

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY June 7, 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 (virtual)

ABSENT: None

STAFF: City Administrator Kaltsas, Assistant to Administrator  
Horner, Administrative Assistant Simon

VISITORS: Tony Post, Dan Vanderheyden, Chanel Crees

*All votes were roll call votes*

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 17, 2022, Regular City Council Meeting.
- b. Approval of Accounts Payable (Batch # 1; Checks Numbered 21256 and Batch # 2; Checks Numbered 21257-21283).
- c. Personnel Committee Recommendations:
  - i. Approval of Assistant City Administrator Position Appointment
  - ii. Approval of Administrator/Planner Contract Amendment

**Motion by Betts, second 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

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**Grotting attended the following meetings:**

- Planning
- Workshop
- Funeral for Norm Wenck

**Spencer attended the following meetings:**

- Planning
- Workshop

**McCoy attended the following meetings:**

- Memorial Services (2)
- Maple Plain Party in the Park
- Gala for MN Teen Challenge
- Workshop
- Fire District Meeting

**Betts attended the following meetings:**

- Workshop

**Johnson attended the following meetings:**

- Planning
- Coffee with Steve Bohl on the Otten Property
- Orono Healthy Youth
- Small Cities Council – NLC (virtual)
- Orono High School Awards night
- Funeral for Bruce Frahm
- Funeral for Norm Wenck
- Funeral for Carroll Gabriel
- Funeral for Vern Genzlinger
- Sensible Land Use
- MetCouncil ES Hearing (virtual)
- Senior Community Services Board Training and Regular Meeting (virtual)
- Memorial Services on Memorial Day
- Fire District Meeting
- Interviews for the two applicants for sergeant
- Haven Homes
- MP Party in the Park
- Workshop

**Horner attended the following meetings:**

- Workshop

**Kaltsas attended the following meetings:**

- Workshop

7. Tony Post (Applicant/Owner) is requesting that the City consider the following action for the property located at 2791 Copeland Road (PID No. 18-118-24-41-0002) in Independence, MN:

- a. **RESOLUTION 22-0607-01:** considering a variance and conditional use permit to allow an accessory dwelling unit to be located within the existing accessory building that exceeds the maximum size.

Kaltsas said this is a request for a CUP and variance to allow an ADU to be allowed within the existing building on the property. The property is 52 acres in overall size and is located on the West side of Copeland Rd, and South of Hwy 12. There is a unique structure that acts as the principal structure on this property. There is a dwelling unit within this structure and is comprised of 3 different structures. They are asking to allow an ADU for the existing residential portion of the building to build a new principle structure on the property. The building that is there was the principle, but it is not really built for a residence. Once inside, it makes up the residential space. It is 2,800sqft total with 1,000sqft in the basement. There is then the main floor and a second floor that has a loft with just a bedroom and bathroom. The city suggested reducing the sqft by eliminating some spaces because of how the layout is. They can take the basement out by eliminating the livable portion and using it as storage instead. On the back side there is utility and laundry which they could close off some of that. On the upper floor we could exclude the closet. The goal is to try to get under 1,200 sqft. They could ask for a variance for the additional sqft. The layout is unique since the barn, garage and house is all connected. PC considered allowing space to be cut up or broken off from the space. The property overall does have the ability to be subdivided to create a new rural view lot.. The location, size of property and surrounding properties are in support of the second residence. PC suggested granting a variance for 1871sqf to allow the ADU. PC suggested approval of CUP and variance to council. It is a unique structure, and it was done prior to our current ordinances. If someone just wanted a larger structure just for larger structure that would not pass, but that is not the case.

Johnson said it is a unique situation with the house on one side and riding arena on the other side. Applicant is here tonight and asked if it was described properly. Post said yes.

**Motion by McCoy, second by Spencer to approve RESOLUTION 22-0607-01 granting a CUP and variance to allow an ADU to be located within existing accessory structure. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

8. Dan Vanderheyden (Applicant) and Michael Crees (Owner) are requesting that the City consider the following action for the properties located off of Maple Street with an unassigned address (PID No.s 24-118-24-11-0007 and 24-118-24-11-0006) in Independence, MN:

- a. **RESOLUTION 22-0607-02:** considering a minor subdivision to allow a lot combination of the two subject properties a variance seeking reduced building setbacks to allow the construction of a new home on the combined properties.

Kaltsas said this is a request for a minor subdivision and lot combination. There are two existing lots of record on Maple St; it is a private driveway. There is one home that comes off that and one vacant lot. These lots are up against the south shoreline of Lake Independence. The total acres would be 0.45 if the properties were combined. These are very small lots for our standards. They would like to construct a home on the property. There is a potential wetland on the property and wetland delineation did confirm this. The wetland causes some issues with the location of a structure on this property. In existing condition, they can take advantage of the 60% but if lots were combined, they could not take advantage of this rule. They also must meet the required setbacks. The allowable building area once setbacks were applied on the combined lot plan, the building space is very small. They are asking for a 0ft buffer rather than 10ft. They are asking for a reduced front yard setback of 50ft of centerline of Maple St and a West side yard setback reduction of 18ft. They would meet the East side yard setback. The adjacent property showed support for this plan. Kaltsas said they are making the situation better by combining the two lots and giving it more reasonable use. It is really constricted on where you would build a house. PC noted individual lots don't support a home of any reasonable size. The combination would be to the benefit of the city. PC recommended approval of a minor subdivision and variances requested. The updated survey for drainage and utility easements have been received and the applicants will work with the city to meet all requirements.

Johnson asked if we had a sewer stub available for both lots. Kaltsas said both lots are considered stubbed and of existing record. Johnson asked if the cartway is going down over there. He asked how much of an easement is needed for the driveway getting to the house. Kaltsas said 24 ft is needed for the easement, but the road is narrower. Johnson asked if it is public so there are not road agreements with neighbors. Kaltsas said it is a private street and the city just has an agreement for access to the lift station. There is a private road agreement on file. Kaltsas said we plow it to get to the lift station more often than not. There is no sign for Maple St on that road. McCoy asked about the address for this one. Kaltsas said it would probably be by South Lake Shore Drive. Johnson said it is a beautiful, isolated lot.

**Motion by Spencer, second by Betts to approve RESOLUTION 22-0607-02 approving a minor subdivision. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.**

- 11. Open/Misc.
  - a. City of Independence on TV

Johnson said MetCouncil has the City of Independence population at 3795, up a few people from last year. The major difference might be from the Vinland Center. We are getting closer to 4,000, but we are better off being under 5,000.

Johnson said Jane Hubbard KSTP-TV is doing a program from 9-10am next Tuesday morning on Independence. She asked Johnson to come down to do a feature.

Johnson asked if we are getting a resolution for a comp plan from MetCouncil. Kaltsas said we won't see it until they are done with it. Kaltsas said they are trying to finish the grant stuff first and then finish ours.

- 10. Adjourn.

**Motion carried by McCoy, second by Spencer to adjourn the meeting at 7:09pm.**

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Respectfully Submitted,  
Amber Simon / Recording Secretary