



CITY COUNCIL MEETING MINUTES
TUESDAY AUGUST 4, 2026

CITY COUNCIL MEETING TIME: 6:30 PM

1. CALL TO ORDER

Mayor Brad Spencer called the meeting to order on Tuesday, August 4, 2026, at 4:30 PM

2. PLEDGE OF ALLEGIANCE

Mayor Spencer led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Spencer, Fisher, McCoy, Betts, Grotting

ABSENT: None

STAFF: Administrator Kaltsas, Public Works Director Lehman

VISITORS: Edward Genereux

4. ****CONSENT AGENDA****

Mayor Spencer stated that the consent agenda items would be considered routine and acted on by one motion unless someone would like to remove an item for discussion. The consent agenda

- a. Approval of City Council Minutes from the July 21, 2026, Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch #1 - Checks No. 24499-24524).
- c. Assembly Permit:
 - Zurah Shrine Horse Patrol Eveny – October 17th.

Motion by Betts, seconded by Fisher to approve the consent agenda. Ayes: Spencer, Fisher, McCoy, Betts, Grotting. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0

5. Reports of Boards and Committees by Council and Staff.

Council member Fisher Attended the following meeting:

- Workshop
- Personnel

Council member Betts Attended the following meeting:

- Workshop

Council member McCoy Attended the following meeting:

- Workshop
- Juanita Bergman's Funeral
- WHPS police commission
- WS Quarterly Meeting

Councilmember Grotting Attended the following meeting:

- Planning
- Workshop
- Visting PC properties

Mayor Spencer Attended the following meeting:

- Planning
- City Staff Meeting
- Loretto Town Ball Tournament
- WS Quarterly Meeting
- WHPS Police Commission
- Workshop
- Personnel Meeting
- Tour De Tonka Rest Stop

Mark Kaltsas Attended the following meeting:

- None

6. Atlantis Pools ("Applicant") and Christy Cales ("Owner") requests that the City consider the following action for the property located at 6405 Hillstrom Rd., Independence, MN (PID No. 22-118-24-14-0004):
 - a. **RESOLUTION No. 26-0804-01** – Considering approval of a variance from the requisite structure setback from the OHWL of Pioneer Creek to allow the construction of a swimming pool that does not meet the applicable setback.

City Administrator Kaltsas presented the request by Atlantis Pools on behalf of property owner Christy Cales for a variance to reduce the required setback from the ordinary high water level (OHWL) of Pioneer Creek to allow construction of a swimming pool at 6405 Hillstrom Road.

Kaltsas explained that the existing house sits approximately 113 feet from the OHWL of Pioneer Creek, and the proposed pool would be located at its closest point approximately 82 feet from

that mark. He noted several compounding constraints on the property: the OHWL setback requirement, a corner lot setback along County Road 90, and a city prohibition on swimming pools in front yards. Together, these constraints effectively limit where a pool can be placed on the property, and the applicant had located the proposed pool as close to the house as practically possible—approximately 12 to 13 feet from the rear wall—in order to minimize the variance requested.

At the Planning Commission public hearing, a neighboring property owner to the west spoke in support of the request, noting she also has a pool on her property. Commissioners discussed the potential impact of chlorinated water discharge, and the pool contractor noted that pool water contains roughly the same chlorine concentration as drinking water and that pools are rarely fully drained. Commissioners also acknowledged that Pioneer Creek has likely meandered closer to the property over time, though the property sits on a straight portion of the creek, making further significant migration less likely than at the neighboring bend property where an 8-to-10-foot bank shift had been observed over approximately 35 to 40 years. The Planning Commission found the variance criteria satisfied, concluding the applicant had demonstrated a practical difficulty and had requested the minimum variance necessary to accommodate a pool on the property, and recommended approval to the City Council.

Councilmember Betts asked what would happen if the creek continued to migrate closer to the property. Kaltsas responded that the pool is proposed at a considerably higher elevation than the creek and is located 82 feet from its edge, making a meaningful impact unlikely, particularly given the property's location on the straight stretch of the creek.

Motion to approve Resolution No. 26-0804-01 was made by Councilmember Grotting and seconded by Councilmember McCoy. Ayes: Spencer, Fisher, McCoy, Betts, Grotting. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0. The motion carried unanimously.

7. Dennis Hagen (“Applicant/Owner”) requests that the City consider the following action for the properties located at 6345 and 6385 Main St., Independence, MN (PID No.s 26-118-24-22-0007 and 26-118-24-22-0005):

- a. **RESOLUTION No. 26-0804-02** – Considering approval of a minor subdivision to allow a lot combination of the two (2) existing properties into a single property. The combination would create a one (1) lot that is 7.32 acres.

City Administrator Kaltsas presented the request by Dennis Hagen for a minor subdivision to combine two adjacent properties at 6345 and 6385 Main Street into a single parcel. Kaltsas explained that Hagen recently acquired the 6385 property, from which the existing home had been demolished, leaving a vacant lot of 2 acres. The adjacent 6345 property is 5.32 acres. The combined parcel would total 7.32 acres.

Kaltsas noted that the 6385 lot, at 2 acres, is a legal nonconforming lot as it falls below the city's minimum lot size of 2.5 acres. The combination would eliminate that nonconformity without creating any new ones, which Kaltsas characterized as a benefit to the city.

The Council briefly discussed the irreversibility of the combination, noting that the resulting 7.32-acre parcel would fall short of the 7.6 acres needed to qualify for a future minor subdivision under current ordinance, meaning the applicant would effectively be giving up a building entitlement. Kaltsas confirmed this was correct under current ordinance. The property is guided for rural residential use. The Planning Commission held a public hearing, found the criteria for a minor subdivision satisfied, and described the request as routine and beneficial to the city, recommending approval.

Motion to approve Resolution No. 26-0804-02 was made by Councilmember McCoy and seconded by Councilmember Fisher. Ayes: Spencer, Fisher, McCoy, Betts, Grotting. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0. The motion carried unanimously.

8. Paul Ridgeway (Applicant/Owner) requests that the City consider the following action for the property located at 5885 County Road 11, Independence, MN (PID No. 11-118-24-12-0008):
 - a. **RESOLUTION No. 26-0804-03** – Considering denial of a variance to allow a detached accessory building that exceeds the allowable square footage (1,850 SF) for the subject property. The applicant is proposing to construct a new approximately 3,000 SF private detached accessory structure on the property. The property size is approximately 9 acres; however, only 2 acres are buildable upland. The buildable upland is used to determine allowable detached accessory structure square footage.

City Administrator Kaltsas presented the request by Paul Ridgeway for a variance to allow a detached accessory structure of approximately 3,200 square feet (plus a 430-square-foot covered porch, totaling approximately 3,600 square feet) at 5885 County Road 11. The property is 9.2 acres total, but contains approximately 7 acres of wetlands, leaving only approximately 2 acres of buildable upland.

Kaltsas explained the city's accessory structure ordinance, which establishes a proportional relationship between allowable detached accessory structure square footage and a property's buildable upland. For properties at or below roughly 2 acres of usable upland, the ordinance provides a de facto minimum allowance of 1,850 square feet, which applies in this case. The applicant's proposal would represent approximately a 95 percent increase—essentially doubling—the permitted square footage.

The Planning Commission held a public hearing and engaged in lengthy discussion on several aspects of the request, including the significant grade change toward the adjacent wetland, the stormwater management requirements, tree removal, and whether screening or buffering along County Road 11 or the neighboring property line could be incorporated. Neighboring property owners submitted written comments and testified at the hearing in opposition. The applicant's

representative argued a practical difficulty existed, citing the need to accommodate a larger accessible van required for the applicant's mother, multiple vehicles, a boat, and several enclosed trailers. The representative also noted the applicant had considered adding attached garage space to the house but was unwilling to remove the mature maple trees that would be required.

The Planning Commission ultimately was not persuaded that a practical difficulty had been established, finding that 1,850 square feet is a reasonable and significant amount of storage space capable of accommodating the stated needs. Commissioners expressed concern that approving a variance of this magnitude would set a problematic precedent, as there would be no clear basis for distinguishing this request from any future applicant who simply desired more storage. They concluded that the city's proportional ordinance draws that line appropriately, and that the applicant had not demonstrated they were requesting the minimum variance necessary. The commission recommended denial.

Council discussion echoed the commission's reasoning. Councilmember Fisher noted that many of the practical objections raised about site disturbance, grading, and tree removal would be present even if the applicant came back with the permitted 1,850-square-foot structure, and that the primary distinguishing issue was simply the scale of the proposed building. Kaltsas confirmed that an applicant could proceed with an 1,850-square-foot structure under a standard building permit without a variance or conditional use permit, subject to setbacks, grading, and stormwater review.

The Council also noted that the variance standard applicable here—rural residential zoning requires a showing of practical difficulty—is more stringent than the conditional use permit process available on agriculturally zoned properties, under which the city has previously approved larger accessory structures.

The Mayor moved to adopt the resolution of denial consistent with the Planning Commission's recommendation.

Motion to approve Resolution No. 26-0804-03, denying the variance from the maximum allowable accessory structure size, was made by the Mayor and seconded by Councilmember Grotting. Ayes: Spencer, Fisher, McCoy, Betts, Grotting. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0.

9. Consider Approval of the 2026 Gravel Road Reconstruction Project:

- a. **RESOLUTION No. 26-0804-05 - Awarding the 2026 Gravel Road Reconstruction Project to the Lowest Bidder (New Look Contracting, Inc).**

City Administrator Kaltsas reported that the city received three bids for the 2026 Gravel Road Reconstruction Project. Bids ranged from \$274,779 to \$362,031, against an engineer's estimate of \$291,521. The low bidder was New Look Contracting, Inc. at \$274,779, representing a bid approximately 6 percent below the engineer's estimate. New Look Contracting had also performed the 2025 gravel road improvement project for the city.

The Council asked about the quality of New Look's work on last year's project. The city's engineer noted that the main issue had been timing in terms of hitting the ground late in the season, but that the contractor had followed up in the spring with necessary touch-up work and the results were acceptable. The project scope includes grading, drainage, and cover work similar to last year's project, with the bulk of the work being the application of the same granite mix gravel product used in 2025. A preconstruction meeting was anticipated within two weeks, with construction to begin promptly thereafter. This project represents the second phase of gravel road improvements under the city's five-year capital improvement plan, with similar projects anticipated in 2027 through 2030 to complete all gravel road segments.

Motion to approve Resolution No. 26-0804-04, awarding the 2026 Gravel Road Reconstruction Project to New Look Contracting, Inc. in the amount of \$274,779, was made by Councilmember McCoy and seconded by Councilmember Fisher. Ayes: Spencer, Fisher, McCoy, Betts, Grotting. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0.

10. Open/Misc.

The Mayor noted that National Night Out was taking place that evening, with nine events occurring across the city. Council members discussed dividing efforts to attend as many events as possible, and noted that a group photo was planned for 5:15 PM.

A member of the public, Rob Sievers, addressed the Council regarding difficulties he had experienced in communicating with city staff concerning a grading permit and questions about a potential future subdivision of his property. He described repeated attempts to reach staff without response and expressed frustration with the process.

The Mayor and City Administrator responded that the city does not have an online grading permit application, and directed Mr. Sievers to submit a grading permit application in person, after which it would be reviewed and responded to. The Mayor also clarified that Mr. Sievers' property is not currently zoned or guided for the residential density he has discussed, and that a comprehensive plan amendment to change that guidance would not be considered until the 2050 Comprehensive Plan process is underway, as amendments to the existing 2040 plan are no longer being entertained. Mr. Sievers disputed certain aspects of this characterization. The Mayor declined to continue the debate in the meeting forum and offered to speak with Mr. Sievers directly following adjournment.

11. Adjourn.

Motion to adjourn was made by Councilmember McCoy and seconded by Councilmember Fisher. Ayes: Spencer, Fisher, McCoy, Betts, Grotting. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0. Meeting was adjourned at 5:08pm

