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

CITY COUNCIL MEETING AGENDA

TUESDAY MAY 18, 2021

CITY COUNCIL MEETING TIME: *NOTE TIME CHANGE ***5:30 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 Workshop Meeting Minutes from the April 29, 2021 Workshop.
- b. Approval of City Council Minutes from the May 4, 2021 Regular City Council Meeting.
- c. Approval of Accounts Payable; (Batch #1 Checks Numbered 20467-20470, Batch #2 Check Numbered 20471-20492).
- d. Approval of Pay Applications #5 and 6, Rochon Corporation for City Hall Renovation.
- e. Approval of Solicitors Permits as follows:
 - i. Logan Bauer, Lebegue Properties LLC (dba V.L. Builders)
 - ii. Joanna Nowak, Lebegue Properties LLC (dba V.L. Builders)
 - iii. Victor Lebegue, Lebegue Properties LLC (dba V.L. Builders)

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 April 2021 Activity Report.

8. Approval of County Road 92 Turnback Road Renaming and Authorization for Staff to Sign the CSAH 92/TH 12 Construction Project Plan Set.

9. Open/Misc.

10. Adjourn.

MINUTES OF A WORK SESSION OF THE
INDEPENDENCE CITY COUNCIL
THURSDAY APRIL 29, 2021–7:00 A.M.
(virtual meeting- all attendees)

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. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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

ABSENT: None

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

VISITORS: WHPS Chief Kroells, Steve McDonald (ABDO)

4. General Administration:

A. Police Commission JPA Discussion.

Kaltsas said the Police Commission again met to discuss the JPA and general budget goals relating to the development of future budgets. Chief Kroells provided the following summary to Commissioners at the meeting:

West Hennepin Police Commissioners will discuss the Joint Powers Agreement (JPA) with WHPS, City of Maple Plain and City of Independence. Since our last meeting Chief Kroells has met with Abdo, Eick, and Meyers to discuss the process for a projected three-year budget and how to implement such a change in our budget process. Abdo, Eick, and Meyers staff will be represented at this meeting virtually and we will discuss our thoughts on how to move forward with a long-term budget and how it relates to our current JPA.

- Commissioners generally agreed to consider preparing a three-year budget starting in 2021 for the years 2022-2024. The budget would reflect an actual projected 2022 budget with projected 2023-2024 budgets. It is anticipated that the budget would need to be trued each year to represent actual budget changes.
- Commissioners recommended that the cities consider extending the JPA to a three-year contract to coincide with the three-year budget.

Kroells said the original JPA has not been resigned or reviewed in 25 years. He noted the one-year contract term makes the team uneasy from a renewal standpoint. Kroells is looking for stability and how both cities feel going forward from a contract standpoint. Kroells said the formula can swing a percent which is hard to budget for. The voting power is 50/50 between the cities but Independence pays 2/3 and Maple Plain pays 1/3 of the total budget. Johnson said his biggest concern is the formula. Kroells stated the tax capacity for Maple Plain is 24% and for Independence it is 76%. Calls for service are 41% for Maple Plain and 59% for Independence.

Spencer asked if historically the split has been 65/35. Kroells said it is more 66/34. Spencer said we have a smaller population so is it safe to assume our costs per call are higher. Kroells said Independence is definitely paying more than the services percentage being utilized. Kaltsas said his concern is that as we go down the road on budgeting whether it is one or three years it will mean cutting employees or benefits. Kroells said 34k in surplus was put into the budget and Kaltsas noted capital was as well. He said the three-year budget is a good idea if Maple Plain agrees to increase their budget but if they do not then the resources are getting slim. Kroells noted there will be three retiring in the next four years and with that the funds are depleted in severance. McDonald said there is not a magic bullet, but it is outlining where the dangers are and figuring out strategies to address the deficits. He said the advantage in a three-year model would be the ability to lock in the percentage.

McCoy said he likes the one-year budget with a two-year forecast. He said he is not opposed to freeze three-year, but we would need to be prepared to take a hit. Spencer asked what percentage the building or other things other police departments is do not need to budget for and if there is something that could be redefined on some of those other costs. Kroells said Medina is a good example with roughly the same number of officers as Independence. He said vehicles, workman's comp, building are not in their budgets. Kroells said facility-wise the agreement is that Independence takes care of the WHPS building and Maple Plain takes care of the Fire Department building. There is no rent or lease paid to each other. McCoy noted joint powers shows every cost compared to a municipal environment. Spencer said maybe it could be looked at for the future for optics where it could be more of a municipal budget and contract out some of the others. Kroells said maybe Independence could ask for another vote. Betts agreed with Kroells and said it would be fairer. McCoy said Orono and Mound have a 10-year contract without a JPA.

B. Fire Department District/JPA.

Kaltsas said staff has been working on developing a financial model/analysis that contrasts the current contract model and expense to the City for fire services with a possible fire services district model. The model is still being developed and it is anticipated that we will meet with Maple Plain and Loretto Fire within the next week or so to review the findings and identify potential efficiencies of the fire services district model. Once that input is considered, we would schedule a separate meeting with Council to review and discuss this concept. Staff and AEM will provide a summary overview at the workshop. He noted Independence pays nearly 400k a year currently for the Fire Services.

McDonald said we knocked out aligning the two budgets and need to fine tune now the apples-to-apples comparison regarding personnel and other line items. Johnson noted Loretto is a private department, so he wondered if they were open to this type of discussion. Kaltsas said there are no formal discussions and he said he is looking at this Independence's behalf as we pay the lions share of the costs. The concept would have to be further discussed once we really get an idea of how this looks. Loretto does have contracts which could make it a little complicated. He noted Loretto is supportive of taking a look at the idea of a Fire District. The current model for all the cities is not very efficient. McCoy said sustainability is not unsimilar to the Police Department. The equipment and age of the station are going to come into play at some point. McCoy said the central model with a full-time staff would be a good model and then we would not need two main stations. He said the Fire District should be the first choice.

Johnson asked what percentage Loretto pays for the agreement with Greenfield, Medina and Corcoran. Kaltsas did not have the number off hand but noted Greenfield is not really interested at this point. Corcoran is also comfortable with their current model.

C. City Hall Construction Update

- Review and Discuss Front Entrance

Kaltsas said Staff has been tracking the City Hall project revenues and expenditures throughout the construction. We are at a point in the project when additional decisions need to be made relating to final project elements. In addition, BKV has received two bids for the proposed pole barn storage shed for WHPS/PW. Staff would like to review the projects status with Council and ask for direction relating to outstanding project considerations. No formal action is being sought at this time, but staff would like to discuss the remaining project pieces and gain general Council consensus moving forward.

2020 City Hall Project Proceeds*	\$ 2,330,934.92
2020 Street Project Balance	\$ 258,594.44
Proceeds Subtotal	\$ 2,589,529.36
City Hall Base Bid	\$ 1,721,484.00
City Hall Add Alternates Approved	\$ 60,372.59
Misc. Change Orders	\$ 46,190.28
Change Order Contingency	\$ 50,000.00
Architecture Contingency	\$ 40,000.00
Expenses Subtotal	\$ 1,918,046.87
Subtotal Balance	\$ 671,482.49
Remaining Expenditures	
City Hall Furniture	\$ 25,194.00
Community Room Furniture	\$ 25,645.00
A/V Community Room	\$ 59,841.00
Front Entrance Renovation	\$ 56,473.00
Remaining Subtotal	\$ 141,959.00
Subtotal Balance	\$ 529,523.49
WHPS/PW Storage Barn	\$ 439,165.00
Storage Plan Subtotal	\$ 439,165.00
Remaining Balance	\$ 90,358.49
* Proceeds minus issuance, engineering, architecture	

The following is a summary of the key remaining items:

- City Hall Furniture: Staff has obtained multiple quotations for updated office furniture for the City Hall office spaces. Staff has questioned whether or not it makes sense to reinstall the old office furniture or consider updating to new furniture. The changes to the front window would allow for some space efficiencies to be realized if we were to install updated office furniture (see attached).
- Community Room Furniture: This would include new tables, chairs, and conference room furniture. The new furniture would complement the new space and allow for storage within the programmed storage areas being renovated as a part of the project (see attached).
- Audio Visual Equipment: BKV and staff have been working to program an updated a/v system that fits the new space and provides for the current needs of the City without limiting future expansion of capability as technology advances. The City has met with four different vendors to review our needs and identify the most cost-effective solutions. Following a failed relationship with one vendor, staff and LMCC brought in ZSystems to review needs and provide possible solutions. ZSystems

works with LMCC on their a/v installations. ZSystems has provided the City with three alternatives that will meet our requirements and provide a cost-effective a/v solution. In addition, the proposed system would be complimentary of the LMCC camera system that they are proposing to give to Independence. This system cost of approximately \$12,000 would be provided by LMCC. The proposed system would have the following highlights:

- Each Council seat at the dais would have an individual monitor that would show the content provided to the audience and controlled by staff or the presenter.
- Two moveable 86" television screens would be mounted to a cart and allow flexibility to move within the Community room and Lobby areas.
- Wireless and virtual compatible video and sound connectivity in the community room (i.e. wireless connectivity to screens and virtual meeting integration)
- Updated sound system.
- All in one control panel that would provide controls for all video content and sound.
- Remotely programable tv screens in the lobby that would allow WHPS and City Hall to provide changeable information and notices.
- TV/wireless connectivity in new City Hall conference room.

Front Entrance: The front entrance plan is still in the process of being finalized. The City Council provided direction to proceed with an option and the cost shown in the breakdown has not been updated. It is anticipated that BKV will provide the City with the updated front entrance plan in the near future for consideration by the Council.

WHPS/PW Storage Barn: BKV worked with the City to develop a plan for the new storage barn. This plan was sent out to a variety of contractors and two bids were submitted to the City. The bids are vastly different and BKV did follow up with each vendor regarding the proposed numbers. Staff has also discussed this project with both contractors. Staff believes that BV Construction can complete the project for an amount similar to that which was proposed and would like to further discuss the project with Council. There are likely to be additional site costs associated with the project that are not reflected in the initial price. These costs could be narrowed down and further defined if we decide to move forward. Attached are the plans and bids for the proposed building.

Johnson said he appreciates all the groundwork done on these items. He asked if the partitions in the office were figured into labor. Kaltsas said that was correct. He noted if the old ones were brought back then there would be a cost to reinstall. Betts said the old desks are outdated and not as usable. She said it appears the new set-up will be much more functional with the streamlined furniture.

Kroells said having North Memorial at our facility is huge and they want to do a long-term contract which would have a significant impact on the costs associated with the building. Kaltsas said having an ambulance in the community is also a huge benefit. Johnson agreed that now was the time to move ahead on the shed.

McCoy said new furniture makes sense for the office space. He asked if the space between the office and shed buildings at 50' seemed rather small. Kaltsas said it is a railroad track issue on the one side.

Grotting asked about the built-in screens on the dais as technology can change so quickly. Kaltsas noted the screens would not be built in so as not to handcuff the technology. It will be a two-screen system and people would have the ability to dial in their own device. He agreed he did not like the built-ins. Johnson said the movable, big monitors are a great idea.

McCoy asked about getting an oval table for the conference room. Kaltsas said that was a good idea and he would ask about it.

Horner had to leave the meeting at this point.

McCoy said he would suggest high-bay LEDs for the shed. Kaltsas noted he would take a look at that also. Betts asked if they had to be replaceable. McCoy said he did not think it was a bulb. Kaltsas said he would take to BKV about the technology.

CSAH 92 Turnback Street Naming: Hennepin County is planning on turning back a portion of CSAH 92 to the City following completion of the Hwy 12/CSASH 92 project. In addition, the City will be taking over the newly constructed portion of the road that provides access to the property located at 7899 US Hwy 12. The City is going to have to accept the existing and new portions of the road. The City will also have to decide on a name(s) for the new road(s). The City can decide whether or not to name the north/south section differently from the east/west cul-de-sac and or name them the same. Staff is seeking City Council feedback and direction relating to the naming of this section of road.

Kaltsas asked about a name for the road. Johnson suggested Rumpza Dr. or something like that as he used to be a Councilmember that was killed in a tragic accident and shock to the community. Betts suggested Harlan which was his first name. Johnson said he prefers Rumpza. Spencer said he liked the idea and would be nice for the surviving relatives.

Green House Removal: Staff has been asked by a resident (Becky Radintz) if the City would give away the green house located on the City Hall property in front of the PW building. She and her husband are considering building a pool house on their property and remembered that at one time the City was interested in having someone take it off of the City Hall site. Staff is seeking discussion and direction?

Betts said we could sell it for \$1.00 and the resident would be responsible for removal and transfer off the property. Johnson agreed that would be a good idea and nice if someone can use it.

4. Adjourn

Johnson adjourned the meeting at 8:55 a.m.

Respectfully submitted,

Trish Gronstal, Recording Secretary

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, MAY 4, 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, Assistant to Administrator Horner, City Attorney Vose

VISITORS: Jeff Kazin, Thomas Anderson, Mike Schrader, Jim Wehmann, Donavan DesMarais, Jerry Wise, Paul Otto

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 April 20, 2021 Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch #1 Checks Numbered 20441-2046, Batch #2 Checks Numbered 20448-20466, Check Number 20447 was voided).
- c. Approval of Contract with Z Systems, Inc. to Supply and Install Audio Visual System for Community Room.
- d. Approval to Purchase Furniture from Henricksen for the Community Room.
- e. First Quarter Building Permit Report (for information only).

Motion by Betts, second by McCoy 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: (Virtual)

- Planning Commission Meeting
- City Council Workshop
- LSIA Spring Meeting
- Clean-up Days

Grotting attended the following meetings: (Virtual)

- Planning Commission Meeting
- City Council Workshop

McCoy attended the following meetings:(Virtual)

- Planning Commission Meeting
- City Council Workshop

Betts attended the following meetings: (Virtual)

- Planning Commission Meeting
- Police Commission Meeting (in person)
- City Council Workshop

Johnson attended the following meetings: (Virtual- unless noted)

- Planning Commission Meeting
- City Council Workshop
- National League of Cities Meeting
- Small Cities Council Meeting
- Orono School Board Meeting
- Police Commission Meeting (in person)
- Sensible Land Use Coalition Meeting
- Citizens League Seminar
- Met with Rugby team representative about games

Horner attended the following meetings: (Virtual)

- Clean-Up Days
- Planning Commission Meeting
- City Council Workshop
- BKV architect meetings

Kaltsas attended the following meetings:

- MnDOT meetings on construction efforts for Highway 12 and 92

6. Jeff Kazin (Applicant/Owner) is requesting the following action for the property located 7475 County Road 11 (PID No. 0911824120001) in the City of Independence, MN:

- a. **RESOLUTION 21-0504-01:** Considering approval of a conditional use permit to allow the construction of a new detached accessory structure that exceeds 5,000 SF on the property.

Kaltsas said the applicant approached the City with plans to add a second detached accessory structure on the subject property. It was noted that the proposed 7,500 square foot detached accessory structure would exceed the maximum square footage permitted of 5,000 without a conditional use permit. The applicant would like the City to consider granting a conditional use permit to allow the proposed 7,500 SF accessory building to be added to the property.

In reviewing the request, the City determined that there was a possible wetland located in the general vicinity of the proposed building (see image below). The applicant worked through the wetland delineation process and last week it was determined that no wetlands existed in the vicinity of the proposed shed and or as shown on the national wetland inventory. All accessory structures greater than 5,000 square feet require a conditional use permit

530.01 Agricultural District established.

Subd. 3. Accessory uses.

(d) Detached agricultural storage buildings, barns, or other structures, accessory to an existing single-family dwelling and subject to the following criteria:

3. The maximum square footage of any individual accessory building or structure shall be 5,000 square feet.

The proposed detached accessory building is 7,500 square feet in size (60' x 125'). There is an existing ~5,500 square foot detached accessory structure already on the property. For properties greater than 10 acres, there are no maximum total allowable detached accessory structure square footage limitations. The proposed building would be used for the personal and private storage of agriculture equipment associated with the applicant's farm. There would be no commercial use of the accessory structure permitted. The proposed detached accessory structure would be constructed using materials and colors identical to the existing accessory structure. The building would be oriented so that the doors are facing to the west with no openings on the north, south and east sides. The applicant has provided the City with a site survey, floor plan and building elevations of the proposed building. It should be noted that there are no doors shown on the "open" side of the building, but the applicant intends to fully enclose the building in the future with overhead doors.

The proposed site and buildings have the following characteristics:

Site Area: 63.08 Acres

Required Setbacks:

Front Yard: 85 feet from centerline

Side Yard: 30 feet principal structure

15 feet accessory structure

Rear Yard: 40 feet

Proposed Setbacks:

Front Yard: N/A (500+ feet from CL of CSAH 11)

Side Yard: 15 feet (east side property line)

Rear Yard: N/A (500+ feet from rear property line)

The proposed detached accessory structure would meet all applicable building setbacks.

The criteria for granting a conditional use permit are clearly delineated in the City's Zoning Ordinance (Section 520.11 subd. 1, a-i) as follows:

1. The conditional use will not adversely affect the health, safety, morals, and general welfare of occupants of surrounding lands.
2. The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the proposes already permitted or on the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
3. Existing roads and proposed access roads will be adequate to accommodate anticipated traffic.
4. Sufficient off-street parking and loading space will be provided to serve the proposed use.
5. The proposed conditional use can be adequately serviced by public utilities or on-site sewage

treatment, and sufficient area of suitable soils for on-site sewage treatment is available to protect the city from pollution hazards.

6. The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites, and similar ecological and environmental features.
7. The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.
8. The proposed condition use is consistent with the comprehensive plan of the City of Independence.
9. The proposed use will not stimulate growth incompatible with prevailing density standards.

The City has visited the site and discussed the proposed detached accessory structure with the applicant. The conditional use permit would allow an accessory structure larger than 5,000 SF. The City is being asked to determine whether or not the proposed accessory structure larger than 5,000 SF would meet the criteria for granting a conditional use permit.

The applicant is proposing to construct a detached accessory structure to provide additional storage for use with their farm. The applicants live on the subject property. The applicant has not submitted any information pertaining to building lighting. All building lighting will need to comply with the City's lighting standards. The City typically reviews building lighting during the building permit review process. No additional building screening is proposed given the proximity of all structures on adjacent properties combined with the existing vegetation and general screening provided by the placement of the building. The applicant has prepared a site plan and building plans for the proposed site improvements. The City will want the applicant to submit a grading and drainage plan with the building permit to ensure runoff from the building is adequately routed and or mitigated prior to exiting the property.

The following conditions should be considered:

1. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
2. The applicant shall provide a proposed grading and drainage plan for review by the City.
3. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
4. No commercial use of the proposed detached accessory structure shall be permitted.
5. No future expansion of the detached accessory structure shall be permitted without the further review and approval by the City through the conditional use permit amendment process.

Kaltsas said Commissioners discussed the application and asked questions of staff and the applicant. Commissioners found the application to be complete and thought that the request met the criteria for granting a CUP. Commissioners recommended approval of the requested CUP to allow an accessory structure on the property that exceeds 5,000 SF. The Planning Commission recommends approval of the request for a conditional use permit with the following findings and conditions:

1. The proposed conditional use permit request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
3. The applicant shall provide a proposed grading and drainage plan for review by the City. The applicant may be required to add a gutter or other drain tile to the east property line to ensure that drainage resulting from the construction of the new building does not impact the adjacent property.
4. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.

5. No commercial use of the proposed detached accessory structure shall be permitted.
6. The City is approving the construction of the building detailed in the plan set attached as **Exhibit B**. No future expansion of the detached accessory structure shall be permitted without the further review and approval by the City through the conditional use permit amendment process.
7. The applicant shall pay for all costs associated with reviewing the application and recording the resolution.

Johnson asked the applicant if they had questions. Kazin thanked Kaltsas for his help and it is pretty straightforward and makes a nice courtyard for the farming operation. Grotting asked about the flow of the water. Kaltsas said this does not change the natural flow and we look at how the building impacts flow.

Motion by Spencer, second by Grotting to approve RESOLUTION 21-0504-01 for a conditional use permit to allow the construction of a new detached accessory structure that exceeds 5,000 SF property located 7475 County Road 11 (PID No. 0911824120001) in the City of Independence, MN: Ayes: Johnson, Spencer, McCoy, Grotting and Betts. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

7. Thomas Anderson (Applicant/Owner) is requesting the following action for the property located at 2076 Copeland Road (PID No. 20-118-24-23-0002) in the City of Independence, MN:
 - a. **RESOLUTION 21-0504-02:** Considering approval of a rural view lot subdivision that would create a new buildable lot.

The applicant approached the City several months ago about the possibility of purchasing the property and creating a rural view lot in accordance with applicable standards. The applicant is proposing to create one (1) rural view lot in accordance with the provisions set forth in the City's Zoning Ordinance. The subject property has a total acreage of 48.85 acres. The provisions in the Agriculture Zoning District allow one (1) rural view lot for every 40 acres of land under the same ownership. Under the current zoning standards, the subject property has the ability to realize one (1) rural view lot for a total of two (2) lots on this property. Rural view lots must have the following characteristics:

Lot size required: between 2.5 and 10 acres

Lot size proposed: Parcel B – 6.62 acres

Minimum lot frontage required: 300 LF (for property between 5-10 acres)

Minimum lot frontage proposed: Parcel B – 524 LF **Ratio of lot frontage to lot depth required** - no more than 1:4

Ratio of lot frontage to lot depth proposed – Parcel B - ~1:1.5 (524:780)

In addition to the minimum size necessary to subdivide, the ordinance requires a minimum of 2.5 acres of buildable upland, 300 LF of frontage on a right of way and no greater than a 1:4 ratio of lot frontage to lot depth for each rural view lot. Based on the proposed subdivision, the rural view lot would have approximately 4.1 acres of useable upland and 524 LF of frontage on Copeland Road.

The proposed subdivision would produce a 6.62-acre rural view lot. The existing home and detached accessory structure would remain on the property being created as a rural view lot. The existing home meets all applicable setbacks in the after condition. The existing detached accessory structure appears to meet the setback from Copeland Road; however, the condition is not impacted as a result of the proposed subdivision and is either legal non-conforming or conforming (requires an 85-foot setback from the centerline of Copeland Road – centerline is not shown, and structure appears to be +83.6). The applicant worked with the

City to configure the rural view lot in a manner that maintained conformability and worked with the existing house and detached accessory structure. In addition, the applicant wanted the larger remainder property to maintain a significant portion of the wetland/pond area that is located on the west side of the property. The proposed angled lot line configuration provided appears to align well with the existing property conditions and also provides for the septic site on Parcel B.

The remainder of the property (Parcel A) would comprise 42.23 acres and have one principal building entitlement. Parcel A would easily accommodate a new building pad given its overall size, topography, and proposed dimensions. Any development on the property would need to meet all applicable setbacks including those from wetlands. The City received an on-site septic report verifying that both Parcel A and B can accommodate a primary and secondary on-site septic system. The applicant has included the requisite drainage and utility easements as required by ordinance (Section 500.15, Subd.'s 1 and 2) for both the existing and proposed parcel. The remaining property will have **no** rural view lot subdivision eligibilities following this subdivision.

The newly created Parcel B will be required to pay the City's requisite Park Dedication fee. For this property, the requirement is \$4,715.00. This fee will need to be paid prior to recording the subdivision. *Park dedication fee of \$3,500 per lot up to 4.99 acres, plus \$750 per acre for each acre over 5 acres* The proposed rural view lot subdivision appears to meet all applicable standards of the City. The proposed subdivision is in keeping with the character of the surrounding area and maintains a larger agricultural property that can accommodate a future residential structure.

Commissioners discussed the application and asked questions of staff and the applicant. Commissioners discussed the frontage requirements and proposed layout and recognized the need for an angled property line as proposed. Commissioners found the application to be complete and thought that the request met the criteria for granting approval of a minor subdivision. Commissioners recommended approval of the requested minor subdivision to allow a rural view lot split on the property.

The Planning Commission recommended approval of the request for a rural view lot subdivision with the following findings and conditions:

1. The proposed rural view lot subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. City Council approval of the rural view lot subdivision is subject to the following:
 - a) The Applicant shall pay the park dedication fees in the amount of \$4,715.00, for the newly created Parcel B, prior to the applicant receiving final approval to record the subdivision by the City.
 - b) The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
 - c) The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
 - d) The Applicant shall execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.
 - e) The remaining Parcel A will have no remaining rural view lot eligibilities.

Motion by Betts, second by McCoy to approve RESOLUTION 21-0504-02 for approval of a rural view lot subdivision that would create a new buildable lot property located at 2076 Copeland Road (PID No. 20-118-24-23-0002) in the City of Independence, MN: Ayes: Johnson, Spencer, McCoy, and Betts. Nays: None. Absent: None. Abstain. Grotting. MOTION DECLARED CARRIED.

8. Mike Schrader (Applicant) and Jim Wehmann (Owner) are requesting the following actions for the property located at 6625 Fogelman Road (PID No. 10-118-24-43-0009) in the City of Independence, MN.

- a. **ORDINANCE 2021-03:** Rezoning the subject property from AG-Agriculture to RR-Rural Residential in accordance with the Comprehensive Land Use Plan.
- b. **RESOLUTION 21-0504-03:** A minor subdivision to allow the creation of a new lot on the property located at 6625 Fogelman Road.

Kaltsas said the applicant is proposing to create one (1) additional rural residential lot in accordance with the provisions set forth in the City's Zoning Ordinance. The ordinance stipulates that Rural Residential properties must be a minimum of 7.6 acres to allow for the subdivision of an additional lot. The new lot must be a minimum of 2.5 acres of buildable upland, have a minimum lot frontage on a public road and have no greater than a 1:4 lot frontage to lot depth ratio. In order for the City to consider granting approval for a minor subdivision to permit an additional lot using the provisions set forth in the RR-Rural Residential zoning district, the City would first need to consider approving the rezoning of the property.

The property is currently zoned A-Agriculture and guided by the Comprehensive Plan as Rural Residential (see Comprehensive Plan and Zoning Map attached). There are several factors to consider relating to rezoning a property. The City's ordinance has established criteria for consideration in granting a zoning amendment.

520.07. Criteria on zoning amendments. Subdivision 1. The planning commission and the city council may consider, without limitation, the following criteria in approving or denying zoning amendments. Subd. 2. Zoning amendments must conform to the Independence city comprehensive plan. Subd. 3. The zoning amendment application must demonstrate that a broad public purpose or benefit will be served by the amendment. Subd. 4. The zoning amendment application must demonstrate that the proposed zoning is consistent with and compatible with surrounding land uses and surrounding zoning districts. Subd. 5. The zoning amendment application must demonstrate that the subject property is generally unsuited for the uses permitted in the present zoning district and that substantial changes have occurred in the area since the subject property was previously zoned. Subd. 6. The zoning amendment application must demonstrate merit beyond the private interests of the property owner.

As it relates to meeting the criteria for granting a zoning map amendment, the following information can be considered:

Subd. 2. The proposed rezoning is consistent with the comprehensive plan.

Subd. 3. Rezoning this property to RR would allow the property to be subdivided which is generally consistent with properties surrounding the subject property.

Subd. 4. The property has historically been used as a residential property. The neighboring properties on all sides are currently used as rural residential.

Subd. 5. The property is currently zoned agriculture. The use of property as an agriculture operation is somewhat restricted due to the limited amount of tillable acreage. The city has identified that this property will be better suited for residential purposes.

Subd. 6. The City will need to determine that the rezoning of the property has public merit that reach beyond the interests of the property owner.

The rezoning from A-Agriculture to RR-Rural Residential does not appear to create a property that is inconsistent with the surrounding properties.

Minor Subdivision:

The proposed lot would have the following characteristics.

Lot size required: minimum of 2.5 buildable acres

Lot size proposed: West Parcel - 7.71 acres East Parcel - 4.55 acres

Minimum lot frontage required: 250 LF (for property between 3.50-4.99 acres)
300 LF (for property between 5.00-10.00 acres)

Minimum lot frontage proposed: West Parcel - 529 LF East Parcel - 313 LF

Ratio of lot frontage to lot depth required: no more than 1:4

Ratio of lot frontage to lot depth proposed: West Parcel - 1:1 East Parcel – 1:2

Staff discussed the proposed subdivision with the applicant and identified a general configuration that would be compatible with the surrounding area and offer the least amount of impact to the surrounding properties. The survey confirms that all existing structures on the West Parcel will meet all applicable setbacks in the after condition. The east parcel will require a new driveway and provides a suitable area for a single-family home to be located on the property.

The existing home has an existing on-site septic system that will remain in use with the existing home. The applicant has provided the City with information verifying that both properties can accommodate a primary and secondary site (see locations on survey).

The proposed subdivision delineates drainage and utility easements along all property lines. The easements have been revised to meet the City's established criteria. There was initially a five-foot wide easement provided as a part of the original plat and the City now requires ten feet. The survey reflects that the additional five feet will be dedicated to the City as a drainage and utility easement. The newly created East Parcel will be required to pay the City's Park Dedication required fee. For this property, the park dedication payment amount is \$3,500.00. This fee will need to be paid prior to recording the subdivision.

*Park dedication fee \$3,500 per lot up to 4.99 acres, plus \$750 per acre for each acre over 5.
4.55 acres- \$3,500 for first 5 acres = \$3,500.00*

There is one other bit of information that should be noted by the City. The property located at the southwest corner of Fogelman and County Road 90 was also originally platted as a part of the French Hills Subdivision. That property was subdivided in 2016 in a similar fashion to this request. At the time it was subdivided, there were concerns raised relating to a covenant that was placed on this subdivision that would restrict future subdivisions. The City is not a party to any covenants and does not have authority to enforce private covenants on a property. The City therefore needs to consider its current zoning ordinances and whether or not the proposed rezoning and subdivision are consistent with the current standards. As it relates to this point as well as the overall request, it appears that the proposed subdivision meets all of the applicable standards of the City's zoning and subdivision ordinance. The lots being created will fit into the character of the surrounding area and should have minimal impacts on the surrounding properties. The adjacent properties to the east, west, north, and south are similar in size to the proposed lots after the subdivision.

Commissioners discussed the application and asked questions of staff and the applicant. Commissioners discussed the concerns relating to the original development and any potential restrictions relating to the subdivision of the property. Commissioners noted that the proposed lot configuration created two lots that were consistent with the surrounding properties. Commissioners found the application to be complete and thought that the request met the criteria for granting approval of a minor subdivision. Commissioners recommended approval of the requested minor subdivision on the property.

The Planning Commission recommended approval of the requested rezoning and minor subdivision with the following findings:

1. The proposed rezoning and minor subdivision meet all applicable criteria and conditions stated in Chapter V, Section 500, Planning and Land Use Regulations of the City of Independence Zoning Ordinance.
2. The Applicant shall execute and record the requisite drainage and utility easement with the county within six (6) months of approval.
3. The Applicant shall pay the park dedication fees in the amount of \$3,500 prior to the applicant receiving final approval to record the subdivision by the City.
4. The Applicant shall pay for all costs associated with the City's review of the requested subdivision.
5. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

Betts asked Vose about covenants and association agreements. Vose said the City acting as a governing body really does not enforce these types of agreements unless they are an "owner" in the development. He said he was not certain this was a case where there were actual covenants drawn up.

Motion by Johnson, second by Spencer to approve ORDINANCE 2021-03: Rezoning the subject property from AG-Agriculture to RR-Rural Residential in accordance with the Comprehensive Land Use Plan for the property located at 6625 Fogelman Road (PID No. 10-118-24-43-0009) in the City of Independence, MN. Ayes: Johnson, Spencer, McCoy, Grotting and Betts. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

Motion by Grotting, second by Spencer to approve RESOLUTION 21-0504-03: A minor subdivision to allow the creation of a new lot on the property located at 6625 Fogelman Road for the property located at 6625 Fogelman Road (PID No. 10-118-24-43-0009) in the City of Independence, MN. Ayes: Johnson, Spencer, McCoy, Grotting and Betts. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

9. Donovan DesMarais (Applicant) and Jerry Wise (Owner) are requesting the following actions for the property located at the northeast corner of CSAH 11 and Woodhill Drive (PID No. 01-118-24-34-0010) in the City of Independence, MN:
 - a. Concept plan review for a proposed subdivision of the subject property to create four (4) new lots (3 would have lakeshore on Lake Sarah).

Kaltsas said the applicant is asking the City to consider and provide feedback relating to a concept plan for the proposed subdivision of the subject property. A concept plan allows the City the opportunity to initially review the proposed subdivision and provide feedback and comments to the applicant prior to the submittal of any applications for rezoning and preliminary plat. In order for the City to ultimately consider approval of a plan similar to the proposed concept plan, the following steps would be required:

1. Consider Preliminary Plat approval.
2. Consider Final Plat approval. The applicant has prepared a concept plan for review by the City. The City has preliminarily reviewed this plan and provided review comments to the applicant. The property is currently zoned RR-Rural Residential and is also located within the S-Shoreland Overlay zoning district adjacent to Lake Sarah. The City Council recently concluded that properties zoned S-Shoreland and have access to sanitary sewer, can be subdivided into 1-acre minimum lots as long as all applicable requirements can be satisfied by the applicant. The applicable requirements that stipulate the number of lots generally relate to the

minimum road frontage (200 LF – for lots less than 3.49 acres), minimum shoreline frontage (100 LF) and minimum width at the building setback line (100 LF).

505.13. Zoning provisions.

Subd. 1. *General.* The following standards shall apply to all proposed developments and subdivisions within the shoreland district of the protected waters listed in subsection 505.05. Where the requirements of the underlying zoning district as shown on the official zoning map are more restrictive than those set forth herein, then the more restrictive standards shall apply. The City has discussed the potential subdivision of this property with the applicant. The initial review of the subdivision contemplates a high-level review only of the proposed concept development plan. A detailed review of the storm water, grading, wetlands, and infrastructure details will be completed prior to consideration of any future applications. The City does not formally approve or deny a concept plan. The concept plan review will provide direction and comments to the applicant for their use during the preparation of future applications.

The following comments should be considered by the City:

1. The subdivision of property and corresponding plans will be subject to the review and approval of the Pioneer Sarah Watershed Management Commission.
2. A wetland delineation will need to be completed prior to any formal preliminary plat submittal.
3. Building setback and OHWL lines have been added to the concept plan to provide better context for the Planning Commission and City Council to understand how the lots would accommodate a home and driveway.
4. The proposed subdivision creates a total of 4 lots: 3 with shoreland access to Lake Sarah. The City requires a minimum lot public road frontage of 200 LF per lot. This property has approximately 1169 LF of total frontage on Woodhill Drive and CSAH 11. The City can waive the minimum frontage requirement per lot if certain criteria are satisfied. The proposed layout appears to create a more advantageous configuration due to access for all lots coming off of Woodhill Drive versus CSAH 11. Hennepin County has indicated that an additional access onto CSAH 11 would not likely be approved. This issue should be noted for discussion by City Council.
5. The proposed layout is somewhat impacted by the existing detached accessory structure located on lot 2. This structure is not considered a legal structure as there is no principal structure located on this property. The City will need to further discuss how and if this structure can remain, noting that if this property is subdivided and sells, the lot would still not have a principal structure guaranteed. This structure is shown to meet applicable building setbacks in the proposed condition.
6. The proposed lots would be connected to the City's sanitary sewer system. The type of connection to the public sewer line will need to be further reviewed and considered by the City. In addition, the invert elevation of the public sewer may dictate additional restrictions for the elevations of the proposed homes.
7. There is one existing connection to the sanitary sewer serving the existing detached accessory structure. This connection can be used for one of the proposed lots. The three new and additional lots would be subject to applicable connection fees in addition to the initial assessment fee of \$9,550 per lot.
8. Park dedication will be required for this development if it moves forward. The City's current park dedication fee is \$3,500 per lot (less than 4.99 acres). Staff would like direction and feedback relating to the general design and layout of the proposed subdivision and the issues identified within this report.

The Planning Commission discussed the proposed concept development plan and offered the following comments:

- Commissioners discussed the existing detached building and asked if the City could come up with a mechanism/agreement that would ensure that the structure would be brought into compliance with applicable standards and obtain all applicable permits. Staff noted this comment and would work with the City Attorney to develop said mechanism/agreement.

- Commissioners discussed the tradeoff between reconfiguring the lot lines so that all properties have the requisite frontage versus allowing reduced frontage on Woodhill Drive. It was noted that the property has the requisite frontage for all lots. It was further noted that the configuration of the lots and potential access limitations that would come into play if reconfigured may be justification for allowing reduced frontage.
- Commissioners asked if any additional water quality measures would be required (i.e., ponding, buffers, rain gardens, etc.). It was noted that this would be further reviewed if a formal subdivision application were made to the City.

City Council is being asked to review the plans and provide feedback to the applicant pertaining to the proposed concept plan. No formal action can be taken by the City Council on the concept plan. There are additional steps that will need to be taken for any development of this property to occur.

Johnson asked about the lot with the shed and if the area to the North is wetland. Kaltsas said it was not but rather a treed area. Johnson said he feels lot number 4 would come off of Woodhill Dr and it would be good to consolidate to one entry. Grotting asked if there was a setback variance precedent from the lakeshore. Kaltsas said there was not a precedent for new lots.

Betts asked what was along the shoreline. Spencer said it was shallower along that end of the lake and an area of cattails, but a low dock can provide access.

Grotting asked if the structure that was there could be torn down in the future as it was in an ideal spot. Kaltsas said the applicant feels the value is high for the structure and the lot will be more marketable with it on it. Betts asked if that structure had water running to it. Kaltsas said it was connected to city sewer and it has a well. Betts asked if the well location would be an issue. Kaltsas said if they subdivided, they would have to have individual wells for each property. Johnson noted there was only one sewer connection. Kaltsas said that was correct and it comes off of Woodhill. He noted they would have to work out how to use the existing stub. Johnson asked if that would be an issue with Met Council. Kaltsas said we would be utilizing additional connections which were granted by the Met Council.

DesMarais said they may need to disconnect the original line and run a new line along lot 2 and then reconnect. He said they would put three new wells on the property as well. Spencer said the direct answer to Betts question is that the garage has its own well.

Otto stated it would be preferable to have two driveways for lots 3 and 4 rather than a shared driveway. He said the sewer line will be pretty simple with putting in a new curb stop. Otto said they have tried to manipulate the lot lines so everyone can have lake access. Johnson asked if lot 3 had a creek to the lake and wondered if there was a spring there. Otto said there was rip rap swale down there that was fairly wide.

10. Open/ Misc.

11. Adjourn.

Motion by Grotting, second by Betts to adjourn at 7:53 p.m. Ayes: Johnson, Grotting, McCoy, Betts, and Spencer. Nays: None. Absent: None. None. Abstain. None. MOTION DECLARED CARRIED.

Respectfully Submitted,
Trish Gronstal/ Recording Secretary

Mark Kaltsas
City of Independence
1920 County Rd 90
Maple Plain, MN
55359

May 3rd , 2021

Dear Mark,

We have received Payment Application #5 from Rochon Corporation for the Independence City Hall Renovation, with cover letter dated April 12th, 2021.

We have reviewed the application against work completed and documented work stored within the invoice period listed on the application and recommend payment of the listed current payment due, \$153,305.78 which includes a retainage of 5.00% of completed work.

Also included for reference are photographs of the stored materials itemized in column F.

If there are any questions I can answer, please reach out via email or phone.

A handwritten signature in black ink, appearing to read "S. Morgan", with a long horizontal flourish extending to the right.

Susan Morgan, AIA

Associate Partner, Senior Project Manager
BKV Group



Suite 200
28 2nd St NW
Osseo, MN 55369
Office 763.559.9393
Fax 763.559.8101
www.rochoncorp.com

April 12, 2021

Mr. Mark Kaltsas
1920 County Road 90
Independence, MN 55359

Re: Pay Application for Independence City Hall

Dear Mark:

Enclosed is our fifth Application for Payment of work performed through March 31, 2021 at 1920 County Road 90 in Independence, MN. Please process promptly.

Sincerely,

A handwritten signature in black ink, appearing to read "Trevor Bisping", written over a horizontal line.

Trevor Bisping
Project Manager

TB/glb
Enclosures

Commitment

Flexibility

Reliability

Capability

Equal Opportunity Employer

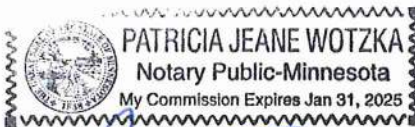
WAIVER OF CONSTRUCTION LIEN PAYMENT

April 1, 2021

For good and valuable consideration, the undersigned hereby irrevocably and unconditionally waives and releases any and all (a) rights and claims for a construction or other lien on land and buildings being constructed, altered, erected or repaired and to the appurtenances thereunto, (b) rights and claims on any payment bond(s) furnished in conjunction with said construction, alteration, erection or repair, and (c) rights and claims for lien on money, bonds, or warrants due or to become due to the prime contractor therefor. The property covered by this waiver is owned by City of Independence (owner), is located at 1920 County Road 90, Independence, MN is described as Independence City Hall Renovations and this waiver pertains to a portion of the work to be performed by Rochon Corporation (prime contractor).

This waiver covers all labor, material and supplies for construction, alteration, erection, and repairs furnished by the undersigned under a contract with City of Independence through the date of this waiver in the amount of ONE HUNDRED FIFTY THREE THOUSAND THREE HUNDRED FIVE & 78/100 DOLLARS (\$153,305.78).

This lien waiver is not valid until the amount listed above has been received.



Company Name Rochon Corporation

By Jerry Braton
Its CEO

Contractor Waiver Form

TO OWNER/CLIENT:

City of Independence
Independence City Hall Renovations
1920 County Road 90
Independence, Minnesota 55359

PROJECT:

APPLICATION NO: 5

INVOICE NO: 5

PERIOD: 03/01/21 - 03/31/21

PROJECT NO: 2017

CONTRACT DATE:

FROM CONTRACTOR:

Rochon Corporation Minnesota
28 2nd St NW, Suite 200
Osseo, Minnesota 55368

VIA ARCHITECT/ENGINEER:

Susan Morgan (BKV Group)
222 North Second Street
Minneapolis, Minnesota 55401

CONTRACT FOR: Independence City Hall Renovations Prime Contract

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

1. Original Contract Sum	\$1,721,484.00
2. Net change by change orders	\$95,305.25
3. Contract Sum to date (Line 1 ± 2)	\$1,816,789.25
4. Total completed and stored to date (Column G on detail sheet)	\$542,041.92
5. Retainage:	
a. 5.00% of completed work	\$23,193.00
b. 5.00% of stored material	\$3,909.10
Total retainage (Line 5a + 5b or total in column I of detail sheet)	\$27,102.10
6. Total earned less retainage (Line 4 less Line 5 Total)	\$514,939.82
7. Less previous certificates for payment (Line 6 from prior certificate)	\$361,634.04
8. Current payment due:	\$153,305.78
9. Balance to finish, including retainage (Line 3 less Line 6)	\$1,301,849.43


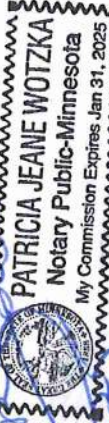
CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner/Client:	\$60,372.59	\$0.00
Total approved this month:	\$34,932.66	\$0.00
Totals:	\$95,305.25	\$0.00
Net change by change orders:	\$95,305.25	

The undersigned certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work which previous Certificates for payment were issued and payments received from the Owner/Client, and that current payments shown herein is now due.

CONTRACTOR: Rochon Corporation Minnesota

By: Date: 4-19-21State of: MinnesotaCounty of: Hennepin

Subscribed and sworn to before

me this 19thday of AprilNotary Public: My commission expires: 1-31-23

ARCHITECT'S/ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on the on-site observations and the data comprising this application, the Architect/Engineer certifies to the Owner/Client that to the best of the Architect's/Engineer's knowledge, information and belief that Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED:

\$153,305.78

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to confirm the amount certified.)

ARCHITECT/ENGINEER:

By: Date: 5/3/21

This certificate is not negotiable. The amount certified is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to the rights of the Owner/Client or Contractor under this Contract.

Document SUMMARY SHEET, APPLICATION AND CERTIFICATE FOR PAYMENT, containing

Contractor's signed Certification is attached.

Use Column I on Contracts where variable retainage for line items apply.

APPLICATION NUMBER: 5

APPLICATION DATE: 3/29/2021

PERIOD: 03/01/21 - 03/31/21

Contract Lines

A		B	C	D	E	F	G	H	I	
ITEM NO.	COST CODE	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
				FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
1	01 - General Requirements	General Conditions	\$215,749.26	\$42,559.27	\$6,688.96	\$0.00	\$49,248.23	22.83%	\$166,501.03	\$2,462.41
2	02-100 - Selective Demolition	Selective Demolition	\$59,987.75	\$58,987.75	\$0.00	\$0.00	\$58,987.75	98.33%	\$1,000.00	\$2,949.39
3	02-300 - Earthwork	Earthwork	\$24,973.00	\$19,000.00	\$2,700.00	\$0.00	\$21,700.00	86.89%	\$3,273.00	\$1,085.00
4	02-480 - Landscaping	Landscaping	\$9,300.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$9,300.00	\$0.00
5	02-580 - Pavement Marking	Pavement Marking	\$500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$500.00	\$0.00
6	02-784 - Stone Unit Pavers	Stone Unit Pavers	\$10,675.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$10,675.00	\$0.00
7	02-813 - Lawn Sprinkling and Irrigation	Lawn Sprinkling and Irrigation	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$10,000.00	\$0.00
8	02-820 - Fences and Gates	Fences and Gates	\$37,726.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$37,726.00	\$0.00
9	03-300 - Cast In Place Concrete	Cast In Place Concrete	\$95,000.00	\$61,003.00	\$0.00	\$0.00	\$61,003.00	64.21%	\$33,997.00	\$3,050.15
10	05-100 - Structural Metals	Structural Metals	\$18,500.00	\$18,500.00	\$0.00	\$0.00	\$18,500.00	100.00%	\$0.00	\$925.00
11	05-600 - Steel Erection	Steel Erection	\$6,282.00	\$3,282.00	\$0.00	\$0.00	\$3,282.00	52.24%	\$3,000.00	\$164.10
12	06-100 - Rough Carpentry	Rough Carpentry	\$22,150.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$22,150.00	\$0.00
13	06-170 - Structural Wood	Structural Wood	\$53,977.55	\$53,977.55	\$0.00	\$0.00	\$53,977.55	100.00%	\$0.00	\$2,698.88
14	06-400 - Millwork	Millwork	\$90,679.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$90,679.00	\$0.00
15	07-400 - Roofing and Siding Panels	Roofing and Siding Panels	\$36,250.00	\$0.00	\$0.00	\$20,000.00	\$20,000.00	55.17%	\$16,250.00	\$1,000.00
16	07-420 - Wall Panels	Wall Panels	\$50,600.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$50,600.00	\$0.00
17	07-500 - Membrane Roofing	Membrane Roofing	\$6,000.00	\$789.43	\$0.00	\$0.00	\$789.43	13.16%	\$5,210.57	\$39.47
18	07-530 - Roofing & Sheetmetal	Roofing & Sheetmetal	\$18,900.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$18,900.00	\$0.00
19	07-810 - Skylights	Skylights	\$25,470.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$25,470.00	\$0.00
20	07-900 - Joint Sealers	Joint Sealers	\$3,240.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$3,240.00	\$0.00
21	08-100 - Hollow Metal & Hardware	Hollow Metal & Hardware	\$32,800.00	\$2,000.00	\$0.00	\$0.00	\$2,000.00	6.10%	\$30,800.00	\$100.00
22	08-360 - Overhead Doors	Overhead Doors	\$12,300.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$12,300.00	\$0.00
23	08-800 - Glazing	Glazing	\$157,900.00	\$0.00	\$0.00	\$43,732.00	\$43,732.00	27.70%	\$114,168.00	\$2,186.60
24	09-250 - Gypsum Wallboard	Gypsum Wallboard	\$163,788.00	\$52,412.16	\$34,255.84	\$0.00	\$86,668.00	52.91%	\$77,120.00	\$4,333.40
25	09-300 - Tile	Tile	\$42,235.00	\$0.00	\$0.00	\$14,450.00	\$14,450.00	34.21%	\$27,785.00	\$722.50
26	09-500 - Ceilings	Ceilings	\$14,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$14,000.00	\$0.00

A		B	C	D	E		F	G		H	I
ITEM NO.	COST CODE	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE			
				FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD						
27	09-600 - Flooring	Flooring	\$44,410.00	\$0.00	\$0.00	\$0.00	\$44,410.00	\$0.00			\$0.00
28	09-843 - Acoustical Wall Panels	Acoustical Wall Panels	\$9,500.00	\$0.00	\$0.00	\$0.00	\$9,500.00	\$0.00			\$0.00
29	09-900 - Paints and Coatings	Paints and Coatings	\$21,408.00	\$0.00	\$0.00	\$0.00	\$21,408.00	\$0.00			\$0.00
30	10-200 - Louvers and Vents	Louvers and Vents	\$12,742.00	\$0.00	\$0.00	\$0.00	\$12,742.00	\$0.00			\$0.00
31	10-260 - Wall and Corner Guards	Wall and Corner Guards	\$90.72	\$0.00	\$0.00	\$0.00	\$90.72	\$0.00			\$0.00
32	10-350 - Flagpoles	Flagpoles	\$403.92	\$0.00	\$0.00	\$0.00	\$403.92	\$0.00			\$0.00
33	10-440 - Signage	Signage	\$17,950.00	\$0.00	\$0.00	\$0.00	\$17,950.00	\$0.00			\$0.00
34	10-520 - Fire Protection Specialties	Fire Protection Specialties	\$803.52	\$0.00	\$0.00	\$0.00	\$803.52	\$0.00			\$0.00
35	10-600 - Partitions	Partitions	\$26,454.00	\$0.00	\$7,600.00	\$0.00	\$18,854.00	\$7,600.00	28.73%		\$380.00
36	10-800 - Toilet, Bath, and Laundry Specialties	Toilet, Bath, and Laundry Specialties	\$865.08	\$0.00	\$0.00	\$0.00	\$865.08	\$0.00	0.00%		\$0.00
37	11-452 - Appliances	Appliances	\$3,500.00	\$0.00	\$0.00	\$0.00	\$3,500.00	\$0.00	0.00%		\$0.00
38	12-490 - Window Coverings	Window Coverings	\$3,875.00	\$0.00	\$0.00	\$0.00	\$3,875.00	\$0.00	0.00%		\$0.00
39	15-400 - Plumbing	Plumbing	\$50,500.00	\$0.00	\$0.00	\$0.00	\$50,500.00	\$0.00	0.00%		\$0.00
40	15-500 - HVAC	HVAC	\$97,300.00	\$3,881.25	\$10,367.71	\$0.00	\$83,051.04	\$14,248.96	14.64%		\$712.45
41	16-000 - Electrical	Electrical	\$119,825.00	\$46,075.00	\$11,900.00	\$0.00	\$61,850.00	\$57,975.00	48.38%		\$2,898.75
42	17-010 - Contingency	Allowance #1	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00	\$0.00	0.00%		\$0.00
43	17-010 - Contingency	Allowance #2	\$1,800.00	\$0.00	\$0.00	\$0.00	\$1,800.00	\$0.00	0.00%		\$0.00
44	17-040 - Profit	Overhead & Profit	\$86,074.20	\$18,200.00	\$7,000.00	\$0.00	\$60,874.20	\$25,200.00	29.28%		\$1,260.00
TOTALS:			\$1,721,484.00	\$380,667.41	\$80,512.51	\$78,182.00	\$1,182,122.08	\$539,361.92	31.33%		\$26,968.10

Change Orders

A	B	C	D	E	F	G	H	I	
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
45	PCCO#001 Owner Change Order #1	\$60,372.59	\$0.00	\$2,680.00	\$0.00	\$2,680.00	4.44%	\$57,692.59	\$134.00
46	PCCO#002 Owner Change Order #2	\$34,932.66	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$34,932.66	\$0.00
TOTALS:		\$95,305.25	\$0.00	\$2,680.00	\$0.00	\$2,680.00	2.81%	\$92,625.25	\$134.00

Grand Totals

A	B	C	D	E	F	G	H	I	
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	GRAND TOTALS:	\$1,816,789.25	\$380,667.41	\$83,192.51	\$78,182.00	\$542,041.92	29.84%	\$1,274,747.33	\$27,102.10



1720 Annapolis Lane N

Plymouth, MN 55441

PH 763-551-5900 FAX 763-551-5999

Transmittal

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WED

TOP LIFE CONTRACT BLAZING INC 3/11

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WARRAZZ CITY HILL 3/1

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TOP LITE CONTRACT GLAZING
CONTRACT 21063
INDEPENDENCE CITY HALL S/L

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TOP LITE CONTRACT GLAZING INC 3/11

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TOP LITE CONTRACT
ORDER 399653
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PO#: 21063
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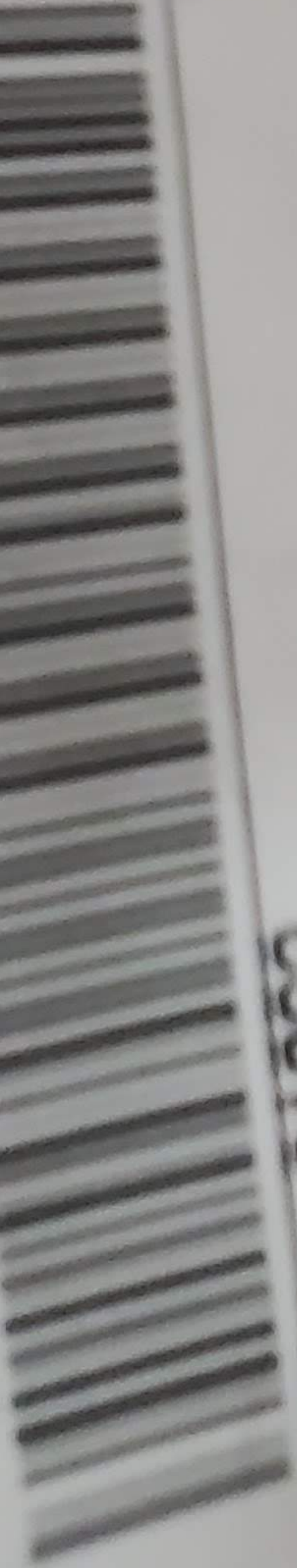
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TOP LITE CONTRACT GLAZING INC 3/11

INDEPENDENCE CITY HALL S/L
TOP LITE CONTRACT GLAZING INC 3/11
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JOB: INDEPENDENCE CITY HALL S/L

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TOP LITE CONTRACT GLAZING INC 3/11

ORDER 399653
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PO# INDEPENDENCE CITY HALL S/L

MARK: 791-00/00 X

JOB: INDEPENDENCE CITY HALL S/L

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Line #

Project ID

Project No

Alberta

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MINN

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Mark Kaltsas
City of Independence
1920 County Rd 90
Maple Plain, MN
55359

May 13th, 2021

Dear Mark,

We have received Payment Application #6 from Rochon Corporation for the Independence City Hall Renovation, with cover letter dated May 10th, 2021.

We have reviewed the application against work completed and documented work stored within the invoice period listed on the application and recommend payment of the listed current payment due, \$256,446.91 which includes a retainage of 5.00% of completed work.

If there are any questions I can answer, please reach out via email or phone.

A handwritten signature in black ink, appearing to read "S. Morgan", with a long horizontal line extending to the right.

Susan Morgan, AIA

Associate Partner, Senior Project Manager
BKV Group



Suite 200
28 2nd St NW
Osseo, MN 55369
Office 763.559.9393
Fax 763.559.8101
www.rochoncorp.com

May 10, 2021

Mr. Mark Kaltsas
1920 County Road 90
Independence, MN 55359

Re: Pay Application for Independence City Hall

Dear Mark:

Enclosed is our sixth Application for Payment of work performed through April 30, 2021 at 1920 County Road 90 in Independence, MN. Please process promptly.

Sincerely,

A handwritten signature in black ink, appearing to read "Trevor Bisping", with a stylized flourish at the end.

Trevor Bisping
Project Manager

TB/glb
Enclosures

Commitment

Flexibility

Reliability

Capability

Equal Opportunity Employer

WAIVER OF CONSTRUCTION LIEN PAYMENT

May 1, 2021

For good and valuable consideration, the undersigned hereby irrevocably and unconditionally waives and releases any and all (a) rights and claims for a construction or other lien on land and buildings being constructed, altered, erected or repaired and to the appurtenances thereunto, (b) rights and claims on any payment bond(s) furnished in conjunction with said construction, alteration, erection or repair, and (c) rights and claims for lien on money, bonds, or warrants due or to become due to the prime contractor therefor. The property covered by this waiver is owned by City of Independence (owner), is located at 1920 County Road 90, Independence, MN is described as Independence City Hall Renovations and this waiver pertains to a portion of the work to be performed by Rochon Corporation (prime contractor).

This waiver covers all labor, material and supplies for construction, alteration, erection, and repairs furnished by the undersigned under a contract with City of Independence through the date of this waiver in the amount of TWO HUNDRED FIFTY SIX THOUSAND FOUR HUNDRED FORTY SIX & 91/100 DOLLARS (\$256,446.91).

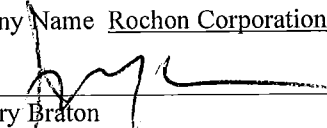
This lien waiver is not valid until the amount listed above has been received.



A large, stylized handwritten signature in black ink, likely belonging to Patricia Jeane Wotzka, the notary.

Contractor Waiver Form

Company Name Rochon Corporation

By 
Jerry Braton
Its CEO

TO OWNER/CLIENT:

City of Independence

PROJECT:Independence City Hall Renovations
1920 County Road 90
Independence, Minnesota 55359**APPLICATION NO: 6****INVOICE NO: 6****PERIOD: 04/01/21 - 04/30/21****PROJECT NO: 2017****FROM CONTRACTOR:**Rochon Corporation Minnesota
28 2nd St NW, Suite 200
Osseo, Minnesota 55368**VIA ARCHITECT/ENGINEER:**Susan Morgan (BKV Group)
222 North Second Street
Minneapolis, Minnesota 55401**CONTRACT DATE:****CONTRACT FOR:** Independence City Hall Renovations Prime Contract**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

1.	Original Contract Sum	\$1,721,484.00
2.	Net change by change orders	\$95,305.25
3.	Contract Sum to date (Line 1 ± 2)	\$1,816,789.25
4.	Total completed and stored to date (Column G on detail sheet)	\$811,986.04
5.	Retainage:	
	a. 5.00% of completed work	\$40,599.31
	b. 0.00% of stored material	\$0.00
	Total retainage (Line 5a + 5b or total in column I of detail sheet)	\$40,599.31
6.	Total earned less retainage (Line 4 less Line 5 Total)	\$771,386.73
7.	Less previous certificates for payment (Line 6 from prior certificate)	\$514,939.82
8.	Current payment due:	\$256,446.91
9.	Balance to finish, including retainage (Line 3 less Line 6)	\$1,045,402.52

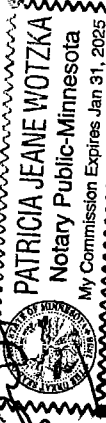
CHANGE ORDER SUMMARY		
	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner/Client:	\$95,305.25	\$0.00
Total approved this month:	\$0.00	\$0.00
Totals:	\$95,305.25	\$0.00
Net change by change orders:	\$95,305.25	

The undersigned certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work which previous Certificates for payment were issued and payments received from the Owner/Client, and that current payments shown herein is now due.

CONTRACTOR: Rochon Corporation Minnesota

By: *[Signature]*Date: 5-10-21State of: MinnesotaCounty of: Hennepin

Subscribed and sworn to before

me this 12thday of MayNotary Public: Patricia Jeane WotzkaMy commission expires: 1-31-2025**ARCHITECT'S/ENGINEER'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on the on-site observations and the data comprising this application, the Architect/Engineer certifies to the Owner/Client that to the best of the Architect's/Engineer's knowledge, information and belief that Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED:

\$256,446.91

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to confirm the amount certified.)

ARCHITECT/ENGINEER:

By: *[Signature]*Date: 5/13/21

This certificate is not negotiable. The amount certified is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to the rights of the Owner/Client or Contractor under this Contract.

CONTINUATION SHEET

DOCUMENT DETAIL SHEET

Document SUMMARY SHEET, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.
Use Column I on Contracts where variable retainage for line items apply.

APPLICATION NUMBER: 6
APPLICATION DATE: 4/25/2021
PERIOD: 04/01/21 - 04/30/21

Contract Lines

A	B	C	D	E		F	G		H	I
ITEM NO.	COST CODE	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
				FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
1	01 - General Requirements	General Conditions	\$201,504.38	\$49,248.23	\$6,549.98	\$0.00	\$55,798.21	27.69%	\$145,706.17	\$2,789.91
2	02-100 - Selective Demolition	Selective Demolition	\$59,987.75	\$58,987.75	\$0.00	\$0.00	\$58,987.75	98.33%	\$1,000.00	\$2,949.39
3	02-300 - Earthwork	Earthwork	\$24,973.00	\$21,700.00	\$0.00	\$0.00	\$21,700.00	86.89%	\$3,273.00	\$1,085.00
4	02-480 - Landscaping	Landscaping	\$9,300.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$9,300.00	\$0.00
5	02-580 - Pavement Marking	Pavement Marking	\$500.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$500.00	\$0.00
6	02-784 - Stone Unit Pavers	Stone Unit Pavers	\$10,675.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$10,675.00	\$0.00
7	02-813 - Lawn Sprinkling and Irrigation	Lawn Sprinkling and Irrigation	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$10,000.00	\$0.00
8	02-820 - Fences and Gates	Fences and Gates	\$37,726.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$37,726.00	\$0.00
9	03-300 - Cast In Place Concrete	Cast In Place Concrete	\$95,000.00	\$61,003.00	\$0.00	\$0.00	\$61,003.00	64.21%	\$33,997.00	\$3,050.15
10	05-100 - Structural Metals	Structural Metals	\$18,500.00	\$18,500.00	\$0.00	\$0.00	\$18,500.00	100.00%	\$0.00	\$925.00
11	05-600 - Steel Erection	Steel Erection	\$6,900.00	\$3,282.00	\$3,618.00	\$0.00	\$6,900.00	100.00%	\$0.00	\$345.00
12	06-100 - Rough Carpentry	Rough Carpentry	\$22,150.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$22,150.00	\$0.00
13	06-170 - Structural Wood	Structural Wood	\$53,977.55	\$53,977.55	\$0.00	\$0.00	\$53,977.55	100.00%	\$0.00	\$2,698.88
14	06-400 - Millwork	Millwork	\$90,679.00	\$0.00	\$50,323.45	\$0.00	\$50,323.45	55.50%	\$40,355.55	\$2,516.17
15	07-400 - Roofing and Siding Panels	Roofing and Siding Panels	\$105,750.00	\$20,000.00	\$40,000.00	\$0.00	\$60,000.00	56.74%	\$45,750.00	\$3,000.00
16	07-420 - Wall Panels	Wall Panels	\$12,282.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$12,282.00	\$0.00
17	07-500 - Membrane Roofing	Membrane Roofing	\$1,344.88	\$789.43	\$0.00	\$0.00	\$789.43	58.70%	\$555.45	\$39.47
18	07-530 - Roofing & Sheetmetal	Roofing & Sheetmetal	\$6,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$6,000.00	\$0.00
19	07-810 - Skylights	Skylights	\$25,470.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$25,470.00	\$0.00
20	07-900 - Joint Sealers	Joint Sealers	\$3,240.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$3,240.00	\$0.00
21	08-100 - Hollow Metal & Hardware	Hollow Metal & Hardware	\$32,800.00	\$2,000.00	\$24,100.00	\$0.00	\$26,100.00	79.57%	\$6,700.00	\$1,305.00
22	08-360 - Overhead Doors	Overhead Doors	\$12,300.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$12,300.00	\$0.00
23	08-800 - Glazing	Glazing	\$157,900.00	\$43,732.00	\$5,500.00	\$0.00	\$49,232.00	31.18%	\$108,668.00	\$2,461.60
24	09-250 - Gypsum Wallboard	Gypsum Wallboard	\$163,788.00	\$86,668.00	\$73,704.60	\$0.00	\$160,372.60	97.91%	\$3,415.40	\$8,018.63
25	09-300 - Tile	Tile	\$42,235.00	\$14,450.00	\$0.00	\$0.00	\$14,450.00	34.21%	\$27,785.00	\$722.50
26	09-500 - Ceilings	Ceilings	\$14,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$14,000.00	\$0.00

A		B	C	D	E		F	G		H	I
ITEM NO.	COST CODE	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE		
				FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD						
27	09-600 - Flooring	Flooring	\$44,410.00	\$0.00	\$0.00	\$0.00	0.00%	\$44,410.00	\$0.00		
28	09-843 - Acoustical Wall Panels	Acoustical Wall Panels	\$9,500.00	\$0.00	\$0.00	\$0.00	0.00%	\$9,500.00	\$0.00		
29	09-900 - Paints and Coatings	Paints and Coatings	\$21,408.00	\$0.00	\$0.00	\$0.00	0.00%	\$21,408.00	\$0.00		
30	10-200 - Louvers and Vents	Louvers and Vents	\$12,742.00	\$0.00	\$3,698.87	\$3,698.87	29.03%	\$9,043.13	\$184.94		
31	10-260 - Wall and Corner Guards	Wall and Corner Guards	\$90.72	\$0.00	\$0.00	\$0.00	0.00%	\$90.72	\$0.00		
32	10-350 - Flagpoles	Flagpoles	\$403.92	\$0.00	\$0.00	\$0.00	0.00%	\$403.92	\$0.00		
33	10-440 - Signage	Signage	\$17,950.00	\$0.00	\$0.00	\$0.00	0.00%	\$17,950.00	\$0.00		
34	10-520 - Fire Protection Specialties	Fire Protection Specialties	\$803.52	\$0.00	\$0.00	\$0.00	0.00%	\$803.52	\$0.00		
35	10-600 - Partitions	Partitions	\$26,454.00	\$7,600.00	\$0.00	\$7,600.00	28.73%	\$18,854.00	\$380.00		
36	10-800 - Toilet, Bath, and Laundry Specialties	Toilet, Bath, and Laundry Specialties	\$865.08	\$0.00	\$0.00	\$0.00	0.00%	\$865.08	\$0.00		
37	11-452 - Appliances	Appliances	\$3,500.00	\$0.00	\$0.00	\$0.00	0.00%	\$3,500.00	\$0.00		
38	12-490 - Window Coverings	Window Coverings	\$3,875.00	\$0.00	\$0.00	\$0.00	0.00%	\$3,875.00	\$0.00		
39	15-400 - Plumbing	Plumbing	\$50,500.00	\$0.00	\$0.00	\$0.00	0.00%	\$50,500.00	\$0.00		
40	15-500 - HVAC	HVAC	\$97,300.00	\$14,248.96	\$8,268.52	\$22,517.48	23.14%	\$74,782.52	\$1,125.88		
41	16-000 - Electrical	Electrical	\$119,825.00	\$57,975.00	\$19,800.00	\$77,775.00	64.91%	\$42,050.00	\$3,888.75		
42	17-010 - Contingency Allowance #1	Allowance #1	\$5,000.00	\$0.00	\$0.00	\$0.00	0.00%	\$5,000.00	\$0.00		
43	17-010 - Contingency Allowance #2	Allowance #2	\$1,800.00	\$0.00	\$0.00	\$0.00	0.00%	\$1,800.00	\$0.00		
44	17-040 - Profit	Overhead & Profit	\$86,074.20	\$25,200.00	\$13,000.00	\$38,200.00	44.38%	\$47,874.20	\$1,910.00		
TOTALS:			\$1,721,484.00	\$539,361.92	\$248,563.42	\$787,925.34	45.77%	\$933,558.66	\$39,396.27		

Change Orders

Change Orders									
A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
45	PCCO#001 Owner Change Order #1	\$60,372.59	\$2,680.00	\$3,000.00	\$0.00	\$5,680.00	9.41%	\$54,692.59	\$284.00
46	PCCO#002 Owner Change Order #2	\$34,932.66	\$0.00	\$18,380.70	\$0.00	\$18,380.70	52.62%	\$16,551.96	\$919.04
	TOTALS:	\$95,305.25	\$2,680.00	\$21,380.70	\$0.00	\$24,060.70	25.25%	\$71,244.55	\$1,203.04

Grand Totals

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	GRAND TOTALS:	\$1,816,789.25	\$542,041.92	\$269,944.12	\$0.00	\$811,986.04	44.69%	\$1,004,803.21	\$40,599.31



Date: May 5, 2021

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

From: Director Gary Kroells

SUBJECT: April 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.

\\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

Monthly Activity Report

April 2021

Offense	This Month	Same Month Last Year	This Year To Date	Last Year To Date
City Of Independence				
Criminal	10	6	32	37
Traffic	74	64	312	371
Part III	11	5	22	33
Part IV	23	21	112	116
Part V	85	112	386	447
Total City of Independence	203	208	864	1,004
City Of Maple Plain				
Criminal	3	5	39	17
Traffic	32	30	123	247
Part III	5	5	13	27
Part IV	20	14	80	68
Part V	51	50	202	232
Total City Of Maple Plain	111	104	457	591
Grand Total Both Cities	314	312	1,321	1,595
TZD	0	0	4	22
Agency Assists	20	16	57	59
Total ICR Reports	334	328	1,382	1,676
How Received				
Fax	15	10	56	41
In Person	14	12	73	79
Mail	5	1	11	2
Other	3	2	5	6
Phone	34	30	130	114
Radio	134	136	531	582
Visual	108	113	466	719
Email	21	19	105	56
Lobby Walk In	0	5	5	77
Total	334	328	1,382	1,676

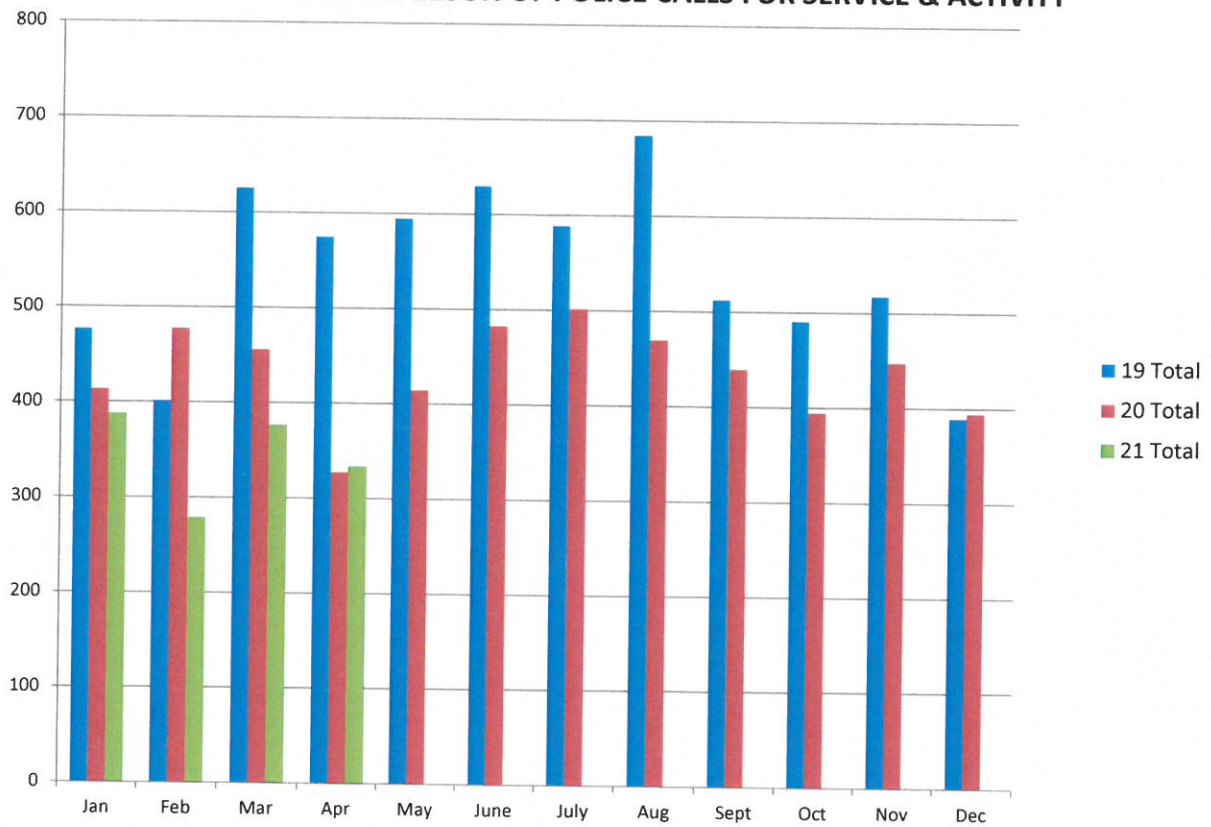
April 2021 Criminal Part I & II
City of Independence Grid #'s 3-5

AGN	ICR	Title	Grid #	Reported Date	MOC range
WHPS	21001117	Chase/Pursuit / Fleeing a Peace Officer in a Motor Vehicle	12	4/6/2021	E2700
WHPS	21001173	Theft of Property	3	4/12/2021	TW229
WHPS	21001205	Unemployment Benefits-False Representation	3	4/14/2021	U0540
WHPS	21001210	Drugs-Small Amt of Marijuana in M-V / DAS - Driving after suspension	4	4/14/2021	DA540
WHPS	21001218	Unemployment Benefits-False Representation	3	4/15/2021	U0540
WHPS	21001244	Drug Paraphernalia / Narcotic Drugs	3	4/17/2021	DC500
WHPS	21001305	Unemployment Benefits-False Representation	3	4/22/2021	U0540
WHPS	21001322	Domestic Assault	3	4/24/2021	AL554
WHPS	21001339	Criminal Damage to Property-4th Deg-Intentional Damage	5	4/27/2021	P3119
WHPS	21001371	Unemployment Benefits-False Representation	4	4/30/2021	U0540

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

AGN	ICR	Title	Grid #	Reported Date	MOC range
WHPS	21001170	Burglary / Theft-Take/Use/Transfer Movable Prop-No Consent	1	4/12/2021	B1894
WHPS	21001184	Theft of Tools from Motor Vehicle	2	4/13/2021	TW159
WHPS	21001328	Burglary of Kawasaki/welder/2whl car dolly	1	4/26/2021	B1634

THREE YEAR COMPARISON OF POLICE CALLS FOR SERVICE & ACTIVITY



DIRECTOR'S NEWS & NOTES

WEST HENNEPIN PUBLIC SAFETY April 2021 Activity Report

Year to Date Activity Report

At the end of April 30, 2021 West Hennepin Public Safety (WHPS) handled year-to-date a total 1,378 incident complaints: For the month of March 203 occurred in the City of Independence and 111 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:

Overweight Truck Complaint

April 1 Co 110/Robert Rd, Independence. A caller reported seeing a fully loaded dumpster on Robert Rd and was concerned due to the road weight restrictions. An officer responded to the area and spoke with the driver. The truck was found to be over the posted weight restrictions. Driver cited.

Suspicious Act

Apr 2 12:11 a.m., CR 90/Pagenkopf Rd, Independence. A caller reported two vehicles were stopped on the roadside, possibly tampering with the junction boxes. While enroute police were updated the vehicles left. Police observed a vehicle coming out of Pioneer Creek Community Park and stopped the vehicle. The occupants were not involved with the suspicious vehicle call; they were warned about being in the park after hours. No tampering with the junction box was found.

ATV Violation

April 4 2000 block Heritage Trail, Independence. Police observed an ATV Ranger being driven in an unsafe manner. The father of the driver was spoken to and advised that the driver needs a valid license, and the ATV needs a valid registration.

Overweight Truck Complaint

Apr 5 5800 block Robert Rd, Independence. An officer responded an overweight truck complaint. The driver apologized for not seeing the posted sign. His supervisor was followed up with and a citation was issued.

Litter/Dumping

April 5 6900 block Quaas Cutoff Rd, Independence. A caller reported seeing a person throwing something into the ditch, then drive off. Caller was able to provide police with the driver and vehicle info. The driver was contacted by phone and admitted dumping items in the ditch. Driver was told to pick it up, if it is not cleaned up by the 6th she would be cited. Ditch was checked and the items had been picked up.

Grass Fire

April 5 6000 block Hwy 12, Maple Plain. Multiple calls were received of a grass fire in the swamp. Police and Maple Plain Fire responded and monitored the fire. It was found caused by a lightning strike.

Chase/Pursuit

April 6 11:42 a.m., Highway 55/Dogwood, Greenfield. An officer was contacted by Buffalo PD to watch for a vehicle that fled from them eastbound Hwy 55. Officers from Medina and West Hennepin spotted the vehicle on Hwy 55. They tried to stop it, but it fled from them and officers did not chase it. Buffalo PD advised.

School Bus Stop Arm Violation

Apr 7 09:38 a.m., 9400 block Hwy 12, Independence. An eastbound Hwy 12 vehicle drove past a school bus facing westbound Hwy 12 while the bus's lights were flashing, and its stop arm was out to stop traffic in both directions. Through investigation police were able to contact the driver, who admitted the violation but thought she did not have to stop due to the delineators dividing the traffic lanes. Driver was cited for the violation.

School Bus Stop Arm Violation

Apr 7 09:38 a.m., 9400 block Hwy 12, Independence. A second eastbound Hwy 12 vehicle also drove past the same school bus facing westbound Hwy 12 while the bus's lights were flashing and stop arm was out to stop traffic in both directions. Through investigation police were able to contact the driver, who admitted seeing the stopped school bus with all lights flashing and the stop arm out and the child approaching it but was confused by the delineators dividing the traffic lanes. Driver was cited for the violation.

PD Crash/Hit & Run

Apr 7 9:39 p.m. CR 19/Moline Rd, Independence. OnStar contacted police regarding a crash, no injuries. Upon the officer's arrival a vehicle was found off the road, in the woods with heavy sustained damage. The area was checked but no one was around. The driver called the following day and was subsequently cited for traffic violations.

Welfare Check

April 9 9:47 p.m. 1500 block Howard Ave, Maple Plain. Police responded to a male yelling in a hallway and banging on another resident's door. The officer spoke to both tenants, advising them to leave each other alone and have no contact with each other. They both agreed to do so.

Unconscious

April 11 5900 block CR 6, Independence. Police, fire, and paramedics responded to a 22-month-old child who drowned at the residence. Lifesaving efforts were being performed until emergency personnel arrived and took over. Police escorted the ambulance to Orono High School where the child was then transported by North Air Care to Children's Hospital. Report from family members at the hospital said the child was breathing, moving his arms, and had pupil movement.

Burglary

April 12 5300 block Highway 12, Maple Plain. Police responded to a business reporting it had been broken into, and drills and bits had been stolen. 3 trash bins had been emptied, and one bin was filled with numerous copper scraps. It appeared the suspects had left in a hurry as they had left all the items in the trash bins. Case is currently under investigation.

Theft

April 12 900 block CR 19, Independence. Resident placed a table and chairs with a for sale sign of \$100.00 at the end of his driveway. The table and chairs were stolen, no money was left, and the sale sign was wadded up and thrown on the ground.

Burglary

April 13 5200 block Bryantwood Dr, Maple Plain. Police were called to a report of personal property stolen out of a vehicle. Property is valued at \$445.

Suspicious Activity

April 14 8:11 p.m. 705 Copeland Rd, Independence. Caller observed a vehicle on the west side of the golf clubhouse possibly stealing golf carts. Officer responded and determined it was a water softener salt delivery.

Crash / Recovered Stolen Vehicle

April 15 18 block Golf Walk, Independence. Vehicle crashed into the guardrail. Witness reported hearing the crash and then observed a male exit the crashed vehicle and get into a white 4-door sedan driven by a female wearing a pink head wrap. Vehicle was found to have been stolen from a dealership on April 9th. Case under investigation, reviewing video captured of the crash.

ID Theft

April 15 6300 block Pagenkopf Rd, Independence. Resident received documents from MN Unemployment Insurance confirming his claim for benefits. Resident had not applied for benefits and was advised to document the info with his police department. Resident to monitor his credit reports and directed to ftc.gov for further info on fraud and identity theft.

Medical – Unconscious

April 16 5800 block Hwy 12, Maple Plain. Vehicle had pulled into a parking lot for the passenger had passed out and was unconscious. MP Fire assisted with passenger who was now fully awake and who waived medical care by North Memorial EMS. 23-year-old male driver from San Benito, TX was found to have an Anoka Co Misdemeanor Warrant. Driver was released as had a court date for his warrant.

Welfare Check

April 17 1:33 a.m. 1500 block Howard Ave. Maple Plain. Reported a female was yelling for an extended period of time. Officer could hear a female yelling, knocked and announced police and female yelled back obscenities. No personal safety issues were found, female was asked to close her window and keep the noise down. Female responded with additional obscenities.

Stalled Vehicle

April 18 Town Line Rd / Hwy 55, Independence. Reported a stalled pickup truck was missing its front wheel. Blake John Thompson, 26 from Plymouth had an Anoka County Warrant for Felony Drugs Probation violation, was arrested, transported, and booked into Henn Co Jail. The vehicle was towed.

Burning Restriction Violation

April 18 3300 block Lake Sarah Rd, Independence. Officer observed smoke coming from a residents' brush pile that he had just lit. Homeowner did not have a burn permit and was unaware of the DNR burning restriction. Homeowner put the fire out and was verbally warned for burning without a permit.

Domestic

April 20 9:38 a.m. Copeland Rd / Hwy 12, Independence. Dispatched for a rolling domestic of a male pushing a female out of the car in the area of Highway 12 and Copeland Rd. The vehicle was located in Rainbow Park, MP. Male and female exited the vehicle, and both

were screaming at each other. Officer separated them, spoke with both and the male wanted to stay away from the female. Females' mom arrived, helped calm her down and drove female home.

Scam Attempt

April 20 5400 block Main Street W, Maple Plain. Resident received a phone call, caller stated they were her energy provider, and residents service would be cut off in 35 – 40 min, press 4 to reach customer service. Resident searched on the internet for her Xcel provider, called Xcel who confirmed it was a scam and to report it to the police. Resident asked that others be informed of this scam.

Disturbance

April 20 10:35 p.m. 1500 block Howard Ave. Hwy 12, Maple Plain. Reported a vehicle honking its horn behind the Iron Exchange for the last hour. Officer located a vehicle parked slightly in the grass by the back door. Elderly female stated she had to get a jump start earlier from AAA and they told her to drive the vehicle for a while to charge it up. Driver then drove to Maple Plain and was turning around when she hit the small boulders in the back lot and got hung up. Vehicle was leaking oil/antifreeze and AAA was called for the driver.

Identity Theft

April 22 3000 block Becker Rd, Independence. Resident received several letters from MN Unemployment Benefits, denying the benefits she applied for. Resident had not applied for unemployment benefits and was advised to document the info with her police department. Resident advised to monitor her credit reports and directed to ftc.gov for further info on fraud and identity theft.

Illegal Dumping

April 23 Ingerson Road, Independence. Reported approximately 25 black bags, unknown contents, were dumped along Ingerson Road. Independence Public Works was notified to pick up the bags.

Luce Line Blockage

April 23 Ingerson Rd, Independence. DNR was contacted to remove a downed tree blocking the trail on the Luce Line.

Hawk Crosswalk

April 23 Budd Ave / Hwy 12, Maple Plain. Caller reported cars are flying down Hwy 12 and not yielding at the Hawk crosswalk. Extra patrol was set up to monitor traffic / Hawk Crosswalk.

Gas Odor

April 25 5200 block Independence St, Maple Plain. Caller reported an odor of gas coming from the house next door. MP Fire investigated and found the gas meter was leaking on a recently remodeled house. CenterPoint Energy was notified of the leak and responded.

Burglary

April 26 5700 block Hwy 12, Maple Plain. Shed was broken into and stolen were 1973 Kawasaki motorbike with orange and white fenders; Lincoln 225 Arc Welder, red color and a homemade two-wheel car dolly with silver fenders and a green toolbox on the tongue of the hitch. Stolen property was entered in NCIC. Approximate loss \$1,500.00.

Helicopter Complaint

April 27 9100 block CR 11, Independence. Complaint received of a helicopter flying over and down by a wetland and over their property with children playing outside. Officer had observed the same helicopter earlier in day and advised caller it is used for mosquito control.

Criminal Damage to Property

April 27 1000 block Nelson Rd, Independence. Property owner reported out buildings were entered, and several tools were emptied in the yard, craftsman toolbox was damaged with an antique axe, a window was broken. Case under investigation.

Mental Problem

April 27 8:44 p.m. Hwy 12, Independence. Reported a male was standing on the side of the road waving a coat around and flashing a light at passing cars. Officer located 42-year-old male from Cloquet, dressed in black standing in the middle of Hwy 12. Male was very agitated, was talking to cars, said he had spent the night upside down in the ditch and he was cold. North Memorial EMS transported the male to HCMC for help.

Harassment

April 28 CR 6 / CR 90, Independence. Male caller from Waverly stated earlier the police had responded to his residence and asked a female to leave. He left a short while later and the female is following him and driving aggressively. Contact with the female who stated she had been dating the male, they got into an argument at his residence, and she was upset. She was apologetic about following him but stated she just wanted her stuff and wanted to talk with him. Female verbally warned for Drive with Due Care.

Dog Bite

April 28 1500 block Rainbow Ave., Maple Plain. Female was jogging on the street; dog ran out and bit the back of her leg causing injury. Dog owner was located, and vaccinations were up-to date. MN State Statute 347.22 owners' dog would be listed as Potentially Dangerous, owner will need to obtain a city dog license and get the dog microchipped. Owner was issued a written warning for dog-at-large and no dog license.

Crash

April 30 5600 block Main Street, Maple Plain. FedEx truck stopped trying to find an address, began backing up and bumped into and tipped over a M/C that was behind him. FedEx driver admitted he did not see M/C rider behind him. No injuries.

Identity Theft

April 30 4700 block Lake Sarah Dr. S. Independence. Resident received a letter from the state of MN for his "determination of benefits" regarding an application for unemployment. Resident had not applied for benefits and was advised to document the info with his police department. Resident was advised to monitor his credit reports and directed to ftc.gov for further info on fraud and identity theft.

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

City of Independence

Consider Approving Renaming of CSAH 92 Turnback and Approval of CSHA 92/Hwy 12 Final Plans

To: City Council

From: Mark Kaltsas, City Administrator

Meeting Date: May 18, 2021

Discussion:

Staff presented information relating to this issue at our recent workshop. Hennepin County is planning on turning back a portion of CSAH 92 to the City following completion of the Hwy 12/CSASH 92 project. In addition, the City will be taking over the newly constructed portion of the road that provides access to the property located at 7899 US Hwy 12. The City will formally accept the turnback via an agreement that will be presented for consideration at an upcoming City Council Meeting. The City is being asked to provide a new name for the section of road (see location below) to be given to the City.



Following discussion at the last City Council Meeting, staff did research the historic/cultural/architectural history information prepared by Hennepin County for this project. There were several names that showed up in the studies that related to the initial settlement of the City and historic farm owners. Names such as Armstrong (original settlement name), Storeson (original owner of 7735 Hwy 12) and Kleven (original owner of 2825 County Road 92 North) all showed up in the study.

Council had discussed the renaming and recommended that Rumpza Road be considered as that is a family name that relates to some of the land in this area. Staff is seeking a recommendation from Council on the road naming.

Staff is also seeking City Council authorization to approve the final plan set for the CSAH 92/TH 12 improvement project. This is a formality that is required by Hennepin County and MNDOT for a project to commence in the City. A copy of the overall plan is attached for Council information. Please let me know if you have any questions and or would like additional information (full plan set).

Council Recommendation:

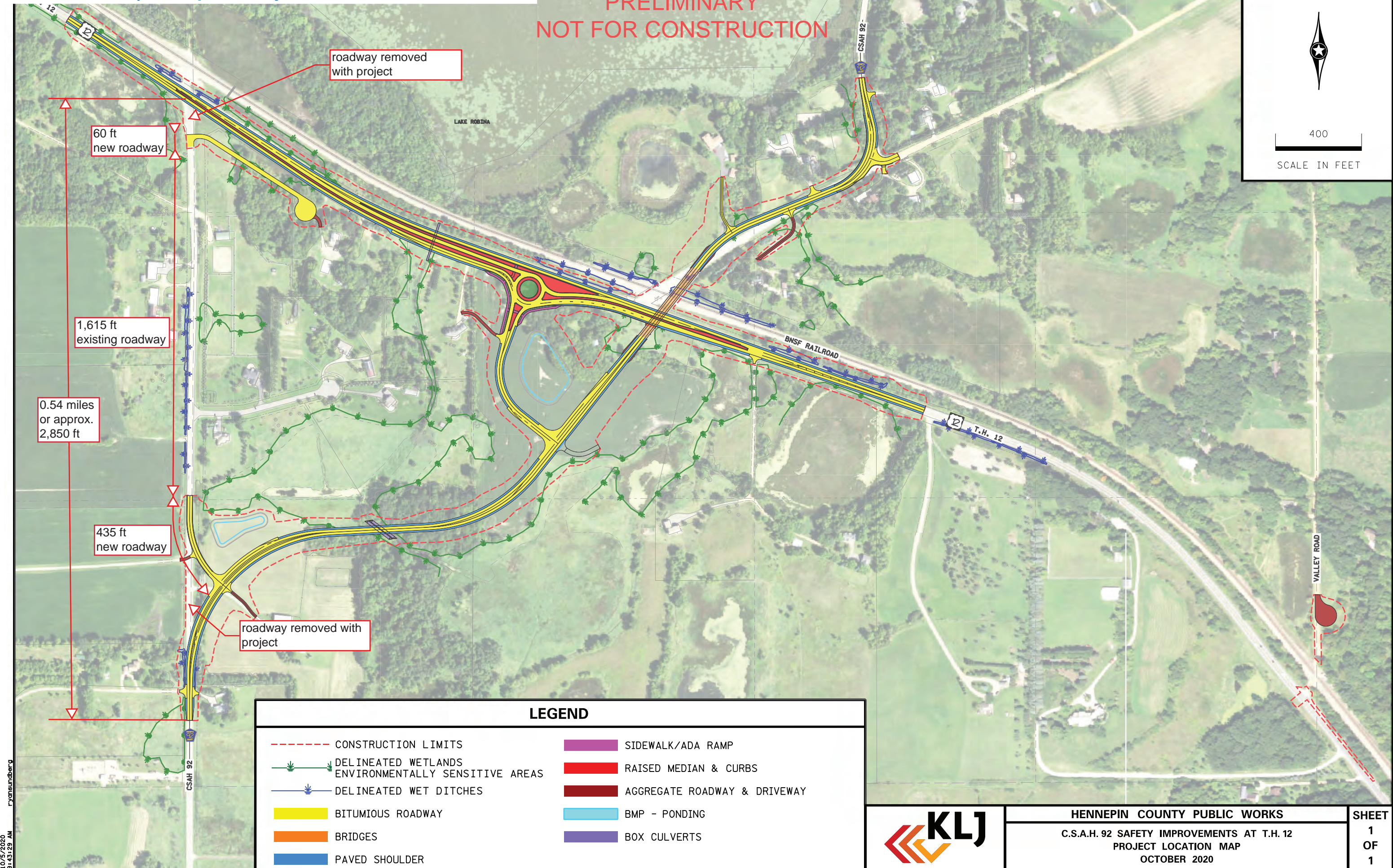
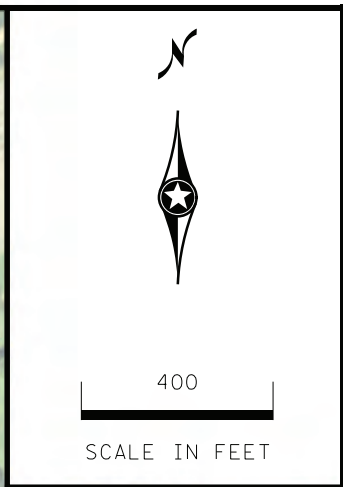
City Council is asked to consider approval of a name for the section of CSAH 92 to be turned back to the City and authorize the City Administrator to sign the final CSAH 92/TH 12 plan set on behalf of the City of Independence.

ATTACHMENTS: **Turnback Plan Detail**
 CSAH 92/TH 12 Final Plan

Attachment B | CSAH 92 (County Rd 92)

Jurisdictional Transfer | Hennepin County Public Works

PRELIMINARY
NOT FOR CONSTRUCTION



LEGEND

- | | |
|---------------------------------|------------------------------|
| CONSTRUCTION LIMITS | SIDEWALK/ADA RAMP |
| DELINEATED WETLANDS | RAISED MEDIAN & CURBS |
| ENVIRONMENTALLY SENSITIVE AREAS | AGGREGATE ROADWAY & DRIVEWAY |
| DELINEATED WET DITCHES | BMP - PONDING |
| BITUMIOUS ROADWAY | BOX CULVERTS |
| BRIDGES | |
| PAVED SHOULDER | |



HENNEPIN COUNTY PUBLIC WORKS
C.S.A.H. 92 SAFETY IMPROVEMENTS AT T.H. 12
PROJECT LOCATION MAP
OCTOBER 2020

SHEET
1
OF
1

PRELIMINARY
NOT FOR CONSTRUCTION



400
SCALE IN FEET

LEGEND

- | | |
|---------------------------------|------------------------------|
| --- CONSTRUCTION LIMITS | SIDWALK/ADA RAMP |
| DELINATED WETLANDS | RAISED MEDIAN & CURBS |
| ENVIRONMENTALLY SENSITIVE AREAS | AGGREGATE ROADWAY & DRIVEWAY |
| DELINATED WET DITCHES | BMP - PONDING |
| BITUMIOUS ROADWAY | BOX CULVERTS |
| BRIDGES | |
| PAVED SHOULDER | |



HENNEPIN COUNTY PUBLIC WORKS
C.S.A.H. 92 SAFETY IMPROVEMENTS AT T.H. 12
PROJECT LOCATION MAP
OCTOBER 2020

SHEET
1
OF
1