



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

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

CITY COUNCIL MEETING AGENDA
TUESDAY JULY 6, 2021
CITY COUNCIL MEETING TIME: 6:30 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. ******Consent Agenda******
All items listed under Consent Agenda are considered to be routine by Council and will be acted on by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.
 - a. Approval of City Council Minutes from the June 15, 2021, Regular City Council Meeting.
 - b. Approval of Accounts Payable; (Batch #1 Checks Numbered 20551-20553, Batch #2 Checks Numbered 20554-20562, batch #3 Checks Numbered 20563-20584).
 - c. Approval of Large Assembly Permits:
 - i. Wedding at 7297 County Road 6 – July 24, 2021.
 - ii. Charity Fundraiser at Twin City Polo Grounds – August 1, 2021.
 - d. PSCWMO – Proposed Annual Budget and Member Assessments (for information).
 - e. 2nd Quarter Building Permit Report (for information).
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. **PUBLIC HEARING:** Consideration of Conduit Bond Issuance.
 - a. **RESOLUTION 21-0706-01:** Considering the authorization of the issuance, sale and delivery of charter school lease revenue bonds for Spero Academy in Brooklyn Park.

8. Elmer Scheffers (Applicant/Owner) is requesting the following actions for the property located at 3590 Independence Road (PID No. 12-118-24-32-0003) in the City of Independence, MN:
 - a. **ORDINANCE NO. 2021-04:** Considering approval of Rezoning from AG-Agriculture to RR-Rural Residential in accordance with the Comprehensive Land Use Plan.
 - b. **RESOLUTION 21-0706-02:** Considering approval of Preliminary and Final Plat for a 3-lot subdivision of the subject property.
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. **RESOLUTION 21-0706-03:** Considering approval of Preliminary and Final Plat for a proposed subdivision of the subject property to create four (4) new lots (3 would have lakeshore on Lake Sarah).
10. Nathan and Molly Kirkpatrick (Applicants/Owners) are requesting the following action for the property located at 2485 County Road 90 (PID No. 15-118-24-44-0003) in the City of Independence, MN:
 - a. **RESOLUTION 21-0706-04:** Considering approval of a variance to allow a reduced side yard setback to add a screen porch to the south side of the existing home on the subject property.
11. City Council Pay Discussion.
12. Open/Misc.
13. Adjourn.

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, JUNE 15, 2021 –6:30 P.M.
Public Works Garage

1. CALL TO ORDER.

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

2. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Mayor Johnson, Councilors Spencer, Betts, McCoy and Grotting
ABSENT: None
STAFF: City Administrator Kaltsas, Assistant to Administrator Horner
VISITORS: Gary Kroells

4. ****Consent Agenda****

All items listed under Consent Agenda are considered to be routine by Council and will be acted on by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Approval of City Council Minutes from the June 1, 2021 Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch #1 Checks Numbered 20518-20533, Batch #2 Check Numbered 20534-20550).

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

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

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Maple Plain Party in the park

Grotting attended the following meetings:

- None

McCoy attended the following meetings:

- None

Betts attended the following meetings:

- West Hennepin Chamber Commerce

Johnson attended the following meetings:

- Regional Council of Mayors Meeting
- West Hennepin Chamber of Commerce Meeting (in person)
- National League of Cities Meeting
- Northwest League of Municipalities Meeting (in person)
- Maple Plain Party in the park

Horner attended the following meetings:

- BKV architect meeting and Rochon

Kaltsas attended the following meetings:

- MnDOT meetings on construction efforts for Highway 12 and 92. The last meeting as the project is going out to bid.

7. West Hennepin Public Safety Director Gary Kroells: Presentation of the May 2021 Activity Report.

Kroells stated there were 1,874 incidents as of May 31, 2021. He said West Hennepin Public Safety handled 323 incidents during the month of May with an additional 148 for Maple Plain.

- For a complete report see the packet for tonight's meeting

8. Discussion Regarding Main Street Traffic Issues and Potential Temporary Closure at CSAH 90.

Chief Kroells said WHPS has received 54 complaints since the road closure, as of Tuesday, June 15. They appreciate and respond accordingly to the concerns. He discussed the effectiveness of the speed recorder signs, which is currently on Budd & Perkinsville. It records data which provides useful information to their department while at the same time is effective in reducing speeds.

He then addressed the concern made that day by a resident regarding Main Street and County Road 90. Chief Kroells has talked with MnDOT about moving the 'road closed' sign to the north of the railroad tracks on County Road 83 as a possible solution. The Councilmembers were very thankful for WHPS' hard work on all these calls and issues. They thanked Chief Kroells for their hard work.

9. Open/ Misc.

10. Adjourn.

Motion by Spencer, second by McCoy to adjourn at 7:10 p.m. Ayes: Johnson, Grotting, McCoy, Betts, and Spencer. Nays: None. Absent: None. None. Abstain. None. MOTION DECLARED CARRIED.

Respectfully Submitted,
Beth Horner/ Recording Secretary



NON-CITY ASSEMBLY PERMIT APPLICATION

Fees & Definitions:

200+ Attendees (Large Assembly) = \$100
100+ Attendees (Medium Assembly) = \$25
50+ Attendees (Small Assembly) = \$25

(Double fee for application received less than 45 business days prior to event).

Event Location: 7297 County Road 6
Type of event: Wedding **Number of people** 136 **Date** 7/24/2021
 Residential Corporate Partnership Group or Association Other

Event Holder's Name: Gary & Linda Ostberg **Address:** 7297 Co. Rd 6
Contact Person: Linda Ostberg **Phone:** 651-247-2572
2nd Contact Person: Gary Ostberg **Phone:** 651-587-1601

Security Plans: _____
Date West Hennepin Public Safety was notified of the event: _____

Severe Weather Plans (in the event of): Indoor riding arena

Sound Plans - amplification and sound control: During reception inside the indoor riding arena

Outdoor Music Yes No - Starting Time 4 AM/PM, Ending Time 11 AM/PM

Food and Concessions Plans: This Little Piggy Catering
Vendor's name, address, and license number (copies of vendor license, insurance and permits must be provided) This Little Piggy Catering, 22280 Chippendale Ave. W, Farmington, MN 55024
Vendor Work #: 612-339-0222 **Vendor Cell #** _____



NON-CITY ASSEMBLY PERMIT APPLICATION

Fees & Definitions:

200+ Attendees (Large Assembly) = \$100
100+ Attendees (Medium Assembly) = \$25
50+ Attendees (Small Assembly) = \$25

(Double fee for application received less than 45 business days prior to event).

Event Location: Twin City Polo Ground, Independence, MN

Type of event: Charity fundraiser **Number of people** 300 **Date** 8/1/2021

Residential Corporate Partnership Group or Association Other

Event Holder's Name: This Old Horse, Inc. **Address:** 19025 Coates Blvd., Hastings, MN 55033

Contact Person: Nancy Turner, President **Phone:** 6128399868

2nd Contact Person: Kari Teigen **Phone:** 320 266 7624

Security Plans: Traffic control may be needed at beginning of event?

Date West Hennepin Public Safety was notified of the event: 4/15/2021

Severe Weather Plans (in the event of): Cancel

Sound Plans - amplification and sound control: Public address announcer

Outdoor Music Yes No - **Starting Time** 11 am **AM/PM**, **Ending Time** 5 pm **AM/PM**

Food and Concessions Plans: Food trucks (documentation will be forwarded once confirmed)

Vendor's name, address, and license number *(copies of vendor license, insurance and permits must be provided)* _____

Vendor Work #: _____ **Vendor Cell #** _____

Serving Alcohol: Yes: x No: _____

Selling Alcohol: Yes: _____ No: _____ (If selling alcohol contact the City for a Permit)

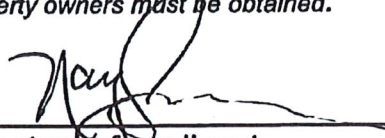
Restroom Provisions: How many?
4 Location: Both sides of field

Lighting - Type: None How many? _____
Location of lights: _____

\$1,000,000 Certificate of Liability Insurance-provide a copy: _____

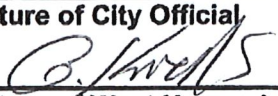
Parking Plan: *Please provide a site plan showing 1 parking space for each vehicle per 4 guests. If using adjacent property, written permission from property owners must be obtained.*

4/15/21
Date

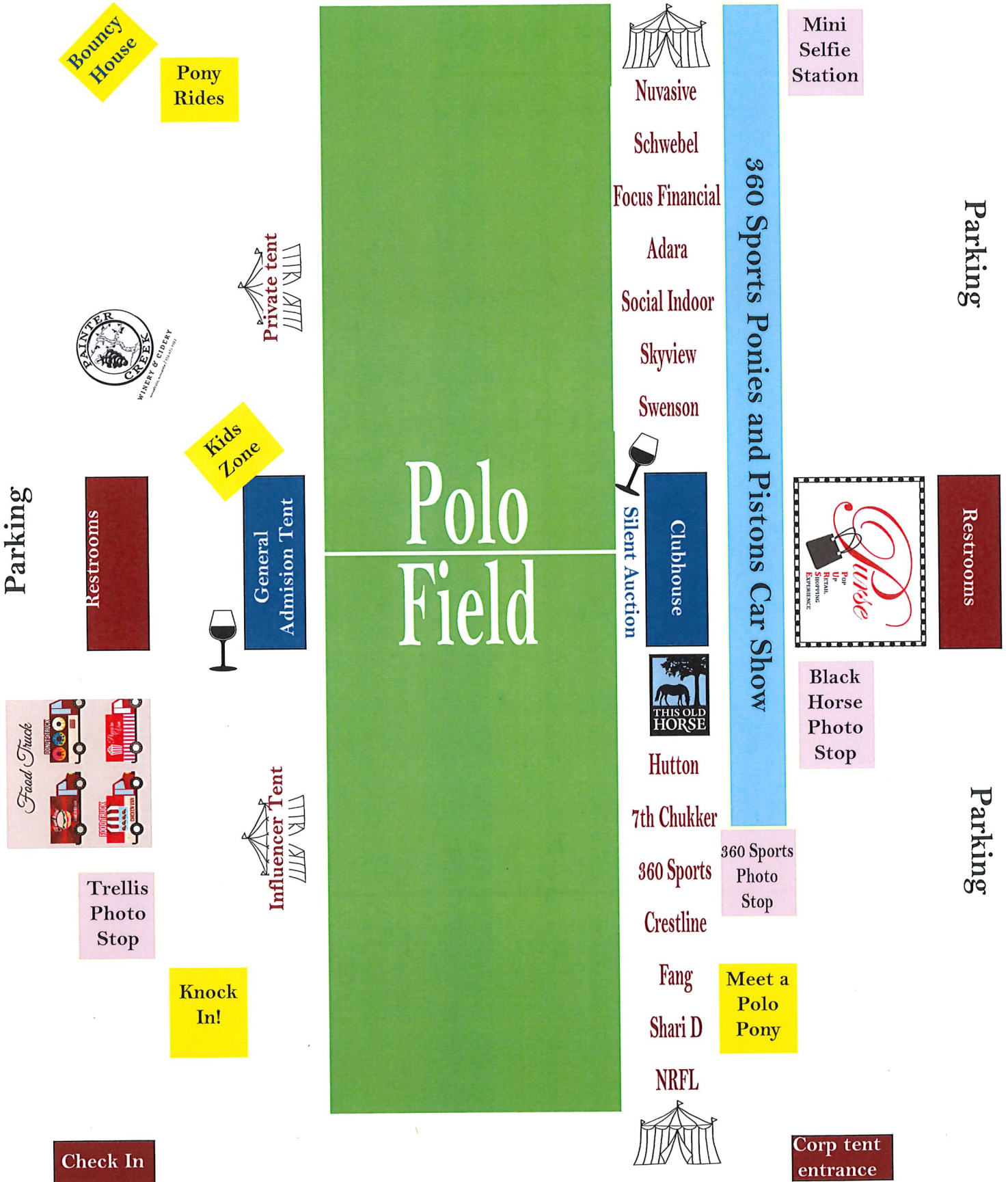

Signature of applicant

Date

Signature of applicant

Office Use Only		
Application Received: <u>6/8/2021</u>	Application Fee: <u>100⁰⁰</u>	Date Fee Paid: _____
Date \$1,000,000 certificate of liability insurance received: <u>6/8/2021</u>		
Signature of City Official 	Date	_____
Signature of West Hennepin Public Safety	Date	<u>7-1-21</u>

Players, ponies trailer parking



Bouncy House

Pony Rides



Kids Zone

Parking

Restrooms

General Admission Tent



Trellis Photo Stop

Knock In!

Check In

Polo Field



Nuvasive

Schwebel

Focus Financial

Adara

Social Indoor

Skyview

Swenson



Silent Auction

Clubhouse



Hutton

7th Chukker

360 Sports

Crestline

Fang

Shari D

NRFL



Mini Selfie Station

360 Sports Ponies and Pistons Car Show



Restrooms

Black Horse Photo Stop

360 Sports Photo Stop

Meet a Polo Pony

Corp tent entrance

Parking

Parking

Turner Road



Pioneer-Sarah Creek
Watershed Management Commission

ADMINISTRATIVE OFFICE: 3235 Fernbrook Lane N • Plymouth, MN 55447
763.553.1144 • Fax: 763.553.9326 • amy@jass.biz • www.pioneersarahcreek.org

June 11, 2021

Member Cities

(via email)

Pioneer-Sarah Creek Watershed Management Commission
Hennepin County, Minnesota

Re: 2022 Operating Budget – Pioneer-Sarah Creek Watershed Management Commission

Dear City Leaders:

Attached is the 2022 budget for the Pioneer Sarah Creek Watershed Commission as approved at the Commission's May 20, 2021 meeting. The total assessment to the cities will remain flat from 2020 at \$131,800. The annual contribution by each voting Member is based on its share of the taxable market value of all real property within the watershed.

The approved budget aligns the Commission to achieve the goals of their Fourth Generation Watershed Management Plan as approved by the Board of Soil and Water Resources in 2020. The Fourth Generation Watershed Plan and the accompanying budget are responsible steps towards protecting, preserving and improving water resources in our six cities. We are pleased to present you with our approved budget.

We invite any feedback or additional input regarding the budget pursuant to Section 6.3 of the Joint Powers Agreement. Should your city have any input, please provide to Amy Juntunen, the Commissions Administrator, for discussion at the July 15, 2021 Commission meeting.

Question regarding the budget can be directed to one of the Commissioners or to Juntunen in the administrative office. She can be reached at the phone number or email above.

Regards,

Joseph Baker

Chair

JB:AAL

Attachments

Cc: Commissioners (via email)
Staff (via email)

Z:\Pioneer-SarahCreek\Financials\Financials 2022\L_conveying 2022 PSC budget.doc

Pioneer-Sarah Creek Watershed Management Commission
2020 Approved Budget

	2020 Budget	2020 Actual	2021 Budget	Proposed 2022 Budget
Revenues				
Member Dues	\$ 103,800.00	\$ 103,800.00	\$ 103,800.00	\$ 103,800.00
Project Review Fees	6,000.00	12,500.00	6,000.00	6,000.00
CIP Income	28,000.00	28,000.00	28,000.00	28,000.00
CIP Partner Cost-Share		38,500.00		
Lake Sarah TMDL Imple	0.00	4,900.52	0.00	0.00
Grant - Baker Park Ravine	0.00	225,900.00	0.00	0.00
WBIF - South Fork Crow	0.00	23,327.00	0.00	90,031.50
WBIF - North Fork Crow				45,552.50
Grants - From Fund Balance		93,956.25		
WCA Adm Fees	0.00	0.00	0.00	0.00
Interest and Dividend Income	9,000.00	2,129.23	4,000.00	1,460.00
Total Revenues	146,800.00	533,013.00	141,800.00	274,844.00
Expenses				
Engineering/Consulting	47,000.00	11,358.73	35,200.00	32,500.00
Administrative Expense	36,000.00	31,854.76	36,000.00	36,000.00
Adm-Project Reviews	1,000.00	598.07	1,000.00	750.00
Adm-CIP Mgmt	2,500.00	394.07	2,000.00	1,000.00
WCA - Admin/Legal Expenses	0.00	9.75	0.00	0.00
Adm - Tech Support	800.00	0.00	750.00	750.00
Legal Expense	500.00	62.00	500.00	500.00
Audit Expense	4,500.00	4,500.00	4,500.00	4,500.00
Insurance	3,100.00	2,580.00	2,800.00	2,800.00
Website	1,800.00	1,015.06	1,800.00	1,500.00
Adm - General Programs	0.00	0.00	0.00	0.00
TAC Meetings	3,000.00	0.00	2,500.00	2,500.00
Lakes Monitoring - TRPD	8,100.00	8,100.00	8,100.00	10,500.00
Lakes Monitoring - CAMP	1,520.00	760.00	760.00	760.00
Stream Monitoring	9,500.00	9,500.00	9,500.00	12,200.00
Education	4,000.00	1,670.08	4,000.00	2,500.00
Education-Events	500.00	0.00	500.00	500.00
Invertebrate Monitoring	1,000.00	0.00	750.00	0.00
Grant Writing	1,000.00	0.00	1,000.00	1,000.00
Third Gen Plan	10,000.00	0.00	0.00	0.00
Management Plan - Admin	1,000.00	2,467.03	1,000.00	1,000.00
Special Projects	2,000.00	0.00	0.00	0.00
Fourth Gen Plan	10,000.00	29,417.20	0.00	0.00
Fifth Gen Plan				0.00
Capital Improvement Project	28,000.00	11,925.03	29,140.00	28,000.00
WBIF		49,978.52		135,584.00
Lake Sarah Implementation	0.00	4,900.52	0.00	0.00
Baker Park Ravine	0.00	342,204.66	0.00	0.00
Total Expenses	176,820.00	513,295.48	141,800.00	274,844.00
Net Income	(\$ 30,020.00)	\$ 19,717.52	\$ 0.00	\$ 0.00

Pioneer-Sarah Creek Watershed
Balance Sheet
December 31, 2018

Operations Only, No CIP/Projects	2020	2020 Actual	
	Budget		
Revenues			
Member Dues	\$ 103,800.00	\$ 103,800.00	
Project Review Fees	6,000.00	12,500.00	
WCA Adm Fees	0.00	0.00	
From Fund Balance 4 Gen Plan			
Interest and Dividend Income	9,000.00	2,129.23	
	<u>118,800.00</u>	<u>118,429.23</u>	
Total Revenues			
Expenses			
Engineering/Consulting	47,000.00	11,358.73	
Administrative Expense	36,000.00	31,854.76	Cash
Adm-Project Reviews	1,000.00	598.07	
Adm-CIP Mgmt	2,500.00	394.07	Retained Surplus
WCA - Admin/Legal Expenses	0.00	9.75	CIP Fund
Adm - Tech Support	800.00	0.00	WBIF
Legal Expense	500.00	62.00	
Audit Expense	4,500.00	4,500.00	
Insurance	3,100.00	2,580.00	
Website	1,800.00	1,015.06	
Adm - General Programs	0.00	0.00	
TAC Meetings	3,000.00	0.00	
Lakes Monitoring - TRPD	8,100.00	8,100.00	
Lakes Monitoring - CAMP	1,520.00	760.00	
Stream Monitoring	9,500.00	9,500.00	
Education	4,000.00	1,670.08	
Education-Events	500.00	0.00	
Invertebrate Monitoring	1,000.00	0.00	
Grant Writing	1,000.00	0.00	
Third Gen Plan	10,000.00	0.00	
Management Plan - Admin	1,000.00	2,467.03	
Special Projects	2,000.00	0.00	
Fourth Gen Plan	10,000.00	29,417.20	
Fifth Gen Plan			
	<u>148,820.00</u>	<u>104,286.75</u>	
Total Expenses			
Net Income	<u>(\$ 30,020.00)</u>	<u>\$ 14,142.48</u>	

*2021 Increased to zero net income

Pioneer-Sarah Creek Watershed
Balance Sheet
December 31, 2018

405,949.41

267,361.45

131,580.48

7,007.48

**Pioneer-Sarah Creek Watershed Management Commission
DRAFT 2022 Member Assessments**

2020	2019 Market Value PSC Basin	Increase in MV over Prev Year	2020 Op Budget		Increase over Prev Year	
			%age	Amount	%age	Amount
Greenfield	387,408,426	5.22%	25.78%	33,972.21	4.13%	1,347.12
Independence	577,654,920	3.41%	38.43%	50,655.10	2.33%	1,154.90
Loretto	64,646,640	4.95%	4.30%	5,668.92	3.86%	210.66
Maple Plain	124,712,551	5.58%	8.30%	10,936.16	4.49%	469.71
Medina	173,159,976	3.40%	11.52%	15,184.56	2.33%	345.47
Minnetrista	175,423,480	15.23%	11.67%	15,383.05	1.80%	272.14
TOTALS	1,503,005,993	4.05%	100.00%	131,800.00	2.97%	3,800.00
2021	2020 Market Value PSC Basin	Increase in MV over Prev Year	2021 Op Budget		Increase over Prev Year	
			%age	Amount	%age	Amount
Greenfield	492,597,046	27.15%	29.66%	39,089.19	15.06%	5,116.98
Independence	598,303,894	3.57%	36.02%	47,477.37	-6.27%	(3,177.73)
Loretto	69,865,263	8.07%	4.21%	5,544.04	-2.20%	(124.89)
Maple Plain	132,270,685	6.06%	7.96%	10,496.11	-4.02%	(440.05)
Medina	180,132,527	4.03%	10.85%	14,294.11	-5.86%	(890.45)
Minnetrista	187,757,641	10.10%	11.30%	14,899.18	-3.15%	(483.87)
TOTALS	1,660,927,056	10.51%	100.00%	131,800.00	0.00%	0.00
2022	2021 Market Value PSC Basin	Increase in MV over Prev Year	2022 Op Budget		Increase over Prev Year	
			%age	Amount	%age	Amount
Greenfield	522,787,116	6.13%	29.78	39,249.05	0.41%	159.86
Independence	634,578,595	6.06%	36.15	47,641.96	0.35%	164.59
Loretto	71,882,465	2.89%	4.09	5,396.69	-2.66%	(147.35)
Maple Plain	139,787,990	5.68%	7.96	10,494.80	-0.01%	(1.31)
Medina	183,452,639	1.84%	10.45	13,772.99	-3.65%	(521.12)
Minnetrista	203,053,025	8.15%	11.57	15,244.52	2.32%	345.33
TOTALS	1,755,541,830	5.70%	100.00	131,800.00	-3.24%	(0.00)

		Commercial	New House	Septic								
4/1/21	21-65	Woodcraft Design	2117 Heitage Trl	23-13-0009	Re-Model			12.5	677.43	12.5	664.93	\$25,000.00
4/2/21	21-66	Clear Point Const	4514 Shady Beach Cir	02-21-0007	Re-Roof	1			101	1	100	\$20,000.00
4/2/21	21-67	Royal Roofing	5935 County Rd 11	11-12-0001	Re-Roof	1			101	1	100	\$15,794.00
4/2/21	21-68	Royal Roofing	4265 Townline Rd	01-41-0011	Re-Roof	1			101	1	100	\$23,099.26
4/2/21	21-69	Deans Mechanical	2117 Heitage Trl.	23-13-0009	Mechanical		1		101	1	100	\$1,500.00
4/8/21	21-70	William Miller	5470 Timber Trl	25-23-0012	Pole Building			22.5	1,030.73	22.5	1,008.23	\$45,000.00
4/8/21	21-71	Mark right Plumbing	440 Kuntz Dr	33-24-0006	Plumbing			1	101	1	100	\$1,500.00
4/8/21	21-72	Midwest Roofing	3665 Co. Rd. 90	11-24-0005	Re-Roof	1			101	1	100	\$30,000.00
4/13/21	21-73	outdoor escapes	8145 nCo. Rd 11	11-11-0002	Re-Side	1			101	1	100	\$15,500.00
4/13/21	21-74	outdoor Escapes	8145 Co. Rd. 11	11-11-0002	12 - Windows	1			211	1	210	\$7,500.00
4/13/21	21-75	Fireside Hearth-Homes	2998 Lindgren Ln	13-24-0005	Gas Fireplace		1		101	1	100	\$4,887.00
4/13/21	21-76	DBRaskob	5675 Koch Crossing	11-14-0009	Under Deck			4.5	288.74	4.5	284.24	\$9,000.00
4/13/21	21-77	Erick Kallerup Const	4708 S Lake Sarah Dr	24-22-0026	re-roof	1			101	1	100	\$32,000.00
4/14/21	21-78	The Kingdom Builders	2725 Vallet Rd	16-41-0006	Re-Roof	1			101	1	100	\$19,000.00
4/14/21	21-79	K&S Heating	3250 Brei-Kessel Rd	11-43-0002	A-C				101	1	100	\$2,995.00
4/14/21	21-80	Standard Heating	735 Nelson Rd	31-21-0002	Mechanical	1			101	1	100	\$16,250.00
4/14/21	21-81	Tonka Plumbing	5016 Settlers Ct	25-42-0009	Plumb- Mech.	1	1		222	2	220	\$2,500.00
4/15/21	21-82	Renewal by Anderson	2235 Old Post Rd	22-11-0005	4- Windows	1			131	1	130	\$9,585.00
4/15/21	21-83	Renewal by Anderson	7460 Maple Ponds Tr.	16-12-0006	2 Patio Doors	1			111	1	110	\$10,085.00
4/15/21	21-84	Renewal by Anderson	7066 Pagenkopf Rd	15-23-0003	3 - Windows	1			121	1	120	\$14,648.00
4/19/21	21-85	Ed& Sarah Magnuson	5765 Lake Sarah Heights	02-11-0011	Det. Garage		1	15	866.75	16	850.75	\$30,000.00
4/20/21	21-86	All Star Today	4540 Shady Beach Cir.	02-21-0032	Re-Roof Re-Side	2			202	2	200	\$55,000.00
4/20/21	21-87	Berg Exteriors	6240 Stephanie Way	02-23-0006	Stucco -Repair	1			101	1	100	\$7,585.00
4/20/21	21-88	Wild Construction	4724 Co.Rd 92	04-12-0003	Re-Roof	1			101	1	100	\$12,000.00
4/20/21	21-89	Advantage Construction	6610 Fogelman Rd	10-43-0007	Re-roof	1			101	1	100	\$37,200.00
4/22/21	21-90	Brent Voeller	2998 Lindgren Ln.	13-24-0005	Re-Model				1490.95	40	1450.95	\$80,000.00
4/23/21	21-91	Sela Roofing	2125 Heitage Trl	23-13-0008	Re-Roof	1			101	1	100	\$30,119.47
4/26/21	21-92	Advantage Construction	4755 Townline Rd	01-11-0002	Re-Roof	1			101	1	100	\$20,835.00
4/28/21	21-93	Cinergy Homes	4230 Woodhill Dr	01-32-0004	Re-Roof	1			101	1	100	\$25,000.00
4/28/21	21-94	Advantage Construction	7388 Co. Rd 11	04-43-0003	3- Re-Roofs	1			301	1	300	\$65,415.00
4/28/21	21-95	MN Valley Roofing	6280 Co. Rd 11	02-33-0001	Re-Roof	1			101	1	100	\$11,459.00
4/28/21	21-96	Pro Siders INC.	2885 Nelson Rd	18-24-0002	Re-side 14 Win	2			332	2	330	\$24,000.00
5/3/21	21-97	Tim Hillman	5976 Co. Rd. 6	26-43-0008	Garage-Remodel				1,768.93	51.5	1717.43	\$103,030.98
5/3/21	21-98	Stinson Service	4976 S. Lakeshore Dr	24-11-0013	Re-Roof	1			101	1	100	\$10,300.00
5/3/21	21-99	JLF Homes	6125 Woodhill Ln.	14-12-0008	Re-Roof	1			101	1	100	\$25,000.00
5/3/21	21-100	Kenilworth Const.	5035 Perkinssville Rd.	24-42-0001	Re-Roof	1			101	1	100	\$9,733.00
5/3/21	21-101	Kuhl's Contracting	4350 Woodhill Dr.	01-32-0013	Re-Roof	1			101	1	100	\$12,367.50
5/3/21	21-102	Wild Construction	6580 Franklin Hills Rd	15-11-0009	Re-Roof	1			101	1	100	\$20,000.00
5/4/21	21-103	Goneya Homes	168 Hamilton Hills	35-44-0007	New SFD	1	1		7526.39	275	7251.39	\$550,000.00
5/4/21	21-104	Gordon James	5705 Koch Crossing	11-14-0008	New SFD	1	1		6448.15	232.5	6215.65	\$465,000.00
5/6/21	21-105	Tonka Plumbing	4850 Deer Ridge Trl	25-41-0010	Plumbing				101	1	100	\$3,870.00
5/6/21	21-106	Appliance Connection	5350 Sunset Lane	01-24-0026	Water Heater				101	1	100	\$1,200.00
	21-107	Sela Roofing	3162 Independence Rd	13-22-0004	Re-Roof	1			101	1	100	\$27,726.20
	21-108	aAll-Star Roofing	4380- Woodhill Dr	01-32-0014	Re-Roof	1			101	1	100	\$15,000.00
	21-109	Kurtis Tesmer	3780 Marsh Point Rd	11-23-0009	Re-Roof	1			101	1	100	\$50,000.00
	21-110	B&BSheet metal Roofing	1410 County Rd 90	26-22-0011	Re-Roof	60			1198.92	60	1138.92	\$119,893.00
	21-111	Saltandlight const.	5725 County Rd 11	11-11-0007	Re-Roof	27			718.9	27	691.9	\$54,000.00
5/27/21	21-112	Outdoor Escapes	8145 County rtd 11	08-11-0002	Porch			14.5	748.09	14.5	733.59	\$29,000.00
	21-113	All Around Preservation	3715 Marsh Point Rd	11-23-0007	Re-Roof	1			101	1	100	\$29,031.82
	21-114	Heating & Cooling 2	3025 County Rd 90	15-11-0006	Furnace- A-C		1		201	1	200	\$6,592.00

	21-115	Lexington Roofing	6000 Providence Curve	14-42-0008	Re-Roof	1				101	1	100	\$50,000.00
	21-116	Norling Construction	5015 Fern Dr	01-41-0006	Dormer -Bathroom		1	9		608.38	10	598.38	\$18,500.00
	21-117	Renewal by Anderson	5030 Sunset Ln	01-13-0004	4 windows 1 dc	1				141	1	140	\$14,697.00
	21-118	Adam Zimmney	5844 Robert Rd	35-44-0001	Deck			9.5		531.67	9.5	522.17	\$19,400.00
	21-119	Brandt Vanman	3976 County Line Rd	07-22-00005	Remodel rooms			6.5		385.91	6.5	379.41	\$12,645.00
	21-120	Rooftek Systems	2775 County Rd 92	17-41-0004	Re-Roof	1				101	1	100	\$59,826.00
	21-121	Ashco exteriors	5354 Timber Trl.	25-24-0003	Re-Roof	1				101	1	100	\$20,000.00
	21-122	Minnesota Exteriors	3251 Brei-Kessel Rd	11-43-0005	Re-Roof	1				101	1	100	\$41,282.00
	21-123	Brent Johnson	6694 McKown Ct	15-12-0008	Deck			6		361.62	6	355.62	\$12,000.00
	21-124	Paul Soberg	6511 Highway 12	24-44-0011	in-floor htg		1			101	1	100	\$5,000.00
	21-125	Greg Eslinger	5665 Lake Sarah Hts	24-11-0005	re-roof	1				101	1	100	\$10,000.00
	21-126	Greg Michael	4745 Lake Sarah Hts	24-13-0001	re-roof	1				101	1	100	\$20,800.00
	21-127	Epple Exteriors	5885 Co Rd 11	24-12-0008	re-roof	1				101	1	100	\$12,000.00
	21-128	Eagle Windows	7915 Egret Dr	16-32-0006	Patio Door	1				101	1	100	\$8,302.00
5/17/21	21-129	Center Point Energy	999 Co. Rd 19	25-34-0012	A-C		1			101	1	100	\$4,700.00
5/17/21	21-130	All Around Preservation	2300 Fieldstone Pl	23-21-0003	Deck			13.5		712.76	12.5	700.26	\$26,618.00
5/18/21	21-131	Robert Criag Homes	6140 Woodhill lane	14-21-0003	Remodel- Deck		1	65		2140.39	66	2074.39	\$130,000.00
5/18/21	21-132	Margie Boll	962 Co Rd 19	25-43-0013	re-roof/ re-side					200	2	202	\$28,000.00
5/19/21	21-133	Swason Homes	1940 - Nelson Rd.	19-42-0001	Deck			3		215.86	3	212.86	\$5,800.00
5/19/21	21-134	Advantage Construction	4755 Townline Rd	01-11-0002	Re-Side	1				101	1	100	\$26,337.00
5/19/21	21-135	JR Pools	9115 Co. Rd 11	07-12-0002	Pool		1			1043.4	21	1021.4	\$40,000.00
5/20/21	21-136	Deziel Hvac	3411 Brei- Kessel Rd	11-34-0003	A-C		1			101	1	100	\$5,000.00
5/20/21	21-137	Kothrade -Septic	6990 County Rd 6	34-21-0001	1- Septic Tank					150		150	\$6,375.00
5/25/21	21-138	Ashco Exteriors	5145 Fern Dr	01-42-0008	Re-Roof	1				101	1	100	\$31,000.00
5/25/21	21-139	Kuhl's Contracting	2636 Independence Rd	13-32-0003	2 Bldgs Re-Roo	1				201	1	200	\$61,000.00
5/25/21	21-140	New Town Exteriors	5325 Sunset Lane	01-24-0015	Re-Roof	1				101	1	100	\$7,452.89
5/25/21	21-141	Stinson Services	5110 Fern Dr	01-42-0021	Re-Roof	1				101	1	100	\$7,800.00
5/25/21	21-142	Ascho Exteriors	5191 Fern Dr	01-42-0029	Re-Roof	1				101	1	100	\$20,000.00
5/25/21	21-143	Richard Wood	5233 Lake Sarah Height	01-24-0023	Garage & apart.		1	77		6591.8	79	6512.8	\$153,301.00
5/26/21	21-144	Clear Point Const.	5360 Sunset Lane	01-24-0025	Re-Roof	1				101	1	100	\$23,000.00
5/26/21	21-145	MN.Exteriors	6555 Fogelman Rd	10-44-0007	windows roofs	3				453	3	450	\$140,283.25
5/27/21	21-146	Kari Stromer	2828 County Line Rd	18-24-0004	New House		1	275		6676.39	277	6399.39	\$550,000.00

						Other	Mech.	Plumbing	Base Value	TOTAL PAID SURCHARG	Total Fees	VALUATION	
No Surcharge													
6/1/21	21-147	Midwest Roofing	6810 Fogelman Rd	10-34-0001	Re-Roof	1				101	1	100	\$18,000.00
6/1/21	21-148	Center Point Energy	3251 Brie-Kessel Rd	11-43-0005	A-C			1		101	1	100	\$5,600.00
6/2/21	21-149	Eagle Windows	5475 Lake Sarah Hgts Dr	02-11-0010	15 Windows	1				241	1	240	\$23,847.00
6/2/21	21-150	All Star Today	296 Hart St	32-42-0017	Re-Roof	1				101	1	100	\$15,000.00
6/2/21	21-151	Turnkey Restoration	4716 S. Lake Sarah Dr	03-11-0005	Re-Roof 2 BLDC	1				201	1	200	\$52,444.33
6/2/21	21-152	Perfect Exteriors MN	2670 Co. Rd 90	14-32-0012	Re-Side	1				101	1	100	\$30,735.00
6/2/21	21-153	B&D plumbing	4725 Lake Sarah Hgts. Cir	02-12-0008	Water Heater			1		51	1	50	\$998.00
6/2/21	21-154	Burns Excavating	3060 Lake Sarah Road	15-22-0003	Septic					300		300	\$26,850.00
6/3/21	21-155	Joe Baker	5580 Lake Sarah Hts Dr.	01-22-0004	18 windows	1				271	1	270	\$39,674.00
6/3/21	21-156	Trent Braiedy	3740 County line Rd	07-23-0002	Deck				6.5	385.91	6.5	379.41	\$13,000.00
6/3/21	21-157	Angelo Licursi	750 Wild Oak Trail	34-22-0003	Pole barn				37.5	1428.97	37.5	1391.47	\$75,000.00
6/3/21	21-158	Delano Sportsmen's	4505 Cty Rd 50	06-23-0002	Permit-				1.5	142.98	1.5	141.48	\$3,000.00
6/4/21	21-159	Deborah Clifford	1060 Polo Club Rd	27-41-0005	Shed					40		40	
6/4/21	21-160	Fireside Hearth -Home	5975 Merz Way	14-42-0006	Gas Fireplace		1			101	1	100	\$4,971.00
6/7/21	21-161	Custom Pools	2485 County Rd 90	11-34-0003	Pool		1		14	831.42	15	816.42	\$28,000.00
6/9/21	21-162	Lite construction	6000 Providence Curve	14-42-0008	Det. Garage				20	942.4	20	922.4	\$40,000.00
6/9/21	21-163	Justin McCoy	5700 Robert Rd	35-41-0003	New SFD		1	197.5		6482.75	199.5	6283.25	\$394,664.75
6/9/21	21-164	Water Town Plumbing	6511 Hwy 12	22-44-0041	plumbing			1		101	1	100	\$1,500.00
6/9/21	21-165	Tonka Plumbing - Heat	5016 Settlers Ct	25-42-0009	Mech.- Plumbing		1	1		202	2	200	\$10,872.00
6/9/21	21-166	Woodland Stoves	8453 Hitsman Lane	17-31-0006	Wood Stove			1		101	1	100	\$10,650.00
6/9/21	21-167	Craftsman Choice	6910 Dylan Lane	03-14-0005	Re-Roof	1				101	1	100	\$32,130.00

6/10/21	21-168	Brandon Paske	4665 S. Lake Sarah Dr	02-23-0008	New Door		1	92.77	1	91.77	\$1,500.00
6/15/21	21-169	Slect Exteriors	750 Wild Oak Trl	34-22-0003	Re-Roof	1		101	1	100	\$20,000.00
6/15/21	21-170	Midwestplus	6575 Franklin Hills Rd	15-11-0010	Re-Roof	1		101	1	100	\$28,000.00
6/15/21	21-171	Pella MN	4724 S. Lake Sarah Dr	03-12-0011	4 Sliding Doors	1		131	1	130	\$27,336.00
6/15/21	21-172	Bruce Lamo	5270 Moline Rd	36-31-0012	Gazebo		2.5	191.57	2.5	189.07	\$5,000.00
6/17/21	21-173	Team Innovative	790 Co. Rd. 92	33-22-0013	Hellical Piers		8.5	483.09	8.5	474.59	\$17,100.00
6/17/21	21-174	Wenzel Mech.	95 Timber Island Dr.	36-33-0005	Mechanical		1	101	1	100	\$3,700.00
6/17/21	21-175	Danielle Platt	2791 Copeland Rd	18-41-0002	Septic			300			\$24,290.00
6/17/21	21-176	Brian Dougherty	4724 Cty Rd 92	04-12-0003	Septic			300			\$26,890.00
6/21/21	21-177	Grussing Roofing	5745 Lake Sarah Hgts Dr	02-11-0010	RE-Roof	1		101	1	100	\$27,000.00
6/21/21	21-178	Designer Space	4885 Co. Rd 6	36-11-0008	Cabana		1	1,715.91	46	1,669.91	\$90,000.00
6/22/21	21-179	Handiwerx	6270 Woodhill Lane	14-22-0008	Re-Roof	1		101	1	100	\$13,500.00
6/22/21	21-180	Cinergy Homes	6915 Dylan Lane	03-13-0006	Re-Roof-Re-Sic	2		202	2	200	\$40,000.00
6/23/21	21-181	Hero Mechanical	6600 Genaker Way	03-11-0002	Boiler		1	101	1	100	\$17,909.00
6/23/21	21-182	Budget Exteriors	6080 Drake Dr.	26-31-0005	4 Windows	1		131	1	130	\$6,000.00
6/29/21	21-183	Home Exterior	6920 Dylan Lane	03-14-0004	Re-roof	1		101	1	100	\$24,000.00
6/30/21	21-184	Cinergy Homes	5188 Fern Dr	01-42-0016	11 Windows	1		221	1	220	\$40,000.00
6/30/21	21-185	Jeff Carnivale	2280 Fieldstone Pl	23-21-0004	Re-Side	1		101	1	100	\$25,000.00
6/30/21	21-186	Travis Schauer	5745 Lake Sarah Hgts Dr	02-11-0010	Plumbing		1	101	1	100	\$2,500.00
6/30/21	21-187	Alexander Plumbing	2325 Fieldstone Pl	23-21-0009	Plumbing		1	101	1	100	

City of Independence

Consideration of a Proposal for the Issuance of Conduit Revenue Bonds

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: July 6, 2021

Discussion:

Friends of Spero Academy II, a Minnesota nonprofit corporation (the “Company”), has represented to the Issuer that it is proposing to assist Spero Academy, a Minnesota nonprofit corporation and charter school (the “School”), in the financing of the acquisition of approximately 4 acres of land located at or about 7600 Humboldt Avenue in the City of Brooklyn Park, Minnesota (the “City of Brooklyn Park”) and the construction and equipping an approximately 90,000 square foot facility thereon for use as a public charter schoolhouse for students in kindergarten through sixth grade.

For the purposes set forth above, there is hereby authorized the issuance, sale, and delivery of one or more series of revenue bonds to be designated Charter School Lease Revenue Bonds (Spero Academy Project), Series 2021 (the “Series 2021 Bonds” or the “Bonds”), of the Issuer in an original aggregate principal amount not to exceed \$30,000,000. If the Series 2021 Bonds are issued in more than one series, the separate series shall be separately designated in such manner as is deemed appropriate by the Mayor of the Issuer and the City Administrator of the Issuer (collectively, the “Issuer Officials”), in their discretion.

The Project financed with the proceeds of the Notes will be owned and operated by the Borrower or its affiliates. The City of Brooklyn Park, as the municipality in which the Project is located, has provided “host approval” to the issuance of the Notes to finance the Project. Under the terms of the Loan Agreement, the Borrower will pay all of the City’s fees and expenses and pay the City its administrative fee required for bond issuance.

The City of Independence does not have any planned projects for calendar year 2021 that would require the issuance of bank qualified general obligation bonds (G.O. bonds).

The City has issued conduit revenue bonds in the past and would be compensated by a one-time fee of .35% (~\$105,000). In addition, the Borrower shall pay to the City any and all costs incurred by the City in connection with the Bonds or the financing of the Project.

Recommendation:

The City Council is being asked to consider **RESOLUTION NO. 21-0706-01**, granting approval for the issuance of the conduit revenue bonds.

ATTACHMENTS: **RESOLUTION 21-0706-01**
 Assignment of Loan Agreement
 Form of Note
 Cooperative Agreement
 Loan Agreement

CITY OF INDEPENDENCE, MINNESOTA

RESOLUTION NO. 21-0706-01

AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF CHARTER SCHOOL LEASE REVENUE BONDS (SPERO ACADEMY PROJECT), SERIES 2021, IN ONE OR MORE SERIES; APPROVING THE FORMS OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE BONDS AND RELATED DOCUMENTS; PROVIDING FOR THE SECURITY, RIGHTS, AND REMEDIES WITH RESPECT TO THE BONDS; AND GRANTING APPROVAL FOR CERTAIN OTHER ACTIONS WITH RESPECT THERETO

WHEREAS, the City of Independence, Minnesota a statutory city, municipal corporation, and political subdivision of the State of Minnesota (the “State”) organized and existing under the Constitution and laws of the State (the “Issuer” or the “City”), has been authorized under the Minnesota Municipal Industrial Development Act, Minnesota Statutes, Sections 469.152-469.1655, as amended (the “Act”), to issue revenue bonds to finance, in whole or in part, the costs of the acquisition, construction, improvement, or extension of revenue producing enterprises, whether or not operated for profit; and

WHEREAS, Friends of Spero Academy II, a Minnesota nonprofit corporation (the “Company”), has represented to the Issuer that it is proposing to assist Spero Academy, a Minnesota nonprofit corporation and charter school (the “School”), in the financing of the acquisition of approximately 4 acres of land located at or about 7600 Humboldt Avenue in the City of Brooklyn Park, Minnesota (the “City of Brooklyn Park”) and the construction and equipping an approximately 90,000 square foot facility thereon for use as a public charter schoolhouse for students in kindergarten through sixth grade (the “Schoolhouse”) to be owned by the Company and leased to and operated by the School (the “Project”); and

WHEREAS, the Company has requested that the Issuer issue one or more series of revenue bonds and loan the proceeds derived from the sale of the revenue bonds to the Company, in accordance with the terms and conditions of a Loan Agreement, dated on or after September 1, 2021 (the “Loan Agreement”), between the Issuer and the Company to finance: (i) the acquisition, construction, and equipping of the Project; (ii) funding certain reserve funds; (iii) funding an initial deposit to a repair and replacement fund; (iv) paying a portion of the interest on the revenue bonds and working capital expenditures; and (v) paying the costs of issuing the revenue bonds; and

WHEREAS, the revenue bonds proposed to be issued by the Issuer to finance the Project will constitute revenue obligations secured solely by: (i) the revenues derived from the Loan Agreement; (ii) a pledge and assignment of all the School’s revenues, including money due to the School from the State of Minnesota Lease Aid Payment Program (the “Program”); (iii) an agreement to pay all money due to the School from the Program to a dedicated account subject to a monthly sweep to the trustee accounts for the benefit of the holders of the revenue bonds; (iv) other revenues pledged to or otherwise received by the Company, except for those revenues necessary for ordinary operational expenses and required under Minnesota law; (v) a debt service reserve fund to be held by a trustee for the benefit of the holders of the revenue bonds; (vi) a first mortgage and security agreement granted by the Company with respect to the Project; (vii) an operating reserve fund; and (viii) other security provided or arranged by the Company or the School; and

WHEREAS, under the terms of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), the revenue bonds may not be issued as tax-exempt bonds unless the City Council of the Issuer (the “City Council”) approves the revenue bonds after a public hearing following reasonable public

notice, which includes publication in a newspaper of general circulation available to the residents of the City no fewer than seven (7) days before the hearing in accordance with the requirements of Section 147(f) of the Code and Treasury Regulations, Section 1.147(f)-1; and

WHEREAS, under the terms of Section 469.154, subdivision 3, of the Act, no municipality may undertake a project authorized by the Act unless its governing body finds that the project furthers the purposes of the Act, nor until the Commissioner of the Minnesota Department of Employment and Economic Development (“DEED”) has approved the project; and

WHEREAS, under the terms of Section 469.154, subdivision 4, of the Act, prior to submitting an application to the Commissioner of DEED requesting approval of a project, the governing body of the municipality must conduct a public hearing on the proposal to undertake and finance the project and a notice in the form required by the Act must be published at least once not less than fourteen (14) days nor more than thirty (30) days prior to the date fixed for the public hearing in the official newspaper and a newspaper of general circulation in the municipality; and

WHEREAS, a notice of public hearing (the “Public Hearing Notice”), which provided a general functional description of the type and use of the Project, the maximum aggregate principal amount of revenue bonds to be issued to finance the Project and related costs of \$30,000,000, the identity of the initial legal owner or principal user of the Project, the location of the Project by street address, and a statement that a draft copy of the proposed application to DEED, together with all attachments and exhibits, would be available for inspection at the offices of the City following the publication of the Public Hearing Notice, was published as required by Section 469.154, subdivision 4 of the Act and Section 147(f) of the Code in the *Crow River News*, the official newspaper of the City and a newspaper of general circulation in the City, on June 17, 2021, a date at least fourteen (14) days and not more than thirty (30) days before the public hearing conducted by the City Council on July 6, 2021; and

WHEREAS, on Tuesday, July 6, 2021, the City Council conducted a public hearing on the issuance of the revenue bonds to finance the Project and related costs, at which a reasonable opportunity was provided for interested individuals to express their views on the proposed issuance of such revenue bonds to finance the Project;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. For the purposes set forth above, there is hereby authorized the issuance, sale, and delivery of one or more series of revenue bonds to be designated Charter School Lease Revenue Bonds (Spero Academy Project), Series 2021 (the “Series 2021 Bonds” or the “Bonds”), of the Issuer in an original aggregate principal amount not to exceed \$30,000,000. If the Series 2021 Bonds are issued in more than one series, the separate series shall be separately designated in such manner as is deemed appropriate by the Mayor of the Issuer and the City Administrator of the Issuer (collectively, the “Issuer Officials”), in their discretion. The Series 2021 Bonds shall be issued under the terms of an Indenture of Trust, dated on or after September 1, 2021 (the “Indenture”), between the Issuer and a trustee selected by the Company and acceptable to the Issuer (the “Trustee”). The Series 2021 Bonds shall bear interest at fixed rates established by the terms of the Indenture. The Series 2021 Bonds shall be designated, shall be numbered, shall be dated, shall mature, shall be subject to redemption prior to maturity, shall be in such forms, and shall have such other terms, details, and provisions as are prescribed in the Indenture, in substantially the form on file with the Issuer, with the amendments referenced herein. The Issuer hereby authorizes the Series 2021 Bonds to be issued as “tax-exempt bonds” the interest on which is excludable from gross income for federal and State of Minnesota income tax purposes. Any separate series of Series 2021 Bonds may be issued as “taxable bonds,” if deemed necessary and appropriate by the Issuer

Officials and bond counsel, to be designated as Taxable Charter School Lease Revenue Bonds (Spero Academy Project), Series 2021, or such other designation deemed appropriate by the Issuer Officials.

All of the provisions of the Series 2021 Bonds, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Series 2021 Bonds shall be substantially in the forms in the Indenture on file with the Issuer, which forms are hereby approved, with such necessary and appropriate variations, omissions, and insertions (including changes to the aggregate principal amount of each series of Series 2021 Bonds, the stated maturities of each series of Series 2021 Bonds, the principal amount of Series 2021 Bonds maturing on each maturity date, the interest rates on the Series 2021 Bonds, and the terms of redemption of the Series 2021 Bonds) as the Issuer Officials, in their discretion, shall determine. The execution of the Series 2021 Bonds with the manual or facsimile signatures of the Issuer Officials and the delivery of the Series 2021 Bonds by the Issuer shall be conclusive evidence of such determination.

2. The Series 2021 Bonds shall be special, limited obligations of the Issuer payable solely from the revenues provided by the Company pursuant to the Loan Agreement and from the revenues and security pledged, assigned, and granted pursuant to the following documents: (i) the Combination Mortgage, Security Agreement, and Assignment of Rents and Fixture Financing Statement, to be dated on or after September 1, 2021 (the "Mortgage"), from the Company, as mortgagor, to the Trustee, as mortgagee; (ii) the Assignment of Lease, dated on or after September 1, 2021 (the "Assignment"), from the Company, as assignor, to the Trustee, as assignee; and (iii) the Pledge and Covenant Agreement, dated on or after September 1, 2021 (the "Pledge Agreement"), from the School to the Trustee. The proceeds of the Series 2021 Bonds shall be disbursed pursuant to a Disbursing Agreement, dated on or after September 1, 2021 (the "Disbursing Agreement"), by and between the Company, the Trustee, and a disbursing agent to be selected by the Company, and will be subject to the provisions of a Tax Regulatory Agreement, dated on or after September 1, 2021 (the "Tax Regulatory Agreement"), between the Company, the School, and the Trustee. The City Council hereby authorizes and directs the Issuer Officials to execute and deliver the Indenture to the Trustee, and hereby authorizes and directs the execution of the Series 2021 Bonds in accordance with the terms of the Indenture, and hereby provides that the Indenture shall provide the terms and conditions, covenants, rights, obligations, duties, and agreements of the owners of the Series 2021 Bonds, the Issuer, and the Trustee as set forth therein. All of the provisions of the Indenture, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Indenture shall be substantially in the form on file with the Issuer, which is hereby approved, with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, or as the Issuer Officials, in their discretion, shall determine, and the execution thereof by the Issuer Officials shall be conclusive evidence of such determination.

3. The loan repayments to be made by the Company under the Loan Agreement are fixed to produce revenues sufficient to provide for the prompt payment of principal of, premium, if any, and interest on the Series 2021 Bonds issued under this resolution when due, and the Loan Agreement also provides that the Company is required to pay all expenses of the operation and maintenance of the Project, including, but without limitation, adequate insurance thereon and insurance against all liability for injury to persons or property arising from the operation thereof, and all lawfully imposed taxes and special assessments levied upon or with respect to the Project and payable during the term of the Loan Agreement.

4. As provided in the Loan Agreement, the Series 2021 Bonds (and any other obligations issued under the Indenture) shall not be payable from nor charged upon any funds other than the revenue

pledged to their payment, nor shall the Issuer be subject to any liability thereon, except as otherwise provided in this paragraph. No holder of the Series 2021 Bonds shall ever have the right to compel any exercise by the Issuer of any taxing powers to pay the Series 2021 Bonds or the interest or premium thereon, or to enforce payment thereof against any property of the Issuer except the interests of the Issuer in the Loan Agreement and the revenues and assets thereunder, which will be assigned to the Trustee under the terms of the Indenture. The Series 2021 Bonds shall recite that the Series 2021 Bonds are issued pursuant to the Act, and that the Series 2021 Bonds, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof, and the Series 2021 Bonds shall not constitute a debt of the Issuer within the meaning of any constitutional or statutory limitations.

5. The Schoolhouse is located in the City of Brooklyn Park. Under Treasury Regulations, Section 1.147(f)-1, each governmental unit the geographic jurisdiction of which contains the site of a facility to be financed by the issuance of tax-exempt private activity bonds must approve the issuance of such tax-exempt private activity bonds. The City of Brooklyn Park has offered to grant host approval by publishing a notice of public hearing with respect to its proposed host approval, conducting a public hearing before the City Council of the City of Brooklyn Park on the proposed host approval, and considering the adoption of a resolution by the City Council of the City of Brooklyn Park (the “City of Brooklyn Park Resolution”) granting host approval of the issuance of the Series 2021 Bonds by the Issuer to finance the Project and approving a Cooperation Agreement, to be dated on or after September 1, 2021 (the “Cooperation Agreement”), between the Issuer and the City of Brooklyn Park, pursuant to which the City of Brooklyn Park will consent to the issuance of the Series 2021 Bonds by the Issuer and the Issuer will agree to issue the Series 2021 Bonds. The issuance of the Series 2021 Bonds is subject to the condition that the City of Brooklyn Park Resolution is adopted and becomes effective prior to the issuance of the Series 2021 Bonds.

6. The Issuer Officials are hereby authorized and directed to execute and deliver the Loan Agreement, the Indenture, the Cooperation Agreement, a Bond Purchase Agreement (the “Bond Purchase Agreement”), among the Issuer, Robert W. Baird & Co. Incorporated (the “Underwriter”), the Company, and the School, and such other documents as bond counsel to the Issuer considers appropriate in connection with the issuance of the Bonds (collectively, the “Financing Documents”); provided that the Bond Purchase Agreement may be executed on behalf of the Issuer solely by the City Administrator of the Issuer. All of the provisions of the Financing Documents, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Financing Documents shall be substantially in the forms on file with the Issuer which are hereby approved, with such omissions and insertions as do not materially change the substance thereof, or as the Issuer Officials, in their discretion, shall determine, and the execution of the Financing Documents by the Issuer Officials shall be conclusive evidence of such determination.

7. The Issuer Officials and other officers, employees, and agents of the Issuer are hereby authorized to execute and deliver, on behalf of the Issuer, the Financing Documents to which it is a party and such other documents as are necessary or appropriate in connection with the issuance, sale, and delivery of the Series 2021 Bonds, including: (i) an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038; (ii) an endorsement to a Company and School Tax Certificate; (iii) a certificate as to the receipt of the proceeds of the Series 2021 Bonds and directions to the Trustee as to the disposition of the proceeds of the Series 2021 Bonds; and (iv) various other certificates of the Issuer. The Issuer hereby approves the execution and delivery by the Trustee of the Indenture and all other instruments, certificates, and documents prepared in conjunction with the issuance of the Series 2021 Bonds that require execution by the Trustee. The Trustee is hereby appointed as Bond Registrar and paying agent with respect to the Series 2021 Bonds. The Issuer hereby authorizes Kennedy & Graven,

Chartered, as bond counsel to the Issuer, to prepare, execute, and deliver its approving legal opinion with respect to the Series 2021 Bonds.

8. The Issuer has not participated in the preparation of the Preliminary Official Statement or the Official Statement relating to the offer and sale of the Series 2021 Bonds (collectively, the “Official Statement”), and has made no independent investigation with respect to the information contained therein (other than with respect to information provided under the captions “THE ISSUER” and “ABSENCE OF LITIGATION – The Issuer,” as it relates to the Issuer), including the appendices thereto, and the Issuer assumes no responsibility for the sufficiency, accuracy, or completeness of such information. Subject to the foregoing, the Issuer hereby consents to the distribution and the use by the Underwriter of the Official Statement in connection with the offer and sale of the Series 2021 Bonds. The Official Statement is the sole material consented to by the Issuer for use in connection with the offer and sale of the Series 2021 Bonds.

9. Except as otherwise provided in this resolution, all rights, powers, and privileges conferred and duties and liabilities imposed upon the Issuer or the City Council by the provisions of this resolution or of the aforementioned documents shall be exercised or performed by the Issuer or by such members of the City Council, or such officers, board, body, or agency thereof as may be required or authorized by law to exercise such powers and to perform such duties.

No covenant, stipulation, obligation, or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the City Council, or any officer, agent, or employee of the Issuer in that person’s individual capacity, and neither the City Council nor any officer or employee executing the Series 2021 Bonds shall be liable personally on the Series 2021 Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

No provision, covenant, or agreement contained in the aforementioned documents, the Series 2021 Bonds, or in any other document relating to the Series 2021 Bonds, and no obligation therein or herein imposed upon the Issuer or the breach thereof shall constitute or give rise to any pecuniary liability of the Issuer or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants, and representations set forth in such documents, the Issuer has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Loan Agreement which are to be applied to the payment of the Series 2021 Bonds, as provided therein and in the Indenture.

10. Except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the Issuer or any holder of the Series 2021 Bonds issued under the provisions of this resolution, any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provisions hereof, this resolution, the aforementioned documents and all of their provisions being intended to be and being for the sole and exclusive benefit of the Issuer and any holder from time to time of the Series 2021 Bonds issued under the provisions of this resolution.

11. In case any one or more of the provisions of this resolution (other than the provisions limiting the liability of the Issuer or limiting the liability of the members of the City Council, or the officers, agents, or employees of the Issuer), or of the aforementioned documents, or of the Series 2021 Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Series 2021 Bonds, but this resolution, the aforementioned documents, and the Series 2021 Bonds shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

12. The Series 2021 Bonds, when executed and delivered, shall contain a recital that they are issued pursuant to the Act, and such recital shall be conclusive evidence of the validity of the Series 2021 Bonds and the regularity of the issuance thereof, and that all acts, conditions, and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Series 2021 Bonds, and to the execution of the aforementioned documents to happen, exist, and be performed precedent to the execution of the aforementioned documents have happened, exist, and have been performed as so required by law.

13. The officers of the Issuer, bond counsel, other attorneys, and other agents or employees of the Issuer are hereby authorized to do all acts and things required of them by or in connection with this resolution, the aforementioned documents, and the Series 2021 Bonds for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Series 2021 Bonds, the aforementioned documents, and this resolution. In the event that for any reason any of the Issuer Officials is unable to carry out the execution of any of the documents or other acts provided herein, such documents may be executed and such actions may be taken by any official or employee of the Issuer delegated the duties of any such Issuer Official with the same force and effect as if such documents were executed and delivered by such Issuer Official.

14. The Company has agreed and it is hereby determined that any and all costs incurred by the Issuer in connection with the financing of the Project will be paid by the Company. It is understood and agreed that the Company shall indemnify, defend, and hold harmless the Issuer against all liabilities, losses, damages, costs, and expenses (including attorneys' fees and expenses incurred by the Issuer) arising with respect to the Project or the Bonds, as provided for and agreed to by and between the Company and the Issuer in the Loan Agreement.

15. The authority to approve, execute, and deliver future amendments to Financing Documents entered into by the Issuer in connection with the issuance of the Bonds and consents required under the financing documents is hereby delegated to the City Administrator, subject to the following conditions: (a) such amendments or consents do not require the consent of the respective holders of the Series 2021 Bonds or such consent has been obtained; (b) such amendments or consents do not materially adversely affect the interests of the Issuer; (c) such amendments or consents do not contravene or violate any policy of the Issuer, and (d) such amendments or consents are acceptable in form and substance to counsel retained by the Issuer to review such amendments. The authorization hereby given shall be further construed as authorization for the execution and delivery of such certificates and related items as may be required to demonstrate compliance with the agreements being amended and the terms of this Resolution. The execution of any instrument by the City Administrator shall be conclusive evidence of the approval of such instruments in accordance with the terms hereof. In the absence of the City Administrator any instrument authorized by this paragraph to be executed and delivered may be executed by the officer of the Issuer authorized to act in his/her place and stead.

16. This resolution shall be in full force and effect from and after its passage.

Marvin D. Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

City of Independence
Rezoning, Preliminary and Final Plat Approval Request for the
Schefers Hills Subdivision

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	July 6, 2021
<i>Applicant:</i>	Elmer Schefers
<i>Owner:</i>	Elmer Schefers
<i>Location:</i>	3590 Independence Road

Request:

Elmer Schefers (Applicant/Owner) is requesting the following actions for the property located at 3590 Independence Road (PID No. 12-118-24-32-0003) in the City of Independence, MN:

- a. Rezoning from AG-Agriculture to RR-Rural Residential in accordance with the Comprehensive Land Use Plan.
- b. Preliminary Plat for a 3-lot subdivision of the subject property.
- c. Final Plat for a 3-lot subdivision of the subject property.

Property/Site Information:

The property is located on the east side of Independence Road, just north of Pete Drive. There is an existing home and a detached accessory structure located on the property. The house is accessed off of Independence Road. The property is a combination of rolling hills, tillable acreage and wetlands. The property has the following characteristics:

Property Information: 3590 Independence Road

Zoning: *Agriculture*

Comprehensive Plan: *Rural Residential*

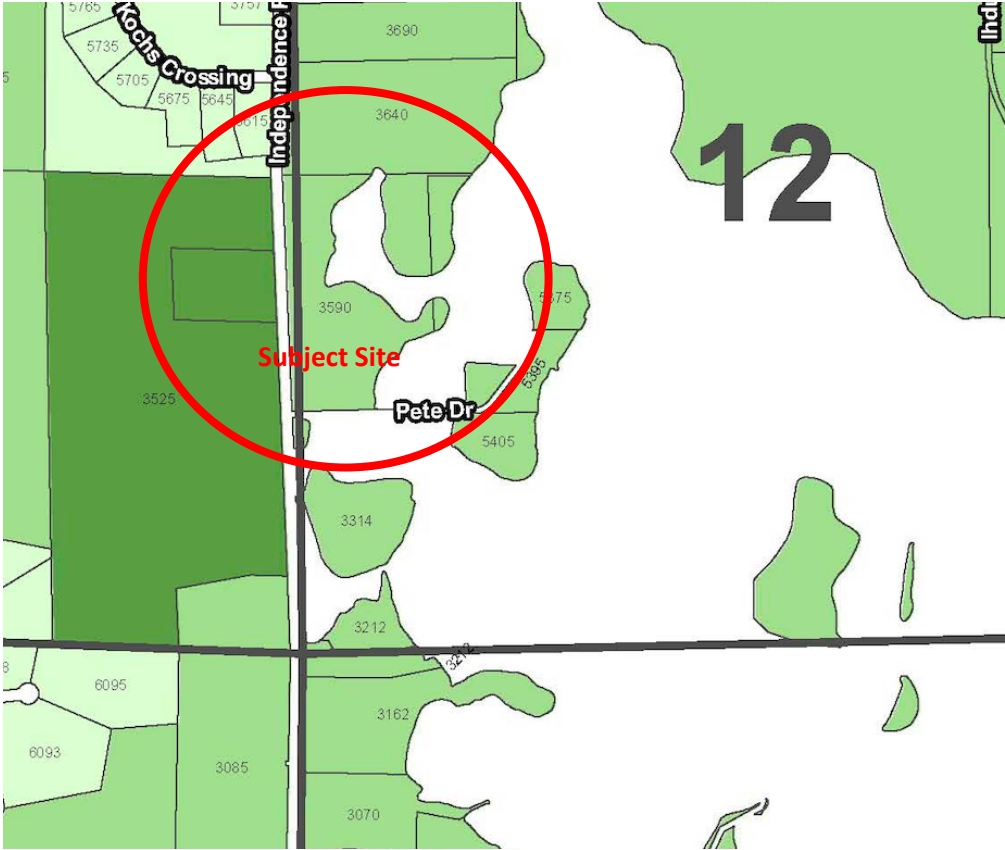
Acreage: +24.34 acres



Discussion:

The applicant approached the City about the possibility of subdividing the subject property to realize several additional lots. The City has had multiple conversations with the applicant regarding the layout, number of lots and access to the proposed lots. The applicant has prepared a preliminary plat and is seeking Rezoning, Preliminary and Final Plat approval for a three (3) lot subdivision to be known as Schefers Hills Subdivision. The proposed subdivision would split the existing 24 acre parcel into three lots. There is an existing home located on the north edge of the property just off of Independence Road. The existing home would remain in the after condition and be located on one of the three lots.

The property is currently zoned Ag – Agriculture and is guided by the City’s Comprehensive Plan as a RR- Rural Residential property (See Map – Green = Agriculture, Light Green = Rural Residential).



Rezoning

Rezoning this property is consistent with the City’s 2030 and 2040 Comprehensive Plan. There are several lots in close proximity to the subject property which are similar in nature to the proposed lots.

Site Plan

The City allows the subdivision of property in the rural residential zoning district if it can be shown to meet all applicable criteria of the ordinance. The City’s applicable standards are further defined as follows:

Subd. 3. Density. Lots of record in the rural residential district may be divided or subdivided into the following maximum number of lots, said maximum number to include the lot for any existing dwelling unit or other principal use: (Amended, Ord. 2010-01)

<u>Area of Lot of Record</u>	<u>Maximum Number of Lots Permitted</u>
7.5 acres or less	One
7.6 through 12.5 acres	Two

12.6 through 17.5 acres	Three
17.6 through 22.5 acres	Four
22.6 through 27.5 acres	Five
27.6 through 32.5 acres	Six
32.6 through 37.5 acres	Seven
37.6 through 42.5 acres	Eight
42.6 through 47.5 acres	Nine, plus one addn. lot for every five addn. acres of land.

In addition to the maximum lot density, the City has the following standards pertaining to Rural Residential lots.

530.03. Physical Standards.

Subd. 3. Physical standards. All lots and construction thereon must meet the following physical standards:

- (a) *Minimum lot area* *^a 2.50 acres buildable land*
- (b) *Minimum lot frontage on an improved public road or street:*

<u>Lot area</u>	<u>Minimum frontage</u>
2.50 – 3.49 acres	^b 200 feet
3.50 – 4.99 acres	^b 250 feet
5.00 – 10.00 acres	^b 300 feet

- (c) Lot depth. *The ratio of lot frontage to lot depth must be no more than 1:4.*

^a *A lot must be a minimum of 2.50 acres buildable land with a demonstrated capability to accommodate two on-site waste disposal systems. Buildable land must be contiguous and not separated by streams, wetlands, slopes in excess of 10% or other physical impediments.*

A more detailed breakdown of the proposed individual lots is as follows:

<u>Block 1</u>	<u>Area</u>	<u>Upland Acreage</u>	<u>Frontage</u>	<u>Lot Frontage to Lot Depth</u>
Lot 1	15.6 acres	5.3 acres	811 LF	1:1
Lot 2	3.17 acres	2.5 acres	481/286 LF	1:1.5
Lot 3	5.57 acres	2.5 acres	531 LF	1:1

The applicant has prepared a preliminary plat and site plan that shows the proposed lots, applicable building setbacks, possible home site locations and all requisite easements. The two new lots would be connected to the City’s sewer (force main) located on Independence Road. Each of the homes would have to install an individual connection to the existing sewer line. The City identified several issues relating to the proposed subdivision that are further described as follows:

- The applicant and City discussed access to the proposed lots at length. Staff recommended that the applicant provide access to the lots off of Pete Drive rather than Independence Road. The site lines on Independence Road are compromised in the vicinity of the proposed lots and potential driveways. In addition, if the lots were laid out in the current configuration, the new property owners would likely want to use Pete Drive for access to the principal structure and or accessory structures. The issue with Pete Drive access is that Pete Drive does not meet the City's current gravel road standards for the road and right of way widths. The existing road is approximately 12 feet wide, and the existing right of way is 33 feet. The City requires new roads to be 26 feet wide and right of way of 66 feet. The City recommended that the applicant provide an additional 33 feet of right of way on the subject property and reconstruct a fully compliant Pete Drive.
- The applicant has agreed to construct the new section of road and provide the City with the requested road easement for the length of the property. The City would only require the construction of the additional road width up to a point where the existing wetland makes further expansion prohibitive (see below). This would provide for an improved section of Pete Drive up to the point where the additional driveways (traffic) would access/use the public road. The widened section of road would be blended back into the existing road as it narrows to the east. The City does maintain Pete Drive beyond the wetlands to the east. Construction of a widened road section through the wetland will be challenging and expensive. The neighboring property owner has recently reached out to the City to inquire about vacating a portion of Pete Drive. Staff will review this request further and may present additional information at the meeting.



- The applicant would like the City to credit a portion of the proposed Pete Drive right of way/easement towards the upland portion of the property. This credit would allow the proposed lots to meet the applicable 2.5-acre minimum lot size. The City's current ordinance excludes right of way in the lot area for this type of subdivision.

500.57. Lots.

Subd. 1. Location. Lots may have no less than 200 feet of frontage on a street or road, except lots fronting on the terminus of a cul-de-sac shall have no less than 50 feet of frontage, and must meet minimum width requirements at the building setback line.

Subd. 2. Size. Lot size requirements for divisions and subdivisions shall be governed by the zoning code or section 705, or both. All dimensions and lot area shall exclude right-of-way.

Staff is seeking direction from the City relating to the possibility of crediting the applicant for a portion of the additional (33 feet) Pete Drive right of way/easement? If the City does not allow the additional right of way to be credited towards the upland portion of the property, the northern property line would need to be adjusted. This could potentially limit the future subdivision of the Lot 1, Block 1 (currently has ~5.3 acres of upland).

- There are several significant wetlands located on this property which make the subdivision more difficult. The applicant and the City have reviewed the location and boundaries of the wetlands on this property. A wetland delineation has been completed and approved by the state, watershed and City. The applicant will be required to maintain the requisite wetland buffer around the wetlands.
- When the City installed the sewer on Independence Road it estimated the potential subdivision of properties located along the sewer line. It was estimated that this property could realize up to 4 lots (see attached exhibit). Each new sewer connection will be subject to the sewer assessment fee and all applicable connection charges.

The proposed lot configuration takes advantage of the best possible home locations on the southern portion of the property. Access to Pete Drive provides for a better solution to access for both properties given the limited site lines and topography along Independence Road. The properties to the east on Pete Drive have the potential to redevelop in the future. There are currently three parcels located to the east of the wetland. It is possible that the properties to the east could subdivide in the future depending on their ability to bring Pete Drive up to a full City street.

Engineering

The City has reviewed the proposed road expansion plans for Pete Drive and found them to be compliant with applicable standards. The City will require the developer to enter into a development agreement relating to the proposed road improvements, park dedication fees and sewer connection fees. The

individual lots will be required to apply for and be granted a grading permit at the time of building permit application. At that time the City will review the individual lot grading.

Park Dedication

The proposed subdivision is subject to the City's park dedication requirements. The park dedication requirements are broken down as follows:

Park dedication fee \$3,500 per lot up to 4.99 acres, plus \$750 per acre for each acre over 5.

Lot 1 includes the existing home and will not be subject to additional park dedication fees.

Lot 2 – 3.17 acres = \$3,500

Lot 3 – 5.57 acres = \$3,500 + 428 (\$3,928)

The total amount of the park dedication is \$7,428 for the two (2) new lots.

Planning Commission Discussion/Comments:

Planning Commissioners reviewed the request and asked questions of the applicant and staff. Commissioners concurred that access to the proposed lots would be off of Pete Drive. Commissioners noted that the proposed layout was based on trying to accommodate the best home building sites. It was confirmed that each of the proposed lots would be able to connect to City sewer. Commissioners discussed that the additional right of way for Pete Drive would normally be split between the properties on either side, but in this case, there is not an option to go to the south due to the wetland. Commissioners recommended approval of the proposed subdivision with the findings and conditions included in this report and the resolution.

Neighbor Comments:

The City has received several questions and comments from adjacent property owners. Adjacent property owners had questions relating to the road improvements, number of lots and access. Neighboring property owners wanted to ensure that the proposed homes and associated traffic would not impact Pete Drive in a way that negatively impacts their respective properties.

Recommendation:

The Planning Commission recommended approval of the requested rezoning, preliminary plat and final plat subject to the developer entering into a development agreement with the City. The following findings and conditions should be considered by the Council:

1. The proposed Rezoning and Preliminary and Final Plat meet all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.

2. City Council Approval of the Preliminary and Final Plat is subject to the following:
 - a. The Applicant shall address all comments and applicable requirements pertaining to the development.
 - b. The Applicant shall make all revisions requested in the staff report, by the Planning Commission and City Council.
 - c. The Applicant shall comply with all applicable regulations and conditions prescribed by Pioneer Sarah Creek Watershed Management Commission.
 - d. The Applicant shall enter into a development agreement with the City for this development.
 - e. The Applicant shall provide a letter of credit or acceptable form of security as established by the development agreement for all public improvements associated with this development.
3. The Applicant shall pay the park dedication fees in accordance with the terms defined in the Development Agreement.
4. The Applicant shall pay the applicable sewer assessment and connection fees.
5. The Applicant shall pay for all costs associated with the City's review of the rezoning, preliminary and final plats.
6. The Applicant shall record the final plat and associated documents with Hennepin County within six (6) months of approval of the City Council approval.

Attachments:

1. **RESOLUTION No. 21-0706-02**
2. Preliminary Plat and Site Plan
3. Grading plan road construction plan and details.
4. Final Plat



RESOLUTION NO. 21-0706-02

**A RESOLUTION GRANTING APPROVAL OF A PRELIMINARY AND FINAL PLAT
TO BE KNOWN AS SCHEFERS HILLS**

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

WHEREAS, the City adopted a comprehensive plan in 2010 to guide the development of the community; and

WHEREAS, the City has adopted a zoning ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, Elmer Schefers (the “Applicant” and “Owner”) has submitted a request for a Preliminary and Final Plat to the allow the subdivision of the property located at 3590 Independence Road and identified by (PID No. 12-118-24-32-0003) (the “Property”); and

WHEREAS, the Property is legally described on Exhibit A attached hereto; and

WHEREAS, the Preliminary and Final Plats are further depicted on Exhibits B and C attached hereto; and

WHEREAS, the Property is zoned RR-Rural Residential with the S-Shoreland Overlay; and

WHEREAS the requested Preliminary and Final Plats meet all requirements, standards and specifications of the City of Independence zoning ordinance for Rural Residential lots; and

WHEREAS the Planning Commission held a public hearing on May 18, 2021 to review the application for the Subdivision, following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by

Elmer Schefers for a Preliminary and Final Plat to permit the subdivision of the property per the City's subdivision regulations with the following conditions:

1. City Council Approval of the Preliminary and Final Plat is subject to the following:
 - a. The Applicant shall address all comments and applicable requirements pertaining to the development.
 - b. The Applicant shall make all revisions requested in the staff report, by the Planning Commission and City Council.
 - c. The Applicant shall comply with all applicable regulations and conditions prescribed by Pioneer Sarah Creek Watershed Management Commission.
 - d. The Applicant shall enter into a development agreement with the City for this development.
 - e. The Applicant shall provide a letter of credit or acceptable form of security as established by the development agreement for all public improvements associated with this development.
2. The Applicant shall pay the park dedication fees in accordance with the terms defined in the Development Agreement.
3. The Applicant shall pay the applicable sewer assessment and connection fees.
4. The Applicant shall pay for all costs associated with the City's review of the rezoning, preliminary and final plats.
5. The Applicant shall record the final plat and associated documents with Hennepin County within six (6) months of approval of the City Council approval.

This resolution was adopted by the City Council of the City of Independence on this 6th day of July 2021, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

EXHIBIT A
(Legal Description)

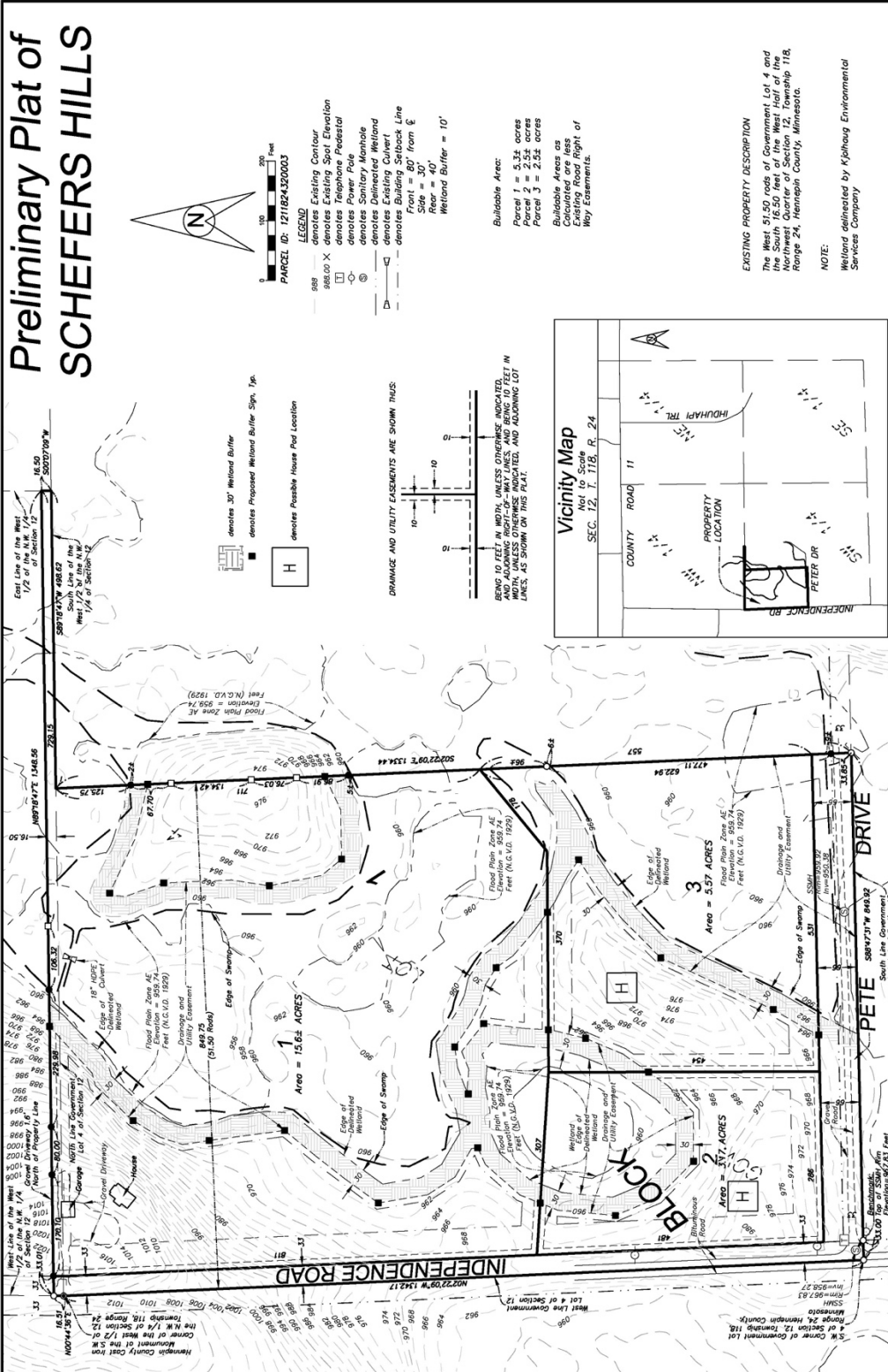
EXISTING PROPERTY DESCRIPTION

*The West 51.50 rods of Government Lot 4 and
the South 16.50 feet of the West Half of the
Northwest Quarter of Section 12, Township 118,
Range 24, Hennepin County, Minnesota.*

EXHIBIT B

Preliminary Plat

Preliminary Plat of SCHEFERS HILLS



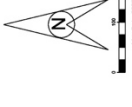
	www.attoassociates.com 9 West Division Street Buffalo, MN 55913 (763) 985-6277 Fax: (763) 682-3622	● denotes iron monument found ○ denotes 1/2 inch by 14 inch iron pipe set and marked by License #A0082
	Project No. 20-0158	
Requested By: Elmer Schefers	Checked By: P.E.O.	
Date: 10-2-20	Scale: 1" = 100'	
Drawn By: S.O.S.	Date: 10-2-20	
I hereby certify that the survey, plan, or report was made by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota. Paul E. O'Connell License #A0082 Date: 4-29-2021	Revises: (None)	

EXHIBIT C

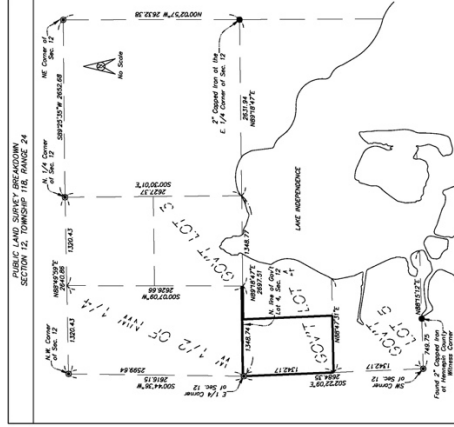
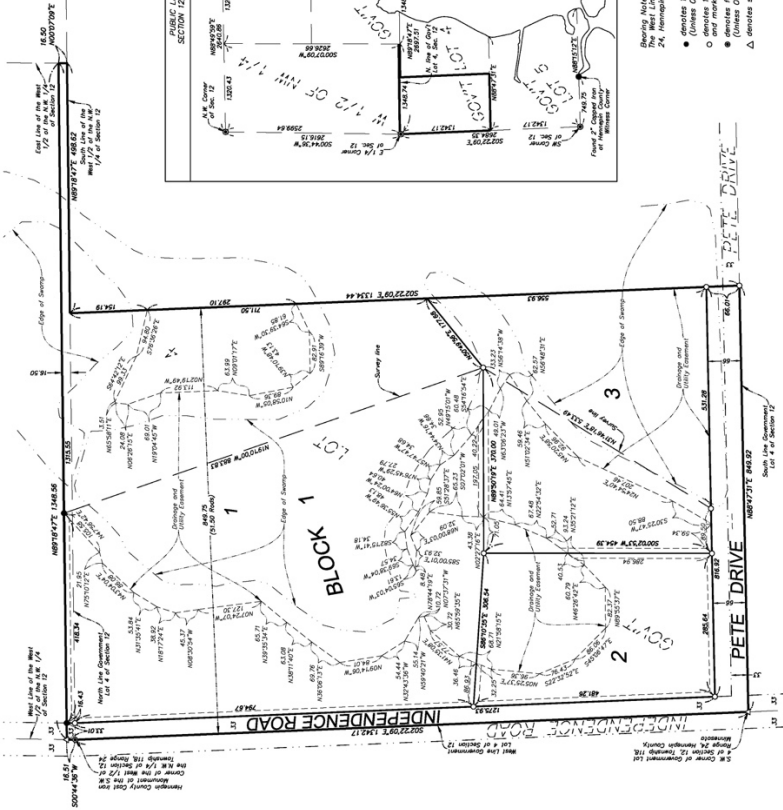
Final Plat

SCHEFFERS HILLS

C.F. DOC. NO. _____



DRAINAGE AND UTILITY ELEMENTS ARE SHOWN IN GREEN. SEE ATTACHED SHEETS FOR DETAILS.



Beating Note: The West Line Government Lot # of Section 12, Township 116, Range 24, Hennepin County, Minnesota, is contained in Subj. 1022209 R.



Engineers & Land Surveyors, Inc.

KNOW ALL PERSONS BY THESE PRESENTS, That Emer J. Schifers and Barbara A. Schifers, husband and wife, the owners of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

The West 63.50 rods of Government Lot # 4 and the South 18.50 feet of the West Half of the Northwest Quarter of Section 12, Township 116, Range 24, Hennepin County, Minnesota, to-wit:

Now create the same to be surveyed and divided as SCHEFFERS HILLS and have hereby dedicate to the public for public use the public way and the drainage and utility easements as created by this plat.

In witness whereof said Emer J. Schifers and Barbara A. Schifers, husband and wife, have hereunto set their hands this _____ day of _____, 20____.

Emer J. Schifers _____ Barbara A. Schifers _____

STATE OF MINNESOTA _____

County of Hennepin _____

Notary Public, _____

My commission expires _____

I, Paul E. Oita do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor with State of Minnesota and this plat is a correct representation of the boundary as shown on the ground and as shown on the plat.

On this day I have been paid the correct fee for this plat, and I have also been paid for all other services and fees provided on this plat and all other ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Paul E. Oita, Licensed Land Surveyor
Minnesota License Number 40022

STATE OF MINNESOTA _____

County of Hennepin _____

Notary Public, _____

My commission expires _____

This instrument was acknowledged before me on this _____ day of _____, 20____.

By _____ Mayor of the City of Independence, Minnesota

By _____ Clerk

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota

Mark K. Chapin, County Auditor

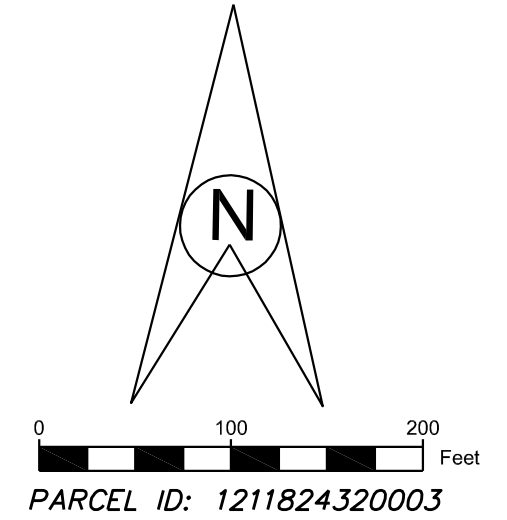
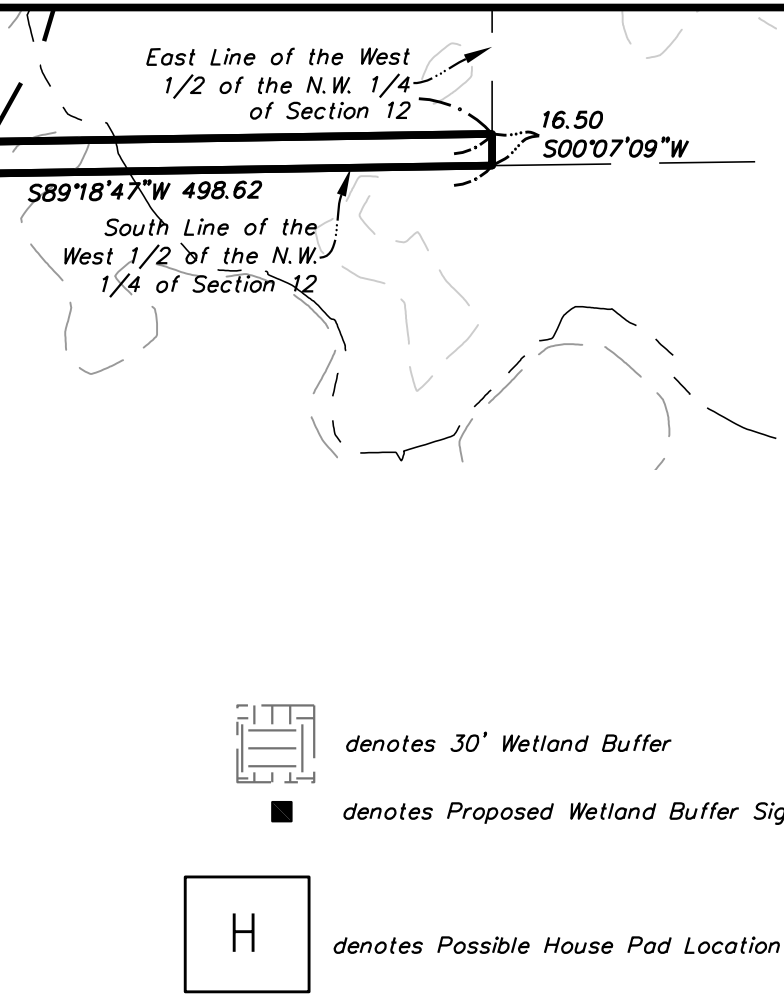
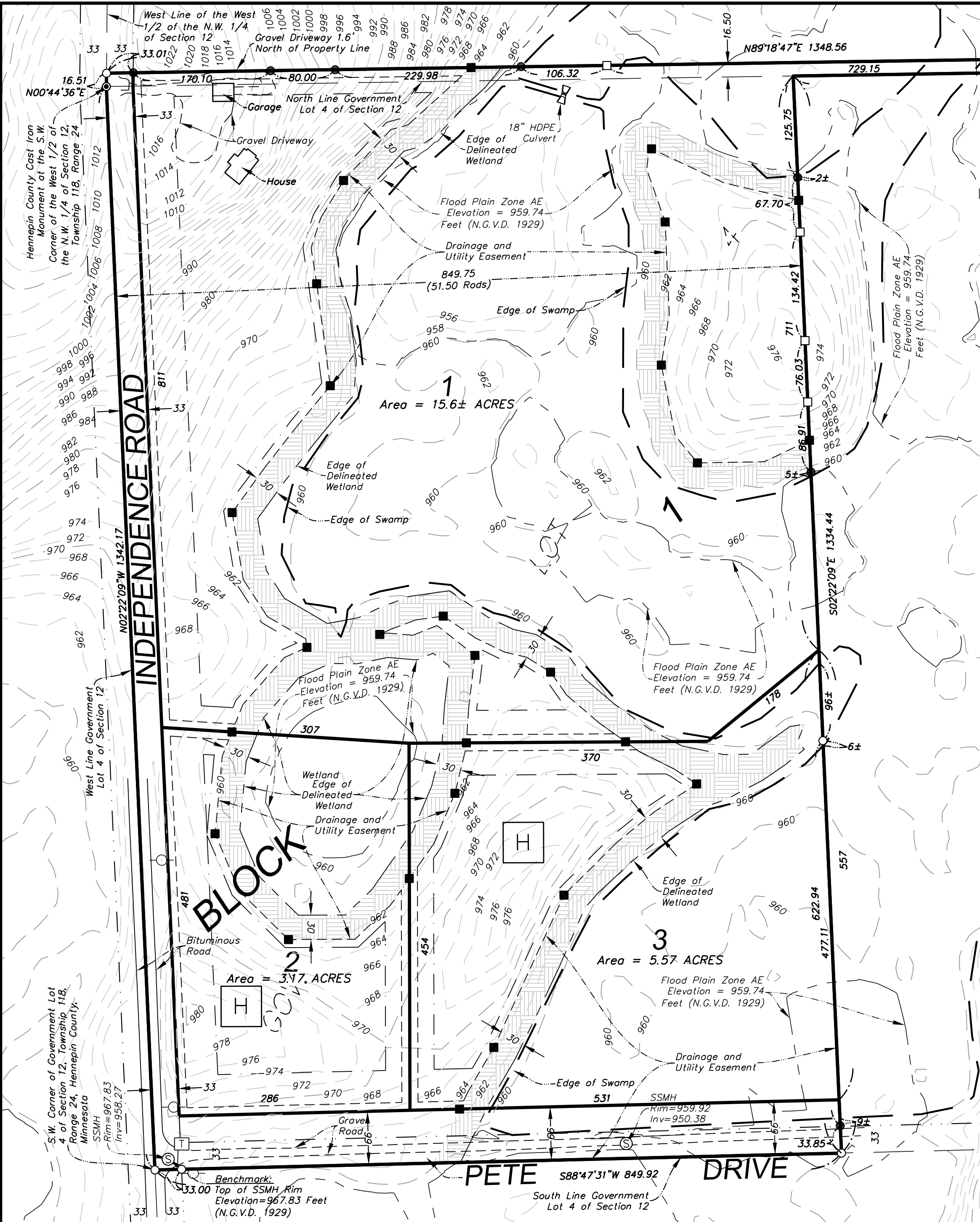
By _____

Chris F. Wink, County Surveyor

I hereby certify that the within plat of SCHEFFERS HILLS was recorded in this office this _____ day of _____, 20____.

Martha McCoskib, County Recorder

Preliminary Plat of SCHEFERS HILLS

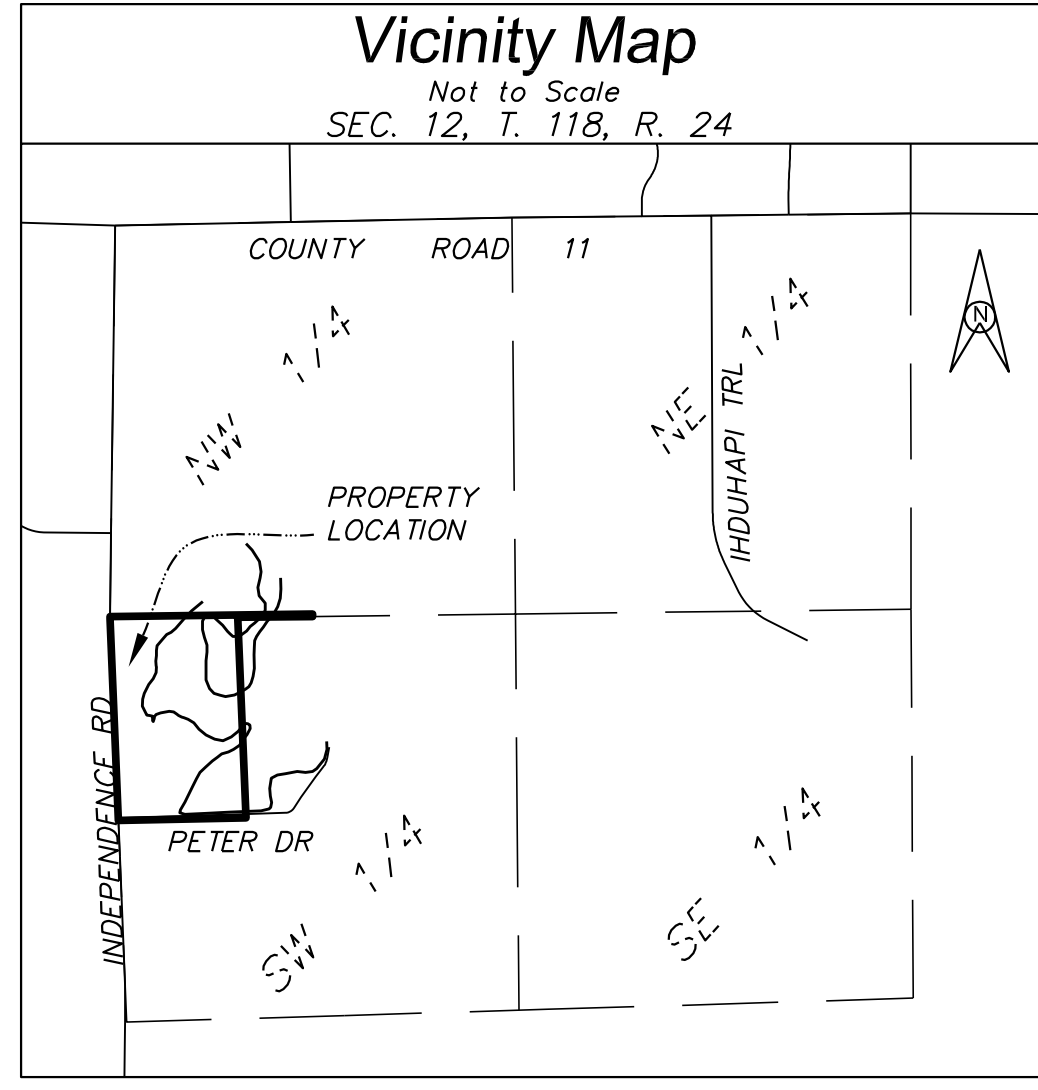


- PARCEL ID: 1211824320003
- LEGEND**
- 988 — denotes Existing Contour
 - 988.00 X denotes Existing Spot Elevation
 - denotes Telephone Pedestal
 - denotes Power Pole
 - ⊙ denotes Sanitary Manhole
 - denotes Delineated Wetland
 - denotes Existing Culvert
 - - - denotes Building Setback Line
 - Front = 80' from C
 - Side = 30'
 - Rear = 40'
 - Wetland Buffer = 10'

Buildable Area:

Parcel 1 = 5.3± acres
 Parcel 2 = 2.5± acres
 Parcel 3 = 2.5± acres

Buildable Areas as Calculated are less Existing Road Right of Way Easements.



EXISTING PROPERTY DESCRIPTION

The West 51.50 rods of Government Lot 4 and the South 16.50 feet of the West Half of the Northwest Quarter of Section 12, Township 118, Range 24, Hennepin County, Minnesota.

NOTE:

Wetland delineated by Kjolhaug Environmental Services Company

Preliminary Plat on part of Government Lot 4, Section 12, Township 118, Range 24, Hennepin County, Minnesota.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Requested By:

Elmer Schefers

www.ottoassociates.com
 9 West Division Street
 Buffalo, MN 55313
 (763)682-4727
 Fax: (763)682-3522

- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062

Project No. **20-0158**

Revised:

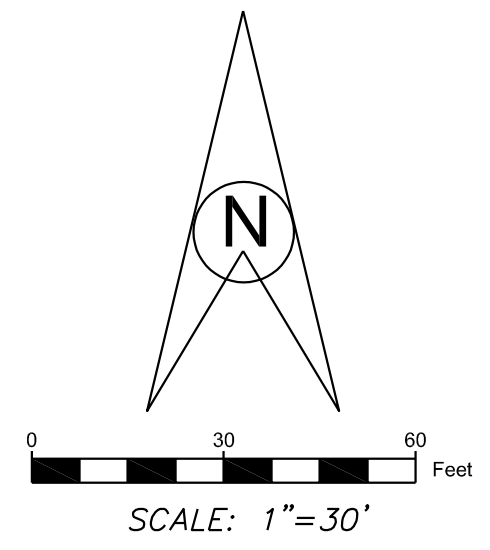
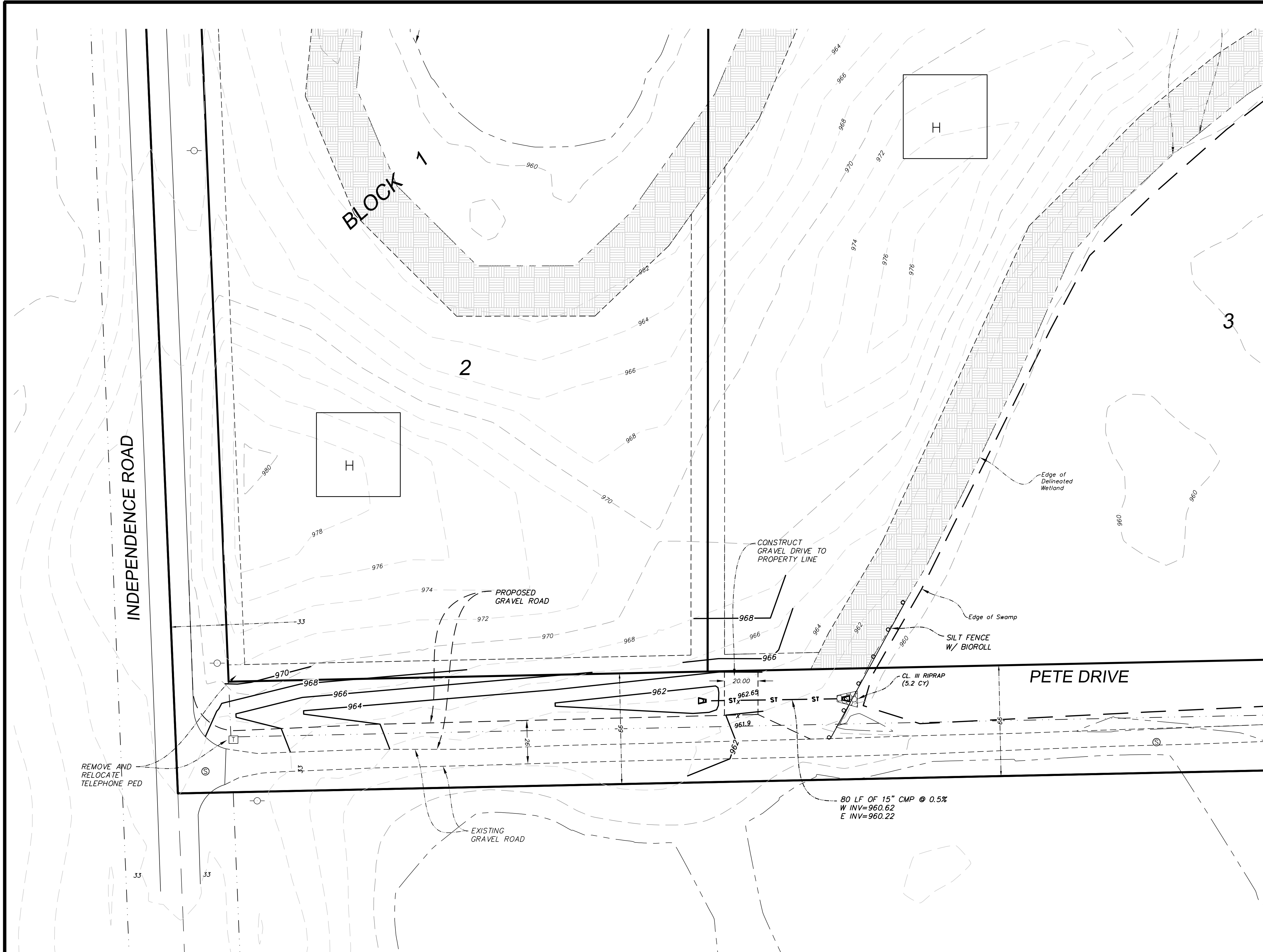
Paul E. Otto
 Paul E. Otto
 License #40062 Date: 4-20-2021

Date: **10-2-20**

Drawn By: **S.O.S.**

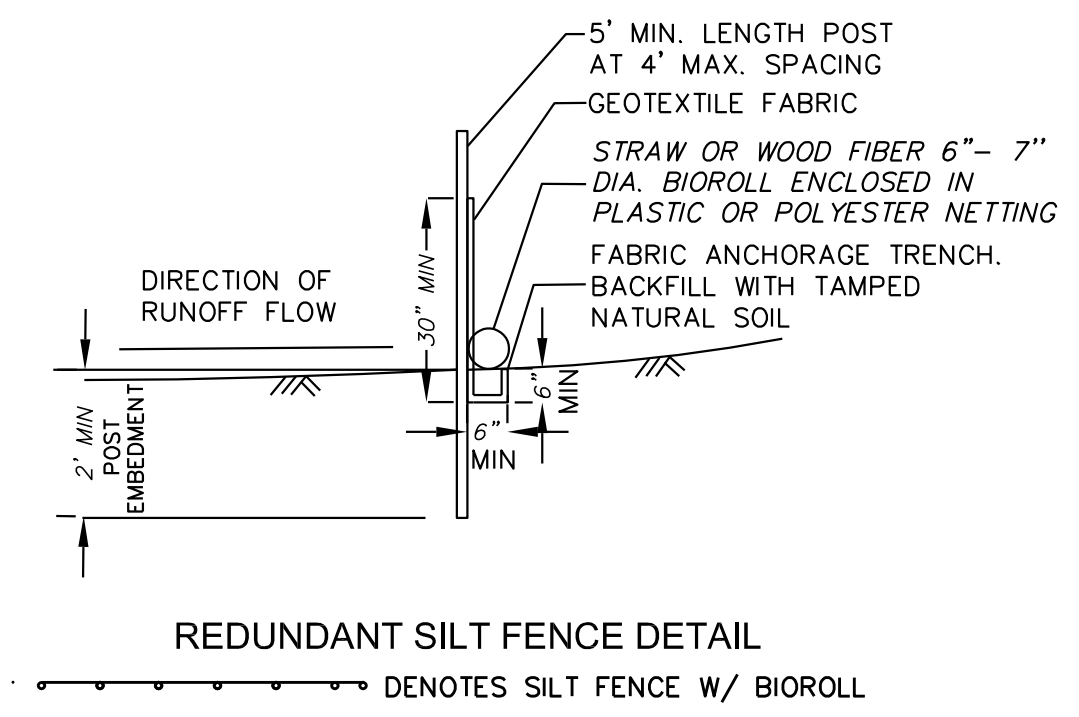
Scale: **1" = 100'**

Checked By: **P.E.O.**



- 1024 denotes Existing Contour
- 1024.00 X denotes Existing Spot Elevation
- 1024 denotes Proposed Contour
- 1024.5 X denotes Proposed Spot Elevation
- ⊠ denotes Existing Telephone Pedestal
- ⊙ denotes Existing Sanitary Manhole
- - - denotes Delineated Wetland

Note: Wetlands delineated by Kjolhaug Environmental Services Company.



TYPICAL ROAD SECTION

8" MN/DOT 2211 CLASS 5 AGGREGATE BASE (MAX. 4" SALVAGE ON RECONSTRUCTION PROJECTS)

REV. NO.	DATE	BY	DESCRIPTION

DESIGNED DRAWN
P.E.O. J.R.H.
CHECKED
P.E.O.

I hereby certify that this survey, plan, or report was prepared by my or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul E. Otto
Paul E. Otto
License #40062 Date: 6-16-21

OTTO
Engineers & Land Surveyors, Inc.

www.ottoassociates.com
9 West Division Street
Buffalo, MN 55313
(763)682-4727
Fax: (763)682-3522

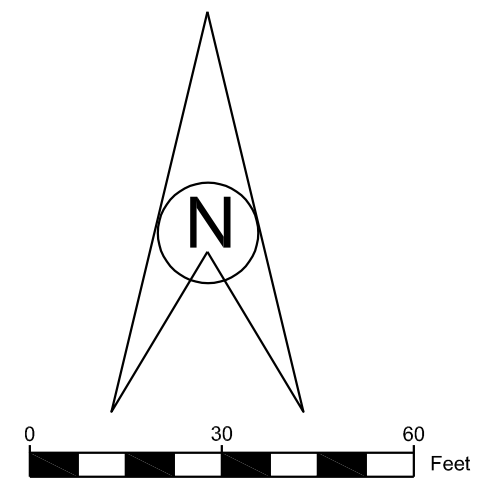
SCHEFERS HILLS
ELMER SCHEFERS
INDEPENDENCE, MN

GRADING PLAN

SHEET NO. 1 OF 2 SHEETS

PROJECT NO:
20-0158

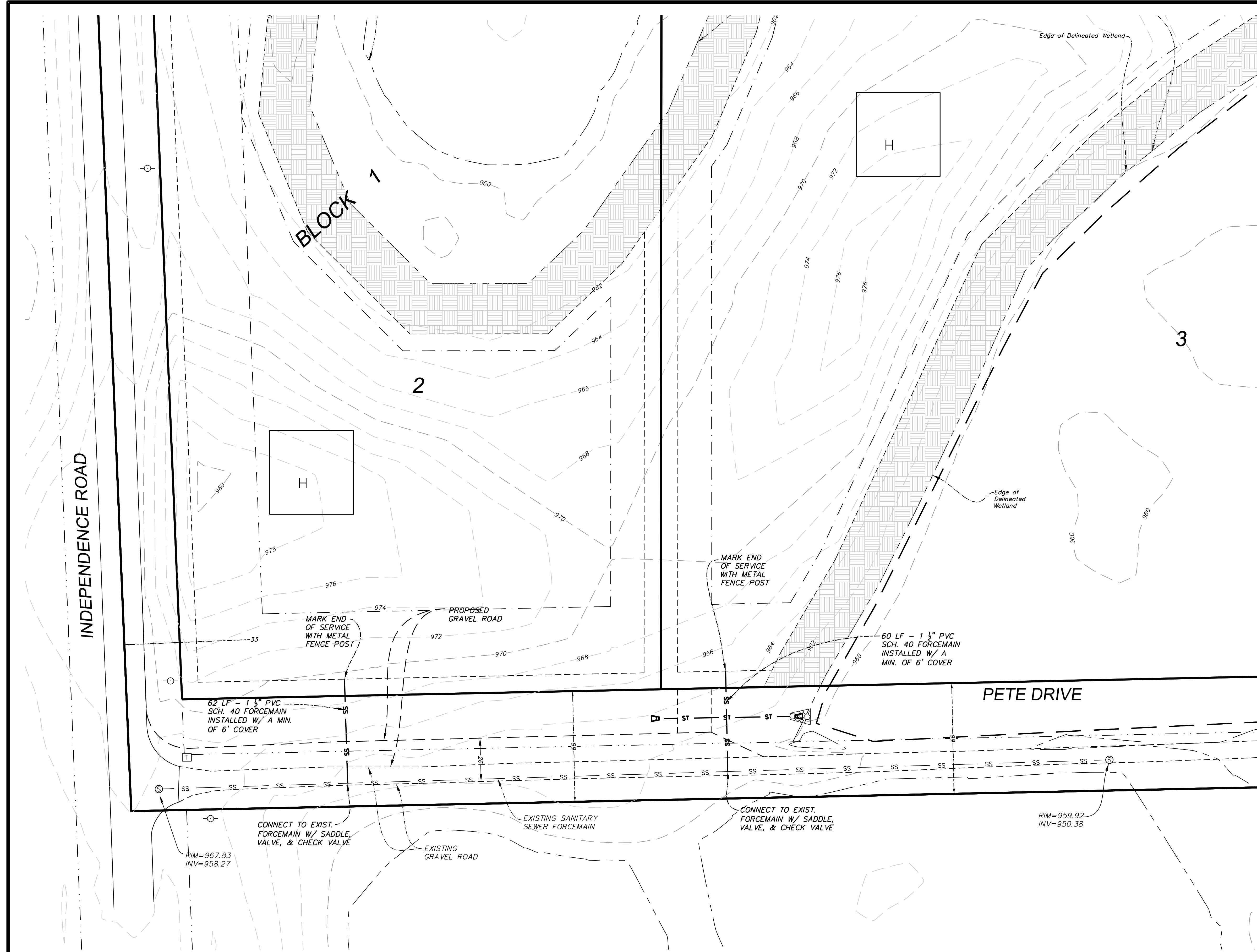
DATE:
6-16-21



SCALE: 1"=30'

- ⊞ denotes Existing Telephone Pedestal
- ⊙ denotes Existing Sanitary Manhole
- SS — denotes Existing Sanitary Sewer Line
- SS — denotes Proposed Sanitary Sewer Line
- ST — denotes Proposed Storm Sewer Line

Note: Wetlands delineated by Kjolhaug Environmental Services Company.



REV. NO.	DATE	BY	DESCRIPTION

DESIGNED	DRAWN	I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
P.E.O.	J.R.H.	
CHECKED		Paul E. Otto License #40062 Date: 6-16-21
P.E.O.		

www.ottoassociates.com
 9 West Division Street
 Buffalo, MN 55313
 (763)682-4727
 Fax: (763)682-3522

SCHEFERS HILLS
 ELMER SCHEFERS
 INDEPENDENCE, MN

UTILITY PLAN
 SHEET NO. 2 OF 2 SHEETS

PROJECT NO:
 20-0158
 DATE:
 6-16-21

SCHEFERS HILLS

C.R. DOC. NO. _____

KNOW ALL PERSONS BY THESE PRESENTS: That Elmer J. Schefers and Barbara A. Schefers, husband and wife, fee owners of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

The West 51.50 rods of Government Lot 4 and the South 16.50 feet of the West Half of the Northwest Quarter of Section 12, Township 118, Range 24, Hennepin County, Minnesota.

Has caused the same to be surveyed and platted as SCHEFERS HILLS and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat.

In witness whereof said Elmer J. Schefers and Barbara A. Schefers, husband and wife, have hereunto set their hands this _____ day of _____, 20____.

Elmer J. Schefers

Barbara A. Schefers

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____ by Elmer J. Schefers and Barbara A. Schefers.

(Notary Signature)

(Notary Printed Name)

Notary Public, _____ County, Minnesota

My commission expires _____

I Paul E. Otto do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Paul E. Otto, Licensed Land Surveyor
Minnesota License Number 40062

STATE OF MINNESOTA
COUNTY OF WRIGHT

This instrument was acknowledged before me on this _____ day of _____, 20____ by Paul E. Otto.

(Notary Signature)

(Notary Printed Name)

Notary Public, _____ County, Minnesota

My commission expires _____

CITY COUNCIL, CITY OF INDEPENDENCE, MINNESOTA

This plat of SCHEFERS HILLS was approved and accepted by the City Council of the City of Independence, Minnesota, at a regular meeting thereof held this _____ day of _____, 20____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Independence, Minnesota

By _____ Mayor By _____ Clerk

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota

I hereby certify that taxes payable in 20____ and prior years have been paid for land described on this plat, dated this _____ day of _____, 20____.

Mark V. Chapin, County Auditor by _____ Deputy

SURVEY DIVISION, Hennepin County, Minnesota

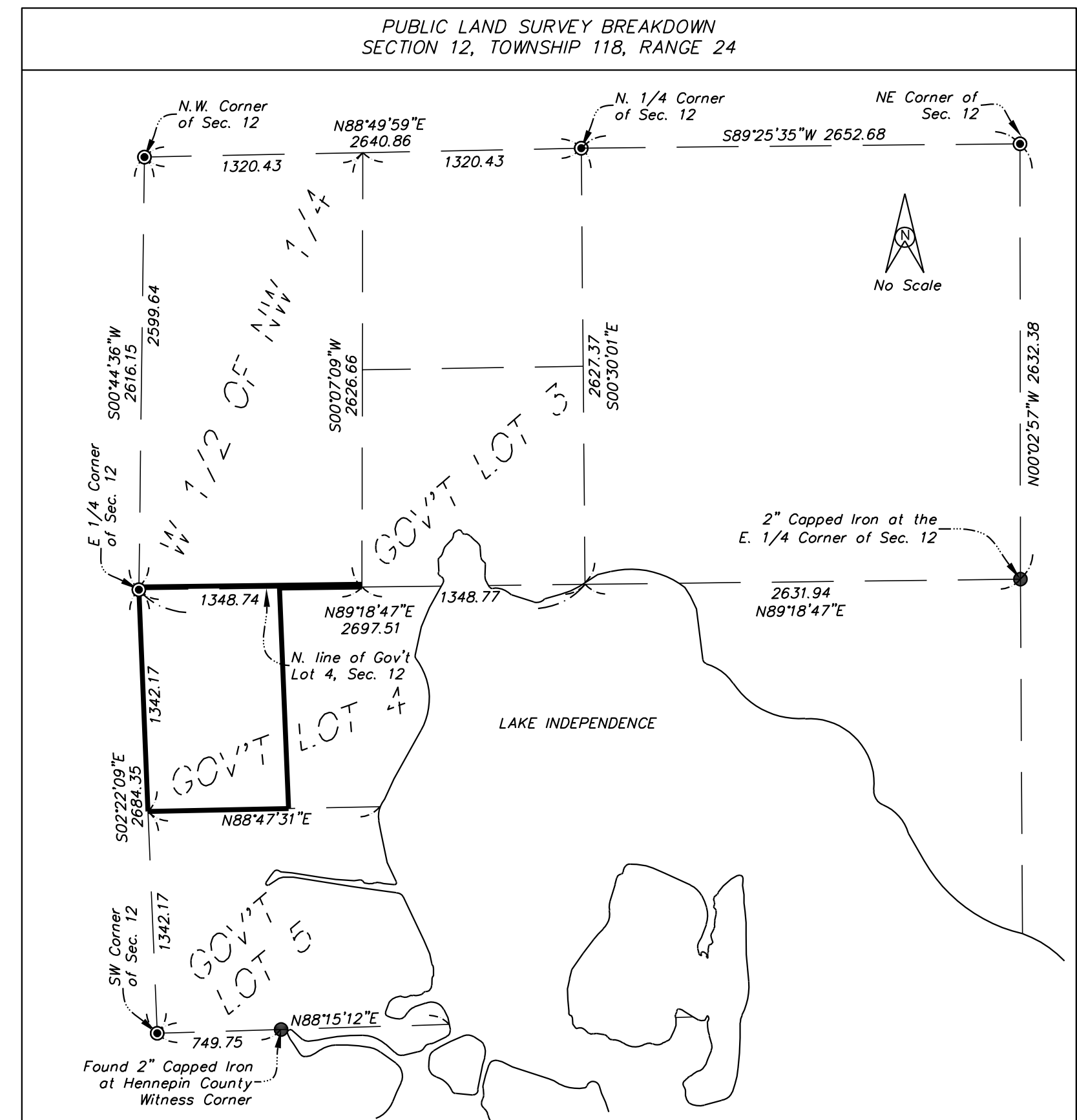
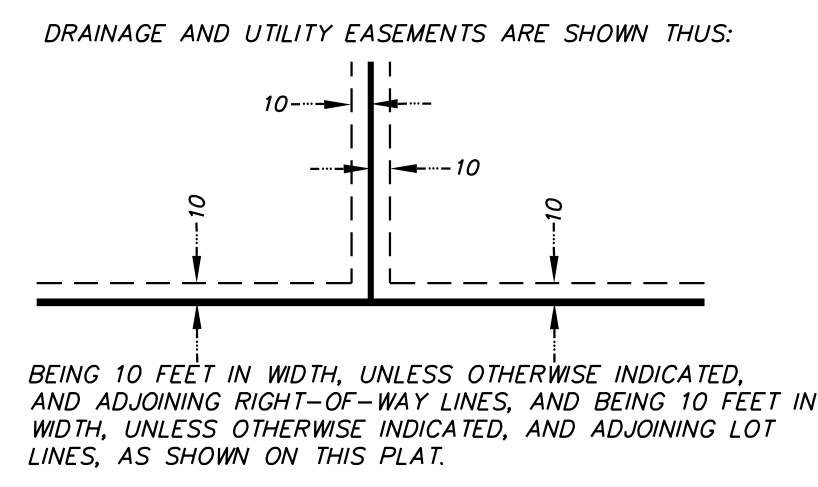
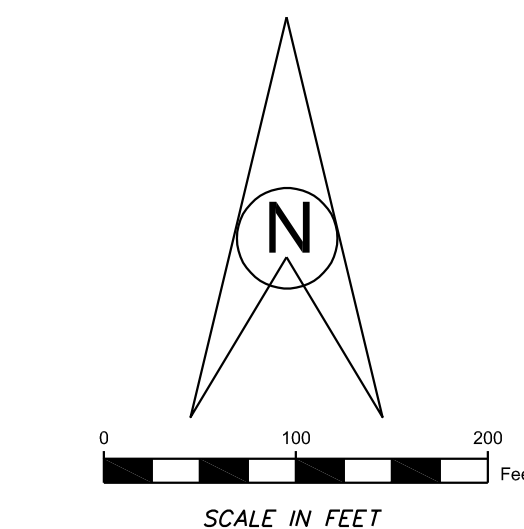
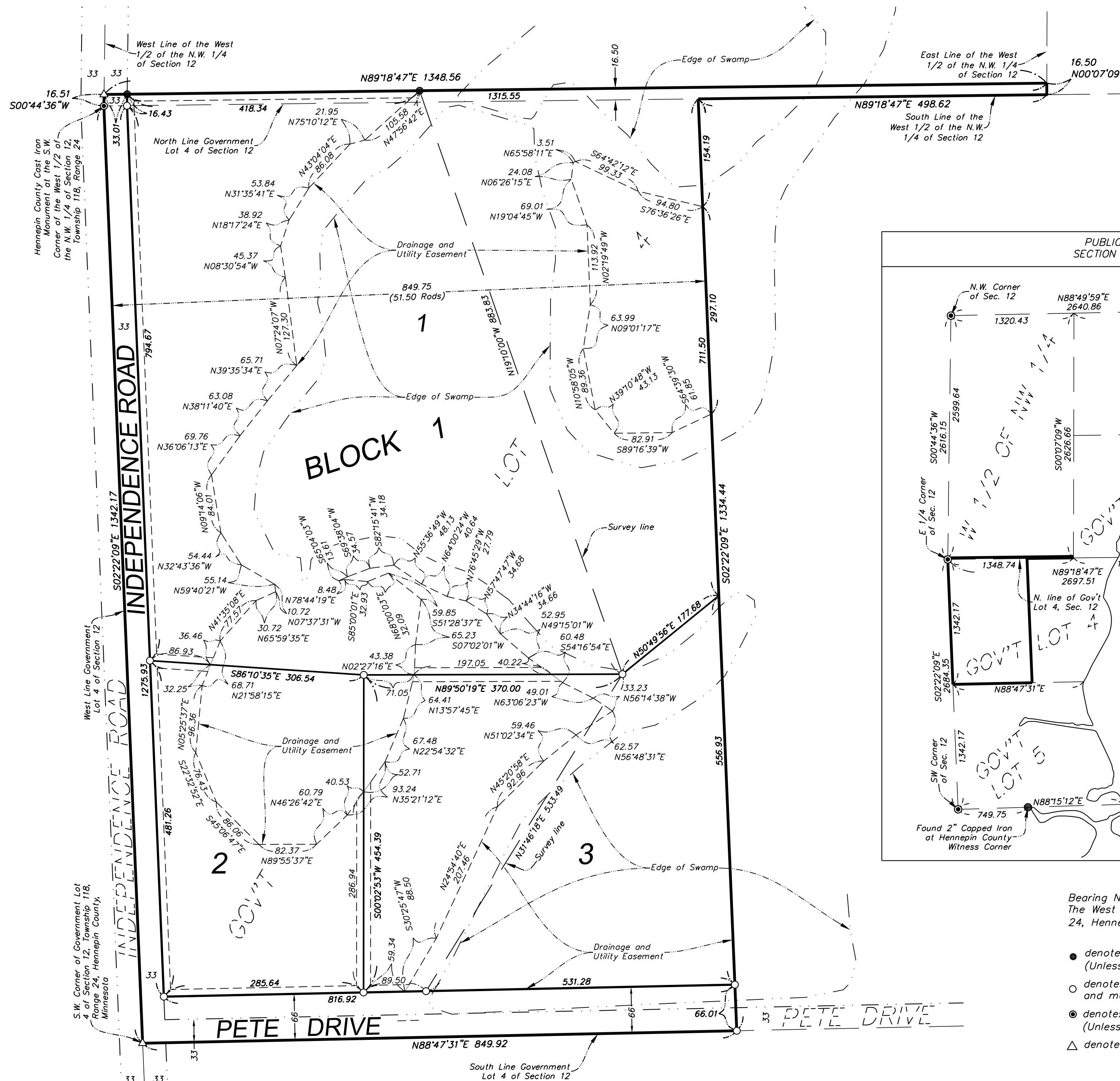
Pursuant to MN. STAT. Sec. 383B.565 (1969), this plat has been approved this _____ day of _____, 20____.

Chris F. Mavis, County Surveyor by _____

COUNTY RECORDER, Hennepin County, Minnesota

I hereby certify that the within plat of SCHEFERS HILLS was recorded in this office this _____ day of _____, 20____, at _____ o'clock _____M.

Martin McCormick, County Recorder by _____ Deputy



- Bearing Note:
The West Line Government Lot 4 of Section 12, Township 118, Range 24, Hennepin County, Minnesota, is assumed to bear N02°22'09"W.
- denotes 1/2 inch iron monument found RLS Cap No. 12755 (Unless Otherwise Noted)
 - denotes 1/2 inch iron by 14 inch iron pipe set and marked RLS 40062
 - ⊙ denotes found Hennepin County Cast Iron Monument (Unless Otherwise Noted)
 - △ denotes set pk nail



City of Independence

Preliminary and Final Plat Review of Lake Sarah Hill, a Proposed Four (4) Lot Subdivision on the Subject Property Located at the Northeast Corner of County Road 11 and Woodhill Drive

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	July 6, 2021
<i>Applicant:</i>	Donavon DesMarais
<i>Owner:</i>	Jerry Wise
<i>Location:</i>	Property Identified by PID No. 01-118-24-34-0010

Request:

Donavon 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. Preliminary Plat for a proposed subdivision of the subject property to create four (4) new lots (3 would have lakeshore on Lake Sarah).
- b. Final Plat for a proposed subdivision of the subject property to create four (4) new lots.

Property/Site Information:

The property is located at the northeast corner of CSAH 11 and Woodhill Drive. There is a non-conforming detached accessory structure located on the property. There are several wetlands on the property, and it has lake frontage on Lake Sarah.

Property Information: PID No. 01-118-24-34-0010

Zoning: *Rural Residential*

Comprehensive Plan: *Rural Residential (S-Shoreland Overlay)*

Acreage: ~10

Aerial Photograph of Property



Discussion:

The applicant is asking the City to consider approving preliminary and final plat for a new four (4) lot subdivision on the subject property. Earlier this year, the City reviewed a concept plan for this development and provided feedback to the applicant and staff relating to the proposed development. The applicant has now prepared a more detailed submittal for the requested actions. The City is being asked to consider the following actions:

1. Preliminary Plat approval.
2. Final Plat approval.

The City has 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 allows properties zoned S-Shoreland and have access to sanitary sewer, to 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.

Subd. 2. *Lot standards.*

	Unsewered Areas			Sewered Areas		
	NE Waters	RD Waters	Tributary Streams	NE Waters	RD Waters	Tributary Streams
Lot Area	2.5 acres	2.5 acres	2.5 acres	1.0 acre	1.0 acre	1.0 acre
Water frontage and lot width at building line	200 ft	200 ft	200 ft	125 ft	100 ft	100 ft
Structure setback from ordinary high water mark	150 ft	100 ft	100 ft	150 ft	100 ft	100 ft
Structure setback from roads and highways	85 ft from centerline or 50 ft. from right-of-way, whichever is greater					
Structure height limitation	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft
Maximum lot area covered by impervious surface	25%	25%	25%	25%	25%	25%
Sewage system setback from ordinary high water mark	150 ft	75 ft (RR) 150 ft (AG)	75 ft (RR) 150 ft (AG)	125 ft	75 ft	75 ft

Proposed Lot Details:

Lot No.	Lot Area	Lot Width at OWHL	Lot Width at Setback	Frontage
Lot 1	2.0 acres	142 LF	~120 LF	137 LF
Lot 2	2.8 acres	107 LF	~115 LF	137 LF
Lot 3	3.2 acres	129 LF	~125 LF	137 LF
Lot 4	2.12 acres	N/A	N/A	139 LF/619 LF

A detailed review of the storm water, grading, wetlands and infrastructure details has been completed by the City. The following comments should be considered by the City:

1. There is no grading being proposed as a part of the subdivision.
 - a. Each lot will be individually graded at the time a building permit is pulled.
 - b. Each lot will be individually connected to City sewer at the time a building permit is pulled.

As a result, there are no overall development concerns relating to grading, utilities or stormwater.

2. A wetland delineation has been completed for the property. The applicant is proposing to contain the wetlands and the requisite buffer within a newly established drainage and utility easement. The establishment of the D&U easements surrounding wetlands and wetland buffers is required and consistent with established City standards.
 - a. It should be noted that Lot 3, Block 1 has approximately 5 feet of clear access from the main portion of the lot to get to the lake side of the property. In addition, the applicant would have to cross the wetland in some manner to access the lake. As a result of these conditions, it is recommended that the developer be required to provide perspective buyers with information relating to the lot limitations. The City has prepared information relating to Lot 3 that will be required to be recorded against the property.
3. The applicant has identified the potential home sites for each lot along with the prescribed building setbacks.
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 the following criteria is satisfied.

^b Lots must have no less than the specified minimum frontage respectively on a right-of-way, provided that the city council may waive the requirement if the following conditions are met:

- (1) The applicant submits and the city council approves a development plan encompassing all land under the control of the applicant.*
- (2) The development plan must demonstrate that vehicular and pedestrian access, as well as emergency and public vehicular access can be provided to each lot in the development plan.*
- (3) The applicant must enter into a private road agreement that meets the criteria of subsection 510.05, subdivision 70 of this Code as well as additional conditions deemed necessary by the city council to protect the health, safety and welfare of the occupants of the lots within the development plan.*

The proposed layout appears to create a more advantageous configuration due to access for all lots coming off of Woodhill Drive versus CSAH 11. During the review of the concept plan, Council and Planning Commission noted that access for all lots off of Woodhill Drive would better serve the proposed properties. Hennepin County has also indicated that an additional access onto CSAH 11 would not likely be approved. One key aspect of this consideration is that the property has the requisite length of frontage to support all four proposed lots. The City would therefore be

waiving the frontage requirement for each individual lot, but not the reduction of total frontage required to realize the lots.

5. The proposed layout is somewhat impacted by the existing detached accessory structure located on Lot 2, Block 1. This structure is not considered a legal structure as there is no principal structure located on this property. It is recommended that the City require the developer to enter into an agreement and require an escrow deposit of \$5,000 that would stipulate that there shall be no use of the building until such time as a new principal home building permit is pulled and construction commences on the structure. It should further be noted that this structure is shown to meet all applicable building setbacks in the proposed condition.
6. There is a second existing detached accessory structure located on Lot 2, Block 1 near the shoreline. This shed is also considered to be an illegal structure as there is no principal structure on the property. In addition, the maximum size of a detached accessory structure located within 100 feet of the OHWL of the lake is 120 SF. The City will verify the size of this shed which will need to comply with all applicable requirements.
7. 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 at the time a building permit is pulled. It has been noted by the City that the invert elevation of the existing public sewer may dictate additional restrictions for the elevations of the proposed homes.
8. 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.
9. As historically has been done along County Road 11, Hennepin County is requesting additional right of way for future trail and road expansion. The existing road right of way is 80' along this property. This means that the County would like an additional 10' for future road expansion. In addition, the County is recommending that the City consider requiring a 10' wide easement that could be used for a future trail. There is a proposed 10' wide drainage and utility easement that will also need to include trail language if required by the City. The County's right of way request has been consistently applied to all recent subdivisions along CSAH 11.
10. The City's current park dedication fee is \$3,500 per lot (less than 4.99 acres).

The proposed subdivision of this property is generally in keeping with the existing Rural Residential zoning district. The proposed lots would be similar in nature and character to the surrounding properties. Lots along Woodhill Drive range in size from approximately .5 acre to 2 acres.

Planning Commission Discussion and Recommendation:

Commissioners reviewed the requested plat and asked questions of staff and the applicant. Commissioners noted that while the layout did not meet the requirements pertaining to road frontage, the overall property had adequate

frontage which would distinguish this property from other properties requesting reduced frontage. Commissioners discussed the existing detached accessory structure. Commissioners wanted a condition added to the resolution that clearly noted that the existing building does not have any existing conditions which will be grandfathered by the approval of this subdivision. In particular, Commissioners noted that no accessory dwelling unit has been approved for this structure and any use of the structure would have to meet all applicable requirements of the City. Commissioners also discussed the limited access to the water on Lot 3. It was noted that the City will provide language pertaining to the restrictions on water access and grading and filling of the wetlands and wetland buffers. Commissioners recommended approval of the preliminary and final plat with the conditions and findings contained within this report and the resolution.

Recommendation:

The Planning Commission recommended approval of the applications for a preliminary and final plat with the following findings and conditions:

1. The proposed preliminary and final plats meet all applicable conditions and restrictions stated in Chapter V, Section 500, Subdivisions, in the City of Independence Zoning Ordinance.
2. Approval of the Preliminary and Final Plat is subject to the following:
 - a. The Applicant shall address all comments made within this report and recommended by the Planning Commission.
 - b. The Applicant will allow the inspection of the existing building by the City's Building Inspector. Any building code requirements that were not permitted by the City shall be corrected and brought into compliance with applicable building codes.
 - c. The Applicant shall enter into an agreement with the City and provide a \$5,000 escrow relating to the use and removal of the two detached accessory structures located on Lot 2, Block 1. The agreement will stipulate conditions of use and or modification of the existing structures.
 - d. The Applicant shall revise the plat to include the additional 10 feet of right of way and 10' trail easement for the future trail and road expansion as requested by Hennepin County.
 - e. The Applicant shall provide prospective buyers with the Letter of Information Pertaining to the Lake Sarah Hill Subdivision as prepared by the City and attached hereto.
 - f. There is one existing connection to the sanitary sewer serving the existing detached accessory structure. This connection can be used for Lot 1 or 2, Block 1. The three new and additional lots would be subject to all applicable connection fees in addition to the initial assessment fee of \$9,550 per lot. The \$9,550 shall be paid by the developer prior to recording of the final plat.

- g. The Applicant shall pay the City's current park dedication fee of \$3,500 per lot (less than 4.99 acres). This The \$3,500 per lot shall be paid by the developer prior to recording of the final plat.
3. The existing detached accessory structure is not an approved accessory dwelling unit. Any use of the structure is subject to all applicable ordinances of the City of Independence.
4. The Applicant shall pay for all costs associated with the City's review of the requested preliminary and final plat.
5. The Applicant shall record the final plat and associated documents with Hennepin County within six (6) months of City Council approval.

Attachments:

1. **RESOLUTION 21-0601-03**
2. Preliminary Plat
3. Final Plat



RESOLUTION NO. 21-0706-03

A RESOLUTION GRANTING APPROVAL OF A PRELIMINARY AND FINAL PLAT TO BE KNOWN AS LAKE SARAH HILL

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

WHEREAS, the City adopted a comprehensive plan in 2010 to guide the development of the community; and

WHEREAS, the City has adopted a zoning ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, Donovan DesMarais (the “Applicant”) and Jerry Wise (“Owner”) has submitted a request for a Preliminary and Final Plat to the allow the subdivision of the property located at the northeast corner of CSAH 11 and Woodhill Drive (PID No. 01-118-24-34-0010) (the “Property”); and

WHEREAS, the Property is legally described on Exhibit A attached hereto; and

WHEREAS, the Preliminary and Final Plats are further depicted on Exhibits B and C attached hereto; and

WHEREAS, the Property is zoned RR-Rural Residential with the S-Shoreland Overlay; and

WHEREAS the requested Preliminary and Final Plats meet all requirements, standards and specifications of the City of Independence zoning ordinance for Rural Residential lots; and

WHEREAS the Planning Commission held a public hearing on June 15, 2021 to review the application for the Subdivision, following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Donavan DesMarais for a Preliminary and Final Plat to permit the subdivision of the property per the City's subdivision regulations with the following conditions:

1. The proposed preliminary and final plats meet all applicable conditions and restrictions stated in Chapter V, Section 500, Subdivisions, in the City of Independence Zoning Ordinance.
2. Approval of the Preliminary and Final Plat is subject to the following:
 - a. The Applicant shall address all comments made within this report and recommended by the Planning Commission.
 - b. The Applicant will allow the inspection of the existing building by the City's Building Inspector. Any building code requirements that were not permitted by the City shall be corrected and brought into compliance with applicable building codes.
 - c. The Applicant shall enter into an agreement with the City and provide a \$5,000 escrow relating to the use and removal of the two detached accessory structures located on Lot 2, Block 1. The agreement will stipulate conditions of use and or modification of the existing structures.
 - d. The Applicant shall revise the plat to include the additional 10 feet of right of way and 10' trail easement for the future trail and road expansion as requested by Hennepin County.
 - e. The Applicant shall provide prospective buyers with the Letter of Information Pertaining to the Lake Sarah Hill Subdivision as prepared by the City and attached hereto.
 - f. There is one existing connection to the sanitary sewer serving the existing detached accessory structure. This connection can be used for Lot 1 or 2, Block 1. The three new and additional lots would be subject to all applicable connection fees in addition to the initial assessment fee of \$9,550 per lot. The \$9,550 shall be paid by the developer prior to recording of the final plat.
 - g. The Applicant shall pay the City's current park dedication fee of \$3,500 per lot (less than 4.99 acres). This The \$3,500 per lot shall be paid by the developer prior to recording of the final plat.
3. The existing detached accessory structure is not an approved accessory dwelling unit. Any use of the structure is subject to all applicable ordinances of the City of Independence.
4. The Applicant shall pay for all costs associated with the City's review of the requested preliminary and final plat.

5. The Applicant shall record the final plat and associated documents with Hennepin County within six (6) months of City Council approval.

This resolution was adopted by the City Council of the City of Independence on this 6th day of July 2021, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

EXHIBIT A
(Legal Description)

PROPERTY DESCRIPTION:

That part of Lot 3, Block 1, LAKE SARAH FARMS, Hennepin County, Minnesota, according to the recorded plat thereof; lying Southerly of a line described as:

Commencing at the Southwest corner thereof; thence Northerly along the West line of said Lot 3, a distance of 10.00 feet to the point of beginning of line to be described; thence Northeasterly deflecting right 67 degrees 53 minutes 40 seconds to the shoreline of Lake Sarah and there ending.

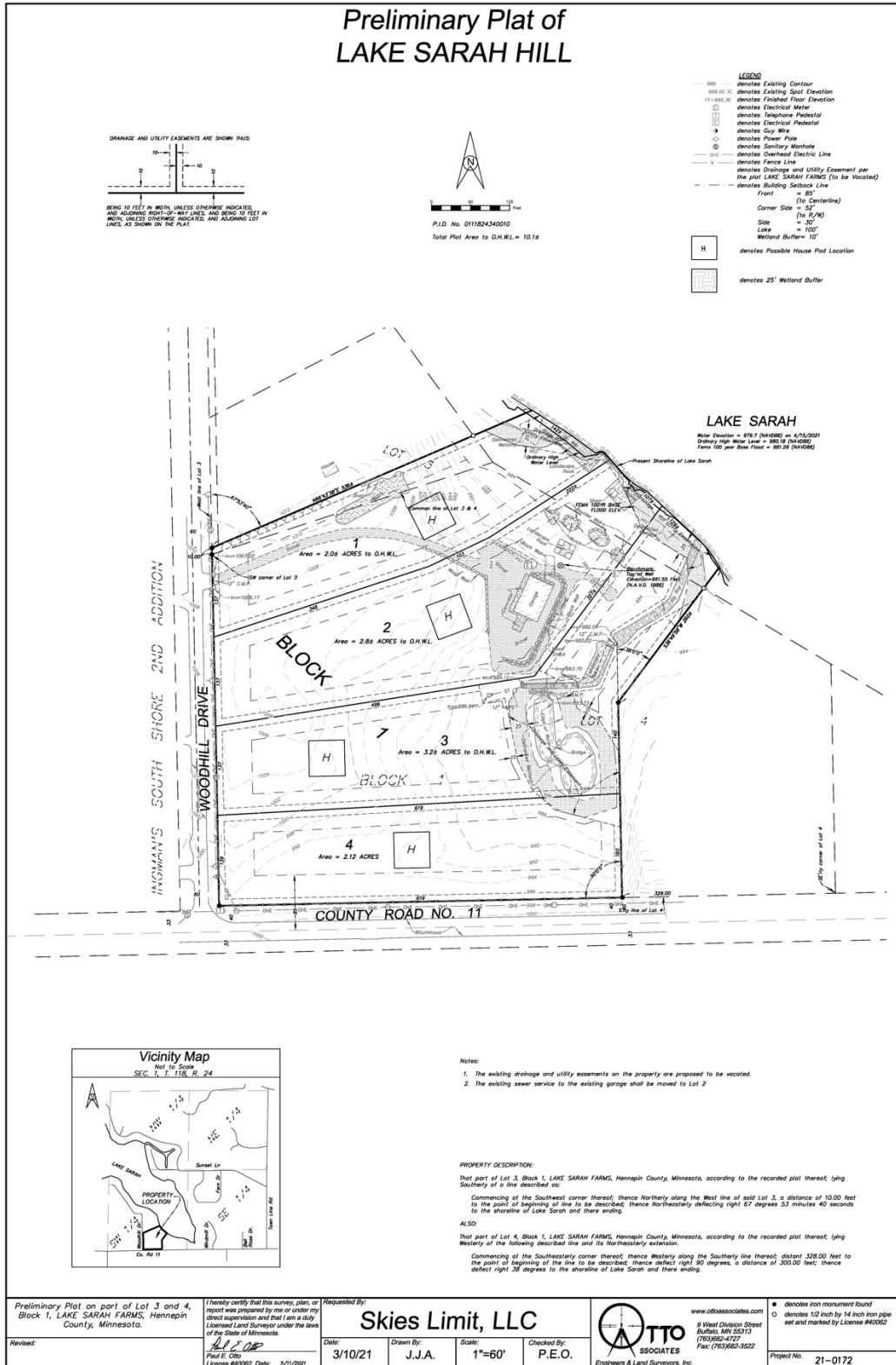
ALSO:

That part of Lot 4, Block 1, LAKE SARAH FARMS, Hennepin County, Minnesota, according to the recorded plat thereof; lying Westerly of the following described line and its Northeasterly extension.

Commencing at the Southeasterly corner thereof; thence Westerly along the Southerly line thereof; distant 328.00 feet to the point of beginning of the line to be described; thence deflect right 90 degrees, a distance of 300.00 feet; thence deflect right 38 degrees to the shoreline of Lake Sarah and there ending.

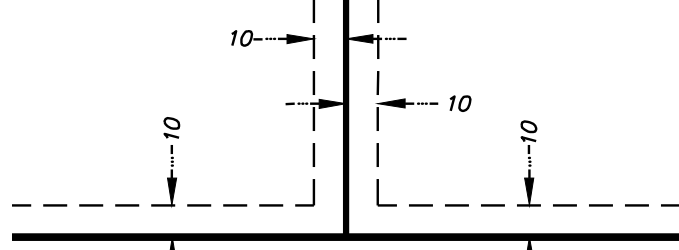
EXHIBIT B

Preliminary Plat

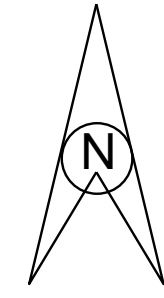


Preliminary Plat of LAKE SARAH HILL

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, AND ADJOINING RIGHT-OF-WAY LINES, AND BEING 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, AND ADJOINING LOT LINES, AS SHOWN ON THE PLAT.



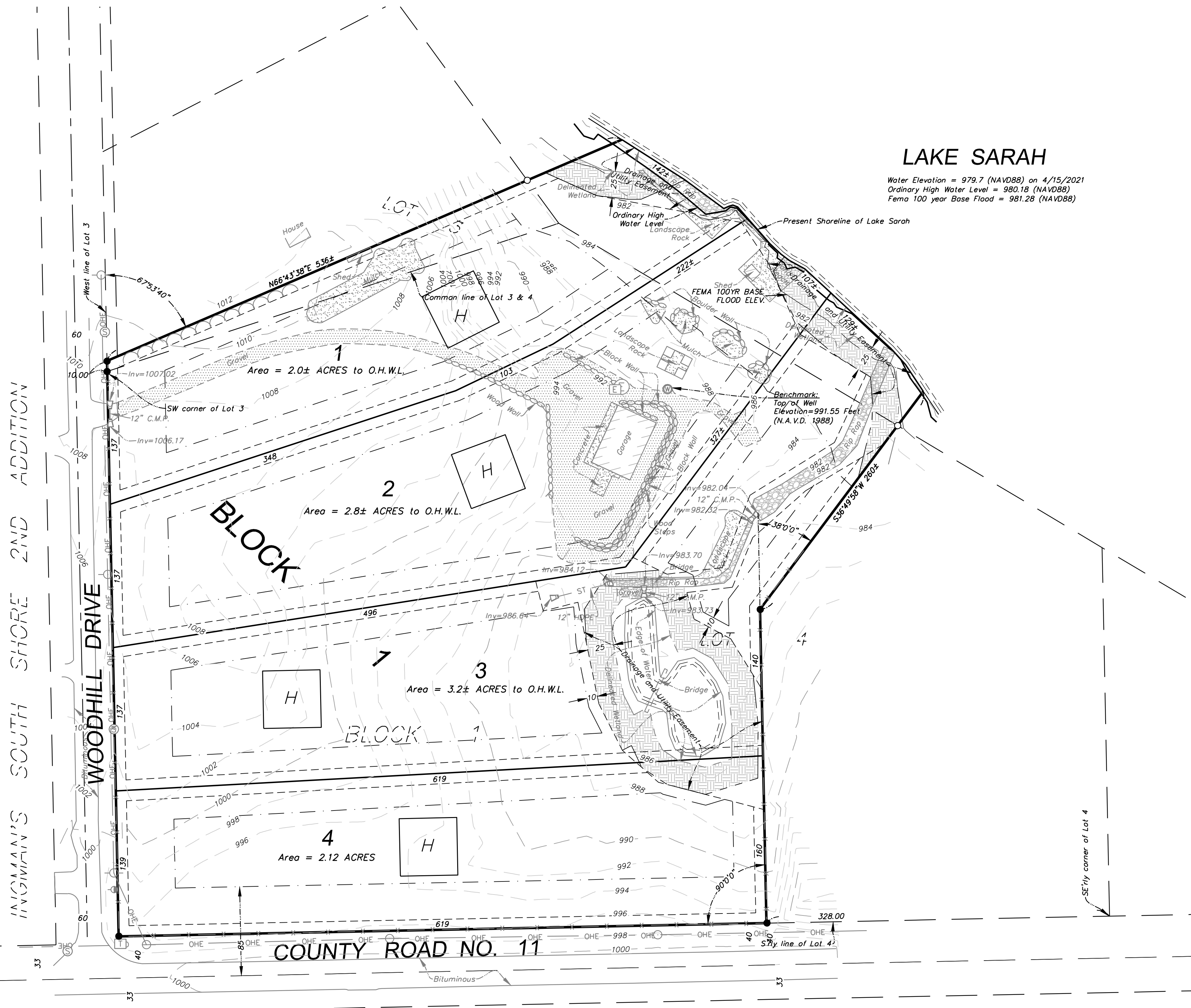
P.I.D. No. 0111824340010

Total Plat Area to O.H.W.L. = 10.1±

- LEGEND**
- 988 — denotes Existing Contour
 - 988.00 X denotes Existing Spot Elevation
 - FF=989.36 denotes Finished Floor Elevation
 - ⊕ denotes Electrical Meter
 - ⊕ denotes Telephone Pedestal
 - ⊕ denotes Electrical Pedestal
 - ⊕ denotes Guy Wire
 - ⊕ denotes Power Pole
 - ⊕ denotes Sanitary Manhole
 - OHE — denotes Overhead Electric Line
 - X — denotes Fence Line
 - denotes Drainage and Utility Easement per the plat LAKE SARAH FARMS (to be Vacated)
 - denotes Building Setback Line
 - Front = 85' (to Centerline)
 - Corner Side = 52' (to R/W)
 - Side = 30'
 - Lake = 100'
 - Wetland Buffer = 10'
- H** denotes Possible House Pad Location
- denotes 25' Wetland Buffer

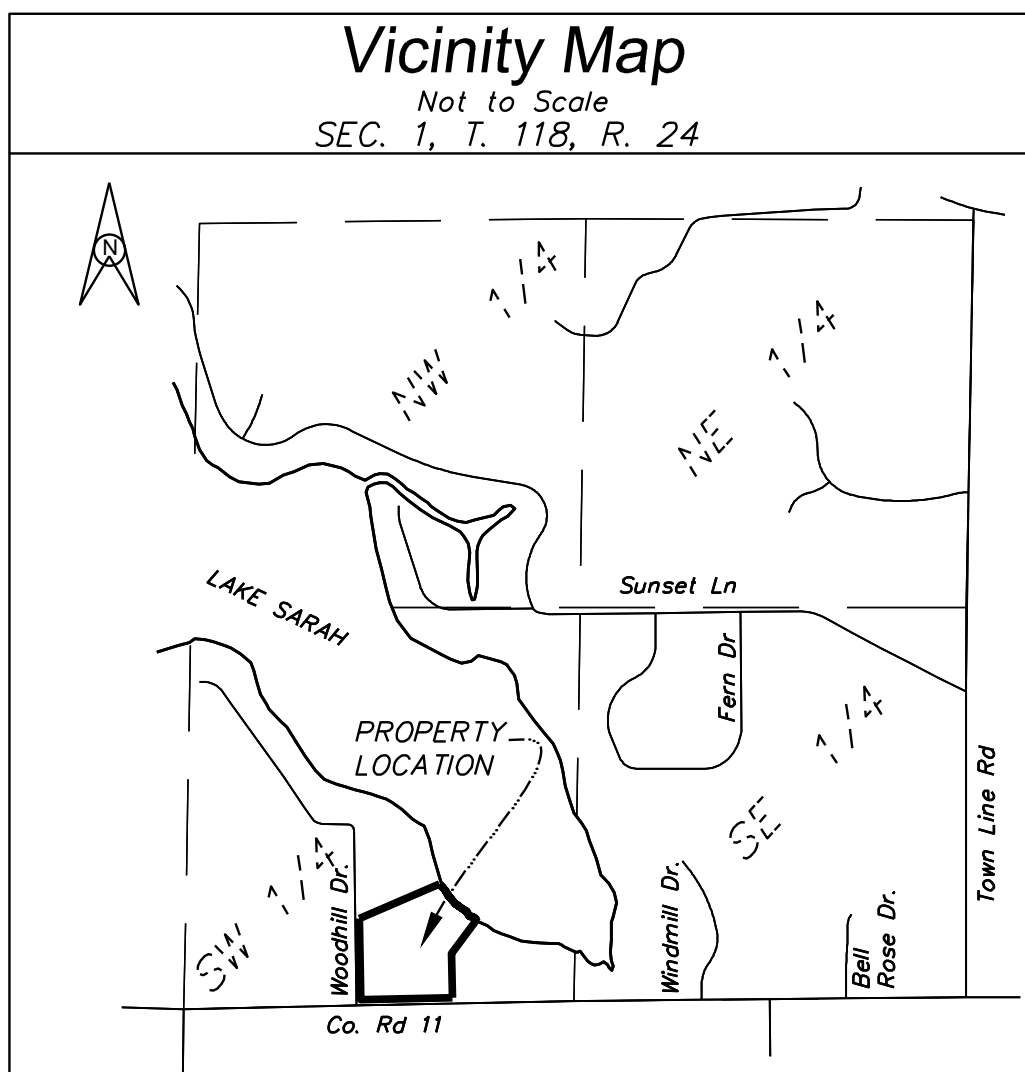
LAKE SARAH

Water Elevation = 979.7 (NAVD88) on 4/15/2021
 Ordinary High Water Level = 980.18 (NAVD88)
 FEMA 100 year Base Flood = 981.28 (NAVD88)



Vicinity Map

Not to Scale
 SEC. 1, T. 118, R. 24



Notes:

1. The existing drainage and utility easements on the property are proposed to be vacated.
2. The existing sewer service to the existing garage shall be moved to Lot 2

PROPERTY DESCRIPTION:

That part of Lot 3, Block 1, LAKE SARAH FARMS, Hennepin County, Minnesota, according to the recorded plat thereof; lying Southerly of a line described as:

Commencing at the Southwest corner thereof; thence Northerly along the West line of said Lot 3, a distance of 10.00 feet to the point of beginning of line to be described; thence Northeasterly deflecting right 67 degrees 53 minutes 40 seconds to the shoreline of Lake Sarah and there ending.

ALSO:

That part of Lot 4, Block 1, LAKE SARAH FARMS, Hennepin County, Minnesota, according to the recorded plat thereof; lying Westerly of the following described line and its Northeasterly extension.

Commencing at the Southeasterly corner thereof; thence Westerly along the Southerly line thereof; distant 328.00 feet to the point of beginning of the line to be described; thence deflect right 90 degrees, a distance of 300.00 feet; thence deflect right 38 degrees to the shoreline of Lake Sarah and there ending.

Preliminary Plat on part of Lot 3 and 4, Block 1, LAKE SARAH FARMS, Hennepin County, Minnesota.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul E. Otto
 License #40062 Date: 5/11/2021

Requested By:

Skies Limit, LLC

Date: 3/10/21

Drawn By: J.J.A.

Scale: 1"=60'

Checked By: P.E.O.



www.ottoassociates.com
 9 West Division Street
 Buffalo, MN 55313
 (763)682-4727
 Fax: (763)682-3522

- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062

Project No. 21-0172

LAKE SARAH HILL

C.R. DOC. NO. _____

KNOW ALL PERSONS BY THESE PRESENTS: That _____, fee owners of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

That part of Lot 3, Block 1, LAKE SARAH FARMS, Hennepin County, Minnesota, according to the recorded plat thereof; lying Southerly of a line described as:

Commencing at the Southwest corner thereof; thence Northerly along the West line of said Lot 3, a distance of 10.00 feet to the point of beginning of line to be described; thence Northeasterly deflecting right 67 degrees 53 minutes 40 seconds to the shoreline of Lake Sarah and there ending.

ALSO:

That part of Lot 4, Block 1, LAKE SARAH FARMS, Hennepin County, Minnesota, according to the recorded plat thereof; lying Westerly of the following described line and its Northeasterly extension.

Commencing at the Southeast corner thereof; thence Westerly along the Southerly line thereof; distant 328.00 feet to the point of beginning of the line to be described; thence deflect right 90 degrees, a distance of 300.00 feet; thence deflect right 38 degrees to the shoreline of Lake Sarah and there ending.

Have caused the same to be surveyed and platted as LAKE SARAH HILL and do hereby dedicate to the public for public use the drainage and utility easements as created by this plat.

In witness whereof said _____, have hereunto set their hands this _____ day of _____, 20____.

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____ by _____

(Notary Signature)

(Notary Printed Name)

Notary Public, _____ County, _____

My commission expires _____

I, Paul E. Otto do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Paul E. Otto, Licensed Land Surveyor
Minnesota License Number 40062

STATE OF MINNESOTA
COUNTY OF WRIGHT

This instrument was acknowledged before me on this _____ day of _____, 20____ by Paul E. Otto.

(Notary Signature)

(Notary Printed Name)

Notary Public, _____ County, Minnesota

My commission expires _____

CITY COUNCIL, CITY OF INDEPENDENCE, MINNESOTA

This plat of _____ was approved and accepted by the City Council of the City of Independence, Minnesota at a regular meeting thereof held this _____ day of _____, 20____ and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Independence, Minnesota

By _____ Mayor By _____ Clerk

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota

I hereby certify that taxes payable in 20____ and prior years have been paid for land described on this plat, dated this _____ day of _____, 20____.

Mark V. Chapin, County Auditor by _____ Deputy

SURVEY DIVISION, Hennepin County, Minnesota

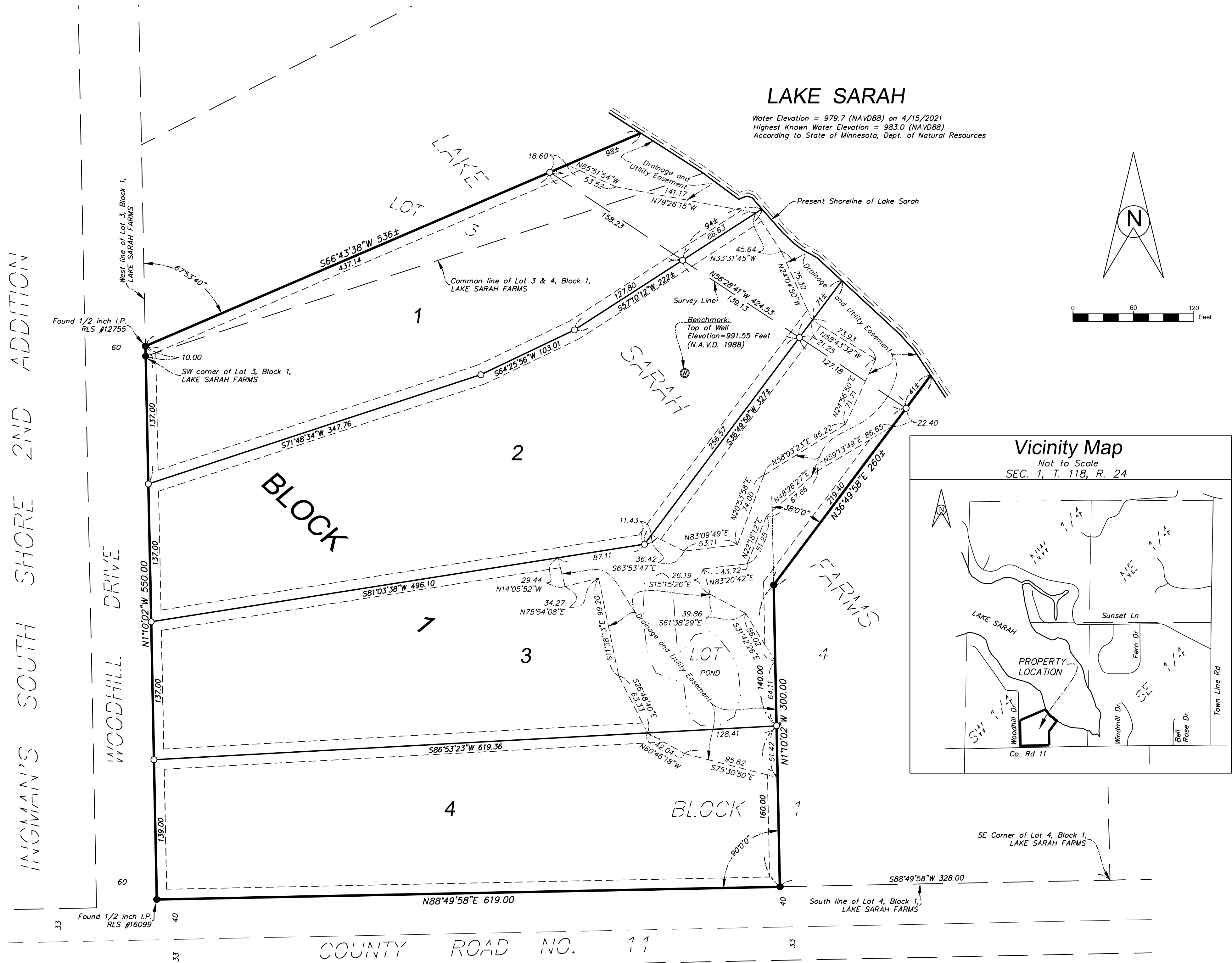
Pursuant to MN. STAT. Sec. 383B.565 (1969), this plat has been approved this _____ day of _____, 20____.

Chris F. Mavis, County Surveyor by _____

REGISTRAR OF TITLES, Hennepin County, Minnesota

I hereby certify that the within plat of _____ was filed in this office this _____ day of _____, 20____, at _____ o'clock _____ m.

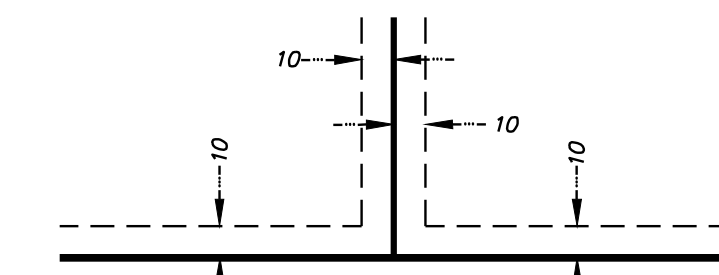
Martin McCormick, Registrar of Titles by _____ Deputy



Bearing Note:
The South line of Lot 4, Block 1, LAKE SARAH FARMS, Hennepin County, Minnesota, is assumed to bear N88°49'58"E.

- denotes 1/2 inch open iron pipe found (unless noted otherwise)
- denotes 1/2 inch iron by 14 inch iron pipe set and marked by License number 40062

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, AND ADJOINING RIGHT-OF-WAY LINES, AND BEING 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, AND ADJOINING LOT LINES, AS SHOWN ON THE PLAT.



City of Independence

Request for a Variance from the Side Yard Setback for the Property Located at 2485 County Road 90

To: City Council
From: Mark Kaltsas, City Planner
Meeting Date: July 6, 2021
Applicant: Nathan and Molly Kirkpatrick
Owner: Nathan and Molly Kirkpatrick
Location: 2485 County Road 90

Request:

Nathan and Molly Kirkpatrick (Applicants/Owners) are requesting the following action for the property located at 2485 County Road 90 (PID No. 15-118-24-44-0003) in the City of Independence, MN:

- a. A variance from the side yard setback to add a screen porch to the south side of the existing home on the subject property.

Property/Site Information:

The subject property is located at 2485 County Road 90. The property is on the west side of County Road 90 and just north of the intersection of County Road 90 and Pagenkopf Road. There is an existing home on the subject property.

Property Information: **2485 County Road 90**

Zoning: *Rural Residential*

Comprehensive Plan: *Rural Residential*

Acreage: 1.01 acres (43,995 square feet)

2485 County Road 90 (blue line)



Discussion:

The applicant is seeking approval to construct a screen porch on the south side of the existing home. The applicant approached the City about the potential to encroach into the side yard setback along the south property line. The existing home is currently located approximately 31 feet off of the south property line. The City requires a side yard setback of 30 feet for properties zoned RR-Rural Residential. The proposed screen porch addition would encroach into the side yard setback approximately 19.5 feet. The house is not perfectly parallel to the south property line and the subsequent variance would allow a 20-foot encroachment.

The resulting variance to the side yard setback would be 20 feet. The required setbacks for properties zoned RR-Rural Residential are as follows:

Front Yard Setback:

Required: 85 feet from centerline or 51 feet from the ROW

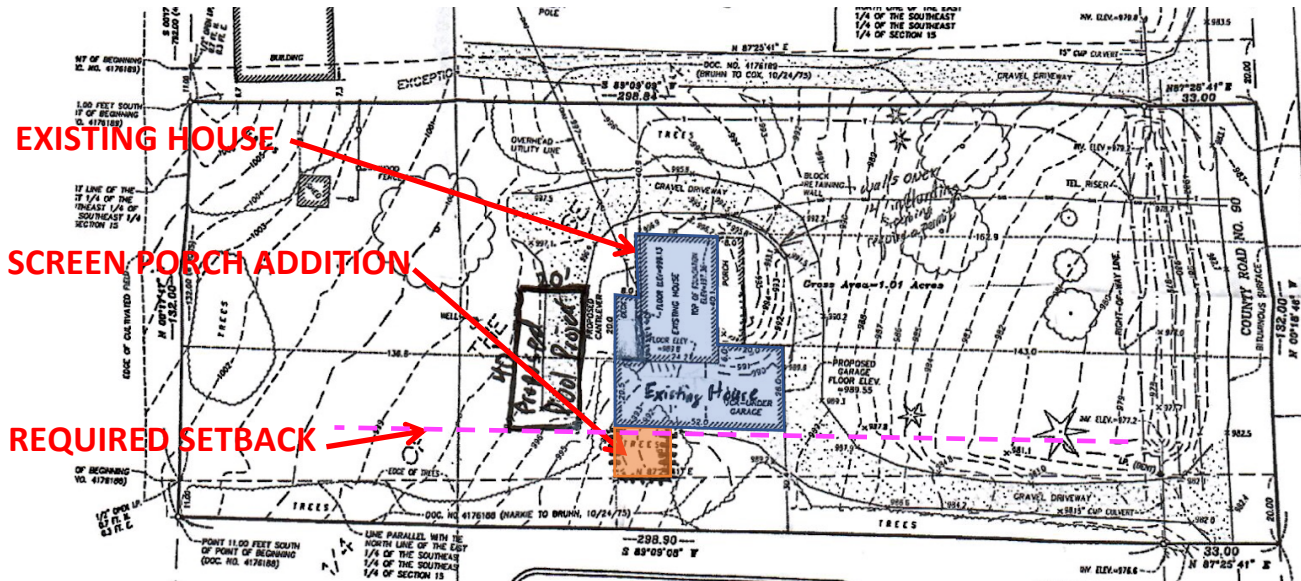
Existing: 143 feet from centerline

Rear Yard Setback:

Required: 40 feet
Existing: 136 feet

Side Yard Setback (South Side):

Required: 30 feet
Existing: 31 feet
Proposed: 10 feet (variance of 20 feet)



There are several factors to consider relating to granting a variance. The City's ordinance has established criteria for consideration in granting a variance.

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

Subd. 2. An applicant for a variance must demonstrate that there are practical difficulties in complying with the zoning code. For such purposes, "practical difficulties" means:

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

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

Subd. 3. The City Council shall not grant a variance to permit a use that is not allowed under the zoning code based on the zoning classification of the affected property. (Amended, Ord. 2011-08)

520.23. Conditions and restrictions. The board of adjustments may recommend, and the City Council may impose conditions on a variance. Conditions must be directly related to and must bear a rough proportionality to the impact created by the variance. (Amended, Ord. 2011-08)

Consideration of the criteria for granting a variance:

- a. Residential use of the property is consistent with the Rural Residential District.
- b. Many of the surrounding properties do not appear to be in compliance with all applicable principle or accessory structure setbacks.
- c. The character of the surrounding area is residential. The proposed screen porch addition is generally in keeping with the residential uses on properties in the surrounding area.

There are several additional items that could be considered by the City:

1. Staff discussed alternative options for locating the screen porch in compliance with applicable setbacks with the applicant. The applicant noted that the general interior configuration of the home would best support the proposed porch location. The proposed porch also is in line with the west (rear) of the existing home. The applicant has provided additional information relating to the existing conditions that are relevant to the variance request. The applicant recently began construction on a new inground swimming pool to the rear of the house. The potential location of the swimming pool was limited due to the existing septic mound, main power line and existing trees (see attached diagram prepared by applicant).
2. The applicant could locate a detached accessory structure on this property in the general location of the proposed screen porch and meet applicable setbacks (15 feet).
3. The adjacent property to the south is located approximately 19' from the shared property line.
4. The applicant discussed the encroachment with the neighboring property owner and they have provided a letter in support of the requested variance.

Ultimately the City will need to find that the criteria for granting a variance have been met by the applicant. The lots in this area are somewhat smaller (1 acre versus 2.5) than the typical rural residential property in the City. The existing home was located against the south property line setback. Due to the configuration of the house on the property and the interior layout there are some limitations to add this type of addition without impacting function of the existing structure/use. The setback of the proposed screen porch from

County Road 90 and the natural screening and buffering that exists between this and the surrounding properties appear to help mitigate the potential impacts.

Planning Commission Discussion:

Commissioners reviewed the request and asked questions of staff and the applicant. Commissioners discussed in detail the reason for needing a variance and asked why the proposed screen porch could not be located in the rear yard versus the side yard. Commissioners discussed the pool and it was confirmed that construction was under way with the pool and that could no longer be moved. The applicant noted that there are several other restrictions in the yard that caused the pool to be located in the current location. Commissioners discussed that there were several layers of information that when combined and considered together, could meet the criteria for granting a variance. Commissioners recommended approval of the requested variance with the findings and conditions noted herein.

Public Comments:

The City has received written correspondence from the adjacent property owner in support of the requested variance (see attached).

Recommendation:

The Planning Commission recommended approval of the request for a variance with the following findings and conditions.

1. The proposed Variance request meets all applicable conditions and restrictions stated in Chapter V, Section 520.19, Procedures on variances, in the City of Independence Zoning Ordinance.
2. The City finds that the criteria for granting a variance have been satisfied by the applicant. Specifically, the City finds the following:
 - a. Residential use of the property is consistent with the Rural Residential District. The applicant is seeking a variance to allow a screen porch addition to be added onto the existing home.
 - b. The alignment of the proposed porch with the rear of the home and the proposed building architecture and exterior finishes appears to mitigate some of the potential impacts resulting from the addition.
 - c. The location of the septic mound, existing trees, power line and utilizes and interior layout of the home all combine to necessitate the requested variance.
 - d. The character of the surrounding area is residential. The proposed screen porch addition and would be in keeping and consistent with the surrounding uses found in this neighborhood.

3. The variance will permit a 20-foot reduction (from 30 feet to 10 feet) to the south side yard setback to allow the proposed screen porch to be added onto the existing structure as depicted on the site plan and building plans attached hereto as Exhibit A. Any modification changes or alteration to the structure that does not meet applicable setbacks in the future would require additional review and approval in the form of a variance.

Attachments:

1. Application
2. Survey
3. Porch Plans/Elevations
4. Lot Diagram by Applicant
5. Letter from Neighboring Property Owner



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 21-0706-04

**RESOLUTION APPROVING AN APPLICATION FOR A VARIANCE
TO ALLOW A REDUCED SIDE YARD SETBACK
FOR THE PROPERTY LOCATED AT 2485 COUNTY ROAD 90**

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

WHEREAS, the City adopted a comprehensive plan in 2010 to guide the development of the community; and

WHEREAS, the City has adopted a zoning ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, Nathan and Molly Kirkpatrick, (the “Applicants/Owners”) submitted an application for a variance to allow a reduced side yard setback on the property located at 2485 County Road 90 (PID No. 15-118-24-44-0003) (the “Property”); and

WHEREAS, the Property is zoned RR-Rural Residential; and

WHEREAS, the Property is legally described on attached **Exhibit A**; and

WHEREAS the requested variance meets all requirements, standards and specifications of the City of Independence zoning ordinance for Rural Residential lots; and

WHEREAS the Planning Commission held a public hearing on June 15, 2021, to review the application for a variance, following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Nathan and Molly Kirkpatrick and grants the requested variance for the property in accordance with the City’s zoning regulations with the following findings and conditions:

1. The proposed variance request meets all applicable conditions and restrictions stated in Chapter V, Section 520.19, Procedures on variances, in the City of Independence Zoning Ordinance.
2. The City finds that the criteria for granting a variance have been satisfied by the applicant. Specifically, the City finds the following:
 - a. Residential use of the property is consistent with the Rural Residential District. The applicant is seeking a variance to allow a screen porch addition to be added onto the existing home.
 - b. The alignment of the proposed porch with the rear of the home and the proposed building architecture and exterior finishes appears to mitigate some of the potential impacts resulting from the addition.
 - c. The location of the septic mound, existing trees, power line and utilizes and interior layout of the home all combine to necessitate the requested variance.
 - d. The character of the surrounding area is residential. The proposed screen porch addition and would be in keeping and consistent with the surrounding uses found in this neighborhood.
- a) The variance will permit a 20-foot reduction (from 30 feet to 10 feet) to the south side yard setback to allow the proposed screen porch to be added onto the existing structure as depicted on the site plan and building plans attached hereto as **Exhibit B**.
3. Any modification, change or alteration to the structure that does not meet applicable setbacks in the future would require additional review and approval in the form of a variance.
4. The Applicant shall pay for all costs associated with the City's review and recording of the requested variance.

This resolution was adopted by the City Council of the City of Independence on this 6th day of July 2021, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

EXHIBIT A
(Legal Description)

EXHIBIT B
(Site Plan)

Building Permit Application



1920 County Road 90
Independence, MN 55359

Phone: (763) 479-0531
Fax: (763) 479-0528

Site Address: 2485 County Road 90
Owner Name: Molly Kirkpatrick (+Nathan Kirkpatrick-spouse)
Property ID: 15-118-24-44-0003
Telephone #: 612-327-5694

Date Applied: 4-1-21

Date Approved: _____ Permit # _____

Type of Work:

- | | |
|---|---|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Plumbing |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Re-Roof |
| <input type="checkbox"/> Deck | <input type="checkbox"/> Re-Side |
| <input type="checkbox"/> Finish/Remodel | <input type="checkbox"/> Septic |
| <input type="checkbox"/> Mechanical | <input type="checkbox"/> Sign |
| <input type="checkbox"/> Fireplace | <input checked="" type="checkbox"/> Other |

Contractor Information

Firm: Home Owner - Nathan + Molly Kirkpatrick
Contact: Nathan Kirkpatrick
Address: 2485 County Road 90
City/State/ZIP: Independence, MN 55359
Phone: 612-327-5694
Email: nathankirkpatrick184@gmail.com
License #: _____
Construction Type: V-B

Description:
Adding a screened in porch on southwest side of home

Valuation of Work: \$ 40,000.00

Structure Size

Length 16' Width 16'
Sq. Ft. 256 Height _____

Acknowledgement and Signature:

The undersigned hereby requests permission to make the real improvements specified, and declares under penalty of law acknowledgement and acceptance of all information, conditions, and requirements represented on this document. The undersigned affirms to the accuracy of all information submitted along with the application and acknowledges responsibility to pay for plan review costs associated with this application regardless of if the permit is issued.

The undersigned recognizes that this document is merely an application and that no work may be completed until plans have been approved, all permit fees are paid, and the permit has been issued. After the permit has been issued, the undersigned agrees to do all work in strict compliance with all City of Independence ordinances and State of Minnesota building code requirements. The undersigned further agrees to carry out inspections necessary for this permit.

Signature: Nathan Kirkpatrick
Print Name: Nathan Kirkpatrick

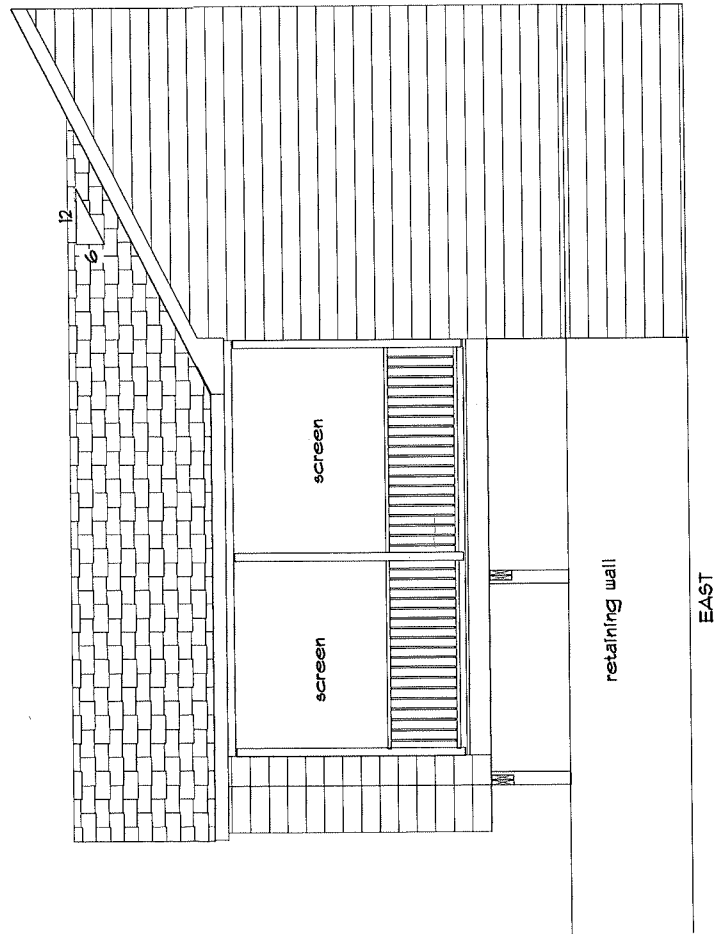
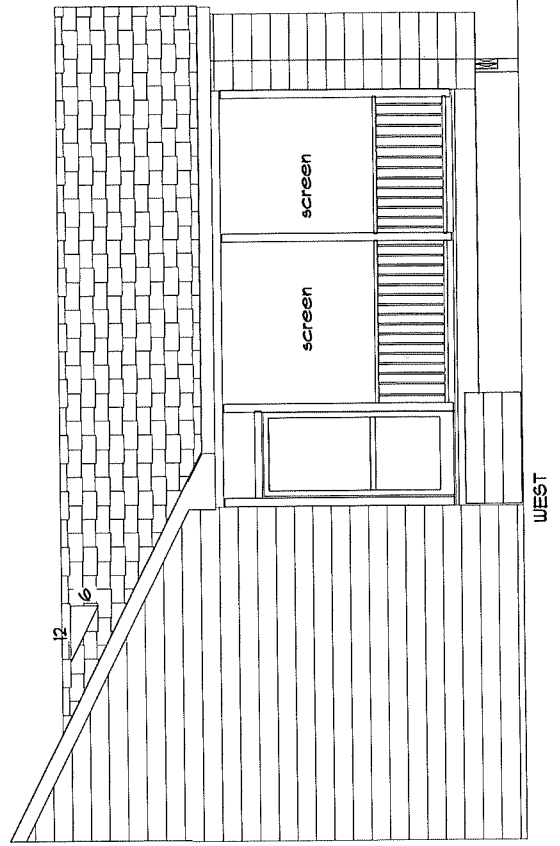
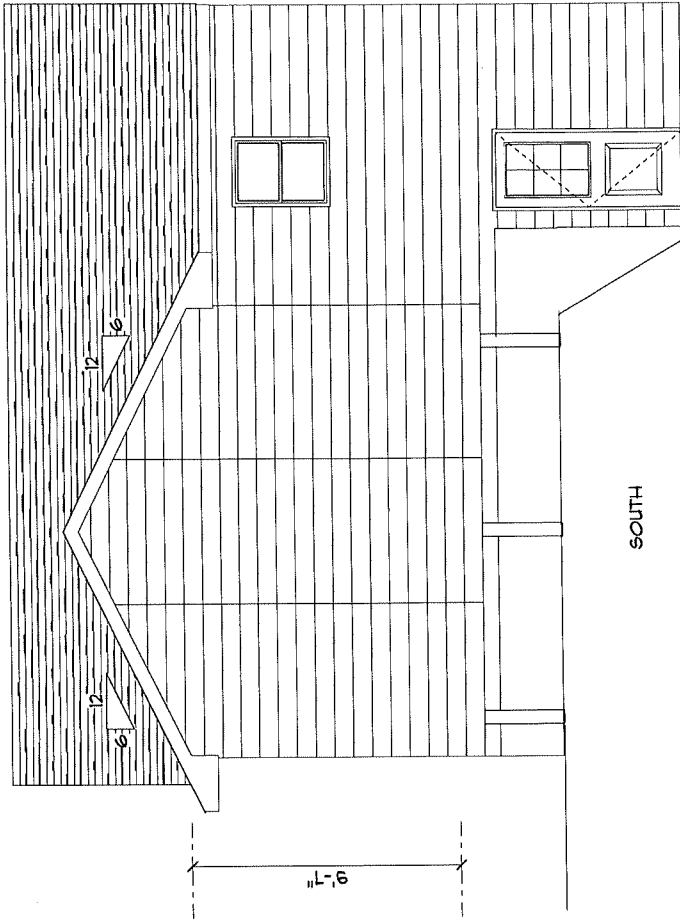
Office Use Only-FEES

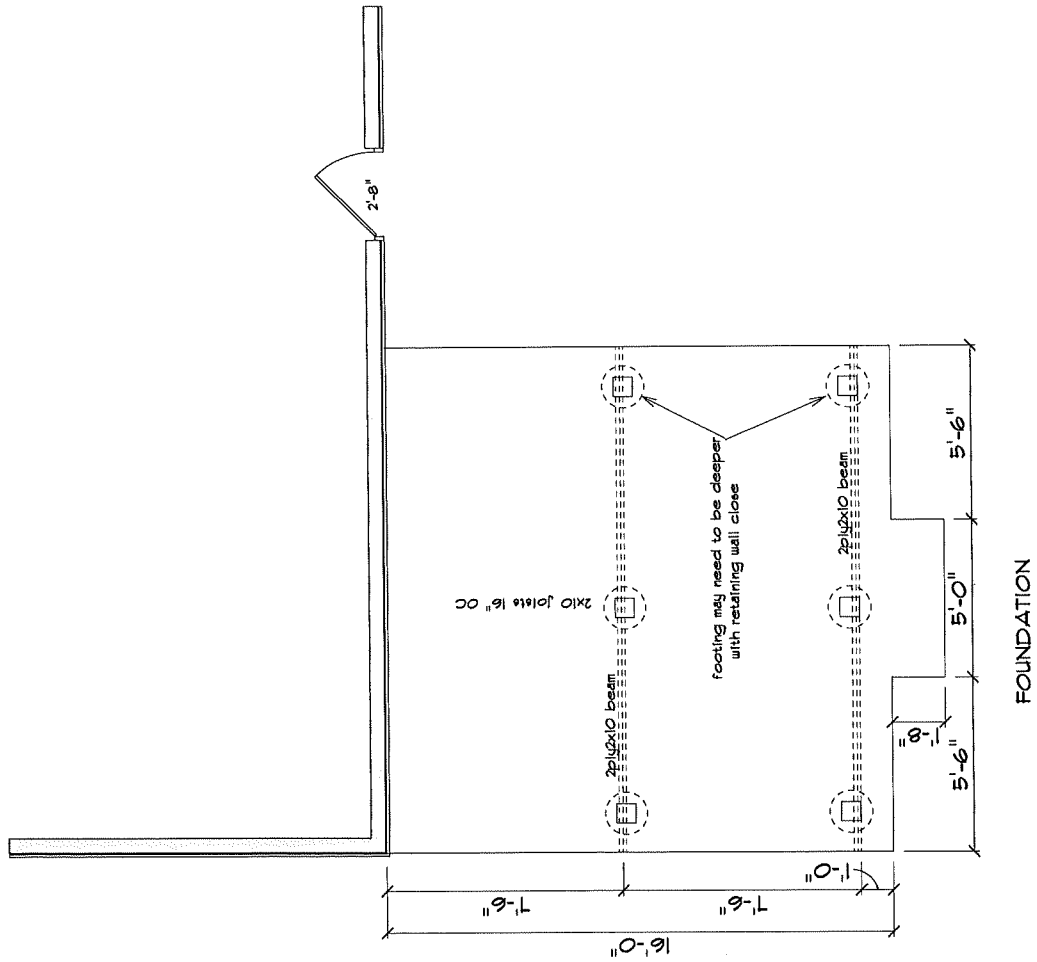
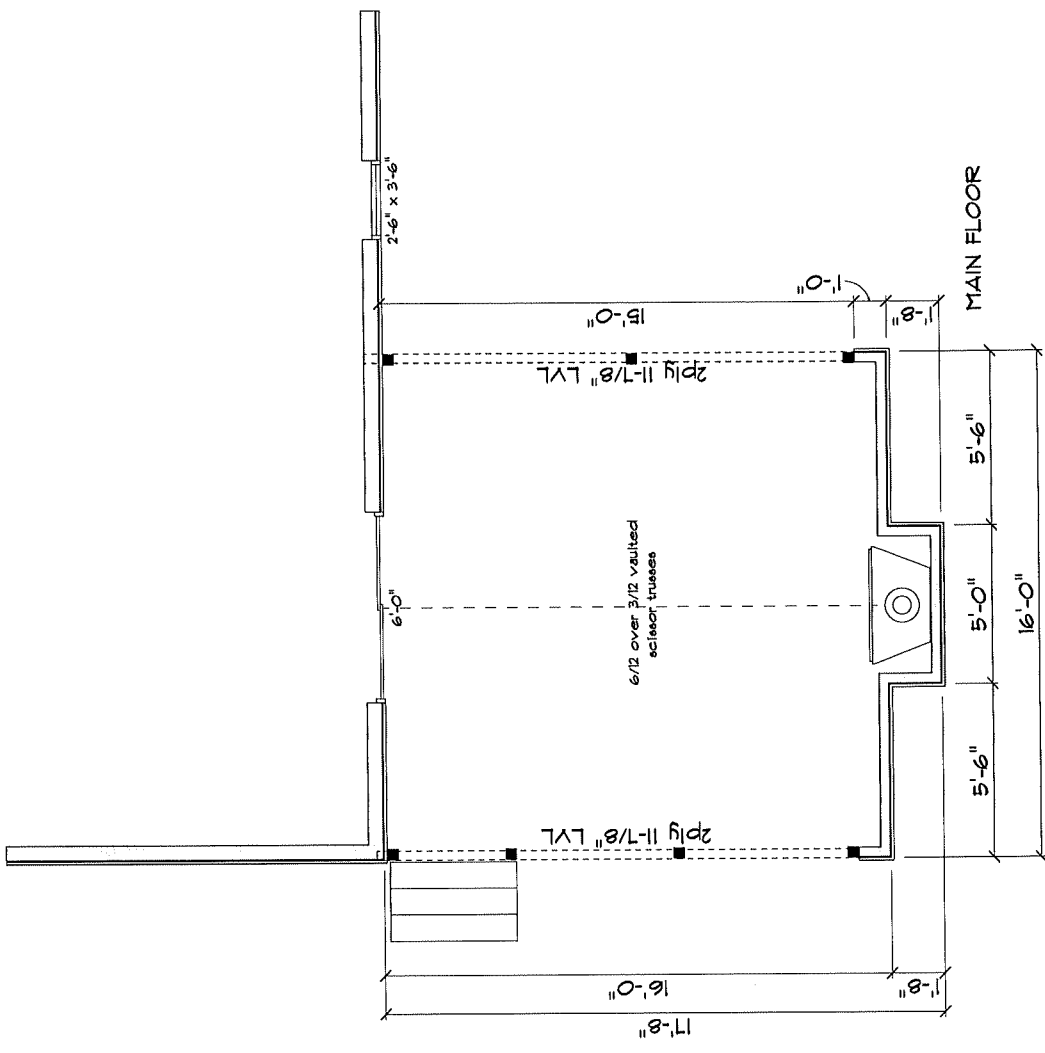
Permit _____ Plan Review Fee _____
Penalty _____
Mech _____ Plumbing _____
Fireplace _____ Septic _____
Driveway _____
Sewer _____ Other _____
State Surcharge _____
Total Fee(s) _____

Building Official Approval:

bsatek@ci.independence.mn.us

Payment type: _____



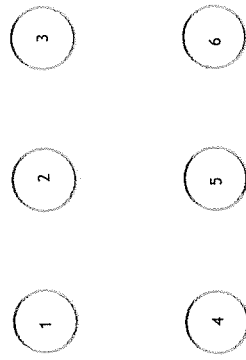
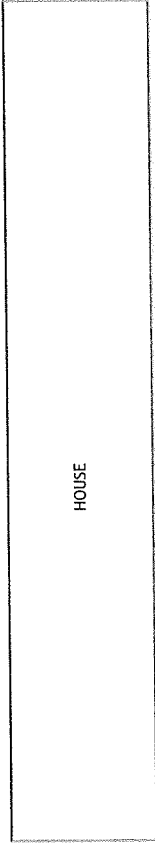


Installation Checklist

Installation Date: _____
 Description of customer project: Deck Porch
 Installer's Name: _____
 Franchise Location: Minnesota
 Installation Equipment: GoliathTech Calibrated Hydraulic Drill with PSI Gauge Torque Indicator
 Name of Customer or Contractor: Kirkpatrick
 Project Address: 2485 County Road 90
 Independent

Pile Number	Required Compression Capacity	Required Torque	Pile Used	Helix Used	Total Pile Length (not 7)	Cut-off Elevation (if not 8" +-2)	Inclination of Pile (if not 90 Degrees +-2)	Torque Achieved	Achieved Compression Capacity	Achieved Tension Capacity
Pile 1:	7500	1500	2 3/8"	9"						
Pile 2:	3000	600	2 3/8"	9"						
Pile 3:	7500	1500	2 3/8"	9"	10'					
Pile 4:	4000	800	2 3/8"	9"						
Pile 5:	2000	500	2 3/8"	9"						
Pile 6:	4000	800	2 3/8"	9"	10'					
Pile 7:										
Pile 8:										
Pile 9:										
Pile 10:										
Pile 11:										
Pile 12:										
Pile 13:										
Pile 14:										

Draw your project here:



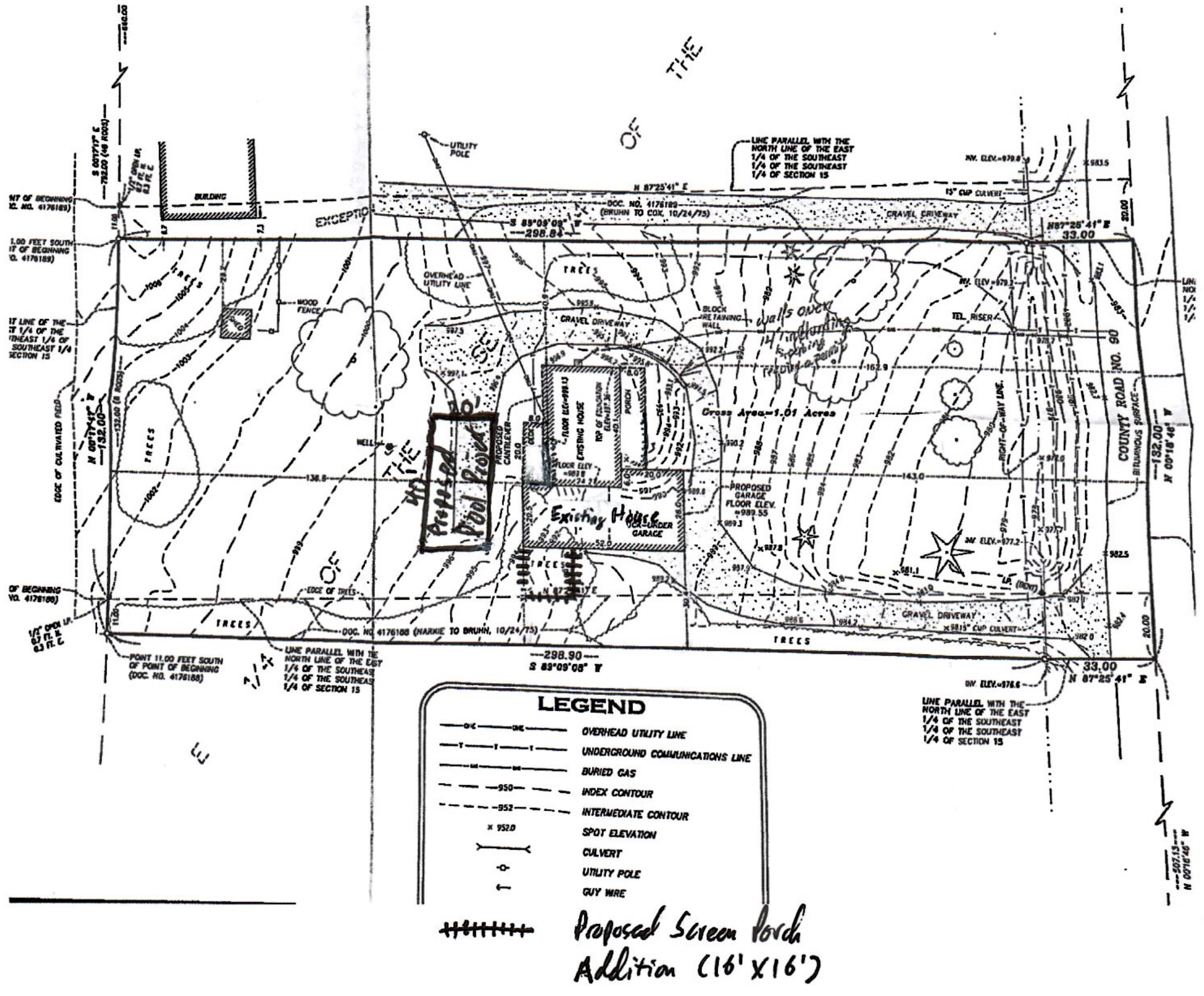
Date Modified: October 20th 2016

The presence of this document in SharePoint certifies that the material contained within has been approved for release and represents all previous versions.

Document Name: Installation Checklist US

Internal Document - Not for General Distribution. Copyright © 2011 GoliathTech Incorporated. All Rights Reserved.

Pile 15:										
Pile 16:										
Pile 17:										
Pile 18:										



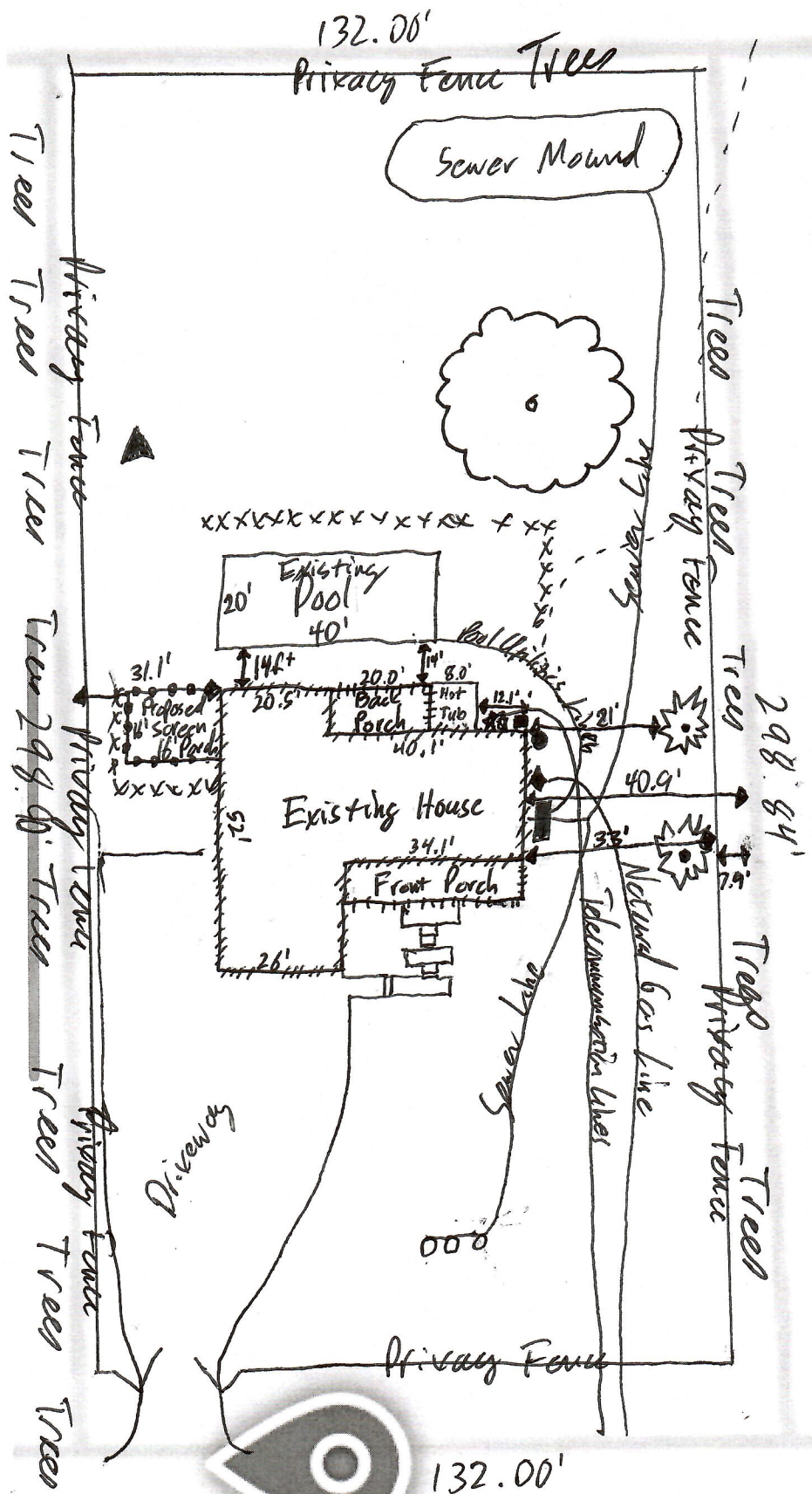
LEGEND

	OVERHEAD UTILITY LINE
	UNDERGROUND COMMUNICATIONS LINE
	BURIED GAS
	INDEX CONTOUR
	INTERMEDIATE CONTOUR
	SPOT ELEVATION
	CULVERT
	UTILITY POLE
	GUY WIRE

*Proposed Screen Porch
Addition (16' x 16')*

Legend

- = Main Power
- = Main Power Line (Buried)
- ooo = Septic Holding Tanks
- ▲ = Well
- xxx = Boulder Landscape Wall
- = Air Conditioner
- ◆ = Natural Gas Meter/Connection
- = All Pool Utilities
- ⌘⌘ = Telecommunication Hookups
- ☼ = Pine Tree



Screen Porch Project

To Whom It May Concern,

I am writing this letter to confirm that I do not have any reservations about my neighbors (Nathan & Molly Kirkpatrick - property address 2485 County Road 90 Independence MN 55359) adding an addition of a screen porch to the south side of their home at the west end. I am aware this project would require a variance that would allow the proposed screen porch to be built inside of the standard side yard setback (30').

Sincerely *Donald L. Voss*

Donald Voss

City of Independence

City Council Compensation Discussion

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: July 6, 2021

Discussion:

Staff was asked to bring this item back to the Council for additional discussion and direction prior to posting the upcoming Council seat positions for this year's election. This item was brought to a workshop in September of last year and at that time Council decided to take no action relating to Council and Mayor compensation.

Staff had prepared a comparative salary summary for the workshop which is attached to this report.

Council Recommendation:

Staff is seeking direction and discussion from Council relating to Council and Mayor compensation. The City has the opportunity to include any recommended changes in the 2022 budget.

ATTACHMENTS: **Compensation Analysis**

CITY	MAYOR PAY RATE	COUNCILMEMBER PAY RATE	PAY REGULARITY
------	----------------	------------------------	----------------

Independence	\$3000/yr.	\$1800/yr.	Quarterly
--------------	------------	------------	-----------

Long Lake	\$3,600/yr.	\$3,000/yr.	Monthly
Loretto	\$170/meeting There are 12 Council meetings and 1 workshop. Plus, each is paid \$40/other meetings attended where they represent their city. Max comp is \$3600/yr, min is 1800/yr	\$150/meeting	Monthly
Maple Plain	\$4,200/yr. Plus \$25/other meetings	\$3,000/yr.	Monthly
Medina	\$4,250/yr.	\$3,000/yr.	
Minnetrista	\$4,800/yr. Plus \$50/month internet stipend	\$3,600/yr.	Monthly
Orono	\$4,200/yr.	\$3,500/yr.	Monthly

Average without Independence	\$4,188/yr.	\$3,283/yr.	
------------------------------	-------------	-------------	--