



CITY COUNCIL MEETING AGENDA  
TUESDAY JUNE 24, 2025

**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 June 3, 2025, Regular City Council Meeting.
  - b. Approval of Accounts Payable (Batch #1; Checks Numbered 23703-23720, Batch #2, Checks Numbered 23739-23756 and Batch #3, Checks Numbered 23757-23768, *please note that Checks Numbered 23721-23738 were voided due to printing error*).
  - c. Large Assembly Permit:
    - i. Zuhrah Shrine Horse Patrol – October 4, 2025.
  - d. Recommended Funds Transfer:
    - i. **RESOLUTION No. 25-0624-01** – Considering a transfer of \$35,218 from *Fund 100 – General Fund* to *Fund 407 – Public Safety*.
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. West Hennepin Public Safety – Director Matthew DuRose: Presentation of the May 2025 Activity Report.
  8. BridgeVine Development – Discussion Relating to Developer’s Letter Requesting Reconsideration of Sidewalk Requirement.
  9. A proposed text amendment to the City of Independence Ordinance as follows:
    - a. **ORDINANCE No. 2025-03** – Considering a text amendment to Chapter VII, Section 705 of the city’s ordinance relating to regulations governing On-Site Sewage Treatment. The amendment will consider minor changes that will bring the ordinance into alignment with recent changes to state statute and also establish provisions relating to the “type” of systems allowed as alternate systems in the city. Council will

also consider establishment of language requiring more specific language pertaining to the transfer of properties in the city.

- b. **RESOLUTION No. 25-0624-02** – Approving publication of a summary of Ordinance No. 2025-03.

10. Pioneer Sarah Creek Watershed Commission - Proposed 2026 Budget Review.

11. Consideration of the 2025 Asphalt Maintenance and Repair Quotations.

12. Open/Misc.

13. Adjourn.

MINUTES OF A REGULAR MEETING OF  
THE INDEPENDENCE CITY COUNCIL  
TUESDAY, JUNE 3, 2025 – 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 Spencer at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Spencer led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Spencer, McCoy, Betts, Fisher, Grotting  
ABSENT: None  
STAFF: City Administrator Kaltsas, Administrative Services Director Simon,  
Public Works Supervisor Ben Lehman, WHPS Chief DuRose  
VISITORS: Katie Johnson.

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 30, 2025, City Council Workshop.
- b. Approval of City Council Minutes from the May 20, 2025, Regular City Council Meeting.
- c. Approval of Accounts Payable; (Batch #1 - Checks No. 23679-23689, Batch #2 - Checks No. 23690-23702).
- d. Approval of the following Assembly Permits:
  - i. 3350 County Road 90 – Wedding on Saturday, June 7, 2025.
  - ii. 6625 Fogelman Road – Wedding on Saturday, June 7, 2025.
- e. Approval of a Solicitor Application for Curbside Waste.

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

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

**Fisher** – none

**Betts attended the following meetings:**

- Fire Awards

**McCoy attended the following meetings:**

- Fire Awards
- Memorial Day – Lewis Cemetery
- Memorial Day – Christ Lutheran

**Grotting attended the following meetings:**

- Planning Commission

**Spencer attended the following meetings:**

- Planning Commission
- ABRC
- Memorial Day – Lewis Cemetery
- Meeting with Kevin Anderson & Kaltsas about park grants
- Amber Simon's Real Estate Welcome Celebration
- Meeting with MP Fire Chief, Denneson
- Meeting with a Scout working on his citizenship merit badge

**Kaltsas** – meeting with the city's 4M account representative to update the cash flow analysis. He mentioned they would be looking at potentially putting funds into longer-term investments, with current yields around 4%. Kaltsas stated he would be providing more information to the council for discussion at a future meeting.

6. Tyler and Kaitlin Johnson (Applicant/Owner) are requesting the following actions for the property located at 4610 Lake Sarah Dr. S. (PID No. 02-118-24-21-0001) in the City of Independence, MN.
  - a. **RESOLUTION No. 25-0603-01** – Considering a variance to allow the subdivision of property in the RR-Rural Residential and S-Shoreland Overlay zoning districts that does not meet the minimum lot size and a minor subdivision to allow the subdivision of the subject parcel into two (2) lots.

City Administrator Mark Kaltsas presented the application from Tyler and Kaitlin Johnson for a variance to allow the subdivision of their property at 4610 Lake Sarah Drive South. He explained that this was a revised application from a previous request, now proposing to split the property into two parcels: a 1-acre lot meeting all applicable standards and a 0.62-acre lot that would be a lawful nonconforming parcel.

Kaltsas noted that the Planning Commission had reviewed the application and held a public hearing. He mentioned that there were comments from neighbors both in favor and opposed to the request. The Planning Commission discussed several aspects of the proposal, including:

1. The existing home is a lawful nonconforming structure, which would not change with the subdivision.
2. The usable part of the lakefront lot would not change visibly after the subdivision.
3. The unique situation of having two separate road connections to the property.

4. The proposed shoreland lot would meet all applicable criteria without exceptions.
5. The characteristics of the surrounding properties and lots.

Kaltsas stated that the Planning Commission found the criteria for granting the variance had been satisfied and recommended approval to the City Council.

Spencer mentioned that he appreciated the 5 letters of support from surrounding properties and the applicant's willingness to resubmit the application with no setback variances.

Mayor Spencer asked if there were any questions from the council.

**Motion by Grotting, seconded by McCoy to approve RESOLUTION 25-0603-01 approving a variance to allow a subdivision. Ayes: Spencer, McCoy, Betts, Grotting and Fisher. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0**

7. A proposed text amendment to the City of Independence Ordinance as follows:
  - a. **ORDINANCE No. 2025-03** – Considering a text amendment to Chapter VII, Section 705 of the city's ordinance relating to regulations governing On-Site Sewage Treatment. The amendment will consider minor changes that will bring the ordinance into alignment with recent changes to state statute and also establish provisions relating to the "type" of systems allowed as alternate systems in the city. Council will also consider establishment of language requiring more specific language pertaining to the transfer of properties in the city.
  - b. **RESOLUTION No. 25-0603-02** – Approving publication of a summary of Ordinance No. 2025-03.

City Administrator Mark Kaltsas presented the proposed text amendment to Chapter VII, Section 705 of the city's ordinance relating to regulations governing On-Site Sewage Treatment. He explained that the amendment would bring the ordinance into alignment with recent changes to state statute and establish provisions for alternative systems in the city.

Kaltsas outlined the main changes proposed in the amendment:

1. Updating definitions to match state statute, including removing the "failing septic system" definition and revising the "notice of compliance" definition.
2. Clarifying the status of holding tanks under Minnesota statute.
3. Including Type 3 systems as a permitted alternative system within the city.
4. Adding a new section on transfer of property requirements.

The council engaged in a detailed discussion about the proposed changes, particularly focusing on the transfer of property requirements. Several concerns and questions were raised:

1. Councilmember Fisher asked about ensuring the city's access to escrow funds in case of non-compliance.

2. The council discussed the appropriate amount for escrow, suggesting it should be 1.5 times the average cost of a septic system.
3. Questions were raised about various scenarios involving trusts and joint tenancy transfers.
4. The council debated the current 3-year timeframe for bringing non-compliant systems into compliance, suggesting it might be too long.

After discussion, it was decided that Kaltsas would:

1. Consult with the city attorney, Bob Vose, to clarify language regarding escrow agreements and the city's authority.
2. Review the 3-year compliance timeframe with Bruce Satek, the city's inspector.
3. Look into various scenarios involving trusts and joint tenancy transfers.
4. Bring back a revised version of the ordinance at the next meeting.

**The council agreed to table the item until these revisions could be made.**

8. Recommendation to establish a new Capital Fund for Public Safety and the transfer of funds from the General Fund to the newly created Public Safety Capital Fund.
  - a. **RESOLUTION No. 25-0603-03** – Considering establishment of a Public Safety Capital Fund.
  - b. **RESOLUTION No. 25-0603-04** – Considering a transfer of \$69,227 from Fund 100 – *General Fund* to Fund 407 *Public Safety*.

City Administrator Mark Kaltsas explained the recommendation to establish a new Capital Fund for Public Safety and transfer funds from the General Fund. He stated that the city had received funds from the fire partnership that were not used in the previous year's budget. Kaltsas recommended creating a dedicated fund for these monies to be used for public safety purposes, rather than absorbing them into the general fund.

Mayor Spencer noted that this action was a result of Ray's efforts to recover these funds, which had been overlooked in previous years.

**Motion by McCoy, seconded by Betts to approve RESOLUTION 25-0603-03 to establish a Public Safety Capital Fund. Ayes: Spencer, McCoy, Betts, and Fisher. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0**

**Motion by Betts, seconded by Fisher to approve RESOLUTION 25-0603-04 to transfer \$69,227 from Fund 100 – General Fund to Fund 407 Public Safety. Ayes: Spencer, McCoy,**

**Betts, and Fisher. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0**

9. Consider amendment to the Employee Handbook relating to the recent statutory changes requiring cities to provide Earned Sick and Safe Time (ESST). The proposed would stipulate provisions relating to part-time employees.

- a. **RESOLUTION No. 25-0603-05** – Considering an amendment to the Employee Handbook.

City Administrator Mark Kaltsas presented the proposed amendment to the Employee Handbook regarding Earned Sick and Safe Time (ESST). He explained that recent statutory changes require cities to offer ESST to all employees, including seasonal and part-time workers. The amendment aims to clarify what happens to accumulated ESST when an employee leaves or is terminated.

Kaltsas outlined the proposed changes:

1. Regular full-time and regular part-time employees would continue to receive a cash payment for half of their accumulated sick leave upon leaving employment.
2. Temporary and seasonal workers would not be eligible for a cash payment of accumulated sick leave under the ESST law.

He emphasized that the amendment was not intended to take anything away from employees but to clarify the policy for different types of workers.

**Motion by Spencer, seconded by McCoy to approve RESOLUTION 25-0603-05 amending the Employee Handbook. Ayes: Spencer, McCoy, Betts, Grotting and Fisher. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0**

10. Open/Misc.

Mayor Spencer acknowledged the birthday of the new Public Works Supervisor, jokingly mentioning that he had neckties older than the Supervisor.

11. Adjourn.

**Motion by Grotting, seconded by McCoy to adjourn the meeting at 7:17pm. Ayes: Spencer, McCoy, Betts, and Fisher. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0**

Meeting adjourned at 7:17 pm.

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Respectfully Submitted,  
Amber Simon/ Recording Secretary





# NON-CITY ASSEMBLY PERMIT APPLICATION

## Fees & Definitions:

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

\*Medium & Large Assemblies require a \$500 WHPS deposit with application.  
(Double fee for application received less than 45 business days prior to event).  
NOTE: This application must be approved by Council at Council meeting.

Event Location: Horse men Stables  
Number of People: 300 Date: Oct 4 2025  
Type: ☐ Residential ☐ Corporate ☐ Partnership ☒ Group or Association ☐ Other

Event Holder's Name(s): Zuhrah Shrine Horse Patrol  
Event Holder's Address: 4505 Cty Rd 92 N

Contact Person's Name: Larry Mac Donald  
Email: lmacdonald00@yahoo.com Phone #: 612-916-2920

2<sup>nd</sup> Contact Person Name: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone #: \_\_\_\_\_

## SECURITY PLANS:

Retired Police Officers

Severe Weather Plans (in the event of): Shelter in stable alleyway

## SOUND PLANS

Amplification and Sound Control: Indoors

Outdoor Music: Starting Time: Ending Time:  
☐ Yes ☒ No 5:30 AM/PM 12:00 AM/PM

## FOOD and CONCESSION PLANS

Bill's Rockford Walking Tacos  
Vendor's Name, Address, and License Number (Copies of vendor license, insurance, and permits must be provided.)

Attached

Vendor Work # \_\_\_\_\_ Vendor Cell # \_\_\_\_\_

Serving Alcohol:

☒ Yes ☐ No

Selling Alcohol

☒ Yes ☐ No

(\*If selling alcohol, contact the City for a Permit.)

Restroom Provisions: Quantity 4

Locations: 2 Satellites 2 permanent

### LIGHTING

Type: Indoors Quantity \_\_\_\_\_

Location of lights: \_\_\_\_\_

\$1,000,000 Certificate of Liability Insurance-provide a copy: attached

**PARKING PLANS:** 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.

5-28-2025  
Date

  
Applicant's Signature

5/28/2025  
Date

  
Applicant's Signature

### Office Use Only

Application Received: 06-11-2025 Application Fee: \$250.00 Date Fee Paid: 06/16/25

Received Date of \$1,000,000 Certificate of Liability Insurance: \_\_\_\_\_

Date West Hennepin Public Safety was notified of event. \_\_\_\_\_

City Official's Signature



West Hennepin Public Safety Official's Signature

Date

6-11-25

Date

Date Council Approved

# City of Independence

## Fund Transfer Consideration

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*To:* City Council  
*From:* Mark Kaltsas, City Administrator  
*Meeting Date:* June 24, 2025

### ***Discussion:***

The city received a Public Safety Aid payment in the amount of \$166,070 at the end of 2024. The city made payments to West Hennepin Public Safety and West Suburban Fire Department. The city has a remaining balance of \$35,218. In order to maintain these funds so that they can be used specifically for future public safety expenditures, it is recommended that the remaining balance of \$35,218 be transferred from the General Fund to the recently created Public Safety Fund.

It is recommended that the city approve a fund transfer from *Fund 100 – General Fund* to *Fund 407 – Public Safety*.

Transfer from	Transfer to	Amount	Reason
Fund 100 – General	Fund 407 – Public Safety	\$35,218	To maintain funds for future public safety expenditures

### ***Recommendation:***

The City Council is being asked to consider approval of the recommended fund transfer.

### ***Attachments:***

1. RESOLUTION No 25-0624-01



RESOLUTION OF THE  
CITY OF INDEPENDENCE  
HENNEPIN COUNTY, MINNESOTA

**RESOLUTION NO. 25-0624-01**

**A RESOLUTION APPROVING FUNDS TRANSFER**

**WHEREAS**, the City has the following transfer to be made:

Transfer from	Transfer to	Amount	Reason
Fund 100 – General	Fund 407 – Public Safety	\$35,218	To maintain funds for future public safety expenditures

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Independence hereby agrees to make the following adjustments to the City Funds.

This resolution was adopted by the City Council of the City of Independence on this 24<sup>th</sup> day of June 2025, by a vote of \_\_\_ ayes and \_\_\_ nays.

Attest:

\_\_\_\_\_  
Brad Spencer, Mayor

\_\_\_\_\_  
Mark Kaltsas, City Administrator

Date: June 11<sup>th</sup>, 2025

To: Public Safety Commissioners  
City of Independence Council Members  
City of Maple Plain Council Members

From: Director Matt DuRose

SUBJECT: MAY 2025 ACTIVITY REPORT



The purpose of this report is to give the reader a quick overview of the activities of the Public Safety Department each month. It also compares monthly and year-to-date information to the reader.

The report is broken down into five categories, as defined by the Criminal Justice Reporting System.

CRIMINAL-- Criminal is broken down into Part I and Part II crimes.

Part I includes crimes against persons versus crimes against property; criminal homicide, forcible rape, robbery assault, aggravated assault, burglary -breaking or entering, larceny-theft, larceny analysis, motor vehicle theft and arson.

Part II includes other assaults, forgery and counterfeiting, fraud, embezzlement, stolen property, buying, receiving, possession; vandalism, weapons, carrying, possessing, etc.; prostitution and commercialized vice, sex offenses; drug abuse violations, gambling, offenses against the family and children, driving under the influence, liquor laws, drunkenness, disorderly conduct, vagrancy, all other offenses, suspicion, curfew and loitering laws - persons under 18; and runaways - persons under 18.

TRAFFIC-- Includes violations of the road and driving laws.

PART III-- Lost and Found: Includes lost and found persons, animals, and property, and stalled and abandoned vehicles.

PART IV-- Casualties: Includes all motor vehicle crashes, boating, and snowmobile; public home occupational accidents, fires, suicides, sudden deaths, burning permits, and burning violations.

PART V-- Miscellaneous Public: Includes open doors, gun permit applications, suspicious activities, animal complaints, motorist assists, alarm calls, parking complaints, house checks, driving complaints, civil matters, family disputes, department assists.

The balance of the report shows the total number of incidents handled, miles driven and how the Public Safety Department received calls. If anyone should desire more detailed statistical data, please contact my office.

# Monthly Activity Report

May 2025

Offense	This Month	Same Month Last Year		This Year To Date		Last Year To Date
<b>City Of Independence</b>						
Criminal	3	2		18		19
Traffic	141	52		509		365
Part III	10	7		28		22
Part IV	29	32		151		156
Part V	140	166		513		532
<b>Total City of Independence</b>	<b>323</b>	<b>259</b>		<b>1,219</b>		<b>1,094</b>
<b>City Of Maple Plain</b>						
Criminal	3	3		13		10
Traffic	43	17		227		110
Part III	7	3		18		15
Part IV	43	22		211		111
Part V	47	52		186		248
<b>Total City Of Maple Plain</b>	<b>143</b>	<b>97</b>		<b>655</b>		<b>494</b>
<b>Grand Total Both Cities</b>	<b>466</b>	<b>356</b>		<b>1,874</b>		<b>1,588</b>
TZD	40	33		120		125
Agency Assists	35	20		121		103
<b>Total ICR Reports</b>	<b>541</b>	<b>409</b>		<b>2,115</b>		<b>1,816</b>
<b>How Received</b>						
Fax	3	8		27		27
In Person	12	16		65		72
Mail	1	1		4		6
Other	1	0		5		2
Phone	12	24		101		116
Radio	201	171		759		723
Visual	252	126		955		657
Email	15	16		80		86
Lobby Walk In	44	47		119		127
<b>Total</b>	<b>541</b>	<b>409</b>		<b>2,115</b>		<b>1,816</b>

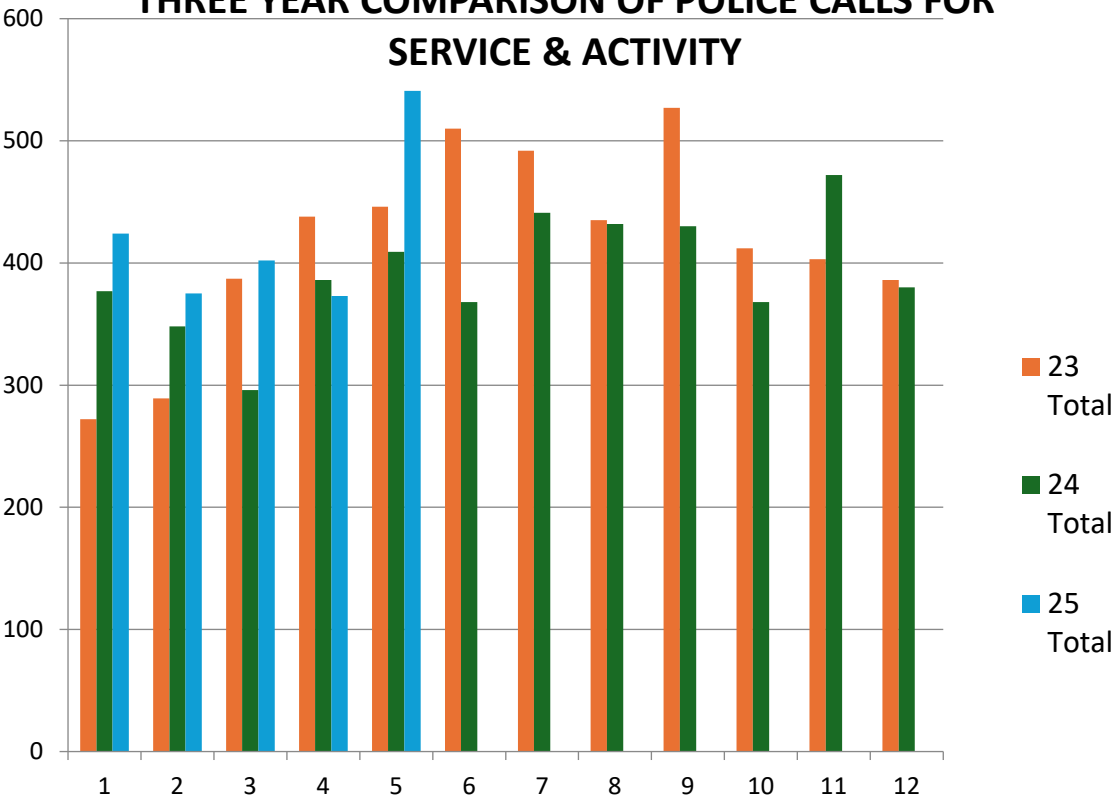
**May 2025 Part I & II****City of Maple Plain #'s 1 & 2**

<b>AGN</b>	<b>ICR</b>	<b>Title</b>	<b>Reported Date</b>	<b>Grid #</b>	<b>MOC range</b>	<b>UCR Part</b>
WHPS	25002103	3 <sup>rd</sup> Degree DWI	05-31-2025	01	JF201	2
WHPS	25001890	Runaway/Theft	05-19-2025	02	TK009	1
WHPS	25002003	DWI Arrest	05-27-2025	02	JG501	2

**May 2025 Part I & II****City of Independence Grid #'s 3-5**

<b>AGN</b>	<b>ICR</b>	<b>Title</b>	<b>Reported Date</b>	<b>Grid #</b>	<b>MOC range</b>	<b>UCR Part</b>
WHPS	25001634	2 <sup>nd</sup> Degree DWI	05-04-2025	03	JEW01	2
WHPS	25001769	Package Theft	05-13-2025	03	TK009	1
WHPS	25001893	Assault	05-19-2025	03	A9B03	2

**THREE YEAR COMPARISON OF POLICE CALLS FOR  
SERVICE & ACTIVITY**





# DIRECTOR'S NEWS & NOTES

## WEST HENNEPIN PUBLIC SAFETY

### May 2025 Activity Report

#### Year to Date Activity Report

At the end of May 2025, West Hennepin Public Safety (WHPS) handled year-to-date a total of 2,115 incident complaints, which represents a 16% increase in incident complaints compared to year-to-date 2024. For the month of May; 323 incidents occurred in the City of Independence and 143 in the City of Maple Plain.

The Criminal Part I and Part II cases for both cities have been highlighted for your review on the attached documents.

#### Lockout

May 2

1500 block of Howard Ave, Maple Plain. Police were dispatched to a resident who locked himself out of his apartment. An officer assisted him gain access to his apartment and the keys inside.

#### Arrest

May 3

Highway 12 & County Rd 90, Independence. A vehicle was stopped for a lane violation. Driver showed signs of impairment, performed poorly on field sobriety tests and blew .174 on a preliminary breath test. Driver was arrested for DWI and placed in the back of the squad. During a vehicle inventory, a beer can was found and rolled up dollar bills with residue on them that later tested positive for cocaine. Vehicle was released to the driver's mother. At the police department, the driver's Intoxilyzer test resulted in .16. Driver was fingerprinted, photographed and transported to HC Jail where he was booked on 2<sup>nd</sup> degree DWI.

#### Grass Fire

May 5

2100 block of McDow Ln, Maple Plain. Police were dispatched to a grass fire in the wetland. Upon arrival homeowner was attempting to put fire out with a garden hose. He wasn't sure what started it but admitted having a fire 4-5 days earlier. MPFD, WSFD and DNR helicopter responded to put the fire out.

Motorist Assist  
May 6

1300 block of Baker Park Rd, Maple Plain. Officer came across a vehicle stalled on the roadside. Driver stated she ran out of gas and had no money. Officer provided her with money to get gas and stayed with her vehicle until she was able to fill her tank.

Attempted Fraud  
May 7

3500 block of Lake Sarah Rd, Independence. A party reported listing a boat for sale on Craig's List. A potential buyer mailed him a cashier's check for more than the asking price. When the party took it to the bank, he was told it was fake. He reached back out to buyer but did not receive a reply. There was no financial loss.

Suspicious Act  
May 8

1700 block of Budd Ave, Maple Plain. While on patrol, an occupied vehicle was located in the park after hours. Contact was made with the male and female. Both stated they were just talking after a date and agreed to move on.

Crash  
May 9

County Rd 6 and County Rd 90, Independence. Police responded to a property damage accident involving two vehicles. Driver 1 was WB CR 6, Driver 2 was SB CR 90 and a delivery vehicle was in the NB turn lane of CR 6. Driver 2 couldn't see Driver 1 due to the delivery vehicle and pulled out in front of her. Driver 1 struck the rear corner panel of Driver 2. No injuries and no citations were issued due to neither vehicle having been able to see each other.

Missing Person/Found  
May 11

5700 block of Main St, Maple Plain. Police responded to a missing child, last seen two hours ago when he left on his bike to go to a friend's house and had left his phone and watch at home. The parents learned the family whose house he was going were out of town. Just as an officer made contact with the friend's parents, the missing child's parents located him at a neighbor's house.

Tree/Pole Fire  
May 13

6200 block of Pagenkopf Rd, Independence. Police and MPFD responded to a power pole that had been struck and caught some trees on fire. A business box truck was parked on the shoulder and people walking around. Driver of the truck stated he'd pulled into a driveway to make a delivery, heard a snap and saw that a low hanging wire had gotten caught on the top of his truck. Wright Hennepin responded, disconnected the power so trees stopped burning, will replace the pole and contact Mediacom about the broken wire.

Dumping Complaint  
May 14

3100 block of County Road 92, Independence. A homeowner reported a dumping complaint of miscellaneous trash on his property and his no trespassing sign was knocked over. The officer responded to the scene and learned the items were personal belongings of a party involved in a crash. The party was contacted and will respond to the police department for the personal property to be released.

Disturbance  
May 15

1600 block of Budd Ave, Maple Plain. Complaint received of a red Honda driving dangerously in the park's parking lot. When the officer arrived on scene, the vehicle was still there, parked, and occupants standing outside of the vehicle. The driver was verbal warned about the unreasonable acceleration violation.

Suspicious Act  
May 16

1800 block of Budd Ave, Maple Plain. Police responded to a report of a suspicious person who was no longer on scene but was witnessed checking garage stalls on previous nights. The officer checked garage stall doors and found none to have been tampered with. The reporting party was contacted and advised to call back if there were further issues or concerns.

Missing Person  
May 17

1400 block of Halgren Rd, Maple Plain. Police were called to a report of a child walking alone down the road. Responding officers located the child and walked down the road with the child hoping he'd lead them to his residence when they were approached by a female who recognized the child and knew the father was looking for him. The father was contacted, responded to the scene and was thankful to be reunited with his child.

Missing Person  
May 17

2600 block of Copeland Rd, Independence. Police were dispatched to the residence of a child who'd been missing for 30 minutes. The father advised the child had been misbehaving earlier and had been verbally disciplined. Police searched the home and located the child in a basement bedroom closet napping so deeply that they did not hear their parents calling for them.

Wire Down  
May 19

1700 block of Howard Ave, Maple Plain. A call was received of a power line down caused by a garbage truck that was no longer on scene. The truck was located, and the driver admitted having been at that location. The officer learned the truck is a front loader and when it lifted a garbage container over the cab, it caught the service wire and ripped it down. The garbage company was contacted and will make arrangements to repair the wire.

Crash  
May 21

Newport St & Budd Ave, Maple Plain. An officer was dispatched to the scene of a property damage crash. In speaking with both drivers, Vehicle 1 was SB Budd Ave, approaching Newport St. Vehicle 2 was on Newport St and pulled out in front of Vehicle 1. Vehicle 1 was unable to stop and crashed into Vehicle 2. Vehicle 1 had the right of way, Vehicle 2 had a stop sign. The driver of Vehicle 2 was unlicensed and ID'd by a passport. He was cited for no MN DL and failure to yield.

Scam  
May 22

1900 block of County Rd 90, Independence. Information rec'd of a party who created a fake city email address contacted city permit applicants and telling them they need to wire additional fees. Two applicants contacted city hall and advised it was a scam, to block the fake email address and not wire any funds. Other permit applicants have been contacted and made aware of the email scam to see if there are any other possible victims.

Crash  
May 23

4800 block of Perkinsville Rd, Independence. A homeowner reported a vehicle in her yard as she left for work. Police responded and located the vehicle. They found no one inside, damage to a cable wire box, a steel post, and the vehicle had minor damage to the rear passenger side. Contact was made with the registered owner who lives across the street. She stated the vehicle is a manual transmission and she either didn't put it in gear when she parked it or slipped out of gear. Her driveway had a slight decline towards the street and was straight across from where the vehicle was found. The owner provided proof of insurance. The reporting party was contacted and advised any damage to her yard would need to be handled with her neighbor across the street.

Disturbance  
May 23

5000 block of Fern Dr, Independence. Received complaint of kids riding really loud minibikes and doing wheelies throughout the neighborhood. Officers responded to the house where the kids reside and advised them it is illegal for them to ride the bikes on the road. Their father was also called advised that the officers had spoken with the kids about riding the dirt bikes in the roadway.

Vehicle Fire  
May 24

6200 block of Pagenkopf Rd, Independence. Received call of a vehicle on fire. Upon the officer's arrival, the gas engine still had some active flames on it and the owner was putting dirt on it to put the fire out. MPFD arrived on scene. The mulcher was monitored to ensure it would not reignite and all cleared.

Loud Party  
May 24

6900 block of Dylan Ln, Independence. Caller reported a loud party going on nearby with teenagers drinking. Officers responded to the area and did see any activity but did hear very loud coyotes. Officers cleared with no contact with any teens.

Grass Fire  
May 25

2600 Geggen Tina Rd, Independence. Police, MPFD, West Suburban Fire, Delano Fire, and DNR responded to a grass fire. Homeowners stated they'd had a fire the day prior. Today, they cleaned debris from the fire pit area and dumped it into/near the marsh as they'd thought the debris was cool enough. Thirteen acres were burned before the fire was able to be put out.

Trespassing  
May 26

2300 block of Independence Rd, Independence. A homeowner called and reported people on her property fishing. Upon the officer's arrival, the people were gone. The homeowner was advised to consider putting a no trespassing sign up.

Arrest  
May 27

5800 block of Highway 12, Maple Plain. While on routine patrol, an officer observed a vehicle turn into a closed business parking lot and turn it's lights off. Contact was made with the driver who stated he had parked there to speak to his girlfriend, the passenger. The odor of alcohol was detected. The officer had the driver perform SFSTs, he provided a preliminary breath sample of .112 BAC and was placed under arrest for DWI. Driver had a permit to carry and a loaded gun in the vehicle. Driver was transported to the police department where he was booked and released pending formal complaint.

Trespassing  
May 29

2300 block of Independence Rd, Independence. Police were dispatched to a trespassing complaint. Upon their arrival, they made contact with juveniles fishing on private property. They were shown the posted no trespassing signs, shown where they could and could not fish, and advised not to trespass again.

Arrest  
May 30

Intersection of Highway 12 and County Road 90, Independence. Officer initiated a traffic stop on a vehicle for illegal window tint. Driver was ultimately arrested for Driving After Cancellation, Inimical to Public Safety and violating Ignition Interlock restriction. He was booked and transported back to his residence pending charges.

Runaway  
May 30

5200 block of Bryantwood Drive, Maple Plain. Police were contacted about a runaway female who might be at her boyfriend's apartment. They responded to the scene and with permission from the boyfriend's relatives, searched the apartment but no one was home. Contact was made with the runaway and her boyfriend who agreed to meet the officers. The female then returned home with her mother.

Arrest  
May 31

Intersection of Highway 12 and Budd Ave, Maple Plain. A traffic stop was initiated on a vehicle with expired tabs. Signs of impairment were observed while speaking with the driver. Field sobriety tests were performed, and the driver provided a preliminary breath sample of 0.208. Driver was placed under arrest, transported to the police department for booking, and his vehicle was towed. The driver provided an evidentiary breath sample of 0.19. Driver arranged for a ride and was released pending charges.

# City of Independence

## BridgeVine Development – Sidewalk Requirement Discussion

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To: City Council  
From: Mark Kaltsas, City Administrator  
Meeting Date: June 24, 2025

### ***Discussion:***

The city approved the final plat and conditional use permit (to allow a planned unit development) in 2023. The approved plans included an internal development sidewalk to be constructed on one side of the road as shown on the plan below (pink line).





The developer believed that this sidewalk had been discussed at the Council meeting, and it was recommended that it was not necessary. The city reviewed City Council and Planning Commission Meeting minutes to try and understand if this sidewalk was discussed by Council and or recommended to be removed. Discussion of the sidewalk only appears in the Planning Commission Meeting minutes from the July 19<sup>th</sup>, 2022, meeting and City Council August 16<sup>th</sup>, 2022, Meeting. At the Planning Commission meeting, Commissioners recommended approval of the Comprehensive Plan Amendment, Preliminary Plat, Rezoning, New Zoning Ordinance and Conditional Use Permit for a PUD. Commissioners recommended approval of the development subject to the additional conditions noted below (and in the attached approved meeting minutes). Condition “n” notes that a sidewalk be included that traverses the property in total (i.e., along one side of the street through the development).

**Thompson motioned that the property at 2236 South Lake Shore Drive to be known as Bridgevine, that the Planning Commission recommends approval of the proposal subject to staff recommendations 1 - 4 with the following recommendation to be altered: n) sidewalk be included that transverses the property in total, o) easement overlay be created to protect ravine, p) craft tree maintenance and easement standards to protect natural vegetation growing in the ravine, q) no dock on outlot, path to outlot, or usage in common in the outlot, r) accessory building and HOA standards be combined with HOA recommendations around architecture and design criteria, Tearse seconded. Ayes: Volkenant, Gardner, Dumas, Tearse, & Thompson. Nays: Story and Usset. Absent: None. Abstain: None. Motion Approved.**

Following the recommendation by the Planning Commission, Council approved with minimal discussion at the August 16<sup>th</sup>, 2022, City Council meeting. The internal sidewalk was mentioned in the staff report and a question was asked about sidewalk maintenance. Staff noted that would be responsibility of the homeowners and there was no further discussion relating to the internal sidewalk.

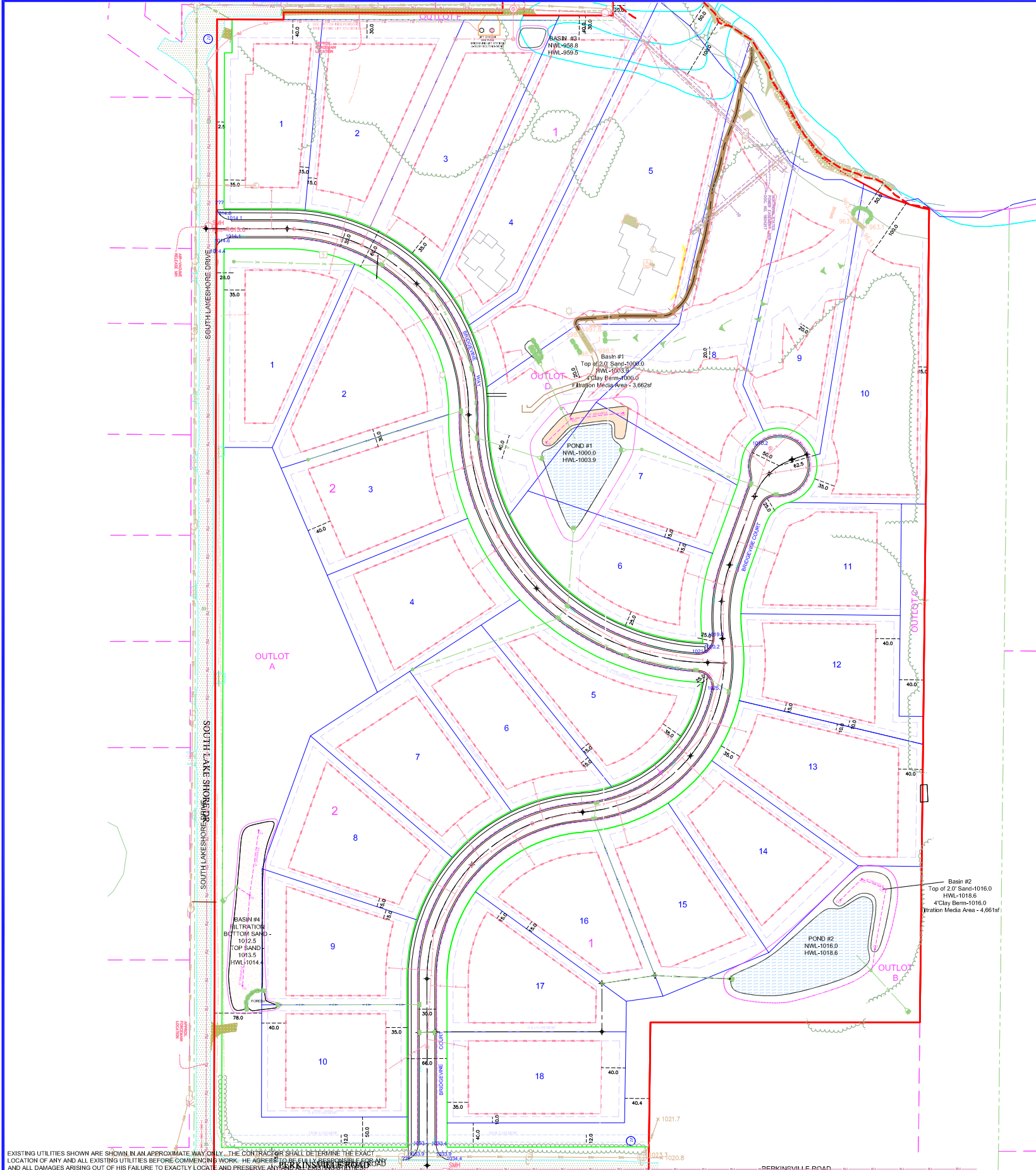
The final plans were revised to include the internal sidewalk shown on the exhibit above and attached and those plans were formally approved by City Council with the final plat. The developer has prepared a letter to the City Council asking for clarification relating to the internal sidewalk. Staff noted that Council can discuss this item and provide additional clarification. Council can confirm its previous approval which includes the internal sidewalk. Should Council want to consider a change to the sidewalk, it is recommended that the developer be directed to submit a Planned Unit Development Amendment which would go back through the typical revision process.

***Recommendation:***

The City Council is being asked to discuss this issue and provide direction to staff and the developer.

***Attachments:***

1. Meeting Minutes from July 19<sup>th</sup> 2022, Planning Commission Meeting and August 16<sup>th</sup>, 2022, City Council Meeting.
2. Letter from Developer
3. Approved Development Plans



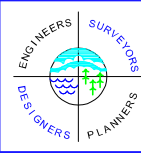
EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE RESPONSIBLE FOR THE LOCATION AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES SHOWN.

DRAWING NAME	NO.	BY	DATE	REVISION
BRIDGEVINE	1	CAW	10/4/2022	ADD RAIN GARDENS
DRAWN	2	CAW	10/12/2022	UPDATE UTILITIES
CAW	3	CAW	11/7/2022	RAVINE STABILIZATION
CHECKED	4	CAW	11/23/2022	REVISE LOT 8 GRADING TO SAVE TREES
RSM	5	CAW	2/13/2023	RAVINE IMPACT QUANTITIES
DATE	6	CAW	2/17/2023	RAVINE DETAIL UPDATE
09/16/22	7	CAW	5/22/2023	ADD LIFT STATION - UPDATE LOT NUMBER

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I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Charles A. Wiemerslage*  
CHARLES A. WIEMERSLAGE, P.E.  
Date: 09/16/2022 Lic. No. 9980



**SATHRE-BERGQUIST, INC.**

14000 25TH AVENUE NORTH, SUITE 120  
PLYMOUTH, MN 55447 (952) 476-6000

CITY PROJECT NO.

INDEPENDENCE,  
MINNESOTA

FINAL STREET PLAN

BRIDGEVINE

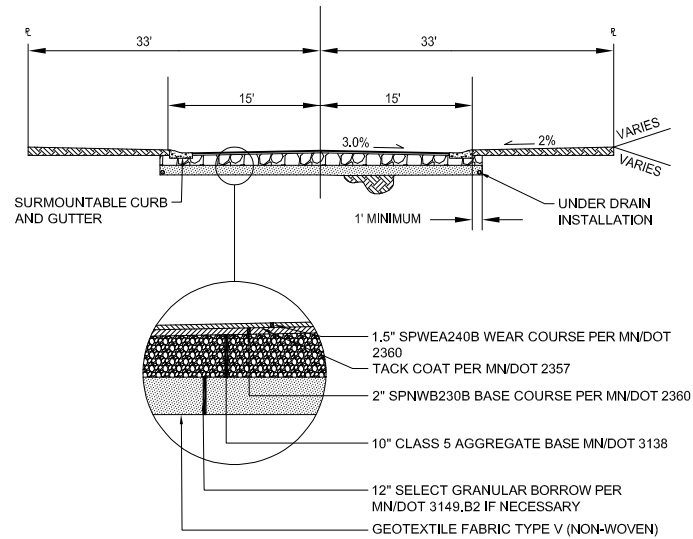
BOHLAND DEVELOPMENT

FILE NO.

3568-034

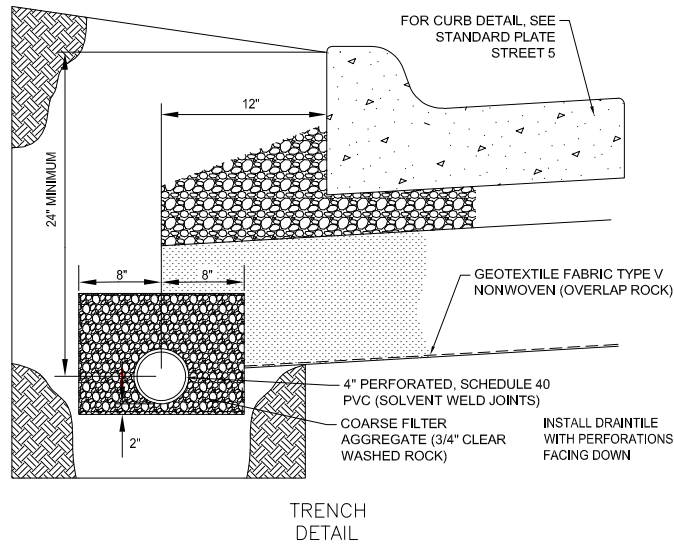
2

23



NOTES:

- PAVING SECTION DESIGN SHALL BE VERIFIED BY AN INDEPENDENT SOILS ENGINEER BASED ON ACTUAL SITE SOIL CONDITIONS.
- TYPICAL SECTION SHOWN IS THE MINIMUM RESIDENTIAL STREET REQUIREMENT. SEE SPECIFICATIONS FOR PROJECT SPECIFIC DETAILS.
- DRAINTILE SHALL BE INSTALLED BEHIND CURB, DRAINTILE TO BE INSTALLED AS REQUIRED TO ADEQUATELY DRAIN ALL SELECT GRANULAR FILL AREAS.
- STREET SHALL BE DESIGNED FOR A 30 MPH DESIGN SPEED WITH MINIMUM 0.50% AND MAXIMUM 6.00% GRADE.
- THE CITY RESERVES THE RIGHT TO INCREASE THE STREET SECTION BASED ON SOIL CONDITIONS.
- TACK COAT PER MNDOT 2357 TO BE USED ON CURB PRIOR TO PLACEMENT OF BITUMINOUS



NOTES:

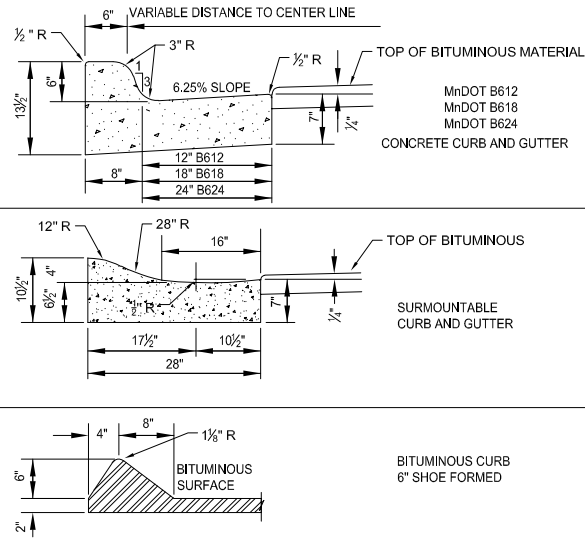
- PLACE SUB-DRAIN BEHIND ALL CURB & GUTTER 250 LF IN EACH DIRECTION FROM CATCH BASINS LOCATED AT LOCALIZED LOW POINTS AND 150 LF UPSTREAM FROM CATCH BASINS LOCATED IN THE MID SLOPE. CONNECT SUB-DRAIN TO NEAREST CATCHBASIN. CONNECTION TO BE CORE-DRILLED. DOGHOUSES MUST BE GROUTED BOTH INSIDE AND OUTSIDE OF STRUCTURE.
- SLOPE SUB-DRAIN TO CATCH BASIN.
- SUBDRAIN MAY BE DAYLIGHTED TO DITCH AS APPROVED BY CITY ENGINEER.
- CLEANOUTS ARE REQUIRED AT A MAXIMUM OF 200 FOOT INTERVALS, AT BENDS, AND AT THE END OF THE RUN.

LEGEND		
DESCRIPTION	PROPOSED	EXISTING
BUILDING SETBACK LINE	B5BL	B5BL
GARAGE SETBACK LINE	G5BL	G5BL
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
SANWV SERVICE		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WRIP-RAP		
STORM STRUCTURE LABEL	C6 H3	C6 H3
SANITARY STRUCTURE LABEL		
SANITARY SEWER MANHOLE		
WATERMAIN		
HYDRANT		
GATE VALVE		

STREET NOTES:

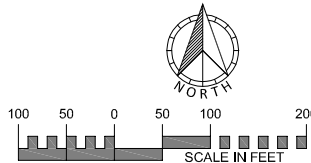
- ALL PUBLIC STREETS ARE 26' BB UNLESS OTHERWISE NOTED. CURB DIMENSIONS ARE BACK TO BACK.
- SEE CITY DETAILS FOR STREET DESIGN STANDARDS.
- STREET RADI AS FOLLOWS:  
INTERNAL INTERSECTIONS = 25' RADIUS
- ALL STORM SEWER STRUCTURES SHALL BE EXPOSED DURING STRING LINE OF CURB TO ENSURE PROPER FIT WITH CONCRETE RINGS.
- ALL PUBLIC STREETS SHALL BE NO PARKING ON ONE SIDE.

- SURM DENOTES PROPOSED SURMOUNTABLE CURB
- B618 DENOTES PROPOSED B618 CURB
- X.X% DENOTES PROPOSED DRIVEWAY GRADE
- DRAINTILE
- CLEANOUT



NOTES:

- ONCE CURB AND GUTTER ARE INSTALLED, ENSURE EROSION CONTROL MEASURES ARE PROPERLY ESTABLISHED.
- USE SUITABLE MATERIAL TO BACKFILL AREA BEHIND CURB.



MINUTES OF A MEETING OF THE  
INDEPENDENCE PLANNING COMMISSION MEETING  
TUESDAY JULY 19, 2022

**7:30 PM REGULAR MEETING**

1. CALL TO ORDER

Pursuant to due call and notice thereof, a regular meeting of the Independence Planning Commission was called to order by Gardner at 7:30 p.m.

2. ROLL CALL:

PRESENT: Commissioners Volkenant, Gardner, Dumas, Tearse, Thompson, Story, & Usset

STAFF: City Administrator Kaltsas and City Administrator Assistant Simon

ABSENT: None

VISITORS: See Sign-in Sheet

3. APPROVAL OF MINUTES:

a. June 21, 2022, Planning Commission Meeting

b. July 5, 2022, City Council Meeting Minutes (For Information Only)

**Motion by Thompson to approve the June 21, 2022, Planning Commission minutes, second by Story. Ayes: Volkenant, Gardner, Dumas, Tearse, Thompson, Story, & Usset. Nays: None. Absent: None. Abstain: None. Motion Approved.**

4. TO BE TABLED TO AUGUST 16 - PUBLIC HEARING: Jon Dailing/Windsong Farm Golf Club (Applicant) and David Meyer (Owner) are requesting the following action for the property generally located at and adjacent to 8590 County Road 92 N (PID No.s 32-118-24-23-0001, 32-118-24-22-0003, 32-118-24-22-0002, 32-118-24-13-0002, 32-118-24-12-0003 and 32-118-24-12-0004) in the City of Independence, MN:

a. Conditional use permit amendment to allow the development of a new 18-hole golf course and associated site improvements on the subject properties.

Kaltsas recommended tabling this until the August 16<sup>th</sup> Planning Commission meeting as they are working on a couple items – needing feedback from wetlands and it's taking longer than expected.

**Motion by Thompson to table CUP request, second by Volkenant. Ayes: Volkenant, Gardner, Dumas, Tearse, Thompson, Story, & Usset. Nays: None. Absent: None. Abstain: None. Motion Approved.**

5. **PUBLIC HEARING:** Charles Wiemerslage (Applicant) and Steve Bohl (Owner) requests that the City consider the following actions for the properties generally located at 2236 South Lake Shore Drive, Independence, MN (PID No's. 24-118-24-14-0005, 24-118-24-11-0009 and 24-118-24-11-0012):

- a. A comprehensive plan amendment to allow the subject property to be re-guided to a new residential zoning district with standards to be determined.
- b. An ordinance amendment to allow planned unit developments as a conditional use in the Rural Residential Zoning District.
- c. Rezoning of the property to Rural Residential.
- d. A conditional use permit to allow a planned unit development.
- e. A preliminary plat for the proposed subdivision of the property into 28 single-family lots with a minimum lot size of 1 acre.

***Request:***

Charles Wiemerslage and Steve Bohl – BohLand Development (Applicant) and Clifford L. Otten Trust (Owner) requests that the City consider the following actions for the properties generally located at 2236 South Lake Shore Drive, Independence, MN (PID No's. 24-118-24-14-0005, 24- 118-24-11-0009 and 24-118-24-11-0012):

- a. A comprehensive plan amendment to allow the subject property to be re-guided to a new residential zoning district with standards to be determined.
- b. An ordinance amendment to allow planned unit developments as a conditional use in the Rural Residential Zoning District.
- c. Rezoning of the property to Rural Residential.
- d. A conditional use permit to allow a planned unit development.
- e. A preliminary plat for the proposed subdivision of the property into 28 single-family lots with a minimum lot size of 1 acre.

***Property/Site Information:***

The property is located on the north side of Perkinsville Road and in-between South Lake Shore Drive and County Road 19. The property has frontage on Lake Independence and is comprised primarily of agriculture land. There are two homes on the subject property along with several detached accessory buildings. The property is comprised of densely wooded areas, wetlands and tillable acreage.

**Property Information: 2236 South Lake Shore Drive**

Zoning: *Agriculture (S-Shoreland Overlay)*

Comprehensive Plan: *Rural Residential*

Acreage: *~48 acres*

***Discussion:***

The City has reviewed and considered several concept plans for this property dating back

to 2018. The initial concept plan submitted to the City was for a 96-unit subdivision. In 2020 a revised concept plan was submitted for a 28-unit subdivision. It was noted at that time that the City needed to finalize the Comprehensive Plan prior to considering any additional action on this property. The Comprehensive Plan is nearing completion and the City has received an application for a preliminary plat and associated actions relating to a new development on this property. Any consideration by the City relating to this application would be subject to finalization and approval of the City's 2040 Comprehensive and approval of a Comprehensive Plan Amendment to allow the development of this property.

#### Comprehensive Plan

The City's adopted 2030 and Council Approved 2040 Plan (waiting for final Metropolitan Council approval) identifies this property as Rural Residential with limited sewer service. The Rural Residential designation allows for a general development density of 1 unit per 5 acres.

The portion of the property that is located within the Shoreland Overlay zoning district could potentially be developed in accordance with the requisite shoreland standards.

These standards generally allow for property within the shoreland overlay (1,000 feet from the OHWL) to be developed as one (1) acre lots if provided with City sewer. The City has noted that the property is currently served by the existing sanitary sewer which runs along two sides of the property (South Lake Shore and Perkinsville Road).

#### Proposed Subdivision - Preliminary Plat

The applicant has prepared a preliminary plat and associated plans for review by the City. The City has reviewed the plans and provided detailed comments and feedback to the applicant. The current guided designation would allow this property to be rezoned to Rural Residential with a portion of the property falling under the S-Shoreland Overlay (all property within 1,000 feet of the OHWL of Lake Independence). There are approximately 26 acres located within the area governed by the S-Shoreland Overlay.

The number of lots that this area would yield is likely between 18-22 lots given the lakeshore, existing topography and configuration of the property covered by the overlay district. For the remaining 22 acres the number of lots that could be developed would be governed by the Rural Residential standards shown below. 22 acres could yield 4-5 lots depending on the exact acreage of the remaining land outside of the shoreland overlay area. The total number of lots that could be realized on this property utilizing the current zoning standards is estimated to be between 20-25.

The City reviewed the existing sewer system and met with the Metropolitan Council and the City of Medina relating to the possibility of developing this property. The relatively low density (less than 3 units per acre) of the proposed subdivision does present a challenge to gaining approval by the Metropolitan Council. Review of the City's sanitary sewer system identified the capacity to service the proposed subdivision. The City has identified several upgrades and system improvements that will be necessary for this development to occur.

The City also completed a traffic analysis pertaining to the potential impacts of the development of the property based on a 96-unit development. Generally, the traffic analysis found that there was capacity on CSAH 29 and Perkinsville Road to accommodate development of this parcel. Any development of this property would have potential traffic impacts to Perkinsville Road and County Road 29. The City has limited ability to require off-site improvements due to the current restrictions relating to impact fees. The City has continued to discuss possible improvements to the intersection of CSAH 19 and Perkinsville Road with Hennepin County along with trying to identify additional funding sources.

The City completed a detailed review of the proposed development and provided detailed comments to the applicant (see attached letter) as follows:

1. The proposed layout shows that those lots with direct shoreland would be developed so that the homes could be located at the top of the existing slope. This configuration is preferable due to the existing vegetation and slopes moving from south to north.
2. The surrounding area has a mixture of lot types, sizes and densities. A quick analysis of the approximately 21 surrounding (abutting) properties indicates that the average lot size is close to 1.5 acres with the smallest property being 0.2 acres. The nearby properties located on Lake Independence (within 1,000 feet of the subject property) also range in size with the average lots size being approximately 0.5 acres. The approximate net density of the abutting properties is approximately .75 units per acre.
3. The proposed development would preserve a buffer and open space area along Perkinsville and South Lake Shore Drive. This area is proposed to be planted to help screen the proposed development from the surrounding properties. The applicant has noted that they are in the process of preparing a landscape plan for further consideration.
4. The subject property has a significant natural feature that consists of a wooded "ravine" that runs from west to southeast through the northern portion of the property. The proposed plans have identified this area and show that a significant portion of this area can be preserved. It is noted that the applicant is willing to consider placing an easement over the portion of this area that can be preserved to ensure its long term protection.
5. A portion of the proposed property is located within 1,000 feet of Lake Independence and is therefore within the Shoreland Overlay District. This plan will be subject to the review of the Department of Natural Resources.
6. This plan will be subject to the review of the Pioneer Sarah Creek Watershed Commission.
7. The plan indicates all lots will be connected to City sewer. This property is



guided by the City's Comprehensive Plan for RR-Rural Residential and currently has 2 sewer connections. In order for the City to consider connection to the City sewer, a Comprehensive Plan Amendment will be required. In addition to the comprehensive plan amendment, the City's sanitary sewer is routed through the City of Medina and permitted through the Quad City Agreement. An amendment to that agreement will be necessary in order to serve this property with sewer.

8. Additional comments relating to potential lift station upgrades, grading, road construction and infrastructure will be provided in a separate letter from the City's engineer.
9. The proposed concept plan indicates six lots with riparian access (frontage or access) on Lake Independence. Any lot directly abutting the lake would need to comply with applicable shoreland overlay standards. The shoreland overlay requires a minimum lot size of 1 acre and a minimum shoreland lot width of 100 linear feet. The subject property has approximately 700 linear feet of shoreline on Lake Independence. Additional review relating to slopes, bluffs and general grading of the proposed riparian lots would be required if the develop moves forward.
10. It is noted that there is a 30-foot-wide strip of land that borders Lake Independence along Maple Drive. The proposed use of this land as a common HOA element with a dock and boat slips will need to be further discussed and reviewed by the City. The narrative provided indicates that there would be a dock and 4 boat slips that could be used by residents of the development during the day. During previous public comment and review of this development, there were concerns expressed related to the intensity of having additional boats and users in this area.
11. The City does not have applicable zoning for this type of sewer residential development. It is proposed that the City's Rural Residential zoning ordinance be amended to allow a Planned Unit Development (PUD) in the Rural Residential zoning district. The City will need to adopt physical lot standards associated with the PUD. If a PUD is adopted, it is recommended that the riparian lakeshore lots be required to comply with applicable shoreland district standards. The City is recommending the following additional lot standards:

Minimum lot size:	1 acre (43,560 SF)
Minimum lot width:	100 feet at right of way line
Front yard setback:	35 feet from right of way line
Side yard setback:	15 feet
Corner yard setback:	35 feet
Rear yard setback:	40 feet
Shoreland setback:	100 feet
Setback from lake:	100 feet from ordinary high mark

Setback from wetland: 10 ten feet from the outside edge of the required wetland buffer

The plans will need to be revised to clearly show the building setbacks. It is also recommended that a plan be prepared that shows a “typical” house plan for each lot to verify that the lots can accommodate a home site. A draft ordinance amendment as been drafted for review and consideration. The ordinance amendment and PUD requirements would be considered at the time of final plat.

12. It does not appear that there are any proposed HOA/Covenant restrictions relating to accessory structures. Please provide additional information relating to proposed thoughts on accessory structures. The City would propose developing a new accessory structure provision with the PUD similar to the following:

Accessory Structure Maximum Size: 1,000 square feet (combined attached garage and detached accessory structures).

Accessory Structure Setbacks: Front Yard – located to the rear of the principal structure.  
Side Yard – 15 feet  
Rear Yard – 40 feet

13. The proposed plan indicates open space around the perimeter and includes Outlots A, B, C, D and E. Outlot D, which is centrally located is proposed to contain an HOA community amenity space. All Outlots will become the responsibility of the homeowner’s association established for this development. Documentation indicating the conveyance of this ownership and the maintenance responsibility has been provided to the City. The Outlots will be maintained as described in the HOA documents as mowed and managed landscape open areas.
14. The preliminary plat indicates a 66-foot-wide ROW and a 26-foot-wide road. The street construction plan indicates a 30-foot-wide street. Please revise the preliminary plat to match the construction drawings.
15. Lots 16 and 17, Block 1 are less than 1 acre in size and will need to be modified to meet the minimum lot size requirements.
16. There is an existing tree stand located on the property which is primarily along the ravine/drainage area. The City is concerned and desires that these areas are preserved and protected in the after condition of the



property. The City has shoreland alteration limitations specified in the shoreland ordinance (see attached).

17. Please indicate the top of bluff structure setbacks on the site plan.
18. Please label all drainage and utility easements on the preliminary plat. It appears that there should be extended onto Lots 14 and 15 and 6 and 7, Block 1.
19. A landscape plan is required. Please submit a landscape plan for review. The City will want to see buffering and screening along the entirety of the right of ways of South Lake Sarah and Perkinsville Roads and the rear yards of Lots 15-18, Block 1.
20. Park dedication will be required for this development. No dedication of open space was discussed during the concept plan review of this property. The proposed development does not include sidewalks or trails. The City had discussed a trail along Perkinsville at one time but understand that it may be challenging to extend the trail beyond this property without a designated connection point on CSAH 19. Cash in lieu of land will be required in accordance with the City's current park dedication fee of \$3,500 per lot (less than 4.99 acres). One park dedication credit will be given for the existing house proposed to remain. The park dedication fee requirement for this development is anticipated to be approximately \$94,500 (27 lots x \$3,500).
21. Please see the comments provided by the City's Water Resource Engineer, Shane Nelson, dated June 2, 2022, pertaining to water resources.

***Recommendation:***

The Planning Commission is being asked to consider the application for preliminary plat, subject to the approval of an ordinance amendment, conditional use permit, rezoning and comprehensive plan amendment with the following findings and conditions:

1. The proposed rezoning, conditional use permit, preliminary plat and comprehensive plan amendment meet all applicable conditions, criteria and restrictions stated in the City of Independence Ordinance.
2. City Council approval of the preliminary plat is subject to approval and completion of the following items:
  - a) Metropolitan Council approval of a Comprehensive Plan Amendment.
  - b) Review and adoption of an ordinance amendment to include planned unit developments as a conditional use in the RR-Rural Residential

zoning district.

- c) Rezoning of the property from AG-Agriculture to RR-Rural Residential.
  - d) Review and approval of a conditional use permit approving a planned unit development.
  - e) Approval of the Quad City Agreement (stipulates sewer connections through Medina) by the applicable cities that are a party to the agreement.
  - f) The Applicant shall address all engineering comments made by the City's Water Resource Engineer, Shane Nelson, dated June 2, 2022, pertaining to water resources.
  - g) The Applicant shall make all revisions requested in the staff report, Planning Commission and City Council.
  - h) The Applicant shall receive approval and comply with all applicable regulations and conditions prescribed by Pioneer Sarah Creek Watershed Management Organization.
  - i) The Applicant shall receive the approval of the Department of Natural Resources.
  - j) The Applicant shall enter into a development agreement with the City for this development.
  - k) The Applicant shall provide a letter of credit as established by the development agreement for all improvements associated with this development.
  - l) The Applicant shall provide the City with copies of the HOA agreement and covenants, including information related to the maintenance plantings and storm water easements.
  - m) The Applicant shall obtain all necessary City, County, PCA and other regulatory agency approval and permits prior to construction.
- 3. The Applicant shall pay for all costs associated with the City's review of the subdivision, rezoning, conditional use permit and preliminary plat and general plan.
  - 4. The Applicant shall submit the final plat to the City within 180 days of the preliminary plat approval.

Kaltsas- “Otten” property – allow subdivide into 28 lots known as Bridgevine subdivision. Located at Perkinsville Rd and South Lakeshore Dr. Applicant seeking several actions – historically concept plan. It has come before the city quite a few times with different plans. 2018 – 28-unit subdivision. Originally it was over 100 units, then 96-unit concept plan, now revised down to 28. RR zoned AG. Surrounded by sanitary sewer and Lake Independence. There has been a lot of calls and interest in this property. It is zoned AG, guided RR. Not sewered residential outside of those on the lakeshore. A plan amendment would have to be approved and adopted. It would be submitted to Met Council for approval. City doesn’t allow for 1 acre lots outside of the lakeshore district. City would have to come up with an ordinance or change an ordinance.

Density in similar situations would be much less. Adopt a new zoning district and come up with a standard that is more for just this development. We would have to rezone from AG to something or in this case RR. Not permitted uses, conditional uses. Prelim plat to allow 28-unit subdivision. Any approval would be subject to these other items happening at a future date.

Emails have been sent to the city and planning commission. The city does not have the ability to prohibit marketing material for lots, developments, etc. There are no approvals, we need to go through public hearings and other steps as required to get approval. It is common for realtors to advertise lots/properties to gain interest. Several other entities would need to approve this and not just the city.

Two sanitary sewer stubs on the property. We would need to service 26 additional houses, so of the 28 total on this property, 27 new homes + the 1 existing. In city ordinances, property within 1000 lineal feet within shoreline and regulated overlay. We would need Met Council/MC approval to get city sewer for all the additional lots. Rural Residential/RR means 1:5 with the shoreline exception. The city has discussed the property with Met Council in the past, as it is right now, we have not done anything to regulate the property. Applicant is asking to regulate it as something to allow these units. MC requires density 3:1. We would have to offset density somewhere else. With projected sewer, in the 2030 plan, city had to guide a property S of Perkinsville and E of Budd at 4.7:1. It wasn’t realistic and was a placeholder. In 2040 plan, except out Lindgren Ln. Projecting future we need to get density at 3:1 and this property would be included in this plan. Sewer Factors: IND doesn’t have its own sewer. All sewer runs through Medina. Greenfield’s runs through IND. Loretto negotiated to join to the Quad City agreement and will need to be amended. Medina is open to discussions.

When this came up with the 100+ unit, traffic impact was discussed. We did traffic impact analysis, there was minimum delay associated with this development. City talked with HC to look at intersection of 19 and Perkinsville about funding options to improve this intersection. HC funding west of the loop is harder to receive but we would aggressively pursue it. The city would have to cover 50% of improvements made which are cost prohibitive. Discussions re HC design will continue.

28 1-acre lots proposed. Access off Perkinsville Rd going N and S. Second access off of S Lakeshore going E and W. 1 cul-de-sac in the development. 2 pieces: non-riparian (non-lakeshore) lots and lakeshore lots. Stormwater through two ponds in outlots. All lots would have to be 1-acre. Shoreland lots would have to meet all shoreline overlay zoning district standards. Majority of those lots are 1.5-2.5 acre lots. Applicant would acquire an outlot of 35ft strip of land that would be replatted. Grading, natural resources were looked at. Ravine system goes down to Lake Indy a part of this property. Preservation of this ravine system – the orientation of the lots, plats to the S. It would allow for majority of the ravine to be protected. Put restrictive

easements on top of that to preserve it. We recommended Screening along S Lakeshore and Perkinsville Rd. We will be looking for more detail in the landscaping plans. Some enhanced screening already present.

We recommended some standards – min. lot size of 1 acre, width of 100ft, front yard 35, side yard 15ft, corner 35, rear 40, shoreline 100, wetlands 10ft. This gives a reduced side yard, front yard, maintaining rear.

Accessory structures need to be addressed. 1850sqft of accessory how it stands, that is excessive for these lots. Max access of 1000sqft including garage (detached or attached). Applicant is proposing curb and gutter to control stormwater. 30ft wide street is proposed and allows for parking on both sides and allows for fire access.

Community outlot D proposed/neighborhood park. Community access point on the 30ft wide strip of land going down to the lake. We need more direction and feedback. A day only dock for residents of this development. No overnight or storage.

Do we need to do any park dedication on this type of development? Maybe a sidewalk on Perkinsville with a connection into a park system. Park dedication estimate would go to city's park fund.

Thompson – asked for maps of the 1000 ft of overlay. Kaltsas – it takes into account lots 25-28. We have exhibits we have created but not included. Thompson – in the planned unit, the lot count isn't called out, is it because of our existing standards? Kaltsas – the lot count isn't relevant to the standards. 1 acre min on the 1000 ft. We are guessing until we get a proposal until we get a plan that meets all the standards. We don't cap density on shoreland. Thompson - how did we get to the 28 lots? Kaltsas - by current ordinance it is between 20-30 if I'm guessing.

Story – it will be city sewer, not city water. This doesn't meet the 3:1 density. Kaltsas – in low density, the goal is that the city is a 3:1. We asked Met Council not to penalize us with our city. The brown areas around Maple Plain are where we are looking at increased density. It is a balance with the larger density and lower density and as residents inquire.

## PUBLIC HEARING OPENED

Developer Steve Bohl – Merz property and Fieldstone Woods, we created neighborhoods in these areas and they have developed real nicely. This property is great and has city sewer. We needed to be creative with city sewer. 1-acre average lots. Water quality that will go into Lake Indy with curb and gutter proposal. Want to create a neighborhood park and a neighborhood again. We have images of post and beam, playground, fire pit showing a natural environment. Old landscape nursery. 250+ trees transplanted throughout the site. Luxury single family home neighborhood. Two comp neighborhoods (Hamilton Century Farms, S of MP & Deer Hill Preserve, Medina) – Market values between the two. The advantage is having the curb and gutter and really landscape the lots, san sewer. Submitted generic plan but our intention is to make it absolutely gorgeous. Preserving the ravine is agreed.

Thompson – HOAs are hard to run, a dock is for common use with restrictions, etc. What is the plan and enforcement? Bohl – knows how to structure the HOA docs, the outlot at the lake is an amenity to the lake as a passive use. Charles Cud, in Victoria, they had a pontoon, limited restrictions on age, online reservations, no public dock, etc. There are ways to monitor and manage it. Canoes and a pontoon dock would be adequate. There won't be a beach, just walking path. If one of the owner's wanted to bring their boat to Baker Park for a day, they'd be allowed too. Thompson – since the strip is removed from the development, it is a unique characteristic.

Bohl -it is part of the Otten property. There will be some sensitivity with residents near it. It will be a great amenity. Thompson – is it a legal lot of record? Kaltsas – no, the lot that adjoins it, it is part of it. You couldn't subdivide it into a lot of its own. Dumas – a party down by the docks don't impact the 28 lots, just the properties already there. Who would you call? Bohl – the HOA. We can make this as restricted as necessary by the residents. It should be a passive use. Volkenant – have you considered realigning the lot lines so the neighborhood park would be closer to the lake access but more controlled (Trillium Bay)? Bohl – preference is to keep the neighborhood centralized. The ravine on the W side is where we want to place the post and beam. It will keep people away from the lake a little more too. Gardner – Asked about sidewalks on the N side of Pagenkopf so it ties into the trail going to the dock down to Perkinsville. Bohl – We'd be willing to do a sidewalk along the W side. People do like them in neighborhoods. Volkenant – How do people in 8, 9 and 10 access the lakeshore with the ravine in their backyards? Bohl –There is a narrative that proposes a scenic overlay over the boundaries of the ravine. 10 does. Keep mature trees. Offer to 8 & 9 a walkway, a cool landscaping feature. The desirability of these lots is being at the end looking at the backdrop. Volkenant – What materials of bridges or widths are quantified? Bohl – no. Volkenant – What about owners cutting down the trees to get a better view of the lake? Bohl – We can restrict that in the HOA docs. Attorney included a 3 paragraph. MK- Our interest would be to protect those. Story – Asked about improvement about the sewer system in order for this development to occur. What are the costs of this? Kaltsas – We are waiting for this number. There is a lift station there now that is old, so we need to see what we need to upgrade and change to service this area. Thompson – Is that work done by the city and taken on by the dev? Kaltsas – yes. Likely fee based. Bohl – Reason for accessory buildings – architect approval, does not diminish value to the neighbor, appropriately landscaped, etc. Bohl – yellow house on the property – the grade behind this home cuts through lot 2 and 3. It's a natural drainage and poor. Curb and gutter design will have a better impact on this one and future stormwater management will be better.

Keith Becker – 4915 S Lakeshore – The comp plan has not been approved by Metcouncil? Kaltsas – no. There isn't room to put a path where the runoff and his driveway. What changed since Mayor Johnson said we don't do community docks. Who will be doing the enforcement with the dock? It will be Beckers and Crees family. He won't call HOA, but the Police. Please put it between 9 and 10. I'm opposed to day slips.

Tom Blanck – 5010 S Lakeshore Dr. – On behalf of water quality of Lake Ind, he is president of the LICA. There has been a lot of work on water quality on Lake Indy. New homes, sod, sprinkler systems will affect the water quality. Step the game up with quality. Thank you Mark for the traffic study 3 years ago, there wasn't observation of weekend traffic. The corner close to the lake, there are trucks pulling boats, trailers, campers, etc. It is really active and there are blind spots. Number of cyclists are increasing as well, and the corner is really dangerous with the boat traffic as well. Improve the safety in the areas as well as that corner. I'd love to include a sidewalk to the park too.

Randy Stinson – 2215 S Lakeshore - Right across the street from the development, top of hill. The neighborhood that is there compared to the houses being proposed should be a gated community. Fear of neighborhood changing dramatically. We are doubling the number of houses in that area. Increases noise. It is a quiet community now. Pollutants coming off of the yards and hard cover coming down to the lake. Our property values will go up if this goes through. 8 houses are retirees and the taxes are going to go up. He would like to see 2-acre minimum with more green space. There is a lot of wildlife there that we will lose. Agree with a sidewalk.

Martha McCaven McCabe– lives on Budd blue house N of ravine- Are we doing an environmental impact statement for this development? That should be looked into. This will affect the ravine in her yard.

Cynthia Durland - 5024 S Lakeshore – We closed public access on Budd when milfoil became a problem there. Why would we need to provide this for expensive lots?

Scott Learned – 2165 South Lakeshore Dr– Is the sewer line big enough? Kaltsas - It would accommodate this. It is a forced main. It has the capacity to do this development. Learned – If we do 27 wells, is there enough groundwater for everyone? Kaltsas – That is state regulated outside of the city’s regulation. Learned – Since we all currently have wells, we want to keep ours working.

**Motion by Story to close public hearing, seconded by Thompson. Ayes: Volkenant, Gardner, Dumas, Tearse, Thompson, Story, & Usset. Nays: None. Absent: None. Abstain: None. Motion Approved.**

Gardner – What do you need? Kaltsas - Recommendation to approve, deny or table. There are a lot of things that need to be worked out. The big issues were resolved but others need to get fleshed out. Rezoning occurs at final plat. Thompson – Some things we need to talk about: the common dock on the skinny lot, explore the topic. A community dock is a non-starter. Turn a lot by the lake into a park area with dock. That would be worthy of revisiting. Usset- 3:1 needs to be looked at and solved. Kaltsas- This piece would change our math incrementally. But they would balance out. Story – Too many of the items in our comp plans goes against this development. Thompson – Water quality, what can we do to for well density. Kaltsas – It is state regulated, so we would have to talk with the state and maybe Metcouncil for regional impact. We do not regulate wells ourselves. Thompson – Make that information available. Kaltsas - I’m happy to do that. It would need to meet all applicable standards. Gardner – Regarding high density. It’s not out in the 5 acres. This is not in the brown area. We’ve purposefully kept the brown off of this South of Perkinsville. Kaltsas – (1:49) We will need to write ordinances for other properties that are going to be sewerred in the city. Ind has had 3 zoning districts, but it may not be best. We have in our ordinance cluster development standards, which we’ve talked extensively about. The PUD would just be a similar tool to cluster development. Protection of natural resources is certainly we’d want to understand. Thompson – Landscaping plans (keeping the character and don’t cut everything down), accessory HOA standards, potentially are we wanting to limit accessory structure sizes? With some of these changes, I’m inclined to recommend this moving forward to Council. Kaltsas – Any conditions or revisions would have to be made prior to Council. Is this in prelim form or what provisions would need to be made? The formalities come back to you. We’d be agreeing to the 28 lots and other aspects before CC sees and you see at final plat. Now is the time you can add any recommendations to the plan.

Volkenant – The developer should also need to address the corner intersection & traffic. Thompson – We have relevant 1996 (“nothing to fix”) data. Gardner – Unless you want to pay for the traffic study.

Kaltsas – This goes beyond this development but needs to be worked on in general. Unlike most states who allow it, I wished MN allowed cities to take traffic impact fees but it’s not allowed.

Volkenant – Lot 27 & 28 intersection issue, (2:00) could you add a possible roundabout at the corner? A 3-entry roundabout.

**Thompson motioned that the property at 2236 South Lake Shore Drive to be known as Bridgevine, that the Planning Commission recommends approval of the proposal subject to staff recommendations 1 - 4 with the following recommendation to be altered: n) sidewalk be included that transverses the property in total, o) easement overlay be created to protect ravine, p) craft tree maintenance and easement standards to protect natural vegetation growing in the ravine, q) no dock**

on outlot, path to outlot, or usage in common in the outlot, r) accessory building and HOA standards be combined with HOA recommendations around architecture and design criteria, Tearse seconded. Ayes: Volkenant, Gardner, Dumas, Tearse, & Thompson. Nays: Story and Usset. Absent: None. Abstain: None. Motion Approved.

Those wanting to follow this item, please check with the city first to ensure whether this will be on the agenda for the August 2<sup>nd</sup> City Council meeting. Due to it also being the Night to Unite, the Council had approved moving the start time to 5pm so they could attend as many of the 19+ already scheduled gatherings.

6. **PUBLIC HEARING:** Patti Good (Applicant/Owner) requests that the City consider the following actions for the property located at 4986 South Lake Shore Drive, Independence, MN (PID No. 24-118-24-11-0001):
- a. A variance allowing a reduced setback from the OHWL permitting the construction of a screened deck to be constructed in place of the existing legal non-conforming deck on the subject property.

***Request:***

Patti Good (Applicant/Owner) requests that the City consider the following actions for the property located at 4986 South Lake Shore Drive, Independence, MN (PID No. 24-118-24-11- 0001):

- a. A variance allowing a reduced setback from the OHWL permitting the construction of a screened deck to be constructed in place of the existing legal non-conforming open deck on the subject property.

***Property/Site Information:***

The subject property is located at 4986 South Lake Shore Drive. The existing home is a legal non-conforming structure that does not meet all of the current setback requirements. There is an existing home and detached accessory structure on the subject property.

Property Information: 4986 South Lake

Shore Drive Zoning: *Rural Residential*

(*Shoreland Overlay*) Comprehensive Plan:

*Rural Residential*

Acreage: 1.0 acres (43,560 square feet)

Impervious Surface Maximum: 25% (10,890 square feet)

***Discussion:***

The applicant submitted a building permit application seeking approval to rebuild the

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, AUGUST 16, 2022, 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 McCoy, Spencer, and Grotting

ABSENT: Betts

STAFF: City Administrator Kaltsas, City Admin Assistant Simon, and Chief 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 Workshop Minutes from the July 27, 2022, City Council Workshop.
- b. Approval of City Council Minutes from the August 2, 2022, Regular City Council Meeting.
- c. Approval of Accounts Payable (Batch # 1; Checks Numbered 21388-21421).
- d. Second Quarter Financial Report (For Information Only)

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

**Grotting attended the following meetings:**

- visiting the Otten property



- N2U parties

**Spencer attended the following meetings:**

- N2U (5)
- Aug 6 Tour de Tonka
- Police Commission Meeting

**McCoy attended the following meetings:**

- N2U
- Tour de Tonka
- Aug 3 Fire District Meeting
- MP Historical Society – Pie Social
- Bruce Anderson funeral

**Johnson attended the following meetings:**

- N2U (5)
- Bruce Anderson funeral
- MP Historical Society – Pie Social
- Election Day
- Police Commission meeting
- Chamber of Commerce
- Kitty Crosby's Funeral
- Policy Committee meeting LMC

**Kaltsas attended the following meetings:**

- none

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

Chief Kroells described the report: For the July 2022 Activity Report showing 2,342 total Incidence Complaints– 297 in Independence and 127 in Maple Plain.

See full report for more details.

Thank you, Officer Cody Thompson, for setting up the 14 Night 2 Unite parties.  
8 in Independence- attending 4 himself.

Officer John Howes was promoted to Sergeant effective Aug 1<sup>st</sup>, 2022, as noted in our fall newsletter.

Administrative Assistant resigned for family reasons; new Admin Assistant was hired and began August 8<sup>th</sup>.

He had also worked Tour de Tonka in the rain which temporarily impacted traffic signals and officers then needed to direct traffic in the rain.

Hwy 12 is reopening soon – Construction has been going well having good weather; curb work is happening right now on Hwy 12 roundabout. Hwy 12 east and west reopening by Sept 15.

Cty Rd 92 will not be reopened while they finish the bridge deck work connecting North and South 92. Completed project to end as of Oct. 2022.

8. Approval of MnDOT Master Partnership Contract for the Highway 12 Light Maintenance.

- a. **RESOLUTION NO. 22-0816-01** – Considering approval of the Master Partnership Agreement.

Kaltsas – We negotiated a contract with them 8 years ago when they wanted to do LED lights along the Hwy. We don't have the equipment to maintain those lights. We entered in the contract and now we are renewing it. It is a 5-year contract through 2027. Just applies to us and the lighting systems we have. We will be taking on a few more lights with the new projects going on the roads.

**Motion by Grotting, second by Spencer to approve Resolution No. 22-0816-01 as written. Agenda. Ayes: Johnson, McCoy, Spencer, and Grotting. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED.**

9. Steve Bohl (Applicant) and Clifford L Otten Trust (Owner) request that the City consider the following actions for the properties generally located at 2236 South Lake Shore Drive, Independence, MN (PID No's. 24-118-24-14-0005, 24-118-24-11-0009 and 24-118-24-11-0012):

- a. **RESOLUTION NO. 22-0816-02** – Considering approval of a comprehensive plan amendment to allow the subject property to be re-guided to the RR-Rural Residential zoning district.
- b. **ORDINANCE 2022-05:** Considering rezoning of the subject property from AG-Agriculture to RR-Rural Residential.
- c. **RESOLUTION NO. 22-0816-03** – Considering approval of a preliminary plat for the proposed subdivision of the property into 28 single-family lots with a minimum lot size of 1 acre.

Kaltsas – The City would have other items that would need to come back to the city and the final plat upon approval. New and additional information has been received since the planning commission meeting. The larger portion of the property 46 acres overall. Guided as Rural Residential in the shoreland overlay district. Within the RR zoning district, they would be able to utilize the shoreland overlay district. Sewered or unsewered lots is allowed. 1 acre in overall size in shoreland overlay allowed. Shoreland extends up to 1000 feet which would include this property. This was made 20 years ago that took shoreland ordinance and made an interpretation of anything within 1000 feet can be subdivided into 1 acre lots. Guided as RR in the Comp Plan. 1 unit/5 acres. 2030 Comp Plan is RR, 2040 Comp Plan is RR. Asking for RR amendment to bring the whole property into the MUSA (sewered) area. Amendment to the Quad City agreement would be needed as well with this. The sewer system would be through Medina. MetCouncil is a silent partner in this agreement. Met Council requires 3 units per acre. City has had a number of people approach the city about this property and options. 3 years ago it was to meet the MetCouncil at 3 units per acre for over 100 units on this property. At the time the Comp Plan needed to be approved before going through with this. The City would not approve something with this density. The 28-unit proposal would have sanitary sewer, onsite wells, and 1-acre parcels. There are 2 sewer connections stubbed in on this property: a primary house and secondary house. This would expand sewer for 26 additional units. Planning Commission recommended approval to City Council with some changes.

We look at how it would fit into the City and what the applicant needs to change. There is a much more detailed view of this as it passes through PC. Key considerations discussed by PC are:

\* There is an existing ravine system on the northern third and goes down to Lake Independence. The desire for the City to protect and regulate that ravine. No development to the North towards the lakeshore in order to protect the ravine. When we have looked at this plan historically, there would be a disturbance to the ravine system. Lots numbered 8, 9, 10, and 5, 6, 7. City recommends an easement or conservation or drainage/utility over that ravine, so it was protected if this were to move forward.

Then we would establish tree preservation since there isn't anything in the ordinance currently regarding this. Area of disturbance would be minimal. The contours are shown in the existing grading. Stormwater for this site would be handled with 2 wet ponds and 2 dry basins SE & centrally located, through either ditch or pipe brought back into development in the ponds. If there are new roads and infrastructure and a disturbance of 1 acre or greater, this would be subject to water and quality controls. Lot 2 ravine that comes through to the lift station there could be a basin to catch runoff from lots 1-5 specifically. Access onto Perkinsville and South Lakeshore and a cul-de-sac in the middle. Bituminous roads with curb and gutter and standard city road width. Application plans for preserving existing vegetation, historically it was a nursery. Landscape plan was provided, and the City asked for more detail that we will work on if it moves forward, mostly preserving along outlot A South Lake Shore Dr and wraparound out lot along Perkinsville Dr.

At one point the City and PC had considered creating a new zoning. Given the uniqueness of this property (broad contained shoreland, sewer running on 2 sides of the property, and is on the lakeshore), the City thinks there's an opportunity to develop an ordinance amendment to allow a new Planned Unit Developments (PUD) zoning within the City's Rural Residential (RR) zoning. That would be a tool available to others who meet these minimum standards of 40 acre minimum with sewer availability. A property on the north side of Independence could eventually qualify at some point if sewer was approved. (48) It would be applicable to developments that are within an area of the lake. The City provided some draft language that would include this development requirements. Riparian connectivity and sewer availability.

40-acre minimum with sewer no sewer approval on the northside. Provisions within ordinance structure is suggested... draft language for cluster development specific for riparian connectivity and sewer availability.

Pg 88 of council packet shows lot standards:

Minimum lot size:	1 acre (43,560 SF)
Minimum lot width:	100 feet at right of way line
Front yard setback:	35 feet from right of way line
Side yard setback:	15 feet
Corner yard setback:	35 feet
Rear yard setback:	40 feet
Shoreland setback:	100 feet
Setback from lake:	100 feet from ordinary high mark
Setback from wetland:	10 ten feet from the outside edge of the required wetland buffer

The standards we would adopt would need to address Accessory Structure. Any lot currently allows 1850 sq.ft., but the layout of this development should be limited to 1,000 sq.ft. which would be combined attached and detached accessory structures. Applicant would include this limitation within the HOA covenants. (Pergola, outdoor kitchens, fireplaces, etc.).

Of Outlots ABCDF, there is a community area in Outlot D with pergola structure, fireplace, walking path, firepit. It'd be HOA maintained and owned, similar to other subdivisions.

Park Dedication – sidewalk or trail should be considered, but it wasn't specified where or how.

2 options: Trail could run along South Lake Shore from the new proposed road to the corner of Perkinsville and potentially extending it Perkinsville or routing it through the development as well and back out to Perkinsville and down to the lake- an internal sidewalk. The City doesn't currently maintain sidewalks and has limited trail maintenance. Not that we can't or shouldn't do that but what does it connect to. Perkinsville is busy now, so a trail or sidewalk may be a good idea to pull pedestrian traffic off that. Thinking of where it could connect – a trail east and north into Baker Park – requiring County's need to participate. Trail Asking for council to provide direction on a trail/sidewalk.

Mayor Johnson said we did get permission to push through at the intersection of Perkinsville into the park at the intersection of 19 & that corner, but we never secured the ROW.

PC had a lot of discussion on Outlot E trail down to a common dock. PC recommended approval but no access for development on that outlot. New plans show it down through the wooded area onto Outlot F to allow a shared pontoon boat owned by the association. Outlot E would no longer be proposed to be used for any public purpose. The Applicant could speak more, and they put more detail in their narrative. Input from CC on Outlot F is needed. Outlot E could be absorbed or removed from the proposal. The engineer's comments were reviewed with Applicant. If Council made a recommendation, it would still be reviewed by the DNR, Pioneer Sarah Creek, MetCouncil, Comp Plan approval, Quad City, preliminary grading, etc. would need to approve this development as well.

Mayor Johnson asked Mr. Bohl if everything sounded correct from Kaltsas. Bohl said yes. Johnson said that this is not a public hearing tonight.

Spencer said many years ago we did a watershed experiment on a ravine, the study thought that positioning runoff ponds would not cause heavy flow. Pond #1 is positioned well to slow the flow, need to make sure it is sized appropriately. Pond #3 feeds into Baker Park to reduce flow. Is there a pond #2? Kaltsas said No. Spencer said that it does have increased flow in heavy flow so maybe have some runoff into another Outlot. Many people think that these homes will negatively affect Lake Independence, but this is an opportunity to improve the runoff with the new development where we couldn't have the current owner do this. Is the HOA responsible for the playground, etc.? Kaltsas said, yes, it is maintained by the HOA. The City has the ability to direct. PC didn't identify the need outside of the sidewalk trail for pedestrians. Discussions previously, MP park two blocks away on Budd St to duplicate something here. There would either be cash or park dedication. Spencer- They need some sort of deck, walk, bridge, etc. over the ravine. Is something similar being proposed for Outlots 8 and 9 to allow for across the ravine? Kaltsas said Outlots 8 & 9 already have that, so you're really talking about deck or walk to get one through the ravine. 8 & 9.

Johnson – Something we talked about previously is the increasing cost to the people on the sewer system. Have we any idea what this impact would be?

Kaltsas said we wouldn't be adding a lift station, just rebuilding the existing one long-term beneficial to our system. Our lift station is what takes maintenance, and we have 34 lift stations in the city. It will have minimal impact. It will reduce overall sewer bill or project lower costs allowing lower projection increases. Upgraded infrastructures with more sharing it.

Johnson – Would all the water go towards the North and East or would there still be water heading to the West?

Kaltsas – The majority of this site is going now to the North and East. The way it would be graded and lots set up, the front yards along the streets and new impervious of the streets would route to the ponds. Back yards of lakeshore lots would run towards current infrastructure.

Spencer – We have all the work done on this piece 15 -20 years ago. It will be an improvement in the runoff into Lake Independence. It might be a rain garden to help fast flows and it looks like those were incorporated into the plan.

McCoy – There looks like there will be a lot of dirt moved on the East side. What grade will that be?

Kaltsas – A 4 on backside of outlot C. in 2-ft increments

McCoy – Is that cutting 8ft of dirt out of there?

Engineer – Coming down on a 4 to 1 on the east side and 8-9ft on some sides.

McCoy – Are you taking all the rolling hills out of there?

Engineer – It's still sloping to the North and flattening it out.

Johnson asked about access to the lake. Kaltsas said new access to the lake is creating new outlot F (lake access) to the East of existing home that is surrounded. Bituminous trail that goes down and a dock that goes out for a community pontoon owned by the HOA, single pontoon with dock slip, usable to the residents of the HOA.

Spencer –The City has no authority to regulate water levels. That's DNR.

Kaltsas – Yes.

Grotting – Does Outlot E factor into their development plans?

Kaltsas – It doesn't help or hurt. If Outlot E would become something, we would need to do an easement recorded with the City to the lift station.

Grotting – Is there any benefit to the City to have access all the way to the lake?

Kaltsas – No.

McCoy – I would like to see Outlot E go away if they're going to authorize the trail for Outlot F for future residents.

Kaltsas- I think we would restrict that. Maybe the developer would remove it. We want our lift station to be protected. I don't know of a public purpose for it.

Grotting – Could the developer sell it to Lot 3?

Kaltsas – No. There's not enough shoreline. Our position is that the City is not interested in use of a dock. If this is the plat and we're not interested in the use of a dock, then the developer would have to come up with a restricted use- gets dedicated to the City, surrounding property owners/ HOA. etc. We should address that in the final plat.

Johnson – I have a concern with it being a community use thing. People driving down Maple St which is just a driveway with a park being just next door. If it's just a hiking trail but to drive people down in cars>

Spencer – Some are challenging, and some are not problematic. We can't really restrict that with our ability. I am a little concerned with it too. They could make use of the park without going too far. It may start out ok and get out of control down the road. We have no way of enforcing the use of the dock, etc. I'd need to be convinced that the HOA could regulate it internally.

Kaltsas – Maple St is a private driveway and a shared private driveway where the city has an easement over the top of that.

Grotting – Can you address our relationship with the MetCouncil? If we have a development hook up to the sewer, we are looking at a high-density agreement. I love this density, but how do we get around the 3:1?

Kaltsas – We looked at the math with our Comp Plan 2.5 years ago, saying to the MetCouncil, “We don’t want you to include anything that’s ever been sewerred historically.” (Bailout/Grant) We’d asked them not to penalize City for things out of our control. We’ve tried to save lots on Lindgren Ln but eventually had to sewer those failed lots. We would have to offset this density of .75 per acre net density in order to satisfy MetCouncil. We got them to agree to not include anything historically sewerred, but this would be counted. 2040 Plan does not show much impact with this development. This doesn’t present as much of a challenge. The impact is not even a decimal point moving forward.

Grotting – Say it enough times, and pretty soon it’s a larger can that we’re kicking into a potential lopsided municipality.

Johnson – Is our area south of Perkinsville still in MetCouncil’s plan for RR?

Kaltsas – Yes. We are down to 3.5. The area South of MP proposing to sewer (Urban Residential), we are down in the 2.7 units/acre. This doesn’t meet any of their policies, but now moving forward it is 3.0 units/acre (similar that is near Orono Schools) by comparison. For us to sewer large lots is not ideal when trying to meet MetCouncil’s requirements.

Johnson – Planning Commission is to be meeting right now. What would happen if we delayed this to the next Council meeting when we have all night?

Kaltsas – It is up to Council if they want to table it.

Spencer – Would a couple weeks delay anything?

Kaltsas – I suggest doing it all at the same time. It all ties together.

Johnson said we need more time.

Spencer – Item number 3 warrants a little more discussion. So if we should do all at the same time, I’m in favor of that.

**Motioned by Spencer, seconded by McCoy to table the requests as written for 2236 South Lake Shore Drive, Independence, MN (PID No’s. 24-118-24-14-0005, 24-118-24-11-0009 and 24-118-24-11-0012). Ayes: Johnson, McCoy, Spencer, and Grotting. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED.**

#### 5. Open/Misc.

Kaltsas – Is there anything to bring back?

Spencer – Community access point outlot discussion. Consideration for pond #2. If we can’t connect a trail to Baker Park, get an easement to get the connecting trail along Perkinsville to Baker Park Trail system to put it in down the road.

Grotting – Can we use park dedication fees more liberally to push it through for a trail?

Spencer- A couple other owners would need to be included.

Johnson – Three Rivers Park District still has the layout on where we would access through to Baker Park. Are we sure MetCouncil will approve this?

Kaltsas – No, we should get their information soon. Our approval is subject to MetCouncil’s approval.

6. Adjourn.

**Motion carried by Spencer, seconded by Grotting to adjourn at 8:08pm.**

Respectfully Submitted,  
Linda Johnson / Recording Secretary

**City of Independence**  
**City Council**  
**June 5, 2025**  
**BridgeVine Neighborhood – Sidewalk**

Request to Amend the Resolution to remove the interior street sidewalk on the plans to reflect what was intended and is preferred for the neighborhood and unnecessary for use.

This letter is a request to amend the resolution to eliminate the sidewalk inside of BridgeVine neighborhood.

**BridgeVine Plans:**

Our original submission did not have a sidewalk inside of the BridgeVine neighborhood, but it was later suggested by a Planning Commissioner. A revision was included in the next submission plans. I clearly recall discussions with Council that the sidewalk was not necessary within the BridgeVine neighborhood. After it became clearer that it was an unnecessary idea, I believe it got lost in the resolution from the Planning Commissioner's suggestion. This is what I recall and remember the discussion.

Our opinion, and with some discussions with Council Members, was to make sure that we don't feel urbanized like suburbs with streetlights and sidewalks etc. so as not to look like "Plymouth" and keep BridgeVine feeling more rural.

Assuming that there was a general consensus not to have the sidewalk, then, all the documents related to the HOA - the common areas and easements - were adopted not including any interior sidewalks. The HOA would have to manage and remove snow etc., on any sidewalk within any common area.

Regardless, we prefer not to have this in the neighborhood and find it unnecessary and against the preference of the people in the BridgeVine neighborhood.

**Neighborhood preferences and concerns:**

The people that now live, and will live in BridgeVine, absolutely prefer not to have sidewalks in their front yards. They don't want to landscape around it, prefer not to have people walking through their front yard, have to maintain the sidewalk in the winter, prefer the more rural character, and want sod all the way up to the curb for their lots.

We also discussed that we did not want a sidewalk that would encourage public use in the private Pavilion and the trail down to the lakeshore with our private docks. The goal for the development was not to invite public into the neighborhood to have private access to the



lake. We have already had to police this and watch the area, so non-residents won't use the private trails down to the lake.

A very good comparable neighborhood is Deer Hill in Medina. They do not have sidewalks, and they prefer the feel of "estate" lots vs. suburban lots. Koch Crossing in Independence did not make this a requirement, and it is very difficult to find sidewalks with larger lot neighborhoods. This is more of an urban design.

The only people that may have any interest are a few of the neighbors to the north that may walk in the neighborhood.

There is no safety concern compared to almost any other street i.e. like in a denser area similar to smaller lot suburban locations.

In summary, the BridgeVne neighbors absolutely do not want it, it may only serve a few people outside of BridgeVne and is similar to a more urban setting.

We respectfully request that the Council amend the resolution to not include any interior sidewalk in BridgeVne.

I am hoping that this can be brought to a Council agenda so that we may have further discussions about this change.

Thank you for your consideration.

Sincerely,

Steve Bohl  
BohLand BridgeVne

# City of Independence

## Consider Amendment to the City's On-Site Sewage Ordinance (SSTS)

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To:	City Council
From:	Mark Kaltsas, City Administrator
Meeting Date:	June 24, 2025

### ***Discussion:***

### **UPDATE:**

Council provided feedback and direction to staff relating to the proposed ordinance amendment. Staff worked with the city's attorney to update Subdivision 2, a, 2 relating to the establishment of an escrow account for failing systems (see revised language).

Staff also reviewed the average cost of an on-site septic system in Independence and confirmed that it is approximately \$30,000. It is recommended that the city require 150% of the total cost (\$45,000) to ensure all systems are brought into compliance. The proposed fee schedule amendment is attached to this report.

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Staff discussed potential on-site sewage ordinance amendments with Council at our last workshop. It was noted that the city has identified several minor (technical) septic ordinance amendments that should be considered by the Council. The proposed amendments would bring the city's ordinance into alignment with current state statute and or clarify information within the ordinance. The city has prepared an ordinance amendment which would remove an outdated definition (for *Failing System*), add language citing state statute (for the definition of *Holding Tank*) and expand the types of systems allowed in the city to include Type 3 systems.

The proposed ordinance amendment would also establish a process and escrow requirement for all homes sold in the city – similar to several surrounding counties. The city continues to have instances where homes being sold do not provide the requisite compliance inspection report and or have the inspection but fail to make the required improvements following transfer of the property. The proposed ordinance amendment would establish a requirement that the seller of a property be responsible for filing a septic compliance report. If the system fails the inspection, the system will be required to be replaced prior to the sale of the property, or an escrow will need to be created to ensure that the system is replace. The ordinance does not stipulate which party (buyer or seller) is responsible for establishing or funding the escrow as this is typically a negotiated term of the sale. The ordinance amendment further notes that if a compliance

inspection cannot be completed due to frozen conditions, an escrow will be required.

Staff has prepared an ordinance amendment and subsequent summary publication for consideration by the City Council.

***Recommendation:***

The City Council is being asked to consider approval of the proposed ordinance amendment. Should Council approve the ordinance amendment, it is recommended that the Resolution approving the summary ordinance publication also be approved.

***Attachments:***

1. **ORDINANCE No. 2025-03 - Adopting an Amendment to the SSTS Ordinance.**
2. **Amendment to the 2025 Fee Schedule.**
3. **RESOLUTION No 25-0624-02 – Approving the publication of a summary ordinance.**

## ORDINANCE NO. 2025-03

### CITY OF INDEPENDENCE COUNTY OF HENNEPIN STATE OF MINNESOTA

#### AN ORDINANCE AMENDING INDEPENDENCE CITY CODE REGARDING SUBSURFACE SEWAGE TREATMENT SYSTEMS

THE CITY COUNCIL OF THE CITY OF INDEPENDENCE DOES ORDAIN:

**SECTION 1. AMENDMENT.** The Independence City Code Chapter VII Public Utilities, Section 705, On-Site Sewage Treatment, is hereby amended as set forth below to add the underlined language and delete the ~~stricken~~ language as follows:

#### **Section 705.02. Definitions.**

Subd. 1. The following definitions are provided for reference and ease of use of this Code, however, all terms used within section 705 shall be defined as found in Minn. R. chapter 7080, as amended:

(Added, Ord. No. 2007-03, § 1)

~~Subd. 2. Failing system. "Failing system" means a seepage pit, cesspool, drywell, leaching pit, other pit, a tank that obviously leaks below the designated operating depth, or any system with less than the required vertical separation as described in Minn. R. part 7080.0060, subpart 3.~~

~~(Added, Ord. No. 2007-03, § 1)~~

Subd. ~~3~~2. Imminent threat to public health or safety. "Imminent threat to public health or safety" means situations with the potential to immediately and adversely affect or threaten public health or safety. At a minimum, this includes ground surface or surface water discharges and sewage backup into a dwelling or other establishment.

(Added, Ord. No. 2007-03, § 1)

Subd. ~~4~~3. Notice of noncompliance. "Notice of noncompliance" means a document written and signed by a ~~qualified employee or licensee~~ certified inspector after a compliance inspection that gives notice an individual sewage treatment system is not in compliance as specified under Minn. R. part 7080.0060 ~~1500~~.

(Added, Ord. No. 2007-03, § 1)

Subd. ~~5~~4. Holding tank. "Holding tank" means a tank for storage of sewage until it can be transported to a point of approved treatment and disposal. Holding tanks are considered a septic tank under Minnesota Statutes, Section 115.55.

Subd. ~~6~~5. SSTs. A Subsurface Sewage Treatment System as defined in Minn. R. 7080.1100, subp. 41 and subp. 82.

\*\*\*

### Section 705.03. Additional soil treatment area requirements.

All lots that are not served by municipal sewer and were created after January 23, 1996, shall have a minimum of two soil treatment and dispersal areas that support systems as described in parts 7080.2200 to 7080.2230~~300~~ or site conditions described in part 7081.0270, subparts 3 to 7, as applicable. All soil treatment areas shall be protected before, during and after construction on the lot. The method of protection of the additional soil treatment area shall be approved by the building official and may include, but is not limited to, such things as snow fencing, permanent fencing and silt fencing. No building permit shall be issued for construction on any lot that is not served by municipal sewer services until at least two soil treatment areas that can accommodate standard systems have been identified and protected as required by this subsection.

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### Section 705.07. Inspection program for subsurface sewage treatment systems.

Subd. 1. *Inspection required.* A compliance investigation, as defined in Minn. R. part 7082.0700, must be conducted:

- (a) For all new construction or replacement,
- (b) For an existing system, when there is an application to construct the addition of a bedroom on property served by the system; and
- (c) For an existing system located on property that is subject to a purchase agreement.

#### Subd. 2. Transfer of Properties.

(a) Whenever a conveyance of land occurs, the following requirements shall be met:

1. The seller of the property is responsible for providing a MPCA existing SSTS compliance inspection form, with any required attachments, to the city and buyer at or before closing. These documents shall provide the status and location of all known SSTS and components thereof on the property and, if applicable, the requirements for bringing the SSTS into compliance with this chapter.
2. If the seller fails to provide a certificate of compliance, security must be established in the form of an escrow account securing the installation of a compliant SSTS. The security, in the amount set forth in the City of Independence Fee Schedule, shall be placed in escrow with a licensed title company, licensed attorney-at-law, or federal or state chartered financial institution. Such escrow must be established in a manner allowing the City to draw from the escrow account to pay for repair or replacement of the SSTS if a certificate of compliance is not issued within twelve (12) months of the closing date. After a compliant SSTS has been installed and a certificate of compliance issued, the escrow, or any remaining portion thereof, may be released.
3. The MPCA existing SSTS compliance inspection form need not be obtained if the sale or transfer involves one of the following circumstances:
  - a. Tract of land is vacant or contains no structures with plumbing fixtures;
  - b. The SSTS serving the existing dwelling or other structure with plumbing has been abandoned per §52.058. Attach the MPCA's SSTS abandonment reporting form;
  - c. The transfer does not require the filing of a certificate of real estate value, as described in M.S. §272.115;
  - d. The transfer is a foreclosure or tax forfeiture. This subsection applies only for the transfer from the original mortgagee to the financial/lending institution or local unit

- of government. The subsequent transfer shall meet the requirements of this chapter;
- e. A refinance of a property;
  - f. The sale or transfer is to the seller's spouse or ex-spouse only. The sale or transfer may be by deed, through a joint tenancy, of a testamentary nature, or by trust document;
  - g. Dwellings or other structures connected exclusively to a municipal wastewater treatment system.
4. All property conveyances subject to this chapter where an SSTS compliance cannot be determined due to frozen soil conditions, shall have an escrow account established pursuant to the City of Independence Fee Schedule. The buyer is responsible to have the compliance inspection completed by the following June 1st by a licensed SSTS inspector. If, upon inspection, the SSTS is found to be in compliance, the funds in escrow may be released. If, upon inspection, the SSTS is found to be non-compliant, the SSTS shall be brought into compliance within ten months from the date of property transfer.
5. Should the seller fail to have the compliance inspection completed, and neither party established an escrow account, the buyer of the property becomes wholly responsible and shall have a certificate of compliance on the existing SSTS submitted to the City within 30 days of the property transfer or have the SSTS brought into compliance within 90 days of the property transfer.

Subd. ~~2~~3. *Construction inspections.*

\*\*\*

## **Section 705.08. Inspection program for subsurface sewage treatment systems.**

Subd. 2. *Failing SSTS.* An SSTS for which a notice of noncompliance has been issued shall be upgraded, replaced or repaired in accordance with Minn. R. part 7080 or 7081, within ~~three years~~ 12 months of a notice of noncompliance. The city council may, at its discretion, grant an extension of up to ~~two~~ one additional years. An SSTS determined by the building official to pose an imminent threat to public health or safety shall be upgraded, replaced or repaired within ten months of a notice of noncompliance, or such shorter time as the building official may determine is required to protect public health or safety. The building official may order the owner of an SSTS to cease use immediately and not allow use of the SSTS until it is upgraded, replaced or repaired. The owner of an SSTS may appeal at their expense, a notice of noncompliance to the city council by filing a written request for an appeal no later than 60 days from the receipt of such notice. The written request shall briefly describe the basis for appeal.

**SECTION 2. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage and publications as required by law.

Adopted by the City Council of the City of Independence this 24<sup>th</sup> day of June 2025.

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Brad Spencer, Mayor

ATTEST:

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Mark Kaltsas, City Administrator



RESOLUTION OF THE  
CITY OF INDEPENDENCE  
HENNEPIN COUNTY, MINNESOTA

**RESOLUTION NO. 25-0624-02**

**A RESOLUTION APPROVING PUBLICATION OF A SUMMARY OF THE  
ON-SITE SEWAGE TREATMENT ORDINANCE AMENDMENT**

THE CITY COUNCIL OF THE CITY OF INDEPENDENCE DOES ORDAIN:

**NOTICE IS HEREBY GIVEN** that on June 24, 2025, Ordinance No. 2025-03, was adopted by the City Council of the City of Independence, Minnesota.

**NOTICE IS FURTHER GIVEN** that, because of the lengthy nature of Ordinance No. 2025-03, the following summary of the ordinance has been prepared for publication.

**NOTICE IS FURTHER GIVEN** that the ordinance adopted by the City Council amends City Code Chapter VII Public Utilities, Section 705, On-Site Sewage Treatment, of the Independence Zoning Ordinance, by amending several definitions to align with changes made to state statute. The ordinance was further amended to include a requirement that makes clearer the process for inspecting SSTS systems when property is transferred (i.e., sold) and establishing an escrow requirement to ensure failing system are brought into compliance with applicable standards upon the transfer of property.

A printed copy of the entire ordinance is available for inspection by any person during the City's regular office hours at the City of Independence City Hall.

**APPROVED** for publication by the City Council of the City of Independence, Minnesota on this 3<sup>rd</sup> day of June 2025.

This resolution was adopted by the City Council of the City of Independence on this 24<sup>th</sup> day of June 2025, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Brad Spencer, Mayor

ATTEST:

\_\_\_\_\_  
Mark Kaltsas, City Administrator



## LIQUOR LICENSES

Wine, on sale	\$ 600
On-sale intoxicating	\$5500
Off-sale intoxicating	\$ 240
Sunday On-sale	\$ 200
Beer Off-sale	\$ 50
Beer On-sale	\$ 500
Setup	\$ 500
Investigation fee	\$ 500
Temporary liquor (1-4 days)	\$ 100/day

## DOG LICENSES (#)

Lifetime License	\$ 20
Replacement tag	\$ 2
Dangerous Dog annual fee	\$ 500
Dog Impound Fee 1 <sup>st</sup> Violation	\$ 35
2 <sup>nd</sup> Violation	\$ 70
3 <sup>rd</sup> Violation	\$ 105

## SERVICE FEES (#)

Address Labels	\$ 50
Address List	\$ 30
Copies 8 ½ x 11	\$ .25
Copies, Oversize	\$ .50
Copies: City Code Book	\$ 60
Copies: Subdivision Ordinance	\$ 15
Copies: Zoning Ordinance	\$ 15
Copies: Shoreland Ordinance	\$ 15
Copies: City Comp. Plan	\$ 40
Copies: Park Comp. Plan	\$ 15
Copies: Audit Book	\$ 45
City Address Map	\$ 8
Zoning Map (color)	\$ 3
Land Use Map (color)	\$ 3
Assessment Search written req.	\$ 25
Flood Zone Search written req.	\$ 25
Ag Preserve Application	\$ 50
Ag Preserve Expiration	\$ 50
NSF Check	\$ 30
Special Council Meeting fee	\$ 250
Election Filing fee	\$ 2

## SIGN PERMIT (#)

Temporary (administrative)	\$ 100
Permanent Sign/Site Plan Review	\$ 250
Farm Nameplate Sign Permit	\$ 25

## ZONING FEES

Extension	\$ 250
Appeal Admin. Decision	\$ 750
Move Building	\$ 175
Zoning Permit (Sheds, Ag buildings)	\$ 50
Accessory Building Review	\$ 100
Grading Permit + Deposit (100 cu yd or more)	\$ 300+700
Wetland Delineation/Review + deposit.	\$ 300+700
Zoning Verification Letter:	\$ 240
Other (non-defined) Planning/Review:	\$ 250
Staff time in excess of application fees:	
Professional per hour	\$ 120
Clerical per hour	\$ 60

### Planning Application Type I-Application Fee: \$1,500/Additional Fee Deposit \$500

- Concept Minor Subdivision, Minor Subdivision (Minor Subdivision (Lot Line Rearrangement, Lot Consolidation, Rural View Lot Subdivision, Lot Split-2 lots or less)
- Rezoning
- Variance (residential)
- Conditional Use Permit (residential)
- Interim Use Permit (residential)
- Right of Way or Easement Vacation
- Simple Concept Plan
- Simple Zoning Text Amendment
- Simple Site Plan Review

### Planning Application Type II-Application Fee: \$2,000/Additional Fee Deposit \$1,750

- Concept Subdivision, Preliminary Plat (3 lots to 10 lots, plus \$750 per lot) (11 lots to 25 lots, plus \$500 per lot) (more than 25 lots, plus \$400 per lot)
- Final Plat (plus \$250 per lot)
- Conditional Use Permit (commercial)
- Interim Use Permit (commercial)
- Variance (commercial)
- Comprehensive Plan Amendment
- Complex Concept Plan
- Complex Site Plan Review
- Complex Zoning Text Amendment

### After-the-fact fees

double

## PARK DEDICATION FEES

\$3500 per lot to 4.99 acres + \$750 per acre over 5 acres.

## MISC. PERMIT/REIMBURSEMENT FEES

Fireworks Dealer License	\$ 75
Tower (wireless communication)	\$ 1000
Mailbox Reimbursement	\$ 125

## LICENSES (#)

Garbage hauler/per year	\$ 150
Per truck per year	\$ 20
Tobacco	\$ 100
1 <sup>st</sup> Offense	\$ 75
2 <sup>nd</sup> Offense	\$ 200
3 <sup>rd</sup> Offense & over	\$ 250
Solicitation	\$ 100

## FLAT FEE BUILDING PERMIT FEES (#)

Mechanical	
Furnace	\$ 100
Air Conditioner	\$ 100
Gas Fireplace	\$ 100
Water Heater	\$ 50
Wood stove/fireplace	\$ 100
Chimney	\$ 100
Fuel tank removal	\$ 100
Lawn Sprinkler	\$ 100
Plumbing remodel	\$ 100
Plumbing new	\$ 100
(\$10 per fixture over five)	
Re-roof	\$ 100
Re-side	\$ 100
Window replacement same size	\$ 100 (1) +
(\$10 each additional opening)	

### Flat Fee State Permit Surcharge Add \$ 1 (Example: A/C + Furnace = \$201)

Demolition	\$ 100
Driveway	\$ 100
Right Of Way	\$ 100

### All Other Building Permits Based on Value Electrical Permits (Contact State)

## SEPTIC FEES

Private On-site Compliance Escrow	\$ 45,000
Private On-site Permit	\$ 400
Mound Repair	\$ 200
Abandonment of System/Tank	\$ 75
Holding Tank with Pumping Agreement	\$ 100
First Year	\$ 50
Annual	\$ 25
Operating Permit Business	\$ 175
First Year	\$ 175
Annual	\$ 75
Mid-Size System	\$ 400
(+ \$1,000 escrow)	

*Total New Sewer Connection Fee	\$ 7760
- Includes \$ 5150 City Sewer Permit	
- Includes \$ 125 Street to house connect	
- Includes \$ 2485 SAC (MUSA)	

\*Property with an existing sewer stub paid for prior to December 31, 2020 will pay \$1250 for the City Sewer Permit Fee.

Quarterly sewer access charge	\$ 271
Quarterly availability charge	\$ 271
(dwellings not connected to available sewer)	
SAC (MUSA)	\$ 2485
Winter septic holding tank escrow*	\$ 8000
*Plus Administrative fee	\$ 55

## OTHER INSPECTION FEES

Investigation/Re-inspection Fee	\$ 100/1 <sup>st</sup> Hr.
	\$ 50/Hr.
Fire Damage Inspection	\$ 100

## COMMUNITY ROOM RENTAL (#)

(maximum 200 guests)

Non-Profit	\$ 75
Security /Damage Deposit	\$ 650
False Fire Alarm	\$ 350
Organizations regular mtgs.	\$ 100
Events under 50 – resident	\$ 150
Events 50 – 100 – resident	\$ 200
Events 101 – 150 – resident	\$ 300
Events 151 – 200 – resident	\$ 400
Funeral – resident	\$ 50
Wedding – resident	\$ 400

## OVERWEIGHT VEHICLE PERMIT FEES-AT THE DISCRETION OF PUBLIC WORKS SUPERVISOR

Daily Permit (per truck/ day max 7 ton)	\$ 100
Single Trip-Seasonal, Home Delivery	\$ 250
Commercial Tow Truck (per occurrence)	\$ 750
No Permit	<b>DOUBLE FEE</b>
Emergency-Well & Septic (max 7 ton)	<b>NO CHARGE</b>
Resident Annual to/from (max 5 ton)	<b>NO CHARGE</b>

## ASSEMBLY PERMIT FEES

Small Assembly Permit (50+ attendees)	\$ 25
*Medium Assembly (100+ attendees)	\$ 25
*Large Assembly (200+ attendees)	\$ 100
<small>*Requires West Hennepin Public Safety Deposit (\$500)</small>	

## PARK RENTAL FEES (#)

Commercial, daily - resident	\$ 200
Individual, daily - resident	\$ 75
(Liability Insurance Required)	

## FREQUENTLY CALLED NUMBERS

City of Independence	763-479-0527
West Hennepin Public Safety	763-479-0500
Burn permits WHPS	763-479-0500
Hennepin County	612-348-3000

CREDIT CARD PAYMENTS ACCEPTED FOR FEES IDENTIFIED WITH THE (#) SYMBOL. THE CITY WILL CHARGE THE LISTED FEE, PLUS APPLICABLE CHARGES FOR PROCESSING THE CREDIT CARD (CURRENTLY 3.00%).

# FEE SCHEDULE

Updated June 24, 2025



1920 COUNTY ROAD 90  
INDEPENDENCE MN 55359

PHONE: 763-479-0527

FAX: 763-479-0528

Website: <https://ci.independence.mn.us>

**ALL FEES ARE NON-REFUNDABLE.**

**Fees are Subject to change**

# City of Independence

## Pioneer Sarah Creek Watershed Commission – Proposed 2026 Budget Consideration

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<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Administrator
<i>Meeting Date:</i>	June 24, 2025

### ***Discussion:***

Attached is the proposed 2026 budget for Pioneer Sarah Creek Watershed Commission (PSCWC) as approved at the Commission's May 15, 2025, meeting. PSCWC has asked all member cities to review the proposed budget and provide feedback or comments.

The city will need to provide any comments in writing via email to Amy Juntunen, the Commissions Administrator, by July 10 for discussion at the July 17, 2025, Commission meeting. Questions can be directed to Amy Juntunen or our Commissioner (Joe Baker). Joe has also prepared a letter with additional context for Council (see attached letter).

### ***Recommendation:***

The City Council is being asked to consider the proposed 2026 PSCWC budget and provide any feedback or comments.

### ***Attachments:***

1. Letter from Joe Baker, City of Independence PSCWC Representative



June 17, 2024

Member Cities  
Pioneer-Sarah Creek Watershed Management Commission  
Hennepin County, Minnesota

(via email)

Re: 2026 Operating Budget – Pioneer-Sarah Creek Watershed Management Commission

Dear City Leaders:

Attached is the 2026 budget for the Pioneer Sarah Creek Watershed Commission as approved at the Commission's May 15, 2025 meeting. The total assessment to the cities will increase by 2.5% (\$3,325) from 2025, going from \$133,000 to \$136,325. The annual contribution by each voting Member is based on its share of the taxable market value of all real property within the watershed. Member assessments increased in 2025 by 0.91% and remained flat from 2020-2024. Due to increasing costs and mandated requirements, it is expected that minor increases will be seen annually for the next several years.

The approved budget aligns the Commission to achieve the goals of their Fourth Generation Watershed Management Plan as approved by the Board of Soil and Water Resources in 2020. The Fourth Generation Watershed Plan and the accompanying budget are responsible steps towards protecting, preserving and improving water resources in our six cities. We are pleased to present you with our approved budget.

We invite any feedback or additional input regarding the budget pursuant to Section 6.3 of the Joint Powers Agreement. Should your city have any input, please provide this in writing to Amy Juntunen, the Commissions Administrator, by July 10 for discussion at the July 17, 2025 Commission meeting.

Questions regarding the budget can be directed to one of the Commissioners or to Juntunen in the administrative office. She can be reached at the phone number or email above.

Regards,

Joe Baker  
Chair

Attachments

Cc: Commissioners (via email)  
Staff (via email)

Z:\Pioneer-SarahCreek\Financials\Financials 2026\L\_conveying 2026 PSC budget.doc

**Pioneer-Sarah Creek Watershed Management Commission  
2024 Proposed Budget**

	Approved 2022 Budget	2022 Actual	Approved 2023 Budget	2023 Actual	Approved 2024 Budget	2024 Unaudited	Approved 2025 Budget	Proposed 2026 Budget	Incr/Decr
<b>Operating Revenues</b>									
Member Dues	103800	103800	103800	103800	103800	103800	105000	108325	3.17%
Project Review Fees	6000	51812	6000	6300	6000	22532	6000	6000	0.00%
Interest and Dividend Income	1460	10609	70	42406	8500	44295	8500	8500	0.00%
<b>Total Operating Revenue</b>	<b>111260</b>	<b>166221</b>	<b>109870</b>	<b>152506</b>	<b>118300</b>	<b>170627</b>	<b>119500</b>	<b>122825</b>	
<b>Operating Expenses</b>									
Engineering/Consulting-General	32500	43373	25000	21343	25000	27142	27175	28000	3.04%
Engineering Project Reviews									#DIV/0!
Engineering Design/CIP									#DIV/0!
Engineering-CIP Mgmt						1096			
Administrative Expense	36000	23884	36000	31016	36000	33989	38400	38500	0.26%
Adm-Project Reviews	750	1512	750	527	750	745	750	650	-13.33%
Adm-CIP Mgmt	1000	0	1000	0	1000	0	1000	1000	0.00%
Adm - Tech Support	750	0	750	319	750	364	750	750	0.00%
Legal Expense	500	75	500	248	500	0	500	500	0.00%
Audit Expense	4500	4700	4500	4700	4700	4800	5000	5000	0.00%
Insurance	2800	2435	2800	2970	2800	3442	3000	3400	13.33%
Website	1500	585	1500	1017	1500	811	1500	1500	0.00%
TAC Meetings	2500	1019	5000	513	5000	830	5000	4500	-10.00%
Lakes Monitoring - TRPD	10500	10500	11164	11164	11920	11920	12960	13560	4.63%
Lakes Monitoring - CAMP	760	760	760	0	760	760	760	760	0.00%
Stream Monitoring - TRPD	12200	12200	12200	12200	13300	13300	13900	14800	6.47%
Education	2500	725	2500	540	2500	528	2500	2500	0.00%
Education-Events	500	0	500	0	500	0	500	500	0.00%
Grant Writing	1000	399	1000	2925	1000	0	1000	1000	0.00%
Management Plan - Admin	1000	393	1000	451	1000	1425	1000	1000	0.00%
Lake Sarah TMDL Update			0	0	0	0	15000	15000	0.00%
Hennepin County Outreach	0	10000	12000	12000	14000	14000	20000	25000	25.00%
<b>Operating Expenses</b>	<b>111260</b>	<b>112560</b>	<b>118924</b>	<b>101933</b>	<b>122980</b>	<b>115152</b>	<b>150695</b>	<b>157920</b>	<b>4.79%</b>
<b>Net Operating Incr/(Decr)</b>	<b>0</b>	<b>53661</b>	<b>(9054)</b>	<b>50573</b>	<b>(4680)</b>	<b>55475</b>	<b>(31195)</b>	<b>(35095)</b>	

**Pioneer-Sarah Creek Watershed Management Commission  
2024 Proposed Budget**

	Approved 2022 Budget	2022 Actual	Approved 2023 Budget	2023 Actual	Approved 2024 Budget	2024 Unaudited	Approved 2025 Budget	Proposed 2026 Budget	Incr/Decr
<b>Grant/CIP Revenue</b>									
CIP Income	28,000	28,000	28,000	28,000	28,000	28,000	28,000	28,000	
CIP Partner Cost-Share									
Lake Sarah TMDL Imple	0	4,792	0		0	1,152	0	0	
Grant - Baker Park Ravine	0	21,372	0		0		0	0	
WBIF FY21	135,584			44,428		70,559			
WBIF FY23			79,612		79,612	18,978			
WBIF FY25							120,208		
Grant - Whaletail Alum				183,028	202,500		202,500	202,500	
Grants - From Fund Balance									
<b>Total CIP/Grant Revenues</b>	<b>163,584</b>	<b>54,164</b>	<b>107,612</b>	<b>255,456</b>	<b>310,112</b>	<b>118,689</b>	<b>350,708</b>	<b>230,500</b>	
<b>CIP/Grant/Fund Expenses</b>									
Capital Improvement Project	28,000	17,278	28,000	5,000	28,000	25,438	28,000	28,000	
WBIF FY21	135,584	35,447	79,612	44,428		70,559			
WBIF FY23					79,612	18,978			
WBIF FY25							120,208		
Grant - Whaletail Alum				183,028	202,500		202,500	202,500	
Lake Sarah Implementation	0	4,792	0		0	1,152			
Baker Park Ravine	0	21,761	0		0		0	0	
<b>Total CIP/Grant Expenses</b>	<b>163,584</b>	<b>79,279</b>	<b>107,612</b>	<b>232,456</b>	<b>310,112</b>	<b>116,126</b>	<b>350,708</b>	<b>230,500</b>	
<b>Net CIP/Grant Income</b>	0	-25,115	0	23,000	0	2,562	0	0	
<b>Net Fund Increase</b>	0	28,546	-9,054	73,573	-4,680	58,037	-31,195	-35,095	

# Pioneer-Sarah Creek Watershed Management Commission

## Proposed 2026 Member Assessments

	2022 Market Value	Increase in MV	2023 Op Budget		Increase over Prev Year	
	PSC Basin	over Prev Year	%age	Amount	%age	Amount
<b>2023</b>						
Greenfield	670,597,971	28.27%	30.24	39,857.93	1.55%	608.88
Independence	807,025,180	27.17%	36.39	47,966.67	0.68%	324.70
Loretto	91,101,430	26.74%	4.11	5,414.74	0.33%	18.05
Maple Plain	171,633,500	22.78%	7.74	10,201.28	-2.80%	(293.52)
Medina	223,678,840	21.93%	10.09	13,294.66	-3.47%	(478.32)
Minnetrista	253,459,640	24.82%	11.43	15,064.73	-1.18%	(179.79)
<b>TOTALS</b>	<b>2,217,496,561</b>	<b>26.31%</b>	<b>100.00</b>	<b>131,800.00</b>	<b>0.00%</b>	<b>0.00</b>
	2023 Market Value	Increase in MV	2024 Op Budget		Increase over Prev Year	
	PSC Basin	over Prev Year	%age	Amount	%age	Amount
<b>2024</b>						
Greenfield	729,852,100	8.84%	29.97	39,496.41	-0.91%	(361.52)
Independence	893,785,400	10.75%	36.70	48,367.76	0.84%	401.09
Loretto	98,831,000	8.48%	4.06	5,348.30	-1.23%	(66.44)
Maple Plain	197,707,100	15.19%	8.12	10,699.04	4.88%	497.77
Medina	238,002,900	6.40%	9.77	12,879.68	-3.12%	(414.99)
Minnetrista	277,347,100	9.42%	11.39	15,008.81	-0.37%	(55.91)
<b>TOTALS</b>	<b>2,435,525,600</b>	<b>9.83%</b>	<b>100.00</b>	<b>131,800.00</b>	<b>0.00%</b>	<b>(0.00)</b>
	2024 Market Value	Increase in MV	2025 Op Budget		Increase over Prev Year	
	PSC Basin	over Prev Year	%age	Amount	%age	Amount
<b>2025</b>						
Greenfield	730,087,100	0.03%	29.90	39,769.37	0.69%	272.96
Independence	897,562,800	0.42%	36.76	48,892.12	1.08%	524.36
Loretto	98,833,200	0.00%	4.05	5,383.65	0.66%	35.35
Maple Plain	198,274,300	0.29%	8.12	10,800.41	0.95%	101.37
Medina	239,318,600	0.55%	9.80	13,036.18	1.22%	156.51
Minnetrista	277,541,500	0.07%	11.37	15,118.26	0.73%	109.45
<b>TOTALS</b>	<b>2,441,617,500</b>	<b>0.25%</b>	<b>100.00</b>	<b>133,000.00</b>	<b>0.91%</b>	<b>1,200.00</b>
	2025 Market Value	Increase in MV	2026 Op Budget		Increase over Prev Year	
	PSC Basin	over Prev Year	%age	Amount	%age	Amount
<b>2026</b>						
Greenfield	794,224,900	8.78%	29.56	40,296.30	1.32%	526.94
Independence	1,014,175,000	12.99%	37.74	51,455.83	5.24%	2,563.72
Loretto	100,726,000	1.92%	3.75	5,110.50	-5.07%	(273.15)
Maple Plain	199,328,500	0.53%	7.42	10,113.26	-6.36%	(687.16)
Medina	266,692,300	11.44%	9.93	13,531.07	3.80%	494.89
Minnetrista	311,767,400	12.33%	11.60	15,818.03	4.63%	699.77
<b>TOTALS</b>	<b>2,686,914,100</b>	<b>10.05%</b>	<b>100.00</b>	<b>136,325.00</b>	<b>2.50%</b>	<b>3,325.00</b>

## 2025 Budget Options - Staff Request for Direction

Option A					
2025	2024 Market Value PSC Basin	No Increase		Increase over Prev Year	
		%age	Amount	%age	Amount
Greenfield	730,087,100	29.90	39,410.55	-0.22%	(85.86)
Independence	897,562,800	36.76	48,450.99	0.17%	83.23
Loretto	98,833,200	4.05	5,335.08	-0.25%	(13.23)
Maple Plain	198,274,300	8.12	10,702.97	0.04%	3.92
Medina	239,318,600	9.80	12,918.56	0.30%	38.89
Minnetrista	277,541,500	11.37	14,981.86	-0.18%	(26.95)
<b>TOTALS</b>	<b>2,441,617,500</b>	100.00	131,800.00	0.00%	0.00

Option B					
2025	2024 Market Value PSC Basin	1.2% Increase to Op		Increase over Prev Year	
		%age	Amount	%age	Amount
Greenfield	730,087,100	29.90	39,769.37	0.91%	358.82
Independence	897,562,800	36.76	48,892.12	0.91%	441.13
Loretto	98,833,200	4.05	5,383.65	0.91%	48.57
Maple Plain	198,274,300	8.12	10,800.41	0.91%	97.45
Medina	239,318,600	9.80	13,036.18	0.91%	117.62
Minnetrista	277,541,500	11.37	15,118.26	0.91%	136.41
<b>TOTALS</b>	<b>2,441,617,500</b>	100.00	133,000.00	0.91%	1,200.00

Option C					
2025	2024 Market Value PSC Basin	2.5% Incr to Op		Increase over Prev Year	
		%age	Amount	%age	Amount
Greenfield	730,087,100	29.90	39,941.30	1.35%	530.76
Independence	897,562,800	36.76	49,103.49	1.35%	652.51
Loretto	98,833,200	4.05	5,406.93	1.35%	71.85
Maple Plain	198,274,300	8.12	10,847.11	1.35%	144.14
Medina	239,318,600	9.80	13,092.54	1.35%	173.98
Minnetrista	277,541,500	11.37	15,183.63	1.35%	201.77
<b>TOTALS</b>	<b>2,441,617,500</b>	100.00	133,575.00	1.35%	1,775.00

Preparation for 2026 Operating Budget					
2025	2024 Market Value PSC Basin	20.5% Incr to Op		Increase over Prev Year	
		%age	Amount	%age	Amount
Greenfield	730,087,100	29.90	45,749.72	16.08%	6,339.18
Independence	897,562,800	36.76	56,244.32	16.08%	7,793.33
Loretto	98,833,200	4.05	6,193.22	16.08%	858.15
Maple Plain	198,274,300	8.12	12,424.54	16.08%	1,721.57
Medina	239,318,600	9.80	14,996.51	16.08%	2,077.95
Minnetrista	277,541,500	11.37	17,391.69	16.08%	2,409.83
<b>TOTALS</b>	<b>2,441,617,500</b>	100.00	153,000.00	16.08%	21,200.00

To Fund Hennepin County at \$25,000 (currently \$14,000)



# City of Independence

## Consideration of the 2025 Bituminous Maintenance and Repair Quotations

---

To: City Council  
From: Ben Lehman, Public Works Supervisor  
Meeting Date: June 24, 2025

### ***Discussion:***

The city annually inspects all asphalt roads in the spring and fall to identify issues and areas that need repair and or additional maintenance. Following the evaluation, the city performs annual maintenance on bituminous roads throughout the city. Some repairs are made by our Public Works department while more complex repairs require the city to contract with different contractors specializing in the respective type of repair.

The city has identified culvert and asphalt repairs on Perkinsville Road, Woodhill Drive and the intersection of Main Street and CSAH 90. The city obtained quotes from local service providers for the work and prepared a summary of those obtained and recommendations for each project. The total amount of the repairs is estimated to be \$47,455. The city budgeted \$55,000 for 2025 for bituminous road maintenance and repair.

#### Sink Hole On Perkinsville

Excavating and replace culvert

J-Reed \$6,092

Mike's Landscaping \$5,244

#### Asphalt repairs on Perkinsville

DMJ \$20,911

Metro Paving \$23,960

#### Asphalt repairs on Woodhill Dr.

DMJ \$8,340

Metro Paving \$10,115

#### Asphalt Pad on Main Street and 90 Intersection 50

DMJ \$17,509

Metro Paving \$12,960

Low Bid Totals=\$47,455

2025 Budgeted For Repairs=\$55,000

***Recommendation:***

The City Council is being asked to consider approval of the recommended bituminous road maintenance and repair as highlighted in this report.

***Attachments:*** Quotations for Repair Work as Noted.



## Proposal & Agreement

14350 Northdale Blvd.  
Rogers, MN 55374  
Phone: (763)428-4121 Fax: (763)428-4581  
www.metropavinginc.com

Date: 5/27/2025

Submitted To: City of Independence  
Address: 1920 County Rd 90  
City, State, Zip: Independence, MN 55359  
Attention: Ben Lehman  
Phone: 763-479-0530

Job Name: West Hennepin Public Safety  
Address: 1920 County Rd 90  
City, State, Zip: Independence, MN 55359  
Email: blehman@ci.independence.mn.us  
Fax:

THE FOLLOWING PROPOSAL IS BASED ON:

**90<sup>th</sup> & Main St (Approx. 2,740 Sq. Ft.) / Price: \$12,960.00**

- Grade existing CL-5 and compact
- Construct a 2" Mn. Dot Spec Bituminous Base Course.
- Construct a 2" Mn Dot Spec. Bituminous Wear Course.
- Roll for compaction

**Accept: YES or NO / Customer Initial:**

**Perkinsville Road: Mill, Tack & Pave Road sections at 3" (Approx. 4,970 Sq. Ft.) / Price: \$23,960.00**

**Accept: YES or NO / Customer Initial:**

**Woodhill Dr: Mill, Tack & Pave Road sections at 3" (Approx. 2,110 Sq. Ft.) / Price: \$10,115.00**

**Accept: YES or NO / Customer Initial:**

**\*NOTE: Bid does not include flagging or traffic control. Signate only**

**WE ACCEPT VISA AND MASTERCARD. IF A CREDIT CARD IS USED A 3% FEE WILL BE APPLIED TO THE AMOUNT.**

**THIS PROPOSAL AGREEMENT IS VOID 30 DAYS FROM DATE UNLESS SIGNED AND RETURNED TO BIDDER.**

**Note: No Restoration and No Permits.**

Note: All Work To Be Completed In The Current Calander Year. This Proposal Is Based On Parking Lot Being Clean & Empty At Time Of Service. Additional Trips For Circumstances Out Of Our Control (Such As Sprinklers Left On, Vehicles In Working Areas, Etc) Will Be Charged Out As Per Mobilization Fee Of \$1,200.00. Waiting For Vehicles To Be Out Of Area Will Be Charged Out \$450.00 Per Truck On Site. No Sub-Base Correction Due To Moisture If Additional CL-5 Base Material Is Needed. A Signed Change Order Will Be Needed To Proceed With The Project.

### **NOTICE OF LIEN ON PAGES (2 & 3) OF THIS PROPOSAL**

**(Please Sign Page 1 & Initial on Pages 2 & 3)**

The undersigned guarantor jointly and severally unconditionally guarantees the prompt Payment when due of all sums owed to Metro Paving, Inc. under the above contract. The undersigned guarantor acknowledges that execution of this guarantee is a material Part of the consideration upon which Metro Paving, Inc. relied in entering this Proposal & Agreement and that this guarantee is executed as an inducement to Metro Paving, Inc.

**Acceptance of Agreement** The above prices, specifications and the terms and conditions on page one and two of this agreement are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Legal Company Name \_\_\_\_\_

By: \_\_\_\_\_

Date of Acceptance: \_\_\_\_\_

### **Proposal does not include unless specified:**

Permits, bonds or any additional fees  
Landscape restoration, irrigation repair or backfilling  
Locates for private utilities or repairs if not marked  
Erosion control  
Testing of any kind

### **METRO PAVING REPRESENTATIVE**

Ben Philipson

By: \_\_\_\_\_

Date: \_\_\_\_\_



**A THIRD GENERATION CONTRACTOR**

2392 Pioneer Trail

P.O. Box 299

Medina, MN 55340

763.478.6878 \* Fax 763.478.2329

Email: brandon@dmjasphalt.com \* www.dmjasphalt.com

**Project Name:** Main Street & Co Rd 90  
**Project Location:** Independence, MN  
**Section:** Asphalt Paving/Class 5  
**Bid Date:** May 30, 2025  
**Estimator:** Brandon Snetsinger  
Cell: 612-875-4215

**Provisions / Notes:** Bid based on 1 area, 2,300 s.f. from Co Rd 90 to 50 l.f. in on Main Street. If Warning Lites signage is needed, this would be an additional pass through cost.

1. Mill a straight edge on asphalt edge on Co Rd 90.
2. Grade roadway for proper slope and compact, haul excess class 5 away.
3. Install base lift of 3" inches MN DOT SPNWB330B asphalt rolled and compacted
4. Tack coat
5. Install wear lift of 2" inches MN DOT specification SPWEA340B asphalt rolled and compacted..

**Total cost - \$17,509.00**

**\*DBE Certified \*WBE Contractor \*CERT Program Certified\*State of MN-TG/ED certified**

Bid does not include:

- Installation of wear course after November 1<sup>st</sup>
- Manhole/catch basin adjusts
- Not more than 2 paving mobilizations/1 base mobilizations
- Patching that is not denoted on plan used for bidding
- Permits/City Licenses
- More than 1 on-site check of sub-grade or gravel fine grading acceptance
- Sub-grade to 1/10'
- Sweeping
- Testing
- Warranty of drainage with less than 1.5% fall
- Prevailing wage rates.

Bond available upon request with a 1.45% charge over proposed cost.

If this bid is not accepted within 30 days of this proposal, this quote is not valid without written consent from DMJ Asphalt Inc.





**A THIRD GENERATION CONTRACTOR**

2392 Pioneer Trail

P.O. Box 299

Medina, MN 55340

763.478.6878 \* Fax 763.478.2329

Email: [brandon@dmjasphalt.com](mailto:brandon@dmjasphalt.com)

April 29, 2025

Mr. Ben Lehman  
City of Independence  
1920 Co Rd 90  
Independence, MN 55340

Dear Mr. Lehman,

Thank you for giving DMJ Asphalt Inc. the opportunity to bid on your asphalt project. This proposal is for Woodhill Drive. Widen out corner by 4175, two patches by 4175 and a mill patch. We respectfully submit the following proposal:

1. Mill patch area (48x11) to an average depth of two 2" inches, haul millings away and sweep.
2. Tack coat.
3. Install two (2") inch wear course of MN DOT specification SPWEA240B asphalt rolled and compacted.
1. Three patch areas, (7x3, 3x14, 4x15), mill cut and remove asphalt. Haul away and recycle.
2. Prep for five (5") inches of asphalt.
3. Install in two lifts, five (5") inches of MN DOT specification SPWEA240B asphalt rolled and compacted.
4. Install hand formed berm on inside of corner.
1. Widen corner approximately six (6') feet in the center and 50 l.f. on outside edge.
2. Mill cut edge.
3. Remove five (5") inches of gravel and compact area.
4. Install in two lifts, five (5") inches of MN DOT specification SPWEA240B asphalt rolled and compacted.

Total price furnished and installed, tax included is \$8,340.00.

Option- If there is not enough gravel left in the corner after prepping for 5" inches (minimum six 6" inches left). Area will have to be subcut. Subcut will be to a depth of thirteen (13") inches below finish grade, haul material away, install eight (8") inches class 5 recycle and compact. Pave as stated above. Additional cost \$930.00

If you have any questions, need references or any additional information, please call me at 763-478-6878.

Sincerely,

Brandon Snetsinger  
DMJ Asphalt Inc.



***A THIRD GENERATION CONTRACTOR***

*2392 Pioneer Trail*

*P.O. Box 299*

*Medina, MN 55340*

*763.478.6878 \* Fax 763.478.2329*

*Email: brandon@dmjasphalt.com*

April 29, 2025

Mr. Ben Lehman  
City of Independence  
1920 Co Rd 90  
Independence, MN 55340

Dear Mr. Lehman,

Thank you for giving DMJ Asphalt Inc. the opportunity to bid on your asphalt project on Perkinsville Rd. We respectfully submit the following proposal:

**Bid based on a total of 303 s.y. 2" inch mill and over lay (20 spots):**

1. Mill patch areas to a depth of two (2") inches, 303 s.y. Haul millings off site and recycle.
2. Sweep and apply tack coat.
3. Patch with Minnesota Department of Transportation Specification SPWEA240B asphalt and compact to a depth of two (2") inches.

Total price furnished and installed is \$13,938.00.

If you have any questions, need references or any additional information, please call me at 763-478-6878.

Sincerely,

Brandon Snetsinger  
DMJ Asphalt Inc.



**A THIRD GENERATION CONTRACTOR**

2392 Pioneer Trail

P.O. Box 299

Medina, MN 55340

763.478.6878 \* Fax 763.478.2329

Email: brandon@dmjasphalt.com \* www.dmjasphalt.com

**Project Name:** Perkinsville Rd Culvert Patch  
**Project Location:** Perkinsville Rd  
**Section:** Asphalt Paving  
**Bid Date:** February 8, 2023  
**Estimator:** Brandon Snetsinger  
Cell: 612-875-4215

**Provisions / Notes:** Bid based on patch area 20 ft long by width of the road. Work to be completed doing half at a time to keep traffic open.

1. All class 5 installed and by others.
2. Dig out and remove five (5") inches of class 5, grade and compact.
3. Install three (3") inch base course of MN DOT specification SPWEA340B asphalt rolled and compacted.
4. Install two (2") inch wear course of MN DOT specification SPWEA340B asphalt rolled and compacted.

**Total cost - \$6,973.00**

**\*DBE Certified \*WBE Contractor \*CERT Program Certified\*State of MN-TG/ED certified**

Bid does not include:

- Installation of wear course after November 1<sup>st</sup>
- Manhole/catch basin adjusts
- Not more than 1 paving mobilizations/1 base mobilizations
- Patching that is not denoted on plan used for bidding
- Permits/City Licenses
- Saw-cutting
- Staking
- Class 5 gravel base or fine grading of must be to .01(+/-)
- More than 1 on-site check of sub-grade or gravel fine grading acceptance
- Sub-grade to 1/10'
- Sweeping
- Testing
- Warranty of drainage with less than 1.5% fall
- Prevailing wage rates.

Bond available upon request with a 1.45% charge over proposed cost.

If this bid is not accepted within 20 days of this proposal, this quote is not valid without written consent from DMJ Asphalt Inc.



J-Reed Excavating LLC  
7789 Pioneer Creek Road  
Maple Plain, MN 55359

# PROPOSAL

Page No. 1  
of 1 Pages

PROPOSAL SUBMITTED TO:		PHONE 763-479-0530	DATE 06/04/25
NAME	City of Independence	JOB NAME west end of Perkinsville Rd	
STREET	Attn: Ben	STREET	
CITY	Independence	CITY	STATE
STATE	MN 55359		

We hereby submit specifications and estimate for:

To Replace culvert:

Saw cut asphalt, remove old culvert & asphalt. Install 44' x 15" culvert plus aprons.

Take out fill & bring in a 12" base using recycled material above culvert.

If wet under culvert we may need to add clear rock underneath culvert & would be additional cost if necessary.

We hereby propose to furnish labor and materials - complete in accordance with the above specifications, for the sum of  
6 thousand 92 & 00/100 dollars (\$ 6092.00 ) with payment to be made as follows:

Net due upon completion of work.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the agreements contingent upon strikes, accident or delays beyond our control. This proposal subject to acceptance 30 days and it is void thereafter at the option of the undersigned.

Authorized Signature Jed Reed

## ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

ACCEPTED:

Signature X

D 06/04/25

Signature X



Mikie's Landscaping  
11039 County Road 16, SE  
Watertown, MN 55388

# Estimate

Name/Address
City of Independence
1920 County Rd 90
Maple Plain, MN 55359

Date	Estimate No.	Project
05/28/25	1363	

Item	Description	Quantity	Cost	Total
	Replace Culvert per discussion with Ben.		0.00	0.00
Other	50' of 15" Culvert-2 Aprons		1,844.60	1,844.60
Other	Labor, Backhoe, Bobcat, Compactor		2,800.00	2,800.00
Rock	1 Load of Class #5 Gravel		600.00	600.00
Thank you for the opportunity to bid this job.			Total	\$5,244.60

## City of Independence Proposed Asphalt Repairs

### Sink Hole On Perkinsville

Excavating and replace culvert

J-Reed \$6,092

Mike's Landscaping \$5,244

### Asphalt repairs on Perkinsville

DMJ \$20,911

Metro Paving \$23,960

### Asphalt repairs on Woodhill Dr.

DMJ \$8,340

Metro Paving \$10,115

### Asphalt Pad on Main Street and 90 Intersection 50

DMJ \$17,509

Metro Paving \$12,960

Low Bid Totals=\$47,455

2025 Budgeted For Repairs=\$55,000