

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, MARCH 24, 2015 – 7:30PM

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 7:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Mayor Johnson, and Councilors Betts, Fisher, Spencer and Wenck

ABSENT:

STAFF: City Administrator Hirsch, City Attorney Vose, and City Planner Kaltsas

VISITORS: Lynda Franklin, Elmer Scheffer, Paul Otto (Surveyor), Melissa Potter and Rob Winge (Hennepin County Appraiser's Office)

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.

- Approval of City Council minutes from February 24, 2015
- Approval of the City Council Shared Service Committee minutes from February 9, 2015.
- Informational discussion of the Shared City Council meeting minutes from February 9, 2015.
- Approval of the City of Independence Sign Retroreflectivity Evaluation and Maintenance Policy.
- Approval of the Sand and Gravel Bids as recommended by the Public Works Director (Exhibit A).
- Approval to re-appoint Carl Phillips and Steve Thompson to the Planning Commission for another three-year term.

Motion by Wenck, second by Spencer to approve the Consent Agenda minus the pulled item. Ayes: Johnson, Betts, Fisher, Wenck and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Wenck requested the City of Independence Sign Retroreflectivity Evaluation and Maintenance Policy be pulled for discussion. There was discussion of the costs associated with this policy.

There was also a request to change the wording under point 5., 3rd paragraph. Vose stated he would look at it and replace it with more grammatically appealing flow.

Motion by Spencer, second by Betts to approve the Sign Retroreflectivity Evaluation and Maintenance Policy. Ayes: Johnson, Betts, Fisher, Wenck and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.

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

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF.

Spencer attended the following meetings:

- City Work Session
- Special Council Meeting to approve bills

Wenck attended the following meetings:

- City Work Session
- Minnehaha Creek Planning Meeting
- Shared Services Meeting
- Met Council Hennepin County Regionalization Meeting

Fisher attended the following meetings:

- City Work Session
- Planning Commission Meeting
- Special Council Meeting to approve bills- attended by phone

Betts attended the following meetings:

- SLUC Meeting
- City Work Session
- Special Council Meeting to approve bills
- Fire Commission Meeting
- Commissioner Jeff Johnson Meeting
- Chamber of Commerce Meeting
- Police Commission Meeting

Johnson attended the following meetings:

- NW League of Municipalities
- Sensible Land Use Coalition Meeting
- Commissioner Jeff Johnson Meeting
- Orono Healthy Youth
- City Work Session
- Minnehaha Creek Planning Meeting
- Maple Plain Fire Department Meeting

- Joint Task Force Meeting
- Shared Services Meeting
- Congressional Cities Conference in Washington D.C.
- Haven Homes Meeting
- Facilitated City Tour with Met Council Reps
- Police Commission Meeting
- Gordy Wetter Funeral in Delano

Hirsch attended the following meetings:

- City Work Session
- Two conference calls with City Engineer, Planner, CPA, and Larry Ende to plan for future road work projects.
- Finished the Office/ On-Site part of the 2014 Audit- still working on tying up some loose ends
- Work Comp Audit
- Joint Shared Services Meeting
- Attended the Minnesota Clerk Finance Officials Conference- had the chance to moderate a couple sessions.

7. Melissa Potter, Senior Appraiser- Hennepin County Assessor's Office: Pre-Board of Review, informational review.

- Potter stated they had a good selection of houses and land sales collected to determine the new assessment criteria for taxes payable in 2016. The average increase for residential properties is 1%. Lakeshore properties have actually seen a decrease of 2.4%, commercial/industrial is down 6.1% and agricultural values were down 1.4%. Overall the increase in value for the city was up 1%.
- Green acres/ Ag Preserves went down slightly. Tillable land went down from \$7800 to \$7700. Pasture and Woods went from \$3900 to \$3800. Wetlands stayed flat at \$1000.
- There are 21 active listings currently with 4 pending sales. There have been 22 homes sold since October 2014 to date.
- Potter stated that she anticipates values should be increasing in the next year.
- Potter stated the Board meeting will be April 14, 2015 at 6:30 and a quorum is needed.
- Questions from residents/ owners should be directed to Potter as a first step. Ongoing questions should be addressed at the April 14th meeting in person and then they would apply by May 20th to have their review with the County at their June meeting, according to Potter.
- Potter said a major draw for purchasing homes in the area is that people really want to be in the Orono School District.

8. Elmer Schefers (Applicant/ Owner) requests that the City consider the following actions for the property located at 5635 Kochs Crossing, Independence, MN (PID No.s 11-118-24-14-0003).

- (Ordinance No. 2015-04) Rezoning from AG-Agriculture to RR-Rural Residential.
- (Resolution No. 15-0324-01) A Conditional Use Permit to allow a Cluster Development.
- (Resolution No. 15-0324-01) Preliminary Plat to allow a (14) fourteen lot subdivision.
- (Resolution No. 15-0324-03) A Comprehensive Plan Amendment to allow a sewer connection for one (1) lot in the proposed development.
- Kaltsas stated how the development which will be called Serenity Hills will be set-up and how the owner has answered and made changes to the development per the City's requests. Kaltsas also stated that 50% of the property will have to be open space and 50% of that 50% will have to be usable open space. The minimum lot size will be 1.56 acres. Kaltsas stated the applicant may have to provide an alternate driveway for Blk 3, Lot 1 off of Independence Rd. per City recommendations. He said the City receives lots of complaints/ concerns from other developments where there is a shared driveway situation.
- Kaltsas stated there would be a \$49,000 park dedication fee for the 14 parcels.
- Kaltsas stated that he did have an initial conversation with Met Council and thought they would be open to supporting the sewer connection proposed.
- Kaltsas stated the Conditional Use Permit should be subject to final plat approval and that needed to be clarified within the resolution.

Kaltsas opened the floor for discussion and noted that the applicant, Elmer Schefers, was present and available for questions as well. Johnson questioned how they were going to get Met Council to agree to the sewer connection when they have denied the request to another applicant previously. Kaltsas stated that was due to the lot size and provided background on that concern. Johnson talked about the other existing cluster development and if there had been any concerns with that one. Kaltsas said he spoke with people regarding the Providence development as he wanted to know how the maintenance of the open spaces was being managed and if it was positive and he has not found anyone that has had a concern. Kaltsas said the applicant would provide a maintenance plan for the outlying areas so the City could be assured they would be appropriately maintained.

Fisher asked what Staff's recommendation was for Lot 2, Block 3. Kaltsas said the recommendation would be not to allow that driveway connection and to re-orient it. Johnson asked if Lots 2 and 4 would then still come off Independence Rd. Kaltsas said they would.

Kaltsas said Koch's Crossing would be upgraded to 3' gravel shoulders to meet City standards. The development itself will be full paved according to Kaltsas. The cul-de-sac would not have an island. Johnson stated changing the road is nothing new and this would be similar to what was done over on South Lake Sarah Dr. when that was developed.

Kaltsas stated this is a preliminary plat and will have changes before final but the resolution could be approved by the Council per the recommendation that the driveways would be changed. Also, Lot 2, Block 4 is subject to sewer.

(Ordinance No. 2015-04) Motion by Betts, second by Wenck to approve. Ayes: Johnson, Betts, Fisher, Wenck and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.

(Resolution No. 15-0324-01) Motion by Wenck, second by Spencer to approve. Ayes: Johnson, Betts, Fisher, Wenck and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.

(Resolution No. 15-0324-03) Motion by Fisher, second by Betts to approve per Met Council approval for sewer, until then no house permit will be granted. Ayes: Johnson, Betts, Fisher, Wenck and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.

9. Tim Druk (Applicant) and Willi Abbott (Owner) request the City consider the following actions for the property located at 574 Nelson Road (PID No. 31-118-24-13-0002).

- A variance to allow a reduced side yard setback for a new home to be constructed on the subject property. (Resolution No. 15-0324-02)

Kaltsas stated the Planning Commission determined a 15' setback on the North side and 27' setback on the South would be workable with the house plan presented by the applicant. Kaltsas said he has not received any comments from the neighbors on the North and South about the setbacks. Kaltsas said they are proposing a single family home (prairie-style) with a walk-out. Kaltsas also noted they did not have a final plan and the applicant was not present at this meeting.

(Resolution No. 15-0324-02) Motion by Wenck, second by Spencer to approve. Ayes: Johnson, Betts, Fisher, Wenck and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.

10. MISC./OPEN:

Verizon Wireless: Kaltsas stated that the Verizon Wireless (Applicant) and Wesley Bendickson (Owner) request for Resolution No. 15-0324-02 to allow for a CUP for a telecommunications tower on the property has been tabled until further notice due to a request from Verizon to do further research.

Kuka Horse Farm: Kaltsas stated that Kuka Horse farm on County Road 92 building approval is on hold until the owner comes up with acceptable solutions as far as safety and occupancy when the building is in use for public events. The City Inspector had determined the roofing material that was selected is not suitable and presents a fire safety issue. Kaltsas anticipated this will be reviewed again at the April Planning Commission meeting and hopefully there will be a good solution provided. The owner has been granted an extension which will expire May 1, 2015.

Safety & Loss Control Work Sessions/ League of Minnesota Cities Conference: Johnson stated that the League of Minnesota Cities had upcoming works sessions on Safety and Loss Control if anyone was interested in attending those. Johnson also noted that the League of Minnesota conference will be held in June in Duluth so registration should be done soon for that.

Update on Properties: Wenck asked for an update on the properties that had been passed on to the City Attorney's office. Vose stated he had passed those on to his colleague who deals specifically with those concerns and will provide an update for the Council at the next meeting.

11. ADJOURN:

Motion by Wenck, second by Fisher to adjourn the City Council Meeting at 8:55 p.m. Ayes: Johnson, Betts, Fisher, Wenck and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully submitted,

Trish Bemmels, Recording Secretary