

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, SEPTEMBER 21, 2021 – 6:30 P.M.
City Hall Chambers

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence City Council was called to order by Mayor Johnson at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Mayor Johnson, Councilors Spencer, Betts, McCoy and Grotting

ABSENT: None

STAFF: City Administrator Kaltsas, Assistant to Administrator
Horner, Attorney Bob Vose

VISITORS: Bryant Johnson

4. ****Consent Agenda****

All items listed under Consent Agenda are considered to be routine by Council and will be acted on by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Approval of City Council Minutes from the September 7, 2021, Regular City Council Meeting.
- b. Approval of Accounts Payable.
- c. Approval of Pay Application #10 from Rochon Corporation.
- d. Large Assembly Permit for 2850 Lindgren Lane - Event to be Held on Saturday, October 2nd, 2021.
- e. LMCC Annual Budget Proposal.
- f. 2021 Second Quarter Financial Report – For Information Only.

Motion by Spencer, second by Betts to approve the Consent Agenda with the amended previous minutes. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

5. SET AGENDA – ANYONE NOT ON THE AGENDA CAN BE PLACED UNDER OPEN/MISC.

Kaltsas would like to add one recognition at the end of the meeting.

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

McCoy attended the following meetings:

- Fire Commission
- West Hennepin Chamber
- Ribbon Cutting

Betts attended the following meetings:

- Fire Commission
- Ribbon Cutting

Grotting attended the following meetings:

- Contractors Meeting

Spencer attended the following meetings:

- Ribbon Cutting

Johnson attended the following meetings:

- Ribbon Cutting
- NW League
- Regional Council of Mayors
- Fire Commission
- Orono School Board
- Wright Hennepin Electric
- Former Governor Al Quie's Birthday Party

Horner attended the following meetings:

- BKV

Kaltsas attended the following meetings:

- Ribbon Cutting
- BKV
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7. West Hennepin Public Safety – Director Gary Kroells: Presentation of the August 2021 Activity Report.

See full police report.

Kroells says that they had their first construction meeting for the work that will be done on County Road 92 and Highway 12. Country Road 92 to the South will be closed for 30 days for excavation and preparation for the Fall construction work. Johnson asks if the work is almost done from County Road 6, down 92 to Saint Boni. Kroells says not quite. They are anticipating that work to be done in the first week of October. At the end of October, County Road 92 North to County Road 11 will be closed for a year. Valley Road will be closed as well. McCoy asks if Valley Rd can be opened for emergency vehicles. Kroells states he will check on this. Kroells mentions that they do not have a traffic control device on County Rd 11 and County Rd 90. He is working on this but is asking for the Council's help. McCoy asks if they should pass a resolution requesting an

official letter to Hennepin County requesting for traffic control for this? Kroells says it may be a little early, but maybe soon.

8. Bryant Johnson (Applicant) and Hilltop Farm, Inc. (Owner) is requesting the following actions for the property located between CSAH 90 and CSAH 83 and identified as PID No. 2611824130001.
 - a. **RESOLUTION NO. 21-0921-01** – Considering approval of a minor subdivision to split the property into two parcels.
 - b. **ORDINANCE NO. 2021-05** – Considering approval of the rezoning of the subject property from AG-Agriculture to RR-Rural Residential.
 - c. **RESOLUTION NO. 21-0921-02** - Considering approval of a Preliminary Plat to allow a 13-lot subdivision to be known as Hilltop Prairie Subdivision.

Spencer takes over as Johnson is recusing himself.

- a. Kaltsas explains the Hilltop 13 lot subdivision. This property is guided by the MetCouncil as it relates to a long-term service area for the city. During the concept plan review we discussed how they should provide an access point to Parcel A and B. They discussed extending Turner Road all the way through from County Road 83 to County Road 90 was discussed. Due to some concerns with this option, the city discussed another alternative that would put access at Quaas Cutoff. Met Council said they'd want access on Turner Rd or Quaas. They looked at they could provide a right-of-way from the North and tie into the road in there. Quass Cutoff would have to be realigned. The applicant does own the property where the realignment would need to happen so it would not be an issue. The applicant provided drainage and utility easements and aligning lots. The question is what to do with Turner Rd. Maple Plain Orchards parcel has access on 90 but doesn't go to Drake Dr. The City requested that the applicant provide a partial road that would allow Turner road to come into the Maple Plain Orchards Parcel at some point in the future and not have any further access to County Road 90 should the Parcel someday be developed. Planning Commission reviewed and considered the dedication the applicant put into this plan. Bryant asked about credit for park dedication since he's giving a lot of right-of-way space. The public hearing preferred access on the North side. Commissioners recommended approval.

Betts asks how many acres per lot on average. Kaltsas says they average around 3.5-4 acre lots. Betts asks if this supposed to be a cluster development. Kaltsas says this is a rural residential subdivision. Betts asks why we are overlooking the park dedication. Kaltsas says the 1 acre right-of-way would be a tradeoff. Grotting asks if we consider this park dedication fee, would it be setting a precedent? Kaltsas says he wouldn't count the County Road right-of-way, but only Quaas and Turner should be considered. Grotting asks if it would remain Rural Residential. Kaltsas says we would reguide it to the higher density. The powerline is a good divider line.

Spencer asks if it is explained well? Bryant Johnson says yes.

Motion by Grotting, second by McCoy to approve Resolution No. 21-0921-01 the approval of a minor subdivision to split the property into two parcels. Ayes: Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: Johnson. MOTION DECLARED CARRIED.

Motion by Betts, second by Grotting to approve Resolution No. 21-0921-01 the approval of the rezoning of the subject property from AG-Agriculture to RR-Rural Residential. Ayes: Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: Johnson. MOTION DECLARED CARRIED.

Motion by McCoy, second by Betts to approve Resolution No. 21-0921-02 the approval of a Preliminary Plat to allow a 13-lot subdivision to be known as Hilltop Prairie Subdivision. Ayes: Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: Johnson. MOTION DECLARED CARRIED.

Mayor Johnson returned to chair.

9. Consider Approval of the 2022 Preliminary Budget and Tax Levy:

- a. **RESOLUTION NO. 21-0921-03** – Establishing the General and Debt Service Preliminary Tax Levy and Setting a Date for the 2020 Truth in Taxation Meeting for December 1, 2020.
- b. **RESOLUTION NO. 21-0921-04** – Establishing the Pioneer Sarah Creek Watershed Management Commission Preliminary Tax Levy.

Kaltsas discussed the 3.03% increase in budget. The key items are fire and police budget in an attempt to fund their capital needs. We are funding 100% of our roads such as drain tile and seal coating. We now have a budget in line and manageable after completing 2 large road projects. Kaltsas compares the City of Independence to the surrounding cities. The tax capacity rates are remaining flat in comparison to some surrounding cities. We are establishing a preliminary tax-levy and we may be able to tweak this a little more before the end of the year as we are getting more numbers back from the Fire Departments from Delano and Maple Plain. Johnson thanks Kaltsas for his work. Johnson also reminds everyone that this is the maximum and there is room to go down.

Motion by Betts, second by McCoy to approve Resolution No. 21-0921-03. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

Motion by Spencer, second by Betts to approve Resolution No. 21-0921-04. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

Spencer mentions how much he appreciated Joe Baker for his hard work at keeping the budget level.

10. **PUBLIC HEARING:** Consideration of Conduit Bond Issuance.

- a. **RESOLUTION 21-0907-05:** Considering the authorization of the issuance, sale and delivery of charter school lease revenue bonds for Paladin Career and Technical High School in Coon Rapids, MN.

Kaltsas says this is the 3rd bond this year. This is for conduit financing for a Charter School Paladin Career and Technical School. The city is not issuing any debt this year. The city got \$100,000 from the 1st conduit bond that we issued. Gina from Kennedy-Graven explains about conduit bonds. They are requesting conduit bonds not to exceed \$8 million in bonds. This is no debt to the City, they are not pledging any taxes and it does not impact the city's credit rating. Brandon, the principle of Paladin thanks everyone and appreciates the relationship. It also benefits the city to make some money. They have had documentaries done on their school. They are a small school that has outgrown their current space that will hold 200 with a gym. They will be moving to Coon Rapids.

Motion to close public hearing by McCoy, second by Betts. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

Motion by Grotting, second by Spencer to approve Resolution No. 21-0921-05 issuance of conduit bond. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

11. **PUBLIC HEARING:** Consider Approval of Vacation for that portion of a drainage and utility easement on the property generally located at the northeast intersection of County Road 11 and Woodhill Drive.

a. **RESOLUTION NO. 21-0921-06** – Approving the Vacation of the Subject Easement.

Motion to close public hearing by Spencer, second by Grotting. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

Motion by Spencer, second by McCoy to approve Resolution No. 21-0921-06 Approving the Vacation of the Subject Easement. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

12. Open/Misc.

Kaltsas says he would like to commemorate the first night using the new space. We will do an official opening when it's done. Kaltsas says we would like to dedicate the new space as the "Marvin Johnson Community Room."

13. Adjourn.

Motion by Spencer, second by McCoy to adjourn at 7:41 p.m. Ayes: Johnson, Grotting, Betts, and Spencer. Nays: None. Absent: McCoy. None. Abstain: None. MOTION DECLARED CARRIED.

Respectfully Submitted,
Amber Simon / Recording Secretary

