

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, APRIL 26, 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, McCoy and Grotting

ABSENT: None

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

VISITORS: Melissa Potter, Arnold Simpson, Carol and Heather Beaseaker, Terri Barreiro, Jeffrey Ramsden

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 April 6, 2016 City Council Workshop.
- b. Approval of City Council minutes from the April 12, 2016 Board of Equalization and Appeals Meeting.
- c. Approval of Accounts Payable; Checks Numbered 16066-16091.
  - a. For Information - Checks Numbered 16046-16065 are Payroll Checks.
- d. Approve Large Assembly Permits for the Following Events:
  - A Wedding at the Home of 2636 Independence Road - May 21, 2016
  - Ultimate Frisbee at Polo Grounds - May 7/8, 2016
  - Tour de Tonka - August 6, 2016
- e. Consider Approval of an Agreement with Hennepin County Relating to the KNOWiNK Poll Pad Hardware and Software Units for the Upcoming Elections.
- f. **RESOLUTION 16-0426-01** - Supporting the Three Rivers Park District Crow River Regional Trail Alignment.

Spencer pulled the Large Assembly permits (d) from the consent agenda for further review.

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

Spencer stated that in the past there have been issues with the Ultimate Frisbee Event on the placement of the restrooms and parking on the street. He asked if those issues had been addressed. Kaltsas stated he had been working with Chiefs Kroells and parking will only be allowed on one side of the street. Johnson said his brother lives next door and said it is a wonderful event. McCoy said it was important to keep access open for medical personnel.

Spencer asked if traffic control was an issue with Tour de Tonka. Kroells stated the event floats between a ride and a race. He said they will be charging for the police reserve hours the race requires to coordinate traffic flow. Kroells stated they will work with the Maple Plain Fire department on this event. McCoy said West Hennepin Public Safety could work with the Maple Plain Fire Department so they could get reimbursed for their hours spent on the event as well.

**Motion by Spencer, second by Betts to approve agenda item (d). Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Abstain: None. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

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

Carol Beasecker, 6255 Lakeshore, Greenfield asked to speak about sewer issues.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

**Spencer attended the following meetings:**

- Joint meeting with the Planning Commission
- Planning Commission Meeting

**Grotting attended the following meetings:**

- Joint Meeting with the Planning Commission
- Planning Commission Meeting

**McCoy (report for April 12<sup>th</sup> and April 26<sup>th</sup>) attended the following meetings:**

- Joint Meeting with the Planning Commission
- Planning Commission
- Loretto Fire Department Pancake Breakfast
- Jeff Carson's wife's funeral
- West Hennepin Public Safety Citizens Academy Graduation
- Orono Empty Bowls Fundraiser

**Betts attended the following meetings:**

- Joint Meeting with the Planning Commission
- Highway 55 Coalition Meeting

**Johnson attended the following meetings:**

- Northwest League of Municipalities Meeting
- WeCAN Prayer Breakfast
- Orono Healthy Youth Meeting
- Joint Meeting with the Planning Commission
- Planning Commission Meeting
- Suburban Hennepin County Community Action Partnership Meeting

- Hearing on Whistle Blowing at the Legislature
- Metro Cities Annual Meeting
- Chaired the FFA Parliamentary Procedure State Convention
- Senior Community Services Finance Committee Meeting
- Orono School Board Tour of 287 Schools
- Minnehaha Creek Advisory Meeting
- Hennepin County Natural Resources Meeting

**Horner attended the following meetings:**

- Hennepin County Election Training
- Joint Meeting with the Planning Commission
- Planning Commission Meeting

**Kaltsas attended the following meetings:**

- Met with Loretto about their ongoing sewer issue

**7. DIRECTOR GARY KROELLS, WEST HENNEPIN PUBLIC SAFETY - ACTIVITY REPORT FOR THE MONTH OF MARCH 2016.**

Kroells stated there were 1,104 incidents addressed in Independence for the month of March. He noted it was a very busy month and highlighted a few events. \*the full report is available in the city council packet for March 26, 2016\* Kroells stated there was a school bell stolen from a property at in the 4500 block of Shady Beach Circle. Kroells outlined DWI arrests, protection order violations and welfare checks. Kroells stated there were texting while driving citations given out and many people are under the assumption that when they pull up to a red light they can text and that is not the case. They will be given a citation. Kroells said there were multiple mailboxes damaged on Pagenkopf road and they have a lead in the case. Kroells said there was an accident on March 26<sup>th</sup> that involved a truck being rear-ended due to the driver slamming on their brakes. The driver felt the car behind them was traveling too closely.

Kroells stated the CodeRed Emergency notification initiative was going very well. He noted the Councilmembers and Mayor will be on the contact list as well as others.

Kroells said the Citizens Academy Graduation marked the largest class to date and also the largest alumni gathering at the graduation ceremony as well.

Kroells said the Highway 12 Coalition initiatives are in progress with the installation of LED lighting at all intersections in Independence on Highway 12. The project will be completed mid-May. He noted the intersections at 92 will be widened and turn lanes installed with construction starting mid-July.

**RECONVENE BOARD OF EQUALIZATION MEETING - TIME: 8:00PM**

Potter stated the Hendricks property was reviewed after the April 12<sup>th</sup> meeting and the recommendation is to reduce the value from \$759,000 to \$645,000. She noted the house had not been toured since 1998 and the characteristics on file did not match what was actually found. Potter said the homeowner feels this valuation is better but noted Zillow.com's valuation of \$611,000 was more accurate. Betts asked if the homeowner received an actual estimate. Potter said no, just the website valuation. Spencer noted the home was purchased in 2012 for \$635,000 so with slight value increase since that time \$645,000 seems reasonable.

**Motion by Spencer, second by Grotting to approve the revised valuation of \$645,000 for the property at 6610 Fogelman Rd. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Potter stated the Conley property at 4530 Lake Sarah Dr. S was further reviewed and the recommendation is a valuation at \$255,000 instead of \$272,000.

**Motion by Spencer, second by Betts to approve the revised valuation of \$255,000 for the property at 4530 Lake Sarah Dr. S. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Potter noted the next three properties are by Lake Robina so she has reviewed properties outside the area per the Council recommendations at the last meeting. Potter said properties were reviewed that were on lakes or rivers but not necessarily in Independence. She reviewed properties on Whale Tail Lake, Lake Afton and the Crow River.

Potter stated the Kask property at 3435 Co. Rd. 92 N was further reviewed after the meeting and her recommendation stands to make no change to the property valuation. Potter noted the average valuation for Independence was 8% for properties on the water. Spencer asked if this was a case where these properties were undervalued for years and they are getting caught up to accurate values. Potter said it was a combination of the sale on Lake Robina and the revaluation done in this area. Potter said in hindsight some of those values should have been adjusted the year prior when sales were going up. McCoy stated not all lakes are created equally and he did not feel the comps pulled were comparable to Robina. He said 25% is a big increase for one year. Spencer said one of the features that need to be understood is that it really does not matter whether water is navigable or not; the beauty of the lake is in the eye of the beholder. Spencer said the 2015 valuation was probably too low and this year's valuation is too high in his opinion. He said a 15% increase would be more palatable in his opinion and more in line with other area numbers. Kevin Kask stated his home was one of the most scrutinized homes on Lake Robina. He said he protested the valuation years ago and no changes have been made to the property. Johnson said 25% was a major increase. Spencer said Potter has to do her job and the values could potentially go up even more depending on future sales. Betts said she agreed with Spencer's mindset and thought 15% would be a fair increase.

**Motion by Betts, second by Spencer to approve the revised valuation of \$403,000 for the property at 3435 Co. Rd. 92 N. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Potter said the recommendation was no change for the valuation of the Barlow property at 3245 Co. Rd. 92 N. Spencer stated they could use the 15% model on this property as well for the same reasons stated above.

**Motion by Spencer, second by McCoy to approve the revised valuation of \$363,000 for the property at 3245 Co. Rd. 92 N. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Potter stated the Barreiro/ Clifford property at 3295 Co. Rd. 92 did not have increase last year in valuation. Spencer recommended a 13.6% increase for the property.

**Motion by Spencer, second by McCoy to approve the original valuation/ no change per the assessor for the property at 3295 Co. Rd. 92 N. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Potter said the Simpson property at 2840 Copeland Road was reviewed after the last meeting and the recommendation is no change to the valuation. Potter stated it was a 4.37% increase which was the average for the whole city.

**Motion by Grotting, second by Betts to approve the original valuation/ no change per the assessor for the property at 2840 Copeland Road. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Potter stated the Ramsden property at 4720 S. Lake Sarah Dr., was reviewed after the meeting and the recommendation is to reduce the valuation from 903,000 to 775,000. She noted this is a subject property between two sales. Potter spoke with the owners and they thought it was still too high but were okay with the number.

**Motion by McCoy, second by Betts to approve the revised valuation of \$775,000 for the property at 4720 S. Lake Sarah Dr. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Potter stated the Eckman property at 3250 Co. Rd. 92 N is the owner of this lot and the vacant lot next to it. He contacted the assessor's office as he was concerned with the value compared to his refi appraisal. Potter reviewed the property and the recommendation is to reduce the values noting the green acres qualifications.

**Motion by Johnson, second by Spencer to approve the revised taxable valuation of \$862,800 and the deferred valuation to 1,100,000 for the PID ending in -0002 for the property at 3250 Co. Rd. 92 N. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

**Motion by Grotting, second by Betts to approve the original valuation/ no change for the PID ending in -001 for the property at 3250 Co. Rd. 92 N. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

8. ADJOURN

**Motion by McCoy, second by Betts to conclude the Board of Review portion of the City Council Meeting. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

9. DISCUSSION RELATING TO ALLOWING A WEDDING CEREMONY (WITH THE RECEPTION HELD AT CITY HALL) IN PIONEER CREEK PARK.

Kaltsas said this is a discussion pertaining to a resident who is interested in using the community room for a wedding reception in September as they are also interested in using Pioneer Park for the ceremony portion of the event. Kaltsas said there is nothing defined as far as use of the park for a wedding. Betts said there were discussions in the past about this and they talked about possibly even putting in a gazebo for this type of purpose. Johnson said he was surprised this has not been requested before and he would like to encourage it as it is a beautiful setting.

Kaltsas said Staff could research other cities ordinances and put together a recommendation if Council wanted to pursue it. Spencer said parties would be liable for insurance, deposits, etc. and it would have to be rented

separately from the community room. Spencer said traffic control would need to be looked at as well. McCoy stated most cities require an officer to be present if alcohol is being served.

Grotting stated baseball teams are also interested in using the park. He suggested buffering may be needed on both sides of the park if more events are held in order to minimize noise levels.

**Motion by Betts, second by McCoy for Staff to research and draft language for Pioneer Park rental. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

10. OPEN/ MISCELLEOUS

Carol Beaseaker, 6255 Lake Shore Drive, Greenfield said she lives on Lake Sarah and there have been a lot of problems as far as water clarity on the lake. She wanted to know who she could talk to at the City of Independence about the sewer system. Carol stated they have used up all the hookups and wonders who could help with future planning. She said the water clarity is much better on the Greenfield side than the Independence side. Spencer said she could talk to Larry Ende, Public Works Director and also the Public Works director at Medina.

11. ADJOURN

**Motion by Spencer, second by McCoy to adjourn at 9:00 p.m. Ayes: Johnson, Betts, Spencer, McCoy and Grotting. Nays: None. Absent: None. MOTION DECLARED CARRIED.**

Respectfully Submitted,

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Trish Bemmels/ Recording Secretary