

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
October 24, 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, October 24, 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, City Planner Nancy Abts, Police Chief Shane Mikkelsen, and City Attorney Mary Tietjen.

Others present: Lee Gustafson, Emily Lueth, Neil Lynch, Jeff Tobias, Dan Stone, and Sylvia Waverick.

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 October 10
- B. Approve Council Minutes of October 10
- C. Receive Parks and Recreation Committee Minutes of October 4
- D. Receive Planning Commission Minutes of October 17
- E. Receive September American Legion Club Gambling Report
- F. Receive September Fire Relief Association Gambling Report
- G. Receive September Lions Club Gambling Report
- H. Receive September Osseo Maple Grove Hockey Association Gambling Report
- I. Receive September Fire 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 – None.

7. SPECIAL BUSINESS

- A. PRESENTATION ON OSSEO SECONDARY TRANSITION PROGRAM – Dan Stone, OSTC Work Coordinator

City Administrator Riley Grams reported Dan Stone with the Osseo Secondary Transition Center was in attendance to provide the Council with a presentation.

Dan Stone, OSTC Work Coordinator, discussed the history of the program along with the population that has been served. The OSTC program prepares young adults with special needs to transition to life after high school. He commented on the classes that were taught and the support for independence offered to each student. He explained the purpose of service learning (volunteering) along with the importance of giving back to the community. He invited the Council to visit and tour the facility.

Johnson thanked Mr. Stone for his presentation and for the great work he was doing in the community. He then discussed a nice interaction he had recently with a student from OSTC named Tyler Jensen.

Grams stated City staff has found it rewarding to work with the students at OSTC. He encouraged residents in need of assistance with their fall clean up to contact City Hall.

Johnson requested further information on the Achieve Program. Mr. Stone described the work being done through the Achieve Program and noted this was for students with behavioral issues.

Johnson questioned how many students were enrolled with OSTC at this time. Mr. Stone explained he had 70 students at this time, ages 18 through 21.

B. ACCEPT DONATION TO BEAUTIFICATION FUND (Resolution)

Grams indicated Kennedy & Graven and Harold E. & Gayle Johnson (in memory of Harland Heinrichs, Laurence Johnson, Curtis Olson and Berneida Lerbs) have donated \$250 and \$400 respectively to the Beautification/Flower Fund. Staff recommends the Council accept the donation.

A motion was made by Schulz, seconded by Zelenak, to adopt Resolution No. 2016-66 accepting a donation from Kennedy & Graven and Harold E. & Gayle Johnson in the amount of \$250 and \$400, respectively. The motion carried 5-0.

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS – None.

10. NEW BUSINESS

A. APPROVE 2017 OSSEO STREET IMPROVEMENT PLANS FROM WSB & ASSOCIATES

Lee Gustafson, City Engineer with WSB & Associates, reviewed the 2017 Street Improvement project with the Council. He explained the 2017 street reconstruction project consists of reconstructing portions of 2nd Street SE, 3rd Street SE, 4th Avenue SE, 5th Avenue SE, and 6th Avenue SE including repairing or minimal reconstruction of the storm and sanitary sewer, and replacement of the curb and gutter as needed.

Mr. Gustafson reported the existing roadway width will be maintained to the greatest extent possible, and minimal impacts will be made outside of the curb with the exception

for impacts related to utility work or curb replacement. Televising of the sanitary and storm sewer and geotechnical evaluation will be performed as part of this project. The project will also require right of way acquisition on 5th Avenue SE between Broadway Street East and 2nd Street SE. Similar to a past alley reconstruction project with this same situation, it is proposed that the City Engineer will prepare the legal descriptions and easement exhibits, the City Attorney will prepare the actual easements, and City staff will prepare all correspondence and perform all negotiations and acquisition.

Mr. Gustafson indicated the project will be funded in accordance with the City's street reconstruction special assessment policy. WSB will prepare the preliminary assessment roll at the feasibility stage of the project, based on preliminary costs and the City's assessment policy. The preliminary assessment roll will be updated based on the bids received for the project at the time of the assessment hearing, prior to beginning construction. On completion of the assessment public hearing, the City Council will determine whether or not to authorize the project and proceed with the development of final plans and specifications.

Mr. Gustafson commented the 2017 alley project consists of reconstructing the alley between 5th and 6th Avenue NE from 4th Street NE to 93rd Avenue N, including repairing or minimal reconstruction of the storm sewer. It is proposed to maintain the existing alley width and that all work will be within the existing alley right of way. Storm sewer televising and geotechnical evaluation will be performed as part of this project. The project will be funded in accordance with the alley reconstruction special assessment policy.

Mr. Gustafson reported WSB will prepare the preliminary assessment roll at the feasibility stage of the project, based on preliminary costs and the City's assessment policy. The preliminary assessment roll will be updated based on the bids received for the project at the time of the assessment hearing, prior to beginning construction. On completion of the assessment public hearing, the City Council will determine whether or not to authorize the project and proceed with the development of final plans and specification.

Staff recommended the Council approve the proposals from WSB & Associates to plan and prepare the 2017 Street and Alley Improvement Project feasibility reports with not-to-exceed amounts of \$42,100 and \$14,800 respectively.

Schulz appreciated the manner in which WSB has suggested a specialist be used for the concrete work.

Emily Leuth, WSB & Associates, introduced herself to the Council noting she had seven years of municipal and project design experience. She described the work that would be completed by the engineering, televising, and geotechnical crews. She anticipated a public informational meeting would be held in the next two to three weeks for this project where the scope of the project will be further discussed.

Mr. Gustafson reviewed a base engineering cost comparison for the 2017 project compared to last year's project. He noted the streets were designed to have a 50-year life expectancy and explained the concrete alleyway was the best route for the City. He commended the Council for making this decision.

Schulz supported the concrete alleyways and was pleased the City is proposing this on current and future alley projects.

A motion was made by Schulz, seconded by Stelmach, to approve the proposals from WSB & Associates to plan and prepare the 2017 Street and Alley Improvement Project feasibility reports with a not-to-exceed amounts of \$42,100 (street) and \$14,800 (alley). The motion carried 5-0.

B. APPROVE GATEWAY SIGN PROJECT PRESENTATION PROPOSAL FROM WSB & ASSOCIATES

Lee Gustafson, City Engineer with WSB & Associates, stated WSB was requested to prepare a proposal for the preparation of a 3D graphic portraying the new gateway sign in the southwest corner of Co Rd 81 and Central Avenue. WSB understands that a committee has agreed on the sign design and location. Several PDFs were provided for reference, and WSB was instructed to use the larger LED screen option in a visual.

Mr. Gustafson reviewed the scope of services details within the action plan for preparing the graphic. If the proposal was approved tonight, WSB would provide the City a 3D rendering by Friday, October 28. Staff recommended the Council approve the WSB & Associates proposal to produce presentation materials for the Osseo Gateway Sign Project with fees not to exceed \$2,500.

A motion was made by Stelmach, seconded by Schulz, to approve the attached WSB & Associates proposal to produce presentation materials for the Osseo Gateway Sign Project with fees not to exceed \$2,500. The motion carried 5-0.

C. APPROVE 2017 OSSEO SIDEWALK REPLACEMENT ENGINEERING PROPOSAL FROM WSB & ASSOCIATES

Lee Gustafson, City Engineer with WSB & Associates, explained the 2017 sidewalk replacement project consists of replacing defective sidewalk panels throughout the City, as identified by the Public Services Director and City Planner. A feasibility report will be prepared which will include a preliminary cost estimate based on the City's sidewalk policy.

Mr. Gustafson stated, on review of the feasibility report, the City Council will determine whether or not to authorize the project and proceed with the development of final plans and specifications. The project is proposed to be partially funded with approximately \$67,000 in Hennepin County CDBG funds. As such, project specifications and construction administration will be conditioned to adhere to all CDBG funding requirements. It was noted a second proposal will be brought to the City Council for authorization of final plans and specifications and for construction services. Staff recommended approval of the WSB & Associates 2017 sidewalk replacement engineering proposal.

Stelmach asked what the expected life of a sidewalk was. Mr. Gustafson estimated that sidewalks without trees interfering should last 60 to 70 years.

Johnson questioned if the low sidewalk panels could be raised without being removed and replaced. Mr. Gustafson stated he has tried this in the past, but the results have not been successful. He recommended the panels be fully replaced.

Johnson inquired if the mid-block sidewalk on 5th Avenue NE would be replaced or removed, given the fact this was the only portion of sidewalk on this side of the street on

this block. Abts responded City policy did not require repairs to be made at the sidewalk “islands.”

A motion was made by Zelenak, seconded by Stelmach, to approve the WSB & Associates 2017 sidewalk replacement engineering proposal, with fees not to exceed \$2,275. The motion carried 5-0.

D. APPROVE LOT SPLIT AND LOT COMBINATION REQUESTS FROM ST. PAUL’S LUTHERAN CHURCH CEMETERY (Two Resolutions)

City Planner Nancy Abts explained the cemetery at 8601 and 8601-1/2 Jefferson Highway North has been in place since the late 1800s. The cemetery is currently owned and maintained by St. Paul’s Lutheran Church in Osseo. (A third cemetery parcel is next to the St. Paul’s property. That parcel is in the City of Maple Grove and is owned and maintained by Brooklyn Maple Grove Union Cemetery.)

Abts reported Jefferson Properties, Inc., located behind the cemeteries, owns several warehouses at 8603 Jefferson Highway North. In early 2016, the Jefferson Properties site was surveyed. The survey showed that approximately thirty graves were located on 8603 property, on land that does not belong to the cemetery.

Abts stated Jefferson Properties, Inc., is willing to donate the land with the graves to the cemetery. To complete the donation, the manufacturing property will split off a small piece of land from the edge of their property (this is the lot split request). This land will then be added to the cemetery parcels. Then, the two cemetery parcels in Osseo and the donated land will be combined into a single parcel (this is the lot combination request). St. Paul’s Lutheran Church is taking care of the public processes that are needed for the donation.

Abts commented the Jefferson Properties, Inc., land at 8603 is a Torrens parcel, while the cemetery parcels are Abstract. Because of the two types of lots, the documents for the Lot Split and Combination will have to be recorded with the County twice. Hennepin County ultimately administers the lot combination process after receiving approval from the City. Staff reviewed the requirements for the Minor Subdivision and reported the Planning Commission recommended approval of the request.

Stelmach asked if the lot split and combination requests would involve any rezoning. Abts reported the parcels would not require rezoning.

A motion was made by Johnson, seconded by Schulz, to adopt Resolution No. 2016-67 granting Jefferson Properties, Inc., a Lot Split at 8603 Jefferson Highway. The motion carried 5-0.

A motion was made by Johnson, seconded by Schulz, to adopt Resolution No. 2016-68 granting St. Paul’s Lutheran Church a Lot Combination between 8601, 8601 ½ and adjacent donated parcels. The motion carried 5-0.

E. APPROVE ST. PAUL’S LUTHERAN CHURCH CEMETERY REQUEST FOR STORM WATER UTILITY CHARGES

Abts stated in August the City Council approved a similar request to reclassify stormwater utility rates for Niggler Cemetery. Niggler Cemetery is also located in the Manufacturing Zone.

Abts explained two cemetery properties, owned by St. Paul's Lutheran Church (8601 and 8601-1/2, to be combined into a single parcel), are currently located in the Manufacturing (M) Zone and are classified as Manufacturing for Osseo's Stormwater Utility Charges. The church has asked the Council to consider reclassifying the property to a Residential classification. This does not change the actual zoning classification of the parcels—only the classification used to calculate stormwater utility charges will change. St. Paul's Lutheran Church noted that a similar request from Niggler Cemetery was approved in August.

Abts indicated reclassifying these parcels will effectively reduce the storm water utility charges by half (Manufacturing classifications are given 2 Residential Equivalency Factor (REF) while Residential classifications are given 1 REF). Because the cemetery property has very little impervious surface, and acts more as a residential property than a developed commercial or manufacturing property, staff recommends the Council approve the reclassification.

Schulz questioned why this parcel was not being rezoned to residential. Abts explained zoning was a land use tool and was based on the expected use of the area. She believed the reason to rezone this property would be if houses were going to be developed in this area. She did not see residential as a viable use for this property and therefore did not recommend rezoning.

Schulz believed that this property would be charged too much for stormwater if it was reclassified to residential given the fact that the parcel was all grass. Grams stated the residential rate was the lowest rate charged for storm water utility charges.

Schulz asked if the City could charge a half rate for this property. Grams indicated the City would have to create a new step within the fee schedule.

Schulz was in favor of the Council investigating this further at a future worksession meeting given the number of cemeteries within the community. Grams stated he would have staff look into this.

A motion was made by Johnson, seconded by Schulz, to approve the reclassification of 8601 and 8601-1/2 (to be combined into one parcel) from Manufacturing (M) to Residential (R-1) for the purposes of Storm Water Utility charges. The motion carried 5-0.

F. APPROVE RE-KEY PLAN AND PROPOSAL FOR CITY HALL BUILDING

Police Chief Shane Mikkelsen explained he received two quotes to rekey the City Hall building. The first quote was from Metro Alarm and Lock for \$6,000. The second quote was from Straughan Hardware for \$3,256.58. This proposal would bring the City Hall to a locking system that can be monitored and will be secure. It was noted the key cost would be in addition to this contract. Staff recommended the Council approve the quote from Straughan Hardware for \$3,256.58.

Johnson explained the City would not be charged sales tax for this contract, which would save the City an additional \$208.

A motion was made by Johnson, seconded by Schulz, to approve the quote from Straughan Hardware for an amount not to exceed \$3,100. The motion carried 5-0.

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

Grams explained the Council accepted the resignation of Todd Woods from the Planning Commission at the September 26 Council meeting. This term goes through the end of 2017. Announcements have been made at several Council meetings and information about the vacancy included in Council packets. The City recognizes Todd Woods for serving three years on the Planning Commission, as he was appointed to the Planning Commission in September 2013. Grams stated three Osseo residents have submitted applications to fill the unexpired term on the Planning Commission:

1. Juliana Hultstrom
2. Neil Lynch
3. Karen Kopren

Grams requested the Council make a recommendation for the Planning Commission appointment.

Stelmach stated he spoke with each candidate today and after these conversations he believed each would serve the City well. He was pleased by the fact that one of the volunteers was sitting in the audience and, for this reason, he recommended the Council appoint this individual to the vacancy.

Johnson was pleased that the City had three volunteers for the open seat on the Planning Commission. He discussed the conversations he had with Ms. Hultstrom and Mr. Lynch and believed any of the three candidates would benefit the City.

Schulz stated he has worked with Ms. Hultstrom in the past and knew Mr. Lynch. He indicated he did not know Ms. Kopren. It was his recommendation that the Council appoint Mr. Lynch due to the fact he was in attendance at the Council meeting.

A motion was made by Schulz, seconded by Stelmach, to adopt Resolution No. 2016-69 appointing Neil Lynch to fill the unexpired term on the Planning Commission through the end of December 2017. The motion carried 5-0.

H. CONSIDER PUBLIC SAFETY ADVISORY COMMITTEE
REORGANIZATION (Resolution)

Grams stated at its last quarterly meeting the Osseo Public Safety Advisory Committee (PSAC) discussed re-organizing the committee to meet on an as-needed basis instead of quarterly. The PSAC was formed several years ago because City leaders were considering partnering with the Hennepin County Sheriff's Office to supply policing services to the community. The issue was discussed at length and the City decided to keep the Police Department. The PSAC has met, more or less, on an as needed basis, but under direction of Resolution No. 2010-17 is to meet quarterly.

Grams reported if the Council were to change this Committee with an as-needed meeting status, Public Safety related items could still be brought to the attention of the Police Chief, Fire Chief, or City Administrator and answered at that time. If there were to be a more serious issue to discuss, the PSAC Chair could simply call for a meeting to gather PSAC members and discuss the matter at hand. Additionally, in order to maintain a level of transparency and get any Public Safety Department updates in front of the general

public, staff would recommend that the Police and Fire Chiefs attend a regular Council meeting two or three times per year to give general public safety updates. Staff recommended the Council modify the meetings for the Public Safety Advisory Committee.

Schulz noted he served as Chair of the PSAC and explained the group fully supported the reorganization. He encouraged the Council to consider how to better utilize this committee in the future.

A motion was made by Schulz, seconded by Johnson, to adopt Resolution No. 2016-70 reorganizing the Osseo Public Safety Advisory Committee. The motion carried 5-0.

I. APPOINT HERITAGE PRESERVATION COMMISSION MEMBERS TO FILL VACANCY (Resolution)

Grams explained the Council has sought to fill the existing vacancies on the Heritage Preservation Commission. Daniel Spanier has submitted a letter of interest to serve on this Commission. Members shall be residents of the City or shall be persons with an identifiable interest in the history and heritage of the City and shall be appointed for a three-year term. Staff recommended the Council adopt a Resolution appointing Daniel Spanier to the serve a three-year term on the Heritage Preservation Commission.

Johnson asked how often the Heritage Preservation Commission met. Grams reported this group met semi-annually, or as needed based on the City's projects.

A motion was made by Stelmach, seconded by Schulz, to adopt Resolution No. 2016-71 appointing Daniel Spanier to the serve a three-year term on the Heritage Preservation Commission. The motion carried 5-0.

J. APPROVE ACCOUNTS PAYABLE

Grams reviewed the Accounts Payable with the Council.

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

11. ADMINISTRATOR REPORT – None.

12. COUNCIL AND ATTORNEY REPORTS

Abts stated the City was seeking members for the Comprehensive Plan Steering Committee. Those interested in serving were encouraged to contact City Hall for more information. The application deadline is Wednesday, November 9.

Stelmach thanked the volunteers willing to serve on the Planning Commission and Heritage Preservation Committee. He welcomed Mr. Lynch to the Planning Commission and Mr. Spanier to the Heritage Preservation Commission.

Stelmach explained he served as a judge at the Pie Contest this past Saturday. He noted the winning pie was a French silk pie baked by Arlene Barrett and Becky O'Brien.

Johnson discussed the meetings he has attended recently, stating he attended the Northwest Hennepin Human Services meeting, along with the Candidate Forum at City Hall.

Johnson indicated he attended the Pie Contest as well and was happy to help hang lights in downtown Osseo last Saturday.

Poppe noted the Osseo Lions Club would be hosting a Halloween event on Saturday, October 29, beginning at 11 a.m.

Poppe discussed donations to The Nest Backpack Program.

13. ADJOURNMENT

A motion was made by Schulz, seconded by Zelenak, to adjourn the City Council meeting at 8:37 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.