



CITY COUNCIL MEETING AGENDA  
MONDAY MARCH 2, 2020

**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 February 18, 2020 Regular City Council Meeting.
  - b. Approval of City Council Minutes from the February 13, 2020 Regular City Council Workshop.
  - c. Approval of Accounts Payable; Checks Numbered 19479-19503
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. Three Rivers Park District: District 1 Representative Marge Beard - Introduction, Park District Updates.
8. West Hennepin Public Safety Director, Gary Kroells, January 2020 Monthly Report.
9. Consideration of Establishment of the Accessory Building Height Review Committee and Associated Application Fee.
  - a. **RESOLUTION NO. 20-0302-01:** Committee Formation Resolution
  - b. **RESOLUTION NO. 20-0302-02:** Proposed 2020 Fee Schedule Update
10. Open/Misc.
11. Adjourn.

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, FEBRUARY 18, 2020 –6:30 P.M.

1. CALL TO ORDER.

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

2. Pledge of Allegiance

3. ROLL CALL

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

ABSENT: None

STAFF: City Administrator Kaltsas, Assistant to Administrator Horner, City Attorney Vose

VISITORS: Daryl Jorgenson, Cody Johnson, Mary Jorgensen, Jayne Jorgensen, Ann Slavec, Jason and Kathleen Nelson

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 4, 2020 Regular City Council Meeting.
- b. Approval of Accounts Payable; Checks Numbered 19447-19478 (Check #'s 19445 & 19446 were voided).

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

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

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

**Spencer attended the following meetings:**

- City Council Workshop
- Christian Eichers Eagle Scout Ceremony
- Met with Maple Plain Mayor

**Grotting attended the following meetings:**

- WeCAN Omelet fundraiser
- City Council Workshop
- Met with Extratyme
- Met with Mediacom

**McCoy attended the following meetings:**

- Met at Cloquet to review Fire District operation
- City Council Workshop

**Betts attended the following meetings:**

- West Hennepin Chamber of Commerce Meeting
- City Council Workshop
- Drug Task Force Luncheon

**Johnson attended the following meetings:**

- Met with Jerry Hertaus and WHPS Kroells
- Northwest League of Municipalities
- City Council Workshop
- Orono Healthy Youth Collaboration
- Drug Task Force Luncheon
- Eagle Scout Ceremony for Christian Eichers
- Met several state Commissioners at Minnesota History Center Meeting
- Former Councilmember Vassar funeral

**Horner attended the following meetings:**

- City Council Workshop
- West Hennepin Chamber of Commerce Board Meeting
- Election Judge Training Classes
- Eagle Scout Ceremony for Christian Eichers
- Public Accuracy Testing

**Kaltsas attended the following meetings:**

7. **(REQUESTED TO BE CONTINUED TO FEBRUARY 18, 2020)** Vincent Velie III (Applicant) requests that the City consider the following action for the property located at 3315 County Road 92 N, Independence, MN (PID No. 09-118-24-34-0004):
  - a. To consider granting an interim use permit to replace the existing conditional use permit. The new interim use permit would allow a landscape business to operate from the subject property. The interim use permit would add new conditions to the property and the existing conditional use permit would be removed.
- Applicant has requested this to be tabled until a future City Council meeting TBD
8. **(REQUESTED TO BE CONTINUED TO FEBRUARY 18, 2020)** Theresa Marple (Applicant/Owner) requests that the City consider the following action for the property located at 7825 County Road 11, Independence, MN (PID No. 09-118-24-22-0003):
  - a. To consider granting a variance to allow a minor subdivision of property zoned AG-Agriculture that does not meet all applicable requirements. The subdivision proposed would create two approximately 40-acre parcels from the existing 80-acre parcel.

Property/Site Information:

The subject property is located south of County Road 11 and just west of The County Road 11/County Road 92 intersection. The property has an existing conditional use permit (CUP) to allow a guest house Road 92 intersection and an accessory structure larger than 5,000 SF. There are approximately 12 detached accessory buildings located on the property. The property is comprised of tillable acreage and dense wooded areas.

Property Information: 7825 County Road 11

Zoning: AG-Agriculture

Comprehensive Plan: Agriculture

Acreage: 78.70 acres

The applicant recently met with the City to discuss the subdivision of this property. It was noted that the City would allow a minor subdivision of the property which would permit a new parcel to be created with a minimum lot size of 2.5 acres and maximum lot size of 10 acres. The City and the applicant looked at various configurations that would allow for a 10-acre parcel to be split off from the property and incorporate various configurations that would allow for a 10-acre parcel to be split off from the property and incorporate the existing second house and detached accessory structures. The City does not allow the subdivision of property zoned Agriculture with the exception of lot line rearrangements and rural view lot splits. The City would have to consider granting a variance from the accommodate requisite side yard building setbacks for the existing detached accessory structures.

The City has standards for granting a variance which need to be considered prior to making a recommendation relating to the application. The standards established by the City require the applicant to demonstrate that the requested variance does not create a situation that is not in keeping with the character of the surrounding area. In addition, the applicant must demonstrate that the requested variance is unique to the subject property. The standards for granting a variance are as follows:

520.21. Standards for granting variances. Subdivision 1. The City Council may grant a variance from the terms of this zoning code, including restrictions placed on nonconformities, in cases where: 1) the variance is in harmony with the general purposes and intent of this zoning code; 2) the variance is consistent with the comprehensive plan; and 3) the applicant establishes that there are practical difficulties in complying with the zoning code (Amended, Ord. 2011-08) Subd. 2. An applicant for a variance must demonstrate that there are practical difficulties in complying with the zoning code. For such purposes, "practical difficulties" means:

- (a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning code;
- (b) the plight of the property owner is due to circumstances unique to the property not created by the landowner;
- (c) the variance, if granted, will not alter the essential character of the locality.

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. (Amended, Ord. 2011-08)

Subd. 3. The City Council shall not grant a variance to permit a use that is not allowed under the zoning code based on the zoning classification of the affected property. (Amended, Ord. 2011-08) 520.23. Conditions and restrictions. The board of adjustments may recommend, and the City Council may impose conditions on a variance. Conditions must be directly related to and must bear a rough

proportionality to the impact created by the variance. (Amended, Ord. 2011-08)

Consideration of the standards for granting a variance:

- a. The applicants are proposing to split the property so that there is an existing residence on both properties. The use of the property as residential is consistent with the AG Agriculture Zoning District.
- b. The properties created by the subdivision are similar in nature and character to the surrounding properties. There are many existing properties located along County Road 11 that are similar in size and configuration.
- c. The character of the surrounding area is mixed residential/agricultural and guided for long term agriculture. The City's current comprehensive plan guides this area for long term agriculture. The City will need to determine if the proposed subdivision is in keeping with the intent of the City's comprehensive plan.
- d. The requested variance to allow the subdivision of the property must be found to be unique to this property. The property was historically split into two parcels. The presence of two principle structures on the property is generally unique to just a handful of properties in the principle structures on the property is generally unique to just a handful of properties in the City. The significant number and size of detached accessory structures on this property is also unique. The City should note that the property is able to realize a rural view lot subdivision of the property. The rural view lot subdivision would allow a maximum of two 10-acre parcels to be subdivided from the whole. In reviewing the property frontage, lot depth to lot width and location of the two existing residences on the property, the proposed subdivision appears to be a reasonable request. The conditional use permit for the guest house will be revoked as a part of the subdivision and the properties will both be conforming in the after condition.

The City will need to determine if the requested variance to allow the minor subdivision of the property meets the requirements for granting a variance. The proposed subdivision, if approved, would create two properties that meet all other applicable criteria of the City's zoning ordinance. Lot frontage, setbacks and accessory building square footage would all meet requisite standards.

Min. Lot Frontage Required:

300 Lineal Feet

Lot Frontage Proposed:

(Parcel A) - 685 Lineal Feet

(Parcel B) - 625 Lineal Feet

The applicant has provided locations for an alternative septic site on Parcel B. The septic system for Parcel A will need to be inspected upon the sale of the property. The City will require verification of a secondary site on Parcel A. The applicant is showing the requisite drainage and utility easements for both properties are subdivided along County Road 11. The additional right of way easement that has been requested is 17 feet wide. Staff is recommending that the City require the additional 17 feet of right of way requested is 17 feet wide. The additional right of way would be dedicated in the form of an easement along the south side of County Road 11. The additional right of way does not appear to impact the proposed subdivision.

The creation of a new parcel typically requires the payment of a park dedication fee to the City. In this case, the property was historically subdivided prior to the combination of the properties in 2009. Staff researched the initial subdivision of the property and determined that no previous park dedication was paid

currently \$3,500 per lot up to 4.99 acres, plus \$750 per acre for each acre over 5 acres. The park dedication fee for this subdivision would be approximately \$27,500. Staff is seeking direction the park dedication fee for this subdivision would be approximately \$27,500. Staff is seeking direction from the City relating to the requirement for park dedication for this property.

#### Neighbor Comments:

The City has not received any comments regarding the proposed subdivision or conditional use permit.

Planning Commissioners reviewed the request for a variance and minor subdivision. Commissioners asked for clarification on the historic use of the property and when the property was initially subdivided. It was noted that the property was subdivided in the mid 1980's to allow for the construction of the house that is located furthest south. Commissioners further discussed that there are two homes on the property and that allowing a subdivision of the property would be a better long-term solution than the existing Conditional Use Permit allowing a guest home. Commissioners discussed the park dedication fees and recommended that the City not require any fees for the proposed subdivision. There was discussion of requiring a minimum amount of park dedication based on the maximum rural view lot split of 10 acres. Planning Commissioners discussed the configuration of the proposed north/south lot line and noted that it was slightly skewed. It should be noted that following Planning Commission review, the applicant has revised the plan to straighten the north/south property line by making one lot 41 acres and the other 37 acres rather than trying to make equal properties. This adjustment would potentially allow for one additional rural view lot subdivision to be realized on the 41-acre parcel. Ultimately, Planning Commissioners recommended approval of the proposed subdivision with conditions and findings.

#### Recommendation:

Planning Commissioners recommended approval of the requested variance to allow a minor subdivision and with the following findings and conditions:

1. The proposed variance and minor subdivision request meet all applicable conditions and restrictions stated in Chapter V, Section 520.19, Procedures on variances, and Chapter V, Section 500, Subdivisions, in the City of Independence Zoning Ordinance.
2. The City finds that the criteria for granting a variance have been met by the applicant and that the criteria for granting a variance have been met by the applicant and specifically that:
  - a. The requested variance would allow a subdivision to create two parcels that fit into the character of the surrounding property.
  - b. There are two homes located on the subject property and the subdivision of the properties will allow the homes to be located on separate properties in the after condition.
  - c. This property could be subdivided into two lots utilizing the rural view lot subdivision provisions of the zoning ordinance.
3. The Applicant shall provide verification to the City that Parcels A and B have a secondary septic site location.
4. The Applicant shall provide, execute and record the requisite drainage and utility easement the requisite drainage and utility easement within the county within six (6) months of approval.

5. The Applicant shall dedicate 17 feet of right of way to the City along County Road 11. The Applicant shall prepare the requisite easement exhibit and legal description and execute and record the document with the county within six (6) months of approval.

6. Following approval and recording of the minor subdivision, the City will revoke the existing conditional use permit for a guest house on the property.

7. The Applicant shall pay for all costs associated with the City's review of the requested variance and subdivision.

8. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

Betts asked if a park dedication fee has been waived before and Kaltsas said there was not a record he could find where we had waived a fee. Betts asked if that would set a precedent if this one was waived. Johnson noted there were two houses already there so may not need one. Fees are based on the smallest lot. McCoy said he was in favor of waiving the fee because there are two homes.

**Motion by Betts, second by McCoy to approve RESOLUTION 20-0218-02 granting a variance to allow a minor subdivision of property zoned AG-Agriculture that does not meet all applicable requirements. The subdivision proposed would create two approximately 40-acre parcels from the existing 80-acre parcel for the property located at 7825 County Road 11, Independence, MN (PID No. 09-118-24-22-0003). Ayes: Johnson, Betts, McCoy, Spencer and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

9. Consideration of approving plans and specifications and ordering advertisement for bids of the 2020 Bituminous Street Overlay Project.

a. **RESOLUTION 20-0218-03** – approving plans and specifications and ordering advertisement for bids.

Kaltsas said the City has determined that certain streets in the City need reconstruction, repair and improvements. The City based its findings on the long-range street improvement plans which assess all streets in the City based on their age, condition, number of users and current condition. In order to better preserve and maintain certain roads, the City's engineer reviewed detailed plans and specifications for the 2020 Street Overlay Project. The overlay project will provide for an approximately one and half inch bituminous overlay on top of the existing roads included in the project. The project will also include the installation of a gravel shoulder, specific crack repair and the installation of a bituminous apron at certain road intersections. Approximately 6 miles of existing bituminous roads will be included in the project and are identified below:

- Stephanie Way
- Brei Kessel Road
- Merz Way
- Waldemar Way
- Providence Place
- Providence Court, Warren Way
- Providence Curve

- Providence Path
- Turner Road
- Polo Club Road
- Copeland Road
- Lindgren Lane
- Independence Road
- Budd Street
- Fieldstone Place
- Stone Court
- Hillstrom Road
- Drake Court
- Drake Drive
- Painter Creek Green
- Timber Island Trail

City Council is asked to consider approval of RESOLUTION NO. 20-0218-03 approving plans and specifications for the 2020 Street Overlay Project and order advertisement of bids.

**Motion by Spencer, second by McCoy to approve RESOLUTION 20-0218-03 – approving plans and specifications and ordering advertisement for bids for the of the 2020 Bituminous Street Overlay Project. Ayes: Johnson, Betts, McCoy, Spencer and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

10. Consideration of the following resolutions calling for a public hearing on the capital improvements plan bonds and street reconstruction bonds.
  - a. **RESOLUTION 20-0218-04** - calling a public hearing on the street reconstruction bonds.
  - b. **RESOLUTION 20-0218-05** - calling a public hearing on the capital improvement plan bonds. Reimbursement Resolution relating to the proposed City Hall and the street reconstruction project.

Kaltsas said the City has determined that certain streets in the City need reconstruction, repair and improvements. The City is authorized by Minnesota Statutes, Section 475.58, subdivision 3b (the “Act”), to prepare a plan for reconstruction or overlay of streets in the City over the next five years, including a description of the affected streets and estimated costs (the “Plan”), and to issue general obligation bonds to finance the cost of street reconstruction activities described in the Plan. Pursuant to the Act, the City is required to hold a public hearing regarding the Plan and issuance of the bonds.

The City now finds that it is necessary to prepare a Plan setting forth proposed street reconstruction projects in the City for the years 2020 through 2024, and to provide for the issuance of general obligation bonds thereunder in an aggregate principal amount not to exceed \$1,400,000 (the “Bonds”), to finance certain costs of the Plan. In addition, the City is authorized by Minnesota Statutes, Section 475.521, as amended (the “Act”) to finance certain capital improvements under an approved five-year capital improvement plan (the “Plan”) by the issuance of general obligation bonds of the City payable from ad valorem taxes. Capital improvements include acquisition or betterment of public lands, buildings or other improvements for the purpose of a city hall, town hall, library, public safety facility and public works facility (excluding light rail transit or any activity related to it, or a park, road, bridge, administrative building other than a city or town hall, or land for any of those facilities).



The City now finds it necessary to prepare a Plan setting forth proposed capital improvements in the City for the years 2020 through 2024 and to provide for the issuance of general obligation bonds thereunder in an aggregate principal amount not to exceed \$2,500,000 (the “Bonds”) to finance certain costs of the Plan, including the costs of renovating, expanding, improving and equipping the City’s existing City Hall, public safety and public works facilities.

Pursuant to the Act, before issuance of bonds under both Plans described above, the City Council is required to hold a public hearing on the Plans and the issuance of such bonds. The City hereby authorizes its staff and consultants to prepare the Plan for street reconstruction projects and capital improvement projects in the City over the five-year period of 2020 to 2024 in accordance with the Act and provide notice of the requisite public hearings. City Council is asked to consider approval of RESOLUTION NO. 20-0218-04 and RESOLUTION NO. 20-0218-05.

**Motion by Betts, second by Spencer to approve RESOLUTION 20-0218-04 - calling a public hearing on the street reconstruction bonds. Ayes: Johnson, Betts, McCoy, Spencer and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

**Motion by Spencer, second by Grotting RESOLUTION 20-0218-05 - calling a public hearing on the capital improvement plan bonds. Reimbursement Resolution relating to the proposed City Hall and the street reconstruction project. Ayes: Johnson, Betts, McCoy, Spencer and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

11. Open/ Misc. (Communications/ Media Update for City)

Grotting asked about additional providers and colocation. Kaltsas said the City allows colocation. Grotting pointed out this additional provider (Extratyme) are interested in providing service to the City which may help the rural residents. Johnson noted some of the State Commissioners and Legislators mentioned possibly providing more money for this kind of service.

12. Adjourn.

**Motion by Spencer, second by Grotting to adjourn at 7:19 p.m. Ayes: Johnson, Betts, Grotting, Spencer and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

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Respectfully Submitted,  
Trish Gronstal/ Recording Secretary

MINUTES OF A WORK SESSION OF THE  
INDEPENDENCE CITY COUNCIL  
THURSDAY FEBRUARY 13, 2020 –7:00 A.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a work session of the Independence City Council was called to order by Mayor Johnson at 7:00 a.m.

2. ROLL CALL

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

ABSENT: City Attorney Vose

STAFF: City Administrator Kaltsas, Public Works Supervisor Bode, Assistant to Administrator Horner

VISITORS: West Hennepin Police Chief Kroells, Susan Morgan and Bruce Schwartzman (BKV architects), Andrew Budde (City Engineer), Tammy Undahl (Northland Securities), Andrea Worcester (ABDO)

3. General Administration

a. City Hall 2020 Building Updates

- o BKV Architects – presentation and discussion of updated concept plan development and estimated project costs.

BKV Architects presented updated concept plans that consider City feedback and recommendations. In addition to the concept plans, BKV has an initial pre-design estimate for the proposed improvements. All plans include the update of critical items; HVAC, carpet/flooring, paint/wallpaper and similar mechanical or minor repairs (i.e. exterior door seals, etc.).

Staff has been working with the architects to put together a potential remodel/update project that would complement the base updates. The potential additional work would provide the following:

Kaltsas noted the project includes updating the community room to include a “fixed” Council dais, audio visual upgrades, additional storage areas, new windows, new furniture. Reconfiguring the storage room and courtyard area to provide an updated lobby and museum display area for the City. This update includes enclosing a portion of the outdoor space located between the Police and City Hall buildings. Adding a smaller conference room to the City Hall side of the building. The plans also contemplate adding additional garage spaces to WHPS. There are several garage configurations that have been reviewed and range from the addition of 4 garage spaces to 10 garage spaces. In lieu of adding attached garage spaces to WHPS, the City has looked at constructing a larger pole barn adjacent to City Hall that would provide approximately 6,500 additional square feet of storage and parking. This space could serve both WHPS and Public Works.

Plans also address updated front building entrance, façade and building painting. The new entrance would include a new entrance lobby area and overhang, minor landscape improvements and security system improvements.

BKV Architects reviewed the updated concept plan and associated costs estimates at the meeting to solicit discussion and feedback.

McCoy said the new location of the window would take away the privacy of office employees. Kaltsas said that was considered and there will be some sort of backdrop to protect privacy. He said not having it visible makes it hard for people to even know it is even there.

Grotting noted the second conference would be a nice asset but wondered if it was a little small. Kaltsas said they are looking at a 6-8-person space which is a nice size room. Morgan said they are still looking at vaulting the lobby space. Schwartzman said if it was important to make this larger, they could look at it.

Kaltsas said a separate pole barn is still being discussed instead of enlarging the garage area for police space. He noted North Memorial could locate out of here and bring in extra money for the City through lease revenue. Grotting asked if a stand-alone garage is preferred. Kaltsas noted the difference in cost with a pole barn versus expanding the garage.

Morgan outlined the different ideas for exterior and interior finishes. Betts said she didn't like the wood finish on the outside. She felt a more classic look would be to use stone or block. Grotting said the wood looked nice. Betts said she does not want a lot of maintenance to the outside of the building. Morgan noted these are overview ideas only and there are many options.

Morgan laid out the project schedule which can be updated at any point. A detailed cost estimate will be presented before Council within the next 10 weeks for approval. She said Council may also pause the project at any point if that is determined to be necessary.

McCoy asked if the dais would be raised. Schwartzman said that it could be if that was the direction of Council. He noted code would have to be met for disabilities on a raised dais and applicable furniture needs. Kaltsas said that idea with the Council space is that it would be fixed and permanent.

b. 2020 Bituminous Street Overlay Project

- Project update and presentation of updated project cost and schedule.

Kaltsas said the City's engineer has prepared detailed plans and an engineer's estimate for the 2020 overlay project. The City engineer reviewed the plans and provided an estimate at the meeting. The plans are now developed to a point that they can be bid out and staff will be seeking feedback and direction from Council. It is anticipated that Council will authorize plans and specifications for bidding at our next City Council Meeting (see attached project calendar). The overlay project includes the following roads:

- Stephanie Way
- Brei Kessel Road
- Merz Way
- Waldemar Way
- Providence Place
- Providence Court
- Warren Way
- Providence Curve
- Providence Path
- Turner Road
- Polo Club Road
- Copeland Road

- Lindgren Lane
- Independence Road
- Budd Street
- Fieldstone Place
- Stone Court
- Hillstrom Road
- Drake Court
- Drake Drive
- Painter Creek Green
- Timber Island Trail

Betts said Independence Road has dips in it that need attention. Grotting asked if 1 ½ overlay was typical. Budde said 1 ½ -2” is typical and it was up to the City’s discretion. Grotting said there are areas that need extra attention whereas higher areas might not need as much. Kroells asked if it would be better to do the roads before or after the Highway 12 reconstruction. Kaltsas said the bid would be awarded on April 21<sup>st</sup> with the open bidding starting March 25<sup>th</sup>.

- c. City Hall Renovation and Street Overlay Finance Discussion
  - o Overview of funding alternatives.

Kaltsas said based on the information presented in this report relating to the City Hall and Street Improvement projects, staff has been working with Northland Securities to prepare options for issuing new debt that would provide for both projects. The initial discussion had with Council regarding financing for both projects looked at the opportunity to capture expiring debt capacity which would become available to the City in 2021 while maintaining a flat or constant debt service levy. The current debt service levy for Independence includes the following:

Northland has prepared 3 alternatives (Options A, B, C and attached to this report) for structuring debt to pay for both the City Hall and Street Reconstruction projects. The alternatives prepared show the potential impacts to the City’s debt levy based on how the debt is structured.

The total bond issue would be broken into two pieces; one would fund the street construction project and be based on either a 10 or 15 amortization, the second would fund the CIP improvements to City Hall and be amortized over a 20-year period. The primary differences between the alternatives relate to length of amortization and the interest paid with each alternative.

Based on the initial concept City Hall plans and street overlay plans, the City would need to fund the following amounts:

- Street Project: \$1,323,843
- City Hall: \$2,059,226
- Garage/Pole Barn: \$250,000 (this number is a placeholder for discussion only)

In order to maintain a flat or consistent annual debt levy of approximately \$306,660, the City would have to structure the debt around the existing debt. Staff presented information pertaining to potential funding of the various projects and discuss options and alternatives with Council. In addition, Northland has prepared a draft calendar which outlines the necessary steps that would need to occur as a part of the bonding process (see attached project calendar). Staff will ultimately be looking for direction from

Council relating to the potential projects and possible funding.

Johnson asked if the City rating would qualify from a few years ago. Undahl said it would go back for a review for a new rating. Kaltsas noted a Public Hearing would be held and plans adopted to start the 30-day process. Undahl noted the tax abatement may not be used for the City Hall remodel. Kaltsas said Scenario B is the first choice.

Kaltsas asked if Council felt comfortable with the City Hall remodel and the numbers associated with it. It is a healthy market bid with a design and construction contingency. McCoy said he didn't want to see anything cut out that is preferred as it won't be getting down again anytime soon. Kaltsas noted the pole barn can be phased into the plan. McCoy said he would like to see the lobby space bigger.

d. Highway 12/CSAH 92 Project Update

Kaltsas discussed the current status of the project, timing and other information relating to the project. They are looking at boundaries and land acquisition at this point while trying to avoid the new homes. There will be more public outreach coming soon. Kaltsas said there will be a pond on the Mobile Marine corner.

e. Mediacom High Speed Internet Expansion Grant – Update

Kaltsas said Grotting and Horner have put a lot of work into this Grant. Grotting said Mediacom will be introducing Phase 2 which will provide coverage for more homes. He said the LMCC has also been helpful. The fiber is along County Road 6 and will be accessed for these efforts. Grotting said Ag properties may want to try Xtratyme based out of Cokato.

f. Proposed Hennepin County Conversation Easement Across Private Properties South of Highway 12 – For Information

Kaltsas said they are looking for comments on the conservation easement that is proposed. Johnson said the biggest concern would be if it gets in the way of road construction or developments. Kaltsas said the landowner gets a credit for the easement. He noted they would not be taking out trees but rather protecting them as this is for habitat protection.

g. Staff Update – Miscellaneous Project Status and Updates

Kaltsas said the Lake Independence Association (LICA) has officially requested a change to the lake wake level. They are asking it to be raised 5 inches. There will be Public Hearings scheduled and it will be reviewed for potential Ordinance amendment.

Kaltsas said there is some interest in one amending the Mama's Happy CUP if a building is sold to another owner and used as a wellness location. Council will need to consider if they want to amend this or not.

Kaltsas said the property on County Road 90 across from Sam's Landscaping is being looked at by an excavating company. What does the Council think of the use of this property for heavy construction equipment? Council was not very receptive to the idea. It is guided commercial/ light industrial.

Community Clean-Up Day is May 7<sup>th</sup>. Typically, this is shared with Maple Plain, but they do not provide as many resources as we do for the event. Spencer has reached out to Mass-Kusske (Mayor, Maple Plain) to see

what they are willing to contribute as far as personnel and financial resources. Spencer said we should proceed with this year but keep track of who is utilizing it from Independence versus to Maple Plain.

Worcester updated Council on the 4<sup>th</sup> quarter financial report. Cash balance increased from last year to this year. The general fund overall appears to be coming in with an increasing reserve. Kaltsas said the City is really healthy from the 2019 budget. There will be options to allocate the cash balance. The audit prep will begin next week.

Kaltsas said the Comp Plan is coming up on the next Planning Commission agenda so comments back from Met Council should be within a month.

Kaltsas said a consideration being talked about is forming a “Fire District”. McCoy represented the City at a meeting and said Cloquet has taken a metro department and divided into a rural model through a Fire District initiative. He said we would have to get legislation in process to get a Fire District model approved. McCoy said Loretto’s first choice would be to merge with Maple Plain. Fire District’s are more flexible with manpower. Homeowners are taxed the same rate regardless of home price.

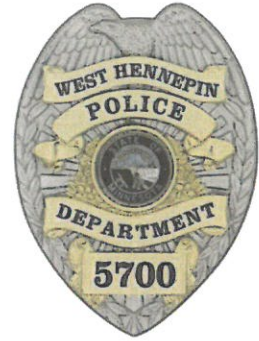
4. Adjourn

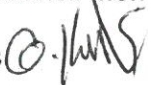
**Mayor Johnson adjourned the work session at 9:28 a.m.**

Respectfully submitted,

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Trish Gronstal, Recording Secretary



Date: February 7, 2020  
To: Public Safety Commissioners  
City of Independence Council Members  
City of Maple Plain Council Members  
From: Director Gary Kroells   
SUBJECT: JANUARY 2020 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.

\\WHPS#0\share\monthlyactivityreport\2020\lettertocouncilmonthlyreport.docx

*West Hennepin Public Safety Department*

*1918 County Road 90 / Maple Plain, Minnesota 55359*

*Phone: (763) 479-0500 / Fax: (763) 479-0504*

*Web Address: <http://www.westhennepin.com> E-mail: [westhennepin@westhennepin.com](mailto:westhennepin@westhennepin.com)*



**Monthly Activity Report  
January 2020**

<b>Offense</b>	<b>This Month</b>	<b>Same Month Last Year</b>	<b>This Year To Date</b>	<b>Last Year To Date</b>
<b>City Of Independence</b>				
Criminal	10	8	10	8
Traffic	92	140	92	140
Part III	7	7	7	7
Part IV	36	36	36	36
Part V	99	100	99	100
<b>Total City of Independence</b>	<b>244</b>	<b>291</b>	<b>244</b>	<b>291</b>
<b>City Of Maple Plain</b>				
Criminal	4	6	4	6
Traffic	75	42	75	42
Part III	7	2	7	2
Part IV	18	23	18	23
Part V	56	83	56	83
<b>Total City Of Maple Plain</b>	<b>160</b>	<b>156</b>	<b>160</b>	<b>156</b>
<b>Grand Total Both Cities</b>				
	<b>404</b>	<b>447</b>	<b>404</b>	<b>447</b>
TZD	0	1	0	0
Agency Assists	10	30	10	30
<b>Total ICR Reports</b>	<b>414</b>	<b>477</b>	<b>414</b>	<b>477</b>
<b>How Received</b>				
Fax	9	7	9	7
In Person	22	24	22	24
Mail	0	0	0	0
Other	2	2	2	2
Phone	23	31	23	31
Radio	153	150	153	150
Visual	182	243	182	243
Email	7	4	7	4
Lobby Walk In	16	16	16	16
<b>Total</b>	<b>414</b>	<b>477</b>	<b>414</b>	<b>477</b>



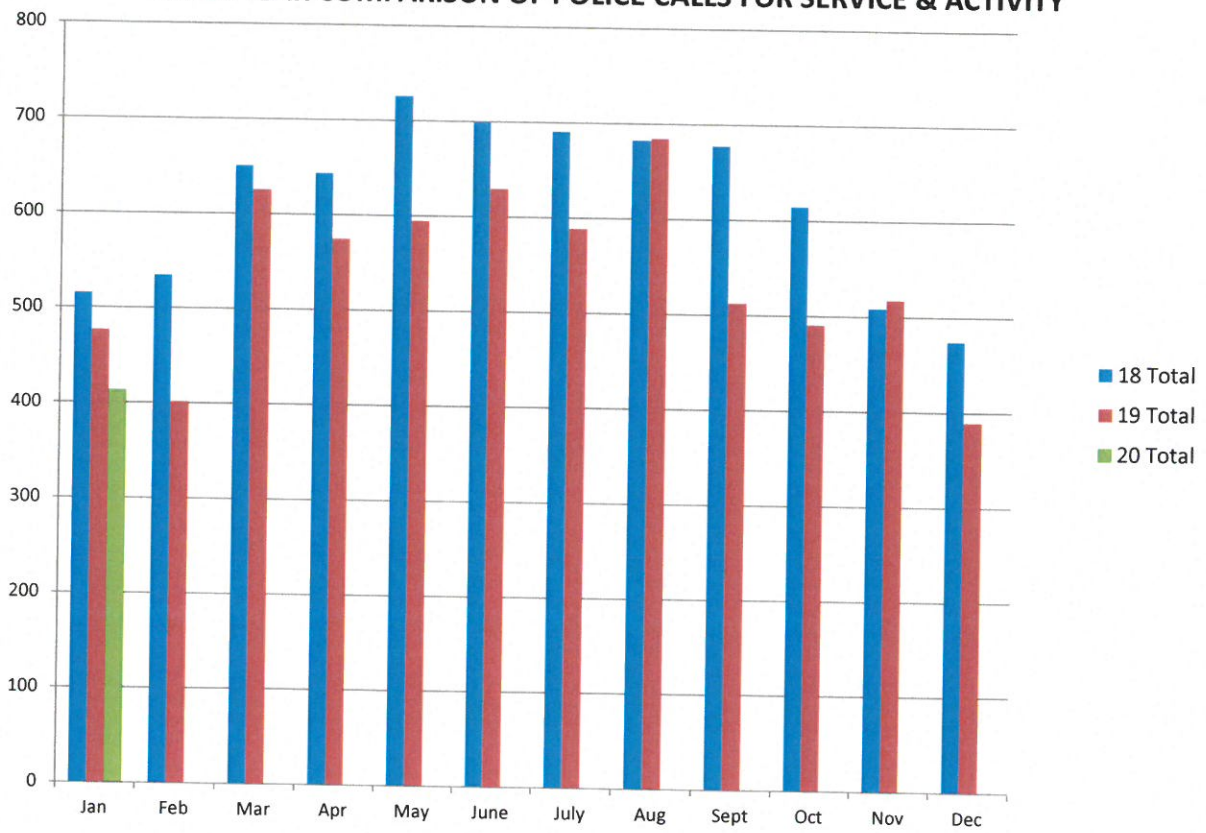
**January 2020 Criminal Part I & II**  
**City of Independence Grid #'s 3-5**

<u>AGN</u>	<u>ICR</u>	<u>Title</u>	<u>Grid #</u>	<u>Reported Date</u>	<u>MOC range</u>
WHPS	20000081	Property Damage -Pioneer Creek Community Park - extensive graffiti on park equipment	3	1/6/2020	P3129
WHPS	20000084	Fraudulent - Unauthorized Charges on Victims Personal Credit Card	3	1/6/2020	U0550
WHPS	20000096	Drugs-Small Amt of Marijuana in Motor Vehicle / Drugs-Paraphernalia Possession	5	1/7/2020	DC500
WHPS	20000177	Fraudulent - Unauthorized charges on Victims Personal Credit Card	3	1/12/2020	U1622
WHPS	20000197	Domestic - Misdemeanor	5	1/15/2020	AL351
WHPS	20000204	Trespassing / Drugs-Small Amt of Marijuana in Motor Vehicle	3	1/15/2020	M6703
WHPS	20000273	Fraudulent Credit Card / Credit Card opened in Victims name	3	1/21/2020	U356B
WHPS	20000274	Gross Misdemeanor - Driving After Cancellation Inimical to Public Safety	3	1/21/2020	J2901
WHPS	20000285	Fraudulent Credit Card / Credit Card opened in Victims name	3	1/22/2020	U356A
WHPS	20000326	Fraudulent Credit Card / Credit Card opened in Victims name	3	1/25/2020	U1202

**January 2020 Criminal Part I & II**  
**City of Maple Plain Grid # 1-2**

<u>AGN</u>	<u>ICR</u>	<u>Title</u>	<u>Grid #</u>	<u>Reported Date</u>	<u>MOC range</u>
WHPS	20000098	Theft From Auto	1	1/7/2020	VE081
WHPS	20000108	Theft No Pay from Restaurant	2	1/7/2020	U0998
WHPS	20000200	Felony- Internet Scam/Theft of Money	1	1/15/2020	U0062
WHPS	20000329	3rd Degree DWI Arrest	1	1/25/2020	JFW01

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



# DIRECTOR'S NEWS & NOTES

WEST HENNEPIN PUBLIC SAFETY  
January 2020 Activity Report

## Year to Date Activity Report

At the end of January 31, 2020 West Hennepin Public Safety (WHPS) handled year-to-date a total 414 incident complaints: 244 in the city of Independence and 160 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:

#### Snowplowing Concern

Jan 2 5300 block Sunset Lane, Independence. Resident reported a neighbor was plowing snow across the road and into the ditch. City of Independence was advised of the complaint.

#### Misc. Assist

Jan 2 Bridge area of Independence Rd, Independence. Caller reported he parks on Independence Rd to go ice fishing and parks in the permitted area. A note was left on his truck by a resident stating he is illegally parking. Officer advised he did not park illegally.

#### Parking Complaint

Jan 3 2400 block Independence Street, Independence. Caller reported two vehicles were obstructing the road. Officer responded to the area, located both vehicles in question and found they were parked legally and not obstructing the road.

#### Assist

Jan 3 1500 block Howard Ave., Maple Plain. Resident did not have her keys and needed to get back in her apartment. Officer used the apartment Knox box keys to open her apartment door.

#### Traffic Complaint

Jan 4 4:58 p.m. CR 6 / Copeland Rd, Independence Caller reported a vehicle was all over the road and almost caused several crashes. Officer stopped the vehicle. Contact with the driver, 88-year-old male from Savage who admitted to not being able to drive at night and was lost. Contact was made with his daughter who stated he was not to be driving. She responded with others to pick up her dad and vehicle to get safely home.

#### Theft

Jan 5 1200 block Budd Ave, Maple Plain. Reported a burglary at his storage unit. The lock on his storage unit had been cut off. The R/P checked inventory and did not notice anything missing.



### City Park Property Damage

Jan 6 Pioneer Creek Community Park, Independence. Caller reported graffiti is sprayed all over the playground equipment in the city park. Damage is very extensive. Anyone with information please call the police. Case under investigation.

### Theft from Auto

Jan 7 4800 block Main Street, Maple Plain. A company truck was rifled through sometime within the past 5 days. The owner found the ignition key was missing and the center console was damaged.

### No Pay

Jan 7 5100 block Main Street, Maple Plain. Male left restaurant on Main Street without paying for his food. Officer located the male who said he paid. Surveillance video clearly showed he did not pay. The male was cited for Misdemeanor Theft. The male had a Carver County Sheriff's Office Warrant for Misdemeanor Theft. He was arrested for his warrant and released to a Carver Co Sheriff Deputy.

### Suspicious Solicitor

Jan 8 9:00 p.m. 6700 block Fogelman Rd, Independence. Reported on Jan 6<sup>th</sup> a male stopped at the house stating he was selling steaks. Resident was surprised the male was out selling late at night. They did not want to buy steaks and the male left in a white van. Unknown if a company name was on the van.

### Identity Theft

Jan 8 6100 block Woodhill Lane, Independence. Resident reported a dealership from PA contacted him on someone attempted to use his identity to purchase a car. No transaction occurred as the dealership was suspicious. The case is under investigation

### Medical

Jan 9 5500 block Main Street, Maple Plain. Female walking outside in the roadway in front of her house, slipped and fell on the ice. Female hit her head and felt her ankle was broken. MP Fire assisted, checked for a head injury and splinted the swollen ankle. North Memorial EMS arrived. Female was assisted into her van as she wanted her husband to take her to the hospital.

### Utility check

Jan 10 5200 block Manchester Dr, Maple Plain. A resident's dishwasher was found leaking water and flooding the apartment. Tenants below the apartment and apartment manager were notified of the leak.

### Medical – Drug Overdose

Jan 10 Independence Street / Budd Ave. A male driver and a female passenger called 911 reporting their male passenger had taken a bunch of unknown pills, is unresponsive and is not waking up. Officer responded along with Maple Plain Fire Dept., North Memorial EMS, and Medina PD and found 3 persons in the vehicle. The male passenger was in the back seat unresponsive, had a pulse and shallow breathing. His airway was opened and Narcan was administered. North Memorial transported the male passenger to the hospital.

### Suspicious Act

Jan 10 7900 block of CR 11, Independence. Reported a male wearing a safety vest, stated he was there to read their meter for Wright Hennepin Electric (WHE). The male did not have any ID on him and left when the resident said he was going to call the police. Officer contacted WHE who found the male was a newer employee who failed to go out in the field with proper credentials and did not have the WHE business magnet on his vehicle. WHE apologized for the issue, would take remedial action with the staff and reach out to the resident to apologize.

### Property Damage

Jan 10 CR 92N / Lake Sarah Rd, Independence. Officer found a vehicle crashed into the trees and 3 persons attempting to pull the vehicle out of the ditch. The driver was issued a citation for Failure to Drive with Due Care and the owner of the trees was contacted.

### Medical – Head Injury

Jan 10 4800 block Highway 12, Officer responded along with Maple Plain Fire Dept. and North Memorial EMS for a male that had fallen off a bar stool, struck his head causing a 6" laceration and had been unconscious. The 55-year-old male stated he had a coughing spell, passed out and didn't remember falling. The head was bandaged, and the bleeding was controlled with pressure. The male refused further treatment or transport to the hospital as his friend was going to take him to the hospital.

### Felony-Scam / Theft

Jan 15 1500 block Howard Ave. Maple Plain. Victim was contacted by from "Consumer Protection Bureau" who told him he won \$750,000 in a lottery. Victim later received two checks written to him in the amount of \$5,500 each to be used to pay the taxes on Victim's winnings. Victim deposited the two checks and sent several money orders as instructed. Victim was later notified by his bank that the two deposited checks were NSF. Victim was scammed and loss is approximately \$11,000. Case under investigation.

### Crash Personal Injury

Jan 15 Nelson Rd / Highway 12, Independence. Both vehicles were w/b on Highway 12 when Veh #1 was rear-ended by Veh #2. Driver Veh #1 was shaken up but not injured. Driver of Veh #2 had a cut on her hand and a sore head / neck from the air bag deployment. North Memorial EMS checked driver #2 who refused transportation to the hospital. Veh #2 was totaled and towed from the scene.

### Suspicious Act – Trespassing

Jan 15 Valley Rd / BNSF, Independence. A truck was parked on the BNSF railroad track road. Driver Jay Wayne Graving, 63 of Maple Grove said he is a train buff, was watching for a train and wanted to take photos. A smell of fresh marijuana was coming from inside the vehicle. Graving admitted to smoking MJ and possessing MJ. Graving was cited for Possession of Marijuana and Trespassing on RR tracks. Graving called for a ride home.

### Suspicious Act

Jan 15 5400 block Pagenkopf Rd, Independence. Reported lights on in a vacant house. The property was checked, and no signs were found of anyone being around. Caller was notified of the findings. Caller thought she might have left the lights on when she was in the house earlier in the day.

Crash

Jan 17

Hwy 12 / CR 92, Independence. Veh 1 and Veh 2 were stopped n/b on County Road 92 to turn w/b on Hwy 12. Veh 3 was e/b on Hwy 12, turned to go s/b on County Road 92 and the rear end of his vehicle swung out, struck Veh 1 and clipped Veh 2. No injuries. All drivers were wearing their seatbelts. All vehicles had minor damage.

Suspicious Act

Jan 18

2900 block Hitsman Lane, Independence. Resident reported two males at her door stated they got stuck, then stated the area was nice, and they were looking at buying some land. The two males left, and the resident called 911. The area was checked, and the vehicle was not found. Short time later a resident on County Road 6 reported two males pulled into his driveway, were looking around and asking questions on buying land. The area was checked, and the vehicle was not located.

Crash

Jan 18

6000 block Hwy 12, Independence. Driver was w/b on Highway 12 and his vehicle started to fish tail, he over corrected, struck the center barrier and went into the ditch. Driver and his passenger were both wearing seatbelts and were not injured. Vehicle was towed from the ditch.

Utility Check

Jan 19

1200 block Poplar Ave Maple Plain. Passerby reported water appeared to be coming from a building. Officer found several spots with water flowing. Business owner responded and found water flowing in the kitchen and on the floors in several rooms. The water main was shut off.

Welfare Check

Jan 20

11:20 p.m. Budd Ave. / Highway 12, Maple Plain. Officer located a male who was reported stumbling on the roadway. The male was carrying two backpacks, a box of clothing, stated he had a falling out with people and was homeless. Due to weather -4 degrees Officer had him sit in the squad car to use the phone to find a place to stay. A place was found, and Officer gave him a ride to the residence.

Welfare Check

Jan 21

2:00 a.m. Budd Ave / Newport Street, Maple Plain Caller reported earlier a male had left a bar, had fallen and hurt his knee while walking home. Caller and the male had a verbal argument and the male left upset. Officer located the male limping down the road, he admitted his knee was hurt, but denied medical attention and did not want to pay for an ambulance. Officer smelled a strong odor of alcohol coming from the male while speaking with him. The male was released to a sober person who was willing to take care of the male.

Crash

Jan 22

Hwy 12/ County Line Rd, Independence. Veh 2 rear ended Veh 1 stopped at a stop light waiting to turn left. Driver of Veh 2 driver was going the speed limit, did not realize she was in the turn lane when she struck Veh 1. No signs of impairment were found on Veh 2 driver who was cited for Failure to Drive with Due Care. Veh 1 was driven from the crash scene and Veh 2 had heavy front damage and was towed.

### Fraudulent Charges

Jan 22 2200 block Old Post Rd, Independence. Resident reported someone opened a Kohl's and Best Buy credit cards in his name and proceeded to make fraudulent charges. Approximate charges totaling \$1,600.00. The credit cards were cancelled, and the credit card companies are handling the fraudulent charges.

Fire  
Jan 22 3600 block CR 90, Independence. Officer responded to a reported garage fire that was spreading to the house. Upon arrival found the garbage can, inside the garage was on fire and the homeowner had put it out. Homeowner had put some old ashes from a metal bucket into the garbage can. It is believed there was still hot ash even after several days of sitting. Maple Plain Fire and Loretto Fire ventilated the residence.

### Suicidal Threat

Jan 23 1:25 a.m. 5300 block Highway 12, Maple Plain. Intoxicated 20-year-old male called 911, was argumentative with dispatch saying he wanted to end it all and wanted to kill himself. Officers were assisted by several police departments and North Memorial EMS. The male was eventually convinced to go to the hospital by ambulance on a 72-hour emergency hold.

### Scam / Theft

Jan 24 4800 block Broadmoor Drive, Independence. Victim reported at the request of an internet contact he follow instructions to withdraw money from his bank. He later met unknown persons to exchange money and was robbed of his money while in a parking lot in Wayzata. Victim was advised to report it to Wayzata PD as it happened in their city.

### Medical Overdose

Jan 24 5200 block Bryantwood Dr., Maple Plain. Female admitted to smoking marijuana and shortly after became anxious and began hyperventilating. Female was transported to the hospital by North Memorial ambulance.

### Financial Fraud

Jan 25 6500 block Franklin Hills Rd Independence. Reported someone fraudulently accessed Resident's computer and bank account resulting in a loss of several thousand dollars. Resident closed all accounts and reported fraudulent activity to ftc.gov. Case under investigation.

### 3<sup>rd</sup> Degree DWI

Jan 25 1700 block Baker Park Rd, Maple Plain. Reported a vehicle was swerving on the roadway and almost struck the jersey barrier. Officer located the vehicle and Edward Wayne Swanson, 30 from Maple Plain admitted to driving the vehicle. While speaking with Swanson a strong odor of alcohol was emitting from his breath. Swanson provided a breath sample which resulted in .18 breath alcohol concentration. Swanson was arrested, transported and booked in Hennepin Co Jail for 3<sup>rd</sup> Degree DWI.

#### Motorist Assist

Jan 29 7800 block Hwy 12, Independence. Motorist reported she missed the turn for n/b 92, pulled into a driveway, tried to turn around where the snowmobile trail was and went into the ditch. Officer was able to assist her with shoveling out her front tires and pushing the car until it was free and back onto the driveway.

#### Fire

Jan 30 2500 block Becker Rd, Independence. Officer and Maple Plain Fire Dept responded to a garbage can on fire. Upon arrival the homeowner had put the fire out with a household extinguisher. Homeowner had thrown away an item she didn't realize had been heated up sitting next to the stove.

#### Unwanted Person

Jan 30 11:30 p.m. 3300 block CR 92, Independence. Received a call of an unwanted person was sleeping in resident's driveway. Contact with a 33-year-old female who is keeping animals on the property and had laid down for a bit in her car because she was feeling sick. The female left the property.

#### Misc. Assist

Jan 31 1:56 p.m. 3300 block CR 92, Independence. Received a call of the unwanted person was back pounding on Residents door and windows. Resident called back reporting the person left the premises when he mentioned he was going to call the police.

#### Structure Fire

Jan 31 8:36 p.m. 2300 block Copeland Rd, Independence. Caller reported his neighbors large shed was on fire. Upon arrival the shed was engulfed in flames, and the roof had collapsed. The fire was extinguished by Delano Fire Dept with the assistance of Watertown, Maple Plain, Montrose and St. Bonifacius Fire Departments. The shed and equipment inside were heavily damaged. The homeowners were out of town when the fire occurred. Unknown what caused the fire. Case under investigation.

166 contacts of citations, verbal and written warnings were issued for traffic and equipment violations  
2 citations for 'hands-free'



# City of Independence

## 2020 Fee Schedule – Accessory Structure Height Committee Review and Fee Schedule Adoption

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*To:* City Council  
*From:* Mark Kaltsas, City Administrator  
*Meeting Date:* March 2, 2020

### ***Discussion:***

The City recently adopted an amendment to the ordinance which established a process for the review and consideration of accessory structures that exceed the requisite height limitations established in the zoning ordinance. The amended ordinance allows the City Council to appoint a review committee that would review and apply the newly adopted ordinance provisions.

<sup>4</sup> An accessory structure may exceed the height of the principle structure if the accessory structure meets all applicable criteria of the Section and the following conditions are met:

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

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

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

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

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

***Council Recommendation:***

City Council is asked to consider approval of **RESOLUTION No. 20-0302-01** establishing the Accessory Building Height Review Committee, appointing its members and adopting an update to the 2020 fee schedule.

***Attachments:***            **RESOLUTION NO. 20-0302-01, Committee Formation and Appointment Resolution**  
**RESOLUTION NO. 20-0302-02, Proposed 2020 Fee Schedule Update**

**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)	\$ 40
Accessory Building Height Review	\$ 100
Grading Permit (100 cu yd or more)	\$ 500
(if less than 100 cu. yd, no permit required.)	

Other (non-defined) Planning/Review: \$ 250

Staff time in excess of application fees:

Professional per hour	\$ 100
Clerical per hour	\$ 50

**Planning Application Type I-Application Fee: \$1,250/Additional Fee Deposit \$750**

- Minor Subdivision (Minor Subdivision (Lot Line Rearrangement, Lot Consolidation, Rural View Lot Subdivision, Lot Split-2 lots or less)
- Rezoning
- 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: \$1,750/Additional Fee Deposit \$1,500**

- Preliminary Plat (3 lots or more) - (plus \$250 per lot)
- Final Plat (plus \$250 per lot)
- Conditional Use Permit (commercial)
- Interim Use Permit (commercial)
- Comprehensive Plan Amendment
- Complex Concept Plan
- Complex Site Plan Review
- Complex Zoning Text Amendment

**After-the-fact fees double**

Grading Permit (100 cu yd or more) \$ 500  
(if less than 100 cu. yd, no permit required.)

**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 Permit	\$	300
Mound Repair	\$	150
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 Sewer Connection Fee	\$	3860
- Includes \$ 1250 City Sewer Permit		
- Includes \$ 125 Street to house connect		
- Includes \$ 2485 SAC (MUSA line)		
Quarterly sewer access charge	\$	231
Quarterly availability charge	\$	200
(dwellings not connected to available sewer)		
SAC (MUSA line)	\$	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 under 50 – <i>non-resident</i>	\$	250
Events 50 – 100 – resident	\$	200
Events 50 – 100 – <i>non-resident</i>	\$	400
Events 101 – 150 – resident	\$	300
Events 101 – 150 – <i>non-resident</i>	\$	500
Events 151 – 200 – resident	\$	400
Events 151 – 200 – <i>non-resident</i>	\$	750
Funeral – resident	\$	50
Funeral – <i>non-resident</i>	\$	100
Wedding – resident	\$	400
Wedding – <i>non-resident</i>	\$	1000

**CONFERENCE ROOM RENTAL (#)**

(seats 25 people)

Rent per day	\$	100
with kitchen	\$	150
per hour	\$	35

**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
Commercial, daily - <i>non-resident</i>	\$	300
Individual, daily - resident	\$	75
Individual, daily – <i>non-resident</i>	\$	150
(Liability Insurance Required)		

**FREQUENTLY CALLED NUMBERS**

Public Works Sup. Shawn Bode	763-479-0530
City Administrator Mark Kaltsas	763-479-0527
Building Inspector Bruce Satek	763-479-0531
Asst. City Admin. Beth Horner	763-479-0527
Office Assistant Trish Bemmels	763-479-0514
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 2.75%, PLUS \$0.50 FOR ANY TRANSACTION LESS THAN \$100).**

**FEE SCHEDULE**

Effective September 1, 2003

**Revised March 2, 2020**



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  
RESOLUTION NO. 20-0302-01**

**RESOLUTION ESTABLISHING THE ACCESSORY BUILDING HEIGHT REVIEW  
COMMITTEE AND APPOINTING ITS MEMBERS**

**WHEREAS**, the City of Independence (the City) engages advisory bodies to the City Council in addressing planning needs within the community; and

**WHEREAS**, the City has identified a need to establish a new committee to review accessory building heights for conformance with applicable standards; and

**WHEREAS**, the City has adopted an amendment to City Code, Chapter IV, Section 530 (ORDINANCE 2019-03) providing for the establishment of the Accessory Building Height Review Committee to oversee the application of the criteria established within the ordinance; and

**WHEREAS**, the City has determined that the committee shall be comprised of three (3) members who also serve on the City Council or Planning Commission, provided that no more than two (2) members of either body shall serve at one time; and

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Independence establishes the Accessory Building Height Review Committee and appoints the following members to a one (1) year term:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Adopted by the City Council this 2<sup>nd</sup> day of March 2020, by a vote of \_\_\_ ayes and \_\_\_ nays.

\_\_\_\_\_  
Marvin Johnson, Mayor

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



**CITY OF INDEPENDENCE  
RESOLUTION NO. 20-0302-02**

**A RESOLUTION APPROVING AN UPDATE TO THE  
CITY'S FEE SCHEDULE**

**WHEREAS**, the City of Independence (the "City") is a municipal corporation under the laws of Minnesota; and

**WHEREAS**, the City has adopted a Fee Schedule to set forth fees for certain services provided by the City; and

**WHEREAS**, the Fee Schedule is referred to in the City's Code of Ordinances and determined to be necessary to ensure that the City is reimbursed for the cost of providing the services.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INDEPENDENCE, MINNESOTA:**

1. The Fee Schedule attached hereto as **Exhibit A** is hereby adopted.

This resolution was adopted by the City Council of the City of Independence on this 2<sup>nd</sup> day of March 2020, by a vote of \_\_\_ ayes and \_\_\_ nays.

\_\_\_\_\_  
Marvin Johnson, Mayor

ATTEST:

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