

NORTH METRO TELECOMMUNICATIONS COMMISSION MEETING

October 18, 2017
6:00 p.m.

**SPRING LAKE PARK CITY OFFICES
1301 81st Avenue NE
Spring Lake Park, Minnesota**

AGENDA

1. CALL TO ORDER/ROLL CALL
2. CONSENT AGENDA **pp. 1-10**
 - 2.1. Approval of the minutes of the regular meeting, September 20, 2017
 - 2.2. Approval of the September financial reports and bill list
3. CITIZENS TO BE HEARD
4. NORTH METRO TV REPORT **pp. 11--18**
 - 4.1. Monthly update
5. REPORT OF EXECUTIVE COMMITTEE **pp. 19-29**
 - 5.1. Carousel/Makito Project Wrap-Up
 - 5.2. Small Cell Model Ordinance
6. REPORT OF OPERATIONS COMMITTEE **p. 30**
7. REPORT OF LEGAL COUNSEL
 - 7.1. Monthly Report
8. REPORT OF COMCAST
9. REPORT OF CENTURYLINK
10. NEW BUSINESS
11. OLD BUSINESS
12. REPORT OF DIRECTORS
13. COMMUNICATIONS **pp. 31-38**
14. ADJOURN

NORTH METRO TELECOMMUNICATIONS COMMISSION

UNAPPROVED MINUTES

Commission Meeting – September 20, 2017

CALL TO ORDER

Chair M. Percy called the regular meeting of the North Metro Telecommunications Commission to order at 6:00 p.m. at the Spring Lake Park city offices.

ROLL CALL

Directors Present: Dick Swanson; Blaine, Matt Percy; Circle Pines, Steve King; Centerville, Melissa Maher; Lino Lakes, Cindy Hansen; Spring Lake Park, Al Parranto; Ham Lake

Directors Absent: Mike Murphy; Lexington

Others Present: Heidi Arnson; Exec. Dir., Mike Bradley; Legal Counsel, Greg Emmerich; CPA

Comcast Rep:

CenturyLink Rep:

CONSENT AGENDA

- **Minutes, Bill List, Financial Reports**

The June 21, 2017 minutes were approved as presented. **Motion for approval made by C. Hanson. Second, M. Maher. Motion passed unanimously.**

The June, July, and August bill lists and financial reports were approved as presented. **Motion for approval made by D. Swanson. Second, C. Hansen. Motion passed unanimously.**

CITIZENS TO BE HEARD

None present.

2016 AUDIT PRESENTATION

G. Emmerich, of Harrington, Langer and Associates, reviewed the 2016 North Metro Telecommunications Commission annual financial report. No abnormalities were found and the Commission is in a good financial position.

MOTION: To approve the 2016 North Metro Telecommunications Commission annual financial report as presented. **Motion for approval made by: D. Swanson. Second: C. Hansen. Motion approved.**

REPORT OF NORTH METRO TV

H. Arnson reviewed the North Metro TV report as presented in the packet. Topics included:

- The City Carousel signage upgrade has been completed. The devices have been installed, tested, tweaked, and are currently supplying the graphics and short videos on all seven City channels. Eric Houston has been working with each City to make sure that the information and display format are set up to each City's specifications. Now that the units are operational, all of the graphics and NMTV supplied videos are available in the HD format. That, combined with the shorter distance that the information has to travel to subscriber's homes, has improved the technical quality of the channels. A Makito X video transport system has also been installed and tested. The system is designed to send an HD signal from one location to another via the public internet. After thorough research, it was found to be the most cost effective method for transporting an HD video signal from City Halls to the north Metro TV head-end. Currently Spring Lake Park is the only member City already upgraded to HD. The Makito X has been in use for transporting their live meetings to North Metro TV, since the end of August. So far, it is functioning as expected. As each City completes its HD upgrade, a Makito X system will be installed for its HD video transport.
- The NMTV sports team is working with coaches from Blaine, Centerville, and Spring Lake Park High Schools to produce Coach and Captain segments for as many teams as possible. Crews to out and interview the Captains and Coaches of the teams, gather practice and game footage and put together a short video. The segments are integrated into the weekly sports wrap-up program, Sports Den. The videos are also available on YouTube and the North Metro TV website. The segments are a great way to highlight teams that don't lend themselves as well to TV coverage, such as trap shooting and Cross country.
- A group of Blaine and Ham Lake Girl Scouts are taking a series of classes with the goal of producing a PSA about the cost of devoting too much of one's time to smart pones and other media.
- After months of planning and designing, the new sets for the News and Sports Den sets are being installed.

REPORT OF EXECUTIVE COMMITTEE/OPERATIONS COMMITTEE

D. Swanson reported on the following items:

- The lawsuit filed by the Attorney General against CenturyLink, accusing the company of consumer fraud and deceptive trade practices, was discussed. It was noted that the complaint specifically named a Blaine and a Spring Lake Park resident as complaining parties. Legal Counsel, M. Bradley, said that the Attorney General's complaint pointed to several violations of the Member Cities' franchises, and as such, recommended that a Notice of Franchise Violation be delivered to CenturyLink. The Commission considered whether a Notice of Violation should be sent before the outcome of the lawsuit. Mr. Bradley recommended that a Notice should be sent right away so that CenturyLink is aware of the Violations. He also recommended that CenturyLink's letter of credit not be drawn upon until after the lawsuit is resolved.

MOTION: To deliver a Notice of Franchise Violation regarding Consumer Fraud and Deceptive Trade Practices to CenturyLink. **Motion made by D. Swanson. Second, A. Parranto. Motion passed unanimously.**

- The Committee reviewed the 2nd quarter Franchise and PEG Fees.

REPORT OF LEGAL COUNSEL

M. Bradley reported on the following items:

- Enough interest has been shown in the Closed Captioning Report, so it will be moving forward. Results should be available in the late winter/early spring.
- M. Bradley attended sessions at the NATOA Conference concerning drones. He will be meeting with H. Arnson to discuss developing standard operating procedures for NMTV drone usage. He also noted that as drone use increases, local governments should consider having an ordinance in place.
- The rolling out of 5G technology and the use of small cell antennas was discussed. Wireless companies are going to be rolling out a new generation of wireless services called 5G. 5G will rely on a lot more antennas to bring services even closer to urban areas. All of these antennas will be connected to more fiber so that 1 gig service can be available to all customers. To do that companies will need to access utility poles, light poles, traffic signals, perhaps even stop signs and other public property that are in the public right of way. The MN State Legislature has passed a law regarding the placement of small cell antennas. If a city hasn't updated its code to account for what is going to be coming, in the way of applications, they should start considering it. M.

Bradley, was at a League of MN Cities task force meeting, and learned that the League is not putting together a model ordinance to deal with this new law. That means that Cities are going to have to prepare their own ordinances and the new state law also requires the drafting of a model lease agreement for the use of the public property in the right of way. Mr. Bradley has enough interest from his clients that he would be willing to draft a model ordinance and lease agreement at a very reasonable cost for participating Cities.

REPORT OF COMCAST

No report was presented.

REPORT OF CENTURYLINK

No report was presented.

NEW BUSINESS

No new business was presented.

OLD BUSINESS

No old business was presented.

REPORT OF DIRECTORS

No report of directors was presented.

ADJOURN

The meeting was adjourned at 6:38 p.m. **The motion to adjourn was made by C. Hansen. Second, A. Parranto. Motion approved.**

The next meeting of the NMTC will be held on **Wednesday, October 18, 2017 at 6:00 p.m.** at the city offices of Spring Lake Park.

Mike Murphy; Secretary, NMTC

**NORTH METRO TELECOMMUNICATION
BILL LIST**

SEPTEMBER 2017

Date	Check #	Payee	Amount
SEPTEMBER	COMBINED	PAYROLL	40,638.58
SEPTEMBER	COMBINED	IRS/US PAYABLE	14,238.83
SEPTEMBER	COMBINED	MN REVENUE PAYABLE	2,303.90
SEPTEMBER	COMBINED	PERA PAYABLE	7,008.54
SEPTEMBER	COMBINED	PEACHTREE	38.40
SEPTEMBER	COMBINED	DISCOVERY BENEFITS	912.50
13145	9/1/17	Z Systems	1,145.78
13146	9/1/17	Alpha Video & Audio, Inc	50,120.00
13147	9/6/17	Matthew Waldron	126.40
13148	9/11/17	Donald A. Foster	1,395.00
13149	9/12/17	Winter Green Lawn & Snow L.L.C.	690.00
13150	9/12/17	Eric Houston	41.77
13151	9/12/17	Alpha Video & Audio, Inc	7,055.00
13152	9/18/17	Donald A. Foster	199.00
13153	9/24/17	The Schneider Company	2,845.00
13154	9/27/17	Commercial Steam Team	749.00
13155	9/27/17	Pioneer Press	232.84
13156	9/27/17	Aid Electric Corporation	182.50
13157	9/27/17	Corporate Mechanical	280.00
13158	9/27/17	Alpha Video & Audio, Inc	7,840.00
13159	9/27/17	Rozelia D. Valez	121.76
EFILE	9/1/17	Authorize.Net	29.18
EFILE	9/1/17	Virtual Merchant Credit Card	37.10
EFILE	9/5/17	Chase Visa Card Services	4,488.97
EPAY-01	9/1/17	Principal Financial Group	419.86
EPAY-02	9/2/17	Republic Services	131.09
EPAY-03	9/3/17	SA Fleet-Wex Bank	178.41
EPAY-04	9/5/17	AT&T Wireless	383.93
EPAY-05	9/7/17	CenterPoint Energy	24.37
EPAY-06	9/7/17	City of Blaine-utilities	297.11
EPAY-07	9/7/17	POPP TELECOM	835.90
EPAY-08	9/13/17	Connexus Energy	2,531.51
EPAY-09	9/13/17	Sam's Club	89.84
EPAY-10	9/19/17	U.S. Bank Card Service	1,167.14
EPAY-11	9/24/17	Comcast	275.92
EPAY-12	9/24/17	T-Mobile	103.16
EPAY-13	9/24/17	HealthPartners	11,025.48
AUG SALES TAX	9/15/17	MN Dept. of Revenue	85.00

160,268.77

North Metro Telecommunications Commission

Balance Sheet September 30, 2017

ASSETS

Current Assets

Cash - Checking Account	\$ 2,318,319.99
Petty Cash	150.00
A/R - NMTC	197,006.49
Prepaid Insurance - NMTC	13,276.21

Total Current Assets 2,528,752.69

Property and Equipment

Office Equipment - NMTC	1,304,420.69
Accum Deprec - NMTC	(1,881,464.39)
Bond Equipment 2016	1,985,000.00
Building-Polk/125	1,503,204.17
Land-Polk/125	225,700.00

Total Property and Equipment 3,136,860.47

Other Assets

Deferred Out Related/Pension	347,614.00
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Total Other Assets 347,614.00

Total Assets \$ 6,013,227.16

LIABILITIES AND CAPITAL

Current Liabilities

A/P - NMTC	\$ 1,260.00
Accrued Payroll Taxes & W/H's	449.54
Accrued Vacation	97,249.60
Accrued Wages	36,309.00
Franchise Fee App	924,284.15
Due to City of Blaine	861,760.00
Due to City of Centerville	53,440.00
Due to City of Circle Pines	76,639.50
Due to City of Ham Lake	223,360.00
Due to City of Lexington	28,639.50
Due to City of Lino Lakes	264,000.00
Due to City of Spring Lake Par	92,160.00
Deferred In Related/Pension	85,894.00

Total Current Liabilities 2,745,445.29

Long-Term Liabilities

Net Pension Liability	828,188.00
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Total Long-Term Liabilities 828,188.00

Total Liabilities 3,573,633.29

Capital

Net Equity	294,086.36
Net Equity - Media Ctr	(206,243.34)
Net Equity - NMTC	2,517,656.37
Net Income	(165,905.52)

Total Capital 2,439,593.87

Total Liabilities & Capital \$ 6,013,227.16

North Metro Telecommunications Comm

Cash Receipts Journal

For the Period From Sep 1, 2017 to Sep 30, 2017

Date	Transaction Ref	Line Description	Debit Amnt	Credit Amnt
9/12/17	AUGUST PAYPAL	AUGUST PAYPAL PAYPAL	163.89	163.89
9/27/17	KUSSIAN-AUG/SEPT	FAMILY COVERAGE-AUGUST FAMILY COVERAGE-SEPTEMBER Miscellaneous receipts	2,357.74	1,178.87 1,178.87
9/27/17	TAPE DUBS-CHECK	TAPE DUBS-CHECK Miscellaneous receipts	169.00	169.00
9/27/17	REFUND	REFUND-CONNEXUS Miscellaneous receipts	4,687.58	4,687.58
9/27/17	SEPT CC SALES-VM	CREDIT CARD SALES - VIRTUAL MERCHANT Credit Card Sales	190.00	190.00
9/28/17	SEPT CC SALES-AUTH	SEPTEMBER CREDIT CARD SALES-AUTHORIZE.NET SEPTEMBER CREDIT CARD SALES-AUTHORIZE.NET FEES Credit Card Sales	1.90 63.10	65.00
9/29/17	INTEREST	INTEREST-COMMISSION CHECKING INTEREST - COMMISSION	1,507.57	1,507.57
			9,140.78	9,140.78

North Metro Telecommunications Comm

Check Register

For the Period From Sep 1, 2017 to Sep 30, 2017

Filter Criteria includes: 1) Accounts Payable only. Report order is by Date.

Check #	Date	Payee	Amount
EFILE	9/1/17	Discovery Benefits	22.50
EPAY-01	9/1/17	Principal Financial Group	419.86
EFILE	9/1/17	Authorize.Net	29.18
EFILE	9/1/17	Virtual Merchant Credit Card	37.10
13145	9/1/17	Z Systems	1,145.78
13146	9/1/17	Alpha Video & Audio, Inc	50,120.00
EPAY-02	9/2/17	Republic Services	131.09
EPAY-03	9/3/17	SA Fleet-Wex Bank	178.41
EPAY-04	9/5/17	AT&T Wireless	383.93
EFILE	9/5/17	Chase Visa Card Services	4,488.97
13147	9/6/17	Matthew Waldron	126.40
EPAY-05	9/7/17	CenterPoint Energy	24.37
EPAY-06	9/7/17	City of Blaine-utilities	297.11
EPAY-07	9/7/17	POPP TELECOM	835.90
EFILE	9/9/17	Discovery Benefits	445.00
13148	9/11/17	Donald A. Foster	1,395.00
13149	9/12/17	Winter Green Lawn & Snow L.L.C.	690.00
13150	9/12/17	Eric Houston	41.77
13151	9/12/17	Alpha Video & Audio, Inc	7,055.00
PEACH	9/13/17	Peachtree/Sage Software	19.20
EFILE	9/13/17	MN Dept. of Revenue	1,049.94
EFILE	9/13/17	Public Employees Retirement	3,372.73
EFILE	9/13/17	IRS/US BANK	6,163.30
EPAY-08	9/13/17	Connexus Energy	2,531.51
EPAY-09	9/13/17	Sam's Club	89.84
AUG SALES TAX	9/15/17	MN Dept. of Revenue	85.00
13152	9/18/17	Donald A. Foster	199.00
EPAY-10	9/19/17	U.S. Bank Card Service	1,167.14
EFILE	9/23/17	Discovery Benefits	445.00

North Metro Telecommunications Comm

Check Register

For the Period From Sep 1, 2017 to Sep 30, 2017

Filter Criteria includes: 1) Accounts Payable only. Report order is by Date.

Check #	Date	Payee	Amount
13153	9/24/17	The Schneider Company	2,845.00
EPAY-11	9/24/17	Comcast	275.92
EPAY-12	9/24/17	T-Mobile	103.16
EPAY-13	9/24/17	HealthPartners	11,025.48
PEACH	9/27/17	Peachtree/Sage Software	19.20
EFILE	9/27/17	MN Dept. of Revenue	1,048.53
EFILE	9/27/17	Public Employees Retirement	3,368.77
EFILE	9/27/17	IRS/US BANK	6,155.01
13154	9/27/17	Commercial Steam Team	749.00
13155	9/27/17	Pioneer Press	232.84
13156	9/27/17	Aid Electric Corporation	182.50
13157	9/27/17	Corporate Mechanical	280.00
13158	9/27/17	Alpha Video & Audio, Inc	7,840.00
13159	9/27/17	Rozelia D. Valez	121.76
EFILE	9/30/17	IRS/US BANK	1,920.52
EFILE	9/30/17	MN Dept. of Revenue	205.43
EFILE	9/30/17	Public Employees Retirement	267.04
Total			<u>119,630.19</u>

North Metro Telecommunications Comm

General Journal

For the Period From Sep 1, 2017 to Sep 30, 2017

Date	Reference	Trans Description	Debit Amt	Credit Amt
9/1/17	ACCR VAC/COMP/SICK	ACCRUED VAC/COMP/SICK ACCRUED VAC/COMP/SICK	96,954.69	96,954.69
9/1/17	ACCRUED WAGES	ACCRUED WAGES ACCRUED WAGES	9,405.92	9,405.92
9/30/17	ACCRUED DEPRECIATION	ACCRUED DEPRECIATION ACCRUED DEPRECIATION	12,900.00	12,900.00
9/30/17	ACCRUED VAC/COM/SICK	ACCRUED VAC/COMP/SICK ACCRUED VAC/COMP/SICK	97,249.60	97,249.60
9/30/17	ACCRUED WAGES	ACCRUED WAGES ACCRUED WAGES	11,757.40	11,757.40
	Total		228,267.61	228,267.61

North Metro TV

September 2017 Update

Program Production

In September, a total of **100 new programs** were produced utilizing the North Metro facilities, funds, and services. This constitutes **84:30:00 hours of new programming**.

- 46 programs were produced by the public
- 29 programs were produced by NMTV staff
- 25 programs were produced by City staff



Van Shoots

The HD truck was used for **56::30:00** hours of production. Events produced live and recorded for additional playbacks include:

- Girls Tennis: Blaine vs. Spring Lake Park
- Football: Armstrong vs. Spring Lake Park
- Girls and Boys Soccer: Spring Lake Park vs. Centennial
- Football: Cooper vs. Spring Lake Park
- Volleyball: Blaine vs. Centennial
- Football: Cretin Derham Hall vs. Blaine
- Girls and Boys Soccer: Spring Lake Park vs. Blaine
- Football: Champlin Park vs. Blaine



Workshops

Workshop	Instructor	Organization	Students
Intro to NMTV	Eric Houston	General Public	1
Open Studio Night	Eric Houston	General Public/Video Club	14
Intro to NMTV	Eric Houston	General Public	2
Special Production Series Class 3	Eric Houston	Blaine/Ham Lake Girl Scouts	9
Editing Demo	Eric Houston	General Public	10
Gilligan's Island: Behind the Scenes	Eric Houston	Video Club	8
Special Production Series Class 4	Eric Houston	Blaine/Ham Lake Girl Scouts	10
7 Workshops			54 Students

Home Movie Transfers

Home movie transfers have become one of our most popular services. Residents can transfer their family videos, film, slides, and photos at North Metro TV themselves for free, or pay NMTV to do it. Most participants want to do it themselves.

Month	Hours Transferred	Tapes	Film Reels	DVDs	Photos/ Slides	Fees Paid
January	205.75	58	174	46	80	\$675
February	165.75	65	41	14	672	\$411
March	131.5	41	98	45	0	\$305
April	118.5	60	34	40	0	\$157.50
May	192.25	81	58	16	473	\$215
June	207.5	70	26	65	0	\$274.50
July	179.25	83	5	41	208	\$545
August	132.5	59	69	17	0	\$838
September	166.75	61	45	22	30	\$484
TOTAL:	1,499.75	578	550	306	1,463	\$3,905.00

Public Usage Stats

For statistical purposes, the public access department documents total numbers of unique individuals and total hours of usage of the facility by the general public, every month. These numbers include regular users, class participants, individuals transferring videos, people who attend events, and any other public usage of the facility. The numbers do not take into account the many members of the public who work with any other NMTV department, such as news, sports, outreach, or educational.

Month	Unique Individuals	Total Usage Hours
January	67	523.5
February	74	461.75
March	54	476.75
April	71	326.5
May	106	665
June	95	511.25
July	75	459.5
August	80	501.75
September	85	516.5
TOTAL PUBLIC USAGE:		4,442.50

Production Highlights

NMTV News Highlights

Each week Danika Peterson and Ben Hayle create a news program that highlights events, people, issues, and information important to citizens of our Member Cities. Some September highlights include:

- Anoka Hennepin Sends Levy and Bond Votes to Voters
- New Science Addition Debuts at Spring Lake Park High School
- Dance School Donates to Hurricane Victims
- Culinary Pro-Am Entertains at the TPC

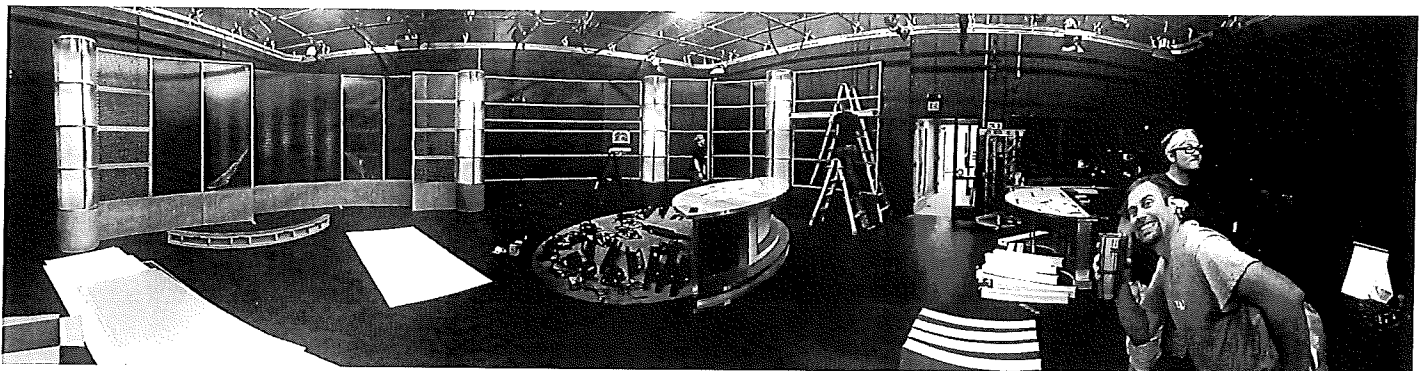
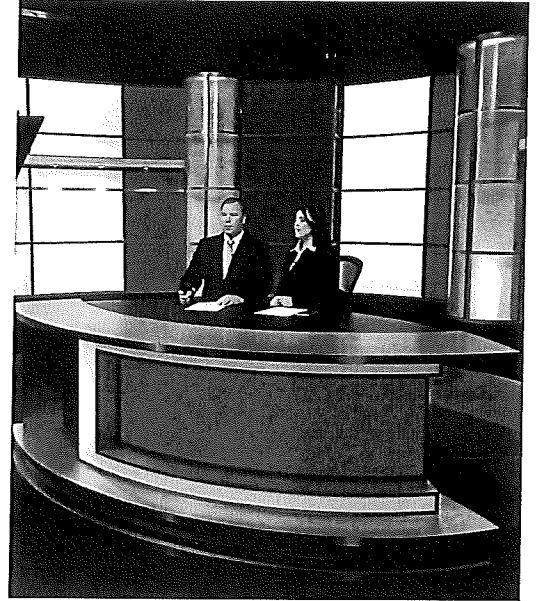


• North Metro Mayor's Association Celebrates 30 Years

In addition to daily playbacks of North Metro TV News on the cable systems, there are over 429 local stories archived for viewers on the NMTV YouTube page. The page can be accessed through the northmetrotv.com website.

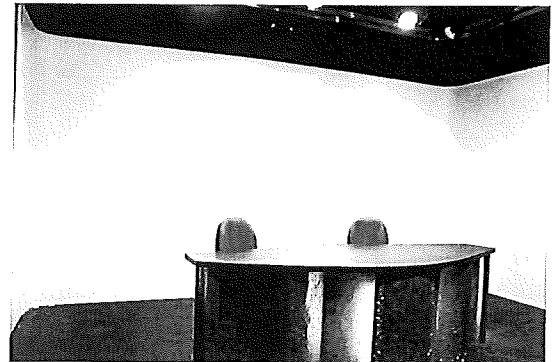
Studio A Sets

The most exciting project in September (for NMTV staff anyway) was the delivery and construction of the new sets. About two weeks of September were set aside for the tear-down of the old News and Sports Den sets. A very large dumpster was delivered at the beginning of the week, and a very full dumpster was taken away two weeks later. Once the old sets were down, the studio floor was cleaned, previously inaccessible ceiling light bulbs were replaced and lights that would no longer be needed for backlighting in Studio A were transferred to Studio B. Some new flooring was installed for the new Sports Den set, and then the fun work of putting together the new sets started. Two employees of the set company worked with NMTV staff to install, wire and light the new sets. It only took a couple of days to set up, and what a transformation! It took a couple of days to program the set lights into the studio software and to work out a few bugs, but the sets are now fully operational. Check out Sports Den and the NMTV news to see them in action.



Studio B

While not quite as monumental an upgrade as Studio A, Studio B also got a set improvement. We hired a carpenter to install a smooth white wall around almost half of the room. It gives producers some options as far as backgrounds are concerned, as the wall can be lit with different colors or images. The old news desk was also repurposed for use by public producers.



Drone Job

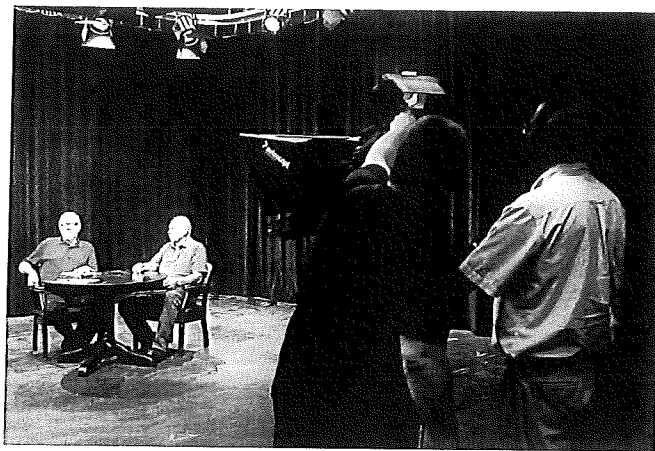
NMTV drone operator, T.J. Tronson completed a commercial shoot for Carleton College in September. He spent a day and a half shooting various activities and buildings around campus at different times of the day. He worked with college media staff to get all the shots they wanted. The college is putting together some marketing materials and will want us to come out again during different seasons to gather more footage. The college has rights to the footage, but we have permission to use it in any promotions we would like to do for our drone service.

Election Programming

The News crew is gearing up for full election coverage of our 2017 races. This year, Circle Pines and Lino Lakes will have Mayoral and City Council elections, and the Anoka Hennepin and Spring Lake Park School Districts will also have races. Ben and Danika have already produced a news piece on the elections, and created the Local Decision 2017 page on the NMTV website that showcases the various candidates for all of the races. They will be taping candidate forums and debates in the next month, with a wrap-up show **P. 413** filling the results in November.

Open Studio

The third NMTV Open Studio night was held in September. On Open Studio Night, producers are invited to come to the studio ready to produce a program, whether they are current members or not. NMTV provides the space, production crew, and editing services. The goal is to encourage program creation from producers who might not otherwise create a program due to time concerns or an inability to find friends or volunteers to help them behind the scenes. It was the most successful night yet, with fourteen participants both behind and in front of the camera. Three new shows were produced, including The Old Cars of Cuba (a multi-media lecture/chat show featuring photos and discussion of classic cars spotted on a recent trip to Cuba), Bantha Brothers (an improvised comedy show which imagines a pair of used starship salesmen set in the Star Wars universe) and Karmik Channels (a talk show focusing on karma and other new age practices).



City Productions

Municipal Producer, Trevor Scholl, completed three projects in September, and continued work on several others. He covered events for Lexington Fall Fest and began work on a business profile. Projects that were completed in September include:

- Lino Lakes HEARTSafe Community
- Centerville Mayor's Minutes Fall 2017
- Animal Humane Society Children's Programs
- Completed script for Blaine promo
- Shot fall Mayor's Minutes with Tom Ryan
- Shot outdoor footage for Lino Lakes Corrections piece
- Worked with T.J. on getting drone permissions for Corrections piece
- Shot footage for Lexington Fall Fest piece

Future projects being organized or completed include:

- Circle Pines Promo
- Blaine Mayor's Minutes
- New Blaine City promo
- Lexington Fall Fest
- Lino Lakes corrections facility piece
- Lexington's Mayor's Minutes
- Northstar Water Media Society Art Show at Blaine City Hall
- Contacted Wayne Wegener re public safety ideas
- Developing Community Corner program to be hosted by City Administrators for those Cities with Mayor's unable to participate in Mayor's Minutes programs
- Business profile on new yoga studio in Blaine

Trevor touches base with contacts on a regular basis and also encourages Cities to contact him whenever they have an idea for a new show.

Production equipment consulting for cities and schools

Blaine

- 9/6/17: Conference call with Roark Haver and Alpha Video regarding the upcoming HD installation. Went over drawings and approved most of the design. Matt requested locations for the Makito X and surrounding equipment. Roark has questions about the power. Alpha has yet to answer them. Roark is giving Alpha the electrical layout of the room.
- 9/11/17: Roark lets Matt know that the Granicus system needs to be upgraded to HD. Matt says that it will need an HD or 3G-SDI input. Roark will order it.
- 9/25/17: Emailed Roark regarding upcoming demolition. Alpha Video will be at Blaine labeling cables that are being saved. Talked about how Blaine can broadcast & record meetings during the demolition and install. Will discuss with NMTV staff.
- 9/28/17: Roark and Matt demolished the old Blaine control room. They took every piece of electronic equipment out of the room and cut back all the old cabling to the wall. The room is cleaned up and ready for the install on 10/2/17.

Centerville

- Received message that Centerville staff would like to discuss a lower budget alternative. Was told Centerville will contact.
- Circle Pines**
- No equipment assistance requested or required.
- Ham Lake**
- No equipment assistance requested or required.
- Lexington**
- 9/22/17: Live meeting did not go out and wasn't recorded. Stopped by to check on video and audio system. System checked out fine. Appears to be human error. Showed Lexington staff how to switch the meeting to go live and also relabeled switcher to make process clearer. Did a test recording. Worked fine. The SCALA computer had lost power and was rebooted, but the program hadn't been restarted. Showed staff how to restart the program.
- Lino Lakes**
- No equipment assistance requested or required.
- Spring Lake Park**
- 9/5/17: Spoke with Dan Buchholtz about camera issues. Proposed getting the Sony 800 PTZ camera to replace the broken one. It's a newer model that has a larger sensor and can take in more light which will allow for less grain on the image since the chambers is so dark.
 - 9/6/17: Spring Lake Park City Council approved the purchase for the Sony 800.
 - 9/25/17: Alpha called wondering what to do with old camera. Requested it be sent to NMTV.
 - 9/26/17: Got an email from Wanda regarding problems with Camera 2. Played around with the settings and the blue in the camera reappeared. Showed Wanda how to change resets and save them in the broadcast pix program so she can tweak cameras when needed.
 - 9/27/17: Installed a new power surge protector for the audio system and installed a universal power supply and backup battery to help with the ongoing electrical issues.
- All Cities**
- 9/11/17: Finished work on the Carousels. The automatic update that kept popping up has been fixed by entering a code. The problem with CG05 is that it was not in the right display resolution on the PC graphics card. Made sure it was broadcasting with 4 embedded audio channels and 1280x720 resolution in the Matrox program.

City Channel 16 Playback Stats

City	Number of Times Programs Played	Hours Programmed on Channel
Blaine	158	237:23:42
Centerville	30	80:50:30
Circle Pines	140	119:07:00
Ham Lake	59	66:52:12
Lexington	84	77:28:00
Lino Lakes	40	48:40:12
Spring Lake Park	93	111:37:33
Totals:	604 Program Playbacks	741:59:09 Hours of Video Programming on Channels

Programs Produced by the Public

Title	Producer	Runtime
Toastmasters Live!	Lee Howard	00:44:55
The Old Cars of Cuba	Ronald Henningsen	00:27:27
Chit Chat	Sharon Carlson	00:24:37
Bantha Brothers	David Bauer	00:20:12
It's Only Food With Chef John Politte (5 episodes)	John Politte	00:42:05
Off Constantly TV (2 episodes)	McLean Dolphy	01:04:23
Karmik Channels	Jill Quin	00:31:38
Every Movie Ever Made (4 episodes)	Ben Daniels, Gavin Van Trease, Eric Houston	01:50:35
The Mystery of the Bride & the Bridegroom	Nonie Tanner	00:28:33
His Legacy TV	Nonie Tanner	00:47:40
Father Tim Nolan's 50th Anniversary Mass	Sharon Shultz	01:20:53
Cornerstone Church (3 episodes)	Rick Bostrom	01:23:26
The Power of Love (5 episodes)	Rick Larson	02:30:00
LovePower (6 episodes)	Ann Sandell	06:00:00
Rice Creek Watershed District Meeting (2 episodes)	Theresa Stasica	01:38:05
Monday Motivation With Bukola (3 episodes)	Bukola Oriola	02:16:01
Hope Church (3 episodes)	Cindy Hardy	02:06:27
Oak Park Moments (5 episodes)	Dave Turnidge	02:58:02
46 New Programs		27:34:59 New Hours

Programs Produced by NMTV Staff

Title	Producer	Runtime
Anoka County Board Meeting (9/12/17)	T.J. Tronson	00:48:46
Anoka County Board Meeting (9/26/17)	T.J. Tronson	01:06:11
Cable Commission Meeting (9/20/17)	T.J. Tronson	00:38:13
Spring Lake Park LEO Promo	T.J. Tronson	00:02:15
NMTV News (2 episodes)	Danika Peterson/Ben Hayle	00:42:56
HEARTSafe Community Lino Lakes	Trevor Scholl	00:04:24
Centerville Mayor's Minutes Fall 2017	Trevor Scholl	00:06:00
Animal Humane Society Youth Programs	Trevor Scholl	00:05:51
Girls Tennis: Blaine/Spring Lake Park	K. Kipp/J. Millington	02:03:21
Football: Armstrong/Spring Lake Park	K. Kipp/J. Millington	02:21:11
Girls Soccer: Spring Lake Park/Centennial	K. Kipp/J. Millington	01:44:49
Boys Soccer: Spring Lake Park/Centennial	K. Kipp/J. Millington	01:44:26
Football: Cooper/Spring Lake Park	K. Kipp/J. Millington	02:22:55
Volleyball: Blaine/Centennial	K. Kipp/J. Millington	01:29:07
Football: Cretin Derham Hall/Blaine	K. Kipp/J. Millington	02:46:56
Football: St.Michael-Albertville/Centennial	K. Kipp/J. Millington	01:53:07
Girls Soccer: Spring Lake Park/Blaine	K. Kipp/J. Millington	01:46:36
Boys Soccer: Spring Lake Park/Blaine	K. Kipp/J. Millington	01:57:31
Football: Champlin Park/Blaine	K. Kipp/J. Millington	02:48:25
Coach & Captains: Blaine Volleyball	K. Kipp/J. Millington	00:04:30
Coach & Captains: Blaine Girls Soccer	K. Kipp/J. Millington	00:03:13
Coach & Captains: Spring Lake Park Girls Soccer	K. Kipp/J. Millington	00:03:09
Coach & Captains: Centennial Volleyball	K. Kipp/J. Millington	00:03:46
Coach & Captains: Spring Lake Park Volleyball	K. Kipp/J. Millington	00:04:24
Sports Den (4 episodes)	K. Kipp/J. Millington	01:53:38
29 New Programs		27:46:00 New Hours

Programs Produced by City Staff

Title	Producer	Runtime
Blaine Traffic Commission Meeting (9/5/17)	Blaine Staff	01:23:11
Blaine City Council Meeting (9/7/17)	Blaine Staff	02:11:47
Blaine Planning Commission Meeting (9/12/17)	Blaine Staff	00:40:20
Blaine Natural Resources Conservation Board Meeting (9/19/17)	Blaine Staff	01:50:02
Blaine City Council Meeting (9/21/17)	Blaine Staff	00:59:22
Blaine Park Board Meeting (9/26/17)	Blaine Staff	00:43:12
Centerville City Council Meeting (9/13/17)	Centerville Staff	01:47:44
Centerville City Council Meeting (9/27/17)	Centerville Staff	03:24:01
Circle Pines Park Board Meeting (9/5/17)	Circle Pines Staff	00:14:58
Circle Pines City Council Meeting (9/12/17)	Circle Pines Staff	01:25:02
Circle Pines Utility Commission Meeting (9/20/17)	Circle Pines Staff	00:21:45
Circle Pines City Council Meeting (9/26/17)	Circle Pines Staff	00:35:58
Ham Lake City Council Meeting (9/5/17)	Ham Lake Staff	00:21:36
Ham Lake Planning Commission Meeting (9/11/17)	Ham Lake Staff	00:32:43
Ham Lake City Council Meeting (9/18/17)	Ham Lake Staff	02:33:28
Ham Lake Park & Tree Commission Meeting (9/20/17)	Ham Lake Staff	00:41:33
Ham Lake Planning Commission Meeting (9/25/17)	Ham Lake Staff	00:26:47
Lexington City Council Meeting (9/7/17)	Lexington Staff	00:50:55
Lino Lakes City Council Meeting (9/11/17)	Lino Lakes Staff	00:32:29
Lino Lakes Planning & Zoning Commission Meeting (9/13/17)	Lino Lakes Staff	02:41:00
Lino Lakes City Council Meeting (9/25/17)	Lino Lakes Staff	00:54:25
Lino Lakes Environmental Board Meeting (9/27/17)	Lino Lakes Staff	01:23:13
Spring Lake Park City Council Meeting (9/5/17)	Spring Lake Park Staff	01:58:30
Spring Lake Park City Council Meeting (9/18/17)	Spring Lake Park Staff	00:24:53
Spring Lake Park Planning Commission Meeting (9/25/17)	Spring Lake Park Staff	01:14:51
25 New Programs		29:15:25 New Hours

If you have any questions or comments regarding this monthly report please contact Heidi Arnson at 763.231.2801 or harnson@northmetrotv.com.

NORTH METRO TV

Production Statistics 2017

Programming Statistics														17 Total			17 Average	
	J	F	M	A	M	J	JU	A	S	O	N	D						
Cablecast Programs																		
Cablecast Hours	2550.00	2317.00	1852.00	2087.00	2537.00	5705.00	2185.00	2154.00	1684.00					23051.00		1920.92		
Programs Produced - Public	1851.00	1568.00	1322.50	1508.50	1842.50	2325.50	1575.50	1412.00	1558.50					14964.00		1247.00		
Program Hours Produced - Public	27.00	23.00	25.00	31.00	25.00	37.00	16.00	16.00	33.00					233.00		19.42		
Prog. Produced - Affiliated Public	14.75	18.25	15.50	15.50	12.00	16.75	8.25	10.00	18.50					129.50		10.79		
Prog. Hours Produced - Affil. Public	6.00	8.00	9.00	9.00	8.00	3.00	9.00	15.00	13.00					80.00		6.67		
Programs Produced - City Staff	6.00	9.50	8.50	8.00	8.50	3.00	8.25	13.00	9.00					73.75		6.15		
Program Hours Produced - City Staff	21.00	20.00	20.00	24.00	22.00	19.00	21.00	22.00	25.00					194.00		16.17		
Programs Produced - NMTV Staff	16.25	23.50	17.50	21.50	20.50	22.50	26.25	24.75	29.25					202.00		16.83		
Prog. Hours Produced - NMTV Staff	33.00	22.00	16.00	17.00	43.00	28.00	37.00	28.00	29.00					253.00		21.08		
Total Public Programs Produced	17.50	18.00	11.50	13.00	20.45	25.75	32.50	9.00	27.75					175.45		14.62		
Total Internal Programs Produced	33.00	31.00	34.00	40.00	33.00	40.00	25.00	31.00	46.00					313.00		26.08		
Total Staff Programs Produced	54.00	42.00	36.00	41.00	65.00	47.00	58.00	50.00	54.00					447.00		37.25		
% Staff Produced Programs	87.00	73.00	70.00	81.00	98.00	87.00	83.00	81.00	100.00					760.00		63.33		
% Public Produced Programs	62.07%	57.53%	51.43%	50.62%	66.33%	54.02%	69.88%	61.73%	54.00%					58.82%		58.82%		
External Programs Submitted	37.93%	42.47%	48.57%	49.38%	33.67%	45.98%	30.12%	38.27%	46.00%					41.18%		41.18%		
External Program Hours	81.00	18.00	33.00	22.00	23.00	38.00	23.00	24.00	33.00					295.00		24.58		
Total New Programs	72.75	15.00	24.00	17.00	20.50	30.75	20.00	17.75	29.00					246.75		20.56		
	168.00	91.00	103.00	103.00	121.00	125.00	106.00	105.00	133.00					1055.00		87.92		
Equipment Usage Statistics																		
Facility Hours Available																		
Public Field Equipment Uses	208.50	199.00	246.00	200.00	229.00	231.00	190.00	186.00	184.00					1873.50		156.13		
Studio A	10.00	9.00	12.00	4.00	7.00	8.00	8.00	11.00	13.00					82.00		6.83		
% of Available Time	36.25	84.00	39.75	19.50	34.00	26.25	110.50	107.75	106.00					564.00		47.00		
Studio B	17.39%	42.21%	16.16%	9.75%	14.85%	11.36%	58.16%	57.93%	57.61%					30.10%		30.10%		
% of Available Time	26.00	25.50	24.00	23.25	34.25	3.25	0.00	2.00	2.25					140.50		11.71		
Public MAC A Edit Suite	12.47%	12.81%	9.76%	11.63%	14.98%	1.41%	0.00%	1.08%	1.22%					7.50%		7.50%		
% of Available Time	118.00	115.75	101.25	71.00	89.50	81.00	109.00	87.75	109.25					882.50		73.54		
Public MAC B Edit Suite	56.59%	58.17%	41.16%	35.50%	39.08%	35.06%	57.37%	47.18%	59.38%					47.10%		33.05%		
% of Available Time	111.50	114.75	108.00	105.25	89.00	94.75	101.25	101.50	75.00					901.00		75.08		
Public MAC C Edit Suite	53.48%	57.66%	43.90%	52.63%	38.86%	41.02%	53.29%	54.57%	40.76%					48.09%		48.09%		
% of Available Time	138.50	103.50	133.00	68.75	133.50	85.75	75.50	79.00	103.50					921.00		76.75		
	66.43%	52.01%	54.07%	34.38%	58.30%	37.12%	39.74%	42.47%	56.25%					49.16%		49.16%		
Production Van Statistics																		
Production Hours																		
Number of Van Shoots	14.25	30.00	14.00	16.00	49.75	63.00	66.25	16.00	56.50					325.75		27.15		
Average Hours Per Shoot	2.00	4.00	2.00	3.00	8.00	10.00	8.00	3.00	8.00					48.00		4.00		
Number of New Volunteers	7.13	7.50	7.00	5.33	6.22	6.30	8.28	5.33	7.06					6.79		2.26		
Volunteer Hours	2.00	3.00	0.00	2.00	5.00	7.00	4.00	3.00	3.00					29.00		2.42		
	14.00	22.00	11.00	14.00	113.00	166.00	47.00	11.00	46.00					444.00		37.00		
Public Access Statistics																		
Number of Workshops																		
Number of Students	9.00	6.00	7.00	6.00	14.00	6.00	5.00	9.00	7.00					69.00		5.75		
PAP Volunteer Hours	31.00	24.00	45.00	25.00	68.00	65.00	41.00	63.00	54.00					416.00		34.67		
Total Public Facility Usage Hours	140.50	210.50	169.00	101.50	111.50	116.25	175.50	145.00	177.50					1347.25		112.27		
Tours	523.50	461.75	476.75	326.50	665.00	511.25	459.50	501.75	516.50					4442.50		370.21		
Tour Attendees	0.00	0.00	0.00	2.00	0.00	1.00	0.00	0.00	0.00					3.00		0.25		
	0.00	0.00	0.00	26.00	0.00	19.00	0.00	0.00	0.00					45.00		3.75		

EXECUTIVE COMMITTEE MINUTES

Meeting of October 4, 2017

Executive Cmte. Present: Dick Swanson; Blaine, Matt Percy; Circle Pines, Cindy Hansen; Spring Lake Park

Absent: M. Murphy; Lexington

Others Present: Heidi Arnson; Executive Director, Rose Valez; Admin. Asst.,

CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

APPROVAL OF MINUTES

A motion to approve the September 6, 2017 Executive Committee meeting minutes was made by D. Swanson. Second, M. Percy. Motion approved.

EXECUTIVE DIRECTOR / OPERATIONS COMMITTEE REPORT

- Final numbers for the Carousel/Makito X project were presented. The original bid for the upgrade was \$60,485. The final cost totaled \$51,880. The savings were the result of the timely release of a newer, cheaper version of the Carousel units, and the ability to forego training on the new equipment. A chart outlining the recommended distribution of the remaining 2016 franchise fees, to the Cities, was reviewed.

MOTION: To recommend returning the remaining 2016 franchise fees to the Member Cities, as presented in the disbursement chart. **Motion made by C. Hansen. Second, D. Swanson. Motion approved.**

- The Notice of Franchise Violation was delivered to CenturyLink.
- H. Arnson reported that the Operations Committee had discussed the 2017 Small Cell Legislation. Spring Lake Park has already adopted an amendment to their right of way ordinance to deal with small cell applications, and the remaining Member Cities will look to that example. M. Bradley noted, in a phone call with staff, that he was working on a separate ordinance that dealt only with small cells, instead of an amendment. He will draft a memo explaining the difference. Staff will make sure the Operations Committee gets the information.

OLD BUSINESS

No old business was presented.

NEW BUSINESS

- No New business was presented.

ADJOURN

**Motion to adjourn made by D. Swanson. Second, C. Hansen. Motion approved.
The meeting was adjourned at 6:16 p.m.**

NORTH METRO TV

TO: OPERATIONS COMMITTEE/EXECUTIVE COMMITTEE
FROM: HEIDI ARNSON
SUBJECT: CITY HD CAROUSEL/MAKITO X UPGRADE FINAL NUMBERS
DATE: 9/28/2017

The long process to improve the technical quality of the City channels by migrating graphics generation from the Cities to North Metro TV has been completed. The Carousel signage units have been installed and are operational. The test Makito X has also been installed at Spring Lake Park City Hall and is operating as we hoped it would.

You may recall that this upgrade was possible because franchise fees earned in 2016 came in higher than estimated. It was our first year receiving fees from CenturyLink and the annual estimate was quite conservative. As such, the fees came in at \$117,389 higher than anticipated. The Operations Committee and Cable Commission agreed to spend some of that money on improving the technical quality of the City channels.

The original accepted proposal/estimate from Alpha video was \$60,485. However, the final cost for the upgrade totaled \$51,880. The Cities benefited from the timely release of a new, cheaper model of Carousel unit, along with the ability of NMTV staff to forego training and commissioning on the Makito X system. After subtracting the cost of the upgrade, \$65,509 remains of the franchise fees and will be returned to Cities.

A chart outlining the amounts to be returned to each City is attached.

**DISBURSEMENT OF 2016 FRANCHISE FEES
OVERAGE**

TABLE I

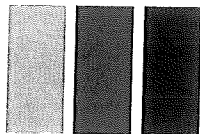
	MEMBER CITIES ACTUAL FRANCHISE FEES		2017 COMMISSION ESTIMATED FRANCHISE FEE		OVERAGE
TOTAL:	1,257,389	-	1,140,000	=	117,389
EQUIPMENT:	117,389	-	51,880	=	65,509

★

TABLE I

CITY	OVERAGE FRANCHISE FEE AFTER EQUIPMENT		CITY REVENUE AS % OF SYSTEM REVENUE		TOTAL FRANCHISE FEES RETAINED BY CITY
Blaine	\$65,509	x	54.62361%	=	\$35,783.38
Centerville	\$65,509	x	3.44182%	=	\$2,254.70
Circle Pines	\$65,509	x	4.67755%	=	\$3,064.22
Ham Lake	\$65,509	x	13.84393%	=	\$9,069.02
Lexington	\$65,509	x	1.74207%	=	\$1,141.21
Lino Lakes	\$65,509	x	16.13064%	=	\$10,567.02
Spring Lake Park	\$65,509	x	5.54037%	=	\$3,629.43
TOTAL:	\$65,509	x	99.99999%	=	\$65,508.98

★ All amounts are rounded to nearest dollar.



Bradley

MEMORANDUM

To: Clients and Interested Municipal Attorneys
From: Bradley Berkland Hagen & Herbst, LLC
Re: Small Cell Legislation in Minnesota
Date: October 11, 2017

2017 Small Cell Legislation

Throughout the 2017 legislative session, the wireless and cable industries lobbied for new legislation addressing the placement of wireless antenna on property that is located in the public rights-of-way ("PROW"). Following extensive lobbying and discussions with key stakeholders, including the League of Minnesota Cities, the legislature passed legislation contained in the larger omnibus jobs bill (SF 1456). Laws of Minnesota 2017, Chapter 94, Article 9. The bill passed the House of Representatives (87-43) and the Senate (46-20) on May 22, 2017. Governor Dayton signed the bill into law on May 30, 2017. Article 9 amends Minnesota Statutes Sections 237.162 and 237.163, which addresses telecommunications right-of-way users. The purpose of the legislation was to give wireless companies as quick and as inexpensive access as possible to facilities located in the public right-of-way.

Rather than go through a line by line review of the new law, this Memo gives an overview of the new 5G and Wi-Fi wireless services that are the subject of this legislation and then gives a summary of some of the more significant provisions affecting Minnesota municipalities.

Brief Background of new 5G and Wi-Fi Wireless Service

The next generation of wireless technology called 5G requires wireless companies to construct antennas with a range limited to about 250 meters or 300 yards. If a city's light poles or utility poles are 125 feet apart, about 1 in 9 poles would need an attachment. These antennas are referred to as small cells or small wireless facilities due to their small or limited range. Wireless companies want to place antennas on private or public property located in the public rights-of-way, such as utility poles or municipal light poles. Each antenna will need to draw power and be connected to fiber optic cable. This will allow wireless providers to provide significantly higher internet bandwidth and even cable services to customers. The precise standard for 5G has not been developed or released. It is expected to be released in 2020.

Traditional cable operators like Comcast and Charter are also entering into the wireless space and have been very active in inserting language protecting their wireless business interests. Cable uses Wi-Fi to deliver wireless services. Unknown to many cities, these companies have started to install (without any express authorization) small wireless antennas on property in the PROW.

Bradley Berkland Hagen & Herbst, LLC

1976 Wooddale Drive | Suite 3A | Woodbury, MN 55125 | (651) 379-0900 | BradleyLawMN.com

Summary Comments on New Minnesota Small Cell Legislation

Permitting and Rental Fees Limited – Minn. Stat. Sec. 237.162, Subd. 9 and 237.163, Subd 6(g).

Minnesota Statutes Section 237.162, Subdivision 9, was amended to include small wireless facility permits and applications to definition of Management Costs. This amendment requires that small cell facility permitting fees are limited to a local government's actual costs. *See Minnesota Laws 2017, Art. 9, Sec. 3.*

Prior to the passage of this small cell legislation, a local government could negotiate for fair market value of the use of public assets to collocate small wireless facilities. Under the new law, a local government unit may elect to charge each small wireless facility attached to a wireless support structure owned by the local government unit a fee, in addition to certain other fees or charges (e.g. application fee, permit fee, and engineering survey), consisting of:

- (1) Up to \$150 per year for rent to occupy space on a wireless support structure;
- (2) Up to \$25 per year for maintenance associated with the space occupied on a wireless support structure; and
- (3) A monthly fee for electricity used to operate a small wireless facility, if not purchased directly from a utility, at the rate of:
 - (i) \$73 per radio node less than or equal to 100 max watts;
 - (ii) \$182 per radio node over 100 max watts; or
 - (iii) The actual costs of electricity, if the actual costs exceed the amount in item (i) or (ii).

Additional Restrictions on Fees – Minn. Stat. Sec. 237.163, Subd. 6(e).

The new law also places additional restrictions on local governments from recovering fees on communications services if the company already has authority to be in the PROW. *See Art. 9, Sec. 17.* This was a provision that the cable industry lobbied for and would appear to limit a local government from charging a franchised cable operator a fee (other than the cable franchise fee) for placing any facilities in the public rights-of-way regardless of the service being provided. It may have unintended consequences in the event a wireless provider were to provide services that, but for this new language, would be subject to additional fees.

Cable Wi-Fi Facilities – Minn. Stat. Sec. 237.162, Subd. 14 and 237.163, Subd. 3a.

The legislature appears to have eliminated nearly all local government authority to permit Wi-Fi antennas under the bill. For example, under the new law Cities are prohibited from requiring a permit or receiving a permit fee for any cable wireless antenna (defined as a micro wireless facility). *See Art. 9, Sec. 13; and Art. 9, Sec. 8.*

Use of Third Party Contractors – Minn. Stat. Sec. 237.162, Subd. 9.

The rights-of-way management cost recoverable by local governments was amended to not include fees of a third party contractor used to manage its public rights-of-way. Art. 9, Sec. 3. This includes, but is not limited to any third party contractor fee tied to or based upon (a) customer counts, (b) access lines, (c) revenue generated by the telecommunications right-of-way user, or (d) revenue generated for a local government unit. Article 9, Sec. 3. Cities may continue to use third party contractors for right-of-way management assistance. However, the third party contractor may not charge “unreasonable fees.” The fees listed in (a) – (d) above are *per se* unreasonable. Cities will need to carefully craft the scope of work and fee agreements to comply with this new restriction.

Interestingly, the bill gives the wireless providers unfettered use of contractors and gives these contractors essentially the same rights as the providers. *See* Art. 9, Sec. 19; Minn. Stat. Sec. 237.163, Subd. 9.

Moratoria Prohibited – Minn. Stat. 237.163, Subd. 2(d).

Under the new law, local governments are prohibited from establishing a moratorium with respect to (1) filing, receiving, or processing application for right-of-way or small wireless facility permits; or (2) issuing or approving right-of-way or small wireless facility permits. *See* Art. 9, Sec. 12. This section of the law is effective upon final enactment, unless the local government has not enacted a right-of-way ordinance as of May 18, 2017, in which case the effective date is January 1, 2018.

City Option to Develop New Small Wireless Collocation Agreement – Minn. Stat. Sec. 237.163, Subd. 3a(f) and (h).

While local government consideration has been limited, local government authority to require a small wireless collocation agreement has been preserved. However, all local governments must develop and make available a model agreement within 6 months of the effective date of the new law (May 30, 2017) or within 3 months after receiving a small cell wireless facility permit application. *See* Art. 9, Sec. 13.

Grandfathered Agreements – Minn. Stat. Sec. 237.163, Subd. 3a(e).

The new permitting restrictions contained in the Minn. Stat. Sec. 237.163, Subd 3a(a)-(d) “does not affect any existing agreements between a local government unit and an entity concerning the placement of small wireless facilities on local government unit-owned wireless support structures.” *See* Art.9, Sec. 13.

Single Family Residential Zoning and Historic Districts – Minn. Stat. Sec. 237.163, Subd. 2(e).

Some local government zoning authority was preserved in the new law. Local governments may still require a conditional use permit for small wireless facilities located in areas that are zoned for single family use and for established historic districts. *See* Art. 9, Sec. 12. All other areas they are a permitted use. *Id.*

New Permit Applications and Term Requirements – Minn. Stat. Sec. 237.163, Subd. 3a.

Article 9 creates new limitations on permit applications and on the term of permits. *See* Art. 9, Sec. 13. For example all permits must specify that the term of every small cell facility permit is equal to the length of time that the small wireless facility is in use. Applicants will be allowed to file consolidated permit applications for up to 15 similar small wireless facilities within a 2-mile radius. *Id.* A local government will have 90 days to act on a permit application, but that time may be extended by 30 days if the local government receives more than 30 applications within a seven day period. *Id.*

The new law also prohibits a local government from requiring a permit or permit application in the following instances: (1) routine maintenance of a small wireless facility; (2) replacement of a small wireless facility with a new facility that is substantially similar or smaller in size, weight, height, and wind or structural loading than the small wireless facility being replaced; or (3) installation, placement, maintenance, operation, or replacement of micro wireless facilities that are suspended on cables strung between existing utility poles in compliance with national safety codes. *Id.* However, a local government unit may require advance notification of these activities if the work will obstruct a public right-of-way. *Id.*

New Review Process and 90-Day Shot Clock – Minn. Stat. Sec. 237.163, Subd. 3c.

With limited exceptions, a local government must issue a small wireless facility permit to a telecommunications right-of-way user seeking to install a new or replacement wireless support structure for a small wireless facility, or to collocate a small wireless facility on a wireless support structure in a public right-of-way. *See* Art. 9, Sec. 15. In processing and approving a small wireless facility permit, a local government unit may condition its approval on compliance with:

- (1) Generally applicable and reasonable health, safety, and welfare regulations consistent with the local government unit's public right-of-way management;
- (2) Reasonable accommodations for decorative wireless support structures or signs; and
- (3) Any reasonable restocking, replacement, or relocation requirements when a new wireless support structure is placed in a public right-of-way.

Id. The new law also imposes a new 90-day shot clock to act on the application with a limited ability to toll the shot clock. *Id.*

Local Government Limitation of Authority Over Placement of Small Wireless Facilities – Minn. Stat. Sec. 237.163b.

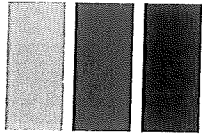
The new law now restricts local governments from requiring the placement of small wireless facilities on any specific wireless support structure, other than the structure proposed in the permit application. *See* Art. 9, Sec. 14. There is a pole height restriction of 50 feet, except for existing wireless support structures, which can remain at the same height. *Id.* Additionally, all future wireless facilities located in the public-rights-of-way may not extend more than 10 feet above an existing wireless support structure. *Id.*

Size of Small Cell Facilities Allowed on Public Poles – Minn. Stat. Sec. 237.162, Subd. 11.

The size of the small cell facilities allowed on the public poles is up to 28 cubic feet. *See* Art. 9, Sec. 5. Some describe it as the size of a refrigerator or an old walk-in phone booth. A small wireless antenna must be no larger than 6 cubic feet. *Id.*

New Denial or Revocation of Small Wireless Facility Permit – Minn. Stat. Sec. 237.163, Subd. 4(f).

The new law requires that any denial or revocation of a right-of-way or small wireless facility permit must be made in writing and must document the basis for the denial. *See* Art. 9, Sec. 16. The local government unit must notify the telecommunications right-of-way user in writing within 3 business days of the decision to deny or revoke a permit. *Id.* If a permit application is denied, the telecommunications right-of-way user may cure the deficiencies identified by the local government unit and resubmit its application. *Id.* If the telecommunications right-of-way user resubmits the application within 30 days of receiving written notice of the denial, it may not be charged an additional filing or processing fee. *Id.* The local government unit must approve or deny the revised application within 30 days after the revised application is submitted. *Id.*



Bradley

MEMORANDUM

To: Clients and Interested Municipal Attorneys
From: Bradley Berkland Hagen & Herbst, LLC
Re: Small Cell Ordinance Project
Date: October 11, 2017

Municipal Model Small Cell Standalone Ordinance Project

In response to consumer demand, the wireless industry is developing its 5th Generation (5G) wireless technology to bring wireless speeds of up to 1 Gigabit to consumers. Unlike previous generations of wireless service, 5G, the next generation of cellular wireless service, will heavily depend on obtaining use of public infrastructure in the public rights-of-way, such as light poles and traffic signals, due to a much greater number of antennas being required. The wireless industry is expected to spend about \$275B in the development and roll-out of 5G. This has led to significant pressure on each of the four major wireless carriers and neutral host companies to quickly and inexpensively gain access to these assets in the public rights-of-way in order to provide 5G services by 2020. This pressure has also led to state legislation that has passed in 12 states, including the state of Minnesota. *See* Minn. SF 1456; Laws of Minnesota 2017, Chapter 94, Article 9.

Minnesota municipalities should prepare for an influx of applications for the placement of 5G small cell facilities. Existing Rights-of-Way ordinances typically are inadequate for addressing small cell facilities effectively. In addition, Minnesota municipalities must update their codes to conform with the new law. A summary of the new law is attached.

Our firm is putting together a group of Minnesota municipalities to create a model ordinance specifically addressing small cell facility siting requests. The goal of the model ordinance is twofold: (1) compliance with the new Minnesota law; and (2) develop a standalone permitting procedure encouraging the rapid deployment of 5G wireless networks while maintaining the public rights-of-way and neighborhoods.

Deliverable

A model standalone small cell ordinance, separate from a public rights-of-way ordinance.

Time Frame

We expect to commence the project no later than November 1, 2017, and complete the project by December 31, 2017.

Bradley Berkland Hagen & Herbst, LLC

1976 Wooddale Drive | Suite 3A | Woodbury, MN 55125 | (651) 379-0900 | BradleyLawMN.com

Flat Fee

Our firm will invoice each participating municipal entity a flat fee of \$750. We are looking for a minimum of 30 participating entities to commence the project.

About Bradley Berkland Hagen & Herbst, LLC

Bradley Berkland Hagen & Herbst, LLC, is a municipal telecommunications consulting firm assisting local government entities across the country. Mike Bradley has been a recent speaker on small cells at the Oklahoma Association of Municipal Attorneys Annual Conference and at the Municipal Law Symposium at the University of South Dakota School of Law. He also spoke recently in Seattle at the NATOA Annual Conference.

Contact Information

Bradley Berkland Hagen & Herbst, LLC

Mike Bradley
1976 Wooddale Drive, Suite 3A
Woodbury, MN 55125
mike@bradleylawmn.com
www.BradleyLawMN.com
(651) 379-0900 ext. 101

Request for Initial Code Review

Yes, our local government entity would like to participate in the Model Cell Ordinance Project and agree to the flat fee listed above.

City: _____

Address: _____

Contact Person: _____

E-Mail: _____

Phone Number: _____

Please return this request to Mike Bradley at mike@bradleylawmn.com, or by fax to (651) 379-0999.

**NORTH METRO TELECOMMUNICATIONS COMMISSION
UNAPPROVED OPERATIONS COMMITTEE MEETING NOTES**

Tuesday, October 3, 2017

CALL TO ORDER

The meeting began at 10:30 a.m.

MEMBERS PRESENT

B. Petracek, D. Buchholtz, J. Karlson, P. Antonen, C. Arneson, D. Larson

MEMBERS ABSENT

D. Krueger

OTHERS PRESENT

H. Arnson

APPROVAL OF MEETING NOTES

The meeting notes of September 5, 2017 were approved by consensus.

EXECUTIVE DIRECTOR REPORT

- With the Carousel and Makito X upgrade completed, the final costs for the project were tallied and presented to the group. The original bid for the project was \$60,485. The final cost totaled \$51,880. The savings were the result of the timely release of a newer, cheaper version of the Carousel units and the ability to forego training on the new equipment. A chart outlining the recommended distribution of the remaining 2016 franchise fees, to the Cities, was distributed.
- The Notice of Franchise Violation was delivered to CenturyLink.
- H. Arnson distributed an informational memo written by Commission Legal Counsel, Mike Bradley, regarding 2017 Small Cell Legislation. The group discussed actions that their Cities had taken to create ordinances to deal with the anticipated small cell applications. M. Bradley is willing to create a model ordinance if Cities are interested.

OLD BUSINESS

No old business was presented.

NEW BUSINESS

No new business was presented.

ADJOURNMENT

The meeting was adjourned at 10:57 a.m.

POTs and PANs

Pretty Advanced New Stuff from CCG Consulting

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September 29, 2017

Is 5G Really a Fiber Replacement?

2 Comments

(https://potsandpansbyccg.com/2017/08/11/broken-promises-by-big-isps/midtown_manhattan/#main) I recently saw a short interview in *FierceWireless* with Balan Nair, CTO of Liberty Global. In case you haven't heard of the company, they are the biggest cable company in the world with over 28 million customers.

One of the things he discussed was the practical widespread implementation of 5G gigabit technology. He voiced the same thing I have been thinking for the last year about the economics of deploying 5G. He was quoted as saying, "5G will be a 'game-changer' in its superior ability to transfer data, but the technology will not replace fixed-network broadband services anytime soon. The economics just aren't there. You're talking about buying hundreds of towers and all of that spectrum. And on the residential end, putting a device outside the window and wiring it back into the home. It's a question of business model and if you plan on making any money. The economics benefit fixed."



The big telcos are making a big deal out of 5G, mostly I think to appear cutting-edge to their investors. And I have no doubt that in certain places like dense urban downtowns that 5G might be the best way to speed up gigabit broadband deployment. But I look at what's involved in deploying the technology anywhere else and I have a hard time seeing the economic case for using 5G to bring fast broadband to the masses.

5G will definitely make an impact in urban downtowns. You might assume that cities already have a great fiber infrastructure, but this often isn't the case. Look at Verizon's FiOS deployment strategy in the past – they deployed fiber where the construction was the most cost effective, and that meant suburban areas where they had existing pole lines or conduit. Verizon largely avoided much of the downtowns of eastern cities because the cost per mile of fiber construction was too expensive.

Now, 5G can be deployed from the top of high-rises to reach the many downtown buildings that never got fiber. New York City recently sued Verizon since the company reneged on its promise to build fiber everywhere and there are still 1 million living units in the city that never got fiber broadband. Verizon,

or somebody else is going to be able to use 5G in the densely populated cities to bring faster broadband, and as Nair said, this might be a game changer.

But as soon as you get out of downtowns and high-rises the math no longer favors 5G. There are three components of a 5G network that are not going to be cheap in suburbia. First, 5G needs fiber. You might be able to use a little wireless backhaul in a 5G network, but a significant portion of the network must be fiber fed. And in most of the country that fiber is not in place. Deloitte recently estimated that the cost for just the fiber to bring 5G everywhere is \$130 billion. There is nobody rushing to make that investment.

5G then needs somewhere to place the transmitters. This is more easily achieved in a downtown where there are many tall rooftops and existing towers. But the short delivery distances for millimeter wave frequencies mean that transmitters need to be relatively close the end-user. And in suburban areas that's going to mean somehow building a lot of new towers or else placing smaller transmitters on existing poles. We know suburbia hates tall towers and it's always a struggle to build new ones. And the issues associated with getting access to suburban poles are well documented. An ISP needs to affordably get onto poles and also get fiber to those poles – two expensive and time-consuming challenges.

And then there is the economics of the electronics. Because millimeter wave spectrum is easily disrupted by foliage or any impediments it means that there won't be too many homes served from any one pole-mounted transmitter. But the 5G revenue stream still has to cover both ends of the radios as well as wiring into the home.

I build a lot of landline business plans and I can't see this making any economic sense for widespread deployment. In many cases this 5G network might be more expensive and slower to deploy than an all-fiber network.

I instead envision companies using 5G technology to cherry pick. There will be plenty of places where there is existing fiber and poles that can be used to serve suburban apartment complexes or business districts. I can see strategic deployment in those areas and the technology used in the same way that Verizon deployed fiber – 5G will be deployed only where it makes sense. But like with FiOS, there are going to be huge areas where there will be no 5G deployment, even in relatively dense suburbia. And the business case for rural America is even bleaker. 5G will find a market niche and will be one more technology tool for bringing faster broadband – where it makes economic sense.

Posted by [CCGConsulting](#) in [The Industry](#)

Tagged: [5G](#), [Balan Nair](#), [Verizon FiOS](#)

2 thoughts on “Is 5G Really a Fiber Replacement?”

1. **Mohammed Yousuf** says:

October 1, 2017 at 12:51 am

Great article. It demonstrates the economics of the 5G.

Reply

2. **Jeffrey A. Culbertson** says:

October 2, 2017 at 6:36 pm

Great article. How do you foresee the advancements in Fiber deployment effecting construction. You have mentioned urban and Suburban environments.. It seems easier now in urban environments to build a Fiber network on the wiring or construction (excluding electronic). Haven't the Mass Termination ends and so forth effectively lowered costs in construction and or productivity,.. Can that help offset costs that traditionally would inflate the construction? Or is the Cost of these newer termination ends equalize overall?

Reply

[Blog at WordPress.com.](#)

Why Does Verizon Care About Telephone Poles?

By SAM LICCARDIO OCT. 3, 2017

SAN JOSE, Calif. — Like every other 8-year-old whom I tutored at a local school, Omar didn't know anything — and didn't care much — about high-stakes disputes over net neutrality, free speech and privacy that have consumed much of the news coverage of the telecommunications industry in recent years. Yet the inability of Omar's parents to afford broadband internet access lies at the heart of a battle that will have a far greater impact on his future: the fight over street poles.

Public street poles may not look like much, but to wireless service providers, they're valuable real estate. Companies like Verizon want low-cost access to them to install equipment to handle the rapidly growing demand for mobile data. But poles are owned locally, and cities and counties aren't eager to give away access at below-market rates. Doing so would essentially subsidize an already wealthy industry — nationwide, as much as \$2 billion a year, money that could otherwise go to expanding low-cost broadband access for people like Omar's family.

As a result, the industry is waging a war for those poles, at all levels. Big Telecom and its allies in the White House have quietly carried out a campaign to secure rapid and cheap access to those poles, at taxpayer expense. Here in California, state legislators recently advanced a bill introduced by Senator Ben Hueso that would allow wireless service providers to install their equipment on public street poles at below-market rates — and to do so nearly wherever and whenever they choose — all in the name of “streamlining” local permit approvals.

We've seen similar efforts in Texas, Florida, Washington and dozens of other states, where telecommunications industry lobbyists spent more than \$24.5 million in campaign contributions last year, according to the National Institute on Money in State Politics. At the federal level, Trump administration appointees to the Federal Communications Commission have publicly cheered these proposals, while releasing their own draft regulations to carry out additional industry-friendly rules nationally.

What do our taxpayers get in return for this sweetheart deal? Wireless companies insist that these legislative proposals will reduce costs for

consumers, and deliver better-quality cellular voice and data service. Yet, in truth, they do nothing to actually ensure that customers will benefit from a single dollar of the cost savings that the corporate telecoms will pocket.

Moreover, service improvements will benefit only those customers able to afford its service. Despite the windfall that wireless providers receive at taxpayer expense, these industry-backed proposals do not require, or even encourage, the companies to expand broadband access to underserved rural and low-income neighborhoods.

There's no provision in the California legislation, for example, for broader deployment for low-income neighborhoods. In San Jose alone, over 40 percent of low-income residents lack broadband access. While the industry will respond by pointing to its discounted internet service plans, they remain of such poor quality that students like Omar cannot download their teachers' video-recorded lesson plans, or a Khan Academy instruction on algebra, particularly when multiple family members are sharing the same account.

In essence, these wireless service providers seek all of the privileges of a regulated water or electric utility — taxpayer-subsidized use of public infrastructure, deployment in locations of their choosing, overrides of the local government's authority — but without the accompanying responsibility: to serve everyone.

It gets worse. The push by industry and the Trump administration to override local authority to set lease rates will undermine many cities' efforts to expand digital access. That's because San Jose; Tacoma, Wash.; and many other progressive cities seek to use lease revenues from street poles to finance the expansion of low-cost broadband to poorer neighborhoods. Otherwise, the wealthy will receive better service, and the poor will remain shut out.

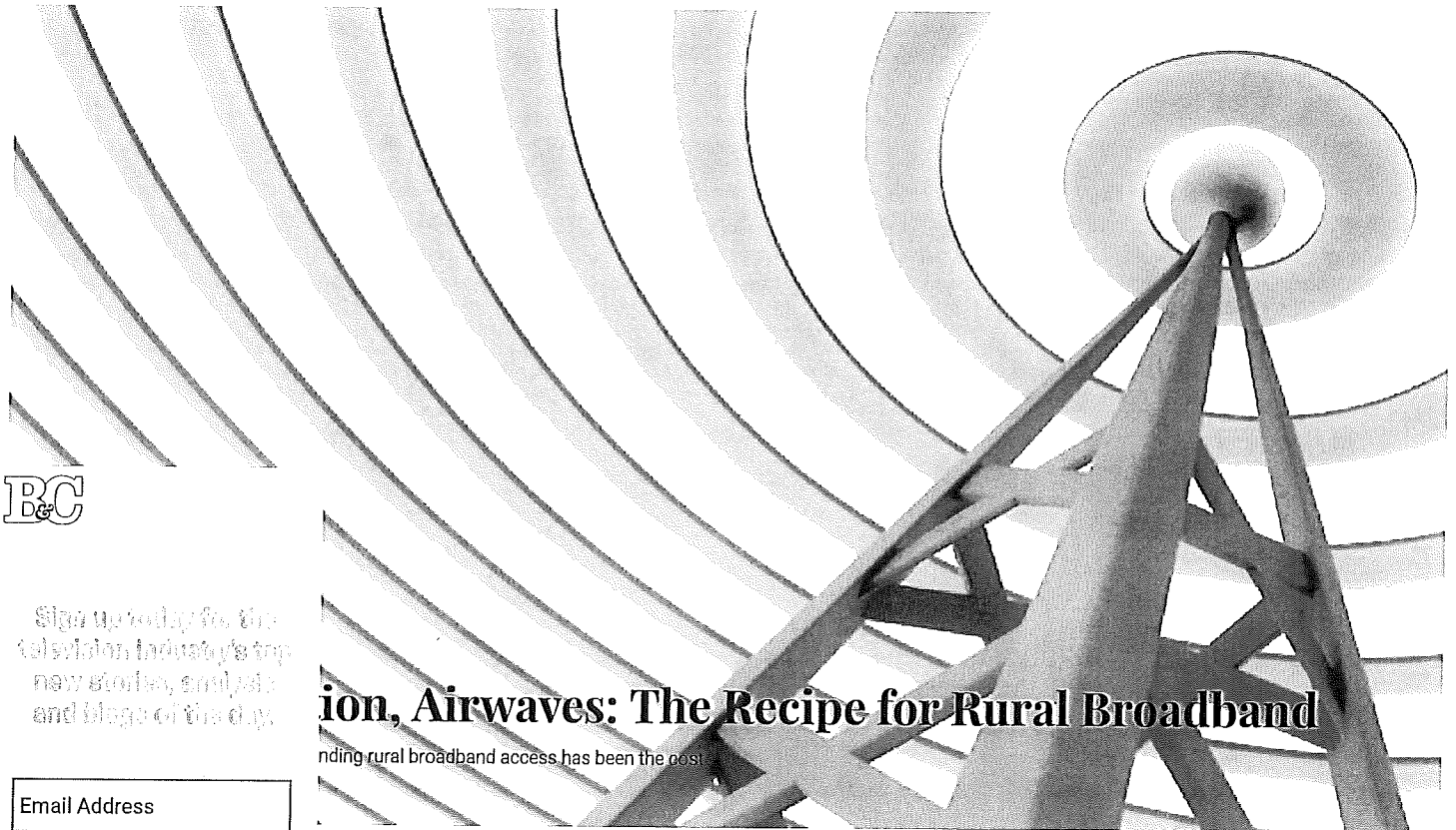
These proposed regulations also supplant local communities' authority with industry fiat to determine how to deploy telecommunications equipment over public streets, sidewalks and parks. Homeowners surprised by the sight of refrigerator-size equipment installed on poles outside of their windows will have no ability to seek redress from City Hall to change the location or to mitigate the aesthetic impact of these unsightly fixtures. And because signals from of these devices can disrupt the operations of others, they can preclude cities from installing public-serving devices — such as gunshot-spotters or traffic safety sensors — on their own street poles.

These are just a few of the reasons a growing number of local elected leaders have opposed the industry's efforts in state legislatures and at the F.C.C. Here in California, the mayors of six of our largest cities —

Los Angeles, San Jose, San Francisco, Oakland, Long Beach and Santa Ana – have joined leaders of 150 other cities in opposing California’s version of this industry-backed effort.

There is a better way. If the industry wants the same access to taxpayer-funded infrastructure that public utilities enjoy, it should bear the concomitant responsibility to make its services available to everyone in that jurisdiction. Alternatively, if Big Telecom doesn’t want the responsibility of deploying broadband in low-income neighborhoods, then the states and the F.C.C. should continue to allow cities to charge market-rate fees and leases to generate municipal dollars needed to broaden access, as San Jose is doing in several low-income neighborhoods.

We should all embrace the opportunity of greater broadband deployment, at better speeds, with the latest technology. Yet how we deploy this technology — and whether families like Omar’s’ will benefit — matters. If we’re going to provide the telecom industry with unfettered access to public property, then the public’s interest must come first.



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ion, Airwaves: The Recipe for Rural Broadband

ending rural broadband access has been the cost-

.officer at Colorado Technology Consultants

If you are reading this, chances are you have good internet access. You have good internet because large corporations have money, and they spent a substantial amount of it to give you access to a wired and wireless infrastructure that connects you to our internet-driven world.

There's nothing wrong with being in business to make money. It costs billions to build and maintain an innovative broadband infrastructure across our country.

But for 23.4 million rural Americans – roughly the population of New York City and Los Angeles and Chicago and Houston and Philadelphia and Phoenix and San Antonio and San Diego, combined –access to quality broadband internet remains out of reach. We need innovative solutions to bridge this gap and bring broadband access to rural America.

In the rural homes, farms, hospitals, and schools without broadband internet access, there are bigger issues than streaming the latest Netflix series the moment it drops. Agriculture is less efficient without the connections required by the latest farming tech. Students cannot access the same educational resources as their broadband-enabled classmates. Patients must drive for hours to reach specialized doctors with internet-connected databases. And countless Americans are left on the wrong side of the digital divide.

Until now, the biggest hurdle to expanding rural broadband access has been the cost- and resource- prohibitive nature of building out wired connectivity in remote areas with small populations. However, attention has shifted to an innovative new concept that leverages a resource that we already have. A resource that has been patiently waiting to be used: TV white spaces (TVWS).

These so-called white spaces are large blocks of spectrum that were designed as buffer spaces between television channels. Today, these spaces remain available and unused by traditional broadcast TV stations.

P. 37

SEE ALSO:

Achieving the Promise of Digital TV

(/blog/bc-guest-blogs/achieving-promise-digital-tv/168521)

TVWS spectrum can transmit signals much further than other wireless data technologies, and if opened for unlicensed use, could be refashioned into lightning-quick broadband infrastructure for a fraction of the cost of building out wired broadband.

The challenge has always been managing unlicensed use of TVWS to ensure quality and reliability of connections. Thankfully, tech companies like Microsoft are ready and willing to use their research and development to innovate and **invest in TVWS technology** (<https://blogs.microsoft.com/on-the-issues/2017/07/10/rural-broadband-strategy-connecting-rural-america-new-opportunities/>) that will bring quality connectivity to more people in more places.

While there may be financial gain for this rural broadband initiative, Microsoft has run an early adopter program and agreed to reinvest their profits in infrastructure to bring the technology to more rural areas. Sounds like a win-win.

With so many of us experiencing the benefits and efficiencies of broadband connectivity, it is only fair we share these opportunities with our fellow Americans in rural communities.

However, the TV industry feels this is *their* space. They make this claim even though the proposed white spaces are separate from the channels licensed by broadcast stations. They harp on the potential for signal interference, but these concerns can be easily mitigated with proper planning and collaboration. This kind of planning and collaboration happens all the time, in almost every spectrum band. In fact, some bands on the spectrum map have six or seven different types of users, ranging from fixed satellite to amateur radio operators. Disputes over acceptable levels of interference arise and are resolved in due course, as simple as drivers on the road merging in traffic. Overstating the difficulty of managing interference is a common argument used to prevent others from using the spectrum band, and could keep millions of Americans from accessing broadband connectivity.

This summer, the Federal Communications Commission **dedicated the month of August** (<https://www.fcc.gov/news-events/blog/2017/07/13/bridging-digital-divide>) to rural broadband to explore solutions for greater connectivity in rural areas, like holding broadband service auctions, expanding spectrum use, and renewing wireless licenses. Members of Congress, from both sides of the aisle, have **urged the FCC** (<https://www.dropbox.com/s/0piq4tdxr5d0zy1/Congressional%20TV%20White%20Spaces%20Letter%20to%20FCC.pdf?dl=0>) to consider television white spaces as a vital, contributing solution to bridge the digital divide. More voices help make this idea a reality.

We all benefit from a connected society. Connected doctors can share medical advice across geographic boundaries to deliver life-saving cures to patients. Internet-enabled farmers can plan for known weather patterns and use technology to help cultivate higher-yield crops. Students and schools can access encyclopedic internet resources for their enrichment and success.

Innovation and infrastructure are expensive. But innovation for the sake of rural broadband - through an available, unused resource that helps talented Americans fulfill their potential - is worth every penny.

Based in rural Colorado, Julie Yack is the Chief Operations Officer at Colorado Technology Consultants. Julie is a leader in IT consulting and training for companies around the world, sharing over 15 years of experience in business solution planning and software. Julie is a frequent speaker at international conferences, and a coveted contributor on books, technical publications, and online courses.

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