



CITY COUNCIL MEETING MINUTES
TUESDAY OCTOBER 7, 2025

CITY COUNCIL MEETING TIME: 6:30 PM

1. CALL TO ORDER

Mayor Brad Spencer called the meeting to order on Tuesday, OCTOBER 7, 2025, at 6:30 PM

2. PLEDGE OF ALLEGIANCE

Mayor Spencer led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Spencer, McCoy, Betts, Grotting

ABSENT: Fisher

STAFF: City Administrator Kaltsas, Administrative Services Director Simon, PW
Supervisor Ben Lehman

VISITORS: See Sign in Sheet

4. ****CONSENT AGENDA****

Mayor Spencer stated that the consent agenda items would be considered routine and acted on by one motion unless someone would like to remove an item for discussion. The consent agenda

- a. Approval of the City Council Minutes from the September 16, 2025, Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch #1 - Checks No. 23952-23979).

Motion by Betts, seconded by McCoy to approve the consent agenda. Ayes: Spencer, Betts, McCoy, Grotting. Nays: None. Absent: Fisher. Abstain: None. Motion Approved. 4-0

5. Reports of Boards and Committees by Council and Staff.

Council member McCoy Attended the following meeting:

- None

Council member Grotting Attended the following meeting:

- Planning Commission

Council member Betts Attended the following meeting:

- None

Mayor Spencer Attended the following meeting:

- Planning Commission
- Delano Sportsman Club
- Lake Independence Citizens Fall Meeting at Baker Park
- WeCan Open House in Mound
- MP Fire Dept Open House

City Administrator Mark Kaltsas Attended the following meeting:

- Met with Lobbyist with MNDot – getting help from Representative Limmer to help with funding for Hwy 12.
- Fire Dept merger should be ready to draft by the following week.

6. AT&T (Applicant) requests that the City consider the following action for the property located at 3310 County Line Road, Independence, MN (PID No. 07-118-24-33-0004):
 - a. **RESOLUTION NO. 25-1007-01** – Considering a conditional use permit amendment to allow the upgrade and replacement of cellular antennas on the existing wireless tower and ground equipment located on the subject property.

City Administrator Kaltsas presented the request from AT&T for a conditional use permit amendment. He explained that the property is zoned agriculture, is guided by the city's comprehensive plan as agriculture, and is approximately 6.8 acres in size. The property is located north of the intersection of Highway 12 and County Line Road on the east side of County Line Road.

Kaltsas explained that AT&T applied to replace and upgrade several antennas and radio equipment along with some minor ground equipment on the existing communications tower and lease site. Currently, there are two different carriers on the existing tower. He explained that when the city receives requests to relocate, replace, or change out equipment on wireless communications towers, there are two possible paths: administrative approval for certain replacements that don't increase the number, size, or add new equipment, or routing through the conditional use permit amendment process if there are expansions, additions, or increases in size.

Kaltsas noted that this process helps the city track what's on the tower in a way that can be easily found again. In this case, the applicant is proposing to install additional antennas, additional radios, new trunk cabling, and a new baseband antenna on the existing cabinet on the ground. He explained that this application was sent through the CUP amendment process because it intensifies the use.

The Planning Commission held a public hearing, reviewed the request, and found that the criteria for granting a conditional use permit amendment had been satisfied. They did not feel there was

any additional equipment that needed further mitigation or that would cause the city to deny the application. The Planning Commission recommended approval to the City Council.

Motion by Grotting, seconded by McCoy to approve RESOLUTION 25-1007-01 approving the CUP amendment to allow the upgrade and replacement of cellular antennas on the existing wireless tower and ground equipment located on the subject property. Ayes: Spencer, Betts, McCoy, Grotting. Nays: None. Absent: Fisher. Abstain: None. Motion Approved. 4-0

7. Greg A Jurvakainen (Applicants) and Carter Berkleman (Owner) request that the City consider the following action for the properties located at 6785 Highway 12, Independence, MN (PID No. 22-118-24-42-0001) and the property to the south that does not have an address but is identified by the following PID Number (PID No. 22-118-24-31-0002):
 - a. **RESOLUTION NO. 25-1007-02** – Considering a minor subdivision to allow a lot line rearrangement between the two subject properties. The minor subdivision would add approximately 50' to the south side of the 6785 Highway 12 property.

City Administrator Kaltsas presented the request for a minor subdivision to allow a lot line rearrangement between the two properties. He explained that the applicant approached the city about moving the southerly and westerly lot lines of the 6785 Highway 12 property to expand the existing house and clean up some unique conditions. The applicant is related to the owner of the adjacent property to the west and south.

Kaltsas described that both properties are zoned agriculture and guided by the city's comprehensive plan as agriculture. The 6785 Highway 12 property is currently 5.61 acres and would increase to 7.4 acres after the rearrangement, gaining approximately 1.6 acres. The unaddressed property to the southwest is approximately 125.11 acres currently and would be reduced to 123 acres after the rearrangement.

The property at 6785 Highway 12 has a unique configuration, described as a backwards L-shape. The proposed changes would push out the property lines by approximately 50 feet on three sides. Kaltsas explained that the changes would allow the applicant to expand their house while meeting applicable building setbacks, would bring their existing septic mound (which currently serves their property but is located on the adjacent property) onto their property, and would include a portion of their gravel driveway.

Kaltsas noted that the existing lot is considered legal despite not having the requisite 300 feet of frontage on a public right of way (it has 270 feet on Highway 12). The Planning Commission reviewed the request and noted that the unique lot configuration creates a hardship for the property owner, making it difficult to expand the house in any direction. They found that while

the proposed lot line rearrangement still leaves a unique lot configuration, it would be much better in the after condition and recommended approval.

Motion by McCoy, seconded by Betts to approve RESOLUTION 25-1007-02 approving a minor subdivision to allow a lot line rearrangement between the two subject properties and adding approximately 50' to the south side of the 6785 Highway 12 property. Ayes: Spencer, Betts, McCoy, Grotting. Nays: None. Absent: Fisher. Abstain: None. Motion Approved. 4-0

8. Scott Kirchner (Applicant/Owner) requests that the City consider the following action for the Property located at 6551 County Road 6, Independence, MN (PID No. 34-118-24-12-0001):
 - a. **RESOLUTION NO. 25-1007-03** – Considering a minor subdivision to allow a rural view lot subdivision and;
 - b. A variance to allow a rural view lot to exceed the maximum size of 10 acres.

City Administrator Kaltsas presented the request for a minor subdivision and variance. He explained that the property is zoned agriculture, guided by the city's comprehensive plan as agriculture, and is approximately 75 acres in the before condition. The applicant had previously received approval for a 10-acre rural view lot subdivision from this property and was now seeking a second rural view lot that would be located south of County Road 6.

Kaltsas explained that at the previous Planning Commission meeting when the first rural view lot was approved, there was discussion about whether this lot would qualify for a second rural view lot. The key question was whether this property could be considered an "unsubdivided 80-acre parcel" similar to the language in the city's subdivision ordinance about 40-acre parcels that had not been previously subdivided.

The applicant was now requesting to split the remainder of the southerly lot (minus the 10-acre parcel already approved and everything north of County Road 6) into a second lot of 16.9 acres on the north side of the Luce Line and 1.47 acres on the south side. A variance was also requested since this exceeds the 10-acre maximum lot size for rural view lots.

Kaltsas reviewed the ordinance language, which states: "For the purpose of determining the number of rural view lots that can be created, the area of a lot of record shall be measured to the center of abounding road rights of ways. Furthermore, a lot of record that was originally subdivided into a quarter quarter section and has not been further subdivided shall be deemed a 40-acre parcel for purposes of determining rural view lot eligibility."

The Planning Commission had extensive discussion about whether this ordinance language could be interpreted to apply to 80-acre parcels. Their recommendation was that the ordinance does not

address 80-acre lots specifically and that this lot is not an original quarter-quarter section. Additionally, with road rights-of-way included, the property is only about 76.88 acres, not reaching the 80-acre threshold for two rural view lot eligibilities. The Planning Commission also noted that the property had already been subdivided once, and the ordinance states that properties subdivided after 1999 cannot be subdivided again for rural view lots.

Council Member Betts stated she had reviewed the Planning Commission's findings and agreed with their decision. Council Member McCoy asked about the global deflection situation and what constitutes a nominal 40 or 80 acres. Kaltsas explained that for 40-acre parcels, they typically see a 1 to 1.5-acre difference due to survey lines.

The applicant, Scott Kirchner, addressed the Council, suggesting that if global deflection for a 40-acre parcel is 1.5 to 2 acres, then perhaps for an 80-acre parcel it could be 2 to 4 acres, which would put his 76.88-acre parcel within range of a nominal 80 acres. He also explained that he had been advised by city staff that he couldn't apply for both rural view lots at once, which is why the applications were submitted separately.

Council Member McCoy expressed concern about creating additional driveway access onto County Road 6, which he described as very dangerous. Kaltsas noted that the county had granted access to the 10-acre parcel, and the proposed 16.9-acre parcel would likely access from Ingerson rather than County Road 6, though the county would ultimately make that determination.

After discussion, Mayor Spencer suggested that the Council was reaching in many directions on this issue and agreed with the Planning Commission's findings.

Motion by McCoy, seconded by Grotting to approve RESOLUTION 25-1007-03 denying a minor subdivision to allow a rural view lot subdivision and a variance to allow a rural view lot to exceed the maximum size of 10 acres. Ayes: Spencer, Betts, McCoy, Grotting. Nays: None. Absent: Fisher. Abstain: None. Motion Approved. 4-0

9. Approval of an extension to the record the Minor Subdivision of the property located at 8910 Highway 12.

- a. **RESOLUTION NO. 25-1007-04** – Considering approval of an extension to record the minor subdivision for the property located at 8910 Highway 12.

City Administrator Kaltsas explained that John Peterson received approval in 2024 for a minor subdivision to allow a lot line rearrangement for the property at 8910 Highway 12. The lot line rearrangement allowed for the adjustment of the line separating 8910 Highway 12 from the adjacent property to the west to resolve a gap discrepancy.

While the initial resolution was recorded, title issues between owners delayed the process. Now that those issues have been resolved, the applicant's attorney noted they needed to extend the timeframe for recording all the information, as the original 6-month window had expired. Kaltsas proposed extending the deadline by another 6 months from the current date.

Motion by Betts, seconded by McCoy to approve RESOLUTION 25-1007-04 approving an extension to record the minor subdivision of the property located at 8910 Highway 12.

Ayes: Spencer, Betts, Grotting, McCoy. Nays: None. Absent: Fisher. Abstain: None.

Motion Approved. 4-0

10. Community Clean Up Proclamation – Thanking Presbyterian Church of Maple Plain’s Good Works philanthropy service work for installing the new playground edging at the Ox Yoke park playground the in Independence.

City Administrator Kaltsas explained that Public Works Supervisor Ben Lehman worked with the First Presbyterian Church in Maple Plain's Good Works Philanthropy Group on a project at Ox Yoke Park, one of the city's three parks. The church group had reached out to the city after completing projects in both Maple Plain and Independence the previous year.

Kaltsas explained that the railroad ties that had been used as edging for the playground's pea rock were rotting out. The volunteers installed new plastic edging, which cleaned up the area and preserved the pea rock. Ben Lehman reported that about 12 to 15 volunteers participated in the project. Mayor Spencer suggested including pictures in the next newsletter.

Mayor Spencer read the proclamation thanking the Presbyterian Church of Maple Plain's Good Works Philanthropy Group for their volunteer service on September 13, 2025, installing new playground edging around the perimeter of the Ox Yoke playground in Independence.

11. Adjourn

Motion by McCoy, seconded by Grotting to adjourn the meeting at 7:20pm. Ayes: Spencer, Betts, McCoy, Grotting. Nays: None. Absent: Fisher. Abstain: None. Motion Approved. 4-0

