

Grogan said the technical side of the local cable operations will be handled by Midwest Cable employees but Charter representatives will handle the customer service. He said after the transfer, current Bloomington Comcast customers will be able to retain their same phone number and should be able to retain their current equipment. The Comcast.net e-mail, however, will be converted to Charter.com most likely within the first 12 months. Midwest will not be as financially large as Comcast but they will be handling the billing. Comcast will execute an ordinance renewing the City's cable franchise agreement, which the new Grantee has accepted and agreed to.

Grogan then provided the following information pertaining to the renewal of the existing franchise to which Comcast and GreatLand have agreed based on the City's approval of the transfer: 10-year term, 5% franchise fee, \$100,000 performance bond, \$25,000 security fund, and free service to public buildings and schools. The new agreement includes 7 Public, Education and Government (PEG) channels, a PEG fee of \$1.40 with an option to increase it up to \$1.60 after September 30, 2019.

Council comments/inquiries:

Winstead said this is a reasonable plan for the renewal but said the Council's heard a variety of opinions regarding customer service. He commented Bloomington has some of the oldest cable infrastructure around and asked if there were any assurances our system can be upgraded to ensure good service is provided to the Bloomington customers.

Busse said residents care about the cost and quality of cable and asked what happens if the new company fails.

Grogan said he can't include a condition about not raising prices for two years but said he'll try and build in some safeguards. He said one of the conditions he'll be briefing the Council on next meeting includes a corporate guarantee to ensure the operating entity that holds this franchise is actually backed by the corporate parent that has the monetary backing for all 2.5 million customers. He said the financial report will demonstrate there are significant concerns.

Oleson asked about comparative costs for the customer and if customers will have the opportunity to get out of the contract with Midwest to go with a satellite dish or possibly CenturyLink or does it have to go through the City.

Grogan said the 5% franchise fee won't be changing but the PEG fee will be increasing. He said GreatLand's reply regarding rates were fairly generic. They have no current plans to increase rates but he can't put in any condition regarding it. He said Comcast doesn't currently use contracts so there is nothing that needs to be broken.

Council members were directed to get their questions to Larry Lee, as the transfer and the franchise renewal will be on the January 26, 2015, Council Regular meeting agenda for approval.

(No formal action was required.)

6.2 Solid Waste Organized Collection Update

Requested Action: Provide feedback and direction regarding the pursuit of organized collection of solid waste materials in Bloomington.

Public Works Director Karl Keel along with Deputy Director Jim Gates, and Consultant Dan Krivit, Foth Infrastructure & Environment, LLC made the presentation. It was stated the 60-day negotiation period with existing haulers has been completed and a proposal has been submitted by the existing haulers. All seven existing haulers actively participated in the preparation of the proposal. This item will be continued to January 26, 2015, for additional Council discussion.

Some highlights from Keel's presentation included the following: City's position with regard to price is that an acceptable rate ought to be at or below the "negotiated" cities price. The haulers' January 5th proposal is for a 5 or 7 year contract and includes a \$17.50 cart exchange fee, an option for citywide organics recycling (\$2.50), and is 18% to 31% higher than the *Average Negotiated Cities* price.

Abrams asked if the \$26.75 figure was a result of the survey sample.

Keel replied it is and it includes both trash removal and recycling.

Oleson commented the 275 survey sample size bothers him.

Keel said staff was pleased they received 275 surveys, as it's a reasonably good mix. He said staff was unable to obtain the haulers' customer lists.

Abrams asked how many haulers were represented in the different "*Negotiated*" cities.

Krivit replied between two to four haulers; but not seven.

Abrams asked how many different companies are the single server of those communities that went to a single vendor.

Keel said they are typically the larger haulers and two of them currently serve Bloomington.

Krivit said they will provide Council with a list of who the contractors are in each case that has gone to a "*negotiated*" or "*competitive*" cities.

Winstead said it would be good to see which haulers that got the "*competitive*" cities contracts because those rates are much lower. It will demonstrate whether it's an advantage or a disadvantage to the size of the company being able to bid on it.

Currently the City doesn't have the authority to assess unpaid trash bills so the question was asked if the City should seek explicit legislative authority to collect bad debt.

Keel outlined the following options for Council: 1) Accept the haulers' proposal, 2) continue hauler negotiations up to the January 26, 2015, Council meeting, 3) establish an Organized Collection Options Committee (OCOC), or 4) terminate pursuit of organized collection. He explained staff's recommendation is to continue the negotiations with the haulers until the January 26th meeting and asked Council what they see as a reasonable price.

Winstead said Options #1 and #4 will not be considered so it looks like Option #3 will be pursued. He said it's down to price.

Keel said staff will continue with Option #2 until the January 26 meeting and if no agreement is reached, Option #3 will be pursued.

Winstead said if this were to go out for a bid process and all the haulers agreed to bid at a certain price or less, the city could be cut up by market share or routes by lottery or numbers of households, etc. to maintain the market share for the existing companies.

Keel said the options at the OCOC level are endless. There could be minimum size areas, etc.

Abrams said she favors extending the negotiations to January 26 in hopes the City can get the legislative authority to collect the bad debt. She suggested this be added to the City's Legislative Priorities. She commented maybe the price point will change once the law is enacted.

Winstead said he'd like to see the City have that mechanism to back up the haulers.

Keel said to date, staff has had private conversations with the haulers. However, if no agreement is reached, the Council will likely hear from the public.

Winstead said the Council is hearing from people on both sides of this issue.

Carlson said he's not in such a hurry but is more concerned about getting the best price so encouraged staff to keep at it. He said take an additional two weeks because the current price is unacceptable.

Lowman said he is concerned with the amount of time associated with Option #3, as it will slow down the process. He asked if there was another way to get a Request for Proposals (RFP) without using an OCOC committee to shorten the timeframe.

Winstead said if the City doesn't come to terms with the haulers' proposal, the City is legally bound to follow Option #3 but would like to see it expedited. He'd like to see all of the haulers protected in their market share.

Keel explained State law requires a minimum of six months' notice to the public. Staff has been looking at a switch over date of January 1, 2016, but it will be in the spring or fall before a switch actually happens.

Winstead reiterated it will take six months once Council decides on a plan. He supports Option #2 but said if that doesn't come soon an OCOC will be established and expedited. He asked if the acceptable price is somewhere between the *Negotiated Cities* minus and the *Competitive Cities* plus.

Abrams asked why Council thought it was so important to bring a solid waste plan forward. She said the number of trucks is clearly the number one issue but the Council is trying to preserve the same companies picking up trash in Bloomington. The focus continues to be on the traffic and the number of trucks on the street -- the environmental issue people has issues with. She didn't embrace the notion of a solid waste plan because she thought the City needed to leverage its buying power to get a better price. She hopes the seven haulers that have participated in good faith up to this point can come to a resolution the Council can live with. She said they're also responsible for executing how the customer list will be split up.

Abrams said the Council wants to achieve everything from what the Master Recyclers want to the people who hate having so many trucks on their street. She wants the Council to remain true to all of the priorities they listed in the original order. She said Council knew price would not be totally within its control. The Council holds some firm principles about the market place and small businesses and wants Council to stay true to them.

Oleson said there are a number of issues the Council talked about before. One reason the larger trash companies can offer a lower price has to do with their control of the recycling process, which gives them an advantage. He said very few roads are built that can't handle this weight. He hopes there has been some talk about savings because if a company is going stop after stop after stop, they've got less time in labor, less gas, less wear and tear, less tire replacement, etc. but said it doesn't sound like that's been the case. Regarding the collection of bad debt, a hauler speaking on behalf of the other haulers said it cost about \$.30 per customer per month. He said the City's got to get a handle on the bad debt issue or garbage could start piling up. He asked if there was hard information available on haulers in an organized system vs. marketing. He said the bad debt issue could get worse.

Winstead again stated he wanted to get that done for the City and the haulers.

Oleson asked if other options were considered that would result in having a separate hauler -- two trucks; one for organics and yard waste and one for recycling.

Keel replied it is anticipated there will still be three trucks serving customers. He said how they determine which truck will pick up trash, recycling and organics will be determined by the haulers. He reported two haulers are picking up organics now. He said Minneapolis anticipates using the blue bag; which is the preferred method going forward by Minneapolis and Hennepin County.

(Winstead said the Council directs staff to continue negotiations with the haulers but will be on the way to expediting an Organized Collection Options Committee.)

6.3 Curbside Cleanup Program Changes

Requested Action: Review options to continue the Spring Cleanup Program and provide direction to staff.

Maintenance Superintendent Jim Eiler and Assistant Superintendent Dave Hanson provided the staff report. They explained the hauler contract for the Spring Cleanup Program expired in 2014 so staff would like some direction to continue the program into 2015 and beyond. They presented slides on the following: History, Existing Program (spent \$590,000 in 2014), Issues (takes 40 rear loader trucks of which there is a shortage – they're coming from WI), Request for Proposals (issued in October and only one hauler responded – Republic Services), Options - #1 (divide city into 15 zones, pick up debris on weekdays for an estimated cost of \$686,416), Option #2 (divide city in half, pick up north half in 2015 and south half in 2016 for an estimated cost of \$741,087 over two years), Option #3 (continue cleanup over five weekends like last year for an estimated cost of \$902,290), or Option #4 (discontinue the cleanup program). Staff recommends Option #1.

Council comments/inquiries:

Winstead asked if it would be more doable at more of a cost if the program is handled by a consortium of haulers and spread out over the seven haulers proportionately to ensure there is adequate equipment to get the job done.

Abrams suggested the City purchase the \$29 bags which could be picked up by the arm of the truck that picks up the bucket and gets dumped into the regular trucks already on the street.

Eiler said Republic reached out to a couple of the haulers to see if they would participate in this but didn't get anywhere with them. It was staff's original hope to continue the program as is until the organized collection process was complete to understand where that was going to land so a new spring cleanup program could be phased in. That didn't work out so now the City is trying to figure out how to keep it going for 2015 and potentially 2016.

Eiler explained a different kind of truck is used to pick up the green bags.

Lee asked how Option #1 would be paid for. He said the difference would have to come out of the fund reserve for this year with increased rates in subsequent years.

Winstead said the City adds \$2.23/month to the water bill to cover this program.

Carlson supported Option #2 because it's affordable; it spreads the cost over two years, and gives the City some more time to fix this issue.

Winstead said it would take a lot of education to transition residents to Option #1.

Oleson said from 1964-1981, it was clean up and fix it up. Now people bring their items from 150 miles away and there are scavengers. He supported starting early or going with Option #2 and asked what the City gets from the program.

Abrams said the curbside cleanup got a warm and fuzzy according to the Citizens' Survey.

Winstead said 95% of the residents very broadly want the cleanup program.

Lee commented when the City Council reinstated this program citywide, it coincided with staff conducting more environmental checks.

Busse said the City needs a long-term solution and asked how it can buy some time.

Eiler said the City wants to continue this program for two years.

Lowman asked about the viability of having a drop-off site where residents could bring their items.

Winstead said the timing of having a City-initiated drop-off site one weekend in June to supplement the program could be problematic.

Lowman said he could support Option #1 with a drop-off site to supplement it.

Eiler said this could be a two-year contract with a 2-3% increase in Year two. He reported some cities with drop-off sites have reported two-hour waits.

Lee added the cost of having a drop-off site can be quite high.

Winstead said maintaining the status quo in Option #3 is a lot of money; a 51% increase over 2014 and asked how much more would be added onto the water bill to fund it. It would be \$3.29/month more on the water bill so they could tell residents the curbside program used to cost \$2/month and now it costs \$3/month.

Abrams said starting the program too early in March might cause some people to miss their opportunity to participate.

Oleson said the Council needs to do something. It's like the cable bill; changes would need to be made to the water bill. He suggested maybe the City should institute a moratorium to pique people's interest on what's going on. Be realistic with them and explain the City is trying to figure it out.

Abrams and Lowman supported Option #3.

Winstead preferred Option #3 and said \$3 per household is palatable.

Busse reluctantly agreed to Option #3 but said the City needs to come up with a long-term solution.

Winstead said Option #3 is a large percentage increase but a modest household increase. Said he wasn't ready to discontinue this program just yet.

Carlson asked if some parameters could be put on this. He said this is a one-year solution so there will be something different in 2016 and asked if the City is moving towards user fees.

Winstead said 59% of the residents participate and asked if residents would be willing to pay \$75 to use the service.

Carlson said the service would be more expensive because it wouldn't be a citywide service.

Eiler said staff talked about going to a voucher system but wants to know what will happen with organized collection first.

Busse said other haulers might be interested in performing the curbside cleanup for \$900,000.

Winstead commented Republic costed it out and bid it realistically.

Staff was hoping to get at least one or two more bidders.

Lee summarized Council's discussion as reaching a tentative consensus to bring back Option #3 (continue cleanup over five weekends like last year at an estimated cost of \$902,290) for a two-year contract. Staff will gear up the informational piece to get it into the water bills and will get the water bill surcharge up to speed on the additional cost.

**6.4 Alternative
Transportation Plan
2015 Update**

Requested Action: Provide feedback on the draft Alternative Transportation Plan (ATP) 2015 Update.

Parks and Recreation Manager Randy Quale introduced Mike McGarvey, SRF Consulting Group who presented an ATP Update summary. McGarvey presented slides covering stakeholder involvement, a document overview, the public process to gain feedback on the plan and the focus group input from government partners and advocates of the Plan. He reported a summary of the online survey results revealed a strong desire by the residents to walk and bike in the community. American Boulevard and Old Shakopee Road were listed as priority locations for bikers along with the Bush Lake implementation of trails. They desire connectivity of Bloomington trails to other cities' trails.

Busse questioned why Richfield and Edina weren't part of the focus group.

Quale replied other cities were invited but Burnsville chose to attend.

The presentation continued with a sampling of the open house comments. A copy of the 2008 ATP Map was shown and the major updates that have occurred since that Plan. The major updates were shown on the ATP map. The bright green lines represented the new trail segments and the linking segments. The current gaps in the system were identified on the map in pink.

Abrams requested a copy of the Current Gaps Map.

McGarvey continued the presentation by showing Hennepin County's 2040 planned bikeway system. The common user groups of alternative transportation were discussed as well as the different facility types (on-street and off-street). He presented a map of the ATP system by facility type, which included regional trails, community corridors, local connections and existing park trails. He explained the Alternative Transportation Policy and planning framework, of which the overarching policy of the City is the Complete Streets Program. After explaining the prioritization criteria, he listed the following trails in priority order: #1 (Minnesota River Trail Corridor), #2 (Hyland Trail Corridor), #3 (Intercity Trail), and #4 (Nine Mile Creek Trail), #5 (West Bush Road Corridor), #6 (Bush Lake Park trails), #7 (Xerxes Avenue bikeway), #8 (France Avenue trail corridor), #9 (Normandale Boulevard trail), #10 (I-35W parallel route), #11 (American Boulevard corridor), #12 (Portland Avenue corridor), #13 (Old Shakopee Road corridor), and #14 (CP Railroad corridor). Next he presented the estimated length of each priority segment and its projected cost. He said the costs for the Bloomington trail projects within road right-of-way are based on a \$680,000 average cost per mile.

Lowman asked if some of these costs will be part of the Pavement Management Program (PMP).

Winstead said some of these costs might be reduced if they're done in conjunction with the PMP project.

McGarvey said the projected cost for all of the Priority segments is \$34.5 million plus a 20% contingency and 15% in professional fees for a total of \$12,077,000 bringing the overall cost for all of the segments to \$46,584,000. He concluded his presentation by discussing some typical maintenance costs.

Keel added staff has included an index rating for all of the trails located along roadways but there are no pavement ratings for the trails that run through the parks. With regard to the PMP costs, it was stated approximately 25 miles of bituminous trails will exist in Bloomington in 2016. He said details of the proposed four-year plan ("catch up" approach) will be presented to the Council in 2015 prior to the 2016 budgeting process.

Winstead asked if the users of the priority segments have been identified.

McGarvey said the regional trails generally have the highest priority and they serve the highest number of users locally and regionally.

Winstead said he'd like to see the user types incorporated into the ATP text. For example, riders in the Three Rivers Park District are recreational users while the bike commuters use the France Avenue trail. He said there are different needs for different trails that are in close proximity to one another. Could all trail users be accommodated by one certain trail design and would we need or want to put in the other one. He'd like to see some identification as it goes to the prioritization.

Lee talked about another way to analyze the priority table would be to see if the first five priorities are aimed at one type of user. Are other users going to have to wait until the City gets to #6 is another way to analyze that information.

Abrams stated she appreciated, "that quality is more important than quantity" in the conclusion statement. She asked if more work needed to be done on the signage; i.e. some outlying expenses to designate these areas as trails.

Quale replied there is additional signage to improve wayfinding.

Lee said three places that have decent signage include Normandale Lake, Hyland and inside the Three Rivers parks; otherwise it's very inadequate.

Oleson said there is a standard with regard to the style and color of signs and suggested the City could use the signage in the Three Rivers Park District as a standard if it's a good system.

Lowman commended staff for their work on the ATP.

Staff is in the final stages of obtaining public comment on the document. They plan to bring back to Council the final document in late February or early March.

Winstead said he'd love to see City maps with lines on them located in a prominent place within the ATP. For example, Overlook was taken out of the Comp Plan. He said elements in the foreseeable future should be included and considered in the ATP. He desired to see some stronger language regarding what's not included in the ATP but is coming.

Oleson asked if the Americans with Disabilities Act (ADA) laws regarding the width of wheelchairs and the speed of movement in terms of walkers on the trails, for example, is commented on in the Plan and does it address multiple uses.

McGarvey said a number of different standards are referred to throughout the document including the ADA, the State Design Manual for Bicycle Facilities, the DNR Manual for Bicycle and Trail Facilities, and others.

Oleson said he was thinking about the combination of uses – bikers and wheelchairs on the same trail. He didn't think the ADA got into how uses can be combined.

Lee said it states upon which principles the Plan is developed.

Abrams asked how public testimony will be handled at the hearing so it doesn't become the big hearing on the MN River Valley single/dual trail.

Lee asked Quale if the City will have the DNR's timeline for reviewing the Plan by then. If it will, the City could announce the DNR's timeline for preparing the Plan and times they'll be taking public input.

Quale said staff has requested that information but has yet to receive it. The DNR plans to implement a public process in the spring but hasn't been specific. He said there's been some discussion about a potential trail summit that Representative Lenczewski is trying to pull together for the end of the month but staff has received no confirmation on that yet.

Lee requested Quale have that timeline from the DNR prior to holding the public hearing in February 2015 so staff can direct speakers who want to talk about the trail design to when that opportunity will occur.

6.5 Penn American Study Discussion

Requested Action: Discuss alternatives and provide direction to staff on desired modifications, if any, to the Penn American rezoning and related Code amendments prior to Council's action on the rezoning and Code amendments on January 26, 2015. The existing moratorium expires on February 3, 2015.

Planning Manager Glen Markegard presented slides on the Penn American District Rezoning and Mixed Use District Code Amendments. He talked about the timeframe stating the Council needs to act on the rezonings and Code amendments at the January 26 meeting. He showed a map indicating the rezonings recommended by the Penn American District Plan. He listed the topics to be addressed. He explained the direction the City Council and Planning Commission (PC) desire to take with regard to motor vehicle sales. He showed a chart of options (#1, #2 and #3) regarding auto dealer amendments. He reported Luther and Lupient can accept Option #3 (conforming use, minimum Floor Area Ratio (FAR) of 0.6. He explained auto dealers would have an exception to the 0.6 FAR at the discretion of the City Council if the Council makes certain findings, which he went on to describe.

Winstead asked how the FAR for the BMW was calculated. Does it include any ramps?

Markegard said the BMW calculation includes only fully enclosed parking areas of which there is a very small amount. Most of their parking ramp is screened but is open to the elements so therefore it's not counted. It would be over 1.0 FAR if it did count. He said staff doesn't want to count that, as there would be ripple effects all over the city in other zoning districts. By setting the bar at 0.6, the BMW dealership would be allowed. Each of these dealerships could evolve over time into that or they could redevelop to another use. It determines the BMW bar level is acceptable. He explained a caveat under Option #3. He said the Council could lower the FAR provided certain findings are made and proceeded to explain them.

Markegard asked for Council's guidance regarding Options 1, 2 and 3. He said staff sees Option #3 as a compromise, as it would work towards the vision as redevelopment occurs.

Oleson asked if the two "and" and one "or" findings were discussed with Lupient.

Markegard replied they were and they can accept it.

Lowman asked if making auto dealerships a conforming use was just for the existing ones or would it apply to a new dealership that wanted to move into that space.

Markegard replied looking at the Use Type chart, motor vehicle sales have been in existence in the C-4 and C-5 Districts prior to January 26, 2015.

Busse said Option #3 is good. It's a compromise that everyone can live with so it should move forward.

Abrams agreed with Busse. The 0.6 FAR is tied to industries and zones. She said it might be a stretch for some dealerships but it can be done like the BMW. She appreciated everyone's hard work on this.

(There was Council consensus for staff to present Option #3.)

Carlson also appreciated the time and effort and the value of compromise. He said this preserves a viable route for the Orange Line, prepares a vision for the future, and tries to do what the City set out to do; prevent the uses Council doesn't want to see as part of that vision in the future. He said Option #1 would achieve all of the goals stated in the District Plan while Option #3 captures the high value parts of the argument the City wants to preserve and it's a compromise. It still safeguards the true intent of the Plan.

Markegard continued with his presentation. He discussed the proposed terms of the Kraus-Anderson (KA) voluntary moratorium. He said Jiffy Lube and Wedding Day Jewelers would not be included with the three KA properties. No time limit would be built into the moratorium but there is a 90-day notice for either the City or KA to terminate the agreement. He said Met Transit wants the zoning in place by the third quarter of 2015 to assist in FTA scoring. He explained what outcomes are desired from the moratorium. He showed a KA Concept Plan, which removes the buildings in between Herberger's and Bed, Bath & Beyond. He said the latest KA Plan shows a 300-space park and ride on the current Mitsubishi site, a 108-room hotel, two restaurants, and 126 unit apartments. He said the curve on the Plan could be problematic for transit buses and the City would want an active ground floor at the park and ride. There is an issue regarding the proximity of the station to American Boulevard for transfers. He said the City would want to see real good pedestrian and bicycle circulation throughout the site. With regard to the Memorandum of Understanding (MOU), he stated even though staff is unsure if a conclusion can be reached that satisfies all parties' interests. Staff believes further discussions are worth pursuing.

Winstead said KA's Plan meets the needs of the District. He reiterated Met Council would like to see any potential zoning changes happen within six months. He said the City could go with a moratorium and specifically continue it for a 6-month period. He asked why couldn't the rezoning occur first and then work out the details or have KA work out the issues before the rezoning.

Lee replied this is KA's preferred order.

Abrams said although the City initiated the moratorium a year ago, it was only during the second half that the moratorium started to gel. She asked how long of a moratorium would keep the fire going.

Lee said staff is not proposing to extend the moratorium but KA is proposing an MOU to determine an end date for the moratorium.

Winstead said he wanted the moratorium to expire in six months.

Abrams asked if that would give staff enough time.

Markegard said if the moratorium is extended to a date certain, staff could advertise or send notices but it's not necessary.

Winstead suggested the actual hearing should be noticed.

Carlson said none of the elements on KA's eastern portion of the site go against the proposal and questioned why that can't be rezoned now so Council can concentrate on where the strip mall is currently located over the next six months.

Markegard said KA would be opposed to doing that but the Council could.

Lee asked the Council if they would be okay if the agenda material on January 26 continues the KA rezoning and substitutes an approval of a MOU.

Winstead said he'll be ready in six months to act on the rezoning as it's been presented but will respect KA's request for a year-long moratorium. He also said he'd be comfortable moving on the proposed zoning unless KA formulates something and it comes together.

Lowman questioned why six months.

Winstead said the Met Council has indicated they'd like to have any rezoning completed by the third quarter of this year so they can tell the Federal government they've got the rezoning.

Lee said the time limit is for the comfort of the property owner. There's a staff recommendation Council could adopt in two weeks.

(There was Council consensus to approve a MOU with a six months date certain for the rezoning.) (et this)

Lee said the City Attorney has reviewed it.

Markegard said the MOU can continue indefinitely as it's written with either party giving 90 days' notice but said he thinks KA would be amenable to putting a fixed date on it.

Winstead said if people come to conclusion up front, let's mutually agree to drop it and go with the zoning.

Markegard continued with his presentation to show an aerial of the 8200 Humboldt Avenue property, which is outside of the Penn American District and outside of the proposed rezoning. He said the owner of this property is looking to be up zoned. Staff's concern with the up zoning is there are single-family detached homes located to the west and south.

Markegard said when the 82nd Street bridge gets built, the median will be extended past Irving Avenue making it hard for staff to endorse any development that would increase traffic. He said no rezoning is proposed but Mr. Frimerman could apply for a rezoning. Thinking long-term, he said one redevelopment scenario on that site would be senior housing.

Continuing with his presentation, Markegard talked about the Metropolitan Council 2040 Transportation Policy Plan (TPP) Update. He reviewed the Draft TPP activity levels, density levels, uses recommended for inclusion, uses recommended to restrict or discourage as standalone, forms recommended for inclusion, and forms recommended to restrict or discourage. He said the City matches up well with the Plan except for motor vehicle sales. He said two items will come back on January 26.

6.6 2015 Legislative Policy Discussion

Requested Action: Review, discuss and provide input on the draft 2015 Legislative Policy.

Lee stated staff has worked to shorten this document and reorganize it so that the “A” priorities are listed on the first two pages. He proceeded to review the four “A” priorities as follows and asked Council if they had any problem with staff working with Representative Lenczewski who plans to draft bills for all four of them:

- Funding for the I-35/I-494 Interchange Improvement
- Funding for the Mall of America Transit Station:
(Request for \$15 million in the bonding bill. If passed this year, the station should be up and running in time for the 2018 Super Bowl.)
- Organized solid waste ability to assess unpaid fees:
(It would be beneficial to the contract the City is trying to negotiate with the haulers, as it would result in a reduced price for Bloomington residents.)
- Online lodging sales tax:
(Someone buying through a wholesaler ends up paying less hotel/motel tax than someone who buys retail from the property. City is requesting the specific legislation that clarifies that you pay hotel/motel tax based on the retail price paid by the person who stays in the room. Because Bloomington collects its own hotel tax, it can't do it. Could result in \$225,000 a year in the City's General Fund, a similar amount for the Port Authority, and a similar amount for the Bloomington Convention & Visitors Bureau.)

Oleson said he was disturbed with the A and B priorities. He said there is not much on the A list to benefit the average citizen. He mentioned the city's housing stock and neighborhoods.

Lee said the Community Development and Renewal Financing Tool has been in the City's Legislative Policy for at least ten years and in the Metro Cities Legislative Policy for a similar amount of time but hasn't garnered enough interest.

Winstead said the coalitions and subjects come out of the related trade associations of cities; i.e. League of Minnesota Cities, Metro Cities, the Municipal Legislative Commission, etc. when shared circumstances start to come to the surface. That's when it gets brought forward.

Oleson said there's been a push by the City with lots of activity in the South Loop, Normandale, and now Penn and American Districts. He asked about the rest of the city – the housing and the feel of the neighborhoods. He said it would be nice if the same level of excitement that's occurring in those districts were to occur in a four block square area on the east side that included residential. A lot has been done on the three big nodes of the city so it's time to look at the smaller projects.

Lee said that goal was recorded at the last meeting so staff will work on it. He said the Council determined that was not the highest priority on the Planning Work Plan for 2014.

Oleson again said the Council needs to move on from the three nodes that have been receiving so much of their attention.

Abrams gave staff kudos on the new legislative policy document. It will serve as a cheat sheet to remind Council of the four things it needs to concentrate on. She appreciated the identification of the four "A" priorities because they are urgent. She commented Bloomington has some representatives that live in other cities and they don't understand Bloomington's needs as well as Representative Lenczewski and Melisa (which one) does. She said the concerns Oleson raised about the neighborhood issues and the smaller developments in some of the neighborhood nodes is a priority but she doesn't think they can be fulfilled in a legislative policy aspiration this year. She added more work needs to be done to garner more support from St. Paul.

Busse said he suggested Oleson call the League of Minnesota Cities (LMC) to get on one of their policy committees.

Winstead commented two of the priorities are an attempt to gain funding and two of them are policy changes. He said what Oleson is saying is give the Council some tools. He told Lee it might be time to dust off the plans the Housing & Redevelopment Authority had in place back in the early 90s when a specific neighborhood was targeted. It was a concentrated effort (Neighborhood Enhancement Program) involving 200 homes. He said the City might need to find a way internally to do some programs.

Lee said the program still exists but resident interest has declined.

Abrams suggested the Normandale Crossing be deleted from the Policy. The Council concurred.

Lowman said there used to be something in the Legislative Policy about infrastructure in terms of the telecommunication and how it makes Bloomington competitive. He asked if the telecommunication infrastructure should be added back in as a "C" priority. He cautioned staff not to lose track of the telecommunication infrastructure around the fiber optic capacity.

Winstead said franchise fees should be put on the internet providers, etc. It's a policy issue the City needs to address with LMC and Metro Cities.

(There was Council consensus to approve the draft 2015 Legislative Policy.)

7 ADJOURN

Adjourned the study meeting at 10:10 p.m.

Barbara Clawson
Council Secretary