

MINUTES OF A REGULAR MEETING OF
THE INDEPENDENCE CITY COUNCIL
TUESDAY, APRIL 15, 2025 – 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 Spencer at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Spencer led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Spencer, Betts, McCoy, Fisher, Grotting

ABSENT: None.

STAFF: City Administrator Kaltsas, Administrative Services Director Simon, Public Works Supervisor Ben Lehman, Mayor Emeritus Johnson, WHPS Director DuRose.

VISITORS: See Sign-in.

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 March 18, 2025, Regular City Council Meeting.
- b. Approval of Accounts Payable (Batch #1; Checks Numbered 23540-23556, Batch #2, Checks Numbered 23557-22567, Batch #3, Checks Numbered 23568-23584 and Batch #4 23585-23607).
- c. Agriculture Preserve Application for the following property:
 - i. PID No.s 35-118-24-24-0003 & 26-118-24-33-0002

Motion by McCoy, seconded by Fisher to approve the Consent Agenda. Ayes: Spencer, Betts, Fisher, Grotting and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

5. Set Agenda – Anyone Not on the Agenda can be Placed Under Open/Misc.

Mayor Emeritus Johnson wishes to be added to the end of the Agenda.

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

Fisher attended the following meetings:

- LMCC (zoom) Midco Agreement

- LBAE

Betts attended the following meetings:

- Hwy 55 corridor coalition (Zoom)
- LBAE

Grotting attended the following meetings:

- Meeting with PW Supervisor, Ben Lehman
- LBAE

McCoy attended the following meetings:

- Police Commission
- LBAE

Mayor Spencer attended the following meetings:

- Opening of the Delano Sportsmen Club Trap Range
- Signing Ceremony with Chief Matt DuRose
- Orono Schools Breakfast awarded Mayor Emeritus the 1st ever Guiding Torch Award
- Taped the State of the City Address
- Police Commission
- Meeting with Kaltsas and Chief Leuer on fire districts
- NW League of Cities
- MP Fire quarterly Meeting
- LBAE

Simon attended the following meetings:

- LBAE

Kaltsas attended the following meetings:

- Meeting with Sgt. Ebling on research work with assisted care facilities and time and effort it takes to serve them. Talked with WHPS and Fire about what that looks like. There may be some changes that MP may consider to the level of services provided and increase in living facilities.

Spencer mentioned the lifts and what employees can and can't do.

Kaltsas said there is an agreement in place about payment for services with Vinland.

7. West Hennepin Public Safety – Director Gary Kroells/Matthew DuRose: Presentation of the March 2025 Activity Report.

Chief Kroells stated that this is his last activity report to Maple Plain and Independence. He said it has been an honor to be the Director of Public Safety.

Kroells reported that in the month of March there have been 225 incident complaints in Independence and 135 in Maple Plain.

See full report.

Spencer announced that Kroells' retirement open house will be on April 22nd from 4-6pm at City Hall. He told Kroells it was a pleasure to work with him.

8. 2025 Gravel Road Improvement Project:

- a. **RESOLUTION No. 25-0415-01** - Set Sale Resolution related to the anticipated issuance of the City's General Obligation Street Reconstruction Bonds, Series 2025A.

Kaltsas explained that this is a precursor to the sale of bonds for the gravel roads reconstruction project. The city has sent out bids for the gravel roads project and this has been something the city has been working on for the past year. He said there are four primary bid holders intending to bid on this project and we are hoping for more before April 25th bid opening date. In anticipation to opening bids and selling bonds, we need to pass a resolution. The public hearing was on March 4th and we went through the statutory process. Northland Security would sell the bonds on May 6th and report back to the city on May 6th and the city would authorize a sale. This resolution allows Northland Security to go through that process. We would sell less than the maximum amount or up to \$2m in total bonds. Kennedy and Graven prepared the resolution for tonight. As a reminder, this is not authorizing bonds, just confirmation the process.

Fisher asked what the rates will be.

Kaltsas said it was in the 3's when we last looked. It is a 10-year term.

Spencer said the bond market is very flat right now. That is partly due to volatility to the stock market. The rates look favorable right now and good or better than when we started this process. Spencer asked when we start paying back?

Kaltsas said 2027.

Motion by Betts, seconded by Grotting to approve setting the sale resolution relating to the anticipated issuance of the City's General Obligation Street Reconstruction Bonds, Series 2025A. Ayes: Spencer, Betts, Fisher, Grotting and McCoy. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED. 5-0

9. Minnesota Wetland Conservation Act – Confirming Decision Making Authority for Certain Functions with Regards to Implementation of the Wetland Conservation Act (WCA):

- a. **RESOLUTION No. 25-0415-02** – Confirming decision making authority for specific WCA applications.

Spencer said because of vote 10 years ago that eliminated the soil and water district, that deferred certain acts, including wetland conservation act to the local municipalities. Because we have a joint powers agreement within the PSCW district, we would be an overriding power to enforce wetland conservation acts.

Kaltsas said Independence practiced under the authority of local governing units for enforcement of the wetland conservation act. That includes a general practice we have had where at a staff level have made final decisions for WCA. City has deployed HA as our consulting wetland specialists to help us do that. HA recommended a formal resolution to do this at a staff level. We have been operating like this for the last 10 years, we just want to make it formal. It works well. This only applies to the areas in PSCWM. Minnehaha Creek would be under local government of Minnehaha Creek. Staff only has the ability to administer WCA for only those items specified in the staff report.

Spencer said that's a good policy.

Motion by McCoy, seconded by Fisher to approve RESOLUTION 25-0415-02. Ayes: Spencer, Betts, McCoy and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

10. Consideration of an Improvement and Road Maintenance Agreement with the City of Delano Pertaining to a Portion of County Line Road.

Spencer explained that this would be a one lane width South of Highway 12 on County Line Road.

Kaltsas said the City of Delano approached Independence about improving County Line between Maria Road and 90th St to the South. The section of road that Independence and Delano share has been a paved portion of that road that Delano has previously paved. Delano wants to enter into an agreement for the remainder of that road down to 90th St. They want to pave the full width. They need Independence to agree to allow them to do that though. At the time Independence asked for more information and plans and where Franklin Township stands as it relates to where their piece is at. Franklin Twp agreed through and improved maintenance agreement in early March to their portion of the road. Once they approved that, then Independence would look at an agreement with Delano as far as what Independence would like to see. We would then bring it to Council. Then we had residents concerned about traffic. This agreement is for consideration, and this is not approving anything. This stipulates responsibilities with the paving. Delano would be responsible in its entirety for the paved section of road. They would consume all costs, utilities, installation and all snow removal. They also agreed to not assess any residents for any improvements or maintenance for Independence residents. Independence would remain the main authority for Independence. The City of Independence would allow pavement in return for Delano to pay for paving, maintain and not assessing our residents.

Spencer asked when the agreement that Delano would assume all construction and maintenance without assessing residents terminates. He asked if it happens if it were ever developed.

Kaltsas said it would be ongoing and continue until Independence establishes a new road connection to County Line Road or a CLA with direct access onto County Line Road.

Spencer asked if the SE corner of the intersection of Hwy 12 and County Line Road were to ever develop, if that would trigger maintenance.

Kaltsas said if one of those is triggered, the parties would agree to renegotiate those terms. We looked at trying to improve that area by connecting Nelson Road to County Line because it is much safer for the intersection of Nelson and Hwy 12. There is a commercial development that will be starting in that area and the city has acquired ROW to allow for that frontage road.

Spencer asked about the first ½ mile that was paved on Nelson.

Kaltsas said yes, it was paved at no cost to us.

Bill McMullen stated that he lives on County line Road and owns property on both sides of the road. His property is affected by this road paving. He said he is opposed to Delano offering something that is too good to be true. This road will become a residential collector street. This is creating a bypass from County Road 17 to 90th St. It will allow traffic to bypass around the industrial park. You will get more traffic on County Line and Nelson Road. He said this is not a done deal and both parties have to agree. It is a shared road. He urged Independence to deny the paving.

Fisher asked Kaltsas if they are going to pave 90th St no matter what.

Kaltsas said he doesn't know that for sure.

Spencer said they already got a bid for it so they probably will.

Kaltsas said Independence doesn't have jurisdiction over 90th St.

Fisher asked if they would go forward with the plans regardless of what Independence decides.

Spencer said one of the concerns is traffic on 90th and it being a bypass or a collector street. Franklin Twp would have denied that if they had the opportunity to. He said Kaltsas has been talking about this for a while and we have a very small dog in this hunt. Franklin approved this on March 3rd after negotiating costs.

Fisher asked what the speed limit would be once it is paved.

Kroells said 30mph is recommended.

McCoy asked if we should include that in the resolution.

Spencer asked if we need to. He said we can include that though.

McCoy said he would be in favor of adding in the speed limit rather than arguing about it later.

Marianne Bernett asked who they should call to enforce the 30mph speed limit if this goes through.

Kroells said either department can enforce this. He said WHPS is still responsible for speed and so is Wright County.

Motion by Spencer, seconded by McCoy to approve consideration of an Improvement and Road Maintenance Agreement with the City of Delano Pertaining to a portion of County Line Road with a speed limit of 30mph. Ayes: Spencer, Betts, Fisher, Grotting and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

11. Open/Misc.

Mayor Emeritus Johnson stated he attended the Highway 55 corridor coalition, Orono Healthy Youth, and the Farm Bureau on behalf of the City. His reason for coming tonight is to thank council and staff for his retirement dinner and open house. He stated that there were a number of people that put money in retirement cards for him. He said he doesn't feel that's appropriate for him to use that money for himself and it should go to the city. He wants to designate \$500 to the park fund, \$180 cash and \$185 worth of gift cards to the museum clean up fund.

Spencer said he accepts the money on behalf of the city and he also gave his condolences to Johnson on the loss of his sister and sister-in-law last week.

12. Adjourn.

Motion by Betts, seconded by McCoy to adjourn the meeting at 7:18 pm. 5-0