

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, JANUARY 11, 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 and Wenck.

ABSENT: City Attorney Vose.

STAFF: Clerk-Administrator Hirsch.

VISITORS: Vickie Swenson, Tommy Swenson, Nathan Underdahl.

4. CONSENT AGENDA.

Approve:

- Council Minutes from the Truth in Taxation meeting, December 14, 2010.
- Council Minutes from December 14, 2010.
- Accounts payable for year-end December 2010 and January 2011.
- 5<sup>th</sup> Annual Icing Fishing Tournament on Lake Sarah, sponsored by the Crow River Youth Hockey Association.
- Resolution No. 11-0111-01 to continue Agreement No. A12189 allowing the City to use its electronic proprietary database (Exhibit A).
- Set the Local Board of Appeal and Equalization for Tuesday, April 12, 2011 at 6:30 p.m.

**Motion by Betts, second by Wenck, to approve the consent agenda with a spelling change to the Council Minutes. 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.

Nothing was added to the agenda.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

Spencer: Nothing to report.

Wenck: Two Lake Minnetonka Communication Commission meetings.

Wallace: Nothing to report.

Betts: Police Commission meeting.

Johnson: Met Council Land Use Advisory Committee meeting, Senior Community Services Finance Committee meeting, Highway 55 Corridor Coalition meeting, Active Living Hennepin County quarterly partnership meeting and tour of the West End, Police Commission meeting, Senior Community Services Executive Committee meeting, 100-year birthday party for Clara Swenson, Transportation for America meeting, Regional Council of Mayors meeting, White and Murphy (Orono City Council) retirement open houses, Orono School Board meeting.

Hirsch: Meeting with Hakanson Anderson to discuss year-end projects, conference call with Judy Anderson from Pioneer-Sarah Creek Water Management Commission, staff meeting with Bill Singer from AT Group regarding 2011 employee insurance, meeting with the Tower Cleaning, Conference call with ABDO, Larson Allen and Carol Neyens to discuss the upcoming audit, meeting with ABDO to close out the fourth quarter and review the audit preparation on Jan. 24, staff meeting, Pioneer-Sarah Creek Water Management Commission work session.

## 7. FIRST OF THE YEAR APPOINTMENTS.

Johnson stated the Council will need to choose a new representative for the Pioneer-Sarah Water Management Commission. He added the City has not received interest from residents in the Parks Commission.

Hirsch noted the City currently has three Parks Commissioners. At least two of them would be interested in serving on a joint Parks-Planning Commission, if the two commissions were to merge. She added it would be more efficient to have a seven-member joint commission than two separate commissions.

Betts asked if the Planning Commission would be interested in fulfilling the duties of a Parks Commission.

Hirsch responded there aren't many parks issues to discuss at the moment, just development plats as they come in. When the City starts seeing more development, it could reinstate the Parks Commission. She added the Planning Commission does discuss park issues when discussing a development application.

Johnson noted the City Council also discusses parks issues when reviewing a development application. He stated he would prefer the Planning Commission stay at five members.

Betts suggested disbanding the Parks Commission.

Johnson suggested the Council could invite the current Parks Commissioners to attend Council meetings and provide input to the Council when it discusses park issues.

Spencer noted if the City does not add a couple of seats to the Planning Commission, it could lose the knowledge of the current Parks Commissioners.

**Motion by Wenck, second by Betts, to direct Attorney Vose to prepare a new ordinance that disbands the Parks Commission and has the current Park Commissioners serve on a committee when the City Council meets as a "committee as a whole" when park issues are reviewed. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

Betts stated it would be nice to give someone else a turn at serving as Acting Mayor. She asked Spencer if he would be willing to serve as Acting Mayor.

Spencer responded he would serve as Acting Mayor.

Wenck stated he would like to continue as Acting Mayor.

**Motion by Betts, second by Johnson, to appoint Council Member Spencer Acting Mayor. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

Spencer stated he would ask the lake associations if they have suggestions for representatives to the Lake Minnetonka Communications Commission.

**Motion by Johnson, second by Betts, to approve the following appointments:**

<b>Assessor</b>	<b>Hennepin County</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>Bruce Satek</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>Larson Allen</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>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>Pioneer Sarah Watershed Commission</b>	<b>Jim Smith and Council Member Spencer (alternate)</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.**

8. APPROVE THE 2011 FEE SCHEDULE.

Johnson stated the Council typically approves the fee schedule yearly to avoid having to update ordinances on a yearly basis. The sewer rates would increase 3 percent, as they have done in past years. He added the State increased its building permit surcharge.

**Motion by Wenck, second by Spencer, to approve the 2011 Fee Schedule. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

9. DISCUSSION OF THE USER AVAILABILITY FEE FOR THE 2010 SEWER PROJECT.

Johnson stated the City had received concerns about the sewer availability charge from residents in the Lindgren Lane/Independence Road Sewer Project area. He noted the City wants to encourage as many people to connect to the sewer as soon as possible. He suggested not billing the residents in the sewer project area the availability charge in 2011.

Spencer noted that because the sewer availability charge is billed in July, if the Council waives it until October, then residents will not be paying the charge until the summer of 2012.

**Motion by Wenck, second by Spencer, to waive the sewer availability charge until Oct. 1, 2011 for residents in the Lindgren Lane/Independence Road Sewer Project area, including those who have pulled a sewer connection permit, but have not yet completed their project. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

10. SET A COUNCIL WORK SESSION.

**Motion by Betts, second by Wenck to hold a work session at 7 a.m. on Wednesday, Jan. 26. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

11. CANCEL THE JANUARY 25 COUNCIL MEETING DUE TO A LACK OF AGENDA ITEMS.

**Motion by Wenck, second by Wallace, to cancel the January 25, 2011 City Council meeting. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

12. OPEN/MISC.

2011 Budget

Spencer asked if the Council should consider approving the budget at the meeting. He expressed concern about going into 2011 without an approved budget. He added the levy has been certified and the Council will not have another meeting until February.

**Motion by Spencer, second by Betts, to approve the 2011 Budget.**

Johnson stated he would like to approve the budget as well. He noted the budget can be changed in the future.

Wallace stated he would prefer to wait until February. He noted he does not have the budget in front of him now.

Wenck stated he would like to wait until February to discuss the budget.

Spencer stated the Council has already discussed the budget in depth and it would be unwise to go into 2011 without an approved budget.

**Johnson called for a vote. Ayes: Betts, Johnson, Spencer. Nays: Wallace, Wenck. MOTION DECLARED CARRIED.**

13. ADJOURN.

**Motion by Spencer, second by Betts, to adjourn the City Council meeting at 8:18 p.m. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: none. MOTION DECLARED CARRIED.**

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Respectfully submitted by Christina Scipioni, Recording Secretary