

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, NOVEMBER 23, 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. ROLL CALL.

PRESENT: Mayor Johnson, Council Members Betts, Spencer, Wallace and Wenck.  
STAFF: Clerk-Administrator Hirsch, City Attorney Vose.  
VISITORS: Chris Cady.

4. CONSENT AGENDA.

Approve:

- Council Minutes for November 9, 2010.
- Third Quarter report, ABDO.
- LMC Insurance Trust for the City “not to waive” monetary limits on tort liability.
- Ordinance 2010-06, Amending Chapter 5 – relating to street classifications, public access roads and physical standards.
- Recycling Contract with Randy’s Sanitation for the years 2011, 2012 and 2013.
- Extend the City’s three-year recycling grant agreement with Hennepin County to continue with the SCORE funding through the year ending December 31, 2011.

**Motion by Betts, second by Wenck, 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.

Hirsch added certification of delinquent utilities.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

Spencer: Pioneer-Sarah Creek Watershed Commission meeting.  
Wenck: Lake Minnetonka Communications Commission Meeting, League of Minnesota Cities regional meeting.  
Wallace: Nothing to report.  
Betts: Chamber of Commerce meeting, Police Commission meeting.  
Johnson: Northwest League of Municipalities meeting, Orono Healthy Communities meeting, Chamber of Commerce meeting, Senior Community Services 60<sup>th</sup> anniversary dinner,

Regional Council of Mayors meeting, Citizens League meeting, League of Minnesota Cities regional meeting/Metro Cities annual meeting, Community Action Partnership of Suburban Hennepin Board meeting, retirement party for the Mayor of Buffalo, Police Commission meeting.

Hirsch: Police Commission meeting, meeting with loss control representatives from the LMCIT.

7. DIRECTOR RAY MCCOY, WEST HENNEPIN PUBLIC SAFETY, SEPTEMBER AND OCTOBER 2010 ACTIVITY REPORT.

McCoy discussed the statistics in the monthly West Hennepin Public Safety report. He noted there have been a few thefts. An officer was assaulted on Oct. 6 and the suspect was arrested. Some residents fell victim to email scams. View Santa will be on Dec. 4 and a collection for the food shelf will be taken during the event. There will an appreciation presentation plaque presentation for one of the retiring reserve officers on Dec. 8.

8. HARRY POOL, 8145 COUNTY ROAD 11 (PID 08-118-24-11-0002, 08-118-24-11-0001 AND 08-118-24-12-0001), APPROVAL OF RESOLUTION NO. 10-1123-01 REQUESTING A MINOR SUBDIVISION TO PERMIT THE CREATION OF A RURAL VIEW LOT AND LOT LINE REARRANGEMENT ON THE SUBJECT PROPERTY.

Item was tabled to the Dec. 14 Council meeting.

9. DISCUSSION ON HOW TO COLLECT THE CITY'S SEWER CONNECTION FEES.

Johnson asked how many property owners have chosen to purchase additional sewer connections.

Hirsch responded one person has come in and bought two connections and then asked to have one assessed to the property. Three other people have paid their single assessments.

Hirsch stated staff discussed different ways the City could collect its sewer connection fees. Staff recommends charging the connection fees to residents on their quarterly sewer billing. The connection fee would be divided by four and added to the sewer bill for one year.

Betts asked what happens if a resident connects in the middle of the year.

Hirsch responded the charge for the connection fee would be added whenever the resident connects to the sewer. The charge would continue for four quarters, but those quarters would not have to be in the same calendar year. If a resident does not pay his sewer bill, it will be assessed to the property taxes at the end of the year.

Johnson noted there are programs through the County available to assist residents with connecting to the sewer if they are having a problem with paying for it.

**Motion by Betts, second by Wenck, to direct staff to set-up a quarterly billing option for residents connecting to City sewer who wish to pay the City's sewer connection fees in four equal installments over the period of one year. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

10. PIONEER-SARAH CREEK WATERSHED – UPDATE ON BUDGET AND ITS FUTURE.

Hirsch stated she attend the second half of the Pioneer-Sarah Water Management Commission meeting. The Commission is seriously considering either becoming its own special taxing district or having all the watersheds in Hennepin County dissolve and be taken over by County government, which is what Carver County does.

Wenck stated he does not think dissolving the watershed districts in Hennepin County would be possible.

Hirsch stated Pioneer-Sarah is considering becoming a special taxing district because it does not have enough money set aside from the cities to apply for grants that require matching funds. If Pioneer-Sarah moves forward with becoming a special taxing district, it would need agreements with all of the cities it serves.

Johnson stated he thought the watershed portion of the taxes would double or triple if Pioneer-Sarah has its own taxing authority. He noted the Minnehaha Creek Watershed District has its own taxing authority and taxes are higher in its district.

Hirsch stated Pioneer-Sarah estimates that for a \$100,000 budget, the cost per household would be \$6.46 per \$100,000 of house value each year. That would be more than what residents are paying under the current system. Pioneer-Sarah would like to apply for an amendment to its status before the end of the year.

Johnson and Wenck agreed that Pioneer-Sarah will not receive approval for a change in status before the end of the year.

Johnson stated he is not prepared to send a letter of support for the status change at this time.

Spencer stated Pioneer-Sarah is looking for an indication from the Council whether or not is should pursue changing its status to a taxing district.

Johnson stated the change would affect all of the Council Members and would need more discussion. He noted that unlike other cities, Independence does not have the issue of double taxation because the Pioneer-Sarah Creek Water Management Commission is not part of the general fund.

11. CANCEL THE TUESDAY, DEC. 28, 2010 CITY COUNCIL MEETING.

Hirsch stated there are two Planning Commission items, but those could be handled at the Dec. 14 Council meeting.

**Motion by Spencer, second by Wallace, to cancel the Dec. 28, 2010 City Council Meeting. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

12. OPEN/MISC.

Delinquent utility certification

Hirsch stated the City annually certifies its delinquent utility payments to the County.

**Motion by Wenck, second by Betts, to approve Resolution No. 10-1123-01. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

13. ADJOURN.

**Motion by Betts, second by Wallace, to adjourn the City Council meeting at 8:03 p.m. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

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Respectfully submitted by Christina Scipioni, Recording Secretary