

MINUTES OF A REGULAR MEETING OF
THE INDEPENDENCE CITY COUNCIL
TUESDAY, NOVEMBER 1, 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 and Councilors McCoy, Betts, and Spencer.

ABSENT: Grotting.

STAFF: City Administrator Kaltsas, City Assistant Administrator Simon, and Director Kroells.

VISITORS: (See Sign-In Sheet.)

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 October 18, 2022, Regular City Council Meeting.
- b. Approval of Accounts Payable (Batch # 1; Checks Numbered 21568-21572, Batch # 2; Checks Numbered 21573-21591).

Motion by Betts, seconded by McCoy to approve the Consent Agenda. Ayes: Johnson, McCoy, Betts, and Spencer. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4.0

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

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Police Commission
- Hwy 12 Ribbon Cutting Ceremony

McCoy attended the following meetings:

- Hwy 12 Ribbon Cutting Ceremony
- Police Commission
- Planning Commission
- When Jeff Leuer received award in Duluth (MEA)

Betts attended the following meetings:

- Police Commission
- Hwy 12 Ribbon Cutting Ceremony

Johnson attended the following meetings:

- Planning Commission
- Maple Plain Council Meeting – McGarry’s Golf Tournament presentation
- Orono School Board meeting – award session
- Police Commission meeting
- Orono Healthy community meeting
- Interview with Fox News before ribbon cutting
- Jeff Leuer’s “Fire Chief of the Year: (cities under 10,000) Open House
- Hwy 12 Ribbon cutting

Kaltsas attended the following meetings:

- Police Commission
- Hwy 12 Ribbon Cutting Ceremony

Simon attended the following meetings:

- WHCC Truck or Treat
- Hwy 12 Ribbon Cutting Ceremony

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

At the end September 30, 2022, West Hennepin Public Safety (WHPS) handled year-to date a total of 3,558 incident complaints: For the month of September; 255 incidents occurred in the City of Independence and 101 in the City of Maple Plain.

See full report for more details.

Johnson – WeCAN’s budget includes gas coupons to help people in need. I’m unsure how much they have, but maybe those could be available to the Officers for these types of situations.

Kroells – I will check into that.

Johnson – How has traffic been with the re-opening of Hwy 12 and 92?

Kroells – It opened at 4pm. It seems to be adapting well. I passed on some comments to HN Cty to add additional signage and hopefully they’ll make those adjustments. Overall it went well, and time will tell. With our roundabout at 90, some may still drive it too fast or drive up and over it, but the goal is to reduce the severity of crashes. They won’t likely be serious and fatal crashes like in the past.

Johnson – For westbound Hwy 12 and 92 (marking unspecified), is the open lane on the right intentional for passing?

Kroells – Yes, turning right or going straight is allowed in that right lane. Painted arrows are painted to

allow that.

Betts – Are they going to keep the 4-way stop at Cty Rd 11 and Cty Rd 90?

Kroells – Yes. That’s what I’ve been told. The permanent ones were swapped in for the rented ones. I’m surprised the residents wanted that.

Johnson – At 90 and 6 the lights are flashing red to alert the people that it is changing.

Kroells – As soon as they can get the lights out, they will remove those lights.

Johnson – It’s a major improvement and it was a perfect year weather-wise. Do we have street signage up for Cardinal Way yet?

Kaltsas – We sent out letters to those 5 residents stating they would be switched over. The house numbers are not changing, just the road name. The final agreement was signed by both parties and now we can bill the county for that change and mil and overlay for the future.

Johnson – Since we initially talked about it, 3 of the major family members have passed away.

8. Kelly Brouwer (Applicant) and Al and Charlene Hatfield (Owners) are requesting the following action for the properties located at 3810 and 3850 County Line Road (PID No’s. 07-118- 24-22-0002 and 07-118- 24-22-0006) in the City of Independence, MN:

- a. **RESOLUTION NO. 2022-1101-01** – Considering approval of a minor subdivision to allow a lot line rearrangement that would reduce the acreage of 3810 and increase the acreage of 3850 County Line Road.

A Public Hearing was held to allow a lot line rearrangement to reduce the acreage of 3810 and increase 3850 properties. The after condition of the North Property (3850) would be increased to 31.5 acres. The City does allow lot line arrangements in the AG. A minimum lot size in AG is 2.5 acres in buildable acreage. There were some wetlands on the property. We required they do a wetland delineation. It did result in finding a couple small wetlands. The property increased to account for these to get to the 2.5 buildable acres. The lineal frontage would remain the same. The minimum frontage is 200 lineal feet. The smaller lot’s is 264 lineal feet. 3850 has a primary and secondary site for septic. Survey does show building setbacks are fully compliant with applicable standards. There is an existing detached structure on 3850 (legal nonconforming when a home was taken down, barn remains) there is no change to the property. City will require drainage and utility easements. There was no change to access on either property and any future change would need HN County’s approval. A neighboring property to the South attended the public hearing and had a concern whether this in any shape or form potentially impact an existing drain tile that runs from their property to the N / NW and out towards County Line and Co Rd 11. It was noted that the subdivision allowing the lot line rearrangement in and of itself does not change that and the City encouraged them to reach out to the owners (Hatfields) and work together with any future excavations, changes, or construction. The Planning Commission discussed the request talked about the drain tile piece but recommended approval noting all criteria in the City subdivision and zoning ordinance had been completed by applicant with conditions listed in the resolution.

Johnson – On the larger piece, there is a long diagonal line. Is there any history to that?

Kaltsas – Not sure what would have done that. It could have been someone that wanted a little more land and drew the line like that.

Motion by Spencer, seconded by McCoy to approve the minor subdivision allowing a lot line rearrangement for the properties located at 3810 and 3850 County Line Road.

Ayes: Johnson, McCoy, Betts, and Spencer. Nays: None. Absent: Grotting. Abstain. None.

MOTION DECLARED CARRIED. 4.0

9. Consideration of an amendment to Chapter II, Section 210.01 to align municipal elections with local, state and national election schedules.

- a. **ORDINANCE NO. 2022-07** – Approving an amendment to Chapter II, Section 210.01 of the Independence City Code.

We need a ¾ vote on the election change so recommended tabling.

Kaltsas – I did check with the city attorney, but we only need a majority. Timing we don't have one yet, but we will have an issue soon.

Johnson – Grotting said he had some things he wanted to talk about.

McCoy – If he had some input, I'd like to give him a chance to talk about. I'll be gone on the 15th and can't call in.

Kaltsas – We did not get any feedback from residents since the last meeting. Attorney Vose is on now. Attorney Vose- Mark correctly reported that. It does not require a super majority vote. Administrator Kaltsas has done the time calculation and you do have time.

Johnson tried calling Grotting.

Betts – It seems silly to not be synced with the other schools and it gives more reason for people to get out and vote and saving time and money. The turnout gives more people to share their voice. Otherwise many don't bother to know what's going on. Many are confused when signs are up and all around, but it ends up being for Maple Plain or whatever.

Spencer – It seems like we struggle to get everyone here at the same time. We should just talk about it then.

Motioned by Betts, seconded by Spencer to leave item on the table Ordinance No. 2022-07.

Ayes: Johnson, McCoy, Betts, and Spencer. Nays: None. Absent: Grotting. Abstain. None. MOTION REMAINS TABLED. 4:0.

McCoy – I just feel bad if Grotting has input that we are not waiting.

Johnson – That's the way I feel too.

Spencer – Anyone that can't be here can submit their comments in writing. It's not that big of a topic. I don't see any reason to keep kicking this down the agenda road.

Johnson – I would've been ready to vote tonight but having said to Grotting what I did.

McCoy – I am in favor of changing it and will submit my comments for the December meeting if needed.

Tabled until December 6th meeting

10. Open/Misc.

McCoy - Do we want to officially honor Jeff for his award?

Johnson – I thanked him on the City's behalf, but it would be nice to have something in writing. This category included 600-700 cities.

Kaltsas – I'll draft something and bring it back to council at the next meeting.

Kaltsas- Update on the park – We had a couple community groups reach out to the City. We want to do

more work on our end to see what can come out of a partnership with these groups. The City will have the landscape architect do some fit planning to see what the open spaces allow in a couple variations and then meet with some people to see what the maintenance looks like and what people are willing to do for help. We can look at this again next year, and we have some more park dedication funds coming in as well.

Johnson- Do we have any delineation problems for wetlands?

Kaltsas – There are some wetlands, but I don't think we would mitigate them unless needed. We have the master plan but there is some space to be reprogrammed and then see what the groups are looking for and what they are willing to do and come up with an adoptive plan.

Johnson – Was the bridge installed this year?

Kaltsas – That bridge is something that we will look at updating. Something more permanent to allow water to flow through. We got cameras up in the park this year and I do think we're ripe for a project for increased users.

Johnson – We haven't had any problems with graffiti recently, have we?

Kroells – Not since the cameras got put in.

Johnson – A week from tonight we'll be closing the General Election Day polls. How many do we have so far?

Simon – We have over 200 Absentee Direct Ballot votes so far.

11. Adjourn.

Motion by McCoy, second by Betts to adjourn the meeting at 7:16 pm.

Respectfully Submitted,
Linda Johnson / Recording Secretary