



CITY COUNCIL MEETING AGENDA  
TUESDAY DECEMBER 19, 2023

**6:30 PM REGULAR MEETING**

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 6:30 p.m.

2. Pledge of Allegiance

Mayor Johnson led the group in the Pledge of Allegiance.

3. Roll Call

Present: Mayor Johnson, Councilors Spencer, Grotting, McCoy

Absent: Councilor Betts, Administrative Services Director Simon

Staff: City Administrator Kaltsas and WHPS Director of Public Safety Kroells

Visitors: See Sign-in Sheet

4. \*\*\*\*Consent Agenda\*\*\*\*

All items listed under Consent Agenda are considered 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 November 29, 2023, City Council Workshop Meeting.
- b. Approval of Truth in Taxation Meeting Minutes from the December 5, 2023, City Council Truth in Taxation Meeting.
- c. Approval of City Council Minutes from the December 5, 2023, Regular City Council Meeting.
- d. Approval of Joint City Council Minutes from the December 13, 2023, City Council Joint Meeting with the Maple Plain City Council.
- e. Approval of Accounts Payable (Batch # 1; Checks Numbered 22490-22511, Batch # 2; Checks Numbered 22512-22523).

**Motion by Spencer, seconded by Grotting to approve the Consent Agenda. Ayes: Johnson, Spencer, Grotting, McCoy. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0**

5. Set Agenda – Anyone Not on the Agenda can be Placed Under Open/Misc.

6. Reports of Boards and Committees by Council and Staff.

Grotting attended the following meetings:

MetCouncil Advisory Committee

Independence/Maple Plain Joint Fire Meeting

Spencer attended the following meetings:

Metcouncil meeting with Judy Johnson with Mark Kaltsas

Independence/Maple Plain Joint Fire Meeting

LMCC Executive Meeting

McCoy attended the following meetings:

Meeting with West Suburban Fire Chief and Mark Kaltsas

State Playoff Chain Gang Football

Fire Commission Meeting

Independence/Maple Plain Joint Fire Meeting

Johnson attended the following meetings:

Legion Christmas Party

Hwy 55 Coalition

Funeral for Marilyn Hamilton

Regional Council of Mayors

Phone meeting with James Whiskers

Orono School Board

Workshop Meeting

Joint Fire Meeting

Fire Commission

Police Commission

Independence/Maple Plain Joint Fire Meeting

Hennepin County Opioid Laws (virtual)

NW League

7. West Hennepin Public Safety – Director Gary Kroells: Presentation of the November 2023 Activity Report.

4,101 Incident Complaints (253 Independence) / (129 Maple Plain)

See full police report.

8. Deferred Assessment Repayment Agreements

- a. **Assessment Repayment Agreement** – Agreement providing for the repayment of deferred assessments for PID No. 13-118-24-23-0001.
- b. **Assessment Repayment Agreement** – Agreement providing for the repayment of deferred assessments for PID No. 14-118-24-14-0002.

Kaltsas explained that this topic was brought up due to a property that recently sold that had a deferred assessment on it. He said they were unaware or lost track of the assessment. After further investigations, Hennepin County does not note on the paper tax statements that there is an assessment on the property, but they do on the website. He said he met with the county assessor and asked them to add it to the paper copies. This extra notice will be good for families that acquire the properties with an assessment on it. We did pull all of the properties in the city with deferred assessments on them and there were only 4. One of them recently sold, one property had two on them, another property was owned by the same family and one other property that doesn't intend to pay it off. The family of one of the properties came in to ask about payoff information and how they can get this taken care of quickly. We spoke with HC and there are two types of assessments – senior exemptions and Green Acres. Green Acres cannot be reapplied to the property.

We did talk with the city attorney and drafted an agreement for repayment to clear those debts. These two properties owned by the same family had a total of 3 assessments. Two of the assessments were for the 1997 road assessment and one for 2010 sewer project. They would like to pay the 2010 assessment off since that is smaller and have a payment agreement with the city on the others. They only asked for 5 years, but we want to note with council that we could go up to 10 years on repayment. This agreement would freeze the accrual to the date of the agreement, the property owners would pay annual installments over the course of 5 years and once they complete their payments, we would notify HC that they have paid in full. If they default, we would restart the accrual retroactive to what it was to be and apply the funds to the overall assessed amount. We would offer this same agreement to the other properties as well, but we have not heard back from the others yet.

Kaltsas stated that attorney Vose prepared the two repayment agreements with the interest rates and terms. We would record it and annually collect on that.

Johnson asked if we can approve these?

Kaltsas said that he would ask council to allow us to change the payment terms from five to ten years if needed. These were \$8k assessments that are now \$80k. They do recognize that.

Grotting asked if they made payments would it be deducted.

Kaltsas said only if they paid it in full. Green Acres gives the property and automatic deferment. They knew they had it, but they weren't tracking the annual interest. We haven't done many projects in the city for these to come up. Property owners need to make sure they are paying attention to these. In the future, we will put a letter out for

assessments to notify them of this. When you hear deferred, you think it will be someone else's problem. My guess is that they would have paid this day one if they knew how large this would grow.

Grotting asked if we could give out an amortization chart.

Kaltsas said we try to give them some understanding on it. We are trying to help inform people and they can make the decision from there.

Johnson said we have two assessment repayment agreements here.

**Motion by Spencer, seconded by McCoy to approve the two assessment repayment agreements subject to allowing the length of the repayment to be modified up to 10 years. Ayes: Johnson, Spencer, Grotting, McCoy. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0**

9. Amendment to Employee Handbook as Recommended by the Personnel Committee.
  - a. **RESOLUTION No. 23-1219-01** – Considering an amendment to the Personnel Policy relating to the requirement for ESST time and Public Works on-call compensation.

Kaltsas said we have two personnel handbook policies to discuss, the first being ESST that is being passed down from the state. The new state law requires businesses to provide time off for a wide array of reasons without employees providing reasons. Amber did the heavy lifting on this and sat through a lot of meetings on how to implement this. We are recommending utilizing the city's existing sick leave that we already provide to employees and calling it ESST as well. Employees currently accrue 96 hours of sick time in one calendar year. We would call this time "sick/ESST leave." The new law says that if you provide at least 80 hours of ESST, you can utilize your current policy and treat it as ESST as long as it meets or exceeds the minimums. Any remaining unused balance at the end of the year would then be added to their sick leave "bucket" that they could use or cash out on at 1/3 of the hours if the employee leaves or retires. This way we don't have to give more time, but just give the employee the ability to utilize those hours to care for a family member, themselves, mental health or severe weather. There are a lot of reasons they can use this time. This option is the lowest liability to the city without additional costs. It still holds the employee accountable because they wouldn't build their sick bucket. We plan on trying this for a year and can always change it when we reevaluate at the end of 2024.

Johnson said that Spencer and himself recommended this.

Kaltsas explained that the second personnel topic came at the request of a PW employee to look at on-call time. We currently have 3 employees in PW which puts them on-call every 3<sup>rd</sup> week for 1 week at a time. He said it takes up a lot of free time when you are on call. You have to be close to work, can't have a drink, etc. We looked at compensation related to this and how we relate to the cities around us. We currently pay 8 hours of regular pay in addition to their normal worked hours just to be available. If they come in for any reason, they get a

minimum of 2 hours no matter what which is about right by the time someone drives here and figures out what the problem is. We looked at 7 cities. The cities with more staff are on rotation much less frequently than those with only a few employees. We are recommending that we add an additional 3 hours of on-call time to the PW employees. This would be 1 hour per day for M-F and 3 hours each weekend day or holiday for a total of 11 hours. We want to still be in the top 3 cities surrounding us. This seems fair. We didn't compare all the benefits and we think ours are really good if we would look at the whole body of our benefits. Personnel committee thought that this was a reasonable increase.

Spencer asked if the city would keep the 2-hour minimum for each call.

Kaltsas said yes. It is per employee by their pay amount. If one employee grabbed another employees rotation, it may be a different pay. The dollar amount is specific to exactly what each employee works.

Grotting asked if we are the same as Medina and Loretto but just have an added 2-hour minimum.

Kaltsas said Amber talked to most of them and they said which one was guaranteed. Loretto and Medina didn't specify.

Grotting asked if the personnel committee is recommending this.

Johnson said yes. We have a resolution ready.

**Motion by McCoy, seconded by Grotting to approve RESOLUTION No. 23-1219-01.  
Ayes: Johnson, Spencer, Grotting, McCoy. Nays: None. Absent: Betts. Abstain. None.  
MOTION DECLARED CARRIED. 4-0**

Johnson thanked Kaltsas for looking into all of this.

Kaltsas said it was all Amber. She did all of the work. She did a great job.

10. Open/Misc.

11. Adjourn.

**Motion by Spencer, seconded by McCoy to Adjourn meeting at 7:24pm. Ayes:  
Johnson, Spence, Grotting and McCoy. Nays: None. Absent: Betts. Abstain. None.  
MOTION DECLARED CARRIED. 4-0**

Recording Secretary,  
Carrie Solien