

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
May 29, 2018**

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, May 29, 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 Attorney Mary Tietjen, and Police Chief Shane Mikkelson.

Others present: Daniel Prody and students/family members from the Osseo Senior High School.

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 May 14
- B. Approve Council Minutes of May 14
- C. Receive April Lions Club Gambling Report
- D. Receive April Osseo Maple Grove Hockey Association Gambling Report
- E. Authorize City Credit Card for Public Works Maintenance Guy Swenson
- F. Approve Training for Public Officer Todd Kintzi
- G. Approve Training for Police Officer Brendan Current
- H. Approve Training for Police Chief Shane Mikkelson, Office Manager Felicia Wallgren, and Officer Brendan Current
- I. Receive April Northwest Area Jaycees Gambling Report

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. CONGRATULATE OSSEO HIGH SCHOOL ARTISTS – Daniel Prody, Osseo High School

Daniel Prody, Osseo Senior High School, recognized Osseo High School students who not only participated in after school activities, but excelled in them and won various awards and honors. He congratulated the following high school artists for their wonderful works of art:

Javon Baccam	Eric Lundstrom	Karissa Erickson
Breanna Brock	Sarah Lindgren	Annalise Groff
Ben Gilbertson	Emma Hauser	Alexa Paulson
Lucy Bergeron	Anthony Dalmacio	Spencer Boeder

B. ACCEPT DONATIONS (Resolution)

City Administrator Riley Grams stated the City has received the following donations:

<u>Donor</u>	<u>Amount/Item</u>	<u>Designated Fund</u>
Malone Insurance Agency	\$ 100	Beautification/Flower Fund
Northwest Area Jaycees	\$ 500	Music/Movies in the Park
Harold E. & Gayle Johnson	\$ 300	Beautification/Flower Fund <i>(in memory of Sally Harding, Richard Molstad, & Thomas White)</i>

Staff recommended the Council accept the donations.

A motion was made by Schulz, seconded by Zelenak, to adopt Resolution No. 2018-34 accepting donations from Malone Insurance Agency, Northwest Area Jaycees, and Harold E. & Gayle Johnson. The motion carried 5-0.

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS

A. APPROVE 1ST READING OF LIQUOR ORDINANCE

Grams stated at the April Council work session a draft liquor ordinance was discussed. In City Attorney Mary Tietjen’s memo for this item, she notes several discrepancies between our current code and that of the proposed LMC model resolution for liquor. The Council directed staff to solicit feedback from all liquor license vendors. A letter from City Administrator Riley Grams was mailed, along with current liquor ordinance and draft of new ordinance, on April 10. The letter asked liquor license holders to express comments/concerns to the Councilmembers. The City Attorney and staff also met to discuss some of the concerns/questions that staff had about the new language. Since that time, more edits to section numbering has improved the readability and organization of the new language as it covers statutory limits and authority. Staff provided further comment on the Liquor Ordinance and recommended the Council approve the 1st Reading.

Stelmach stated he supported the Ordinance as recommended by staff. He asked if the Police Chief had any concerns with the 10 day raffle notification process. Police Chief Mikkelson stated he did not have any concerns with the Ordinance as proposed.

Johnson asked if the Legion could have silent auctions on their site being sponsored by other organizations. Police Chief Mikkelson did not anticipate this would be a concern because it would not occur more than six times in a calendar year. City Attorney Tietjen commented the only time this would become a concern would be if an item being auctioned at the event contained liquor.

Stelmach questioned how this Ordinance would be disseminated to the liquor license holders. Grams reported the City Clerk had created a list of liquor license holders and would be forwarding a letter to this group in order to explain the changes.

Stelmach stated he supported the removal of “10 days” from the Ordinance and allow this issue to fall back to state statute. The Council was in agreement with this recommendation.

Johnson asked if liquor license holders were required to provide training to their employees prior to them serving alcohol. Police Chief Mikkelson commented this was not a statutory requirement and discussed how difficult it was to get employees to attend alcohol training. He provided further comment on the 60 day requirement.

Stelmach supported the City requiring servers to attend training once a year and suggested the City sponsor training twice a year. Police Chief Mikkelson commented this would be his goal.

Schulz questioned why the “60 days” was such a big deal. Police Chief Mikkelson explained it would be difficult for his staff to host alcohol training every 60 days. He recommended a list of special vendors be created to assist with providing this training. He commented if the 60 day language were to remain in place the training provided by the City would not be free of charge.

Further discussion ensued regarding the 60 day requirement.

City Attorney Tietjen read a portion of state statute and advised the Council further on the 60 day requirement.

Schulz stated he was struggling with forcing businesses to do this. Police Chief Mikkelson commented in the interest of public safety, servers were asked to come, but noted this has not been a requirement. He stated he thinks every City should be conducting this training. He reported he would rather have the City take action on this item than to have to react to an unfortunate event in the future.

Schulz indicated he appreciated the views of the Chief but noted he still did not support this requirement.

Stelmach explained he could support the City providing training twice a year and he supported employees attending the training annually. He indicated he did not see the reason to have the 60 day requirement within the Ordinance.

Johnson asked if servers had to attend the training more than once a year if said server were to move from one restaurant/bar to another. Police Chief Mikkelson reported the training would only have to be completed once a year for these servers. He commented further on how he valued having contact with servers on a yearly basis. Grams indicated the servers have a great rapport with the Police Department because of the City sponsored training.

Zelenak suggested new employees attend City training within six months of being hired and then once every year thereafter.

Schulz stated again that he did not believe it was the City's place to require this type of training. He commented he could support the six-month requirement if the remainder of the Council was in agreement.

The Council supported the six-month requirement for all new servers with annual training required ever year thereafter. It was noted the training could be provided by the City or by an approved vendor.

Johnson was in favor of having employees from both on and off-sale liquor establishments attend City sponsored training on an annual basis. Police Chief Mikkelson commented the City sponsored training would be applicable and was required.

Schulz discussed the proposed fee schedule and noted within Section 113.09 he did not support Section F. City Attorney Tietjen stated she would have to review this portion of the Code with respect to state statute and would report back to the Council at the 2nd Reading.

Stelmach requested staff summarize the changes the Council had discussed. Grams noted the section regarding raffles would be removed, the dates for all liquor licenses would remain July 1 through June 30, staff would review Section 113.09F, and lastly training shall be provided to new employees within six months and be required annually thereafter.

Poppe recommended that off-sale liquor license permit fees be increased to \$200 in order to allow for a \$100 fee reduction if training was completed.

A motion was made by Schulz, seconded by Stelmach, to approve the First Reading of the proposed Liquor Ordinance as amended. The motion carried 5-0.

B. APPROVE APPOINTMENT TO PUBLIC SAFETY ADVISORY COMMITTEE
(Resolution)

Grams stated there is one position yet to fill on the Public Safety Advisory Commission. It is a business appointment for the remainder of 2018. Brenda Link is employed by Comfort Keepers, an Osseo business, and has submitted a letter of interest to fill the vacancy through the end of 2018. Staff recommended approval of the appointment.

A motion was made by Schulz, seconded by Johnson, to adopt Resolution No. 2018-35 appointing Brenda Link to the Public Safety Advisory Committee to fill a vacancy through the end of 2018. The motion carried 5-0.

10. NEW BUSINESS

A. APPROVE RENEWAL OF LIQUOR AND TOBACCO LICENSES

Grams stated reviewed a list of license applicants for liquor, beer, wine, and tobacco products. All license applications are renewals. These applicants have submitted all of the required documents to be considered for license approval, plus paid the fees for these licenses. Background investigations have been conducted as required by law, and all such

checks are clear. Staff noted the liquor license renewal forms are forthcoming from Ethnic Foods Company, 204 Central Avenue. The approval will be presented at a future Council meeting. Approval of the following licenses is recommended:

ON SALE LIQUOR LICENSE

Dick's Bar, 205 Central Ave	\$5,500
Duffy's Bar & Grill, 337 Central Ave	\$5,500
Lynde's Restaurant, 209 Co Rd 81	\$5,500

SUNDAY LIQUOR LICENSE

American Legion, 260 4th Ave SE	\$200
Dick's Bar, 205 Central Ave	\$200
Duffy's Bar & Grill, 337 Central Ave	\$200
Lynde's Restaurant, 209 Co Rd 81	\$200

CLUB LIQUOR LICENSE

American Legion, 260 4th Ave SE	\$500
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OFF SALE LIQUOR LICENSE

Dick's Bar, 205 Central Ave	\$100
Princeton's Liquors, 341 Central Ave	\$100

BEER LICENSE

Olympia Café & Gyros, 247 Central Ave	\$150
Yellow Tree Theatre, 320 5th Ave SE	\$150
Red Savoy Pizza, 225 Central Ave	\$150

WINE LICENSE

Olympia Café & Gyros, 247 Central Ave	\$500
Yellow Tree Theatre, 320 5th Ave SE	\$500
Red Savoy Pizza, 225 Central Ave	\$500

TOBACCO LICENSE

Dean's Supermarket, 312 Central Ave	\$250
Holiday Station, 124 Central Ave	\$250
Top Ten Liquors, 316 Co Rd 81	\$250
Princeton's Liquors, 341 Central Ave	\$250
Sipe Bros, 408 3rd St SE	\$250
Top Ten Liquors, 316 Co Rd 81	\$100

A motion was made by Schulz, seconded by Stelmach, to approve all liquor and tobacco license renewals as presented for July 1, 2018, to June 30, 2019. The motion carried 5-0.

B. APPROVE CONCEPT FOR NEW OSSEO DOWNTOWN BANNERS

Grams stated at the February 12 Council meeting, the Council approved a design contest for new downtown banners. Staff received only two submissions which were declined by the Council. Since then, staff reached out to Josh Heriot, of Heriot Creative, to develop two different banner concepts for the City. Heriot Creative is the firm that created the current Osseo city logo.

Grams commented each concept includes a summer and winter banner. Public Works switches out the set of banners before the first snowfall, and then again after the snow melts. Heriot Creative developed a more heritage-based concept (concept #1) as well as a more illustrative concept (concept #2). The design colors were selected to help stand out against the green leaves of summer and the gray tones of winter.

Grams reported the Council should consider both concepts, select one, and provide any input or suggestions for changes to the selected concept. Staff will relay any changes to Heriot Creative, who will then refine the concept into a final version. That version will come back to the City Council at a future date for final design approval. At that point, staff will reach out to local banner makers and obtain quotes for the physical banners and printing and bring those quotes to a future Council meeting for approval.

Stelmach asked if the City would have full ownership rights over the banner images once a concept was chosen. Grams reported this would be the case.

Stelmach stated he supported Concept #1 as it provided a more traditional, small town look.

Zelenak commented she also liked Concept #1 as it provided a historical picture of Osseo. She explained she would like to see more contrast on the O and the S on OSSEO.

Schulz stated he could support either concept, but noted he liked the font that was chosen in Concept #1.

Johnson indicated he would like to see more of the City's historical elements included on the banners.

Stelmach stated Concept #1 closely matched the sign outside of City Hall.

A motion was made by Schulz, seconded by Zelenak, to approve Banner Concept #1 with the noted changes as amended. The motion carried 5-0.

C. APPROVE REIMBURSEMENT RESOLUTION

Grams commented at the January 8 Council meeting, the City Council approved the purchase of new self-contained breathing apparatuses (SCBA) for the Osseo Fire Department. At that time, staff planned to use cash on hand to purchase the new equipment out of the Fire Equipment Fund. While that is still the case, staff also would like to maintain fiscal flexibility when it comes time to pay for the equipment (which is anticipated to be when the SCBA equipment is delivered). Because the Fire Department has some upcoming larger equipment/vehicle purchases planned in the Equipment CIP, it may make some sense to borrow money to pay for the equipment instead of using cash on hand. In order to do that, the Council must pass the attached reimbursement resolution.

Grams explained the resolution allows for the City to reimburse itself with other funds (such as equipment certificates or bonds) if it feels necessary. However, the resolution does not obligate the City to issue debt at a future date, but does preserve the ability to do so.

Grams reviewed a memo from Rebecca Kurtz, Ehlers & Associates, outlining the reimbursement resolution. In the coming weeks, staff intends to have a meeting with the Council Budget & Finance Committee to discuss future Fire Department equipment

needs and how the City intends to pay for that equipment. He clarified that passing this resolution does not mean the City will be issuing debt for the proposed equipment.

Stelmach commented on how the City would be impacted if the project were bonded and discussed potential interest rates.

Schulz asked how large equipment purchases for the Fire Department have been funded in the past. Grams explained an EDA loan was used, along with proceeds from the Fire Relief Association.

A motion was made by Schulz, seconded by Zelenak, to adopt Resolution No. 2018-36 establishing procedures relating to compliance with reimbursement bond regulations under the Internal Revenue Code. The motion carried 4-1 (Stelmach opposed).

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

Grams thanked all veterans for their service and also thanked those who have died in service to the country.

Grams reported City Planner Nancy Abts had a healthy baby girl on Saturday and noted she would be on parental leave.

12. COUNCIL AND ATTORNEY REPORTS

City Attorney Mary Tietjen reported the legislature increased the threshold for the competitive bid process from \$100,000 to \$175,000. She explained this change would take effect on August 1.

Stelmach thanked all of the volunteers who assisted in putting on the Memorial Day service at Boerboom Park.

Johnson discussed the recent maintenance work he assisted with at Boerboom Park and thanked City staff for all of its hard work in preparing this park for Memorial Day.

Johnson provided the Council with further comment on the discussion held at Advent Lutheran Church recently regarding affordable housing.

Poppe congratulated City Planner Abts on the birth of her daughter.

Poppe noted the Teddy Bear Band would be providing Music in the Park on Tuesday, June 12, at 7 p.m. After this concert, the movie Lion King would be screened.

Poppe stated Blue Dog would be providing Music in the Park on Tuesday, June 19, at 7 p.m.

13. ADJOURNMENT

A motion was made by Schulz, seconded by Zelenak, to adjourn the City Council meeting at 8:37 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.