



**CITY COUNCIL
WORK SESSION MEETING AGENDA**

**September 6, 2023
5:30 – 6:30pm**

- 1) Call to Order**
- 2) 2024 Budget Update**
- 3) Mediacom Franchise Agreement Update**
- 4) Use of Substances in Public Places**
- 5) Capital Bonding Lobbyist-*Discussion***
- 6) Adjourn**



CITY OF MINNETRISTA

REQUEST FOR CITY COUNCIL ACTION/DISCUSSION

Subject: 2024 Budget Update

Prepared By: Brian Grimm, Finance Director – on behalf of the Department Manager Budget Working Group

Meeting Date: September 6, 2023

At the August 21, 2023 Worksession a consensus was come to as the preliminary levy and budget documents that were presented that evening. As shown in the regular City Council meeting packet documents for 9-6, a gross levy of \$6,693,104 is being presented for adoption under the regular business items. This is a 14.33% increase over the gross levy that was adopted for 2023.

Since that meeting some additional information has come from other governmental units that have an effect on the City of Minnetrista 2024 levy and budget(s). They are listed below.

- 1) Fiscal Disparities numbers for 2024 (Hennepin County)
- 2) City of Mound Preliminary 2024 Fire Budget (City of Mound
- 3) City of Saint Bonifacius Preliminary 2024 Fire Budget (City of Saint Bonifacius)

A little information is presented on each item below.

- 1) **Fiscal Disparities 2024 number** – During the week of August 21, this number became available from County staff. City staff had originally projected this number to go up slightly from 2023. Instead, it went down by about \$21,000 to \$137,375 for 2024. Mainly due to our tax rate dropping from about 23% to a little over 19% from 2022 to 2023. This has about a ½ increase to our net levy and moves the number from a previously presented 14.6% increase to a 15.1% net levy increase for 2024. This is something that City officials do not control as the Fiscal Disparities formula is a metro area wide calculation.
- 2) **City of Mound Fire Budget – updated numbers** – Per original discussions, City Staff had plugged in a 5% increase for the line item that covers the City of Mound Fire allocation to the City. After the last Fire Committee meeting, the City of Minnetrista's amount has increased by

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about \$40,000 from that original estimate and is now about a 16% increase over 2023.

- 3) **City of Saint Bonifacius Fire Budget – updated numbers** – The original estimates had put this amount at about a 7% increase over 2023. The City of St Boni provided updated information from their City Council meeting on 8-30 and per their budget and formula it is now estimated to be at about a 12% increase. Or about a \$14,000 increase over the original estimate.

Items 2 and 3 make up about a 1% increase to our general fund budget and in turn show about a 1% reduction to our overall general fund balance % calculation. With the one-time public safety dollars of \$372,000 still slated to come in December 2023, there still is time and flexibility to decide how to allocate. Whether to move more to operations and less to capital or vice versa. More will be known over the coming months as to our projected surplus for 2023 and what that number looks like.

Based on this updated information, staff is recommending a couple items and they are shown in the business item(s) regarding the preliminary levy resolution on the regular meeting:

- 1) Leave the preliminary levy as was presented on 8-21-23 and adopt this as presented in the packet material for the 9-6-23 meeting
- 2) Absorb the additional fire department allocations/costs from City of Mound and City of St Boni into projected fund balance. Staff is not recommending needing to increase the levy that is being presented for the 9-6-23 meeting. Based on some of the information and explanation provided above.

Recommended City Council Action: The objective of this item is to give an update on a few additional items of information that have come in since the last budget meeting. As to updated fiscal disparities numbers and information from the Mound and Saint Bonifacius Fire Department Budgets.

Does Recommended Action meet City Mission Statement? ☒ Yes ☐ No

Does Recommended Action meet City Goals/Priorities? ☒ Yes ☐ No

Explain: This item is a discussion on the 2024 budget and levy for funding 2024 services, operations and capital needs.

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MEMORANDUM

Date: August 22, 2023
To: City of Minnetrista
From: Bob Vose, Kennedy & Graven
Re: Extension of Mediacom Cable Franchise

I have assisted City staff in negotiating an ordinance to extend Mediacom's cable franchise. The City issued a renewed franchise to Mediacom in 2013 with a 10-year term. The franchise allowed the parties to agree to an extension if "the Grantee [Mediacom] has substantially complied with the material terms of the Franchise.... The parties shall work in good faith to address any issues or concerns on mutually acceptable terms."

By letter dated November 22, 2022, Mediacom requested an extension to 2029. We responded by letter dated April 18, 2023, stating that the City would not extend the franchise unless several issues were addressed. Notably, the City previously notified Mediacom that it failed to fully build-out and serve certain areas as required by the franchise. Staff subsequently determined that this issue has been addressed by a combination of Mediacom's recent completion of some system expansion and Midcontinent's plan to expand its service to remaining unserved areas in the City.

The other issues the City asked to address were: updating the franchise's notice provision; clarifying the "competitive equity" provision in relation to Midcontinent's plans, and; discussing an increase in the PEG fee which is currently \$1.20 per mos., per subscriber. I have discussed each of these items with Mediacom's counsel and local representatives. The franchise notice provision will be updated by the proposed extension ordinance. Additionally, company representatives confirmed that Mediacom has identified no basis to oppose Midcontinent's current plans. Even if Midcontinent introduces a video service, there will be no basis for opposition as long as Midcontinent obtains a cable franchise. Finally, staff did not identify a reason to increase the PEG fee, and the proposed franchise extension retains the City's rights to take periodic \$.15/mos increases in the future.

Beyond these issues, the proposed franchise extension ordinance will update the description of the system Mediacom is required to maintain, will extend the term for 7 years to 2031. The proposed ordinance will also allow for a further 5 year extension to 2036 if Mediacom fully complies. We view these as positives since a formal franchise renewal process can be time-consuming and expensive.

I recommend approval of the proposed franchise extension ordinance.

CITY OF MINNETRISTA



CITY COUNCIL WORK SESSION ITEM 4

Subject: Ordinance Regarding the Use of Substances in Public Places

Prepared By: Sarah Sonsalla, City Attorney
Through: Jasper Kruggel, City Administrator

Meeting Date: September 6, 2023

Overview/Background: As of August 1, 2023, the use of cannabis products is legal in the State of Minnesota. The law that legalized cannabis products did not place any restrictions on the use of them in public places, such as City parks, public ways, and City parking lots.

Currently, the City prohibits the consumption of liquor and beer in public places including City parks, public ways (public streets, avenues, boulevards, alleys), and parking areas. It is questionable under the current Code whether a “public way” also includes a public trail or a sidewalk. The City currently does not prohibit smoking or vaping in City parks, public ways, or City parking areas.

City staff is proposing that the City Council adopt an ordinance that would prohibit the use of cannabis products in public places such as City parks, public ways (public streets, avenues, boulevards, alleys, sidewalks, and trails), and City parking areas. This would include the prohibition of the use of edible cannabis products such as THC infused gummies and beverages. Because the use of cannabis products includes the act of smoking, City staff thought that the City may want to prohibit the smoking of cigarettes and cigars and the utilization of vaping devices in these places as well.

The ordinance also adds public sidewalks and trails to the definition of a “public way” so the use of these substances within these areas would be prohibited by the ordinance. The Council will need to decide whether this is an appropriate amendment, if the definition of “public way” should be scaled back, or if some of the activities should be permitted in these areas.

Recommended Action: Review the proposed ordinance and direct staff as to whether any changes are desired. Staff will bring the ordinance to the September 18th meeting for adoption.

Attachments:

1. Draft ordinance.

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MN415-1-899234.v1

ORDINANCE NO. _____

CITY OF MINNETRISTA
COUNTY OF HENNEPIN
STATE OF MINNESOTA

AN ORDINANCE AMENDING SECTIONS 1505.19 AND 1505.21 OF THE CITY CODE
REGARDING THE USE OF SUBSTANCES IN PUBLIC PLACES

THE CITY OF MINNETRISTA HEREBY ORDAINS:

Section 1. The City Council of the City of Minnetrista hereby amends Chapter 15, Section 1505.19 of the Minnetrista City Code by deleting the ~~stricken~~ material and adding the underlined material as follows:

1505.19. – Liquor, and beer, edible cannabis products, and smoking and vaping in parks.

It is unlawful to bring into, possess, barter, give away, or consume any intoxicating liquor, or 3.2 malt liquor beverages, or edible cannabis products (as defined by Minnesota Statutes Section 342.01) in any public park or any vehicle parking area immediately adjoining such park. It is also unlawful to smoke cigarettes, cigars, or cannabis products (as they are defined by Minnesota Statutes Section 342.01) or utilize a vaping device in any public park or any vehicle parking area immediately adjoining such park.

Section 2. The City Council of the City of Minnetrista hereby amends Chapter 15, Section 1521 of the Minnetrista City Code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

1505.21. – Liquor, and beer, edible cannabis products, and smoking and vaping in public places.

Subd. 1. *Public ways.* It is unlawful to consume, barter, or give intoxicating beverages, or 3.2 malt liquor beverages, or edible cannabis products (as defined by Minnesota Statutes Section 342.01) in or upon a public street, avenue, boulevard, alley, sidewalk, trail, or other public way, whether in a vehicle or not, in the city. It is also unlawful to smoke cigarettes, cigars, or cannabis products (as they are defined by Minnesota Statutes Section 342.01) or utilize a vaping device in or upon a public street, avenue, boulevard, alley, sidewalk, trail, or other public way, whether in a vehicle or not, in the city.

Subd. 2. *Parking areas.* It is unlawful to consume, barter or give away any intoxicating beverages, or 3.2 malt liquor beverages, or edible cannabis products (as defined by Minnesota Statutes Section 342.01) in or upon a parking area open to the

public whether in a vehicle or not. It is also unlawful to smoke cigarettes, cigars, or cannabis products (as they are defined by Minnesota Statutes Section 342.01) or utilize a vaping device in or upon a parking area open to the public.

Section 4. This ordinance shall take effect following its adoption and publication.

Adopted Date: _____, 2023.

Attest:

(seal)

Lisa Whalen
Mayor

City Clerk