

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, JANUARY 9, 2007, 7:30 P.M.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE.

Pursuant to due call and notice thereof, a regular meeting of the Independence City Council was called to order by Mayor Marvin Johnson at 7:30 p.m.

2. ROLL CALL.

PRESENT: Mayor Johnson, Council Members Fisher, Betts, Strong, Gyllenblad.

STAFF: Attorney Vose, Recording Secretary Little.

ABSENT: Clerk-Administrator Hirsch.

VISITORS: Sharon and Gene Cook, Kathi Pluth, LuAnn Brenno, Joe and Jessica Slavec, Harry Pool.

3. CONSENT AGENDA.

- December 12, 2006 Council Minutes
- January 2007 Accounts Payable
- LMC Insurance Trust for City not to waive monetary limits on tort liability.
- Resolution No. 07-0109-01, City's use of Hennepin Co. electronic data base (Exhibit A.)

Motion by Strong, second by Gyllenblad to approve the Consent Agenda. All present voted aye. MOTION CARRIED.

4. SET AGENDA - ANYONE NOT ON AGENDA MAY BE PLACED UNDER OPEN/MISCELLANEOUS.

Fisher: Drake Court issue, City Planner direction, Board of Review process.

Joe and Jessica Slavec, neighborhood issue.

5. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF.

Gyllenblad: Researched files on police facility at City Hall, and has been studying market values in the city.

Strong: Northwest League meeting, Sensible Land Use.

Fisher: Sensible Land Use, met with some City staff at City Hall one morning.

Mayor Johnson: Northwest League, Hennepin Co. task force on healthy living at French Park, Orono Alliance all-school district meeting, Highway 55 Coalition meeting, Executive and Finance Committees for CAPSH, MN County Commissioners, MN School Board and LMC Executive Committees meeting with Secretary of State Rebecca Otto and Attorney General Mark Richie, Greater Lakes Food Bank Board meeting, Executive Committee meeting for Senior Community Services, Police Commission, Special meeting with WECAN Chairman and Executive Director, attended swearing in for Hennepin Co. commissioners and others, and the Senate swearing in at the Capitol. Attended American Experiment meeting, attended retirement party for Larry Blackstedt who worked with cities on CDBG funding.

6. PRESENT PLAQUE OF APPRECIATION TO PARKS COMMISSIONER SHARON COOK.

Mayor Johnson thanked Mrs. Cook on behalf of the Council, Parks Commission and city residents for serving on the Parks Commission.

7. PUBLIC WORKS DIRECTOR DAN KOCH AND DAVE CALLISTER OF EHLERS & ASSOCIATES, APPROVE RESOLUTION NO. 07-0109-02 APPROVING GENERAL OBLIGATION EQUIPMENT CERTIFICATES, SERIES 2007A FOR PUBLIC WORKS EQUIPMENT.

Dave Callister of Ehlers & Associates stated that the equipment certificates would pay for a tandem plow truck, a loader and a pick up truck. Principal and interest would be paid starting in 2008 from property taxes. There is a provision that we could prepay without a penalty in 2012. The bond issue will not be rated, and Ehlers would negotiate with local banks. Bids would be presented to Council at the February 13 meeting, and the closing could be set for March 13.

The advantages of purchasing equipment in this manner are:

- Cost is spread over 8 years so you can replace equipment on a regular basis.
- Future taxpayers will pay for this equipment also.
- Interest is very low right now.
- This was part of the 10-year budget plan.
- We can possibly reinvest at a slightly higher interest rate short term.
- We have 24 months to make purchases.

Gyllenblad asked when this was added to the budget. Ehlers replied that \$242,000 was planned for during the workshops, and we added funds for a loader now rather than issuing another certificate next year. Gyllenblad questioned the advisability of almost doubling the original amount.

Fisher noted that a trade-in credit is not shown. Mr. Koch stated that the trade-in prices he was given seemed very low and he thinks he can get more money by selling the old equipment on the open market. Council Member Gyllenblad asked how many hours are on the loader. Koch replied there are about 6500 hours. The loader was purchased when it was about a year old from the Metropolitan Airport.

Council Member Betts introduced Resolution No. 07-0109-02 and moved its adoption, second by Mayor Johnson: Voting Aye: Mayor Johnson, Council Members Fisher, Betts, Strong. Voting Nay: Council Member Gyllenblad. MOTION CARRIED.

8. DISCUSSION OF REQUEST TO ADD 2 RESIDENTS AT LARGE AS VOTING MEMBERS OF THE POLICE COMMISSION. (Will be tabled until January 23 meeting, due to the absence of the Public Safety Director.)

9. FIRST-OF-THE-YEAR APPOINTMENTS AND RESOLUTION NO. 07-0109-03.

Motion by Strong, second by Betts to appoint Butch Gardner to Planning Commission for a 3-year term. All present voted aye. MOTION CARRIED.

Motion by Betts, second by Fisher to appoint Mike LePage and David Lieberman to Parks Commission for a 3-year term. All present voted aye. MOTION CARRIED.

Motion by Gyllenblad, second by Betts to approve the remaining appointments as listed. All present voted aye. MOTION CARRIED.

Assessor	Hennepin County
Acting Mayor	Brad Fisher
Official Depository	Bank of Maple Plain, Northland Securities, 4M-LMC
Assistant Weed inspector	Dan Koch
Assn. of Metro Municipalities	Marvin Johnson
Attorney, Civil	Kennedy & Graven
Attorney, Criminal	Carson & Clelland
Auditor	Kern DeWenter Viere

Civil Defense Director	Ray McCoy
Comp Plan Task Force	Strong, Gyllenblad
Dog Pound	Crossroads Animal Shelter
Engineer	MFRA
Fire Department Advisory Board	Mayor Johnson, Council Member Fisher, Clerk-Admin. Hirsch
Fire Marshall	Bruce Satek
Highway 55 Coalition	Mayor Johnson, Gyllenblad
HRA	Mayor Johnson, Gyllenblad, Strong, Betts, Fisher.
Lake Minnetonka Cable Commission	Harlan Strong, Jim Smith
Minnehaha Watershed	Marvin Johnson
Northwest League of Municipalities	Mayor Johnson, Gyllenblad, Betts, Strong, Fisher.
Newspaper	Delano Eagle and Pioneer
Planner	Schoell Madson
Planning Commission Liaison	Brad Fisher
Parks Commission Liaison	Lynn Betts
Pioneer Sarah Watershed Commission	Carole Peter, Alternates Jim Smith and Lance Gyllenblad
West Hennepin Recycle Commission	Toni Hirsch, Mollie Little
West Hennepin Police Commission	Mayor Johnson, Council Member Strong.

Resolution No. 07-0109-03 (Exhibit C). Mayor Johnson stated that this is basically a reimbursement resolution; in the event the city incurs expenses that are bondable, this allows us to do that, and it covers a period of 18 months.

Motion by Mayor Johnson, second by Fisher to approve Resolution No. 07-0109-03. Voting Aye: Mayor Johnson, Council Members Fisher, Betts, Strong, Gyllenblad. Voting Nay: None. Therefore, motion was passed and adopted.

10. SET BOARD OF REVIEW DATE AND TIME.

Motion by Strong, second by Betts to hold the Board of Review on May 8, 2007 at 6:30 p.m. (before the scheduled 7:30 council meeting.) All present voted aye. MOTION CARRIED.

11. OPEN/MISCELLANEOUS.

- SLAVEC REQUEST.

Joe and Jessica Slavec stated that the empty lots on both sides of them are being used for lake access, one very heavily. They requested that NO PARKING signs be placed on their street, since fishermen park their vehicles causing inconvenience to the residents. They also asked if an ordinance can be drafted prohibiting the use of this lot as an access to the lake. Unfortunately, the owners of that lot have granted vocal permission to several people. Slavecs are concerned with the amount of traffic and some accumulation of debris left by fishermen.

Mayor Johnson thought it would be best to have the Public Works Director and the Police Chief look at the situation, and decide whether NO PARKING signs should be placed there. Attorney Vose stated that the city does not need an ordinance or a public hearing to place the signs, but it could adversely affect the residents themselves. Attorney Vose thought possibly the use of the lot could be regulated with a large assembly permit.

Council members agreed that the parking on the street should be addressed as soon as possible. Motion by Betts, second by Strong to have Dan Koch and Ray McCoy decide if the road should be posted for No Parking; and Vose to investigate regulating parking on the lot itself. All present voted aye. MOTION CARRIED.

- QUESTIONS FROM COUNCIL MEMBER FISHER.

Fisher asked if the developer for Independence Woods has paid his old debt to the city. Attorney Vose stated that the developer seems to have good intentions, but we still have not received a check. He thinks he will write a check rather than go through litigation expenses. Vose feels confident we will get paid. Fisher stated that we have waited long enough and he would like to put a lien on the property immediately, if it's possible.

Fisher stated that he is a little confused about who our city planner is - Ben or Tom? He feels that we're seeing too much material at planning commission meetings and not enough direction. He thinks the issues get too complicated and difficult. He also wonders why some obviously hopeless requests are allowed to come forward. Mayor Johnson thought Clerk Hirsch should be included in this conversation, as she works with the planner. All agreed to discuss it later.

Fisher's last question was about the Board of Review process. He knows that some cities have let the assessors handle the entire meeting. He would like to be better prepared before the meeting and wondered if more work could be handled with the assessor. This matter will be reviewed at a later time when we have the county agreement before us.

12. ADJOURN.

Motion by Fisher, second by Gyllenblad to adjourn. All present voted aye. MOTION CARRIED. Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Mollie Little, Recording Secretary