

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY MAY 3, 2022–6:30 P.M.  
City Hall Chambers

*Interviews were held for the Planning Commission Alternate prior to the Council Meeting*

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

ABSENT: None

STAFF: City Administrator Kaltsas, Assistant to Administrator  
Horner, and City Attorney Bob Vose

VISITORS: Marty Chelstrom, Jeffrey Arendt, Derek Onischuk

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 19, 2022, Regular City Council Meeting.
- b. Approval of City Council Minutes from the April 19, 2022, Board LBAE City Council Meeting
- c. Approval of Accounts Payable (Batch # 1; Checks Numbered 21192-21195 and Batch #2; Checks Numbered 21196-21221).
- d. Large Assembly Permit for a Wedding to be Held on September 17, 2022, on the Following Property:
  - i. 7165 Turner Road (Requested by Brian and Renee Gilbertson)

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

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

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

### **Grotting attended the following meetings:**

- Planning

### **Spencer attended the following meetings:**

- Stand in for Joe Baker for PSCWMC
- LSIA
- Federated Women's Group - Delano
- Personnel Committee Meeting
- Planning

### **McCoy attended the following meetings:**

- Loretto Fire Breakfast

### **Betts attended the following meetings:**

- Sensible Land Use

### **Johnson attended the following meetings:**

- Card from David Eisinger thanking the City
- Planning
- National League of Cities Webinar
- Metro Cities annual Meeting (virtual)
- WH Cooperative annual meeting
- Loretto Fire Breakfast
- Govenor's State of the State
- Delano School Board Meeting
- Metro Conference for TZD
- Personnel Committee meeting
- Orono Spring Play
- Long Lake Fire breakfast
- Rep. Kristin Robbins meeting at City Hall
- Planning Commission Alternate Interviews

### **Horner attended the following meetings:**

- Planning

### **Kaltsas attended the following meetings:**

- Hennepin County Turnback

7. Jeffrey Arendt (Applicant/Owner) is requesting that the City consider the following action for the property located at 1665 Copeland Road (PID No. 19-118-24-44-0004) in Independence, MN:

- a. **Resolution 22-0503-01:** considering a conditional use permit to allow a detached accessory structure that is larger than 5,000 SF. The applicant is proposing to construct a new private indoor riding arena.

Kaltsas explained that the applicant is requesting a CUP for an accessory structure larger than 5,000sqft. The property is located near Dean Lane and zoned Ag on approximately 65 acres. The applicant would like to construct an indoor riding area that would attach to existing building. Roughly 21,000sqft would be added to the existing building or 100ft x 210ft . We want to make sure there are no impacts to any of the surrounding properties. The city requires a CUP for anything greater than 5,000sqft to make sure it doesn't affect health, safety and welfare. We take a look at the drainage, grading, and possible lighting to see what impacts might be mitigated by the proposal. The property and building are in a position that has little impact on surrounding properties. Other properties in the area are very similar with large structures for horses. The location is Ag in nature. This riding area is for private and personal use only. There is no boarding that is being requested or considered at this time. The structure would also be re-sided so that all material and color would match. The manure management policy was noted and included in the condition and recommendations. Applicants will follow all requirements. The Planning Commission recommended approval and the applicant is here tonight.

Johnson asked Arendt if everything was covered. Arendt said it was.

**Motion by Spencer, seconded by Grotting to approve RESOLUTION 22-0503-01 for a CUP to construct an accessory structure larger than 5,000sqft. Consent Agenda. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

8. Derek Onischuk (Applicant/Owner) is requesting that the City consider the following action for the property located at 190 County Road 92 N. (PID No. 32-118-24-44-0003) in Independence, MN:

- b. **RESOLUTION 22-0503-02:** considering a variance for a reduced side yard setback to allow the construction of an addition to the existing home located on the property.

The applicant is requesting a variance for a reduced side yard setback on the North side of their parcel near the property line, just South of the Luce line. It is zoned Ag on 11 acres in overall size. The applicant wants to build a 4-season porch off the North side of their home. There is a 30-yard setback which is right where the house is. There is no room for expansion besides to the North. This would bring the setback from 30ft down to 8ft. The city looks at if there are other options on the site for the expansion and if there hardships. In this case there is an existing septic field on the East side of the home. The front of the house is facing the S direction and garage is on the West. With how this house is laid out, this is logical. There are no other options to expand any other way. There is a sliver of private property between this property and the Luce Line. No one would be able to build on the small piece of property that this expansion would affect. The location of this house has surrounding

properties and the use would be for residential. The request is consistent for granting a variance. Planning asked about the property to the North and it was noted that it was limited. There are no building options on that sliver. The conditions of the home were not created by the applicants, and it was supported to approve the variance by the planning commission.

Johnson asked if everything was explained well. Derek said yes, Mark did a great job.

**Motion by McCoy, seconded by Betts to approve RESOLUTION 22-0503-02 granting a variance for a reduced side yard setback. Consent Agenda. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

9. Michael Mitchell (Applicant/Owner) is requesting the following action for the property located at 5398 Lake Sarah Heights Dr. (PID No. 01-118-24-23-0002) in the City of Independence, MN:

- a. **RESOLUTION 22-0503-03:** considering approval of a minor subdivision to allow the combination of the subject property with the adjacent property to the northwest (PID No. 01-118-24-22-0010).

Kaltsas explained that this request came in January, and it was approved, but applicant needed to provide a revised survey. This is to allow a lot combination. The applicant is looking to acquire an outlot adjacent to property to clean up it up. The property is located at 5398 Lake Sarah Heights Dr. It backs up to the railroads, and is zoned RR. The lot is just over 1 acre and outlot is .44 bringing it to 1.5 acres overall. There is 66' that was intended to be a ROW to get to the railroad tracks. It was never transferred to the city and it has been maintained by the original owner. There was a lot of calls on this property about building on it and this is the better option and makes the most sense. The house is a legal nonconforming structure and he barely has enough room to drive out of his driveway without going into this outlot. All survey and drainage and utility easements have been provided. Planning Commission recommended approval.

Johnson asked if this property was still owned by the owners across from there. Kaltsas said the railroads don't allow a cut across and we have an access point off of Eagle Ridge. This is not a great connection point, and this seems to clean it up. Johnson said that the lot to the West is a big one too, so it is making this property about the same size. This makes his house legal and gets rid of the nonconforming status.

Vose asked Mark if it is in the resolution to combine the lots described. Kaltsas said yes.

**Motion by Spencer, second by Betts to approve RESOLUTION 22-0315-03 for a minor subdivision. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. Abstain None. MOTION DECLARED CARRIED.**

10. Hennepin County (Applicant) is requesting the following minor subdivision relating to the Highway 12/County Road 92 improvement project in Independence, MN:

- c. **RESOLUTION 22-0503-04:** considering approval of a minor subdivision for the property located at 2510 County Road 92 N. (PID No. 16-118-24-33-0003).

Kaltsas said there have been a couple of these and there are still more being worked on. It is being acquired due to the Hwy 12 project. Hennepin County is taking over this property. It needs to be split before Hennepin County can take it over.

Johnson said Kimberly really took a hit with this project. Kaltsas said they may not have settled yet. Grotting asked if other property owners have agreed to it. Kaltsas said the state condemned the property and just needs to clean up the title piece of it.

**Motion by Grotting, second by Spencer to approve RESOLUTION 22-0315-03 for a minor subdivision. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. Abstain None. MOTION DECLARED CARRIED.**

11. Council member Brad Spencer – discussion with Council.

Spencer said it is the anniversary of Mayor Johnson's birth. Beth thought we should do something special. There have been several posts to Facebook about Johnson's birthday. Beth Horner made a chocolate cake and we want to wish you a Happy Birthday.

*All Staff sang Happy Birthday to Mayor Johnson.*

12. Open/Misc.

13. Adjourn.

**Mayor Johnson declared the meeting adjourned at 7:10pm.**

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Respectfully Submitted,  
Amber Simon / Recording Secretary