

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
November 13, 2018**

1. CALL TO ORDER

Mayor Duane Poppe called the regular meeting of the Osseo City Council to order at 7:20 p.m. on Tuesday, November 13, 2018.

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 Gina Fiorini.

Others present: 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 Stelmach, to accept the Agenda as presented. The motion carried 5-0.

5. CONSENT AGENDA

- A. Approve Council Minutes of October 22
- ~~B. Approve Council Work Session Minutes of October 22~~
- C. Receive September Hockey Association Gambling Report
- D. Receive Heritage Preservation Commission Minutes of October 16
- E. Receive September Northwest Area Jaycees Gambling Report
- F. Receive October American Legion Gambling Report
- G. Receive October Building Report
- H. Receive Fire Relief Gambling Report
- I. Approve Training for Officer Anthony Mortinson
- J. Receive October Lions Club Gambling Report

Schulz stated he would like a change made to the October 22 Council Work Session minutes, but noted he had not reviewed the tape to finalize the change. He requested action on these minutes be postponed to the next City Council meeting.

A motion was made by Schulz, seconded by Stelmach, to approve the Consent Agenda as amended, removing Item 5B. The motion carried 5-0.

6. MATTERS FROM THE FLOOR – None.

7. SPECIAL BUSINESS

A. CANVASS ELECTION RESULTS (Resolution)

City Administrator Riley Grams stated the General Election was held on November 6. The City Council serves as the canvassing board for city elections. According to state statute, the Council must meet to canvass the returns and declare the results within three to ten days after a general election. The board determines the candidates who received the most votes for each office and declares those candidates to be elected. Staff requested the Council adopt a resolution canvassing the following results:

MAYOR (Elect one)	Duane Poppe Write-In	1,000 47
COUNCIL (Elect two)	Juliana Hultstrom Larry Stelmach Sloan Wallgren Richard T. Weber Write-In	584 513 399 331 6

A motion was made by Schulz, seconded by Johnson, to adopt Resolution No. 2018-62 Declaring the Results of the Municipal General Election held Tuesday, November 6, 2018. The motion carried 5-0.

B. ACCEPT DONATIONS (Resolution)

Grams stated the City has received the following donations:

Donor	Amount/Item	Designated Fund
Bridal Aisle Boutique	\$ 100	Minidazzle
Masonic Lodge #125	\$ 500	Minidazzle
City Country Insurance	\$ 100	Minidazzle
Osseo Gun Club	\$ 75	Minidazzle
Otsego Heating & Air Cond.	\$ 50	Minidazzle
Harold E. & Gayle Johnson	\$1,100	Beautification Fund
<i>(in memory of Mollie Christenson, Gerald Dehn, Richard Edlund, David Johnson, John Limesand, Rasty Lyng, Sister Joan McGinty, Deloris Munn, C.J. Spartz, Lisa Welton, and George Wishy)</i>		

Staff recommends the Council accept the donations.

A motion was made by Schulz, seconded by Stelmach, to adopt Resolution No. 2018-63 Accepting Donations from the Bridal Aisle Boutique, Masonic Lodge #125, City Country Insurance, Osseo Gun Club, Otsego Heating & Air Conditioning, and Harold E. & Gayle Johnson. The motion carried 5-0.

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS – None.

10. NEW BUSINESS

A. CONFIRM EDA ACTIONS OF NOVEMBER 13, 2018

Grams discussed the actions of the EDA. He noted the EDA approved accounts payable, discussed amendments to the 5 Central TIF Agreement, discussed updating the EDA bylaws, and discussed the 2019 EDA budget.

A motion was made by Stelmach, seconded by Johnson, to confirm the EDA Actions of November 13, 2018. The motion carried 5-0.

B. APPROVE 1ST READING OF RIGHT OF WAY MANAGEMENT ORDINANCE

City Planner Nancy Abts stated on August 14, 2017, the City Council passed a moratorium “On the Consideration of Wireless Telecommunications Facilities and Antennas in the City.” This moratorium was deemed necessary because of changes at the state level. The state requires cities allow “small cell” wireless facilities on their utility poles. The moratorium was possible because the City did not have a right of way ordinance in place.

Abts reported staff has worked with the City’s engineering and legal consultants to modify a model ordinance for Right of Way Management. This ordinance establishes procedures for permitting and inspecting work in the right of way. It is flexible in permitting requirement for work that is “emergency” as well as work that is “routine.” It also includes procedures for permitting Small Cell Wireless facilities. (Most come directly from state statute.)

Abts explained the draft ordinance requires that right of way users register with the City. Registration includes providing emergency contact information. The ordinance requests right of way users notify the City of planned projects in advance, so that work can be coordinated if possible.

Abts stated other aspects of the ordinance include an option for a permit for “occupying” the right of way temporarily, without excavation. Another chapter acknowledges placing “private improvements” (e.g., fences and landscaping) in the right of way is done at the property owner’s risk. Staff requested feedback on how to address overhead utilities versus underground utilities and requested the Council approve the first reading.

Schulz explained he agreed with the suggestions as set forth by staff.

Johnson asked if small cell wireless facilities were becoming a concern in other communities. Grams explained there were concerns initially but noted cities were working to get ordinances in place to address the issue.

Schulz anticipated that more small cell wireless facilities will roll out as wireless networks move towards 5G technology.

A motion was made by Stelmach, seconded by Schulz, to approve the First Reading of an Ordinance Amending Title IX, General Regulations, by Adding a New Chapter 95 to the Code of Ordinances Relating to Regulation of the Public Rights of Way and Issuance of Right-of-Way Permits, and a New Chapter 96 Relating to the Private Use of City Boulevards and Unopened Right-of-Way. The motion carried 5-0.

C. APPROVE BEER AND WINE LICENSES FOR RED’S SAVOY PIZZA

Grams commented Red's Savoy Pizza has been open in Osseo since 2016, located at 225 Central Avenue. The applicant, Garrison Reed LLC, is the new owner of this restaurant, and has applied for beer (strong) and wine licenses. City Code Section 113, MN Statutes 340A, and the Minnesota Commission of Public Safety/Alcohol & Gambling Enforcement Division guide intoxicating liquor sales and licensure.

Grams explained annual fees associated with the licenses are: beer on-sale \$150, and wine on-sale \$500. The applicant has paid a full year payment of fees, so the City will be reimbursing a portion of the fee upon approval, based on pro rating of fees according to our City Code and the normal term of liquor licensure being July 1 to July 1. The applicant also paid the initial investigation fee of \$200. He reported the applicant has submitted the required application forms, proof of liquor liability insurance, workers compensation insurance, and payment of \$850. The background check has been completed by the Police Department and was satisfactory. Staff recommended approval of the liquor licenses for Red's Savoy Pizza.

Stelmach asked if a copy of the liquor license application had been included in the packet. He requested staff provide this information to the City Council in the future.

A motion was made by Johnson, seconded by Stelmach, to approve the liquor licenses (beer and wine) for Red's Savoy Pizza at 225 Central Avenue. The motion carried 5-0.

D. APPROVE POSTING FOR FIRE CHIEF POSITION

Grams stated the current Fire Chief's employment agreement was approved for a two-year period, which will end on December 31, 2018. At the request of the Council Human Resources Committee, the position should be open and available to all internal Fire Department candidates, including the current Fire Chief. Therefore, the Council should approve the internal posting of the Fire Chief position within the Osseo Fire Department. The application, interview, and hiring process shall be as follows:

Council approves internal position posting	November 13
The Fire Chief position is posted internally	November 14
Applications are accepted to City Administrator End of Day	November 26 (5:00 pm)
HR Committee interviews	November 27-30
Negotiate Employment Agreement with selected candidate	December 3-6
Council approves hire	December 10
Position begins	January 1, 2019

Grams reported the Council HR Committee will play an active role in the interviewing of potential candidates, selecting the candidate, and negotiating the employment agreement along with the City Administrator.

Stelmach stated he supported opening the hiring process to internal firefighters.

Johnson asked if 12 days was sufficient time to accept applications. Grams stated he believed this was an adequate amount of time given the fact it was an internal job posting.

A motion was made by Johnson, seconded by Schulz, to approve the internal posting for the Fire Chief position. The motion carried 5-0.

E. 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

Grams congratulated the City Council candidates and Mayor for their election. He stated he was looking forward to working with Mayor Poppe for another two years. He reported he was also looking forward to working with Councilmember Stelmach and Councilmember-elect Hultstrom. He thanked City Clerk LeAnn Larson and all of his staff for conducting another smooth election.

12. COUNCIL AND ATTORNEY REPORTS

Zelenak congratulated the candidates who won the recent election.

Stelmach thanked the residents of Osseo for their support at the recent election. He stated it was an honor to serve the City.

Johnson thanked all who assisted with hanging lights along Central Avenue last Friday.

Schulz thanked City Clerk Larson for all of her efforts during the recent election. He encouraged staff to consider holding election judge training in the evening hours or on a Saturday morning.

Schulz thanked Representative Dennis Smith for all of his efforts in serving the community.

Poppe thanked all of the residents who turned out to vote and thanked staff for their efforts during the recent election.

13. ANNOUNCEMENTS

Poppe stated City Hall will be closed on November 22 and 23 for Thanksgiving.

Poppe stated Minidazzle would be held on Friday, December 7, from 6 to 8 p.m. He invited the public to attend Lunch with Santa on Saturday, December 8, at the Community Center from 11 a.m. to 1 p.m.

14. ADJOURNMENT

A motion was made by Schulz, seconded by Zelenak, to adjourn the City Council meeting at 7:51 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.