

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, DECEMBER 9, 2008 – 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 Hirsch, Attorney Vose, Public Safety Director McCoy.
VISITORS: Mike Zeglin, John & Cathy Zeglin, LuAnn Brenno

4. CONSENT AGENDA.

Approve:

- Council Minutes – Nov. 25, 2008.
- Truth In Taxation minutes, Dec. 1, 2008.
- Accounts Payable for the month of November 2008.
- Third Quarter Report from ABDO.
- Agricultural Preserve request for Gerald and Joan Fredin, 7850 Turner Road (28-118-24-23-0001).
- Crow River Youth Hockey Association's Third Annual ice fishing contest/fundraiser known as "DaShiver."
- Resolution No. 08-1204-02 establishing procedures relating to compliance with reimbursement bond regulations under the Internal Revenue Code.
- Planner services agreement with Mark Kaltsas of Terramark.

Johnson noted that a billing from MFRA was added to the accounts payable.

**Motion by Wenck, second by Gyllenblad, to approve the consent agenda. All present voted aye.
MOTION DECLARED CARRIED.**

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

Nothing was added to the agenda

6. REPORTS OF BOARDS & COMMITTEES BY COUNCIL AND STAFF

Gyllenblad: Delano Public hearing, Spent the day at Hennepin County looking at tax records, Planning Commission meeting, Truth In Taxation Hearing, Council work session.

Wenck: Truth In Taxation Hearing, Council work session.

Wallace: Truth In Taxation Hearing, Delano Public Hearing, Meeting with Delano and Ryan Companies representatives, Council work session.
Betts: Truth In Taxation Hearing, Fire Commission SOGs meeting, Council work session.
Mayor: Truth In Taxation Hearing, Orono Truth In Taxation hearing, Hennepin County Truth In Taxation Hearing, Active Living Steering Committee Complete Street Design Workshop, WeCan Board Meeting, Meeting with Delano and Ryan Companies representatives, Council work session.
Hirsch: Received phone call from MnDOT about the railroad bridge over U.S. Highway 12.

7. BOB YOUNG – NORTHERN NATURAL GAS COMPANY (NNG) DISCUSSION OF THE PROPOSED GAS LINE LOCATED IN/OR ABOUT THE COUNTY LINE ROAD AREA.

Young stated that NNG has a 22-mile project that runs from Norwood Young America to Rockford, which is called the Rockford Branch Replacement Project. He stated that the project involves replacing the pipeline with a larger pipeline. Young stated that the majority of the project will be on the already-existing pipeline route. He added that a portion of the project would be routing the pipeline around a residential commercial area in Delano that had developed around the existing pipeline. Young stated that NNG is working with property owners in the area.

Johnson asked what the timeline for the project would be.

Young stated that NNG is proposing to start construction in early 2010 and have the pipeline in service by Nov. 1, 2010.

Johnson asked what the pipeline is made out of.

Young stated that it is made out of steel.

Wallace stated that he appreciated NNG coming out to the City to discuss the project.

Young stated that he was happy to meet with the Council. He added that the NNG website, www.nngco.com, has all of the public information about the project.

Vose stated that NNG also referenced the website www.ferc.gov as a source for information on the project.

8. DISCUSSION AND APPROVAL OF THE 2009 BUDGET AND LEVY, RESOLUTION NO. 08-1209-01.

Johnson stated that the budget and levy for 2009 needed to be adopted. He noted that the levy had a 2.2 percent decrease from 2008. He added that the State would be determining whether or not it would be paying the rest of the year's Market Value Homestead Credit, but it looked as though it might not be paid. Johnson noted that the Market Value Homestead Credit might not be available to the City in 2009.

Wenck stated that he would like a 10 percent reduction in the budget, based on the comments he has received.

Johnson stated that the Council should have had a budget meeting in order to give staff direction.

Wenck replied that decisions cannot be made at budget meetings.

Motion by Wenck, second by Gyllenblad, to approve a West Hennepin Public Safety budget not to exceed \$761,000.

Wenck stated that \$761,000 was roughly 10 percent less than the WHPS budget last year.

Johnson stated that the WHPS didn't change from last year. He noted that a previously proposed budget had decreased slightly, but the Police Commission directed WHPS staff to add in some items.

Wallace asked if the Council approved the budget would it then be able to make changes to it throughout the year.

Johnson confirmed that the Council would still be able to make changes to the budget.

Wallace stated that he would like to cut the budget more, but thinks the Council should have a workshop to discuss where cuts should be made. He stated that the Governor would be targeting program and Local Government Aid cuts right away.

Johnson stated that cutting the WHPS budget is difficult because it means cutting personnel. He added that the Department is non-union, which has saved the City money.

Gyllenblad stated that he is concerned about the impact to WHPS as well, but he is also concerned that the City's spending is not in line with the income levels of Independence residents. He noted that many people have had to cut their budgets.

Johnson called for a vote. Ayes: Gyllenblad, Wenck. Nays: Betts, Johnson, Wallace. Motion fails.

Motion by Wenck to reduce the fire protection budget item by \$30,000 to \$340,000.

Johnson noted that the fire protection budget item can vary, based on property valuations. He noted that the Maple Plain Fire Department budget stayed the same and Independence's share of the Delano Fire Department's budget decreased.

Wallace stated that he wasn't sure what the impact would be to the fire departments.

Wenck stated that he has not made any progress with the fire departments in persuading them to decrease their budgets, so he is trying to do so in a different way.

Johnson stated that the Maple Plain Fire Department has been very careful about how it spends its money. He added that in the past, if the fire departments have ended the year under budget, the City has told the departments to put any leftover money into their capital improvement funds. He noted that the City could ask for any surplus money back at the end of the year.

Wallace stated that he would prefer to meet with the fire department officials before cutting their budgets. He suggested holding a Council work session.

Motion failed due to a lack of a second.

Motion by Wenck to hire Metro West Inspections as a building official with a budget of \$34,000, which would save the City about \$64,000.

Gyllenblad asked what the 2009 budget was for the Building Department.

Wenck responded that the 2009 budget was \$99,839.

Johnson noted that the \$99,839 included more than just building inspections.

Motion failed due to a lack of a second.

Motion by Gyllenblad, second by Wenck, to hire Metro West Inspections as a building official with a budget of \$34,000.

Wallace stated that he would prefer to go out for proposal before choosing a building inspector.

Wenck responded that the City had gone out for bids. He added that two contractors would charge 50 percent of the building permit fees and one would charge 30 percent of the building permit fees.

Wallace stated that he would like to go out for bid.

Johnson called for a vote. Ayes: Gyllenblad, Wenck. Nays: Betts, Johnson, Wallace. Motion failed.

Johnson stated that the City would be certifying the tax levy and not the final budget. He stated that the Council could always change the budget.

Motion by Johnson, second by Betts, to approve Resolution No. 08-1209-01 with the following changes: “Resolution Adopting the 2009 Final Budget and Tax Levy” and change “Total Taxes” to “Total Revenue.” Ayes: Betts, Johnson, Wallace. Nays: Gyllenblad, Wenck. MOTION DECLARED CARRIED.

Wallace directed staff to set-up a budget work session to discuss budget cuts. He requested that department heads, including WHPS, the three fire departments and Public Works, attend the work session.

Johnson suggested that the work session should be held in early January.

Wenck stated that the proposal for services from the Hennepin County Sheriffs office, which was \$698,000, is comparable to the services offered by WHPS including one officer covering the City, supervision, a detective and drug task-force. He added that because WHPS is a joint-powers agreement, the City needs to give 367 days notice if it intends to terminate the agreement.

Motion by Wenck to give notice that the City intends to terminate the West Hennepin Public Safety Joint Powers Agreement if budget resolution cannot be accomplished.

Motion failed due to lack of a second.

9. FIRST OF THE 2009 YEAR APPOINTMENTS AND DIRECTION FROM COUNCIL TO ADVERTISE FOR PLANNING AND PARKS POSITIONS.

Johnson stated that he would like to make appointments after the first of the year. He added that staff should put notices in the paper for planning and parks positions. He asked when the Commissioners' terms officially end.

Hirsch responded that staff would advertise for the three empty Parks Commission positions and one open Planning Commission position.

Motion by Wenck, second by Gyllenblad, to direct staff to advertise for open Parks Commission and Planning Commission positions. All present voted aye. MOTION DECLARED CARRIED.

10. UPDATE REGARDING THE LINDGREN LANE/TRI-CITY AGREEMENT.

Wenck stated that he and Hirsch have set up a meeting with the City of Medina staff. He stated that the Medina Council would require Independence to connect properties on the east side of Independence Road, north of County Road 11. He added that the Greenfield Council would like to have 10 additional connections, which is why Greenfield did not sign the agreement the first time. Wenck stated that Hirsch suggested that Independence host a workshop with the Greenfield and Medina Councils to discuss the issue.

Johnson suggested that Wenck, Engineer Miller and Public Works Director Koch address the Medina Council directly.

Wallace asked how many units were on the east side of Independence Road.

Hirsch responded that there are 16 units on the east side of Independence Road.

11. OPEN/MISC.

Nothing was added to the agenda.

12. ADJOURN.

Motion by Betts, second by Wenck, to adjourn the City Council meeting at 8:15 p.m. All present voted aye. MOTION DECLARED CARRIED.

Respectfully submitted by Christina Scipioni,
Recording Secretary