

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
July 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, July 25, 2016.

2. ROLL CALL

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

Staff present: City Administrator Riley Grams, Police Chief Shane Mikkelsen, and City Attorney Mary Tietjen.

Others present: Lee Gustafson, Darrell Healy, Michael Olkives, Diane Nokk, and Bruce Neumann.

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.

A motion was made by Schulz, seconded by Stelmach, to accept the Agenda as presented. The motion carried 5-0.

5. CONSENT AGENDA

- A. Receive EDA Minutes of July 11
- B. Approve Council Minutes of July 11
- C. Receive Parks & Recreation Committee Minutes of July 14
- D. Receive May and June Fire Reports
- E. Receive June Police Report
- F. Receive June American Legion Club Gambling Report
- G. Receive June Lions Club Gambling Report
- H. Approve Knights of Columbus Lawful Gambling Exempt Permit for Lions Roar
- I. Accept Resignation of Part-Time Police Officer Greg Burstad
- J. Approve Hire of Police Reserve Officer Amanda Harff
- K. Approve Hire of Police Reserve Officer Shawn Muschik
- L. Approve Temporary Liquor License for Lions Roar Festival
- M. Receive June Osseo Maple Grove Hockey Association Gambling Report

A motion was made by Johnson, seconded by Schulz, to approve the Consent Agenda. The motion carried 5-0.

6. MATTERS FROM THE FLOOR

Darrell Healy, 216 3rd Avenue NE, expressed concern with the way the grass met his new alley way after the street project. He believed the alley way should be flat with the grass instead of varying elevations. He reported that there were three cracks in the concrete as well.

Grams stated he would speak with Public Works Director Rick Hass about this matter and would follow up with Mr. Healy. He noted the cracks would be addressed in the spring of 2017, prior to replacement.

7. SPECIAL BUSINESS

A. APPROVE LIONS ROAR FESTIVAL FOR SEPTEMBER 9-10

Diane Nokk, Osseo Lions Club, reviewed the schedule of events planned for the upcoming Lions Roar Festival noting the parade and car show times.

Bruce Neumann, Osseo Lions, discussed the site plans for the festival, noting where events would be located throughout the City. He noted several road closures that were being proposed to improve pedestrian safety. He requested the Council approve the Lions Roar Festival for September 9-10.

Schulz asked if the new businesses along 3rd Street NW have been contacted in order to make them aware of the events planned for Lions Roar. Mr. Neumann stated he had not contacted these businesses.

Schulz encouraged the Osseo Lions Club to reach out to the new businesses and inform them of the events planned for the Roar.

A motion was made by Schulz, seconded by Stelmach, to approve the Lions Roar Festival for September 9-10, along with the subsequent road closures. The motion carried 5-0.

B. ACCEPT DONATION TO POLICE EQUIPMENT FUND (Resolution)

Grams indicated the Osseo Gun Club has donated \$75 to the City for the Police Equipment Fund. Staff recommends the Council accept the donation.

A motion was made by Johnson, seconded by Stelmach, to adopt Resolution No. 2016-45 accepting a donation from the Osseo Gun Club. The motion carried 5-0.

C. ACCEPT DONATIONS TO BEAUTIFICATION FUND (Resolution)

Grams indicated Becky Meierhofer Insurance Agency and Harold E. & Gayle Johnson (in memory of Marilyn Corcoran, John Hartkopf, and Herbert Lottman) have donated \$100 and \$300, respectively, to the City for the Beautification/Flower Fund. Staff recommends the Council accept the donations.

A motion was made by Schulz, seconded by Zelenak, to adopt Resolution No. 2016-46 accepting donations from Becky Meierhofer Insurance Agency and Harold E. and Gayle Johnson. The motion carried 5-0.

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS – None.

10. NEW BUSINESS

A. APPROVE AGREEMENT WITH WSB & ASSOCIATES FOR CITY
ENGINEERING SERVICES

City Attorney Mary Tietjen requested the Council review and approve an agreement with WSB for City engineering services. She noted the Agreement includes general contract terms governing the parties' relationship and sets forth the general scope of services, compensation, rate schedule, and insurance requirements, as well as a number of other miscellaneous provisions. Staff reviewed the Agreement pursuant to a request from City Administrator Riley Grams. Upon initial review, she recommended a number of changes which were presented to WSB for consideration. The parties have reached agreement on the terms that are in the draft presented tonight for consideration. The Agreement will not go into effect until approved by the City Council. Staff is recommending approval. If approved, WSB will begin providing services to the City effective August 1, 2016.

Stelmach requested further information on the construction observation terms within the agreement. Lee Gustafson, WSB & Associates, explained that construction observation hours varied depending on the project but would be negotiated with the City prior to the project commencing.

Stelmach asked if WSB would be making documents available to the City after a project was complete. Mr. Gustafson reported the intent of the statement within the agreement was that all documents completed by WSB would become City property. City Attorney Tietjen requested staff be allowed to review this portion of the agreement further as this was not her original understanding.

Stelmach commented on Exhibit B and questioned if WSB would be able to assist the City in finding grants for future projects. Mr. Gustafson commented this has not been written into agreements in the past. However, he noted this was a service provided to all WSB clients. He stated language could be added to the transition language or to Exhibit B.

Stelmach reviewed the compensation rates within the engineering services agreement. He asked if travel time would be included within rates. Mr. Gustafson reported travel time was not included, but prep time would be.

Johnson understood the engineering agreement would have an annual retainer. He questioned if WSB had provided the City with 2017 rates or if the contract ran only through December of 2016. He believed it would benefit the Council to have the 2017 numbers when completing the budget. Mr. Gustafson stated the next year fees would be provided to staff by September 1. Grams reviewed Exhibit C noting the proposed rates were for the remainder of 2016 and through December 2017.

A motion was made by Stelmach, seconded by Schulz, to approve a Professional Services Agreement with WSB & Associates for City Engineering Services after satisfactory review by the City Attorney. The motion carried 5-0.

Mr. Gustafson thanked the Council for approving the services agreement. He looked forward to working with the City of Osseo.

B. APPROVE SOUTH WATER TOWER ANTENNA ASSESSMENT WITH KLM ENGINEERING

Mr. Gustafson, WSB & Associates, stated he had reviewed KLM's June 30, 2016, proposal for providing an antenna assessment of the south water tower, as well as their follow up email from July 14. Based on his understanding of the City's goals for doing the assessment, he said he believes KLM's proposal will provide the City with a good starting point for analyzing the existing cell equipment on the south tower, and provide the necessary information for determining the next steps towards meeting the City's goals for this tower. The next steps will include reviewing the recommendations and key areas in KLM's analysis, as noted in the bullet points in their proposal, and then determining the proper course of action for each respective area.

Mr. Gustafson explained that one key component of analyzing the next steps will be to determine how additional water tower analysis will be funded, if needed. For example, if a current cell provider or a new cell provider would like to add equipment to the tower, it is very likely that the City could require the cell provider to pay for the analysis. Additional analysis could include structural and frequency issues, or other issues discovered during KLM's analysis. Mr. Gustafson stated KLM's estimated cost of \$2,400 for doing the assessment seemed reasonable for the scope of work outlined. Staff recommended that the City Council approve KLM's proposal.

Johnson asked if KLM completed the assessment on the North Water Tower. Grams reported this was the case.

Johnson understood that one of the leases was up in August. He questioned how the City would handle this situation given the fact the antenna assessment would not be complete. Mr. Gustafson was uncertain how long the antenna assessment would take but believed it would be done fairly quickly.

Johnson was frustrated that this work had not been completed sooner this year so as not to impact the leases on the tower. City Attorney Tietjen did not believe any of the water tower negotiations would be impacted.

A motion was made by Stelmach, seconded by Schulz, to approve the South Water Tower Antenna Assessment with KLM Engineering for an amount not to exceed \$2,400. The motion carried 5-0.

C. APPROVE NEW POLICE DEPARTMENT PATCHES

Police Chief Shane Mikkelsen stated the Osseo Police Department would like to change its patch. The current patches have run out and, since the City is changing the police badge, he felt the City should bring the patch in line with City history as well. This process has been taking shape over the last four months and the Police Department officers have been heavily involved in creating the new patches. He discussed how the department has worked to connect its history into a patch style that will be unique to Osseo. This patch is the same design as the first patch that was worn when the Osseo Police Department started. The patch is simple and is designed to align with the new

badges. Staff requested the Council approve the purchase of the new patches for the Police Department.

Zelenak questioned when all patches would be brought up to date. Police Chief Mikkelson anticipated a date would be put in place in order to bring all officers into compliance with the new patches.

A motion was made by Zelenak, seconded by Stelmach, to approve the purchase of new patches for the Police Department. The motion carried 5-0.

D. APPOINT PLANNING COMMISSION MEMBER TO FILL VACANCY
(Resolution)

Grams stated the City Council accepted the resignation of Casey Robertson from the Planning Commission at the June 13 Council meeting. Announcements were made at several Council meetings and included in Council packets. The City recognizes Casey Robertson for serving 1 ½ years on the Planning Commission. Grams reported three residents have submitted applications to fill the unexpired term on the Planning Commission. They are:

1. Darrell Winkelman, 617 2nd Avenue NW
2. Daniel J. LaRouche, 20 6th Street NW Apt 318
3. Michael Olkives, 624 2nd Street NE

Grams requested the Council adopt a Resolution appointing a new member to fill the unexpired term on the Planning Commission through the end of December 2017.

Johnson was happy to see that the City had three volunteers interested in serving on the Planning Commission. He then discussed his history with the three candidates.

Schulz commented on the three candidates and suggested Michael Olkives be selected for the vacant position.

Stelmach supported this recommendation, noting Mr. Winkelman already serves on the Public Safety Advisory Commission.

A motion was made by Johnson, seconded by Stelmach, to adopt Resolution No. 2016-47 appointing Michael Olkives to fill the unexpired term on the Planning Commission through the end of December 2017. The motion carried 5-0.

E. APPROVE OFF-SITE GAMBLING FOR OSSEO LIONS CLUB (Resolution)

Grams stated in order to conduct raffles off-site, the Osseo Lions Club is requesting approval of Minnesota Lawful Gambling form LG230 – Application to Conduct Off-Site Gambling. A resolution from the City of Osseo granting approval is required by the Minnesota Gambling Control Board. Staff recommended approval of the off-site gambling for the Osseo Lions Club.

A motion was made by Johnson, seconded by Zelenak, to adopt Resolution No. 2016-48 approving the application to conduct off-site gambling by the Osseo Lions

Club for a raffle to be held at the Lions Roar Festival on September 10. The motion carried 5-0.

F. RECEIVE 2016 YEAR TO DATE CITY BUDGET

Grams explained as part of the 2017 budget process, the City Council has the opportunity to receive and review the City's budget totals through the first six months of the year. Attached are the expenditures and revenue budget for the City. He stated this is merely a 'snapshot in time' and is not the final budget for the year. Staff will be reviewing every line item as the proposed 2017 budget is constructed. Additionally, finance staff may re-code payments and revenues into more appropriate line items which may ultimately affect the current year-to-date (YTD) totals and percentages. As staff composes the 2017 budget, the 2016 YTD budget numbers will be a major factor. Staff reviewed the YTD numbers in further detail and asked for questions or comments from the Council.

Schulz asked why expenses were being recoded. Grams discussed why items were recoded by City staff noting this was minor.

Schulz requested that staff take a closer look at expenditures to eliminate the double-work being completed by staff.

Stelmach requested comment on the street light fund. Grams discussed how the City was billed for street light repairs but noted this fund typically balanced itself out over time.

G. SUMMARY OF CLOSED SESSION MEETING FROM JULY 11

Schulz provided a summary of the closed session meeting held on July 11, 2016. The City Council had conducted a closed session to review the performance of the City Administrator Riley Grams. Under Minnesota Statute regarding the Open Meeting Law, after a public body meets in a closed session to evaluate the performance of an employee, the body is required to summarize the conclusions after re-opening the meeting.

What was the summary??

H. APPROVE ACCOUNTS PAYABLE

Grams reviewed the Accounts Payable with the Council.

A motion was made by Johnson, seconded by Schulz, to approve the Accounts Payable as presented. The motion carried 5-0.

11. ADMINISTRATOR REPORT – None.

12. COUNCIL AND ATTORNEY REPORTS

Stelmach thanked Comfort Keepers for its Open House invitation. He welcomed WSB & Associates as new City Engineer and looked forward to working with them.

Stelmach thanked Casey Robertson for his service on the Planning Commission.

Johnson was happy to see Comfort Keepers in its new location in Osseo. He was pleased to report that all of the commercial properties within Realife Cooperative were now full.

Johnson requested an update from staff on the Highway 169 billboard project. Grams reported the City Council approved a billboard with Up Front Media. The next step for Up Front Media was to submit an application to MnDOT and this application was denied.

Poppe reported organics recycling was now available in Osseo. Those needing additional information regarding these services should contact City Hall.

Poppe stated the Raptor Center would be in Boerboom Park on Tuesday, July 26, at 7:00 p.m. After the Raptor Center presentation, the movie E.T. would be screened at 8:30 p.m.

Poppe encouraged the public to visit the Farmers Market every Tuesday from 3-7 p.m.

Poppe noted Bike Grant Class Applications were now being accepted. Grams stated the City was working in conjunction with Hennepin County to get bikes to individuals who have never learned to ride a bike.

Poppe reported Night to Unite would be held on Tuesday, August 2. He invited the public to come together to host neighborhood parties and get the party registered with the Police Department.

Poppe stated on Tuesday, August 9, the Wizard of Oz would be shown at 8:30 p.m. for the Summer Movies/Music in the Park.

13. ADJOURNMENT

A motion was made by Schulz, seconded by Johnson, to adjourn the City Council meeting at 8:15 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.