

**OSSEO CITY COUNCIL  
REGULAR MEETING MINUTES  
April 10, 2017**

1. CALL TO ORDER

Mayor Duane Poppe called the regular meeting of the Osseo City Council to order at 7:10 p.m. on Monday, April 10, 2017.

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: Rich Stanek, Shane Myre, Deb Gatz, Andy Bright, Bruce Neumann, David Godar, Jerry & Marlene Johnsen, Romeo Payette, Tom Huston, Lee Gustafson, Emily Lueth, Jeff Feulner, Ryan Ruttger, and Juliana Hultstrom.

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 Zelenak, to accept the Agenda as presented. The motion carried 5-0.**

5. CONSENT AGENDA

- A. Approve Council Minutes of March 27
- B. Receive March Building Report
- C. Approve Council Education Request
- D. Approve OFD Member Bruce Podvin as Osseo Fire Inspector
- E. Approve Temporary Liquor License for Osseo Lions Club Event
- F. Approve Hire of Part Time Police Officer Dennis Hemminger
- G. Approve Police Training Request for Officer Mortinson
- H. Approve Police Training Request for Full Time Officers
- I. Approve Electronic Funds Transfer (EFT) for City Credit Card Payment

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

6. MATTERS FROM THE FLOOR – None.

7. SPECIAL BUSINESS

A. PRESENTATION FROM RICHARD STANEK, HENNEPIN COUNTY SHERIFF, #NOVERDOSE CAMPAIGN (Resolution)

Hennepin County Sheriff Rich Stanek thanked the Council for its time and described his work history with the Sheriff's Office. He discussed the services provided to the residents of Osseo by Hennepin County noting this included dispatch services. He then introduced the Council to the #NOverdose Campaign that was being pursued by Hennepin County and noted the number of opioid related deaths over the last five years. He encouraged residents to drop off their expired or unused medications at the County Sheriff's office or Osseo Police Department. He requested the Council pass a resolution supporting the #NOverdose Prevention Campaign to raise public awareness.

Stelmach thanked Sheriff Stanek for his presentation and noted the City did have a drop box for unused or expired meds. He asked if there were additional ways the City could be partnering with the County to raise awareness on opioid related deaths. Sheriff Stanek encouraged the City to partner with the school district to hold a town hall style meeting in order to further discuss this topic. He invited everyone to attend the Hennepin County Sheriff's Office Open House on Friday, May 19, nearby in Brooklyn Park.

Schulz invited the public to attend the Sheriff's Office Open House and stated he has attended the event on numerous occasions with his kids. He stated this was a free event and lunch was included.

**A motion was made by Schulz, seconded by Stelmach, to adopt Resolution No. 2017-29 supporting the Hennepin County #NOverdose Prevention Campaign. The motion carried 5-0.**

B. BOERBOOM PARK MASTER PLANNING PRESENTATION – WSB & ASSOCIATES

Jeff Feulner, WSB & Associates, stated the City is planning an expansion to Boerboom Veterans Memorial Park, which will more than double its size to a full city block. Currently, the City is exploring ideas for how the new space can best serve the community. WSB's Landscape Architecture Group has been tasked with developing a master plan for the park, which will serve as a guideline for the future development. Currently, the team is exploring three schematic concepts which envision different uses of the park. These concepts will ultimately be consolidated and refined into one overall plan for the park.

Mr. Feulner explained that WSB began an assessment of the current park. This included reaching out to community members at the Lions Roar festival and a public open house for the ongoing comprehensive planning efforts, as well as conversations with City staff. This was done to better understand how the park is used today, and determine what current park users like or dislike about the park.

Mr. Feulner reported some common themes were identified and used to influence the initial design concepts. Generally, people have a deep appreciation for the historic and commemorative nature of the park. The memorial monuments, benches, and flagpoles are important elements that must remain in the park. Park visitors enjoy the regular events and performances held in the park, but would like to see more day to day activities available for park users of all ages. Of the responses received, most people agreed that a new park should include a play area, some type of water feature, more open lawn space, additional tables and seating, accessible walking paths, native plantings for pollinator

habitat, a picnic shelter, and restrooms with a drinking fountain. People also like the recent improvements to Central Avenue, and would like to see a similar style carried into the park. There were also some areas of disagreement. Responses indicated a split between user's preferences for features such as a splash pad, a dog park, a skate park, and a community garden. Concern was also expressed by some over the safety of crossing Central Avenue.

Ryan Ruttger, WSB & Associates, stated based on the feedback from the community and direction from both the City and Parks & Recreation Committee, he was now in the process of creating three concept plans for the park. He reviewed the concept plans in detail with the Council and requested feedback.

Schulz believed staff was moving in the right direction. He stated he supported the Town Lawn concept but recommended several amenities be moved around in order to make room for a skating rink. He did not support this concept having a dog park due to the fact it would be difficult for the City to maintain given the number of dogs in the community.

Stelmach indicated he supported the Town Lawn concept plan as well, and commented on the importance of the Veterans Memorial. He stated he would like to see the established trees remain in place. He liked the idea of making a room for a skating rink and hoped to see this happen by opening up the park.

Johnson asked if the play area would have equipment or be an open space. Mr. Ruttger was anticipating an enhanced play equipment in this area.

Johnson stated it may be cost effective to tear down the old equipment and start fresh. He commented that the proposed water features may be cost prohibitive for the City and stated he would prefer the City not pursue this option. He encouraged the Council to consider a designated dog park with artificial turf on the 5<sup>th</sup> Street side of the park. He recommended the Veterans Memorial remain in place.

Zelenak understood the residents of Osseo were interested in having a dog friendly park.

Grams stated if Concept Plan #1 were to proceed, staff did not believe it was realistic to have a dog park given the small amount of space that would be available.

Council consensus was to proceed with Concept Plan #1.

C. ACCEPT DONATION TO GATEWAY SIGN FUND (Resolution)

Grams explained Duffy's Bar & Grill and Osseo Pawn, LLC have donated \$1,000 and \$250, respectively, to the City for the Gateway Sign Fund. Staff recommends the Council accept the donation.

**A motion was made by Schulz, seconded by Johnson, to adopt Resolution No. 2017-30 accepting a donation from Duffy's Bar & Grill and Osseo Pawn LLC in the amounts of \$1,000 and \$250, respectively. The motion carried 5-0.**

D. ACCEPT DONATION TO BEAUTIFICATION FUND (Resolution)

Grams stated Harold E. & Gayle Johnson have donated \$200 in memory of Kurt Beucler and Rayden Swanson to be placed in the Beautification/Flower Fund. Staff recommends the Council accept the donation.

**A motion was made by Schulz, seconded by Stelmach, to adopt Resolution No. 2017-31 accepting a donation from the Harold E. and Gayle Johnson in the amount of \$200. The motion carried 5-0.**

8. PUBLIC HEARINGS

A. ASSESSMENT HEARING FOR 2017 STREET PROJECT

Lee Gustafson, WSB & Associates, stated the 2017 street reconstruction project consists of reconstructing portions of 3rd Street SE, 4th Avenue SE, 5<sup>th</sup> Avenue SE, and 6<sup>th</sup> Avenue SE including repairing or minimal reconstruction of the storm and sanitary sewer, and replacement of curb and gutter as needed. 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, curb replacement, and sidewalk installation.

Mr. Gustafson reported the total project cost is estimated at \$983,445.66, and includes all proposed street, utility, sidewalk, and storm sewer improvements as well as all engineering and administrative costs. Financing the 2017 Street Reconstruction Project will be based on the City's special assessment policy which calls for 50% of the proposed improvements to be specially assessed including all administrative costs. The remaining 50% and 100% of the storm and utility costs will be financed by the City through street and enterprise funds.

Mr. Gustafson explained no right-of-way acquisition costs are included in this estimate due to the understanding City staff will be acquiring all necessary right-of-way. A final assessment roll was prepared based on the lowest bid and individual assessment notices were mailed to each property owner. The residential assessments are determined to be \$5,831.36 per unit, and commercial determined to be \$58.82 per lineal foot. Staff reviewed the proposed project timeline, recommended the Council hold an assessment hearing and adopt the proposed assessment roll.

Grams requested Mr. Gustafson provide the Council and residents with an explanation on the different types of curbing that will be used. Mr. Gustafson described the differences between a back to curb and standard curb, and where these would be used in the improvement project.

**A motion was made by Schulz, seconded by Zelenak, to open the Assessment Hearing at 7:55 p.m. The motion carried 5-0.**

David Godar, 221 5<sup>th</sup> Avenue SE, asked if all of the sidewalks would be located on the east side of the streets. Mr. Gustafson stated this was the case.

Mr. Godar questioned where residents were supposed to park while their streets were torn up. Mr. Gustafson described the reclamation process noting residents would be able to park in their driveway or on their street daily except if a new apron or curbing is poured. He reported residents would be notified when the curbing and aprons would be replaced.

Schulz inquired how residents would be notified by WSB. Mr. Gustafson discussed the numerous ways WSB would be in communication with the residents of Osseo throughout the improvement project. He stated this would include door hangers, visits from the

project manager, and through mail. He encouraged residents to be in touch with WSB if they have any comments or questions.

Romeo Payette, 240 5<sup>th</sup> Avenue SE, stated he had a huge maple in his yard that was five feet away from the curb. He asked how this tree would be impacted. Mr. Gustafson explained this tree would have to be removed in order to install a sidewalk.

Melissa Hagen, 221 5<sup>th</sup> Avenue SE, questioned when the acquisition proposals would be submitted to homeowners. She inquired if it would be the homeowners' responsibility to remove the trees in the boulevards. City Planner Nancy Abts discussed the process the City was following for the right-of-way acquisition. Mr. Gustafson reported the contractor would be removing the trees and grinding out the stumps.

Marlene Johnsen, 233 5<sup>th</sup> Avenue SE, inquired how residents were to pay their assessment. Mr. Gustafson explained residents could prepay their assessment prior to November 15 or could have their assessment roll over onto their property taxes for 15 years with payments beginning in 2018. He noted in order to avoid paying interest residents would have to pay the full assessment by May 10. He encouraged all residents with questions regarding their assessment and payment options to contact Osseo City Hall directly.

**A motion was made by Schulz, seconded by Zelenak, to close the Assessment Hearing at 8:12 p.m. The motion carried 5-0.**

**A motion was made by Schulz, seconded by Johnson, to adopt Resolution No. 2017-32 approving the proposed assessments for the 2017 Street Reconstruction Project. The motion carried 5-0.**

9. OLD BUSINESS

A. APPROVE 2017-2022 GARBAGE HAULER AGREEMENT WITH RANDY'S ENVIRONMENTAL SERVICES (Resolution)

Grams stated in December 2016 staff was directed to prepare a Request for Proposal (RFP) for solid waste collection services, as the current agreement with Randy's Environmental Services was set to expire the end of April 2017. Osseo has typically prepared an RFP for solid waste collection services every five years.

Grams explained the addition of organics collection, outlined by a Hennepin County Residential Recycling Funding Policy grant, was incorporated into the RFP. The draft RFP was approved at the January 9 Council meeting. The RFP was offered to a number of companies that provide collection services and posted online. The bid results of the RFP were discussed at the February 27 Council meeting. At the February 27 meeting the Council approved a motion (on a 4-1 vote) to "accept the bids and direct staff to pursue a solid waste collection services agreement with Randy's Environmental Services." It was noted staff and Randy's Environmental Services had achieved consensus on this agreement.

Johnson asked if all households were required to have garbage pickup in the City of Osseo. Grams reported this was the case.

Schulz inquired if the recyclable collection included a 90-gallon container. Grams stated Randy's could provide a 30, 65, or 90-gallon container for recycling at no additional cost.

Schulz questioned if recycling could be picked up weekly. Grams commented this would be cost prohibitive and not be feasible at this time.

Schulz commented he was interested in the Council discussing yard waste pickup. He stated he appreciated the efforts that went into the contract but indicated he would not be supporting the contract because he did not believe the City should have a single hauler.

**A motion was made by Johnson, seconded by Stelmach, to adopt Resolution No. 2017-33 approving the agreement for solid waste collection services between Randy's Environmental Services, Inc. and the City of Osseo. The motion carried 4-1 (Schulz opposed).**

**B. APPROVE AGREEMENTS WITH REVOLUTIONARY SPORTS AND MERRY TIME ARTS FOR 2017 OSSEO YOUTH RECREATION PROGRAMS**

Abts stated Revolutionary Sports will be contracted to provide a variety of youth sports classes as camps in Osseo in June, July, and August. Vanessa Merry is willing to provide youth arts programs on Monday afternoons in the summer. She described the changes that were made to the agreements and reported staff worked with the providers and the City Attorney on these formal agreements.

Stelmach asked if there was a discussion on when registrations would be open for Osseo residents versus non-Osseo residents. Abts believed that registration for all camps would be open to all individuals at the same time. She commented if the Council wanted to see a delay for non-residents this could be discussed with Revolutionary Sports.

Stelmach questioned how Revolutionary Sports would be monitoring the number of kids per camp. Abts described how this would be monitored by Revolutionary Sports and noted if more than 12 children signed up for any one camp an additional coach could be added.

Schulz stated he had not had adequate time to review the updated Revolutionary Sports contract given the fact it was given to the Council late this afternoon. For this reason, he recommended the Council delay action on this item for two weeks. He indicated he could support the Merry Time Arts Contract this evening.

Zelenak agreed the Council needed more time to review the Revolutionary Sports contract.

Stelmach also wanted to delay action on the Revolutionary Sports contract to allow the Council additional time to review the document.

**A motion was made by Schulz, seconded by Stelmach, to table action on the Revolutionary Sports contract to the Monday, April 24, City Council meeting. The motion carried 5-0.**

**A motion was made by Schulz, seconded by Stelmach, to approve the Merry Time Arts agreement as presented.**

Johnson discussed the supplies that are to be furnished by the City and questioned who would be responsible for purchasing these items. Abts stated City staff would purchase these items.

**The motion carried 5-0.**

10. NEW BUSINESS

A. APPROVE EDA ACTIONS OF APRIL 10, 2017

Grams discussed the actions of the EDA. He noted the EDA approved accounts payable, discussed the Met Council SAC deferral program, discussed the property at 600 Central Avenue, received an update on the Celtic Crossing redevelopment site, considered the Osseo Food Truck Spring Event, and considered a donation to the Osseo Gateway Sign Fund.

Schulz asked when the Council would be considering the Osseo Food Truck Spring Event. Grams reported the Council would consider this item on April 24.

**A motion was made by Schulz, seconded by Stelmach, to confirm the EDA Actions of April 10, 2017. The motion carried 5-0.**

B. RECEIVE BIDS FOR 2017 ALLEY IMPROVEMENT PROJECT

Lee Gustafson, WSB & Associates, stated the 2017 alley project consists of reconstructing the alley between 5th and 6th Avenues NE and from 4th Street NE to 93rd Avenue North including repairing or minimal reconstruction of the storm sewer. The total project cost was originally estimated at \$186,600, and included all proposed surface and storm sewer improvements, as well as all engineering and administrative costs.

Mr. Gustafson reported financing the 2017 Alley Reconstruction Project is based on the City's special assessment policy which calls for 80% of the proposed improvements to be specially assessed. The remaining 20% and 100% of the storm sewer costs would be financed by the City. There are a total of 27 properties benefiting from the improvements. The initial assessment for each parcel was estimated to be \$5,320.

Mr. Gustafson explained bids were received on March 7, 2017, for the 2017 Alley Reconstruction project. Seven bids were received in response to the call for bids. He summarized the bids amounts as follows:

<i>Bidder Bid Amount</i>	
Park Construction Company	\$179,451.50
Meyer Contracting, Inc.	\$181,674.25
C.S. McCrossan Construction, Inc.	\$197,314.50
New Look Contracting, Inc.	\$205,358.75
Douglas-Kerr Underground, LLC	\$236,024.20
Concrete Idea, Inc.	\$236,117.00
Barber Construction Company, Inc.	\$240,145.00
<i>Engineer's Opinion of Probable Cost</i>	\$137,534.50

Mr. Gustafson stated the low bidder is \$41,917.00 above the engineer's estimate. The bids have been thoroughly reviewed and there appears to be not one, but a variety of reasons for the bids being higher than the engineer's estimate. If the project was awarded

to the low bidder and that amount was used to calculate the assessments, individual property assessments would be about \$500 higher than what was estimated.

Mr. Gustafson reported there are several options the City Council can consider to address the higher bids. The first would be to reject the bids and either rebid the project as is, or combine it with a future street or alley project. The second option would be to award the bid, and look for ways to reduce costs.

Mr. Gustafson indicated WSB and City staff have discussed the possibility of postponing this project until 2018. Although the alley may need some additional patching if the project was postponed, all parties agreed that this made the most sense because it would allow the City to explore cost saving options and hopefully save money for the adjacent residents and the City. Staff recommended the Council reject the bids for the 2017 Alley Reconstruction Project and rebid the project for construction in 2018.

Schulz commented he was shocked by how high the bids came in. He stated he supported staff's recommendation to reject the bids and to rebid the project in 2018.

Johnson asked if the City had an alley project planned for 2018. Mr. Gustafson reported this was the case. He explained the Council would need to reevaluate the alleyway projects and possibly combine several projects for the future.

**A motion was made by Stelmach, seconded by Schulz, to reject the bids for the 2017 Alley Reconstruction Project. The motion carried 5-0.**

C. RECEIVE BIDS FOR 2017 SIDEWALK NUISANCE ABATEMENT PROJECT

Lee Gustafson, WSB & Associates, stated this project involves replacing defective sidewalk panels throughout the City. The improvements will include removal of defective sidewalk panels, site preparation, and replacing the panels in essentially the same dimensions as the existing panels. In most cases, curb and gutter removal is not necessary. During removals, the contractor will typically remove a 6-inch-wide area of grass and soil along both sides of the defective sidewalk.

Mr. Gustafson explained this is necessary in order to install the construction forms for the new sidewalk. Once installation of the new panels is complete, the removed topsoil will be replaced and seeded. The property owner will be responsible for watering and maintaining the new grass seed.

Mr. Gustafson reported bids were received on March 21, 2017, for the 2017 Sidewalk Replacement project. Four bids were received in response to the call for bids. They are summarized as follows:

<i>Bidder Bid Amount</i>	
Create Construction, LLC.	\$ 56,125.60
Standard Sidewalk, Inc.	\$ 77,862.40
New Look Contracting, Inc.	\$ 87,711.57
G Urban Companies, Inc.	\$157,865.25
<i>Engineer's Opinion of Probable Cost</i>	\$ 90,287.00

Mr. Gustafson stated the apparent low bidder, Create Construction, LLC, has satisfactorily completed several similar projects in the metro area. The total project cost



is estimated at \$70,718.26, and includes all proposed sidewalk improvements as well as all engineering and administrative costs.

Mr. Gustafson reported funding for the project will be primarily in two forms. The first form of funding will be from a Hennepin County Community Development Block Grant (CDBG) in the amount of approximately \$35,359.13. The intent is for the grant to pay for approximately 50% of the project cost. The second form of funding will be through payments by individual property owners. Since defective sidewalks are a violation of the City's nuisance ordinance, property owners will be billed for approximately 50% of the sidewalk work similar to other nuisance situations. Property owners will be expected to pay for the work by a certain date. Payments not received by the specified date will have the costs assessed against the benefitting property similar to non-payment of utility bills.

Grams clarified no sidewalks within the 2017 Street Improvement Project were included in this sidewalk project.

**A motion was made by Schulz, seconded by Zelenak, to award the bid for the 2017 Sidewalk Replacement Project to Create Construction, LLC. The motion carried 5-0.**

**D. 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

Abts reported the City was working with Hennepin County on a Live Smoke Free Program with a Lunch and Learn event. She indicated this event would take place at 5 Central Apartment Building, and all apartment managers and interested residents were invited to attend. It was noted the event would be held on Wednesday, April 26, from 12-1 p.m.

Zelenak stated she attended the Easter Egg Hunt this weekend with her children. She thanked the Osseo Fire Department and all other volunteers for sponsoring this wonderful event.

Johnson explained he attended the School District #279 Core Planning meeting.

Johnson reported there would be an LRT Meeting on Thursday, April 13, at the Brooklyn Park Library from 4:30-7:00 p.m.

Johnson stated on Tuesday, April 18, at 6 p.m., there would be a meeting on Solar Energy at the Brooklyn Park City Hall.

Poppe stated the City Clean Up Day would be held on Saturday, April 29, from 8 a.m. to 12 noon.

Poppe reported the City-wide garage sales would be held May 11-14.

Poppe indicated the InterMarque Vintage Foreign Car Show and Craft Fair in the Park would be held on Saturday, May 13.

Poppe noted all City hydrants would be flushed this week beginning Wednesday, April 12, through Friday, April 14.

13. ADJOURNMENT

**A motion was made by Schulz, seconded by Zelenak, to adjourn the City Council meeting at 9:09 p.m. The motion carried 5-0.**

Respectfully submitted,

Heidi Guenther  
*TimeSaver Off Site Secretarial, Inc.*