

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
October 28, 2024**

1. CALL TO ORDER

Mayor Duane Poppe called the regular meeting of the Osseo City Council to order at 7:02 p.m. on Monday, October 28, 2024.

2. ROLL CALL

Members present: Councilmembers Mark Cook, John Hall, Juliana Hultstrom, Mark Schulz, and Mayor Duane Poppe.

Staff present: City Administrator Shane Mikkelson and City Attorney Mary Tietjen.

Others present.

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 Hultstrom, seconded by Cook, to accept the Agenda as presented. The motion carried 5-0.

5. CONSENT AGENDA

- A. Approve October 15th EDA and Council Minutes
- B. Accept Charitable Gambling – Osseo Lions
- C. Accept Charitable Gambling – America Legion
- D. Accept Charitable Gambling-Osseo Fire
- E. Accept Charitable Gambling-Osseo Maple Grove Hockey Association
- ~~F. Accept Resignation from CSO Justin Engelmann~~
- G. Receive September Fire Department Activity Report
- H. Receive 3rd Quarter Building Report

Hulstrom requested Item 5F be pulled from the Consent Agenda for further discussion.

A motion was made by Hultstrom, seconded by Hall, to approve the Consent Agenda as amended removing Item 5F. The motion carried 5-0.

- F. Accept Resignation from CSO Justin Engelmann

Hultstrom stated a 30 day notice was given by CSO Justin Engelmann, but the resignation notice was being viewed as an immediate resignation. She requested further

information regarding this matter. Mikkelson explained he had no information for the Council, noting this was an internal HR matter.

A motion was made by Hultstrom, seconded by Schulz, to accept the resignation from CSO Justin Engelmann. The motion carried 5-0.

6. MATTERS FROM THE FLOOR

Nick Torres, 133 8th Avenue, discussed how easy it was to become jaded in today's world. He commented last Saturday showed that this doesn't need to be the case in Osseo. He thanked Mark Wiedenbach and the rest of the Osseo Lions Club for hosting the children's Halloween event and the Boo tour. He thanked the City Council and fellow Osseo businesses for assisting with this event. He believed these type of City events were extremely valuable for the community. He commented one potential solution for low potency cannabis sales was to have those applying for a license to do so in good faith.

A resident of Osseo asked what the Council would be discussing under Item 10E - Closed Session.

Justin Engelmann reported he was the individual the City Council just accepted a letter of resignation from. He explained he put in his resignation with a heavy heart. He commented on how he would miss working for this community. He brought to the Council's attention some concerns he had with the City's leadership and noted he believed it was important for leadership to hear the voices of those being led. He indicated he has seen too many talented and passionate officers being sidelined, disheartened and sometimes even leave Osseo for other departments. He explained he has had many positive experiences while working as a CSO, but have also had many challenges primarily stemming from management at the highest levels. He stated the City's Chief of Police, which was meant to be the departments guiding force, has created an environment that feels divisive and unresponsive. He explained he worked in the CSO program for 12 months and the chief had advocated for this program for well over 10 months when he broached the subject with the chief through an email. He indicated his email was met with him being called in for a one-on-one meeting where the chief's door was slammed and he was yelled and cussed at. He stated he has heard the chief speak negatively about City employees, sworn officers and Councilmembers. He reported when other officers follow in these comments, the chief does not shut this down. He explained he has heard too many comments about current, past and present officers. He commented many officers have warned him about the chief's behaviors and noted three former officers have reached out to him, encouraging him to leave this department. He stated he has reluctantly taken this action, which led to his letter of resignation. He discussed how everything changed for him once the law firm he works for was hired to represent Officer Heather Starry back in August. From that moment forward he was treated differently. He commented on how the video that was previously leaked regarding the police chief was a PG version of what happened to him. He questioned what the City Council was doing to investigate this. He expressed concern with the police chief's behavior and leadership style. He discussed how the lack of support for officers within the department was impacting the fabric of the community and undermines the trust that was essential for effective policing. He reported the department's biggest asset was its people along with the officers unique skill sets. He

feared the current culture within the department would have officers losing their effectiveness. He discussed how the police chief made salacious comments about staff members, officers, Councilmembers and members of the community. He questioned if there was no bridge the police chief wouldn't burn. He hoped those in authority would take heed of the concerns that are being raised regarding the police chief's behavior. It was his hope the department would turn around and that it would become a place where all members feel valued, heard and empowered.

7. SPECIAL BUSINESS

A. METRO TRANSIT PRESENTATION – Victoria Dan

Cindy Harper, Metro Transit, provided the City Council with a presentation from Metro Transit. Ms. Harper discussed the Network Now program that was currently in its public engagement period. She commented on how the last four and a half years have been pivotal to Metro Transit as a result of the pandemic, as ridership had declined by 30%. She reported Network Now would address the status of routes that are currently suspended and would improve on new or redesigned routes, while also addressing METRO line investments and micro transportation options. She commented further on how the transit landscape and ridership has changed since the pandemic. The five Network Now guiding principles were described. The 2027 concept plan results were discussed with the Council, and it was noted Metro Transits goal was to grow ridership while also providing additional service coverage. The plans for the Key Express Network were further reviewed along with the proposed network route changes.

Victoria Dan, Metro Transit, commented further on how Osseo would be impacted by this new endeavor. She indicated the nearest park and rides for Osseo residents were available at Noble and Highway 610 along with 65th Avenue and Brooklyn Boulevard. Further details were provided on new Route 725 along with the planned Express Routes that would service Osseo. The benefits of demand-response services were discussed. It was noted metro micro costs the same as an express route and transfers were free. She commented further on how metro micro rides may be shared. The project prioritizations and specs for future metro micro zones were discussed. She explained additional route information and Network Now details were available on Metro Transits website.

Hultstrom asked if Metro Transit does all of its own data collection. Ms. Dan reported Metro Transit uses a variety of data sources as well as completing its own surveys for data collection purposes.

Hall questioned if the surveys were conducted each day of the week or only on certain days of the week. Ms. Dan reported these were typically completed as a one day observation on a Tuesday, Wednesday, or Thursday and were completed between rush hour.

Hall anticipated a one day survey was not accurately capturing ridership information for Metro Transit. He believed all five days should be surveyed. Ms. Harper clarified the surveys were completed on a Tuesday, Wednesday or Thursday when ridership was higher, when compared to Monday or Friday.

Poppe thanked Ms. Harper and Ms. Dan for their detailed presentation.

B. APPROVE SPECIAL EVENT PERMIT APPLICATION FOR SMALL BUSINESS SATURDAY

Mikkelson requested the Council approve a special event permit for Small Business Saturday, which will be held on Saturday, November 30 from 9:00 a.m. to 3:00 p.m.

A motion was made by Hultstrom, seconded by Hall, to approve a Special Event Permit Application for Small Business Saturday. The motion carried 5-0.

C. ACCEPT DONATIONS (Resolution)

Mikkelson stated the City has received the following donations:

<u>Donor</u>	<u>Amount/Item</u>	<u>Designated Fund</u>
American Legion Post 172	\$500	Minidazzle
Realife Cooperative of Osseo	\$250	Fire Department
Osseo Fire Relief Association	\$6,870	Fire Department- Tools
Osseo Fire Relief Association	\$800	Fire Department –Uniforms

Staff recommended the Council accept the donations.

A motion was made by Hall, seconded by Cook, to adopt Resolution No. 2024-63, accepting a donation from the American Legion Post 172, Realife Cooperative of Osseo, and the Osseo Fire Relief Association. The motion carried 5-0.

8. PUBLIC HEARINGS – None

9. OLD BUSINESS – None

10. NEW BUSINESS

A. 2025 ALLEY PROJECT: RECEIVE THE FEASIBILITY REPORT AND CALL THE PUBLIC HEARING – Alyson Fauske, WSB

Alyson Fauske, WSB, requested the Council receive the feasibility report and call for the public hearing for the 2025 Alley Project. She reviewed the feasibility report in further detail with the Council noting this project included the last nine bituminous alleys in the City. She noted these alleys would be reconstructed in concrete. She reported the existing drainage conditions for these alleys was discussed. The pitch and competing challenges within this project area were further reviewed. The proposed improvements were detailed and would include the removal and replacement of the bituminous with concrete pavement, sanitary sewer improvements, potential storm water extension and the coordination of private utility repairs. It was noted the alleyway would be 12 feet wide. She reviewed miscellaneous construction information and reviewed she would be addressing public engagement matters. It was noted most alleys were within the right of way, but noted some right of way would need to be acquired. The proposed costs, funding and assessments were detailed with the Council. Staff commented further on the proposed project details and requested the Council receive the feasibility report and call for the public hearing.

Hultstrom appreciated the fact sanitary and storm sewer improvements would be included in this project, given the fact the alleyways would be constructed to last for the next 50 years.

Hall agreed and stated he supported completing the storm sewer work as part of this project. He asked if the remaining \$400,000 in bonds would be used to cover a portion of the City's project costs. Ms. Fauske reported she had included these dollars.

Schulz stated he was happy to see storm sewer improvements would be included in this project. He clarified all of the alleyways were currently bituminous except for those in the commercial area. He commented on how the nine alleys were in all in pretty good shape and asked why improvements were proposed. Ms. Fauske reported these were the last nine alleyways that have not been recently reconstructed.

Schulz discussed how the grading on the previous alleyway project had been a concern. He recommended the grading within the proposed alleyways be properly addressed by WSB. He explained he supported approving the feasibility study and moving this project forward because this would then provide the City Council with more details and information on the project. He indicated he looked forward to these alleyways having storm sewer improvements.

Hultstrom questioned if the City should look at the alleyway improvements differently, such as an overall project instead of individual alleys in order to assist in reducing the large assessments.

Schulz stated the City could consider an average across the entire project area. He indicated this made a lot of sense given how high the proposed assessments were.

Hall reported adding the \$400,000 in bond funding into the project costs will help in bringing the assessment amounts down as well.

Poppe agreed.

Hultstrom stated she appreciated how this Council has made assessments more equitable for residents, while focusing on the needs of the City. She indicated storm sewer was definitely a need within this project.

Schulz recommended the City Council consider how to fund these alleys long term, given how they were being built to last 50 years. He recommended storm sewer improvements be considered underground.

Hall agreed this would be important and would assist residents in the future. He suggested public works take a look at when the last time 1st Avenue was cleaned out.

Schulz suggested the City be more proactive in its cleaning and street sweeping in order to assist with the City's storm water system.

A motion was made by Schulz, seconded by Hultstrom, to adopt Resolution No. 2024-64, receiving feasibility report and calling for the improvement hearing for the 2025 Alley Project.

Schulz recommended the additional bond revenue be used within this project to assist with bringing the proposed assessments down.

Cook supported using the bond funding to assist with bringing assessments down versus bringing City costs down.

Poppe asked that staff bringing back assessment amounts that took this recommendation into consideration. Ms. Fauske explained she would bring back several assessment methods for the Council to consider at the public hearing.

The motion carried 5-0.

B. APPROVE DELINQUENT UTILITIES AND WASTE CERTIFICATION (Resolution)

Mikkelson stated Osseo City Code Section 51.37(c) allows delinquent accounts for 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. All property owners with delinquent amounts due to the City of Osseo and Walter's Refuse and Recycling, as of September 1, 2024, were notified by letter of the pending assessment by mail on September 17, 2024. The City accounts are for water, sanitary sewer, and storm utility services. Walter's Refuse and Recycling accounts are for garbage, recycling, and yard waste disposal services provided to residential properties in Osseo. As part of the current agreement with waste haulers, the City assists in collection of delinquent garbage costs by certifying delinquent waste accounts as allowed by MS 443.015. In unpaid by November 22, 2024, the amount in the Certify column will be assessed to Hennepin County property taxes along with 14 months of interest at a rate of 5.8 percent. Assessments must be adopted by resolution to be placed on a property owner's property tax statement per MS 444.075 subd 2a.

Schulz questioned if some of the low delinquencies could be a clerical error. He asked that staff investigate these and suggested the Council revisit setting a minimum assessment amount for next year.

A motion was made by Schulz, seconded by Hultstrom, to adopt Resolution No. 2024-65, certifying delinquent utility charges and waste removal charges against specified properties as presented in Exhibits A & B. The motion carried 5-0.

C. APPROVE LETTER OF INTENT WITH RED PINE GROUP

Mikkelson stated at the Council Work Session on September 30th, the Council gave staff direction to explore a Letter of Intent with the Red Pine Group. This Letter of Intent has been vetted by the City Attorney and was ready to be brought back to Council for approval.

City Attorney Tietjen reported she reviewed the letter of intent with the Red Pine group and was recommending approval. She explained the letter of intent was not a binding contract, but would provide a way forward.

Schulz stated he appreciated the fact the Red Pine Group had been very easy for staff to work with. City Attorney Tietjen indicated this group was very flexible and had addressed the confidentiality concerns that she had.

A motion was made by Cook, seconded by Schulz, to approve the Letter of Intent with the Red Pine Group.

Hall asked if the Cannabis Committee had an opportunity to review the letter of intent.

Schulz explained the Cannabis Committee has several opportunities to provide feedback on the letter of intent.

The motion carried 5-0.

D. APPROVE ACCOUNTS PAYABLE

Mikkelson reviewed the Accounts Payable with the Council.

Hall requested payments to WSB be broken down for the City Council in the future.

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

E. CLOSED SESSION

Mikkelson reported the HR Committee has requested to go into a Closed Session meeting.

A motion was made by Schulz, seconded by Hall, to move into Closed Session pursuant to Minnesota State Statute 13D Subd. 2d to discuss a Human Resources matter. The motion carried 5-0.

The City Council moved into a Closed Session meeting at 8:57 p.m.

The City Council meeting reconvened at 9:25 p.m.

A motion was made by Schulz, seconded by Hultstrom, to authorize the City Attorney to retain an investigator to investigate the preliminary allegations against Shane Mikkelson. The motion carried 5-0.

11. ADMINISTRATOR REPORT – None

12. COUNCIL AND ATTORNEY REPORTS

Hultstrom reported LMC is holding Mayor for the Day and applications were now being accepted.

Hultstrom thanked staff for all of their assistance with the election and early voting.

Hultstrom thanked the Lions and everyone else that was involved in the Halloween celebrations.

Hultstrom commented last week LMC held seven different webinars within their fall forums. She noted she attended six of the seven webinars.

Hall reported daylight savings would occur this weekend. He encouraged residents to check the batteries in both their smoke detector and carbon monoxide detector.

Hall encouraged residents to get out and vote in the upcoming election, which would be held on Tuesday, November 5.

Hall requested residents not blow their leaves and grass into the street this fall, but rather keep this material within their yard.

Cook thanked the Lions for hosting the Halloween event on Saturday, stating this was a great community event.

13. ANNOUNCEMENTS

Poppe reported City offices will be closed on Monday, November 11 for Veteran's Day.

14. ADJOURNMENT

A motion was made by Schulz, seconded by Hall, to adjourn the City Council meeting at 9:32 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial