



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 JANUARY 5, 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 December 15, 2020 Regular City Council Meeting.
 - b. Approval of Accounts Payable; Batch #1 Checks Numbered 20144-20162 and Batch #2 Checks Numbered 20163-20179.
 - c. 4th Qtr. 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. Annual City Council Appointments.
 - a. **RESOLUTION 21-0105-01** - Annual Council Appointments.
 8. Jessica Healy (Applicant/Owner) requests that the City consider the following action for the property located at 498 Kuntz Drive (PID No. 33-118-24-24-0008) in Independence, MN:

- a. **RESOLUTION 21-0105-02** – Considering a conditional use permit to allow an accessory dwelling unit on the subject property.

9. Open/Misc.

10. Adjourn.

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, DECEMBER 15, 2020 –6:30 P.M.
(Virtual Meeting/ All Attendees)

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence City Council was called to order by Mayor Johnson at 6:32 p.m.

3. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

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

PRESENT: Mayor Johnson, Councilors Spencer, Betts, McCoy and Grotting
ABSENT: City Attorney Vose
STAFF: City Administrator Kaltsas, Assistant to Administrator Horner
VISITORS: WHPS Chief Kroells

3. ****Consent Agenda****

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

- a. Approval of City Council Minutes from the December 1, 2020 Truth in Taxation Meeting.
- b. Approval of City Council Minutes from the December 1, 2020 Regular City Council Meeting.
- c. Approval of Accounts Payable; Checks Numbered 20093 to 20143 (two check run batches).
- d. Approval of the Mayor’s Attendance at the National League of Congressional Cities Virtual Conference March 7-10, 2021.
- e. Approval of **RESOLUTION 20-1215-01** Designating City Hall as the Official Polling Place for all 2021 Elections.
- f. Annual Payments to WeCan and Delano Senior Center for Services Provided to the Residents of Independence.
- g. Approval of Engagement with CliftonLarsonAllen LLP to Perform the 2020 Financial Audit.
- h. Approval of **RESOLUTION 20-1215-02** Allowing the Creation of the Special Revenue Lawful Gambling Fund.

Johnson said the two Resolutions would be voted as separate items.

Motion by Grotting, second by McCoy to approve the Consent Agenda (items a,b,c,d,f and g). Ayes: Johnson, Spencer, Betts, McCoy and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

Motion by Spencer, second by Grotting to approve RESOLUTION 20-1215-01 Designating City Hall as the Official Polling Place for all 2021 Elections. Ayes: Johnson, Spencer, Betts, McCoy and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

Motion by Betts, second by McCoy to approve RESOLUTION 20-1215-02 Allowing the Creation of the Special Revenue Lawful Gambling Fund correcting the wording to be clear on direction of funds. Ayes: Johnson, Spencer, Betts, McCoy and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

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

5. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Accessory Building Review Committee Meeting

Grotting attended the following meetings:

- None

McCoy attended the following meetings:

- None

Betts attended the following meetings:

- Accessory Building Review Committee Meeting

Johnson attended the following meetings:

- Orono School Board Meeting (zoom)
- Northwest League of Cities Meeting (zoom)
- League of Minnesota Cities (Past Presidents) Meeting (zoom)
- Highway 55 Corridor Coalition Meeting (zoom)
- National League of Small Cities Meeting (zoom)
- Met with Congressman Dean Phillips (zoom)
- Regional Council of Mayors Meeting (zoom)
- Senior Community Services Finance Committee Meeting (zoom)
- West Hennepin Chamber of Commerce Drive by Dinner
- Senior Community Services St. Michael Meeting (zoom)

Horner attended the following meetings:

- Met with BKV architects
- Met with subcontractors
- Debriefing with Hennepin County on Elections (phone call)

Kaltsas attended the following meetings:

- Bi-weekly meeting on County Road 92 and Highway 12 projects

6. West Hennepin Public Safety Director Gary Kroells: Presentation of the October 2020 Activity Report.

Kroells noted that he and Kaltsas have met with Hennepin County on emergency safety measures and response plans as the road construction projects are going on and how to address any issues.

Kroells stated that at the end of October 31, 2020 a total of 4,381 incidents had been handled by West Hennepin Public Safety. He said there were 261 in Independence and 120 in Maple Plain.

For a complete report please see the attached meeting packet

Grotting asked if Kroells liked the CodeRed application and if it was being utilized by residents. Kroells stated he liked it and noted there were 2800 contacts registered in the City and it was a nice tool to provide alerts.

7. Consideration of **RESOLUTION 20-1215-03** Revoking the Conditional Use Permit for the Property Located at 3315 County Road 92 N. (PID No. 09-118-24-34-0004).

Motion by Betts, second by Spencer to approve RESOLUTION 20-1215-03 Revoking the Conditional Use Permit for the Property Located at 3315 County Road 92 N. (PID No. 09-118-24-34-0004). Ayes: Johnson, Spencer, Betts, McCoy and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

8. OPEN/MISC.

9. ADJOURN.

Motion by Grotting, second by McCoy to adjourn at 7:20 p.m. Ayes: Johnson, Grotting and Spencer. Nays: None. Absent: Betts and Spencer. None. Abstain. None. MOTION DECLARED CARRIED.

Respectfully Submitted,
Trish Gronstal/ Recording Secretary

City of Independence
Quarterly Building Permit Report:
Q4- 2020

Commercial
New House
Septic

10/1/20	20-323	A Friend of Family	5575 Lake Sarah Hgts	01-22-0011	Re-roof	1			101	1	100	\$30,000.00	Final
10/1/20	20-324	Pella Windows	4115 Townline Rd	01-44-0003	Window	1			101	1	100	\$1,827.00	
10/1/20	20-325	Norton Bldrs	6511 Hwy 12	22-44-0011	Polebldg		37.5		1428	37.5	1390.5	\$75,000.00	
10/1/20	20-326	Owens Co	2325 Fieldstone	23-21-0009	Furn. AC			1	201	1	200	\$10,000.00	
10/1/20	20-327	Sunrise Exteriors	5385 Lake Sarah Hgts	01-24-0017	Re-roof	1			101	1	100	\$30,948.00	
10/1/20	20-328	SHC Mechanical	4435 Townline Rd	18-41-0012	Mech.			1	301	1	300	\$10,000.00	
10/1/20	20-329	McGee Restoration	3520 Co Rd 90	11-32-0004	Re-roof	1			101	1	100		
10/2/20	20-330	K Danielson Constr.	3990 Co Rd 90	11-12-0002	Re-roof/side	2			202	2	200	\$30,000.00	
10/2/20	20-331	Adams Healthy Home	6806 Rachel Ridge	03-12-0004	Furnace/AC			1	201	1	200		
10/2/20	20-332	Liberte Const.	2995 Co Rd 90	13-14-0004	Re-roof	1			101	1	100	\$13,000.00	
10/2/20	20-333	Allstar Today	2515 Becker Rd	14-34-0012	Re-roof	1			101	1	100	\$21,000.00	
10/2/20	20-334	Allstar Today	315 Co Rd 92	32-42-0047	Re-roof	1			101	1	100	\$12,000.00	
10/2/20	20-335	Comfort Squad	8415 Hitsman	17-31-0007	Gaslines			1	101	1	100	\$2,124.00	Final
10/5/20	20-336	HNH Homes	1424 Nelson Rd	30-12-0002	Barn Found.		0.5		1738	0.5	1737.5	\$100,000.00	
10/5/20	20-337	Patrick LaVine	2310 Old Post Rd	22-11-0010	Fence				40	-	-	\$1,800.00	
10/5/20	20-338	Aschco Exteriors	4648 Woodland Cr.	01-22-0007	Re-roof	1			101	1	100	\$22,000.00	
10/5/20	20-339	Water Htrs Now	637 Nelson Rd	31-21-0006	Water Htr			1	101	1	100	\$1,983.00	Final
10/5/20	20-340	Northface Constr.	1939 Copeland Rd	19-41-0003	Re-roof	1			101	1	100	\$17,000.00	Final
10/5/20	20-341	Ashco Exteriors	4650 Woodland Cr.	01-22-0005	Re-roof	1			101	1	100	\$28,000.00	
10/6/20	20-342	Hero Plumbing	4991 Perkinsville	24-41-0010	Furnace/AC			1	201	1	200	\$12,468.00	Final
10/7/20	20-343	All Around Roofing	3525 Independence	11-41-0002	Re-roof	1			101	1	100		
10/8/20	20-344	NewTown Exterior	6525 Meadow Ridge	15-14-0005	Re-roof	1			101	1	100	\$19,386.00	
10/12/20	20-345	Dean Konen Constr.	6996 Pagenkopf	15-31-0008	Re-roof	1			101	1	100	\$10,000.00	
10/12/20	20-346	Ditter Htg	4672 S Lake Sarah	03-14-0008	Mech.			1	301	1	300	\$12,000.00	
10/12/20	20-347	SMDI	7475 Co Rd 11	09-12-0001	Re-roof	1			101	1	100	\$46,000.00	
10/12/20	20-348	Peak Htg	6340 Waldemar Way	14-23-0012	Mech.			2	202	2	200	\$16,161.00	
10/12/20	20-349	SDI Construction	6651 Fox Ridge Cr.	34-44-0002	Sauna			1	879	14.5	864.5	\$25,000.00	
10/13/20	20-350	Fireside Hearth	7676 Turner Rd	28-24-0001	Fireplace			1	101	1	100	\$5,085.00	Final
10/13/20	20-351	Sela Roofing	4749 S. Lake Sarah	03-24-0004	Re-side/roof	1			201	1	200		
10/13/20	20-352	Knapp Roofing	4512 Shady Beach	02-24-0005	Re-roof	1			101	1	100	\$27,000.00	Final
10/13/20	20-353	All Star Today	4692 S Lake Sarah	02-22-0022	Re-roof	1			101	1	100	\$13,000.00	
10/13/20	20-354	JLF Homebuilders	3375 Lake Sarah Rd	10-32-0004	Re-roof	1			101	1	100	\$15,000.00	
10/13/20	20-355	AllStar Today	5512 Co Rd 11	01-33-0013	Re-roof	2			202	2	200	\$57,000.00	
10/13/20	20-356	All Star Today	5165 Fern Dr.	01-31-0006	Re-roof/side	2			202	2	200	\$18,500.00	Final
10/14/20	20-357	Scoles Construction	2589 Geggen-Tina	15-31-0006	Re-roof	1			101	1	100	\$13,000.00	
10/14/20	20-358	Ben Schreiber	5826 Pagenkopf	23-12-0006	Furnace/AC			1	201	1	200	\$2,400.00	
10/15/20	20-359	Jerrid Voss	7646 Turner Rd	NO PID	Addition		20		5596	20	5576	\$450,000.00	
10/16/20	20-360	American Bldrs	7325 S Lake Sarah	04-11-0005	Re-roof	1			101	1	100	\$20,000.00	Final
10/16/20	20-361	Clear Point Const.	5350 sunset Lane	01-24-0026	Re-roof	1			101	1	100	\$22,300.00	
10/16/20	20-362	Aschco Exteriors	5615 Lake Sarah Hgts	02-11-0002	Re-roof	1			101	1	100	\$71,000.00	
10/16/20	20-363	MN Exteriors	6405 Stephanie Way	02-23-0003	Re-roof	1			201	1	200	\$47,043.00	
10/16/20	20-364	AllStar Construction	2515 Co Rd 90	15-44-0001	Re-roof	1			101	1	100	\$16,326.00	
10/16/20	20-365	MN Exteriors	5325 Lake Sarah Hgts	01-24-0009	Re-roof	1			101	1	100	\$15,681.00	
10/16/20	20-366	NMC Exteriors	7375 S Lake Sarah	04-11-0003	Re-roof	1			101	1	100	\$6,000.00	
10/16/20	20-367	NMC Exteriors	1876 Nelson Rd	19-42-0002	Re-side	1			101	1	100	\$4,000.00	Final
10/16/20	20-368	New Window Amer.	1939 Copeland Rd	19-41-0003	Windows	1			201	1	200	\$8,489.00	
10/16/20	20-369	Legacy Restoration	5015 Eagle Ridge	01-14-0003	Re-roof	1			101	1	100	\$16,889.00	
10/16/20	20-370	Chubaco Construction	5528 Co Rd 11	01-33-0012	Re-roof-2	1			201	1	200	\$24,589.00	
10/20/20	20-371	Excel Roofing	5090 Sunset	01-13-0003	Re-roof	1			101	1	100	\$22,000.00	Final
10/20/20	20-372	John Mika	7620 Pioneer Creek	21-34-0002	Re-roof	1			101	1	100	\$10,000.00	
10/20/20	20-373	Sumner Constr.	4925 Sunset	01-41-0007	Re-roof	1			101	1	100	\$10,000.00	

City of Independence
Quarterly Building Permit Report:
Q4- 2020

10/20/20	20-374	Appliance Connect.	6410 Pagenkopf	15-44-0006	Water Htr				1			51	1	50	\$1,200.00	Final
10/20/20	20-375	Presidential Constr.	4200 woodhill Dr.	01-33-0010	Re-roof	1						101	1	100	\$8,500.00	Final
10/20/20	20-376	Total Comfort	3640 Independence	12-23-0004	Furnace/AC			1				201	1	200	\$8,000.00	
10/21/20	20-377	Matter Excavating	7646 Turner Rd	28-24-0004	Septic							300			\$20,000.00	
10/21/20	20-378	JLF Homes	3585 Lake Sarah Rd	10-32-0003	Deck					5		313	5	308	\$10,000.00	
10/21/20	20-379	Craig Podvin	6990 Pagenkopf Rd	15-31-0007	Htr			1				101	1	100	\$1,000.00	Final
10/22/20	20-380	AllStar Construction	5765 Providence	14-44-0002	Re-roof	1						101	1	100	\$33,000.00	
10/26/00	20-381	Duanne Schlosser	5188 Fern Dr.	01-42-0006	Re-roof	1						101	1	100	\$15,000.00	Final
10/26/20	20-382	Barbara Johnson	2864 Co Rd 92	16-13-0004	Re-roof	1						101	1	100		
10/26/20	20-383	Epplle Exteriors	6590 Co Rd 11	11-42-0001	Re-roof	1						201	1	200	\$8,000.00	
10/26/20	20-384	Epplle Exteriors	6550 Co Rd 11	03-44-0001	Re-roof	1						201	1	200	\$7,000.00	
10/26/20	20-385	B&D Plumbing	5925 Providence	14-43-0001	Htg units			1		1		152	2	150	\$3,300.00	
10/28/20	20-386	Weather Tek Homes	6915 Co Rd 11	11-21-0001	Re-roof	1						101	1	100	\$10,000.00	
10/28/20	20-387	Steve Grotting	6064 Drake Dr	26-31-0003	Bathrooms				1	1		219.69	2	217.69	\$2,000.00	
10/28/20	20-388	Capstone Bros	2740 Co Rd 90	14-32-0014	Re-roof	1						101	1	100	\$15,165.00	
10/29/20	20-389	Sergey Kifyak	5228 Co Rd 11	02-44-0003	New home			1	1	207	13140	18756	13349	5907	\$414,262.00	
10/30/20	20-390	Patnode Bros	2980 Lake Sarah Rd	15-23-0007	Septic re-do							150			\$17,580.00	
11/3/20	20-391	Bonnie Kuka	4405 County Rd 92	04-31-0001	Re-roof	1						101	1	100	\$25,000.00	
11/4/20	20-392	Bob Volkenant	2376 Copeland Rd	20-22-0002	Tanks							100				Final
11/4/20	20-393	Jamie Blomgren	2676 County Rd 90	14-32-0005	1 window					1		101	1	100	\$1,562.00	
11/5/20	20-394	Duct Doctors	4220 Woodhill Dr.	01-32-0003	Htr				1			101	1	100	\$2,800.00	
11/5/20	20-395	J&A Heating	2990 County Road 90	14-23-0009	Fireplace				1			101	1	100	\$4,000.00	
11/10/20	20-396	Appliance Connect.	6125 Drake Dr.	26-34-0001	Water htr					1		101	1	100	\$1,200.00	Final
11/10/20	20-397	Scherer Bros	6724 Fox Ridge Cr.	34-43-0004	3 windows	1						121	1	120	\$19,274.00	
11/10/20	20-398	Tonka Management	5404 Lake Sarah Hts	01-23-0011	Plumbing					1		101	1	100	\$35,000.00	
11/12/20	20-399	Home Pro Product.	5535 Lake Sarah Hts	01-23-0005	Re-roof	1						101	1	100	\$13,849.00	
11/12/20	20-400	MN Exteriors	5465 Timber Trail	25-23-0016	Re-siding	1						101	1	100	\$38,358.00	
11/12/20	20-401	Winger Contract.	5275 County Road 11	12-21-0001	Re-roof	1						101	1	100	\$15,257.00	
11/12/20	20-402	Foss Exteriors	5215 Klaers Dr.	01-21-0004	Re-roof	1						101	1	100	\$21,000.00	
11/12/20	20-403	Weathertek Homes	3785 Marsh Pt Rd	11-23-0008	Re-roof	1						101	1	100	\$25,000.00	
11/12/20	20-404	Miller Design Exterior	4655 Townline Rd	01-11-0004	Re-roof	1						101	1	100	\$15,000.00	
11/13/20	20-405	Snap Construction	2185 S. Lakeshore Dr.	24-13-0022	Re-roof	1						101	1	100	\$13,621.00	
11/13/20	20-406	measured by the Pnd	3700 Marsh Pt Rd	11-23-0010	Re-roof/side	2						402	2	400		
11/17/20	20-407	HPS LLC	6803 Rachel Ridge	03-12-0001	Re-roof	1						101	1	100	\$30,000.00	
11/17/20	20-408	Window world	3420 Co Rd 90	11-32-0005	Door	1						101	1	100	\$3,368.00	
11/19/20	20-409	Cheetah Roofing	6940 Dylan Lane	03-13-0008	Re-roof	1						101	1	100	\$47,000.00	
11/19/20	20-410	JPC Custom Homes	6795 Pagenkopf	15-32-0003	New home			2	1	427		9840	430	9410	\$850,306.00	
11/23/20	20-411	Perzhu Constr.	2365 Co Rd 92	20-11-0002	Re-roof	1						101	1	100	\$12,000.00	
11/30/20	20-412	Chris Hillman	5016 Scheffers Ct	25-42-0009	Pole Bldg					75		2840.78	75	2765.78	\$150,000.00	
12/3/20	20-413	Htg & Cooling Two	2210 Old Post Rd	22-11-0014	Furnace/AC				2			202	2	200	\$8,185.00	
12/3/20	20-414	AllStar Construction	9 Copeland Rd	32-33-0001	Reroof	1						101	1	100	\$118,000.00	
12/3/20	20-415	Mikes Landscape	8045 County Line	19-23-0001	Demo							100				
12/3/20	20-416	Fireside Hearth Home	5405 Lake Sarah Hgts	01-23-0011	Fireplace				1			101	1	100	\$6,471.00	
12/3/20	20-417	AllStar Construction	4614 Lake Sarah Dr	02-21-0002	Reside/roof	2						202	2	200	\$65,000.00	
12/8/20	20-418	Hayes & Sons	6345 Main St	26-22-0007	Septic							300				
12/8/20	20-419	LD Homes	6353 Fogelman Rd	10-44-0011	New home			2	1	394.5		9469	397.5	9071.5	\$789,000.00	
12/8/20	20-420	Kilian Constr.	5765 Kochs Crossing	11-14-0006	New home			2	1	210		6097.38	213	5884.38	\$420,000.00	
12/8/20	20-421	Midwest Roofing	865 Wild Oak Trl	24-22-0008	Re-roof	1						101	1	100	\$16,000.00	
12/10/20	20-422	Tonka Plumbing	5016 Settlers Ct	25-42-0009	Plumbing					1		101	1	100	\$2,688.00	
12/10/20	20-423	matthew Ketcham	5410 Timber Trl	25-23-0011	Pole bldg				1		28	1294	29	1265	\$56,000.00	
12/14/20	20-424	Poundstone Consult.	4010 Bell Road	01-44-0007	Windows-33	1						421	1	420	\$75,000.00	
12/16/20	20-425	Jennifer Laasila	5191 Fern Dr.	01-42-0029	Shed					1.5		173	1.5	171.5	\$3,000.00	
	20-426	ERROR-NO PERMIT ISSUED														
12/17/20	20-427	Kyle Hunt Ext.	6098 Woodhill Lane	14-12-0004	Shed					1		118	1	117	\$2,000.00	
12/17/20	20-428	Jeff Cunningham	9226 Hwy 12	07-34-0005	Remodel				1	18		972	19	953	\$36,000.00	

City of Independence
Quarterly Building Permit Report:
Q4- 2020

12/17/20	20-429	Ryan Home Remod.	3434 Lake Haughey	08-32-0012	Remodel		1	2	268	3	265	\$4,000.00	
12/21/20	20-430	matt Damyan	2365 Cty Rd 92	20-11-0002	Shed			7	434	7	427	\$15,000.00	
12/22/20	20-431	Woodcraft Design	4390 Woodhill Dr.	01-32-0015	Deck			25	1119	25	1094	\$50,000.00	
12/28/20	20-432	AllStar Construction	1960 County Road 90	23-32-0012	Reroof			1700	1700		1700	\$200,000.00	
12/28/20	20-433	Champion Window	7036 Pagenkopf Rd		Windows-3	1			121	1	120	\$1,796.00	
12/28/20	20-434	Stonegate Builders	232 Hamilton Hills	35-41-0008	New home		1	1	250	7098	252	6896	\$500,000.00
12/28/20	20-435	Building it Right	4655 Townline Rd	01-11-0004	Siding	1			101	1	100	\$15,000.00	
12/29/20	20-436	Territory Fence	9325 Co Rd 11	07-21-0006	Fence				40				
12/30/20	20-437	NMC Exteriors	1876 Nelson Rd	19-42-0002	Siding/roof	2			202	2	200	\$13,000.00	

City of Independence
Consideration of Annual City Appointments

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: January 05, 2021

Discussion:

Each year the City selects Council Members, consultants and staff to serve the City and fill roles supporting boards and commissions. The Council has the discretion to make appointments as necessary. The various positions are identified on the attached schedule. Council appointments that have typically changed on an annual basis are highlighted on the attached appointment schedule.

Requested Action:

It is recommended that the City Council discuss and approve the official 2021 appointments by adopting **RESOLUTION No. 21-0105-01**.

ATTACHMENTS: **RESOLUTION No. 21-0105-01**
Appointment Schedule



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 21-0105-01

**RESOLUTION DECLARING ANNUAL ORGANIZATIONAL
POSITIONS OF THE CITY**

WHEREAS, the City of Independence (the City) annually declares various positions and appointments within the City; and

WHEREAS, the City Council has prepared a list of the appointments.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Independence that it approves the appointments and positions within the City as noted on the schedule attached hereto for 2021.

This resolution was adopted by the City Council of the City of Independence on this 5th day of January 2021, by a vote of _____ ayes and _____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

City of Independence

2021 Council Appointments

Acting Mayor	Councilor Brad Spencer
Assessor	Hennepin County, David Thomsen
Weed Inspector	PW Director Shawn Bode
Assn. of Metro Municipalities	Mayor Johnson
Attorney, Civil	Kennedy & Graven
Attorney, Criminal	Carson, Clelland & Schreder
Auditor	Clifton Larson Allen, LLP
Civil Defense Director	WHPS Director Gary Kroells
Dog Pound	Crossroads Animal Shelter
Engineer	Bolton & Menk, Inc., Andrew Budde MSA Professional Services, Steve Winter
Fire Department Advisory Boards	
- Maple Plain FD	Mayor Johnson, Councilor Betts, City Admin Kaltsas
- Delano FD	Mayor Johnson, Councilor McCoy, City Admin Kaltsas
- Loretto FD	Mayor Johnson, Councilor McCoy, City Admin Kaltsas
Fire Marshall	Building Official Bruce Satek
Hennepin County Recycling Comm	Asst. City Administrator, Beth Horner
Highway 55 Coalition	Mayor Johnson
Highway 12 Coalition	Mayor Johnson, Councilor Betts
HRA	Mayor Johnson, Councilors Betts, Spencer, McCoy and Grotting
Lake Minnetonka Cable Commission	Councilor Grotting
Minnehaha Creek Watershed District	Mayor Johnson
Newspaper	Crow River News, Pioneer, and Delano Herald
Northwest Hennepin League	Mayor Johnson, Councilors Betts, Spencer, McCoy, Grotting and City Admin Kaltsas
Official Depository	Bank of Maple Plain, Northland Securities, Ehlers & Assoc., League of MN Cities
Pioneer Sarah Watershed	Joe Baker, Alt. Brad Spencer
Planner	Terramark - Mark Kaltsas
Planning Commission Liaison	Councilor Grotting, Spencer as back-up
Public Works Road Liasion	Councilor Spencer
Water Resource Staff	Hakanson/Anderson – Kaci Fisher, Shane Nelson and Craig Jochum
West Hennepin Police Commission	Mayor Johnson, Councilor Betts

If a Councilmember is unable to attend a meeting another Councilmember can go in their place as the representative.

City of Independence

Request for a Conditional Use Permit to Allow an Accessory Dwelling Unit on the Property Located at 498 Kuntz Drive

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	January 5, 2021
<i>Applicant:</i>	Jessica Healy
<i>Owner:</i>	Jessica Healy
<i>Location:</i>	498 Kuntz Drive

Request:

Jessica Healy (Applicant/Owner) requests that the City consider the following action for the property located at 498 Kuntz Drive (PID No. 33-118-24-24-0008) in Independence, MN:

- a. A conditional use permit to allow an accessory dwelling unit on the subject property.

Property/Site Information:

The property is located at 498 Kuntz Drive which is generally located at the southeast corner of CSAH 6 and Kuntz Drive. The property is comprised of mostly upland with a wetland on the east side of the property. There are two existing accessory structures located on the property. The principal structure had been previously taken down due to the poor condition.

Property Information: **498 Kuntz Drive**

Zoning: AG-Agriculture

Comprehensive Plan: AG-Agriculture

Acreage: 10.00 acres



Discussion:

The City allows accessory dwelling units (ADU) as a conditional use in the AG-Agriculture zoning district. The intent of the ordinance was to allow for “mother-in-law” type units to be located within the principal structure or within a detached accessory building. The applicant recently acquired this property and the property to the north and discussed regulations relating to ADUs for this property. The applicant is planning on constructing a principal residence on this property in 2021 and would like the City to consider allowing a separate detached ADU.

This property historically had an existing residence that was located inside of the loop driveway (near the existing well). The home was removed between 2016-2018. There is an existing Quonset building and barn located on the property. The applicant has prepared plans for the development of the property which include both the principal and accessory dwelling units. The City has adopted standards requiring the ADU to be proportional and subordinate to the principal structure. The proposed principal house and accessory dwelling unit have the following specifics:

PROJECT DATA:

MAIN HOUSE

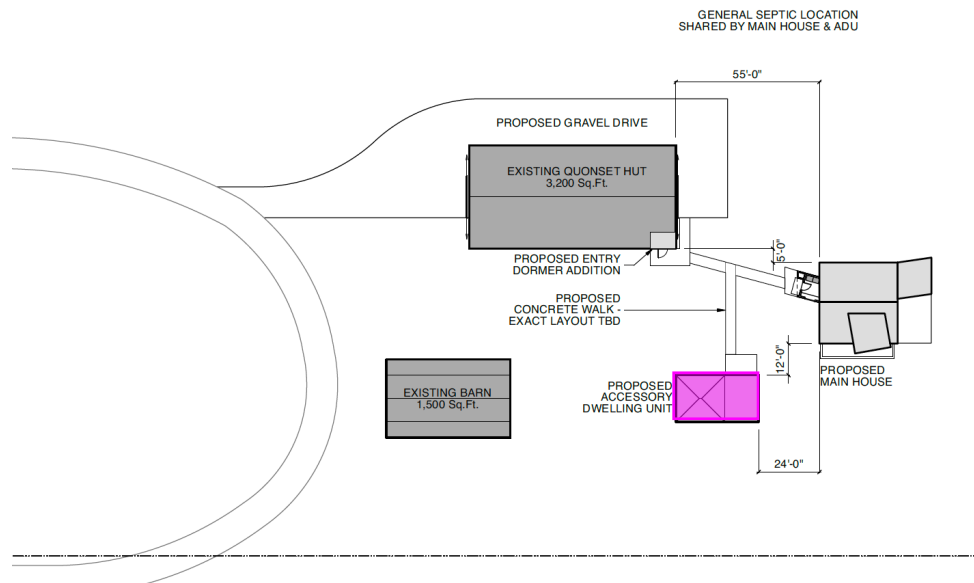
1479 SF 1st & 2nd FLOORS
+ 737 SF BASEMENT
+ 194 SF SCREENED PORCH
+ 252 SF DECK

BEDROOMS 3
BATHROOMS 2

ACCESSORY DWELLING UNIT

480 SF
+ 96 SF PATIO

BEDROOMS 1
BATHROOMS 1



The proposed accessory dwelling unit is comprised of a combined bedroom, kitchen and living area with a bathroom and laundry. In order for the City to consider a CUP for an accessory dwelling unit, the applicant will need to demonstrate how they meet all applicable criteria for granting a conditional use permit and for an accessory dwelling unit. The City has criteria broadly relating to Conditional Use Permits and then more focused criteria relating specifically to accessory dwelling units.

An accessory dwelling unit must meet the following criteria:

Subd. 2. "Accessory Dwelling Unit." A secondary dwelling unit that is:

- (a) *Physically attached to or within a single-family dwelling unit or within a detached^a accessory building that has a principal structure on the parcel; and*

The applicant is proposing to construct a detached accessory dwelling unit.

- (b) *Subordinate in size to the single-family dwelling unit; and*

The proposed accessory dwelling unit would be subordinate in size to the single-family dwelling unit.

- (c) *Fully separated from the single-family dwelling unit by means of a wall or floor, with or without a door; and*

The proposed accessory dwelling unit would be in a detached structure which is separated from the single-family home.

- (d) *Architecturally compatible with the principal structure (using materials, finishes, style and colors similar to the principal structure); and*

The proposed ADU has been designed to be architecturally similar to the proposed principal structure. Architecture and materials appear to be consistent with the existing home.

- (e) *The lesser of 33% of the above ground living area of the principal structure or 1,200 square feet, and no less than 400 square feet; and*

The principal structure is proposed to be 1,479 square feet of above ground living space not including the basement. 33% of 1,479 square feet equals 488 square feet. The applicant is proposing to construct a 480 square foot accessory dwelling unit. The proposed square footage would be approximately equal to the total permitted maximum amount of square feet permitted for this property.

- (f) *Not in excess of the maximum square footage for accessory structures as permitted in this code; and*

The existing property is 10 acres in size and therefore does not have a limitation on the total square footage for detached accessory structures. For context, the existing Quonset is 3,200 SF and the existing barn is 1,500 SF.

- (g) *Has permanent provisions for cooking, living and sanitation; and*

The applicant is proposing to construct permanent provisions for cooking; living and sanitation (see attached depiction).

- (h) *Has no more than 2 bedrooms; and*

The applicant is proposing to have one bedroom within the accessory dwelling unit.

- (i) *Limited to relatives of the homesteaded owner occupants or the homesteaded owners of the principal structure. The total number of individuals that reside in both the principal dwelling unit and accessory dwelling unit may not exceed the number that is allowed by the building code; and*

The owner of the property is proposing that the accessory dwelling unit will be occupied by her family.

- (j) *Uses the existing on-site septic system^b or an approved holding tank; and*

The proposed accessory structure will be connected to the new septic system that also serves the principal residence.

- (k) *Respectful of the future subdivision of the property and the primary and secondary septic sites. The City may require a sketch of the proposed future subdivision of a property; and*

The accessory structure does not impede the ability of the owner to subdivide the property in the future or utilize a secondary septic site.

- (l) *In compliance with the adopted building code relating to all aspects of the dwelling unit.*

The applicant will be required to obtain a building permit for all proposed improvements.

^a *On lots less than 2.5 acres, the accessory dwelling unit must be attached to the principal dwelling unit or located/constructed within an existing detached accessory structure that meets all criteria of this section.*

^b *The existing on-site septic system will be required to be inspected by the City to ensure compliance with all applicable standards. Any system that does not meet all applicable standards shall be brought into compliance as a part of the approval of the accessory dwelling unit.*

The applicant has discussed the proposed improvements to the property with the City. The applicant has submitted a site survey, sketch of the proposed building plans, elevations of the proposed principal residence and ADU and a site plan. The accessory dwelling unit will need to meet all applicable building codes and building regulations.

As proposed, the accessory dwelling unit appears to meet all applicable criteria established in the zoning ordinance for granting a conditional use permit for an accessory dwelling unit.

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

1. The conditional use will not adversely affect the health, safety, morals and general welfare of occupants of surrounding lands.
2. The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the proposes already permitted or on the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
3. Existing roads and proposed access roads will be adequate to accommodate anticipated traffic.
4. Sufficient off-street parking and loading space will be provided to serve the proposed use.
5. The proposed conditional use can be adequately serviced by public utilities or on-site sewage treatment, and sufficient area of suitable soils for on-site sewage treatment is available to protect the city form pollution hazards.
6. The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites and similar ecological and environmental features.
7. The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.
8. The proposed condition use is consistent with the comprehensive plan of the City of Independence.
9. The proposed use will not stimulate growth incompatible with prevailing density standards.

Consideration for the proposed conditional use permit should weigh the impact of having an accessory dwelling unit located on this property. The proposed new home and ADU appear to be designed so that they are compatible and consistent. The size of the property, the proximity to surrounding properties and the general geographic location within the City will help to mitigate any impacts of having an ADU.

Should the CUP to allow an accessory dwelling unit be recommended for approval by the Planning Commission, it is suggested that the following conditions be noted by the City:

- The Conditional Use Permit will be subject to the applicant constructing the principal structure on the property and successfully obtaining and completing a building permit for all applicable improvements required for a dwelling unit.
- The ADU will be constructed in accordance with the approved plans.
- The ADU will meet all applicable setbacks of the City's zoning ordinance.

Neighbor Comments:

The City has not received any written comments regarding the proposed conditional use permit to allow an accessory dwelling unit.'

Planning Commission Discussion and Recommendation:

The Planning Commission reviewed the request and asked questions of the applicant and staff. Commissioners questioned if the City could permit an ADU without having an existing principal structure on the property noting that the principal structure had been razed. Commissioners discussed the potential sequencing of construction and asked the applicant about the need to construct both structures simultaneously. The applicant noted that the cost and efficiency of constructing both together was considerable and stated that they understood the requirement to have a principal structure on the property. Staff noted that it is not uncommon for buyers to seek approval of a “master plan” for a property prior to commencing construction. This allows them the ability to know for certain that they can construct the accessory structure. Commissioners also asked staff if the proposed accessory structure could be constructed without the ADU classification? Staff noted that the structure itself would be permitted as an accessory structure as long as it did not have a bedroom or stove. Commissioners ultimately found that the requirements for granting a CUP for the ADU. Commissioners asked staff to have the City Attorney draft a condition that addressed the sequencing of construction and the need for the principal structure to be granted occupancy prior to the ADU.

Recommendation:

The Planning Commission recommended approval of the requested Conditional Use Permit to the City Council with the following findings and conditions:

1. The proposed Conditional Use Permit request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The Conditional Use Permit will be issued subject to the following items being completed:
 - A. The Conditional Use Permit allowing the Accessory Dwelling Unit is subject to the applicant’s construction of, and permitted occupancy in, a principal structure on the property. No certificate of occupancy for the Accessory Dwelling Unit will be issued, and no occupancy of such Unit will be allowed, until the applicant obtains a certificate of occupancy for the principal structure.
 - B. The ADU will require the issuance of a building permit from the City and be constructed in accordance with the approved plans.
 - C. The ADU will meet all applicable setbacks of the City’s zoning ordinance.
3. Prior to the City Council placing the Conditional Use Permit into effect, the applicant shall provide the City with the following items:
 - A. The Applicant shall pay for all costs associated with the City’s review of the requested conditional use permit.

Attachments:

1. Application
2. Survey
3. Proposed Accessory Dwelling Unit Floor Plan
4. Building Elevations
5. Site Plan



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 21-0105-02

**A RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT
TO ALLOW AN ACCESSORY DWELLING UNIT FOR THE PROPERTY
LOCATED AT 498 KUNTZ DRIVE**

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, Jessica Healy (Applicant/Owner) submitted a request for a Conditional Use Permit to allow an accessory dwelling unit on the subject property located at 498 Kuntz Drive (PID No. 33-118-24-24-0008) in Independence, MN (the “Property”); and

WHEREAS, the Property is zoned Agriculture (“AG”); and

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

WHEREAS, Section 530.01, Subd. 4 of the City Code provides that a “accessory dwelling unit” is a conditional use in the AG, Agriculture zoning district; and

WHEREAS the requested accessory dwelling unit, with the conditions imposed by this Conditional Use Permit, meets all requirements, standards and specifications of the City of Independence zoning ordinance for Agriculture lots; and

WHEREAS the Planning Commission held a public hearing on December 15th, 2020 to review the application for a Conditional Use Permit, 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, with the conditions noted below, 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 Jessica Healy to grant a Conditional Use Permit for the subject property in accordance with the City's zoning regulations with the following findings and conditions:

1. The proposed Conditional Use Permit request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The Conditional Use Permit will be issued subject to the following items being completed:
 - A. The Conditional Use Permit allowing the Accessory Dwelling Unit is subject to the applicant's construction of, and permitted occupancy in, a principal structure on the property. No certificate of occupancy for the Accessory Dwelling Unit will be issued, and no occupancy of such Unit will be allowed, until the applicant obtains a certificate of occupancy for the principal structure.
 - B. The ADU will require the issuance of a building permit from the City and be constructed in accordance with the approved plans attached hereto as **Exhibit B**.
 - C. The ADU will meet all applicable setbacks of the City's zoning ordinance.
3. Prior to the City Council placing the Conditional Use Permit into effect, the applicant shall provide the City with the following items:
 - A. The Applicant shall pay for all costs associated with the City's review of the requested conditional use permit.

This resolution was adopted by the City Council of the City of Independence on this 5th day of January 2021, by a vote of _____ ayes and _____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

EXHIBIT A
(Legal Description)

Parcel A:

That part of the North 22.00 acres of the Southeast Quarter of the Northwest Quarter of Section 33, Township 118, Range 24, Hennepin County, Minnesota, that lies North of the South 332.54 feet thereof.

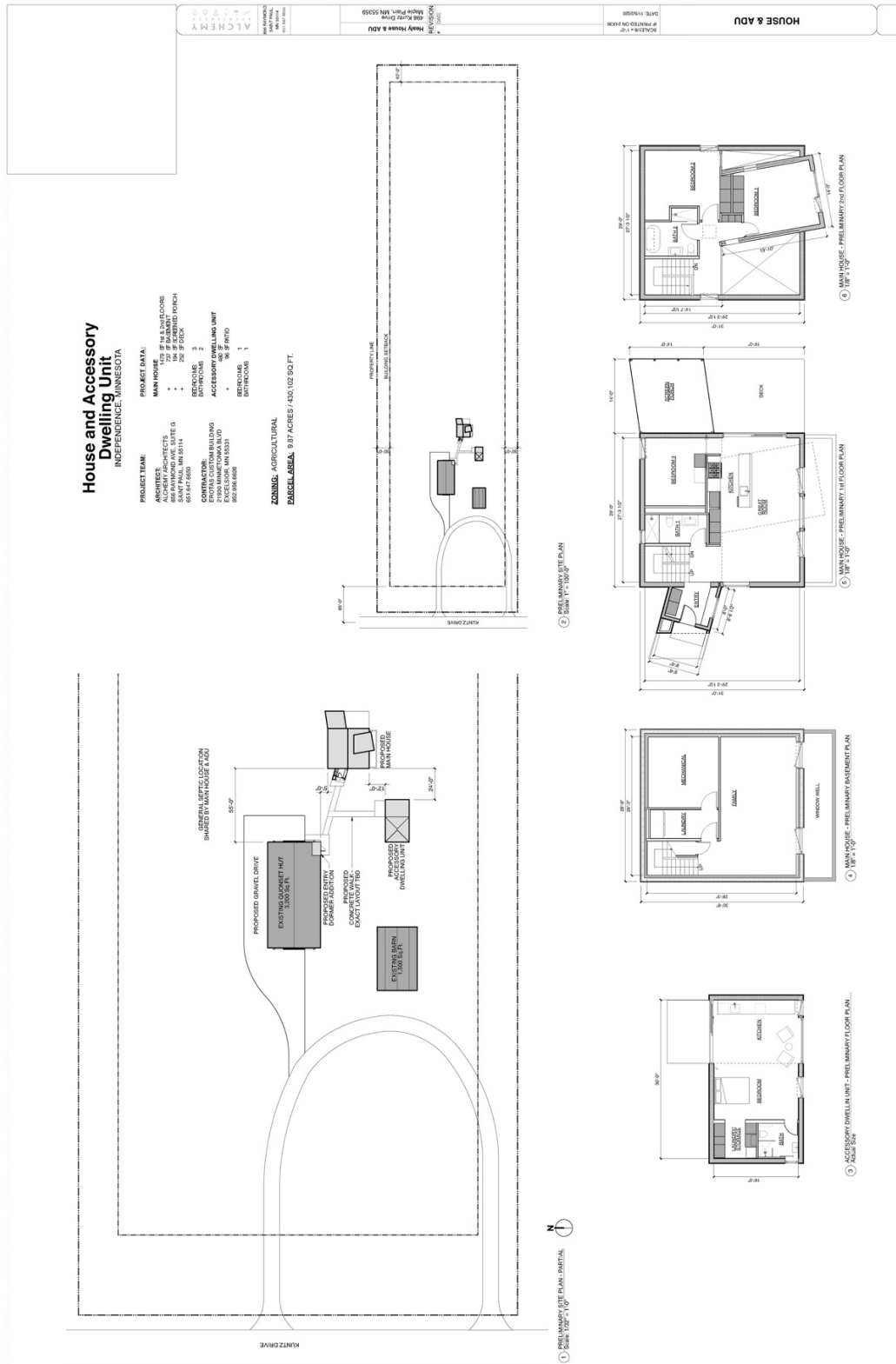
AND

That part of the Northeast Quarter of the Northwest Quarter of Section 33, Township 118, Range 24, Hennepin County, Minnesota, described as follows:

Commencing at the Southwest corner of the Northwest Quarter of the Northeast Quarter of said Section 33, thence East along the South line of said Northwest Quarter of the Northeast Quarter, a distance of 367.70 feet; thence Northwesterly deflecting left 115 degrees 55 minutes, a distance of 368.22 feet to the centerline of County Road No. 6; thence Southwesterly deflecting left 78 degrees 23 minutes 53 seconds, a distance of 346.81 feet along said centerline to actual point of beginning; thence Southeasterly deflecting left 101 degrees 40 minutes, a distance of 272.48 feet to a point in the South line of the Northeast Quarter of the Northwest Quarter, a distance of 10.02 feet West from the Southeast corner thereof; thence West along the South line of said Northeast Quarter of the Northwest Quarter to the Southwest corner of said Northeast Quarter of the Northwest Quarter; thence North along the West line of the Northeast Quarter of the Northwest Quarter to the centerline of County Road No. 6; thence Easterly along said centerline to the point of beginning.

EXHIBIT B

(Site Plans)





**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Jessica M. Healy
Address: 728 E RAMONA AVE
SALT LAKE CITY,
Utah 84105
Primary Phone: 7632328536
Secondary Phone: 3126409028
Email: jmhealy17@gmail.com

Owner Information

Name: Jessica M. Healy
Address: 728 E RAMONA AVE
SALT LAKE CITY,
Utah 84105
Primary Phone: 7632328536
Secondary Phone: 3126409028
Email: jmhealy17@gmail.com

Property Address:

PID:

Planning Application Type: Conditional Use Permit

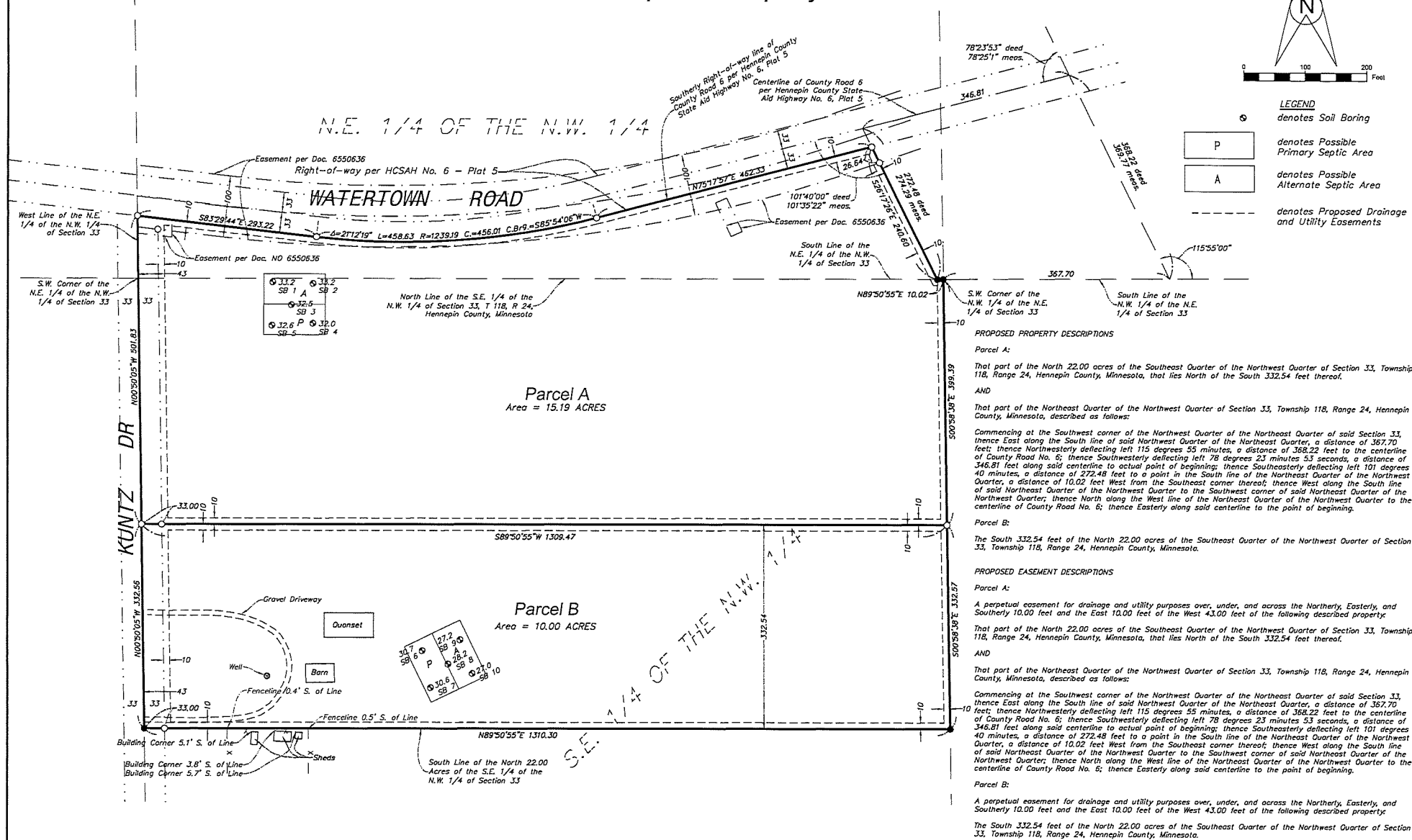
Description:

Supporting Documents: Site Survey (Existing Conditions), Construction Plans, Preliminary/Final Plan

Signature:

Certificate of Survey

Proposed Property



Certificate of Survey on part of the N.W. 1/4 of Section 33, 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.

Paul E. Otto
License #40062 Date: 9-28-18

Revised: 9-28-18 - Easements - M.J.H.

Requested By:

David Zoldahn

Date: 9-6-18

Drawn By: M.J.H.

Scale: 1"=100'

Checked By: P.E.O.

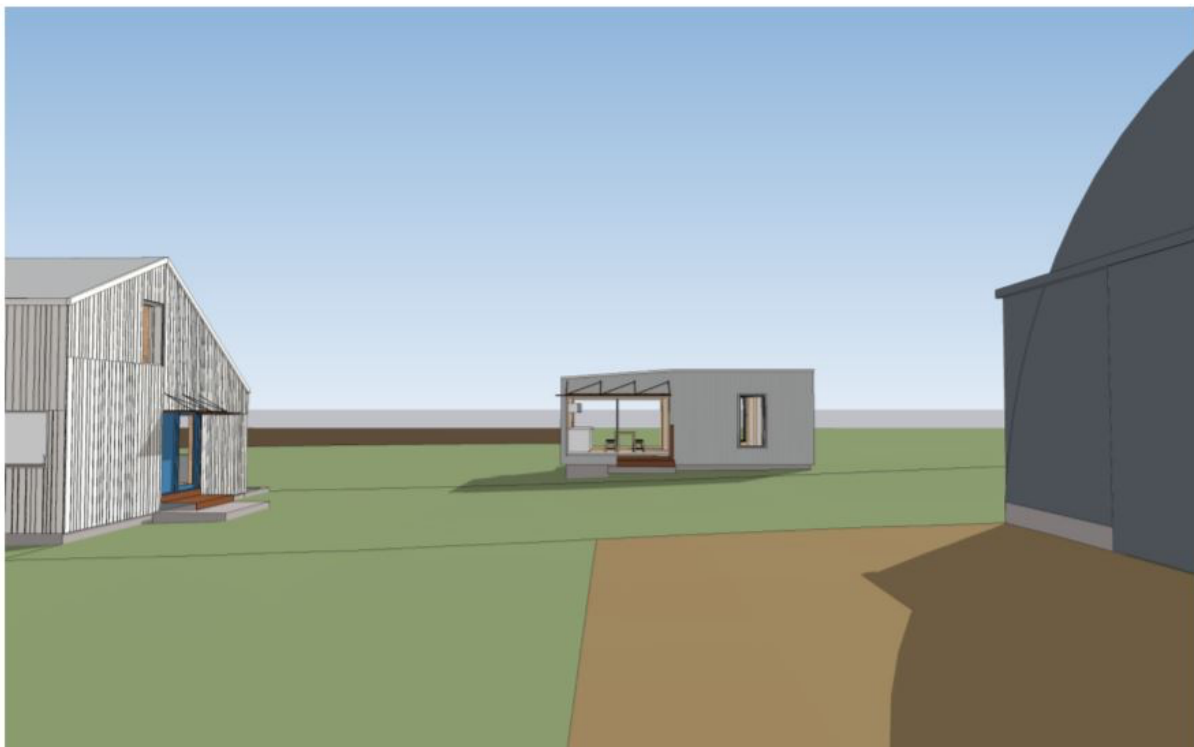
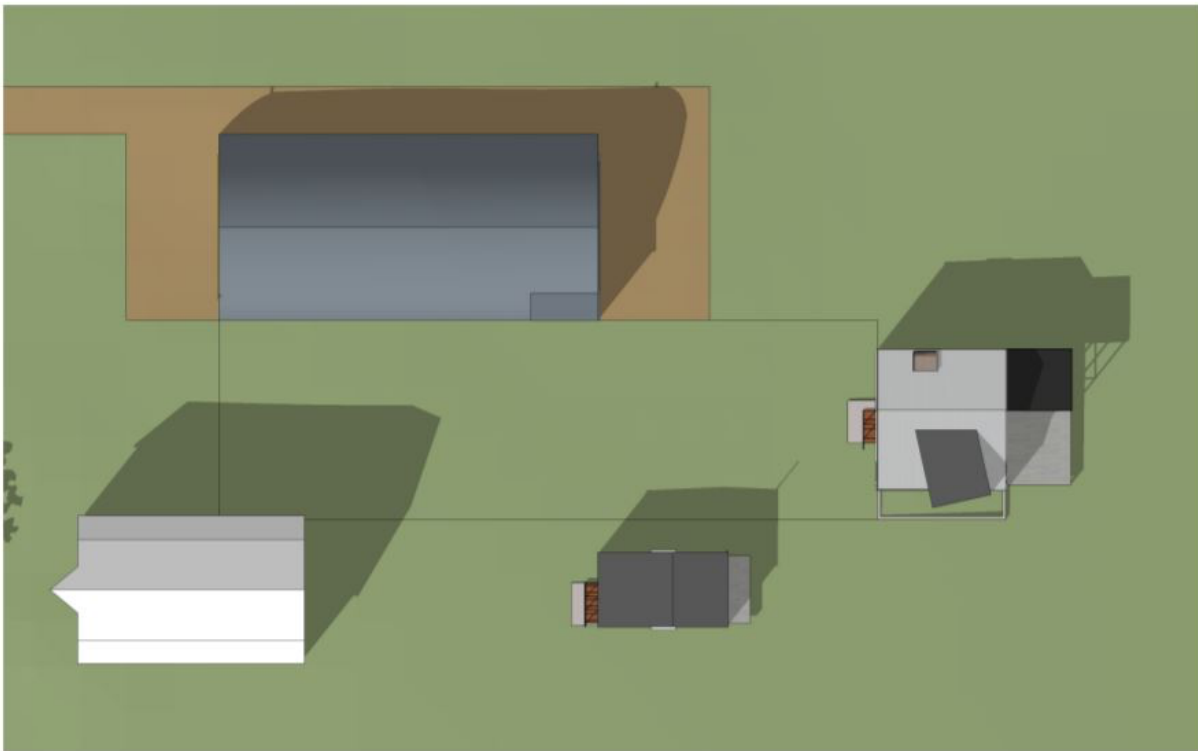


www.ottoassociates.com
9 West Division Street
Buffalo, MN 55313
(763)682-4727
Fax: (763)682-3522

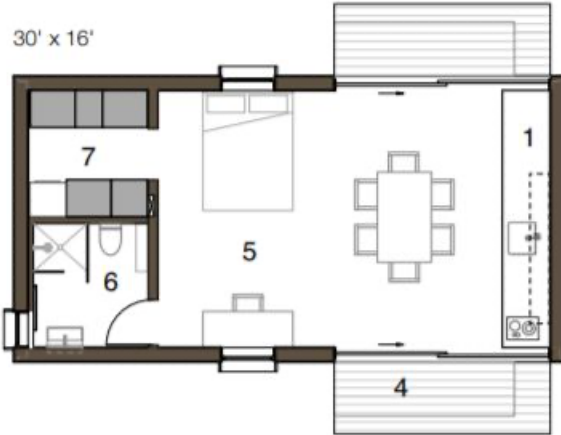
- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062

Project No. 18-0425

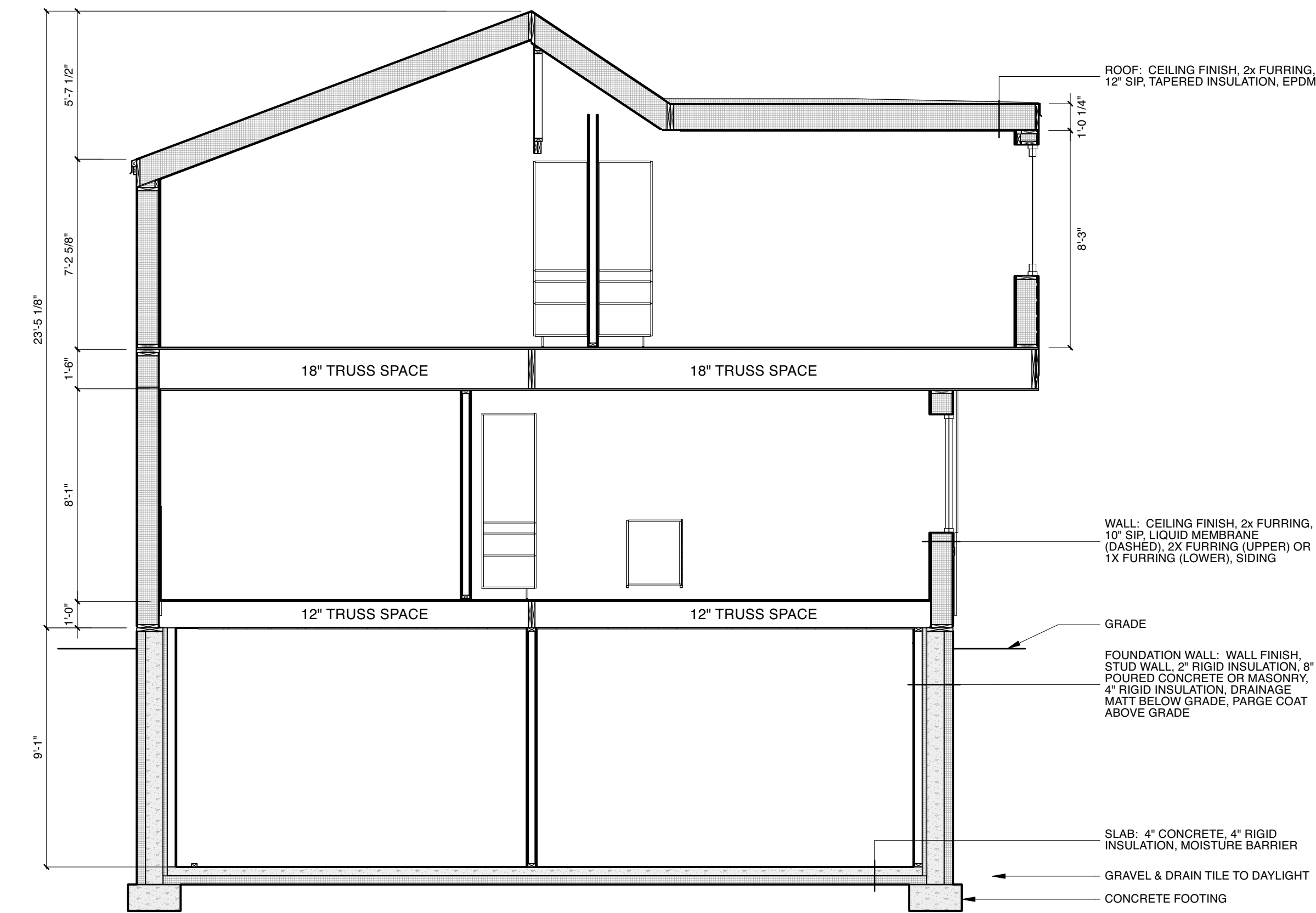
Healy Barnhouse & ADU
Conditional Permit Application 11.9.20
498 Kuntz Drive Independence, MN



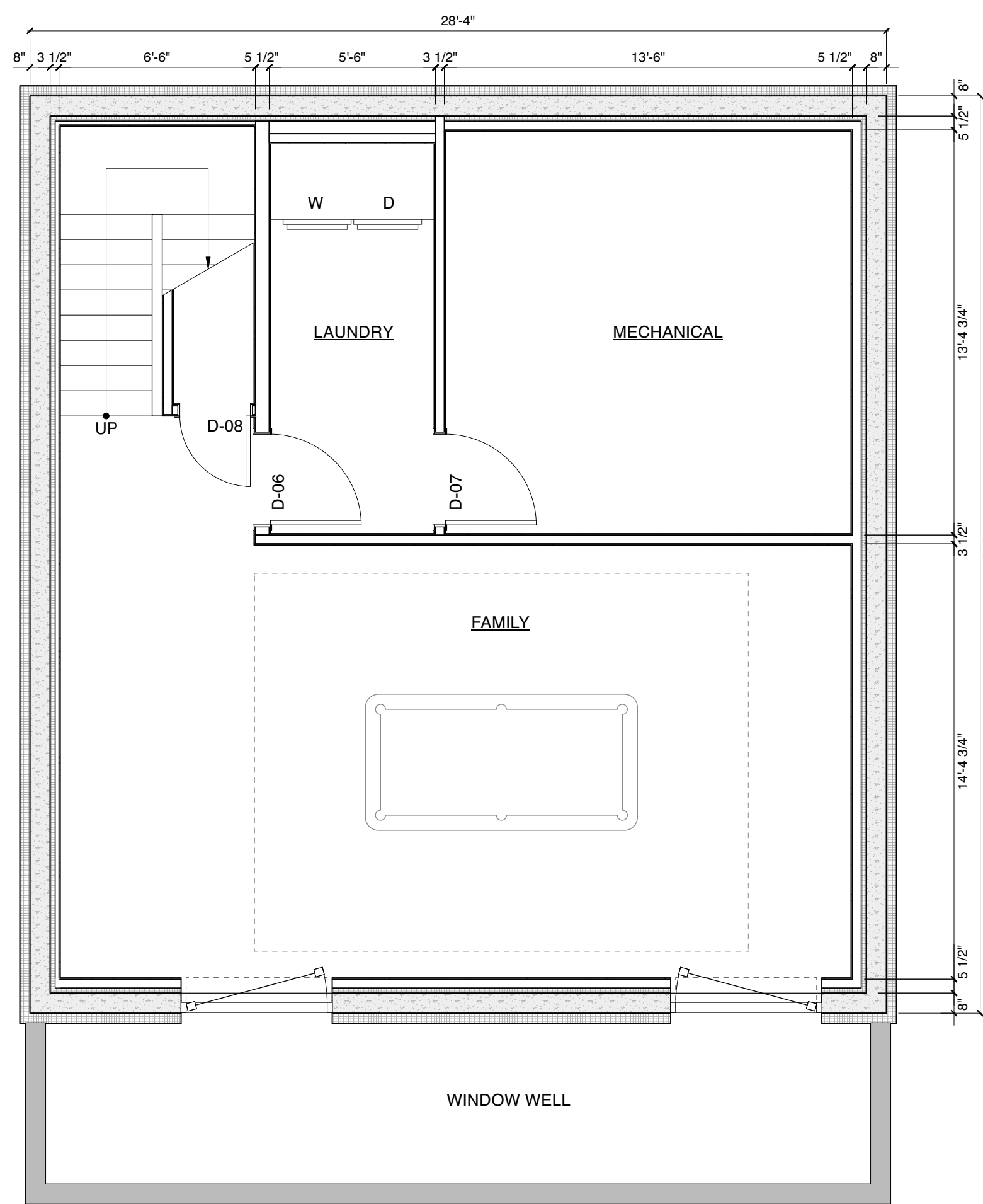
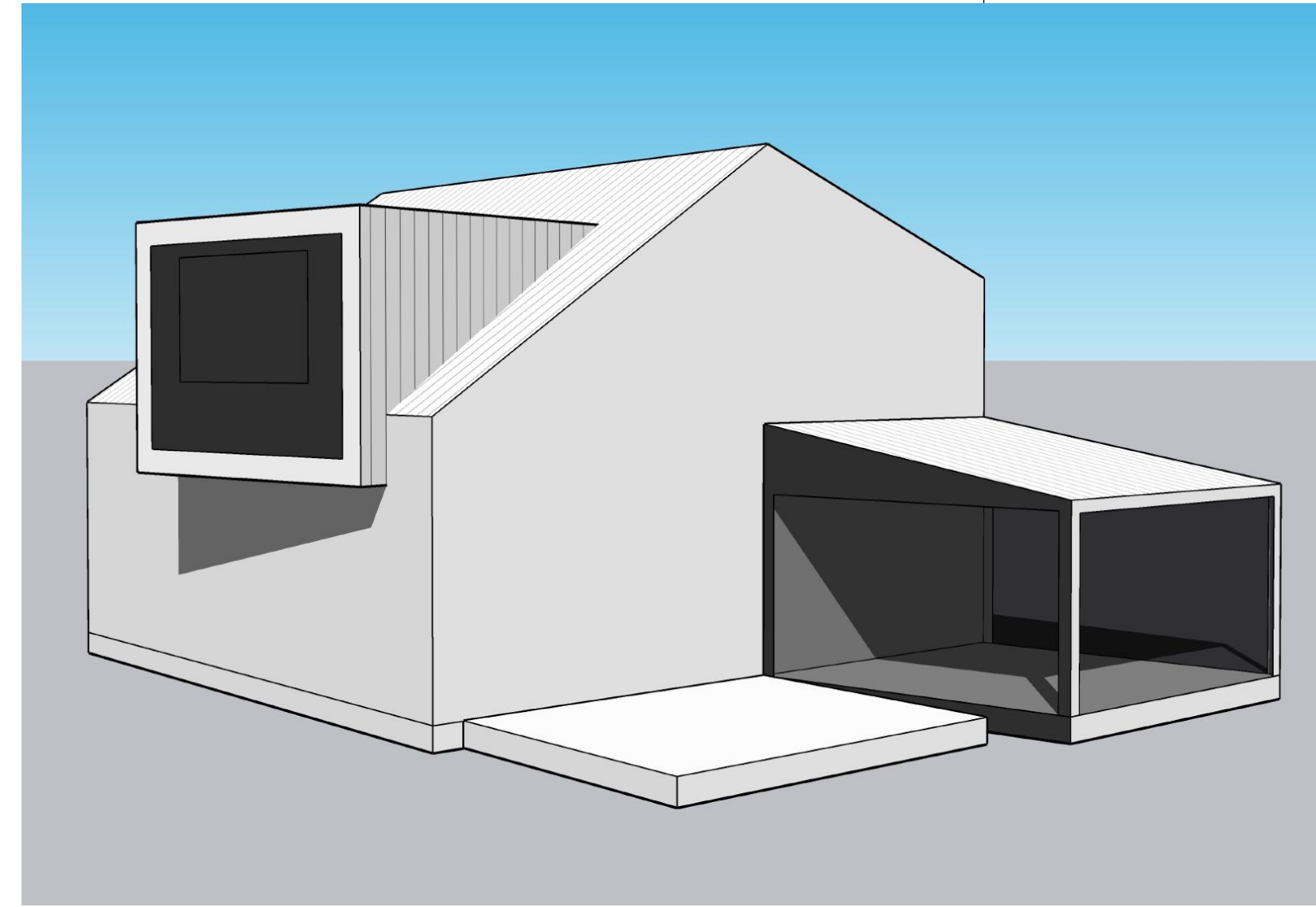
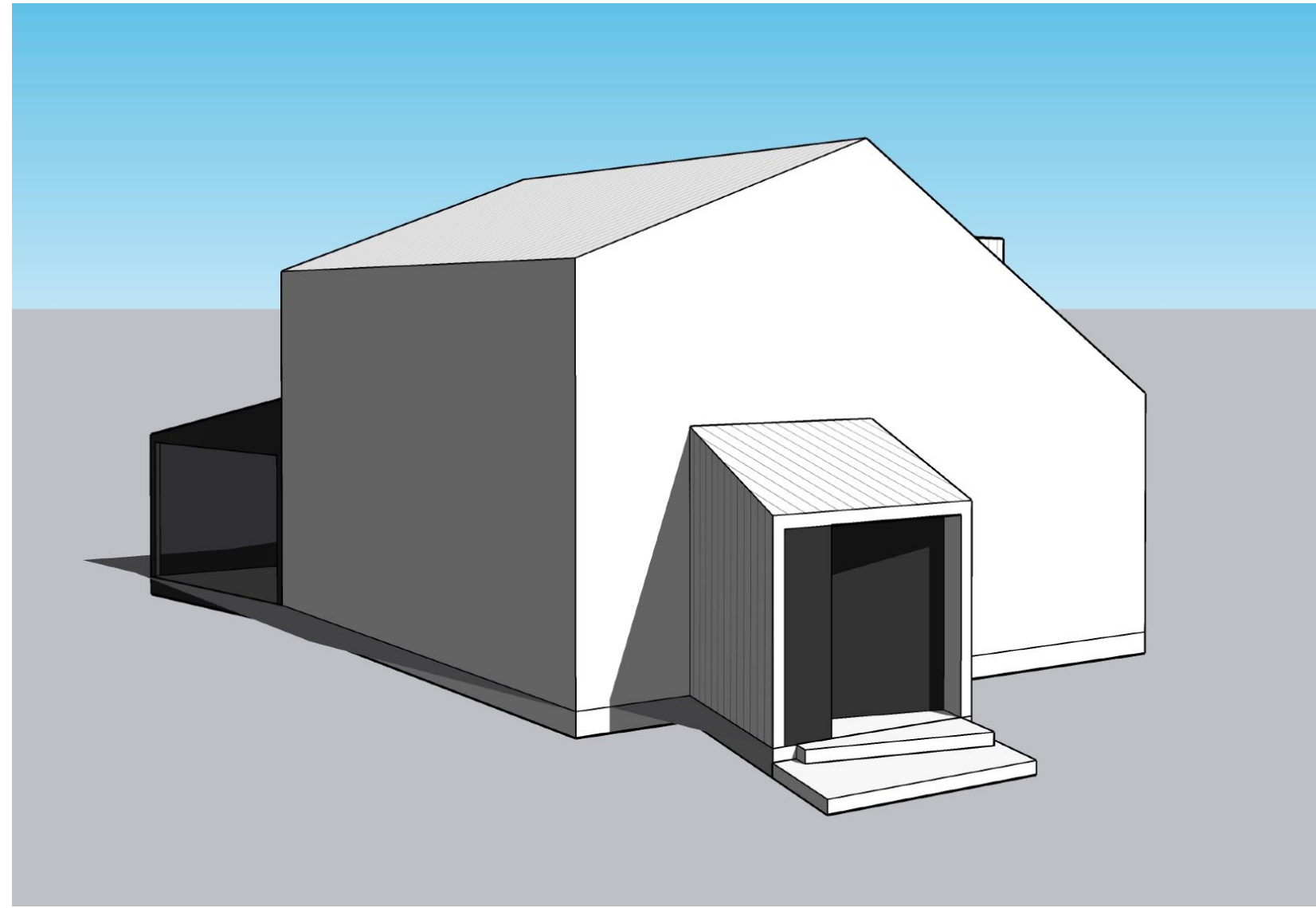
Healy Barnhouse & ADU
Conditional Permit Application 11.9.20
498 Kuntz Drive Independence, MN



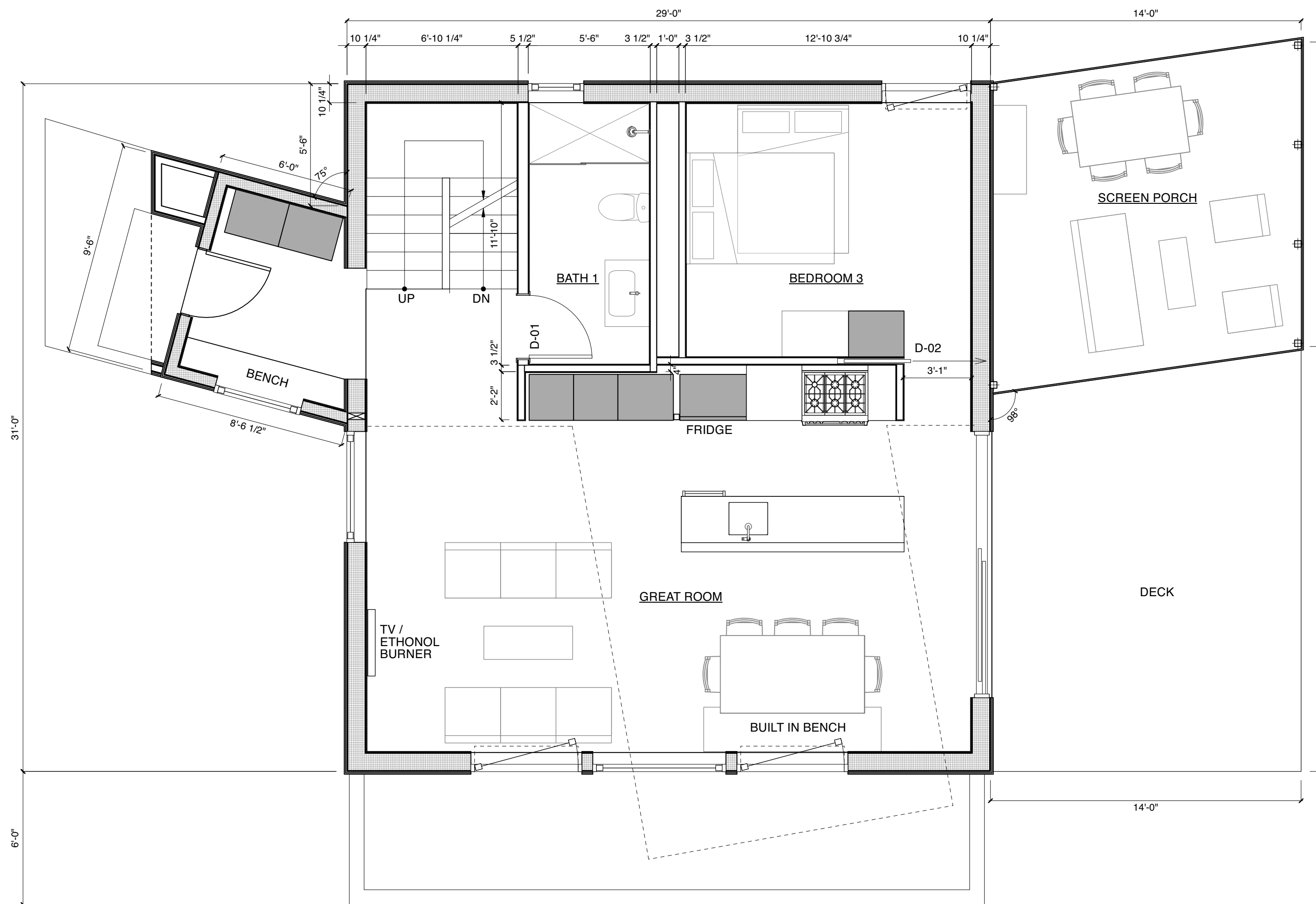
OPTION 3 +/-500SF



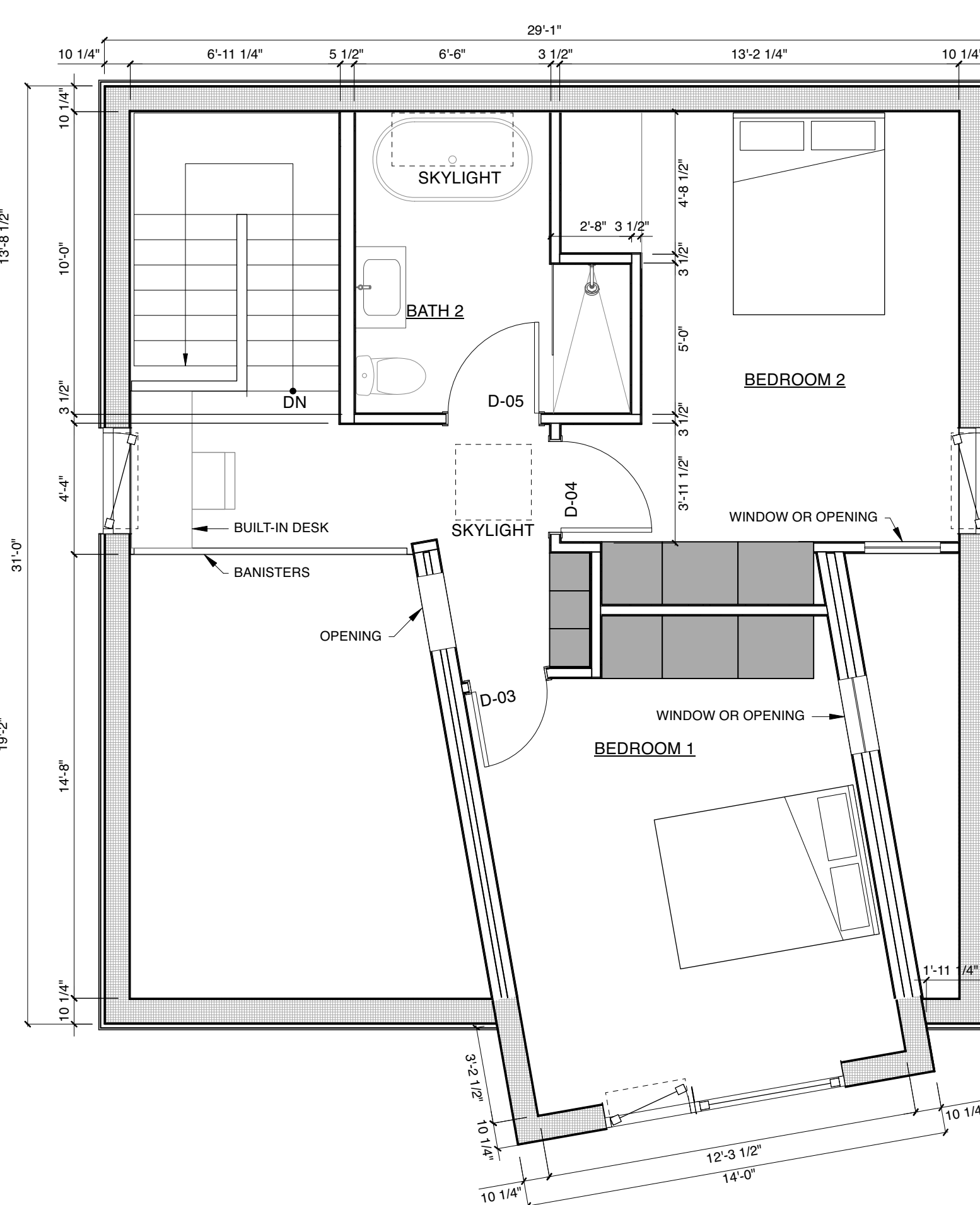
4 BUILDING SECTION
1/4" = 1'-0"



3 BASEMENT PLAN
1/4" = 1'-0"



2 1st FLOOR PLAN
1/4" = 1'-0"



1 2nd FLOOR PLAN
1/4" = 1'-0"



1.0

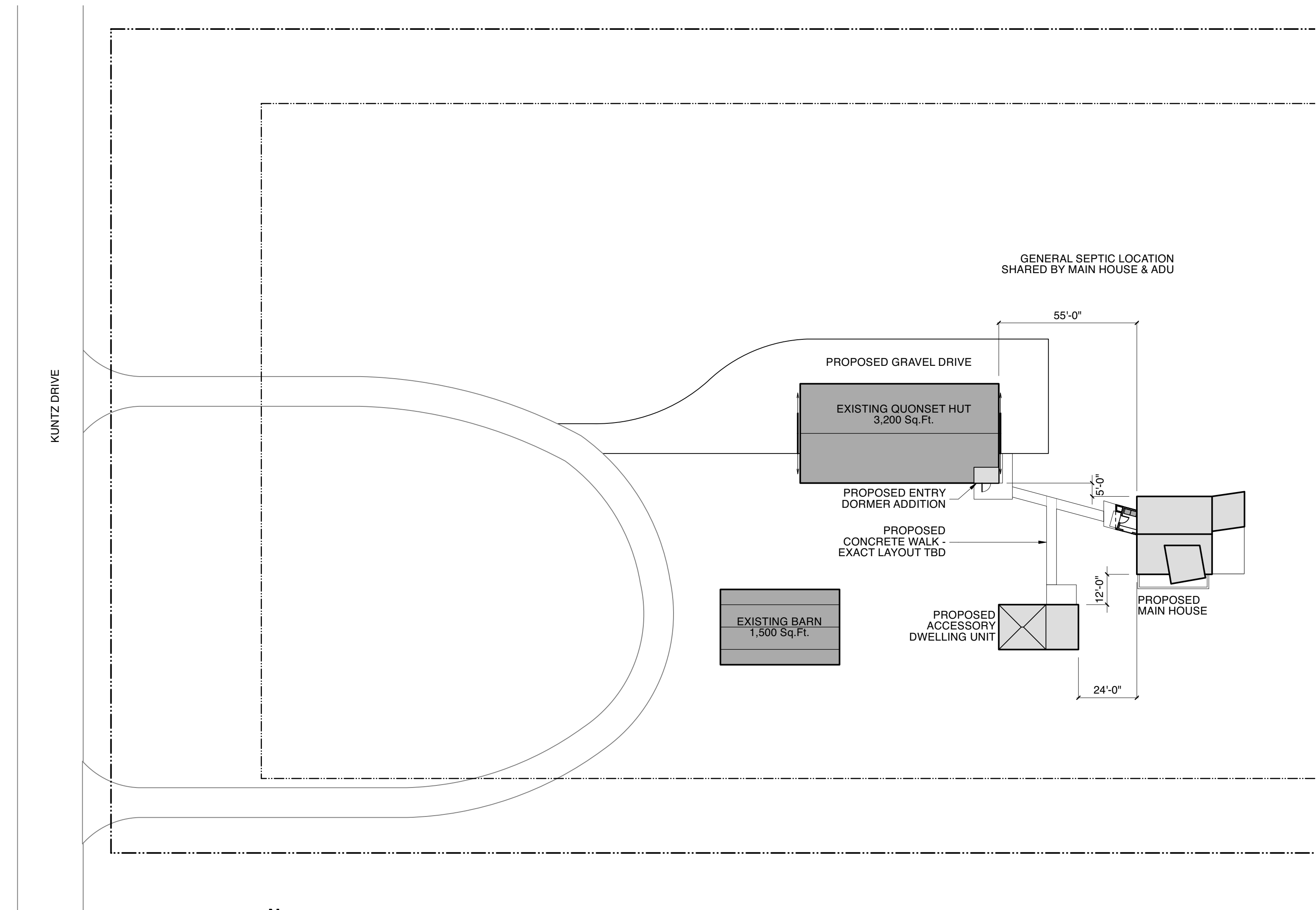
PLANS & SECTION

SCALE: 1/8" = 1'-0"
IF PRINTED ON 24X36
DATE: 11/2/2020

REVISION
DATE

Alchemy
ARCHITECTS
856 RAYMOND
SAINT PAUL,
MN 55114
651.647.6650

Prairie barnHouse
408 Korte Drive
Maple Plain, MN 55359



1 PRELIMINARY SITE PLAN - PARTIAL
Scale: 1/32" = 1'-0"

House and Accessory Dwelling Unit

INDEPENDENCE, MINNESOTA

PROJECT TEAM:

ARCHITECT:
ALCHEMY ARCHITECTS
856 RAYMOND AVE, SUITE G
SAINT PAUL, MN 55114
651.647.6650

CONTRACTOR:
EROTAS CUSTOM BUILDING
21930 MINNETONKA BLVD
EXCELSIOR, MN 55331
952.956.6626

PROJECT DATA:

MAIN HOUSE
+ 1479 SF 1st & 2nd FLOORS
+ 737 SF BASEMENT
+ 194 SF SCREENED PORCH
+ 252 SF DECK

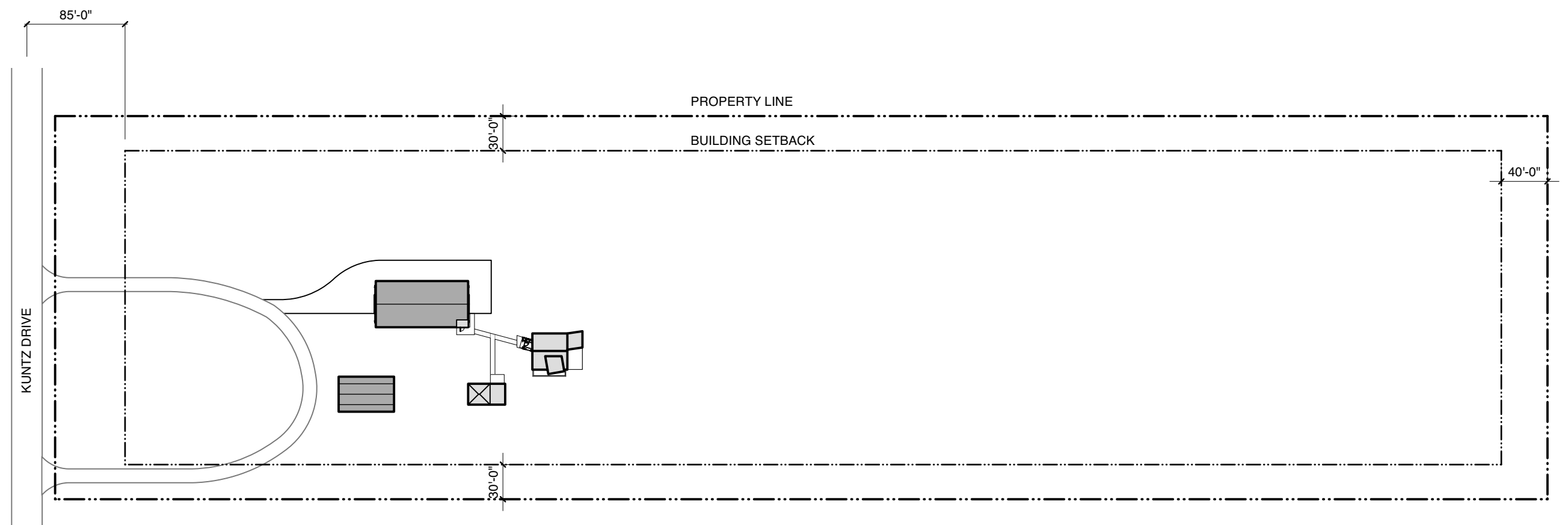
BED ROOMS 3
BATHROOMS 2

ACCESSORY DWELLING UNIT
+ 480 SF
+ 96 SF PATIO

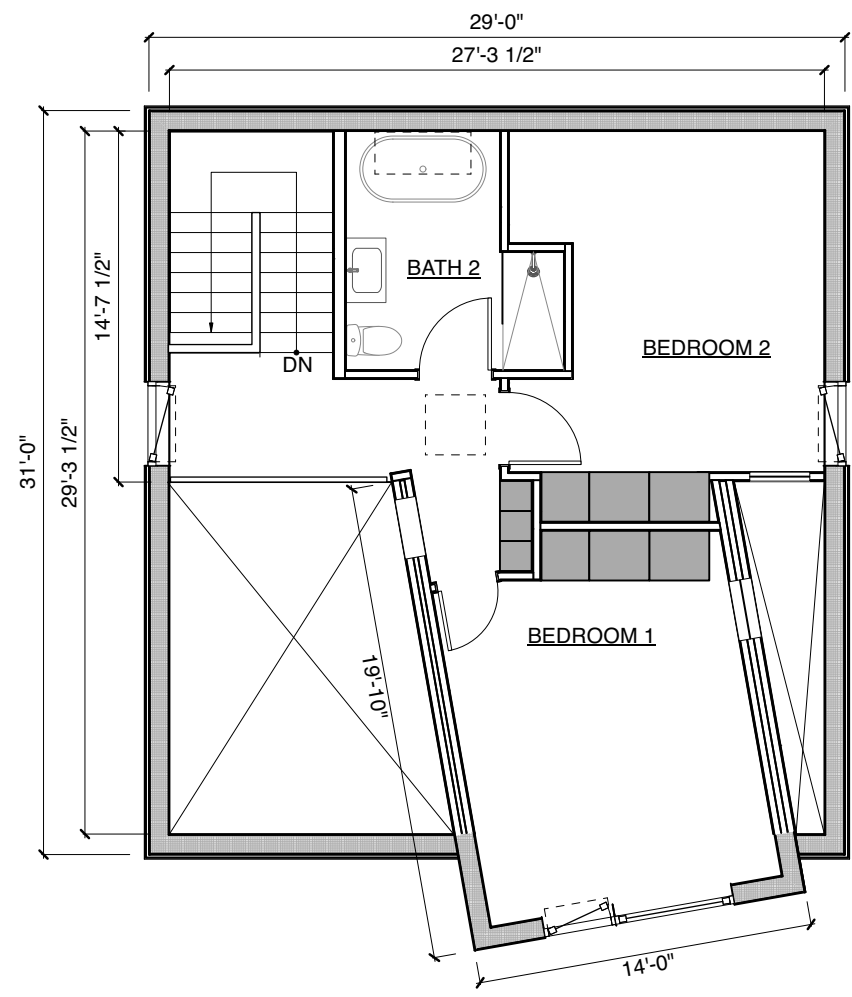
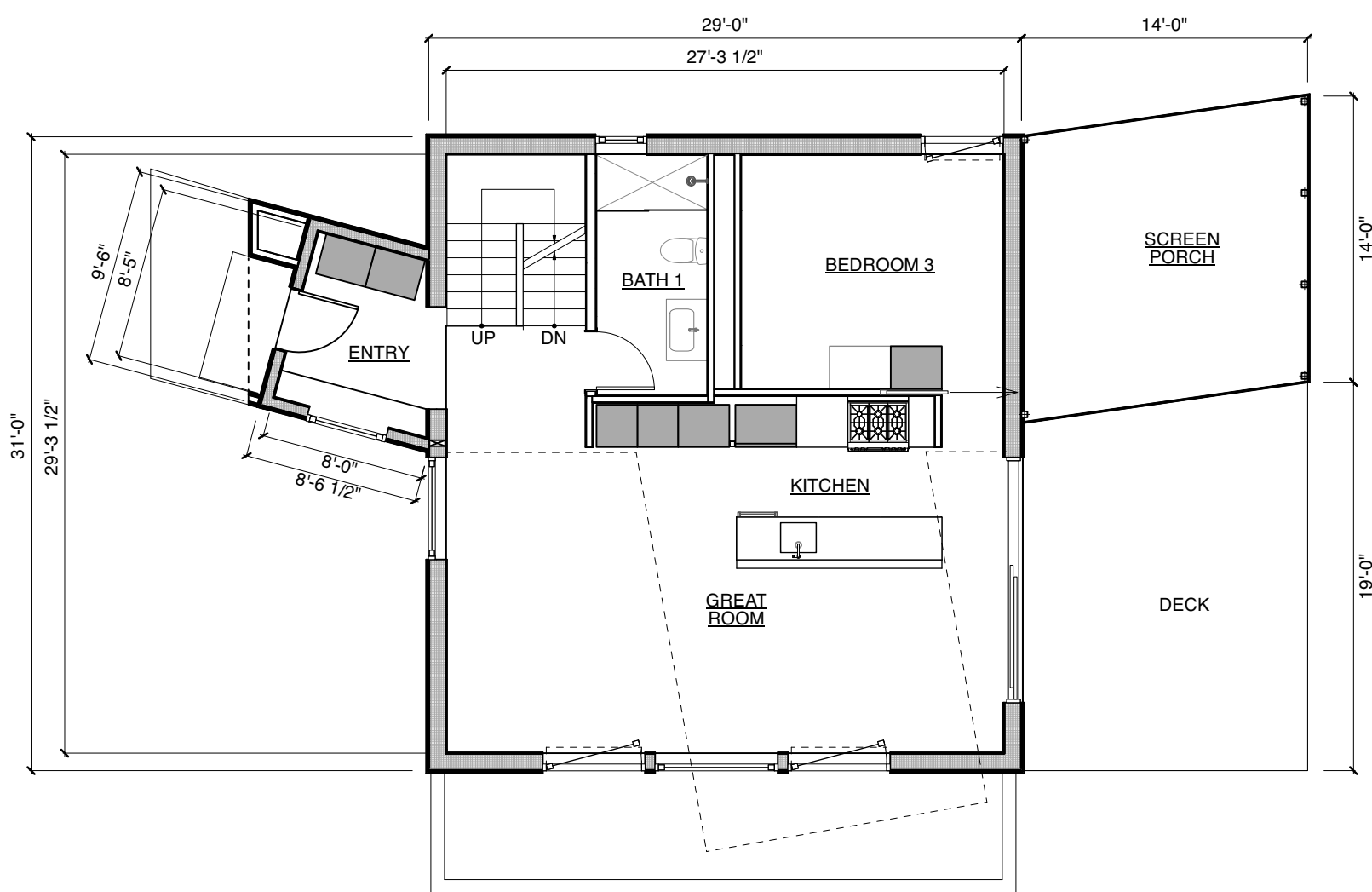
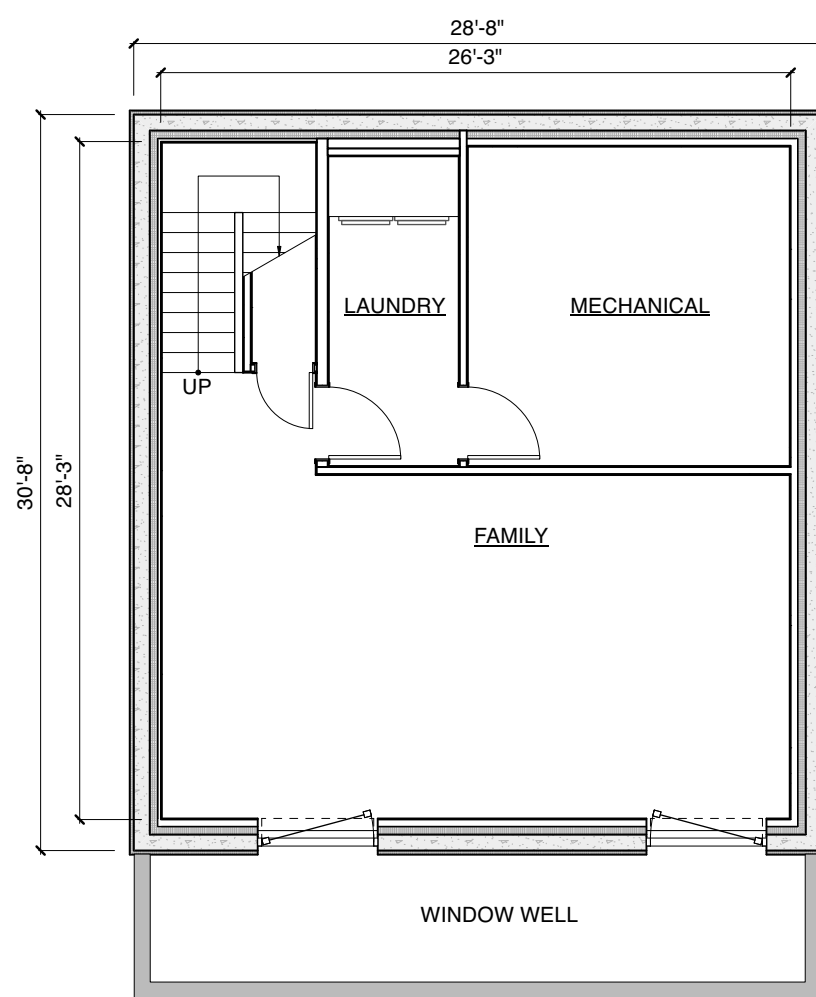
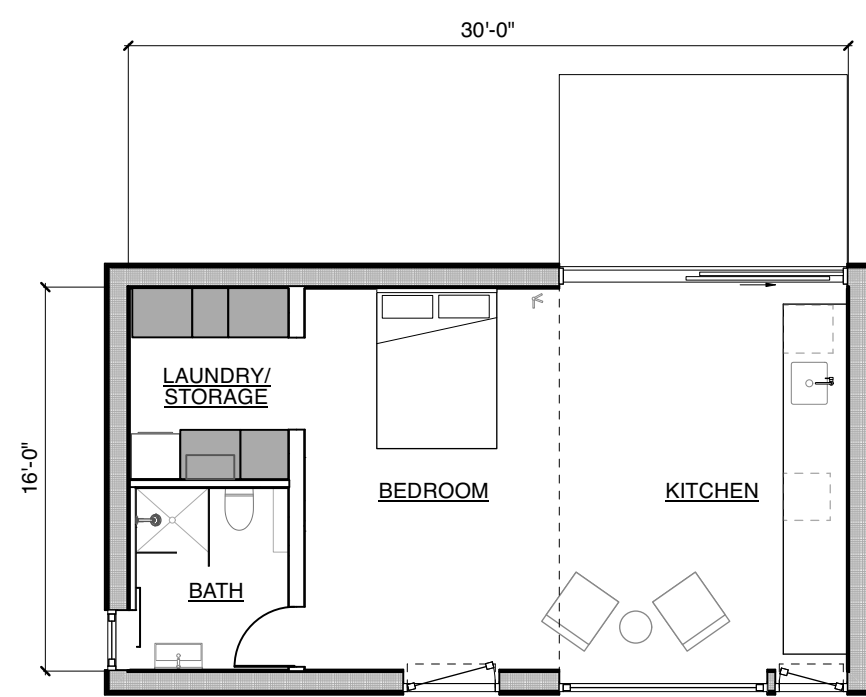
BED ROOMS 1
BATHROOMS 1

ZONING: AGRICULTURAL

PARCEL AREA: 9.87 ACRES / 430,102 SQ.FT.



2 PRELIMINARY SITE PLAN
Scale: 1" = 100'-0"



ALCHEMY
ARCHITECTS

856 RAYMOND
SAINT PAUL,
MN 55114
651.647.6650

Healy House & ADU
438 Kuntz Drive
Maple Plain, MN 55359

REVISION
DATE

SCALE: 1/8" = 1'-0"
IF PRINTED ON 24X36
DATE: 11/5/2020

HOUSE & ADU