

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, OCTOBER 23, 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.

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, Attorney Vose.

VISITORS: Hennepin County Assessors Tom May and Phil Jensen, Police Chief Ray McCoy, LuAnn Brenno, Kathie and Ed Pluth, Harry Pool, Tom Stevens

4. CONSENT AGENDA. APPROVE:

- September 25, 2007 Council Minutes.
- October 2007 Accounts Payable.
- Agricultural Preserve Applications for: John and Kathryn Klinkner, Lance Wallin and Fred Harvey.
- Resolution #07-1023-01 Certifying Delinquent Sewer and Dust Control charges as special assessments.
- Final payment for Lift Station #5, Wastewater Meter Construction, Sundblad Construction.
- First and final payments to Astech Corporation for the 2007 Bituminous Overlay and Leveling Project for Sunset Lane and Lake Sarah Heights Drive.
- Final Payment to Buffalo Bituminous (Knife River Corp.) for Drake Drive Improvement Project 2005.

Remove Ag Preserve, Final payment for Lift Station #5, and Final Payment for Bituminous Overlay for further discussion.

Correction to minutes, #9: Add: Motion by Mayor Johnson, second by Fisher to bring back to Council. Voting aye: Mayor Johnson, Council Members Fisher, Betts, Wenck. Voting nay: Council Member Gyllenblad. Motion carried.

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

AG PRESERVE APPLICATIONS: Wenck asked how long Ag Preserve lasts. He stated that he was told people with Ag Preserve pay less in taxes, so the other taxpayers are paying more than their share. The subject came up in a comp plan hearing, and people wondered if we want to continue this practice, and how we can stop it if we don't want it to continue. Attorney Vose stated that the City designates which lands are available. If the comp plan and zoning code are amended to exclude Ag Preserve then the lands would not be eligible any more.

Motion by Betts, second by Fisher to approve the Ag Preserve applications. All present voted aye. MOTION CARRIED.

FINAL PAYMENT LIFT STATION #5: There was no discussion. Motion by Wenck, second by Fisher to approve payment. All present voted aye. MOTION CARRIED.

ASTECH CORP. BITUMINOUS OVERLAY PAYMENTS: Motion by Betts, second by Wenck to approve the change order. All present voted aye. MOTION CARRIED.

Motion by Wenck, second by Fisher to approve the first and final payments. All present voted aye. MOTION CARRIED.

BUFFALO BITUMINOUS (aka KNIFE RIVER CORP.) CHANGE ORDER AND PAYMENT.

Motion by Betts, second by Wenck to approve the change order. All present voted aye. MOTION CARRIED.

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

5. SET AGENDA - ANYONE NOT ON THE AGENDA MAY BE PLACED UNDER OPEN/MISCELLANEOUS.

There were no additional items.

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

Gyllenblad: Task Force meeting for Comp Plan.

Betts: One phone call from resident pleased with Pagenkopf Road improvement, Chamber of Commerce, Maple Plain Fire Dept. meeting, Sensible Land Use.

Fisher: Sensible Land Use.

Mayor Johnson: Sensible Land Use, Senior Community Services Board meeting, Energy, Environment and Natural Resources Steering Committee for NLC at Spokane, Washington, Greater Lakes Food Bank Board meeting, conference call for Hennepin Co. Active Living Committee, met with Schoell Madson re. Met Council presentation for sewer on Lindgren Lane, LMC regional meeting at Breezy Point, breakfast meeting Orono Schools, Hennepin Co. Board Committee meeting Active Living, LMC Regional meeting at Cannon Falls, Maple Plain Fire Dept. Open House and steak dinner, WECAN Board meeting, Orono School Board meeting, Northwest League, Chamber of Commerce, Orono Healthy Communities meeting, CAPSH Finance Committee, Metropolitan Council presentation, Maple Plain Fire Dept. meeting, County Board Active Living Committee, met with Phil Jensen and Tom May re. presentation this evening, LMC building committee and Board meetings, Land Use Advisory Committee for Met Council, Comp Plan land use meeting, Highway 55 Corridor meeting, Character Counts workshop at Orono School, Bus Driver of the Year Recognition at Orono for Dick Olson., Lake Sarah TMDL Task Force.

7. SEPTEMBER 2007 ACTIVITY REPORT - RAY MCCOY.

Chief McCoy reviewed the monthly activity for the council members. They thanked him for the report.

8. PHIL JENSEN AND TOM MAY, HENNEPIN COUNTY ASSESSORS.

A resident had asked at the last meeting about tax rates in Independence, so Mayor Johnson invited Phil Jensen and Tom May to come out and explain the property tax system in our state, and to answer any questions people might have.

Mr. Jensen stated that he reviews properties in the city and determines the values for those properties. He went on to say that there are many different categories and formulas for different types of properties. The State legislature dictates the rates at which various properties are to be taxed.

Many different things were discussed, such as tax capacity, homestead, different types of residential and commercial properties, solid waste fee, assessments from school districts, etc.

Tom May talked about tax base and tax rates, market values, estimated and limited values, taxable values, "This Old House" values, Green Acres, Ag Preserve, open space deferment, commercial values, tax increment, etc. He stated that the final tax rate is determined by the budget. Local government aid is deducted from the tax capacity. He explained that separate calculations are made for watershed districts and school districts.

All agreed it is a very complicated system. Clerk Hirsch expanded on the watershed districts and how they are designated. Greenfield's and Medina's tax rates are lower than Independence's, and that was what sparked the original questions and discussion. Medina has a larger commercial base which would affect the rate overall in the city. Mayor Johnson thanked the Hennepin County assessors for coming and explaining the tax system for Council Members.

9. MARVIN JOHNSON, APPROVAL TO ATTEND THE NATIONAL LEAGUE OF CITIES CONFERENCE IN NEW ORLEANS.

Motion by Fisher, second by Betts to approve expenses for Mayor Johnson to attend the National League of Cities Conference in New Orleans. Voting aye: Fisher, Betts, Wenck. Nay: Gyllenblad. Abstain: Mayor Johnson. MOTION CARRIED.

10. REQUEST FOR ROAD IMPROVEMENTS ON LAKE HAUGHEY.

Mayor Johnson stated that the majority of property owners on Lake Haughey Road responded that they did not want to proceed with improvements. Attorney Vose stated that Council is not legally required to take action on this, but he realizes Council has made a practice of it in the past so residents know what to expect.

Motion by Betts, second by Wenck not to proceed with this project. All present voted aye. MOTION CARRIED.

11. REQUEST FOR ROAD IMPROVEMENTS ON FOGELMAN ROAD.

Clerk Hirsch reported that seven property owners were against this project and six property owners were in favor of it. Council Member Wenck commented that he would prefer not to proceed with the project. Mayor Johnson agreed.

Motion by Wenck, second by Gyllenblad not to proceed with this project. All present voted aye. MOTION CARRIED.

12. DISCUSSION - RECYCLING MISSED PICK-UPS.

Clerk Hirsch reported that we had an unusually high number of missed pickups last week, and residents reported that they had a very hard time getting through to Waste Management to report the missed pickups. Council Member Gyllenblad stated that his road had been missed three times in a row. Waste Management will be auditing the city for the next pick up cycle - they will see if residents are getting their recycling out by 7 am, and they will be checking to be sure that the trucks make all the stops they are supposed to make.

Council Member Wenck asked that Staff send a letter to Waste Management letting them know how unsatisfactory the service has become recently.

13. SET CANVASSING BOARD MEETING TO DECLARE RESULTS OF THE MUNICIPAL ELECTION TUESDAY, NOVEMBER 6.

Motion by Wenck, second by Fisher to hold the election canvassing meeting at 7:30 a.m. on Wednesday, November 7. All present voted aye. Motion carried.

14. CANCEL TUESDAY, NOVEMBER 13 CITY COUNCIL MEETING DUE TO LACK OF AGENDA.

Motion by Wenck, second by Fisher to cancel the November 13 meeting. All present voted aye. MOTION CARRIED.

15. OPEN/MISCELLANEOUS.

LuAnn Brenno would like the tax sheet that the consultant has used in the comp plan meetings to be removed and corrected to avoid any further confusion.

16. ADJOURN.

Motion by Betts, second by Fisher to adjourn. All present voted aye. MOTION CARRIED. Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Mollie Little, Recording Secretary