

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
September 23, 2019**

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, September 23, 2019.

2. ROLL CALL

Members present: Councilmembers Juliana Hultstrom, Harold E. Johnson, Mark Schulz, Larry Stelmach, and Mayor Duane Poppe.

Staff present: City Administrator Riley Grams, City Planner Nancy Abts, Public Works Director Waldbillig, Police Chief Mikkelson, Officer Tony Mortinson, and City Attorney Mary Tietjen.

Others present: Lee Gustafson, Chris Williamson, James Kelly, Becky Berndt, Dorothy Clarke, Ann Schneider, and Dori Trossen.

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 September 9
- B. Receive EDA Minutes of September 9
- C. Receive August American Legion Gambling Report
- D. Approve TimeSaver Secretarial Service 2020 Rates
- E. Receive August Lions Club Gambling Report
- F. Accept Resignation of Reserve Officer Amanda Harff
- G. Approve Waiver of Community Center Use for Blood Drive in 2020
- H. Approve Training Request for Public Works Director Nick Waldbillig
- I. Approve Waiver for Community Center Use for Community Exchange for Change

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

6. MATTERS FROM THE FLOOR

Dorothy Clarke, 16 5th Street NE, commented she has been talking to people in town and there was interest in what was occurring in Osseo. She thanked the Council for their efforts and encouraged them to keep up the great work. She discussed the programming that was offered for seniors and encouraged the Council to drop in to visit with Osseo seniors.

James Kelly, 624 3rd Avenue NE, stated he followed Dorothy Clarke's footsteps and was a volunteer for the City with the former Northwest Hennepin Human Services Council. He discussed the sewer televising the Council would be approving this evening and explained he appreciated the fact this work would be done. He commented he has had problems with his sewer line and stated he looked forward to the 2020 Street Improvements being completed.

7. SPECIAL BUSINESS

A. THANK NIGHT TO UNITE VOLUNTEERS

Officer Tony Mortinson reported the 2019 Night to Unite event was another success. Many people helped behind the scenes and the department wanted to take the opportunity to publicly thank them for all their hard work this year. The Night to Unite volunteers included:

Bev Kasper	Sue Mattson	Jessica Pechacek
Sharon Falls	Ginny Cowell	Craig Wissink
Bill Trombley	Sharilyn Wissink	Dan Lang
Den McCrary	Jennifer Nelson	Dave Garibaldi
Ed Columbus	Roseanne Garibaldi	Harold Johnson
Tom Cheney	Lorraine Bunn	Dan Penny
Jim Bunn	John McGinty	Kerstin Schulz
Bev McGinty	Dee Bonn	Annette Pettit
Carol Hoelscher	Bob Lund	Ardyce McCrary
Brenda Flategraff		

City Administrator Riley Grams thanked Officer Mortinson for all of his efforts.

Hultstrom thanked all of the sponsors for their assistance in making this a great event for the City of Osseo.

B. PROCLAIM OCTOBER 5 AS OSSEO-MAPLE GROVE AMERICAN LEGION DAY

Grams stated the Osseo-Maple Grove American Legion is celebrating its centennial with an event on Saturday, October 5, at the Legion Hall in Osseo. The Osseo-Maple Grove American Legion has been a wonderful partner with the cities of Osseo and Maple Grove for years, and we greatly appreciate all they have done for our local communities.

To help celebrate the event, the cities of Osseo and Maple Grove would like to honor the Legion and its 100 years in our community by proclaiming October 5, 2019, as "OSSEO-MAPLE GROVE AMERICAN LEGION DAY." It was noted both Mayors Poppe and Steffenson will be providing some opening remarks at the event on October 5.

Mayor Poppe read a proclamation in full for the record declaring October 5, 2019, to be Osseo-Maple Grove American Legion Day in the City of Osseo. A round of applause was offered by all in attendance.

Hultstrom questioned what time the celebration would be held on October 5. Poppe reported the event would begin at 2 p.m. and end at 8 p.m.

C. APPROVE MIND BODY SOUL SPECIAL EVENT PERMIT

Grams reported Mind Body Soul has requested a Special Event Permit to use Sipe Park to provide outdoor activities for children to connect with Osseo and be active. These activities would be held Monday through Friday from 7:00 to 8:30 a.m. and again from 3:30 to 5:00 p.m.

Dori Trossen, Mind Body Soul, explained she has enjoyed working with Osseo youth and would like this to transition her program to outdoor activities. She would like to bring more kids to town, building community while also encouraging these kids to be active.

Johnson asked if this request was for 2020. Ms. Trossen explained she would like to begin her outdoor activities yet this fall. She reported she had a partnership with St. Paul's Lutheran Church in order to have an indoor space if the weather did not permit outdoor activities. She indicated her program would run before and after school. She commented on the numerous benefits of having children playing outdoors.

A motion was made by Schulz, seconded by Stelmach, to approve the Special Event Permit for Mind Body Soul. The motion carried 5-0.

D. ACCEPT DONATION (Resolution)

Grams stated the City has received the following donation:

<u>Donor</u>	<u>Amount/Item</u>	<u>Designated Fund</u>
Harold E. & Gayle Johnson <i>(in memory of Carole Brunello, Marlene Goettl, Marlen Reinking, Allen Volstad, & Craig Wissink)</i>	\$ 500	Beautification/Streetscape

Staff recommended the Council accept the donation.

A motion was made by Stelmach, seconded by Hultstrom, to adopt Resolution No. 2019-57 accepting a donation from Harold E. & Gayle Johnson. The motion carried 5-0.

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS – None.

10. NEW BUSINESS

A. APPROVE CONDITIONAL USE PERMIT AMENDMENT FOR OSSEO GUN CLUB AT 22 4TH STREET NW (Resolution)

City Planner Nancy Abts stated the Osseo Gun Club has asked that the restriction limiting hours of operation be removed from the Conditional Use Permit. City staff and the Police Department have reviewed the request and believe it is reasonable. Staff recommends replacing original Condition 19 with the following statement:

19. This permit is subject to the requirements of the City's ordinances and the Applicant is required to comply with all applicable federal, state, and local laws, rules, regulations, and ordinances, and to obtain such other permits and permissions as may be required. Local and state regulations and ordinances shall include but are not limited to the following:
 - a. Noise arising from the use should not constitute a Public Nuisance Affecting Peace and Safety as defined in Osseo City Code § 93.18.

Abts reported the Planning Commission held a public hearing on this application at its September 16 meeting. Following the hearing, the Commission voted to recommend the Council approve the CUP amendment. A CUP was granted for a Firearm Shooting Range and Firearm Retail Business located at 22 4th Street NW on June 24, 2013. Conditional Use Permit No. 2013-54 included the following conditions:

1. The Developer shall construct the firearms shooting range in accordance with federal, state, and local building codes relating to firing ranges;
2. The Developer shall include key components in the construction of the firearms shooting range in accordance with federal law enforcement grade firing range standards;
3. The Developer shall construct the building with approved building materials in accordance with Osseo Code §153.053;
4. The Developer shall construct the building using approved construction standards in accordance with Osseo Code §153.055;
5. Windows shall be included along the west façade of the building in an attempt to visually break up overall length of the wall along 1st Avenue NW;
6. A minimum of a four (4) foot green space shall be included along the west façade of the building in an attempt to visually break up the overall length of the wall along 1st Avenue NW;
7. A minimum of eighteen (18) trees shall be included on the project site in accordance with Osseo Code §153.057(1)(a);
8. A minimum of thirty-two (32) off-street, on-site parking stalls shall be included;
9. All parking stalls shall be constructed in accordance with Osseo Code §153.078 for design and maintenance;
10. A storm water mitigation plan shall be submitted to the City for review and subject to the approval of the Osseo City Engineer;
11. A landscape plan shall be submitted to the City for review and subject to the approval of the Osseo City Planner;
12. A final site plan shall be submitted to the City for review and subject to the approval of the Osseo City Planner, Osseo City Engineer, and the Osseo Building Inspector;
13. A fire suppression plan shall be submitted to the City for review and subject to the approval of the Osseo Fire Marshal and the Osseo Building Inspector;
14. All on-site lighting shall be shielded from adjacent properties;

15. The existing decorative light poles along 1st Avenue NW shall remain in place;
16. The Developer shall make every attempt to limit any audible noise as a result of the business and/or any onsite mechanical equipment from the adjacent residential areas;
17. The Developer shall maintain the current public sidewalks along 1st Avenue NW and 4th Street NW, or, as a result of damage during construction, shall construct new five (5) foot wide sidewalks along 1st Avenue NW and 4th Street NW;
18. All firearms not in use in firing range stalls shall be unloaded and properly cased at all times in accordance with Minnesota laws;
19. The hours of operation shall be no earlier than 9 a.m. Monday through Saturday, no earlier than 10 a.m. on Sunday, no later than 9 p.m. Monday through Saturday, and no later than 6 p.m. on Sunday;
20. The facility shall have an adequate security system to prevent theft of guns and ammunition.

Chris Williamson explained the Osseo Gun Club would like to hold events later in the evening or earlier in the day beyond the stated hours of operation.

Hultstrom asked if there would be a set closing time. Mr. Williamson stated he would still have normal business hours, except when a special event was held at the Gun Club.

Stelmach reported the City originally put restricted hours of operation in place when the Osseo Gun Club was first approved due to the fact there were noise concerns. However, he noted after years of operation in the City, noise has not been a factor.

Hultstrom commented she has never heard a noise or heard of any complaints at the Gun Club.

Schulz expressed concern with the new language being added under Condition 19 in subsection A. Abts clarified that the noise arising from the Osseo Gun Club should not constitute a Public Nuisance Affecting Peace and Safety as defined in Osseo City Code. She reported "should" could be replaced with "must." City Attorney Tietjen explained if the Council found this language confusing, Subsection A could be removed.

Schulz supported the Council dropping Subsection A under Condition 19.

Stelmach stated he could support this recommendation.

Johnson questioned if the school had raised any concerns about this use. Abts reported the school district has not raised any concerns.

A motion was made by Schulz, seconded by Stelmach, to adopt Resolution 2019-58 approving the Conditional Use Permit Amendment request for the property at 22 4th Street NW with the conditions of approval as amended having Condition 19 read as follows:

19. This permit is subject to the requirements of the City's ordinances and the Applicant is required to comply with all applicable federal, state, and local laws,

rules, regulations, and ordinances, and to obtain such other permits and permissions as may be required.

The motion carried 5-0.

B. DISCUSS VARIANCE FOR ADDITIONAL SIGNAGE AT 337 COUNTY ROAD 81 (Resolution)

Abts stated the property located at 337 County Road 81 is owned by Jason D MacDonald LLC. The LLC is considered In Good Standing by the Minnesota Secretary of State. The property is currently used by Prime Hail Repair, an automotive dent repair company from Denver, Colorado.

Abts commented under the new sign ordinance the property is allowed 172 square feet of signage. Under the previous ordinance, the signs allowed for this property would have been a 62 square feet of wall sign (which was used on the property when The Tire Guy occupied the building), and a freestanding monument or pylon sign of up to 75 square feet, for a total of 137 square feet of signage. The new ordinance allows an additional 35 square feet of signage for the property.

Abts explained Prime Hail Repair has requested two wall signs, each 84 square feet for a total of 168 square feet of Class A signage, and a non-moving trailer functioning as an additional 152 square feet Class B of signage. This request would require a variance to allow an additional 47.6 square feet of Class A and 109 square feet of Class B signage, than would otherwise be permitted. She reported the Planning Commission reviewed this item and recommended denial of the variance request.

Schulz asked if a permit was requested prior to signage being installed at this property. Abts reported an after the fact permit was issued for signage with a requirement to apply for a variance.

Johnson stated he attended the Planning Commission meeting and noted he supported its recommendation. He supported a time being set for the removal of the excessive signage (trailer and Class A signage excess) and suggested this be set as 12:00 p.m. on Tuesday, September 24. He commented failure to remove the signs by this date and time should result in a daily fine. He stated he would like to see some teeth written into this motion in order to bring the property into compliance.

Stelmach asked how a violation of the Sign Ordinance would be enforced by staff. Abts discussed how staff addressed violations to City Code stating notice would have to be given to the property owner. She believed staff would be able to work with the property owner in order to bring this property into compliance.

Stelmach commented this was a seasonal business and he noted he supported the Planning Commission's recommendation to deny the variance.

A motion was made by Hultstrom, seconded by Stelmach, to adopt Resolution 2019-59 denying the variance for an additional 48 square feet of Class A signage and an additional 109 square feet of Class B signage for the property at 337 County Road 81 based on the following findings:

1. The limit on the amount of signage for the property does not prevent the property from the reasonable use (auto dent removal) occurring.
2. Although the property is uniquely small for the district where it is located, the application for a variance indicates additional signage is needed because the property has been vacant. Vacancy is not an inherent property characteristic not caused by the landowner.
3. Because of the property's small size, granting an extra 40 percent of Class A signage and an extra 300 percent Class B signage for a small area would impact the essential character of the surroundings.

Johnson commented he would not support the variance denial without a set time to have the trailer removed.

Stelmach questioned what would be a reasonable amount of time to have the trailer removed. Abts stated the City typically gives property owners ten days to bring their property into compliance.

The motion carried 4-1 (Johnson opposed).

C. APPROVE PURCHASE OF PUBLIC WORKS TRUCK

Public Works Director Nick Waldbillig reported the Public Works Department needs a one-ton dump truck. This versatile truck will be beneficial year-round. It will be used for snow removal, plus salt placement in alleys, the City Hall parking lot, and Central Avenue clean up. In the summer months this vehicle is used to haul asphalt for small repairs, tree branches, fall leaf clean up, mulch, and other various types of work. It was noted the one-ton truck will be purchased as a Cab and chassis fleet vehicle through Ranger Chevrolet GM, then taken to an outfitter for a stainless steel dump box and V-style plow. The truck will then go to a separate lighting and wiring outfitter for a safety lighting package. The Ranger quote was for \$42,178.

Johnson asked if this truck would be purchased under the State contract. Waldbillig stated this was not the case, but noted Ranger GM would be honoring a State bid price.

Stelmach questioned when the new truck would be outfitted and ready for use. Waldbillig hoped to have the new truck ready for use by December 1.

Johnson explained he appreciated the warranty the new truck would come with.

A motion was made by Hultstrom, seconded by Johnson, to approve the purchase of a new Public Works One-Ton Dump Truck. The motion carried 5-0.

D. APPROVE LIFT STATION ASSESSMENT PROPOSAL FROM WSB & ASSOCIATES

Lee Gustafson, City Engineer with WSB, stated Osseo's three lift stations are in dire need of a communication upgrade. The communication is needed to inform the Public Works Department of any problem or issues that may be occurring. The main lift station is on a 3G operating system that has a sunset date of 12/31/19 for support. The other two lift stations are on phone dialer system that is unreliable.

Waldbilling reported he often gets phone calls from the lift station alarm system that are incorrect or delayed. The communication assessment will provide a summary, along with recommendation for improvements to the communication system only. He commented further on the proposal from WSB and recommended approval.

Stelmach questioned when the lift stations were last assessed. Grams reported he was unaware when this had been done. Mr. Gustafson stated he understood it had been quite some time since this was done.

Stelmach asked what condition the lift stations were in at this time. Waldbilling reported the lift station equipment was in okay condition, but communication needs were a concern. Mr. Gustafson commented further on how the new SCADA system would benefit the City.

A motion was made by Hultstrom, seconded by Johnson, to approve WSB Lift Station Communication Improvements Assessment agreement as proposed not to exceed \$2,500. The motion carried 5-0.

E. AWARD CONTRACT FOR SANITARY SEWER TELEVISIONING PROJECT (Resolution)

Lee Gustafson, WSB, stated the 2019 Sanitary Sewer Televisioning project consists of cleaning and televising the existing sanitary sewer for roughly one-third of the City system. This project is part of the Council approved three-year televising plan for inspecting and maintaining the existing sanitary system. The area to be televised in 2019 consists of the northeast area of the City and encompasses the 2020 Street Project area. It was noted the low bidder, Hydro-Klean, has satisfactorily completed similar work in the metro area and he recommended approval of the project. The quote from Hydro-Klean was \$29,728.42.

A motion was made by Schulz, seconded by Stelmach, to adopt Resolution No. 2019-XX, accepting bids and awarding the contract for the 2019 Sanitary Sewer Televisioning Project to Hydro-Klean. The motion carried 5-0.

F. APPROVE PURCHASE OF POLICE SQUAD COMPUTER

Police Chief Shane Mikkelson stated in summer of 2019 the Osseo Police Department purchased a new Ford Explorer for its fleet. The squad car will need a new tablet computer. He contacted two vendors, but the quote from the lowest vendor for the tablet did not include the mount for the squad car and the in-office solution. The higher quote included the mount and in-office solution for the squad at a price of \$5,448.74. He commented on how the new tablets would benefit the department.

Schulz questioned which squad cars have tablets. Police Chief Mikkelson reviewed the squads that have new tablets and those that still had to be updated.

Schulz asked why one quote didn't have the same equipment and why one piece of equipment was being purchased by a different vendor. Police Chief Mikkelson explained this was because the low bidder could not provide him with the proper mount for the tablet so he had to find this piece of equipment for a different vendor.

A motion was made by Hultstrom, seconded by Johnson, to approve the purchase of a squad tablet. The motion carried 5-0.

G. APPROVE HIRE OF ANN SCHNEIDER AS SENIOR ACTIVITIES COORDINATOR

Grams explained the Council accepted the resignation of Interim Senior Activities Coordinator Becky O'Brien at the August 26 Council meeting. At the same meeting, the Council approved the posting for the open position. The position was posted and the City received two applications.

Grams reported the Council Human Resources Committee reached out to both candidates and made the joint recommendation to the City Council to hire Ann Schneider. Staff reviewed the Senior Activities Coordinator position description. The position is part time and requires approximately 10 hours per week. The position is paid at an hourly rate of \$14.26 per hour.

Schulz commented he spoke with both applicants as a member of the Human Resources Committee. He indicated both candidates were qualified and capable. However, after speaking with Ann Schneider, he believed she had a vision to enhance the senior program.

Stelmach agreed both candidates were highly qualified and he supported Ann Schneider moving forward, as well. He thanked both candidates for applying.

Hultstrom noted she contacted both candidates and supported the recommendation from the HR Committee.

A motion was made by Hultstrom, seconded by Schulz, to approve the hire of Ann Schneider as Senior Center Coordinator. The motion carried 5-0.

H. 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

Hultstrom stated on Wednesday, September 11, she attended the Northwest Hennepin League of Municipalities. She encouraged the other Councilmembers to consider joining this group.

Hultstrom thanked the Public Works Department for installing a new pet station on the west side of Central Avenue between the groomer and the vet center downtown.

Stelmach thanked Reserve Officer Amanda Harff for her service to the City of Osseo.

Stelmach thanked Mind Body Soul for working to build community for the young people in Osseo.

Johnson thanked all who assisted with building a wheelchair ramp for long-time Osseo resident Dick Weber.

Johnson stated the Annual Fire Relief Association Dinner would be held on Friday, October 4, at the American Legion Hall from 6 to 8 p.m.

Johnson explained he attended the 40th Anniversary Celebration that was held at Ed's Collision and Glass last week.

13. ANNOUNCEMENTS

Poppe stated the last Osseo Farmers Market would be held on Tuesday, September 24, from 3:00 to 6:30 p.m.

Poppe reported Topline Federal Credit Union Forward Day would be held on Monday, October 14.

14. ADJOURNMENT

A motion was made by Schulz, seconded by Johnson, to adjourn the City Council meeting at 8:34 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.