



CITY COUNCIL REGULAR MEETING AGENDA
TUESDAY JULY 30, 2019

CITY COUNCIL MEETING TIME: 6:30 PM

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

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 July 16, 2019 Regular City Council Meeting.
- b. Approval of Accounts Payable; Checks Numbered 19016-19038.
- c. Set Truth in Taxation Meeting Date for Tuesday December 3, 2019 at 6:00 PM.
- d. Approval of the Cystic Fibrosis Bike Ride Assembly Permit (Event Held on September 14, 2019).
- e. Approval of the Homes by Architects Tour Assembly Permit (Event Held on September 21 and 22, 2019).

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

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

7. Roger Pitts of 4330 Woodhill Drive Would Like to Discuss the Highwater Level on Lake Sarah.

8. Consider Revocation of Conditional Use Permits No Longer in Use or Not in Compliance with Applicable Conditions of Approval.

a. **RESOLUTION 19-0730-01**

9. Designate Replacement Council Member for the August 13, 2019 Loretto Fire Commission Meeting.

10. Open/Misc.

11. Adjourn.

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, JULY 16, 2019 –6:30 P.M.

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.

3. ROLL CALL

PRESENT: Mayor Johnson, Councilors Spencer, McCoy, Grotting and Betts

ABSENT: City Administrator Kaltsas, City Attorney Vose

STAFF: City Administrative Assistant Horner

VISITORS: Christian Eichers, Patrick Eichers, Kris Eichers, Madaline Renshaw, Frank Renshaw, Martin Eichers, Anita Volkenant

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 July 2, 2019 Regular City Council Meeting.
- b. Approval of Accounts Payable; Checks Numbered 18988-19015 (Checks Numbered 18984-18987 were voided due to printing error).
- c. Quarterly Building Permit Report Summary.

Motion by McCoy, second by Spencer to approve the Consent Agenda. Ayes: Johnson, Betts, McCoy, Grotting and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.

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

Johnson added Large Assembly Permit for wedding at 7220 Turner Road July 20, 2019.

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Highway 12 Safety Coalition Meeting
- Hennepin County Open House for Highway 12 Improvements

Grotting attended the following meetings:

- None

McCoy attended the following meetings:

- Delano July 4th Parade
- Hennepin County Open House for Highway 12 Improvements

Betts attended the following meetings:

- Hennepin County Open House for Highway 12 Improvements
- Highway 12 Safety Coalition Meeting

Johnson attended the following meetings:

- Regional Council of Mayors Meeting
- Small Cities Conference in Camden, South Carolina
- League of Minnesota Cities Policy Meeting

Horner attended the following meetings:

- Met with Orono Westonka Officials about soccer fields
- Highway 12 Safety Coalition Meeting
- Hennepin County Open House for Highway 12 Improvements

Kaltsas attended the following meetings:

7. City Council Update from Christian Eichers for Eagle Scout Project.

Eichers stated he is going into the 9th grade at Delano schools and gave a slide presentation on his Eagle Scout project. Eichers project was a butterfly and pollinator garden designed to increase pollinators. He noted the project was funded by donations from family, friends and local businesses. He said seventeen people volunteered to help with the construction and implementation. Eichers project compliments his brother, Martin Eichers, Eagle Scout Project of a kiosk at the park. He encouraged people to go out and view the garden.

8. Director Gary Kroells, West Hennepin Public Safety:

a. Activity Reports for the Months of June 2019.

for a full report see the City Council packet

Kroells stated there were 333 incidents in the month of June in Independence. He said with the recent rash of burglaries in surrounding cities reserve officers were going door to door with fliers on how to stay safe. Kroells stated there was one burglary in Independence.

9. MNDOT Request for Support of Highway 12 Temporary Median Delineators.

Kroells said MnDOT presented information at the Highway 12 Coalition Meeting on July 11th relating to the possibility of installing center delineators on Highway 12 between County Road 90 and the Hennepin/ Wright County border. MnDOT has experience with these delineators on a similar stretch of road near Mankato and found them to be successful in reducing serious injury or death over a four-year period. The delineators are approximately 3 feet tall and flexible. The delineators are flexible and can be run over by a vehicle without any damage to the delineator or vehicle. The delineators are typically spaced approximately 50 feet apart, have a reflective material and will allow for all turning movements currently permitted on the corridor.

The Highway 12 Coalition discussed the delineators and ultimately made a motion to recommend the temporary installation (until the corridor is improved or a concrete median barrier can be installed) of the delineators. It is anticipated that the delineators would be installed this summer following the resurfacing/

stripping project. A summary of the presentation made at the Highway 12 Coalition Meeting was made at the City Council meeting.

Staff is seeking Council discussion and direction relating to the delineators. If Council is supportive of the delineators being installed on the corridor, a motion to direct the City Administrator to draft a letter of support on behalf of the City of Independence would be recommended.

Motion by Spencer, second by Betts to approve a letter of support on behalf of the City of Independence for MnDOT to install Highway 12 Temporary Median Delineators. Ayes: Johnson, Betts, Grotting, McCoy and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.

10. Consider Changing Date of August 6th Regular City Council Meeting Due to Night to Unite.

Night to Unite is being held on Tuesday, August 6th, 2019. The City has its regular City Council Meeting scheduled for the same date. Council is being asked to consider changing the date to allow members to attend the various neighborhood activities. Due to the Planning Commission having an item on its agenda in July, the Council Meeting will have at least one planning item.

Motion by McCoy, second by Betts to approve the City Council meeting date change from 8/6/19 to 7/30/19 at 6:30 p.m. Ayes: Johnson, Betts, Grotting, McCoy and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.

11. Open/Misc.

Kroells noted he received a call from acting Maple Plain Fire Chief Doyle that they had approved a fireworks/pyrotechnic display to take place at a wedding on Saturday, July 20, 2019 at 7220 Turner Road. Kroells noted that a large assembly permit had not been approved as well. The wedding planner contacted the City and turned in all the appropriate paperwork with signature approvals and associated fees. The display of fireworks is being executed by a professional company.

Motion by McCoy, second by Grotting to approve the large assembly permit for the wedding at 7220 Turner Road and the pyrotechnic display as described. Ayes: Johnson, Betts, Grotting, McCoy and Spencer. Nays: None. Absent: None. MOTION DECLARED CARRIED.

12. Adjourn.

Motion by Spencer, second by Grotting to adjourn the meeting at 7:22 p.m.

Respectfully Submitted,

Trish Gronstal/Recording Secretary

City of Independence

2019 Truth in Taxation Budget Meeting Date

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: July 30, 2019

Request:

Council is required to notify Hennepin County of the date for the annual Truth and Taxation Budget Public Hearing. The City has historically hosted the meeting during the first couple of weeks of December. Staff is seeking direction from the City Council relating to the date and time for the hearing. It is recommended that the City Council consider hosting the public hearing prior to the regularly scheduled City Council Meeting on Tuesday, December 3rd, 2019 at 6:00 pm. The hearing could be set for 6:00pm to allow time prior to the regular meeting.

Recommendation:

Staff is seeking consideration/approval of the date and time proposed or direction for an alternate time and date.



NON-CITY ASSEMBLY PERMIT APPLICATION

Fees & Definitions:

200+ Attendees (Large Assembly) = \$100
100+ Attendees (Medium Assembly) = \$25
50+ Attendees (Small Assembly) = \$25

(Double fee for application received less than 10 business days prior to event).

Event Location: Start/Finish @ Minnetonka Orchards - routes attached
Type of event: Cycle **Number of people** 100 **Date** 9/14/19
☐ Residential ☐ Corporate ☐ Partnership ☐ Group or Association ☒ Other Nonprofit

Event Holder's Name: Cystic Fibrosis Foundation **Address:** 100 N 16th St, Ste 604A, Minneapolis, MN 55403
Contact Person: Brian Samson **Phone:** 612-263-9851
2nd Contact Person: Libby Wilhelm **Phone:** 612-263-9852

Security Plans: see attached
Date West Hennepin Public Safety was notified of the event: 7/8/19

Severe Weather Plans (in the event of): see attached

Sound Plans - amplification and sound control: small speakers at rest stops and at Minnetonka Orchards
Outdoor Music ☒ Yes ☐ No - **Starting Time** 8:00 **AM/PM**, **Ending Time** 3:00 **AM/PM**
Longue stacking will occur 9/13/19

Food and Concessions Plans: see attached
Vendor's name, address, and license number (copies of vendor license, insurance and permits must be provided) Cystic Fibrosis Foundation - only at Minnetonka Orchards
Vendor Work #: _____ **Vendor Cell #:** _____

Serving Alcohol: Yes: ☒ No: _____
Only at Minnetonka Orchards

763-479-0527 (Phone)

1920 County Road 90
Independence, MN 55359
www.ci.independence.mn.us

763-479-0528 (Fax)

Selling Alcohol: Yes: X No: _____ (If selling alcohol contact the City for a Permit) → only for purchase @ Minnetonka Orchards

Restroom Provisions: How many?

TBO

Location: along route @ rest stops

currently no rest stations are in Independence

Lighting - Type: None

How many? _____

Location of lights: _____

\$1,000,000 Certificate of Liability Insurance-provide a copy: _____

Parking Plan: Please provide a site plan showing 1 parking space for each vehicle per 4 guests. If using adjacent property, written permission from property-owners must be obtained.

7/12/19
Date

[Signature]
Signature of applicant

Date

Signature of applicant

Office Use Only

Application Received: 7/15/19 Application Fee: 25⁰⁰ Date Fee Paid: _____

Date \$1,000,000 certificate of liability insurance received: 7/15/19

Signature of City Official

Date

Signature of West Hennepin Public Safety

Date

SECURITY PLANS

- The Cystic Fibrosis Foundation (CFF) has been in contact with Chief Gary Kroells of West Hennepin Public Safety and we will work with him to coordinate security along the route if it is needed.
- The CFF will have HAM radio operators, SAG vehicles, and EMTs along the routes

SEVERE WEATHER

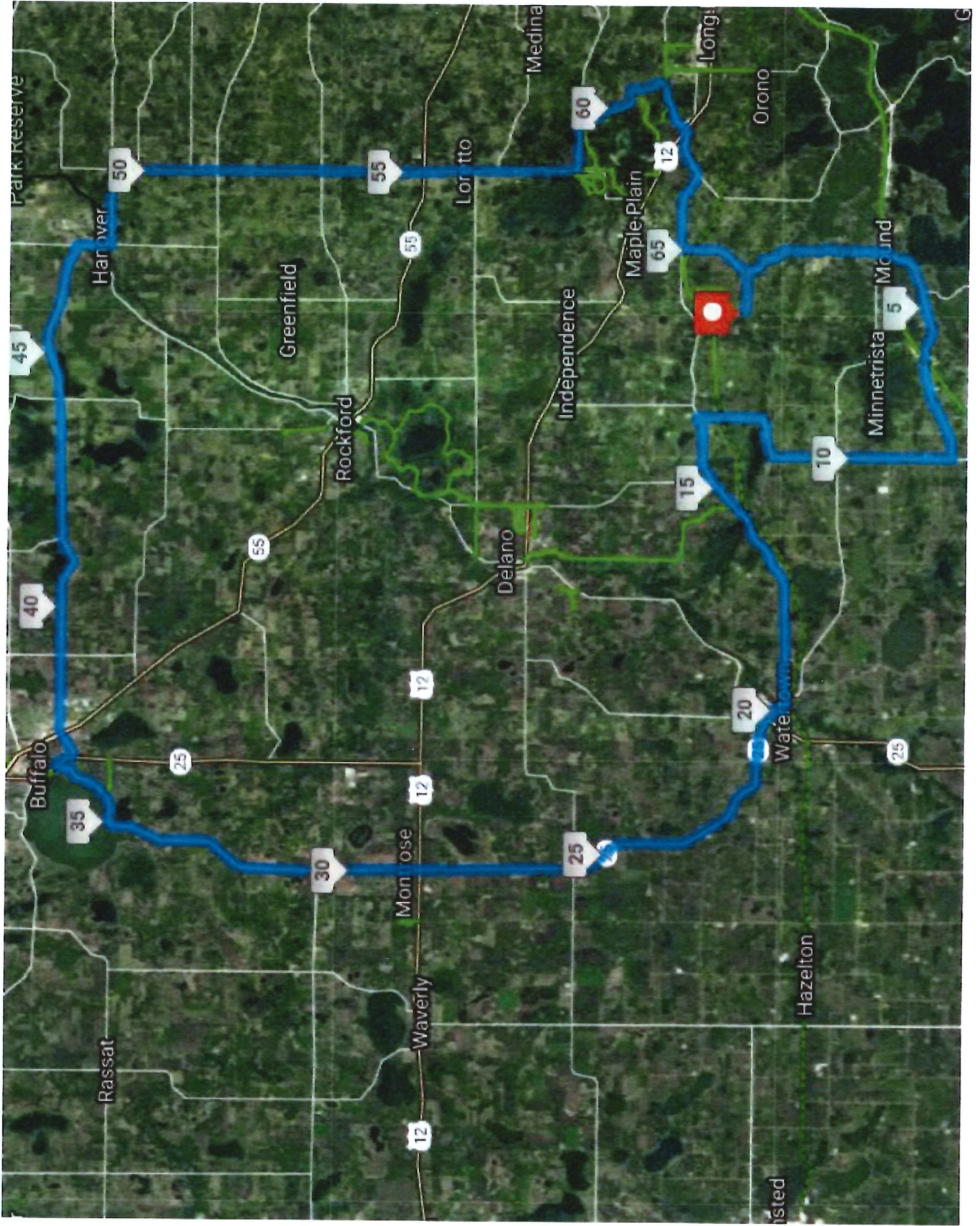
- The CFF inclement weather policy is as follows:
 - The CFF staff will monitor the weather closely prior to the event. Should the weather appear to be dangerous on the day of the event, beginning three days before said event, the CFF staff will communicate with such to participants going so far as to cancel the event if needed.






FOOD AND CONCESSIONS PLANS

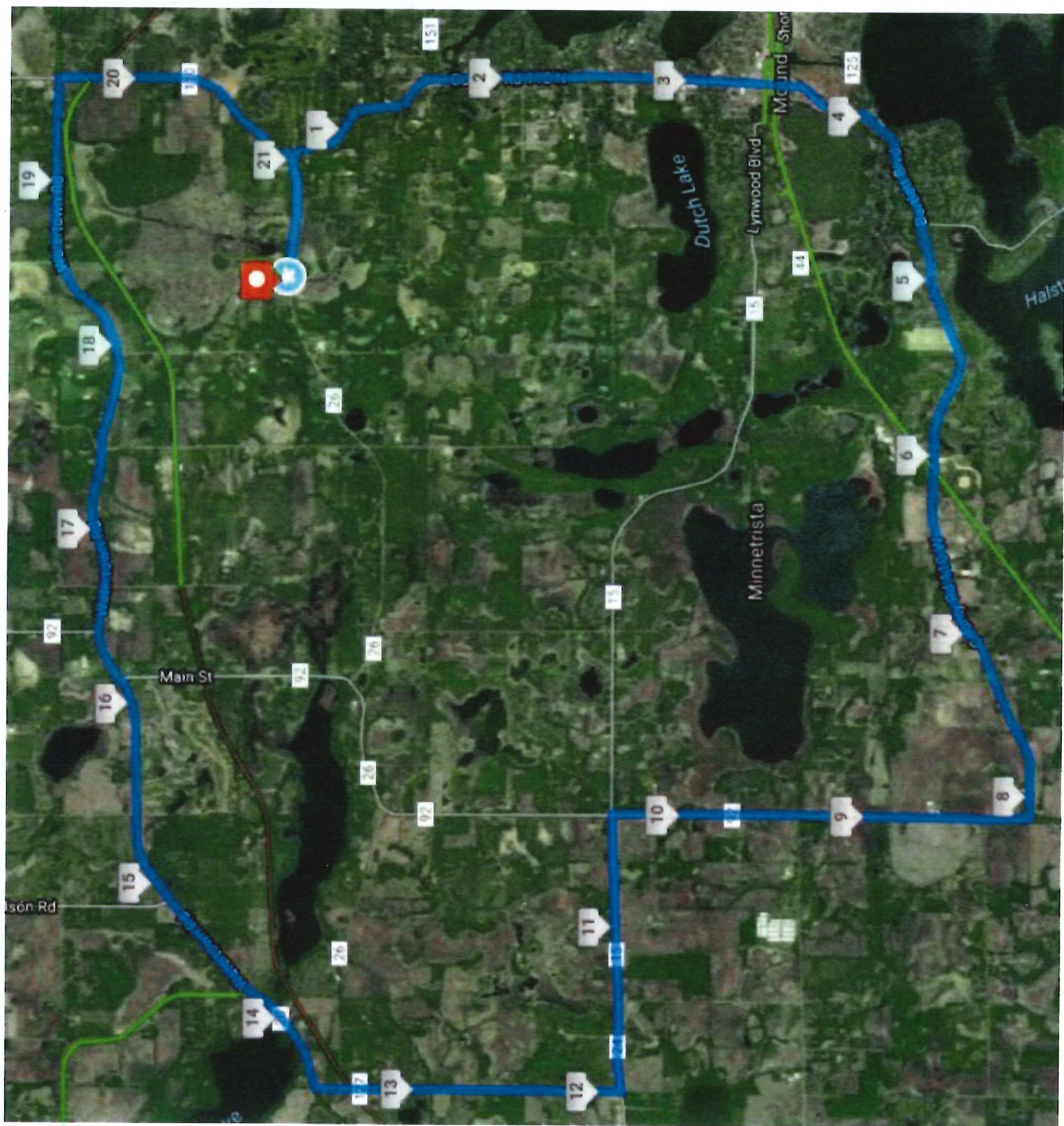
- There will be breakfast and lunch options at Minnetonka Orchards before and after the cyclists start their rides. There will also be alcohol for purchase at Minnetonka Orchards after the ride. The bar service will be provided by a caterer that is TBD. There will be rest stations along the route with some food items, water, and Gatorade to be given away to cyclists as necessary.



PARKING PLAN

- The cyclists will start and finish at Minnetonka Orchards. We are still figuring out the rest stations plan for the route. However, looking at our current route plan it is most likely that a rest station will not be in the city limits of Independence.



67.01-Mile Route			
Directions	Mileage	Total	Comments
Starting at Minnetonka Orchards, turn right to head east on County Rd 26		0	
After 0.66 miles, turn right on County Rd 110	0.66	0.66	
Head south on County Rd 110/Commerce Blvd through Mound for 1.04 miles	1.04	1.7	
Head northwest on County Rd 110 W toward Rd 110 Ext	3.99	5.69	
After 2.39 miles, turn right onto Country Rd 92 N	2.39	8.08	
After 5.5 miles, turn left onto Watertown Rd/Country Rd 6	5.5	13.58	Left-hand turn
At the traffic circle, continue straight to stay on County Rd 20	5.27	18.85	
At the traffic circle, take a slight left (1st exit) onto Territorial St E	0.95	19.8	
Continue through Watertown for 0.31 miles, turn right onto Jefferson Ave NW	0.31	20.11	
After 0.16 miles, turn left onto MN-25/18th St, Continue to follow MN-25 N through Montrose	0.16	20.27	Left-hand turn
Stay on MN-25, which turns into Country Rd 12/Montrose Blvd for 14.38 miles	14.38	34.65	
Turn right onto MN-25 S/Lake St S in Buffalo	2.01	36.66	
At the traffic circle, take the 2nd exit onto Settlers Pkwy	0.35	37.01	
Continue on 10th St NE/Beebe Lake Rd NE for 9.01 miles	9.01	46.02	
After 1.19 miles, turn right onto Labeaux Ave NE/109th Ave N through Hanover	1.19	47.21	
After 2.05 miles, turn right onto County Rd 19	2.05	49.26	
Stay on Country Rd 19 for 9.05 miles through Loretto then turn left onto County Rd 24	9.05	58.31	Left-hand turn
After 0.97 miles, turn right onto Homestead Trail	0.97	59.28	
After 2.06 miles, turn right onto 6th Ave N/Watertown Rd	2.06	61.34	
After 3.57 miles, turn left onto Country Rd 110	3.57	64.91	Left-hand turn
After 1.42 miles, turn right onto County Rd 26	1.42	66.33	
After 0.68 miles, Minnetonka Orchards will be on your right	0.68	67.01	



21.61-Mile Route		Mileage	Total	Comments
Directions				
Starting at Minnetonka Orchards, turn right to head east on County Rd 26			0	
After 0.66 miles, turn right on County Rd 110	0.66	0.66		
Continue south on County Rd 110 for 1.69 miles	1.69	2.35		
Continue on Commerce Blvd/County Rd 110 through Mound for 0.97 miles	0.97	3.32		
Head west on Bartlett Blvd/County Rd 110 for 4 miles	1.5	4.82		
After 3.26 miles, turn right on County Rd 92	3.26	8.08		
After 2.27 miles, turn left on County Rd 15	2.27	10.35		Left-hand turn
After 1 mile, continue on County Rd 24	1	11.35		
After 0.51 miles, turn right on County Rd 127	0.51	11.86		
After 1.67 miles, turn right on County Rd 20	1.67	13.53		
After 0.68 miles, continue on Watertown Rd/County Rd 6	0.68	14.21		
After 5.31 miles, turn right on County Rd 110	5.31	19.52		
After 1.41 miles, turn right on County Rd 26	1.41	20.93		
After 0.68 miles, Minnetonka Orchards will be on your right	0.68	21.61		



V10533

RECEIVED
City of Independence

JUL 16 2019

1920 County Road 90
Independence, MN 55359RECEIVED
City of Independence

JUL 16 2019

1920 County Road 90
Independence, MN 55359

NON-CITY ASSEMBLY PERMIT APPLICATION

Fees & Definitions:

200+ Attendees (Large Assembly) = \$100
100+ Attendees (Medium Assembly) = \$25
50+ Attendees (Small Assembly) = \$25

x 2 days = \$50 total

(Double fee for application received less than 10 business days prior to event).

Event Location: 1286 Copeland Road, IndependenceType of event: Homes by Architects Tour Number of people (see note) Date 9/21, 22☐ Residential ☐ Corporate ☐ Partnership ☒ Group or Association ☐ OtherRehkamp Larson Architects, 2732 W. 43rd St, Mpls MN 55410Event Holder's Name: ALA MN (puts on tour)Address: 105 5th Ave. S, Suite 485 MplsContact Person: Cindy Bennett (Rehkamp) Phone: 612.285.72752nd Contact Person: Shen Hansen (ALA) Phone: 612-767-1747Security Plans: N/ADate West Hennepin Public Safety was notified of the event: 6-14-19Severe Weather Plans (in the event of): house is open for shelterSound Plans - amplification and sound control: N/AOutdoor Music ☐ Yes ☒ No - Starting Time _____ AM/PM, Ending
Time _____ AM/PMFood and Concessions Plans: N/AVendor's name, address, and license number (copies of vendor license, insurance and permits
must be provided)

Vendor Work #: _____ Vendor Cell # _____

Serving Alcohol: Yes: _____ No: X

Selling Alcohol: Yes: _____ No: X (If selling alcohol contact the City for a Permit)

Restroom Provisions: How many?

N/A Location: _____

Lighting - Type: N/A How many? _____
Location of lights: _____

\$1,000,000 Certificate of Liability Insurance-provide a copy: ✓

Parking Plan: Please provide a site plan showing 1 parking space for each vehicle per 4 guests. If using adjacent property, written permission from property owners must be obtained. on-site - plenty of space available

July 9, 2019
Date

Andy Bennett
Signature of applicant

Date

Signature of applicant

Office Use Only

Application Received: 7/16/19 Application Fee: 50⁰⁰ Date Fee Paid: 7/16/19

Date \$1,000,000 certificate of liability insurance received: 7/16/19

Signature of City Official

Date

Signature of West Hennepin Public Safety

Date

City of Independence

Consider Revocation of Conditional Use Permits No Longer in Use or Non-Compliant

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: July 30, 2019

Discussion:

The City has reviewed all of the active conditional use permits over the last year and half. The City initially notified property owners of the intent and need to review the conditions of the conditional use permit and asked owners to contact the City to schedule an inspection. Following inspection of the majority of conditional use permits and or multiple attempts to inspect properties, it was recommended that a handful of conditional use permits be considered for revocation. The City Council revoked a number of conditional use permits in February 2019 based on non-compliance or no longer being used by the property owner. One of the properties determined to be non-compliant (the City has not been contacted by the property owner to schedule an inspection and could only conduct a visual inspection from the public right of way) and without response to multiple notifications of non-compliance, was provided a final notice of the City's intent to consider revocation at the February 5th City Council Meeting. Unfortunately, it was mistakenly not included in the February resolution. That property is located at 3315 County Road 92 (PID: 09-118-24-34-0004). The property is currently in a non-compliant condition (conditional use permit resolution attached). A second property is being recommended for revocation following non-use of the conditional use permit and failure to comply with applicable conditions by a designated date. The property located at 4885 Perkinsville Rd. (PID: 24-118-24-42-0004) is not compliant and the conditional use permit is no longer in use (conditional use permit resolution attached). City Council is being asked to consider revocation of the following conditional use permits:

NAME:	ADDRESS:	PID:
Leo Poole	3315 County Road 92	09-118-24-34-0004
Rachel Myskevitz	4885 Perkinsville Rd	24-118-24-42-0004

Recommendation:

The City Council is being asked to consider approving **RESOLUTION 19-0730-01** revoking the aforementioned conditional use permits.

ATTACHMENTS: **RESOLUTION 19-0730-01**
 Conditional Use Permit Resolutions/Conditions



**CITY OF INDEPENDENCE
RESOLUTION NO. 19-0730-01**

**A RESOLUTION REVOKING CONDITIONAL USE PERMITS
THAT ARE NO LONGER IN USE OR NOT IN COMPLIANCE
WITH ALL APPLICABLE CONDITIONS**

WHEREAS, the City of Independence (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City has adopted a zoning ordinance which establishes certain conditional uses in all zoning districts; and

WHEREAS, the City considers each conditional use permit on an individual basis and may include conditions which further regulate the use of properties that have been granted a conditional use permit; and

WHEREAS, the City reviews all conditional use permits on a regular basis to ensure compliance with adopted conditions; and

WHEREAS, following review of all conditional use permits in the City, the City has determined that there are conditional uses which are no longer being used by the property owner and can and should be removed;

WHEREAS, the City has provided notice to property owners using mail to provide detail relating to how the property is not compliant with the conditions of conditional use permits; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INDEPENDENCE, MINNESOTA that it shall revoke the following conditional use permits that are no longer being used or not in compliance with applicable conditions:

NAME:	ADDRESS:	PID:
Leo Poole	3315 County Road 92	09-118-24-34-0004
Rachel Myskevitz	4885 Perkinsville Rd	24-118-24-42-0004

This resolution was adopted by the City Council of the City of Independence on this 30th day of July 2019, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator