



CITY COUNCIL MEETING MINUTES
TUESDAY SEPTEMBER 19, 2023

6:30 PM REGULAR MEETING

1. Call to Order
2. Pledge of Allegiance
3. Roll Call

PRESENT: Mayor Johnson, Council members Spencer, Grotting, McCoy
STAFF: Mark Kaltsas, Amber Simon, Gary Kroells
ABSENT: Council member Lynn Betts
VISITORS: John Dialing (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 August 29, 2023, Regular City Council Meeting.
- b. Approval of Accounts Payable (Batch # 1; Checks Numbered 22283-22295, Batch # 2; Checks Numbered 22296-22315).
- c. Approve Annual Contribution to Delano Senior Center for Services Provided to Independence Residents.

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

Spencer attended the following meetings:

- City workshop
- MP Fire/WHPS softball game
- Hwy 12 Safety Coalition Meeting

McCoy attended the following meetings:

- MP Fire/WHPS softball game

- Hwy 12 Safety Coalition
- Workshop
- Fire Commission
- Vietnam Veterans dedication

Johnson attended the following meetings:

- Planning Commission Meeting
- MetCouncil Policy Committee Meeting
- Funeral – McCauly
- Northwest Trails Annual Appreciation Dinner
- Budget Workshop
- Hwy 12 Corridor Coalition Meeting
- MP Fire/WHPS softball game
- Mayors Breakfast Maple Grove
- Vietnam Veterans dedication
- Waffle Breakfast Delano Senior Center
- Funeral- Gov Quie's
- Regional Council of Mayor's Meeting
- MP Fire Department Meeting
- Small Cities Council Zoom Meeting
- Energy Environment of Natural Resources for NLC – Zoom Meeting
- Northwest League
- League of MN Cities

Simon attended the following meetings:

- Budget Workshop

7. West Hennepin Public Safety Monthly Report for September 2023 – Chief Gary Kroells.

August 2759 Total Incident Complaints

- 233 in Independence
- 123 in Maple Plain

See full police report

8. Consider Approval of the 2024 Preliminary Budget and Tax Levy:

Kaltsas – kept the same budget and dialed in a few numbers on fire services. We are proposing a budget that represents a reduction in overall tax rate by an additional 2%. This is the second year in a row the city has been able to reduce the tax rate. We can do that because market value continues to rise about 10% year over year. Increase total operating levy by about 5.5%. Major increases are inflationary – health insurance, payroll, liability insurance and things that go along with inflationary pressures. We still can reduce or hold flat. What that means to a resident – if you have a flat valuation, you will see a decrease in your taxes on the city side. A city only makes up about 30% of total tax. Budget has changes in fire and WHPS budget included. It has the city's capital improvement for equipment for Public Works. Includes Pioneer Sarah Creek management organization's annual levy. This goes to residents in that district. If you are in Minnehaha – you pay directly to the district.

This is a prelim levy. We can go lower by December but cannot go higher. A few things will be tweaked like delinquent utilities.

Johnson – did you ever find out if that road fund got approved with legislature.

Kaltsas – it did get approved but don't know the amount. It was a biannual approval. It's about \$20m this year and under \$18m last year. We can potentially use that amount to decrease our levy. We have been conservative on capturing the dollars in the budget if we can maintain a certain level of new building permits.

- A. **RESOLUTION NO. 23-0919-01** – Establishing the General and Debt Service Preliminary Tax Levy and Setting a Date for the 2023 Truth in Taxation Meeting for December 5, 2023, at 6:00 PM.

Motion by Spencer, seconded by Grotting to establishing the General and Debt Service Preliminary Tax Levy and setting the date for the 2023 Truth in Taxation Meeting. Ayes: Johnson, McCoy, Spencer, and Grotting. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0

- B. **RESOLUTION NO. 23-0919-02** – Establishing the Pioneer Sarah Creek Watershed Management Commission Preliminary Tax Levy.

Motion by Spencer, seconded by Johnson establishing the Pioneer Sarah Creek Watershed Management Commission Preliminary Tax Levy. Ayes: Johnson, McCoy, Spencer, and Grotting. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0

Spencer – note from Joe Baker – make sure we are aware that the budget will remain unchanged for 5 years, including this year.

9. Jon Dailing/Windson Farm Golf Club (Applicant) and David Meyer (Owner) are requesting the following action for the properties generally located at 18 Golf Walk and 550 CSAH 92 N. (PID No.s 32-118- 24-13-0001, 32-118-24-42-0001, 32-118-24-24-0001, 32-118-24-31-0002, 32-118-24-42-0030, 32-118-24-43-0002, 32-118-24-42-0031, 32-118-24-42-0029, 32-118-24-42-0025, 32-118-24-42-0036, 32-118-24-34-0001 and 32-118-24-31-0001) in the City of Independence, MN:

Kaltsas – request to amend CUP in AG district to expand club house, locker room and proshop. Guided public, semipublic. Has had CUP for a long time. They have expanded the CUP several times. They have a series of projects – renovation work to pro shop and locker room and now club house. They have 3 buildings located in the main campus. They would like to combine pro shop and locker rooms and expand locker rooms considerably to be able to accommodate current membership. There are many members without lockers and have been for some time. Also allows for a modest expansion. Their membership cap is set already and there will not be adjustments to that. Double the space. The additional space is to clean up the areas and providing a better wine room and whole new bathroom. Public Hearing was held, planning commissioners just asked about the

membership piece and if it opens it up for further expansion. The additional space has been needed for some years to help with their current members. There are no events, etc that will be happening. Improvements really support current membership. Septic would need to be reviewed from building inspector. It is part of the building permit process. No trails or roads are being impacted. No changes to infrastructure or facilities. Changes will happen within the footprint of the existing complex as you come into main courtyard of the club.

Grotting – I remember talking about Lyndale septic system – when you have a system of that size, is there any issue with a septic size that big having an issue here.

Kaltsas – They have similar issues, but this is all private and they must meet the state guideline and requirements. Lyndale served a bar. Windsong has a private system, and they have land.

- a. **RESOLUTION NO. 23-0919-05** – Considering approval of a conditional use permit amendment to allow the modification and expansion of the main club house building associated with the golf course.

Motion by McCoy, seconded by Grotting to approve of a conditional use permit amendment to allow modification and expansion of the main club house building associated with the golf course. Ayes: Johnson, McCoy, Spencer, and Grotting. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0

10. Consider Final Adoption of the 2040 Comprehensive Plan Following Approval by the Metropolitan Council:

Kaltsas – started process in 2017 to start this amendment. Submitted plan to Met council in 2018. Resubmitted in 2019 and until May 2023 we worked with Met council on a couple of key points. The 2040 plan is based on the land use planning act requirement that the Met council has authority over. We have to adopt and update every 10 years. 5 years after our 2010 plan, Met council sends out system statements for their best guess on how much the region is going to grow. Each community shows how many households and population of growth and what you must accommodate by the next submission. Independence sent back a letter saying we don't agree. We could grow more to maintain flexibility with other factors. We negotiated for the last 4 years with your calculation. We established sewer to 250 residents. Met council said Lindgren can connect to sewer but you have to offset the density of that connection to compensate for that somewhere else in the city to make up for that. The bailout should not count toward the city. Met council finally agreed. They erased our slate and said we can start over without Lindgren lane. We still must accommodate the growth they said we will have. We are trying to create a plan on where in the city is the best area for a suburbanized growth that meets their density requirement. We came up with these locations based on property owners, available property and their land. All locations come up to Maple Plain and could utilize city sewer. Met council says you must allocate a certain amount of land for affordable housing in high density. They allocated 54 units to the City Independence. When discussed, the most logical location for this would be up against Delano with the grocery stores, jobs, medical, pharmacy, etc. Met council won't give us credit that is outside of the urban service area or outside of their sewer area. It won't count. We had to move it back. It doesn't have to go on there if other property made more sense. We have to have a

place holder 54 affordable housing units. It is across from an apartment complex, church and park.

Grotting – You mentioned you have had pressure from existing landowners for high density

Kaltsas- pressure from landowners that would like to develop their land.

Johnson – this landowner has come in with plans to develop 2 or 3 different times.

Kaltsas – the brown area was significantly pulled back from our 2030 plan. We just included properties with enough acreage that could do this. We lowered the density from a minimum of 4.7 units/acre back to a minimum of 3.5 units/acre. We are forced to hit 3.0 units per acre. Both yellow properties are largely being driven by the property owners. Met council doesn't give credit for the max number, just the lowest number. Those areas would be developed as suburban density development at a minimum of 2.7 units/acre and maximum of 2.7 units/acre. The Met council only recognizes the minimum and gives no credit for going over the minimum. Our system statement says we can only grow by 300 households over the next 20 years. That was a departure from our 2030 forecast which they gave us in 2005-2006 that said we would grow by 593 units. We asked if you could leave 2030 alone. They said no. We asked to have a flexible MUSA within the orange, brown and yellow. City has the ability to stipulate where those 300 units go. We were able to get a flexible MUSA. Met council would like to build our own sewer station not connecting to another city sewer system. Properties north of Maple Plain would connect to the Maple Plain sewer system. When Budd Street was re-done, we paid to oversize of the pipe so we could connect. Regional Lift station (LS63) is located on Willow and Poplar. Another lift station on East side of Hilltop. Suggesting the system accommodate a much larger growth area in the future. Future land use map shows blue line is separating Rural Residential and long-term AG. Dark green is AG preserve and light green is AG.

a. **RESOLUTION NO. 23-0919-03** – Adopt the 2040 Comprehensive Plan.

Motion by Johnson, seconded by Spencer to adopt the 2040 Comprehensive Plan.

Ayes: Johnson, McCoy, Spencer, and Grotting. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0

11. Approve Change in Fire Department Service Area Boundaries.

a. Approve Letter to the City of Delano Notifying of City's Intent to Not Renew the Contract for Fire Service.

Kaltsas – we would not be renewing our annual contract with Delano to provide services to the western side of Independence. We would be utilizing MP fire and West Suburban to pick up those locations. In order to do that, we need to notify Delano before Oct 1st.

We will publish a new map for both fire depts. The fire commission from MP approved, West Suburban approved it.

Motion by Johnson, seconded by Spencer to approve letter to City of Delano. Ayes: Johnson, McCoy, Spencer, and Grotting. Nays: None. Absent: Betts. Abstain. McCoy. MOTION DECLARED CARRIED. 3-0

12. Consider Nomination of Minnehaha Creek Watershed District Representative, Sherry White.

- a. **RESOLUTION NO. 23-0919-04** – Considering Appointment to the Board of Managers of the Minnehaha Creek Watershed District.

Johnson – Supreme court hearing saying that the city needs to be the nominee. I nominated Sherry a couple times in the past. She is chair of the watershed district. She asked if the city would endorse her as a nominee again. Her husband used to be mayor of Orono. I would appreciate the city's support.

Motion by McCoy, seconded by Johnson considering appointment to the board of managers of the Minnehaha Creek Watershed District. Ayes: Johnson, McCoy, Spencer, and Grotting. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0

13. Set Date and Time for New Neighborhood Ribbon Cutting; BridgeVine and Koch Farm Sanctuary.

October 3rd before the meeting – 5:30 tentatively.

14. Open/Misc.

Collin Brown – 5315 Sunset Lane on behalf of the Snowmobile association with the county regarding Turner Rd. I've been speaking with Bryant Johnson. The developments request is to use Turner Rd and not pull into development until after power line. Asking council to support us to continue using Turner Rd Easement. Trail is still being used with four-wheelers.

15. Adjourn.

Motion by Spencer, seconded by Grotting to adjourn the City Council Meeting at 8:34pm. Ayes: Johnson, McCoy, Spencer, Grotting. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0