

MINUTES OF A REGULAR MEETING OF
THE INDEPENDENCE CITY COUNCIL
TUESDAY, JUNE 27, 2023 – 6:30 P.M.
City Hall Chambers

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 and Councilors Spencer, McCoy and Grotting.

ABSENT: Betts.

STAFF: City Administrator Kaltsas and City Administrative Director Simon

VISITORS: WHPS Chief Kroells, see attendance sheet

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 6, 2023, Regular City Council Meeting.
- b. Approval of City Council Minutes from the June 14, 2023, City Council Workshop.
- c. Approval of Accounts Payable (Batch # 1; Checks Numbered 22085-22109, Batch # 2; Checks Numbered 22110-22116 and Batch # 3; Checks Numbered 22117-22132).
- d. For Information Only – Notification of Copeland Road Open House to be Held on August 2nd, 2023, at 7:00 PM.

Motion by Spencer, seconded by McCoy to approve the Consent Agenda. Ayes: Johnson, McCoy, Grotting and Spencer. 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:

- Workshop
- LMC Duluth Conference

- Resignation Party for Officer Brozek

Spencer attended the following meetings:

- Workshop
- Resignation Party for Officer Brozek

McCoy attended the following meetings:

- Workshop
- Meeting with Jeff Leuer for the Fire District

Johnson attended the following meetings:

- Farewell for Chris at LMCC
- Orono Graduation
- Meeting with Jeff Leuer for the Fire District
- NLC (virtual)
- Chamber of Commerce
- Workshop
- LMC nominating Committee (virtual)
- NW League Municipalities at Loretto
- Gary Carlson Retirement Party
- Connie Bergman Grover neighborhood gathering on Valley Rd
- Spent time with neighbor, Kent Lee on a shared island property
- Duluth Nominating Committee Board Interviews
- LMC Duluth Conference
- Resignation Party for Officer Brozek

7. West Hennepin Public Safety Monthly Report for May 2023 – Chief Gary Kroells.

Chief Kroells thanked Officer Brozek for his 10 years of service with WHPS.

He stated that in May there were 1,832 incident reports. Independence had 305 and Maple Plain had 99. This number is slightly higher than this time last year and that is due to having the appropriate number of staff. Now with Officer Brozek leaving and an officer that is hurt, WHPS will be understaffed again. WHPS is actively seeking applicants to join their team of officers.

8. **PUBLIC HEARING:** Considering ordinance to Establish the BridgeVine Storm Sewer Improvement Tax District.

- a. **ORDINANCE No. 2023-03** – Considering establishment of the BridgeVine Storm Sewer Improvement Tax District.

Mayor Johnson motioned for the Public Hearing to be opened.

PUBLIC HEARING OPEN

Kaltsas said the city attorney recommended that we apply this in new developments. He stated that it allows a backup tax district to cover improvements made for storm water in the event that the HOA is not able to sustain the maintenance for the system. The HOA is responsible for maintaining the ponds and pieces of the system. This will allow for the charges to go back to the benefiting properties.

Johnson said a question that Betts brought up is who pays when work is done on them.

Kaltsas said the only one notified of tonight is Bohl because it only impacts him. It will get passed onto homeowners. There is still due process that the residents will have if we need to assess back a cost for maintenance. It just takes a layer or two out he said. He stated we have done this consistently for the last 4-5 developments.

Motion by Grotting, seconded by McCoy to close the public hearing. Ayes: Johnson, Grotting, McCoy and Spencer. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0

PUBLIC HEARING CLOSED

Motion by Spencer, seconded by McCoy to approve the ORDINANCE 2023-03. Ayes: Johnson, McCoy, Grotting and Spencer. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0

9. Request Approval to Amend the City's Employee Handbook Based on Personnel Committee Recommendation.

- b. **RESOLUTION No. 23-0627-01** – Considering an amendment to the City's Employee Handbook to adjust comp time payments.

Kaltsas explained that the personnel committee met for consideration on overtime compensation. Currently any overtime is paid out by comp time. It is very complicated for payroll. This topic has been looked at numerous times. One piece of this would be to change the work week to Monday morning at 12:00am to Friday at 11:59pm. Any hours over 40 during these times would be considered overtime. On Saturdays any hours worked would be paid at 1.5x pay and on Sundays and Holidays the rate would be double time. On-call hours do not count towards over time, 1.5x or double time, only actual hours worked. The city looked at hours and cost associated with it and it is rare to see anyone get close to the comp time max, therefore it makes minimal impact to costs. This would apply to all staff members. Employees would like to be actually paid out instead of accruing comp time. Comp time also cannot be carried over to the following year. He stated that from an administrative standpoint, it would simplify things greatly and get rid of one line item on the payroll.

Johnson stated that the council is making an ordinance change by resolution for this.

Kaltsas said he is trying to keep up with changes at the legislative level. Soon we will be discussing the new sick and safe time off and family leave.

Motion by Spencer, seconded by Johnson to approve RESOLUTION 23-0627-01 amending the employee handbook to adjust comp time payments. Ayes: Johnson, Grotting, McCoy and Spencer. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0

10. Consider Approval of Agreement to Convey Easement in Exchange for Waiver of Fees for the Property Located at 4224 Lake Sarah Drive South.

c. Agreement To Convey Easement in Exchange for Fees.

Kaltsas said he has been working on this item for 3 years. This resident approached the city and wanted to do improvements on his property. His grandmother owned the home and paid for the stub 30 years prior and he wants to connect to city sewer. The lift station is located 30ft on his property. After doing a title search and looking through our old records, there was never an easement put into place for this lift station. He said there have been the same issues on other properties with lift stations. It needs to be memorialized. The resident asked that we waive the fees to connect for the easement on his property. Kaltsas noted that this is a great deal for the city and the city would waive \$3,860 in connection fees. The easement would have 10ft on both sides and 16 ft on the backside. The resident has signed the agreements and it just needs council approval to do the exchange that was negotiated. This cleans up one more of our lift stations.

Johnson asked if the residents paid when the original sewer was put in.

Kaltsas said yes, they paid the full amount but they never connected.

Johnson said he wonders how many other properties don't have proper easements.

Kaltsas said he knows of a couple properties. Kaltsas said he needs a motion to approve the agreement.

Motion by Grotting, seconded by McCoy to approve the agreement to convey easement in exchange for fees. Ayes: Johnson, Grotting, McCoy and Spencer. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 4-0

11. Open/Misc.

12. Adjourn

Motion by McCoy, seconded by Grotting to adjourn the City Council Meeting at 7:16pm. Ayes: Johnson, Grotting, McCoy and Spencer. Nays: None. Absent: Betts. Abstain. None. MOTION DECLARED CARRIED. 5-0

Meeting Adjourned.

Respectfully submitted,

Amber Simon, Recording Secretary