

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, FEBRUARY 8, 2011 – 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. ROLL CALL.

PRESENT: Mayor Johnson, Council Members Betts, Spencer, Wallace (left at 8:15 p.m.) and Wenck.
STAFF: Clerk-Administrator Hirsch, Public Works Director Koch, Attorney Vose, Dave Callister, Ehlers and Associates.
VISITORS: Rob Sheeley.

4. CONSENT AGENDA.

Approve:

- Council Minutes from January 11, 2011
- Accounts Payable for February 2011
- Application for the Tour De Tonka bike ride to be held August 6, 2011
- Resolution No. 11-0208-01 recommending continuation of CDGB funding of Western Communities Action Network (WeCAN)
- Resolution No. 11-0208-02 approving the State of Minnesota Joint Powers Agreements with the City of Independence on behalf of its City Attorney and Police Department
- Resolution No. 11-0208-03 Adoption of the Hennepin County All-Hazard Mitigation Plan
- Revised Employee Handbook, Resolution No. 11-0208-04
- Resolution No. 11-0208-05 approving amendment to the 2030 Comprehensive Plan for the expansion of the MUSA and a change in the proposed land use as recommended by the City of Independence Planning Commission and City Council
- Resolution No. 11-0208-06 establishing procedures relating to compliance with reimbursement bond regulations under the Internal Revenue Service.

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

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

The Council added an executive session, Lake Sarah outlet maintenance and the Parks Commission to the agenda.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

- Spencer: Council work session, Pioneer Sarah Creek Watershed Management Commission meeting, meeting with former Parks Commission Chair Rick.
- Wenck: Lake Minnetonka Communication Committee executive session.
- Wallace: Council work session.
- Betts: West Hennepin Chamber of Commerce meeting, Police Commission meeting, Council work session, Sensible Land Use meeting.
- Johnson: Senior Community Services annual meeting, Greater Lakes Food Bank television taping, Council work session, meeting with Transportation for America, Community Action Partnership of Suburban Hennepin Finance Committee meeting, Police Commission meeting, Orono School Board meeting, Sensible Land Use meeting, Northwest League of Municipalities meeting, Orono Healthy Communities Resource Fair, Senate District listening session, Hennepin County Board meeting, St. Paul Mayor's Reception.
- Hirsch: Met with the City's copier lease company and another leasing company, West Hennepin Police Commission meeting, City Council work session, Sensible Land Use meeting, Ehlers Associates finance seminar.

7. APPOINTMENT OF ROB SHEELEY TO THE LAKE MINNETONKA CABLE COMMISSION.

Johnson stated the Council was looking for a second representative from the community for the Lake Minnetonka Cable Commission. Sheeley applied for the position.

Sheeley stated he has been an Independence resident for 11 years. His background is in telecommunications and broadcast television.

Johnson noted Sheeley has served on the Public Utilities Commission.

Shelley noted the City is in an interesting time right now because of the changes in services available.

Motion be Wenck, second by Spencer, to appoint Rob Sheeley to the Lake Minnetonka Communication Commission. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.

Wenck noted there is an orientation session coming up that Sheeley should attend.

Johnson thanks Sheeley for volunteering for the position.

8. DAVE CALLISTER, EHLERS AND ASSOCIATES, OVERVIEW OF THE CITY'S BOND RATINGS, BUDGET (NOW AND LATER), CAPITAL IMPROVEMENT, FINANCIAL PLANS, ETC.

Callister gave the City Council an overview of the City's finances. The City's staff and past and present Councils have worked hard to bring the general fund to a healthy balance from where it was in 2003. The City's tax base has leveled off and has seen some small reductions, but not as large as in other cities.

Johnson noted the property valuation decrease would have been larger, but the agricultural base of the City's property taxes has increased in value.

Callister stated the City's 10-year financial management plan projects the tax rate will remain stable and lower than it was in 2007. The 10-year projection has a projected tax rate for a \$500,000 would be lower in 2016 than in 2008. The debt levy percentage is very manageable. The average tax rate of nearby western Hennepin County cities is 33 to 34 percent and Independence's is 32.4 percent. Compared to nearby Wright County communities, Independence's tax rate is below average. The average commercial tax base in nearby communities is 12 percent and in Independence is 3 percent. If the City were to receive a new rating for projects, it will be in a good position and probably receive a strong AA rating from Moody's. In today's bond market, that will save the City money. Rates in the bond market are historically very low. The construction cost index has also gone down. The City's existing debt is small, so it might not be worthwhile to refund them, but the City might be able to pay them off. The City is in excellent shape with regards to overall debt. The City's sewer utility rate is above average compared to other nearby communities. Independence has no tax increment financing districts.

9. APPROVAL TO SEND A LETTER TO THE RESIDENTS HOOKED UP TO THE CITY MOUND ON LINDGREN LANE, NOTIFYING THEM THE CITY WILL NO LONGER BE MAINTAINING THE MOUND AND WILL BE TURNING IT OVER TO THOSE RESIDENTS THAT ARE CURRENTLY HOOKED UP TO IT, EFFECTIVE MAY 1, 2011.

Johnson suggested adding the date the City will stop maintenance to the first paragraph and keeping it in the second paragraph. He noted that now the sewer system is in place, the City cannot spend money maintaining the old mound systems.

Motion by Wenck, second by Betts, to direct staff to send the letter, with Mayor Johnson's changes, to residents hooked up to the City mound on Lindgren Lane notifying them the City will no longer be maintaining the mounds effective May 1, 2011. Ayes: Betts, Johnson, Spencer, Wenck. Nays: none. MOTION DECLARED CARRIED.

10. CANCEL THE FEBRUARY 22 COUNCIL MEETING, DUE TO A LACK OF AGENDA ITEMS.

Motion by Wenck, second by Betts, to cancel the February 22 Council meeting. Ayes: Betts, Johnson, Spencer, Wenck. Nays: none. MOTION DECLARED CARRIED.

11. OPEN/MISC.

Parks Commission

Johnson stated the Council has not dismissed the Parks Commission. Rather, when the Council discusses park issues, the Parks Commissioners would be discussing the issues with the Council.

Spencer stated the newspaper articles made it sound like the Council was completely disbanding the Parks Commission. He noted the article made the Council seem unappreciative. He suggested staff write a letter to each Parks Commissioner thanking them for their service and that an article thanking the Parks Commissioners be published in the local newspapers.

Betts asked if the Parks Commissioners would be interested in planning Heritage Fest.

Spencer stated there is not any clear leadership for Heritage Fest.

Hirsch stated the Parks Commissioners were notified before the Jan. 11 Council meeting that the Council would be discussing the Parks Commission's future. She added one of the Parks Commissioners was enthusiastic about serving on the Committee of the Whole when the Council discusses park issues.

Motion by Spencer, second by Wenck, to direct staff to send a letter to the Parks Commissioners thanking them for their service and reaffirming their position as they meet with the Council to discuss park issues. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.

Lake Sarah outlet maintenance

Spencer stated there might be part of the Lake Sarah outlet/channel that will need to be cleaned out. The Lake Association sent out a letter to the City, railroad and Parks District asking them to agree to share the costs of maintaining the channel. Spencer asked the Council to review the request at its next meeting.

Betts asked Vose if he saw any legal issues with the request.

Vose responded he would research the issue.

The Council discussed how the previous outlet maintenance was done before. On that project, Greenfield paid for the project and took the lead on managing it. Discussion about the current project will be on the March 8 City Council agenda.

Administrative Assistant resignation

Hirsch stated that Administrative Assistant Scipioni submitted a letter of resignation on Feb. 7. Her last day will be Feb. 18. She has posted the position with the League of Minnesota Cities and the local newspapers.

Wenck stated before the City hires the position, it should review job-sharing for the position and the job description.

Johnson suggested scheduling a work session to discuss the Administrative Assistant position and the future of the office staff.

Hirsch stated the Administrative Assistant position is very busy, but she would look into the possibilities for the position.

12. CLOSED SESSION.

The Council went into a closed executive session at 8:30 p.m.

The Council re-opened the meeting at 8:45 p.m.

Vose stated the closed session was to discuss the pending special assessment appeal on the Lindgren Lane/Independence Road Sewer Project. The Council discussed possible settlement parameters and gave directions to legal counsel.

13. ADJOURN.

Motion by Wenck, second by Spencer, to adjourn the City Council meeting at 8:50 p.m. Ayes: Betts, Johnson, Spencer, Wenck. Nays: none. MOTION DECLARED CARRIED.

Respectfully submitted by Christina Scipioni, Recording Secretary