

MINUTES OF A REGULAR MEETING OF  
THE INDEPENDENCE CITY COUNCIL  
TUESDAY, NOVEMBER 15, 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 Betts, Spencer, and Grotting.

ABSENT: McCoy.

STAFF: City Administrator Kaltsas 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 November 1, 2022, Regular City Council Meeting.
- b. Approval of Accounts Payable (Batch # 1; Checks Numbered 21592-21595, Batch # 2; Checks Numbered 21596-21628).

Corrected minutes sent included the motion verbiage to take it off the table which we did not.

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

**Grotting attended the following meetings:**

- Planning Commission Mtg
- WHCC Trunk or Treat

**Spencer attended the following meetings:**

**Betts attended the following meetings:**

- Plymouth Fire Dept Station Tour
- Hwy 12 Coalition Mtg

**Johnson attended the following meetings:**

- Fire Services Mtg at Long Lake Fire Dept
- Plymouth Fire Dept Station Tour
- Hwy 12 Coalition Mtg - Delano Fire Dept
- Election Day Election Judge all day
- NW League speaker: MN Demographer
- Sr Community Services Finance Committee Mtg
- Veterans Day Orono HS Program
- Regional Council of Mayors Mtg
- Orono School Board meeting

**Kaltsas attended the following meetings:**

There were 1,710 in-person voters and about 120 ballots were mailed into Hennepin County.

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

At the end October 31, 2022, West Hennepin Public Safety (WHPS) handled year-to date a total of 3,934 incident complaints: For the month of October; 243 incidents occurred in the City of Independence and 127 in the City of Maple Plain.

See full report for more details.

8. 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.

**Motioned by Betts, seconded by Spencer to remove Ordinance No. 2022-07 from table. Ayes: Johnson, Betts, Spencer, and Grotting. Nays: None. Absent: McCoy. Abstain. None. MOTION DECLARED CARRIED. 4.0**

year elections. Integrating the change can happen by City Councilors either increasing or reducing their terms or passing the motion to phase in changes over a 5–7-year period which means Election cycle ordinance changes. There were about half dozen ways to get there, and there is not a wrong or right way to do it. Optics for all will create some confusing votes if members were voted on for having different length terms each election. Secondly, School districts also are now aligned with even year elections. Lastly, it also costs \$10,000-15,000 to hold an election plus time associated. There will be a reduction in cost by not holding elections on odd years. Mound Westonka would hold their own odd year election which impacts about 100 Independence voters.

Johnson – Not only the cost of paying the Election Judges, but I was surprised by the extravagant publishing costs.

Kaltsas – Election costs are higher due to more onerous requirements quality checks, trainings, electronic things, a smaller city staff putting lots of energy towards leading up to Election Day.

Johnson – Does the state law require odd year early voting?

Kaltsas – Yes, we do, but Amber would know more.

Mayor Johnson explained to Grotting that it was initially set up for odd year elections when the township was turned to a city. We've had odd year elections ever since.

Grotting – So it's more of a housekeeping issue.

Kaltsas – If you want more people to participate in local government, it's important to have a better voter turnout so you'd want to change it. When there's not much on an election agenda, getting people to turnout to vote can be harder. Historically, we get 25-30% in an odd year and in the 80's % in even year election. It's not even just the City of Independence residents that have this type of turnout.

Johnson – When school year issues, that increase turnout too.

Grotting – It mostly affects me and Ray.

Kaltsas – It evenly affects the Mayor and whole Council's term extension. We can't change it this year, but we can make the change for next year. There are 2 seats up next year and we're extending those. The others won't see theirs until later.

Betts- This is probably the easiest thing to do now and get it taken care of.

Johnson – There are actually 3 seats because the Mayor is up next year too.

Grotting – What's the legal interpretation as what might perceive as the gain.

Kaltsas – I had the City Attorney look to give us an opinion, and the Council has complete authority to determine the local election schedule including extending the terms. By extending everyone, it's even.

Spencer – Orono extended a year too.

Johnson – Spring Park also extended everyone's term 1 year without any issues. The Orono School Board issue, but when the candidates were interviewed, only 1 person brought it up.

Grotting – Can a person abstain? (Council discussed only a majority vote was needed to pass it.)

Betts – Having a Mayoral election at the same time as Presidential election is important in the timing.

Johnson – We do have it on the floor.

Spencer - Anyone can resign their position if the term was extended and a councilor wanted to move.

This year's turnout was close to 2,200 but last year is about 400. The school board elections increased turnout this year. I've been thinking this is the right thing to do for a long time.

Johnson - Not that I'm looking for another year, but I do think it's the right decision. Any further discussion?

(The motion from 2 meetings ago was still on the books.)

**Motion by Betts, seconded by Spencer to approve ORDINANCE NO. 2022-07 – approving an amendment to Chapter II, Section 210.01 of the Independence City Code extending terms one year. Ayes: Johnson, Betts, and Spencer. Nays: Grotting. Absent: McCoy. Abstain. None. MOTION DECLARED CARRIED. 3.1**

9. Certification of Delinquent Sewer Service Charges as Special Assessments.

- a. **RESOLUTION NO. 2022-1115-01** – Resolution certifying delinquent sewer service charges.

Johnson- This happens annually, and some delay their charges to annually to add this charge to their taxes even though it is not legal for a tax deduction.

Kaltsas- Only these 7 of the 240 some sewer service charges were delinquent. Earlier there were more but many made payments. All were notified of tonight's hearing if they had a problem with their bill.

**Motioned by Johnson, seconded by Grotting to approve RESOLUTION NO. 22-1115-01 to certify delinquent sewer service charges as special assessments. Ayes: Johnson, Betts, Spencer, and Grotting. Nays: None. Absent: McCoy. Abstain. None. MOTION DECLARED CARRIED. 4.0**

10. Windsong Golf Club – North Course Expansion Project: Environmental Assessment Worksheet.

- a. **RESOLUTION NO. 22-1115-02** – Resolution issuing a negative declaration of the need for an Environmental Impact Statement for Windsong Golf Club north course expansion project.

Kaltsas stated this request was a housekeeping item associated with the approved conditional use permit and this was one of the conditions that we make a negative finding relating to having to do further environmental investigation for the golf course. The conversion from 80 AG acres to an 18-hole golf course automatically triggered this. The assessment worksheet was done and ultimately received comments and responded to it. The next level of environmental review would've been impact statement, but no issues were identified triggering the next step. So the City can safely make a negative declaration of the north expansion project. This is a formality. Note the 100 pages. The applicant used their own engineer, and the city administers the process. The response to comments made were agencies, watershed districts, army corps, etc. all made comments. This makes the negative declaration and will publish it to complete.

Betts – In the cultural consultant's letter, they talked about the location being in Maple Plain. Can we be sure it's correctly stated as being in Independence?

Kaltsas –The proper legal description and map will be used.

Betts- Later on another page it states Maple Plain township, not Independence.

Kaltsas- Primarily related to the wetlands, and heritage, buildings, species, and nothing was found.

Grotting – Were there drain tiles being mitigated?

Kaltsas- Most of the drainage will be significantly altered and added back.

Johnson – Being such a dry year could've hindered it in the burial ground.

Kaltsas- That is part of all of those reviews and assessments, and nothing was identified and shown on lists.

Johnson- Was there any other discussion before we vote on Resolution 22-1115-02?

**Motioned by Grotting, seconded by Betts to approve RESOLUTION NO. 22-1115-02 as written issuing a negative declaration of the need for an environmental impact statement for the Windsong Golf Club North Course expansion project. Ayes: Johnson, Betts, Spencer, and Grotting. Nays: None. Absent: McCoy. Abstain. None. MOTION DECLARED CARRIED. 4.0**

11. Open/Misc.

12. Adjourn.

**Motion by Spencer, second by Betts to adjourn the meeting at 7:08 pm.**

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Respectfully Submitted,  
Linda Johnson / Recording Secretary