



CITY COUNCIL MEETING  
MINUTES  
TUESDAY FEBRUARY 20, 2024

**CITY COUNCIL MEETING TIME: 6:30 PM**

1. Call to Order

Pursuant to due call and notice thereof, a regular meeting of the Independence City Council was called to order by Mayor Johnson at 6:30 p.m.

2. Pledge of Allegiance

Mayor Johnson led the group in the Pledge of Allegiance.

3. Roll Call

Present: Mayor Johnson, Councilor Spencer, Betts,

Absent: Councilor Grotting and McCoy

Staff: Kaltsas, Simon

Visitors: Bill Stoddard

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 6, 2023, Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch # 1; Checks Numbered 22624-22644, Batch # 2; Checks Numbered 22645-22660) NOTE: Check Numbered 22621-22623 were voided due to printing error.
- c. Approval of Additional Election Judges for 2024 PNP, Primary General Elections.
- d. Approval of annual liquor/tobacco license renewals for the following establishments:
  - i. Ox Yoke Inn - Off Sale, On Sale and Sunday License
  - ii. Windsong Farm Golf Club LLC - Off Sale, On Sale, Sunday and Tobacco License
  - iii. Pioneer Creek Golf LLC - On Sale and Sunday License

**Motion by Spencer, seconded by Betts to approve the Consent Agenda. Ayes: Johnson, Betts and Spencer. Nays: None. Absent: Grotting and McCoy. Abstain. None.  
MOTION DECLARED CARRIED. 3-0**

5. Set Agenda – Anyone Not on the Agenda can be Placed Under Open/Misc.

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



**Spencer attended the following meetings:**

- Fire district at Loretto Fire Station 1
- Mayor Julie Mass Kuske
- LMC experienced leaders conference
- LMCC commission meeting

**Johnson attended the following meetings:**

- Orono Healthy Youth
- Delano School Board meeting
- Police Commission
- Quarterly West Suburban Fire Dept
- Interviews for police candidate
- LMC training
- Chamber of Commerce
- Zoom - small cities council National League of Cities
- NW League
- Former Council Member Harlan Strong's Funeral service

**Kaltsas attended the following meetings:**

- Luke Fisher with LMC to go over items on our agenda going on with legislative session, met with administrators about fire services.  
Johnson – anything productive come from the fire meeting?  
Kaltsas – nothing productive. There's a lot of questions and uncertainty. What is the process and financial pieces. That's the reason for the administrators meeting.  
Spencer – I'd be happy to go to the next meeting. People are concerned about the taxing. People have a lot of different concerns.  
Johnson – we are dealing with MP as city fire and WS as private.  
Spencer – people want different roles and a lot to work through. There is unified interest.  
Johnson – On Thursday I am supposed to give a state of the city at LMCC.

7. West Hennepin Public Safety – Director Gary Kroells: Presentation of the January 2024 Activity Report.

Kroells – tragedy that happened in Burnsville police and paramedics. The city of Independence and Maple Plain, our thoughts and prayers go out to them and their families. Gave ultimate sacrifice running towards gun fire instead of away. It's a bad time in MN and our country.

Johnson – my sister called from Iowa, her family is very close friends with one of the officers.  
Kroells – 27 year olds and 40. They just started their law enforcement careers. Earlier today we laid Sergeant Pieper to rest. Struggled with cancer. Really amazing turn out for the local area. Leaves behind wife and two kids. He was a resident of MP in his youth. He lived with Sergeant Denneson and was on MP Fire Dept. He gave training on citizens academy.

January – 377 incident complaints (241 Independence/95 Maple Plain)

\*See full police report

Citizen's academy started last Thursday. Largest group so far. This is our 25<sup>th</sup> year of doing this.



Tomorrow we have a swearing in ceremony for officer Nick Eldred

8. William Stoddard (Applicant) Breck Farm, LLC (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):

Final plat and rezoning tonight. Development we are looking at received a recommendation from planning. A few items needed to be completed by applicant. We are at a point where we have a final plat and rezoning that can be looked at. It is zoned AG currently but guided by comp plan as UC/residential. We approved a CUP for planned unit development which it will fall under for guiding this commercial portion. Residential will remain under AG standards for those individual lots.

Residential lots on the East side (7) will mirror lots on Nelson Rd. It will create division between residential along both sides of road and on the west side will go all the way to the corner of Hwy 12. MnDOT needed to approve right in right out access, and we just received approval temporary until a frontage road can be constructed to county line rd. We have had discussion about that and can reconstruct that with the roundabout or reconstruction of Hwy 12. There isn't anything set or determined. Where does it make sense to build this. We do have ROW.

Johnson – is that at the hands of the city or county, or MnDOT.

Kaltsas – it isn't defined. It will be triggered by development to the west of this property or triggered as a part of the MnDOT project. We show this as a preferred project.

Johnson – but the property owner in the corner is not interested in selling?

Kaltsas – no they have no interest. There are still a couple of final engineering comments being revised. Stormwater and wetland mitigation. Mitigation of wetlands on the property to accommodate the property. Minimize wetland impact as much as possible. Applicant has been working with the panel that reviews this information. Out of 15 acres, they are impacting less than an acre. In the prelim plat, applicant proposed to use small stormwater ponds and in talking through that, the city recommended eliminate those small ponds. Primary and secondary septic sites are on all the lots. On site septic and well will service this property until we get to the point to serve this area. It would probably need another development to come in to get to that point. Developer provided a phasing plan on how they intend to develop the commercial properties. Residential properties can start at any point. The way the applicant is platting the property is an overall plat, lots 1 being commercial, lot 2 second phase and lot 3 be final. As they built these, they would break it into their own PID. They are all separate plats broken down into individual PIDS. There is park dedication broken down by residential and commercial. In the prelim plat, developer noted they intended to keep the storage barn. Once we got all the sizing figured out, the building does meet setbacks, but it is a nonconforming building. It was noted at prelim, but we didn't know how it would fit. Applicant would like to keep it and then sell it with the highway lot. That lot is closer to highway, it does have some buffer with evergreen screen around it. Developers' agreement would finalize phasing of buildings and securities and brought back to council.

Betts – refresh mind on materials

Kaltsas – architectural for condominiums it is a mixture of siding, steel, and glass.

Johnson – I have no concerns about it remaining there.

Spencer – I just worry about it not having a house on it, and just a pole building. Maybe we make



an expectation that a house be built within a timeframe and update the color or aesthetic of it to match. It should be conforming and an accessory to something. It is a waste to tear it down.

Kaltsas – condos are a steel building with wood finish and glass.

Betts – contemporary and clean.

Johnson – how many home lots have joint driveways?

Kaltsas – lots 1 & 2, lots 3 & 4 and lots 6&7. 3 of the 7.

Betts – do any of the properties have shared driveways?

Kal – they are all separate, but they don't have any of the wetland issues. They are identical sizing though.

- a. **ORDINANCE 2024-01** – Considering approval of rezoning of a portion of the property (~28 acres) from AG-Agriculture to UC-Urban Commercial, consistent with the approved Comprehensive Plan.

**Motion by Spencer seconded by Betts to approve ordinance 2024-01. Ayes: Johnson, Betts, and Spencer. Nays: None. Absent: Grotting, McCoy. Abstain. None.**

**MOTION DECLARED CARRIED. 3-0**

- b. **RESOLUTION 24-0220-01** – Final Plat for the proposed subdivision consistent with the approved preliminary plat; and the development agreement as recommended by City Council.

**Motion by Johnson seconded by Spencer to approve resolution 24-0220-01. Ayes: Johnson, Betts, and Spencer. Nays: None. Absent: Grotting, McCoy. Abstain. None.**

**MOTION DECLARED CARRIED. 3-0**

9. Open/Misc.

10. Adjourn.

**Motion by Spencer, seconded by Betts to adjourn at 7:15pm. Ayes: Johnson, Betts, and Spencer. Nays: None. Absent: McCoy, Grotting. Abstain. None.**

**MOTION DECLARED CARRIED. 3-0**

11. Meeting adjourned

Respectfully Submitted,

Carrie Solien/Recording Secretary