

**OSSEO CITY COUNCIL  
REGULAR MEETING MINUTES  
July 24, 2017**

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 24, 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, and City Attorney Mary Tietjen.

Others present: Tabbatha Paz, Ryan Aydt, Christie Singleton, and Dennis Smith.

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 10
- B. Approve Council Minutes of July 10
- C. Receive June Fire Report
- D. Receive June American Legion Gambling Report
- E. Receive June Fire Relief Association Gambling Report
- F. Receive June Lions Club Gambling Report
- G. Accept Resignation of Part-Time Police Officer Peter Renteria
- H. Receive Planning Commission Minutes of July 17
- I. Receive June Osseo Maple Grove Hockey Association Gambling Report

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

6. MATTERS FROM THE FLOOR – None.

7. SPECIAL BUSINESS

- A. LEAGUE OF MINNESOTA CITIES LEGISLATOR OF DISTINCTION FOR 2017 DENNIS SMITH

City Administrator Riley Grams stated State Representative Dennis Smith was recently acknowledged by the League of Minnesota Cities as a Legislator of Distinction for 2017. Representative Smith was honored for authoring a bill that would provide funding for statewide data practices training, which is a top priority for the League of Minnesota Cities. Grams reported Representative Smith would provide an update on the latest legislative matters.

Representative Smith thanked the Council and staff for the recognition. He stated it was nice to receive an award from the League of Minnesota Cities. He commented on the transportation bill, Real ID, educational increases, and other work that was completed in the last session. He believed that this was one of the most productive legislative sessions in recent years and he was proud of the work completed.

Johnson commented on the small cell tower initiative that was being forced onto municipalities. He discussed how this would impact Osseo and understood the bill was already in effect. Representative Smith explained this bill was discussed at length by legislators and was approved after many hours of negotiation. He understood many cities were not supportive of the new legislation. He reported the effective date was put in place in order to prepare the metro area for the upcoming Super Bowl in Minneapolis.

**B. CENTERPOINT ENERGY COMMUNITY PARTNERSHIP GRANT PRESENTATION**

Grams stated CenterPoint Energy started the Community Partnership Grant program 14 years ago, with the goal of providing an opportunity to work with local communities on a shared commitment to safety. Since the beginning of the program, CenterPoint Energy has funded more than 775 projects and awarded more than \$1.5 million in grants. The program offers matching grants up to \$2,500 for eligible safety and emergency response equipment. He was pleased to announce that Osseo has received \$2,500 from CenterPoint Energy's Community Partnership Grant program. The grant is for the upcoming City Hall emergency generator project. The grant money will be set aside in the Capital Improvement Plan for the emergency generator.

Christie Singleton, from CenterPoint Energy, presented a \$2,500 grant to the City of Osseo.

Mayor Poppe accepted the donation on behalf of the City and thanked CenterPoint Energy for awarding the grant funding.

**A motion was made by Johnson, seconded by Stelmach, to accept the CenterPoint Energy Community Partnership Grant award in the amount of \$2,500. The motion carried 5-0.**

**C. ACCEPT DONATIONS TO CITY (Resolution)**

Grams reported the City has received the following donations:

| <u>Donor</u>   | <u>Amount/Item</u> | <u>Designated Fund</u>     |
|--|--------------------|----------------------------|
| Three Rivers Park Police Department  | Safariland Bicycle | Police Fund                |
| Harold E. & Gayle Johnson<br><i>(in memory of Charley McCrossan &amp; Jim Schreiber)</i> | \$200              | Beautification/Flower Fund |

Grams recommended the Council accept the donations.

**A motion was made by Stelmach, seconded by Zelenak, to adopt Resolution No. 2017-51 accepting donations from the Three Rivers Park Police Department and Harold E. & Gayle Johnson. The motion carried 5-0.**

D. NIGHT TO UNITE PROCLAMATION

Poppe read a proclamation declaring Tuesday, August 1, as Night to Unite in Osseo.

E. GRAND OPENING OF MINNESOTA STATE CAPITOL, AUGUST 11-13  
(Resolution)

Grams indicated the State Capitol would be holding a Grand Opening on August 11-13. He noted a ceremony would be held at the Capitol on August 12. The celebration is following a major restoration project. All residents of Osseo are invited to visit the Minnesota State Capitol.

Representative Dennis Smith encouraged residents to come to St. Paul. He stated he would be more than welcome to give private tours of the State Capitol.

**A motion was made by Schulz, seconded by Stelmach, to adopt Resolution No. 2017-52 encouraging the people of the City of Osseo to attend the Grand Opening of the Minnesota State Capitol. The motion carried 5-0.**

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS – None.

10. NEW BUSINESS

A. APPROVE HOLIDAY GAS STATION EVENT FOR JULY 28-29

Grams stated the Holiday Gas Station has been in Osseo for 40 years. To mark the anniversary, they have proposed hosting an event at their location at 124 Central Avenue on July 28-29. They will be hosting several different games with prizes, having a cookout for their patrons and customers, and also a dunk tank on site. The gas station staff has requested the Council consider closing 1½ Street NE, between Central Avenue and 1st Avenue NE. This street is located between the Holiday Gas Station and Douglas Animal Hospital. Holiday will provide all the necessary materials for the event and coordinate with Douglas Animal Hospital. Staff recommended the Council approve the Holiday Gas Station 40th Anniversary event and related road closures.

Tabbatha Paz, manager of the Holiday Gas Station, thanked the Council for its consideration. She requested the Council approve the requested road closure for July 28-29.

Schulz stated he supported the proposed event and thanked Ms. Paz for reaching out to the Douglas Animal Hospital.

**A motion was made by Schulz, seconded by Stelmach, to approve the Holiday Gas Station 40<sup>th</sup> Anniversary event and related road closure. The motion carried 5-0.**

B. APPROVE 1<sup>ST</sup> READING OF ZONING ORDINANCE AMENDMENT FOR SIGNS

City Planner Nancy Abts stated the City is proposing an update to Osseo's sign code, part of the Zoning Ordinance. These changes will update the sign code regarding recent legal changes. Changes will also better organize the sign code and facilitate code enforcement. The sign code has been added to but not substantially revised since its adoption in 1994.

Abts noted most proposed changes to the sign code are changes to language, not to the effect the code has on signs. Big changes to the size or types of signs allowed are not proposed. However, the way to determine the total amount of signage a property can display has changed. It would now be based on the type of property or its size only; there are no longer requirements based on a sign's message. For example, signs defined on the basis of the message—Address Signs, For Sale/Lease Signs, Motor Fuel Station Signs, etc.—are no longer addressed in the updated ordinance. The proposed changes are not based on the type of content on the sign. Instead they focus on the “type of sign” on the basis of size, construction, and location.

*Intent*

The introduction to the ordinance, the *Findings, Purpose and Intent, and Effect* section, has been updated to reflect new legal standards. The wording and organization is also clarified and condensed in the new ordinance. An additional “severability” clause has been established for the sign ordinance. This states that the City Council would have adopted each individual part of the ordinance independently. This is even if some part of the total ordinance is invalidated by a higher court.

*Administration*

Some of the procedures used to administer the ordinance will also change. Under the existing sign code, certain small signs and certain types of signs do not require permits. The proposed changes clarify and somewhat increase the types of signs that do not need a permit. The proposed changes allow small and simple signs like lower-level window signs, banners, and small freestanding signs to be posted on private property without a permit. This recognizes that most businesses do not often apply for permits for these types of signs. It also facilitates free speech. Whether or not a permit is required, signs still would need to comply with the ordinance.

*“Temporary” Signs*

The current ordinance allows businesses up to two temporary signs or banners each year. These banners, pennants, trailers, trucks, and similar devices can be displayed for up to 10 days under a permit. The proposed ordinance recognizes the need for short-term, transitory messages that may be displayed on these sorts of signs. These are considered as part of a broader set of “Class B” signs. Class B signs are non-durable, impermanent signs including moveable signs, banners, pennant signs, and other similar signs not constructed from durable, weather-proof materials. Class B signs also have a different impact on the City's aesthetic environment. The ordinance balances the need for this type of signage with findings that exterior signs have a substantial impact on the character of an area. The practicalities of establishing durable Class A signs and non-durable Class B signs are also considered. Therefore, a certain proportion of a site's signage is allowed to be comprised of “Class B” signage.

Abts explained proposed regulations based on individual Zoning Districts was summarized by staff, and were detailed in the draft ordinance. Staff provided further

comment on the proposed amendments and recommended the Council approve the first reading of the zoning ordinance amendment for the proposed new sign code.

Schulz stated he has spent a great deal of time looking through the proposed ordinance amendment. He understood that a great deal of time was spent reviewing and rewriting this ordinance. He commended staff on their efforts but stated he had a number of questions. He suggested action on the ordinance be postponed in order to allow the Council to have further discussion at an upcoming work session meeting.

Stelmach thanked Abts for all of her efforts on the proposed code amendment. He agreed with Schulz and stated he supported this item being revisited at a work session meeting.

Johnson was in agreement and looked forward to discussing the proposed amendment at a future work session meeting.

**A motion was made by Schulz, seconded by Stelmach, to table action on the sign ordinance amendment to a future work session meeting. The motion carried 5-0.**

C. CLOSED SESSION – APPROVE 2017-2019 LABOR AGREEMENT WITH LAW ENFORCEMENT LABOR SERVICES, INC.

City Attorney Mary Tietjen requested the Council adjourn the City Council meeting into a Closed Session meeting to allow the Council to discuss the 2017-2019 Labor Agreement with LELS.

**A motion was made by Schulz, seconded by Stelmach, to recess the City Council meeting into a Closed Session meeting at 7:38 p.m. The motion carried 5-0.**

The City Council returned to the Council table at 8:08 p.m.

**A motion was made by Schulz, seconded by Stelmach, to reconvene the City Council meeting at 8:08 p.m. The motion carried 5-0.**

Schulz stated the Council returned from a Closed Session where the former labor agreement between the City of Osseo and Law Enforcement Labor Services, Inc. Local No. 182 covered 2014 through the end of 2016 was discussed. He explained the City's negotiating team (Councilmembers Schulz and Stelmach and City Administrator Grams) have been discussing a new agreement since fall 2016 and have now reached a tentative agreement subject to City Council approval. This agreement sets forth the terms and conditions of employment for the four full-time Police Officers through the end of 2019. The changes in salary and benefits would be retroactive to January 1, 2017. He recommended the Council approve the new labor agreement with Law Enforcement Labor Services, Inc. Local No. 182 for 2017-2019.

**A motion was made by Schulz, seconded by Stelmach, to approve the labor agreement with Law Enforcement Labor Services, Inc. Local No. 182 for 2017-2019, amending the typographical errors. 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 Stelmach, to approve the Accounts Payable as presented. The motion carried 5-0.**

11. ADMINISTRATOR REPORT

Grams thanked Councilmembers Schulz and Stelmach for their hard work on the LELS contract negotiations.

12. COUNCIL AND ATTORNEY REPORTS

Abts stated she looked forward to hearing the Council's comments and questions regarding the proposed Sign Ordinance.

Abts reported the City-sponsored sports programs have been doing very well and were well attended by Osseo children.

Stelmach thanked the City for sending his family a plant after the birth of his daughter.

Stelmach commented on the LELS negotiations and stated he has a great deal of respect for the City's police officers and thanked them for their commitment to the community.

Johnson stated he was still receiving complaints regarding the microphones in the Council Chambers. He suggested the mics be replaced through the Cable Fund.

Schulz thanked City Administrator Grams and Officer Mike Smith for their efforts on the LELS contract negotiations.

Schulz explained he was looking forward to attending Holiday's 40<sup>th</sup> Anniversary celebration and Night to Unite parties. He suggested the City Council consider hosting a City-wide party for Night to Unite in the future.

Schulz thanked Representative Smith for his efforts on behalf of Osseo and stated he would be attending the State Capitol Grand Opening.

Poppe thanked all parties that were involved in the LELS contract negotiations.

Poppe invited the public to attend the Farmers Market every Tuesday from 3-7 p.m. at Boerboom Park.

Poppe encouraged everyone to attend a presentation in the Park "Wise with Waste" on Tuesday, July 25, at 7 p.m. which would be followed by the movie Wall-E.

Poppe encouraged residents to visit the Holiday Gas Station on July 28-29 as it would be celebrating 40 years in Osseo.

Poppe invited all Osseo residents to participate in Night to Unite on Tuesday, August 1.

Poppe noted the next Music in the Park event would be held on Tuesday, August 8, at 7 p.m. where the Classic Big Band would be playing.

13. ADJOURNMENT

**A motion was made by Schulz, seconded by Johnson, to adjourn the City Council meeting at 8:21 p.m. The motion carried 5-0.**

Respectfully submitted,

Heidi Guenther  
*TimeSaver Off Site Secretarial, Inc.*