

MEDINA CITY COUNCIL MEETING MINUTES OF AUGUST 20, 2013

The City Council of Medina, Minnesota met in regular session on August 20, 2013 at 7:00 p.m. in the City Hall Chambers. Acting Mayor Anderson presided.

I. ROLL CALL

Members present: Anderson, Pederson, and Martinson.

Members absent: Martin and Weir.

Also present: City Administrator Scott Johnson, City Attorney Ron Batty, City Planner Dusty Finke, Chief of Police Ed Belland, and Recording Secretary Amanda Staple.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

The agenda was approved as presented.

IV. APPROVAL OF MINUTES

A. Approval of the August 7, 2013 Regular City Council Meeting Minutes

*Moved by Pederson, seconded by Martinson, to approve the August 7, 2013 regular City Council meeting minutes as presented. **Motion passed unanimously.***

V. CONSENT AGENDA

A. Adopt Resolution No. 2013-64 Approving a Preliminary Plat Enclave at Medina 5th Addition

B. Approve Preliminary Development Agreement by and between the City of Medina and U.S. Home Corporation – Enclave at Medina 5th Addition

C. Adopt Resolution No. 2013-65 Approving a Lot Line Rearrangement for Reimer/Three Rivers Park District

*Moved by Pederson, seconded by Martinson, to approve the consent agenda. **Motion passed unanimously.***

VI. COMMENTS

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Finke reported that the Park Commission would meet further this week to discuss additional amenity options for the Parks Master Plan.

C. Planning Commission

Finke reported that the Planning Commission did not meet this month and provided a brief update on upcoming development activity that could come before the Commission in September.

VII. NEW BUSINESS

A. Mediacom Broadband Build out Map Review

Anderson referenced a written update provided from Judy Mallet, Lake Minnetonka Cable Commission (LMCC) Representative, in regard to the build out that was provided to the Council at the dais tonight.

Johnson advised that the deadline for the build out map was not reached.

Judy Mallett introduced Bill Jensen and advised that he is present to discuss the timeline for the build out map.

Bill Jensen, Regional Vice President of Mediacom, thanked the Council for their time tonight and commented that Mallett did a great job on her update. He stated that Mediacom believes that there are 30 miles of unserved area within Medina. He believed that the mapping process would begin this Friday. He explained that the process involved in creating the map and the design, including measurements completed with a hand wheel. He apologized that Mediacom was unable to begin the work earlier but ensured the Council that the field work would begin later this week and would take approximately five days. Mediacom is looking into a fiber to the home/premise project in Medina. He advised that the remaining process for developing the build out map would be complete within two weeks. He confirmed that there are priority areas, such as City Hall and the new Public Works and Police Facility, which would be included in the first build out and noted that the intent would then be to reach the unserved homes. He stated that for residents there will be one person that will travel around the City, and will have a photo identification, that will be out measuring driveway distances beginning later in the week and advised that he would not require any assistance or communication with homeowners. He stated that Mediacom would like to not only complete the 7.67 miles before the November 1st deadline, but also additional miles if able depending on the construction season. He acknowledged that Mediacom is approximately two months behind the original schedule but ensured the Council that work will be soon commencing.

Pederson questioned if the intent would still be to service the businesses along Highway 55 as a priority.

Jensen confirmed that the City Hall, the new Public Works and Police Facility and the businesses along Highway 55 have been identified as priority areas with unserved homes to follow. He confirmed that there is already fiber along some areas of Highway 55 and advised that Mediacom will be working with Hennepin County to coordinate that corridor to avoid both agencies having to dig in that area. He explained that Mediacom will be financing the build out of 15 miles with the City cost sharing the remaining 15 miles, noting that the City will be completely built out by the end of the process.

Martinson asked for additional information on internet speeds.

Jensen provided additional information on internet speeds and service options. He noted that the agreement is for cable service but confirmed that Mediacom could offer telephone and internet services through this installation.

Martinson referenced a comment in Judy Mallett's memo that a green light from corporate would be needed and stated that the Council believed that corporate had already agreed with this.

Jensen confirmed that there is approval from corporate but advised that the design and map would still need to be approved. He stated that approval would be needed to complete additional miles, in addition to the 7.67 miles agreed upon for 2013.

Mallett explained that Mark Niebuhr, the Senior Construction Manager for Mediacom, stated that it was his preference to complete the entire 30 mile map at one time so that the planning would be complete and they could simply begin the build out each year without having to complete a new map for each year.

Pederson questioned if other utilities could be installed in the Mediacom trench.

Jensen referenced the joint venture with Hennepin County and advised that the County will be installing their fiber in conjunction with Mediacom. He explained the preferred route of installation and confirmed lines would be buried to required depths.

Belland questioned when construction would begin.

Jensen stated that dirt shoveling could begin as early as mid-September.

Belland stated that it is imperative that the Police and Public Works Facility must be connected and running prior to November 1, 2013 as that will be the open date for the building and there are State requirements for internet connection.

Mallett questioned how the plan could be expanded past the 7.67 miles committed at this point from Mediacom to the 15 miles previously agreed upon for 2013.

Jensen stated that he would have additional information once the mapping process is complete. He stated that the goal for Mediacom would be to build out the additional mileage this year but noted that he could not make that commitment tonight. He advised that he would have additional information in the next few weeks.

Finke referenced the obligations under the current Lake Minnetonka Cable Commission (LMCC) contract that have not been met. He stated that there are areas in Medina, including the Bridgewater and Enclave Neighborhoods, which have reached the density requirements and still have not been serviced. He confirmed that servicing those residents would be separate of this build out plan and would still occur in conjunction with this plan.

Jensen confirmed that existing projects would still be completed in conjunction with this build out project.

Johnson referenced the September 17, 2013 meeting date and confirmed with Jensen that the build out map should be complete and available for that meeting. He advised that even though Mediacom would not be charged for permits, Mediacom would still need to pull those permits, hold a preconstruction meeting with Staff, and would also have to call in locates to Public Works for the other utilities.

Jensen hoped that he could meet with staff and Mallett prior to the September meeting to discuss those matters.

Anderson stated that Medina was a pioneer in leaving the LMCC and making this agreement. He believed this situation to be embarrassing to the City. He stated that he did not want the City to be embarrassed again.

The City Council thanked Jensen for his update on the project.

VIII. CITY ADMINISTRATOR REPORT

Johnson discussed the upcoming September 3rd Budget Open House and approval of the preliminary levy for 2014 at the September 3rd Council Meeting. He advised that bids would be opened the following day for the Lake Independence Outlet project.

Martinson confirmed that the contract with the Hamel Fire Department would be discussed at the upcoming Council Work Session on September 17th.

IX. MAYOR & CITY COUNCIL REPORTS

Pederson advised of meetings he recently attended and noted that the Police and Public Works Facility project continues to move forward on schedule.

X. APPROVAL TO PAY THE BILLS

*Moved by Pederson, seconded by Martinson, to approve the bills, EFT 002223E-002247E for \$49,216.96 and order check numbers 040065 - 040132 for \$230,145.92 and payroll EFT 505126-505155 for \$43,993.31. **Motion passed unanimously.***

XI. ADJOURN

*Moved by Pederson, seconded by Martinson, to adjourn the meeting at 7:38 p.m. **Motion passed unanimously.***

John Anderson, Acting Mayor

Attest:

Scott Johnson, City Administrator