

**ROSEMOUNT CITY COUNCIL
REGULAR MEETING PROCEEDINGS
MAY 16TH, 2016**

CALL TO ORDER

Pursuant to due call and notice thereof a regular meeting of the Rosemount City Council was held on Monday, May 16, 2016 at 7:00 p.m. in the Council Chambers at City Hall, 2875 145th Street West, Rosemount.

Mayor Droste called the meeting to order with Council Members DeBettignies, Nelson, Weisensel and Demuth attending.

Staff present included the following;

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| ○ City Administrator Johnson | ○ City Attorney Tietjen |
| ○ Director of Public Works/City Engineer Wrase | ○ City Clerk Hadler |
| ○ Chief of Police Scott | ○ Community Development Director Lindquist |
| ○ Assistant City Administrator Foster | ○ Parks & Recreation Director Schultz |

The Pledge of Allegiance was said.

ADDITIONS OR CORRECTIONS TO AGENDA

City Administrator Johnson stated there were no changes to the agenda.

Motion by DeBettignies. **Second** by Weisensel.

Motion to Adopt the Agenda.

Ayes: DeBettignies, Nelson, Droste, Weisensel, Demuth

Nays: 0. Motion carried.

PRESENTATIONS, PROCLAMATIONS, & ACKNOWLEDGMENTS

3.a. Rosemount Band Presentation

Greg Twaites and John Schunke of the Rosemount Community Band presented a concept for a jazz festival in Rosemount. The group obtained a grant from the Metropolitan Regional Arts Council. The free event is called Jazz Blast and will feature a variety of performers as well as food and beverage vendors.

PUBLIC COMMENT

CONSENT AGENDA

Motion by DeBettignies. **Second** by Demuth.

Motion to Approve the Consent Agenda.

- a. Minutes of the May 3, 2016 Regular Meeting Proceedings
- b. Expenditure Approval from the Donation Account – Parks & Recreation Dept.
- ~~c. Youth Commission Appointments~~
- d. Bills Listing
- e. Fire Relief Association Benefit Request
- f. Criminal Justice Data Communications Network Agreement - Joint Powers Agreement
- g. Proposed City Hall HVAC Control System Purchase

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- h. Public Comment Letter Regarding Remedial Investigation of UMore 2016
- i. Consider Resolution to Reject Bids for 1.5 Million Gallon Ground Storage Reservoir and Booster Station
- j. Payment 6 & Final – City Hall Generator
- k. Renewal of the Vesterra, LLC and Stonex, LLC Mineral Extraction Permit for 2016
- l. Request by Lennar for a Minor Amendment to the Bella Vista Planned Unit Development Agreement to Increase Lot Coverage and Adjust Side Yard Setbacks
- m. Timeless Homes Minor Amendment to the Harmony PUD and Simple Plat for Harmony 7th Addition
- n. Northern Natural Gas Request for a Conditional Use Permit for a Transmission Facility Greater than ¼ Mile in Length
- o. Domestic Preparedness – Joint Powers Agreement

Ayes: DeBettignies, Nelson, Droste, Weisensel, Demuth
Nays: None. Motion carried.

6.c. Youth Commission Appointments

Council member Weisensel pulled the item to recognize those youth who are being appointed to the Youth Commission.

Council members noted discussions they had had with the youth at a meeting this month.

Motion by Weisensel. **Second** by DeBettignies

Motion to appoint the following to the Youth Commission.

Joshua Alex	Holden Mitchell	Megan Schalliol
Maisy Armstrong	Alexa Nelson	Katherine Turner
Monique Demuth	Anna Peterson	Addie Westman
Isabel Edgar	James Powell	Deanna Wuellner
Maggie Hinderaker	Jaren Yaming	
Alexis Johnson	Andrew Saal	

Ayes: DeBettignies, Nelson, Droste, Weisensel, Demuth
Nays: None. Motion carried.

PUBLIC HEARINGS

7.a. Competitive Cable Franchise Application

Assistant City Administrator Foster gave an overview of the item at hand.

City Attorney Tietjen recommended that the Council take written public comments through June 15th.

Mayor Droste opened the Public Hearing at 7:14 pm.

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Jack Phillips and Joy Eldred of Frontier Communications gave a presentation on the company which discussed the current company operations, service features, etc.

Council members inquired about data speeds.

Leanne Herrera, 16900 Cedar Ave. in Rosemount, Government Affairs for Charter Communications, discussed Charter operations, service features, history, peg and franchise fees paid to Rosemount, etc. Ms. Herrera commented on Charter franchise and the requirements under the Charter ordinance. She stated that the initial application is not yet complete and requests that Frontier submit a completed application. She stated that Charter is willing to align their renewal with the Frontier approval timeline.

Motion to close the public hearing and continue taking written public comment until June 15.

Motion by Demuth. **Second** by DeBettignies.

Ayes: DeBettignies, Nelson, Droste, Weisensel, Demuth
Nays: 0. Motion carried.

City Administrator Johnson suggested City Attorney Tietjen discuss the comment regarding Frontier's 'incomplete' application. Ms. Tietjen stated that Attorney Bob Vose and she agree that the Frontier application is complete.

Mayor Droste asked Ms. Tietjen to comment on the Charter franchise. Ms. Tietjen stated that discussions have been underway with Charter for a few years and that her understanding is the franchise is expired.

Mayor Droste clarified that Frontier is currently licensed by the state to provide services. Communications Coordinator Cox stated they are licensed to provide phone services.

Council member Weisensel asked for clarification on the coverage of the Charter and other service franchises. He expressed a consumer preference for having more than one option. Mr. Johnson stated that Charter's ordinance requires them to service portions of the city meeting certain density requirements.

Ms. Tietjen clarified that the motion tonight is to just direct staff to continue negotiations and accept written public comment.

Council member DeBettignies asked for clarification on the wording of the motion; "accept the application". Ms. Tietjen stated she believed the motion means to accept it as a completed application.

Motion to accept Frontier application and direct attorney and staff to negotiate franchise terms with Frontier, prepare a report concerning Frontier's qualifications and any legal issues arising out of Frontier's application, and present final recommendations for Council action as soon as is practical.

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Motion by DeBettignies. **Second** by Weisensel.

Ayes: DeBettignies, Nelson, Droste, Weisensel, Demuth

Nays: 0. Motion carried.

OLD BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

Mayor Droste reviewed the calendar of events. The next City Council meeting will be held on Tuesday, June 7th, 2016, at 7:00 p.m. The next City Council work session will be held on Monday, June 13, 2016, at 6:30 p.m., at Jaycee Park.

ADJOURNMENT

There being no further business to come before the City Council and upon a motion by Droste, second by DeBettignies, the meeting was adjourned at 7:54 p.m.

Respectfully Submitted,

Clarissa Hadler, City Clerk