

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, SEPTEMBER 11, 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: Pam Fleischacker with Waste Management, Jim Smith, Jim and Lynda Franklin, Sally Koenecke, Donna Smith, Ben Withhart with Senior Community Services, Kathi and Ed Pluth, LuAnn Brenno, Leverne Vassar.

4. CONSENT AGENDA. APPROVE:

- August 28, 2007 Council Minutes.
- September 2007 Accounts Payable.
- Election Judges for the Municipal Election.
- Notice to property owners of possible road improvements to Lake Haughey and Fogelman Road.

(The notice to property owners for road improvements was removed in order to make some changes.)

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

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

There were no additional items.

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

Gyllenblad: Police Commission, Heritage Fest.

Wenck: Police Commission.

Betts: Sensible Land Use, Fire Commission, Parks Commission.

Fisher: Sensible Land Use, Police Commission, Heritage Fest.

Mayor: Terrace Apartments Board meeting, LMC representative for environmental issues at the State Fair booth, Long Lake Hounds blessing of the hounds for the first run near Alpine Farm in Medina, attended American Experiment seminar, (paying for the costs of infrastructure) Police Commission, Maple Plain Fire Department meeting, read to the pre-school kids at the Retro Restaurant, Heritage Fest, Board training for CAPSH. Executive Committee for LMC, Executive Committee Big Three meetings with School Board Association, Counties Association, and LMC. WECAN Board meeting, Orono School Board meeting.

Mayor Johnson was pleased to announce that the Polo Classic raised \$90,000 for the Children's Home Society. He also commended the LePage kids for donating 10% of their profits from the lemonade and cookie stand at Heritage Fest to the city parks fund. Recognition program for former Richfield mayor.

Clerk Hirsch: Maple Plain Fire Department meeting, Heritage Fest, met with MNDoT and Maple Plain Administrator to discuss the railroad bridge timing and design, scheduled to start in 2008 and finish in 2009. Met with Roger Larson and Dan Koch to review the tri-city agreement. Will meet next Thursday at 9 a.m. at Schoell Madson with Met Council representatives, our Public Works Director, building inspector and Loucks Associates to discuss our comp plan. Met with Kurt Schwarz and Brad Hayes re. the grading plan and storm water pond on the industrial lots north of City Hall.

Filings for council and mayor offices closed at 5:00 p.m. today. Two filed for mayor: Marvin Johnson and Leverne Vassar; three filed for the two council positions: Brad Fisher, Norm Wenck and Lindsay Wallace.

7. PAM FLEISCHACKER, WASTE MANAGEMENT - DISCUSS AND APPROVE 3-YEAR CONTRACT.

Pam stated that she has met several times with the Recycle Commission and the contract is a result of those meetings. The Recycle Commission is recommending approval of the contract. The residential rate is \$2.59 per unit with a cost of living adjustment possibility after three years. Waste Management will furnish 75 new recycle containers per year. Waste Management will continue to furnish needed information to the recycling coordinator and will continue to participate in educating the public.

Mayor Johnson asked if we continue to receive grant money for recycling. Clerk Hirsch answered that we do and it is included in our city budget.

Medina is asking for proposals for recycling, trash, and organic collection. Council Member Wenck asked if we should wait to see what their proposal is. Mayor Johnson felt that the recycle commission has worked very well for us. We do not get involved with trash or organic collection. The Commission did go out for RFP's and Waste Management was the lowest proposal.

Attorney Vose suggested a couple of small changes in the wording of the contract. Pam Fleischacker agreed to make the changes.

Motion by Fisher, second by Betts to approve the recycle contract. All present voted aye. MOTION CARRIED.

8. SALLY KOENECKE, APPROVAL OF THE LMCC 2008 BUDGET.

Sally Koenecke and Jim Smith presented the 2008 budget. Smith stated that the budget is within the constraints of the franchise fees. Sally clarified some new wording in the joint powers agreement. They were minor changes: August 15 was changed to August 31 for the annual meeting. Some cities didn't respond to the budget request in the allotted time, so they changed that to "the majority of the members within 45 days."

Motion by Betts, second by Mayor Johnson to approve the wording changes in the joint powers agreement. All present voted aye. MOTION CARRIED. Attorney Vose advised that we get the approved wording changes in writing, and the amendment should be signed by the administrator and the mayor.

Sally Koenecke briefly reviewed the budget request for council members. LMCC is upgrading their studio to digital this year as VHS is very old and soon to be gone. There were no questions. Mayor Johnson thanked the Cable Commission for the work that they do.

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

9. DONNA SMITH, THE GILLESPIE CENTER FUNDING REQUEST.

Ms. Smith, who serves on the Gillespie Center Advisory Council, stated that the mission of the Advisory Council is to achieve support from surrounding cities. Independence is being asked for \$3 per capita. The

Gillespie Center is privately owned. We would like to increase our membership as we think we have a lot of services to offer our seniors, stated Ms. Smith.

Betts felt that the amount of money being requested is quite excessive, considering that there appear to be very few Independence residents who use the facility.

Ben Withhart, Executive Director of Senior Community Services, asked that the City go over the funding agreement and make any changes they would like to make. He stated that the plan is to get help for ten years only, and that they are asking for a funding concept approval this evening. Mayor Johnson stated that the main thrust of our support has been with the Delano Senior Center because that seems to be where most of our residents go. He thought the cost per capita should pertain just to the Mound portion of our residents because most of our residents are in the Rockford, Delano, and Orono school districts. His other concern is that we have been advised that we should not give to a private entity. (Senior Community Services is fine, but not the private foundation.)

Attorney Vose stated that the City does not have the statutory authority to donate public money to any private organization, but it could contract with a private organization to provide senior services. Mr. Withhart wanted to clarify that they have fairly good information about membership, but they do not have good information about people who use various services at the Gillespie Center without memberships. He stated that they appreciate Independence's interest in senior services, whether that be with Delano or Mound. They view this not only as a senior center but a true community center. Mr. Withhart expressed his appreciation of the support that Independence has given the Delano Senior Center. He thanked the Council for the opportunity to be here this evening.

10. APPOINTMENT OF THE COMPREHENSIVE PLAN TASK FORCE.

Council members had been given the list of people who had volunteered for the task force. Mayor Johnson thought it might be wise to limit the members to one per family, and also not to include members from the Parks and Planning Commissions or Council, as they will all have a chance to contribute their input. Council Member Fisher wondered who would be chairing the meetings. Clerk Hirsch stated that it would probably run more smoothly if the meetings were chaired by Dave Hagen from Loucks Associates. The task force would meet to discuss issues that are brought forward at public meetings, and hopefully come up with a consensus of opinion from that public input. There would be public hearings to approve the recommendations that the task force wants to make. Those findings would be brought forward to the Parks Commission, Planning Commission and City Council.

Council Member Wenck thought we could include all the volunteers on the task force. Betts agreed. She also noted that everyone can't come to every meeting, so the group would probably not be too large. If council or commission members attended meetings they would just be observing.

Motion by Wenck, second by Betts to appoint all the people who volunteered for the task force. There was some discussion and concern about an aunt and a nephew from the same family, but different households, serving on the task force. No conclusion was reached whether it should be allowed. All present voted aye. MOTION CARRIED. (Clerk Hirsch will see that everyone is notified.)

11. APPROVAL OF THE PRELIMINARY BUDGET AND LEVY FOR BUDGET YEAR 2008, RESOLUTION NO. 07-0911-01.

The initial budget for the Maple Plain Fire Department had included a percentage of the total budget for another city that is not under the same contract as we are. They are trying to work to get that taken care of. Loretto is trying to do that as well. Fiscal disparities were not included either, but those changes have been made.

Clerk Hirsch prepared two resolutions for the budget levy to reflect inclusion of \$15,000 in one resolution but not in the other.

Motion by Wenck, second by Betts to approve Resolution No. 07-0911-01. Wenck stated that he believes we can still reduce the budget by another \$100,000. Voting Aye: Mayor Johnson, Council Members Fisher, Betts, Wenck. Voting Nay: Gyllenblad. MOTION CARRIED.

12. SET TRUTH IN TAXATION DATE.

Motion by Fisher, second by Wenck to set the Truth in Taxation meeting dates for Monday, December 3 at 6:00 p.m. and, if necessary, to reconvene on Monday, December 10 at 6 p.m. All present voted aye. MOTION CARRIED.

13. OPEN/MISCELLANEOUS.

Public Safety Director McCoy reported that this evening there was a complaint in Wayzata, and proceeding into Orono, regarding a car that was being driven erratically and dangerously. When our officer was able to stop him in Delano, she discovered that the driver was having a medical problem and she called to have him transported to the hospital immediately. McCoy stated that the situation could have concluded much differently if our officer had not done such a good job of responding to the call.

14. ADJOURN.

Motion by Betts, second by Wenck to adjourn. All present voted aye. MOTION CARRIED. Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Mollie Little, Recording Secretary