

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, DECEMBER 11, 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, and Spencer

ABSENT: Councilors Fisher and Wenck

STAFF: Clerk-Administrator Hirsch, City Attorney Voss,

VISITORS: Sally Simpson, Ray McCoy

4. CONSENT AGENDA.

Approve:

- Approval of City Council Minutes from November 27, 2012.
- Approval of the Accounts Payable for the month of December 2012.

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

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

- The building lease agreement for the West Hennepin Public Safety.
- Add Sally Simpson to the agenda.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

**Spencer attended the following meetings:**

- Hennepin County Watershed Governance Meeting
- The City Budget Workshop
- View Santa Event

**Betts attended the following meetings:**

- Police Chilly Supper after the View Santa Event
- Maple Plain Fire Commission Meeting
- Chamber of Commerce Meeting
- The City Budget Workshop

**Johnson attended the following meetings:**

- Regional Meeting for the League of Minnesota Cities
- Senior Community Services Board Meeting
- Hennepin County Assessor's Meeting with Toni Hirsch
- WHPS Police Commission Meeting
- Orono School Board Meeting
- Medina City Council Meeting
- National League of Cities Convention in Boston
- Ridgeview Hospital in Waconia – Social Event with CEO, Bob Stevens
- Hennepin County Watershed Governance Meeting
- Maple Plain Fire Commission Meeting
- Sensible Land Use Coalition Meeting
- Meeting with the Mayor of Maple Plain and the Police Chief
- Regional Council of Mayors' Meeting
- Chamber of Commerce Meeting
- The City Budget Workshop

**Hirsch attended the following meetings:**

- Maple Plain Fire Commission Meeting
- League Minnesota Cities Webinar for December Budget Forecast
- The City Budget Workshop

Johnson mentioned Trevor Knight, an Orono High School resident of Independence; score a perfect score on his ACT exam.

7. **DISCUSSION AND APPROVAL OF RESOLUTION NO. 12-1211-01, APPROVING THE 2013 BUDGET AND LEVY.**

Johnson stated the preliminary levy was passed in September which had a 4.9% increase and notices had been sent out; however it did not include school levies and bond issue. The school levies voted on during the election did pass for Delano and the bond issue for Rockford also passed. He stated we can approve the same amount of a budget as originally approved, but we cannot increase it. He stated that Hirsch was able to cut the budget even more to 3.63%. Another item the City is considering in this is adding a tenth police officer because of officer retirement this year.

Johnson stated that last year the budget was slightly over-cut. This year, with home values decreasing residents will likely see a slight decrease in their taxes; however agricultural landowners may see an increase. This 3.63% increase will increase the total budget by \$76,687, for a total budget of \$2,110,985. When including the bonds, the total is \$2,384,882. Johnson stated the decision will need to be made tonight as the deadline is approaching.

Johnson stated nearby cities are also increasing their budget. Medina increase their budget by 10%, Delano is increasing by roughly 3% to 4% percent and Maple Plain has a similar increase. He stated Hennepin County is also increasing theirs slightly. Other entities have increased their budgets as well, which has an effect on our taxes. Johnson stated he had hoped to keep the budget at a flat rate but was still comfortable with this increase. He stated this year the City is going to be close to meeting the budget.

**Motion by Betts, second by Spencer to adopt Resolution No. 12-1211-01 for the 2013 budget and levy. Ayes; Mayor Johnson, Council members Betts, and Spencer; Nays; None, Absent: Fisher and Wenck. MOTION DECLARED CARRIED.**

No citizens attended the Budget Work Session, Public Hearing held at 7 p.m.

8. MISC./OPEN

WHPS – 2005 Lease Agreement

Johnson stated he would like to make a motion to have the staff make corrections/clarifications to the building lease for West Hennepin Public Safety. Spencer stated he would like to make specific alterations to the existing lease agreement to match expectation of the involved parties. He stated the document interpretation needs to be repaired.

**Motion by Spencer, second by Betts to correct the language in the existing lease agreement with West Hennepin Public Safety to match original interpretation. Ayes; Mayor Johnson, Councilmembers Betts, and Spencer; Nays; None: Absent; Fisher and Wenck. MOTION DECLARED CARRIED.**

Sally Simpson, 2840 Copeland Rd. (PID 17-118-24-23-0001)

Simpson stated she was concerned about the sale of the land on Highway 12 and Lake Haughy Road. She stated she was uncomfortable about the re-zoning of the land and following the City's Comprehensive Plan. She stated she was representing herself and a few neighbor in the area who do not want to piece meal the re-zoning of the land. She stated her major concern is increasing traffic flow on the already congested Highway 12. She stated she doesn't think it can support commercial enterprises right along Highway 12.

Johnson stated Highway 12 is not a corridor for businesses. He also stated a comprehensive plan does exist. It was designed in 1978 and needs to be reviewed every 10 years. He stated the City realizes the necessity of having good roads. He stated the well drilling business existed before the design of the Comprehensive Plan. It currently exists in an area that is not guided for business on the Comprehensive Plan, but was grandfathered in and thus issued a Conditional Use Permit to continue as a well drilling company. Johnson stated the City has denied other businesses from moving in and expanding along Highway 12.

Spencer stated some people may have misunderstood discussion from the last City Council Meeting. He said no action has been done to allow re-zoning of the property. He stated the sale of the property is difficult because there is no allowed use of the land except for well drilling. Spencer stated the owner of the property had inquired about what process might change the zoning. He stated the only agreeable option

was if the property could be zoned as another use. He stated in the event that the owner completes an application and pays the application fee to have the property re-zoned all the neighbors would be notified and there would be Public Hearings. Spencer stated there is nothing to inform the neighbors of yet. He stated if it does come to a Public Hearing you are welcome to express your opinion about it.

Johnson stated the City cannot deny an application from being submitted, but the City does not have to approve it.

Simpson stated she hopes the City does not adopt a plan that would make piece meal changes as it would change the complexion of the community.

Betts stated copies of the Comprehensive Plan are available on the City's website. Spencer also invited Simpson to join in on discussion and assistance of future Comprehensive Plans. Simpson stated she would like to volunteer with that because the community is important to her.

Betts stated she wishes changes could be made to Highway 12 as well. Johnson then gave a brief story about the history and changes to Highway 12.

9. ADJOURN.

**Motion by Spencer, second by Betts to adjourn the City Council meeting at 8:04 p.m. Ayes; Mayor Johnson, Councilmembers Betts, and Spencer; Nays; None: Absent; Fisher and Wenck. MOTION DECLARED CARRIED.**

Respectfully submitted,

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Jolene Nelson, Recording Secretary