



CITY COUNCIL MEETING AGENDA
TUESDAY MAY 6, 2025

CITY COUNCIL MEETING TIME: 6:30 PM

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: Mayor Spencer, Councilor's Betts, McCoy, Fisher, Grotting and attorney Bob Vose
ABSENT: Amber Simon.
STAFF: City Administrator Kaltsas, Public Works Supervisor Ben Lehman.
VISITORS: Karl Gerber, Rob Sievers

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 April 15, 2025, Local Board of Appeals and Equalization City Council Meeting.
- b. Approval of City Council Minutes from the April 15, 2025, Regular City Council Meeting.
- c. Approval of Accounts Payable; (Batch #1 - Checks No. 23608-23616, Batch #2 - Checks No. 23617-23628 and #3 - Checks No. 23629-23643).
- d. Large Assembly and Gambling Permit:
 - Lyndale Lutheran Church – July 20, 2025.
- e. Agriculture Preserve Application for the following properties:
 - PID No.s 30-118-24-31-0001 & 15-118-24-41-0001, 15-118-24-24-0001, 15-118-24-44-0008, 10-118-24-34-0007, 31-118-24-21-0010 and 15-118-24-21-0001).
- f. Recommended Funds Transfer:
 - **RESOLUTION No. 25-0506-01** – Considering a transfer of \$44,003.03 from *Fund 430 – Escrows* to *Fund 100 – General Fund*.
- g. Dust Control Bid Award: Consider approval of the 2025 dust control bids as recommended by the Public Works Supervisor.



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

RESOLUTION No. 25-0506-01 – Considering a transfer of \$44,003.03 from Fund 430 – Escrows to Fund 100 – General Fund. Just repaying our general fund for payments made to vendors for escrows.

Motion to approve RESOLUTION No. 25-0506-01 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. Reports of Boards and Committees by Council and Staff.

Fisher attended the following meetings:

- New Chief of Police Matt LaRose Swearing in
- Retirement for Gary Kroells
- Workshop
- City Clean up day

Betts attended the following meetings:

- New Chief of Police Matt LaRose Swearing in
- Retirement for Gary Kroells
- Workshop

Grotting attended the following meetings:

- Retirement for Gary Kroells
- Workshop
- Mary Printe Funeral (Marvin's sister)

McCoy attended the following meetings:

- New Chief of Police Matt LaRose Swearing in
- Retirement for Gary Kroells
- West Suburban Fire Department
- Workshop
- West Suburban Pancake Feed
- Mary Printe Funeral (Marvin's sister)

Mayor Spencer attended the following meetings:

- Planning Commission Meeting
- Mary Printe Funeral (Marvin's sister)
- New Chief of Police Matt LaRose Swearing in
- Retirement for Gary Kroells
- West Suburban Fire Department
- Delano Sportsman Club New Trap shoot fundraiser



- Orono blue red fundraiser
 - West Suburban Fire Dept breakfast
 - City Clean up Day
 - Mary Printe Funeral (Marvin's sister)
6. Buell Consulting, LLC – on behalf of Verizon (Applicant) and Larry and Susan Vensel (Owner) requests that the City consider the following action for the property located at 87 McCulley Rd., Independence, MN (PID No. 36-118-24-44-0009):
- a. **RESOLUTION No. 25-0506-02-** Considering approval of a Conditional Use Permit and Site Plan Review to allow a new telecommunications tower on the subject property.

This item's coming before you after being considered at the Planning Commission meeting, and it's a request for a new telecommunications tower to be located on the property at 87 McCulley Road. The applicant Buell, consulting, approached the city about the possibility of constructing a new telecommunications tower on the subject property. That time we talked about the process which included conditional use permit, as all new telecommunications. Towers are subject to approval of a conditional use permit, and then all conditional use permits are subject to site, plan, review. Property itself is zoned agriculture. It's guided by the city's comprehensive plan is rural residential, and it's approximately 4 acres in size. There is an existing house and accessory structure on the property. It's located just at the northwest corner of County Road, 19 and McCulley Road. The proposed structure is a new telecommunication, Monopole, that would be 180 feet in height, with a 5-foot lightning rod. The city did a full review relating to the proposed tower, and then how it meets our criteria and performance standards laid out in the ordinance for telecommunications towers, a couple of key points that we go through setbacks for the Tower. The tower must meet certain setbacks. In this case the applicant is asking that the city consider a reduced setback, which is something the city can consider if they have a structural engineer certify that the tower would fall within the setback provided or shown, and that it would not fall outside of that zone. That applicant did provide that that correspondence, but with that they're proposing 180-foot-tall Monopole with base equipment. The applicant has proposed base equipment at the base of the tower in an enclosed area that would be 50 by 50, essentially an overall size, it would be accessed via the existing driveway that serves the residential premise on the property that comes off of McCulley Road, so, as it relates to the Tower and the base equipment, the city does note that all towers must be of stealth, design, and blend into the surrounding environment. Now that includes base equipment, historically, or at least the last couple of towers that the city's considered. We've considered a monopole versus a lattice type structure, or something like that, as meeting the requirement or fulfilling the requirement of a stealth design, and then, as it relates to the base equipment of the tower, we asked the applicant to provide screening around the base equipment or enclose the base equipment. In this case the applicant's proposing to enclose the base equipment within a fenced area that would be a chain link fence with colored slats. That is something that the planning Commission talked a little more at length about ultimately saying that whether it's a chain link fence with slats which they aren't. They weren't high on that as an option, but they said, compared to other fences, there's always going to be maintenance. And just given this location. They didn't see that there would be a need to change the type of fencing or upgrade the type of fencing. And so, they did recommend approval, just changing the color of the slats from black or white to brown to try to blend into the surrounding area. We've considered a monopole versus a



lattice type structure, or something like that, as meeting the requirement or fulfilling the requirement of a stealth design, and then, as it relates to the base equipment of the tower, we asked the applicant to provide screening around the base equipment or enclose the base equipment. In this case the applicant's proposing to enclose the base equipment within a fenced area that would be a chain link fence with colored slats. That is something that the planning Commission talked a little more at length about ultimately saying that whether it's a chain link fence with slats which they aren't. They weren't high on that as an option, but they said, compared to other fences, there's always going to be maintenance. And just given this location. They didn't see that there would be a need to change the type of fencing or upgrade the type of fencing. And so, they did recommend approval, just changing the color of the slats from black or white to brown to try to blend into the surrounding area. We've considered a monopole versus a lattice type structure, or something like that, as meeting the requirement or fulfilling the requirement of a stealth design, and then, as it relates to the base equipment of the tower, we asked the applicant to provide screening around the base equipment or enclose the base equipment. In this case the applicant's proposing to enclose the base equipment within a fenced area that would be a chain link fence with colored slats. That is something that the planning Commission talked a little more at length about ultimately saying that whether it's a chain link fence with slats which they aren't. they weren't high on that as an option, but they said, compared to other fences, there's always going to be maintenance. And just given this location. They didn't see that there would be a need to change the type of fencing or upgrade the type of fencing. And so, they did recommend approval, just changing the color of the slats from black or white to brown to try to blend into the surrounding area.

Motion to approve RESOLUTION No. 25-0506-02 to approve conditional use and site plan to allow a new telecommunications tower on the subject property by McCoy, seconded by Betts. Ayes: Spencer, Betts, Fisher and McCoy. Nays: Grotting None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 4-1

7. Christine Parr (Applicant/Owner) requests that the City consider the following action for the Property located at 3850 County Line Road Independence, MN (PID No. 07-118-24-22-0006):
 - a. **RESOLUTION No. 25-0506-03-** Considering approval of an interim use permit (IUP) to allow a non-commercial kennel (five personal dogs) on the subject property.

The applicants approach the city about the possibility of obtaining a conditional use, or in this case, now an interim, use to allow kennel so that they can have their 5 personal dogs located on the property. Property is zoned agriculture. It's guided by the city's comprehensive plan is agriculture. It's approximately 20 acres in overall size, and the applicant just recently constructed a new home on the property. The city noted that kennels are any structure or premise on which 4 or more dogs over 6 months of age are kept, and so to go to 5 dogs, even if they're personal or private dogs, requires a kennel, conditional use or interim use. So, the city has utilized the interim. Use as a way to do dog kennels, noting that ownership changes, conditions change, and there is definitely an end date that can be identified with certainty. And so, with that, rather than granting conditional uses for kennels, we look at these types of kennels as interim uses. And so we have criteria in the ordinance relating to granting interim use. They're similar to the conditions and criteria for granting a conditional use. Essentially, the interim use cannot take away reasonable use and enjoyment of the surrounding properties.



In this particular case the applicant has 5 personal dogs. They noted that the dogs would be kept within the principal structure, or within a fenced area on the property that would help to mitigate any increase in noise, odors, fumes, dust, vibrations on the surrounding properties due to them being limited and kind of contained within designated areas. The interim use permit would expire upon conveyance of the property, the sale or cessation of the kennel, whichever occurs first. And so, with that the city did hold a public hearing at the last planning commission meeting, I will note, there was a written comment that came into the city prior to that planning commission relating to a concern about dogs running at large on some adjacent properties. I think it was verified and determined by the city that those dogs are not the dogs that are associated with the request or the application that's in front of you. That these dogs haven't that these dogs weren't involved with that incident where there was a concern expressed by adjacent property owners with that planning commission, reviewed the application. They did talk to the applicant. The applicant presented some additional information relating to what the dogs were, who they looked like what their personalities a little bit. Things like that. Commissioners confirmed that no additional dogs could be added to the kennel without an amendment, a formal amendment to the IUP that was confirmed. The commissioners also noted that the applicant would be subject to the dogs being contained within the approved fence areas on the property at all times, and the applicant noted that that is their plan, and they are agreeing to that condition. And so, with that planning commission recommended approval to the City Council with the conditions that are noted in the report, I'd be happy to answer any questions relating to the Application Council members have any questions for Mark? Christine, you're here so do you have any? Is that presented the way that you understand it? Is that appropriate? Do you want to say anything, or you don't have to meet them 5 min for a rebuttal right? No, I'll just say I was here last time, I think, I said, howdy! It's honorable Mayor and council. We moved in in February with our 5 dogs, and we're glad to be home. We grab both of us graduated from Orono High School in 1984. We intend to be respectful neighbors and look for ways to be neighborly, and we walked around the neighborhood, or drove around and delivered ferns yesterday to our neighbors. So we've got a nice relationship going there. The dogs aren't rottweilers, and they're super cool dogs. So yeah, we won't give you a problem about this. and I'll add that I did through the property and the fence construction is well underway, and the dogs are extraordinarily well behaved, and I'm jealous for the dog wash in the garage.

Motion to approve RESOLUTION No. 25-0506-03 granting approval of an interim use permit to allow kennel to be located at 3850 Co Line Rd. by Mayor Spencer, seconded by Betts. Ayes: Spencer, Betts, Fisher, Grotting and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

8. Robert Youngquist (Applicant/Owner) requests that the City consider the following action for the Property located at 6625 Fogleman Road Independence, MN (PID No. 10-118-24-43-0010):
 - a. **RESOLUTION No. 25-0506-04** - Considering approval of a minor subdivision to allow a lot line rearrangement to shift a portion of the north/south property line that divides the two properties approximately 80 feet to the east.

This also was an item before the planning commission at their last meeting. This is a request to for a minor subdivision to allow a lot line rearrangement to adjust the lot line that runs north and south between the 2 subject properties located at 6,625 Fogelman Road, and the adjacent property to the



east, the properties on the south side of Fogelman Road, west of County Road, 90, the existing property at 6,625 has an existing home and accessory building, the existing property that is identified by the PID number to the West East, I'm sorry is vacant. The Property zoned row residential, guided row residential by the comprehensive plan in the before condition. The west parcel is 7.7 1, and the east parcel is 4.5 5. They are both kind of squared off rectangular properties in the after condition, or what's being proposed, the west parcel would grow to 8.1 7 acres, and the east parcel would shrink to 4.0 9 acres. You can see that the applicant is considering constructing a proposed pole building in that southeast corner of their existing property where their residence is located. They like that location. They own both properties, and they approach the city about the possibility of doing a lot line rearrangement. They'd like to shift that back corner of their property 80 feet, so that they have the requisite setbacks. It doesn't change really anything with the vacant parcel. There's still an entitlement on that parcel. It still has a minimum of 2.5 acres. It still has the requisite 250 lineal feet of frontage, and it would still meet the one to 4. Lot width to lot, depth ratio. And so with that. the applicant is just requesting that we would consider the Lot line rearrangement to adjust that back corner planning commission held a public hearing. There were no comments provided the planning commission. It was noted that the applicant is going to be coming back to the city if this gets approved, requesting an ABRC. Review of the height of the proposed pole barn, and so he preemptively went around to the neighbors that all surround the property. showed them the proposal, and got them all to sign a letter confirming their support of the pole barn. And so that's probably why we had nobody at the public hearing, as they've all signed off on this with that planning commission, found that the criteria for a approval of a minor subdivision to allow a lot line rearrangement had been satisfied by the applicant, and they recommended approval to the city Council with the conditions and findings noted in the resolution. So, with that I'd be happy to answer any questions. any questions about this. just out of curiosity. If he wanted to put an ADU there he could. But you'd have to. could he? He could do it if he did, septic and well out there he could do an ADU within that proposed Pole building. He'd have to run it. He'd have to run the sewer to the existing septic system, but he certainly could. He could get it over there that would be allowed or permitted, I guess, with a cop. Did the planning discussion include kind of the non-standard lot line for sure, which wasn't here, so that that took away part of the concern that we normally have because he's, Our Square. The rest of the planning commission noted, but they said, it's kind of in the back rather than trying to angle the line from the front all the way back, and then, having a skewed line. They thought that the quote unquote cookie bite is probably the preferred way to do it where you jog it over in a square manner.

Motion to approve RESOLUTION No. 25-0506-04 granting approval of an interim use permit to allow kennel to be located at 3850 Co Line Rd.by Betts, seconded by Fisher. Ayes: Spencer, Betts, Fisher, Grotting and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

Our next item is pertaining to the 2025 gravel road reconstruction project, Mayor Spencer recused himself from the discussion as he is an employee of a municipal bond underwriter. I am going to recuse myself from the discussion about the municipal bonds and turn the meeting over to our acting Mayor, Council member.

9. Consider Approval of the 2025 Gravel Road Reconstruction Project:



- a. **RESOLUTION No. 25-0506-05** - Awarding Sale of General Obligation Bonds.
- b. **RESOLUTION No. 25-0506-06** – Awarding the 2025 Gravel Road Reconstruction Project to the Lowest Bidder.

The city had adopted and approved a 2025 gravel road Reconstruction project. We had also, with that approved our 2025 Capital Improvement Plan, 5 Year Plan, and we went out to bid on our gravel road project. We put that out to public bid. We initially had an engineer's estimate right about 1.95 million. On that we received 2 bids on the project, both of those above. What our engineers estimate was one of the things that I noted in the report, and that you'll see in the bids is that we have approximately 34,000 tons of material that we have spec on this project. That's a significant amount. With that the price per ton was a little bit higher than what we anticipated. And it is something. Now that I've looked at with our engineer across a lot of bids that have just come in in the last say, month or so, and we're seeing the pricing is consistent. It's consistently high on this material. And so, with that that really drove the pricing on our bid all of the other bid items, and we line item, all those out came in at below, or kind of reasonably within the amount estimated by our engineer. With that said. We looked at adjusting our project scope just so that we could reduce the overall amount of the project to an amount that was consistent with our available revenue, and we've done that. And we've communicated that with the bidder, and we are good to award the project for a total project cost with soft costs of 2 million and 2,069,000. And so, with that we would. We had an engineer's recommendation to award the project to new look contracting for that for the total amount identified with that, we also are selling general obligation bonds to pay for that cost in the amount of 2 million dollars. I'm going to let Tammy come up and talk through that piece of it. Ultimately you have 2 resolutions to consider tonight. One is awarding the sale in general obligation bonds to fund the project, and then the second is awarding the construction contract for the project so, and I'd be happy to go into any detail or answer more questions relating to what we just discussed. Acting Mayor, members of the City Council finance, and I'm here to speak to the 1st resolution, the award bonds. With respect to the process. These bonds are general obligation bonds. The pledge is property tax, levy Northland, on behalf of the city, took bids this morning these bonds were sold. The bids were taken competitively. There were 5 bids received as part of the process writer to going out to bid the city did seek a rating from S. And T. Gold on the bonds, and the city's current rating of double a plus, was affirmed. If you haven't had a chance, I'd recommend you read the rating report. It speaks to the strength of the city's management as well as your reserves that rating along with the structure and the size, the final paramount at 2 million, the low bid was at approximately 3.5%. So great results. The cover bid was just right. On top of that Kennedy and Grayen, serving as bond counsel, prepared the resolution awarding the sale of bonds. It would be my recommendation to you, serving as advisor that the Council approve the resolution awarding the sale of the bonds with that acting Mayor, members of the Council, happy to answer any questions that you may have any questions from the Council.

Motion to approve RESOLUTION No. 25-0506-05 Awarding Sale of General Obligation Bonds by Fisher, seconded by Betts. Ayes: Betts, Fisher, Grotting and McCoy. Nays: None. Absent: None. Abstain. Spencer. MOTION DECLARED CARRIED. 4-0

Motion to approve RESOLUTION No. 25-0506-06 Awarding the 2025 Gravel Road Reconstruction Project to the Lowest Bidder by McCoy, seconded by Fisher. Ayes: Spencer, Betts, Fisher, Grotting and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0



10. Consideration and Approval of Public Works Capital Equipment Purchase:

- a. Consider approval of the purchase of an aerial bucket truck for use in clearing and maintain public right of ways.

Motion to approve the purchase of an aerial bucket truck for use in clearing and maintaining public right of ways by Grotting, seconded by McCoy. Ayes: Spencer, Betts, Fisher, Grotting and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

11. Consideration and Approval of a new Boardwalk in Pioneer Creek Park to Replace the Existing Metal Bridge Across Pioneer Creek.

Honorable Mayor Council. We've talked about it a couple workshops. We have an existing bridge. It's nearing end of life before it ends its life, and we don't want to have any issues with it. We've looked at other alternatives. We looked at doing a new bridge, and we've looked at a boardwalk option. We think the boardwalk option is our most cost, effective option, and so we've looked at constructing in place of the metal bridge an 8-foot wide, 50-foot-long boardwalk across the creek. This would serve the Frisbee golf course and the walking trail. We noted that that existing bridge has been used for over 20 years. It was built by public works staff. It floods out if we get flood or heavy rains in that area, and so it becomes unusable. This new boardwalk would be elevated enough that I think it would take quite a bit to get to the level above this, which continues to maintain, or allows me access to be maintained to that side of the park. The cost of the boardwalk is \$24,750. The city has funds available in its park fund to make this purchase, and I think this would be a good improvement to that park. It would kind of give us a more permanent structure down there. Ultimately there would be some long-term maintenance. But I think we'll get our value out of this proposed boardwalk. So, I'd be happy to answer any questions on that.

Motion by Grotting to approve the new Boardwalk in Pioneer Creek Park to replace the existing metal bridge across Pioneer Creek. Location to be agreed upon. Motion seconded by McCoy. Ayes: Spencer, Betts, Fisher, Grotting and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

12. Consider Approval of Minor Amendments to the Joint Powers Agreement (JPA) with West Hennepin Public Safety (WHPS):

- a. **RESOLUTION No. 25-0506-07** – Approving Minor Changes to the WHPS JPA.

Several changes to the joint powers. Agreement at their last Commission meeting in April. The changes reflect updates to language in the agreement by removing various outdated references and then cleaning up a couple of references that were in the agreement relating to city clerk. Both cities have since gone to an administrator type management system, so that position doesn't exist in either city. And so just to bring the agreement current. The agreement then also would remove the authority of the city administrators to sign checks, so that it only is granted that permission is only granted to council appointed commissioners, and that's just really to just narrow down that pool because we don't need 6 signatures or 4 signature signatories, I should say, for that account. The Commission did review it. Ultimately, they made a recommendation. I know that I talked to Council Member Beth. She had asked about the references in there, and I did confirm that they are correct. The references are city administrator, clerk is stricken from



that agreement, and then the chairman has been stricken, and it's replaced with just chair or vice chair. And so those are the those are the primary changes. And so, to approve that we did draft a resolution approving those amendments to the joint powers. So, with that, I'd be happy to answer any questions, or they did approve them at their meeting last Monday night. Last Tuesday night they had their meeting on a Tuesday, not a Monday last week. But yep. yeah. Well, I can't believe this comment. This is a comment that this amendment is going to happen is the 2 cities are just going to sign a new joint powers agreement that's got these changes in it. What happens then is 5, 1020 years from now we have 2 Joint Powers Agreement in our files, and we don't know which one is. We don't know what to do about that. So, if we could just put a date at the top of the agreement. People know that this is the agreement, not that other one in the file. It's a good comment executed. Cover that at the end of the agreement. Well, so what happened is that some person who used to be called a clerk, but apparently is now the administrator of both cities finds the 2 documents and asked to go through. And, you know, look for the last page of both. And sometimes that last page got pulled up. It's just been my experience that if we just put it at the top, so everybody knows. Oh, this is the discount is newer than this one. And let's look at this person. So, if we would, if you would make a motion just suggesting that we add that date to the top, I'm sure we could have Maple Plain, Lake 0 1 and Lake Independent. We don't have to do that. We just put a date at the top or put a provision in there. It says it replaces an excellent idea. I think it's a great idea.

Motion to approve RESOLUTION No. 25-0506-07 Approval of Minor Amendments to the Joint Powers Agreement (JPA) with West Hennepin Public Safety (WHPS) with notes added as suggested by attorney by Spencer, seconded by Betts. Ayes: Spencer, Betts, Fisher, Grotting and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

13. Open/Misc.

14. Adjourn.

Motion by to adjourn by McCoy, seconded by Grotting to adjourn the meeting at 7:27pm. Ayes: Spencer, Betts, Grotting, and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0