

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY MAY 17, 2022–6:30 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 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, Chief Gary Kroells

VISITORS: Al Sterner, Pete Bullemer

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 May 3, 2022, Regular City Council Meeting.
- b. Approval of Accounts Payable (Batch # 1; Checks Numbered 21222-21223, Batch #2; 21224, Batch #3, 21225-21255)

**Motion by Spencer, seconded by McCoy 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:**

- None

**Spencer attended the following meetings:**

- Hwy 12 Safety Collision – phone
- Spring Clean Up Day

**McCoy attended the following meetings:**

- Maple Plain Fire Commission
- Funeral of a long time Independence Resident

**Betts attended the following meetings:**

- Hwy 12 Safety Collision Meeting
- Maple Plain Fire Commission
- Chamber Meeting

**Johnson attended the following meetings:**

- Hwy 12 Safety Collision
- Judy Crosby's husband's Memorial Service
- Independence longtime resident funeral
- Regional Council of Mayors
- Maple Plain Fire Commission
- Chamber of Commerce
- Senior Community Services Finance Committee (virtual)
- Visit with John Kuntz (past Independence resident/Council Member)
- Northwest League Meeting
- Hennepin County Representatives Carla Stueve Director of County Engineering) & Chris Sagsveen (Director of Transportation Operations)
- Gilliespie Center - Annual Appreciation Breakfast
- Energy and Environmental Resources for League of Cities (virtual)

**Kaltsas attended the following meetings:**

- None

7. West Hennepin Public Safety – Director Gary Kroells: Presentation of the April 2022 Activity Report.

Chief Kroells mentions that since the beginning of the year there have been 1,243 incident complains: 836 were in Independence. When you add in TZD and agency assists we have been involved with 1,347 incident reports. In April there were 222 incidences in Independence and 124 incidences in Maple Plain. We are showing upward trends and traffic enforcement compared to years past.

See full report for further details.

Johnson asked that there be a reserve officer at the cemetery on West Main Street the morning of the memorial service coming up. Kroells said yes, they can do that.

*Johnson recused himself*

8. Planning Commission Alternate Appointment.

Spencer said that there is one position open for planning commission alternate. We had 3 applicants that were interviewed at the last meeting. Kaltsas said that this is a 3-year appointment for this position. It would end on December 31<sup>st</sup>, 2024. He asked that the council make a recommendation to appoint the new planning commission alternate.

Spencer asked Betts what her thoughts were. Betts said she knows Gene Snyder by reputation and is a member of her church. He is responsible and has lived here a long time. He is retired and has the time to do it and would be regular in attendance. She has a leaning towards him. McCoy said he could make an argument for every one of the applicants. Every applicant has their strong points. He likes the longevity of Gene Snyder. Marty Chelstrom has been involved.

Grotting asked why Hal was appointed a spot on the planning commission and Story was not. Kaltsas said because Hal was the senior most only because we appointed him before Story and that is what our ordinance said. Grotting said he has the same opinion as McCoy. It is a shame to lose any applicant. Kaltsas said we could ask that if something comes up, we could call on the other applicants if they were open to it. Spencer asked if Grotting had a preference. Grotting said they were all very good, but he would go with Marty Chelstrom.

Spencer said that he really liked the thought that Tim put into it and could be a long running servant to the community. Lynn said we could put them all in a hat and draw because they all are really good. Spencer asked that everyone write one name down on a piece of paper and gives it to him and he will break the tie if necessary.

Spencer asked that staff sends out a letter of thanks to the other applicants and to keep in touch. Spencer said that he would like to cast a vote for Tim and wants to make that official.

**Motion by Spencer, seconded by Betts to appoint Tim Usset as the Planning Commission Alternate. Consent Agenda. Ayes: Spencer, Grotting, McCoy and Betts. Recused: Johnson Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

*Mayor Johnson reconvened the meeting*

9. Lake Haughey Road Resident Petition Regarding Property Condition.

Kaltsas said that there are some residents here tonight requesting that the City take action on the property located at 3585 Lake Haughey Road. Last year the city issued a letter to the resident citing that they were not in compliant with ordinances related to junk stored on the property. We usually notify them to comply, if we don't receive anything back, we send another letter that they are in violation of a city ordinance and what that is. We ask they comply within a set time; we note that noncompliance will make city take legal action. We did not get any response and we turned it over to WHPS to issue a formal citation which is a criminal violation of the city's ordinance. It will go into HC legal system and attorney takes over. They were given a court hearing of April 22, neither party appeared. They were issued bench warrants. They have until July 15<sup>th</sup> to appear in court. Our attorney said that the courts are backlogged. This is an ongoing problem. They will likely

issue a second citation. This will help reinforce when they do get in front of the judge. Once we get there, we will ask the court to comply with the ordinances and a timeframe to complete by. If they do not do this, we can go to a settlement conference and trial. It will then go to abatement. It is not fast. We will continue to follow through with this. Their noncompliance does not help us, it just makes it longer, but we will get to a point that we can physically enforce our ordinances.

Kroells said that the owner wouldn't speak with them. The boyfriend talked a little bit to them, and there was no confirmation that they were going to do that. One thing to note, unfortunately in this court system, a warrant doesn't necessarily mean a warrant that we think of. They think it is minor. It is frustrating that there is less enforcement. The only thing an officer can do is to issue them a sign and release warrant.

Johnson asked if the residents want to speak on this issue.

Al Sterner – 8910 Hwy 12, the problem has been in their eyesight for years. He talked with Bruce and DNR years ago. The DNR said that there was nothing they needed to deal with because they are only concerned with the high-water mark and not what's down below. He listed 4 reasons why the citizens are concerned about it. One is that there is a concern about traffic on Lake Haughey and there are two trucks with trailers that have skids with cement blocks on them in the road. They should not be vehicles there. He believes there is a business going on there that is not in CUP. There is no screening either. There is nothing being done, and it is an eye sore. He has a copy of a petition of signed residents that want to see something done and support the city doing something about this.

Kaltsas said that the property cannot get a business at this site and the city is just focusing on the accumulation of materials on the property. The city's intent is to enforce the ordinance and get the court to help support our ordinances. We have enforced businesses and debris on the property, but it has taken 3 years in the past and it costs a lot of money. Grotting said it costs the residents of Independence a lot of money.

Spencer said that he appreciates Al being here tonight. We have a lot of issues like this in the city and it is important for residents of Independence to get involved and help the city enforce these things.

Pete Bullemer - Lake Haughey Road, asked if they don't show on July 15<sup>th</sup>, how can residents get notified of the progress of this. Kroells said we should discuss this through the city and then we can give this information to the residents. This can get drug out with the court hearings and lack of compliance from this property. Some people don't want to comply until they are forced to. And the forcing through the court system takes some time. Kaltsas said to reach out to the city and check in on updates.

10. Open/Misc.

11. Adjourn.

**Motion by Spencer, seconded by McCoy to adjourn the meeting at 7:21pm. Consent Agenda. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

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Respectfully Submitted,

Amber Simon / Recording Secretary