

**OSSEO CITY COUNCIL  
REGULAR MEETING MINUTES  
January 22, 2018**

1. CALL TO ORDER

Mayor Duane Poppe called the regular meeting of the Osseo City Council to order at 7:01 p.m. on Monday, January 22, 2018.

2. ROLL CALL

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

Staff present: City Planner Nancy Abts.

Others present: 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 January 8
- B. Approve Council Minutes of January 8
- C. Approve Training Requests for Ehlers Municipal Finance Seminar
- D. Receive December 2017 American Legion Gambling Report
- E. Accept EDA Resignation of Dan LaRouche
- F. Approve Training Request for City Clerk
- G. Receive December 2017 Fire Relief Association Gambling Report
- H. Receive December 2017 Lions Club Gambling Report
- I. Approve Resignations of Firefighters Adam Hagman and Christopher Anderson
- J. Approve Hire of Firefighter John Hegstrand
- K. Approve Training Request for Police Firearms Class
- L. Approve Hire of Police Reserve Officer Michael Kampsen

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

6. MATTERS FROM THE FLOOR – None.

7. SPECIAL BUSINESS

- A. LEGISLATIVE UPDATE FROM REPRESENTATIVE DENNIS SMITH

Representative Dennis Smith provided the City Council with a legislative update. He explained 2017 was a busy year for the legislature. He explained the 2018 session would begin in February and noted this would be a bonding year. He commented on the local infrastructure projects he would be lobbying for within the bond, which included the completion of the TH610 connection. He stated he would also be working on new 911 legislation along with a Private/Public Partnership bill. He discussed how he was proposing to revolutionize legislation regarding notaries in order to streamline processes. Lastly, he commented he would be working to reduce the use of salt on streets and sidewalks in order to improve local waterway health.

Stelmach thanked Representative Smith for his report.

Johnson thanked Representative Smith for his report and encouraged him to speak with the City of Plymouth regarding its salt conservation program. He requested Representative Smith look into the State Vehicle Registration system and noted the current system was faulty. He asked if the State would be making any tax changes given the recent changes at the federal level. Representative Smith noted the tax system was very complicated and would have to be investigated to ensure it does not impact the State's budget. He provided further comment on the State's MNLAR program that was used for the State Vehicle Registration system and understood there were issues that still needed to be addressed. He indicated he would reach out to the City of Plymouth to learn more about its salt conservation program.

Poppe requested further information regarding the proposed Real ID. Representative Smith explained the Real ID program would roll out in October 2018 and enrollment would continue through October 2020. He indicated the State would now be offering three different types of IDs. He noted standard IDs would be sufficient in order to board a commercial flight.

Representative Smith thanked the Council for its time and invited all Osseo residents to tour the newly renovated Capitol building.

**B. ACCEPT DONATIONS (Resolution)**

City Planner Nancy Abts stated the City has received the following donations:

Donor	Amount/Item	Designated Fund
Osseo Fire Relief Association	\$52,000	Fire Apparatus Fund
Ronald & Nancy Roden	\$ 100	Beautification/Flower Fund
Harold E. & Gayle Johnson	\$ 300	Beautification/Flower Fund

*(in memory of Gerald Krois, Ingrid Nobbe, & Lawrence Trombley)*

Staff recommends the Council accept the donations.

**A motion was made by Stelmach, seconded by Schulz, to adopt Resolution No. 2018-6 accepting donations from the Osseo Fire Relief Association, Ronald & Nancy Roden, and Harold E. & Gayle Johnson. The motion carried 5-0.**

- 8. PUBLIC HEARINGS – None.
- 9. OLD BUSINESS – None.

10. NEW BUSINESS

A. APPROVE POSTING FOR PUBLIC HEALTH/PLANNING INTERN POSITION

Abts stated City staff is recommending the hire of an intern. The intern will provide seasonal staffing help with grant-funded public health tasks and general planning work. The position lasts 6 months during spring and summer 2018. The internship would be for 10 hours a week during the school year, and 24 hours a week during the summer. It is designed to provide 400 hours of work. That length meets the minimum requirements for an internship for the University of Minnesota’s Humphrey School of Public Affairs. To accommodate student schedules, some of the work during the spring can be completed remotely. The anticipated timeline for hiring an intern is:

January 23	Post position opening
February 20	Deadline to receive applications
February 21-23	Review applications
Week of February 26	Interviews with selected candidates
March 12	Council approves final hire
Mid-March	Internship starts
August 31	Internship ends

Abts noted the City would be responsible for paying one-third of the expense for the intern and should not exceed \$2,500. The remainder of the intern’s wages would be covered by a grant.

Stelmach supported the idea of the City having another intern.

Johnson asked if the intern would be able to work more than the 400 hours. Abts reported the City did not have funds available to cover more than the proposed 400 hours.

Schulz stated he would like more information on how staff intends to supervise an intern that would be working remotely. Abts explained there were specific tasks staff had in mind that could be done remotely.

**A motion was made by Zelenak, seconded by Johnson, to approve posting for the Public Health/Planning Intern Position, contingent upon staff identifying how the intern will work remotely and at a cost not to exceed \$2,500. The motion carried 5-0.**

B. APPROVE TERMINATION OF RENTAL LEASE AT 25 4<sup>TH</sup> STREET NE

Abts stated current tenant Phillip Goebel has asked the City to consider approving an early termination of the current rental lease at 25 4th Street NE. Mr. Goebel signed the original lease in December of 2015. Prior to the end of the original lease period, Mr. Goebel signed a 12-month lease extension with the City starting in July 2017. Per the current lease, Mr. Goebel is responsible for rental payments through June 2018.

Abts explained the current lease does not contain a clause specifically about early termination. The lease has an abandonment clause which allows the City to relet the premises for “the whole or any part of the then unexpired term, and may receive and collect all Rent payable by virtue of such reletting, and, at Landlord’s option, hold Tenant liable for any difference between the Rent that would have been payable under this Lease during the balance of the unexpired term...”.

Abts indicated the lease also contains an “Intent to Vacate” clause: “Tenant must provide Renters Warehouse, as Landlord’s agent, at least 60 days written notice of its intent to terminate the Lease upon expiration of the Lease term. Any notice provided under this Section does not imply permission on behalf of the Landlord of Renters Waterhouse to vacate the Premises early, unless approved by Landlord or Renters Warehouse...”.

Abts stated the City Council could elect to allow the tenant to move out early and seek a new tenant. Based on the lease, the tenant does not have a right to do so. And if the tenant chooses to leave the property, without the City’s approval, the City could hold the tenant responsible for the remaining rent for the unexpired term. The Council can elect to approve the early termination of the lease and not require the tenant to pay the remaining monthly rental fees, or approve the early termination but require the tenant to pay the remaining monthly rental fees through the end of the current lease (which expires at the end of June 2018). The tenant has been an excellent renter for the City, and has never been late on rent payment.

Stelmach asked if Renter’s Warehouse would still pursue payments from the City if the tenant were to leave. Abts stated staff would have to investigate the City’s contract with Renter’s Warehouse further.

Schulz appreciated Mr. Goebel for coming forward and addressing this matter with the City. He explained he supported the early lease termination given the fact Mr. Goebel was a renter in good standing. He anticipated the payments to Renter’s Warehouse would end when the lease on this property was terminated.

Johnson asked if the modification fee of \$150 should be charged to Mr. Goebel. Abts believed it would be reasonable to charge this fee to Mr. Goebel given the fact he was proposing to modify the termination date on the lease. She noted the City Attorney had reviewed this matter.

Schulz supported this item being tabled until the first meeting in February to allow staff more time to research the contract with Renter’s Warehouse and to investigate the modification fee.

Poppe agreed noting Mr. Goebel was proposing to modify the lease so it would terminate at the end of February.

Zelenak suggested the item move forward and that further information be provided to the Council regarding the Renter’s Warehouse contract via email.

Johnson supported this suggestion. Abts asked if the Council would support the motion going forward with a condition the City would have no further financial obligations from Renter’s Warehouse for this property or the tenant agrees to cover these expenses.

Stelmach stated he would like to know what these expenses would be.

Poppe explained at this time City Council doesn’t even know what the expenses may be. He commented on the tenant’s intent to vacate, which was actually breaking the lease term.

Schulz and Stelmach expressed frustration with staff for putting the Council in a difficult position by not providing adequate information on this item. Abts encouraged the Council to contact staff with questions prior to any meeting.

Johnson asked if the City had collected a damage deposit from Mr. Goebel. Abts reported the City had collected a security deposit and typically this amounts to one month's rent.

Poppe stated he could support this item going forward with the understanding staff would be sending an email with further information on the Renter's Warehouse contract and modification fee.

**A motion was made by Schulz, seconded by Stelmach, to table action on the early lease termination to the February 12, 2018, City Council meeting directing staff to provide the Council with additional feedback regarding the Renter's Warehouse contract and the modification fee. The motion carried 5-0.**

C. APPROVE CITIZEN APPOINTMENT (Resolution)

Abts commented there are two positions yet to fill on the Public Safety Advisory Commission. Both are business appointments, one for a two-year term and a vacancy for a one-year term. Gary Current has offered to serve the two-year appointment.

**A motion was made by Schulz, seconded by Stelmach, to adopt Resolution No. 2018-7 appointing Gary Current to the Public Safety Advisory Commission to serve a two-year term. The motion carried 5-0.**

D. APPROVE ACCOUNTS PAYABLE

Abts 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 – None.

12. COUNCIL AND ATTORNEY REPORTS

Johnson discussed the fish conservation efforts that occurred on Twin Lakes, noting many pounds of carp and bullhead were removed.

Stelmach welcomed Gary Current to the Public Safety Advisory Commission. He welcomed Firefighter John Hegstrand and Police Reserve Officer Michael Kampsen to the City as well.

Schulz encouraged residents to remove their cars from the street due to the current snow emergency.

Poppe reported the City has a need for a few Committee and Commission members. Those interested in serving in this capacity were encouraged to visit the City's website or contact City Hall for further information.

Poppe stated the Fire Relief Association Annual Dance would be held at the Osseo Legion on Friday, February 9, from 8 p.m. to midnight.

13. ADJOURNMENT

**A motion was made by Schulz, seconded by Zelenak, to adjourn the City Council meeting at 7:49 p.m. The motion carried 5-0.**

Respectfully submitted,

Heidi Guenther  
*TimeSaver Off Site Secretarial, Inc.*