

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, AUGUST 28, 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 by Mayor Marvin 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 Fisher, Betts, Wenck, Gyllenblad.

STAFF: Clerk-Administrator Hirsch, Public Works Director Koch, Attorney Vose, Planner Lorsung.

VISITORS: Loretto Fire Chief Herb Koch, Jeff Leuer, Gene Purdy, Kathie Pluth, LuAnn Brenno, Ed Pluth, Lynn Walters, Elizabeth Rick, Tom Bren, Harry Pool, Tom Emmer.

4. CONSENT AGENDA. Approve:

- July 24, 2007 Council Minutes.
- August 15, 2007 Special Meeting Minutes.
- Second Quarter 2007 Financial Report.
- Resolution No. 07-0828-01 Denying a Simple Subdivision and Variance at 4976 South Lakeshore Drive, (Exhibit A.)
- Reduce Letter of Credit from \$157,789.90 to \$25,000 for 10 Spring Homes, Inc. (Deer Ridge Farms.)

Motion by Betts, second by Wenck 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: Three budget workshops, Lake Independence TMDL meeting.

Wenck: Three budget workshops.

Betts: Three budget workshops, Sensible Land Use, Parks Commission.

Fisher: Three budget workshops, Planning Commission.

Mayor Johnson: Two home tours for WeCan, dedication and open house for new heart wing at Ridgeview Hospital, CAPSH board meeting, met with Boonestro staff, two LMC conference calls, WeCan Finance Committee, two Transportation Committee meetings for Metro Cities, National Night Out in Maple Plain, LMC Fiscal Futures Committee meeting, Congressman Ramstad Town Meeting, Ramstad picnic forum, White House Faith Initiatives meeting in Mpls., Chamber of Commerce, met with staff from Minnehaha Watershed, and provided field transportation for 25 water resource people touring the area, CAPSH Finance Committee, Orono School Character Counts training session, Westonka Ridgeview Medical Clinic open house, three budget workshops, LMC Board meeting, Met Council LUAC meeting,

Highway 55 Corridor coalition meeting, met with Superintendent and staff person from Three Rivers Park District, West Hennepin Pioneer Association 100th annual meeting, Old Timers meeting at City Hall, joint meeting with Metro Cities Transportation Committee and Metro City Engineers committee, 2007 Teacher of the Year meeting, met with Senator Norm Coleman.

Clerk Hirsch: Met with Sarah Erickson, who represents the Transportation Department, three budget workshops, Pioneer-Sarah TMDL meeting for Lake Independence, conference call with Beth Kunkel of Kimley-Horn to review check list for open permits (grading, fill, ponds, etc.) met with Council Member Wenck to discuss his proposed budget cuts, election meeting in Minnetonka, first comprehensive plan meeting, met with Shawn Nelson of Boy Scout Troop 206 who is working on an Eagle Badge project, met with Maple Plain administrator to discuss fire budget.

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

Chief McCoy reviewed the July activity report for council members.

8. APPOINTMENTS TO THE PARKS COMMISSION.

Lisa Phillips and Elizabeth Rick submitted applications for the Parks Commission. Motion by Wenck, second by Gyllenblad to appoint both applicants. All present voted aye. MOTION CARRIED.

9. GILLESPIE CENTER FUNDING REQUEST - DONNA SMITH.

Donna Smith did not attend the meeting. No discussion or action.

10. LORETTO FIRE DEPARTMENT YEAR END REPORT, HERB KOCH AND JEFF LAUER.

Mr. Koch and Mr. Lauer reviewed their year-end report with council members, which they had received in their packets. Mayor Johnson and council members thanked them for the good report, and for the good job that they do.

11. MN POLO CLUB REQUEST TO ADD POLO FIELDS AS A CONDITIONAL USE IN THE AGRICULTURAL ZONE.

Tom Emmer represented the MN Polo Club to answer any questions council members might have. Planning Commission had recommended approval of the request.

Motion by Wenck, second by Betts to add "Polo Fields" as a conditional use in the Agricultural Zone. All present voted aye. MOTION CARRIED.

12. CONCEPT PLAN FOR A PLANNED UNIT DEVELOPMENT LOCATED AT 8590 COUNTY ROAD 6, (PID #32-118-24-22-0001) - GENE PURDY.

Mr. Purdy was present and briefly outlined his concept plan. Mayor Johnson was a little concerned that during the next year while the comprehensive plan is being discussed and updated, it might not be a good time to consider a request such as this since it means amending the comp plan. It was also noted that income from the communications tower is not a guaranteed income, and can cease at any time.

Planner Lorsung wondered if a fee should be considered when a concept plan is brought forward for consideration.

13. PUBLIC WORKS DIRECTOR DAN KOCH:

- Approve Astech bid for bituminous overlay and leveling project for Lake Sarah Heights Drive, Sunset Lane and Pagenkopf Road.

Motion by Fisher, second by Wenck to approve the Astech project. All present voted aye. MOTION CARRIED.

- Discussion of road improvements for Lake Haughey and Fogelman Roads, as requested by petitions from property owners.

Mr. Koch stated that Roger Larson, the city engineer, estimates the cost for the Fogelman Road project would be approximately \$580,400, with the city paying \$292,100 and the assessed adjoining property owners paying approximately \$19,200 each. A feasibility report was prepared in 2001 for this road, and the majority of property owners felt the project was too expensive for them, so the project did not go forward. Tree removal, guard rails in one location, and culvert replacement all contribute to the cost of this estimate.

The Lake Haughey project would be quite extensive, at an approximate cost of \$1,012,500, and the city would pay approximately \$538,200, with the estimated assessment for adjoining property owners of \$20,620 each.

There was some discussion regarding the complications on Lake Haughey Road which contribute to the cost, such as encroaching septic systems, a very narrow road bed that would have to be widened, steep grades that would need corrections, a number of trees and shrubs would have to be removed, guard rails would be necessary in at least three locations, etc. The Fogelman Road project was discussed also, and council members agreed that both projects were quite costly.

Mayor Johnson wondered if the comprehensive plan is completed before these projects and the density requirements changed on either of these roads, how many additional lots could be created.

Because the projects appear to be so costly, and because a new feasibility study would add further expenses, council members concurred that it would be a good idea to send a letter to all affected property owners for both projects. The letter would outline the projected costs for the city and for each resident. A form and stamped return envelope would be included. The property owner would be asked to mark on the form whether he does or does not want to proceed with the project and to return the form to the city. The results of that poll should determine whether to proceed with either of these projects.

Motion by Mayor Johnson, second by Betts to direct Staff to prepare the above-described letter and form and review at the next council meeting. All present voted aye. MOTION CARRIED.

14. DISCUSSION OF CODE ENFORCEMENT APPROACH, PLANNER ROSE LORSUNG.

City Planner Lorsung reviewed the current process for code enforcement and some proposed changes to that procedure. She had some suggested changes for CUP-related violations and enforcement. Council members thanked her for her memorandum, and agreed that they could make a final decision on the procedure at the September 25 meeting.

15. OPEN/MISCELLANEOUS.

There were no additional items to discuss.

16. ADJOURN.

Motion by Betts, second by Fisher to adjourn. All present voted aye. MOTION CARRIED. Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Mollie Little, Recording Secretary