

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
January 28, 2019**

1. CALL TO ORDER

Mayor Duane Poppe called the regular meeting of the Osseo City Council to order at 7:06 p.m. on Monday, January 28, 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, Police Chief Shane Mikkelson, and City Attorney Mary Tietjen.

Others present: Lee Gustafson and Emily Lueth.

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 Hultstrom, to accept the Agenda as presented. The motion carried 5-0.

5. CONSENT AGENDA

- A. Receive EDA Minutes of January 14, 2019
- B. Approve Council Minutes of January 14, 2019
- C. Receive December Fire Report
- D. Approve Training for Officer Smith
- E. Approve Training for Officer Starry
- F. Approve Training for Officers Smith & Current
- G. Approve Training for Chief Mikkelson
- H. Receive Heritage Preservation Commission Minutes of January 15, 2019
- I. Approve Training for Officer Mortinson
- ~~J. Approve Training for Public Works Department~~

Johnson requested Item 5J be removed from the Consent Agenda for further discussion.

A motion was made by Schulz, seconded by Stelmach, to approve the Consent Agenda as amended, removing Item 5J. The motion carried 5-0.

J. Approve Training for Public Works Department

Johnson commented the City’s three public works staff members were planning to attend a day and a half training session in St. Cloud. He did not believe all three members should be riding together in a City vehicle and questioned if all three should be attending the same training session. He asked what the City would do if an emergency were to occur. Grams stated the public works staff could drive two separate vehicles. He reported the public works staff members would be close enough to Osseo if an emergency were to occur. He commented another option would be to stagger the attendance at the training event.

Schulz stated a public works emergency was one thing, and another concern for him was keeping in mind the best interests of Osseo residents. He suggested Public Works Director Waldbillig reach out to a neighboring community to see if they had a staff member that would be able to assist the City during the training conference if an emergency were to occur. He explained he supported the three staff members riding in separate vehicles, as well. Grams reported he could work with the City of Maple Grove to find a standby staff member.

City Planner Nancy Abts commented she had spoken with Waldbillig about having one of his staff members stay back if this was the Council’s preference.

Schulz explained this was not necessarily his preference, but rather he wanted to see the City have a contingency plan in place.

Hultstrom questioned if it would be wise to have only Waldbillig attend the conference to ensure the City was covered in the case of an emergency.

Johnson stated he could support approval of the training for the public works department keeping in mind that staff will be pursuing a contingency plan.

A motion was made by Johnson, seconded by Schulz, to approve 5.J. Training for Public Works Department and directing staff to put a contingency plan in place. The motion carried 5-0.

6. MATTERS FROM THE FLOOR – None.

7. SPECIAL BUSINESS

A. ACCEPT DONATIONS (Resolution)

Grams stated the City has received the following donations:

Donor	Amount/Item	Designated Fund
Duffy’s Bar & Grill	\$ 1,000	Fire Apparatus
Harold E. & Gayle Johnson	\$ 200	Fire Apparatus
Jeff Schumacher	Pet oxygen mask	Fire Department
Duffy’s Bar & Grill	\$ 1,000	Police Equipment
Fire Relief Association	\$ 449.88	Fire Communications
Fire Relief Association	\$75,000	Fire Capital/Operations

American Legion	\$ 1,500	Music in Park
Harold E. & Gayle Johnson	\$ 500	Beautification Fund

(in memory of Dana House, Cynthia House, Rose LaVallee, Robert Nugent, & Olive Sarkinen)

Staff recommends the Council accept the donations.

A motion was made by Stelmach, seconded by Hultstrom, to adopt Resolution No. 2019-9 accepting donations from Duffy's Bar & Grill, Jeff Schumacher, Fire Relief Association, American Legion, and Harold E. & Gayle Johnson. The motion carried 5-0.

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS

A. APPROVE 2ND READING AND ADOPTION OF ORDINANCE AMENDMENT FOR ECONOMIC DEVELOPMENT AUTHORITY

Grams stated at its December 10, 2018, meeting, the Economic Development Authority approved updated bylaws which govern the Board. The EDA is also briefly spelled out in Ordinance form. The Council should consider an amendment to Ordinance section 33 in order to bring the language in line with the recently updated EDA bylaws. The City Council reviewed the first reading of the draft Ordinance at the January 14 Council meeting and approved it.

A motion was made by Hultstrom, seconded by Schulz, to approve the Second Reading and Adoption of an Ordinance Amending certain Sections of Chapter 33 of the Osseo Code of Ordinances relating to the Economic Development Authority and directing staff to publish the Ordinance Amendment. The motion carried 5-0.

10. NEW BUSINESS

A. APPROVE PLANS AND SPECIFICATIONS FOR 2019 STREET AND ALLEY PROJECT (Resolution)

Lee Gustafson, WSB, stated on November 26, 2018, the City Council held the improvement hearing and adopted a resolution ordering the improvements for this project. The 2019 Street Reconstruction Project consists of reconstructing portions of 1st Avenue NW and 7th Avenue SE including repairing or minimal reconstruction of the storm and sanitary sewer, replacement of the curb and gutter as needed, and sidewalk repair and installation. On 7th Avenue SE, between 2nd Street SE and 3rd Street SE, full watermain replacement is being proposed to eliminate past water main and service freezing issues. The 2019 project also includes 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.

Mr. Gustafson reported the existing roadway width will be maintained to the greatest extent possible, and minimal impacts will be made outside of the curb with the exception for impacts related to utility work, curb replacement, and sidewalk repair and installation. All driveways in the project area will receive a concrete apron. Due to the

watermain replacement and poor drainage on 7th Avenue SE, all curb will be removed and replaced along that street. Spot curb replacement is being proposed on 1st Avenue NW.

Mr. Gustafson explained it is expected that the roadway improvements can be completed within existing road rights-of-way or drainage easements for work on all streets except the east side of 7th Avenue SE adjacent to the St. Paul's Lutheran Church, where only half of the existing road falls into public road right-of-way. St. Paul's Lutheran Church has agreed to donate the necessary right-of-way on its side of the street.

Mr. Gustafson reported as a part of right-of-way discussions with St. Paul's Lutheran Church, it was agreed to keep the road at the existing width of 29 feet. The paved surface will however be shifted six feet to the east to make room for the proposed six-foot sidewalk on the west side of the street. A new sidewalk is also being proposed for the west side of 7th Avenue SE from 2nd Street SE to 3rd Street SE.

Mr. Gustafson indicated the 2019 Alley Project consists of reconstructing the alley between Central Avenue and 1st Avenue NE, from 2nd Street NE to 3rd Street NE, and includes repairing or minimal reconstruction of the storm sewer. It is proposed to maintain the existing alley width, and that all work will be within the existing alley right-of-way. It was noted WSB met with Xcel Energy to determine the feasibility of burying the overhead power lines along this alley as a part of the alley paving project. It was determined that there are too many issues associated with burying the power lines and the other overhead utilities to recommend this improvement be included in the project. These issues include high costs, lack of r/w, and significant building and business disruption.

Mr. Gustafson reported staff is recommending that the townhomes on the west side of 1st Avenue NW, north of 6th Street NW, be assessed a full unit, and the rowhomes on the east side be assessed .75 of a unit for the following reasons:

- The size of the townhome lots are similar in size to some small single-family lots that have been previously assessed one unit.
- In 2017, townhomes on a different street were assessed one unit for a reconstruction project.
- Using a 0.75-unit assessment for the rowhomes in the assessment calculations, the unit assessments would be \$4,800 and the 0.75-unit rate for the rowhomes would be \$3,600. Based on this, collectively, the 6 townhomes would have an assessment of \$28,800 while the 9 townhomes would have a collective assessment of \$32,400. Since the 6 townhomes and the 9 rowhomes have approximately the same frontage, the 0.75-unit assessment better distributes the cost of the work based on parcel length.

Mr. Gustafson commented further on the project financing, noting work would begin in May, and recommended approval of the 2019 Street and Alley Project.

Johnson asked if the alleys would be assessed separately. Mr. Gustafson reported the alley assessments would be prepared in April and would be assessed separately.

Schulz stated he had historically supported adding sidewalks to the community. He explained that while the community benefited from having additional sidewalks, he also understood that for five or six months out of the year, some of these sidewalks were impassable. He explained he walked to work yesterday, which was 2½ blocks and was forced to walk in the street because the sidewalks were not clear. He indicated he sent an email to staff regarding this concern. He stated he would like to see the City better enforce the requirement to keep sidewalks free and clear of snow. He understood that the elderly may have trouble with clearing the snow, but noted this was a cost of staying in a home. He requested the Council provide staff with more direction on how to manage this situation and recommended the Council discuss this issue at a future work session. He stated if the City Council was not going to enforce this Ordinance, he would not be able to support the installation of additional sidewalks.

Police Chief Mikkelson commented on the process the Police Department follows for snow removal violations. He stated this year has been crazy with respect to the freeze/thaw cycle. He explained many of the boulevards had ice, which was difficult to clear. He noted residents are given 24 hours to clear their sidewalk, warnings are then issued, and if a property still has not been cleared, tickets are issued. He stated he has issued tickets until a property was brought into compliance. He reported he was working with residents as best as he can. He commented he did not want to cite residents every 24 hours as this would turn them against the Police Department. Rather he would like to work with residents to resolve snow and ice concerns.

Stelmach reported this winter has been difficult but noted there have been days warm enough for residents to apply salt or sand if they have ice concerns. He believed it was reasonable for each property to have a passable sidewalk.

Schulz stated he wanted to see residents step up, take care of their property, or be held responsible if they are not. He understood the fact that this was an unpopular issue; however, he still wanted to see the City better manage the situation. Police Chief Mikkelson explained the Police Department grants residents 24 hours to clear their sidewalk before approaching them with a warning.

Schulz stated if the City's current Ordinance was not enforceable then perhaps the Council had to revisit this matter.

Stelmach supported the Council further discussing the City's sidewalks and how to successfully mitigate concerns with residents. Grams supported this issue being further addressed at a future work session. There was Council consensus to address this matter at a work session.

A motion was made by Stelmach, seconded by Hultstrom, to adopt Resolution No. 2019-10 approving Plans and Specifications and Authorizing the Advertisement for Bids for the 2019 Street and Alley Reconstruction Project. The motion carried 5-0.

B. ACKNOWLEDGE SUBMISSION OF COMPREHENSIVE PLAN (Resolution)

Abts requested the Council adopt a resolution acknowledging the submittal of the 2040 Comprehensive Plan Update to the Metropolitan Council.

Schulz explained the City spent well over \$100,000 on the Comprehensive Plan and was an unfunded mandate. He stated he viewed the Comprehensive Plan as a guiding document for the City and not the end all, be all. City Attorney Tietjen reported this was the case and noted the document was a guide.

A motion was made by Johnson, seconded by Hultstrom, to adopt Resolution No. 2019-11 acknowledging submission of the 2040 Comprehensive Plan to the Met Council. The motion carried 4-1 (Schulz opposed).

C. APPROVE PURCHASE OF POLICE DEPARTMENT TASERS

Police Chief Mikkelson stated the Police Department currently issues every full-time officer a taser that they are responsible for. The department recently added a new full-time officer which is one reason the City needs to purchase three new tasers. The other two tasers will replace old tasers that were kept when the city made the original purchase to equip all full-time officers with tasers. The old tasers are out of date and are breaking down. It was noted the department needs several new field use cartridges to ensure the department has enough cartridges for the near future. Also included in this request is ten cartridges and four targets for training purposes. The total for the purchase will be \$5,521.

A motion was made by Hultstrom, seconded by Stelmach, to approve the purchase of three new tasers and the taser training equipment for a total of \$5,521. The motion carried 5-0.

D. APPROVE PURCHASE OF COMPUTER FOR POLICE DEPARTMENT OFFICE MANAGER

Police Chief Mikkelson stated this computer is used by Police Department Office Manager Felicia Wallgren. This will be a regular replacement scheduled every four years. Staff received two quotes for the office computer. Element quoted a Dell OptiPlex 7060 at a price of \$1,046.52. SHI quoted three similar computers with two Lenovos at \$739 and \$720 and a Dell OptiPlex at \$915. All of the computers come with a three-year warranty and they will all have the same set up time quoted at \$450 from Element.

Johnson asked if the department would be purchasing a new monitor. Police Chief Mikkelson stated he was only requesting the computer tower as the officer manager's two monitors were in good working order.

Schulz commented on the differences between the computer bids and noted the state bid offered the best price for the City. He explained he supported the purchase of Item #1 or Item #2.

A motion was made by Stelmach, seconded by Hultstrom, to approve the purchase of the SHI Lenovo Think Center Option #1 computer for the Police Department. The motion carried 5-0.

E. APPROVE UPDATE TO CITY TRAVEL AND TRAINING POLICY

Grams explained the last version of the City Travel and Training policy was approved in 2013. Since then, the EDA has taken a more active role in participating in various training opportunities that might require pre-approval and potential travel expenses. Because of this, it's a good time to review and update the Travel and Training Policy.

Grams reported the major changes in this new version is the inclusion of the EDA and Planning Commission members for any travel or training requests. The policy is meant to cover all City Staff, Councilmembers, EDA members, and Planning Commission members. The updated policy defines how staff and elected officials should go about obtaining pre-approval of training expenses. In order to standardize the process, all Staff and elected officials will be required to use a Travel and Training Request Form. This will serve as the "agenda item" in cases where approval is required at the EDA or Council level.

Grams commented the other major change in the updated policy relates to the Police Department and requesting training expenses. Chief Mikkelson recently approached Grams to discuss updating the policy to allow for more leeway for the Police Department when it came to obtaining pre-approval of training expenses. Because of the nature of their position, Police Officers require a lot of training. There are times where the Police Chief has to try and hold a spot in a particular training for one of his officers and wait for the next Council meeting for approval. However, because many of the trainings only have limited number of attendees, there is a fear of missing out or getting bumped out of certain training opportunities because of the waiting period for Council approval.

Stelmach requested further comment from the Police Chief regarding this policy. Police Chief Mikkelson stated he has a training budget of \$16,500 each year. He commented on the numerous types of training sessions his officers have to attend on a yearly basis. He explained the mandated training sessions were not held often and had to be attended every three years. He stated the cost was typically over \$100 per session and reported he was missing out on training events for his officers because he needed prior Council approval.

A motion was made by Hultstrom, seconded by Johnson, to waive Council approval for all mandatory Police Department training expenses.

Stelmach stated he supported the Police Chief in his efforts, but he believed this was an incredibly large blank check for the Council to offer. He indicated he would not be able to support the motion on the floor.

Schulz questioned if the Council could statutorily waive approval of an expense. He agreed this was a huge blank check concern and he could not support this much authority being granted to any department head.

The motion failed 1-4 (Johnson, Schulz, Stelmach, and Mayor Poppe opposed).

Schulz commented on the proposed policy and understood training sessions were necessary for some staff members. He feared that some of the language was too narrow and recommended the red-line language read: cover any City elected or

appointed employees. He recommended the City reconsider allowing employees to purchase a meal using their best judgement.

Schulz commented on the Police Department training and noted he spoke with the Chief regarding this matter. He understood the Chief needed more latitude and suggested the Chief submit a list or schedule of training events on quarterly basis for consideration and approval by the Council. He understood that new officers required a great deal of training but stated he wanted the Chief to create a document for Council consideration. He stated this same document could be created by the Public Works Department. Police Chief Mikkelson explained it would be difficult to create a quarterly document because some of the trainings come up monthly and not six months in advance. In addition, he stated the cost for these training events differed.

Schulz stated he did not want this document to just single out the Police Department. Police Chief Mikkelson commented that would be beneficial to his efforts given the amount of training his officers are required to attend on a yearly basis. He stated he could create a list but anticipated it would not be very specific. He explained at times specialty training comes up that he would like his officers to attend.

Schulz supported the Chief having enough leeway to get into special training events so long as the items are within his budget. He recommended the training events then be approved under Accounts Payable. Grams suggested the Council table action on this policy to allow staff time to rewrite the policy based on the Council's recommendations.

Stelmach asked if the \$100 threshold language should remain in the document. Grams stated this was old language that was written in 2013.

Schulz supported this language being removed.

Grams asked if elected and appointed officials training should be treated differently than City staff. Poppe anticipated all training for officials was known in advance and could be planned for accordingly.

Grams questioned how the City should manage unknown training events. Further discussion ensued regarding how to manage situations like a recent EDA van trip.

A motion was made by Schulz, seconded by Stelmach, to table action on the City Travel and Training Policy to the February 11 City Council meeting. The motion carried 5-0.

F. APPROVE PROPOSAL FOR STRATEGIC PLANNING SESSION WITH RAPP CONSULTING GROUP

Grams explained the City Council budgeted for a 2019 strategic planning session in order to provide the City Council, EDA, and Staff clear and actionable targets for the next few years. City Administrator Grams reached out to several well-known consultants who do this type of work with local governments and opted to work with Craig Rapp, President of the Rapp Consulting Group, for this particular type of need.

Grams reported Mr. Rapp is a nationally recognized speaker, a former city manager, and the former Director of Consulting for the International City-County Management Association (ICMA). Mr. Rapp speaks and conducts workshops throughout the United States on a wide range of subjects such as leading in difficult political environments, performance excellence, and authentic leadership.

Grams stated the focus is leadership development, strategic planning, and optimizing organizational performance. With more than thirty years of experience as a senior executive in the public, non-profit, and private sectors, Mr. Rapp provides knowledgeable facilitation, incisive advice, and actionable outcomes. He has a master's degree in public administration and is a graduate of the Senior Executive Institute at the University of Virginia.

Grams commented on the submitted proposal noting it had been tailored to the City's particular needs, based on conversations between Mr. Rapp and City Administrator Grams. The proposal includes key strategic planning elements, including an assessment of the current environment in order to determine challenges and priorities, establishment of measurable outcomes, and a multi-year action plan. The total cost of the proposal is \$5,500.

Johnson asked how long the training session would take. Grams explained the estimate had target hours and noted the City's event would be condensed.

Johnson stated he did not like the April 6 proposed meeting date given this was one-quarter through the year. He believed the strategic planning session should have been held sooner in the year. Grams explained this date was being suggested as all Council, staff, and the consultant could be in attendance.

A motion was made by Stelmach, seconded by Schulz, to approve the proposal with Rapp Consulting Group to conduct a Strategic Planning Session at a cost of \$5,500. The motion carried 5-0.

G. SET COUNCIL STRATEGIC PLANNING SESSION FOR SATURDAY, APRIL 6, 2019

Grams explained the Council approved a proposal to conduct a Strategic Planning Session early in 2019. City Administrator Grams recently emailed the City Council to determine availability for meeting dates, given several Saturday options. Each Council member responded with their availability and the one common date that worked for everyone was Saturday, April 6. The Session is anticipated to begin at 8 a.m. and end around 2 p.m. that day.

A motion was made by Stelmach, seconded by Schulz, to set the Council Strategic Planning Session meeting date for Saturday, April 6, 2019. The motion carried 5-0.

H. APPROVE PROPOSAL FROM MACDONALD & MACK ARCHITECTS FOR HISTORIC 1915 WATER TOWER CONDITIONS ASSESSMENT

Abts explained the City Council accepted a grant from the Minnesota Historical Society for a Conditions Assessment for the 1915 Water Tower on January 14. The Conditions Assessment will provide information on necessary steps to stabilize and preserve the

water tower. The assessment will include an examination of the tower's structural components, character defining-features, and necessary improvements. A list of recommendations and cost estimates for each recommendation will be generated.

Abts reported the grant requires that a qualified Historic Architect be hired to complete the Conditions Assessment. Alexa McDowell, the Architectural Historian who prepared the previous report and National Register nomination for the 1915 Water Tower, does not meet these requirements for this project.

Abts stated City staff met with four qualified firms to discuss preparing the Conditions Assessment. Staff recommend the City Council select MacDonald & Mack Architects for this project. This recommendation is based on the consultant's expertise and experience with a variety of preservation projects, understanding of the project and its local and historic context, and proposed project timeline and budget. The firm comes highly recommended from other communities and previous clients. Staff found the Consultant responsive and easy to work with during the selection process, which included preparing a written proposal and an on-site meeting. The selection process complies with grant-making requirements for procurement, as well as the City of Osseo's purchasing policy.

Schulz asked if this expense could be covered by the City's Water Fund. Stelmach explained a donation was made to the Heritage Preservation Commission to cover the expense of the Conditions Assessment. Abts indicated the Heritage Preservation Fund had a balance of approximately \$9,700 at this time.

Johnson stated he supported the contract moving forward. He asked if the City had requested the \$9,500. Abts explained the funds had been requested.

Johnson requested further information on when payment would be requested for this project. Grams stated he anticipated the City would be billed when expenses occur on a monthly basis with a not to exceed amount of \$10,000.

A motion was made by Hultstrom, seconded by Schulz, to approve the contract with MacDonald & Mack Architects for the historic 1915 Water Tower Conditions Assessment. The motion carried 5-0.

I. 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 Friday and Saturday of this week she would be attending a Leadership Conference being sponsored by the League of Minnesota Cities in Plymouth.

Hultstrom commented last week she attended the Housing for All Breakfast and noted this event was well attended.

Johnson explained he also attended the Housing for All Breakfast. He stated he appreciated the fact that six State Representatives were in attendance, along with many local elected officials.

Johnson reviewed the recent meetings he had attended for the Watershed District.

Schulz encouraged residents to stay inside and stay safe during the cold spell.

13. ANNOUNCEMENTS

Poppe stated City Hall would be closed on Friday, February 1, to allow for the installation of a backup generator.

Poppe reported a Decluttering and Downsizing Tips Session would be held on Thursday, February 7, at 9:30 a.m. at the Osseo Community Center.

Poppe invited all Osseo residents to attend the Fireman's Dance on Friday, February 8, from 8 p.m. to 12 midnight at the Legion.

Poppe explained an Exchange for Change event would be held on Saturday, February 9, from 10 a.m. to 3 p.m.

Poppe stated the City was in need of a few volunteers for its commissions. Those interested were encouraged to contact City Hall for further information.

14. ADJOURNMENT

A motion was made by Schulz, seconded by Hultstrom, to adjourn the City Council meeting at 9:05 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.