

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, FEBRUARY 28, 2012 – 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 and Councilmembers Betts, Fisher, and Spencer  
ABSENT: Councilmember Wenck  
STAFF: Clerk-Administrator Hirsch, City Attorney Vose, City Planner Kaltsas  
VISITORS: None

4. CONSENT AGENDA.

Approve:

- Approval of Council Minutes for February, 14, 2012

**Motion by Betts, seconded by Fisher, to approve the consent agenda. Ayes: Johnson, Betts, Fisher, and Spencer. Nays: None. Absent: Wenck. MOTION DECLARED CARRIED.**

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

There were no changes to the agenda.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

Spencer: MnDot Highway 12 Open House, Hennepin County Water Governance Meeting with Commissioner Jeff Johnson, Lake Sarah Improvement Association Meeting on Aquatic Invasive Species, Pioneer-Sarah Creek Watershed District Meeting  
Johnson: MnDot Highway 12 Open House, Hennepin County Water Governance Meeting with Commissioner Jeff Johnson, Vinland National Center Annual Winter Walk,

Trails of Orono Assisted Living Open House at Redeemer Lutheran Church in Wayzata, Retirement Celebration for Orono Schools Property Manager John Ostlund, Energy Environment conference call presentation and Natural Resources Committee, Meeting at St. Paul Capital, Senior Community Services Finance Committee Meeting

7. COMMISSIONER JEFF JOHNSON

Commissioner Johnson reported on the Hennepin County budget. He stated it went up approximately two percent. He explained the Board had created a budget with essentially no increase but a week prior to the final approval they received a significant federal grant for tens of millions of dollars which then increased the budget. The grant was for HCMC, Hennepin County Medical Center, but it did not increase property taxes. He stated he had tried to get a 2.7% decrease passed for the budget to help taxpayers from seeing an increase on the Hennepin County portion of their taxes but it did not pass.

Commissioner Johnson discussed the meetings he has been holding on water quality issues. He stated he is working with other board members to try to lessen the number of watershed districts. However, the issue of taxation came up and he would not support it unless the district members were elected. He stated the tax capacities vary so much, it may not work for all districts. He has asked Senator Kelley to look at changing the lines to even out the tax capacity as much as possible.

Mayor Johnson asked about charging for dispatch services and said he is opposed to it. This is something that came up at their Police Commission meeting. Commissioner Johnson replied that he does not think it is something that would be passed. He stated that the new dispatch center being built in Plymouth would be able to accommodate all of Hennepin County except Minneapolis which has their own dispatch services.

Mayor Johnson asked about redistricting. Commissioner Johnson stated they need to wait for cities to do their precinct lines which are due April 3. The Hennepin County Commissioner districts must follow city precinct lines and be guided by population. He stated that Mark Stenglein's district will have significant changes. Any other commissioners whose population changes more than five percent will need to be up for election this year as well. He said the county district lines should be established around mid-April and filing for office is just a few weeks after that.

Mayor Johnson asked about the closing of Hennepin County service centers. Commissioner Johnson replied that because of the safety issue brought up with the courts, they will most likely be passing temporary security procedures at the courts such as wand and bag checks. Because of the cost of putting in permanent safety measures at the Southdale court, it will most likely be eliminated. As for the service centers, he stated that it comes down to economics and they will be looking at all services centers.

Mayor Johnson asked about the location(s) of the health and human department. Commissioner Johnson stated the main building for those services is crumbling and they are not able to rebuild, so the decision was made to decentralize the health and human services. Mayor Johnson stated there are several areas that already serve those clients that could share a location with health and human services staff. Many clients may not be able to drive downtown. Commissioner Johnson agreed.

8. DIRECTOR OF PUBLIC SAFETY - RAY MCCOY

- DECEMBER 2011, JANUARY AND FEBRUARY 2012 WEST HENNEPIN PUBLIC SAFETY ACTIVITY REPORTS

McCoy reported on several incidents that occurred since the first of the year. He stated that calls were up for the month of January compared to the previous year.

McCoy reported the audit went well and should be completed before the next Police Commission meeting in March. He reported they adjusted their office hours and schedules to reduce comp time. He reported they met with Maple Plain and MnDot regarding the Highway 12 improvements and increasing the safety of the crosswalk at Budd St and Highway 12. He also reported the Ironman Triathlon will be held at Lake Rebecca Park instead of Baker Park and they wished to use County Road 11 for the running portion of the event. McCoy stated the police refused to allow the use of County Road 11 because of safety issues.

9. A PROPOSED TEXT AMENDMENT TO CHAPTER V OF THE CITY ORDINANCE – SECTION 525, LAND USE DISTRICTS (ADDING TWO NEW LAND USE DISTRICTS, URBAN RESIDENTIAL AND URBAN COMMERCIAL, AS GUIDED IN THE COMPREHENSIVE PLAN.)

Kaltsas explained the Comprehensive Plan has changed and they need to bring the Zoning Code up to date with it. In the 2030 Comprehensive Plan, two new land use districts were introduced. They are Urban Commercial and Urban Residential. He stated they are proposing a text amendment to the city ordinance. He stated they would not allow any permitted uses within the districts except a conditional use permit for a planned development. The ordinance sets conceptual standards for each district, not detailed requirements. The purpose of this is to allow a developer to work with the city at the time of application to develop a master plan for each district. This allows the city flexibility as well as cost savings.

Kaltsas described the two districts. The urban residential is guided for medium density. The Planning Commission and staff worked on creating a minimum lot size of 10 acres. This would deter from spot development. Betts asked if this would work with pocket neighborhood development. Kaltsas replied it would definitely work. Kaltsas stated that a development would need to accumulate a critical mass in order for it to be worthwhile to bring in utilities. He stated that this will allow the market to drive what type of development will fit in the district.

Johnson inquired about the sixty day rule. Vose stated the application would trigger the sixty day rule. Kaltsas stated that more often than not an application is not complete upon submittal and the sixty day rule begins once complete. In both districts, there are significant infrastructure pieces that need to be resolved prior to having a complete application, such a sewer, roads, traffic studies, etc. Johnson asked that in the Planned Development Procedures under Existing and Proposed Conditions, field tile be added to the language.

Kaltsas reported they are also asking for open space to be maintained in both districts. He discussed design standards. In the urban commercial they also need a ten acre minimum and a fifteen percent open space.

**Motion by Betts, seconded by Spencer, to adopt Ordinance No. 2012-01 relating to land use districts. Ayes: Johnson, Betts, Fisher, and Spencer. Nays: None. Absent: Wenck. MOTION DECLARED CARRIED.**

10. CITIZEN TASK FORCE DISCUSSION

Johnson stated this topic was brought up by Wenck. He felt a task force should be kept small and suggested there be something in writing to direct the task force.

Betts felt if residents wish to educate themselves on the budget and review possible cost savings, they should have regular meeting times and also include Maple Plain residents if they are going to look at shared service ideas. Johnson stated he is not ready for a joint city task force.

Spencer had concerns about utilizing a significant amount of staff time for this task force. Johnson agreed. Spencer felt if there is a real need to look at integrating services with Maple Plain; it should come to the Council for discussion. He is not comfortable cutting staff hours and then putting this on top of staff to work on. He would suggest tabling the conversation until Wenck is present, perhaps the second meeting in March. Vose cautioned if citizens are appointed to a task force, they will be subject to open meeting law and quorum requirements to do business. However, if it is a common group of people that get together naturally, Council can encourage them to share their ideas at anytime.

Johnson felt they have utilized task forces well in the past dealing with the development of the public safety department and road improvement issues.

**Motion by Spencer, seconded by Fisher, to table the discussion to the March 27, 2012 meeting. Ayes: Johnson, Betts, Fisher and Spencer. Nays: None. Absent: Wenck. MOTION DECLARED CARRIED.**

11. MISC./OPEN

There were no items.

12. ADJOURN

**Motion made by Betts, seconded by Spencer, to adjourn the meeting at 8:30 p.m. Ayes: Johnson, Betts, Fisher, and Spencer. Nays: None. Absent: Wenck. MOTION DECLARED CARRIED.**

Respectfully submitted,

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Kimberly A. Olson, Recording Secretary

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