

MINUTES OF A REGULAR MEETING OF
THE INDEPENDENCE CITY COUNCIL
TUESDAY, JANUARY 7, 2024 – 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: Johnson, Spencer, Grotting, Betts, McCoy

ABSENT: None

STAFF: City Administrator Kaltsas, Administrative Services Director Simon

VISITORS: See Sign-in sheet.

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 December 3, 2024, Truth in Taxation Meeting.
- b. Approval of City Council Minutes from the December 3, 2024, Regular City Council Meeting.

Motion by Spencer, seconded by Betts to approve the December 3, 2024, Truth in Taxation City Council Meeting Minutes. Ayes: Johnson, Spencer, Grotting, Betts, and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

Motion by Spencer, seconded by McCoy to approve the December 3, 2024, Regular City Council Meeting Minutes with changes. Ayes: Johnson, Spencer, Grotting, Betts, and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

5. Resignation of Brad Spencer as City Council Member.

Mayor Johnson read Brad Spencer's letter of resignation as Councilmember effective January 7, 2025, in order to be sworn in as Mayor.

Motion by McCoy, seconded by Betts to accept Brad Spencer's resignation as City Councilman to be sworn in as Mayor. Ayes: Johnson, Spencer, Grotting, Betts, and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

Marvin and McCoy thanked Spencer for his years of service to the residents as Councilmember.

6. Swearing in of Newly Elected Mayor Spencer and Council Members McCoy and Grotting.

Simon swore in Spencer as Mayor. Johnson praised Spencer for his good example for his public service and welcomed him as the 5th Mayor of Independence. Marvin Johnson exited the dais and Mayor Brad Spencer took Mayor seat. Simon swore in McCoy and Spencer as Council Members.

7. Proclamation and Appointment of Marvin Johnson as the City of Independence - Mayor Emeritus.

- a. **PROCLAMATION** – Honoring Mayor Marvin Johnson.
Mayor Spencer read the following proclamation.

WHEREAS, Marvin D. Johnson, born May 2, 1935, is a lifelong resident of Independence, Minnesota; and

WHEREAS, Marvin began his long history of public service upon his appointment to the vacant position of City Councilmember Clinton Bergman in 1976 by the then Mayor and Council of the City of Independence, Minnesota; and

WHEREAS, Marvin was elected to his initial 2-year term as Mayor for the City of Independence, Minnesota in the November 6, 1979 election; and

WHEREAS, Marvin has continued to serve as his community's elected Mayor without interruption from his swearing in on December 27, 1979 until this day, January 7, 2025, an impressive series of consecutive terms totaling more than 45 years; and

WHEREAS, Marvin's exceptional and unparalleled history of Community and Civic service, far exceeding the requirements of the elected position of Mayor, as documented by his being awarded the C.C. Ludwig award for Leadership by the League of Minnesota Cities in 2013; and

WHEREAS, Marvin has consistently demonstrated his generosity and compassion for all of his fellow citizens; and

WHEREAS, Marvin has always been available, willing and able to work with his fellow Councilmembers, City staff, First Responders, and representatives of all manner of public officials with the sole objective of making our community a better place to live; and

WHEREAS, in addition to his service as Mayor, Marvin has continued to serve on such a vast array of Boards, Committees and Commissions that they are far too numerous to attempt to list here; and

WHEREAS, Acknowledging Marvin’s displayed personal dedication and objectivity, with which he has led his community with strength and integrity, an example that should serve as a model for us all.

NOW, THEREFORE, on behalf of the City of Independence and staff, I Mayor Brad Spencer, take immense pride in honoring Marvin D. Johnson for his selfless service to his community.

BE IT FURTHER PROCLAIMED, that Marvin D. Johnson be hereby granted the official Title of Mayor Emeritus for the City of Independence to encourage and support Marvin to maintain association with the City and with any of the Boards, Committees, or Commissions that he wishes as an official representative of the City of Independence.

Proclaimed on this 7th day of January 2025

Mayor Emeritus Johnson - I don't know where the time went, but it went. It's far different than when I started on the Council. It's been a pleasure, and I'm glad I had the opportunity to serve the City of Independence. The chambers are much nicer now than when I'd started. It was a cold building when we'd get there in the wintertime. Thank you for your kind remarks, and I'll hopefully be around for a while. Thank you.

**** Mayor Spencer announces a brief recess for celebratory refreshments, and the meeting was reconvened at 6:59pm. ****

- b. **RESOLUTION No. 25-0107-01** – Appointment of Marvin Johnson to Mayor Emeritus.

Motion by Spencer, seconded by Grotting to approve RESOLUTION 25-0107-01 appointing Marvin Johnson as Mayor Emeritus of the City of Independence, MN. Ayes: Spencer, Grotting, Betts, and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 4-0

The city will pay a per diem to cover Marvin’s costs of going to meetings. The City of Burnsville has also previously done this. This gives Marvin the opportunity to attend on our behalf as he chooses. We ask that he updates us where the City should also participate.

8. Annual City Council Appointments.

- a. **RESOLUTION No. 25-0107-02** - Annual Organizational Appointments.
- b. **RESOLUTION No. 25-0107-03** - Approval of Planning Commission Reappointments for Robert Gardner, Hal Tearse and Jon-Paul Story.

There are a couple of open spots. The Council added Grotting as the Planning Commission and Public Works Liaison and McCoy as the Acting Mayor and the second authorized signer to the packet's 2025 Council Appointments list. All are welcome to attend meetings if they wish.

Motion by McCoy, seconded by Betts to approve RESOLUTION 25-0107-02 approving the 2025 Council Appointments as printed with the three additions as mentioned. Ayes: Spencer, Grotting, Betts, and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 4-0

Kaltsas- All three Planning Commission Members would like to continue to serve another 3-year term: Gardner and Tarse as Commissioners and Story as an Alternate.

Motion by McCoy, seconded by Grotting to approve RESOLUTION 25-0107-03 for the reappointment of Planning Commission members for their 3-year terms. Ayes: Spencer, Grotting, Betts, and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 4-0

9. Kim Jacobsen (Applicant/Owner) is requesting the following action for the property located at 5305 Sunset Ln. (PID No. 01-118-24-31-0004) in the City of Independence, MN.

- a. **RESOLUTION No. 25-0107-04** – Considering approval of conditional use permit to allow an accessory dwelling unit (ADU) to be constructed on the property.

Kaltsas recapped the Applicant's Request, Property/Site Information, and Recommendation and Discussion from the packet for the conditional use permit allowing an accessory dwelling unit/ ADU at 5305 Sunset Ln. A new detached building with ADU within it. It's a mostly wooded property, zoned RR with shoreland overlay, guided as RR, and on approximately 4.5 acres. The ADU meets applicable standards of the City, meets maximum size, must be subordinate to principal structure, and be architecturally compatible. The new structure would be the ADU and additional storage space and workshop. Their property could be subdivided based on our standards, but owners are not looking to split it currently. They want to live in the ADU at some point and give the principal structure to their kids someday. It would have full living quarters. Storage, garage, and mechanical space does not count towards the sqft of an ADU. The Planning Commission discussed 1195 sqft max and theirs is 1199 sqft, so owners would need to reduce its size. They would have to reduce sqft of accessory building by 200 sqft. The Ordinary High-Water Level was questioned with the setback of accessory structure. I believe it meets the 60ft setback from OHWL, but it needs to be shown that on final plan. There wasn't any additional comment, and a Public Hearing was held. Planning Commission discussed the need to reduce the ADU's size by 4sqft and total accessory sqft by 200 sqft, and to show 60ft setback to the OHWL. This property feels and looks like a second home, and it could be subdivided with frontage. Owners are locating it in a manner that allows for it to be subdivided down the road and to have its highest value. They could possibly get 2 or maybe 3 lots at some point.

The Owner, Kaltsas, and Council discussed which buildings could remain or must be removed and having the Surveyor correctly draw the OHWL mark on the plans. Spencer thought it was at

979.9.

Owner – ADU of 120sqft or less are exempt from sqft. Such as the shed and boat house. Main point is the extra 200sqft overall. That it should not be figured in.

Spencer – We will be looking into that.

Kaltsas- bath house and small cabin (10x12' cabin)

Spencer – Have Surveyors draw it to the OHWL at 979.9

Motion by Betts, seconded by McCoy to approve RESOLUTION 25-0107-05 and eliminating the condition relative to the reduction of overall accessory structure footage by 200 or 204? square footage. Ayes: Spencer, Grotting, Betts, and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 4-0

10. Joel Loomis (Applicant/Owner) is requesting the following action for the property located at 2112 CSAH 92 N. (PID No. 21-118-24-23-0001) in the City of Independence, MN.

- a. **RESOLUTION No. 25-0107-05** – Considering approval of a conditional use permit to allow an accessory dwelling unit (ADU) to be located within the existing accessory structure on the property.

Kaltsas recapped the Applicant's Request, Property/Site Information, and Recommendation and Discussion from the packet for the conditional use permit allowing an accessory dwelling unit/ADU at property which is 79.55 acres, zoned Agriculture / AG, and guided as AG. The Applicant asked what they can do to put on an addition to existing farmhouse. There are 2 existing homes on this property prior to ordinance stating only one home is allowed. Two lawful nonconforming homes. They can't be expanded without bringing criteria requirements into the current ordinance. They are looking to make the other home into an accessory dwelling unit/ADU. In the future they may have a family member to live in the other home with second unit. The first house is set up as 2-bedroom house 1,050sqft. The Lower level has been converted, and has less than 7ft ceilings, storage, walkout, and mechanical area as almost an old cellar look that is approximately 600sqft in size. If you took all its square footage, it would exceed max for an ADU. They would be willing to separate out the basement or just use the upper level and basement as storage and even install a door to separate the two. The addition on existing farmhouse would increase to 6,000 sqft. With that addition the maximum sqft for the ADU would be 1,052 sqft. The Planning Commission noted the nuance of separation and noted this is a unique situation with not many properties having 2 homes on a property. In administration of the ordinance, that if we do grant a conditional use permit/ CUP, the City can have more oversight to make sure it continues to function as a single-family residence with an ADU for family members and PC noted that it sits like an ADU and made recommendations for its approval. following requirements.

McCoy appreciated keeping the old house and remodeling. There's not many of those left anymore. Spencer agreed that it looks straightforward.

Motion by McCoy, seconded by Grotting to approve Resolution 25-0107-05. Ayes: Spencer, Grotting, Betts, and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 4-0

11. Approval of Accounts Payable; (Batch #1 - Checks No. 23291-23313, Batch #2 - Checks No. 23314-23323, Batch #3 - Checks No. 23324-23334 and Batch #4 - Checks No. 23335-23341).

Motion by Betts, seconded by Grotting to approve the Accounts Payables. Ayes: Spencer, Grotting, Betts, and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 4-0

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

Betts attended the following meetings:

- None

Spencer attended the following meetings:

- Planning
- County Assessor
- Truth in Taxation

McCoy attended the following meetings:

- View Santa

Spencer attended the following meetings:

- View Santa 12/7
- Maple Plain Fire Dept. Finances Mtg 12/10
- Planning Commission 12/10
- Northwest League of Cities 12/11
- Public Works Interviews 12/12
- LMCC Zoom – Midco 12/18
- Hwy 12 Safety Coalition 1/2/25
- Kristin Robbins 1/3
- Maple Plain Council, Mayor / New Fire Fighter swearing in, Adam 1/6

Simon – None

Kaltsas – None

13. Open/Misc.

14. Adjourn.

Motion by Betts, second by McCoy to adjourn the meeting at 7:31pm. Ayes: Spencer, Grotting, Betts, and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 4-0

Meeting adjourned at 7:31 pm.

Respectfully Submitted,
Linda Johnson/ Recording Secretary