

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, JUNE 28, 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 Councilor Brad Spencer at 7:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Councilor Spencer led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Councilors Betts, Grotting, McCoy and Spencer

ABSENT: Mayor Johnson

STAFF: City Planner & 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 June 14, 2016 City Council Meeting.
- b. Approval of Accounts Payable; Checks numbered 16220 and 16242-16274.
 - a. For Information - Checks numbered 16221-16241 are Payroll Checks.
 - b. Check numbered 16219 was approved on June 14 with the Accounts Payable.
- c. **RESOLUTION 16-0628-01** – Revised resolution approving a minor subdivision of property owned by Jerry Wise into two lots – revised from the June 14, 2016 City Council Meeting.
- d. Approval of the 2016 Primary Election Judges.
- e. **RESOLUTION 16-0628-02** – Establishing a Policy for the Council Member Technology Stipend.
- f. Approval of Large Assembly Permit as Follows:
 - a. Wedding Celebration on the property Located at 4720 South Lake Sarah Drive – August 20, 2016

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

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

Spencer added Pioneer Sarah Creek Watershed Update by Joe Baker as item 7 ½.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Highway 12 Event at MPFC
- Planning Commission Meeting
- Highway 12 Coalition Meeting
- City Council Workshop

Grotting attended the following meetings:

- Maple Plain Annual Fire and Safety Meeting
- Emergency Training for rail car accidents with Maple Plain, Loretto and Medina
- City Council Workshop

McCoy attended the following meetings:

- City Council Workshop

Betts attended the following meetings:

- City Council Workshop
- Maple Plain Annual Fire and Safety Meeting

Johnson attended the following meetings:

Horner attended the following meetings:

- City Council Workshop
- Planning Commission Meeting

Kaltsas attended the following meetings:

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

Kroells stated Independence has just shy of 2000 incidents to date. He highlighted a few cases.

for a complete report please see the City Council online meeting packet for June 28, 2016

Kroells said Night to Unite will take place on August 2nd with parties organized throughout Independence. He will provide a list to Council. Kaltsas thanked the Council members that attended the railroad safety training. Kroells stated a portable speed monitoring sign was acquired through a grant with CenterPoint. He said the sign has been placed in Lyndale for the time being and the residents are very appreciative. He anticipates buying a second one in the future to have in the community. Kroells thanked the City of Independence for supporting the purchase of this sign. Kroells stated that July 13th will mark the pre-construction meeting for Highway 12 and installing the turn lanes. Actual construction is slated for July 22nd. Crews will be working at night.

7.5 JOE BAKER- PIONEER SARAH CREEK WATERSHED

Baker said as the appointed Commissioner on the Watershed he likes to update the Council periodically and appreciated being added to the agenda tonight. Baker said the Watershed is made up of six cities operating under a joint powers agreement. Baker said it is imperative to show progress to remain an entity. He said he is tasked with minimizing costs, raising awareness and getting projects funded. Baker said by design the JPA

designates the cities as the leaders. One recent project that was funded was a feasibility project of the Baker Park Ravine and efforts to reduce phosphorous. Baker said the hope is to have tangible projects that are grant ready.

Baker noted the City of Independence has spent 20k in optioning 100 projects. Of top concerns are addressing excess phosphorous and engaging the landowners. He said a good example is the finding used in the Serenity Hills development and working with the developer to make improvements.

Baker noted the member assessments and said Independence is 38% of the allocation of the watershed based on market value. Independence will basically remain the same for next year as far as the number (\$5.00 less next year). Baker said the watershed budget went up about 2% with no cost to Independence.

Baker said the operating budget was 79k and they finished the year at 57k. Operating costs were well managed and administrative costs were down 16%. 133k was collected from the cities. Baker thanked the Council for their support and attendance at the watershed meetings. He said the county is going to be hiring a person to fill a Rural/Ag focused position.

Baker spoke about the efforts towards Dance Hall Creek and funds designated for that project. He said in the last few years there have been positive strides with funding efforts. Baker noted the committee is looking at projects in depth to determine what can be done most effectively before going out and spending money. Baker said there is a team of professional technical advisors that play a role including Hakanson Anderson for the City of Independence. He said a lot of monitoring is done with Lake Sarah and Lake Independence as part of the Three Rivers Park District. He said Lake Sarah's report card went from a D+ to a C which is a pretty remarkable step up. He noted the curly leaf treatments and removal of invasive species as well as favorable weather helped the progress.

Betts asked if there was any education provided to the public about using fewer chemicals on their lawns. She noted the chemicals being used on lawns end up in our lakes and streams. Baker stated there cannot be phosphorous in lawn fertilizer. Betts said there are many other chemicals in fertilizer besides phosphorous and she believes people need to be educated about the detrimental effects. Baker said the lakes in the area are affected from phosphorous and a number of things that run off the land. He said the monitoring levels indicate it is not an impairment level.

Baker said it is important not to move backwards and much needs to be done in Ag efforts. He stated over the years there has been a lot of tiling of Ag properties and that education is needed. He noted there was a resident who drained the wetland and possibly did not understand that that was a violation of the watershed. Baker noted Spencer provided the leadership needed to educate the landowner with the importance of getting the land restored. He noted situations like this have occurred over decades. Baker said the City is demonstrating a clear image of what is expected going forward to protect the watershed and stop the violations.

Spencer noted that the budget increase was only 2%. He said the commission has done an extraordinary job of keeping expenses in check and should be commended for that. Spencer said the budget is not subject to the Council's approval but the Council has traditionally approved the efforts in a vote.

Motion by Spencer, second by McCoy to approve 2017 Budget of the Pioneer Sarah Creek Watershed as presented by the Commissioner. Ayes: Betts, Grotting, McCoy and Spencer. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

8. HENNEPIN COUNTY ASSESSORS AGREEMENT – CONSIDERATION TO APPROVE AGREEMENT FOR ASSESSMENT SERVICES.

Kaltsas stated this agreement would be for a four year contract. He said it is based on an estimated cost for the first year of the contract and subsequent years are based on actual costs. Actual costs are based on parcel costs, unit breakdown and new construction. Kaltsas provided a five year history of the estimated costs and actual costs. The estimated cost for 2016 was 55k and the actual cost came in at 57k. He said the estimated cost for the new contract for 2017 is 60k representing a 7-8% increase and that is based on anticipated new construction and reevaluation of existing properties.

McCoy asked why the 2016 number went over the estimate by 5%. Kaltsas said it fluctuates based on true costs and relates to parcels, reevaluations and new construction. He noted the agreement has a max increase provision that caps the assessment increase amount. McCoy said he understood the new parcel variations but it is going to be important to try and hold the budget for the City. Kaltsas said it was important to trust them or say no to the agreement noting this is an estimate and not actual. McCoy said he didn't understand the philosophy of the agreement. Betts noted when the City went out for bids others were more expensive than Hennepin County. Vose stated the City would have the right to terminate for "just cause" and the County would have to justify their numbers per the contract. Kaltsas said Hennepin County does provide the detail annually. Spencer stated this is a typical contract with the County and that the Assessor's office has been fair to us and less than other providers have quoted. He noted it has been a working arrangement.

Motion by Grotting, second by Betts to accept the Hennepin County Assessors contract. Ayes: Betts, Grotting, McCoy and Spencer. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

9. JOINT POWERS AGREEMENT WITH THE CITY OF GREENFIELD – CONSIDERATION TO APPROVE JPA TO MEMORIALIZE CERTAIN MAINTENANCE ACTIVITIES ON LAKE SARAH.

Kaltsas explained this would be a JPA with Greenfield to execute an agreement for the removal of bogs on Lake Sarah. Currently, residents and members of the association corral and tie up the bogs so they don't block the weir structure. The bogs are extremely heavy and difficult to move. Kaltsas said the cities of Greenfield and Independence have met with the Three Rivers Park District to see if a new or gate could be added so the bogs would not be able to block the weir. It was determined that it was not feasible to construct a new gate/weir as it would be extremely expensive. A memorandum between Greenfield and Three Rivers Park District was developed allowing Greenfield to scoop out the bogs and lay them on the Three Rivers Park property to dry out. Eventually the bogs would be hauled out.

The City of Greenfield presented the City of Independence with the annual cost of these efforts. Kaltsas said the number and size of the bogs can vary from year to year based on the lake level. The JPA details that the City of Greenfield would be responsible for the doing the work and the City of Independence would reimburse Greenfield up to 2k annually for those efforts. The estimated cost is \$2700 but that is a worst case scenario and an estimate as this has not been done before. Kaltsas said that is why the cap is built into the agreement. The JPA agreement is that the City of Independence is 2/3 of the dollar total and the City of Greenfield is the other 1/3. Betts noted it could be terminated at any time so that offers protection to the City if the JPA does not work out. Spencer noted Greenfield is not charging the City of Independence for the equipment but only for the fuel. The exception to this is if they need to rent equipment, the City of Independence would share in this cost.

Motion by Betts, second by Grotting to approve the JPA with the City of Greenfield for maintenance activities on Lake Sarah. Ayes: Betts, Grotting, McCoy and Spencer. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

10. CONSIDERATION OF APPROVING LOWEST QUOTE FOR 2016 SEAL COAT PROJECT:

- a. **RESOLUTION 16-0628-03** – Approving the lowest quotation for the 2016 Seal Coat Project which includes Independence and Hillstrom Roads

Kaltsas said this was discussed at the workshop. This is an item to seal quote all of Independence and Hillstrom Road. The lowest bid was Pearson Brothers. Total expenditure was \$60,564.90. 27k would be coming from the City's current budget. July 6th would be the anticipated start date. CodeRed would be utilized to notify affected residents.

Motion by McCoy, second by Grotting to approve the quote for the 2016 Seal Coat Project as defined. Ayes: Betts, Grotting, McCoy and Spencer. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

11. OPEN/MISC.

12. ADJOURN.

Motion by Grotting, second by McCoy to adjourn at 8:40 p.m. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

Respectfully Submitted,

Trish Bemmels/ Recording Secretary