



CITY COUNCIL MEETING AGENDA
TUESDAY APRIL 16, 2024

****PLEASE NOTE****

6:00 PM: RECONVENE OF LOCAL BOARD OF APPEALS AND EQUALIZATION MEETING

1. Call to Order
2. Hennepin County Assessor: Present Local Board of Appeals and Equalization Information.
3. Adjourn.

CITY COUNCIL MEETING TIME: 6:30 PM

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

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 April 2, 2024, LBAE Meeting.
 - b. Approval of City Council Minutes from the April 2, 2024, Regular City Council Meeting.
 - c. Approval of City Council Minutes from the April 11, 2024, City Council Workshop.
 - d. Approval of Accounts Payable (Batch #1; Checks Numbered 22743-22767, Batch #2, Checks Numbered 22768-22779 and Batch #3, Checks Numbered 22780-22794).
 - e. Large Assembly Permit:
 - i. Tour de Tonka – August 3, 2024
5. Set Agenda – Anyone Not on the Agenda can be Placed Under Open/Misc.
 6. Reports of Boards and Committees by Council and Staff.
 7. Hennepin County Commissioner Annual Council Visit – Commissioner Kevin Anderson.

8. Consider Approval of Funds Transfer as Recommended to Close Out ARPA Funds.
 - a. **RESOLUTION No. 24-0416-01** – Considering approval of the transfer of funds in accordance with the finance recommendations.
9. Consider Approval of a Resolution Supporting Retention of Local Land Use and Zoning Control and Opposing the *Middle Housing Bill*.
 - a. **RESOLUTION No. 24-0416-02** – Considering approval of the transfer of funds in accordance with the finance recommendations.
10. Open/Misc.
11. Adjourn.



BOARD OF APPEAL AND EQUALIZATION (LBAE) MINUTES
TUESDAY, APRIL 2, 2024 AT 6:00 P.M.

1. CALL TO ORDER

Pursuant to due call and notice thereof the Independence City Council/ Local Board of Appeal and Equalization meeting (LBAE) was called to order by Mayor Johnson at 6:00 p.m. in the City Hall Chambers.

2. ROLL CALL

PRESENT: Mayor Johnson and Councilors Spencer, Grotting, Betts, McCoy
ABSENT: None
STAFF: City Administrator Kaltsas, City Administrative Services Director Simon
VISITORS: Hennepin County Assessor Joby Rausch, City Attorney Vose, John Mika, Mark & Lisa Kroskin, Mary Fehn, Joseph Kovack

Johnson started the meeting by explaining that this assessment year was from 10/1/2022-10/1/2023. He said one of the major increases that was seen this year was in AG land. It has gone up from \$7,300 to \$10,000/acre. Anyone with AG land would see that increase.

Joby Rausch stated HC values every property as of January 2nd using sales data from 10/1/2022 to 09/30/2023 and trend any sales forward towards Jan 2, 2024.

This year some growth statistics are as follows:

Single Family residences saw an increase of 3.7%

Other Residential increased by 3.1%

Commercial increased by 5.7%

Industrial increased by 17.7%

Duplex and Triplex increased 4.8%

Total Market Value for the City of Independence is \$1,212,775,300 and included in that is \$21,578,300 worth of new construction. Overall, net percent increase for all property types throughout the city is 4.6% and gross percent increase for all property types is 6.5%.

Johnson stated that he wants to make sure people understand that most cities in the county have turned this hearing over to the county directly. We felt it was important that the council retain this hearing so that if we see a trend happening in Indy or a particular area

that we can negotiate with the assessor for you if we feel the same inclination. That's why we continue to hold the LBAE at the city hall.

Mayor Johnson asked that anyone wanting to speak come to the podium one by one to voice their concerns before we take any action.

Mary Fehn – 2930 Lindgren Ln – On the West side of Lake Independence. PID 13-118-24-24-0031. She stated that she is a single homeowner, and the value has gone up \$400,000 more over the last two years. She said that comps around her are new houses or complete remodels. She spoke with Joby today. She is asking for her house assessment to go down. She said she will have to sell since she can't afford to live there anymore. She needs a new roof and new deck. She sold 1/3 of an acre to her neighbor and after 2 years it's still not completed with HC. It may affect taxes in 2025.

Joby said her value will change depending on when that division is received. She normally wouldn't receive a valuation notice but this one has special circumstances. The deed did not get recorded correctly or at all.

Fehn said she did send the certified appraisal to Joby that was done at the time of the division.

Grotting said it's surprising what is being torn down on the water. Her value is in the land, not the home. The Bridgevine comps should be looked at significantly differently because of the business they are in over there.

Joby said the Bridgevine property wouldn't be included in any sales. We look at sales off of Lindgren Ln. The appraisal was 2 years old. A home sold 3 houses down from her for \$1.1m and it was a tear down as well. He said HC is even low on the assessment now even if they don't include the house value. He said his hands are tied to lower it even more.

Mark & Lisa Kroskin - 6000 Providence Curve stated they were valued at \$964,700 and we bought in 2015 and they didn't do anything besides mechanical and garage updates. In 2016 they had it appraised for a refi. He said he had been talking with Joby on the 18th of March and it came in at \$925k. Joby wrote back and said we still feel number is correct and Mark said he asked why. Joby said the appraiser didn't add value to the common area. Mark said reached out to the appraiser on this – Dave Ostertag. Mark asked the appraiser about the HOA common ground. The appraiser said he mentioned it but didn't give additional value because 90% of it is wetlands. Kroskins said they have a designated area with a gazebo and pond area for people to use but it's pretty disburshed. Members are allowed to use Outlot A, B and C. All of A is wetland. B is wetlands. The appraiser is going to redo it and put his notes in. Kroskins asked if the difference of \$39,700 the value for the common area?

Joby stated that in the appraisal, he didn't take out any of the wetland areas. Almost all the surrounding houses also had wetland area. When comparing their property to yours, the appraiser used an adjustment we haven't seen before and was way higher than we have ever seen before. Joby said he supported the HC value. He said he disagreed with the valuation the appraiser gave. Joby explained that Kroskins technically have more land than you own do because of the wetland areas.

Lisa Kroskin said they technically only own 1.9 acres. She asked how do you parcel out parts of common ground.

Joby said their property will sell differently because they have all that common area as well.

Lisa said if you look at comps in our area, you have comped similar areas such as ours or just recent months. None of these are in an association. When they say 15 acres, its their owned property.

Johnson said you would benefit from that if rules changed and zoning changed in the city. A certain number of acres tillable, but most of it is wetland.

Kaltsas said half of the outlot has to be upland. The Providence development set the standards for future ones.

Lisa said she has been in industry since 1991 in remodeling, kitchen, etc. The comps to their property have done significant remodeling. It would take over \$100k to get it to these comps.

Joseph Kovack – 3060 Lake Sarah Rd – He stated that his valuation has gone up 37% in the last 4 years. The house was built in 1988. There are no out buildings. He has approx. 4 acres all woods, nothing agricultural, and no updates to the house besides septic system.

Johnson asked if he has visited with the assessor.

Kobel said not yet.

Johnson explained that the last two years on average the values have increased 17-19% in the last two years but our taxes in the city did not go up like that.

Joby said until we look at it we won't know but on average we are seeing 20% each year over the last two years across the county.

John Mika – 7620 Pioneer Creek Rd – 21-118-24-34-0002 – Mika said he met with Mr. Rausch. He said his property has been incorrectly assessed as having an extra bedroom and bathroom for several years. His sister and him live right by each other and built the same year. Everything is almost exactly the same.

Rausch said he has more finished sqft.

Mika said they did reduce it a little, but he doesn't think it's enough. He said it is a modular home. The comp home I looked up was at 1760 County Rd 92 N. It has several hundred more sqft, a sport court, outbuilding, and more. He said Joby did reduce the value from \$735k for 2024 is our valuation. Mika said Joby countered at \$720k. He thinks it should be closer to his sisters at \$654k. Joby said his sisters is at \$674k. but sister has less finished sqft.

Council discusses

Fehn:

PID: 13-118-24-24-0031

Johnson said let's start with Mary Fehn's property. He said he doesn't know if there is anything more council can do and there are a lot of moving parts.

Joby said HC supported the values and their decision is made, so HC can't lower it anymore, but it would be up to council.

Johnson said sometimes it is the case where you have not been in the home to see it yourself.

Joby agreed. It was just Mr. Kovack that they have not touched base with yet so they can schedule something or do a reconvene.

Johnson said we usually do a reconvene because we qualify for the time period and we can discuss it more.

Spencer said Mary's is up 31% for this year. He asked if there was any offer or an adjustment.

Joby said he looked at the appraisal but it was over 2 years old and lake lots have increased significantly. The comps on that street still supported this valuation.

Spencer asked if all appreciation was in land itself.

Joby said yes.

Johnson asked what percent of the property was sold.

Mary said 1.3 acres and sold .3.

Joby said the property that sold right down the road was 1.08 acres for \$1.3m.

Johnson said the value is in the land.

Spencer told Mary it's going to get you again. It will catch up.

Johnson said the reality is the value is in the land. We have enough depreciation with the house.

Joby said we have to value the overall value, that's what the land was worth itself.

Johnson said we can emphasize with you but have to deal with reality too.

Spencer said he has a suggestion. He understands the impact of a 31% increase in one year. He thinks it will catch up with her again next year. The lake is just going up. He said if he were to take some consideration for what you transferred to Roers and take it down to \$600k on the property itself, we would lower the total assessed value from \$910k down to 833k. There is going to be a little adjustment. Propose a reduction by \$77k. **Spencer, seconded by mccoey** land value from 677,300k to 600,300, leave house the same. Total \$833,600k, 5-0

Motion by Spencer, second by McCoy to propose the property assessment reduction in her land valuation from \$677,300 to \$600,300k, removing \$77,000 for the portion of her property that has sold for a total valuation of \$833,600. Ayes: Johnson, Spencer, Betts, and Grotting. Nays: None. Abstain: None. Absent: None. MOTION DECLARED CARRIED.
5.0

Kroskins:

PID: 14-118-24-42-0008

Johnson confirmed the valuation went from \$975k last year to \$964,700k

Spencer said they saw a decrease of \$10,300. The valuation in 2022 was \$823k. They saw the biggest jump from 2022-2023 when interest rates were really low. They are seeing a 17% net which doesn't seem that out of line for Orono school district. Wetlands are valued since you won't see any houses around you. He asked Joby his recommendation.

Joby said his recommendation would be no change.

Motion by Johnson, second by Spencer to leave the valuation as proposed. Ayes: Johnson, Spencer, Betts, and Grotting. Nays: None. Abstain: None. Absent: None. MOTION DECLARED CARRIED. 5.0

Kovack:

PID: 15-118-24-22-0033

Joby recommended no change so we can have time to take a look at it and reconvene.

Spencer said to Kovack that Joby will come out and take a look at it with you. If not, he can come back to the reconvene.

Betts moves no change until assessor visits, seconded by McCoy 5-0

Motion by Betts, second by McCoy to move no change until assessor visits the property. Ayes: Johnson, Spencer, Betts, and Grotting. Nays: None. Abstain: None. Absent: None. MOTION DECLARED CARRIED. 5.0

Mika:

PID: 21-118-24-34-0002

Johnson asked if his sister's property the same acreage.

Mika said yes, about 10 acre lots.

Johnson said the value of \$10k/acre on Ag land has to be considered too.

Grotting said he just sold some AG land on Nelson Rd for \$14,500/acre.

Spencer asked if his sister's property is just to the West of his.

Joby said the address of sister's property is 1912 Co Rd 92 is sister's property. Land value is the same, but building and more sqft and half basement is finished.

Betts asked what year the house built.

Joby said 2004. I was comparing it to the other property on 92 which I found to be large differences. It is several hundred more sqft and large outbuilding as well.

Johnson asked Joby if he has been to this property.

Joby said yes, but not the comp. last sold in 2020.

Mika asked if there is an assessment adjustment for modular construction.

Joby said modular type homes can have a lower quality value, but it doesn't necessarily mean there will be.

Spencer said it wasn't the home value that caused the increase, but increase in the land.

Joby said the value now is \$720k, which was lower than the previous year.

Mika said the valuation was wrong before with the additional bathroom and bedroom.

Spencer confirmed that Joby lowered the structure value. It seems reasonable to lower it to \$720k.

**Spencer, seconded by Betts to value at \$720k recommendation from Rausch. 4-1
Grotting (nay)**

Motion by Spencer, second by Betts to approve the value recommended by Rausch of \$720k. Ayes: Johnson, Spencer, Betts. Nays: Grotting. Abstain: None. Absent: None. MOTION DECLARED CARRIED. 4.1

Johnson asked if someone contacts you from now until the next meeting, do you still hear them.

Joby said you can keep it open or close it. If anyone calls in between now and the reconvene. We recommend keeping it open.

Joby reads in properties that have agreed with valuation:

Residential

13-118-24-24-0031- \$910,600 -\$833,000 -Board Change

14-118-24-24-0005- \$1,422,000 – \$1,350,000

15-118-24-32-0001- \$492,100 – \$452,000

21-118-24-34-0002- \$761,200 – \$720,000

Industrial

23-118-24-23-0001- \$839,000 No Change

Johnson mentioned that anyone that was here tonight can still appeal at the county level if they do not agree.

Motion by Spencer, second by Johnson to approve the valuations read into record from Rausch. Ayes: Johnson, Spencer, Betts and Grotting. Nays: None. Abstain: None. Absent: None. MOTION DECLARED CARRIED. 5.0

Motion by Betts, second by McCoy to reconvene on April 16th at 6:00pm. Ayes: Johnson, Spencer, Betts and Grotting. Nays: None. Abstain: None. Absent: None. MOTION DECLARED CARRIED. 5.0

3. Adjourn.

Meeting adjourned at 7:09p.m.

Respectfully submitted,

Amber Simon, Recording Secretary



CITY COUNCIL MEETING
MINUTES
TUESDAY APRIL 2, 2024

CITY COUNCIL MEETING TIME: 6:30 PM

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, Grotting, McCoy and Betts

Absent: None

Staff: Kaltsas, Simon

Visitors: Attorney Vose

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 March 12, 2024, Regular City Council Meeting.
- b. Approval of Accounts Payable (Batch #1; Checks Numbered 22700-22722, Batch #2, Checks Numbered 22723-22734 and Batch #3, Checks Numbered 22735-22742).
- c. Agriculture Preserve Application for the following property: PID No. 30-118-24-22-0002

**Motion by Spencer, seconded by Betts to approve the Consent Agenda. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None Abstain: None.
MOTION DECLARED CARRIED. 5-0**

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:

- LMCC Executive Committee Meeting
- Planning Commission Meeting
- Joe Baker (out of town) Pioneer Sarah Watershed Management Meeting in his absence
- Board of Appeals and Equalization Meeting



Grotting attended the following meetings:

- Board of Appeals and Equalization Meeting

McCoy attended the following meetings:

- Board of Appeals and Equalization Meeting

Betts attended the following meetings:

- Board of Appeals and Equalization Meeting

Johnson attended the following meetings:

- NW League Meeting
- Hwy 55 Corridor Commission Executive Committee Meeting at the State Capital
- Tom Goodwin Meeting
- Local Senate District Convention in Plymouth
- FFA Awards Ceremony for Rockford High School
- MN AG Day Gala at the State Fair Grounds
- Meeting with Orono Healthy Youth
- Met Council State of the Region Meeting
- Sensible Land Use
- Minnehaha Watershed District Hearing regarding County Rd 6 pond
- Board of Appeals and Equalization Meeting
- State of the City LMCC Speech
- Mayor Jerry Rockvam from Spring Park passed away
- Larry Bakken former Golden Valley mayor passed away

7. Open/Misc.

8. Adjourn.

**Motion by Spencer, seconded by McCoy to adjourn at 6:42pm. Ayes: Johnson, Betts, McCoy, Grotting and Spencer. Nays: None. Absent: None Abstain. None.
MOTION DECLARED CARRIED. 5-0**

9. Meeting adjourned

Respectfully Submitted,

Carrie Solien/Recording Secretary

MINUTES OF A WORK SESSION OF THE
INDEPENDENCE CITY COUNCIL
THURSDAY, APRIL 11, 2024 – 7:00 AM.
(WHPS Conference Room)

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a work session of the Independence City Council was called to order by Mayor Johnson at 7:00 a.m.

2. ROLL CALL

PRESENT: Mayor Johnson, Councilors Spencer, Betts, Grotting

ABSENT: McCoy

STAFF: City Administrator Kaltsas, Administrative Services Director Simon, Public Works Supervisor Bode

VISITORS: Michael Hirsch (Engineer with Kimley Horn), Sergeant Dennison

3. Gravel Road Capital Planning

Kaltsas explained that this is really a follow up meeting to when the Copeland Road residents approached the city about the road and also a comprehensive look at gravel roads in general for the city. He said rather than just focusing on Copeland, let's look at the whole city since we know we have some issues with gravel roads. Then we can put them together into solutions and numbers as well. Michael Hirsch (engineer with Kimley Horn) and Shawn Body (Public Works Supervisor) went out and drove most of the city gravel roads. Bode told Hirsch about known issues and ongoing problems and ranked the worse problems to the less extreme problems. We broke them down into segments of longer roads or full roads. One thing that is a given is that we have run out of gravel, or we are running out of gravel for the roads. We are trying to get the city back to having a substantial amount of gravel on hand to maintain them. Some roads are hard to get to a reasonable standard of maintenance because the city doesn't have the materials. We are pulling clay, dirt or mud when we go out to try and repair them. The idea is, we need to put a gravel layer back onto our roads; about a 6" cap or replacement onto the roads. In addition to the 6" they identified other issues, such as: culverts – where and when. Drainage is another issue. We know we have known issues where ditches aren't functioning like they should, or we are rutting alongside the roads. The city is looking at what roads have the worst roads based on our ability to maintain those roads and what roads are most traveled.

Johnson asked if we have a travel count on all the roads.

Kaltsas said we do not. He said the city has been specifically monitoring Copeland Road, but we do have a tracker so we can get those numbers.

Kaltsas said the city has developed a prioritization based on our experience and where we are struggling to maintain roads and the high traffic volume roads.

Johnson asked if the quality of material we are using is the same as it was or are we running out of good material.

Bode said it is completely different. We do have granite this year so it won't break down as fast.

Kaltsas said the city understands that we need more gravel to maintain these roads. The city could do capital planning in increments or it could tackle a big project at once. Copeland Road is one of the highest traveled roads and also has the most well known issues with the highest level of road to maintain. The city will talk

with Copeland Road residents again on getting their road prioritized. Our top priority roads would be Copeland Road first, then Pioneer Creek Road on the West side of 92, Lake Sarah Rd, Nelson Road (high number of residents and it is a through road), Turner Road and then County Line Road. There are still a lot of roads outside of those that need repairs as well.

Johnson said the thought Pagenkoff West of 90 would be on there due to Valley Road closing.

Bode said from what public works can see when they are grading, Pagenkopf holds up fairly well. He said he thinks traffic is going out Lake Sarah Rd now. He will go out and grade once more after the rain and start traffic counts.

Kaltsas said he thought about doing a 6" across the city gravel roads but when costs and issues are identified it goes into excavating, ditch grading and drain tile in certain areas that it would increase the costs to do that.

The city could start to build into a gravel road budget item similar to how we have drain tile and seal coating set up. Five to seven years ago there was nothing in there and now it is annually building up. We could build it into the budget so we can always utilize those funds forever or do a lump sum to address some of all the roads at once. Then what is the impact on budget and what can we afford to do would be the question. The bonds we have out go until 2040 and we don't have a lot of tax capacity until 2040 based on our other debt. This is a different city than it was 25 years ago. The road traffic is different.

Grotting asked what if we did the same for Copeland and Nelson. Ask the residents if the city contributed $\frac{3}{4}$ or less and asked the residents to help at a lower rate than a normal assessment.

Johnson said that residents are back and forth on being in favor and not in favor of improving roads.

Spencer said Copeland residents are not in favor of paving the North end.

Grotting said ultimately it has to be paved at some point. We are going there.

Kaltsas said when the residents came back, there were way more people that didn't want it. Speed is a major issue as well. From the golf course to County Road 6 the traffic count was 2,500 trips in one week, Mon-Fri. For the rest of the stretch to the north, the count was 720 for the same week. Residential numbers are exactly what they should be for normal residential use. No one is driving through Copeland Rd like we expected.

There are a lot of contractors that we seen out there such as landscapers, plumbers, etc going up and down that road which contribute to the wear and tear.

Grotting said maybe we come up with a plan for when someone comes through the door willing to write a check to cover a portion of the costs. If someone is able to step up, the city is willing as well.

Kaltsas said someone did do that. Actually, a couple properties are interested.

Johnson asked if there is a point where we are going to accomplish what we want to with tiling the roads.

Kaltsas said that's a really good point. The city does have a plan for tiling roads. We are still about 7-8 years out. One thing we lined up is Copeland, to tile the second half in 2024 from Pioneer Creek Rd to the South. Next year we are going to do Pioneer Creek Rd from County Road 92 West to Copeland. The 3rd year, Lake Sarah Rd from Fogelman to County Rd 92. We are going to be tiling roads and aligning that. At some point the tiling budget goes away. We did a one-time bituminous road overlay but that's a 15+ year fix.

Spencer said we are coming up on redoing another overlay. If you break it down by volume and we will have to do 1/3 of asphalt again in the coming years. Some of these roads were built with low standards. That's going to be coming back around about the time we need to pay on the bonds.

Kaltsas asked how we solve for that. He asked if it is through bonding or budgeting. Staff would like to manage a 10-year cycle so we know we have the money.

Betts asked if once it is bonded, can you refinance.

Kaltsas said yes you can. Tammy keeps an eye on that for us too.

Spencer said we are not projecting lower rates for a while.

Betts asked if we are getting a better deal if we go ahead with it or wait.

Spencer said we are flat to slightly higher over the next 3 – 5 years.

Grotting said cities are having this conversation across the country.

Spencer said we have so much taxable market value coming into our system to show a large budget jump but a steady tax rate. We have enough real estate coming in. Let's take a look at the roads that need attention, do a

bond and hammer those, the rest do the 6" gravel and get on track with a budget to do \$200-250k per year to address roads.

Kaltsas said it's the debt service issue. If we issue the debt, then we are stuck with the debt. The city currently has a budget bucket for sealcoating, tile and bituminous road maintenance.

Spencer said he is shooting for some visibility for our residents. He said show them that we are doing something for the roads. Start with gravel and culverts. Hammer the trouble spots, and set up an annual amount over the next 8-10 years and show a couple big projects. We might have to do a 8-9% overall jump but it would still be less than 35% tax rate. Asphalt is sneaking back up too. We won't have to do as many since some are lasting longer than others, so it may be less expensive. We need to do something after looking at Copeland and Lake Sarah Rd. We have to do something, or we will lose that road. Lake Sarah Rd, North of County Rd 11, we just did that less than 3 years ago. The moisture isn't getting off the road and we have to figure out how to do that.

Kaltsas said we have a plan that Michael has prepared. If we were to do a hybrid, looking at the map on a 15-year issuance, that may come down to \$200k annual after the first lump.

Spencer said we may just have to take a \$1.5 – 2m hit and then a \$200k in our budget every year after that. Do it in a visible way where residents can see things are getting done.

Johnson asked if the city knows what the state grant will max out at.

Kaltsas said the League said it is similar to what we have had in the past. We are talking about funding this without assessments. Copeland Rd asked if they had to pay anything. It's a lot better than assessments being issued to residents. Paving Copeland Road would be expensive. We have the numbers for the residents asking to pay for it. We need to sit down and talk to them. We have to have more communication with the Copeland Road residents and have them come back out and we can communicate some of this with them. We are going to visit Vinland as well to pave that. We will have to tell YMCA we can't keep it gravel. Kaltsas asked if council wants him to come back with a hybrid option.

Johnson said he thinks so. He said, like Brad said, we have to do something to show we are doing something. Most people aren't driving on other people's roads to know that there is work being done.

Spencer said we have to do something where we do Copeland and Nelson, something visible that most people use. Some roads will need top dressing, so they know coming back. It may be a patch job to start, but this is when we plan on coming back to finish.

Grotting said the city should tune up that map so people know where we are at on the list.

Betts said she thinks there are people on Nelson that will spread the word if things are getting done on their road.

Kaltsas said we do have more in depth plans we can go into on Copeland. We want to make sure we tie that into the budgeting. We won't be able to finish this until July.

Spencer asked when are we targeting these projects.

Kaltsas said 2025.

Grotting said the city should push a PR piece so people know.

Kaltsas agreed. He said he would like to push a PR thing. Also, go back to Sally on Copeland and tell her that because of her activism, this is on our list.

Spencer also said the capital plan for pw equip is low. We have to improve that budget as well.

Kaltsas said we will recalibrate that budget. We did add 3% inflation.

Bode said it was \$140k more than planned for the front end loader.

Kaltsas said we are going to take our ARPA funds and try to allocate those to capital and take \$100k into capital. Council can hopefully pass that resolution on Tuesday. The Federal Government is saying you have to account for those funds.

Johnson asked Kaltsas to check with LMC for resolutions for issues at the capital in regard to taking local control. He said there should be a generic resolution on their site.

Grotting left at 8:12am.

4. Administrative Updates

Kaltsas said Ray asked for a fire update. We are stalled on fire district conversations with WS. Jeff Leuer isn't interested in the establishment of a fire district. There is going to be dialogue for MP and WS to merge the depts. He aside if we have interest in pursuing a fire district that would solve our MP fire JPA issue and set ourselves up for a future broader district. We will have to talk about this with MP and internally with Indy. We have a bad fire station that MP can't afford to fix.

Betts said if MP and WS do something like that, that is a whole new animal as far as how we have the JPA set up.

Kaltsas said it would, but it would be something we decide how we do it.

Betts asked if this would do away with JPA.

Kaltsas said it has been fine but our percentage is up yet we have zero input.

Betts said we have monetary interest.

Kaltsas said we do, but no say.

Spencer said it isn't worth much. About \$350k worth of equipment.

Betts asked if we could we use that for a partial payment for their services.

Kaltsas said we are so far out from that now. WS is driving. They met with Hamel, and they want to maintain our private corp. The question is if we can establish a fire district with MP and Indy that's just us. It gets rid of JPA but creates a district and solves for fire station issues. He asked does that district then have the ability to contract with WS and does that help long term.

Spencer said it opens up opportunity. Like if Minnetrista wanted to join, they could. It prepares us to become a part of a larger district quickly if we wanted it. The goal long term would be to fix the station, and where will it be. It might need better access, speed and placement. It depends on how big this district is. What do we do right now? This could solve JPA, figure out MP fire station, and get our corner of the world straightened out for whatever comes next. Let's take a look at what it will take to just form a district with MP and Indy. You would have a professional chief, accounting, admin, etc.

Kaltsas said the district could be a way to help. It would create a model so people can see it.

Spencer said maybe we just demonstrate and if people want to join it's a possibility.

Kaltsas said it would take fire out of the city piece.

Spencer said we could take it out of our budget and make it a taxing district.

Kaltsas moved on to say we didn't get the HC park grant. We were missing Diversity and Inclusion in one scoring category. I talked to Kevin Anderson at swearing in ceremony. He is coming on Tuesday, so maybe we can see what we can do to try to go after that again in the Fall.

Rick Denneson asked about Title 9.

Kaltsas said we thought about that. It is softball oriented. Baseball fields don't fit. That's a good angle.

Betts said it's a good location for Mound, Orono, Delano and Rockford to utilize if they wanted to.

Johnson made mention that County Road 19 construction starts on April 15th.

Denneson said it will start at Main St and go to County Road 11 and that will run until mid-May. Two weeks of that will be at the Perkinsville intersection where they are adding a median. There will be no hard closures. They are lining culverts, so nothing intrusive. Residents can get through all of the time. From mid-May until mid to late July the construction will shift from Loretto to Hwy 55 and that will be a hard close due to railroad work.

5. Adjourn

Johnson motioned to adjourn at 8:37a.m.

Respectfully Submitted,
Amber Simon/ Recording Secretary

DRAFT



NON-CITY ASSEMBLY PERMIT APPLICATION

Fees & Definitions:

200+ Attendees (Large Assembly) = \$100
100+ Attendees (Medium Assembly) = \$25
50+ Attendees (Small Assembly) = \$25

(Requires West Hennepin Public Safety Deposit of \$500)

(Double fees for applications received less than 45 business days prior to event).

Event Location: Various (See Maps). Independence: Westbound Watertown Rd.

Type of event: Community Bike Ride **Number of people** 1,400 **Date** Sat, August 3, 2024

Residential Corporate Partnership Group or Association Other

Event Holder's Name: Tour de Tonka
Hosted by Minnetonka Community Ed. **Address:** 4584 Vine Hill Road

Contact Person: Zach Mink **Phone:** 952-401-6842

Email: zachary.mink@minnetonkaschools.org

2nd Contact Person: Tim Litfin **Phone:** 952-401-5043

Email: tim.litfin@minnetonkaschools.org

Security Plans: Tim Litfin, Director, works directly with West Henn. Public Safety

Date West Hennepin Public Safety was notified of the event: TBD

Severe Weather Plans (in the event of): Delay or Cancellation. Event staff and public safety on-site will monitor the weather conditions, and advise as necessary. Direct texts/calls to riders/staff through CRM software.

Sound Plans - amplification and sound control: None in Independence.

Outdoor Music Yes No - **Starting Time** _____ **AM/PM**, **Ending Time** _____ **AM/PM**

Food and Concessions Plans: None in Independence.

Vendor's name, address, and license number *(copies of vendor license, insurance and permits must be provided)* _____

Vendor Work #: _____ **Vendor Cell #** _____

Serving Alcohol: Yes: _____ No: X
Selling Alcohol: Yes: _____ No: X (If selling alcohol contact the City for an additional permit)

Restroom Provisions: How many? 0
Location: _____

Lighting - Type: None How many? _____
Location of lights: _____

\$1,000,000 Certificate of Liability Insurance-provide a copy: A copy will be provided
when our annual policy is renewed on July 1, 2024.

Parking Plan: Please provide a site plan showing 1 parking space for each vehicle per 4 guests. If using adjacent property, written permission from property owners must be obtained.

1/17/2024
Date

Zach Mink
Signature of applicant

Date

Signature of applicant

Office Use Only

Application Received: 1/17/2024 Application Fees/Deposit: \$100 Date Fee Paid: 3/22/2024

Date \$1,000,000 certificate of liability insurance received: YES

WITPS \$500

Signature of City Official

Date

Cary S. Mink
Signature of West Hennepin Public Safety

2-10-24
Date

City of Independence

Funds Transfer Request

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: April 16, 2024

Discussion:

The city annually reviews all accounts, fund accounts and looks to reconcile any outstanding accounts. The city’s accountant has noted that the city should close out the ARPA (American Rescue Plan Fund – balance of \$234,522.34). Rather than closing the funds and allowing the remaining balance to be absorbed into the general fund, the city has identified recommended capital accounts to transfer the remaining fund balance so that the funds can support city capital expenditures. Staff prioritized the utilization of the remaining balances as shown below into the identified capital funds.

A detailed breakdown of all funds proposed to be closed and or transferred can be found below.

Transfer from	Transfer to	Amount	Reason
Fund 100 – General	Fund 401 – Building Capital Improvements	\$20,000	To supplement building capital fund
Fund 100 – General	Fund 402 – Road Capital Improvements	\$50,000	To supplement road capital fund
Fund 100 – General	Fund 403 – PW Equipment Capital Improvements	\$62,022.34	To supplement PW equipment fund
Fund 100 – General	Fund 404 – Administration Capital Improvements	\$102,500	\$90,000 to be used for WHPS Capital offset (\$30,000 in 2024, 2025, 2026)

Note the following fund balances:

Fund 401 – Building Capital Improvements:	\$107,699.29
Fund 402 – Road Capital Improvements:	\$202,249.34
Fund 403 – PW Equipment Capital Improvements:	\$427,023.77
Fund 404 – Administration Capital Improvements:	\$87,534.16

Recommendation:

The City Council is being asked to consider approval of the proposed fund transfers and closing of the ARPA fund.

Attachments:

1. **RESOLUTION No. 24-0416-01**



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 24-0416-01

A RESOLUTION APPROVING A TRANSFER OF FUNDS

WHEREAS, the City has the following transfers to be made:

Transfer from	Transfer to	Amount	Reason
Fund 100 – General	Fund 401 – Building Capital Improvements	\$20,000	To supplement building capital fund
Fund 100 – General	Fund 402 – Road Capital Improvements	\$50,000	To supplement road capital fund
Fund 100 – General	Fund 403 – PW Equipment Capital Improvements	\$62,022.34	To supplement PW equipment fund
Fund 100 – General	Fund 404 – Administration Capital Improvements	\$102,500	\$90,000 to be used for WHPS Capital offset (\$30,000 in 2024, 2025, 2026)

WHEREAS, the city received APRA (American Rescue Plan Funds) to offset costs associated with providing public safety and emergency response measures during and following the pandemic; and

WHEREAS, the funds were provided to the city following expenditure of general funds to the West Hennepin Public Safety Department supporting their service; and

WHEREAS, the City has determined that the funds had been expended and paid to the West Hennepin Public Safety Department prior to receipt of the ARPA funds and the remaining fund balance should be transferred as shown above to better serve the City and following the transfer, the ARPA fund should be closed; and

WHEREAS, effective December 31, 2023, the City transferred the funds listed above to the appropriate funds.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Independence hereby approves these transfers effective December 31, 2023.

This resolution was adopted by the City Council of the City of Independence on this 16th day of April 2024, by a vote of _____ ayes and _____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 24-0416-02

A RESOLUTION SUPPORTING RETENTION OF LOCAL LAND USE AND ZONING
CONTROL AND OPPOSING THE *MIDDLE HOUSING BILL*.

WHEREAS, decisions about local land use and zoning that best fit community needs are best left to City residents and officials; and

WHEREAS, cities use land use and zoning regulations to balance property compatibility, plan for community growth, dedicate space and capacity for public infrastructure to support development (streets, parks and trails, transportation, sewer, stormwater, water, etc.), mitigate flooding and erosion, and preserve natural resources among others; and

WHEREAS, the Minnesota State Legislature, in an attempt to address housing availability and affordability challenges, is considering measures that would preempt city authority to regulate land use and zoning and assign that authority to State government; and

WHEREAS, passage of those measures would inadequately address housing availability and affordability challenges; and

WHEREAS, a rigid framework for land use and zoning mandated by the State makes little sense and cities require flexibility to address their own unique circumstances; and

WHEREAS, provisions of the proposed State measures would place the fiscal burden for infrastructure cost of new residential development on the shoulders of existing homeowners and renters in our local communities; and

WHEREAS, building of multiple housing units on a single residential lot with inadequate spacing, as allowed in the proposed zoning preemption measures, could result in service delivery problems like limiting emergency medical services and fire departments' access to city neighborhoods; and

WHEREAS, provisions would also silence local residents from their concerns regarding proposed developments during public comment periods of City Council and Planning Commission meetings; and

WHEREAS, the City of Independence has already invested greatly in its commitment to

leading the community through innovative communication to address zoning issues, and continue to do so, with the help of community engagement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA: The City of Independence opposes state proposals that seek to preempt local zoning and land use decision-making when it comes to residential development.

This resolution was adopted by the City Council of the City of Independence on this 16th day of April 2024, by a vote of _____ ayes and _____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

March 4, 2024

CITY ISSUE FACT SHEET: ZONING AND LAND USE



Potential Consequences of “Missing Middle Housing” Bill:

- No financial support is provided for infrastructure upgrades/expansions needed for increased density, shifting the costs on taxpayers.
- Residents would no longer be able to voice concerns regarding developments at public hearings.
- Cities may need to buy new equipment and resize infrastructure if new residential buildings are taller than what their existing infrastructure can handle.
- Solar panels on homes and businesses may be blocked by buildings as tall as 150 feet.

Protecting Cities’ Zoning and Land Use Authority

Legislation has been introduced that would undermine the abilities of city officials and their residents to make their own decisions about zoning and land use. The “Missing Middle Housing” bill, HF 4009, SF 3964, and SF 3980, increases housing density and take away cities’ rights to make zoning and land use decisions that best fit their communities’ needs.

WHAT’S IN THE BILL:

- Forces administrative approvals of projects that meet standards and prohibits public input in the approval process.
- Limits minimum lot size requirements to no greater than 2,500 square feet for first class cities and 4,000 square feet for all other cities except for cities with populations less than 10,000.
- Requires all cities to accept Accessory Dwelling Units on all residential lots regardless of size and allows property owners to subdivide their lots by right.
- Sets a base level for density allowed on any residential lot by right—regardless of size—at 2 units statewide and 4 units in first class cities.



CITY ISSUE FACT SHEET

Protecting Cities' Zoning and Land Use Authority (Continued)

WHAT'S IN THE BILL (CONTINUED):

- Prohibits off-street parking from being required close to major transit stops and limits off-street parking minimum requirements to 1 spot per unit in other areas.
- Allows multi-family dwellings to be constructed in any zoning district that allows commercial activity as tall as the tallest commercial or residential structure within ¼ mile radius of the parcel up to 150 feet in height or the local height restriction, whichever is higher.
- Broadly prohibits design standards for residential development and eliminates minimum square footage and floor area ratio requirements.



FOR MORE INFORMATION:

Daniel Lightfoot
LMC Intergovernmental
Relations Representative
(651) 281-1295
dlightfoot@lmc.org

lmc.org



OUR ASKS/SOLUTIONS:

- **State framework around zoning and land use must allow for locally led reforms.**
- **Cities that have put in years of work to address zoning at the local level should not have to replace their locally led efforts with a state mandated framework.**
- **The state must provide tools and resources for cities to make progress toward housing targets based on real numbers and should not penalize cities for market forces outside their control.**
- **Framework should hold the developer community accountable to actually build units that are affordable.**
- **Projects for additional density must consider infrastructure capacity and provide cities with the ability to finance the infrastructure necessary to support new residential development without relying on the property tax base.**



Consequences Cities and Residents Face from Housing Legislation

Oppose the Missing Middle Housing Bill

Minnesotans should be aware of the potential consequences of housing legislation being pushed forward at the State Legislature. The legislation, known as the Missing Middle Housing bill, would take away cities' rights to make zoning and land use decisions that best fit their locally-identified needs. The legislation would also silence residents who have concerns over new developments being built in their neighborhoods.

Lawmakers may believe they know what is best for all Minnesota cities, but they have overlooked the consequences our cities and residents will be forced to deal with if the Missing Middle housing legislation becomes law.

INSUFFICIENT INFRASTRUCTURE

The legislation would allow developers to build 6-10 types of "middle housing" (duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing) on any residential lot. Most cities' infrastructure including water and sewer systems does not currently support adding high-density buildings to residential lots.



Consequence

Cities would need to upgrade and/or expand their water and sewer infrastructure. The state does not plan to provide financial support for these infrastructure requirements, which means cities may have to turn to taxpayers to pay for necessary infrastructure upgrades.



Consequences (Continued)

LIMITED COMMUNITY INPUT

This legislation would require cities to adopt an “administrative review process” that prohibits public hearings in most cases unless the proposed development impacts a lot located in a historic district. This required review process means city leaders would be forced to make decisions about new developments without hearing from impacted residents.



Consequence

Residents would no longer be able to voice their concerns regarding new developments that affect their property and neighborhood during public comment periods of city council or other public hearings.

PUBLIC SAFETY AND ENVIRONMENTAL IMPACTS

Cities would have to allow smaller homes to be built on single-family lots, regardless of lot size. They would also have to allow 2-10 units on lots as small as 2,500 square feet and allow multi-family dwellings to be constructed in any commercial area. The dwellings could be as tall as the tallest commercial or residential structure within ¼ mile radius up to 150 feet in height or the local height restriction, whichever is higher.



MAKE YOUR VOICE HEARD

Contact your legislators to ask them to oppose the Missing Middle Housing bill.

lmc.org

March 6, 2024



Consequences

- **Emergency medical services and fire departments’ access to homes will be restricted if multiple units are on a lot that was originally designed for one home without adequate spacing, setbacks, or access to dwelling units.**
- **Many cities lack the equipment and infrastructure to support tall multifamily developments in areas that were not planned for building of that size and scale. These cities would have to buy new equipment to assist residents in an up to 150-foot building—adding another major expense to fire departments that are already struggling to afford up-to-date equipment.**
- **Solar panels on homes and businesses may be blocked by taller neighboring buildings.**