

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
January 25, 2016**

1. CALL TO ORDER

Mayor Duane Poppe called the regular meeting of the Osseo City Council to order at 7:00 p.m. on Monday, January 25, 2016.

2. ROLL CALL

Members present: Councilmembers Harold E. Johnson, Larry Stelmach, Anne Zelenak, and Mayor Duane Poppe.

Members absent: Councilmember Mark Schulz.

Staff present: City Administrator Riley Grams, City Planner Nancy Abts, Fire Chief Pat McGrane, and City Attorney Doug Shaftel.

Others present: City Engineer Marcus Thomas, Deb Gatz, Steve & Tess Eiden, Howard Hornibrook, Matt Hornibrook, Derick Haug, Aaron Anderson, Mathew Kuehn, and Adam Spillers.

3. PLEDGE OF ALLEGIANCE

Poppe led the Pledge of Allegiance.

4. APPROVAL OF AGENDA [Additions - Deletions]

Poppe asked for additions or deletions to the Agenda.

Johnson requested Item 5L be removed from Consent Agenda for discussion as Item 7A.

A motion was made by Johnson, seconded by Stelmach, to accept the Agenda as amended. The motion carried 4-0.

5. CONSENT AGENDA

- A. Receive EDA Minutes of January 11
- B. Approve Council Minutes of January 11
- C. Receive Planning Commission Minutes of January 19
- D. Receive December Fire Report
- E. Receive December Police Report
- F. Receive December American Legion Club Gambling Report
- G. Receive December Lions Club Gambling Report
- H. Receive December Osseo Maple Grove Hockey Association Gambling Report
- I. Authorize City Credit Card for City Planner Nancy Smebak Abts
- J. Accept Resignation of Fire Chief 2 Steve Eiden
- K. Approve Staff Education Expenditure for City Clerk LeAnn Larson
- ~~L. Approve Hire of Firefighters Aaron Anderson, Nathan Henning, Mathew Kuehn and Adam Spillers~~

A motion was made by Stelmach, seconded by Zelenak, to approve the Consent Agenda as amended removing Item 5L. The motion carried 4-0.

6. MATTERS FROM THE FLOOR – None.

7. SPECIAL BUSINESS

A. APPROVE HIRE OF FIREFIGHTERS AARON ANDERSON, NATHAN HENNING, MATHEW KUEHN AND ADAM SPILLERS

Fire Chief Pat McGrane introduced newly appointed firefighters Aaron Anderson, Mathew Kuehn, and Adam Spillers to the City Council. He explained that Nathan Henning had to work this evening. He looked forward to these new firefighters working with the City. The Council welcomed each of the new firefighters and a round of applause was offered by all in attendance.

A motion was made by Stelmach, seconded by Johnson, to approve the hire of firefighters Aaron Anderson, Nathan Henning, Mathew Kuehn, and Adam Spillers. The motion carried 4-0.

B. HONOR FIREFIGHTER STEVE EIDEN FOR 33 YEARS OF SERVICE

Poppe presented Steve Eiden with a plaque from the City and thanked him for his 33 years of dedicated service to the Osseo Fire Department. A round of applause was offered by all in attendance.

C. ACCEPT DONATION TO BEAUTIFICATION FUND (Resolution)

City Administrator Riley Grams indicated Ronald and Nancy Roden have donated \$100 to be placed in the Beautification/Flower Fund. Staff recommends the Council accept the donation.

A motion was made by Johnson, seconded by Zelenak, to adopt Resolution No. 2016-8 accepting a donation from Ronald and Nancy Roden in the amount of \$100. The motion carried 4-0.

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS

A. APPROVE PURCHASE OF POLICE CHIEF COMPUTER

Grams explained at the January 11 Council meeting Police Chief Shane Mikkelsen presented the Council with a quote from LogicNet, the City's IT consultant, of \$1,751 for a new laptop. After speaking further with LogicNet they were able to lower the purchase price of the laptop to \$1,099. He explained staff also received a quote from Dante's Computer and the quote was \$1,375 for the same type of laptop. He requested the Council approve the purchase of the new laptop from LogicNet.

Stelmach questioned if it was worth another \$400 to have an additional two year warranty. He feared how the Chief would be impacted if the computer were to go out after one year.

Zelenak did not see the need for the additional warranty through Dell. She questioned if the proposed computer would have the proper software. Grams reported this would be the case.

Johnson asked if staff received any feedback from Councilmember Schulz. Grams reported he had not.

Stelmach believed the Chief brought forward a computer request that would meet his needs for the department. He supported the computer purchase as presented this evening.

A motion was made by Johnson, seconded by Stelmach, to approve the purchase of the new laptop from LogicNet for an amount not to exceed \$1,100, after verifying the laptop meets Police Chief Mikkelson's needs. The motion carried 4-0.

B. APPROVE PURCHASE OF POLICE BOOKING ROOM COMPUTER AND PRINTER

Grams explained Police Chief Mikkelson spoke to LogicNet regarding the bid for the booking room computer and printer. He indicated LogicNet was able to lower the original bid for the computer from \$1,460 to \$1,386 and the printer would be \$173. He reported the Chief also received a bid from Dante's Computer for the same type of computer and the estimate was \$1,550 for the computer and the printer would be \$210. Staff requested the Council approve the LogicNet quotes for the booking room computer and printer.

A motion was made by Zelenak, seconded by Stelmach, to approve the purchase of a booking room computer (\$1,400) and printer (\$200) per the quotes from LogicNet. The motion carried 4-0.

C. APPROVE SALE OF CITY GUN

Grams indicated Police Chief Mikkelson has researched different methods of selling the surplus property. One choice is using a consignment sale at two different local locations, the Osseo Gun Club and Arsenal Arms. Another option would be for the gun to be sold at auction. It was noted the Osseo Gun Club charges a 15% fee for the sale of handguns and suggested a sale price of \$650. Arsenal Arms would charge a 10% fee on the sale of the gun and also quoted a sale price of \$650.

Grams explained Police Chief Mikkelson also contacted both Smith Auction in Cambridge and Hiller Auction in Princeton. Smith Auction would charge a 10% fee on all transactions and Hiller Auction charges a 10% buyers fee on items over \$800. The City has used Hiller Auction in the past for vehicle sale on forfeitures. Hiller is a federal firearms dealer and would handle all transactions. Staff recommended the Council approve sale of handgun at Hiller Auction.

Johnson asked if a minimum price could be set on the handgun if it were to be sold at auction. Grams reported this could be done prior to the sale.

Stelmach questioned what the reserve price should be set at for the handgun.

Johnson suggested the minimum price be set at \$650.

Zelenak inquired when Hiller would be holding its next auction. Grams was uncertain, but noted the City would also be sending several forfeiture vehicles to Hiller in the near future.

Stelmach was comfortable with the Chief purchasing the new handgun through reserve funds and having these funds replaced after the Sig was sold at auction.

A motion was made by Johnson, seconded by Stelmach, to approve the sale of the handgun at Hiller Auction in Princeton with a minimum price of \$650. The motion carried 4-0.

10. NEW BUSINESS

A. APPROVE PLANS & SPECIFICATIONS FOR 2016 STREET IMPROVEMENT PROJECT AND AUTHORIZE BIDS (Resolution)

Grams reported Marcus Thomas with Bolton & Menk would be presenting this item to Council.

Marcus Thomas, City Engineer, explained the plans for Osseo's 2016 Street, Utility, and Alley Improvements have been completed and are ready for the City Council's approval and authorization to bid. He reviewed the streets scheduled for improvement, the plans for the work, along with the required Council action. He reviewed the project work schedule:

Open Bids	February 25, 2016
Council Receive Bids & Order Assessment Hearing	March 14, 2016
Council Conduct Assessment Hearing/ Award Bid	April 11, 2016
Construction	May-August 2016

Mr. Thomas requested comments or questions from the Council and recommended approval of the plans and specifications and authorizing advertisement for bids for the 2016 street, utility, and alley improvements.

Stelmach thanked Mr. Thomas for his thorough report. He asked if the water lines within the project area would be lowered. Mr. Thomas indicated the water main would be lowered six inches through the improvement project.

Stelmach requested the pedestrian ramps be built in such a manner that water does not collect. Mr. Thomas explained the pedestrian ramps would be improved and the slope would be addressed through the 2016 improvement project.

Stelmach asked if there were any utilities under the alleyways slated for improvement. Mr. Thomas commented there were no City utilities under the alleyways. He noted there may be private utilities and these companies have been notified of the City's improvement plans.

Stelmach requested further information on if any new sidewalks would be added. Mr. Thomas reported the sidewalk alignments would remain as is. He reported there would be no changes to the City's current sidewalks within the project area. Those segments that required replacement would be addressed during the project.

Poppe questioned what width the sidewalks would be if needing replacement. Mr. Thomas indicated the sidewalk segments would be five feet in width.

Stelmach asked if the street widths would be impacted through the proposed improvements. Mr. Thomas reported Broadway was projected to remain a 40 foot wide street.

Poppe questioned the width of the streets within the 2014 Street Improvement Project. Mr. Thomas recalled the street width being 36 feet.

Stelmach and Poppe supported Broadway being reduced in width to 36 feet. Grams did not believe it made sense to reduce the width of Broadway for just one block. He recommended that in the future when the full length of Broadway was resurfaced, the width be addressed at that time.

Johnson asked how the alleyway would be crowned. Mr. Thomas explained the concrete alley would have a reverse crown with water being directed to the middle.

Johnson questioned if the project would have sod or seeding. Mr. Thomas reported the project would have sod.

Johnson stated he would support the narrowing of Broadway for one block.

Stelmach suggested the width of Broadway be addressed when the remainder of the street could also be reduced. He believed this would be a more clean and efficient way to address the narrowing of this roadway.

A motion was made by Johnson, seconded by Zelenak, to adopt Resolution No. 2016-9 Approving Plans and Specifications and Authorizing Advertisement for Bids for the 2016 Street, Utility, and Alley Improvements, noting the bid opening would be held on February 25, 2016. The motion carried 4-0.

B. APPROVE INCREASED RATE FOR DISPOSAL OF MUNICIPAL SOLD WASTE – RANDY’S ENVIRONMENTAL SERVICES

Grams stated Staff has received a request from our residential solid waste (trash) vendor, Randy’s Environmental Services, to appear at the Council meeting to share information on an increase that all waste haulers in the metro area are subject to effective January 1, 2016. Randy’s Environmental Services is thus seeking a modest increase in the trash portion of the consumer invoices of \$0.75 per month.

Deb Gatz, Randy’s Environmental Services, said she appreciated the Council’s time. She explained the minor rate increase was due to processing changes being made by the Minnesota Pollution Control Agency.

Johnson asked if Randy’s had an idea of where it would be disposing of its refuse. Ms. Gatz indicated Randy’s would be required to bring its refuse to HERC and otherwise would be redirected to Elk River or Newport.

Johnson questioned if Randy’s offered organics recycling. Ms. Gatz reported Randy’s was one of the few haulers that offered organics recycling. She indicated this program would assist with more responsible diversion of waste. She discussed how organics pickup was managed and collected by Randy’s.

Stelmach asked if there was an additional fee for organics collection. Ms. Gatz stated there was an additional fee for organics collection. She noted the blue bags were provided by Randy's at a cost.

Stelmach inquired how many bags were provided to homeowners on a yearly basis. Ms. Gatz reported homeowners would be provided with 60 bags per year. She then discussed the overall success of recycling throughout the community.

Johnson discussed a grant the City received for recycling.

A motion was made by Stelmach, seconded by Zelenak, to approve the increase for trash service of \$0.75 per month. The motion carried 3-0-1 (Johnson abstained).

C. APPROVE VARIANCE APPLICATION FOR HORNIBROOK/RYAN COMPANY AT 108 BROADWAY STREET WEST (Resolution)

City Planner Nancy Abts requested the City Council consider a request for a Zoning Variance from Hornibrook/Ryan Company to extend an existing commercial building within the property setback. The Council should also consider a request from the applicant to waive the variance application fee. She indicated the Planning Commission met on January 19 to conduct a public hearing on the matter and discuss the application. Following the public hearing, the Planning Commission voted 4-0 to recommend approval of the variance.

Abts stated previously the property was subject to a 2009 land use application for a Comprehensive Plan Amendment to revise the property's guidance from Office to Light Industrial. This request was approved by City Council, and the current comprehensive plan reflects this change. Additionally, requests for a zoning setback variance and site plan approval were granted. The approved 2009 site plan and variance request provided accommodation for a structure very similar to the present proposal. However, the proposed building was not erected in 2009 or 2010 and the approved variance has since lapsed. As such, the City Council should consider the matter anew, taking into account changes to the surrounding community that may have occurred since 2009.

Abts reported the property in question is located in Osseo's southwestern quadrant, south of Broadway Street West and west of Jefferson Highway. The irregularly-shaped parcel fronts Broadway Street West. The project appears to meet all of the zoning requirements in Section 153.039 (D) of the Zoning Code with the exception of the side yard setback of "Building 2." The existing building planned to be expanded is 2.1 feet from the major northern property line and therefore is a non-conforming structure under the required 10 foot setback. A variance to the ordinance is required because the applicant is proposing to build the 37' x 40' addition maintaining the 2.1 feet setback. Staff reviewed the criteria for approving a variance. It was noted the Planning Commission reviewed this request on January 19 and recommended approval. Staff also recommended the Council approve the fee waiver for the variance application from Hornibrook/Ryan Company.

Stelmach requested comment from the applicant.

Howard Hornibrook, Hornibrook representative, explained he went through the variance process several years ago and the project ran out of money. He discussed how this property has evolved over time and requested the Council support the fee waiver.

Johnson asked if the new building would be attached to the existing building. Mr. Hornibrook reported the buildings would be attached and would have a connection between the two. He provided further comment on the building materials that would be used for the new building.

Johnson supported the requested variance.

Stelmach questioned if the City received any comment from the railroad. Abts reported the railroad was notified of the project and the City received no comment.

Stelmach explained that he also supported the variance but feared that if the variance fee were waived this could set a precedent.

A motion was made by Johnson, seconded by Stelmach, to adopt Resolution No. 2016-10 approving the variance request for a 2.1 foot setback on an interior side yard for 108 Broadway Street West, PID 13-119-22-41-0032. The motion carried 4-0.

A motion was made by Johnson, seconded by Zelenak, to deny the waiving of the fee for the variance application from Hornibrook/Ryan Company. The motion carried 4-0.

D. APPROVE SITE PLAN APPLICATION FOR HORNIBROOK/RYAN COMPANY AT 108 BROADWAY STREET WEST

Abts stated the Osseo Planning Commission met on January 19 to conduct a public hearing on the project's site plan approval application and discuss the project. Following the public hearing, the Planning Commission voted 4-0 to recommend approval of the variance. Previously, the property was subject to a 2009 land use application for a Comprehensive Plan Amendment to revise the property's guidance from Office to Light Industrial. This request was approved by City Council, and the current comprehensive plan reflects this change. Additionally, requests for a zoning setback variance and site plan approval were granted. The approved 2009 site plan and variance request provided accommodation for a structure very similar to the present proposal.

Abts explained the proposed building was not erected in 2009 or 2010 and the approved variance has since lapsed. As such, the City Council should consider the matter anew, taking into account changes to the surrounding community that may have occurred since 2009. The property in question is located in Osseo's southwestern quadrant, south of Broadway Street West and west of Jefferson Highway. As shown in the attached map, it is immediately east and south of the Niggler Cemetery and immediately west of the Caribou Coffee storefront located at 8882 Jefferson Highway. The irregularly-shaped parcel fronts Broadway Street West.

Abts reported the project appears to meet all of the zoning requirements in Section 153.039 (D) of the Zoning Code with the exception of the side yard setback of "Building 2." The existing building planned to be expanded is 2.1 feet from the major northern property line and therefore is a non-conforming structure under the required 10 foot setback. A variance to the zoning ordinance is required because the applicant is proposing to build the 37' x 40' addition maintaining the 2.1 feet setback. Approval of the current site plan application is contingent on receiving a variance of setback requirements. Staff reviewed the site plan in further detail with the Council and recommended approval with conditions.

A motion was made by Johnson, seconded by Stelmach, to approve the Site Plan Request for 108 Broadway Street West, PID 13-119-22-41-0032, subject to the following conditions of approval:

- a. The approved final landscaping plan shall be fully executed prior to issuance of certification of occupancy;
- b. The applicant shall pay all necessary park dedication fees and SAC fees prior to issuance of the building permit;
- c. The applicant shall obtain all necessary building and sign permits and pay all fees related to the proposed development;
- d. The applicant shall construct trash enclosures if trash is stored outdoors. The design and location of such facilities shall be reviewed and approved by City staff;
- e. All outdoor storage shall be screened and hidden from public view; and
- f. Weeds and other vegetation shall be maintained at all times in accordance with Chapter 93.38 of the City Code.

The motion carried 4-0.

**E. APPROVE CITIZEN APPOINTMENTS TO BOARDS/COMMISSIONS
(Resolution)**

Grams indicated citizen appointments are made each year to various boards/commissions/committees. The Osseo Maple Grove Press and Osseo Outlook have both published requests to submit a letter of interest. Announcements have been made at several Council meetings and included in Council packets. It was noted staff has received several letters of interest for these appointments as indicated below, and we thank them for their interest in serving the City of Osseo. He thanked all of the residents that submitted a letter of interest. Staff requested the Council adopt a resolution approving citizen appointments to the City's Boards and Commissions.

Grams reviewed the openings for each Commission along with the appointments as follows:

Heritage Preservation Commission:

4 open seats--two at three years & two at one year.

*Dorothy Clarke has submitted a letter of interest

Northwest Hennepin Human Services Council Advisory Commission:

One term open for two years

*Juliana Hultstrom has submitted a letter of interest

Planning Commission:

Two terms open for three years each

*Barb Plzak has submitted a letter of interest

Public Safety Advisory Committee:

Two terms open for two years each

*Nate Berg has submitted a letter of interest (business)

*Gary Current has submitted a letter of interest (business)

*Darrell Winkelman has submitted a letter of interest (resident)

Watershed Commissions (alternate):

*Daniel Spanier has submitted a letter of interest

Poppe requested the Council select a business representative for the Public Safety Advisory Committee.

Stelmach asked if either of the letters were submitted by new members. Grams reported Gary Current has served on the Public Safety Advisory Committee in the past and was a member of the Osseo Fire Department, as well. He noted Nate Berg was a new candidate.

Stelmach was in favor of Nate Berg being appointed to the Public Safety Advisory Committee.

Poppe indicated he did not know Nate Berg personally. He supported Gary Current continuing on the Public Safety Advisory Committee given the fact he has experience with the group and his service as a firefighter.

Johnson agreed that Gary Current was highly qualified to serve on this committee. He understood that if Nate Berg were appointed this would bring a new voice into the City. He explained he could support either candidate for the appointment to the Public Safety Advisory Committee.

Abts clarified that only 75% of the Planning Commission members had to be residents of the City of Osseo. This meant there was an opportunity for Nate Berg or Gary Current to serve on the Planning Commission if not appointed to the Public Safety Advisory Committee.

Johnson suggested staff speak with Nate Berg and Gary Current prior to the next Council meeting to see if either was interested or willing to serve on the Planning Commission.

A motion was made by Johnson, seconded by Stelmach, to adopt Resolution No. 2016-11 approving citizen appointments to Boards/Commissions as follows, directing staff to speak with Nate Berg and Gary Current regarding the Public Safety Advisory Committee position prior to February 8, 2016.

Heritage Preservation Commission:

Dorothy Clarke – three year term

Northwest Hennepin Human Services Council Advisory Commission:

Juliana Hultstrom – two year term

Planning Commission:

Barb Plzak – three year term

Public Safety Advisory Committee:

Darrell Winkelman – two year term (resident)

Watershed Commissions (alternate):

Daniel Spanier – one year term

The motion carried 4-0.

F. APPROVE ACCOUNTS PAYABLE

Grams reviewed the Accounts Payable with the Council.

A motion was made by Zelenak, seconded by Stelmach, to approve the Accounts Payable as presented. The motion carried 4-0.

11. ADMINISTRATOR REPORT – None.

12. COUNCIL AND ATTORNEY REPORTS

Zelenak reported the Gateway Sign Committee met today to discuss options for the City's gateway sign. She noted Scenic Sign would be reporting back to the group in two weeks with several sign designs.

Stelmach thanked Dorothy Clarke for her service to the City on the Planning Commission.

Johnson stated last week Friday and Saturday he attended the League of Minnesota Cities Conference which was titled Loveable Cities. He was proud of the work the Council has done to make Osseo unique through its strong businesses and numerous community events.

Poppe encouraged all to attend the Fireman's Dance on Friday, February 12, at the Osseo American Legion from 8 p.m. to 12 a.m.

Poppe reported City Hall would be closed on Monday, February 15, for Presidents' Day.

13. ADJOURNMENT

A motion was made by Johnson, seconded by Zelenak, to adjourn the City Council meeting at 9:02 p.m. The motion carried 4-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.