

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, JULY 24, 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, Councilors Betts, Fisher, and Wenck.

ABSENT: Brad Spencer

STAFF: Clerk-Administrator Hirsch, City Planner Kaltsas, City Attorney Vose

VISITORS: Mike Mohnchan, Jerry Wise, Roger Dolliff, Sgt. Gary Kroells, Charles Hayes, & Laverne Vassar

4. CONSENT AGENDA.

Approve:

- Approval of City Council Minutes from June 26, 2012
- Approval of Accounts Payable for July, 2012

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

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

Wenck –West Hennepin Public Service (WHPS) Budget.

Vassar –The DNR hunting grounds and parking lot near his home.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

Spencer not present.

Wenck attended the following meetings:

- Two Lake Minnetonka Communication Commission Budget Meetings
- LMCC Executive Committee Meeting

Fisher attended the following meetings:

- Had no meetings to report

Betts attended the following meetings:

- WHPS Commission Meeting
- Maple Plain Fire Department

Johnson attended the following meetings:

Mayor Johnson mentioned the 4-H is celebrating its 100th anniversary in Hennepin County. He also mentioned that Jerry Seck just celebrated his 90th birthday; who had been very active in the community with Extension and Wright/Hennepin Electric.

- Vinland National Center ground breaking ceremony
- Retirement for Bob Derus
- Ed Gale Funeral
- Conference of Mayor
- CAPSH Finance Meeting
- Maple Plain Fire Department
- Lake Sarah Annual Meeting
- NLC Policy
- The WHPS Commission
- Revenue and tax committee meeting with Metro Council
- Meeting with Thomas Family regarding some property questions

Hirsch attended the following meetings:

- Laser Fich information meeting
- Vinland Center ground breaking ceremony
- Planning Commission Meeting
- Meeting with Ann Stanton regarding insurance and liability
- Dan Koch, Public Works Director, and I met regarding the sewer system of the City of Medina, representative from Loretto/Greenfield and Kyle Colvin from the Met Council.
- Met with Bill Singer of AT Group regarding 2013 benefits and updates
- New employee, Jolene Nelson, and I attended the Hennepin County Quarterly Recycling Commission Meeting in Minnetonka.

7. **PUBLIC SAFETY - JUNE ACTIVITY**

Ray McCoy – not present (vacation) - Sgt. Kroells attended in his place.

Kroells reported police calls increased have increased this year over last year. The majority of the calls received pertained to Traffic Complaints, Hunting, Drinking, and Drug Issues.

Kroells stated at this point the budget is on track for this time of year. Kroells also mentioned that WHPS is considering continuing the Citizens Academy in the fall.

Kroells also reported for National Night Out/Night to Unite there are nine scheduled block parties within WHPS jurisdiction.

8. **CHARLIE HAYES,5630 DRAKE DRIVE (PID#26-118-24 41-0002) REQUESTING A 2-YEAR EXTENSION TO REPLACE HIS SEPTIC SYSTEM.**

Based on Satek's memo explaining why the extension was needed. Hayes was there to request a two year extension to bring the septic system up to compliance; which would now be due April 23, 2014.

Motion by Wenck, second by Fisher to extend the compliance date to April 23, 2014., Ayes, Mayor Johnson, Council members Betts, Fisher and Wenck; Nays'; None; Absent: Spencer; MOTION DECLARED CARRIED.

9. ROGER AND VIVIAN DOLLIFF, 4855 EAGLE RIDGE ROAD (PID#'S 01-118-24 41-0001 AND 01-118-24 14-0007), ARE REQUESTING A LOT LINE REARRANGEMENT BETWEEN THEIR TWO PROPERTIES. RESOLUTION NO. 12-0724-01 APPROVING A MINOR SUBDIVISION TO ALLOW FOR A LOT LINE REARRANGEMENT.

The Dolliff's have 2 adjoining properties, by changing the lot line they feel would create better building pads.

Kaltsas explained the city ordinance states lots must have at least two and a half acres of upland; both of these properties would still meet minimum upland acreage criteria. He also stated the lots meet applicable set-backs and accessory structures requirements.

Kaltsas reported the property would have access on Townline Road. It has a vacant blanket easement for utilities; which the city could place a 10' foot utility easement. He said no neighbors have made comments regarding the request. However, the Planning Commissioners asked for a specific dedication through a deed of Right-of-Way to the city for the 33' feet outside of the acceptable proposal.

Kaltsas stated this lot line rearrangement does not include approving a building pad.

Motion by Betts, second by Fisher to adopted Resolution No. #12-0724-01. Approving a minor subdivision allowing for a Lot Line Rearrangement Ayes; Mayor Johnson, Council members Betts, Fisher and Wenck; Nays; None, Absent: Spencer. MOTION DECLARED CARRIED.

Motion by Johnson, second by Wenck to approve the vacation and easement of the 33' as shown on survey, a resolution resolving this will be on the next City Council Agenda. Ayes; Mayor Johnson, Council members Betts, Fisher and Wenck; Nays; None, Absent: Spencer. MOTION DECLARED CARRIED.

10. PIONEER SARQAH CREEK WATERSHED MANAGEMENT COMMISSION, JERRY WISE – PRESENTING THE COMMISSIONS PROPOSED 2013 BUDGET.

Wise stated the budget increased due to bookkeeping issues and increasing expenses. The administration costs are too high. Wise is working on lowering that and getting new accounting software. In addition, he is looking into some grants. His goal is to get a balanced budget.

The council did not have a copy of the budget, from the last meeting, so the discussion was tabled until the next meeting on August 21st.

11. 2011 CENSUS AND BEFORE, ADMINISTRATOR HIRSCH – UPDATE

Hirsch stated she attended a discussion about eliminating duplexes and multi-family units and townhomes from the census city figures. This change did bring up the household size a bit. She

stated these figures are important as they are used to figure budgets and other miscellaneous items.

12. MISC./OPEN

Wenck - WHPS Budget. The budget is not finalized and Chief McCoy still needs to refine it. However, based on this info Wenck felt there should be just seven full time officers plus the Chief. He does not believe an additional officer is needed.

Wenck stated that in 2010 a bid to contract with the Hennepin County Sheriff would have cost \$700,000. This could be an alternative option for the city of Independence, as well Maple Plain.

Wenck pointed out that WHPS also offers burning permits in their vehicles; which create a positive cash flow of roughly \$5000. He acknowledged their participation in the Drug Task Force and questioned where does the revenue show that are to be used to finance this department? Wenck stated that he was anxious to see what WHPS comes back with for their budget.

Laverne Vassar – DNR land across from where he lives.

Vassar expressed that he was furious and threatened to sue the city and Johnson for the public nuisance that was created due to the DNR's parking lot for hunting grounds. He wants changes to the parking lot and felt misled by the hunting usage timeline.

Hirsch explained that in September of 2008 land near Vassar was given to the DNR as a gift.

Johnson read the minutes from the council meeting on September 23, 2008. It states the Wildlife Management Areas (WMA) is only be used for wildlife, preservation of open space, as natural area, and was to minimize development. This land was to be used as open public hunting, walking and snow shoeing space. The DNR had stated they would work with the city on this project.

Vassar was very upset with the amount of traffic in the parking lot and the actual entrance into the hunting grounds.

Kroells stated since 2008 only 13 calls had been reported about the area and only five of them were hunting or parking issues. He stated there is a sign in the lot listing the rules.

Wenck recommended we contact the DNR, as they had agreed they would work with the city if issues arose. Both Wenck and Johnson suggested Vassar create a log of calls and contact the police so a written record could be made.

Vassar still expressed his displeasure with the parking lot situation and suggested he could use a 410 (gun) to solve the issue. He wants the parking lot and its entrance moved.

Kroells suggested Vassar instead; contact the police if there were problems, as they are available 24/7.

13. Adjourn.

Motion by Wenck, second by Fisher to adjourn the City Council meeting at 8:40 p.m. Ayes; Mayor Johnson, Councilmembers Betts, Fisher and Wenck; Nays; None: Absent; Spencer. MOTION DECLARED CARRIED.

Respectfully submitted,

Jolene Nelson, Recording Secretary