

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, FEBRUARY 9, 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 Spencer, McCoy, Grotting

ABSENT: Betts

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

VISITORS: Joe Baker

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 January 26, 2016 Regular City Council Meeting
- b. Approval of Accounts Payable; Checks Numbered 15816-15848
- c. Consideration to Approve **RESOLUTION 16-0209-01** and Letter of Support for the Senior Community Services Community Development Block Grant (CDBG) Application.
- d. Consider Approval of City Hall and Public Works Building – Building Lighting Replacement Proposal.

Spencer requested item (d) be pulled from the Consent Agenda for further discussion.

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

Spencer asked if multiple bids were submitted for the lighting project. Kaltsas stated staff did check with a wholesale supplier to see if the lights could be purchased at a lower cost and found out that the pricing could not even come close to the proposal. Spencer said that sounded reasonable.

**Motion by Spencer, second by Grotting to approve the Lighting Replacement Proposal for the City Hall and Public Works buildings. Ayes: Johnson, Spencer, McCoy, Grotting. Nays: None. Absent: Betts. 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:**

- Highway 12 Safety Coalition

**Grotting attended the following meetings:**

- Conversations with citizens of Independence on various topics

**McCoy attended the following meetings:**

- Highway 12 Safety Coalition

**Betts attended the following meetings:**

**Johnson attended the following meetings:**

- Suburban Hennepin County Community Action Partnership Public Hearing
- Suburban Hennepin County Community Action Partnership Board Meeting
- LMCC interview
- Hennepin County Board Reappoint Meeting
- Conference call with National League of Cities Energy Resources Committee
- Delano Legion National Commander Dinner
- Highway 12 Safety Coalition
- St. Paul Mayors Reception

**Horner attended the following meetings:**

- Hennepin County Elections E-poll Book Meeting
- West Hennepin Chamber of Commerce Meeting

**Kaltsas attended the following meetings:**

7. BAKER CAMPGROUND RAVINE PROJECT DISCUSSION AND PRESENTATION - JOE BAKER.

Baker stated the purpose of the Watershed Committee is to work towards improving the water quality in area lakes. He noted this Watershed Committee serves six cities with obligations to Lake Independence and Lake Sarah. The project outlined tonight involves Phase 1 of the Baker Park Ravine. Baker stated the ravine is fairly well hidden as it sits to the North of County Road 19 just past the first “S” curve. He noted it is roughly 50’ from the top to the bottom of the ravine. Baker said it is very steep and not that wide so there is a lot of erosion. There is about 374 pounds of phosphorous that enters Lake Independence from this ravine. Roughly 80 acres feeds into that ravine. Baker stated Three Rivers Park District would like to see Phase 1 of this project address reducing the water flow through those 80 acres. This is a cooperative agreement led by Three Rivers Park District requesting that the City of Medina, the City of Independence and the Pioneer Sarah Creek Watershed each contribute 25% of the cost share. The cost to the City of Independence would be \$5,199.50. Baker stated the City of Medina and the Pioneer Sarah Creek Watershed/ Three Rivers have already approved their portion of the costs.

Baker said the goal of the project is to slow down, pull back or redirect the water flowing into the ravine. He said the study will produce “shovel-ready” ideas that make it easier to go through the grant approval process. Johnson asked Baker if he knew how much was in the watershed in Maple Plain. Baker said he estimated Maple Plain had approximately 10 acres of the 80 acres being addressed. Baker stated he has asked Maple Plain to come on board with the project several times but has not received a response. He anticipates that Maple Plain and Hennepin County will have to be a partner as this advances to the grant stage.

Grotting asked if County Road 19 was on the radar for a rerouting project. Johnson said he was not aware of that. Grotting asked if they would be able to locate the ten ponds in this area with this study. Baker said he believes they will be able to show ten different areas where the water flows but there could be some ponding suggestions that come out of this study. Spencer stated the sub watershed that drains into that ravine is relatively small. Johnson said a large drainage pipe or culvert was installed under County Road 19 by the bend years ago. Spencer said this is such a huge ravine that engineering needs to be involved. Johnson noted this could be assessed out of the Pioneer Sarah Creek Watershed fund. Grotting asked how environmental challenges within the City are prioritized. Johnson said the two Watershed Districts are the ones that are setting the priorities in his opinion. Spencer said within the Pioneer Sarah Creek Watershed there are a lot of issues and the City does what they can with what there is to work with. Johnson noted the cooperative landowner which is the park is very interested in taking care of this issue. Spencer noted the City of Medina is also a staunch partner and very committed in watershed issues. Grotting asked about the ground water issues and how those will be addressed. Spencer stated groundwater is not one of the City’s responsibilities. Spencer noted there is a published study on the Pioneer Sarah Creek Watershed website that would be a valuable resource for the new City Council members for background information.

Spencer said the TMDL estimated the areas where the drainage occurs and the amount of phosphorous involved. Johnson noted the costs were minor for what the City will get out of it. Baker stated the grant writing costs are in the budget. He said there are a lot of prerequisites so he feels good about getting the grant.

**Motion by Spencer, second by Grotting to approve the drafting of a Resolution pertaining to the funding of the City of Independence’s portion of the Baker Campground Ravine Project. Ayes: Johnson, Spencer, McCoy, Grotting. Nays: None. Absent: Betts. MOTION DECLARED CARRIED.**

8. BUDD AVENUE STREET RECONSTRUCTION PROJECT DISCUSSION (CONSIDER INFORMATION RELATING TO THE 2016 MAPLE PLAIN STREET AND UTILITY IMPROVEMENTS PROJECT).

Kaltsas stated the City of Maple Plain is considering plans to reconstruct a portion of the jointly owned section of Budd Avenue. The Cities of Maple Plain and Independence each own half of an approximately 630 foot stretch of Budd Avenue that stretches from Newport Street on the north to the north property line of North Side Park on the south. He said last fall the City of Independence overlaid the north half of the shared section of Budd Street. At that time, the City of Independence estimated that the total cost to overlay the north half of Budd Street would be \$9,732.82 (\$4,866.41 per City). The cost for the south half of the shared section of road would be \$20,069.86 (see table below). Based on the initial estimates, the total cost to overlay the shared portion of Budd Street would have been \$29,802.68. This cost would be split by both Cities with the cost per City equaling \$14,901.34. At that time, the City of Maple Plain discussed the possibility that they would like to reconstruct the utilities and their portion of road in the near future. It was noted that Maple Plain had existing utilities that run beneath the road for a portion of the shared section. It was generally agreed that the City of Independence would proceed with overlaying the north half of the shared section and

that Maple Plain would look to reconstruct the south half of the shared section at a future date. No funds have been exchanged by the two Cities.

Maple Plain is now in the process of preparing a feasibility study to reconstruct the south portion of the shared road along with the utilities (sewer and water). During the feasibility study being conducted by Maple Plain, it was noted that one of the Independence residents is connected to the Maple Plain water system. Further investigation by Independence has found that it is likely that the resident along with the neighboring property (also in Independence) is also connected to Maple Plain's sewer system.

Based on this information, there are four issues that should be further discussed.

Maple Plain has prepared a preliminary estimated cost for just the road reconstruction of the Independence half (east side of road) of the southern half of the shared road section. The estimated cost for this reconstruction is \$33,790.00 minus the cost owed to the City for half of the north half (\$4,866.41) which equals \$28,923.59. The City of Maple Plain is considering assessing the residents in their City a portion of the cost to reconstruct the street. The amount of the assessment being considered has not been determined; however, they are contemplating an assessment of 35% or 50% of the total reconstruction cost.

1. Independence has not recently considered a full road reconstruction project with assessment. The City could determine that an assessment similar to that being considered by Maple Plain is warranted.
2. Water Service – the property located at 1826 Budd Street is currently connected to the Maple Plain water system. Maple Plain would like the City of Independence to assess the resident for their share of the water line replacement costs. That cost is estimated between \$4,155.67 (35% assessed) to \$5,936.67 (50% assessed) based on a parcel basis. The City of Independence will need to determine if it will assess the amount for the water line replacement costs.
3. Sanitary Sewer Service – the properties located at 1826 and 1862 Budd Street are believed to be connected to Maple Plain's sewer service. Maple Plain would like the City of Independence to assess the resident for their share of the water line replacement costs. That cost is estimated between \$4,065.00 (35% assessed) to \$5,807.14 (50% assessed) based on a parcel basis. The City of Independence will need to determine if it will assess the amount for the sanitary sewer line replacement costs.
4. When the City of Independence adopted its 2030 Comprehensive Plan, it contemplated that a portion of the area guided for medium density housing would be serviced by the City of Maple Plain for sanitary sewer and water. The City of Maple Plain provided the City with a letter stating that in the future they would consider allowing the City of Independence to connect to their sewer and water.

The City of Independence has identified approximately 550 additional units that could be developed in this area based on the comprehensive plan guidance of 4.3-7 units per acre. The plan does not consider how much of that area would be serviced by Maple Plain versus the City of Independence system located on Perkinsville Road. The existing 8" gravity sewer line that Maple Plain has under Budd Street is estimated to be able to accommodate approximately an additional 150-200 house connections. Maple Plain is considering replacing this line with a new line during the Budd Street

reconstruction due to the pipes condition and age. The 8” pipe would allow some of the area in Independence that is guided for higher density to develop without an upgrade to the sewer system. Maple Plain has also provided the City of Independence with an estimate to upgrade the 8” line to a 10” line during construction. The 10” line would provide an additional capacity which would accommodate approximately 400 connections in the future. The cost for the 10” upgrade while the road is open is approximately \$12,000. Staff would like to further discuss the possibility of upgrading this line.

Kaltsas asked the Council to provide staff with direction relating to the issues presented in this report. Johnson asked if the sewer and water to the apartments was sufficient. Kaltsas said no, that they would be replacing up to Newport and are looking at moving water to the other side of the road. Johnson asked if they were worried about ruining the road. Kaltsas said they are concerned about that and how close to the edge of the road they need to be for the water line. Johnson said it seems short-sighted if we don’t go from the 8” to the 10” line for the sewer.

Kaltsas stated a Joint Powers agreement should be looked at in doing sewer, water, oversizing lines, etc. and the City would have to understand all fees, units and so on before anything is agreed upon. McCoy said since two Independence residents already receive sewer we need to work cooperatively. Spencer stated the assessments seem high. Kaltsas stated those numbers are based on the potential for two parcels on that property. Kaltsas noted Maple Plain did an appraisal last year and capped assessments and that is something we would have to do as well. Vose stated the upcharge for going from an 8” to a 10” would not be assessed but rather absorbed by the City. Johnson stated that was done before with Lindgren Lane.

**Motion by McCoy to work cooperatively with the City of Maple Plain in forming an agreement on assessments on this Budd Avenue project as it relates to the road reconstruction, pipe upgrade from 8” to 10”, two property owners receiving services and future utility connections, second by Spencer. Ayes: Johnson, Spencer, McCoy, Grotting. Nays: None. Absent: Betts. MOTION DECLARED CARRIED.**

8. OPEN/MISC.

7. ADJOURN

**Motion by Grotting, second by McCoy to adjourn at 8:35 p.m. Ayes: Johnson, Spencer, McCoy, Grotting. Nays: None. Absent: Betts. MOTION DECLARED CARRIED.**

Respectfully Submitted,

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Trish Bemmels/ Recording Secretary