

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
MONDAY, MARCH 2, 2020 –6:30 P.M.

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

3. ROLL CALL

PRESENT: Mayor Johnson, Councilors Betts, Grotting, McCoy and Spencer

ABSENT: City Attorney Vose

STAFF: City Administrator Kaltsas, Assistant to Administrator Horner

VISITORS: Lynda Franklin

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 February 18, 2020 Regular City Council Meeting.
- b. Approval of City Council Minutes from the February 13, 2020 Regular City Council Workshop.
- c. Approval of Accounts Payable; Checks Numbered 19479-19503

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

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:

- Planning Commission Meeting
- 70th Delano Cub Scouts Anniversary

Grotting attended the following meetings:

- Planning Commission Meeting
- Xtratyme (Internet Service) Meeting with Kaltsas and Horner
- Met with Kaltsas about Highway 12 access solutions

McCoy attended the following meetings:

- Planning Commission Meeting
- Haven Homes Advisory Board Meeting
- Loretto Fire Commission Meeting

- Annual WHPS Firearms Certification

Betts attended the following meetings:

- Attended Open House for Danny Nadau who is running for Commissioner
- Caucus Event

Johnson attended the following meetings:

- Planning Commission Meeting
- Met with Congressman Phillips
- Caucus Event
- Haven Homes Advisory Board Meeting
- Loretto Fire Department Meeting

Horner attended the following meetings:

- Planning Commission Meeting
- Xtratyme (Internet Service) Meeting with Kaltsas and Grotting

Kaltsas attended the following meetings:

7. Three Rivers Park District: District 1 Representative Marge Beard - Introduction, Park District Updates.

Marge Beard, Three Rivers Park District 1 Representative, introduced herself and provided background information on the Three Rivers Park District and initiatives in progress. She noted the district was formed 50 years ago. The mission is environmental stewardship through natural resources and the 29,000 acres of land they manage. Beard said the parks receive 12.5 million visitors per year. Wildlife management is facilitated through the District and a sample of those efforts is the reintroduction of trumpeter swans, ospreys and turtles. Beard said they currently are working on a project with the “Rusty Patch Bumble Bee” which is the state bee. The District has an extensive watercraft inspection program with over 200 staff members inspecting vessels for invasive species.

McCoy asked where the plan for the railroad viaduct was in the process. Beard said they are waiting on the railroad and do have money reserved for it. McCoy asked her thoughts on why the Public Safety was cut back in the parks. He said it puts a strain on our own Public Safety Department. Beard said they are focused on conservation-style officers. McCoy said that we receive a lot of calls as the number of conservation officers go down in the parks. Johnson said that the fire department has felt the strain as well. Spencer asked who was responsible for the policing of the parks. He mentioned the campground at Baker Park and if that would be policed or would it fall on West Hennepin Public Safety. He noted it is a burden on our taxpayers if our police are patrolling it.

Spencer said he really appreciated all the work the Three Rivers Park District has done in conjunction with various programs on water quality and he noted the great relationship that has been built with the District. He said the relationship is truly appreciated.

8. West Hennepin Public Safety Director, Gary Kroells, January 2020 Monthly Report.

Kroells stated there have been a total of 414 incident complaints as of January 31, 2020. 244 were in the City of Independence and 160 in the City of Maple Plain. Kroells stated there would be a Highway 12 Safety Coalition meeting on Thursday at 3:00 p.m.

*for a complete list see the activity report in the City Council packet.

Spencer asked about an exchange area for people wanting to do that type of thing (ex., Craigslist) where it could be safe and monitored like Medina does through their Police Department with a mounted camera. Kroells said he would support that and thought it was a great idea.

9. Consideration of Establishment of the Accessory Building Height Review Committee and Associated Application Fee.

a. **RESOLUTION NO. 20-0302-01:** Committee Formation Resolution

b. **RESOLUTION NO. 20-0302-02:** Proposed 2020 Fee Schedule Update

Kaltsas said the City recently adopted an amendment to the ordinance which established a process for the review and consideration of accessory structures that exceed the requisite height limitations established in the zoning ordinance. The amended ordinance allows the City Council to appoint a review committee that would review and apply the newly adopted ordinance provisions. An accessory structure may exceed the height of the principle structure if the accessory structure meets all applicable criteria of the Section and the following conditions are met:

- (1) Building plans containing any proposed accessory structure with a height exceeding that of the principle structure must be submitted to the City in advance of work to confirm compliance with this Section.
- (2) The City Council may establish an Accessory Building Height Review Committee to review building plans submitted for any proposed accessory structure with a height exceeding that of the principle structure to ensure compliance with the following:
 - a. On properties that are 2.5 acres or less, the proposed accessory structure must be located to the rear of the principle structure.
 - b. The proposed accessory structure must be detached and separated by a minimum distance of 75 feet from the principle structure.
 - c. The proposed accessory structure must meet the principle structure setbacks from all property lines.
 - d. The applicant shall provide with the application, the written consent of 100% of the owners or occupants of privately or publicly owned real estate directly abutting the premises for which the permit is being requested (on forms provided by the City). Where a street separates the premises for which the permit is being requested from other neighboring property, no consent is required from the owners or occupants of property located on the opposite side of the street. Where an abutting property consists of a multiple dwelling, the applicant need only obtain the written consent of the owner or manager, or other person in charge of the building.

Staff would like Council direction relating to the formation of the committee and appointment of three committee members. It was initially anticipated that the City would appoint two City Council Members and one Planning Commission Member or one City Council Member and two Planning Commission Members to form a three Person Committee.

Staff would like Council to provide direction relating to the appointment of the Accessory Building Height Review Committee. In addition to the appointment of the committee, Council will need to amend the Fee Schedule to include an Accessory Building Height Review Committee Application fee. Staff is recommending that the City consider adopting a \$100 application fee. This fee would provide approximately ¼ hour of administrative review time and ¾ hour of planning/building review time.

The following fees are proposed to be added to the City’s 2020 Fee Schedule:

1. Accessory Building Height Review Committee Application: \$100

Johnson asked how many of these types of requests have happened within the last five years. Kaltsas said there has been about ½ dozen. There have been 3 variances that have come through in the last 8 years but many more have had to modify their building to what they did not really want in order to be able to build without a variance. There would be a \$100 fee to make the application. Grotting said he thought it was a great idea.

Motion by Grotting, second by Spencer to approve RESOLUTION NO. 20-0302-01: Committee Formation for Accessory Structures. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

Motion by Spencer, second by McCoy to approve RESOLUTION NO. 20-0302-02: 2020 Fee Schedule Update. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

7. Open/ Misc.

8. Adjourn.

Motion by Grotting, second by Betts to adjourn at 7:30 p.m. Ayes: Johnson, Betts, Grotting, Spencer and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

Respectfully Submitted,
Trish Gronstal/ Recording Secretary