

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, APRIL 14, 2009 – 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, Gyllenblad, Wallace and Wenck.

STAFF: Administrator-Clerk Hirsch, Public Works Director Koch, Attorney Vose, Water Resource Consultant Jochum.

VISITORS: Dave Callister, Chris Cady, Leo Poole.

4. CONSENT AGENDA.

Approve:

- Council Minutes – March 10, 2009.
- Approval of accounts payable for April 2009.
- Fifth annual Liberty Triathlon, Saturday, June 13, 2009.
- Ultimate Frisbee competition to be held at the Polo Fields.
- Recognition of Municipal Clerks week and their staff.

Motion by Betts, second by Wenck, to approve the consent agenda.

Gyllenblad requested that his comments in support of Planning Commissioner Triplett be added to the March 10, 2009 minutes.

Johnson called for a vote. All present voted aye. MOTION DECLARED CARRIED.

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

Nothing was added.

Johnson noted that the Lake Minnetonka Communications Commission is celebrating its 25th year of service. He added that Gail Sinkel, Delano Senior Center Coordinator, is also being honored for her 25 years of service.

Motion by Wenck, second by Gyllenblad, to offer congratulations to the Lake Minnetonka Communications Commission and Gail Sinkel. All present voted aye. MOTION DECLARED CARRIED.

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

- Gyllenblad: Police Commission meeting, taking phone calls from residents regarding the recent valuation notices.
- Wenck: Lake Minnetonka Communications Commission meeting, Sensible Land Use meeting.
- Wallace: Conversations with residents regarding their assessments.
- Betts: Police Commission meeting, Delano Chamber of Commerce Highway 12 Task Force meeting.
- Mayor: Two Northwest League of Municipalities meetings, Active Living Hennepin Communities meeting, Vinland Center graduation, Police Commission meeting,, West Hennepin Chamber of Commerce meeting, Meetings in Washington D.C. on behalf of the Highway 55 Corridor Coalition and other entities, WeCan Finance Committee meeting, Sensible Land Use meeting, Senior Community Services Board meeting, Community Action Partnership of Suburban Hennepin Board meeting and annual meeting, Lake Sarah TMDL meeting, Orono Healthy Community meeting, Community Action Partnership of Suburban Hennepin Finance Committee meeting, Audit review meeting.
- Hirsch: Meeting with Maple Plain City Administrator and West Hennepin Public Safety Director regarding budget and community issues, Met with Christina Scipioni and Bill Leonard from Hennepin County regarding Clean-Up Day, Municipal Clerks and Finance Officers Association Conference, Design meeting with Maple Plain and MnDOT, met with Planning Commissioner Keith Triplett, Attended Hennepin Conservation Forum, Audit review meeting.

7. DAN KOCH, PUBLIC WORKS DIRECTOR – APPROVAL OF GRAVEL, CONBIT AND LIMESTONE BIDS.

Koch stated he sent out seven requests for bids and received two back. He stated the delivered price of the limestone material that the City uses the most of is 61 cents less than it was last year. He noted the winter sand is the same price as the previous year. Koch recommended using Hassan for winter sand and Bryan Rock for limestone.

Johnson asked what Koch would recommend for recycling conduit.

Koch responded he would recommend Hassan.

Wenck asked if the pricing the City received was based on a set quantity of product.

Koch responded that the companies use what the City has ordered in the past to calculate their bids.

Gyllenblad asked if the City had requested bids from DMJ.

Koch responded that the City has requested bids from DMJ, but the company did not respond.

Motion by Wenck, second by Betts, to accept Public Works Director Koch’s recommendations for gravel, conbit and limestone bids. All present voted aye. MOTION DECLARED CARRIED.

Koch added that the City had a force main break early in the morning, but was able to fix it the same day. He added that it was the first force main break the City has had in many years. He was unsure of the cause of the break.

8. CRAIG JOCHUM, HAKANSON ANDERSON – INDEPENDENCE WATER MANAGEMENT PLAN.

Jochum stated he received comments from Mayor Johnson and Council Member Wenck and had prepared responses for the comments and incorporated them into the Water Management Plan. Jochum responded directly to a couple of comments from the Council:

- The population estimates came from the Comprehensive Plan.
- The plan will include 20 feet for buffers.
- The cataloguing of wetland would be done as new developments come in.
- A maintenance plan would be required for all buffers.
- The application of manure language is from the TMDL study, but has been softened in the Water Management Plan.
- The frequency of pond inspections is from the Pollution Prevention Plan, so if the City would like to change the frequency of inspections, it could change the requirements in the Pollution Prevention Plan.

Koch stated the Water Management Plan suggests that the City should sweep its streets and then take what it sweeps offsite. He noted that the City is currently not equipped to do that.

Johnson suggested taking the requirement that materials be brought offsite out of the Water Management Plan.

Koch asks how Jochum found the number of failing septic systems within the City.

Jochum responded that he would follow up with his staff, but thought the number came from the TMDL study.

Wallace suggested removing the number of failing septic systems from the Plan.

Motion by Betts, second by Wenck, to authorize staff to forward the Independence Water Management Plan to the Metropolitan Council, Pioneer-Sarah Creek Watershed Management Commission and Minnehaha Creek Watershed District for comment. All present voted aye. MOTION DECLARED CARRIED.

9. APPROVAL OF THE 2009 BUDGET, RESOLUTION NO. 09-0414-01.

Johnson explained that the auditing firm will use the resolution when conducting its audit this year.

Motion by Betts, second by Johnson, to approve Resolution No. 09-0414-01.

Wenck stated he is not ready to approve the budget. He noted that the City has received about \$6,000 so far in building permit fees and if the City would have been using a contracted building inspector, it would have cost about \$2,000 for those services. He added that the City paid about \$24,000 so far for the

building official position. Wenck stated he also would like to change the police contract. He stated the City could reduce the budget by about \$200,000 in those two items.

Johnson asked how the two suggestions Council Member Wenck had would make a difference in the amount listed in the resolution.

Wenck stated that the resolution deals with how the City spends its money. He added that he didn't believe that the City should spend the money, even if it had levied for it. He also stated he would like to prepare the City for the 2010 levy.

Johnson added the valuation decreases would affect the City's levy next year, too. He stated the City doesn't have to spend all the money that is budgeted in the resolution.

Hirsch stated she had made severe cuts to the budget in December 2008. She added that City had approved its levy based on the cuts she had made previously.

Wenck stated he would like to discuss the Building Official position and the police department position.

Hirsch stated that she cut \$177,386 from the 2008 budget.

Wenck stated he would like to cut an additional \$200,000. He added that he asked West Hennepin Public Safety to decrease its budget by 10 percent. He stated that the City could get police protection from somewhere else for less money.

Hirsch, Betts and Johnson stated that the City would not receive the same level of police protection.

Wenck stated he believed the City would receive more protection. He stated that the County would provide the City with 24-hour protection and would not need to pull officers from patrols for things such as detective work and court appearances because other Sheriff Deputies would be available to do those tasks. He added the County officers would serve only Independence and would not be split between two cities.

Betts stated she disagreed with Council Member Wenck's comments.

Wenck added that Independence and Maple Plain could ask for a quote for service from the Hennepin County Sheriff's Office for service to both cities, which would be a direct comparison to the services the two cities currently have.

Hirsch stated that the current quote from Hennepin County doesn't include Maple Plain, and it would probably increase if Maple Plain were included.

Wenck responded that right now West Hennepin Public Safety offers one police officer for both cities, whereas the County's quote was for one police officer for only the City of Independence. He stated that he believes the reason Hennepin County can provide the same police protection for less money is because it doesn't have the overhead costs that West Hennepin Public Safety has.

Betts stated that she believed the West Hennepin Public Safety Director should be present to discuss Council Member Wenck's comments.

Wenck responded that Director McCoy had already had a chance to respond to the Hennepin County Proposal and had told the Council with Hennepin County there would be no chief, which is incorrect. He added that Director McCoy said the County would not issue burn permits. Wenck stated he thought burn permits could be issued by City Hall. Wenck stated he thought the Council needed to be objective and do what the residents want it to do.

Betts stated many residents were upset about disbanding West Hennepin Public Safety.

Wenck stated he thought the residents were given false information.

Betts stated she would like to discuss West Hennepin Public Safety when Director McCoy is at a meeting and can be part of the discussion. Betts stated during previous years the City had come in under its approved budget. She noted that the City doesn't have to spend all of the money it budgets.

Vose stated the City does have a contractual obligation to West Hennepin Public Safety for 2009. He added that the building official position could still change the 2009 budget. Vose suggested that the Council should have a discussion about police services under an agenda item that gives the public notice that the Council will be discussing the issue.

Johnson stated that Hirsch changed the employees' hours, which will have an impact on the budget.

Wenck asked what had been changed.

Hirsch responded that the City closes at noon on Fridays, which saves in staff time.

Johnson asked if there had been additional schedule changes.

Hirsch explained that during the winter office hours, there were only two employees working on Fridays.

Johnson stated Director McCoy is trying to cut back on employee hours as well. He suggested tabling the resolution until another meeting date.

Motion by Wallace, second by Betts, to table Resolution 09-0414-01 until the May 12, 2009.

Wallace stated he is concerned that this December the City will be forced to make large cuts. He suggested making several small cuts instead of a few large cuts. Wallace suggested having a workshop to discuss the budget.

Wenck and Gyllenblad stated they would prefer to have the discussion at a Council meeting.

Hirsch suggested the discussion be tabled until the May 12, 2009 Council meeting.

Vose suggested that if there will be discussion about particular budget issues, they should be listed as agenda items.

Johnson called for a vote. All present voted aye. MOTION DECLARED CARRIED.

10. AMENDMENT TO ORDINANCE NO. 2003-02 RESTRICTING PARKING ON A CITY ROAD, TURNER ROAD, NORTH SIDE.

Johnson stated that staff and public safety officials suggested prohibiting parking on the north side of Turner Road where the polo fields are located. He said there are concerns about emergency services being able to get through the street during special events at the polo fields.

Motion by Wenck, second by Gyllenblad, to amend Ordinance No. 2003-02 to restrict parking on the north side of Turner Road. All present voted aye. MOTION DECLARED CARRIED.

11. APPROVAL TO HAVE THE CITY HALL AND COMMUNITY CENTER ROOM REFINISHED.

Hirsch stated the City had not received all the bids, so the issue would need to be tabled.

Johnson asked how many quotes the City requested.

Hirsch responded that City had contacted four companies.

12. OPEN/MISC.

Nothing was added to the agenda.

13. ADJOURN.

Motion by Betts, second by Wenck, to adjourn the City Council meeting at 8:30 p.m. All present voted aye. MOTION DECLARED CARRIED.

Respectfully submitted by Christina Scipioni,
Recording Secretary