

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
MONDAY, DECEMBER 3, 2019 –6:30 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 6:30 p.m.

3. ROLL CALL

PRESENT: Mayor Johnson, Councilors Betts, McCoy, Grotting and Spencer

ABSENT: None

STAFF: City Administrator Kaltsas, Assistant to Administrator Horner, City Attorney Vose, Andrea Worcester (ABDO)

VISITORS: Kaci Fisher (Hakanson-Anderson)

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 November 18, 2019 Regular City Council Meeting.
- b. Approval of Accounts Payable; Checks Numbered 19271-19302.

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

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

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Pioneer Sarah Creek Watershed Meeting (PSCWMC)

Grotting attended the following meetings:

- None

McCoy attended the following meetings:

- None

Betts attended the following meetings:

- None

Johnson attended the following meetings:

- National Convention for League of Small Cities in San Antonio
- Community Action Partnership Hennepin County Board Meeting

Horner attended the following meetings:

- None

Kaltsas attended the following meetings:

- None

7. Consider Adoption of the Final 2019 Tax Levy and General Fund Budget and Associated Actions.

- RESOLUTION 19-1203-01** – Adopting the 2020 General Fund Budget.
- RESOLUTION 19-1203-02** – Adopting the 2020 General Tax Levy.
- RESOLUTION 19-1203-03** – Adopting the 2020 Pioneer Sarah Creek Watershed Management Commission Tax Levy.

Worcester noted Staff and Council have had a series of meetings to discuss and revise the budget and corresponding tax levy for 2020. Based on the discussions, the budget now reflects an approximately 5 percent increase from the 2019 budget. The total increase in the overall tax levy is proposed to be 3.83 percent. The City's tax rate resulting from the proposed budget and tax levy would generally remain flat (no increase) at approximately 40.00 percent. The City has been working to fully fund public works capital expenditures through the general fund budget. For 2020, the proposed budget allocates approximately \$75,000 towards the public works capital improvement plan. The City has been working on capital plans to fund gravel road tiling and bituminous road seal coating. This years budget allocates an additional \$50,000 towards those projects. It is anticipated that the City will be able to utilize some of the existing gravel and bituminous road maintenance funds to increase the total amount allocated for tiling and seal coating annually. Worcester stated there was an increase in capital outlays mostly towards Public Works. The capital will also help cover server and initial building improvements.

Motion by Betts, second by Grotting to approve RESOLUTION 19-1203-01 – Adopting the 2020 General Fund Budget. Ayes: Johnson, Grotting, Betts, Spencer and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

Motion by Betts, second by Johnson to approve RESOLUTION 19-1203-02 – Adopting the 2020 General Tax Levy. Ayes: Johnson, Grotting, Betts, Spencer and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

Motion by Betts, second by Johnson to approve RESOLUTION 19-1203-03 – Adopting the 2020 Pioneer Sarah Creek Watershed Management Commission Tax Levy. Ayes: Johnson, Grotting, Betts, Spencer and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

8. Consider Approval of the City's Local Water Management and Watershed Management Plans.

- RESOLUTION 19-1203-04** – Adopting the Watershed Management Plan, Third Generation.

As a part of the 2040 Comprehensive Plan process, the City was required to update the Local Water Management Plan and the Watershed Management Plan. These documents have now been approved by the watershed district and are ready to be formally approved by the City Council. The City's water resource consultant Kaci Fisher delivered a presentation at the City Council Meeting. The City of Independence (City) has submitted its LWMP for MCWD review and approval. District staff reviewed the LWMP and provided detailed comments regarding the goals and requirements of the District's Plan for consideration and incorporation into the LWMP. The City of Independence occupies approximately 4.8 square miles in the

Painter Creek subwatershed of MCWD. The majority of the City (30.5 square miles) is located in the Pioneer-Sarah Creek Watershed Commission. Primary water resources within the MCWD portion of the City include SOBI Marsh, Potato Marsh, and Painter Marsh along Painter Creek. The subwatershed drains Jennings Bay of Lake Minnetonka, which is impaired for nutrients. The lower reaches of Painter Creek are also impaired for bacteria. E. coli. The District has identified the Painter Creek subwatershed as a priority area to focus implementation efforts in this plan cycle. Management strategies within the Painter Creek subwatershed will focus on restoring wetland and stream systems in ways that reduce nutrient loading downstream to Jennings Bay, while improving ecological integrity and corridor connectivity within the subwatershed. The MCWD has previously established a partnership with the United States Army Corps of Engineers (USACE), which identified the potential restoration of four major wetland marsh systems within this subwatershed (three of which are in Independence) under the Federal Section 206 Program.

The Independence LWMP references the 2010 USACE report and states that the City will work cooperatively with the MCWD to review land use applications that are received within these project areas and identify opportunities to incorporate restoration projects. Other implementation priorities identified by the City for this plan cycle include regulation of new development, promotion of low impact development, enforcement of the City's manure management policy, and maintenance of the stormwater system. As a required element of the LWMP, the City has developed a MCWD-City Coordination Plan (attached) which serves as a framework to support ongoing communication and promote value-added collaboration between the City and MCWD. The Coordination Plan covers the following areas: annual meeting, land use planning, regulatory coordination, public infrastructure improvements, and education programming. The City has not proposed to acquire implementation authority for any MCWD water resource regulation and has proposed that the District retain Local Government Unit status for the Wetland Conservation Act.

Staff has verified that the LWMP meets the requirements of Minnesota Statutes §103B.235, Minnesota Rules 8410.0160, and the MCWD Watershed Management Plan and recommends approval.

Fisher noted precipitation changes affect the plan. She stated the phosphorous levels in Lake Rebecca are down. Johnson said he was surprised Painter Creek was listed as a lake when there has never been open water. Fisher said it was a DNR definition. Johnson noted the number of lots the City owns.

Betts asked if the nerf ponds were identified. She wondered if they are inspected for pollution. Fisher said they are inspected every five years. Kaltsas noted the City does inspections as well. Betts asked what was done when an impairment is found. Fisher said if something was discovered the City is notified and will fix it. Kaltsas said the homeowners association is responsible if the pond is in one otherwise the City is responsible. Kaltsas thought there were a little over a dozen privately owned. Kaltsas said if there is a complaint the City will inspect and follow-up.

Motion by Spencer, second by Betts to approve RESOLUTION 19-1203-04 – Adopting the Watershed Management Plan, Third Generation. Ayes: Johnson, Grotting, Betts, Spencer and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

9. Adjourn.

Motion by McCoy, second by Grotting to adjourn at 7:10 p.m.

Respectfully Submitted,
Trish Gronstal/ Recording Secretary