

****PLEASE NOTE**** 6:00 PM: PRE - LOCAL BOARD OF APPEALS AND EQUALIZATION MEETING

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

CITY COUNCIL MEETING AGENDA TUESDAY MARCH 28, 2023

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 March 7, 2023, Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch #1 Checks No. 21883-21900* and Batch #2 - Checks No. 21901-21910 and Batch #3 - Checks No. 21911-21920, *Check No. 21894 was Voided due to Printing Error).
- 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 Gary Kroells:
 - a. Presentation of the January 2022 Activity Report.

- b. Presentation of the February 2023 Activity Report.c. WHPS Advance on Capital Funding Payments to Purchase Squad Cars.
- 8. Open/Misc.
- 9. Adjourn.

MINUTES OF A REGULAR MEETING OF THE INDEPENDENCE CITY COUNCIL THURSDAY, MARCH 7, 2023 – 6:30 P.M. City Hall Chambers

1. <u>CALL TO ORDER</u>.

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. <u>PLEDGE OF ALLEGIANCE.</u>

Mayor Johnson led the group in the Pledge of Allegiance.

3. <u>ROLL CALL</u>

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

ABSENT: None.

STAFF: City Administrator Kaltsas and City Attorney Vose.

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 Minutes from the February 9, 2023, Special City Council Meeting.
- b. Approval of City Council Minutes from the February 21, 2023, Regular City Council Meeting.
- c. Approval of Accounts Payable; (Batch #1 Checks No. 21856-21867 and Batch #2 Checks No. 21868-21882).

Motion by Spencer, seconded by Betts to approve the Consent Agenda. Ayes: Johnson, McCoy, Betts, Spencer, and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5.0

5. <u>SET AGENDA – ANYONE NOT ON THE AGENDA CAN BE PLACED UNDER OPEN/MISC.</u>

6. <u>REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF</u>

Grotting attended the following meetings:

- Planning Commission mtg
- Advanced Leadership Conference League of Minnesota Cities

Spencer attended the following meetings:

- League of Minnesota Cities Conference
- Hwy 12 Corridor Coalition
- Ribbon Cutting for North Memorial
- Stopped by our Public Works Dept to thank them for their recent straight 37-hrs
- Conference calls with Senator Warren Limmer and Rep. Kristin Robins

Betts attended the following meetings:

- Ribbon Cutting for North Memorial
- Hwy 12 Coalition Mtg

McCov attended the following meetings:

• Ribbon Cutting for North Memorial

Johnson attended the following meetings:

- Hwy 55 Executive Committee Coalition Mtg –April mtg will likely be here.
- League of MN Cities Conference
- Orono School Board Workshop latest student survey shows huge reduction in substance use.
- Hwy 12 Corridor Safety Coalition
- Judy Johnson. MetCouncil- re-appointed to our district.

Kaltsas attended the following meetings:

UPDATE: DEED Grant was submitted with lots of support letters- 30% of those contacted responded. No results are expected until early to mid-Summer and would serve almost all remaining residents without access to broadband wired. If successful in getting that grant, the City would see a 2024 buildout for the North and NW half of Independence. Midco and Hennepin County DEED said that they'd never seen an application that robust. Johnson thanked the residents for responding.

Johnson sent a letter of support to the Hanover Mayor in hopes of getting funding for addressing the section of Co Rd 19 that intersects with two other county roads by the park.

7. Senator Warren Limmer (37, R) – Annual City Update.

Senator Warren Limmer (37, R) came to introduce himself after redistricting that happened a year ago as it happens routinely throughout the US every 10 years according to population to make sure we are equally represented. He'd previously represented northern Hennepin County but is currently representing 90% of Maple Grove and all of Corcoran, Greenfield, Independence, Medina, Maple Plain, and Loretto. Although our District's population decreased, our region is actually larger. With the likely continued growth of this region, he's anticipating some growing pains in road construction in the next 1-2 decades, and he is happy to help in those areas following the Council's lead. He likes smaller government and believes the City of Independence is doing a wonderful job for its residents. He's lived in Maple Grove for 40 years seeing its growth, and although he knows his Western Hennepin County communities are wondering what's ahead for development, just know that he won't dictate terms regarding infrastructure. We can get help from the State within the limitations- no local construction but rather bigger infrastructure like the City of Medina's water tower needs. If that arises for Independence also, I'll be in my office to help. Sen. Limmer authored <u>SF 813</u> "Medina and Independence railroad crossing safety improvements bond issue and appropriation," and it was introduced but awaiting its hearing. The bill is to improve the ramp ups to railroad crossings. He is currently serving on the Judiciary and Public Safety Committee (Public Safety's personnel including issues

of Law Enforcement, Public Safety, and Fire). He chaired the committee for 6 years and is still a ranking member of it and has gotten to know lots of public servants throughout the state. Law enforcement has had a tough ride the last few years and has been unfairly judged. We're there to ensure all cities have adequate law enforcement while satisfying all citizens' civil rights so we have a good, well-balanced expectation of "when you break the law, there is going to be a penalty." That's in question in the legislature. Some want to reduce penalties for those who chronically commit crime. I think it's the wrong way to go and other cities have tried it, only to find it does not work. A reasonable, practical, and proportional response to crime as a criminal sanction is necessary and required. If we go down the path of weakening our judicial reaction to crime, we will roundabout it again in a few years. Addressing the root cause of crime is a complex issue and is important. Thankfully Independence only has little spikes every once in a while.

Mayor Johnson thanked Sen. Limmer for his letter of support for the **broadband DEED grant**. He had a meeting with the Department of Natural Resources with Kristen Robbins re the Luce Line Trail crossing. 4 DNR joined us and is the first to be challenged with the easement. They emphasized only needing to pay \$2,000 for the application. Not all neighbors can pay that. Resulting the Assistant Commissioner said he wants to go back to see what can be found when the Luce Line was put int. So that was progress. The DNR should find money to clean it up if needed. Limmer has previously worked with Bob Meier, DNR, who was getting back to Rep Robbins. Johnson stated we want to keep moving on Hwy 12 funding. We have the study and are recommending the 4-lane divided highway from here to Delano. We got the bridge done at Co Rd 92 and the roundabout at Co Rd 90. Limmer agreed this project is needed and wanted to see the study. He asked someone to please send it to him. Kaltsas stated both a full safety audit and a full study were done leading to a Preferred Alternative Design Development Plan for 4 lanes. We're a few million in but need funds for its reconstruction. The section of Hwy 12 in Independence from Co Rd 90 to the Hennepin County border is the oldest section of unreconstructed highway in the metro. It's never been reconstructed in its lifetime. We have gone through the process and just need funding to be escalated. Unfortunately, we are in the Metro District's funding but in St. Cloud's maintenance. It's too bad they can't line this up because this would become the highest prioritized project in St. Cloud's district by volume and traffic. If going to the other side of the County Line, all of Hwy 12 has been updated multiple times moving West. District 3 St. Cloud maintenance and they would love to rebuild this as it serves their Western cities. Limmer agreed how oddly it was misaligned and that after the next 2 weeks his schedule would be much more open. He was open to getting together early in the morning to discuss this further. Johnson stated that the City is part of the Hwy 55 Corridor Coalition and wants to see funding for 4-lanes from Hamel to Co Rd 19 North of Loretto. Thankfully Limmer and Robbins have a bonding bill on that as well. We have been active on the I-94 Coalition and have been rather successful going from Maple Grove up I-94 to St. Cloud. Even though Maple Grove has been checked off as getting what they ask for, they are not stepping away from a Coalition membership. We need to keep that voting block together as it helps other projects. He is eager to work with Independence and Maple Plain as the new guy. Councilor Spencer appreciated Sen. Limmer's responsiveness to his call.

8. **<u>PUBLIC HEARING:</u>** Consideration of Conduit Bond Issuance.

a. **RESOLUTION 23-0307-01:** Considering the authorization of the issuance, sale and delivery of revenue bonds for 180 Degrees, Inc. Projects (this includes the renovation and expansion of two facilities; "Minneapolis Project," and together with the St. Cloud Project, the "Projects").

Johnson opened the public hearing. The City was approached late last year by someone seeking conduit financing. We have considered it in the past. It is to allow renovation expansion of two facilities owned and

operated by 180 Degrees, Inc. Their St. Cloud youth shelter would be doubled in size and a 1,500 SF, 37bed transitional facility in Minneapolis. The City talked with them more about the project and more details. We asked them to work through Kennedy & Grave for review and K&G did review it. It is a \$6 million issuance, and it would take advantage of tax availability. We are not planning on issuing any bonds this year, and this is a way to generate some income for the City. This is not utilizing its full availability. We have a fee of \$25,000. We have no obligation for the bonds themselves. It is a way to generate income. We don't have much debt, so this is a good way to generate income.

Mark Deraney, AMKO Advisors -Ron from our bond council is also on the line. We help municipalities on nonprofit organizations finance or refinance projects. 10-fold advisors. We can help nonprofit organizations by issuing debt through a conduit. I've been working with 180 Degrees in St. Paul for over a year. They have 5 facilities. Their mission is to assist primarily young people and people in need. The St. Cloud facility is a youth shelter and the Mpls helps men coming out of prison as they assimilate into society and help them as working members of society. We've been very impressed with them and are one of the best run organizations that I have come across. They have great fundraising. The facilities are old and need better technology, beds, etc. They also work with abused women and children. We are looking for a single issuer for both projects. The projects need to affect the community who is acting as the conduit. We are not anticipating any other debt in 2023 or anything more than \$4 million, limiting it to \$6 million total. The \$10 million is for a bank qualification designation. 180 Degrees is a very valuable organization to the community, and you don't have any liability for the debt. There will be a fee revenue of 0.5% so your income generated could be \$25,000-30,000. Dan Pfarr has been 180 Degrees' CEO for about 5 years and has really served them well. They'd received \$1.5 million grant for the St. Cloud project and has begun construction already and additionally received \$1 million grant for Minneapolis. They will continue with fundraising.

No one was present to speak at the hearing.

Motion by Spencer, seconded by Grotting to close public hearing. Ayes: Johnson, McCoy, Betts, Spencer, and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5.0

Motion by Grotting, seconded by Spencer to approve RESOLUTION 23-0307-01 as written. Ayes: Johnson, McCoy, Betts, Spencer, and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5.0

- 9. Windsong Golf Club North Course Expansion Project: Environmental Assessment Worksheet.
 - a. **RESOLUTION NO. 23-0307-02** Resolution issuing an <u>amendment</u> to the negative declaration of the need for an Environmental Impact Statement for Windsong Golf Club north course expansion project.

We had approved a resolution that issued a no further action, but recently the MPCA notified us that they had not seen responses to their comments. The Windsong's Engineer had forgotten to include their responses but have amended it to include them. So, we need to amend our resolution and re-approve it including the MPCA comments. No material comments were added. This resolution has been revised to include the updated Findings of Fact and Conclusions. They are still working on the wetland issue. We had allowed them to remove some trees but nothing further yet. They are working through the City to get their wetland delineation and replacement mitigation plan completed. It's close.

Motion by Spencer, seconded by Betts to approve RESOLUTION 23-0307-02 issuing a negative declaration for the need. Ayes: Johnson, McCoy, Betts, Spencer, and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5.0

- 10. William Stoddard (Applicant) and John Zeglin (Owner) requests that the City consider the following actions for the property located at 9285 US Hwy 12, Independence, MN (PID No. 18-118-24-21-0001):
 - a. **ORDINANCE NO. 2023-01** Rezoning of a portion of the property from AG-Agriculture to UC-Urban Commercial.
 - b. **RESOLUTION NO. 23-0307-03** A Resolution approving the following:
 - Comprehensive plan amendment to allow a portion of the property to be re-guided to the Urban Commercial UC zoning district. A portion of the property is already guided Urban Commercial.
 - Conditional Use Permit to allow a planned unit commercial development on the subject property. The proposed development would include office warehouse and private garage condominium buildings.
 - Site Plan Review to allow the proposed development.
 - Preliminary Plat to allow the subdivision of the property into seven (7) residential lots and associated lots to allow the proposed commercial development.

Kaltsas recapped the details of the Request, Property/Site Information, UPDATE, 530.11 Lot Standards, Planned Development Standards, and Planning Commission Discussion and Recommendation. The owner's 16-acre middle section is what is being proposed to be rezoned from AG/Agriculture to UC/Urban Commercial matching the acreage furthest away from Nelson Rd (shown in red). If that Comp Plan Amendment reguiding is approved by the MetCouncil, the City would then be in a position to rezone that. A proposed ordinance is in the packet for the rezoning, but it needs to follow MetCouncil plans. We could approve this stating "subject to MetCouncil's approval," but because there is a 2nd step, I think we should pull the ordinance for rezoning until we have that approval. He clarified to the Mayor that this is working under the 2040 Comp Plan, and the City will have that adopted and then submit a subsequent amendment to that plan. We are also talking about a CUP/Conditional Use Permit allowing a Planned Development. All commercial developments are subject to Site Plan review and additionally we are considering a Preliminary Plat. Attorney Vose and I talked about removing the CUP as formal consideration tonight noting that we need to do Final Plat and rezone so we should do that then. For tonight, I removed CUP from the resolution verbiage. We are considering Site Plan review for commercial development and a Preliminary Plat for tonight. These 58 acres are zoned AG/Agriculture on East side and UC/Urban Commercial on far West side. UC zoning ties into the next property. Plans show 60 acres Urban Commercial at Hwy 12 & County Line Rd (shown as blue outline). This property is bisected by our Comprehensive Plan. The applicant prepared a plan of two types of development. Commercial and Residential. Core of property is auto lifestyle condominiums (southern site) and NW corner – 10,600 sqft of a retail building. The East side shows 7 single family lots mirroring lots on East side of Nelson. Lot size minimum of 3.25 acres and maximum of 4.5 acres. They would be larger in depth than the lots across the street. The Planning Commission thought this type of housing will create a long-term transition between historically developed residential and current new development. As you know, this property has been on the market for 15+ years, and we have received a wide array of land use proposals for the entire acreage – apartments, large warehouses, churches, schools, etc. Mayor Johnson asked if there was a creek there. Kaltsas replied that there is a large wetland that goes through to the South down to Maria. The SE corner is upland with a wetland complex with drainage by Nelson Rd (Lots 5-7). It was originally 8 lots and they changed it to 7 due to losing some land for a future frontage road to avoid commercial access on Nelson Rd. as it was not built for cross traffic. The Property owner to the West was not willing to grant access from County Line Rd to the new development. The developer proposed a Right-In Right-Out/RIRO access off of Hwy 12. It would be divided access with a right-in lane coming in eastbound Hwy 12 and a right-out lane going west on Hwy 12 serving as the primary access to the property. We have had a lot of meetings with MNDOT regarding this access, and initially they didn't want a RIRO but wanted a full connection to Nelson Rd. Lots of options were discussed. But having noted the City's ordinances prohibit commercial development from connecting to residential streets, they may allow RIRO temporarily until there is full access to Nelson Rd. The Planning Commission recommended holding tight on our ordinance with no connection on Nelson Rd and put it back on MNDOT and to approve this with a RIRO only. MNDot's wondering how Westbound traffic would enter this site. They'd have to go to County Line Rd, get into the left turn lane (a fully protected lane with a turn arrow) making a legal U-turn or turn onto County Line and come on to Hwy 12. They were concerned about that being an unnatural movement. Additionally, they were concerned about westbound traffic from this site would make illegal turns onto Hwy 12. We noted the study and plans for Hwy 12's preferred alignment that Nelson Rd would be a RIRO and then that westbound turnaround for Nelson Rd is the County Rd 92 roundabout. They said this RIRO is too far away from that. Being this is 400 FT more, it's too far for this then too. The Applicant did a traffic analysis showing low traffic even with the retail. The Planning Commission's first review suggested to obtain a future frontage road ROW allowing for the connection of Nelson Rd all the way to County Line Rd and close Nelson Rd entirely providing a safe access to what will likely be the roundabout at County Line Rd and Hwy 12 or a full integrated 4-lane with more safety features. When telling MNDot we would recommend to Council to commit to the frontage road acquisition along with making a general statement being willing to consider full closure to Nelson Rd if Hwy 12 is upgraded, they really liked all of that. But MNDot still thinks you should connect to Nelson Rd. Planning Commission recommends approving the Preliminary Plat and Site Plan Review as drawn including the dedication of 66 ft wide frontage road ROW/right of way and RIRO/right-in right-out on Hwy 12 access. The future frontage road ROW/right of way and outlot dedicated to the City (shown as Blue on plan) with potential ROW development eventually serving Lots 1-2 and driveway access off that future frontage road having a shared driveway until then out to Nelson Rd. Plan Development Standard's Uses would be limited initially due to that limited access. The Applicant is dedicating more parking spaces than Parking Analysis minimum. The updated Lighting plan will satisfy residents' concerns showing no measurable intensity of light but not that it couldn't be seen a mile away and none to the lot perimeter. The City requested parking lot lighting for public safety needs. The Planning Commission's review of the architectural plans and materials showed that it meets the cohesive, unified standard of the Urban Commercial ordinance. Applicant was asked to bring a sample of the materials board; it's corrugated metal with glazing with a modern industrial architectural feel. Garage door panels are opaque on the bottom and translucent on the top. The commercial building and condos share the same cohesive look. With landscaping, there are a couple areas to improve consistency within the PUD standards: Having enhanced landscaping along the backside of the residential area (Lots 2-3) and future frontage road to screen and buffer the commercial side. Residential lots must be compliant with our normal AG lot standards. Planned Development standards were discussed and developed. Permitted Uses were specifically written as until future road improvements would be made giving the Council to approve uses not expressly mentioned. No accessory uses. Telecommunication towers would be a CUP. The Planning Commission recommended approval as noted with the City Attorney's recommendations of removing the rezoning and CUP to save them for the next step.

Grotting discussed citizens' possible option of expanding the UC into AG, seeing the East side edge of Rural Residential potentially asking, "Why can't I expand Rural Residential into my AG lot?" (Rigid line on the E side.) Kaltsas said they consider the same factors when making decisions. The City doesn't have many lots with these same parameters. Requests for and inquiries about CompPlan amendments do happen. Developing these residential lots creates a hard break and gives the City better leverage going forward. Otherwise, the commercial development could continue down Hwy 12.

Grotting reiterated it is a case-by-case situation and citizens could make requests. But with the Urban Commercial setting, this is a good solution.

Kaltsas said it is Planning Communities Basics. There will be a density node to grow around the Delano commercial area and a node near Maple Plain's node. The City's edges would be those areas. We would need to have a MetCouncil change, and as we've seen, MetCouncil does make changes. The possible future connection to Nelson, not going through without going through to County Line Rd. We would own it and have the ability to construct a road although we don't want it at this point. It's best developed when Hwy 12 is developed whether as a MNDot partnership or City project. Either could say they need to take that ROW/right of way, but it's not what is happening today.

Vose & Kaltsas discussed that as mentioned in points 2.i. (and 2.g.) of Resolution 23-0307-03 regarding the shared driveways and maintenance agreement and easements for lots 1&2, 3&4, and 6&7 that the City will be a party of the Maintenance Agreement since the City will own the land. Also note that the plans for the shared driveways were done after the wetland review was completed and are meant to minimize the wetland impacts to those lots.

Bill Stoddard, Builder agreed that everything Kaltsas presented was accurate, and he was looking for an approval tonight so to be able to talk to MNDot again and move towards getting MetCouncil's approval. They have not looked at the legal access that's on the MNDot Map. This would be very helpful. He answered Council's questions sharing that the Auto Condos' roofs are pitched although they might appear flat. There will be on-site sewer (septic) and on-site well water to serve the Fire Suppression requirements. Kaltsas has financials to discuss for municipal water pricing if it makes sense. Sen. Limmer had previously mentioned that grant funds may be available for that. Both the 10,600 SF Commercial Warehouse and the Auto Condos are required to be sprinkled. There are two 3-inch wells for the auto condos plus one larger for the fire control water needs. Stoddard would work with the City as needed if municipal water is decided upon.

Betts asked about MetCouncil's timeline. Kaltsas replied that the City is close to getting a date for the 2040 CompPlan approval and believes this will fall under the minor amendment threshold. He is hoping to submit it now subject to the 2040 Plan being approved and believes it would be a staff level approval and would not need to go through MetCouncil's approval. We might have an approval date by the end of the week, so we could be done with the Plan within 45-60 days. There's a little Medina issue being dealt with.

Spencer wanted #2 of the 2^{nd} page of the Resolution clarified that it was future.

Vose stated that changes cover what Kaltsas and I discussed. 2. Language is when the CUP gets approved at a later date.

Stoddard – In tonight's resolution, we need to apply for Final w/ Preliminary Plat, can we have more than 90 days if it takes MetCouncil longer? Additionally, they're reviewing the 204 plan, They won't do a separate amendment for it. Application and provide title... not the city's action. We can extend it later if needed.

Grotting- Architecturally, over time if the auto-condo becomes less popular, will we architecturally survive any potential change. Each unit has s a minimum size of 1,000 SF, 25x40ft. HOA won't be cheap and well maintained for perpetuity. The finishings are high end. Permitted use requires owners to come before Council to request any changes.

Kaltsas- It's a good point. One individual basis, an owner could sub-lease it to a buddy, but they are privately owned and could be converted into storage, but there's lots more cheaper storage options out there. This is high-end.

Grotting thought the commercial garage doors were a cool look, but the occupant opening it up, is there a use to not have a Precision Tune. What use on the Commercial spaces would those be?

Stoddard wanted to show flexibility and presently don't have specific owners. Glass and garage doors were both shown for showing flexibility. Grotting- If a high-end show room.

Johnson asked if the Condo HOA were for one unit or for each section.

Stoddard said the Commercial building is separate from Auto Condos similar to the industry norm. So an owner could own both but paying for both. There would be just one Condo Association.

Motion by McCoy, seconded by Grotting to approve RESOLUTION 23-0307-03 approving an Amendment to the 2040 Comprehensive Plan, Site Plan Review, and Preliminary Plat (with the CompPlan Amendment being subject to MetCouncil's approval). Ayes: Johnson, McCoy, Betts, Spencer, and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5.0

11. Open/Misc

12. Adjourn

Motion by Spencer, seconded by McCoy to adjourn the City Council Meeting at 8:18 pm. Ayes: Johnson, McCoy, Betts, Spencer, and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5.0

Meeting Adjourned.

Respectfully submitted,

Linda Johnson, Recording Secretary

Date: February 9th, 2023

To:

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

Director Gary Kroells From:

SUBJECT: JANUARY 2023 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.

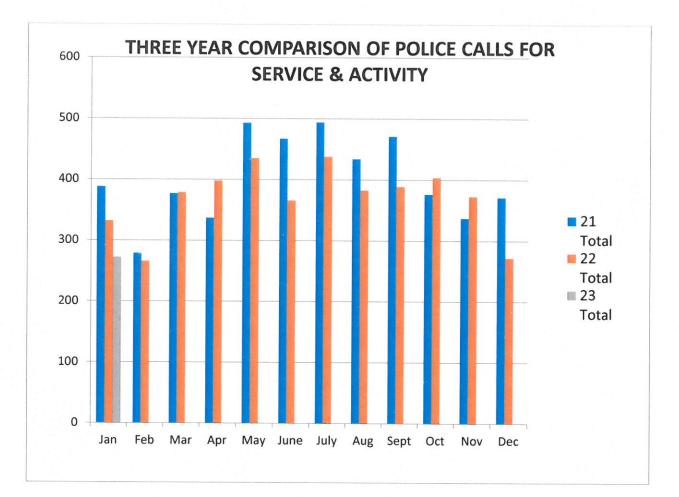
Part I includes crimes against persons versus crimes against property; criminal homicide, forcible rape, robbery assault, aggravated assault, burglary -breaking or entering, larceny-theft, larceny analysis, motor vehicle theft and arson.

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 accidents, 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 January 2023						
Offense	This Month	Same Month Last Year	This Year To Date	Last Year To Date		
City Of Independence						
Criminal	1	8	1	8		
Traffic	61	77	61	77		
Part III	1	6	1	6		
Part IV	26	36	26	36		
Part V	94	75	94	75		
Total City of Independence	183	202	183	202		
City Of Maple Plain						
Criminal	1	4	1	4		
Traffic	14	28	14	28		
Part III	1	1	1	1		
Part IV	22	25	22	25		
Part V	32	36	32	36		
Total City Of Maple Plain	70	94	70	94		
Grand Total Both Cities	253	296	253	296		
TZD	6	0	6	0		
Agency Assists	13	36	13	36		
Total ICR Reports	272	332	272	332		
How Received Fax	10	2	10	0		
In Person	10	20	10	2		
Mail	0			20		
Other	1	1	0	1		
Phone	14	22	1	3		
Radio	118	152	14	22		
Visual			118	152		
Email	92	108	92	108		
Lobby Walk In	13 13	15 9	13	15		
	13	9	13	9		
Total	272	332	272	332		



January 2023 Part I & II

City of Maple Plain #'s 1 & 2

AGN	ICR	Title	Create Date	Grid #	Committed Date	MOC range	UCR Part
WHPS	23000257	DWI 4 th Degree	2023-01-28	01	2023-01-28	JG501	2

January 2023 Part I & II

City of Independence Grid #'s 3-5

AGN	ICR	Title	Create Date	Grid #	Committed Date	MOC range	UCR Part
WHPS	23000194	4 th Degree DWI	2023-01-22	03	2023-01-22	JG501	2

DIRECTOR'S NEWS & NOTES

WEST HENNEPIN PUBLIC SAFETY January 2023 Activity Report

Year to Date Activity Report

At the end of January 2023, West Hennepin Public Safety (WHPS) handled year-to-date a total of 272 incident complaints: for the month of January; 183 incidents occurred in the City of Independence and 70 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.

Recent Highlighted Cases:

Medical January 3

> 7700 block of Pioneer Creek Road, Independence. Officer was dispatched to a patient with a possible broke bone. Officer arrived on scene and spoke to the reporting party who advised the patient fell off a Bobcat and possibly broke their leg. Patient stated she had pain in her leg, and a scraped knee which showed minor disfigurement. North Memorial Paramedics arrived and transported the patient to the hospital.

Suspicious Activity

January 5

5500 block of Lake Sarah Heights Drive, Independence. Officer was dispatched to a report of suspicious activity. The reporting party stated a vehicle pulled into his mother's residence and someone was walking around outside. The property is under construction, and no one is living there. Officer arrived on scene and determined the individual works for a pest control company and was servicing the home. Nothing criminal.

Motorist Assist January 6

1600 block of County Road 92, Independence. Officer was on routine patrol in the area when he observed an elderly male shoveling around a car that was partially off the driveway. Officer stopped and offered assistance. Office was able to shovel him out and push the vehicle back onto the driveway.

Public Assist January 6

4600 block of Lake Sarah Drive, Independence. Officer was dispatched to an elderly female who needed assistance bringing her garbage can down. Officer stopped and visited with her then brought the garbage can to the end of the driveway before garbage day. She was unable to walk in the deep snow and advised family was coming to help with plowing the following day.

Welfare Check

January 7

5200 block of Bryantwood Drive, Maple Plain. Officer was dispatched to a party who was kicked out of her friend's house and is a type one diabetic. Reporting party had no way of getting home and her pump was running low. North Memorial Paramedics responded to the scene and ultimately, cleared the patient. Officer transported the patient to her home.

Suspicious Vehicle

January 9

6200 block of Highway 12, Independence. Officer was on routine patrol in the area when he observed a vehicle in the parking lot of a closed business with its lights on. Officer turned into the parking lot and the vehicle began to leave. Officer stopped the vehicle and spoke to the driver who explained that he had a rental vehicle while his car was getting worked on and was trying to locate shoes that he left in his vehicle.

Traffic Complaint

January 10

Intersection of Highway 12 and County Road 90, Independence. Officer was dispatched to a traffic complaint regarding a vehicle without any lights on. Officer located the vehicle, initiated a traffic stop, and spoke to the driver, who didn't have a driver's license. The driver also admitted to not having insurance. Officer followed the vehicle to a parking lot and told them to call for a valid driver to bring them home. Driver cited for offense.

Vehicle in Ditch

January 13

6400 block of Highway 12, Independence. Officer was dispatched to a vehicle in the ditch that was tipped on its side. Officer responded and found the vehicle with its passenger side tires in the steep ditch leaning, but not on its side. It was apparent from the wet tire impressions that the driver was attempting to make a U-turn. A tow truck arrived on scene and pulled the vehicle out.

Disturbance

January 14

5000 block of South Lake Sarah Drive, Independence. Officer was dispatched to a possible domestic situation between a mother and daughter. Reporting party was no cooperative with dispatch or officers. Officer made contact with the reporting party via phone and was advised the situation was resolved.

Vehicle in Ditch

January 16

Intersection of Highway 12 and Lake Haughey Road, Independence. Officer was dispatched to a vehicle that went into the ditch. Reporting party was a passer-by and advised they did not stop and check because the ditch was too deep. Officer arrived on scene and walked down the ditch to speak to the driver. Driver advised they were uninjured. Officer suggested leaving the car until the roads are better. Officer drove the driver to a nearby gas station to wait for a ride.

Traffic

January 17

Intersection of County Road 6 and Wild Oak Trail, Independence. Officer was on routine patrol in the area when a vehicle was seen driving a high rate of speed. Officer activated the in-squad radar which indicated the vehicle was driving 68 miles per hour in a 50 mile per hour zone. Officer stopped and made contact with the driver and immediately smelt the odor of marijuana. A probable cause search of the vehicle was conducted, and the Officer ultimately found numerous pieces of drug paraphernalia, which was all seized for destruction. Driver was cited for speed and possession of drug paraphernalia.

Suspicious Activity

January 18

5300 block of Highway 12, Maple Plain. Officer was dispatched to suspicious activity at a local business. Report party stated there was a male in an auto lot walking around vehicles with a flashlight and there was a car alarm sounding. Officer responded and didn't find any signs of tampering, damage, or criminal activity. There was a witness parked at a neighboring business who advised he observed the individual who appeared to be looking at a vehicle that is for sale.

Crash January 19

9200 block of Highway 12, Independence. Officer was on routine patrol in the area and observed a property damage crash. Officer made contact with both parties involved and determined one of the drivers lost control and veered into oncoming traffic striking the other vehicle at approximately 40 miles per hour. Both drivers denied any injuries. Information was exchanged.

Theft Report

January 21

5400 block of Bryant Street, Maple Plain. Officer took a phone call from the reporting party regarding a theft that occurred. Officer spoke with the reporting party who explained there were two full gas cans in front of their garage, and someone stole them. A neighbor witnessed a vehicle pull in front of their house and take the gas cans. Individuals involved were instructed to call if they observe any further suspicious activity. Extra patrol will be conducted in the area.

Arrest

January 22

Intersection of County Road 6 and County Road 92, Independence. Officer was on routine patrol in the area and observed a vehicle driving 74 miles per hour in a 50 mile per hour zone. Officer made contact with the occupants of the vehicle and smelled the odor of alcohol. Standard Field Sobriety Tests were conducted, and the driver was ultimately placed under arrest. A vehicle inventory was conducted, and THC cartridges and open bottles of alcohol were located. Both the driver and the passenger were juveniles. They were cited for the appropriate offenses and released to their parents.

Fall

January 23

1600 block of Baker Park Road, Maple Plain. Officer was dispatched to a patient who fell and was barely conscious or breathing. Officer arrived on scene and located the patient who was outside and the bottom of her steps. Patient had trauma to her leg and hip and her knee was out of position. MPFD arrived and assisted moving the patient inside as she was suffering hypothermia. Officer estimated the patient had been outside for four to five hours. Patient was unable to speak while Officers and Paramedics were on scene. North Memorial Paramedics transported the patient to the hospital.

Animal Complaint

January 24

400 block of Nelson Road, Independence. Officer was dispatched to a report of a horse that could not get up. Upon arrival, Officers met with the reporting party who stated the horse had fallen getting into the trailer and was unable to get up. Officers wrapped a strap around the horse and used skid steer to hoist the horse up. Ultimately, Officers placed the horse back on its hooves.

Motorist Assist

January 25

2000 block of County Road 90, Independence. Officer was dispatched to a vehicle stuck in a snowbank. Officer arrived and used a dog leash to pull the vehicle free from the snowbank.

Welfare Check

January 26

Intersection of Townline Road and Broadmoor Drive, Independence. Officer was dispatched to a girl walking down the street in pajama pants who appeared to be special needs. Reporting party stopped and asked if she was alright. The girl looked at the reporting party as if she was offended and kept walking. Officer checked the area but was unable to locate her.

Arrest

January 28

Intersection of Highway 12 and Delano Avenue, Maple Plain. Officer initiated a traffic stop on a vehicle for speed and an equipment violation. While speaking to the driver, Officer observed signs of impairment. Ultimately, Andres Patricio Garcia Mancilla (41) was arrest for fourth degree DWI and was released to a responsible party pending charges.

Arrest

January 29

8500 block of Highway 12, Independence. Officer initiated a traffic stop on a vehicle after observing erratic driving and expired registration. The driver's license was revoked, and he had a warrant for his arrest. Driver wanted the passenger to take the vehicle. Passenger identified himself and was found to also have a warrant. Both were taken into custody and transported to Hennepin County Adult Detention Center. Date: March 8th, 2023

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

From: Director Gary Kroells

SUBJECT: FEBRUARY 2023 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 accidents, 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	t			
February 2023						
Offense	This Month	Same Month Last Year	This Year To Date	Last Year To Date		
City Of Independence						
Criminal	2	4	3	12		
Traffic	59	62	120	139		
Part III	2	2	3	8		
Part IV	37	20	63	56		
Part V	67	69	161	144		
Total City of Independence	167	157	350	359		
City Of Maple Plain						
Criminal	5	6	6	10		
Traffic	34	9	48	37		
Part III	1	1	2	2		
Part IV	20	19	42	44		
Part V	39	58	71	94		
Total City Of Maple Plain	100	93	169	187		
Grand Total Both Cities	267	250	519	546		
TZD	0	0	6	0		
Agency Assists	22	16	35	52		
Total ICR Reports	289	266	560	598		
How Received						
Fax	8	7	18	9		
In Person	11	10	22	30		
Mail	0	1	0	2		
Other	0	1	1	4		
Phone	24	26	38	48		
Radio	121	109	239	261		
Visual	121	81	193	189		
Email	14	16	27	31		
Lobby Walk In	14	15	27	24		
Total	289	266	561	598		

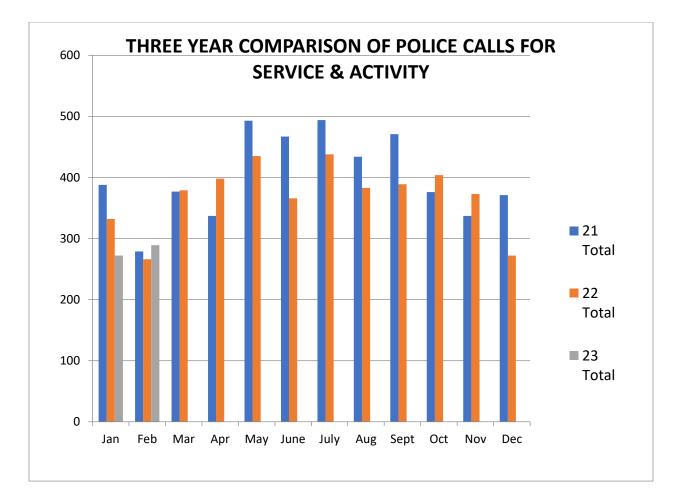
February 2023 Part I & II

AGN	ICR	Title	Create Date	Grid #	Committed Date	MOC range	UCR Part
WHPS	23000301	DWI	2023-02- 03	01	2023-02-03	JFW01	2
WHPS	23000318	Theft From Auto Report	2023-02- 06	01	2023-02-06	VB111	1
WHPS	23000452	3 rd Degree DWI	2023-02- 18	01	2023-02-18	JFW01	2
WHPS	23000453	PD Crash – DWI	2023-02- 18	01	2023-02-18	JGW01	2
WHPS	23000544	Voter Violation	2023-02- 27	02	2023-02-27	Y1190	2

February 2023 Part I & II

City of Independence Grid #'s 3-5

AGN	ICR	Title	Create Date	Grid #	Committed Date	MOC range	UCR Part
WHPS	23000314	Citation – MJ	2023-02-05	03	2023-02-05	DA540	2
WHPS	23000503	Possession of Stolen Vehicle/Narcs/ Fleeing	2023-02-24	05	2023-02-24	DH5C0	2



DIRECTOR'S NEWS & NOTES

WEST HENNEPIN PUBLIC SAFETY February 2023 Activity Report

Year to Date Activity Report

At the end of February 2023, West Hennepin Public Safety (WHPS) handled year-todate a total of 289 incident complaints: for the month of February; 167 incidents occurred in the City of Independence and 100 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.

Welfare Check

February 1

1400 block of Prairieland Avenue, Maple Plain. Officer was dispatched to a suicidal party who was ingesting pills. Upon arrival, Officer met with the patient who stated he took several pills from different bottles and has been drinking all night. Patient provided a breath sample of .246. North Memorial Paramedics arrived and transport the patient to the hospital.

Welfare Check

February 2

5300 block of Highway 12, Maple Plain. Officer was dispatched to a welfare check. Reporting party was a family member who advised the individual who made vague suicidal comments. Officer responded to the address and attempted to make contact with the individual who refused to come to the door, but advised they were okay. Office advised the reporting party.

Suspicious Vehicle

February 3

8800 block of Highway 12, Independence. Officer was dispatched to a vehicle that had been abandoned. Reporting party thought vehicle could be stolen because the vehicle had a spare tire and a punched ignition. Officer responded and determined the vehicle was not stolen. Officer made contact with the registered owner, who advised he got two flat tires and was on his way to replace them.

Arrest

February 3

Intersection of Manchester Drive and Budd Avenue, Maple Plain. Officer was on routine patrol in the area and observed a stalled vehicle. Officer made contact with the driver who was visibly intoxicated. A breath test was administered which indicated a Breath Alcohol Content of .20. Kevin Paul Neilson (32) was arrest for DWI and released to a responsible party.

Traffic Stop

February 5

Intersection of County Road 6 and County Road 110, Independence. Officer stopped a vehicle for speeding and expired registration. Officer made contact with the driver and smelled the odor of marijuana coming from the vehicle. Officer searched the car and found marijuana and drug paraphernalia. Driver was cited for small amount of marijuana in a motor vehicle.

Abandon Vehicle

February 7

County Road 90 and Main Street, Independence. Officer was dispatched to a vehicle that had left the roadway and was now on top of a 5-to-6-foot snowbank. Officer arrived on scene, and it was determined the vehicle was there overnight. The vehicle was unoccupied and a phone number for the registered owner could not be located. Officer had the vehicle towed.

Traffic Complaint

February 12

Intersection of Howard Avenue and Independence Street, Maple Plain. Officer was dispatched to a driving complaint for a vehicle doing donuts in a parking lot and then speeding and driving aggressively. Officer located the vehicle and spoke to the driver who stated he was messing with a friend. Reporting party did not wish to sign a complaint. Driver issued verbal warning for failure to drive with due care.

Harassment

February 13

5200 block of Manchester Drive, Maple Plain. Officer was dispatched to someone receiving harassing text messages from an acquaintance. Officer spoke to the reporting party who stated an individual who attacked him years prior was now sending harassing texts. Reporting party did not want charged pressed. Officer advised to block the individual on his phone and social media accounts.

Medical

February 15

7900 block of County Road 6, Independence. Officers were dispatched to a possible seizure. Upon arrival, they were led to the basement by the homeowner. Patient was sitting on the floor breathing but was unconscious. Individuals on scene explained the patient was cleaning a bathtub with straight bleach, came downstairs and started sweating. A short time later, patient explained she wasn't feeling well, and her eyes started to roll back. Possible history of drug use. Officers and MPFD used an AED, Narcan, and the Lucas device to revive her. She began breathing on her own. North Memorial Paramedics transported the patient to the hospital.

Domestic

February 16

1500 block of Howard Avenue, Maple Plain. Officers were dispatched to a verbal domestic. Officers made contact with the individuals involved and determined they were having a disagreement and one party wanted the other to leave. No physical contact was made between parties. Parties were separated without incident.

Arrest

February 18

4800 block of Highway 12, Maple Plain. Officer was doing routine patrol in the area when a vehicle failed to yield the right of way. The vehicle pulled into a local business. Officer spoke to the driver and observed signs of impairment. Suspect refused to do SFST's but agreed to give preliminary breath sample which indicated .186. Chelsey Lynne James (29) was arrested for DWI and transported to Hennepin County Adult Detention Center without incident.

Medical

February 20

Intersection of County Line Road and County Road 11, Independence. Officer stopped a vehicle for multiple driving violations and showed the registered owner's driving status was cancelled for medical issues. Officer spoke to the driver who admitted he was diabetic and did not have any supplies with him. Driver had an altered mental state, did not know what month or year it was, and had extremely high blood sugar. Paramedics arrived and transported the patient to the hospital.

Motorist Assist February 23

6500 block of County Road 11, Independence. Officer was on routine patrol in the area and observed a vehicle in the ditch. Officer spoke to the driver who stated he hit a drift causing him to slide into the ditch. Driver had someone enroute to extricate the vehicle. Officer stood by with lights until the vehicle was removed.

Disturbance

February 23

5200 block of Bryantwood Drive, Maple Plain. Officer was dispatched to assist the reporting party with getting her friend home. Officer arrived on scene and was advised by the reporting party that the individual had been drinking. Reporting party asked mutual friends for assistance with getting the intoxicated party into the vehicle. Officer was able to wake the individual who did not seem intoxicated and escorted her to the vehicle to be brought home.

Arrest

February 24

Intersection of Highway 12 and County Line Road, Independence. Officer received a notification from a license plate reader of a stolen vehicle driving eastbound on Highway 12. Officers initiated a traffic stop on Highway 12 near County Road 6. The driver attempted to flee but got stuck in the snow. Officers took Nicholas Alvin Kiffe (33) into custody where he was charged with possession of stolen property, possession of 5th degree-controlled substance, and fleeing a police officer. He was booked and taken to Hennepin County Adult Detention Center without incident.

Medical

February 24

5300 block of Highway 12, Maple Plain. Officer was dispatched to a party who was unconscious. Officers arrived on scene and found the patient was breathing, but still unconscious. Patient had elevated blood pressure and pulse and low oxygen. Officers checked the surrounding area and found drug paraphernalia, suspecting it was a drug overdose. North Memorial arrived on scene and transported the patient to the hospital.

Assist

February 25

7900 block of Highway 12, Independence. Officer was on routine patrol in the area and was approached by an elderly female who was lost and needed directions. Individual did not have a cell phone and needed to get to Watertown. Officer had her follow him to the target location and provided her directions back home.

Crash

February 25

6000 block of County Road 6, Independence. Officers were dispatched to a personal injury crash. Officers arrived on scene and observed two vehicles with heavy front end damage. One of the drivers admitted to falling asleep at the wheel, drifting right, and colliding with the other vehicle. He had a possible broken leg and had a friend transport him to the hospital. A passenger in the other vehicle had suffered a possible concussion and scratches to the face. North Memorial Paramedics arrived on scene and transported the patient to the hospital.

Medical

February 26

7500 block of Maple Ponds Trail, Independence. Officer was dispatched to a 17-year-old having a seizure. Officer arrived on scene and met with the patient's mother who advised she has unmedicated epilepsy. Patient was no longer seizing but was confused. North Memorial Paramedics arrived and took over care.

Traffic Complaint

February 27

Intersection of Highway 12 and Maple Avenue, Maple Plain. Officer was dispatched to a traffic complaint regarding a vehicle passing a tow truck in a turn lane and going into oncoming traffic. Officer located the vehicle and observed it had expired registration and a brake light out. Officer initiated a traffic stop and spoke with the driver who explained it was a road rage incident involving the tow truck. After talking to witnesses, it was determined the driving infractions and road rage occurred outside the city which we could not issue a ticket for. Driver was issued a ticket for expired registration.

Motorist Assist

February 28

Intersection of County Road 92 and County Road 11, Independence. Officer was on routine patrol in the area and observed multiple vehicles on the shoulder. Officer spoke to the registered owner of the vehicle who explained they were having tire issues and lost the lug nuts. They arranged for a tow truck. Officer provided emergency lights until the tow truck arrived.



WEST HENNEPIN PUBLIC SAFETY DEPARTMENT 1918 County Road 90 Maple Plain, MN 55359 Phone (763) 479-0500, Fax (763) 479-0504 www.westhennepin.com

DATE: March 24, 2023

TO: City of Independence

FROM: Gary Kroells & M Director of Public Safety

RE: Request for Remaining 2023 Capital Improvement Plan (CIP) Funds

For the past eight months West Hennepin Public Safety has been attempting to purchase patrol vehicles due to significant mechanical issues with two of our squads. Due to production and the current market, they have been impossible to find. By chance, two 2023 Chevy Tahoes were located at a dealership in Grand Rapids, Michigan. The police commission approved the purchase of these vehicles on March 23, 2023.

In order to purchase these vehicles I am requesting City of Independence issue my office a check for \$51,665,44. This is the portion of City of Independence's requisition checks that would be set aside in West Hennepin's Capital Improvement Plan for the remainder of 2023.

Below is a breakdown of the WHPS CIP distributions:

WHPS' budgeted City of Independer Portion of City of I	\$100,000.00 <u>68.89</u> % 68,890.00	
January February	date from City of Independence 5,743.36 5,740.60	17,224.56
March	5,740.60	\$ 51,665.44