

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF APRIL 21, 2015

CALL TO ORDER

The second regular meeting of the Coon Rapids City Council for the month of April was called to order by Mayor Jerry Koch at 7:00 p.m. on Tuesday, April 21, 2015, in the Council Chambers.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Koch led the Council in the Pledge of Allegiance.

ROLL CALL

Members Present: Mayor Jerry Koch, Councilmembers Denise Klint, Ron Manning, Wade Demmer, Jennifer Geisler, Brad Johnson and Steve Wells

Members Absent: None

ADOPT AGENDA

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

PROCLAMATIONS/PRESENTATIONS

None.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

1. APRIL 7, 2015, COUNCIL MEETING

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER WELLS, FOR APPROVAL OF THE MINUTES OF THE APRIL 7, 2015, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

2. ADOPT RESOLUTION 15-65 AMENDING THE 2015 BUDGET TO ALLOW FOR COPY MACHINE PURCHASE FOR POLICE DEPARTMENT

3. ADOPT RESOLUTION 15-68 APPROVING ASSESSMENT ABATEMENT FOR 1847
121ST LANE #706
 4. APPROVE FINAL PAYMENT FOR PROJECT 14-11, 2014 SANITARY SEWER LINING
 5. APPROVE RELOCATION BENEFITS FOR TENANTS, 9864-9950 EAST RIVER ROAD
 6. ADOPT RESOLUTION 15-64 AUTHORIZING DONATION OF PARK EQUIPMENT
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MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER MANNING,
FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED. THE MOTION PASSED
UNANIMOUSLY.

PUBLIC HEARING

7. CENTURYLINK CABLE TELEVISION FRANCHISE APPLICATION

The Staff report was shared with Council.

Mike Bradley, Cable Attorney, explained that the requested cable franchise was the first of its kind since the 1980's. He provided the Council with a brief history on the cable franchising in the City of Coon Rapids noting Comcast has held a non-exclusive franchise since the early 1980's. This franchise was set to expire in December of 2019. He discussed CenturyLink's proposed franchise in detail with the Council noting the company was proposing a five-year build out. Mr. Bradley recommended the Council take public comment regarding this franchise.

Mayor Koch opened the public hearing at 7:17 p.m.

Tyler Middleton, CenturyLink Vice President of Operations in Minnesota, introduced himself to the Council. He explained how Comcast has had a monopoly in Coon Rapids for the past three decades. He discussed how CenturyLink was looking forward to bringing competition and choice to the residents of the City. He then reviewed the TV, internet and video services that would be offered by CenturyLink. He commented on the investment that CenturyLink would be making to bring PRISM to this market.

Patrick Haggerty, CenturyLink, thanked staff and the Council for their time. He discussed how Minnesota State Statute and the FCC have impacted cable franchising. He reviewed FCC requirements and noted these preempt state law. He thanked the Council for considering CenturyLink's franchise.

Councilmember Manning asked if Coon Rapids was the first community that CenturyLink would be entering. Mr. Haggerty explained that CenturyLink was looking to enter the entire metro area with its services.

Councilmember Johnson questioned if there were any efforts to address the preemption at a local or federal level. Mr. Haggerty believed the FCC order addressed this concern. He provided further

comment on Minnesota State Statute with regard to who holds the power of local franchises. It was his opinion that local municipalities hold this power.

Councilmember Johnson inquired if CenturyLink had the ability to build out a franchise in Coon Rapids in the next five years. Mr. Middleton stated that part of this issue was that CenturyLink was looking to build out Coon Rapids, along with the entire metro area. He discussed how CenturyLink would benefit the cable market through better customer service and cable products. He indicated that CenturyLink would continue to invest in the build out after successfully gaining customers in this marketplace.

Councilmember Klint explained that she had the pleasure of using PRISM and was excited for CenturyLink to bring their cable services to Coon Rapids. She asked how CenturyLink would determine where to begin its build out. Mr. Middleton stated he was working with a limited budget. He reported that CenturyLink has been reviewing the market and understands where DSL and internet speeds are lowest. It was his hope to enter the cable market in these areas for optimal success.

Councilmember Demmer questioned if other states required the five-year build out. Mr. Middleton explained that this was a unique requirement for the State of Minnesota.

Councilmember Wells commented that CenturyLink was going to begin offering services in the metro area where it was most cost effective. He stated there would be no guarantee that the PRISM services would make it to Coon Rapids residents in the first year or two. Mr. Middleton indicated that red lining was illegal. He reported that he has shared highly confidential maps with City staff on CenturyLink's intentions. He explained it was always a challenge from a business perspective to select a starting point.

Mayor Koch questioned how long a full build out would take. Mr. Middleton indicated this would be driven by the company's success.

Councilmember Klint was excited that there would be more competition in the cable marketplace. She believed this would benefit all residents of Coon Rapids.

Councilmember Manning agreed.

Mayor Koch asked what the Council's next step was. City Attorney Brodie advised that staff would be reviewing the CenturyLink application and staff would have a recommendation for the Council at a future meeting.

Councilmember Klint asked how long the public had to make comments regarding the cable franchise. Mr. Bradley reported the public hearing would remain open for comments until Friday, April 24th. Comments could be submitted by residents to the City Clerk or Eric Strouse at the CTN Manager.

8. ANNUAL PUBLIC HEARING ON CITY'S STORM WATER POLLUTION
PREVENTION PROGRAM (SWPPP)

The Staff report was shared with Council.

Mayor Koch opened and closed the public hearing at 7:49 p.m. since no one appeared to address the Council.

BID OPENINGS AND CONTRACT AWARDS

9. ADOPT RESOLUTION NO. 14-10(9) AWARDING A CONTRACT FOR SITE
IMPROVEMENTS AT SAND CREEK PARK – PROJECT 14-10

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 14-10(9) AWARDING A CONTRACT TO PETERSON COMPANIES IN THE AMOUNT OF \$4,153,814.65 FOR SITE IMPROVEMENTS RELATED TO THE REDEVELOPMENT OF SAND CREEK PARK.

Mayor Koch was pleased that the bid came in below the engineer's estimate.

Councilmember Klint asked if there would be any park closures during the construction period. Public Works Director Himmer noted that park closure signs have been posted and the park would remain closed until construction was completed. Access would remain open for little league games but would be restricted to enter from the east end of the park.

Councilmember Manning explained that the 4th of July Celebration would be held near the ice arena this year. Public Works Director Himmer reported that this information was posted in the recent City newsletter and would be placed on the City's website.

THE MOTION PASSED UNANIMOUSLY.

10. CONSIDER MISCELLANEOUS DIRECT PURCHASES OF SITE AMENITIES FOR
SAND CREEK PARK – CITY PROJECT 14-10

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER JOHNSON, TO RECOMMEND AUTHORIZATION TO PURCHASE THE VARIOUS ITEMS

IDENTIFIED ABOVE FOR INTEGRATION INTO THE SAND CREEK PARK REDEVELOPMENT PROJECT. THE MOTION PASSED UNANIMOUSLY.

11. APPROVE CONSTRUCTION ADMINISTRATION AGREEMENT WITH WSB & ASSOCIATES FOR PROJECT 14-10, SAND CREEK PARK

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER JOHNSON, TO AUTHORIZE STAFF TO EXECUTE THE CONSTRUCTION ADMINISTRATION CONTRACT WITH WSB & ASSOCIATES IN THE AMOUNT OF \$253,323.50. THE MOTION PASSED UNANIMOUSLY.

OLD BUSINESS

12. CONSIDER TABLING NEW MANAGER LIQUOR SALES DENIAL APPEAL

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER GEISLER, TO TABLE THIS MATTER TO JUNE 2, 2015, AFTER MR. ANDERSON'S JUNE 2, 2015 PROBATION VIOLATION HEARING. THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

13. CONSIDER RESOLUTION 15-69 IN SUPPORT OF THE COON CREEK REGIONAL TRAIL

The Staff report was shared with Council.

Karen Plaska, Anoka County Parks and Recreation Department, discussed the Master Plan for the Coon Creek Regional Trail. She reported that master plans assisted the County in receiving grants for trail segments. She explained that the Coon Creek Regional Trail was currently seven miles in length and was used to connect regional park facilities. She estimated that the proposed trail segment would cost \$1.1 million. Grants would assist with the expense. She requested that the Council adopt a resolution of support, as this would allow the project to move forward for consideration by the Met Council.

Councilmember Manning asked who would be funding this project. Ms. Plaska reported that the County would be funding this entire project.

Councilmember Johnson supported the City and County finding additional ways to link the City through trails.

Councilmember Klint questioned who would be responsible for the maintenance of the proposed trail. Ms. Plaska indicated the County would be assuming all maintenance for this trail.

Councilmember Geisler inquired if the County was completing master plans on other trails in the County. Ms. Plaska reported she was currently working on three master plans for regional trails in Anoka County.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER DEMMER, TO ADOPT RESOLUTION NO. 15-69, SUPPORTING THE COON CREEK TRAIL MASTER PLAN. THE MOTION PASSED UNANIMOUSLY.

14. CONSIDER APPROVAL FO ANOKA RAMSEY ATHLETIC FIELDS JOINT POWERS AGREEMENT

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER MANNING, TO APPROVE SIGNATURES TO FINALIZE THE JOINT POWERS AGREEMENT WITH ANOKA RAMSEY COMMUNITY COLLEGE FOR ATHLETIC FIELD MAINTENANCE AND USE. THE MOTION PASSED UNANIMOUSLY.

OPEN MIC/PUBLIC COMMENT

Mayor Koch reviewed the rules of order for the Open Mic/Public Comment portion of the meeting.

Laura Schue, 471 105th Avenue, explained she has lived in Coon Rapids since 1978. She discussed her concerns with 105th Avenue and the increasing number of rental homes on her block. She reported the rental homes were not well kept which was bringing down property values. She indicated she had requested that the Public Works Department replace the streetlights on her street to assist with reducing crime. She noted several homes in her neighborhood were burglarized last summer.

Ms. Schue provided comment on an event that took place in her neighborhood last Sunday where a gentleman approached one of her neighbors with a shotgun. She expressed frustration that only felony level crimes were being reported on the RADS website. She wanted to see misdemeanor and gross misdemeanor offenses placed on the RADS website. She encouraged the City to complete the crime mapping in a more timely manner for the sake of residents.

Greg Ostendorf, 440 105th Avenue NW, explained that the gentleman with the shotgun was sprawled out on his lawn last Sunday. He appreciated the efforts of the Coon Rapids Police Department in apprehending the gentleman with the shotgun. He encouraged the Police Department to address the increasing crime levels in his neighborhood and to have a larger presence within Coon Rapids neighborhoods. He feared for the safety of the families and children on his street.

Chris Caroon, 450 105th Avenue, discussed how the egress decisions have impacted his neighborhood. He expressed frustration that his neighborhood had only one point of ingress and egress, which was a major concern in emergency situations. He indicated that he was close to moving out of the City due to his growing frustration levels with City staff and the Police Department.

Councilmember Manning clarified that the Foley Boulevard project was being completed by the County and not by the City.

Jeff Hanson, 1855 99th, provided the Council with a recent dog report. He noted the dog mentioned in the report has bit someone in the past. He indicated he has called the police over 20 times to report the dog barking activity. He commented that he and his wife are afraid of these dogs that have made them feel like prisoners on their own home. He requested that the Council assist him in addressing this concern.

Mayor Koch explained that he brought this concern to the Police Chief and a community service officer did speak with Mr. Hanson. He noted that the City would continue to work with Mr. Hanson to resolve this issue.

Mr. Hanson commented that he had signatures from his 12 surrounding neighbors all expressing their concern with these dogs.

REPORTS ON PREVIOUS OPEN MIC

None.

OTHER BUSINESS

Councilmember Demmer congratulated City of Coon Rapids resident Cici Griffin for completing the Boston Marathon on Monday, April 20, 2015.

Mayor Koch stated on Thursday, April 23, 2015 at 7:00 p.m. the assessing department would be holding an informational meeting to discuss the valuation process.

Mayor Koch encouraged residents to attend the Green Expo on Saturday, April 25, 2015 from 9:00 a.m. to 2:00 p.m. sponsored by the City of Coon Rapids, the City of Blaine and the National Sports Center.

Councilmember Wells noted the American Little League Grand Opening Game would be held on May 2nd under the lights.

ADJOURN

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER JOHNSON,
TO ADJOURN THE MEETING AT 8:35 P.M. THE MOTION PASSED UNANIMOUSLY.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk