

CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY
STATE OF MINNESOTA

Minutes of the City Council Work Session
Tuesday, October 17, 2023

CALL TO ORDER

Mayor Levine called the work session to order at 5:00 p.m. Councilmembers Lorberbaum, Mazzitello, and Miller were present with Paper joining discussion at 5:25 p.m.

Others present include City Administrator Cheryl Jacobson, Police Chief Kelly McCarthy, Public Works Director Ryan Ruzek, Assistant City Administrator Kelly Torkelson, Park and Recreation Manager Meredith Lawrence, Finance Director Kristen Schabacker, City Clerk Christine Lusian and Xcel Energy Community Relations Manager Kirstin Sersland.

UTILITY FRANCHISE FEES

City Administrator Jacobson introduced Kirstin Sersland Community Relations Manager from Xcel Energy. Jacobson explained that this discussion built off of the June work session which focused on city funding tools including utility franchise fees.

Jacobson presented background information and stated that the city has franchise agreements for electric and gas with Xcel Energy that were adopted in 2014. She noted that council opted not to implement the fee with the passage of the ordinances.

Council discussed potential rate structures including a flat or percentage fee to achieve a budget revenue goal of \$350,000. Discussion included services and programs where franchise fees could be directed to such as natural resources, street improvements, sustainability, maintenance of aging facilities and the general fund. A specific purposes has yet to be determined.

Councilmembers supported establishment of franchise fees with a graduated flat fee structure to achieve a revenue goal of \$500,000. Staff will provide council flat fee scenarios for consideration at a future meeting. Staff noted that the collection of fees has a 90-day implementation timeline and includes notification to the Minnesota Public Utility Commission and Xcel.

Sersland will have the Xcel Energy legal counsel draft the ordinance amendments adding the fee and the fee ordinance. Xcel and City will work on the amendment while negotiating contract terms.

CELLULAR COVERAGE

Jacobson started the conversation by reviewing the history of the problem and theories of the cause of coverage gaps, like terrain and poor air quality. Jacobson explained that wireless services are not a city utility, but an individual private choice.

Levine generally asked what the city's role should be in improving wireless service.

Ruzek explained that zoning does not allow antennas in residential neighborhoods and suggested an option of removing that restriction in code. He added that this issue was discussed in the past and the community opposed towers in residential spaces. Ruzek further explained that even if the zoning code is changed, wireless providers would have to agree to bring infrastructure and provide service.

Lorberbaum agreed that the community does not support cellular towers in R1 districts and she voted against it in the past while serving as a planning commissioner. She added that when she voted against it, wireless was not an essential service like it is today.

Ruzek explained that small cell is another option to fill in gaps, but there are only three in the city currently.

Levine invited Chief McCarthy to comment as it relates to emergency response and public safety. McCarthy responded that coverage is not great inside the police department and when the state network is down, hotspots are operational seasonally, and devices need to be positioned creatively to acquire a signal. McCarthy suggested that users can look into landline phone service.

Levine explained that there are options to solve this problem, like increasing the allowed pole height in zoning code or not requiring a variance from providers. Mazzitello added that there are appropriate places to install a tower other than near someone's home, like open space, right of way, park perimeter, all strategic and tactical intentionally reserved for purposes like this.

Miller added that he agrees with Mazzitello, and wants to keep people safe, while also requiring aesthetic specifications, oversight, and approval. Miller concluded that he wants the solution to be a win-win for Mendota Heights with the goal and priority being to improve wireless service coverage.

Paper agreed and said that we need to do whatever it takes such as adding that towers look like spruce trees now. Lorberbaum was in favor of finding a solution to improve wireless service coverage. Levine added that companies can co-locate together on one taller tower. Mazzitello said another thing to consider is if the tower is high enough above the tree canopy, we might not notice the blades.

Councilmembers directed staff to continue to review options for improvement.

ADJOURNMENT

Mayor Levine adjourned the meeting at 6:45 p.m.

ATTEST:

Stephanie B. Levine, Mayor

Cheryl Jacobson, City Administrator