



CITY COUNCIL MEETING MINUTES  
TUESDAY SEPTEMBER 3, 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, Councilors Spencer, McCoy and Betts

Absent: Grotting

Staff: Kaltsas, Simon, Vose

Visitors: Three Rivers Park District staff Marge, Stephen

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 August 20, 2024, Regular City Council Meeting.
- b. Approval of Accounts Payable (Batch #1; Checks Numbered 23059-23068 and Batch #2; Checks Numbered 23069-23081).
- c. Large Assembly Permits:
  - i. Fundraiser - 2510 CSAH 92 N. on September 21, 2024.
  - ii. Wedding Ceremony - 7165 Turner Road on October 12, 2024.

**Motion by Spencer, seconded by McCoy to approve the Consent Agenda. Ayes: Johnson, Spencer, Betts, McCoy. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4-0**

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

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

Betts attended the following meetings:

Budget Workshop

Spencer attended the following meetings:

Budget Workshop

Met with Council Member Deluca from Maple Plain

McCoy attended the following meetings:

Budget Workshop

Johnson attended the following meetings:

Budget Workshop

Planning commission

NW Trails annual dinner

Dinner at a reception hosted Kristin Robbins

Metro Cities economic development housing committee

7. Baker Park Reserve Long-Range Plan: Presentation and Support Resolution – Three Rivers Park District.

- a. **RESOLUTION No. 24-0903-03:** Considering approval of a support resolution for the Baker Park Reserve Long-Range Plan.

Marge Beard – updates to long range plan to baker park. Original Park in 1950s. Holds a near relationship with visitors and staff. Wide variety of summer and winter recreation – serve a lot of purposes. Continue to meet the needs of our community with updates. Fun facts about Independence residents – most visited park is Baker Park, Lake Rebecca and Lake Minnetonka, most popular park pass is a boat/trailer and second is a dog off leash pass. Most popular public program is Saturday mornings on the farm at Gale Woods Farm. Tour farms, crops and barns.

Stefan – landscape architect of three rivers. Master plan for Baker Park long term vision. Reflects input received through public process. Seeking support for draft plan to take to Metropolitan Council for their approval and back to board. Build off of existing infrastructure and improve it. In 2018 plan kicked off – engaged with public, then covid hit and we put a pause on it for a while. People were interested in expansion of camping, recreation sites, winter recreation. Add fishing pier, adding restrooms, parking lot improvements, trail spurs off main route, adding shoreline fishing and fishing pier, picnic shelters, winter recreation camping, 5 new winterized camper cabins, entrance improvements, nature play area and nature-based programming. Crossing 19 improvements.

Johnson – interesting document. I was telling Marge that it was nice to see the old hotel. Remembering days with grandfather delivered chickens there. No running water, electricity or anything else. Do they have money set aside for this? Are you doing this all in 1-2 years?

Stephan – this is a long-range plan. A few things funded now but once adopted, then we can solicit funding from the state and other funds and will be folded into our budget over the next 10-20 years.

Betts- mountain bike trail. Making a spur off that for more challenging.

Stefan – Lake Rebecca has mountain bike trails, but really isn't at baker. 80% of the land much be kept in a natural state and one 20% can be developed. Baker park was not compliant with that policy. We are at about 73%. We have a lot of open water. We would like to add mountain bike trails, but we don't have the opportunity. Thought about

acquiring additional land to help with the 80/20 policy and add trails there. Draft plan does have language that suggests a goal to add more land and trails.

Johnson – what year did you stop charging people to go to the park? What's the total number of visitors?

Stephan – 2003/2004 no charge for parking. Do charge for more infrastructure/cross country skiing. 613k without golf, 683k with golf.

**Motion by Spencer, seconded by McCoy to approve RESOLUTION No. 24-0903-03. Ayes: Johnson, Spencer, Betts and McCoy. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4-0**

8. Robert Berens (Applicant) and Andrea Berens (Owner) are requesting the following action for the property located at 5845 Lake Sarah Heights Drive (PID No. 02-118-24-12-0012) in the City of Independence, MN.

- a. **RESOLUTION No. 24-0903-01:** Considering approval of a variance permitting a reduction of the front yard and side yard setback to allow the construction of a car port and future garage in front of the existing house.

Considered by PC and moved to council. Applicant and daughter would like to add a detached carport or detached garage. Zoned RR, shoreland overlay, 0.88 acres in size. In 2021 came to city to move home onto property. When they moved it, it was not a lot of record and was subject to current standards. Applicant did put it on the lot for a garage to be added on N side and still meet setbacks. They wanted to still try to do a carport/garage, but when they put the house on the lot, they noted that there was a change. Original side loading entrance to the home and instead a stairway on the side of the home. Worked well, but now they would like to add entrance and detached garage. Reduction in front yard setback. Still leave stairway in place. They thought entrance would be too tight on E side but now would like to try and have the 3<sup>rd</sup> entrance. Would meet setback on W side, but reduction of 15ft on front yard, and reduction of 6ft (24ft) rather than 30. Surrounding properties have some sort of garage structure. Would be consistent with those. Planning Commission noted 100ft wide with 30ft setbacks and it is challenging. Consistent with similar applications and properties in this area.

Spencer – drove up there and doesn't look like it would cause any issues with neighboring properties.

**Motion by Betts seconded by Johnson to approve RESOLUTION No. 24-0903-01. Ayes: Johnson, Spencer, Betts, and McCoy. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4-0**

9. Ethan Kindseth (Applicant) and Chris Dahlberg (Owner) are requesting the following action for the property located at 3010 Lindgren Lane (PID No. 13-118-24-21-0002) in the City of Independence, MN.

- a. **RESOLUTION No. 24-0903-02:** Considering approval of a variance to allow the reconstruction of the existing home (legal non-conforming) on the same foundation with expansion of the height, roof, and enclosed spaces associated with modifications to the roof.

Variance for front yard and lake shore setbacks. Reconstructing existing home. Zoned RR, shoreland overlay 3.41 acres, 1.6 acres above ordinary height water level. Legal nonconforming structure. Reduced setbacks of 60% Lot of record. Allowed to be reconstructed in current plans but not expanded. Rebuild using existing foundation but expand in a couple areas they didn't have before. Change roofline and upwards expansion. Lower-level garage and would like to expand floor above garage where there is no structure above. Roofline changed and expanded upward. Proposing to use existing foundation and footprint, all above ground. 39.7ft from PHWL. Maintained at 39.7ft. Street setback, 49.7ft, 51ft is required. PC discussed roofline but no change in sq. ft. of footprint. Wouldn't increase impervious surface. Any views impacted as a result of house going higher, no impact due to existing trees. Criteria was satisfied. There is a probable building pad that would meet setbacks, but it is really limited. IT would create a whole impact. PC recommended approval.

Betts- what is the current sq. ft. before and after?

Ethan – adding approx. 500sqft with room and attic.

Chris – 3457 for finished.

Johnson – just the one corner of the house for the setback from the road

**Motion by Spencer seconded by McCoy to approve RESOLUTION No. 24-0903-02. Ayes: Johnson, Spencer, Betts, and McCoy. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4-0**

10. Consider Approval to Purchase/Trade In Lawn Mower For Public Works in Accordance with Revised CIP Equipment Plan.

Kaltsas – brought this to the workshop to discuss. Public Works would like to trade Kubota and purchase Toro. We have room to do this. We have some mechanical issues lately and warned by dealer more issues could arise. That piece of equipment is not how he would like to mow the parks and public areas. 2 smaller mowers would be ideal. We do have room this year. Net difference of \$8,200. \$7000 for the trade is fair. Purchasing Toro Zmaster. Each PW director has preferences of how they like to do things. Last one like the current way and now Shawn would like to do things differently. It is covered under warranty now for \$10k but next time it might not be.

**Motion by Johnson seconded by Betts to approve purchase/trade-in for Public Works. Ayes: Johnson, Spencer, Betts, and McCoy. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4-0**

11. Open/Misc.

Spencer – for the record, been representing Lake Independence with Chris Dahlberg and permit was approved today to treat the cattails using a drone. Interesting process. Multiple year to have the benefit. Need to treat in the next week and a half. Only signature he was not

able to get was a local homeowners association owner. Treat all owners except theirs. Treat channel around theirs. Thanks to Chris for helping to get those signatures and helping to get some contact info. Zero toxicity. Timing is critical. Sarah has used it for years. Talked to DNR to streamline this process in the future. Stops the channel from closing. It must be done regularly.

Betts – is this the invasive kind of cat tails?

Spencer – many kinds of cat tails.

12. Adjourn.

**Motion by Spencer, seconded by McCoy to Adjourn meeting at 7:19pm. Ayes: Johnson, Spencer, Betts and McCoy. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4-0**

Recording Secretary,

Carrie Solien