



Please note that, pursuant to the authority provided by Minn. Stat. Sec. 13D.021, subd. 1(1), the City has determined that in-person meetings of the City Council are not practical or prudent due to the COVID-19 public health pandemic and the declared national, state, and local emergencies. Meetings of the Council will be conducted by electronic or telephonic means. Under Minn. Stat. Sec. 13D.021, subd. 3, to the extent practical and possible, the City Council will allow individuals to monitor the meeting electronically. Access to the meeting can be obtained online by following the link provided below or by contacting the City Hall for instructions and methods for obtaining access to the meeting.

Meeting Access Information: <https://www.ci.independence.mn.us/meetings>

**CITY COUNCIL MEETING AGENDA**  
**TUESDAY MARCH 16, 2021**  
**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 2, 2021 Regular City Council Meeting.
  - b. Approval of Accounts Payable; (Batch #1 Checks Numbered 20318-20322, Batch #2 Check Numbered 20351-20378, Checks Numbered 20323-20350 were voided due to printer alignment 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: Presentation of the February 2021 Activity Report.
8. Hennepin County Assessor David Thomsen: Present Preliminary Local Board of Appeals and Equalization Information in Preparation for April 6, 2021 Meeting.
9. **TABLED FROM 3.2.2021 CC MEETING:** Consideration of the State of Minnesota Department of Transportation and Hennepin County and City of Independence Cooperative Construction Agreement for the County Road 90 and TH 12 Roundabout Construction Project.

- a. The City Council is being asked to approve the cooperative agreement and authorize the Mayor and City Administrator to execute the agreement.

10. 2021 Clean-up Day Discussion.

11. Open/Misc.

12. Adjourn.

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, MARCH 2, 2021 –6:30 P.M.  
(Virtual Meeting/ All Attendees)

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.

3. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

2. ROLL CALL (Note: all noted present were “virtually” present

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

ABSENT: None

STAFF: City Administrator Kaltsas, City Attorney Vose

VISITORS: Paula Savage

3. \*\*\*\*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 16, 2021 Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch #1 Checks Numbered 20293-20295, Batch #2 Check Numbered 20296-20317).
- c. Approval of Pay Request #3 From Rochon for the City Hall Renovation Project.

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

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

5. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

**Spencer attended the following meetings:**

- City Hall construction tour
- Pioneer Sarah Creek Technical Advisory Meeting
- Met with Commissioner Anderson regarding maintenance agreement
- MnDOT Open House

**Grotting attended the following meetings:**

- Met with Commissioner Anderson about fiber optic plans for City
- MnDOT Open House

**McCoy attended the following meetings: (Virtual)**

- None

**Betts attended the following meetings: (Virtual)**

- MnDOT Open House
- Sensible Land Use Coalition Meeting

**Johnson attended the following meetings: (Virtual)**

- Planning Commission Meeting
- National League of Cities Steering Committee Meeting
- Transportation Alliance Summit Meeting
- Love Inc. Annual Meeting
- Orono School Board Meeting
- Sensible Land Use Coalition Meeting
- Drug Task Force Annual Dinner
- Small Cities Conference Call
- MnDOT Open House

**Horner attended the following meetings:**

**Kaltsas attended the following meetings:**

- MnDOT Open House

6. Introduction and Conversation with Hennepin County Commissioner Kevin Anderson.

Anderson said he looks forward to diving in and has been made Chair of the Public Works Committees. He said he is looking forward to that role and also expanding the broadband opportunities. Johnson asked about Anderson's background. Anderson said he was in IT for 20 years most recently as a System Architect. McCoy noted there are big issues in Independence with broadband. Anderson said he would like to work on solutions such as putting fiber in as road work is being done so they may be tapped into easily by utilities. He hopes to improve access to a lot of communities by building up the infrastructure. Grotting asked if he had contacted the state about running fiber along some of the current projects. Anderson said he is talking to people and trying to get this vision cultivated. Grotting said it would be great if broadband could be made a priority.

7. Andrew Toumisto (Applicant/Owner) requests that the City consider the following action for the properties located at 4024 and 4084 Lake Sarah Drive South (PID No.s 02-118-24-43-0004 and 02-118-24-43-0005) in Independence, MN:

- a. **RESOLUTION 21-0302-01:** Considering approval of a minor subdivision to permit a lot combination which would combine the two subject properties into one property

Kaltsas said the subject property is located along the east side of Lake Sarah Drive South and just north of CSAH 11. The applicant constructed a home located on the 4084 Lake Sarah Drive South parcel and recently acquired the vacant 4024 Lake Sarah Drive South parcel. There is an existing home located on the 4084 parcel and a detached accessory structure located on the 4024 parcel. The properties are heavily wooded with wetlands on the eastern side. The property has the following site characteristics:

Property Information: **4024 and 4084 Lake Sarah Drive South**

Zoning: *Rural Residential*

Comprehensive Plan: *Rural Residential*

Acreage (Before): *Lot 1 – 7.31 acres*

*Lot 2 – 5.21 acres*

Acreage (After): *12.51 acres*

In 2015 the previous owner of this parcel subdivided the original property into 5 (5) buildable lots known as HENDLEY ADDITION. There were three lots created on Lake Sarah Drive South and two lots created on CSAH 11. The applicant initially purchased 4084 Lake Sarah Drive South (north parcel) and constructed a home on the property. The applicant recently acquired 4024 Lake Sarah Drive South. Following acquisition of the property, he located a small, detached shed on the north side of the property not knowing that it was not permitted without a principal structure. The City notified the applicant that the shed was not permitted and discussed possible solutions which included combining the two properties into one property. The applicant would like to combine the properties back into one (1) lot for the purpose of using the entire property as one property. There are several aspects of this property that should be noted by the City during consideration of the application:

1. The properties are heavily wooded and have a large wetland on the east side.
2. The existing shed is considered an illegal structure and will have to be removed if the lot combination is not approved. If approved, the detached accessory shed would be permitted and would meet applicable setbacks.
3. Based on the current zoning and combined lot size, this property could be subdivided again in the future. The minimum lot size in the RR-Rural Residential zoning district required in order for subdivision to be considered is 7.6 acres. The current standard would allow a maximum of two lots for properties less than 12.6 acres (this property will be 12.51 acres combined).
4. The existing home and accessory buildings will meet all requisite setbacks in the after condition.
5. The applicant is proposing to dedicate the new and amended 10' drainage and utility easements as shown on the proposed plan. The City will consider vacating a portion of the drainage and utility easement that is located along the east/west property line to be removed (see below). The applicant shall execute the necessary documents to clean up any easements as determined necessary by the City. The City will need to vacate the existing portion of the drainage and utility easement that runs along the existing east/west dividing line (see below). If the subdivision is approved by the City Council, the vacation public hearing and resolution will be considered at the next Council Meeting.

The proposed The proposed subdivision to allow a lot combination appears to meet all applicable standards of the City's zoning and subdivision ordinance. The combined lot will fit into the surrounding area and should have minimal impacts on the surrounding properties. The Planning Commission recommended approval of the requested minor subdivision with the following findings:

1. The proposed minor subdivision to allow a lot combination request meets all applicable conditions and restrictions stated Chapter V, Sections 500 and 510, Planning and Land Use Regulations and Zoning, in the City of Independence Zoning Ordinance.
2. Approval of the minor subdivision is subject to the vacation of the existing drainage and utility easements that run parallel to the existing east west dividing line.
3. The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
4. The Applicant shall execute and record the requisite perimeter drainage and utility easements with the county within six (6) months of approval.
5. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

**Motion by McCoy, second by Spencer to approve RESOLUTION 21-0302-01: A minor subdivision to permit a lot combination which would combine the two subject properties into one property for the properties located at 4024 and 4084 Lake Sarah Drive South (PID No.s 02-118-24-43-0004 and 02-118-24-43-0005) in Independence, MN. Ayes: Johnson, Spencer, McCoy, Grotting and Betts. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

8. Consideration of the State of Minnesota Department of Transportation and Hennepin County and City of Independence Cooperative Construction Agreement for the County Road 90 and TH 12 Roundabout Construction Project.

- a. The City Council is being asked to approve the cooperative agreement and authorize the Mayor and City Administrator to execute the agreement.

Kaltsas said the City has been discussing the TH 12/CSAH 90 2021 roundabout reconstruction project with MNDOT for several years. In December of 2020, MNDOT notified the City that they would be preparing a Cooperative Agreement that would pass down to the City MNDOT's responsibility for the future maintenance of several key elements of the newly constructed intersection improvement. MNDOT's internal policy relating to maintenance of key elements (described below) is to pass the responsibility down to the benefitting authority. For this project, the responsibility has been passed down to Hennepin County. Similar to MNDOT's policy, Hennepin County also has a policy which shifts responsibility down to the local municipality for the same items. There are several significant short and long-term potential impacts to the City resulting from this request. The City is being asked to take over the responsibility for the following maintenance items:

Maintenance by the City:

Upon completion of the project, the City will provide the following without cost or expense to the State:

- 1.1. Sidewalks. Maintenance of any sidewalk construction on the roundabout at T.H. 12 and C.S.A.H. 90, including stamped and colored concrete sidewalk (if any) and pedestrian ramps. Maintenance includes, but is not limited to, snow, ice, and debris removal, patching, crack repair, panel replacement, cross street pedestrian crosswalk markings, vegetation control of boulevards (if any) and any other maintenance activities necessary to perpetuate the sidewalks in a safe, useable, and aesthetically acceptable condition.
- 1.2. Maintenance of lighting at and approaching the roundabout, including all legs and within the roundabout as shown in Exhibit "A", will be shared between the State and the City. The City will be responsible for the hook up cost and application to secure an adequate power supply to the service pad or pole and will pay all monthly electrical service expenses necessary to operate the lighting facility. The City will be responsible for relamping or LED luminaire replacement, repair or replacement of all damaged luminaire glassware, loose connections, luminaires when damaged or when ballasts fail, photoelectric control on luminaires, defective starter boards or drivers, damaged fuse holders, and blown fuses for the entire system. For those poles on the local legs of the roundabout shown in Exhibit "A", the City will be responsible for knocked down poles including wiring within the poles, damaged poles, pullboxes, underground wire, and damaged foundations for all of the maintenance. The State will be responsible for the remainder of the lighting maintenance within the main roundabout and at the trunk highway legs of the roundabout.
- 1.3. Additional Drainage. No party to this Agreement will drain any additional drainage volume into the storm sewer facilities constructed under the construction contract that was not included in the drainage for which the storm sewer facilities were designed, without first obtaining written permission to do so from the other party. The drainage areas served by the storm sewer facilities constructed under the construction

contract are shown in a drainage area map, Exhibit "Drainage Area", which is on file in the office of the State's District Hydraulics Unit at Roseville and is incorporated into this

Agreement by reference.

**1.4. Related Agreements.** This Agreement will supersede and terminate the operation and maintenance terms of Lighting Maintenance Agreement No. 1000750 dated August 18, 2015, between the State and City, for the existing lighting system on T.H. 12 at C.S.A.H. 90. In addition to the aforementioned items, the initial agreement also required the City to be financially responsible for the maintenance of the newly created stormwater ponds. The City discussed this point of the agreement further with MNDOT and they ultimately agreed to remove the pond maintenance responsibility from the agreement. The City has the following concerns/considerations that should be noted by Council:

- **Lighting-** The City has previously agreed to maintain lights located within the MNDOT ROW. For those lights located along TH 12 at City street intersections, the City both owns and maintains the LED lights that were installed in 2017. The City pays for the cost of the electricity and all maintenance and replacement. It costs the City approximately \$25 (\$20 base fee, plus \$5 electricity fee) per light per month. The City is anticipating that there would only be one service charge for the entire 16 light system in this location. The City would anticipate approximately a \$1,200 annual cost for just powering the lights. The City would be responsible for the maintenance of the lights, wiring, controls, etc. for all 16 lights. The City is responsible for the cost of providing power and establishing the service to the lighting system. MNDOT was not able to provide an estimated cost for this requirement and did not investigate the cost with the electric contractor and or provider. It is estimated that this cost could range between \$4,000- \$10,000. The City would be responsible for the poles, replacement, and any damage for the 4 lights circled in red and included on Exhibit A (attached). The City had discussed this with MNDOT and requested that the Exhibit A be included in the agreement so that it was clearly defined. The City would need to contract with MNDOT or another source for the maintenance of the lights. The City has not realized a significant maintenance liability for the 6 LED lights installed in 2017. The City has had to replace one of the lights that was hit by a vehicle. The cost of the replacement was charged to the vehicle owners insurance policy. There will be some cost associated with the annual maintenance of these lights. The City would not own the lights and as a result cannot ensure the lights based on the current language in the agreement. The LMCIT has provided the following recommendation to the City should the City Council decide to enter into a Cooperative Agreement:

*If MNDOT owns them, then you need a contractual requirement in order to give you an insurable interest. I would recommend that you include a clause in your agreement where you are responsible for maintenance and repair/replacement that specifically identifies who is responsible for insuring them. If you want to insure them, you will need to specifically add them to your policy by giving an address description, and then describing what is covered, i.e. 25 streetlights, including lights poles and stands, valued at \$15K each.*

This type of provision would need to be added to the agreement.

- **Sidewalks-** The City is being asked to maintain the sidewalks and corresponding painted crosswalks as follows (shown in green below): *§ Maintenance includes, but is not limited to, snow, ice, and debris removal, patching, crack repair, panel replacement, cross street pedestrian crosswalk markings, vegetation control of boulevards (if any) and any other maintenance activities necessary to perpetuate the sidewalks in a safe, useable, and aesthetically acceptable condition.* The sidewalks are 10' in width and wrap around the outside of the roundabout. The City does not have equipment and or personnel to maintain the sidewalks and or crosswalks. The City would be required to repaint the crosswalks, repair individual sidewalk panels and plow snow within the MNDOT and HC ROW's. MNDOT typically makes several additional passes on their roads following a snow event. The City would not be able to continually monitor MNDOT's plowing operations and be able to maintain the sidewalks in a passable and safe condition.

The City does not currently have the capacity either financially or physically to take on the repair and replacement of the concrete sidewalks or crosswalk striping. If the City does not continually maintain the sidewalks, they would be potentially liable for injuries incurred by users of the sidewalks. Staff asked if MNDOT would add indemnification language to the agreement and told that it was not an option. The City has concerns relating to PW working within the HC and MNDOT ROW's. City staff does not have the number of workers required to safely flag and provide warning relating to the workers in the ROW.

Staff is seeking further direction and consideration relating to the proposed cooperative agreement with MNDOT. The City has noted in our discussions that the improvements do not include any City roads or right of way. The City is being asked to take some responsibility for the defined items related to the reconstructed intersection of a state highway and county highway. This agreement also raises questions relating to the TH 12/CSAH 92 reconstruction project that is currently in the process of being designed. The City was informed that a similar agreement will be requested for improvements relating to that project. The costs associated with the cooperative agreement are not budgeted at this time and may be difficult to accommodate depending on the extent of the responsibilities. City Council is asked to consider whether or not to approve entering into a Cooperative Agreement with MNDOT.

Johnson asked what the small cell technology would be used for and Kaltsas said they are used as a bolster for the 5G technology. Vose said it is appropriate to be looking at this technology and this type of agreement. He noted the maintenance obligation would mean taking on the liability if an accident occurred. Vose said maintaining the lights can be labor and capital intensive. Johnson asked who is responsible for noting when lights are out. Kaltsas said that is part of his concern with all of this that the maintenance would fall on the City which has limited resources.

Johnson said it doesn't seem compatible to have city equipment working on U.S. Highway. McCoy said he would be very opposed to taking over the maintenance of the sidewalks. Betts asked what the purpose of the sidewalk was and why was it needed. Vose said he has seen other roundabouts where there are not sidewalks and he said it would not be unreasonable for the City to say that it did not have the resources to maintain it. Spencer said he spoke with Commissioner Anderson and noted that the maintenance was going to be passed down to the City. He said the concerns are that there is no need to have pedestrian traffic across a roundabout. Spencer said he agrees with the others that a sidewalk is not needed, and it should not be a City responsibility. He said the lights need to be owned by the City if we are going to be made responsible for the upkeep on them. Spencer said there could be continuing discussions with Hennepin County. Kaltsas said he will pay the electric bill, but the City needs to be indemnified beyond that.

**9. Motion by Spencer, second by Betts to table the consideration of the State of Minnesota Department of Transportation and Hennepin County and City of Independence Cooperative Construction Agreement for the County Road 90 and TH 12 Roundabout Construction Project. Ayes: Johnson, Spencer, McCoy, Grotting and Betts. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.**

8. OPEN/MISC.

9. ADJOURN.

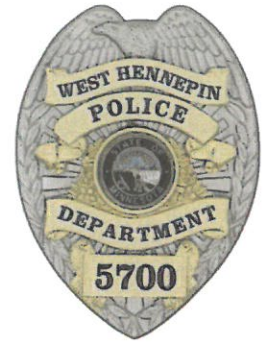
**Motion by Betts, second by Grotting to adjourn at 7:38 p.m. Ayes: Johnson, Grotting, McCoy, Betts, and Spencer. Nays: None. Absent: None. None. Abstain. None. MOTION DECLARED CARRIED.**


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Respectfully Submitted,  
Trish Gronstal/ Recording Secretary



DRAFT



Date: March 8, 2021  
To: Public Safety Commissioners  
City of Independence Council Members  
City of Maple Plain Council Members  
From: Director Gary Kroells   
SUBJECT: February 2021 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.

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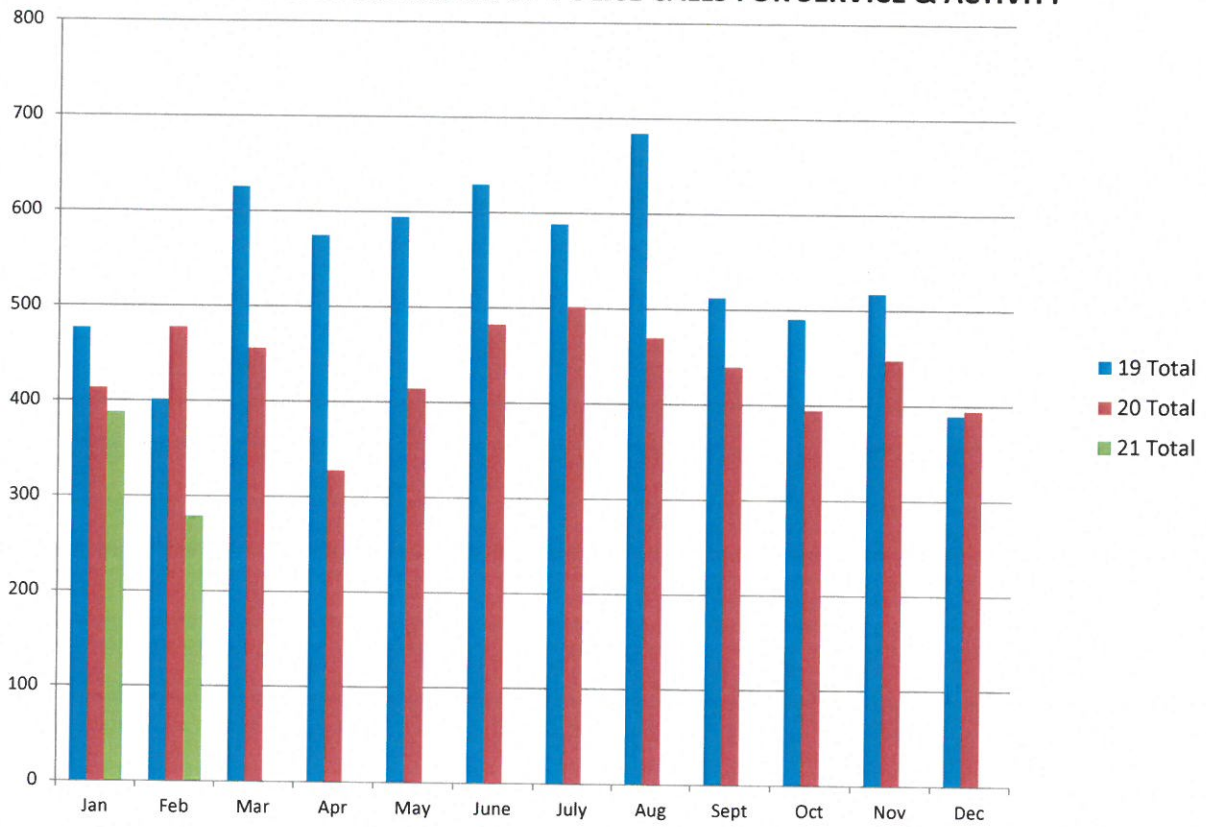
*West Hennepin Public Safety Department*  
1918 County Road 90 / Maple Plain, Minnesota 55359  
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**Monthly Activity Report  
February 2021**

<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	15	17	25
Traffic	54	135	178	227
Part III	2	7	9	14
Part IV	26	36	57	72
Part V	76	99	172	198
<b>Total City of Independence</b>	<b>168</b>	<b>292</b>	<b>433</b>	<b>536</b>
<b>City Of Maple Plain</b>				
Criminal	16	6	20	10
Traffic	20	72	50	147
Part III	2	7	4	14
Part IV	20	18	38	36
Part V	42	64	97	120
<b>Total City Of Maple Plain</b>	<b>100</b>	<b>167</b>	<b>209</b>	<b>327</b>
<b>Grand Total Both Cities</b>				
	<b>268</b>	<b>459</b>	<b>642</b>	<b>863</b>
TZD	2	1	4	1
Agency Assists	11	19	25	29
<b>Total ICR Reports</b>	<b>279</b>	<b>478</b>	<b>667</b>	<b>892</b>
<b>How Received</b>				
Fax	15	8	30	17
In Person	19	24	29	46
Mail	4	0	5	0
Other	0	0	2	2
Phone	34	19	65	42
Radio	122	152	253	305
Visual	68	244	237	426
Email	17	4	46	11
Lobby Walk In	0	27	0	43
<b>Total</b>	<b>279</b>	<b>478</b>	<b>667</b>	<b>892</b>

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





February 2021 Criminal Part I & II  
 City of Independence Grid #'s 3-5

<a href="#">AGN</a>	<a href="#">ICR</a>	<a href="#">Title</a>	<a href="#">Grid #</a>	<a href="#">Reported Date</a>	<a href="#">MOC range</a>
WHPS	21000407	Drug Paraphernalia - Possession	3	2/2/2021	DC500
WHPS	21000408	Identity Theft	3	2/2/2021	U0540
WHPS	21000471	Nonconsensual Dissemination of Private Sexual Images	5	2/8/2021	N2430
WHPS	21000513	2nd Degree DWI	5	2/12/2021	JEG01
WHPS	21000515	Theft of Narcotics	4	2/12/2021	T0999
WHPS	21000545	Theft from Storage Unit	3	2/17/2021	B3734
WHPS	21000578	3rd Degree DWI Refusal	3	2/20/2021	JFR01
WHPS	21000606	Property Damage to Storage Unit	3	2/23/2021	P3119
WHPS	21000632	Identity Theft	4	2/26/2021	U0730
WHPS	21000647	Drugs - Possess Small Amount of Marijuana	3	2/26/2021	DA540

February 2021 Criminal Part I & II  
 City of Maple Plain Grid # 1-2

<a href="#">AGN</a>	<a href="#">ICR</a>	<a href="#">Title</a>	<a href="#">Grid #</a>	<a href="#">Reported Date</a>	<a href="#">MOC range</a>
WHPS	21000391	Burglary from Storage Unit	1	2/1/2021	B0764
WHPS	21000399	Theft - Employee from Business	1	2/1/2021	TW029
WHPS	21000411	Theft of catalytic converter	2	2/2/2021	VH111
WHPS	21000412	Property Damage to Vehicle	1	2/2/2021	P3110
WHPS	21000488	Burglary from Storage Unit	1	2/10/2021	TM999
WHPS	21000534	Theft from Residence	1	2/15/2021	T0019
WHPS	21000596	Theft Personal Property	1	2/22/2021	TM999
WHPS	21000630	Theft from Motor Vehicle	1	2/26/2021	TW159
WHPS	21000631	Theft from Motor Vehicle	2	2/26/2021	TW159
WHPS	21000633	Motor Vehicle Break In	1	2/26/2021	T0159
WHPS	21000636	Motor Vehicle Break In	2	2/26/2021	T0159
WHPS	21000638	Theft from Motor Vehicle	1	2/26/2021	TW159
WHPS	21000642	Theft from Motor Vehicle	1	2/26/2021	TW159
WHPS	21000643	Motor Vehicle Break In	2	2/26/2021	TW159
WHPS	21000645	Motor Vehicle Break In	2	2/26/2021	T0159
WHPS	21000651	Theft From Motor Vehicle	1	2/27/2021	TW159

# DIRECTOR'S NEWS & NOTES

WEST HENNEPIN PUBLIC SAFETY  
February 2021 Activity Report

## Year to Date Activity Report

At the end of February 28, 2021 West Hennepin Public Safety (WHPS) handled year-to-date a total 667 incident complaints: 168 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.

## Recent Highlighted Cases:

### Burglary

Feb 1 5300 block Pioneer Creek Dr, Maple Plain. Reported burglary of a storage locker unit, approximate loss \$1,500.00 of tools. Stolen: Rigid 12" Miter Saw, black w/ yellow writing, Tile Cutter, black w/ yellow writing, Bostitch 16ga Trim nail gun, black w/ yellow writing, Bostitch 18ga Trim nail gun, black w/ yellow writing, Craftsman wheel grinder (older), Dewalt 20v Cordless Drill, Yellow w/ Black writing. Case is under investigation.

### School Bus Stop Arm Violation

Feb 1 3:17 p.m. on 01/29 7800 block Hwy 12. School bus camera captured the license plate of a black BMW driving through the extended stop arm with red flashing lights without stopping. Charges pending contact with the driver.

### Suspicious Act

Feb 2 12:14 a.m. 5200 block Bryantwood Dr, Maple Plain. Officer responded to loud talking in the hallway and found a female sitting on the stairs talking on her phone. Female was advised of the call and argued about talking in the hallway when she was told to talk in her apartment that was on different floor at the far end of the building.

### Medical

Feb 2 5800 block Main St W, Maple Plain. Male reported he took a large amount of cough medicine; he was sweating and felt his heart racing when walking. North Memorial EMS took over care of the male.

### Vehicle in Ditch

Feb 2 6100 block Main St, Independence. A vehicle was towed that was left in the snowbank and partially blocking a driveway. The vehicle smelled of marijuana and a metal marijuana grinder was found inside. Driver was located who admitted to driving the vehicle and owner of the grinder. Driver was cited for Possession of Drug Paraphernalia.

### Property Damage Crash

Feb 2 Budd Ave/Bryantwood Dr, Maple Plain. Veh1 failed to stop at the stop sign at Bryantwood Dr and struck the rear tires of a trailer towed behind Veh2 s/b on Budd Ave. Veh1 driver cited for Fail to Stop at Stop Sign.



#### Theft

Feb 2 5600 block Hwy 12, Maple Plain. Reported theft of catalytic convertor from a vehicle.

#### Damage to Property

Feb 2 5400 block Pioneer Creek Dr., Maple Plain. Caller reported the rear window was broken on her vehicle.

#### Property Damage Crash

Feb 5 6500 block Hwy 12, Independence. Motorist reported she was w/b on Hwy 12 and drifted onto the shoulder. Her vehicle was sucked into the ditch and clipped the US Hwy 12 W sign breaking off one sign leg. Her vehicle continued in the ditch and struck the mailbox for Mobile Marine Services. Officer provided motorist insurance info to MN DOT and Mobile Marine, owners of damaged signs.

#### Suspicious Act

Feb 5 11:23 p.m. 5300 block Pioneer Creek Dr., Maple Plain. Officer observed a male enter a storage unit. Contact with the male who identified himself as the property maintenance person and provided identification to the officer.

#### Car / Stall

Feb 6 8:08 a.m. 7400 Block Hwy 12, Independence. Officer located the occupied vehicle he was dispatched to for stranded motorists. Driver and passenger were enroute to work when their vehicle ran out of gas. They did not have cash or credit cards to purchase fuel. Due to temperatures -9 degrees, Officer filled a 3-gallon gas can and emptied it into their vehicle. Vehicle started up and the driver and passenger were very thankful for the officer assistance.

#### Medical Fall

Feb 6 4900 block Main Street, Maple Plain. Female reported she checks daily on her friend and he did not answer her phone calls. Female stopped in to check and found him on the floor. Male was transported to the hospital by ambulance.

#### Alarm

Feb 6 6:23 p.m. 6200 block Highway 12, Independence. Officers responding to a business alarm found the yard gate open and a male by a vehicle. Male claimed he was an employee and refused to provide ID. New business owner and manager arrived and spoke with the officers.

#### Property Damage

Feb 7 2:03 a.m. 6000 block Wood Hill Ln, Independence. Resident reported at 2 a.m. a vehicle was driven down his driveway, turned around and backed into his vehicle. The driver stated he was lost and thought the driveway was a cut across road and his girlfriend lives in the area. Driver being investigated for possible violation of ex-girlfriends Harassment Restraining Order.

#### Employer/ Trespass Order

Feb 8 4800 block Gateway Blvd. Maple Plain. Employee caused a scene at the nursing home facility, quit, and walked out of the facility. Employee would not leave the parking lot and began swearing and yelling when told, she was on private property. Employee was trespassed from the property.

## Mental Problems

Feb 9 3675 Ihduhapi Trail, Independence. Vinland Nat'l Center reported a male client possibly on methamphetamines, acting aggressive and damaging things. The male was transported to Golden Valley and released to girlfriend.

## Storage Burglary

Feb 10 5300 block Pioneer Creek Dr, Maple Plain. Victim reported her rental unit was broken into and a bicycle was stolen. Bicycle brand is Specialized, was entered into NCIC.

## School Bus Stop Arm Violation

Feb 11 4700 block Townline Rd, Independence. Driver cited for passing a school bus in a no passing zone while picking up children. The stop arm was out and all the red lights on the bus were flashing.

## 2<sup>nd</sup> Degree DWI

Feb 12 500 block Nelson Rd, Independence. An officer responded to a vehicle in the ditch. The driver was found to be impaired and brought to the police department where a search warrant was obtained for a blood sample. Kyle Alan Bemis, 28, of Spring Park was booked for 2<sup>nd</sup> Degree DWI and transported to HC Jail. Charges are pending urine sample results.

## Illness

Feb 13 5000 block Bryant St, Maple Plain. An officer responded to a resident who had fallen, possibly broke some ribs and could not get up. The resident was assisted to his bedroom where he fell again. North Ambulance was called and transported the party to Methodist Hospital.

## Harassment

Feb 14 1600 block Budd Ave, Maple Plain. Police were called for a male calling his ex-girlfriend's new boyfriend and harassing him. The officer learned all parties were contacting each other and were advised to stop.

## Burglary

Feb 15 1500 block Howard Ave, Maple Plain. A resident reported missing medications. No signs of a break in, no suspects or evidence at this time. Case closed pending further leads.

## Theft

Feb 17 6200 block Hwy 12, Independence. A male reported his storage locker broken into. Police responded and observed other units that might have been broken into. Surveillance footage was reviewed. Case under investigation.

## School Bus Stop Arm Violation

Feb 17 9400 block Highway 12, Independence. Two vehicles drove through the school bus stop arm while red lights were flashing, and children were outside of the bus. Both are under investigation.

## Medical

Feb 18 3600 block Ihduhapi Trl, Independence. Police responded to a party who has a history of seizures, had one the night before and felt another coming on. The male was transported by North Ambulance to HCMC.



#### School Bus Stop Arm Violation

Feb 19 9400 block Highway 12, Independence. Three vehicles were reported to have driven through the school bus stop arm while red lights were flashing, and children were outside of the bus. The violation was caught on camera and is being followed up on to cite the driver.

#### Unwanted Person

Feb 19 2000 block S Lake Shore Dr, Independence. Police responded to an unwanted person refusing to leave. The situation was defused, and the male eventually left.

#### GM DWI

Feb 20 3:46 p.m., Hwy 12, CR 92, Independence. Police were dispatched to a vehicle in the ditch. When an officer arrived on scene the driver admitted drinking too much. She failed field sobriety tests but refused a breath test. Nancy Dougherty, 61 of Long Lake, was arrested for DWI. During the booking process she became ill and was transported to Methodist Hospital. Her vehicle sustained substantial damage and was towed. Charges are pending.

#### Welfare Check

Feb 20 5:07 p.m., Hwy 12/Hitsman Ln, Independence. Several calls were received of a person in the ditch. Police found a male sitting in the ditch, exhausted. He admitted getting into a verbal argument with a relative in Montrose and had walked from there to his current location. North Ambulance arrived and accessed the male. He refused medical treatment or transport to a hospital. He was given a ride to a gas station where he made arrangements for a family member to pick him up.

#### 911 Hang Up

Feb 22 5000 block Sunset Ln, Independence. An officer was dispatched to a residence for 911 hang up from a cell phone. Homeowner denied making the call. Upon investigating it learned the call came from the homeowner's daughter, who was asleep with the cell phone in bed with her and she must have accidentally hit the emergency button in her sleep.

#### Theft

Feb 22 1500 block Howard Ave, Maple Plain. Police took a theft report of personal property. A search warrant was obtained for a neighboring apartment and stolen items were recovered. Suspects were cited for misdemeanor theft and trespassed from the property.

#### Theft

Feb 23 6000 block Hwy 12, Independence. A caller reported his storage locker was broken into approximately one and a half weeks ago. Nothing was stolen but contents of some boxes were dumped out and the storage locker was left in a mess.

#### Disturbance

Feb 25 5200 block Manchester Dr, Maple Plain. Police were dispatched to a possible domestic. Upon the officer's arrival, he found two parties arguing outside over a cell phone. The phone in question was located and the two parties went their separate ways.

#### 9 Thefts from Auto

Feb 26 4900-5200 blocks Main St E, Maple Plain. Multiple calls received of vehicles gone through overnight. None of the vehicles were locked at the time. The value of items stolen ranged \$75 to \$200. No damage to any of the vehicles.

#### ID Theft

Feb 26 6800 block CR 11, Independence. Caller reported receiving a debit card in the mail she had not ordered. Party contacted her bank to deactivate her account and FTC.gov to put alerts on her credit files. She was advised to continue to monitor her financial and personal data.

#### Brush Fire

Feb 27 6700 block CR 11, Independence. Police and Loretto Fire responded to a large brush fire. The homeowner did not have a burn permit. He was verbal warned for burning without a permit and advised not to put any more wood on the fire.

#### Broken Bones

Feb 28 3600 block Ihduhapi Trl, Independence. Report received of possible broken bones from punching a door. North Ambulance responded and transported patient to West Health.

#### Pain

Feb 28 2:54 p.m. 4800 block Gateway Blvd, Maple Plain. Male was suffering from weakness and pain. North Memorial EMS responded and assisted with the patient and transported the male to the hospital.

70 contacts of citations, verbal and written warnings were issued for traffic and equipment violations.  
1 citation for wireless hands-free communications device

# HENNEPIN COUNTY

MINNESOTA

**To:** City of Independence, Mayor and Council  
**From:** Dave Thomsen, Residential Appraiser  
**Date:** March 4, 2021  
**Re:** 2021 Assessment and Board of Appeal and Equalization

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The 2021 Independence Board of Appeal Meeting is scheduled to be virtually held on Tuesday, April 6, 2021 at 6:00 p.m. In preparation for the upcoming Board of Appeal Meeting, please find the enclosed data to help you. There is market data, Board of Appeal meeting procedures, and sales photos with characteristics from sales throughout the city.

### **Annual Revaluation, Sales, and New Construction Reviews**

Each year, one fifth of the properties in the city are reviewed and the records are updated. For the 2021 assessment we viewed one fifth of the city. The areas viewed were in the west central and central portions of the city. The viewing, reviewing, and statistical analysis of all sales that sold between October 1, 2019 and September 30, 2020 in the City of Independence were made.

### **Summary of the 2021 Assessment**

Each year the estimated market values are analyzed along with sales data from the market. A recalculation of land and building values were made to all property types. The results of the adjustments for the following property types are:

Residential	+ 3.7%	Condo Garages	No Change
Residential Lakeshore	+ 8.3%	Double Bungalow	+ 0.9%
Commercial	+ 1.0%	Agricultural	+ 1.7%
Industrial	+ 3.5%		

The City of Independence has a total market value of approximately \$831,437,300. This value includes \$11,314,800 in new construction improvements. The overall value increase for all property types in the City of Independence is 4.06%.



### **The Local Board of Appeal and Equalization Process**

Value notices are scheduled to be mailed the beginning of March. Taxpayers with value or classification concerns should contact the assessor's office. During the initial conversation the property owner may discuss their concerns and review sales information with an appraiser. The majority of the callers are satisfied after a conversation with an appraiser. If additional attention is necessary, the appraiser will review the property.

The board has the authority to increase, decrease, or take no action on individual valuations. The total reduction must not reduce the cities aggregate assessment by more than one percent or none of the adjustments will be allowed. The board cannot increase or decrease by a percentage to all of the assessments in the district by class. If the board chooses to reconvene, it must do so within 20 days (from the meeting call to order.)

In order for the taxpayer to appeal to the County Board they must first appeal to the Local Board either in person or in writing. The County Board of Appeal and Equalization will begin meeting on June 14, 2021. All requests for appointments at the County Board must be received by May 21, 2021. To make an appointment, taxpayers should call 612-348-7050.

If you have any questions or concerns, please contact Dave Thomsen at 612-388-5426

# How the Assessor Estimates Your Market Value

**2****Property Tax Fact Sheet 2****Fact Sheet**

Estimated market value is one of the factors used to determine your property taxes. This fact sheet explains how that value is calculated and used.

## How does the assessor estimate the market value of my property?

Assessors value properties using a mass appraisal process to review sales of similar properties in the area over a set time period.

This “estimated market value” represents what your property would sell for in an “arms-length” sale on the open market (where buyer and seller are not related and both are educated about the property).

Assessors review sales from October 1 to September 30. They adjust the prices for market trends to estimate the market value of your property on the next assessment date (January 2).

An example of this timeline is:

- To estimate a property’s 2018 market value, the assessor reviews property sales from October 1, 2016, to September 30, 2017.
- Property owners may appeal their estimated market value and classification. This process occurs from April 1, 2018 to June 30, 2018.
- Property values and classifications become final on July 1, 2018. These values are used to determine taxes for 2019.

Assessors also review other data such as supply and demand, marketing times, and vacancy rates. This helps them determine if the real estate market in your area is increasing, stable, or decreasing.

## What is the difference between ‘Estimated Market Value’ and ‘Taxable Market Value’?

While estimated market value (EMV) shows what your property would likely sell for on the open market, “taxable market value” (TMV) is used to determine your taxes.

A property’s TMV is its estimated market value minus any tax exemptions, deferrals, and value exclusions that apply. For example, many homeowners have a Homestead Market Value Exclusion, which reduces the amount of home value that is subject to tax.

## How does my property value affect my property taxes?

Property value does not directly affect your property tax bill. It is used to calculate your share of the local property tax levy for the year.

This levy is the total property tax revenue needed to fund the budgets set by your county, city or town, and school district.

Your property’s taxable market value is multiplied by its classification rate to determine its share of the levy.

Increasing or decreasing your property’s market value does not change the overall amount of property tax revenue that is collected.

For more information, see Fact Sheet 1, *Understanding Property Taxes*.

## How do assessors verify their estimated values are in line with the market?

The Department of Revenue and assessors do a “sales ratio study” each year to see how assessors’ values compare to actual sales prices.

A sales ratio is the assessor’s EMV of a property divided by its actual sales price:

$$\text{Sales Ratio} = \frac{\text{Assessor EMV}}{\text{Actual Sales Price}}$$

For example, assume a home was valued at by the assessor at \$200,000 and sold for \$210,000. The sales ratio is calculated like this:

$$\text{Sales Ratio} = \frac{\$200,000}{\$210,000} = 0.952 = 95\%$$

The overall EMVs should be within 90 to 105 percent of actual sales prices. Otherwise the Department of Revenue may order the assessor to adjust property values.

## Where do assessors get sales information?

This information comes from sales of real estate. A Certificate of Real Estate Value (CRV) is filed whenever real estate sells for more than \$1,000.

CRVs have important details about each transaction. Assessors use this information to help estimate market values and for the sales ratio study.

Before using a CRV in the sales ratio study, the assessor must verify the sale was an open-market, arms-length sale. Otherwise it cannot be used in the study.

## How do I know if my assessor has the right information for my property?

Assessors are required to inspect properties in person at least once every 5 years. They also inspect property if new construction or demolition takes place.

You may contact the assessor to verify information about your property such as dimensions, age, and condition of any structures.

If your property has new improvements or other changes the assessor may not know about, you can ask the assessor to review and adjust your property records.

If you disagree with the assessor’s value for your property, you may appeal. For more information, see Fact Sheet 3, *How to Appeal Your Value and Classification*.

## Can the values of some properties decrease while others increase?

Yes. Sales prices for different types of property can vary widely depending on market conditions and other factors.

In recent years, for example, sales of farmland were generally stronger than residential or commercial sales in most areas of the state.

No two properties are exactly alike. A property’s market value or sales price is also affected by its unique characteristics – such as location, square footage, number of rooms, etc.

## Do property values in all areas increase or decline at the same rate?

No. Local real estate markets can be affected by a wide range of factors, such as new construction, changing demand for property, or economic trends.

Each area or neighborhood is different; its values can change at a faster (or slower) rate than others.

## Where can I get more information?

If you have questions or need more information:

- Refer to:
  - Fact Sheet 1, *Understanding Property Taxes*; and
  - Fact Sheet 3, *How to Appeal Your Value and Classification*.
- Go to [www.revenue.state.mn.us](http://www.revenue.state.mn.us) and type **property tax fact sheets** into the Search box.
- Contact your County Assessor.

# How to Appeal Your Value and Classification

3

## Property Tax Fact Sheet 3

Fact Sheet

Each spring your county sends you a **Notice of Valuation and Classification**. Three factors that affect your tax bill are:

1. The amount your local governments (town, city, county, etc.) spend to provide services
2. The **estimated market value** of your property
3. The **classification** of your property (how it is used)

The assessor determines the value and classification of your property; you may appeal if you disagree.

### What if I disagree with how my property was assessed?

Most issues and concerns can be resolved by doing research and contacting the county assessor's office. You should:

- Verify information about your property, such as its dimensions, age, and condition of its structures.
- Review records to determine the market values of similar properties in your neighborhood.
- Review sales data to see what similar properties in your area are selling for.
- Ask the assessor to explain the criteria used to classify your property. You may review the classifications of other properties used in the same way as yours.

If your property has not been inspected recently (both interior and exterior), ask the assessor to review your property.

If you and the assessor are unable to agree on your property valuation or classification, you can make a formal appeal.

### How does my property's classification affect my taxes?

Assessors classify all property according to its use on January 2. Each class of property (home, apartment, cabin, and farm business) is taxed at a different percentage of its value. This percentage, or "class rate," is determined by the Legislature.

The class rate plays a significant role in how much property tax you pay.

### What can I appeal?

You can appeal your property's estimated market value, and/or classification if you feel your property is:

- Classified improperly
- Valued higher or lower than you could sell it for
- Valued differently from similar property in your area

Your assessor is not responsible for the dollar amount of property taxes that you pay. Tax rates are determined by your local taxing authorities (city, county, school districts, etc.). You may not appeal your taxes.



## How do I appeal my assessment?

You may appeal to your Local and/or County Board of Appeal and Equalization, or you may choose to go directly to Minnesota Tax Court.

The date, times, and locations of the boards are on the Notice of Valuation and Classification. You should schedule your appearance with the board.

You must appeal to the Local Board of Appeal and Equalization before appealing to the County Board of Appeal and Equalization.

For both boards you may make your appeal in person, by letter, or have someone else appear for you. The assessor will be present to answer questions.

**Note:** By law, the Local and County Board of Appeal and Equalization cannot make a change favoring a taxpayer if the assessor is not allowed to inspect the property.

## What should I bring to my appeal?

Bring evidence and supporting documentation about your property's value and classification such as:

- A recent appraisal of your property
- Real estate listings for similar properties in your area
- Photos of your property that may help support your claim

## What is the Local Board of Appeal and Equalization?

The Local Board of Appeal and Equalization is usually the same people as your city council or town board. The board of appeal meets in April or May.

Cities and towns may choose to transfer their board powers to the County Board of Appeal and Equalization.

If your city or town board has done this, your Notice of Valuation and Classification will direct you to begin your appeal at the county level.

## What is the County Board of Appeal and Equalization?

The County Board of Appeal and Equalization is usually the same people as your county board of commissioners or their appointees. This board meets in June.

You may appeal to the county board if you are not satisfied with the decision of the Local Board of Appeal and Equalization, or if your city or town has transferred its powers to the county.

If you are not satisfied with the decision of the County Board of Appeal and Equalization, you may appeal to the Minnesota Tax Court

## How do I appeal to Minnesota Tax Court?

To appeal your property's value or classification, you complete and file Minnesota Tax Court Form 7, *Real Property Tax Petition*.

You must file your appeal by April 30 of the year the tax becomes payable. For example, you must appeal your 2018 assessment by April 30, 2019.

You can get more information, forms, and instructions at:

- [mn.gov/tax-court](http://mn.gov/tax-court) or
- Call 651-539-3260

## Where can I get more information?

If you have questions or need more information about the appeal process, contact your County Assessor's Office.

For more information on how market value and classification are determined:

- Refer to:
  - Fact Sheet 1, *Understanding Property Taxes* and
  - Fact Sheet 2, *How the Assessor Estimates Your Market Value*.
- Go to [www.revenue.state.mn.us](http://www.revenue.state.mn.us) and type **property tax fact sheets** into the Search box.



# Preparing an Appeal to Your Local and County Boards of Appeal and Equalization

10

Property Tax Fact Sheet 10

Fact Sheet

You have decided to appeal the valuation and/or classification of your property to your Local or County Boards of Appeal and Equalization. **You must appeal to the Local Board of Appeal and Equalization before appealing to your County Board of Appeal and Equalization.**

If you haven't done so already, you should contact your assessor's office before making a formal appeal to discuss changing your assessment. Often issues and concerns can be resolved at this level.



If you and the assessor were unable to agree on your valuation or classification you may decide to appeal to your Local and/or County Boards of Appeal and Equalization.

The general information contained in this fact sheet is applicable to preparing for appeals to both the Local and County Boards of Appeal and Equalization.

## Successfully appealing your assessment

Minnesota law assumes that the County Assessor has correctly valued and classified your property. You must present factual evidence to convince the Board otherwise in order to win your appeal. Make sure all facts are presented, and the board understands the information presented, so a decision can be made based on facts.



Successfully appealing your value or classification at your Local or County Board of Appeal and Equalization can mean a number of things.

It does not necessarily mean that the board ruled in your favor and lowered your value or changed your classification.

Whether or not the local board decides to make a change in your estimated market value or classification, you can still be successful in appealing to your local board. The ultimate result you want to achieve is to make sure your value is warranted and the classification of your property is correct based on its use.

## Preparing for your appeal

The first step is to do some research to collect information to show why you believe your estimated market value or classification is incorrect. Begin by contacting the assessor's office.



- Verify information about your property, such as its dimensions, age and condition of its structures.
- Review records to determine the market value of similar property in your neighborhood.
- Review sales data to find out what similar property in your area is selling for.
- Check real estate ads in your newspaper to get an idea of the asking price of local properties.
- Ask the assessor to explain the criteria used for classifying your property. You may also review the classification of other property used in the same manner as yours.

## Gathering supporting evidence

**You must have documentation to support your appeal.** Items you may wish to bring to the meeting include:



- A recent appraisal of your property.
- Recent sales of similar property.
- Documentation supporting the use of your property (if you are appealing the classification).
- Copies of other property owners' field cards/property information.
- Photos of your property.
- Photos or exhibits comparing neighboring properties to yours.

If you should have questions, please don't hesitate to contact your assessor's office. Staff members are always willing to answer questions and give you information that will help you understand your assessment.

**See page 2 for helpful hints →**

## Presenting your case

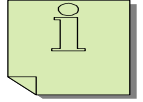
Remember, how you present your case may affect the outcome of your appeal – you want to be sure you get your point across as effectively as possible.

- Make a list of key points you may wish to present.
- The board has never seen your property. Describe your property so they will understand your arguments more fully. Photos can be helpful to support your argument.
- Keep your presentation brief and factual.
- Be prepared to discuss your case with the board or answer any questions that the board may have.



## Other helpful information

Please keep in mind that taxes are not the issue. To strengthen your appeal, you should present evidence about your property's value or classification, not how much you are paying in taxes.



This fact sheet is not meant to give you legal advice. It is intended to be a helpful tool with general information for presenting your property tax appeal at your Local and County Boards of Appeal and Equalization.

## Written appeals

You may also appeal your value or classification by submitting a letter of appeal to the board instead of appearing in person.

You will want to do your research and explain your appeal in writing. Your letter should state the facts and include supporting documentation. You may want to include your daytime phone number so you can be reached in case the board has any questions.



# Flow Chart of the Appeal Process

What do I do if I think my property is valued or classified incorrectly?

After you receive your value notice (mailed February – April)

Examine your notice; if you have a question OR if you think your property assessment for this year is incorrect, follow these steps:

Step 1

Talk to your assessor

- Call the number listed on the notice
- Discuss your concerns with the assessor/appraiser
- Review sales information

Step 2

Attend the Local Board of Appeal and Equalization or Open Book Meeting\*\*

- The local board of appeal and equalization meets at the city level
- Meets in April or May
- Appeal in person, by letter or by designated representative
- Call your assessor – an appointment may be requested

\*\* “Open Book” meeting: If your notice refers to an open book meeting, this is held in lieu of the local board of appeal and equalization. It’s an informal review between the property owners and the assessor/appraiser to resolve assessment questions prior to the county board of appeal and equalization.

Step 3

Attend County Board of Appeal and Equalization

- You must first appeal to the local board of appeal and equalization if your city holds this meeting.
- If your city has an open book meeting, you may appeal directly to the county board of appeal and equalization. Although it is strongly recommended, you are not required to appear at the open book meeting.
- Meets in June
- Appeal in person, by letter or by designated representative

Appeal to the Minnesota Tax Court

Appeals must be filed by April 30 of the year following the assessment. There are two divisions in which you may file an appeal as described below:

[www.taxcourt.state.mn.us](http://www.taxcourt.state.mn.us)

Regular Division

Non-homestead property valued over \$300,000

Appeal can be used for all property

Attorney is recommended

Decisions can be appealed to MN Supreme Court

Small Claims Division

Estimated market value of the property is less than \$300,000, or

If residential (1a) or disabled (1b) homestead, then there must be only one dwelling unit per parcel per petition.

If ag homestead (2a), homestead must apply to entire property, or

Denial of current year application for homestead.

Attorney is not necessary; decisions are final.

## City of Independence

### Consideration of the Cooperative Maintenance Agreement Passed Down from MNDOT and Hennepin County for the Roundabout Improvements at the Intersection of TH 12 and CSAH 90

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*To:* City Council  
*From:* Mark Kaltsas, City Administrator  
*Meeting Date:* March 16, 2021

#### **UPDATE:**

Staff met with MNDOT and Hennepin County to review concerns expressed by the City Council. Staff asked for the following changes and revisions to the contract:

- Add language to the contract that is required by the City's insurance company to allow the light poles to be covered under the City's insurance policy. In lieu of adding language, MNDOT can turn over ownership of the lights to the City.
- Can you find out if MNDOT has ever placed signage at or before the roundabout trails that states, "trails not maintained in the winter?" This may alleviate a large portion of the concerns relating to snow plowing.
- Will MNDOT remove the responsibility of the "markings" from the City's proposed maintenance requirements? MNDOT is going to be monitoring and repainting the road on a schedule and it would not make sense for the City to be on a different schedule for striping?
- If the City does not own the lights, we should discuss adding language relating to small cell technology. The City will want provisions in the agreement that specifically prohibits MNDOT from adding equipment and potentially maintenance to the light poles. I am not sure how this has been handled in previous agreements, but I cannot imagine that MNDOT would expect the City to agree to maintain something that could be impacted by allowing small cell equipment to be added?
- Please consider using a low or no mow grass seed for the boulevards between the trail and sidewalks. The specified seed mix should be noted on the plans.
- During our discussion yesterday it was noted that the trails and crosswalks were for bicyclists crossing TH 12 on CSAH 90. Why do the trails appear to be designed to pick up bicyclists on TH 12? It seems that the trail sections could be shortened to correspond to the cross walks.

Staff is waiting for a response from MNDOT relating to the aforementioned questions and or comments? Staff will review the information at the City Council Meeting. MNDOT noted that without resolution to the

contract, the project will be delayed and or canceled. Staff asked for an official position from MNDOT in writing relating to their desire to eliminate this project.

### **Discussion:**

The City has been discussing the TH 12/CSAH 90 2021 roundabout reconstruction project with MNDOT for several years. In December of 2020, MNDOT notified the City that they would be preparing a Cooperative Agreement that would pass down to the City MNDOT's responsibility for the future maintenance of several key elements of the newly constructed intersection improvement. MNDOT's internal policy relating to maintenance of key elements (described below) is to pass the responsibility down to the benefitting authority. For this project, the responsibility has been passed down to Hennepin County. Similar to MNDOT's policy, Hennepin County also has a policy which shifts responsibility down to the local municipality for the same items. There are several significant short and long-term potential impacts to the City resulting from this request. The City is being asked to take over the responsibility for the following maintenance items:

#### **1. Maintenance by the City**

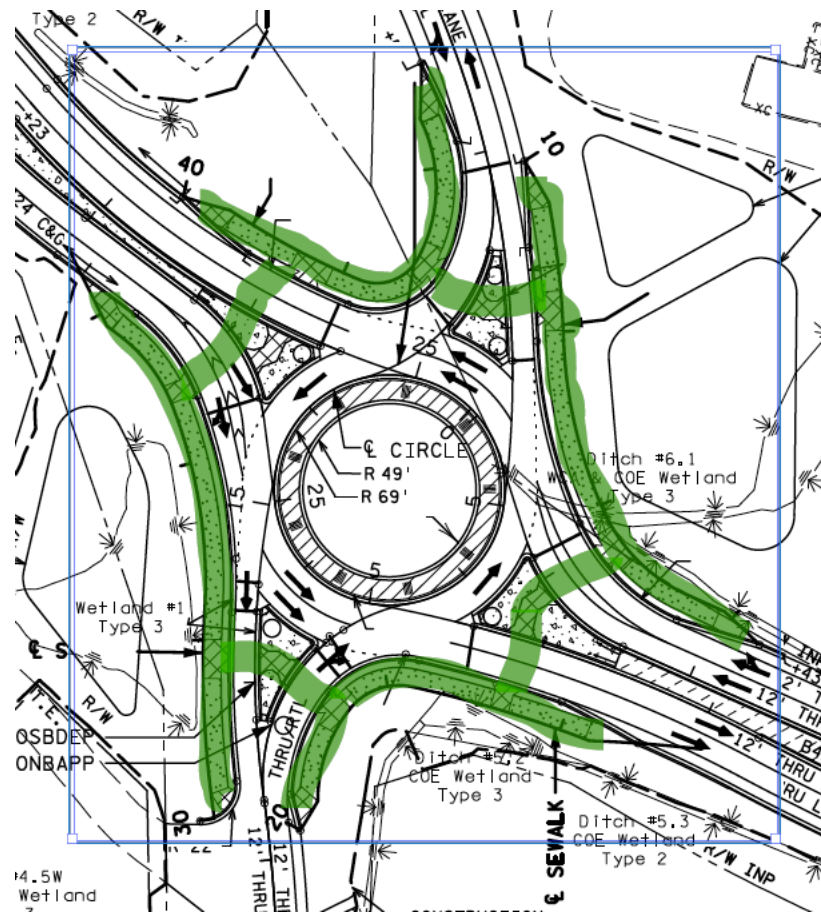
Upon completion of the project, the City will provide the following without cost or expense to the State:

- 1.1.** Sidewalks. Maintenance of any sidewalk construction on the roundabout at T.H. 12 and C.S.A.H. 90, including stamped and colored concrete sidewalk (if any) and pedestrian ramps. Maintenance includes, but is not limited to, snow, ice, and debris removal, patching, crack repair, panel replacement, cross street pedestrian crosswalk markings, vegetation control of boulevards (if any) and any other maintenance activities necessary to perpetuate the sidewalks in a safe, useable, and aesthetically acceptable condition.
- 1.2.** Maintenance of lighting at and approaching the roundabout, including all legs and within the roundabout as shown in Exhibit "A", will be shared between the State and the City. The City will be responsible for the hook up cost and application to secure an adequate power supply to the service pad or pole and will pay all monthly electrical service expenses necessary to operate the lighting facility. The City will be responsible for relamping or LED luminaire replacement, repair or replacement of all damaged luminaire glassware, loose connections, luminaires when damaged or when ballasts fail, photoelectric control on luminaires, defective starter boards or drivers, damaged fuse holders, and blown fuses for the entire system. For those poles on the local legs of the roundabout shown in Exhibit "A", the City will be responsible for knocked down poles including wiring within the poles, damaged poles, pullboxes, underground wire, and damaged foundations for all of the maintenance. The State will be responsible for the remainder of the lighting maintenance within the main roundabout and at the trunk highway legs of the roundabout.
- 1.3.** Additional Drainage. No party to this Agreement will drain any additional drainage volume into the storm sewer facilities constructed under the construction contract that was not included in the drainage for which the storm sewer facilities were designed, without first obtaining written permission to do so from the other party. The drainage areas served by the storm sewer facilities constructed under the construction contract are shown in a drainage area map, Exhibit "Drainage Area", which is

on file in the office of the State's District Hydraulics Unit at Roseville and is incorporated into this Agreement by reference.

- 1.4. Related Agreements. This Agreement will supersede and terminate the operation and maintenance terms of Lighting Maintenance Agreement No. 1000750 dated August 18, 2015, between the State and City, for the existing lighting system on T.H. 12 at C.S.A.H. 90.

In addition to the aforementioned items, the initial agreement also required the City to be financially responsible for the maintenance of the newly created stormwater ponds. The City discussed this point of the agreement further with MNDOT and they ultimately agreed to remove the pond maintenance responsibility from the agreement.



**Council Recommendation:**

Staff is seeking further direction and consideration relating to the proposed cooperative agreement with MNDOT. The City has noted in our discussions that the improvements do not include any City roads or right of way. The City is being asked to take some responsibility for the defined items related to the reconstructed intersection of a state highway and county highway. This agreement also raises questions relating to the TH 12/CSAH 92 reconstruction project that is currently in the process of being designed. The

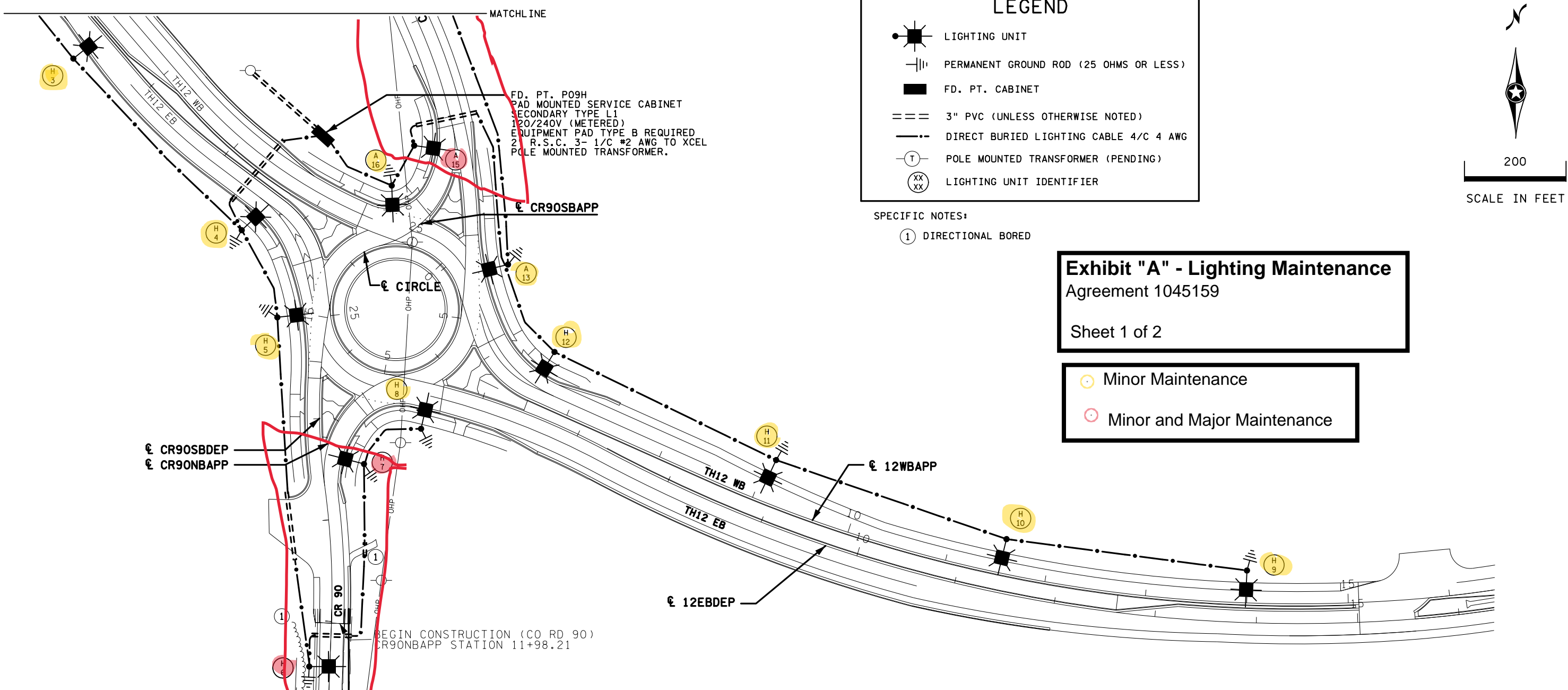
City was informed that a similar agreement will be requested for improvements relating to that project. The costs associated with the cooperative agreement are not budgeted at this time and may be difficult to accommodate depending on the extent of the responsibilities. City Council is asked to consider whether or not to approve entering into a Cooperative Agreement with MNDOT.

***Attachments:***            **Cooperative Agreement with Exhibit A**  
***Roundabout Plans***



PLOTTED/REVISED: 16-OCT-2020

DISTRICT #: Metro  
 IPLOT NAME: 12713-122-117\_10  
 PATH & FILENAME: Projects\DM\_POS\012\2713\122\Traffic\Lighting\2713-122-117\_10.dgn



### LEGEND

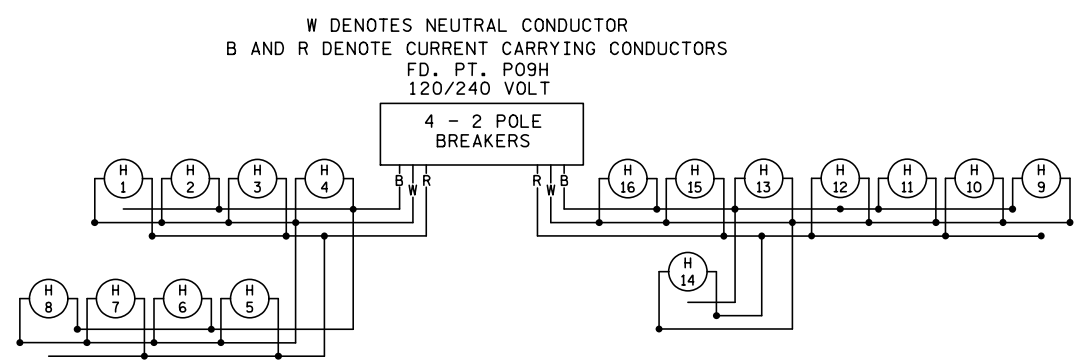
- LIGHTING UNIT
- PERMANENT GROUND ROD (25 OHMS OR LESS)
- FD. PT. CABINET
- 3" PVC (UNLESS OTHERWISE NOTED)
- DIRECT BURIED LIGHTING CABLE 4/C 4 AWG
- POLE MOUNTED TRANSFORMER (PENDING)
- LIGHTING UNIT IDENTIFIER

SPECIFIC NOTES:  
 ① DIRECTIONAL BORED

**Exhibit "A" - Lighting Maintenance Agreement 1045159**  
 Sheet 1 of 2

Minor Maintenance  
 Minor and Major Maintenance

BEGIN CONSTRUCTION (CO RD 90)  
 CR90NBAPP STATION 11+98.21



FEEDPOINT P09H  
 LIGHTING UNIT LOCATION AND TYPE






NO.	STATION	LT.	RT.	LOCATION	TYPE	FOUNDATION
1	16+50		X	EB TH12	9-40	E
2	18+90		X	EB TH12		
3	21+30		X	EB TH12		
4	23+58		X	EB TH12		
5	24+95		X	EB TH12		
6	11+55	X		CR 90		
7	13+61		X	CR 90		
8	5+38		X	EB TH12		
9	14+00	X		WB TH12		
10	11+55	X		WB TH12		
11	9+08	X		WB TH12		
12	6+64	X		WB TH12		
13	5+26	X		WB TH12		
14	8+95		X	CR 90		
15	6+72	X		CR 90		
16	5+91	X		CR 90	9-40	E

S.A.P. 027-690-002

BY	DATE	REVISIONS	FEEDPOINT: P09H    LOCATION: CSAH 90 METER ADDRESS: PENDING	<b>LIGHTING PLAN</b>
			CERTIFIED BY LIC. NO. 19863    DATE: 16-OCT-2020	
DRAWN BY: PB		CKD BY: JDC	STATE PROJ. NO. 2713-122 (T.H. 12) SHEET NO. SL4 OF SL5 SHEETS	



**LEGEND**

-  LIGHTING UNIT
-  PERMANENT GROUND ROD (25 OHMS OR LESS)
-  3" PVC (UNLESS OTHERWISE NOTED)
-  DIRECT BURIED LIGHTING CABLE 4/C 4 AWG
-  LIGHTING UNIT IDENTIFIER

**Exhibit "A" - Lighting Maintenance**

Agreement 1045159

Sheet 2 of 2

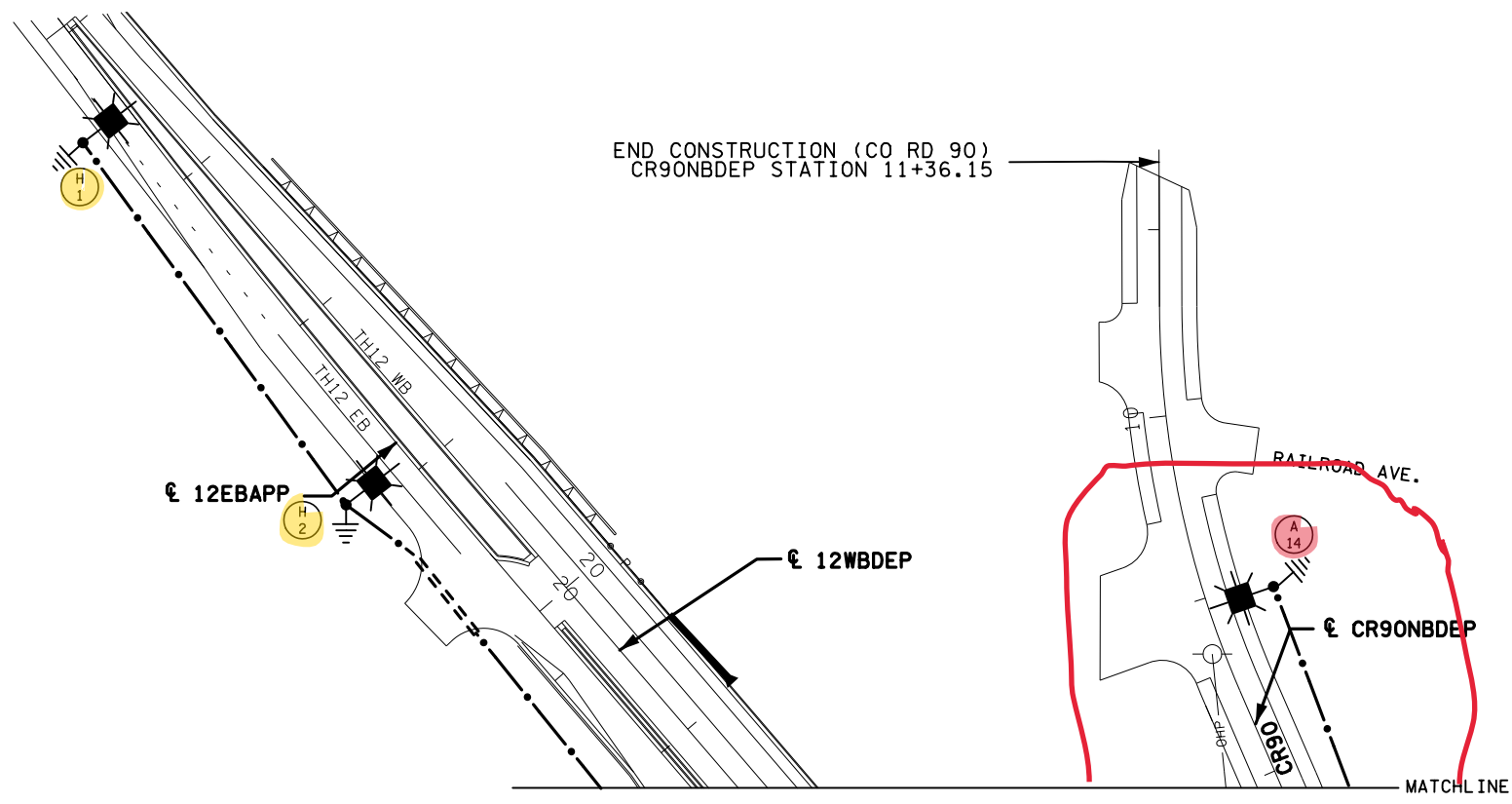
 Minor Maintenance

 Minor and Major Maintenance



200  
SCALE IN FEET

**CITY OF INDEPENDENCE  
HENNEPIN CO.**



S.A.P. 027-690-002

PLOTTED/REVISED: 16-OCT-2020

DISTRICT #: Metro  
PLOT NAME: 12713-122-111\_10  
PATH & FILENAME: Projects\DM罗斯\2713\222\Traffic\Lighting\2713-122-111-10.dgn

BY	DATE	REVISIONS

FEEDPOINT: P09H      LOCATION: CSAH 90  
METER ADDRESS: PENDING

CERTIFIED BY Michael P. Lubensky LIC. NO. 19863 DATE: 16-OCT-2020  
LICENSED PROFESSIONAL ENGINEER

**LIGHTING PLAN**

STATE PROJ.NO. 2713-122 (T.H. 12) SHEET NO. SL5 OF SL5 SHEETS

DRAWN BY: PB      CKD BY: JDC

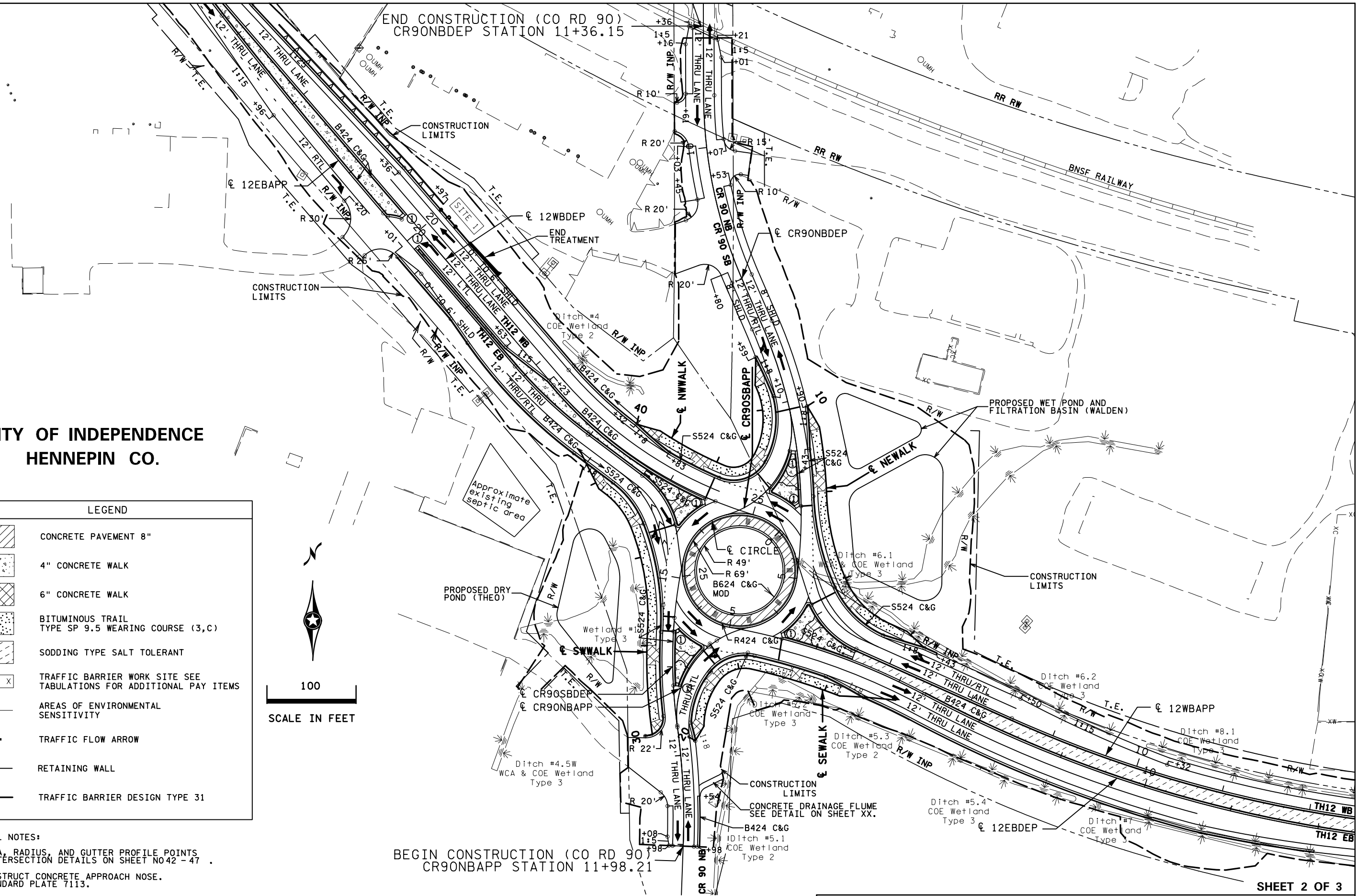
PLOTTED/REVISED: 1-SEP-2020

DISTRICT #: Metro  
I/PLOT NAME: d2713122\_cpstf2  
FILENAME: Proj\ecis\DM罗斯\02\2713122\Design\Plan\Sheet's\2713122\_cpstf2.dgn

# CITY OF INDEPENDENCE HENNEPIN CO.

LEGEND	
	CONCRETE PAVEMENT 8"
	4" CONCRETE WALK
	6" CONCRETE WALK
	BITUMINOUS TRAIL TYPE SP 9.5 WEARING COURSE (3,C)
	SODDING TYPE SALT TOLERANT
	TRAFFIC BARRIER WORK SITE SEE TABULATIONS FOR ADDITIONAL PAY ITEMS
	AREAS OF ENVIRONMENTAL SENSITIVITY
	TRAFFIC FLOW ARROW
	RETAINING WALL
	TRAFFIC BARRIER DESIGN TYPE 31

GENERAL NOTES:  
 FOR ADA, RADIUS, AND GUTTER PROFILE POINTS  
 SEE INTERSECTION DETAILS ON SHEET NO 42 - 47 .  
 ① CONSTRUCT CONCRETE APPROACH NOSE.  
 STANDARD PLATE 7113.



SHEET 2 OF 3

## CONSTRUCTION PLAN

DRAWN BY: JKD

CHECKED BY: BRH

CERTIFIED BY \_\_\_\_\_

LICENSED PROFESSIONAL ENGINEER

LIC. NO. 43348 DATE 8/31/2020

SP 2713-122 (T.H. 12) SAP 027-690-002 SHEET NO. 36 OF 81 SHEETS

# City of Independence

## Community Clean-up Day Discussion

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*To:* City Council  
*From:* Mark Kaltsas, City Administrator  
*Meeting Date:* March 16, 2021

### **Discussion:**

The City has been discussing a 2021 community clean-up day. Staff has several ideas that it would like to further discuss with and obtain feedback relating to clean-up day from City Council. The clean-up day was not held in 2020 due to the pandemic. Staff offers the following discussion points:

- The City has collected fees associated with the materials brought in by residents. The City has also partnered with Maple Plain and ultimately split costs associated with the event 50/50. The City has spent the following amounts on the community clean-up day over the last 4 years:

<u>YEAR</u>	<u>TOTAL RECEIPTS</u>	<u>TOTAL EXPENSES</u>	<u>DIFFERENCE</u>	<u>AFTER SPLIT WITH M.P.</u>
2019	\$4,733.00	\$5,163.26	(\$430.26)	(\$215.13)
2018	\$5,693.50	\$5,560.18	\$133.32	\$66.66
2017	\$5,533.20	\$7,803.23	(\$2,270.03)	(\$1,135.01)
2016	\$4,313.50	\$5,195.32	(\$881.82)	(\$440.91)

- Staff has been looking for ways to increase participation and access and to reduce contact points this year to the extent possible. Staff discussed the idea of working directly with Randy's to have residents go directly to their site to drop off rather than at City Hall. Randy's was not confident that they could handle a concentrated stream of residents coming all in one day at one general time.
- Staff discussed the possibility of having a drop-off area (fenced area that would be clearly marked for each type of item) at City Hall that would be available to residents over a 1-2 week period including Saturdays. This would allow residents more flexibility in the drop-off times and would eliminate a concentration of vehicles coming at one time. This would require residents to unload their own vehicles. Staff also discussed whether or not this could be a twice annual event (spring and fall) to try to capture more materials?
- Staff discussed making the event free for this year in order to offset not having a day last year and to remove the need for all of the contact/touch points that may limit the number of residents using the service.

- Staff discussed whether or not it makes sense to continue partnering on the event?
- Materials accepted would be:
  - Construction Materials (not concrete)
  - Mattresses
  - Furniture
  - Tires
  - Light Bulbs
  - Batteries
  - Electronics
  - Propane Tanks
  - Recycling Items (cardboard, aluminum, glass)
  - Appliances
  - Bicycles
  - Light Bulbs (including fluorescents)
- Materials **not** accepted would be:
  - Hazardous Materials
  - Concrete
  - Brush/Organics

Council Recommendation:

Staff is seeking further direction and consideration relating to the community clean-up day.