comp insurance	100-41302-1510	-15.00
67367	LEAGUE OF MN CITIES INS. TR	WORK COMP AUDIT	Worker's comp insurance	100-41401-1510	-164.00
67367	LEAGUE OF MN CITIES INS. TR	WORK COMP AUDIT	Worker's comp insurance	100-41601-1510	-69.00
67367	LEAGUE OF MN CITIES INS. TR	WORK COMP AUDIT	Worker's comp insurance	100-42201-1510	-2,968.00
67367	LEAGUE OF MN CITIES INS. TR	WORK COMP AUDIT	Worker's comp insurance	100-42401-1510	-158.00
67367	LEAGUE OF MN CITIES INS. TR	WORK COMP AUDIT	Worker's comp insurance	100-43101-1510	-400.00
67367	LEAGUE OF MN CITIES INS. TR	WORK COMP AUDIT	Worker's comp insurance	100-44101-1510	5,797.00
67368	LEPAGE & SONS INC	7/14 YARDWASTE	Waste management & recycli	231-43601-3630	482.00
67369	MINNESOTA EQUIPMENT	#65 SKIRT, DIPSTICK	Equipment parts & supplies	100-44101-2320	23.43
67369	MINNESOTA EQUIPMENT	#46 WHEEL, WHEEL KIT	Equipment parts & supplies	100-44101-2320	103.34
67369	MINNESOTA EQUIPMENT	#73 ARMS	Equipment parts & supplies	100-44101-2320	182.92
67370	PLAISTED COMPANIES, INC.	281.2 TN CLASS 5	Gravel Maintenance	100-43101-3415	6,318.58
67371	RJ KOOL MIDWEST INC	FIRE #1 DRYER REPAIR	Equipment repair & maintena	100-42201-3440	450.50
67372	SIEGEL BRILL P.A.	EVERGREEN ESTATES TRAIL	Other trust expense	890-90001-9120	2,022.75
67373	SIEGFRIED FAMILY TOOLS INC	AUTOMATIC CENTER PUNCH	Small tools	100-43101-2410	33.95
67373	SIEGFRIED FAMILY TOOLS INC	HAND IMPACT DRIVER SET	Small tools	100-43101-2410	168.88
67374	STATE CHEMICAL SOLUTIONS	URINAL SCREENS	Operating supplies	100-44101-2290	187.20
67375	SUMMIT COMPANIES	RESIDENT EXTINGUISHER SER	Fire Extinguisher	100-20203	6.25
67375	SUMMIT COMPANIES	RESIDENT EXTINGUISHER SER	Fire Extinguisher	100-20203	6.25
67375	SUMMIT COMPANIES	RESIDENT EXTINGUISHER SER	Fire Extinguisher	100-20203	6.25
67375	SUMMIT COMPANIES	RESIDENT EXTINGUISHER SER	Fire Extinguisher	100-20203	6.25
67375	SUMMIT COMPANIES	RESIDENT EXTINGUISHER SER	Fire Extinguisher	100-20203	6.25

Payment Dates: 7/22/2025 - 8/4/2025

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
67375	SUMMIT COMPANIES	RESIDENT EXTINGUISHER SER	Fire Extinguisher	-100-20203	12.50
67376	TASC	COBRA ADMINISTRATION REN	Other professional services	100-41701-3190	120.51
67376	TASC	SEPT COBRA ADMINISTRATIO	Other professional services	100-41701-3190	43.30
67377	TRADEMARK TITLE COMPANY	FILE #2523 3126 - 137TH AVE	Street light fees	232-34303	45.00
67378	TURFWERKS	#65 FIELD KIT, GASKET, FILTER,	Equipment parts & supplies	100-44101-2320	745.59
67378	TURFWERKS	#65 A/C KIT	Equipment parts & supplies	100-44101-2320	727.43
67378	TURFWERKS	#65 THUMBSCREW	Equipment parts & supplies	100-44101-2320	57.77
67379	US BANK CORPORATE PAYME	ZOOM.COM - Zoom - NW	Dues & subscriptions	100-41201-3920	14.69
67379	US BANK CORPORATE PAYME	MCFOA Dawnette Membershi	Dues & subscriptions	100-41301-3920	50.00
67379	US BANK CORPORATE PAYME	AMAZON Ink Refill - NW	Office supplies	100-41701-2110	16.14
67379	US BANK CORPORATE PAYME	AMAZON Keyborad Susan-N	Operating supplies	100-41701-2290	59.39
67379	US BANK CORPORATE PAYME	PANTHEON SYSTEMS Website	Internet & website	100-41707-3220	350.00
67379	US BANK CORPORATE PAYME	AMAZON transfer belts-NW	Operating supplies	100-42201-2290	80.79
67379	US BANK CORPORATE PAYME	AMAZON locking carabiners-N	Operating supplies	100-42201-2290	32.95
67379	US BANK CORPORATE PAYME	AMAZON Surface Pro Case-N	Operating supplies	100-42201-2290	26.99
67379	US BANK CORPORATE PAYME	IDEAL CALIBRATIONS CO Dete	Equipment parts & supplies	100-42201-2320	291.86
67379	US BANK CORPORATE PAYME	AMAZON thermal camera-N	Small tools	100-42201-2410	3,004.89
67379	US BANK CORPORATE PAYME	VERIZON Surface Pro-AM	Phones/radios/pagers	100-42201-3210	100.10
67379	US BANK CORPORATE PAYME	VERIZON MR	Phones/radios/pagers	100-42201-3210	41.39
67379	US BANK CORPORATE PAYME	VERIZON TD, MJ & Laptops-A	Phones/radios/pagers	100-42401-3210	162.80
67379	US BANK CORPORATE PAYME	VERIZON PW & Laptops-AM	Phones/radios/pagers	100-43101-3210	306.06
67379	US BANK CORPORATE PAYME	SQ *MINNESOTA FALL MAINT	Training/conferences/schools	100-43101-3510	180.00
67379	US BANK CORPORATE PAYME	SQ *MINNESOTA FALL MAINT	Training/conferences/schools	100-43101-3510	135.00
67379	US BANK CORPORATE PAYME	VERIZON Parks & Laptops-AM	Phones/radios/pagers	100-44101-3210	87.22
67381	WICK COMMUNICATIONS CO-	AUG HAM LAKER	Printing	211-41704-3970	760.29
67382	VERIZON WIRELESS	5 FIRE SURFACE PROS	Phones/radios/pagers	100-42201-3210	100.10
67382	VERIZON WIRELESS	EXTRA PW	Phones/radios/pagers	100-42201-3210	67.66
67382	VERIZON WIRELESS	MR	Phones/radios/pagers	100-42201-3210	38.38
67382	VERIZON WIRELESS	TD, MJ & 2 LAPTOPS	Phones/radios/pagers	100-42401-3210	156.78
67382	VERIZON WIRELESS	JK, JW, JC, CS, EH, & 2 LAPTOP	Phones/radios/pagers	100-43101-3210	306.11
67382	VERIZON WIRELESS	DH, AC	Phones/radios/pagers	100-44101-3210	87.24
67383	WRIGHT-HENNEPIN COOPERA	ELEVATOR MONITORING	Monitoring	100-41702-3145	10.00
67383	WRIGHT-HENNEPIN COOPERA		Monitoring	100-41702-3145	33.95
67383	WRIGHT-HENNEPIN COOPERA		Monitoring	100-43104-3145	52.95
DFT0002924	COMPENSATION CONSULTAN	Health Savings Account	HSA Account	100-21712	150.00
DFT0002925	IRS-Payroll Tax	Federal Withholding	Federal WH/FICA/MC	100-21701	6,623.91
DFT0002925	IRS-Payroll Tax	Medicare Payable	Federal WH/FICA/MC	100-21701	2,187.38
DFT0002925	IRS-Payroll Tax	Social Security Payable	Federal WH/FICA/MC	100-21701	8,747.90
DFT0002926	MN STATE DEPT OF REVENUE-	MN State Withholding	State W/H	100-21702	2,914.09
DFT0002927	PERA	Retirement-Coordinated	PERA	100-21703	7,389.05
DFT0002927	PERA	Retirement-Elected Officials	PERA	100-21703	40.84
DFT0002927	PERA	Retirement-Police & Fire	PERA	100-21703	1,318.92
DFT0002928	VOYA	Deferred Compensation	Deferred compensation	100-21704	2,485.00
DFT0002928	VOYA	Roth IRA	Deferred compensation	100-21704	50.00
DFT0002929	US POSTMASTER	AUG HAM LAKER POSTAGE	Postage	211-41704-2120	1,879.28
DFT0002930	US POSTMASTER	SEPTIC POSTCARDS	Postage	100-42401-2120	842.04
DFT0002931	US POSTMASTER	SR CENTER POSTAGE	Postage Liability	100-20204	43.27

7/31/2**0**25 11:16:39 AM

62,441.61

Grand Total:

#### **Report Summary**

#### **Fund Summary**

Fund		Payment Amount
100 - GENERAL		57,252.29
211 - HAM LAKER		2,639.57
231 - RECYCLING		482.00
232 - STREET LIGHT		45.00
890 - TRUST FUND		2,022.75
	Grand Total:	62,441.61

	Account Summary	
Account Number	Account Name	Payment Amount
100-11502	COBRA receivable	52.06
100-20203	Fire Extinguisher	43.75
100-20204	Postage Liability	43.27
100-21701	Federal WH/FICA/MC	17,559.19
100-21702	State W/H	2,914.09
100-21703	PERA	8,748.81
100-21704	Deferred compensation	2,535.00
100-21711	Dental Insurance	906.47
100-21712	HSA Account	150.00
100-21714	Life Insurance	257.28
100-41101-1510	Worker's comp insuranc	1.00
100-41201-1510	Worker's comp insuranc	-125.00
100-41201-3920	Dues & subscriptions	14.69
100-41301-1510	Worker's comp insuranc	-83.00
100-41301-3920	Dues & subscriptions	50.00
100-41302-1510	Worker's comp insuranc	-15.00
100-41401-1510	Worker's comp insuranc	-164.00
100-41601-1510	Worker's comp insuranc	-69.00
100-41701-2110	Office supplies	16.14
100-41701-2290	Operating supplies	59.39
100-41701-3190	Other professional servi	163.81
100-41701-3210	Phones/radios/pagers	39.17
100-41702-3145	Monitoring	43.95
100-41702-3430	Cleaning service	765.00
100-41707-3220	Internet & website	350.00
100-42201-1510	Worker's comp insuranc	-2,968.00
100-42201-2290	Operating supplies	508.73
100-42201-2320	Equipment parts & suppl	291.86
100-42201-2410	Small tools	3,004.89
100-42201-3210	Phones/radios/pagers	347.63
100-42201-3390	Rentals-other	11.32
100-42201-3440	Equipment repair & mai	450.50
100-42201-3450	Fire apparatus repair &	1,500.00
100-42202-3430	Cleaning service	699.00
100-42401-1510	Worker's comp insuranc	-158.00
100-42401-2120	Postage	842.04
100-42401-3210	Phones/radios/pagers	319.58
100-43101-1510	Worker's comp insuranc	-400.00
100-43101-2210	Clothing & personal prot	141.73
100-43101-2230	Fuel	1,388.15
100-43101-2290	Operating supplies	384.03
100-43101-2330	Street repair & mainten	308.86
100-43101-2410	Small tools	202.83
100-43101-3210	Phones/radios/pagers	612.17
100-43101-3415	Gravel Maintenance	6,318.58
100-43101-3510	Training/conferences/sc	315.00
100-43104-3145	Monitoring	52.95
100-43104-3430	Cleaning service	148.00

#### **Account Summary**

Account Number	Account Name	Payment Amount
100-43401-3610	Electricity	23.50
100-44101-1510	Worker's comp insuranc	5,797.00
100-44101-2210	Clothing & personal prot	59.08
100-44101-2290	Operating supplies	187.20
100-44101-2320	Equipment parts & suppl	1,850.46
100-44101-3210	Phones/radios/pagers	174.46
100-44101-3440	Equipment repair & mai	281.67
100-44202-3430	Cleaning service	300.00
211-41704-2120	Postage	1,879.28
211-41704-3970	Printing	760.29
231-43601-3630	Waste management & r	482.00
232-34303	Street light fees	45.00
890-90001-9120	Other trust expense	2,022.75
	Grand Total:	62,441.61

#### **Project Account Summary**

Project Account Key		Payment Amount
**None**		61,959.61
231004009		482.00
	Grand Total:	62,441.61

City of Ham Lake, MN

## **Payroll Check Register**

Report Summary
Pay Period: 7/6/2025-7/19/2025

Packet: PYPKT01788 - PPE 07/19/25 PAID 07/25/25

Payroll Set: City of Ham Lake - 01

Туре	Count	Amount
Regular Checks	0	0.00
Manual Checks	0	0.00
Reversals	0	0.00
Voided Checks	0	0.00
Direct Deposits	81	52,842.90
Total	81	52,842.90

## CITY OF HAM LAKE



15544 Central Avenue NE Ham Lake, Minnesota 55304 (763) 434-9555 info@ci.ham-lake.mn.us

# PROCLAMATION OCTOBER OF 2025 IS HEREBY PROCLAIMED AS DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, the community problem of domestic violence has become a critical public health and welfare concern in Anoka County; and

WHEREAS, domestic violence is a crime, the commission of which will not be tolerated in Anoka County and perpetrators of said crime are subject to prosecution and conviction in accordance with the law; and

WHEREAS, over thousands of women, men, and children have and will continue to access assistance from Alexandra House, Inc., a domestic violence service provider; and

WHEREAS, domestic violence will be eliminated through community partnerships of concerned individuals and organizations working together to prevent abuse while at the same time effecting social and legal change; and

WHEREAS, October is National Domestic Violence Awareness Month; and

WHEREAS, DURING *National Domestic Violence Awareness Month*, Anoka County organizations will inform area residents about domestic violence, its prevalence, consequences and what we, as a concerned community can do to eliminate its existence.

NOW, THEREFORE, BE IT RESOLVED AND KNOWN TO ALL that I, Mayor Brian Kirkham, proclaim October to be Domestic Violence Awareness Month in the City of Ham Lake.

Brian Kirkham,	Mayor	

Meeting Date: August 4, 2025



To:

Mayor and Councilmembers

From:

Denise Webster, on behalf of the Personnel Committee

Councilmembers Doyle and Van Kirk

Item/Title/Subject: Finance/Human Resource Director Andrea Murff

Introduction/Discussion: The Personnel Committee met to discuss the comp worth rating for the Finance/Human Resource Director position. After completing a comparison, it was determined that the comp worth rating needs to be adjusted. Currently the comp worth rating is 308. To stay in compliance with the pay equity reporting, a new Comp Worth rating will be 339. Andrea will be at an hourly rate of \$61.49 effective July 1, 2025.

Recommendation: The Personnel Committee recommends adjusting the Comp Worth rating for the Finance/Human Resource Director Position to 339 effective July 1, 2025.

Meeting Date: August 4, 2025

#### CITY OF HAM LAKE

STAFF REPORT

To:

**Mayor and Councilmembers** 

From:

Denise Webster, City Administrator

Subject:

2026 North Metro Telecommunications Commission Budget (NMTV)

**Introduction/Discussion:** Attached is a copy of the proposed NMTV 2026 budget which has been approved by the Operations Committee and the Commission.

Recommendation: I recommend the approval of the 2026 North Metro Telecommunications Budget as presented.



July 23, 2025

TO: NMTC OPERATIONS COMMITTEE

RE: APPROVAL OF 2026 NORTH METRO TELECOMMUNICATIONS COMMISSION BUDGET

Enclosed, please find for the council's review and approval the 2026 North Metro Telecommunications Commission Budget and support materials.

The Commission's operating budget for 2026 is proposed at \$1,437,597. This number represents a \$6,443 decrease over expected expenditures for 2025. The increase includes a 3% COLA increase for staff, step increases, building maintenance costs, an accounting service, and insurance costs.

Budgeted capital costs for 2025 are \$224,750. This number represents a \$6,219 decrease from the 2024 budget. Capital expenditures include video equipment for North Metro TV, office equipment, and \$100,000 to be returned to cities for capital expenditures. Additionally, if the Commission finishes the year with \$50,000 of surplus, that money will also be returned to the cities.

In total, the 2026 budget is \$12,653 lower than the 2025 budget.

Recommendation:

That the Member Cities approve the 2026 Commission Budget as recommended by the Telecommunications Commission and the Operations Committee.

The Joint Powers Agreement states, "submitted budgets shall be deemed approved by a Member City unless, prior to October 15 preceding the effective date of the proposed budget, the Member City gives notice in writing to the Commission that it is withdrawing from the Commission."

I want to thank the Commission directors, staff, and the Operations Committee for their efforts in preparing these budgets. If you have any questions about either budget please consult with your Commission director or City Administrator.

I look forward to working with all parties, throughout the remainder of 2025, toward reaching the full potential of North Metro TV and to increase both the quality and quantity of community programming and services in 2026.

Sincerely,

Sanjayord bet Bisschoff
Barbara Goodboe-Bisschoff

Chair, North Metro Telecommunications Commission

Enc.

# 2026 North Metro Telecommunications Commission Budget Talking Points

#### **Overall Organizational Goals**

- Support legislation that will update the community television funding model to better reflect current entertainment delivery trends.
- Develop educational services for internet service/devices/software usage.
- Apply for grants to fund broadband educational services.
- Grow commercial productions.
- Continue live and on-demand closed captioning.
- Comply with WCAG AA web standards.
- Continue to be responsive to cities communications needs.
- Maintain accessibility of all channels through live streaming, OTT channels, and video on demand services, 24-hours-a-day, on any device.
- Provide program playback, video transport, channel management services, video equipment maintenance and consulting services, internet streaming services for city channels, VOD libraries for meetings, meeting management software licenses and bookmarking services, program production and event coverage services, home-media transfer services, and public access to television production for our cities, schools and general public.

#### Estimated Fund Balance/Revenues/Expenses

- The beginning fund balances for 2026 are estimates based on previous allocations, planned spending for 2025, and estimated income.
- Estimated revenues include: Franchise fees, including the actual first quarter franchise fee payment, with anticipated reductions across quarters two through four. PEG fees based on estimated number of subscribers, throughout 2024, multiplied by the PEG fee.
- Other income includes dub fees, home movie transfers, drone, streaming and production services. Interest income is estimated conservatively based on the current market.
- Estimated expenditures include the operating expenses and capital expenses, production and office equipment, and the fee payment to the cities.
- The year end fund balances include:
  - o The **Operating reserve** which is set at a minimum of 25% of the operating budget.
  - o Accrued vacation, sick and comp time. The total value of owed vacation, sick, and comp time to employees.
  - The capital equipment fund is intended for emergency replacement of unplanned equipment failures.

- o The vehicle replacement fund is to cover the cost of a new fleet vehicle.
- The building repair fund is to cover major costs related to the building such as windows, roof, furnace, parking lot, AC replacement and painting, carpet replacement etc.
- o The **franchise renewal fund** is a reserve fund for the NMTC's franchise renewal process. Franchise renewal can be very expensive, with the informal negotiation process historically costing around \$200,000 across the renewal period. With the 5-year franchise extension, these funds won't be needed in the near future.

#### **Budget**

- The recommended operating budget for the organization totals \$1,443,254. This number is a \$6,443 decrease compared to last year's operating budget. Decreases were made to overall wages and benefits costs with the recommended Co-Executive Director model. Increases were made administrative costs line items. New expenses include an update to make the website meet federal accessibility requirements, along with ongoing consulting fees and educational opportunities for the Co-Executive Directors.
- Budgeted capital purchases for 2026 are set at \$224,750. Budgeted capital items include a new video player for the control room, a new router for the production truck, equipment contracts, closed captioning contracts, and closed captioning charges. The capital budget also includes routine computer/software upgrades, and software licenses, and \$100,000 in capital equipment support for cities.
- The overall 2026 capital budget is \$6,210 lower than the 2025 capital budget.
- The overall 2026 budget is \$12,653 lower than the 2025 budget.

#### **Closing Points**

- North Metro TV provides a variety of valuable services to our member cities in a very cost effective manner. These services include:
  - o Program playback and channel management.
  - o Closed captioning.
  - o Internet streaming of city meetings.
  - o Bookmarking city meetings.
  - o Podcasting city meetings.
  - o Live streaming of city channels and community channels.
  - o Provide city channels on Roku and AppleTV via NMTV app.
  - o Video equipment repair, maintenance and consulting.
  - o Drone services.
  - o Video production services.
  - Meeting coverage and troubleshooting.
- The general public also benefits from the services of North Metro TV. These services include:
  - o Educational opportunities.
  - o Access to professional video production tools.

- o Home Movie transfer services.
- Varied and informative programming about their community, including high school sports, local news, and city meetings.
   Future state and federal legislation could have an impact on future income
- sources.

## North Metro Telecommunications Commission 2026 Budget Line-Item Supporting Information

#### Personnel

- The recommended 2026 budget follows the recommendation of The Waldron Group to move to a Co-Executive Director model and reduce one full-time staff position.
- The personnel line-item reflects a 3% COLA.
- Part-time staff includes sports and meeting coverage personnel. Employees in the part-time group are used when needed for a sports shoot or to cover a city meeting. The majority of the part-time staff qualify for PERA. They are not eligible for health benefits. Payroll taxes apply.

#### **Benefits**

- The NMTC employee benefits package has been budgeted at \$1,400.00 per FT staff per month for 2026, plus the expected PT payroll taxes and PERA costs This is \$0 more, per person/per month than was budgeted for 2025. The Member City benefits package average for 2024 was \$1,399.80.
- All indications are that the NMTC's contribution to PERA will remain at 7.5% in 2025.

#### **Administrative Expenses**

• Budgeted administrative expenses are \$2,700 higher than 2025. The increases include educational opportunities for the new Co-Executive Directors, as well as ongoing consulting from The Waldron Group.

#### **Production Expenses**

- Budgeted production expenses are \$12,800 less than 2025. The need for DVDs, Blurays, and disc cases continues to decrease, partially as a result of electronic file transfers.
- The intern budget has been decreased by \$2,000

#### Office Expenses

- Office expenses are budgeted at \$10,200 more than the 2025 level.
- \$10,000 of the increase is attributed to website accessibility upgrades that put us into federal compliance before the April 2027 deadline.
- Building maintenance includes the furnace/AC maintenance contract, lawn care, snow removal, carpet and window cleaning, fire inspection, and landscaping and building mechanical services.

- Building utilities include sewer, water, gas, and electric.
- Insurance includes all property, liability, crime, volunteer, vehicle, drone, and monument sign coverage.
- Office supply line-item includes all office supplies, and maintenance contracts on printers and copiers.
- The Telephone/Internet/Web Hosting line-item covers bandwidth which is required to transport signals from city hall. NMTV continues to pay a fee to house video-on-demand and streaming content on a remote server. This allows for unlimited simultaneous viewing, without a reduction in speed, or an inordinate amount of bandwidth for that purpose. The line-item also covers the wireless live transmission of sporting events and other field productions. The website maintenance contract, web hosting, telephone costs, license fees for our Roku and AppleTV apps, and the annual phone software upgrade are also included.
- Postage covers the cost of mailing dubs and equipment for contract maintenance, and other postage for the NMTC.
- Property tax is for the recycling assessment. In 2024, there was an unexpected street assessment fee in this line item.
- Building cleaning, trash, recycling, and hazardous material disposal/recycling increased \$6,000 to better reflect recent cost increases.

#### **Capital Expenditures**

- The 2026 capital budget currently includes \$108,250 for production equipment, \$8,500 for office systems and software fees, \$8,000 for HVAC improvements, and \$100,000 for city capital expenses.
- The production equipment budget includes annual system contracts, including closed captioning, a new video player for the studio, and a new router for the production truck.
- Fees back to Cities are included as a capital cost.

#### Summary

- The recommended 2026 Operating budget is \$6,443 lower than the 2025 budget.
- Capital equipment expenditures are budgeted at \$224,750, which is \$6,210 less than the 2025 budget.
- The 2024 HD bond payment was the final payment, and that bond has been paid off.
- It is recommended that fees returned to cities be included in capital expenditures in order to maximize fee payments in the future. This budget includes \$100,000 in fees for city capital expenditures and capital reserves.
- The overall 2026 budget is \$12,653 lower than the 2025 budget.

## North Metro Telecommunications Commission 2026 FINANCIAL SUMMARY

#### Estimated Fund Balances/Revenues/Expenditures.

<b>BEGINNIN</b>	G	FI	U١	1D	BAL	ANCES

Operating Reserve	\$608,709
Accrued Vac, Sick, Comp	\$120,000
Capital Equip. Fund	\$504,155
Vehicle Replacement Fund	\$49,763
Bldg Repair Reserve	\$165,000
Franchise Renewal Fund	\$200,000
Bond Reserve	\$0

TOTAL: \$1,647,627

#### **ESTIMATED REVENUES**

Franchise Fees	\$972,000
PEG Fees	\$480,000
Other Income	\$55,000
Interest Income	\$48,750
Income From Reserve Funds	\$106,597

TOTAL: \$1,662,347

#### **ESTIMATED EXPENDITURES**

Operating Expenses	\$1,437,597
Capital Expenses: Equipment/Bldg	\$124,750

Capital Expenses: Bond Payment \$0 Paid off in 2024

Capital Expenses: PEG Fees to Cities \$100,000

TOTAL: \$1,662,347

YEAR END FUND BALANCES		Increase(Decrease)
Operating Reserve	\$496,455	-\$106,597
Accrued Vac, Sick, Comp	\$120,000	\$0
Capital Equip. Fund	\$504,155	\$0
Vehicle Replacement Fund	\$49,763	\$0
Bldg Repair Reserve	\$165,000	\$0
Franchise Renewal Fund	\$200,000	\$0
Bond Reserve	\$0	\$0

TOTAL: \$1,535,373 -\$106,597

## 2026 North Metro Telecommunications Commission Budget

	l l	^^		2026	
	2024 ACTUAL	20: BUE	25 OGET	2026 BUDGET	NOTES
	ACTUAL	Budget	April Act.		
PERSONNEL					
Executive Director (1) FT	6,564	102,909	0	- I	
T Engineer/ Administrative Asst.	0,00 !	-		_	NA NA
/ideo Engineer (1) FT	84,348	84,660	27,025	87,200	Matt Waldron
Sports Director (1) FT	77,759	81,439	25,318	87,434	Kenton Kipp
ED/News Director (1) FT	91,526	80,113	30,112	108,850	Danika Peterson
Programming Coord. (1) FT	67,845	68,085	21,723	70,128	Michele Silvester
Special Projects Coor. (1) FT	69,613	68,085	23,472	70,128	T.J. Tronson
Municipal Producer (1) FT	60,825	61,668	19,688	63,518	Trevor Scholl
Sports Producer (1) FT	56,467	59,202	18,878	63,518	Ted Leroux
News Producer (1) FT	49,745	52,371	16,534	56,483	Eric Nelson
D/Studio Manager (1) FT	64,130	72,623	27,596	108,850	Eric Houston
reelancers/Sports	73,510	71,765	25,174	71,976	Freelancers Sports
reelancers/Meetings	14,214	20,693	5,475	25,002	Freelancers/City Meetings
Contingency	0	0		0	
PERSONNEL TOTAL:	716,546	823,613	240,995	813,087	3% COLA increase
				· ·	4 staff w/ step increase
BENEFITS					
ICA	47,299	51,064	14,942	50,411	6.2% of gross wages
Medicare	10,390	11,942	3,494	11,790	1.45% of gross wages
PERA	53,829	61,771	19,235	60,982	7.50% of gross wages
Paid Leave				3,578	.44% of gross wages
Benefits Package	140,128	168,000	86,981	168,000	Health/Dental/STD, LTD, ADD
Norkers Compensation	0	2,000	3,015	4,000	
Electronic Filing Charges	241	2,000	80	2,000	
BENEFITS TOTAL:	251,887	296,777	127,747	300,760	
					*Benefits package
					\$1,400 per FT employee/per month plus PT benefits cost
					\$1,399.80 = 2024 City average
		_			
	9				
	1.				

### 2026 North Metro Telecommunications Commission Budget

<b>L</b>						
	2024 ACTUAL	2025 BUDGET		2026 BUDGET	NOTES	
		Budget	April Act.			
ADMINISTRATIVE EXPENSES						
Commission Audit & Accountant	38,143	45,000	19,924	42,000	Annual audit of Commission finances	
Audit: Company	0	0	0	0		
Consultants and Professional Fees	0	0	3,441	3,000	evaluating co-exec model	
Conferences	600	5,000	140	5,000	NATOA & MACTA Conf., Webinars	
General/Special Meeting Expenses	2,330	3,000	738	3,000		
Government/Legislative Affairs	0	0	0	0		
Legal Fees	51,206	50,000	12,361	50,000	Franchise renewal/State and Fed Issues	
Membership Dues	5,095	5,800	3,767	5,500	NATOA, MACTA, ,Chamber of C	
Mileage Reimbursement	1,096	1,500	484	1,500		
Personnel Recruitment	0	0	0	0		
Tuition and Training	0	0	0	3,000	Executive Director Education	
Contingency Expenses	0	0	0	0		
ADMINISTRATIVE EX. TOTAL:	98,470	110,300	40,855	113,000		
PRODUCTION EXPENSES						
Advertising/Marketing/Entry Fees	49	1,500	o	500	Printed materials, entry fees	
Awards Ceremony/ Entry Fees	420	0	0	500	NATOA and MACTA awards	
Bulbs/Batteries/Other Prod. Costs	239	4,500	214	1,000	Bulbs, Camera Batt. Duct tape	
Interns	1,970	4,500	100	2,500	Stipends for internships	
Truck/Fleet Vehicle Gas/Oil	2,725	3,800	580	3,500	Prod. Van & fleet vehicles	
Truck/Fleet Vehicle Maint/Lic.	2,818	6,500	4,241	4,000	Prod. Van & fleet vehicles	
Video Equipment/Parts/Maint.	298	4,500	0	1,000	Parts and Maintenance for video equip.	
DVDs/Flash Drives/Cases	477	1,500	214	1,000	Blank media for masters/copies	
PRODUCTION EX. TOTAL:	8,996	26,800	5,349	14,000		
OFFICE EXPENSES						
Building Maintenance	26,328	50,000	8,877	35,000	Bldg & Prop./Fire Insp./Furn. Contract	
Building Security	798	800	0,0.1	1,000		
Building Utilities	21,494	35,000	8,766	30,000	Sewer, Water, Gas & Electric	
Insurance	16,133	20,000	14,885	20,000	Liability/property/vehicle/volunteeer	
Office Supp./Office Equip. Maint.	3,372	14,000	2,144	10,000	Copier & Fax maint. contracts, Supplies	
Computer Apps/Subscriptions	15,431	0	6,978	18,000	Software subscriptions	
Phone/Internt Service/Web Hosting	51,928	55,000	13,670	55,000	VOD, Live Streaming, web maint.,bandwidth	
Website Update	31,020	30,000	10,070	10,000	WCAG AA updates	
Postage/Shipping	201	250	343	250	equipment/dub/packet postage	
Property Tax	10,496	1,500	1,363		Recycling and street assessments	
Trash/Recycling/Janitorial	11,822	10,000	4,040	16,000	recycling and chest decessioned	
OFFICE EXPENSES TOTAL:	158,003	186,550	61,066	196,750		
OPERATIONS TOTAL:	1,075,899	1,444,040	476,012	1,437,597		

## 2026 North Metro Telecommunications Commission Budget

	2024 ACTUAL	2025 BUDGET		2026 BUDGET	NOTES
CAPITAL EXPENDITURES					
Video Equipment	144,752	105,960	92,327	108,250	Master Control equipment, live streaming hardware
Computer/Office Equipment/Sftwre	20,042	15,000	10,492	8,500	office systems, software
To equipment reserve fund	200,000	0	0	0	
Vehicles	0	0	0	0	
Building Expenditures	12,409	10,000	0	8,000	HVAC improvements
Bond Payment	230,265	0	0	0	HD Bond Payment
City Capital Expenditures	150,000	100,000	100,000	100,000	Equipment/Equipment Reserves
CAPITAL EXP. TOTAL:	757,468	230,960	202,819	224,750	
GRAND TOTAL:	1,833,367	1,675,000	678,831	1,662,347	

North Metro TV 2026 Computer Budget						
ID No.	Model No. Ma	lake Description	Qty	Cost	Total	
2026-201	PC	Michele Office Computer	1	1500		
2026-202	PC	Ted Office Computer	1	3000		
2026-203	PC	Matt Office Computer	1	1500		
2026-204	PC	Computer Replacement Parts	1	1000		

North Metro TV 2026 Software Budget						
ID No.	Model No.	Make	Description	Qty	Cost	Total
2026-301	Adobe Suites	Adobe	Adobe Photoshop, Premiere, After Effectsetc (\$900/Month)	12	900	10800
2026-302	Office Products	Microsoft	Microsoft Office Subscription	1	2500	2500
2026-303	Gmail Accounts	Gmail	Google Gmail & Workspace Business Accounts (Monthly at \$211)	1	3000	3000
2026-304	Mac Drive	MacDrive	MacDrive Account for 4 Yearly Licenses	4	50	200
2026-305	RealVNC Pro	RealVNC	Remote VNC Connection to office computers (Yearly Subscription)	1	1000	1000
						17500

aster Conti	rol Service & Subscriptions					
ID No.	Model No.	Make	Description	Qty	Cost	Total
2026-1	CBL-PLATINUM-4	Tightrope	4 I/O Platinum Support through Tightrope, Loaner, Night Support, Upgrade Assistance	1	4250	425
2026-2	CBL-PLATINUM-ADDL	Tightrope	Tightrope Additional I/O Annual Software Maintenance Contract for Large Systems (update 10 Needed)	10	550	55
2026-3	CBL-REFLECT-BND	Tightrope	Cablecast Reflect Live & VOD Stream Server Subscription -	3	2800	84
2026-4	CBL-REFLECT-LIVE	Tightrope	Cablecast Live Reflect Service	2	1500	30
2026-5	CBL-CAPTIONING-500	Tightrope	500 Hour Block of Captioning	1	4000	40
2026-6	CBL-CABLECAST-REN	Tightrope	Subscription Fee to maintain 1 Cablecast OTT channel	2	300	6
2026-7	CBL-ENCO-SUPPORT	Enco	Annual Support Contract for ENCO enCaption server & software	1	6500	65
2026-8	M-PREM-SUPP-1	Haivision	Premium Maintenance & Support for StreamHub and Pro460	1	7000	70
						392
aster Conti	rol Equipment					
ID No.	Model No.	Make	Description	Qty	Unit Price	Total
			эсооприон	0	0	IUIAI
				U	1 0	
					L	
	m/Studio A				100 100 100	
ID No.	Model No.	Make	Description	Qty	Unit Price	Total
2026-20	Evertz Playback Server	Evertz	4 Output Playback Server replacing the Black Storm	1	36000	360
						360
ontroi Rooi	m/Studio B			100	ALCOHOLD TO A CO.	
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#### CITY OF HAM LAKE ROAD COMMITTEE NOTES JULY 21, 2025

The Road Committee met on Monday, July 21, 2025 at 5:00 p.m. Present were Mayor Brian Kirkham; Councilmember Jim Doyle; City Engineer Dave Krugler; Public Works Superintendent John Witkowski; Administrator Denise Webster; Finance Director Andrea Murff; and Deputy City Clerk Dawnette Shimek.

1. <u>Discussion of request for a petition for the improvement of Opal Street NE (North of Lexington Avenue NE)</u>

The Road Committee discussed a resident who requested a petition for the upgrade of Opal Street NE (north of Lexington Avenue NE). Engineer Krugler stated that the road construction would cost approximately \$600,000 and road right-of-way on the northern portion of the road would need to be acquired. It was decided that the Revolving Street Fund would not have enough funding to upgrade the road at this time.



2. <u>Discussion of street assessment amounts – in 2022 the amount was set at \$22,000 per lot</u>
There was discussion of increasing the amount of the street assessment. It was the consensus of the Road Committee to recommend to the City Council to increase the street assessment from \$22,000 to \$25,000 per lot.

3. Soderville Park - parking lot expansion

There was discussion of the expansion of the parking lot at Soderville Park and the trail that would connect the park to HolidayStation Stores. It was discussed that the parking lot construction and trail will be completed when the residential property abutting is developed and parkland dedication is acquired.

4. Parking lot for Hidden Forest East Park

Superintendent Witkowski stated that the playground equipment will be installed in August and Public works will make the park accessible until the parking lot is paved. The Road Committee recommended that the Park Committee discuss the parking lot for Hidden Forest East Park at their next meeting.

5. <u>Detour Discussion - Naples Street NE and Bunker Lake Boulevard NE / Hwy 65</u> NE and Bunker Lake Boulevard NE road construction

Engineer Krugler stated that Anoka County will be constructing a roundabout at Bunker Lake Boulevard and Naples Street NE. Engineer Krugler updated the Road Committee on the detours that will be in place during the Highway 65 NE and Bunker Lake Boulevard NE construction. Engineer Krugler stated that he is recommending to the Anoka County Highway Department to not close Highway 65, while the overpass is being constructed, but to close Bunker Lake Boulevard NE in both directions, as it will decrease the amount of time of construction to one-year that the road will need to be closed. Engineer Krugler stated that traffic will be detoured to use the backage roads during construction.

6. <u>Anoka Co. Hwy Department Update - Lexington Avenue NE - North of Bunker Lake Boulevard NE and North of West Broadway Avenue</u>

Engineer Krugler stated that Anoka County is upgrading There was discussion of the trail that would be constructed on the east side of Lexington Avenue NE, north of Broadway in the City of Columbus and if the City of Ham Lake would contribute to the cost. It was decided to wait until the plans are presented to the City for discussion.

## RESOLUTION NO. 25-XX RESOLUTION APPROVING CONTRIBUTIONS

WHEREAS, the City of Ham Lake is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statutes Sections 412.21 and 465.03 for the benefit of its citizens, and

WHEREAS, the following persons and entities have offered to contribute the cash sums set forth below to the City:

Name of Donor
Ham Lake Chamber of Commerce
(for the Ham Laker)

<u>Amount</u> \$5,000.00

WHEREAS, all such sums have been contributed to assist the City in the establishment and operation of programs within the City's corporate limits either alone or in cooperation with others, as allowed by law; and

WHEREAS, the City Council hereby finds that it is appropriate to accept the contributions offered.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ham Lake, Minnesota, as follows:

- 1. The contributions described above are hereby accepted by the City of Ham Lake and shall be used to establish and operate programs within the City's corporate limits either alone or in cooperation with others, as allowed by law.
- 2. That the City Clerk is hereby directed to issue receipts to each donor acknowledging the City's receipt of the donor's contribution.

Adopted by the City Council of the City of Ham Lake this 4th day of August, 2025.

	Brian Kirkham, Mayor	
Denise Webster, City Clerk	-	

## RESOLUTION NO. 25-xx RESOLUTION APPROVING CONTRIBUTIONS

WHEREAS, the City of Ham Lake is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statutes Sections 412.21 and 465.03 for the benefit of its citizens, and

WHEREAS, the following persons and entities have offered to contribute property set forth below to the City:

Name of Donor	<u>Item</u>	<u>Value</u>
Coon Creek Watershed District	Desk	\$900.00
Coon Creek Watershed District	2014 80" Sharp Aquos Board	\$5,760.00

WHEREAS, all such sums have been contributed to assist the City in the establishment and operation of programs within the City's corporate limits either alone or in cooperation with others, as allowed by law; and

WHEREAS, the City Council hereby finds that it is appropriate to accept the contributions offered.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ham Lake, Minnesota, as follows:

- 1. The contributions described above are hereby accepted by the City of Ham Lake and shall be used to establish and operate programs within the City's corporate limits either alone or in cooperation with others, as allowed by law.
- 2. That the City Clerk is hereby directed to issue receipts to each donor acknowledging the City's receipt of the donor's contribution.

Adopted by the City Council of the City of Ham Lake this 4th day of August, 2025.

	Brian Kirham, Mayor	
Denise Webster, City Clerk		

## CITY OF HAM LAKE



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

#### CITY OF HAM LAKE PLANNING COMMISSION AGENDA MONDAY, JULY 28, 2025

CALL TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: July 14, 2025

**PUBLIC HEARING: None** 

#### **NEW BUSINESS:**

1. Jason Osberg, of JD Ham Lake Holdings, LLC, requesting revised Sketch Plan approval of Kohler Farms, a 43-lot single family residential development in Section 13.

#### **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, JULY 28, 2025

The Ham Lake Planning Commission met for its regular meeting on Monday, July 28, 2025, in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

**MEMBERS PRESENT:** 

Commissioners Brian Pogalz, Dave Ringler, Jeff Entsminger,

David Ross, and Erin Dixson

**MEMBERS ABSENT:** 

Commissioners Kyle Lejonvarn and Jonathan Fisher

OTHERS PRESENT:

City Engineer Dave Krugler 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 Ross, seconded by Entsminger, to approve the minutes of the July 14, 2025, Planning Commission meeting as written. All present in favor, motion carried.

**PUBLIC HEARING: None** 

#### **NEW BUSINESS:**

<u>Jason Osberg, of JD Ham Lake Holdings, LLC, requesting revised Sketch Plan approval of Kohler Farms, a 43-lot single family residential development in Section 13</u>

Mr. Lazan spoke on behalf of the project. Chair Pogalz stated the original sketch plan of 39 lots was reviewed in April. Chair Pogalz asked Engineer Krugler to provide an explanation as to why a sketch plan for this plat was being reviewed a second time. Engineer Krugler stated the farmstead was excluded from the original sketch plan; the developer has now decided to include the farmstead in the plat which changed the plat boundaries. Engineer Krugler stated by including the farmstead within the plat, the need for a lot line adjustment for the 15946 Lexington Avenue NE parcel, to make some other lots buildable, was eliminated. Chair Pogalz asked the applicant to inform the commissioners about what has changed in addition to the outer boundary of the development. Mr. Lazan stated it was determined that it would be simpler to include the

farmstead in the development to minimize the process of vacating and rededicating easements. Mr. Lazan stated the plat now contains 43 lots: 42 new lots plus the existing farmstead parcel. Mr. Lazan presented a rendering of the proposed plat to provide a visual of what he and his partner believe the final plat will look like. Mr. Lazan stated the number of lots within the project are driven by viable septic areas. Mr. Lazan stated after soil boring results were obtained, two cul-de-sacs were added in the west central and southern parts of the plat which allowed for lot reconfiguration and the addition of three additional lots. Mr. Lazan stated the project will involve significant earthwork and some deep ponds will be created. Mr. Lazan stated wetland areas will remain, and they intend to preserve a significant amount of trees. Mr. Lazan stated the four southernmost lots will likely be custom graded due to the lots being in a wooded, wetland area. Mr. Lazan stated they have been in contact with their builder pool and have most of the lots pre-sold. Chair Pogalz expressed concern with the cul-de-sac in the northeast area of the plat exceeding 1,100 feet in length. Chair Pogalz stated at the March meeting, Mr. Lazan had expressed concern about the viability of the development due to wetlands limiting the number of lots that could be created on the land; now three additional lots are being proposed. Chair Pogalz asked Engineer Krugler to comment. Engineer Krugler stated 124 acres will now be developed instead of 113 acres. Engineer Krugler stated the 15946 Lexington Avenue NE parcel is now included in the plat. Engineer Krugler stated a bike trail easement will need to be dedicated along the west side of Lexington Avenue NE; the entire bike trail easement will now be credited toward parkland dedication requirements. Engineer Krugler stated a trail is shown in the mid-section of the development to allow residents from the northeast area of the plat to access the park in the Enchanted Estates development. Engineer Krugler commented on the proposed cul-de-sac on Hupp Street NE and 160<sup>th</sup> Avenue NE. Engineer Krugler stated the temporary cul-de-sac created on Hupp Street NE with the Hamlet Estates development is 553 feet leaving for the allowance of a 547 feet extension into the Kohler Farms development. Engineer Krugler stated access points onto Lexington Avenue NE are not going to be permitted due to future road improvements by Anoka County on Lexington Avenue NE and other traffic obstacles created by an existing gas station, 161st Avenue and other residences in the area. Engineer Krugler stated due to driveway access point limitations onto Lexington Avenue NE, and wetlands within the proposed development, it seems that the proposed emergency access trail, with a limited-access fire lane from Lexington Avenue NE to 160th Avenue NE, seems like the best option to offset the exceedance of the cul-de-sac maximum length. Engineer Krugler stated there is one other limited-access fire lane in the city, in the Townhomes of Majestic Oaks Fourth Addition development. Commissioner Entsminger asked if certain criteria would need to be met if the city permitted the emergency access trail. Engineer Krugler stated the developer has presented multiple access options for the northeast area of the plat that did not work out and are at the point of proposing a limited-access fire lane. Engineer Krugler stated it is his opinion that the limited-access fire lane is a viable option, but the Planning Commission will need to determine if that is acceptable. Engineer Krugler stated reconfiguration of the roadway in the northeast corner could be done so that another culde-sac branches off from the proposed cul-de-sac. Engineer Krugler stated that when another cul-de-sac starts, the 1,100-foot measurement restarts, which is something else to consider. Mr. Lazan stated the emergency access trail, with a limited-access fire lane, will serve the nine lots in the northeast section of the plat as well as other parcels in

developments to the north. Mr. Lazan stated three options for access in the northeast section of the plat were presented the first time the sketch plan was reviewed which included a code compliant cul-de-sac with three driveways onto Lexington Avenue NE, one street access point from Lexington Avenue NE and this concept; the City Council approved this concept. Engineer Krugler stated it is a long distance, approximately 1,750 feet for emergency vehicles to travel within Hamlet Estates from the one access point on Constance Boulevard NE to the southernmost parcel of that development. There was discussion about emergency access to homes in the Hidden Forest East development. Commissioner Entsminger stated he is concerned that if the longer cul-de-sac is permitted in the northeast area of the plat, it will set precedence for future developments. Engineer Krugler reiterated that the revised sketch plan includes the fourth option presented by the developer for access to the northeast area of the plat; other options could have more wetland impact. Engineer Krugler stated Coon Creek Watershed District and the Technical Evaluation Panel (TEP), the agency in charge of reviewing plans to determine if wetland impacts are warranted, will choose plans that have the least wetland impact. Engineer Krugler stated the City Council will need to determine if what is being presented is acceptable. Commissioner Entsminger asked if Public Works would plow the lane. Engineer Krugler stated Public Works would plow the lane if there is a significant snowfall. Chair Pogalz stated Engineer Krugler provided examples related to lengthy access points within developments, particularly the Hidden Forest East development. Chair Pogalz stated although the access to the Hidden Forest East developments is very long, additional access points will be provided in the future. Engineer Krugler stated that was correct. Chair Pogalz stated the proposed access for the northeast area of this plat will not be expanded. Chair Pogalz asked how long the proposed cul-de-sac is. Mr. Lazan stated the cul-de-sac is approximately 1,400 feet long or 300 feet longer than allowed by Code. Mr. Lazan stated the cul-de-sac as presented allows them to develop two additional lots. Chair Pogalz asked if wetlands were being mitigated, regardless of the length of the cul-de-sac. Mr. Lazan stated the wetlands that would be mitigated by this concept are at a De minimis point which does not require them to go through the full wetland impact permitting process. Mr. Lazan estimated that wetland impacts would be quadrupled if a roadway connection needed to be made between 158th Lane NE and Hupp Street. Mr. Lazan stated the proposed trail just fits in the area shown on the plans. Chair Pogalz asked if a wetland delineation had been finalized. Mr. Lazan stated it is very close to being finalized. Chair Pogalz asked what Mr. Lazan predicts what the outcome of the wetland delineation will be. Mr. Lazan stated the path in the middle of the proposed development should be approved; what is currently being reviewed by the TEP panel is the two lots west of Hupp Street NE; those two lots will not have any impact on roadways. Chair Pogalz stated this situation seems to be like the discussion that was had on creating an access point in the southwest area of the proposed Elwell Farms development in that the TEP could deny a proposed roadway crossing wetlands that did not include adjacent buildable lots. Engineer Krugler stated several options are often presented to the TEP before the TEP provides a decision on what alternative would be allowed; the decision is generally based on the option that is reasonable for the work (building) that will be done in the area and that has the least possible impact to wetlands. Mr. Lazan stated the objective of their wetland impact application is to avoid, minimize and mitigate. Mr. Lazan stated the TEP has asked them many questions about a trail over the wetland area. Mr. Lazan stated he feels the TEP would be critical of a revised proposal that would propose

a roadway, instead of a trail, through the wetlands. Chair Pogalz stated the topography of the land in Ham Lake does present challenges for development but he is still concerned about the cul-de-sac exceeding the 1,100-foot allowance. Chair Pogalz stated the revised sketch plan being reviewed has not changed much; it has been refined, a few lots have been added, and it now includes the farmstead. Chair Pogalz stated that because the original sketch plan was approved, and there have been limited changes to the revised sketch plan, there are not enough substantial changes to require a road where the trail is proposed in the central area of the plat. Commissioner Dixson asked if the City Attorney has reviewed the plat. Commissioner Dixson asked if the City Council discussed the potential impacts of allowing a cul-de-sac more than 1,100 feet long in addition to the proposed emergency access trail. Chair Pogalz stated he understands the road and trail configuration presented in the revised sketch plan is one of three options, and variances, are sometimes granted for hardship situations. Chair Pogalz stated his concern, and question for the City Council and City Attorney, is, will approving the 1,400 foot cul-desac create issues in the future. Chair Pogalz stated he would like the City Council and City Attorney to review and discuss the proposed 1,400-foot cul-de-sac and determine if by approving the plans, as presented, will set an unfavorable precedence. Commissioner Entsminger stated he agreed with Chair Pogalz's comments. Engineer Krugler stated the City Council has approved variances for other unique situations. Engineer Krugler stated there has to be a hardship to allow a variance from city requirements. Engineer Krugler stated he will talk with the City Attorney about this situation. Chair Pogalz asked Mr. Lazan if he had read Engineer Krugler's memo and understood parkland dedication requirements. Mr. Lazan stated he had read the memo and did understand the requirements. Motion by Pogalz, seconded by Entsminger, to recommend approval of the revised Sketch Plan, presented by Jason Osberg of JD Ham Lake Holdings, LLC, for a 43-lot single family residential development in Section 13 subject to submitting a septic compliance inspection report to the city for the 15946 Lexington Avenue NE parcel with soil borings that indicate a suitable secondary septic location on the parcel, maintaining proper building setbacks on the 15945 Lexington Avenue NE parcel, obtaining approval from the Anoka County Highway Department for the proposed paved, emergency access trail in the northeast section of the plat, constructing a paved trail between 158th Lane NE and Hupp Street NE/160th Avenue NE, dedicating a 20-foot-wide bike trail easement west of Lexington Avenue NE along the eastern border of the plat, paying monies in lieu of parkland for parkland dedication with credit granted for trails and trail easements. modifying street names as directed by the City Engineer, completing a wetland delineation, obtaining Coon Creek Watershed District approval, completing a review by the Minnesota Department of Natural Resources' Natural Heritage Information System, meeting the requirements of the City Engineer and meeting all City, State and County requirements. All present in favor, motion carried. This application will be placed on the City Council's Monday, August 4, 2025, agenda.

#### **COMMISSION BUSINESS:**

#### City Council Update

Chair Pogalz stated the City Council concurred with the Planning Commission's recommendation to approve the preliminary plat and rezoning for Elwell Farms. Chair Pogalz stated the City Council agreed with the Planning Commission that the city cannot

Planning Commission Minutes July 28, 2025

require a private landowner to dedicate land for a snowmobile trail and agreed that the developer should not be required to pave 138<sup>th</sup> Avenue NE, Frazier Street NE and 139<sup>th</sup> Lane NE due to it being outside of the Elwell Farms plat boundary.

Engineer Krugler stated he will speak with Attorney Berglund about the concerns related to the cul-de-sac exceeding 1,100 feet. Chair Pogalz will speak with Mayor Kirkham about the concern the Planning Commissioners have related to the Hupp Street NE and 160<sup>th</sup> Avenue NE cul-de-sac to determine if a planning commissioner should be present at the August 4, 2025 meeting.

#### **ADJOURNMENT:**

Motion by Dixson, seconded by Entsminger, to adjourn the Planning Commission meeting at 6:38 p.m. All present in favor, motion carried.

Jennifer Bohr Building and Zoning Clerk



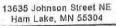
# PLANNING REQUEST

# CITY OF HAM LAKE

15544 Central Avenue NE Ham Lake, MN 55304

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

Date of Application 07/24/2025	Date o	f Receipt 3.4-2025 490 Amount \$10,000
	Receipt #	490 Amount \$ 10,000
Meeting Appearance Dates:		
Planning Commission	City Coun	cil 8-4-25
Please check request(s):		
Metes & Bounds Conveyance	Commerc	ial Building Permit
× Sketch Plan	Certificat	e of Occupancy
Preliminary Plat Approval*	Home Oc	cupation Permit
Final Plat Approval	Condition	al Use Permit (New)*
Rezoning*	Condition	al Use Permit (Renewal)
Multiple Dog License*	Other	
*NOTE: Advisory Signage is required for land use application also requires a Public Hearin		
Development/Business Name: JD Ham Lake Holding	s, LLC, Project Name: "Ko	ohler Farms" - REVISED SKETCH PLAN
Address/Location of property: 4 Parcels, only one a	ddress- 15946 LEXINGT	ON AVE NE, Harn Lake, MN 55304
	TWP 32 RGE 23 EX THE S 667 FT OF TH	IE E 670 FT THEREOF, EX RD SUBJ TO EASE OF REC, HAM
<b>—</b>	include 15946	Proposed Zoning R-1 - R-A Lexington. Now 43 10ts
Applicant's Name: Darren Lazan (Developer- JD Ham L	ake Holdings, LLC: Jasor	Osberg (612)205-1226)
Business Name: Landform.Professional Services, LLC		
Address 105 5th Ave S, Suite 513		
City Minneapolis	State MN	Zip Code 55401
Phone 612-638-0250 Cell Phone 6	12-221-8143	_ Fax
Email address dlazan@landform.net		
A PROPERTY AND PROPERTY OF STREET	Carl State Called Carl	
You are advised that the 60-day review period red		
not begin to run until all of the required items have	re been received by	the City of Ham Lake.
		7/24/25
SIGNATURE	D	ATE / AT / AD
*************************************	******	*****************************
- FOR STAFF	USE ONLY-	The Assertance of the Control of the
ACTION BY: Planning Commission 1-28-25		TAXES CURRENT YES NO
City Council	Any Active/Def	erred Assessments YES NO





Memorandum

Office (763) 862-8000 Fax (763) 862-8042

Date:

July 24, 2025

To:

Planning Commissioners

From:

David A. Krugler, City Engineer

Subject:

Kohler Farms Revised Sketch Plan

#### Introduction:

The proposed 43 lot residential development is located on the 124.3-acre parcels 13-32-23-31-0002, 13-32-23-31-0003 (15946 Lexington Avenue), 13-32-23-32-0001, and 13-32-23-33-0001. The existing zoning is Rural Single Family Residential (R-A) and the proposed zoning is Single Family Residential (R-A). A 600-scale zoning map, 600-scale aerial map and a 400-scale half-section map are attached. The revised sketch now includes the entire parcel of 13-32-23-31-0003 (15946 Lexington Avenue).

#### Discussion:

This plat previously received Sketch Plan approval at the April 7th City Council meeting for a total of 39 lots. The original sketch plan required a lot line adjustment involving parcel 13-32-23-31-0003 (15946 Lexington Avenue) prior to final plat approval. By incorporating this parcel into the plat, the need for a separate lot line adjustment has been eliminated. In accordance with City Code Section 11-450.4(c), a compliance inspection will be required for the existing septic system. It is the intent that Lot 1, Block 4 will retain its current R-A zoning designation, while all remaining lots will be zoned R-1. The existing buildings located on the future Lot 1, Block 4 are in compliance with applicable city and state codes; therefore, no modifications or demolition will be necessary, as confirmed in the attached email from the City Building Official.

Three access points to the plat are proposed at Hupp Street, 158th Avenue, and 159th Avenue. The proposed connection at Hupp Street would result in a roadway length that exceeds the maximum 1,100 feet allowed under Article 10-430(K). To address this, the plans include an emergency access trail with a limited-access fire lane extending from Lexington Avenue to 160th Avenue. Since Lexington Avenue is under the jurisdiction of the Anoka County Highway Department (ACHD), approval from ACHD will be required. The City has previously allowed a similar restricted access at 133rd Lane between Jefferson Oaks Estates and the Majestic Oaks 4th Addition. The proposed paved emergency access trail would also qualify as a pedestrian pathway, and the developer will receive parkland development fee credit accordingly. Two street names shown on the plat do not conform to the Anoka County grid naming convention. "Fraizer Court" should be relabeled as 158th Lane, and "158th Court" should be renamed 158th Avenue to maintain consistency with the county's street naming standards.

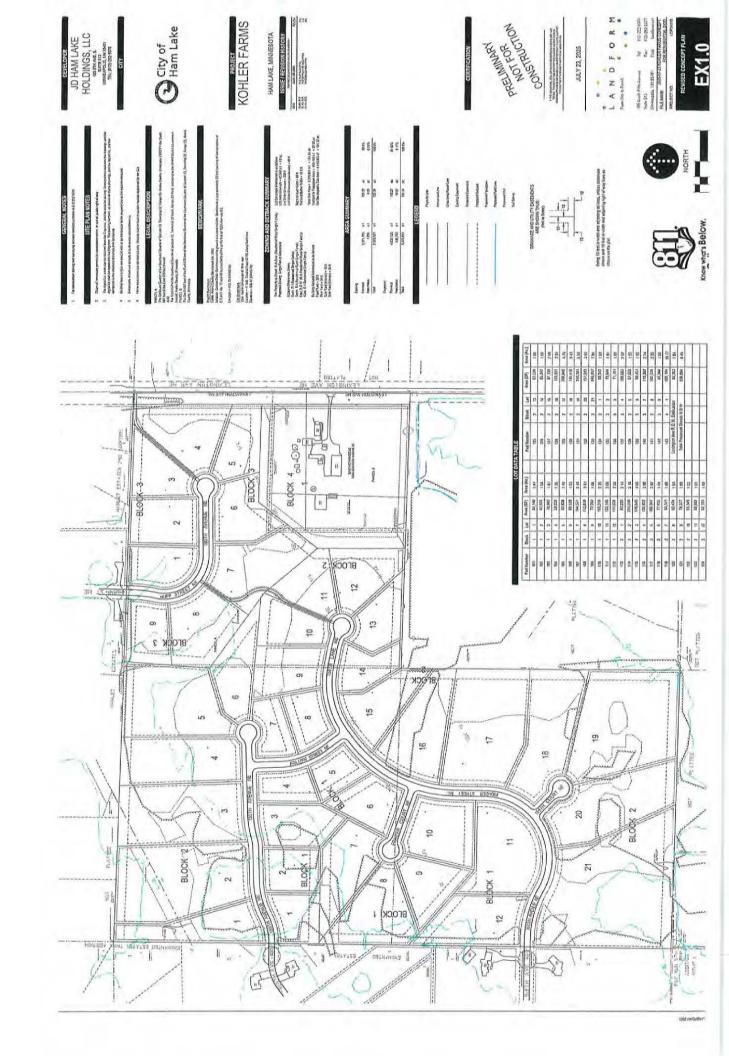
Per the attached Proposed Municipal Bike Trail System exhibit, Lexington Avenue is identified as a future bike trail corridor. The trail is anticipated to be located on the west side of Lexington Avenue; therefore, a 20-foot-wide easement is recommended to accommodate the future bike trail. The development sketch includes a trail easement; however, it is currently shown overlapping the 10-foot drainage and utility easement which is not allowed.

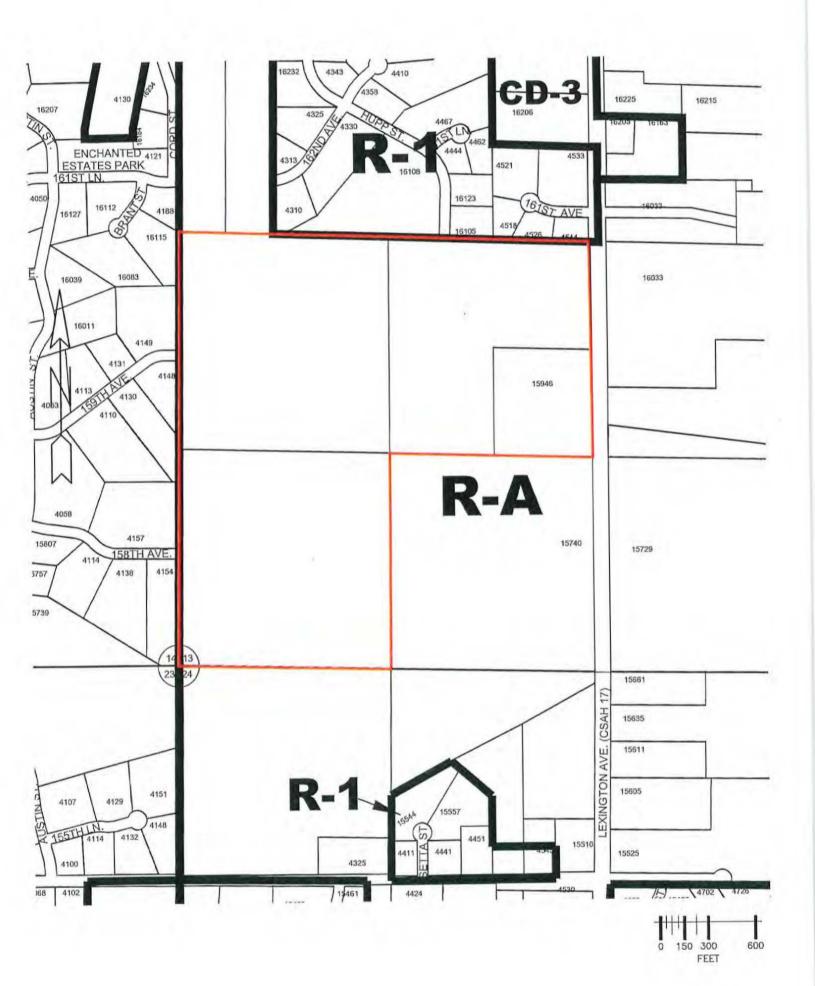
The plans include a trail connecting Hupp Street to 158th Avenue, which, according to Public Works Superintendent Witkowski, provides a critical link between the northern, central, and southern sections of the development, supporting overall neighborhood connectivity. Residents will also have access to the adjacent Enchanted Estates subdivision and Enchanted Estates Park. In lieu of dedicating parkland, the developer will be required to pay park dedication fees, with credit granted for land dedicated to trail easements within the plat.

Coon Creek Watershed District approval is required. A review by the Minnesota Department of Natural Resources' Natural Heritage Information System is necessary to determine the presence of state-protected species within the plat boundary. A wetland delineation is required. The parcels do not fall within any of the 20 natural resource clusters identified in the Anoka Conservation District's April 2008 Natural Resources Inventory and Assessment (NRIA), which is referenced in Appendix K of the Storm Water Pollution Prevention Plan. No portion of the development falls within FEMA Zone A 100-year flood boundary.

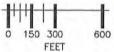
#### Recommendations:

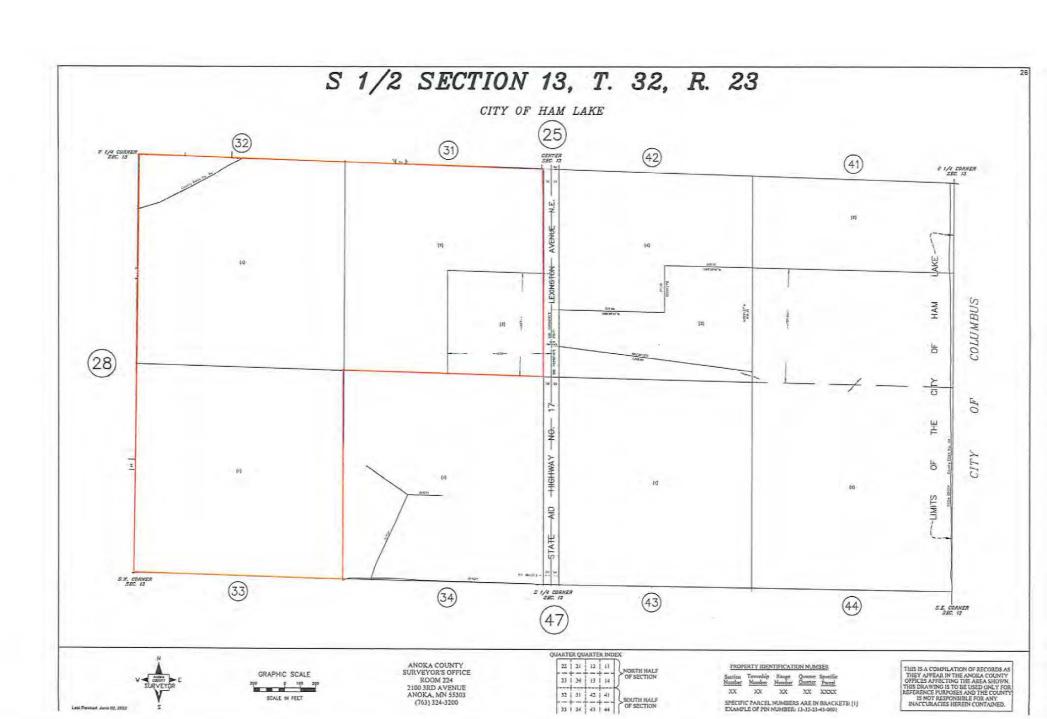
It is recommended that the revised Sketch Plan of Kohler Farms be recommended for approval.











3) Approval of purchasing Shade structures at Constance Estates Park and Crosstown Rolling Acres 3<sup>rd</sup> Park

4) Approval of the low quote for residing the concession stand at Lion's Park Motion by Doyle, seconded by Hallberg, to approve the Consent Agenda as written. All present in favor, motion carried.

### 5.0 PLANNING COMMISSION RECOMMENDATIONS

5.1 Zahira Aqel of Global Distribution Inc. requesting a Certificate of Occupancy to operate a wholesale distribution business for tobacco products and accessories at 14203 Lincoln Street NE (Lot 1, Block 1, Majestic Oaks Commercial Center Second Addition)

Motion by Parranto, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve the Certificate of Occupancy for Global Distribution Inc., as presented by Zahira Aqel, to operate a wholesale distribution business for tobacco products and accessories at 14203 Lincoln Street NE (Lot 1, Block 1, Majestic Oaks Commercial Center Second Addition) subject to stripping the parking lot by June 1, 2025, business hours of 9:00 am to 5:00 pm Monday through Friday and 9:00 am to 4:00 pm on Saturday, having a maximum of 20 employees, no retail sales at the location, all pallet racking for storage not to exceed ten feet in height, and meeting all City, County and State requirements. All present in favor, motion carried.

5.2 Glen Harstad, Jeff Harstad and Heather Harstad of Hearth Development requesting Commercial Site Plan approval to construct a 22,000 square foot office/warehouse building at 13928 Lincoln Street NE (Lot 4, Block 2, Majestic Oaks Commercial Center)

Motion by Hallberg, seconded by Parranto, to concur with the recommendation of the Planning Commission and approve the request of Glen Harstad, Jeff Harstad and Heather Harstad of Hearth Development for Commercial Site Plan approval to construct a 22,000 square foot office/warehouse building at 13928 Lincoln Street NE (Lot 4, Block 2, Majestic Oaks Commercial Center) subject to the following conditions: the applicants request vacation of a portion of the drainage and utility easement that no longer contains wetlands and dedicate drainage and utility easement over the wetland boundary not protected by the original drainage and utility easement of the Majestic Oaks Commercial Center plat prior to the issuance of a Certificate of Occupancy, submitting building plans with engineering for the installation of a sprinkler system due to the possibility of future tenants storing cars in the building, operating hours for all tenants are to be between 7:01 am and 10:00 pm, no on-street parking, building occupancy being limited to a maximum of 30 occupants, no delivery trucks blocking Lincoln Street NE, no outside storage, meeting all the requirements of the City Engineer and Building Official and meeting all city, county and state requirements. All present in favor, motion carried.

5.3 Jason Osberg of JD Ham Lake Holdings, LLC, requesting Sketch Plan approval of Kohler Farms, a 39-lot single family residential development in Section 13

Motion by Hallberg, seconded by Doyle, to concur with the recommendation of the Planning Commission to approve the Sketch Plan, presented by Jason Osberg of JD Ham Lake Holdings, LLC, for a 39-lot single family residential development in Section 13 subject to submitting a lot line adjustment request to the City Council for parcel 15946 Lexington Avenue NE that includes a septic compliance inspection report with soil borings that indicate a suitable secondary septic area on the parcel, dedicating a 20-foot-wide bike trail easement on the east side of the 15946 Lexington Avenue NE parcel, filing the approved lot line adjustment documentation with Anoka County upon city

approval, providing proof of filing of the lot line adjustment with Anoka County to the city with the application for preliminary plat approval, obtaining approval from Anoka County Highway Department for access points onto Lexington Avenue NE as proposed in Alternative A or Alternative B or obtaining approval for a fire/emergency access road in the northeast section of the plat prior to submitting an application for preliminary plat approval, meeting the requirements noted in the City Engineer's memo dated March 19, 2025, 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

#### 8.1 Discussion of Cannabis Ordinance

Attorney Berglund stated that state statute was first passed that allowed edibles with low THC count, and other types of consumables. Attorney Berglund stated that the state statute now has full-fledged cannabis regulations. Attorney Berglund stated that he added discussion of a cannabis ordinance to the Council's agenda and recommends that an ordinance be adopted and added to the City Code. Attorney Berglund stated that a copy of an ordinance that is being considered by the City of Andover regulating adult-use cannabis business operations was included in the packet for the City Council to review. Attorney Berglund stated that if the City does not have its own ordinance, the regulations would default to Anoka County's requirements. Attorney Berglund stated that the State already regulates personal use, where and when it can be used, and how much and where you can grow cannabis. Attorney Berglund stated that the ordinance being reviewed would regulate where shops could be located and distances required from churches, schools, and parks. Attorney Berglund stated that the state statute allows one license per population of 12,500. Attorney Berglund stated that the license would first apply and be approved by the State of Minnesota and then apply with the city. Attorney Berglund stated that the City Council would issue the license at its discretion. Councilmember Doyle stated that he would want a shop owner to have the right education on the products he is selling to the public. Councilmember Doyle stated he would not have a problem issuing three of four licenses. Attorney Berglund stated if the city takes control of licensing, then the city can regulate the number of licenses issued. Attorney Berglund stated if a licensed business is in violation of the city code, they would be charged with a misdemeanor. Attorney Berglund stated that the city could run a municipal dispensary if they chose to. The City Council discussed the City of Andover's draft ordinance and agreed to move forward with an ordinance. It was the consensus of the City Council to direct Attorney Berglund to prepare a draft Ordinance relating to cannabis similar to the City of Andover's draft Ordinance.

- 9.0 CITY ENGINEER None
- 10.0 CITY ADMINISTRATOR None

#### 11.0 COUNCIL BUSINESS

#### 11.1 Committee Reports

Councilmember Hallberg stated that he attended the Sunrise Watershed Management Organization meeting and it was discussed that the 2026 Budget was passed by the Ham Lake City Council, but not the amendment to the Joint Powers Agreement.

11.2 <u>Announcements and future agenda items</u> – None

Mr. Harstad stated he and Commissioner Dixson discussed a public hearing for a drainage easement that needed to be vacated. Engineer Krugler stated that a separate hearing is required to vacate an easement. Engineer Krugler stated it would be in the best interest of Mr. Harstad, and his family to request a vacation of the drainage easement and work with their engineering firm to obtain a legal description for the easement that will need to be dedicated over the wetland boundary that was not part of the original easement.

Commissioner Entsminger returned to his seat at the table.

Jason Osberg of JD Ham Lake Holdings, LLC, requesting Sketch Plan approval of Kohler Farms, a 39-lot single family residential development in Section 13

Mr. Jason Osberg of Metro Wide Development, members of the Kohler family and Mr. Darren Lazan, President of Landform Development Partners were present. Mr. Lazan spoke on behalf of the applicant. Mr. Lazan stated he and Mr. Osberg formed the partnership, JD Ham Lake Holdings, LLC, the development entity for the Kohler Farms project. Mr. Lazan provided history of some local projects recently completed by JD Ham Lake Holdings, LLC. Mr. Lazan also provided a brief account of the past activity and future plans for the Kohler family property. Mr. Lazan stated septic borings to determine viable septic locations and preliminary findings related to wetlands and flood plain have been done. Mr. Lazan stated they plan to do final Geotech and septic borings and a wetland delineation after sketch plan approval. Mr. Lazan presented the sketch plan of 39 lots on the 113-acre parcel with proposed road connection points. Mr. Lazan stated the primary item to discuss is the connection to Hupp Street NE on the north side of the plat; the proposed cul-de-sac is over the 1,100 feet limit per city code. Mr. Lazan stated existing wetlands restrict where roads can be proposed without significant wetland impacts. Mr. Lazan stated the temporary cul-de-sac on Hupp Street NE created in the Hamlet Estates development consumes 800 feet of the 1,100-foot allowance for a cul-desac and ended in a wetland that will now require them to purchase six figures worth of wetland credits to bring Hupp Street NE into the Kohler Farms plat. Mr. Lazan stated various options have been discussed as alternatives to the Hupp Street NE/160th Avenue NE cul-de-sac shown on the sketch plan to avoid wetland impacts that include requesting a variance to allow a cul-de-sac that is more than 1,100 feet in length, creating an access point off of Lexington Avenue NE and constructing a cul-de-sac to the west, shortening the Hupp Street NE cul-de-sac and providing driveway access from Lexington Avenue NE for three lots or constructing a bike trail within the plat to ensure connectivity from the eastside of Hupp Street to the west side on 159th Avenue NE if Alternative A or B are approved by Anoka County, Chair Pogalz asked Engineer Krugler to comment. Engineer Krugler stated the sketch plan consists of 39 lots on 113 acres. Engineer Krugler stated to provide viable septic fields, and allow the proposed lot lines for proposed lots 6 and 7, a lot line adjustment will need to be requested for the 15946 Lexington Avenue NE parcel. Engineer Krugler stated if a lot line adjustment is requested, a secondary septic location will need to be shown for the 15946 Lexington Avenue NE parcel, a septic compliance inspection, that includes soil borings, must be done for same parcel and the survey submitted for the lot line adjustment request must include a 20-foot-wide bike path easement on the west side of Lexington Avenue NE; the bike path easement dedicated with the lot line adjustment will not be credited toward the parkland dedication requirement

for the plat. Engineer Krugler stated Mr. Lazan mentioned possible access options in lieu of the Hupp Street NE cul-de-sac that is shown on the sketch plan. Engineer Krugler stated any proposed access points from Lexington Avenue NE will need to be approved by the Anoka County Highway Department (ACHD). Engineer Krugler stated the applicant has proposed two alternative lot configuration and access options for the northeastern section of the plat which are shown in the upper right corner of the sketch plan. Engineer Krugler stated if either of the alternative options are used in the plat, there has been discussion about requiring a payed bike trail within the plat to ensure neighborhood connectivity from the east side of the plat to 159th Avenue NE or 158th Lane NE. There was discussion about fire/emergency response access only roads. The discussion included examples of fire/emergency access roads on Hanson Boulevard, in a townhome development in Coon Rapids, and on 133rd Avenue NE adjacent to the Majestic Oaks Townhomes Fourth Addition and the possibility of having a fire/emergency access road constructed within the plat. Questions were asked about how access is controlled, who maintains the road, and who pays for maintenance. Mr. Lazan stated fire/emergency access only roads have been approved by ACHD and constructed in other projects his company has done; three were added to the development he and his partner recently finished in Andover. Chair Pogalz asked Mr. Lazan to discuss a connection between Hupp Street NE and 159th Avenue NE. Mr. Lazan stated a connection between those two streets is not shown on the sketch plan because of an extensive wetland complex there. Mr. Lazan stated they do not like the fact that there is not a contiguous road connection from the east to the west side of the plat, but they are trying to minimize potential wetland impacts and expense. Mr. Lazan stated they will reevaluate an interconnection after they receive the results of the wetland delineation. Chair Pogalz asked Engineer Krugler to comment on the Public Works Superintendent's proposal to construct a bike trail to connect the neighborhoods. Engineer Krugler stated that depending on the route chosen, if the only alternative available for the trail is through the wetlands, boardwalks, like those in the Anoka County, Bunker Hills Park, could be constructed over the wetland areas as to prevent impact to wetlands. Engineer Krugler stated a paved trail could be constructed on either side of the wetland with a boardwalk over the wetland in between the paved sections. Engineer Krugler stated constructing the trail may require a reconfiguration of lots. Chair Pogalz stated boardwalks require maintenance, who would be responsible for maintenance. Engineer Krugler stated the city would be responsible for maintenance. Engineer Krugler asked Mr. Lazan what the length of the trail would be. Mr. Lazan estimated that it would be 50 to 60 feet. Mr. Lazan stated the paved bike trail could be constructed from 158th Lane NE to Hupp Street NE with the trail running along the lot line between proposed lots 19 and 20 and proposed lots 7 and 8. Mr. Lazan stated they would attempt to keep the trail at the edge of the wetland to avoid wetland impacts. Mr. Lazan stated the wetland areas identified on the sketch plan are conservative estimates of where the wetlands are located based on historic arial photos. Mr. Lazan stated the wetlands in this plat have been farmed so wetland areas are not obvious. Mr. Lazan stated that once a wetland delineation has been completed, they may find wetland boundaries have changed and construction of a trail, without a boardwalk, or even a road connecting all streets in the plat may be possible. Chair Pogalz stated it was his understanding that once wetland areas had been farmed, there was more latitude on what could be done with those wetland areas. stated there is more latitude on wetland sequencing but not on soil corrections and other

related wetland impact expenses. Mr. Lazan stated farmed wetlands are treated a little more favorably as they could be considered a degraded wetland rather than a high-quality wetland, but the soil mitigation and correction process must still be done. Again Mr. Lazan stated they hope to avoid wetland impacts. Chair Pogalz asked how many feet of peat soil is on top of the sand. Chair Pogalz stated, generally, sand is found a couple of feet underneath the peat or black dirt. Chair Pogalz stated there is a cost to soil corrections; soil corrections that may be needed for this development are likely to be like those required or needed in other developments in the area. Chair Pogalz asked Engineer Krugler how a fire/emergency access road would be kept clear and plowed during the winter. Engineer Krugler stated the public works department would need to ensure the fire/emergency access road would be kept clear and plowed. Chair Pogalz asked Engineer Krugler if there would be a ditch between Lexington Avenue NE and the bike trail on the west side of Lexington Avenue NE where the bike lane would be constructed and would the fire/emergency access road require a driveway access point off Lexington Avenue NE. Engineer Krugler stated there would be a ditch to cross between Lexington Avenue NE and the bike trail to the west of Lexington Avenue NE. Chair Pogalz asked Engineer Krugler if the plat could still be modified if the Planning Commission recommended approval of the Kohler Farms sketch plan. Engineer Krugler stated if the proposed lot line adjustment shown on the sketch plan for the 15946 Lexington Avenue NE parcel does not change, and the outer perimeter of the property proposed to be platted does not change, the sketch plan can be recommended for approval. Engineer Krugler stated after additional technical data has been obtained, it is possible that the number of lots could change, or some other modifications will be needed within the plat boundaries. Engineer Krugler stated the Planning Commission will get another opportunity to review the plat at the preliminary plat stage and will have the opportunity to comment or require changes to the plat at that time if needed. Mr. Lazan stated if the city approves the sketch plan, additional engineering work will be done. Mr. Lazan stated that if extensive modifications need to be made after additional engineering is completed, a request to rereview the sketch plan will be submitted. Chair Pogalz asked the commissioners to comment on the potential fire/emergency access road in the northeast section of the plat. Commissioner Entsminger asked Engineer Krugler if the fire/emergency access road was a viable option. Engineer Krugler stated he discussed the fire/emergency access road with the City Attorney who provided potential problems the road could cause. Engineer Krugler stated additional input from the Public Works Superintendent was also needed. Chair Pogalz state he has concerns about the potential fire/emergency access road. Chair Pogalz stated cul-de-sacs are challenging to plow and adding a fire/emergency access road to the list of areas public works needs to plow and maintain just compounds the issue. Commissioner Entsminger stated the City Engineer and City Attorney should determine if exceeding the maximum length of 1,100 feet for a cul-de-sac or allowing a fire/emergency access road is acceptable, not the Planning Commission. Commissioner Dixson stated the Planning Commission has commented on cul-de-sacs that were in excess of 1,100 feet in the past. Chair Pogalz stated that is true but only if the cul-de-sac proposed was in excess of 1,100 feet was a temporary cul-de-sac. Mr. Lazan again explained the challenges his company has extending Hupp Street NE into the plat and stated if a cul-de-sac was longer than 1,100-feet, activity related to maintenance and service provided to homeowners on that cul-de-sac would be the same whether it was 1,100 feet or longer. Chair Pogalz stated other developers have had to meet code

requirements. Chair Pogalz stated other developers have asked to have cul-de-sacs more than 1,100 feet and the city required them to comply with city requirements; allowing an exception in this case would set precedent for future developments. Chair Pogalz stated it is easy to talk about what could be done related to the cul-de-sac but in the end, it is the city and homeowners that will have to deal with issues later if they arise. Mr. Lazan stated two alterative options for lot configuration and access were proposed on the sketch plan but were not discussed as he believed the fire/emergency access road discussed was an acceptable option after a discussion with staff. Mr. Lazan cited the issues that presented challenges to developing this plat related to meeting city code, ACHD requirements and the composition of the land. Mr. Lazan stated two alternative development options have been proposed for the northeast corner. Chair Pogalz stated the proposed boundaries for the plat are acceptable but has concerns about how the northeast corner of the plat will be developed. Commissioner Dixson asked if the fire/emergency access road option had been presented to the ACHD. Engineer Krugler stated the fire/emergency access road option has been presented to ACHD. Engineer Krugler stated it is his opinion the alternative options will not be acceptable to ACHD. Commissioner Dixson stated all options are hypothetical and that she would like more information before a decision can be made. Commissioner Dixson stated there is no way of knowing if a road can be reconfigured or if it is reasonable to consider a variance for an extra-long cul-de-sac until the wetland delineation is done; it is also unknown if ACHD would allow a fire/emergency access road. Commissioner Entsminger stated there is a cost factor to consider for wetland impacts. Commissioner Dixson stated costs related to addressing the concerns she raised earlier are not a factor for determining what the right option is for the northeast area of the plat. Mr. Lazan asked the commission to consider approving the sketch plan so they can move forward with obtaining additional technical information and discuss the options for the northeast area of the plat with the ACHD. Engineer Krugler stated the feedback he received when he sent the sketch plan to the ACHD gave him the impression that ACHD is going to require compliance with their intersection spacing requirements and the proposed, future improvements on Lexington Avenue NE are going to have an impact on what ACHD allows or does not allow for this plat. Engineer Krugler stated if any access was allowed onto Lexington Avenue NE, it may be a right in, right out access. Commissioner Entsminger asked if Alternative B is a viable option if the developer can obtain approval from the ACHD. Engineer Krugler stated it appears that that would be a viable option, and the cul-de-sac length of Hupp Street would be compliant with the 1,100-foot requirement. Motion by Pogalz, seconded by Entsminger, to recommend approval of the Sketch Plan, presented by Jason Osberg of JD Ham Lake Holdings, LLC, for a 39-lot single family residential development in Section 13 subject to submitting a lot line adjustment request to the City Council for parcel 15946 Lexington Avenue NE that includes a septic compliance inspection report with soil borings that indicate a suitable secondary septic area on the parcel, dedicating a 20-foot-wide bike trail easement on the east side of the 15946 Lexington Avenue NE parcel, filing the approved lot line adjustment documentation with Anoka County upon city approval, providing proof of filing of the lot line adjustment with Anoka County to the city with the application for preliminary plat approval, obtaining approval from Anoka County Highway Department for access points onto Lexington Avenue NE as proposed in Alternative A or Alternative B or obtaining approval for a fire/emergency access

road in the northeast section of the plat prior to submitting an application for preliminary plat approval, meeting the requirements noted in the City Engineer's memo dated March 19, 2025, meeting all City, State and County requirements. All present in favor, motion carried. This application will be placed on the City Council's Monday, April 7, 2025, agenda.

#### **COMMISSION BUSINESS:**

City Council Update

Chair Pogalz informed the Commissioners that the City Council concurred with the Commission's recommendations to approve the sketch plan of Ruds Skogsted. Chair Pogalz will attend the April 7, 2025, City Council meeting.

#### **ADJOURNMENT:**

Motion by Dixson, seconded by Ross, to adjourn the Planning Commission meeting at 7:14 p.m. All present in favor, motion carried.

Jennifer Bohr

Building and Zoning Clerk

#### Jennifer Bohr

From:

Mark Jones

Sent:

Wednesday, July 16, 2025 8:24 AM

To:

'David Krugler'

Cc:

Thomas Dietrich; Jennifer Bohr

Subject:

RE: Buildings

15946 per Anoka County is taxed AGRICULTURAL, and the out buildings are used for agricultural purposes, he does farm other land in the area. The out buildings would meet the requirements of Minnesota Statutes section 326B.103, subdivision 3 for definition for agriculture building. This property, by city code, will still need to remain R-A. Also by city code, a Farm Building is a structure located in an R-A District which is used for bona fide agricultural purposes, but is required to meet a 100 foot setback from the property line. The building to the west, per Anoka County GIS, just makes this 100 foot setback. If the lot adjustment does reduce this setback, then a correction will be needed, whether the building then will need to be removed (demoed), size reduction, or by Variances. As to the septic system, tanks need a setback ten feet, twenty feet for rock bed, this can be reduced if the building has no space below grade and approved by the Building Official.

9-370 Accessory Buildings and Farm Buildings An Accessory Building is any structure located or proposed to be located in any Residential Land Use in the R-1, R-A and PUD zoning districts, which is not the dwelling unit, and which is not a garage, which is not a Farm Building, and which has a floor size of more than 200 square feet. A building or structure meeting the above definition except for the size, is a yard shed. A Farm Building is a structure located in an R-A District which is used for bona fide agricultural purposes, including farm machinery storage, crop storage or housing livestock, poultry or horses.

9-370.7 Farm Buildings A Farm Building is a structure located on land zoned R-A, which is not a dwelling unit. No Farm Building may be constructed at a distance closer than 100 feet from any lot line

Mark Jones Building/Zoning official City Hall (763) 434-9555 Desk (763) 235-1674 mjones@hamlakemn.gov

----Original Message----

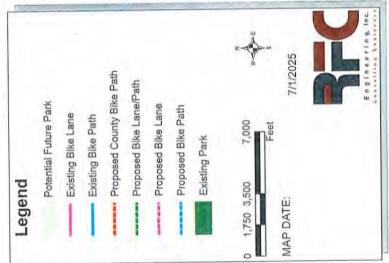
From: David Krugler < DKrugler@rfcengineering.com>

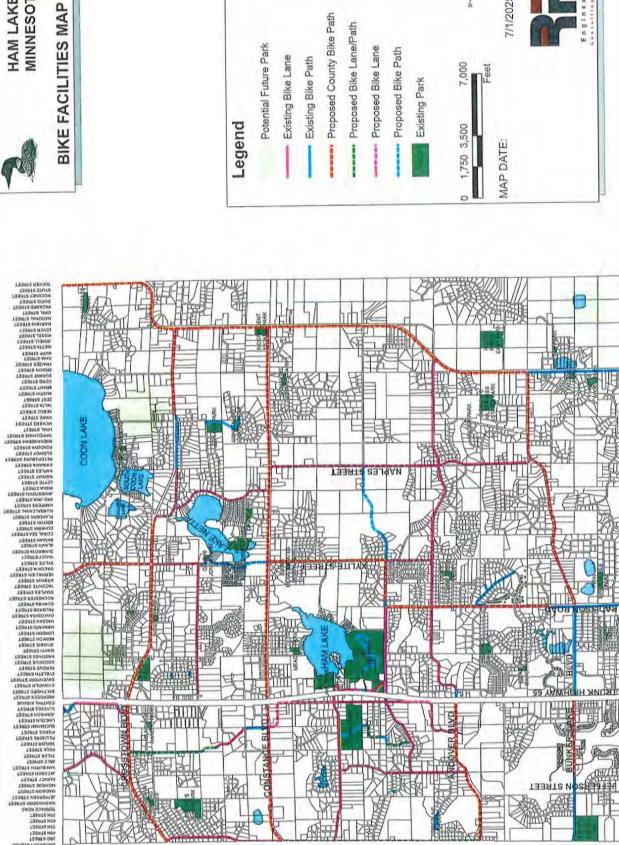
Sent: Tuesday, July 15, 2025 8:54 PM

To: Mark Jones <mjones@hamlakemn.gov>

Subject: Buildings

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





PRESIDENTS

CITIES

AUTOMOBILES

MINNESOTA HAM LAKE,

HATT AVENUE
THEN AVENUE
TOTAL AVENUE
TOTAL AVENUE
TOTAL AVENUE
TOTAL AVENUE
TOTAL AVENUE

TTSTAVENUE STSTMAVENUE SSSTMAVENUE

SHITHAMENIE ATTA AVGRESS DEETH AVENUE HESTRI AVENUE SATH AVENUE STAND AVENUE SSST, AVENUE STATEMENTS

STATIN AVENUE STORD AVENUE STORD AVENUE

G:/Webalfe/Bike.med

### Memorandum

Date:

July 30, 2025

To:

Mayor and Councilmembers

From:

Mark E. Berglund, City Attorney

Subject:

Cannabis Businesses

#### Introduction:

There has been some inquiry to the City regarding applying for licensure to conduct cannabis based businesses that are not limited to cannabis retail that City Staff needs some direction from the Council on how it would like to proceed.

#### Discussion:

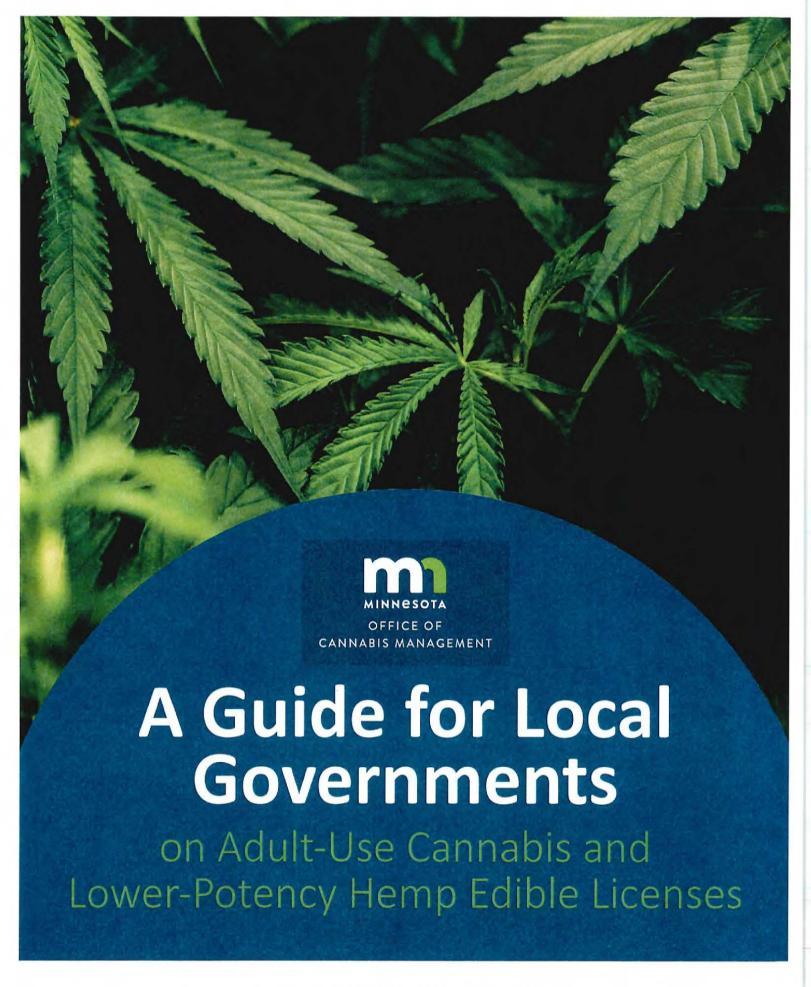
As you are aware, the Council took the initiative to codify retail sales of cannabis products in the City of Ham Lake. This was a very good step for the Council to take as it gives the City control over the number of cannabis retailers in the City as well as who those retailers are and where the retail establishments will be located.

In doing so, the Council permitted one type of "Cannabis Business" to be allowed in the city and that is cannabis retail. Current understanding and interpretation of MN Statutes regarding cannabis suggests that this is the only type of cannabis business that the city MUST allow. There are other cannabis businesses that the city MAY allow that are also licensed by the state. These include for example a cultivator of cannabis or a warehouser of cannabis, to name a few. The City has been contacted with questions specifically about whether an individual can set up a cannabis warehousing business. The current answer is "no." The question then is does the council want to modify the cannabis ordinance to allow for other cannabis businesses than just retail?

I have attached a guide that has been put out by the Minnesota Office of Cannabis Management that will be a good tool for us as we move forward with these very new laws and processes. Pages 5 and 6 address the various types of cannabis businesses that the State licenses.

#### Recommendation:

If the Council does want to allow for other types of cannabis businesses than cannabis retail, I recommend the Council give City Staff direction to make any necessary modifications to the City code to reflect that direction.



# **Table of Contents**

Introduction	3
About OCM	4
License Types	5
Adult-Use Cannabis Law	8
Licensing Process	9
General Authorities	16
Zoning and Land Use	19
Local Approval Process	22
Inspections and Compliance Checks	28
Municipal Cannabis Stores	29
Creating Your Local Ordinance	30
Additional Information – Tobacco Sales	31
Additional Resources	32

# Introduction

This guide serves as a general overview of **Minnesota's adult-use cannabis law**, and how **local governments** are involved. The guide also provides important information about Minnesota's Office of Cannabis Management (OCM), and OCM's structure, roles, and responsibilities. While medical cannabis continues to play an important role in the state's cannabis environment, this guide is primarily focused on the adult-use cannabis law and marketplace.

The following pages outline the variety of cannabis business licenses that will be issued, provide a broad summary of important aspects of the adult-use cannabis law, and cover a wide range of expectations and authorities that relate to local governments. This guide also provides best practices and important requirements for developing a local cannabis ordinance.

Minnesota Statutes, chapter 342 was established by the State Legislature in 2023, updated in 2024 and again in 2025. Mentions of "adult-use cannabis law" or "the law" throughout this guide refer to chapter 342 and the changes made to it.

The final draft state regulations governing the adult-use cannabis market (Adopted Expedited Permanent Rules Relating to Adult-Use Cannabis) were approved by an administrative law judge with the Office of Administrative Hearings, are fully adopted and have been in effect since their publication in the State Register at 6 a.m. on April 14, 2025. The rules are available at Minnesota Rules, chapter 9810.



This guide is not a substitute for legal advice, nor does it seek to provide legal advice. Local governments and municipal officials seeking legal advice should consult an attorney.

# **About OCM**

Minnesota's **Office of Cannabis Management** is the state regulatory office created to oversee the implementation and regulation of the adult-use cannabis market, the medical cannabis program, and the consumer hemp industry.

Housed within OCM are the **Division of Medical Cannabis** (effective July 1, 2024), which operates the medical cannabis program, and the **Division of Social Equity**, which promotes development, stability, and safety in communities that have experienced a disproportionate, negative impact from cannabis prohibition and usage.



OCM, through Minnesota Statutes, chapter 342, is tasked with establishing rules and policy and exercising its regulatory authority over the Minnesota cannabis industry. In its duties, OCM is mandated to:

- · Promote public health, safety, and welfare.
- Eliminate the illicit market for cannabis flower and cannabis products.
- Meet the market demand for cannabis flower and cannabis products.
- Promote a craft industry for cannabis flower and cannabis products.
- Prioritize growth and recovery in communities that have experienced a disproportionate, negative impact from cannabis prohibition.

OCM governs the application and licensing process for cannabis and hemp businesses, specific requirements for each type of license and their respective business activities and conducts enforcement and inspection activities across the Minnesota cannabis and hemp industries.

# **License Types**

Minnesota law allows for 14 different types of business licenses, each fulfilling a unique role in the cannabis and hemp supply chain. In addition to license types below, OCM will also issue endorsements to license holders to engage in specific activities, including producing, manufacturing, and sale of medical cannabis for patients.

# Cannabis business license types

#### Microbusiness

Microbusinesses may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Microbusiness may also operate a single retail location.

#### Mezzobusiness

Mezzobusinesses may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Mezzobusiness may also operate up to three retail locations.

#### Cultivator

Cultivators may cultivate cannabis and package such cannabis for sale to another licensed cannabis business.

#### Manufacturer

Manufacturers may manufacture cannabis products and hemp products, and package such products for sale to another licensed cannabis business.

#### Retailer

Retailers may sell immature cannabis plants and seedlings, cannabis, cannabis products, hemp products, and other products authorized by law to customers 21 years of age and older and to registered medical patients.



#### Wholesaler

Wholesalers may purchase and/or sell immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from another licensed cannabis business. Wholesalers may also import hemp-derived consumer products and lower-potency hemp edibles.

### Transporter

Transporters may transport immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products to licensed cannabis businesses.

## **Testing facility**

Testing facilities may obtain and test immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from licensed cannabis businesses.

## **Event organizer**

Event organizers may organize a temporary cannabis event lasting no more than four days.

## **Delivery service**

Delivery services may purchase cannabis, cannabis products, and hemp products from retailers or cannabis business with retail endorsements for transport and delivery to customers 21 years of age and older.

#### Medical cannabis combination business

Medical cannabis combination businesses may cultivate cannabis and manufacture cannabis and hemp products, and package such products for sale to customers, patients, or another licensed cannabis business. Medical cannabis combination businesses may also transport adult-use cannabis and medical cannabis and deliver medical cannabis to patients. Medical cannabis combination businesses may operate up to one retail location in each congressional district.

# Hemp business license types

## Lower-potency hemp edible manufacturer

Lower-potency hemp edible manufacturers may manufacture and package lower-potency hemp edibles for consumer sale, and sell hemp concentrate and lower-potency hemp edibles to other cannabis and hemp businesses.

## Lower-potency hemp edible retailer

Lower-potency hemp edible retailers may sell and deliver lower-potency hemp edibles to customers 21 years of age and older.

## Lower-potency hemp edible wholesaler

Lower-potency hemp edible wholesalers may purchase and sell lower-potency hemp edible products to and from other licensed cannabis and hemp business. Wholesalers may also import and export lower-potency hemp edibles.

Each license is subject to further restrictions on allowable activities. Maximum cultivation area and manufacturing allowances vary by license type. Allowable product purchase, transfer, and sale between license holders are subject to restrictions in the law.



# The Adult-Use Cannabis Law

Minnesota's adult-use cannabis law permits the personal use, possession, and transportation of cannabis by those 21 years of age and older, and allows licensed businesses to conduct cultivation, manufacturing, transport, delivery, and sale of cannabis and cannabis products.

## For individuals

- Possession limits:
  - Flower 2 oz. in public, 2 lbs. in private residence
  - o Concentrate 8 g
  - o Edibles (including lower-potency hemp) 800 mg THC
- Consumption only allowed on private property or at licensed businesses with on-site consumption endorsements. Consumption not allowed in public.
- Gifting cannabis to another individual over 21 years old for no remuneration is allowed, subject to possession limits.
- Home cultivation is limited to four mature and four immature plants (eight total) in a single residence. Plants must be in an enclosed and locked space.
- Home extraction using volatile substances (e.g., butane, ethanol) is not allowed.
- Unlicensed sales are not allowed.

## For businesses

- Advertising:
  - May not include or appeal to those under 21 years old.
  - Must include proper warning statements.
  - o May not include misleading claims or false statements.
  - o May not promote the use of cannabis and alcohol together.
  - o Billboards are not allowed.
- The flow of all cannabis products through the supply chain must be tracked via Metrc, the state-authorized tracking system.
- All products sold to consumers and patients must be tested for contaminants by a licensed testing facility.
- Home delivery is allowed by licensed businesses, with the proper license or endorsement.



# **The Licensing Process**

The licensing process launched in fall 2024 and continues in 2025. The most recent licensing window closed in March 2025. As of June 2025, OCM is continuing to review applications.

OCM held license application lotteries on June 5 for social equity and general applicants for three license types critical to establishing the supply chain in the state's emerging adult-use market: cannabis cultivator, cannabis manufacturer, and cannabis mezzobusiness. OCM also held a lottery for social equity applicants applying for a cannabis retailer license on June 5. The office will hold a lottery for general applicants for the cannabis retailer license—which includes a second chance for social equity applicants not selected in the first lottery—on July 22, 2025.

For a graphic overview of the cannabis licensing process, OCM has created a visual representation and overview of licensing steps:



From Start to License: Your Path to Cannabis Licensing in Minnesota

The licensing process for cannabis event organizer licenses will launch on Aug. 1, 2025. There is a distinct process for cannabis event organizer licensing (Minnesota Statutes, section 342.39). Please see Page 13.

The licensing process for hemp business licenses (lower-potency hemp edible retailers, lower-potency hemp edible manufacturers, and lower-potency hemp edible wholesalers) will launch October 1, 2025. There is a distinct process for lower-potency hemp business licensing (Minnesota Statutes, section 342.44). Please see Page 14.

On June 2, 2025, OCM resumed accepting registrations for businesses seeking to sell hemp-derived cannabinoid products (HDCPs) to consumers. The window will remain open until August 31, making it possible for existing unregistered businesses to become compliant and for new businesses to become eligible to sell HDCPs (including hemp-derived THC beverages), during the busy summer season.

Registrants who do not apply for a license must immediately end all sales of HDCPs on October 31.

# Cannabis business licensing and local governments: Applicant responsibility

All applicants and license holders are responsible for working with their local government to ensure successful zoning certification, compliance with state and fire building codes and, if applicable based on license type, the local retail registration process. This includes reviewing local ordinances and engaging with local governments to learn about the process for securing zoning compliance and any necessary permits for building and fire code. Applicants can utilize the notice of preliminary approval to demonstrate their readiness and progress in the process. Applicants should ask local governments what steps are necessary for their desired site location before submitting a site registration. See <a href="From Start to License: Your Path to Cannabis Licensing in Minnesota">From Start to License: Your Path to Cannabis Licensing in Minnesota</a>.

Applicants seeking to conduct retail sales should also gain an understanding how the local government will issue retail registrations (including if retail registrations will be limited). Local units of government have the statutory authority to limit retail registrations for three of the cannabis licenses (cannabis microbusinesses with retail endorsements, cannabis mezzobusinesses with retail endorsements, and cannabis retailers) if they desire, and applicants should understand this before making decisions about site locations.

OCM will not facilitate communication between applicants and units of local government and cannot mediate disputes as they relate to local zoning compliance or retail registration. For cannabis business licenses, OCM is required to ask each local unit of government where an applicant intends to locate a business if that business has met all zoning and use requirements, and if applicable, fire and building codes.



# Step-by-step process for: Cannabis cultivator, manufacturer, retailer, mezzobusiness

- 1. Applicant completes application and submits application fees. If applicable, an applicant's social equity applicant (SEA) status may be verified.
- 2. Application vetted for minimum requirements by OCM.
- Application (if qualified) entered into lottery drawing.
- 4. If selected in lottery, applicant completes background check process and submits attestation of labor peace agreement (LPA) in Accela.
- 5. If applicant successfully completes Steps 1-4, OCM issues preliminary approval to the applicant. Preliminarily approved retail applicants may now eligible to receive local retail registration.
- 6. Once prepared for final licensure, applicant with preliminary approval submits business location in Accela and updates application accordingly with final plans of record.
- OCM forwards completed application to local government, which prompts an email notification from the licensing software system, Accela. Local governments should <u>sign up in Accela to</u> <u>prepare for zoning compliance certifications</u>.
- 8. OCM reviews application's final plans of record. If incomplete or non-compliant, OCM requests applicant to revise and resubmit plans.
- Local government completes zoning certification determining whether a proposed cannabis business complies with local zoning ordinances and, if applicable, with state fire and building code. (This is distinct from the retail registration approval process.)
- 10. OCM conducts site inspection.
- 11. If applicant successfully passes site inspection, upon paying the license fee, OCM issues their license and operations may commence.\*

Businesses seeking to conduct retail sales and require local retail registration from local governments (retailer, mezzobusiness). This can be received once an applicant has preliminary license approval issued by the office (Step 5 above) or a valid license.

- 12. Preliminarily approved applicant or license holder seeks retail registration from local government.
- 13. Local government approves applicant for local retail registration through means determined by ordinance (see <a href="Page 24">Page 24</a> for more information about the retail registration process).
- Preliminarily approved applicant or license holder pays retail registration fee to local government (see <u>Appendix B</u> for relevant fees under <u>Minnesota Statutes</u>, section 342.22).
- Local government conducts compliance check for any applicable local ordinance established pursuant to Minnesota Statutes, section 342.13, if desired.
- 16. Local government ensures tax compliance, if applicable.
- 17. Local government issues retail registration to preliminarily approved applicant or license holder. Reminder, a business needs a retail registration AND a license to conduct retail sales.

<sup>\*</sup>A valid local retail registration in addition to a cannabis business license is required before the business commencing any retail sales. See <u>Page 24</u> for information on the retail registration process.



# Step-by-step process for: Cannabis microbusiness, wholesaler, transporter, testing facility, medical cannabis combination business

- 1. Applicant completes application and submits application fees. If applicable, an applicant's SEA status may be verified.
- 2. Application vetted for minimum requirements by OCM.
- 3. For qualified applicants, applicant completes background check process and submits attestation of labor peace agreement (LPA) in Accela.
- 4. If applicant successfully completes Steps 1-3, OCM issues preliminary approval to applicant.

  Applicants seeking to conduct retail activities are now eligible to receive local retail registration.
- 5. Once prepared for final licensure, selected applicant submits business location in Accela and updates application accordingly with final plans of record.
- OCM forwards completed application to local government, which prompts an email notification from the licensing software system, Accela. Local governments should <u>sign up in Accela to</u> <u>prepare for zoning compliance certifications</u>.
- OCM reviews application's final plans of record. If incomplete or non-compliant, OCM requests applicant to revise and resubmit plans.
- 8. Local government completes zoning certification determining whether a proposed cannabis business complies with local zoning ordinances and, if applicable, with state fire and building code. (This is distinct from the retail registration approval process.)
- 9. OCM conducts site inspection.
- If applicant successfully passes site inspection, upon paying the license fee, OCM issues their license and operations may commence.\*

Businesses seeking to conduct retail sales must receive a local retail registration from their local government (microbusiness, medical cannabis combination businesses). This can be received once an applicant has a valid license or preliminary license approval issued by the office (Step 4 above).

- 11. Preliminarily approved applicant or license holder seeks retail registration from local government.
- 12. Local government approves applicant for local retail registration through means determined by ordinance (see <a href="Page 24">Page 24</a> for more information about the retail registration process).
- 13. Applicant pays retail registration fee to the local government (see <u>Appendix B</u> for relevant fees under <u>Minnesota Statutes</u>, <u>section 342.22</u>).
- Local government conducts compliance check for any applicable local ordinance established pursuant to Minnesota Statutes, section 342.13, if desired.
- 15. Local government ensures tax compliance, if applicable.
- 16. Local government issues retail registration to license holder or preliminarily approved applicant. Reminder, a business needs a retail registration AND a license to conduct retail sales.

<sup>\*</sup>A valid local retail registration in addition to a cannabis business license is required before the business commencing any retail sales. See <u>Page 24</u> for information on the local retail registration process.



# Step-by-step process for: Cannabis event organizer

Event organizer licensing for cannabis events will be available beginning August 1, 2025. Until then, existing guidance remains in effect, and all current hemp registrants must ensure compliance with all local rules and regulations. Once opened, the cannabis event organizer license application will remain open year-round, allowing applicants to apply at any time.

Once event organizer licensing becomes available, applicants will be required to secure approval from their local government before beginning the application process. OCM will provide a standardized form for this purpose, which will include key details such as the event's name, date, time, point of contact and estimated size. Per state law, no cannabis event organizer licenses will be granted without documented local approval. If an applicant modifies any information that was previously approved by the local government on the standardized form provided by OCM, they will be required to submit a new application. Applicants should ensure all event details are finalized and approved by the local jurisdiction before applying for licensure with OCM. Other information that OCM will require from cannabis event organizer license applicants includes:

- 1. Site, Security, and Operations plans
- 2. Event diagram
- 3. Quality Assurance Standard Operating Procedure (SOP)
- 4. Inventory Control and Diversion Prevention SOP
- 5. Accounting and Tax Compliance SOP

As part of the application process, OCM requires event organizer license applicants to submit a list of vendors participating in the event. Because state law allows applicants to update this list before the event, localities should consider establishing their own procedures if they wish to receive vendor updates directly. OCM will verify that all listed cannabis and/or hemp vendors are properly licensed. Further details about the cannabis event organizer application process will be provided on the <u>cannabis event webpage</u> in advance of the application period.

To ensure compliance with chapter 342 and all relevant regulations, OCM will conduct a prelicensure inspection phone call with event applicants. Additionally, OCM will perform random inspections of licensed events to verify compliance.

Once OCM issues an event organizer license, the local jurisdiction will be notified and provided with contact information for OCM's enforcement team for any day-of-event compliance or enforcement needs.

### Licensing pathway: Cannabis event organizer

- 1. Applicant and local government complete the Local Approval of Cannabis Event form.
- 2. Applicant completes application, including all required attachments, and submits application fees. If applicable, an applicant's SEA status may be verified.
- 3. Application vetted for minimum requirements by OCM.
- 4. For qualified applicants, applicant completes background check process and submits attestation of labor peace agreement (LPA).
- 5. OCM conducts prelicensure phone inspection.
- 6. If applicant successfully passes prelicensure phone inspection, OCM issues event license.
- License holders are required to submit an updated vendor form to OCM if there are any changes to their vendor list before the event.
- 8. An inspection of the event may be conducted by OCM.

# Step-by-step process for: Lower-potency hemp edible businesses

Applications for lower-potency hemp edible retailer (LPHE-R), lower-potency hemp edible manufacturer (LPHE-M), and lower-potency hemp edible wholesaler (LPHE-W) licenses will be accepted between October 1 and October 31, 2025. These licenses will be available to both registered and non-registered hemp businesses.

Businesses registered to sell hemp-derived cannabinoid products under <u>Minnesota</u>

<u>Statutes, section 151.72</u> may continue operations during the interim period before the October application window and while their license applications are under review.

To support the launch of the adult-use cannabis market and provide continuity for existing hemp-derived businesses and medical cannabis patients, **OCM** has authorized a product transition period through December 31, 2025. During this transition period, license holders conducting retail sales under Minnesota Statutes, chapter 342 are authorized to sell products compliant under the existing regulated supply chains in section 151.72 and sections 152.22-152.37, including hemp-derived cannabinoid products (HDCPs) and medical cannabis.

Details on the product transition period are available on our General Licensing webpages.



## Local governments and hemp businesses

Distinct from cannabis business licensing, state law does not require OCM to contact local governments for approval of hemp business licensing. Instead, applicants will be required to attest in their application that they are working with their proposed local government to ensure compliance with all relevant local laws and regulations. Receiving an LPHE retailer license does not guarantee that the business can operate in a specific locality if local approval is not granted. Once a license is issued, OCM will notify the respective locality through the local government's Accela portal.

Local governments should be aware of these upcoming changes and consider how they may impact local businesses and regulatory oversight.

### Licensing pathway: LPHE retailers, manufacturers and wholesalers

- Applicant completes application and submits application fees. If applicable, an applicant's SEA status may be verified. If applying for an LPHE-M license, applicants will need to provide a signed LPA with a bona fide labor organization. Applicants will also select and apply for relevant endorsements (see our Lower-Potency Hemp Edible License Guide).
- 2. Application vetted for minimum requirements by OCM (Minnesota Statutes, section 342.44).
- 3. OCM may conduct site inspection, if the location was not already registered with OCM.
- 4. If applicant passes site inspection, OCM issues license (and any relevant endorsements), and operations may commence if locally approved, except for retail activity.
- 5. OCM alerts local government of license being issued.

## Continued high-level pathway for LPHE-R

- 6. Licensed business seeks local retail registration from local government, if LPHE-R.
- Local government approves applicant for retail registration through means determined by ordinance, however, LPHE-R establishments cannot be limited.
- 8. Applicant pays retail registration fee to the local government (see <u>Appendix B</u> for relevant fees in accordance with Minnesota Statutes, section 342.22).
- 9. Local government conducts compliance check for any applicable local ordinance established pursuant to Minnesota Statutes, section 342.13, if desired.
- 10. Local government ensures tax compliance, if applicable.
- 11. Local government issues retail registration to license holder, and license holder can conduct retail sales now that they have received a state license and a local retail registration.



## **General Authorities**

Local governments in Minnesota have various means of oversight over the cannabis market, as provided by the adult-use cannabis law. Local governments may not outright ban cannabis businesses, or limit operations in a manner inconsistent with state law.

#### Cannabis retail restrictions (342.13)

In accordance with <u>section 342.13(h)</u>, local governments may limit the availability of local retail registrations for cannabis retailers, cannabis microbusinesses with retail endorsements, and cannabis mezzobusinesses with retail endorsements. If a city or county has a population between 1-12,500, they would be required to allow at least one (1) retail registration. If their population is between 12,501-25,000, they would be required to allow at least two (2) retail registrations, and so on.

Local units of government may issue more than the minimum number of registrations – statute does not require local governments to establish a limit.

Local units of government are not obligated to seek out a business to register as cannabis business if they have not been approached by any potential applicants but cannot prohibit the establishment of a business if this population requirement is not met. Per statutory direction, a municipal cannabis store (<a href="Page 29">Page 29</a>) cannot be included in the minimum number of registrations required. For population counts, the state demographer estimates will likely be utilized.

Statute does not allow a local unit of government to limit retail registrations for medical cannabis combination business licenses or lower-potency hemp edible retailer licenses.



#### Tribal governments (342.13)

OCM is prohibited from and will not issue state cannabis licenses to businesses in Indian Country without consent from a Tribal Nation. Tribal Nations hold the authority to license Tribal cannabis businesses on Tribal lands – this process is separate from OCM's licensing process and authority. Subject to the compacting process as the Legislature directed in Minnesota Statutes, section 3.9228, Tribal Nations may operate cannabis businesses off Tribal lands.

On May 20, 2025, Governor Tim Walz signed the first Tribal-state compact authorized under Minnesota's 2023 cannabis law. The agreement outlines how the state of Minnesota and White Earth Nation will address jurisdictional issues related to the adultuse cannabis industry and promote a cooperative and mutually beneficial relationship regarding the legalization of cannabis.

A Tribal Nation may open up to eight off-reservation cannabis retail locations. They are limited to one retail location per municipality and three per county. Tribally regulated retail locations off Tribal land must follow all non-cannabis-specific local ordinances, including zoning, land use, statutory setback limitations, and local hours of operation restrictions.

Under the rules governing Minnesota's cannabis industry (<u>Minnesota Rules, chapter 9810</u>), a local unit of government may include in its count of active retail registrations any retail locations operating under a Tribal compact or a Tribally issued license or registration, even though they do not receive local retail registration.

The Tribal-state cannabis compacts require product testing to verify compliance with public health and safety standards set by OCM, ensuring uniformity across the state market. Like state-license holders, Tribes and their license holders will utilize seed-to-sale tracking to ensure that regulators can see the full lifecycle of a cannabis plant or product. All products must be entered into the state's seed-to-sale system when they move off Tribal lands.

Sales of cannabis products off Tribal lands are subject to all state and local taxes.

For more information, please visit Tribal Compacts / Office of Cannabis Management.



#### Taxes (295.81; 295.82)

Retail sales of taxable cannabis products are subject to the state and local sales and use tax and a 15% gross receipts tax (beginning June 30, 2025). Cannabis gross receipts tax proceeds are allocated to the state general fund. Local taxes imposed solely on sale of cannabis products are prohibited.

Cannabis retailers will be subject to the same real property tax classification as all other retail businesses. Real property used for raising, cultivating, processing, or storing cannabis plants, cannabis flower, or cannabis products for sale will be classified as commercial and industrial property. Questions regarding cannabis taxes should be directed to the <u>Department of Revenue</u>.

#### Retail timing restrictions (342.13)

A cannabis business with a license or endorsement for retail activity may not sell between 2 a.m. and 8 a.m. on the days of Monday through Saturday and between 2 a.m. and 10 a.m. on Sunday. Additionally, local governments may prohibit retail sales of cannabis between the hours of 8 a.m. and 10 a.m. Monday-Saturday, and 9 p.m. and 2 a.m. the following day.

#### Operating multiple locations with one license

Certain licenses allow for multiple retail locations to be operated under a single license, with the following limitations:

- Retailers: up to five retail locations, with no more than one per city and no more than three per county.
- Mezzobusinesses: up to three retail locations, with no more than one per city and no more than three per county.
- Microbusinesses: up to one retail location.
- Medical cannabis combination businesses: up to eight retail locations, with no more than one retail location per congressional district. Additionally, medical cannabis combination businesses may cultivate at more than one location within other limitations on cultivation.
- Lower-potency hemp edible retailer businesses: not subject to location restrictions and may operate multiple retail locations.

Each retail location of a cannabis business requires local certification of zoning compliance and local retail registration.



## **Zoning and Land Use**

#### **Buffer guidelines (342.13)**

State law does not restrict how a local government conducts its zoning designations for cannabis businesses, except that they may not prohibit the establishment or operation of a cannabis business or hemp business. A local government may adopt reasonable restrictions on the time, place and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses, and they may prohibit the operation of a cannabis business within 1,000 feet of a school or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including playgrounds and athletic fields. Local governments should consult legal counsel when determining implementation of buffers.

#### Zoning guidelines

While each locality conducts its zoning differently, a few themes have emerged across the country. For example, cannabis manufacturing facilities are often placed in industrial zones, while cannabis retailers are typically found in commercial/retail zones. Cannabis retail facilities align with general retail establishments and are prohibited from allowing consumption or use onsite and are also required to have plans to prevent the visibility of cannabis and hemp-derived products to individuals outside the retail location. Industrial hemp is an agricultural product and should be zoned as such.

Cannabis businesses should be zoned under existing zoning ordinances in accordance with the license type or endorsed activities held by the cannabis business. Note that certain types of licenses may be able to perform multiple activities which may have different zoning analogues. In the same way municipalities may zone a microbrewery that predominately sells directly to onsite consumers differently than a microbrewery that sells packaged beer to retailers and restaurants, so too might a municipality wish to zone two microbusinesses based on the actual activities that each business is undertaking. Table 1, included on <u>Pages 20</u> and <u>21</u>, explains the types of activities that cannabis businesses might undertake, as well as some recommended existing zoning categories.

Please also review the model ordinance guidance included on <u>Page 30</u>. OCM also recommends consulting local legal counsel when determining these decisions.



**Table 1: Cannabis and hemp business activities** 

Endorsed Activity	License Type Eligible to Do Endorsed Activity	Description of Activity	Comparable Districts	Municipal Considerations
Cultivation	<ul> <li>Cultivator</li> <li>Mezzobusiness</li> <li>Microbusiness</li> <li>Medical cannabis combination</li> </ul>	"Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.	Indoor: industrial, commercial, production Outdoor: agricultural	<ul> <li>Odor</li> <li>Potential need for transportation from facility</li> <li>Waste, water, and energy usage</li> <li>Security</li> </ul>
Cannabis manufacturing, processing, extraction	<ul> <li>Manufacturer</li> <li>Mezzobusiness</li> <li>Medical cannabis combination</li> </ul>	This group of endorsed activities turn raw, dried cannabis and cannabis parts into other types of cannabis products, e.g. edibles or topicals.	Indoor: industrial, commercial, production	<ul> <li>Odor</li> <li>Potential need for transportation from facility</li> <li>Waste, water, and energy usage</li> <li>Security</li> </ul>
Hemp manufacturing	<ul> <li>LPHE manufacturer</li> </ul>	These businesses convert hemp into LPHE products.	Indoor: industrial, commercial, production	<ul><li>Odor</li><li>Waste, water, and energy</li></ul>
Wholesale	<ul> <li>Wholesale</li> <li>Cultivator</li> <li>Manufacturer</li> <li>Mezzobusiness</li> <li>Microbusiness</li> <li>Medical cannabis combination</li> <li>LPHE wholesaler</li> </ul>	This activity and license type allows a business to purchase from a business growing or manufacturing cannabis or cannabis products and sell to a cannabis business engaged in retail.	Indoor: industrial, commercial, production	<ul> <li>Need for transportation from facility</li> <li>Security</li> </ul>

Table 1: Cannabis and hemp business activities (continued)

Endorsed Activity	License Type Eligible to Do Endorsed Activity	Description of Activity	Comparable Districts	Municipal Considerations
Cannabis retail	<ul> <li>Retailer</li> <li>Mezzobusiness</li> <li>Microbusiness</li> <li>Medical cannabis combination</li> </ul>	This endorsed activity and license type allow a business to sell cannabis products directly to consumers.	Indoor: retail, neighborhood shopping districts, light industrial, existing districts where off-sale liquor or tobacco sales are allowed	<ul> <li>Micros may offer onsite consumption, similar to breweries.</li> <li>Micros and mezzos may include multiple activities: cultivation, manufacture, and/or retail.</li> </ul>
Transportation	<ul> <li>Cannabis transporter</li> <li>LPHE wholesaler</li> </ul>	This license type allows a company to transport products from one license type to another.	Not applicable	<ul> <li>Fleet based businesses that will own multiple vehicles, but not necessarily hold a substantial amount of cannabis or cannabis products.</li> </ul>
Delivery	• Cannabis delivery	This license type allows for transportation to the end consumer.	Not applicable	<ul> <li>Fleet based business that will own multiple vehicles, but not necessarily hold a substantial amount of cannabis or cannabis products.</li> </ul>
Events	<ul> <li>Event organizer</li> </ul>	This license entitles license holder to organize a temporary event lasting no more than four days.	Anywhere that the city permits events to occur, subject to other restrictions related to cannabis use	<ul> <li>On site consumption.</li> <li>Retail sales by a licensed or endorsed retail business possible.</li> </ul>

## **Local Approval Process**

Local governments play a critical role in the licensing process, serving as a near-final approval check on cannabis businesses nearing the awarding of a state license for operations. Once an applicant has been vetted by OCM and is selected for proceeding in the verification process, they are then required to receive the local government's certification of zoning compliance and/or local retail registration before operations may commence.



#### Local certification of zoning compliance (342.13; 342.14)

Following OCM's initial vetting process, local governments must **certify** that the applicant with preliminary approval has achieved **compliance with local zoning ordinances, and if applicable, state and fire building code** before the cannabis business license holder receiving final approval from OCM to commence operations.

OCM will work with local governments to access Accela, the licensing software system to complete this zoning certification process. Please review OCM's webpage for specific instructions on accessing the licensing software system, Accela, to prepare for zoning compliance certification. The webpage includes step-by-step guides, including the Local Government Accela Registration Guide.

During the application and licensing process for cannabis businesses, after an applicant with preliminary approval completes their site registration (see Step 3 of the <u>From Start to License</u>: Your Path to Cannabis Licensing in Minnesota graphic), OCM will notify a local government when an applicant with preliminary approval intends to operate within their jurisdiction and request a certification as to whether a proposed cannabis business complies with local zoning ordinances, and if applicable, whether the proposed business complies with state fire code and building code.

According to Minnesota's cannabis law, a local unit of government has 30 days to respond to this request for certification of compliance. If a local government does not respond to OCM's request for certification of compliance within the 30 days, the cannabis law allows OCM to issue a license. OCM may not issue the final approval for a license if the local government has indicated they are not in compliance.



Local governments should also be aware that according to Minnesota's cannabis law, OCM has 90 days from when an applicant completes a site registration, uploads final application documents, and requests a zoning compliance certification, to either issue a license (which is statutorily defined as final authorization to operate) or to issue a denial. This means OCM has highly encouraged applicants to not take the site registration step until they have worked out issues with their local government. Ultimately, that means, a preliminarily approved business should not complete site registration until they have received all local zoning approvals, are compliant with state fire and building codes, and are fewer than 90 days from being able to open their doors.

OCM has encouraged applicants with preliminary approval to engage early with local governments before submitting site registration information — so local governments should anticipate outreach from applicants before notifications in Accela. Early conversations can inform applicants what may be required to obtain local zoning compliance approval as well as in compliance with state and fire building code before their decisions on a final location. Early conversations can also inform local governments who may be interested in locations in their jurisdiction — whether they are not yet OCM applicants yet, applicants in qualified applicant status, or applicants with preliminary approval.

Local governments should view applicants with preliminary approval status as serious, ready applicants having cleared several hurdles in the application and licensing process, including passage of a background check. The final steps for applicants with preliminary approval status include securing a location, gaining compliance with local ordinances, and passing OCM's prelicensure site inspection.

Please see the <u>Qualified Applicant Guide</u>, including Pages 15 and 16, for more recommendations for applicants and local governments navigating this process.

As a reminder, applicants with preliminary approval status have 18 months to convert their preliminary approval to full licensure. If an applicant submits site registration, uploads final application documents, and requests zoning compliance certification but does not yet meet zoning compliance or does not yet meet building and fire code, the local government may deny their local zoning compliance approval. The applicant will retain their preliminary approval status and be able to continue to work with the local government to gain compliance and re-submit the site registration information.



Alternatively, the applicant can find a new location and begin the site registration process with a new local government under their same preliminary approval status as long as they are in the 18-month window of their preliminary approval.

#### Local retail registration process (342.22)

Once the licensing process begins, local retail registration applies to licensed cannabis retailers or other cannabis/hemp businesses seeking to conduct retail sales. Several license types are authorized to conduct retail sales if they receive a retail endorsement or license from OCM. Before conducting retail sales under their business license, state law also requires the business receive a local retail registration.

There are five license types that are eligible to conduct cannabis retail activity and will seek a retail registration from local governments:

- Cannabis retailers
- Microbusinesses with a retail endorsement
- Mezzobusinesses with a retail endorsement
- Medical cannabis combination businesses
- · Lower-potency hemp edible retailers

Local governments must issue a retail registration after verifying that:

- The business has a valid license, or preliminary license approval issued by OCM.
- The business has paid a registration fee or renewal fee to the local government.
  - Initial registration fees collected by a local government may be \$500 or half the amount of the applicable initial license fee, whichever is less, and renewal registration fees may be \$1,000 or half the amount of the applicable renewal license fee, whichever is less.
- The business is compliant with chapter 342 and local ordinances.
- If applicable, the business is current on all property taxes and assessments for the proposed retail location.

Local registrations may also be issued by counties if the respective local government transfers such authorities to the county.

## Option to limit retail registrations for cannabis businesses: Determining a process

State law permits local governments to place a limitation on the number of cannabis retailers, microbusiness, and mezzobusinesses with retail endorsements allowed within their locality via ordinance. If a city or county has a population between 1-12,500, they would be required to allow at least one (1) retail registration. If their population is between 12,501-25,000, they would be required to allow at least two (2) retail registrations, and so on (see Page 16). Retail registrations for lower-potency hemp edible retailers and medical cannabis combination businesses are required but may *not* be limited in number by a local government.

It is also important to note that local governments **are not** required to limit the number of licensed cannabis retailers, microbusinesses, or mezzobusinesses, and instead local governments can determine a process to reviews requests and applications for retail registrations as they are received.

If a local government wishes to limit the number of cannabis retailers, microbusinesses, or mezzobusinesses with retail endorsements via ordinance, state law does not define the process for a local government's selection if there are more applicants than registrations available.

It is highly recommended that local governments work with an attorney to determine their specific process via ordinance for selection if they wish to limit the number of retail registrations per section 342.13 and that the process is fair, transparent, and communicated thoroughly with prospective applicants.

Local governments should also consider the timing of the zoning compliance certification process in relation to retail registrations as applicants are navigating decisions related to where they can make investments and operate their business.

Per a new law change effective May 2025, local governments are allowed to issue retail registration to an applicant with preliminary approval status, which is before full licensure. Allowing for retail registration at this stage will prevent applicants from potentially signing leases and paying for retail facility build-outs when the local government may ultimately deny retail registration because the registration limit has been reached.



Local governments deciding to limit retail registrations should consider how to implement an application process to accommodate this timing. Local governments deciding to limit retail registrations should also communicate with applicants about what they can expect during this process so that applicants can understand the potential risks involved if there are not any retail registrations available after a limit has been reached. Applicants should seek to learn the process before making any investments or decisions to further build out a business in an area where it may not be allowed to operate due to the lack of available registrations left. Additionally, local units of government should consider the process by which they will determine who gets a registration, e.g., through the use of a lottery, on a first-come/first-serve model, or through a merit-based scoring system, etc.

#### Other considerations

**Existing retail locations.** Retailers in Minnesota's medical cannabis program and lower-potency hemp edible program may currently be operating in a local government's jurisdiction under active registrations. In the future, these active businesses will be required to obtain a license from OCM and will need a local retail registration to continue their operations.

Local governments may wish to consider how businesses currently operating will be issued retail registrations when determining if and how to limit retail registrations.

Local zoning approval does not guarantee retail registration. Zoning certification from local governments does not guarantee a local retail registration. This is a distinctly separate approval process. All applicants seeking retail activity will be required to obtain a zoning certification from the local government to be issued a state license. Local governments should consider the number of zoning certifications they are issuing if they have chosen to limit retail registrations and be in conversation with applicants about the number of retail registrations that are available.

Local governments are permitted specific authorities for registration refusal and registration suspension, in addition to—and not in conflict with—OCM authorities.

#### Registration and renewal refusals

Local governments may refuse the registration and/or certification of a license renewal if the license is associated with an individual or business who no longer holds a valid license, has failed to pay the local registration or renewal fee, or has been found in noncompliance in connection with a preliminary or renewal compliance check.

#### Local registration suspension (342.22)

Local governments may suspend the local retail registration of a cannabis business or hemp business if the business is determined to not be operating in compliance with a local ordinance authorized by section 342.13 or if the operation of the business poses an immediate threat to the health and safety of the public. The local government must immediately notify OCM of the suspension if it occurs. OCM will review the suspension and may reinstate the registration or take enforcement action.

#### **Expedited complaint process (342.13)**

Per state law, OCM has established an expedited complaint process to receive, review, and respond to complaints made by a local unit of government about a cannabis business. Complaints can be submitted through the OCM website, with an option to indicate if the report is on behalf of law enforcement or local government.

The expedited complaint process requires OCM to provide an initial response to the complaint within seven days and perform any necessary inspections within 30 days. Within this process, if a local government notifies OCM that a cannabis business poses an immediate threat to the health or safety of the public, OCM must respond within one business day.

Local governments can submit complaints via this form.





## **Inspections & Compliance Checks**

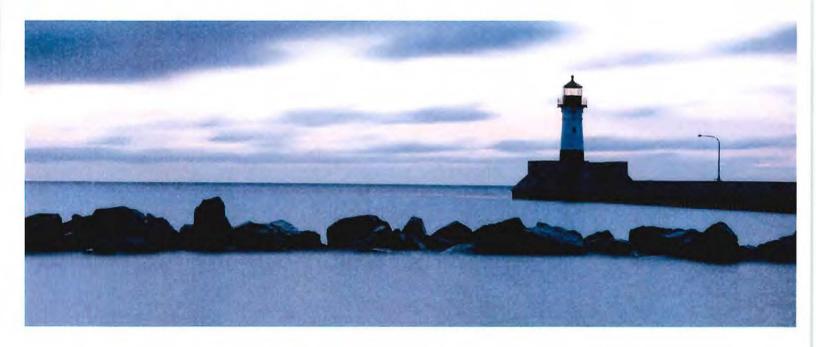
Local governments are permitted specific business inspection and compliance check authorities, in addition to—and not in conflict with—OCM authorities.

#### Inspections and compliance checks (342.22)

Local governments must conduct **compliance checks** for cannabis and hemp businesses holding retail registration **at least once per calendar year**. These compliance checks must verify compliance with age verification procedures and compliance with any applicable local ordinance established pursuant to section 342.13. OCM maintains inspection authorities for all cannabis licenses to verify compliance with operation requirements, product limits, and other applicable requirements of chapter 342.







## **Municipal Cannabis Stores**

As authorized in <u>section 342.32</u>, local governments are permitted to apply for a cannabis retailer license to establish and operate a municipal cannabis store.

State law requires OCM issue a license to a city or county seeking to operate a single municipal cannabis store if the city or county:



- · Meets minimum requirements for licensure, and
- Pays applicable application and license fee.

A municipal cannabis store will not be included in the total count of retail licenses issued by the state under chapter 342 and cannot be counted as retail registration for purposes of determining whether a municipality's cap on retail registrations imposed by ordinance.

Additionally, a city or county that establishes, owns, or operates a municipal cannabis store may also hold a lower-potency hemp edible retailer license. The application window for lower-potency hemp edible retailer licenses will be October 1-31, 2025.





## **Creating Your Local Ordinance**

As authorized in section 342.13, a local government may adopt a local ordinance regarding cannabis businesses. Establishing local governments' ordinances on cannabis businesses in a timely manner is critical for the ability for local cities or towns to establish local control as described in the law and is necessary for the success of the statewide industry and the ability of local governments to protect public health and safety. The cannabis market's potential to create jobs, generate revenue, and contribute to economic development at the local and state level is supported through local ordinance work. The issuance of local certifications and registrations to prospective cannabis businesses is also dependent on local ordinances.

- Local governments may not prohibit the possession, transportation, or use of cannabis, or the establishment or operation of a cannabis business licensed under state law.
- Local governments may adopt reasonable restrictions on the time, place, and manner of cannabis business operations (see Page 16).
- If your local government wishes to operate a municipal cannabis store, the establishment and operation of such a facility must be considered in a local ordinance.



#### **Model ordinance**

For additional guidance regarding the creation of a cannabis related ordinance, please reference the additional resources on Page 32.

# Additional Information – Tobacco Sales

### Penalties related to a revocation or suspension of tobacco license

A cannabis or hemp business license holder may also hold a tobacco license under Minnesota Statutes, chapter 461. However, tobacco cannot be sold in the cannabis retail location. Under section 461.12, a license holder authorized to sell tobacco may have that privilege revoked if they had either a cannabis business license (chapter 342) or hemp business registration (151.72) revoked. This penalty also applies if the license holder is convicted of an offense under section 151.72 or has been convicted under any other statute for illegal sale of cannabis products. or hemp business registration (151.72) revoked. This penalty also applies if the license holder is convicted of an offense under section 151.72 or has been convicted under any other statute for illegal sale of cannabis products.

#### Clarifying cannabis businesses authority

Cannabis businesses will be able to sell vaporizers without a tobacco license. Under Minnesota Statutes, section 342.27, subdivision 3(a), retail license holders are permitted to sell cannabis paraphernalia. Cannabis paraphernalia includes "all equipment, products, and materials of any kind that are knowingly or intentionally used primarily in ... ingesting, inhaling, or otherwise introducing cannabis products into the human body" (Minnesota Statutes, section 342.01, subdivision 18(2)). Therefore, Minnesota Statutes, section 342.27, subdivision 3(a), specifically authorizes retail license holders to sell cannabis paraphernalia, which in this instance includes vaporizers.



## **Additional Resources**

#### **OCM toolkit for local partners**

Please visit the <u>OCM webpage (mn.gov/ocm/local-governments/)</u> for additional information, including a toolkit of resources developed specifically for local government partners. The webpage will be updated as additional information becomes available and as state regulations are adopted.

#### Toolkit resources include:

- Appendix A: <u>Cannabis Model Ordinance</u> (mn.gov/ocm/lgg-appendix-a)
- Appendix B: Retail Registration Form and Checklist (mn.gov/ocm/lgg-appendix-b)
- Appendix C: <u>Cannabis Flower and Hemp-Derived Cannabinoid Products</u> <u>Inspection Checklist (mn.gov/ocm/lgg-appendix-c)</u>
- Appendix D: <u>Enforcement Notice from the Office of Cannabis Management</u> (mn.gov/ocm/lgg-appendix-d)
- Appendix E: Notice to Unlawful Cannabis Sellers (mn.gov/ocm/lgg-appendix-e)
- Appendix F: <u>Model Guidelines on Age Verification Compliance Checks Policy and Procedures (mn.gov/ocm/lgg-appendix-f)</u>
- Appendix G: <u>Cannabis and Hemp Age Compliance Check Form</u> (mn.gov/ocm/lgg-appendix-g)
- Appendix H: <u>Local Government Accela Registration Guide</u> (mn.gov/ocm/lgg-appendix-h)
- Appendix I: <u>Local Unit of Government Cannabis Licensing Contact, Delegation</u>
   Form (mn.gov/ocm/local-governments/contactform.jsp)
- Appendix J: <u>Local Governments Completing Zoning Compliance Certification on Accela (mn.gov/ocm/lgg-appendix-j/)</u>
- Appendix K: Local Approval of Cannabis Event form (mn.gov/ocm/lgg-appendix-k)

#### **Local organizations**

Feel free to contact the following local organizations for additional resources, as they have also developed resources to support local governments regarding the cannabis industry.

- League of Minnesota Cities (Imc.org)
- Association of Minnesota Counties (mncounties.org)
- Minnesota Public Health Law Center (publichealthlawcenter.org)

