

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, JANUARY 12, 2010 – 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. OATH OF OFFICE FOR BRAD SPENCER AND LYNN BETTS.

Hirsch administered the oath of office for Brad Spencer and Lynn Betts.

4. ROLL CALL.

PRESENT: Mayor Johnson, Council Members Betts, Spencer, Wallace (arrived at 7:35) and Wenck.  
STAFF: Clerk-Administrator Hirsch.  
VISITORS: Michael Lemieux, Chris Cady, Ed & Kathie Pluth, LuAnn Brenno, Charles & Anne Leck, Sam Stern, Harry Pool, Lance Gyllenblad, Lynda Franklin.

5. CONSENT AGENDA.

Approve:

- Council Minutes – December 8, 2009
- Truth in Taxation minutes – December 8, 2009.
- Accounts Payable for January 2010
- Henry and Patricia Steinke's (4575 Lake Sarah Road, PID 04-118-24-13-0001) request to put their property into the Agricultural Preserve.
- Resolution No. 10-0112-01 to continue the agreement to continue to use the County's electronic proprietary database. Agreement No. A12189.
- Resolution No. 10-0112-02 establishing procedures relating to compliance with reimbursement bond regulations under the Internal Revenue Code.
- Letter to be sent to the Hennepin County Commissioners about the Hennepin County Household Hazardous Waste cleanup event not allowing local businesses to participate.

**Motion by Wenck, second by Betts, to approve the consent agenda. Ayes: Betts, Spencer, Johnson and Wenck. Nays: none. MOTION DECLARED CARRIED.**

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

Nothing was added to the agenda.

7. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

- Spencer: Pioneer-Sarah Creek Watershed Commission meeting.
- Wenck: Three Lake Minnetonka Communications Commission meetings.
- Wallace: Nothing to report.
- Betts: Maple Plain Fire Commission meeting.
- Mayor: Orono Healthy Communities meeting, Maple Plain Fire Commission meeting, Community Action Partnership of Suburban Hennepin Finance Committee meeting, Active Living Hennepin Communities quarterly partnership meeting, two Regional Conference of Mayors meetings, two Orono School Board meetings, Senior Community Services Finance Committee meeting, Highway 55 Corridor Coalition meeting, Senior Community Services Executive Committee meeting, Senior Community Services Nominating Committee meeting.
- Hirsch: Maple Plain Fire Commission meeting.

8. FIRST OF THE YEAR APPOINTMENTS AND DIRECTION FROM THE COUNCIL TO ADVERTISE FOR PLANNING AND PARK COMMISSIONER POSITIONS.

Wenck stated he would be abstaining from appointing the Bank of Maple Plain.

Johnson stated if votes were separated for each appointment he would recognize Councilmember Wenck’s request, but if we had one motion for all the appointments that he felt it would be appropriate for him to vote.

**Motion by Wenck, second by Spencer, to approve the following appointments:**

<b>Assessor</b>	<b>Hennepin County</b>
<b>Acting Mayor</b>	<b>Council Member Wenck</b>
<b>Official Depository</b>	<b>Bank of Maple Plain, Northland Securities, League of Minnesota Cities, Ehlers Associates</b>
<b>Assistant Weed Inspector</b>	<b>Dan Koch</b>
<b>Association of Metro Municipalities</b>	<b>Mayor Johnson</b>
<b>Attorney, Civil</b>	<b>Kennedy and Graven</b>
<b>Attorney, Criminal</b>	<b>Carson and Clelland</b>
<b>Auditor</b>	<b>Kern Dewenter Viere</b>
<b>Civil Defense Director</b>	<b>Ray McCoy</b>
<b>Data Compliance Officer</b>	<b>Toni Hirsch</b>
<b>Dangerous Dog Mitigation</b>	<b>Mayor Johnson, Council Members Betts, Spencer, Wallace, Wenck</b>
<b>Dog Pound</b>	<b>Crossroads Animal Shelter</b>
<b>Engineer</b>	<b>BDM</b>
<b>Fire Department Advisory Board</b>	<b>Maple Plain – Mayor Johnson, Council Members Betts, Wenck (alternate), Toni Hirsch Delano – Mayor Johnson, Council Members Wallace, Spencer (alternate), Toni Hirsch</b>

<b>Fire Marshall</b>	<b>Bruce Satek</b>
<b>Highway 55 Coalition</b>	<b>Mayor Johnson, Council Member Betts (alternate)</b>
<b>HRA</b>	<b>Mayor Johnson, Council Members Betts, Spencer, Wallace, Wenck</b>
<b>Lake Minnetonka Cable Commission</b>	<b>Jim Smith, Council Member Wenck</b>
<b>Minnehaha Watershed</b>	<b>Mayor Johnson, Council Member Spencer</b>
<b>Northwest League of Municipalities</b>	<b>Mayor Johnson, Council Members Betts, Spencer, Wallace, Wenck</b>
<b>Newspaper</b>	<b>Pioneer &amp; Delano Eagle</b>
<b>Planner</b>	<b>Terramark</b>
<b>Planning Commission Liaison</b>	<b>Council Members Spencer, Wenck (alternate)</b>
<b>Parks Commission Liaison</b>	<b>Council Members Wallace, Wenck (alternate)</b>
<b>Pioneer Sarah Watershed Commission</b>	<b>Carole Peter, Jim Smith and Council Member Spencer (alternates)</b>
<b>Water Resources Staff</b>	<b>Hakanson-Anderson</b>
<b>West Hennepin Police Commission</b>	<b>Mayor Johnson, Council Member Betts, Council Members Spencer, Wallace and Wenck (alternates)</b>

**Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

9. APPROVAL OF THE FEE SCHEDULE FOR 2010.

**Motion by Wenck, second by Betts, to increase the SAC fee to \$2,100 and the sewer rates by 3 percent and to leave all other fees the same for 2010. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DELCARED CARRIED.**

10. APPROVAL OF RESOLUTION NO. 10-0112-03 TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND.

Hirsch stated the Council had discussed building up the funds in the City's capital improvement reserve funds at a budget meeting in September 2009. Putting money into those accounts would allow the City to make outright purchases for equipment and pay for road improvements instead of taking out loans. Hirsch asked the Council to discuss transferring any money over 60 percent into the appropriate reserve funds as noted: the public works road fund (30 percent), public works equipment fund (10 percent), public works building maintenance fund (5 percent), city building improvement fund (5 percent).

Johnson suggested delaying approval of the motion until after the final audit, so that the Council could approve final figures.

Wenck requested the Council receive a copy of the fund balance of policy when the resolution comes before the Council again.

**Motion by Wenck, second by Betts, to table Resolution No. 10-0112-03 until after the 2009 Audit. Ayes: Betts, Johnson, Spencer, Wallace and Wenck. Nays: none. MOTION DECLARED CARRIED.**

11. CANCEL THE JANUARY 26, 2010 COUNCIL MEETING DUE TO LACK OF AGENDA ITEMS.

Hirsch stated staff is still negotiating with the Met Council regarding the Comprehensive Plan. She suggested the meeting on Jan. 26 would give the Council a chance to discuss the Lindgren Lane sewer project.

**Motion by Betts, second by Wenck, to cancel the January 26 City Council meeting. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

12. OPEN/MISC.

Nothing was added to the agenda.

13. ADJOURN.

**Motion by Wenck, second by Spencer, to adjourn the City Council meeting at 8:00 p.m. Ayes: Betts, Johnson, Spencer, Wallace and Wenck. Nays: none. MOTION DECLARED CARRIED.**

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Respectfully submitted by Christina Scipioni, Recording Secretary