

**OSSEO CITY COUNCIL  
REGULAR MEETING MINUTES  
October 10, 2016**

1. CALL TO ORDER

Acting Mayor Mark Schulz called the regular meeting of the Osseo City Council to order at 7:00 p.m. on Monday, October 10, 2016.

2. ROLL CALL

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

Members absent: Mayor Duane Poppe.

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

Others present: Mike Johnson and Leslie Saporito.

3. PLEDGE OF ALLEGIANCE

Schulz led the Pledge of Allegiance.

4. APPROVAL OF AGENDA [Additions - Deletions]

Schulz asked for additions or deletions to the Agenda.

**A motion was made by Stelmach, seconded by Zelenak, to accept the Agenda as presented. The motion carried 4-0.**

5. CONSENT AGENDA

- A. Approve Council Minutes of September 26
- B. Receive September Building Report
- C. Receive Lions Club August Gambling Report
- D. Approve Extended Temporary Sign Permit for Premier Wines and Spirits
- E. Approve Hire of Part-time Police Officer Chris Hudok
- F. Approve Special Council Meeting Minutes of October 5

**A motion was made by Johnson, seconded by Stelmach, to approve the Consent Agenda. The motion carried 4-0.**

6. MATTERS FROM THE FLOOR – None.

7. SPECIAL BUSINESS

- A. CENTURY LINK FRANCHISE AGREEMENT PRESENTATION – MIKE JOHNSON & LESLIE HERBST-SAPORITO, NORTHWEST SUBURBS CABLE COMMUNICATIONS COMMISSION

Mike Johnson, Executive Director for the Northwest Suburbs Cable Communications Commission, provided the Council with an update on the CenturyLink franchise agreement. He explained a public hearing for the franchise would be held on October 20. He was pleased that the northwest suburbs would now have another choice for cable provider.

Leslie Saporito, Bradley Law Firm, was pleased the Northwest Suburbs Cable Communications Commission would be able to take action on the CenturyLink franchise. She discussed the cable franchise process, noting it was originated by CenturyLink. She then thanked Councilmember Schulz for his contributions to the Commission.

Schulz appreciated the fact that the Bradley Law Firm has negotiated all of the cable franchises in the metro area. He stated he enjoyed sitting in on all of the negotiations and believed CenturyLink would be a step forward for cable services in the northwest suburbs.

Johnson questioned if the Comcast franchise would continue. Ms. Saporito explained the Comcast franchise was good from 2014 through 2024. She reported in 2024 the Comcast franchise would be renegotiated. She indicated the CenturyLink franchise was good for the next five years.

Johnson understood the build out would take five years to complete. He asked if this was for Osseo in particular, or all nine cities. Ms. Saporito commented each city within the franchise would have to be built out 15% within the first two years. She stated CenturyLink would not be available to all Osseo residents, but rather would be available over the build out time period. Further discussion ensued regarding how the build out would be completed.

Stelmach questioned if CenturyLink had a map of the areas that had services already available. Ms. Saporito stated she could speak with CenturyLink and see if they could provide a map.

Stelmach was pleased that the cable industry would have more competition.

Schulz understood that overhead lines were easier and less expensive to install than underground lines, which would help the City of Osseo reach a full build out in a timely manner.

Johnson requested further information regarding the PEG fees. Ms. Saporito provided a definition of the PEG fees and noted how they were charged to all cable subscribers.

**B. ACCEPT DONATION TO BEAUTIFICATION FUND (Resolution)**

City Administrator Riley Grams indicated Briggs & Morgan and Harold E. & Gayle Johnson (in memory of Brad Rosch) have donated \$200 and \$100 respectively to the City for the Beautification/Flower Fund. Staff recommends the Council accept the donation.

**A motion was made by Zelenak, seconded by Stelmach, to adopt Resolution No. 2016-63 accepting a donation from Briggs & Morgan and Harold E. & Gayle Johnson in the amount of \$200 and \$100, respectively. The motion carried 4-0.**

**C. ACCEPT DONATION TO POLICE EQUIPMENT FUND (Resolution)**

Grams indicated Hiller Auction Service has donated \$25 to the City for the Police Equipment Fund. Staff recommends the Council accept the donation.

**A motion was made by Johnson, seconded by Zelenak, to adopt Resolution No. 2016-64 accepting a donation from the Hiller Auction Service in the amount of \$25. The motion carried 4-0.**

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS – None.

10. NEW BUSINESS

A. CONFIRM EDA ACTIONS OF OCTOBER 10, 2016

Grams discussed the actions of the EDA. He noted the EDA approved accounts payable, considered taking a subordinate loan position for the property at 600 1<sup>st</sup> Avenue NW, approved structural analysis quotes for the Osseo Sports site, and tabled action on the environmental analysis quote for the Osseo Sports building.

**A motion was made by Johnson, seconded by Stelmach, to confirm the EDA Actions of October 10, 2016. The motion carried 4-0.**

B. APPROVE PURCHASE OF COMPUTER FOR POLICE DEPARTMENT

Police Chief Shane Mikkelson requested the Council consider the replacement of the oldest computer in the officer's area. He explained this computer was purchased in 2012. The purchase of this new computer has been scheduled in the CIP. He explained he had the current IT department quote a price for the computer at \$1,061.22.

Schulz asked if the quote was for the hardware and installation. Police Chief Mikkelson reported the installation would be an additional \$100.

Johnson questioned what the City would do with the old computer. Police Chief Mikkelson stated he hoped to use it at another desk, but commented the computer may have to be rotated out given the fact it was not properly working.

Stelmach requested further information on why the City received only one quote for this computer. Grams explained that in the past when the City has sought multiple quotes for computers related items, the other bids have come in quite high when compared to the City's IT consultant.

**A motion was made by Stelmach, seconded by Zelenak, to approve the purchase of the new desktop computer from LogicNet for the Police Department. The motion carried 4-0.**

C. APPROVE PURCHASE OF COMMUNITY CENTER CAMERAS

Police Chief Mikkelson requested the Council consider purchasing cameras for the Community Center. He explained the City can use cameras to keep track of who uses the Community Center during the week and on weekends. He noted the cameras can be tied into the current Police Department system so they can be monitored. Two companies provided quotes for this project: Pro-Tech Security from Osseo and Integrated Protection

Systems (IPS) of Ham Lake. IPS suggested that the City use a cheaper camera in the community room. Pro-Tech suggested the use of cameras similar to those in the current Police Department since the cameras are vandal proof and they are easier to refocus in the future. The cost for the new type of camera from IPS is \$2,398.08 and Pro-Tech gave a bid for \$3,010.00. IPS would charge \$2,706.53 for the same type of camera and Pro-Tech gave a bid for \$3,410.00.

Stelmach supported the Pro-Tech proposal as recommended by the Police Chief. He recommended the cameras at the Community Center be shielded and protected.

Zelenak agreed and hoped the Community Center would be able to be rented more over the weekends once the cameras were installed.

Schulz recommended the Pro-Tech proposal be approved, as well.

**A motion was made by Zelenak, seconded by Stelmach, to approve the purchase of cameras for the Community Center using the same cameras as in the Police Department currently and using the same company that installed the current camera system at a cost of \$3,410.**

Zelenak questioned when the new cameras might be installed. Police Chief Mikkelsen stated he would make a call tomorrow to get the work scheduled with Pro-Tech.

**The motion carried 4-0.**

**D. APPROVE PERMIT FEE WAIVERS FOR SIDEWALK MAINTENANCE PROGRAM**

City Planner Nancy Abts stated on September 12 the Council approved a Sidewalk Inspections and Maintenance Policy for Osseo. The first inventory under the new policy is almost complete. Approximately 140 properties have been identified as needing repairs, and about 7,200 square feet of sidewalk are affected. About 13 percent of the properties also have issues with trees or roots affecting the sidewalk. As soon as the inventory is final (there are some questions about properties with two frontages), property owners will be sent letters about their need to repair sidewalks.

With the policy and the process laid out in City Code, property owners are given an opportunity to repair “nuisance” sidewalks before the City steps in and makes the necessary repairs. Staff expects that several property owners will want to do their own repairs instead of having the City do the work.

The Council should decide whether to waive the permit fees for property owners who are required to repair their sidewalks. On one hand, the City is requiring that repairs be made, and permit fees would not be charged directly for people who have the City make the repairs (although project oversight would be part of the overall costs). On the other hand, other nuisance abatement in the City could require that property owners pay for a permit—for a building permit to fix a building in disrepair, or for an electrical permit to fix dangerous conditions. Staff suggested the Council approve the permit fee waivers for the Sidewalk Maintenance Program.

Zelenak asked if a permit would still be obtained for the sidewalk work. Abts stated this was the case.

Johnson did not understand why the City would waive this fee given the fact the City's Public Works Department would still be assisting with the inspection of the work.

Stelmach questioned the fee to replace a single section or panel of sidewalk. Abts stated after speaking with a general contractor it was estimated a single panel of sidewalk would cost \$250 to replace. She explained that this rate could vary depending on the condition of adjacent panels and the size of the panels.

Stelmach supported homeowners being able to complete the project on their own, but believed it was fair to have the permit fee being paid as this would assist in covering Public Works staff time.

Schulz believed the \$75 fee was in order and he supported the fee not being waived.

**A motion was made by Stelmach, seconded by Johnson, to deny issuing permit fee waivers for the Sidewalk Maintenance Program. The motion carried 4-0.**

E. CONSIDER STEERING COMMITTEE FOR COMPREHENSIVE PLAN

Abts explained updating the City's Comprehensive Plan is a big project. The Comprehensive Plan is broad and could influence taxpayers, residents, businesses, and visitors for many years.

Abts reported to help guide the process many cities appoint a steering committee to meet regularly, to hear updates on the plan, and to provide informal feedback. The steering committee meets in addition to the Planning Commission and City Council meetings where the Comprehensive Plan will be approved.

Abts stated because the Planning Commission and Council have a statutory role in approving the Comprehensive Plan, steering committee members often represent other positions. A good size for a steering committee is between eight and fifteen. Staff suggests the City create a steering committee for the Comprehensive Plan update. Membership could include:

- 1 City Council Liaison
- 1 Planning Commission Liaison
- 1 EDA Liaison
- 2-4 Osseo Residents
- 2-4 Osseo Businesses
- 2-4 Student Representatives
- 8-15 members total

Abts stated staff suggests a regular monthly evening meeting on the 1st Monday (flexible timing) or 4th Monday (before the City Council meeting), with a special first meeting on November 3. Other meeting times could be considered if they would work better for most committee members.

Johnson believed the October 18 deadline should be extended. He feared such a short deadline would not allow enough time to circulate the information to the public.

Schulz was in favor of the steering committee but agreed the deadline should be extended to after the General Election.

Zelenak and Stelmach supported this recommendation.

Abts feared that if the committee was not formed until November she would have a difficult time drawing the group together due to the holidays. This led her to recommend the October 18 deadline.

Schulz appreciated this perspective, but anticipated the large amount of recruiting that would be needed warranted a mid-November application deadline in order to create the best committee possible.

**A motion was made by Zelenak, seconded by Stelmach, to approve creating a Steering Committee for the Comprehensive Plan Update as described extending the application deadline to November 17. The motion carried 4-0.**

F. CANCEL COUNCIL WORK SESSION FOR MONDAY, OCTOBER 31

Grams explained each year the City Council approves a Schedule of Meetings for the calendar year. The 2016 Schedule lists Monday, October 31, as a Council work session. There is no need at this time for a work session to discuss matters, and it is Halloween. The suggestion is to cancel this work session.

**A motion was made by Stelmach, seconded by Zelenak, to cancel the Council work session scheduled for October 31. The motion carried 4-0.**

G. APPROVE CERTIFICATION OF DELINQUENT UTILITIES AND GARBAGE (Resolution)

Grams stated Osseo City Code Section 51.37(C) allows delinquent accounts for City utilities to be assessed to property owners. It also states that the amount certified shall include late payment penalties and administrative charges, and the amount shall bear interest as determined by Council resolution.

Grams reported all property owners with amounts due as of August 31, 2016 (City and/or Randy's), were notified September 6 by letter of the pending assessment. He explained the City invoices for water/sewer charges. Randy's Environmental Services invoices for garbage/recycling/yard waste services to residential properties in Osseo. As part of the current agreement with Randy's, the City assists in collection of delinquent garbage costs by certifying delinquent garbage accounts as allowed by MS 443.015.

Grams reviewed several exhibits noting the charges for services plus penalties. The administrative charge is \$30. If unpaid by November 18, 2016, the amount in the Certify column would be assessed to Hennepin County property taxes along with 15 months of interest at a rate of five percent.

**A motion was made by Johnson, seconded by Stelmach, to adopt Resolution No. 2016-65 certifying delinquent utility and garbage charges against specified properties as presented in Exhibits A and B. The motion carried 4-0.**

H. APPROVE ACCOUNTS PAYABLE

Grams reviewed the Accounts Payable with the Council.

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

11. ADMINISTRATOR REPORT – None.

12. COUNCIL AND ATTORNEY REPORTS

Abts reported she attended the American Planning Conference in St. Cloud last month. She provided further comment on the seminars and breakout sessions she attended and thanked the Council for the opportunity.

Zelenak stated she attended the Osseo homecoming festivities and she thanked all who were able to attend this wonderful event.

Stelmach indicated he also attended the homecoming festivities and was pleased by the turnout.

Johnson believed the homecoming event went very well. He was proud of the fact the community recognized non-sports activities also.

Schulz reported he attended the homecoming event and was overwhelmed by the great attendance. He looked forward to this event continuing year after year.

Schulz stated the Planning Commission had a vacancy at this time. Residents interested in serving in this capacity were encouraged to contact City Hall for additional information.

Schulz reported there would be a Candidate Forum on Tuesday, October 11, at City Hall at 6:30 p.m.

Schulz encouraged the public to help with hanging holiday lights along Central Avenue on Saturday, October 22, at 9 a.m.

Schulz indicated there would be a Pie Baking Contest on Saturday, October 22, at the Community Center. Pies for the contest can be dropped off from 11:15 a.m. to 12 noon.

Schulz stated there would be a Lions Club Halloween Event on Saturday, October 29, from 11 a.m. to 12 noon.

13. ADJOURNMENT

**A motion was made by Zelenak, seconded by Stelmach, to adjourn the City Council meeting at 8:15 p.m. The motion carried 4-0.**

Respectfully submitted,

Heidi Guenther  
*TimeSaver Off Site Secretarial, Inc.*