

AGENDA
MAPLEWOOD CITY COUNCIL
MANAGER WORKSHOP
5:00 P.M. Monday, November 25, 2013
City Hall, Council Chambers

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. UNFINISHED BUSINESS

None

E. NEW BUSINESS

1. Discussion on Possible Discontinuation of D.A.R.E. Program and Alternative Youth Prevention Programming
2. Discussion on Condemnation of Property
3. Discussion on Cable Commission Franchise with Kim Facile

F. ADJOURNMENT

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MEMORANDUM

TO: Charles Ahl, City Manager
FROM: Paul Schnell, Chief of Police
DATE: November 20, 2013
SUBJECT: Discussion on Possible Discontinuation of D.A.R.E. Program and Alternative Youth Prevention Programming

Introduction

The police department has been evaluating the possible discontinuation of the longstanding D.A.R.E. program. Based on this evaluation, current plans call for discontinuation of the program and implementation of an alternative strategy. Because of the City's long history of offering D.A.R.E., it is worthwhile to discuss the proposed change with community leaders and stakeholders.

Background

Without a doubt, illicit drug use is a major concern for members of the Maplewood community. While I will be providing a summary of data from the recent online community safety survey in coming weeks, I can tell you fear about drug use is compelling. It is important to have a frank and evidence-based discussion about this City's commitment to continuation of D.A.R.E. programming.

The Maplewood Police Department has been offering D.A.R.E. in both public and parochial schools for more than 20 years. At the present time, the Maplewood Police Department has three police officers who provide school-based D.A.R.E. instruction. When the program is in full swing each spring, our officers will spend about 110 contact hours in 5th or 6th grade classrooms throughout this City. When considering preparation, coordination, travel, and instruction, the department invests approximately 350 hours in D.A.R.E. programming each spring. This is a considerable investment in time, energy, and effort. The investment would be wholly worthwhile, if programmatic metrics indicated effectiveness in reducing youth drug and alcohol use as they are major community concerns.

There is no disputing the value of the connection between Maplewood police personnel and area youth because of D.A.R.E. program delivery. For many young people, D.A.R.E. is their only contact with police officers. Findings by reputable academic and law enforcement research entities indicate that youth and parent program satisfaction is quite high. Youth and their parents report having positive feelings about the interaction with police personnel.

D.A.R.E. America, who oversees and owns the D.A.R.E. brand, made curricular changes in recent years. Now, in addition to drug, alcohol, and tobacco resistance education, the program includes instruction in bullying prevention and conflict resolution. These changes resulted, in part, from research findings and the requested need to expand the program's focus. Locally, many schools provide regular instruction on many of these topics as part their health and/or civics instruction.

The Maplewood Police Department has provided D.A.R.E. instruction in the following schools:

- St. Jerome's Catholic
- Gethsemane Lutheran
- Carver Elementary
- Weaver Elementary
- Presentation of the Blessed Virgin Mary

Notably absent from the list is Edgerton School. The decision to discontinue D.A.R.E. at Edgerton was driven in large part by the need for teachers to have increased student contact time to maximize academic achievement. Essentially, school leadership determined that they would use their limited student contact time in a manner that might yield the best return on investment. This decision is not unique to Edgerton; it has been made at numerous school districts throughout Minnesota. In fact, it might be the case that more school districts and police departments have discontinued the program than those who are now actively offering it.

General Police Effectiveness Research:

As a department, we endeavor to become far more data and evidence driven in the allocation of police resources. We seek to apply resources in such a way to address known problems and find ways to prevent criminal conduct or behavior that affects community livability.

What works?:

- The more focused a strategy, the more likely it is to prevent crime/problems
- Strategic effects fade over time, requiring regular measurement and adjustment in strategy
 - Proactive focus on serious high-risk offenders
 - Hot-spot focused policing – police presence effect
 - Proactive DWI enforcement
 - Sherman, et al, 1998/Weisburd & Eck, 2004/Braga & Bond, 2008/Di Tella & Schgardsky, 2004

What's promising?:

- Problem-oriented policing generally
- Neighborhood engagement in problem identification and problem solving
- Warrant or PC arrest of domestic violence offenders who are GOA
- Community policing with community involvement in priority setting
- Community policing focused on growing police legitimacy
- Traffic enforcement for gun, drug, and certain crime interdiction
- Police-monitored CCTV in certain areas compared to others.
 - Sherman, et al, 1998/La Vigne, et al, 2011

What doesn't work?:

- Disorganized neighborhood watch (may reduce fear)
- *Youth drug abuse prevention efforts that are not sustained with regular educational inoculation*
- Citizen patrols without strategic focus
- Arrests of juveniles for minor offenses – in fact, arrest & detention with low-risk offenders increases recidivism
- Routine patrol for rapid 9-1-1 call response
- Community policing with no crime-risk factor focus
 - Sherman, et al, 1998

Research findings specific to D.A.R.E. are wide ranging. On the whole, it can be unequivocally said that parent and youth reaction to the program are positive yet ineffective in changing the targeted behaviors for any sustained period of time.

“A 2003 Government Accountability Office report, which looked at six long-term evaluations of the program, two each in Kentucky and Colorado and one in Illinois between 1991 and 1999, concluded that the program had “no statistically significant long-term effect on youth illicit drug use.”

[\(Youth Illicit Drug Use Prevention: DARE Long-Term Evaluations and Federal Efforts to Identify Effective Programs.](#) Government Accountability Office, January 15, 2003).

Departmental commitment to youth prevention programming:

The Maplewood Police Department remains firmly committed to effective youth prevention programming. We see value in having Maplewood police officers connect with youth in local schools. We want teachers and schools to see our department and highly educated personnel as curricular resources when instruction permits.

Strategy 1:

Identify and assign a Maplewood police officer to serve as a liaison (aside from the regularly assigned school resource officer) to each school within the City of Maplewood.

Offer schools the opportunity to access Maplewood police personnel to provide instruction on a variety of topics that are or may be part of the schools' standard curricular offerings. Topics might include:

- Internet safety
- Bullying
- Legal rights
- Minnesota criminal law
- Policing as a career
- Drug familiarity
- Criminal justice system operations

The presence of officers in the classrooms provides an opportunity for officers and local students to connect. The officer's role is to support the curricular and academic efforts of the school and/or teacher. These visits are more manageable and less resource intensive as they can be offered throughout the school year as opposed to each spring, which has been the case for D.A.R.E.

We believe a side benefit is that it grows the skill set of all our officers by providing them the opportunity to serve in this role. At present, a small number of Maplewood police personnel teach D.A.R.E.

Strategy 2:

Recently, a sampling of City staff and school personnel met with Mr. Derek Peterson from the Institute for Community and Adolescent Resilience (ICAR-US). Mr. Peterson has been engaged in researching and implementing Integrative Youth Development (IYD) programming in the United States and abroad.

IYD is a very well-researched model of youth and community development. The model is remarkably simple yet requires a significant level of intentionality and commitment for every aspect of a community – schools, local government, business, faith communities, neighborhoods, parents, and youth.

While we have considerable work to do to assess whether IYD could be effective in Maplewood, the research findings are remarkable. To oversimplify the concept – the more positive adult connections a young person has the less likely they are to engage in high-risk behavior patterns. Importantly, the more positive adult connection a young person has the more likely they are to thrive – academically, civically, and healthfully.

Conclusion:

We are committed to finding ways to connect with youth. We want those connections to result in the most measureable and beneficial outcomes possible. We will reach out to all Maplewood-based schools and make more officers available to support the educational objectives of our schools and create connections. Doing so meets the objectives of giving local youth a positive and proactive encounter with police staff in a more manageable manner.

I look forward to addressing any questions you, the City Council, or members of the community have regarding change in strategic focus. As we've discussed, I commit to continuously working to measure the effectiveness of all our efforts intended to prevent and solve community problems.

Budget Impact

Staff time.

Recommendation

Discontinuation of D.A.R.E. programming with implementation of Strategy 1 and further consideration of Strategy 2.

Attachments

None

MEMORANDUM

TO: R. Charles Ahl, City Manager

FROM: Michael Thompson, City Engineer / Public Works Director
Alan Kantrud, City Attorney

DATE: November 19, 2013

SUBJECT: Discussion on Condemnation of Property

Introduction

The council will receive a brief update on condemnation issues relating to the Highway 36/English Street Interchange Improvements, City Project 09-08.

Discussion

As part of the interchange project, the City took the lead on property acquisition which in most cases required condemnation to secure easement rights in order to construct the improvements. The City Attorney can discuss more on Condemnation Law if desired at the meeting.

Easements were required on 16 private property parcels and the City has settled 10 of them to date. The parcels that remain unsettled are (also see attached exhibits for corresponding parcel maps):

- Parcel 10 - Vomela (vacant business at northeast corner of interchange)
- Parcel 12 - Summit Bank Parcel 1 (undeveloped site at southeast corner of interchange)
- Parcel 13 - Summit Bank Parcel 2 (undeveloped site at southeast corner of interchange)
- Parcel 17 - Mattress Factory (along frontage road north of Highway 36)
- Parcel 20 - Gas Station (near intersection of County Rd B and Highway 61)
- Parcel 29 - AA Metcalf Mayflower Moving (along frontage road north of Highway 36)

All but two of these parcels generally require minor permanent strip takings or temporary construction easements only.

Budget Impact

None

Recommendation

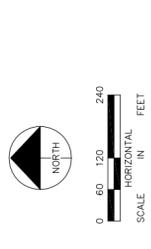
No action needed.

Attachments

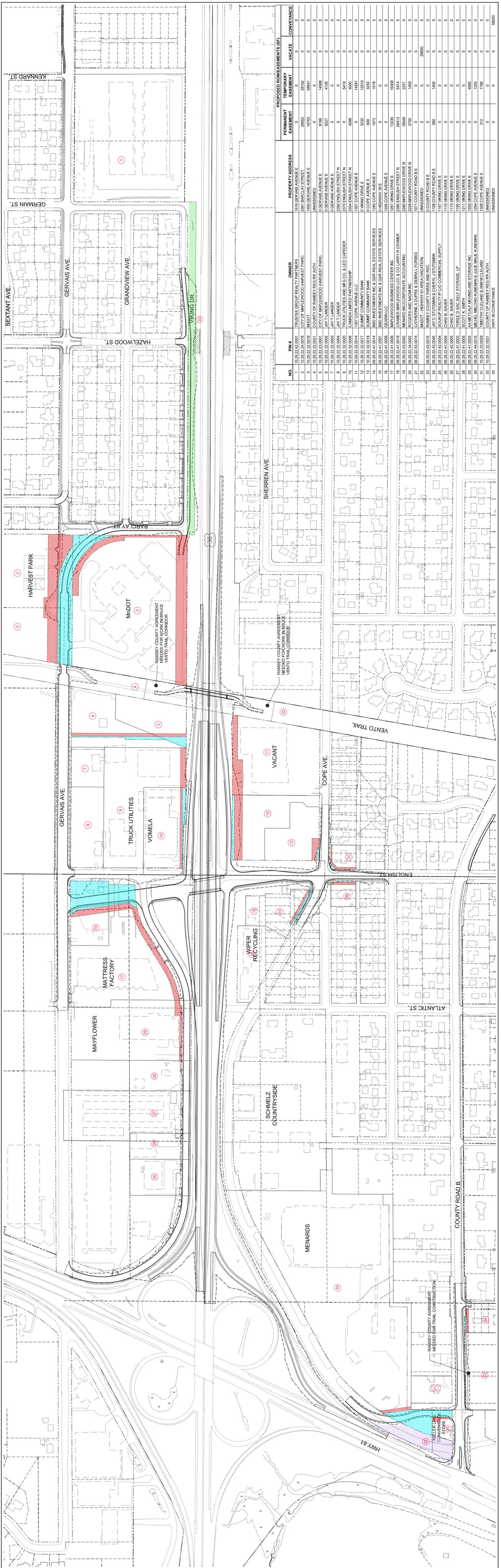
1. Overall Site Map
2. Unsettled Parcel (6)

LEGEND

- RIGHT OF WAY
- LIMITS OF CONSTRUCTION
- PERMANENT EASEMENT/
RIGHT OF WAY
- TEMPORARY CONSTRUCTION
EASEMENTS
- MNDOT ROW CONVEYANCE
TO CITY
- ROW VACATION



PERMANENT AND TEMPORARY
 CONSTRUCTION EASEMENTS
 HIGHWAY 36/ENGLISH STREET
 INTERCHANGE IMPROVEMENT #1
 CITY PROJECT 09-08
 EXHIBIT 9



NO.	PIN #	OWNER	PROPERTY ADDRESS	PROPOSED ROW/EASEMENTS (SF)		
				PERMANENT EASEMENT	TEMPORARY EASEMENT	VACATE/CONVEYANCE
1	10.29.22.42.0001	TRUSTEE GROUP REALTY PARTNERS	1616 GERVAIS AVENUE E	0	0	0
2	10.29.22.24.0078	CITY OF MAPLEWOOD (HARVEST PARK)	2561 BARCLAY STREET	28682	28192	0
3	10.29.22.32.0019	MNDOT	1400 GERVAIS AVENUE E	16783	59641	0
4	10.29.22.32.0021	COUNTY OF RAMSEY REG RR AUTH	UNASSIGNED	0	0	0
5	10.29.22.32.0001	CITY OF MAPLEWOOD (HARVEST PARK)	0 GERVAIS AVENUE E	9199	14688	0
6	10.29.22.32.0002	JAY LANGER	0 GERVAIS AVENUE E	6227	4126	0
7	10.29.22.32.0003	JAY LANGER	0 GERVAIS AVENUE E	0	0	0
8	10.29.22.32.0004	JAY LANGER	2590 ENGLISH STREET N	0	0	0
9	10.29.22.32.0000	TRUCK UTILITIES AND MFG CO. & LEO CAPELLER	2370 ENGLISH STREET N	0	5419	0
10	10.29.22.32.0006	CAMADA LIMITED PARTNERSHIP	2254 ENGLISH STREET N	4288	4000	0
11	10.29.22.32.0014	1357 COPE AVENUE LLC	1357 COPE AVENUE E	0	14281	0
12	10.29.22.32.0017	SUMMIT COMMUNITY BANK	0 WYKING DRIVE E	3230	12519	0
13	10.29.22.32.0019	SUMMIT COMMUNITY BANK	0 COPE AVENUE E	600	3250	0
14	09.29.22.41.0014	BED INVESTMENTS INC & OSR REAL ESTATE SERVICES	1285 COPE AVENUE E	1973	1918	0
15	09.29.22.41.0007	BED INVESTMENTS INC & OSR REAL ESTATE SERVICES	0 HIGHWAY 36	0	0	0
16	09.29.22.41.0008	MAPLEWOOD BUSINESS CENTER, INC	1255 COPE AVENUE E	0	0	0
17	09.29.22.41.0015	MAPLEWOOD BUSINESS CENTER, INC	1255 COPE AVENUE E	13238	15268	0
18	09.29.22.43.0042	MENARD INC/CORPORATE ACCOUNTING	2286 ENGLISH STREET N	28413	5424	0
19	09.29.22.43.0042	MENARD INC/CORPORATE ACCOUNTING	2286 ENGLISH STREET N	18949	2257	0
20	09.29.22.34.0002	ROGERS AND NAOMI INC	2228 MAPLEWOOD DRIVE N	3700	1459	0
21	09.29.22.43.0014	CATHERINE A DUPRE & DEBRA L FORBES	1071 COUNTY ROAD B E	0	0	0
22	09.29.22.43.0015	MNDOT - HIGHWAY 61 AREA (VACATION)	UNASSIGNED	0	28600	0
23	09.29.22.43.0015	RAMSEY COUNTY PARKS AND REC	0 COUNTY ROAD B E	0	0	0
24	09.29.22.43.0045	JAY C STUTSMAN & CHERYL J STUTSMAN	1188 COUNTY ROAD B E	560	1400	0
25	09.29.22.42.0004	SOUMAP REALTY P CO COMMERCIAL SUPPLY	1167 WYKING DRIVE E	0	0	0
26	09.29.22.41.0004	CHAD B. SAUER	1175 WYKING DRIVE E	0	0	0
27	09.29.22.42.0005	THREE D SAC SELF STORAGE LP	1175 WYKING DRIVE E	0	0	0
28	09.29.22.41.0005	SCOTT K. SMITH	1195 WYKING DRIVE E	0	0	0
29	09.29.22.41.0025	JAM METCALF MOVING AND STORAGE INC	1211 WYKING DRIVE E	0	4585	0
30	09.29.22.44.0015	MICHEL MBLONG KUNEMAN & JULIE MALE KUNEMAN	1294 COPE AVENUE E	0	1250	0
31	10.29.22.33.0029	TIMOTHY CLELAND & ANN M CLELAND	1308 COPE AVENUE E	312	1786	0
32	10.29.22.32.0021	COUNTY OF RAMSEY REG RR AUTH	UNASSIGNED	0	0	0
33		HWY 36 CONVEYANCE	UNASSIGNED	0	0	58000

HIGHWAY 36

EXIST.
MnDOT R/W

PE

CONST. LIMITS

398'

LEGEND

- PERMANENT EASEMENT
- TEMPORARY EASEMENT

PARCEL 12
 PE = 3,230 S.F.
 TE = 12,919 S.F.

SUMMIT COMMUNITY BANK
 PIN 10.29.22.32.0017

ENGLISH ST.

107+00

106+00

105+00

75'

40'

10'

TE

CONST. LIMITS

398'



City of Maplewood, Minnesota
 Department of Public Works
 Engineering Division



2550 UNIVERSITY AVE. WEST, SUITE 238N
 ST. PAUL, MINNESOTA 55114
 TEL. NO. (651) 646-6197
 FAC. NO. (651) 646-6116

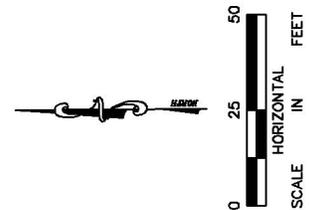
ISSUED 2/3/2012

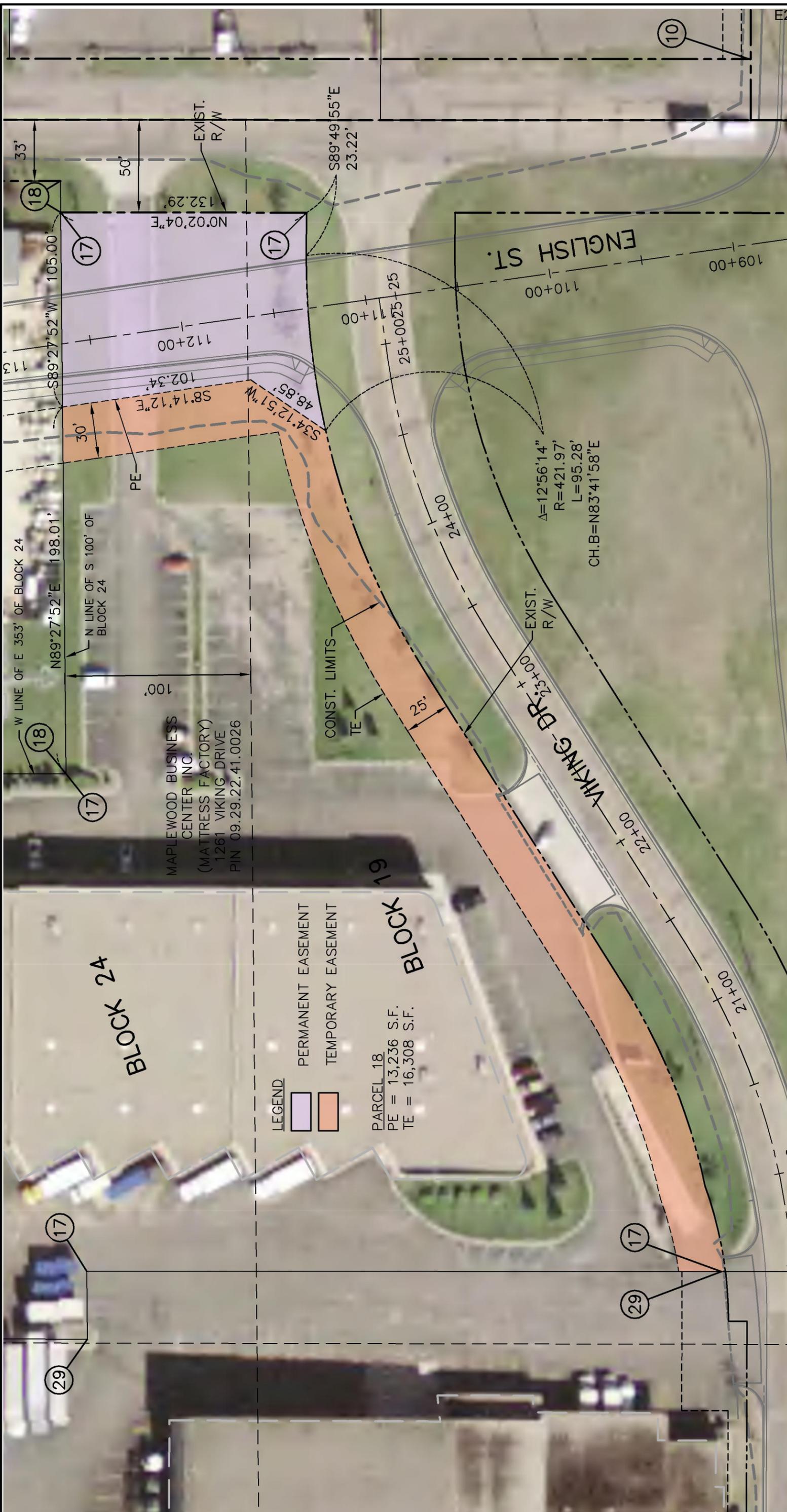
HIGHWAY 36/ ENGLISH STREET
 INTERCHANGE IMPROVEMENTS
 CITY PROJECT NO. 09-08
 Attachment 2

PARCEL 12



HIGHWAY 36/ ENGLISH STREET
 INTERCHANGE IMPROVEMENTS
 CITY PROJECT NO. 09-08
 Attachment 2





BLOCK 24

BLOCK 19

LEGEND
 [Purple Box] PERMANENT EASEMENT
 [Orange Box] TEMPORARY EASEMENT

PARCEL 18
 PE = 13,236 S.F.
 TE = 16,308 S.F.

MAPLEWOOD BUSINESS CENTER INC.
 (MATTRESS FACTORY)
 1261 VIKING DRIVE
 PIN 09.29.22.41.0026



City of Maplewood, Minnesota
 Department of Public Works
 Engineering Division



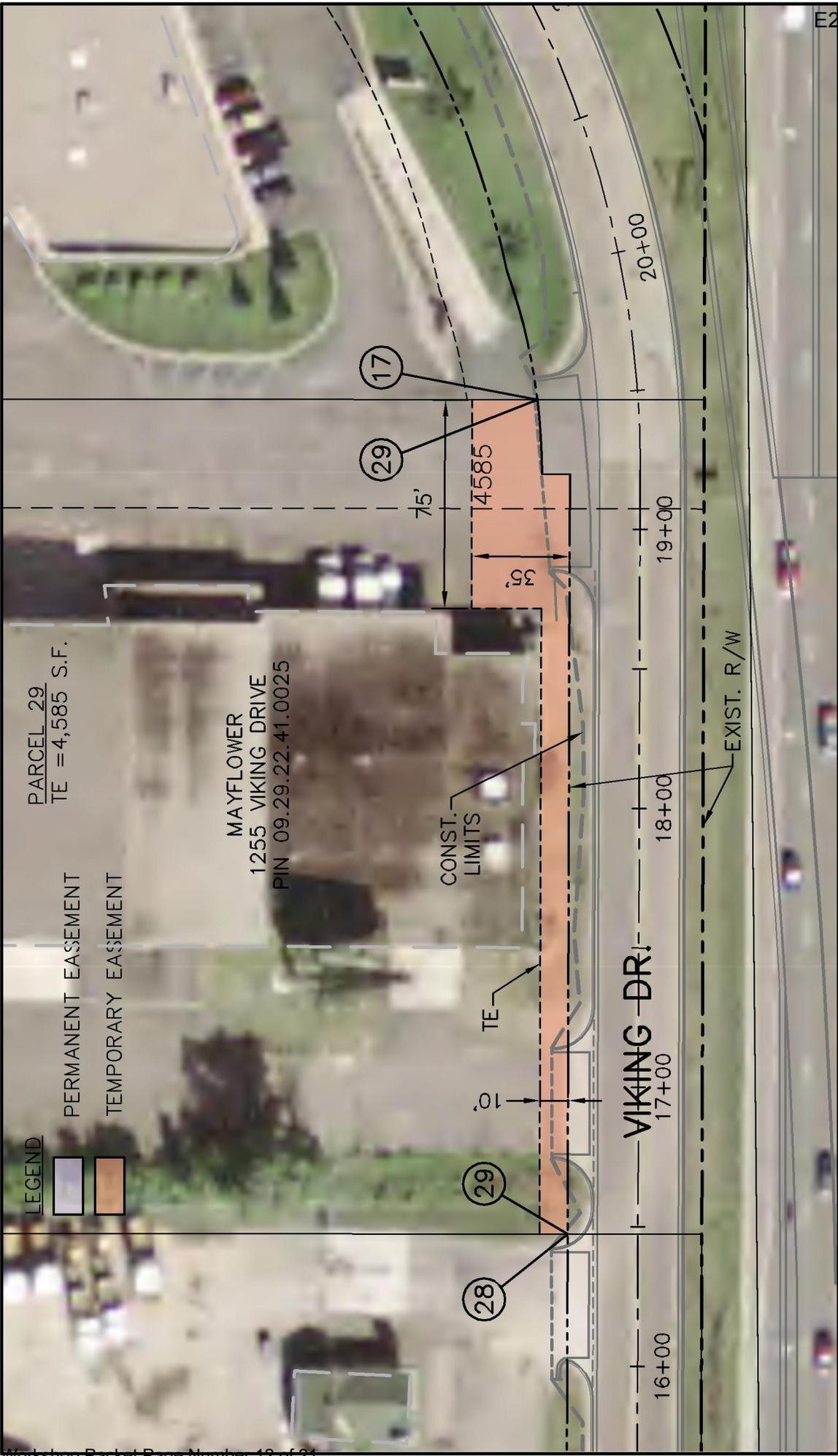
Kimley-Horn and Associates, Inc.
 TEL. NO. (651) 945-4187
 FAX. NO. (651) 945-5116
 2550 UNIVERSITY AVE. WEST, SUITE 2300
 ST. PAUL, MINNESOTA 55114

ISSUED 2/3/2012

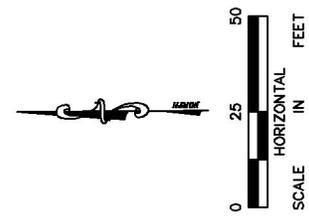


HIGHWAY 36/ ENGLISH STREET INTERCHANGE IMPROVEMENTS
 CITY PROJECT NO. 09-088
 Attachment 2

PARCEL 17



HIGHWAY 36/ ENGLISH STREET
INTERCHANGE IMPROVEMENTS
CITY PROJECT NO. 09-08
Attachment 2



City of Maplewood, Minnesota
Department of Public Works
Engineering Division

Kimley-Horn and Associates, Inc.
TEL: NO. (651) 646-6197
FAX: NO. (651) 646-6116

2550 UNIVERSITY AVE. WEST, SUITE 238N
ST. PAUL, MINNESOTA 55114

ISSUED 2/3/2012

MEMORANDUM

TO: Charles Ahl, City Manager
FROM: Mychal Fowlds, IT Director
DATE: November 5, 2013
SUBJECT: Discussion on Cable Commission Franchise with Kim Facile

Introduction

This item is being presented to keep you informed on the happenings at the Cable Commission as it relates to the renewal of the Cable Franchise Agreement.

Background

The City of Maplewood is a member of the Ramsey/Washington Suburban Cable Commission. The City currently has a Cable Franchise Agreement with Comcast that lasts until November of 2014. The Cable Commission has been and is currently involved in the Cable Franchise Agreement renewal process. Kim Facile has been appointed as the City's representative for this commission and will provide the City Council with an update on what has taken place thus far and what to expect moving forward in the renewal process.

Budget Impact

At this point there is no budget impact associated with this item.

Recommendation

This item is being brought before you for informational purposes only and therefore there are no recommendations at this time.

Attachments

1. Cable Commission Update Presentation

Status of Franchise Renewal

- Needs Assessment will be released by the end of the year. Conducted by independent firm CBT.
 - Needs assessment includes interviews with representatives of every member City for input on current use and future needs.
 - Maplewood’s representatives included Jim Antonen, former City Manager, Mychal Fowlds, IT Director, and Bob Cardinal, City Council member
 - Phone interviews conducted with representative sample from all communities
 - Technical assessment
 - On-line Survey available for completion thru City Websites and the RWSCC website
 - Staff and Producer interviews conducted to determine current and anticipated needs

RWSCC Includes...

**P.E.G. Access is:
Public, Educational and Government
Programming**

Our Channels:

- 14 & 15 Public Access Programming**
SCC programs are made for the public by the public! Let YOUR voice be heard!
- 16 Government Programming**
GTN provides professional video services to 12 member municipalities covering local government.
- 18 Global Programming**
RWTV provides new and exciting educational programming!
- 19 On Location Programming**
On Location staff covers community events, such as sporting events, plays, concerts, and graduations!

Our upcoming Open House will include:

- Equipment Demonstrations
- Studio, Facility, & Truck Tours
- Q & A Sessions
- Meet the RWSCC Staff
- Network with Community Media Producers
- Sign Up For Production Classes
- Try our Green Screen Technology
- Raffle Drawing for a TV or Blu-Ray Player
- FREE Food and Drinks

All are welcome! See you there!

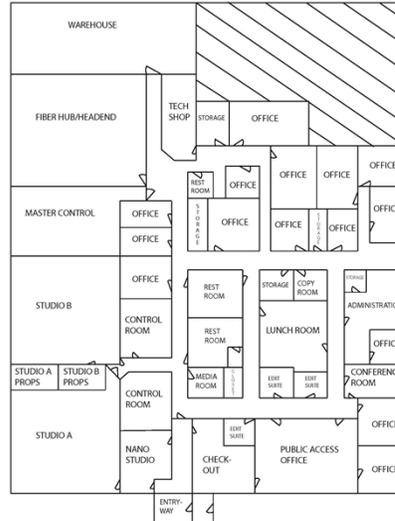
facebook.com/scctv
 facebook.com/gtn16
 facebook.com/onlocationtv19
 @scctv

Residents in the RWSCC communities may be eligible for FREE Universal PEG Services from Comcast Cable. This service includes the public access channels listed above. For more information call RWSCC at 651-747-3901.

An inside look at the SCC...

- ✓ Located at 2460 East County Road F, White Bear Lake
- ✓ Facility includes 2 full Studios, 3 edit suites, the Headend, Master Control, Tech Shop, warehouse, staff and production offices, and meeting rooms.
- ✓ Monthly Usage is high for the equipment and services offered:

- ✓ 6 classes, 24 certifications per month
- ✓ Edit Suite use – over 100/month
- ✓ Equipment Checkouts, including camera and miscellaneous field items – between 69-81/month
- ✓ Channel 15 - 60 new shows are submitted for playback and 28 live shows are recorded each month.
- ✓ Channel 14, religious programming - 53 new shows are submitted and 8 new live shows are recorded each month.



Recent Actions by the Commission

- Approved annual budget of \$1.86 M for 2014 with expected revenues of \$3.01M.
- Served Comcast with notice of three violations:
 - Comcast is required to provide the RWSCC 6 MHz capacity for each PEG channel
 - Negative Option Billing – due to Digital Adapter Additional Outlet Service Fee
 - Rate Order - \$5.99 convenience billing fee and itemization of bills
- Extended capital equipment purchase deadline to July 1, 2014.
 - This allows Maplewood additional time to determine how to spend the remaining \$20.125.05 balance.
- Reconvened the municipal equipment committee
 - This committee establishes standards and recommends equipment that can be reimbursed by the Commission for each municipality

Enforcement Mechanisms

➤ **Performance Bond – Damages**

➤ *Section 9, Paragraph 1*

➤ **Letter of Credit – Damages and Penalties**

➤ *Section 9, Paragraph 2*



Negative Option Billing Prohibition

A cable operator shall not charge a subscriber for any service or equipment that the subscriber **has not affirmatively requested by name**. For purposes of this subsection, a subscriber's failure to refuse a cable operator's proposal to provide such service or equipment shall not be deemed to be an affirmative request for such service or equipment.

See Section 623(f) of the Cable Act and 47 C.F.R. § 76.981

Comparison of Comcast bills from 2010 and 2013 – new charges billed

The image displays two Comcast bills side-by-side for comparison. The left bill is from 2010 and the right bill is from 2013. Blue arrows point to specific charges in the 2013 bill that are highlighted in red in the original image, indicating new charges. The 2010 bill shows a total of \$99.00 for Comcast Bundled Services, while the 2013 bill shows a total of \$119.99 for Comcast Bundled Services. The 2013 bill includes several new charges such as 'Additional High-Speed Internet Services', 'Additional Comcast Digital Voice Svc', 'Additional Comcast Digital Video Svc', 'Additional Comcast Digital Voice Svc', 'Additional Comcast Digital Video Svc', 'Additional Comcast Digital Voice Svc', and 'Additional Comcast Digital Video Svc'.

The Rate Order

- Rejected and disallowed Comcast's \$5.99 convenience fee
- Required Comcast to remove all costs for regulated equipment (e.g., set-top boxes, digital transport adapters and remote controls) from
 - The HD Technology Fee,
 - The HD DVR Service Fee and
 - The Digital Adapter Additional Outlet Service Fee.
- Comcast was also required to file a refund plan with the Commission within 30 days of the date of the Rate Order and to issue refunds and make all necessary rate reductions.

The Rate Order

- ❖ On March 14, 2013, the Commission adopted a Rate Order addressing the FCC Form 1205 Comcast filed on or about March 1, 2012 (the “2012 Form 1205”).
- ❖ Comcast appealed the Rate Order to the FCC and requested an emergency stay.
- ❖ No stay has been granted to date.
- ❖ The Rate Order therefore remains valid and effective.

What you Can Expect in the Next Steps of the Franchise Renewal

- The RWSCC is responsible for negotiating the franchise agreement
- Federal law establishes the renewal process and what can and cannot be included in a franchise. The RWSCC is following the federally mandated process.
- Comcast has initiated the formal renewal process.
- We ask that you closely review the Needs Assessment once it is released so that you know what key issues may be for the next franchise.
- Do not be alarmed by Comcast’s complaints about the Notices of Violation. We hope to resolve all issues cooperatively and through negotiation.

What you Can Expect ... Key Issues

- The Institutional Network – Comcast wants to charge a large fee for the use of this facility. We want the current arrangement to stay in place
- Support for PEG
- Extension to underserved areas
- Customer Service
- Up to Date System

What you Can NOT Expect ... but what May Happen...

- The RWSCC CANNOT regulate Internet Service, so this will NOT be a subject for our discussions
- The negotiations are VERY complex, and it is a complex process. It is important for you to allow the negotiations to move forward through the RWCCC.

**Thank you for your
time, attention and
support!**