

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, JANUARY 27, 2009 – 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, Gyllenblad and Wenck.

STAFF: Administrative Assistant Scipioni, Attorney Vose, Director McCoy.

ABSENT: Council Member Wallace, Administrator Hirsch.

VISITORS: LuAnn Brenno, Ed & Katie Pluth, Chris Cady, Steve Beal, Mike Zeglin, Harry Pool.

4. CONSENT AGENDA.

Approve:

- Council Minutes – Jan. 13, 2009.

**Motion by Wenck, second by Gyllenblad, to approve the consent agenda. All present voted aye.  
MOTION DECLARED CARRIED.**

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

Brenno asked to add a Comp Plan amendment update.

Zeglin asked to add a Northern Natural Gas pipeline update.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

Gyllenblad: Meeting with Loretto Fire Chief, Police Commission meeting.

Wenck: Delano Chamber Task Force meeting, Police Commission meeting.

Betts: Delano Chamber Task Force meeting, Sensible Land Use meeting, Police Commission meeting.

Mayor: Senior Community Services annual meeting, Northwest League of Municipalities meeting, Orono Healthy Communities meeting, Community Action Partnership of Suburban Hennepin Board meeting, Police Commission meeting, reception for Former Minnetonka Mayor Jan Callison, Orono School Board meeting.

Scipioni: Minnesota Department of Public Safety liquor licensing training.

7. DIRECTOR RAY MCCOY – WEST HENNEPIN PUBLIC SAFETY DECEMBER ACTIVITY REPORT.

McCoy summarized the 2008 year-end report. He added the 2008 budget came in at about 99.48 percent, or \$42,000 under budget. He stated the administrative fine process had been started and the first payments have been made to Independence and Maple Plain.

Johnson noted the crime statistics for December had remained relatively the same over the past few years.

8. TRI-CITY AGREEMENT DISCUSSION.

Johnson stated the City of Greenfield approved a revised Tri-City Agreement, which allows the City of Independence to have an additional 50 sewer hook-ups.

Vose stated that staff needs formal direction from the Council on what action to take next with the Tri-City Agreement. He added Medina had required that Independence pay for the document to be updated. Vose stated another attorney at his firm represents the City of Medina, so he needed direction as to whether he should update the Tri-City Agreement or another attorney from a different firm.

Johnson asked if Met Council had approved the additional sewer hook-ups in Independence.

Vose responded that the Met Council had not yet commented on the new agreement, but staff was optimistic it would allow the additional hook-ups.

Wenck asked if Hirsch had spoken with Met Council yet about the additional hook-ups.

Johnson stated the City should get approval from Met Council before drafting a new agreement.

**Motion by Wenck, second by Betts, to direct Attorney Vose to draft an updated Tri-City Agreement, after written approval for the new sewer hook-ups is obtained from Met Council.**

Gyllenblad asked if the Council would give residents an opportunity for input before approving the additional sewer hook-ups.

Vose responded that before the Council takes official action on the Tri-City Agreement, it should hold some type of event in which public comments can be submitted. He suggested a public hearing, open house, workshop or other type of public event.

**Johnson called for a vote. All present voted aye. MOTION DECLARIED CARRIED.**

9. DISCUSS UPDATING THE CITY DEVELOPMENT STANDARDS (ROAD AND STREET SPECIFICATIONS).

Wenck stated he contacted the Minnesota Department of Transportation and the agency is currently updating its street specifications for the 2010 construction season. He added that updating the standards has no value to current citizens; instead it benefits developers and future citizens. Wenck suggested updating the standards as part of a development review. He added the cost to update the standards would be included in what the developers pay to have their projects reviewed by City staff.

Johnson noted with the current economy the City might not have any new developments during 2009.

Betts expressed a concern about Wenck's suggestion because it would mean that the first developers to come into the City would pay most of the cost to update the development standards.

Wenck and Johnson agreed that the City did not need to update its development standards this year.

**Motion by Betts, second by Gyllenblad, to continue to table the issue of updating City development standards. All present voted aye. MOTION DECLARED CARRIED.**

10. OPEN/MISC.

LuAnn Brenno – Comp Plan Amendment Update

Brenno, resident, asked for an update on the Comp Plan Amendment. Specifically, she wanted to know how much the City has spent on Ryan Companies' request, what the Met Council has requested from the City and what Wenck discussed in his meeting with Ryan Companies officials.

Vose stated he was unsure of the total cost, but City staff could calculate that number. He explained that the Met Council responded to the Comp Plan Amendment request by stating that the City's application is missing some information, including information on water and sewer service. He added the City has told Met Council it is still discussing the issue with Delano, but doesn't have any specifics right now.

Brenno asked if the Met Council was required by law to respond to an application within a certain timeframe.

Vose responded that the Council is required to respond to completed applications within six months, but smaller applications usually are responded to within one to two months. He added the Met Council has not deemed the City's application complete. Vose stated there have been no further negotiations between Independence and Delano since the issue with fiscal disparities was discovered.

Wenck added that he met with Ryan Companies to discuss other options for water and sewer service. He stated he does not know what they are doing now, but assumes they are researching other options.

Brenno expressed a concern about staff spending time on the application and negotiations instead of on other City business.

Vose explained that Ryan Companies did make a formal application, which requires the City to spend some time working on it.

Brenno requested that staff put together information on how much has been spent on the Comp Plan Amendment.

Johnson responded that staff could put together some information.

Mike Zeglin – Northern Natural Gas Pipeline Update

Zeglin thanked the Council for sending a letter to PERC regarding Northern Natural Gas. He stated that after the letter was sent, NNG was much more willing to work with him on the pipeline placement. He asked the Council not withdraw its letter until his negotiations with NNG were complete.

Vose stated he has been kept abreast of the negotiations between the Zeglins and NNG and would not be withdrawing the letter until the Zeglins are satisfied.

Johnson stated he would be meeting with Three Rivers Park District to see what pipeline route they had agreed upon.

16. ADJOURN.

**Motion by Wenck, second by Gyllenblad, to adjourn the City Council meeting at 8:03 p.m. All present voted aye. MOTION DECLARED CARRIED.**

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Respectfully submitted by Christina Scipioni,  
Recording Secretary