

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, APRIL 24, 2007, 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 at 7:30 p.m. by Mayor Marvin Johnson.

2. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL.

PRESENT: Mayor Johnson, Council Members Fisher, Betts, Strong, Gyllenblad.
STAFF: Clerk-Administrator Hirsch, Building Inspector Satek, Attorney Vose.
VISITORS: Phil Jensen, Paul Schroeder, Kathi Pluth, LuAnn Brenno, Harry Pool.

4. CONSENT AGENDA. APPROVE:

- April 10, 2007 Council Minutes.
- Financial and leave time reports ending March 2007.

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

5. SET AGENDA.

There were no additional items.

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

Gyllenblad: Received about 50 phone calls regarding property valuations, Lake Sarah TMDL meeting, joint meeting with Maple Plain Council.

Strong: Northwest League, Emergency Mgmt. meeting in Mound, joint meeting with Maple Plain Council.

Betts: Orono Healthy Communities breakfast, Emergency Mgmt. meeting in Mound, joint meeting with Maple Plain Council, Chamber of Commerce meeting.

Fisher: Delano Fire Department meeting, joint meeting with Maple Plain.

Mayor: Northwest League, Orono Healthy Communities breakfast and meeting, Chamber of Commerce meeting, U of M Humphrey Institute awards ceremony for cities, counties and school districts, CAPSH Finance Committee, American Experiment diner/speaker, WECAN Board meeting, Delano Fire Department annual meeting, LMC Board meeting and Building Committee meeting, Lake Sarah TMDL meeting, Met Council Land Use Advisory Committee meeting, School District 287 recognition, Orono School Board, WECAN Finance Committee, joint meeting with Maple Plain Council, LMC Safety Loss workshop.

Clerk Hirsch: Emergency Mgmt. meeting in Mound, met with Scott Johnson from Excel Energy and Public Works Director Koch, Delano Fire Department annual meeting, joint meeting with Maple Plain Council.

7. WEST HENNEPIN PUBLIC SAFETY MARCH 2007 ACTIVITY REPORT, CHIEF RAY MCCOY.

Chief McCoy reviewed the activity report for council members. He noted that activity has continued to be down somewhat from last year. He reported on some attempted thefts, and some other criminal incidents, as well as a couple of traffic accidents. McCoy reported that one of our officers received a commendation from BCA for work he has done this year on the Drug Taskforce. McCoy reported that 70% of the money recovered in a drug-related arrest goes to the local department, 20% goes to the county and 10% goes to the state. This money must be used in drug enforcement, and at the local level it is used to help pay for vehicles, cell phones, etc. for drug task force members.

There was a citizens academy graduation in April. The next police commission meeting is May 21 at 8:30 a.m. McCoy wants to work with both Maple Plain and Independence to come up with a good traffic management plan when work begins on the viaduct in Independence on Highway 12 in 2009. He feels it's very important to come up with a good plan for emergency response as well as detoured traffic. He would like to get to work on this early and get the state and county to take some of the burden as well.

8. PHIL JENSEN, HENNEPIN CO ASSESSOR - PRE-REVIEW OF THE BOARD OF REVIEW.

Jensen noted that there have been phone calls from property owners since the tax statements went out in March. About 20% of the city is reviewed each year. Last year they reviewed Sections 23, 24, 25, 26 and 27 around Maple Plain and south of Lake Independence. Properties showed increases from 4% to 8% and sometimes considerably more. Jensen's office found the total property valuation for Independence this year is \$783,025,000, including about \$8,000,000 of new construction. Jensen's office has fielded about twice as many telephone inquiries from property owners as it usually has, probably due to the increase in valuations. He has been very diligent in reviewing each property with the owner.

Two of our council members have been recently trained to sit on the Board of Review. At least one must be present. Mr. Jensen stated that even though there is a slight downward trend in prices in 2007, all the valuations that are being reviewed now are based on sales between October 2005 and September 2006. Jensen stated that we will see the downward trend reflected at next year's Board of Review, however.

Mr. Jensen talked about green acres and agricultural preserve and their requirements and answered a few questions about the programs. Mayor Johnson had a few questions about some of the properties in the booklet of examples that Phil had furnished.

9. PAUL SCHROEDER, SCHOELL MADSON, DISCUSS AND APPROVE THE PIONEER CREEK PARK MASTER DEVELOPMENT PLAN.

In starting the discussion, Mayor Johnson thanked the Parks Commissioners for all their hard work on the plan. Mr. Schroeder reviewed the master plan for council members, stating that it was the Parks Commissioners' hope that the council would approve the plan tonight. The Parks Commission began work on the plan in 2006 and finished in March of 2007. He noted that the wetlands were delineated before any planning was started. Included in the plan are many things, including ball fields, play areas, a sliding hill, skating pond, horseshoe pits, parking lots, concession stands, rest rooms, picnic/passive areas, frisbee golf, a temporary corn maze area for Heritage Fest, tennis courts, sand volleyball, etc.

Ball fields would be in one location, soccer fields would be together, ball court games would be in one area, and the area in the northeast quadrant would be set aside for a historic village in hopes we could establish events to highlight Independence's historical past. We could have buildings or gardens or maybe even an amphitheater on the sliding hill for shows in the summer time. An estimate for grading for the planned amenities was about \$80,000.

Council members were pleased with the overall plan. They talked about some of the areas to be improved, and the trail that would go around the perimeter of the park. They realized that there will be quite a bit of expense to make improvements, but with a plan in place, each improvement can be made when funds are available or donations are made for a particular purpose.

Motion by Mayor Johnson, second by Gyllenblad to accept and approve the park plan. All present voted aye. MOTION CARRIED.

10.. APPROVE ORDINANCE 2007-03, AN ORDINANCE AMENDING CHAPTER 7 OF THE INDEPENDENCE CITY CODE TO ADDRESS INDIVIDUAL SEWAGE TREATMENT SYSTEMS (ISTS.)

Building Inspector Satek reviewed the ordinance amendment for council members. He stated that the changes were underlined when language was added and lined through when language was deleted. Council members had some questions and expressed doubts about the necessity of changing the ordinance. Mayor Johnson did not want to make hooking up to city sewer mandatory unless he is sure there is financial help available for those who cannot afford to do so. Others voiced concerns about making regulations more strict with the individual septic systems. There was particular concern about requiring a person to replace a non-compliant system that is not an imminent health threat.

Attorney Vose stated that if the Council should adopt this ordinance, and someone does not comply with the requirement to hook up to city sewer in the allotted time, Council could ultimately hook up the home to city sewer and charge the homeowner for the costs. He thought you could make a provision in the code to revoke occupancy in the case of someone's refusal to update a septic system, but he does not know if that would stand the test statutorily.

Gyllenblad asked why the suggested code before him requires a person to upgrade a failing system in 3 years, when Planning Commission recommended 5 years and the State says 10 years or indefinitely. Clerk Hirsh answered that it was Staff's recommendation. Fisher voiced his concern about the city's trying to monitor systems. There was some discussion about what causes failing systems, how systems are maintained, what causes them to freeze in the winter, etc. There was discussion about non-compliant systems and the need to maintain them. There was more conversation about homes that are eligible for sewer hook-up. Mayor Johnson would like to see exactly which properties are affected. He stated that he believes some of those properties have perfectly good septic systems, and it does not seem right to require that they be abandoned and required to hook up to the city sewer.

Motion by Betts to approve Ordinance No. 2007-03. Motion died for lack of a second.

Motion by Mayor Johnson, second by Gyllenblad to indefinitely table the ordinance amendment. All present voted aye. MOTION CARRIED.

11. APPROVE THE FINAL DRAFT OF THE CITY OF INDEPENDENCE INVESTMENT POLICY.

Motion by Fisher, second by Betts to approve the city's investment policy. All present voted aye. MOTION CARRIED.

12. ACKNOWLEDGE THE LOCAL GOVERNMENT PAY EQUITY REPORT.

Council members acknowledged the pay equity report.

13. APPOINTMENT OF RFP SELECTION COMMITTEE FOR COMPREHENSIVE PLAN 2030.

Motion by Fisher, second by Strong to approve the following: one planning commission member, one parks commission member, one council member, the city planner and the city clerk-administrator for the selection committee:

All present voted aye. MOTION CARRIED.

14. OPEN/MISCELLANEOUS.

There were no additional items.

15. ADJORN

Motion by Strong, second by Fisher to adjourn. All present voted aye. MOTION CARRIED. Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Mollie Little, Recording Secretary