

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, JULY 12, 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, Wenck. Wallace arrived at 7:50 p.m.
STAFF: Clerk-Administrator Hirsch, City Attorney Vose
VISITORS: Bethany Waterhouse

4. CONSENT AGENDA.

Approve:

- Approval of Council Minutes – June 28, 2011
- Approval of Accounts Payable for July, 2011
- Approval of the Ultimate Disc (Frisbee Golf) event to be held at the Polo Grounds on July 23 and 24, 2011.
- Approval of the Twin City Polo Club, Polo Classic to be held on July 31, 2011 and for a One-day Temporary Liquor License.
- Approval of Ordinance 2011-04 adding definitions for “Institutional” in Section 550, Sign Regulations.
- Approval to revoke the Conditional Use Permit from the property located at 1925 Highstead Drive for a Kennel permit for St. Bernard’s, Resolution No. 11-0712-01
- Approval of letter of support for the Community Transformation Grant for Hennepin County Human Services and Public Health Department.

Betts had a few minor corrections to the minutes.

Mayor Johnson asked Hirsch to review the budget and account for the items that seem to be off budget for the six month marker.

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

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

Hirsch added an ordinance and resolution to hire an electrical inspector to take over electrical inspections and for the city to do residential plumbing inspections during the State shutdown.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

- Spencer: None
Wenck: Sensible Land Use Conference
Betts: Sensible Land Use Conference
Johnson: Regional Council of Mayors, Community Action Partnership Suburban Hennepin County Finance Meeting
Hirsch: Sensible Land Use Conference, Election Meeting with Hennepin County, meeting with YMCA, Vinland Center, City Engineer, and Public Works Director to discuss changing road from gravel to bituminous

In regards to the Vinland Center road meeting, Wenck stated that a majority of fire/police calls are for them. Hirsch replied the Vinland Center is being billed quarterly for police and fire service. Hirsch stated a couple different ideas were discussed, those being a 429 Improvement project that's assessable or re-building of the road with new materials including a layer of geo-text fiber, with a maintenance agreement of some sort that would include reimbursement to the City for any work done by us. Wenck would like them to participate in all of the cost of the road. Hirsch stated that they would, with either of the above mentioned possibilities for improvements.

7. BETHANY WATERHOUSE, PRESIDENT OF WESTONKA JAYCEES – PRESENTATION OF A DONATION IN THE AMOUNT OF \$6000 TO BE USED FOR THE DISC GOLF EQUIPMENT AND INSTALLATION OIN PIONEER CREEK PARK.

Waterhouse presented the City will a \$6000 check for the Disc Golf course. She stated this is a disbursement of funds from pull tabs at the Ox Yoke Inn. Johnson thanked Waterhouse for the check and stated disc golf would be a good edition to the park.

8. DISCUSSION AND APPROVAL OF THE PIONEER SARAH CREEK WATERSHED MANAGEMENT COMMISSION 2012 BUDGET.

Johnson reported that the budget has been kept the same as in the previous year. He was looking at the valuation of Independence property within the watershed and the amount the City needs to pay would be decreased.

Motion by Betts, second by Johnson, to support the 2012 Pioneer Sarah Creek Watershed Management Budget. Ayes: Betts, Johnson, Spencer, Wenck. Nays: None. Absent: Wallace. MOTION DECLARED CARRIED.

9. CANCEL THE JULY 26TH CITY COUNCIL MEETING DUE TO LACK OF AGENDA ITEMS.

Motion by Wenck, seconded by Spencer, to cancel the July 26th City Council meeting due to a lack of agenda items. Ayes: Betts, Johnson, Spencer, Wenck. Nays: None. Absent: Wallace. MOTION DECLARED CARRIED.

10. OPEN/MISC.

A. ORDINANCE AMENDING CHAPTER IV OF THE CITY CODE BY ADDING SECTION 425 (MINNESOTA ELECTRICAL ACT) AND SECTION 430 (PLUMBING CODE) AND RESOLUTION AUTHORIZING PUBLICATION OF AN ORDINANCE BY TITLE AND SUMMARY

Vose reported the ordinance would have the City take control over electrical installation inspections at least temporarily, if not permanently. The Department of Labor and Industry had been handling those inspections and have not been able to do so recently because of the State shutdown. Many cities are now taking over that function to allow residents to complete electrical projects by contracting with a certified electrical inspector to do those inspections.

Vose stated that the ordinance would also have the City take over plumbing inspections. Hirsch stated the City's building official is certified to handle plumbing inspections but not electrical installation inspections. The contract before the Council is a contract for a person certified to do electrical inspections. The resolution in front of the Council tonight would allow the City to publish the ordinance by title and summary rather than having to publish the whole ordinance in the paper.

Vose reviewed the contract to make sure that payment to the contractor is correct and similar to what other cities are charging. He reported there are state laws that govern what can be charged for what inspections. Indemnification and insurance language is included in the contract. Vose recommended that the City Council approve the ordinance and resolution and move forward with obtaining a contractor.

Johnson inquired about the \$0.50 surcharge amount and Vose said it is mandated that it be charged for each electrical permit, but not plumbing permits. Vose said there is not sunset language in the ordinance, so when the State starts doing business again, the Council will have to take action to repeal tonight's ordinance to turn those inspection duties back over to the State.

Motion made by Wenck, seconded by Spencer, to adopt an ordinance amending chapter IV of the City Code by adding Section 425 (Minnesota Electrical Act) and Section 430 (Plumbing Code). Ayes: Betts, Johnson, Spencer, Wenck. Nays: None. Absent: Wallace. MOTION DECLARED CARRIED.

Motion made by Betts, seconded by Wenck, to adopt a resolution authorizing publication of an ordinance by title and summary. Ayes: Betts, Johnson, Spencer, Wenck. Nays: None. Absent: Wallace. MOTION DECLARED CARRIED.

Motion made by Wenck, seconded by Betts, to contract with a member of Torvund, Inc., based upon availability, for electrical inspection services. Ayes: Betts, Johnson, Spencer, Wallace (arrived at 7:50 p.m.), Wenck. Nays: None. Absent: None. MOTION DECLARED CARRIED.

11. ADJOURN

Motion made by Betts, seconded by Wenck, to adjourn the meeting at 7:55 p.m. Ayes: Betts, Johnson, Spencer, Wallace, Wenck. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully submitted,

Kimberly A. Olson, Recording Secretary