

AGENDA
MAPLEWOOD CITY COUNCIL
MANAGER WORKSHOP
5:15 P.M. Monday, October 10, 2011
Council Chambers, City Hall

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. UNFINISHED BUSINESS**
 - 1. Presentation on Emergency Management Planning – No Report
 - 2. Discussion on City Council and Council Commissions Records Retention Policies and Procedures
 - 3. Review of Capital Project Costs and Funding
- E. NEW BUSINESS**
- F. ADJOURNMENT**

***Times Listed Are Approximate**

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MEMORANDUM

TO: James Antonen, City Manager
FROM: Karen Guilfoile, Director Citizen Services
DATE: October 4, 2011
RE: Discussion on City Council and Council Commissions Records Retention Policies and Procedures

Introduction

In reviewing current policies and procedures for records retention for the city council and for boards and commissions, staff is requesting a conversation with the city council so that our direction is clear in these matters.

In the Rules of Procedure for City Council and Council Meetings on Page 5, Section 4 Minutes D. it states: ***Minutes for city council meetings will be summary minutes. Minutes for Boards and Commissions will be either action or summary minutes.***

Further on Page 11 under Other Matters it states: ***Web streaming of city council meetings will be available on the city website as soon as is practical after each meeting and will remain available on the website for no less than 12 months after any given meeting.***

Background

ACTION MINUTES are defined as minutes containing information that is required by State Law.

The following items must be included:

- The members of the public body who are present
- The member who makes or second motions
- Roll call vote on motions
- Subject matter of proposed resolutions or ordinances
- Whether the resolutions or ordinance are defeated or adopted
- The votes of each member

SUMMARY MINUTES are defined as minutes containing all information required in action minutes and a summary of any reports or information submitted by boards, commissions, developers, etc.

VERBATIUM MINUTES are minutes where every word during the meeting is transcribed.

Although not generally required by statute, several court decisions suggest that including certain information in the minutes can help to defend a city's action should a lawsuit occur. The following types of data are examples of information that should be included in the minutes:

- **Findings of fact.** Case law requires them for land-use decisions and some personnel decisions.
- **The council's conclusions.** Case law requires them for land-use decisions and some personnel decisions.
- **The specific reasons behind the council's conclusions.** Examples would include such things as the economical, social, political or safety factors that were considered when the council made a particular decision.

State Statute requires that **agenda packets of city council meetings are permanent** records and are to be kept for posterity. State Statute also directs that agenda packets for boards, commission, committees, etc. that are council approved or appointed are to be retained for three years.

The State Retention Schedule states that video (DVD) recordings of public meetings can be erased and reused three months after formal approval of written minutes. And audio tape recordings of city council, commissions, boards, etc. are to be kept one year after formal approval of the written minutes. Finally, by State law, tape recordings cannot be the permanent record.

Web Streaming: The city began web streaming in January of 2010 which is accessible on the city website and sponsored by CTV. Staff is requesting a discussion regarding this since our agreement with CTV is to make city meetings available up to 18 months at any given time.

CURRENT PRACTICE:

Minutes: Currently the city council minutes are a mixture of action and summary minutes as it is with most Commissions and Boards. Some Commissions and Boards consistently request additional information in their minutes which becomes staff intensive. Minutes are stored in Laserfische and retained for permanent record.

Video (DVD): Video/DVD of the city council, boards and commissions has been retained since January of 2006.

Recommendation

Staff is requesting that minutes of the city council, boards, commissions and any council appointed committees be action minutes as described above including information as suggested by court decisions outlined above.

It is recommended that video recordings of all city council meetings be retained for a period of five years.

AGENDA REPORT

TO: Jim Antonen, City Manager
FROM: Charles Ahl, Assistant City Manager
SUBJECT: Review of Capital Project Costs and Funding
DATE: October 4, 2011

INTRODUCTION

In July 2011, the City Council reviewed proposals for a capital improvement project to expand City Hall to accommodate the increasing space needs within the Police Department. Additionally, the City Council has received presentations and discussions on a number of new or renovated Fire Stations. The state of Minnesota has approved a funding request to the City for a new East Metro Public Safety Training Facility. Staff has also discussed improvements for redevelopment of the Gladstone Area, improvement of the TH 36 – English Interchange and continuation of the Street Reconstruction Program. The Council requested a review and discussion of the approach of financing for these major projects. This item is intended to begin that discussion process as part of the plans to update the Capital Improvement Plan beginning in October 2011, which is about 6 months earlier than the normal budgeting process.

BACKGROUND

Review of 2012 – 2016 Projects

Following is a brief description of the major specific projects currently within the Capital Improvement Plan or discussed with the Council over the past two years that will add additional debt load to the City:

2012

- \$1,080,000 *Gladstone Area Phase B:* improvements to the Savanna and Streetscape
 - EUF and Street Light Utility Fund
- \$ 200,000 *Mill and Overlay Project:* various assessments
 - Special Assessments
- \$1,134,400 *Bartelmy-Meyer Street Project:* local street Program
 - Special Assessments and Tax Levy
- \$5,000,000 *Fire Station at 3M Property:* new fire station built in cooperation with 3M
 - CIP Bond supported through TIF program with 3M Improvements

2013

- \$7,500,000 *Police Station Expansion:* Major Expansion of City Hall
 - CIP Bond supported by Levy
- \$1,150,000 *Fish Creek Improvements:* development of northern 25 acres for re-sale
 - Special Assessment and Tax Levy
- \$3,580,600 *Arkwright/Sunrise Street Project:* local street program
 - Special Assessment and Tax Levy
- \$ 920,000 *TH 36 – English Interchange Improvements:* major project with MnDOT
 - Special Assessment and TIF revenue

2014

- \$1,850,600 *Lakewood/Sterling Street Proejct:* local street program
 - Special Assessment and Tax Levy

2015

- \$2,100,000 *Gladstone Redevelopment at English/Frost:* next phase of redevelopment
 - Special Assessment, TIF Revenues and Street Light Utility

BUDGET DISCUSSION on CAPITAL PROJECTS
PAGE TWO

Review of 2012 – 2016 Projects [cont.]

- 2015 [cont.]
 - \$3,227,800 *Farrell/Ferndale Street Project*: local street program
 - Special Assessments and Tax Levy
 - \$3,050,200 *Dennis/McClelland Street Project*: local street program
 - Special Assessments and Tax Levy
- 2016
 - \$4,682,400 *Crestview/Highwood Street Project*: local street program
 - Special Assessments and Tax Levy

Notes on Project Proposals:

- We are assuming that the construction of the Fire Station at the 3M site can be built in coordination with 3M's building/expansion program in 2012 - 13 and that a cooperative agreement can be reached with 3M such that TIF funds will cover the entire expense of the City construction project in the area, as well as support the 3M improvements. Assuming this agreement can be reached, no referendum on this improvement is proposed.
- We are assuming that a majority of the State Bond Funds and County Site Clean-up Funds of \$3,000,000 and \$450,000 respectively will cover a majority of the expense of the East Metro Public Safety Training Facility and that no bonding/debt will be required for construction of this project in 2012 – 13.
- We are assuming that the construction/expansion of the Police Station will occur in 2013 - 2014 at the proposed project level endorsed by the Police Department. A discussion by the City Council regarding whether a referendum should be conducted for this improvement project would be necessary. A CIP Bond could be issued and then after public hearing, assuming limited public disagreement, could be issued for this improvement. The issue of a referendum is within the Council's purview of debate.
- We are assuming that the City expense to the TH 36 – English project [currently estimated near \$15 million total cost] will not exceed \$3,000,000 and that a majority of that expense will be covered by Municipal State Aid Street Funds as well as special assessments and a TIF District.

2012 Budget Proposed

The maximum levy approved by the City Council on September 12, 2011 for 2012 was:

• General Fund	\$12,265,420
• Ambulance Service Fund	\$ 350,000
• Community Center Fund	\$ 460,000
• Recreation Program Fund	\$ 175,000
• CIP Fund	\$ 145,000
• Fire Truck Replacement Fund	\$ 50,000
• Public Safety Expansion Fund	\$ 200,000
• Debt Service Fund	<u>\$ 4,208,103</u>
• TOTAL – ALL FUNDS	\$17,853,523

It should be noted that the Debt Service Fund is requiring 23.6% of the proposed levy.

Project – Consideration/Discussion

This current plan will be fully analyzed as part of the current update of the Capital Improvement Plan. The East Metro Public Safety Facility, the 3M Fire Station and the Police Department Expansion have been revised during this past year to the extent that it will impact some of the assumptions within the CIP document. The current CIP calls for Total City Debt to remain at or near the current debt level of \$78 million through 2013 and then begin a slow decrease. The addition of this public safety projects will have a impact of increasing that Total City Debt to remain at \$78 million longer, or depending upon the structure and timing of the debt document, to increase the Total City Debt to slightly above \$80 million for a couple of years. Future debt would then decrease beginning in 2016 or 2017, instead of the current plan to begin the decrease in debt in 2014. This, of course, is the basis of debt and issuing new debt. The key point of this discussion is that Total City Debt with the current plan will remain within the current levels without major increases.

A much bigger issue with the proposed project plan is the note listed above with the percentage of the current levy that is dedicated to the Debt Service Fund. The 2012 Budget proposes this to be at 23.6%. Our current policies call for limiting our Debt Service payment to 15 – 25% of the levy, so we are at the high end of this limit, as well our recent bond rating indicated that this was an issue to be monitored. The rating agency did note our strong plan and tax base and that this debt is based on investment in infrastructure and redevelopment and thus gave Maplewood the continued strong bond rating because of the plan. The new debt plan adds projects mainly for Public Safety facilities. These Public Safety projects are extremely vital and important; the Council should consider whether these projects are the type of improvements that provide a strong base for the City's future. Certainly it is easy to see that the 3M Fire Station being tied with the economic development and expansion at the 3M site meet that requirement. City Hall expansion for the Police Department maintains a strong police force to meet their needs and probably can also be consider vital.

As noted, the more important factor in maintaining bonding levels will be the 23.6% of the levy that is dedicated to the Debt Service Fund. Under the current plan, that would limit the new debt service increase in future years to an additional \$255,000. Our Debt Service Fund is in good shape, but needs to be continually monitored. This limitation will probably impact the planning of future projects in 2014- 2017. The key question that is likely for the Council to consider in proceeding with the Police Department Expansion project, which will have the biggest impact of the Debt Service Fund under the current plan is: "If you propose a full \$7.5 million Police Department Expansion project in 2013-14, are you willing to:

- Delay the 2015 next phase of redevelopment in Gladstone by 3-5 years. This would put any investment into Hillcrest or other redevelopment into post 2020.
- Delay future improvements and redevelopment/retrofit of Fire Station #2 and Fire Station #7 into 2017-19.
- Delay and restrict future street improvement projects that are proposed to return to current levels in 2015, such that the street program will be limited through 2020.

Recommended Action

It is recommended that the City Council review the current plan and provide input on the questions of referendum on the Police Department Expansion Project, as well as debate the questions on impact for delays in the future projects based upon the current plan to add the Public Safety projects into the future CIP. No action is recommended.