

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, MARCH 27, 2007, 7:30 PM.

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, Gyllenblad.

ABSENT: Council Member Strong.

STAFF: Clerk-Administrator Hirsch, City Planners Goodrum and Lorsung, Attorney Vose.

VISITORS: Ed Pluth, LuAnn Brenno, Doug Doty, Rachel Myskevitz, Dan Jordal, Jim Smith, Rebekah Geiger, Tom Hinton, Julie Gunderson, Elizabeth Rick, Debi Fredrick, Patricia McElderry, Mario Crespo, Jim and Lynda Franklin, Jim Coleman, Harry Pool.

4. CONSENT AGENDA. APPROVE:

- February 27, 2007 Council minutes.
- March 2007 Accounts Payable.
- Resolution No. 07-0327-02 Supporting HF 1534/SF 1046, LGA.

Mayor Johnson asked that Resolution No. 07-0327-02 be removed. There was a short discussion about the tax anticipation bond pay-off. Gyllenblad wondered if there should be a council meeting before making such a payment.

Motion by Fisher, second by Betts to approve the consent agenda (without the resolution.) All present voted aye. MOTION CARRIED.

Mayor Johnson stated that he feels uncomfortable with this resolution, as the North Metro Mayors Organization wrote it, and it seems to be intended more for some of the northern suburbs, so Independence would not benefit.

5. SET AGENDA.

There were no additional items.

6. REPORTS OF BOARDS AND COMMITTEES.

Gyllenblad: Sensible Land Use, Lake Sarah TMDL meeting, received about 45 phone calls regarding property valuations, and 33 phone calls regarding the polo club proposal, both for and against.

Betts: Sensible Land Use, Chamber of Commerce meeting.

Fisher: Sensible Land Use.

Mayor: Livable Communities work group, Lake Sarah TMDL meeting, Myron Orfield presentation on diversity in the metro area public schools, Hennepin Co. HRA steering committee, Washington D.C. March 7-14 for National League of Cities and Community Action Agency, LMC Board meeting, and hosted a dozen Russian dignitaries with the LMC staff. Attended a land value update meeting at the Arboretum in Chanhassen, CAPSH Executive and Finance Committee

meetings, Police Commission, CAPSH annual meeting, Mayor Chris Coleman's State of the City event in St. Paul, Wright Hennepin Electric event.

Clerk Hirsch:

7. MINNESOTA POLO CLUB, LLC. CONDITIONAL USE PERMIT LANGUAGE.

The applicant has requested a 30-day extension, so this will be on next month's agenda.

8. RACHEL MYSKEVITZ, 4885 PERKINSVILLE ROAD, (PID #24-118-24-42-0004.) REQUEST TO AMEND AN EXISTING CONDITIONAL USE PERMIT FOR A TRUCKING AND GENERAL SERVICE BUSINESS.

Rachel Myskevitz was present to answer questions. City Planner Rose Lorsung and Tom Goodrum reviewed the request for council members, and stated that the Planning Commission had recommended approval of the request with listed conditions.

There was some discussion about over weight and over size trucks. City Planner Tom Goodrum stated the trucks used by the applicant comply with the weight restrictions. A neighbor asked if a fire inspection has been done on the property. It was listed as a condition with the original applicant. She was assured the inspection would be done if the application is approved this evening. The neighbor wanted part-time hours defined, and she wondered what happens if the conditions set are not met. Goodrum stated that whenever there is a complaint it is investigated.

Attorney Vose stated that the City is allowed to inspect a CUP annually; but in reality, most CUP inspections are generated by complaints. Planner Goodrum stated that the part time hours apply to this site, as almost all work is done off-site. He stated that by limiting the arrival and departure times for the equipment we have created part time hours.

Rose recommended that we extend this request for 60 days to allow the city and applicant to get all the paperwork in order.

Motion by Betts, second by Fisher to direct Staff to prepare a resolution approving the request with Planning Commission recommendations. All present voted aye. MOTION CARRIED.

9. KURT SCHWARZ, 1940 COUNTY ROAD 90, (PID #23-118-24-32-0013.) APPROVE CONSTRUCTION DESIGN FOR STORAGE CONDO.

Kurt Schwarz was present to answer questions. City Building Inspector Bruce Satek spoke to council members about the storage building that has been designed for one of the lots in the Valhalla Addition (north of City Hall.) Satek stated the exterior materials meet city code, and Mr. Schwarz has a 3-hour fire wall, which also meets code. Mr. Schwarz had provided a drawing of the proposed building for council members. This will be a single building housing individually-owned storage units. Mayor Johnson asked what is required of Council. Clerk Hirsch stated that by ordinance the Council's approval is necessary for building design and materials

Motion by Mayor Johnson, second by Fisher to recommend approval of this project, with Staff to prepare a final resolution stating the same. All present voted aye. MOTION CARRIED.

10. JEFF MILLER, HOISINGTON KOEGLER GROUP. RECOOMMENDATION AND PRESENTATION OF PARKS, TRAILS AND NATURAL AREAS PLAN.

Jeff Miller stated that this has been a challenging and interesting project. The process started in February 2006. He noted that a natural resource inventory had been completed before that time, and some open space meetings had been held. A plan was prepared for the open house, and the comments received at the open house were taken into consideration and included in the presentation for this evening.

The task force's charge was to coordinate planning within the city between the planning commission, parks commission, and the former open space committee. There seemed to be a lack of consensus from this group, so Hoisington Koegler is recommending that you take this and use it for a guide as you proceed to update the rest of your comp plan. The land use question is a big one. The parks, trails and open spaces should be confined to the rural residential portion of the city at this time. There seems to be a lack of support for neighborhood parks, since there is a lot of space in the two regional parks that are so close. There are some areas identified for natural space parks.

There were concerns about trails and greenways infringing on private properties. Hoisington Koegler staff divided the city into two parts: Rural residential area in the eastern portion shows parks and trails and the Agricultural area in the western portion shows natural areas. There are a lot of tools in the implementation chapter that could be used in the zoning and subdivision ordinance. There was much more community input than was expected.

Hoisington Koegler recommends that a scientific survey be taken of the community if that is possible. There seems to be a lack of vision of what the city wants to be in 25 years. Is farming a viable use of the land, and if not, should it be open to development? The city may want to educate the community as a whole on this issue, as a lot of people don't seem to have a good understanding of all the information that is available.

Mayor Johnson agreed that it is probably a good idea to wait and incorporate some of these ideas in our comp plan when we are working on the land use and zoning portion of the Plan.

Motion by Mayor Johnson, second by Betts to accept the report from Hoisington Koegler. All present voted aye. MOTION CARRIED.

#### 11. ROSE LORSUNG AND TOM GOODRUM, SCHOELL MADSEN PROPOSAL FOR 2030 COMPREHENSIVE PLAN UPDATE.

Clerk Hirsch spoke to Council Members, recommending that Schoell Madsen be the city's consultant for the land use/zoning portion of the comp plan update. She felt that the firm is fairly familiar with the city already, since it is serving as our planning consultant. Schoell Madsen will be updating Maple Plain's comp plan, and if they work for both cities in this capacity our plans will probably fit together better.

Tom Goodrum and Rose Lorsung from Schoell-Madsen were present to review the proposal. Council Member Betts asked if there was any way to compare the cost of this proposal with any others. Tom Goodrum stated that each city has different needs, so it would be difficult to compare this proposal to others. He added that he is very aware of the city's needs. Betts asked if less work is required than he has anticipated would it cost the city less than his proposal. Goodrum stated he would only charge for the time that is spent on this project.

Council Member Fisher stated his desire to get some other proposals for comparison. While making it clear that he has no doubt Schoell Madson would do a fine job for us, he feels that this is a major project at considerable cost, and we owe it to ourselves and the city to look at it very carefully. Gyllenblad agreed it would be helpful to have other proposals. Betts agreed that she would like to get other proposals.

Mayor Johnson asked if we could seal our present proposal. Vose advised that it is a public document. Mayor Johnson asked council members to turn in their copies of the proposal from Schoell Madson, and they would be reviewed along with other proposals and Schoell Madson could change theirs if they desire.

Motion by Betts, second by Fisher to have Staff get RFP's for the comp plan update. All present voted aye. MOTION CARRIED.

12. PUBLIC SAFETY DIRECTOR RAY MCCOY, FERUARY 2007 ACTIVITY REPORT.

Chief McCoy reviewed the February report with council members. He noted the incidents were down, probably because of the cold weather. Delano Schools now have a full-time resource officer, and that officer will take over the DARE program that West Hennepin Public Safety has established at that school district.

13. DISCUSSION OF NAME CHANGE FOR THE POLICE COMMISSION.

This will be discussed at the next Council meeting, so Council Members can review materials furnished by Council Member Gyllenblad at the meeting.

14. DISCUSSION RE. PARTICIPATION IN 2010 CENSUS LUCA PROGRAM.

Mayor Johnson stated that participation in this program will not help the city in any way, since we are far from a population of 5000. It would just make extra work.

Motion by Mayor Johnson, second by Betts to not participate in this program. All present voted aye. MOTION CARRIED.

15. DELANO JULY FOURTH PARADE PARTICIPATION.

Mayor Johnson asked that any council members interested in participating in the parade let Clerk Hirsch know.

16. OPEN/MISCELLANEOUS.

There were no additional items.

17. ADJOURN.

Motion by Betts, second by Fisher to adjourn. All present voted aye. MOTION CARRIED. Meeting adjourned at 9:25 p.m.

Respectfully submitted,

Mollie Little, Recording Secretary