

**WORKSHOP  
OAKDALE CITY COUNCIL  
February 11, 2020**

**Attendance**

The City Council held a workshop on Tuesday, February 11, 2020, at Oakdale Municipal Building, 1584 Hadley Avenue North, Oakdale, Minnesota. The meeting began at 5 PM.

Present: Mayor Paul Reinke

Council Members: Jake Ingebrigtsen  
Susan Olson  
Colleen Swedberg  
Kevin Zabel

Also Present: Susan Barry, City Clerk  
Craig Dawson, Interim City Administrator  
Alyssa MacLeod, Communications Specialist  
Chelsea Petersen, Administrative Services Director  
Dallas Pierson, Planning Commission  
Bob Streetar, Community Development Director

Council Member Swedberg asked that all work sessions begin at 5 PM.

**Building Official Position**

Interim City Administrator Dawson reviewed a proposed transition plan relating to the retirement of Chief Building Official Schmitt on March 31.

In response to questions from the City Council, City Administrator Dawson noted that the City's building official oversees building inspections and code enforcement and conducts inspections. He added that state law requires municipalities to have a certified building inspector, either on staff or via contract. City Administrator Dawson further noted that Building Inspector Mellgren is certified and, thus, can serve as acting building official during the hiring process as well as apply for the position.

In response to a question from Council Member Ingebrigtsen, Administrative Services Director Petersen indicated that she would respond back on the difference in pay of the building official and building inspector.

City Administrator Dawson noted that the hiring process would be done in-house.

It was the consensus of the City Council to designate Sheryl Mellgren as acting chief building official and to commence the application process.

Administrative Services Director Petersen commented on additional avenues the City could utilize for advertising the position.

**Environmental Management Commission – Interview: Karen Jackson**

The City Council interviewed Environmental Management Commission applicant Karen Jackson.

## **Cable Franchise**

Also Present: Kevin Orlando, Comcast  
Lori Pulkrabek, Ramsey-Washington Cable Commission

Administrative Services Director Petersen provided an overview of a matter relating to the Ramsey-Washington Cable Commission's cable franchise agreement with Comcast that has been in place since 1999. She noted that the franchise agreement expired in 2018 and, since that time, the City Council has granted four extensions to allow for negotiations between the Commission and Comcast to continue. Administrative Services Director Petersen further noted that the Commission is asking member cities to support a preliminary assessment that the cable franchise agreement with Comcast not be renewed, which would allow for the next step in the process, an administrative hearing, to occur. She further noted that the informal negotiation process would continue and a formal trial held at some point, if so determined. Administrative Services Director Petersen added that the City Council would be asked to take official action at their next meeting.

In response to a question from Council Member Olson, Administrative Services Director Petersen noted that it was her assumption that the other member cities would support the preliminary assessment to not renew the cable franchise agreement with Comcast.

Cable Commissioner Pulkrabek commented on correspondence sent to the City Council by Comcast the following evening. She noted that as the Commission's legal consultant did not have adequate time to respond to inaccuracies in the letter, she provided comments on a few of the matters. Commissioner Pulkrabek noted that the Commission's projected franchise fee revenue would be approximately \$11 million over the ten-year term of the franchise, rather than the \$17 million referenced by Comcast and that the Commission's current PEG (Public, Educational, Government) fee is \$5 not \$6.59 per month, as noted.

Kevin Orlando, Comcast, said that the PEG fee was based off declining video subscriptions and explained that the franchise fee amount is determined by "true-up" projections versus actual costs. He explained that "true-up" amounts are based on customer accounts being paid a month in advance as well as other revenue projection factors.

Commissioner Pulkrabek asked that Comcast officially notify the Commission of the PEG increase, as is required.

Commissioner Pulkrabek commented that the letter stated the Commission has spent \$200,000 on legal and consultant fees over five years; however, the amount was \$76,000.

Commissioner Pulkrabek stated that the Commission keeps \$2 million in reserve in lieu of carrying debt, taking out loans, or bonding. She further stated that funds are made available to member cities for video production and equipment upgrades.

Mr. Orlando commented on the lack of materials from Comcast in the information that was provided to the City Council.

Commissioner Pulkrabek indicated that the next steps in the process would allow the opportunity for both parties to present their sides at a hearing.

Council Member Ingebrigtsen expressed concern with Comcast's lack of movement in the negotiation process as well as their "gamesmanship". He added that other communities were getting better deals than that being proposed to the Ramsey-Washington Cable Commission.

Mr. Orlando shared the PEG fees paid to Comcast by some other communities, ranging from \$1 to \$2 and noted that PEG fees are passed on from Comcast to the respective communities.

Council Member Ingebrigtsen stressed the importance of Comcast working harder to negotiate an agreement with the Commission.

Mr. Orlando questioned the cost of some of the Commission's anticipated expenditures, such as a new production vehicle, and suggested less costly options. He also noted that a lower PEG fee would result in a lower bill for Comcast customers in Oakdale.

Commissioner Pulkrabek stated that the Cable Commission proposes a PEG fee of \$4.14 as well as the ability to lower it further.

Council Member Zabel asked Mr. Orlando about the number of formalized proposals and noted that Comcast has not deviated from a PEG fee of \$2.12.

Mr. Orlando asked why the Commission would want a higher fee.

Council Member Zabel explained that the \$4.14 PEG fee requested by the Commission is reflective of a fair rate for the use of the community's right-of-ways.

Mr. Orlando noted that the Commission also receives five percent of Comcast's revenue.

In response to a question from Council Member Olson, Commissioner Pulkrabek explained that Oakdale's PEG fees allow for additional programming to be provided to customers such as televising ISD 622 sporting events and a variety of community events such as Summerfest and concerts.

Mr. Orlando noted that other communities offer similar programming at a lesser cost.

Commissioner Pulkrabek stated that the Commission wants the needs of member communities met and that the requested \$4.14 PEG fee is fair. She added that the Commission is open to continuing informal negotiations with the goal of reaching an agreement in 2020.

Council Member Zabel expressed frustration with Comcast asking for a PEG fee of \$2.12 rather than allowing the Commission to set the fee at \$4.14 and the ability to adjust it downward.

The City Council talked about how the broadcast needs for each community are unique, thus, the PEG fees cannot be an apples to apples comparison.

Mayor Reinke commented on the scenario of ISD 622 broadcasting their own events at some point.

Mayor Reinke indicated that North Saint Paul was being asked to reconsider leaving the Commission and commented on the Commission's improvement goals.

Council Member Zabel commented on Comcast's preference to negotiate with individual cities rather than larger commissions made up of several cities.

Commissioner Pulkrabek noted that the main negotiating point between the Commission and Comcast is the PEG fee and that Comcast would not want to lose the ability to serve ten communities should an agreement not be reached. She commented on some other concerns relating to Comcast: no local office to address customer service issues and the need to upgrade their equipment and utility lines.

In response to questions, Commissioner Pulkrabek explained that although the PEG fee is paid by Comcast to the Commission, Comcast wants a PEG fee of \$2.12 reflected on the bill as a higher amount makes their subscription appear to be more costly.

Commissioner Pulkrabek asked the City Council to contact her at any time with questions.

### **Tree Board**

Also Present:           Nick Kantola, Tree Board  
                              Dallas Pierson, Tree Board  
                              Cathie Schreifels, Tree Board

The City Council discussed whether to dissolve the Tree Board as only five members are currently serving.

Council Member Swedberg asked that the Tree Board be allowed to operate through 2020 and the matter be readdressed in 2021 to allow time to recruit more members. She added that Nick Kantola would like to serve as chairperson and Marge Sagstetter would like to serve as vice chairperson and spoke to a person interested in applying to serve on the board.

Council Member Zabel noted that the Economic Development Commission and the Parks and Recreation Commission need to appoint liaisons to the Tree Board.

The City Council discussed reducing the number of members to seven but supported leaving it at 13 members as four of the members are liaisons from other advisory bodies.

In response to a question from Council Member Olson, Council Member Swedberg commented on the importance of retaining the annual programs organized by the Tree Board, such as the tree giveaway and buckthorn removal and that they would continue under the purview of the city forester.

Tree Board Member Pierson commented on the valued expertise of the Tree Board members, many of whom are Master Gardeners.

Council Member Swedberg said that Parks and Recreation Commission could absorb Tree Board members.

It was noted that commissioners can serve on only one commission at a time, excluding the Tree Board.

Mayor Reinke appreciates the strong commitment of the Tree Board members to tree and environmental health matters in the City.

The City Council supported the Tree Board continuing to operate in 2020, soliciting for new members, keeping membership at 13, and bringing the matter back in 2021.

### **Community Survey**

Communication Specialist MacLeod provided an overview of the proposal for a National Community Survey subscription relating to conducting a basic service survey in 2020. She noted that the associated costs were within budget and the reoccurring subscription could be canceled at any time. Communication Specialist MacLeod explained that the survey would be determined by length, not by a set number of questions so that a few add-ons might be considered. She also recommended conducting a community survey every three years.

The City Council discussed whether to offer a Spanish translation survey.

In response to a question from Mayor Reinke, Communication Specialist MacLeod affirmed that respondents would have the option of identifying themselves.

Staff was directed to proceed with the community survey.

Communication Specialist MacLeod briefly reviewed the next steps in the process, including developing question, and noted that results would likely be available in July.

Communication Specialist MacLeod announced that 21 entries had been received for the City's "If I Were Mayor" contest.

### **Council Discussion**

The City Council discussed the strategic planning meeting on April 7 at 5 PM at City Hall.

### **Parks and Recreation Commission – Interview: Glen Giacoletto**

The City Council interviewed Parks and Recreation Commission applicant Glen Giacoletto.

### **Council Discussion (cont.)**

Council Member Olson shared that a family member's request to their planning commission was denied although it met the necessary criteria.

Mayor Reinke explained that planning commissions serve in an advisory capacity to city councils, thus, the city council can approve a request that have been denied.

Mayor Reinke announced that Council Member Zabel, Public Works Director/City Engineer Bachmeier, Community Development Director Streetar, and he met recently with Bus Rapid Transit (BRT) representatives to discuss a recent article relating to possible reduced federal funding for the Gold Line project.

Council Member Zabel anticipated that the project score would increase significantly following a few adjustments being made to the project.

Council Member Ingebrigtsen stated that his support of the project stems on Oakdale getting all that was promised.

Council Member Zabel noted that parking structure adjustments added costs but the BRT has identified adjustments that would cover the adjustments.

On another matter, Mayor Reinke noted that the Minnesota Department of Transportation has been talking about transferring ownership and maintenance of bridges located over trunk highways and interstates to local jurisdictions.

Council Member Ingebrigtsen stated that such transfers should be avoided at all costs as it would significantly affect future councils.

On another matter, Mayor Reinke noted that he met with Congresswoman McCollum to discuss her efforts and concerns relating to qualifying for Super Funds to address the contaminants in drinking water. He asked that she move ahead swiftly.

Council Member Olson asked about the urgency to develop a small area plan the Glenbrook and 52<sup>nd</sup> Street area.

Mayor Reinke explained that a plan would be in place should one of the property owners want to develop or redevelop in that area.

Council Member Zabel noted without a moratorium, a property owner could still move ahead and that staff could talk to the property owner about access issues and other things of note.

Mayor Reinke supported developing a small area plan and noted that the small area plan is a priority of the comprehensive plan.

In response to a question from Council Member Zabel on financing the small area plan, Interim City Administrator Dawson noted that the most likely funding sources would be general fund reserves or internal loan or combination.

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Council Member Swedberg supported working on other projects being done first, such as the park usage survey. She noted that there is no immediate urgency on completing comprehensive plan items and expressed concern with spending \$75,000 at this point in time on the small area plan.

Council Member Ingebrigtsen agreed.

Council Member Olson stated that she would like to be provided with historical information on the site to help her better understanding the need for the small area plan.

Council Member Zabel announced that the legislative session was underway and the condensed timeframe could be advantageous to the City's proposed local sales tax request.

### **Adjournment**

The workshop adjourned at 6:56 PM.

Respectfully submitted,  
Susan Barry, City Clerk