

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, OCTOBER 25, 2016, -7:30 P.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence City Council was called to order by Mayor Johnson at 7:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL

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

ABSENT: None

STAFF: City Planner & City Administrator Mark Kaltsas, City Administrative Assistant Horner, City Attorney Bob Vose

VISITORS: Parker Esterberg, Marit Esterberg, 3 Mound Westtonka High School Students

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 October 11, 2016 City Council Meeting.
- b. Approval of City Council minutes from the October 5, 2016 City Council Workshop.
- c. Approval of Accounts Payable; Checks numbered 16568-16576.
 - For Information - Checks numbered 16577-16599 are Payroll Checks.
- d. Approval of Satisfaction of Hennepin County Repayment Agreement for the Hennepin County Rehabilitation Loan
- e. Approval of MnDOT Master Partnership Contract for the Highway 12 Light Maintenance.
 - **RESOLUTION NO. 16-1025-02.**

McCoy requested pulling item # e off consent.

Motion by Grotting, second by McCoy to remove item #e for further discussion, and to approve the Consent Agenda with that change. Ayes: Johnson, Grotting, Spencer, Betts and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

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

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Planning Commission meeting October 18
- Stocked Lake Sarah with 1,000 fish

Grotting attended the following meetings:

- Shared Services Firefighter meeting in Mound

McCoy attended the following meetings:

- Shared Services Firefighter meeting in Mound

Betts attended the following meetings:

- Shared Services Firefighter meeting in Mound

Johnson attended the following meetings:

- Northwest League of Municipalities Meeting
- Loretto Fire Open House
- Finance Committee Meeting for Community Action Partnership
- Orono School Breakfast Meeting
- Shared Services Firefighter meeting in Mound
- Training Session at Met Council

Horner attended the following meetings:

- Planning Commission
- Vinland Center to help with voting preregistration

Kaltsas attended the following meetings:

7. Director Gary Kroells, West Hennepin Public Safety - Activity Report for the Month of August, 2016.

Chief Kroells highlighted several incidents' to which they responded. For the full report of incidents please see the complete packet on the website. In addition to these, he mentioned that at least once per month an Officer helps residents' in need. September 16 a WHPS Officer helped a driver who had a flat tire and was not comfortable changing it herself. Kroells updated the Hwy 12 project, saying the Code Red, web-sites, etc... have worked well in informing people. There are incentives for them to finish early. Regarding the turn lanes installed on Hwy 12 and 92, this is a short term fix, but is better than it was.

Kaltsas spoke about the letter received from MnDOT regarding the reported dip and wave in Hwy 12. MnDOT's response was they know the smoothness is less than desirable but they will not repair this.

McCoy had a question on #23 on MnDOT maintenance agreement, and what is their labor rate-wondered if we needed to go with them. Kaltsas said we can use MnDOT to repair the new Hwy 12 lights, but we don't have to. The City's had locate requests and so now since they're our lights we're obligated to do them. They would provide a work order and we could use them or not. Kaltsas recommends we approve this so they could at least do the locates for us, and then we can decide. He attempted to get a fee schedule which changes yearly, but don't have it yet. Most likely their rates will be less than the competitors. Kaltsas guessed less than a dozen per year for locates needed. McCoy asked who supplies power, Kaltsas said could be Xcel or Wright Hennepin. If it's hit, that's the City's responsibility. We'd probably be able to get insurance to help cover this. McCoy was concerned about power being cut off right away, to avoid injury. Vose said MnDOT may be responsible for pole, but Xcel/Utility Co. has an obligation to respond right away to emergencies such as this. Regarding paragraph 23, if the City is sued, this directs who gets to choose the lawyer or who gets to direct what the lawyer does. In paragraph 12, says the City is only responsible for their acts. So, if MnDOT screws up, we're not liable for this. Kaltsas said MnDOT has provided these locates for us, but now we've

got take this on ourselves.

Motion by McCoy, second by Spencer to approve the MnDOT Master Partnership Contract for the Highway 12 Light Maintenance. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

8. Fee Schedule Update:

- a. **RESOLUTION NO. 16-1025-01** – Considering an update to the City’s Fee Schedule.

Kaltsas addressed this again after it being tabled at the previous meeting. We’d like to clean up the fee schedule. Staff did an internal audit of this, and found the application fee covered a portion of expenses but not all. There was confusion with many applicants who expected all of their ‘escrow’ money back. Expenses often thought of as included in the application fee are water resource consultants, engineers, legal and planning when actually the total of these fees on an average equal the escrow amount paid. That is why Staff is requesting to flip these fees, and have the application fee more in line with the amount considered escrow now. We’d change ‘escrow’ to ‘deposit’ and make more clear how this deposit will be applied. We’d bill towards the initial application fee and continue billing until the \$1250 is exceeded, then we’d take it out of the deposit.

It was also discussed to broaden the definitions of fees. Definitions include Type I consisting of simple concept, simple zoning text amendment, and simple site plan review. Type II includes complex concept plan, complex site plan and complex zoning text amendment. Johnson likes this simple idea because it will make it more clear to the applicants what’s expected of them. Kaltsas also said we’d collect the money owed to the City because up until now we’ve lost out. We’re also having the City Attorney record our documents which costs us, but will ensure all necessary things will be recorded. These fees will also include recording documents. This applies to smaller developments. McCoy suggested including that the City will record the documents included in the fee schedule. Kaltsas suggested putting that in the application instead, and McCoy agreed. The term escrow will change to deposit.

Motion by Betts, second by Spencer to approve the fee schedule as presented. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Kaltsas spoke about the Community Room rental rates. We updated the community room policy recently, thought we needed to increase some rates for non-resident’s-not to make money but to account for clean-up and usage of the building. Staff checked with other Cities. Johnson wanted to make sure we’re not charging local organizations which Kaltsas confirmed. Johnson felt it important that our local residents have this space available for their organization functions. McCoy wondered why not raise the charge for events for 151-200 people. Kaltsas said Staff mostly raised the wedding events. Grotting suggested differentiating it between day vs night events. Kaltsas said we could raise the 151-200 to \$1,000. McCoy confirmed we’ve changed the policy to require police presence of alcohol.

Motion by McCoy, second by Grotting to approve the updated City's Fee Schedule. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

9. Sewer Rate Study Discussion:

a. Set Public Meeting Dates

Staff went through every file to determine who are users but haven't been paying for their availability. We've talked about having some open houses to discuss the deficit in this fund. There has been an increase in maintenance in sewer lines. We're trying to sustain a positive cash balance in a 10 year time frame. It was found there is a need to raise the rates 8% in 2017, 10% in 2018 & 2019, and 3% each year thereafter. The current rate for those connected is \$168 quarterly and by raising this \$12 per quarter would bring each user up to \$180 for year 1. The City needs to increase the availability charge also-or those who have it available but choose not to hook up because their on-site is working. But the cost to maintain this falls on the few who are connected. This would be an incentive for those to hook up, but to also make it fairer to those currently paying. We thought about increasing this from \$32 to \$90.75 per quarter.

Kaltsas suggested possibly 2 open houses to notify residents of our findings and solicit feedback. We'd provide information on our web-site. This could be the initial thought. We have meetings on November 15 and 29th, so prior to one of those we could have an open house. Johnson mentioned the November meeting dates, and Kaltsas said he found it in meeting minutes. Johnson and McCoy will be gone November 15 but there would still be quorum. Spencer said it was on the consent agenda September 13 to cancel the November 8th meeting and moving it to the 15th. Spencer said with the Planning meeting on the 15th that may be too much. Johnson suggested the 22nd and the 29th for the open houses. Kaltsas said maybe 1 meeting would be enough, so we could schedule it November 29th. Planning Commission will be on the 15th at 6:30, Council at 7:30.

Motion by Spencer, second by Johnson to hold the Sewer Rate Public Informational Meeting November 29th. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Johnson summarized there will be no Council meeting on November 8 due to the elections, and will be meeting November 15 instead. November 29 at 7:30 is the meeting date instead of the regularly scheduled November 22 due to Thanksgiving. Johnson asked about the joint meeting with Maple Plain that Kroells brought up to recognized the WHPS Reserve Officers. They would like to have this November 28 at 6:30 or so. Kroells said they just need to figure out the time. That night is significant because one of the Reserve Officers will have her 30th anniversary date on that day. McCoy said there's a training class for firefighters here that night, but he thought he'd be able to step out for a bit.

Motion by Betts, second by McCoy to hold the Joint Presentation Meeting with Maple Plain November 28th. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Johnson asked the students who were present if they had any questions, but there were none.

Motion by Betts, second by Grotting to Adjourn at 8:50 p.m. Ayes: Johnson, Betts, Spencer, Grotting and McCoy. Nays: None. Absent: None. MOTION DECLARED CARRIED.