

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
July 9, 2012**

1. CALL TO ORDER

Mayor Al Lindquist called the regular meeting of the Osseo City Council to order at 7:00 p.m. on Monday, July 9, 2012.

2. ROLL CALL

Members present: Council members Allan Hartkopf, Duane Poppe, Mark Schulz, Rick Weber, and Mayor Al Lindquist.

Staff present: City Administrator Douglas Reeder, and City Attorney Loren Magsam.

Others present: James Kelly, Alicia Miller, Douglas Lee, and Derick Haug.

3. PLEDGE OF ALLEGIANCE

Lindquist led the Pledge of Allegiance.

4. APPROVAL OF AGENDA [Additions - Deletions]

Lindquist asked for additions or deletions to the Agenda.

Poppe requested Items 5G and 5H be removed from the Consent Agenda.

A motion was made by Poppe, seconded by Schulz, to accept the Agenda as amended removing Items 5G and 5H. The motion failed 3-2 (Hartkopf and Lindquist-nay).

A motion was made by Hartkopf, seconded by Lindquist, to accept the Agenda as presented. The motion failed 2-3 (Poppe, Schulz and Weber-nay).

A motion was made by Schulz, seconded by Weber, to accept the Agenda as presented with the Consent Agenda considered under a separate motion. The motion carried 5-0.

5. CONSENT AGENDA

- A. Approve Council Minutes of June 25
- B. Receive EDA Minutes of July 2
- C. Receive June Building Report
- D. Approve Renewal App for Optional Liquor 2 AM for Duffy's Bar & Grill
- E. Adopt Resolution Appointing Election Judges
- F. Cancel Council Work Session for July 30
- ~~G. Approve Temporary On-Sale Liquor License (Lions Club for Lions Roar)~~
- ~~H. Approve Temporary On-Sale Liquor License (Lions Club for Oktoberfest)~~

Reeder requested the Council remove Items 5G and 5H from the Consent Agenda prior to approval. These items require additional discussion between the Lions Club and the Police Department.

Hartkopf did not feel it was necessary to hold off on the liquor licenses as the Lions Club would be speaking with the Police Department to resolve this matter. Reeder stated it was true the item did not need to be held off, but it would be consistent with how the Council handled the Band Festival.

Poppe stated procedures were in place and he requested the Council follow through with the procedures.

Hartkopf requested the liquor license be approved as presented and allow the Lions to work through the police issues with the police department as there was a time element involved with the liquor license.

Lindquist agreed stating this was a timely issue and noted the Lions were not opposed to speaking with Police Chief Hartkopf.

Poppe commented the staff and the Chief of Police were not in favor of approving the liquor license at this time. He suggested the Council consider taking action in the best interest of the public and follow procedure.

Lindquist indicated the liquor license was submitted correctly with all City procedures and had no reason not to be approved.

Weber stated he would be more comfortable approving the liquor license after the policing issue was resolved with the police department. He questioned if server training was required for the planned events. Reeder indicated the training was not required, but was suggested.

A motion was made by Poppe, seconded by Weber, to approve the Consent Agenda Items 5A through 5F. The motion carried 3-2 (Hartkopf and Lindquist).

A motion was made by Poppe, seconded by Weber, to table action on Consent Agenda Items 5G and 5H until after the Lions discussed the policing issues with the Police Chief. The motion carried 3-2 (Hartkopf and Lindquist).

6. MATTERS FROM THE FLOOR

Douglas Lee, 600 North Oaks Drive, stated on June 19th the Public Safety Committee met. He attended this meeting and reported a presentation was made regarding a grant program offered by the State of Minnesota for public safety infrastructure improvements. This grant could be applied for and used for a new police department. He offered further comment on the grant program and stated the existing police department location was meant to be temporary. He encouraged the Council to proceed with the grant as it would assist the City in gaining a new building at half the expense, through the grant program. He reiterated that Osseo residents were in favor of keeping its police department and he requested the Council keep this in mind going forward. He questioned why Council members Hartkopf and Mayor Lindquist were opposed to the applying for the grant.

7. SPECIAL BUSINESS

A. ADOPT RESOLUTION ACCEPTING DONATION OF \$3,000 FOR CONCERTS IN THE PARK FROM OSSEO LIONS

Reeder indicated the Lions Club has proposed contributing \$3,000 to the City to be used for Concerts in the Park. Staff recommends the Council accept the donation.

A motion was made by Hartkopf, seconded by Poppe, to adopt Resolution 2012-55, accepting a donation from the Lions Club in the amount of \$3,000 to be used for Concerts in the Park. The motion carried 5-0.

B. ADOPT RESOLUTION ACCEPTING DONATION OF \$1,000 FOR BEAUTIFICATION/FLOWER FUND FROM OSSEO LIONS

Reeder indicated the Lions Club has proposed contributing \$1,000 to the City's Beautification/Flower Fund. Staff recommends the Council accept the donation.

A motion was made by Poppe, seconded by Hartkopf, to adopt Resolution 2012-56, accepting a donation from the Lions Club in the amount of \$1,000 for the City's Beautification/Flower Fund. The motion carried 5-0.

C. ADOPT RESOLUTION ACCEPTING DONATION OF \$3,000 FOR MEMORIAL BENCH FROM OSSEO LIONS

Reeder indicated the Lions Club is proposing to contribute \$3,000 to be used for Memorial Benches in the Park in honor of Bud Setzler. Staff recommends the Council accept the donation.

A motion was made by Poppe, seconded by Schulz, to adopt Resolution 2012-57, accepting a donation from the Lions Club in the amount of \$3,000 to be used for Memorial Benches in the Park. The motion carried 5-0.

8. PUBLIC HEARINGS – NONE.

9. OLD BUSINESS

A. UPDATE ON MARY PATRICE (CELTIC CROSSING) DEVELOPMENT AGREEMENT DEFAULT

City Attorney Loren Magsam reviewed the history of this property with the Council. He indicated a possible amendment was discussed but no direct response has been received from the developer. He originally recommended that if the developer agrees, by July 15th to amend the Development Agreement. However, at its July 2nd meeting, the EDA extended the agreement to August 1st. He requested the Council confirm this action.

A motion was made by Poppe, seconded by Hartkopf, to extend to August 1, 2012, the time period for the Developer to cure the default under the Development Agreement. The motion carried 5-0.

10. NEW BUSINESS

A. CONFIRM EDA ACTIONS OF JULY 2

Reeder reviewed the actions taken by the EDA at their July 2nd meeting.

A motion was made by Poppe, seconded by Schulz, to confirm the actions of the EDA at their July 2nd meeting. The motion carried 5-0.

B. APPROVE EMPLOYMENT OF PLANNING INTERN RILEY GRAMS

Reeder explained on June 25th the Council entered into an employment agreement with the City Administrator which included an agreement that the City would hire a planning intern to assist with the work load. The City received 46 applications for the position and the top three candidates were interviewed in July 27th by the Human Resources Committee. The consensus of this group was that Riley Grams be hired for the position.

A motion was made by Weber, seconded by Poppe, to approve the internship employment of Riley Grams as Planning Intern at a salary of \$12 per hour with no benefits effective July 10, 2012. The motion carried 5-0.

Riley Grams introduced himself to the Council and indicated he looked forward to working for the City of Osseo.

C. APPROVE FIRE DEPARTMENT SHARED SERVICES STUDY PARTICIPATION

Reeder indicated the City of Brooklyn Park has initiated a proposal that nine cities in northern Hennepin County hire a consulting firm to create a report and determine if there are additional shared services for the fire service which would benefit all of the cities in better service and cost savings. A committee of fire chiefs from all the cities and a committee of City Managers/Administrators from the cities met and both recommended Emergency Services Consulting International to prepare the report.

Reeder explained the report would cost \$49,634 and Osseo's share of this expense would be \$1,000. This was not a budgeted expense and would be paid out of the fire department's budget or from the General Fund Contingency Fund. Staff recommended the Council authorize the City of Osseo to participate in the Fire Department Shared Services Study.

A motion was made by Schulz, seconded by Poppe, to authorize the City of Osseo to participate in the Fire Department Shared Services Study for North Hennepin County at a cost of \$1,000.

Weber questioned the portion of the expense that would be paid by Brooklyn Park. Reeder stated Brooklyn Park would be paying \$33,000 of the expense. He noted the study would take approximately four months to complete.

The motion carried 5-0.

D. APPROVE CONTRACTOR'S PAY REQUEST #1 FOR 2012 STREET IMPROVEMENT

Reeder explained this was the first pay request submitted by S.R. Weidema, Inc. for work that has been completed on the 2012 Street & Utility Improvement Project. The payment requested was \$15,639.42 and would come from project funds.

A motion was made by Poppe, seconded by Schulz, to approve Contractor's Pay Request #1 to S. R. Weidema, Inc. for \$15,639.42. The motion carried 5-0.

E. APPROVE GRANT APPLICATION FOR FIRE DEPARTMENT

Reeder indicated the Osseo Fire Department is applying for two grants through FEMA/Assistance to Firefighters (AFG). The primary goal of the AFG is to meet the firefighting and emergency response needs of fire departments and nonaffiliated emergency medical service organizations. Grant applications in two different areas of AFG will be submitted: one for a new truck (apparatus) and for training (operations and safety). The total of the two grants being sought is \$260,000. Grant award money would be used to offset the cost of a new truck in 2014.

A motion was made by Poppe, seconded by Schulz, to approve the Fire Department submission of grant requests to FEMA/Assistance to Firefighters (AFG). The motion carried 5-0.

F. APPROVE ACCOUNTS PAYABLE

Reeder reviewed the Accounts Payable with the Council.

A motion was made by Poppe, seconded by Hartkopf, to approve the Accounts Payable as presented. The motion carried 5-0.

11. ADMINISTRATOR-CLERK-TREASURER'S REPORT

Reeder read a notice to the public regarding the upcoming election and filing dates. It was noted that two council positions and the mayor position would be voted on this November. The notice stated that filing for the three City positions would be from July 31 to August 14.

12. COUNCIL AND ATTORNEY REPORTS

Lindquist commented the Farmers Market starts July 10 from 2:00 p.m. to 6:00 p.m. The movie in the park scheduled for July 10 would be Footloose and would begin at 8:30 p.m. On July 17, James Hersch would be in concert.

Lindquist noted Kurt Zellers, Speaker of the House of Representatives, would be speaking at the Osseo American Legion at 7:00 p.m. on July 24th. The event was sponsored by the Osseo Business Association.

13. ADJOURNMENT

A motion was made by Poppe, seconded by Weber, to adjourn the City Council meeting at 7:37 p.m. The motion carried 5-0.

Respectfully submitted,

TimeSaver Off Site Secretarial Service, Inc.