

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
May 13, 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, May 13, 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, Assistant Fire Chief Derick Haug, and City Attorney Mary Tietjen.

Others present: Michael Bosl, Emily Lueth, and Gary Groen.

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.

Schulz requested an addition to the agenda allowing for the discussion of the new signs posted at Boerboom Park (Item 10F).

A motion was made by Schulz, seconded by Stelmach, to accept the Agenda as amended. The motion carried 5-0.

5. CONSENT AGENDA

- A. Approve Work Session Minutes of April 22
- B. Approve Council Minutes of April 22
- C. Receive March Jaycees Gambling Report
- D. Receive March Osseo Maple Grove Hockey Association Gambling Report
- E. Receive April Building Report
- F. Receive April Fire Relief Association Gambling Report
- G. Receive April American Legion Gambling Report
- H. Set Public Safety Advisory Committee Meeting for May 22 at 6:00 p.m.
- I. Approve Training Requests for City Planner Nancy Abts
- J. Set Council Work Session Date for July 29 and September 30

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

6. MATTERS FROM THE FLOOR – None.

7. SPECIAL BUSINESS

A. FY2018 ANNUAL AUDIT REVIEW (Michael Bosl, Bergan KDV)

City Administrator Riley Grams stated Michael Bosl with Bergan KDV was present to discuss the 2018 Audit.

Michael Bosl reviewed the 2018 audit with the Council. He stated the City had received an unmodified or clean opinion. He reviewed the City's General Fund Budget and fund balances. He commented on the revenues and expenditures for the previous year and commended the City on its strong financial standing.

Grams thanked Mr. Bosl and Bergan KDV for the hard work and stated he appreciated the strong working relationship the City had with KDV.

Poppe thanked staff and Mr. Bosl for all of their efforts on the 2018 Audit.

A motion was made by Johnson, seconded by Stelmach, to accept the 2018 Annual Audit as presented. The motion carried 5-0.

B. THANK YOU FIRE AND POLICE DEPARTMENTS (Derick Haug, Assistant Fire Chief)

Grams stated on the evening of Monday, April 29, the Osseo Fire, Police, and Public Works Departments responded to a fully involved garage fire on 3rd Street NE in Osseo. The 14 firefighters, 2 police officers, and 2 public works employees from Osseo – along with individuals from 10 area agencies – who responded to this dangerous and high-pressure incident did a commendable job performing their duties in a safe, efficient, effective, and professional manner.

Assistant Fire Chief Derick Haug provided the Council with a summary of events that occurred on Monday, April 29. He discussed the quick response times and how the firefighters attacked the fire and searched for pets. He noted the fast action of the firefighters stopped the fire from reaching the house.

Johnson asked who called the neighboring departments requesting assistance. Assistant Fire Chief Haug reported the City has agreements in place where neighboring departments (Maple Grove and Brooklyn Park) will be dispatched automatically for box alarms. He stated it was a great benefit to the City to have extra help onsite.

Hultstrom thanked all who responded to the structure fire for their prompt response and tremendous efforts. She thanked Chief Phenow for the detailed report that was provided to the City Council from this event.

Stelmach commended the City's public safety team for their incredible team effort.

Schulz stated he knew the Abbey family well and explained he was impressed by the coordination of efforts between all of the public safety departments. He thanked

everyone who was involved in the structure fire for their high level of professionalism during this stressful event.

Grams stated he placed this item on the agenda because he wanted to publicly thank the Osseo Fire and Police Departments for their efforts during the recent garage fire.

C. ACCEPT DONATIONS (Resolution)

Grams stated the City has received the following donations:

<u>Donor</u>	<u>Amount/Item</u>	<u>Designated Fund</u>
Evans-Nordby Funeral Home	\$1,500	Trolley Sponsorship
Malone Insurance Agency	\$ 100	Beautification Fund
Harold E. & Gayle Johnson	\$ 300	Beautification Fund
<i>(in memory of Donald Bishop, Michael Gilbertson, and Bob Kilian)</i>		

Staff recommended the Council accept the donations.

A motion was made by Stelmach, seconded by Hultstrom, to adopt Resolution No. 2019-31 accepting donations from Evan-Nordby Funeral Home, Malone Insurance Agency, and Harold E. & Gayle Johnson. The motion carried 5-0.

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS – None.

10. NEW BUSINESS

A. ACCEPT BIDS AND AWARD CONTRACT FOR 2019 STREET & ALLEY RECONSTRUCTION PROJECT (Resolution)

Emily Lueth, WSB, stated the 2019 Street and Alley Reconstruction Project consists of reconstructing portions of 1st Avenue NW and 7th Avenue SE, the mill and overlay of portions of 2nd Street NW, 3rd Street NE, 4th Street NW, 5th Street NE, 6th Street NW, and 6th Street NE, and reconstructing the alley bounded by 2nd Street NE and 3rd Street NE between Central Avenue and 1st Avenue NE.

Ms. Lueth explained WSB’s current engineering contract for this project ends with the bid opening process. The attached proposal from WSB would allow them to continue working on this project and provide services for construction administration and inspection, surveying, material testing, and as-built preparation. It was noted bids were received on March 5 for the project and seven bids were received. She reviewed the bids in further detail noting the low bid was received from Asphalt Surface Technologies Corporation (ASTECH Corp.).

Ms. Lueth reviewed how the project would be funded by the City and discussed the project schedule. She recommended the Council adopt a resolution accepting the bids and awarding the contract.

Schulz asked if the northern portion of the project would receive spot curb replacement. Ms. Lueth reported this was the case.

A motion was made by Hultstrom, seconded by Schulz, to adopt Resolution No. 2019-32 accepting Bids and Awarding the Contract for the 2019 Street and Alley Reconstruction Project. The motion carried 5-0.

A motion was made by Hultstrom, seconded by Johnson, to approve the Engineering Contract with WSB as presented. The motion carried 5-0.

B. APPROVE ENGINE REPAIRS TO FIRE ENGINE 11

Assistant Fire Chief Haug stated on March 18 Emergency Apparatus Maintenance, Inc., performed annual pump testing and service on Engine 11 and Tanker 11. Both trucks passed the pump test. However, the test found three valves on Engine 11 to be leaking vacuum – though not enough to fail the test. The pump currently operates and operated well at the recent garage fire, but if left unchecked, the condition of those valves could degrade further and result in a situation where the pump fails to operate at an emergency scene, hindering our ability to quickly extinguish a fire, potentially leading to preventable loss of life or property.

A motion was made by Stelmach, seconded by Hultstrom, to approve the repairs as presented to Engine 11. The motion carried 5-0.

C. DISCUSS TEEN RECREATION PROGRAM

City Planner Nancy Abts commented after the Parks & Recreation Committee reviewed a teen program offered by one local business, staff discussed opportunities for teen recreation in the City of Osseo. Youth from the ages of 10 to 19 comprise about six percent of Osseo's population.

Abts explained current recreation activities in Osseo include the Youth Sports program offered in partnership with Rev Sports. The program was initiated in 2017. It makes use of recreation facilities at Sipe Park and the Osseo Education Center, and because parents are actively involved with their young children's classes, provides an opportunity for area residents to get to know each other. Osseo residents pay \$35 for a 5-week class, and classes are offered for ages 2-12. This demographic comprises approximately 11% of Osseo's population.

Abts reported in 2016 a mid-day drop in sports and arts recreation program was offered at Sipe Park and the Community Center for no charge. Attendance was low and staffing was a challenge, prompting a change to the RevSports classes. A secondary option of Art classes offered by an outside vendor did not meet minimum enrollments and was discontinued after attempts at Summer & Fall sessions.

Abts stated adult recreation opportunities include drop-in yoga classes at the Community Center on Monday evenings, and Jazzercise on Mondays and Thursdays. Yoga classes are open to participants as young as 13, with a parent/guardian. There is no charge for these programs. Adults comprise approximately 50 percent of the Osseo population.

Abts indicated senior recreation includes social opportunities and games, offered on Tuesdays and Thursdays at the Community Center. There is a small charge to participate in card games & BINGO. Seniors comprise approximately 30 percent of the city population. Community events like the Fire Department Easter Egg Hunt, Music and Movies in the Park, Citywide Night to Unite, and Minidazzle events provide additional recreation opportunities for families and people of all ages. Staff requested the Council discuss this matter and direct staff on how to proceed.

Schulz commented the age group that is most considered at risk are young adults and teens. He stated this age group was definitely underserved in Osseo. He indicated this may be a difficult group for the City to serve but noted he supported the City pursuing a teen recreation program.

Poppe recommended staff coordinate with local churches to seek assistance and joint programs.

Stelmach stated he supported the City pursuing teen recreation programs, as well.

Hultstrom thanked staff for the thorough report. She questioned if the City could offer a grant program to provide this age group with stipends to participate in the proposed art, music, or sports programs.

Schulz commented on the investment the City has made in senior and youth programming. He suggested a funding strategy be considered in order to be more equitable for all age groups. He supported the Council taking action on this item tonight versus waiting another year to create a teen recreation program. He stated he supported Hultstrom's suggestion of providing grants to resident teens and noted the City had \$13,000 to work with to provide said grants. He recommended that the grants cover a portion of the registration fees and not the entire fee.

Johnson agreed with this recommendation stating he would like parents to still pay some portion of the registration fee to ensure the teen was invested in the program.

Grams commented he would like to see the Council establish clear parameters prior to recommending a teen recreation program going forward. He anticipated staff could draft a policy that could be reviewed by the Council at an upcoming meeting.

Poppe suggested a \$150 grant be provided to teens who sign up for the pre-approved events occurring in the City.

Schulz indicated he could support the \$150 grant but questioned what the Council could put in place to ensure the teens were attending the event/program. He questioned if monthly attendance should be taken, or if monthly checks should be sent versus a grant up front.

Stelmach suggested attendance be taken.

Poppe commented payments are typically due up front. Grams explained it would be easier to administer the program with a percentage discount offered by the City than a dollar figure.

Hultstrom suggested each grant request be considered on a case by case basis versus having a dollar amount that would be given by the City. She recommended the parents be responsible for paying for the program in full and that the City reimburse a portion if the grant is approved.

Poppe supported the City moving forward in this manner offering a 50% grant up to \$150 per child.

The Council agreed with this recommendation.

Johnson questioned what age would be covered by this grant program.

Stelmach recommended the age range be from 9-17. The Council supported this recommendation.

Stelmach stated these grants would not apply to any of the programming provided by Rev Sports or to any children living outside the city limits.

Grams questioned a time limit on this program. The Council recommended the program run from June 1 through August 31 and that staff further research what other youth rec programs are being offered by Osseo businesses during the summer.

Abts suggested the Tinker Thinkers math program may be included. The Council supported this recommendation, and suggested the pianist offering piano lessons from the Sykes Piano Studio be added to the list.

A motion was made by Schulz, seconded by Stelmach, to direct staff to create a recreation program for children ages 9 through 17, allowing Osseo residents to apply for a grant for a summer program offered by an Osseo business that runs from June 1 through August 31 with the grants being 50% of the program expense or up to \$150 per child. The motion carried 5-0.

D. APPROVE 1ST READING OF TOBACCO ORDINANCE

Grams explained at the April 22 Council work session a draft tobacco ordinance was discussed. A previous work session on this ordinance (June 25, 2018) prompted several questions and comments from the Council. City Attorney Mary Tietjen prepared an updated draft Tobacco Ordinance based on Council comments from both Council work sessions.

Grams reported staff solicited feedback about the draft tobacco ordinance from all current tobacco license holders. Staff did not receive any comments on the proposed draft ordinance.

City Attorney Mary Tietjen reviewed a minor change that was made to the Ordinance regarding background investigations and the associated fees. She explained that background checks have not been completed in the past.

Hultstrom asked if background checks would be completed on all tobacco license holders or just new tobacco license holders. City Attorney Tietjen reported the Council could grandfather in current license holders and require background checks on all new license holders.

Schulz questioned what the fee would be to complete a background investigation. Grams reported the fee would be established by the Council. Abts stated staff was recommending the fee be \$300 for an individual and \$500 for a partnership or corporation. City Attorney Tietjen advised the proposed fees were similar to the fees charged for amusement machine and liquor license background checks. She explained the Council could have a discussion regarding the fee schedule at a future work session, if desired. The Council supported further discussion on the fee schedule at a future work session.

Hultstrom stated she supported the \$250 tobacco license fee.

Johnson commented he did not believe this item should move forward. He discussed the Tobacco 21 Law that many cities were approving and questioned how the City would be impacted if the State were to approve a Tobacco 21 Law. He suggested the City wait until the legislature finished their current session before approving this Ordinance.

Poppe explained the City was regulating the process that would be followed for tobacco licenses and the associated fees. City Attorney Tietjen reported if the State passes a new law, the City may need to tweak the Ordinance to be consistent with State law. She indicated the proposed Tobacco Ordinance would be published in a summary form for cost saving purposes.

Hultstrom asked if the reference to the age 18 could be replaced with the words State Law. City Attorney Tietjen explained the Council could do this but she advised against this.

Johnson stated he was opposed to the Council taking action on this Ordinance at this time.

Schulz indicated he appreciated Johnson's opinion on this matter but stated did not believe the Council could wait for the State to end its session every year in order to legislate the City. He explained he supported this Ordinance moving forward.

A motion was made by Schulz, seconded by Stelmach, to approve the First Reading of the amended Tobacco Ordinance. The motion carried 4-1 (Johnson opposed).

E. APPROVE ACCOUNTS PAYABLE

Grams reviewed the Accounts Payable with the Council.

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

F. DISCUSS NEW SIGNS POSTED AT BOERBOOM PARK

Schulz stated that new signs have been posted in Boerboom Park that state: Please No Pet Waste – Seating Area for Performance. He explained he was shocked to see this sign posted in the park and commented the sign was being perceived as too negative or anti-pet in the park. He indicated he reviewed the meeting minutes from the April 22 meeting and noted Stelmach had suggested signs to be posted to encourage pet owners to clean up after their pets and Hultstrom suggested adding waste stations. He noted there was no conversation about singling out where dogs could or could not go.

Schulz explained he also reviewed the Parks and Recreation meeting minutes noting their motion recommended the Council make the final decision on this matter. He stated he understood both sides of this argument, but noted with signs in the City the Council had to be careful about perception. He questioned how the park has survived this long with pets depositing waste in the park. He feared that if the current signs remained posted, the City could be going down a dangerous rabbit hole. He recommended that less obtrusive signs be posted, reminding pet owners to clean up after their pets.

Hultstrom stated she was at an Osseo Veterinarian's office today with her dog and the signs were discussed with her. She explained the vet's office supported an additional pet station being installed at the south end of Central Avenue due to the high level of pet traffic in this area. She commented she agreed the current signs were a little harsher than it needed to be. She respected the fact that some residents wanted to keep an area free and clear of pet waste on Tuesdays but understood this would be difficult to administer.

Stelmach explained he did not believe the City needed to post any signs in the park. He recommended the fines for not cleaning up after a pet be increased if this was a growing concern. He was of the opinion most pet owners in Osseo were very good about cleaning up after their pet and did not need a reminder.

Schulz questioned if the Council believed extra signage was necessary or if additional waste stations would be beneficial.

Johnson stated only half of the park had signs and the remainder of the park was open for pets. He explained that 5 Central was proposed to have only one floor with dogs but noted all three floors now allow dogs. He commented the number of dogs in the City has gone up exponentially. He indicated the main concern addressed by the Parks and Recreation Committee was the need to keep the grass free and clear of pet waste for Tuesdays during the summer months. He stated he did not believe it was too much to ask for pets to remain off half of the park in order to keep this area clean for those wishing to attend the Tuesday night Movies and Music in the Park events. He stated he did not find the signs to be offensive and explained he supported the signs remaining in place.

Hultstrom commented 5 Central started out with two floors that were pet friendly and the third floor was cat friendly. She noted the management has since changed this policy and dogs were now allowed on all floors. She reported the DNA of each pet has been taken and noted the groundskeepers were able to track which pet owners were leaving droppings. She recommended the City approach this topic as friendly as possible knowing that pet owners were tax paying residents.

Grams requested the Council direct staff on how to proceed with the pet signage at Boerboom Park.

A motion was made by Stelmach, seconded by Hultstrom, to direct staff to remove the currently posted signs and add pet stations to the north side of the park and by the veterinarian's office.

Stelmach stated if this continued to be a problem in the future, he could consider increasing City fines for pet owners that do not clean up after their pets.

The motion carried 4-1 (Johnson opposed).

11. ADMINISTRATOR REPORT

Grams thanked his staff for their assistance with the recent audit. He stated he was proud of the City's financial standing.

12. COUNCIL AND ATTORNEY REPORTS

Abts reported she recently attended a zoning seminar and was asked to speak at an event held by the Minnesota Chapter of the American Planning Association about the City's Comprehensive Plan.

Abts encouraged all Osseo residents to continue participating in the Step To It Challenge.

Hultstrom stated she attended the zoning seminar with Abts. She noted this was a nicely attended event.

Stelmach thanked staff for all of their hard work and great financial decision making.

Stelmach thanked all of the public safety departments that responded to the Abbey fire. He stated he was proud of the community for the support they have shown this family.

Stelmach wished everyone a safe and Happy Memorial Day.

Johnson thanked all who were involved in the Foreign Car Show and Craft Fair held this past Saturday. He stated the attendance at this event was very good.

Schulz thanked Chief Phenow for his detailed report on the recent structure fire.

Schulz stated he appreciated all of the vendors who participated in the recent Craft Fair and noted this year was the event's highest participation rate.

Schulz reported he and Johnson, along with staff, had interviewed candidates for the Finance Officer position last week. He anticipated a decision would be made shortly.

13. ANNOUNCEMENTS

Poppe explained free trolley rides were available to Osseo residents Monday through Thursday from 9:00 a.m. to 2:30 p.m. from May through September.

Poppe stated City Hall would be closed on Monday, May 27, for Memorial Day. He reported the City Council meeting would be moved to Tuesday, May 28.

14. ADJOURNMENT

A motion was made by Schulz, seconded by Stelmach, to adjourn the City Council meeting at 9:18 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.