

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, SEPTEMBER 24, 2013 – 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: Acting Mayor Spencer, Councilors Betts, Fisher, and Wenck,
ABSENT: Mayor Johnson
STAFF: City Administrator Hirsch, and Bob Vose
VISITORS: Jeremy Kolbe and Lynda Franklin

4. CONSENT AGENDA

a. All items listed under Consent Agenda are considered to be routine by Council and will be acted on by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- Approval of City Council minutes from September 10, 2013

Motion by Wenck, second by Betts to approve the Consent Agenda. Ayes: Spencer, Betts, and Wenck. Nays: None. Absent: Johnson and Fisher. MOTION DECLARED CARRIED.

5. SET AGENDA-ANY ONE NOT ON THE AGENDA CAN BE PLACED UNDER OPEN/MISC.

Spencer added the consideration for appointment of Joe Baker for the Pioneer Sarah Creek Watershed Representative.

Hirsch discussed adding the scheduling of a meeting with Larry Ende, the new Public Works Director, to meet with the City Council. Spencer suggested she should send an email to the council regarding the date and time, as that would probably work the best.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Heritage Fest
- Pioneer Sarah Creek Watershed District Workshop
- Pioneer Sarah Creek Watershed District Meeting

Wenck attended the following meetings:

- Taskforce Meetings for the City of Maple Plain
- Lake Minnetonka Communication Commission Meeting

Fisher attended the following meetings:

- Absent for reporting

Betts attended the following meetings:

- Heritage Fest

Johnson attended the following meetings:

Absent

Hirsch attended the following meetings:

- Heritage Fest

7. DIRECTOR OF PUBLIC SAFETY – RAY MCCOY, AUGUST 2013 ACTIVITY REPORT

- a. Follow up on Fema in regards to the June 21, 2013 Storm

McCoy stated year to date they have responded to 2,768 incidents compared to 2,514 one year ago. The biggest increase in incidents was traffic. Both Cities activity has been fairly consistent.

McCoy stated in August they participated in the Night to Unite parties.

McCoy stated recently there has been a few car accidents. The issues are with cars stopping on the County Roads and Highways to make left-hand turns; which can create a dangerous situation. He feels this will continue until MNDOT comes up with another solution.

McCoy stated they started doing their walk-thrus again at the Discovery Center School. The Orono School district updated their radio system, so the Police and Fire Department now have radios that can directly connect them.

McCoy stated both new officers are working now on their own and doing a great job.

McCoy stated they are working with FEMA and about 85% complete with their paperwork that is needed. The lightning strike caused a lot issues that are still surfacing, and we are gathering the documentation needed.

8. REQUEST TO TABLE JIM AND LINDA FRANKLIN (APPLICANTS/OWNERS) REQUESTS TO HAVE THE CITY COUNCIL CONSIDER THE FOLLOWING ACTIONS FOR THE PROPERTY LOCATED AT 6615 FRANKLIN HILLS ROAD, INDEPENDENCE, MN (PID NO.15-118-24-12-0003):

- a. Rezoning of a portion of the subject property from A-Agriculture to RR-Rural Residential.
- b. Preliminary Plat to approve a six (6) lot subdivision, to be known as Franklin Hills Second Addition, on the subject property.
- c. Final Plat to approve a six (6) lot subdivision, to be known as Franklin Hill Second Addition, on the subject property.

Lynda Franklin, 6615 Franklin Hills Road, stated she is ok with tabling the request for the six (6) lot subdivision. She stated she has everything in order now, so they are working on having the necessary parties review this information.

The Planning Commission has already reviewed and understands it will be discussed at the next City Council Meeting. She stated she and her husband will not be able to attend the next meeting, but someone will be here to represent them at the October 8th meeting.

Motion by Wenck, second by Fisher to approve the applicant's request to table the subdivision of Franklin Hills Second Addition until the next City Council Meeting. Ayes: Betts, Spencer, Wenck, and Fisher. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

9. REQUEST TO TABLE DEBORAH PETERSON, REQUESTS TO HAVE THE CITY COUNCIL CONSIDER THE FOLLOWING ACTIONS FOR THE PROPERTY LOCATED AT 2810 NELSON ROAD, INDEPENDENCE, MN (PID NO. 18-118-24-13-0010):

- a. A conditional use permit to allow a Kennel to be kept on the subject property.

Motion by Fisher, second by Wenck to approve the applicant's request to table the Conditional Use Permit for 2810 Nelson Road until the October 22nd City Council Meeting. Ayes: Betts, Spencer, Wenck, and Fisher. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

10. DISCUSSION AND APPROVAL OF A JOINT RESOLUTION BETWEEN THE CITIES OF INDEPENDENCE AND MEDINA ACKNOWLEDGING OUR SHARE OF THE EXPENSES OF THE INDEPENDENCE OUTLET CLEANUP AFTER THE OTHER CONTRIBUTING ENTITIES HAVE DONE THEIR PART. RESOLUTION NO. 13-0924-01.

Spencer stated a draft of the agreement was created between the City of Independence and Three River's Park District. Medina and Pioneer Sarah Creek Watershed District will approve a similar document. The cost sharing remains the same as previously discussed.

Motion by Betts, second by Fisher to approve the Lake Independence Outlet Clean-up Resolution No 13-0924.01. Ayes: Betts, Spencer, Wenck, and Fisher. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

11. JEREMY AND SADIE KOLBE, 3110 COUNTY ROAD 90 – REQUEST OF A TWO-YEAR EXTENSION ON THE REPLACEMENT OF THEIR EXISTING SEPTIC SYSTEM.

The Councilors reviewed the letter and pictures submitted by the Building Official.

Motion by Betts, second by Wenck to approve the two-year extension on the replacement of their existing septic system. Ayes: Betts, Spencer, Wenck, and Fisher. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

12. NELSON ROAD PETITION TO HAVE FUNDS ALLOCATED FOR REPAIR AND MAINTENANCE OF THE ROAD IN 2014.

Spencer discussed the petition. Betts stated she reviewed the road. She questioned if the petition signers lived on the paved or gravel portion of the road. Spencer stated most of the petitioners lived on the paved portion of the road. Betts questioned if they were looking to have the entire road paved or just re-pave the existing paved portion of the road. Hirsch stated she was told the petitions wanted the entire road paved. Spencer stated he spoke to some of the petitioners and understood the petition was just to re-pave the existing paved portion of the road. Spencer stated parts of the paved road do need to some repair soon.

The Councilors decided further clarification is needed and the new Public Works Director can help make better informed decision. Wenck questioned about cost and responsibility. Spencer stated the City has a policy regarding the cost sharing and easements. He stated however seal coating is a City maintenance cost.

Motion by Wenck, second by Fisher to direct staff to get more information. Ayes: Betts, Spencer, Wenck, and Fisher. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

13. MISC. /OPEN.

Spencer stated Joe Baker is the past president of the Lake Sarah Improvement Association and lives on Lake Sarah Heights Drive. He stated for the last few years Baker has been the leader of the program to treat aquatic invasive weeds in Lake Sarah, so he is well know by the governing bodies. Baker agreed to share the position for the Commissioner of the Pioneer Sarah Creek Watershed District for the rest of the year; then, should his schedule allow, become the primary Commissioner for the Pioneer Sarah Creek Watershed District after the first of the year.

Spencer felt Baker would be a great representative.

Motion by Wenck, second by Betts to appoint Joe Baker as the Pioneer Sarah Creek Watershed District Commissioner. Ayes: Spencer, Betts, Wenck, and Fisher. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

14. ADJOURN.

Motion by Wenck, second by Fisher to adjourn the City Council Meeting at 7:48 p.m. Ayes: Spencer, Betts, Wenck, and Fisher. Nays: None. Absent: Johnson. MOTION DECLARED CARRIED.

Respectfully submitted,

Jolene Nelson, Recording Secretary