

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
July 8, 2019**

1. CALL TO ORDER

Mayor Duane Poppe called the regular meeting of the Osseo City Council to order at 7:07 p.m. on Monday, July 8, 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, and City Attorney Mary Tietjen.

Others present: None.

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. Approve Council Work Session Minutes of June 24
- B. Approve Council Minutes of June 24
- C. Receive June Building Report
- D. Approve Rate Updates with Kennedy & Graven for Legal Services
- E. Approve Training Request for City Clerk LeAnn Larson
- F. Approve Hire of Reserve Officer Aaron Fimon

Stelmach stated Schulz should be noted as thanking Johnson within the work session minutes of June 24.

A motion was made by Stelmach, seconded by Schulz, to approve the Consent Agenda as amended.

Johnson asked for clarification on the rate updates to the Kennedy & Graven legal services agreement. Grams discussed the rate updates in detail with the Council.

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
Premier Bank	\$5,000	Night to Unite
Osseo Savitt Paint Store	\$ 65	Pavement Mgmt Fund

Staff recommended the Council accept the donations.

A motion was made by Schulz, seconded by Stelmach, to adopt Resolution No. 2019-39 accepting donations from Premier Bank and the Osseo Savitt Paint Store. The motion carried 5-0.

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS – None.

10. NEW BUSINESS

A. CONFIRM EDA ACTIONS OF JULY 8, 2019

Grams discussed the actions of the EDA. He noted the EDA approved accounts payable, discussed a property donation agreement, heard a presentation on Hennepin County Business Recycling Program, and discussed the Osseo Gateway Sign and business communications.

A motion was made by Schulz, seconded by Stelmach, to confirm the EDA Actions of July 8, 2019. The motion carried 5-0.

B. CONSIDER AMENDED FEE SCHEDULE FOR COMMUNITY CENTER RENTALS (Resolution)

City Planner Nancy Abts stated the City Council reviewed the Community Center policy and procedures at the May and June work sessions. Following those discussions, increased fees for non-resident use of the Community Center, and an extended weekend rental period, are proposed. Resident per-hour rates are not increased, but the longer weekend rental period leads to a proportionately higher charge. Fees for use of these facilities will be set by resolution in the City Fee Schedule.

Johnson recommended Minnesota sales tax be added to the Community Center rental fees.

Schulz indicated he could support adding the sales tax to the rental fees. He stated he was interested to see how the increased rates would impact use of the Community Center.

A motion was made by Johnson, seconded by Stelmach, to adopt Resolution No. 2019-40 amending the 2019 Fee Schedule with the change in Community Center rental hourly fees. The motion carried 5-0.

C. APPROVE UPDATED PURCHASING AND CREDIT CARD POLICY

Grams stated a Council suggestion from the June 24 work session was to combine the current Purchasing and Credit Card policies and have City Attorney Mary Tietjen review the language. City Attorney Tietjen and staff have collaborated to clarify language for consistency, eliminate redundancy, and modify the contract purchasing section to conform to state statute. Staff reviewed the proposed language changes with the Council and recommended approval.

Johnson stated he supported the City having a higher limit for credit card purchases.

Schulz commented he could see the Public Works Department having a higher limit. He questioned if a limit should be set on the number of times a single credit card purchase could be made by the Public Works Department. City Attorney Tietjen explained language could be added to address this concern.

Johnson indicated the Council may want to address the 10-day payment policy. City Attorney Tietjen reported this was state law.

Johnson commented he could support the Public Works Department purchasing limit being higher than other departments. He recommended the level be set at \$3,000 for a single purchase, with all other departments having a single purchase limit of \$2,000.

A motion was made by Johnson, seconded by Hultstrom, to approve the draft Purchasing and Credit Policy, having the Public Works Department level be set at \$3,000 for a single purchase, with all other departments having a single purchase limit of \$2,000; and that the Minnesota Statute 2018 Uniform Municipal Contract Law be adopted. The motion carried 5-0.

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.

Hultstrom asked if a full or partial amount would be refunded for a Community Center deposit where damage had occurred. She explained she was told this item would become a legal matter if the deposit were held. She noted this item was pulled off of the Accounts Payable at the last Council meeting and she did not support this item moving forward without further Council discussion.

Grams explained staff sent an email to the Council regarding this matter addressing the stains that occurred at the Community Center. He reported staff was recommending \$100 of the \$250 deposit be returned, as \$150 was used to pay Public Works staff to rent a carpet cleaner and clean the carpets. He indicated he was concerned if the City were to keep all of the damage deposit without substantiating the expense this could become a legal challenge.

Schulz explained he had not had a chance to review the email from staff as it was just sent out this afternoon. He indicated he could support Hultstrom on this matter and he did not believe this matter was handled in the best manner.

Hultstrom commented she had pictures of the Community Center and noted these pictures had been sent to staff. She stated a precedent could be set on this and she wanted to be assured that this matter was handled properly. She did not believe this would become a legal matter. She was of the opinion it was staff's discretion as to how much of the deposit was returned and she was not comfortable with the amount that was being paid out. She believed the damage that was done was significant enough that no deposit should be returned. She commented the City may have to consider hiring staff to visit the Community Center on the weekends to inspect the space after being rented and to run a carpet cleaner when necessary. She expressed frustration with the fact staff had not responded to the questions she asked at the last Council meeting until late this afternoon.

Stelmach asked if this item were removed from Accounts Payable if staff could report back to the Council on the amount of time that was spent cleaning the carpets. He questioned if the

City was bound by a specific timeframe to return the damage deposit. City Attorney Tietjen stated she was not aware of any specific timeframes. Abts reported the Community Center policy states deposits would be returned within three weeks.

Hultstrom stated she would support the Council having further discussion regarding the Community Center, the rental of this space, how the space was to be cleaned, and how damage deposits should be managed.

Stelmach asked if the damage was taking care of by the cleaning. Grams stated to the best of staff's ability it was taken care of.

Stelmach commented he did not support keeping the entire damage deposit. He recommended a portion be kept in order to cover staff costs to remedy the situation or fix the damage.

Johnson questioned if the renter had been in contact with the City regarding the damage deposit. Abts reported Karen had been in contact with the renter noting the deposit was being held for Council review.

Johnson withdrew his motion to approve the Accounts Payable as presented. Schulz withdrew his second.

A motion was made by Johnson, seconded by Schulz, to approve the Accounts Payable as amended withdrawing the damage deposit check, #7607.

The motion carried 5-0.

11. ADMINISTRATOR REPORT – None.

12. COUNCIL AND ATTORNEY REPORTS

Abts stated she would be attending a Basic Economic Development Course in Maple Grove Monday through Friday of next week.

Hultstrom congratulated Brooklyn Park for their creative funding efforts to install solar panels which would save them \$60,000 per year in electric costs.

Hultstrom noted she attended the League of Minnesota Cities Conference where she serves on the Nominating Committee.

Stelmach thanked the Lions Club for presenting him with a certificate naming him the Grand Marshal for the 2019 Lions Roar. He stated this was quite an honor for him.

Schulz explained he appreciated attending the League of Minnesota Cities Conference in Duluth and commented on the seminars he attended.

13. ANNOUNCEMENTS

Poppe stated the Farmers Market would be held on Tuesday, July 9, from 3 to 7 p.m. He noted the Farmers Market would be held through the end of September.

Poppe reported the next Music in the Park event would be held on Tuesday, July 9, at 7 p.m. where the Classic Big Band would be featured.

Poppe explained Night to Unite would be held on Tuesday, August 6, from 5 to 8 p.m. at City Hall.

14. ADJOURNMENT

A motion was made by Schulz, seconded by Hultstrom, to adjourn the City Council meeting at 7:55 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.