



Osseo City Council Meeting

AGENDA

REGULAR MEETING
Monday, October 28, 2019
7:00 p.m., Council Chamber

MAYOR: DUANE POPPE COUNCILMEMBERS: JULIANA HULTSTROM, HAROLD E. JOHNSON, MARK SCHULZ, LARRY STELMACH

1. **Call to Order**
2. **Roll Call** [quorum is 3]
3. **Pledge of Allegiance**
4. **Approval of Agenda** [requires unanimous additions]
5. **Consent Agenda** [requires unanimous approval]
 - A. Approve October 14 Council Minutes
 - B. Receive October 14 EDA Minutes
 - C. Approve Posting for Seasonal Rink Attendants
 - D. Receive September Hockey Association Gambling Report
 - E. Receive October 15 Heritage Preservation Notes
 - F. Receive September Fire Relief Association Gambling Report
 - G. Receive September Fire Report
6. **Matters from the Floor**
7. **Special Business**
 - A. Accept Donations (Resolution)
8. **Public Hearing**
9. **Old Business**
10. **New Business**
 - A. Approve Feasibility Report for 2020 Street Project (Resolution)
 - B. Discuss Property Donation Agreement
 - C. Approve Personnel Policy and Employee Compensation Plan
 - D. Approve Accounts Payable
11. **Administrator Report**
12. **Council and Attorney Reports**
13. **Announcements**

City Hall Closed Monday, November 11 (Veterans Day)
Next EDA & City Council Meetings Tuesday, November 12
14. **Adjournment**

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
October 14, 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, October 14, 2019.

2. ROLL CALL

Members present: Councilmembers Juliana Hultstrom, Harold E. Johnson, Mark Schulz, and Mayor Duane Poppe.

Member absent: Councilmember Larry Stelmach.

Staff present: City Administrator Riley Grams, Police Chief Shane Mikkelsen, Officer Heather Starry, and City Attorney Andrew Biggerstaff.

Others present: James Kelly, Preston Kroska, Jody Starry, Eric & Ali Balabon, Howard & Rhonda Johnson.

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 Johnson, to accept the Agenda as presented. The motion carried 4-0.

5. CONSENT AGENDA

- A. Receive Planning Commission Minutes of September 16
- B. Approve Work Session Minutes of September 23
- C. Approve Council Minutes of September 23
- D. Approve Work Session Minutes of September 30
- E. Receive September Building Report
- F. Receive August Hockey Association Gambling Report
- G. Approve Posting for Seasonal Public Works Winter Position
- H. Receive YTD Donation Fund Summary
- I. Receive September American Legion Gambling Report
- J. Receive September Lions Club Gambling Report
- K. Approve Hire of Firefighters (Breanna Duggan, Andrew Larkins, Nicolas Martinson, Bryce Merrill, Samuel Mulvaney, John Nyquist, and Mackenzie Phenow)

A motion was made by Schulz, seconded by Hultstrom, to approve the Consent Agenda. The motion carried 4-0.

6. MATTERS FROM THE FLOOR

Preston Kroska, 601 2nd Avenue NE, requested further information on how the October 28 City Council meeting will address the WSB street improvement project. He explained a neighborhood meeting was held on October 1 and he said he thought WSB was ill-prepared.

Grams explained on October 28 the Council will review the Feasibility Report for the 2020 street improvement project. He stated if the Council agrees with the report it will be approved and forwarded to WSB to complete plans and specifications for the project.

Mr. Kroska asked if the City would be resurveying lots through the street improvement project. Grams reported this would be completed as part of the project.

7. SPECIAL BUSINESS

A. OATH OF OFFICE FOR POLICE OFFICER HEATHER STARRY

Police Chief Shane Mikkelson introduced Police Officer Heather Starry to the Council.

City Attorney Andrew Biggerstaff administered the Oath of Office to Officer Starry. A round of applause was offered by all in attendance.

B. ACCEPT DONATIONS (Resolution)

Grams stated the City has received the following donations:

Donor	Amount/Item	Designated Fund
Rochon Corporation	\$300	Minidazzle
Osseo Lions Club	\$500	Park & Recreation
Harold E. & Gayle Johnson	\$600	Beautification/Streetscape
<i>(in memory of Dona Caswell, Bill Fignar, Robert Goth, Ronald Krone, Raymond Lunde, & James Wishy)</i>		

Staff recommended the Council accept the donations.

A motion was made by Schulz, seconded by Hultstrom, to adopt Resolution No. 2019-61 accepting donations from Rochon Corporation, Osseo Lions Club, and Harold E. & Gayle Johnson. The motion carried 4-0.

8. PUBLIC HEARINGS

A. CONSIDER DELINQUENT UTILITY AND WASTE CHARGES (Resolution)

Grams stated City Code Section 51.37(C) allows delinquent accounts for City utilities to be assessed to property owners. It also states that the amount certified shall include

late payment penalties and administrative charges, and the amount shall bear interest as determined by Council resolution.

Grams explained all property owners with amounts due to the City and Randy's Environmental Services as of August 31, 2019, were notified by letter of the pending assessment on the following dates:

- City utility accounts: September 5, 2019
- Randy's Environmental waste accounts: September 10, 2019

Grams reported the City accounts are for water, sanitary sewer, and storm sewer utility services. Randy's Environmental accounts are for garbage, recycling, organics, and yard waste disposal services provided to residential properties in Osseo. As part of the current agreement with Randy's, the City assists in collection of delinquent garbage costs by certifying delinquent garbage accounts as allowed by MS 443.015.

Grams commented if unpaid by November 15, 2019, the amount in the Certify column will be assessed to Hennepin County property taxes along with 14 months of interest at a rate of six percent. This includes a \$30 administrative charge with each property address. Assessments must be adopted by October 15 by resolution each year to be placed on a property owner's property tax statement per MS 444.075 subd. 2a.

A motion was made by Schulz, seconded by Hultstrom, to open the Public Hearing at 7:13 p.m. The motion carried 4-0.

Preston Kroska, 601 2nd Avenue NE, asked if six percent interest was a high enough rate. Grams reported this rate was set by the Council at the beginning of the year and would cover the City's expenses.

No other public comments were offered.

A motion was made by Johnson, seconded by Schulz, to close the Public Hearing at 7:14 p.m. The motion carried 4-0.

Johnson asked if the amount being certified was similar to years past. Grams reported this was the case.

A motion was made by Johnson, seconded by Hultstrom, to adopt Resolution No. 2019-62 certifying delinquent utility charges and delinquent waste removal charges against specified properties as presented in Exhibits A & B.

Schulz recommended the payment date (November 15, 2019) be added to the resolution.

Johnson and Hultstrom supported this friendly amendment.

The motion carried 4-0.

9. OLD BUSINESS – None.

10. NEW BUSINESS

A. CONFIRM EDA ACTIONS OF OCTOBER 14, 2019

Grams discussed the actions of the EDA. He noted the EDA approved accounts payable, discussed an update to a property donation agreement, and discussed public parking options in downtown Osseo.

A motion was made by Schulz, seconded by Johnson, to confirm the EDA actions of October 14, 2019. The motion carried 4-0.

B. DESIGNATE POLLING PLACE FOR 2020 ELECTIONS (Resolution)

Grams stated Minnesota Statutes Section 204B.16 states that by December 31 of each year the governing body of each city must designate by ordinance or resolution a polling place for each election precinct. Osseo has one voting precinct--the Osseo Community Center. This "house-keeping" matter is done annually.

A motion was made by Hultstrom, seconded by Schulz, to adopt Resolution No. 2019-63 establishing the polling place for the election precinct for the 2020 elections. The motion carried 4-0.

C. 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 4-0.

11. ADMINISTRATOR REPORT

Grams thanked the Council for hiring the new firefighters. He explained Fire Chief Mike Phenow has been doing a lot of hard working gathering and training new recruits.

12. COUNCIL AND ATTORNEY REPORTS

Hultstrom reported last Wednesday she attended a meeting with the Northwest Hennepin League of Municipalities in Loretto.

Johnson stated he was pleased to see the Fire Chief working to fill the vacancies within the Fire Department.

Schulz commented he attended the 100th Anniversary for the Osseo-Maple Grove American Legion. He thanked the Mayor for making a great presentation.

13. ANNOUNCEMENTS

Poppe reported tree planting would occur at the Osseo Orchard on Tuesday, October 15, from 8:30 a.m. - 10:30 a.m. and volunteers were needed.

Poppe stated a Halloween Movie in the Park event would be held on Friday, October 25, at 7:00 p.m. He indicated Hocus Pocus, Toy Story 4, or Monsters, Inc. would be screened.

Poppe explained the Osseo Lions Halloween Event would be held on Saturday, October 26, from 11:00 a.m. to 1:00 p.m. in downtown Osseo.

14. ADJOURNMENT

A motion was made by Schulz, seconded by Hultstrom, to adjourn the City Council meeting at 7:30 p.m. The motion carried 4-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.

**OSSEO ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES
October 14, 2019**

1. ROLL CALL

President Duane Poppe called the regular meeting of the Osseo Economic Development Authority to order at 6:00 p.m., Monday, October 14, 2019.

Members present: Teresa Aho, Deanna Burke, Harold E. Johnson, Sherry Murdock, Duane Poppe, and Mark Schulz.

Member absent: Larry Stelmach.

Staff present: Executive Director Riley Grams.

Others present: None.

2. APPROVAL OF AGENDA

A motion was made by Johnson, seconded by Schulz, to approve the Agenda as presented. The motion carried 6-0.

3. APPROVAL OF MINUTES – SEPTEMBER 9, 2019

A motion was made by Johnson seconded by Aho, to approve the minutes of September 9, 2019, as presented. The motion carried 6-0.

4. MATTERS FROM THE FLOOR – None.

5. PUBLIC HEARINGS – None.

6. ACCOUNTS PAYABLE

Grams presented the EDA Accounts Payable listing.

A motion was made by Johnson, seconded by Burke, to approve the Accounts Payable. The motion carried 6-0.

7. OLD BUSINESS

A. DISCUSS UPDATE ON PROPERTY DONATION AGREEMENT

Executive Director Riley Grams stated at the June 10 EDA meeting the EDA directed staff and the City Attorney to draw up a draft donation agreement between the City of Osseo and Wiley Enterprises for the donation of the empty lot located at 632 Central Ave. The idea was that the owner Barb Wiley would donate the property to the City in exchange for paying off the property's special assessment amount and paying for an appraisal of the property.

Grams explained the City Attorney drew up a donation agreement and staff sent it to Wiley Enterprises for review. Wiley Enterprises wanted the property to remain as open space and was not agreeable to the property being developed at some point in the future. The City Attorney attempted to write the agreement with that in mind; however, it is difficult to handcuff the City to not developing ANY of that property (either all or partial) in the future, should they desire to do so. The initial draft of the agreement was rejected by Wiley Enterprises, noting that the property could ultimately wind up as part of a redevelopment for the benefit of the City and a future developer.

Grams commented unless the EDA/City is willing to agree to a 100% no-development clause on this property, there may not be an agreement.

Murdock questioned why the Wileys were adamant that the property not be developed. Grams explained it was his understanding this space was to remain open green space for future generations.

Johnson stated the only reason the EDA would consider this property would be for development and because the Wileys do not want the property developed, he supported the matter being sent back to the City Council for further consideration. He commented if the property was set aside as greenspace it would be taken off the tax rolls, which would not benefit the EDA.

Schulz agreed with this assessment.

Johnson recommended this item go to the City Council for further discussion. EDA consensus was in agreement.

8. NEW BUSINESS

A. DISCUSS PUBLIC PARKING OPTION

Grams stated in the past the Osseo EDA has discussed and been on the lookout for ways to provide additional public parking in the downtown area to help relive the thought that there is a parking issue. Recently, EDA Commissioner Schulz reached out to Connie Aho, who owns the property located at 233 1st Avenue NE (commonly referred to as the First Avenue Commons building, or the “old pharmacy” building), to inquire about potentially using the parking lot as general public parking. A few of the spots could be signed as dedicated business only parking (for the tenants of that building) but remaining parking areas would be open to the general public.

Grams reported in exchange for offering public parking at this location, the City has discussed the idea of providing snow removal on the parking lot. Grams asked Public Works Director Nick Waldbillig about this idea, and while he states it would add more time to his crew for overall city-wide snow removal, he would be open to it if directed to do so. The plow and pickup trucks do come down the alley during the snow removal process, and could make a quick stop at this location, pull the snow into the alley, and then push it further down the line into piles to be hauled away. Waldbillig said it would not be his recommendation to provide snow removal of the sidewalks at that property, however. Sidewalk snow removal is much more labor intensive and time consuming, he noted, and he wouldn't want to bog down the crew any further time-wise.

Grams explained if this seems an agreeable option, the EDA would purchase additional blue Public Parking signs (like ones that are already up in the downtown area) to direct traffic to that lot for public parking purposes. He estimates about four additional pointed blue signs would be needed. The EDA should discuss this parking option and provide some type of recommendation. Ultimately, the use of City staff (Public Works snow removal) would need to be approved by the City Council.

Schulz commented additional parking was always needed downtown in Osseo. He estimated 30 parking stalls could be added from this lot. He believed that it would benefit the City to offer snow removal services in order to have use of this lot for public parking. He supported the EDA signing this lot for public parking.

Aho explained her mom was one of the owners of this building and, therefore, she would be abstaining from voting on this item.

Johnson recommended this parking lot then be added onto the City's liability insurance policy. Grams stated he would speak with the City Accountant regarding this matter.

Johnson suggested signs be posted on the south side of the lot to note those spaces are for business use only.

Schulz anticipated the property owner could look into this.

Johnson stated he supported the EDA pursuing an arrangement with the property owner for the public parking option on private property.

A motion was made by Schulz, seconded by Murdock, to direct staff to engage in public parking negotiations for the parking lot at First Avenue Commons with signage not to exceed \$1,200. The motion carried 5-0 (Aho abstained).

9. REPORTS OR COMMENTS: Executive Director, President, Members

Grams reviewed the Open to Business events that would be held this fall and noted this information would be placed on the EDA's portion of the website.

Grams updated the EDA on the ad that would be placed in the Yellow Tree Theatre winter programs.

Johnson stated he liked parking that would be added along Third Street NE.

10. ADJOURNMENT

A motion was made by Schulz, seconded by Aho, to adjourn at 6:27 p.m. The motion carried 6-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.



City of Osseo City Council Meeting Item

Agenda Item: Approve Posting for Seasonal Rink Attendants

Meeting Date: October 28, 2019

Prepared by: Nick Waldbillig, Public Works Director

Attachment: None

Policy Consideration:

Consider posting for seasonal rink attendants.

Background:

The seasonal rink attendants aid the public works department with snow removal, sportsmanship, and warming house duties at the skating rink each winter. The rink location is at 324 6th Avenue NE (former Elementary School).

Previous Action or Discussion:

This position is approved each year in the annual budgeting process.

Budget or Other Considerations:

The wages for this position will be paid out of the parks part-time budget. The hourly rate of \$10 was approved in 2018.

City Goals Met By This Action:

Continue to give staff the necessary tools to do their jobs effectively and efficiently.

Promote a healthy and high quality standard of living.

Provide a variety of activities for all citizens with continued and new City events and programs.

Options:

The City Council may choose to:

1. Approve posting for seasonal rink attendant position;
2. Approve posting for position with noted changes/as amended;
3. Deny posting for position;
4. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the City Council choose option 1, Approve posting for seasonal rink attendant position.

Next Step:

Post for position.

Osseo Maple Grove Hockey Association Gambling Report
to
City of Osseo

5 D

1. Report for the month of Sep-19

2. Check as appropriate:

 x pulltabs

 x tipboards

3. Gross receipts 272,730

4. Expenses - total 266,814

Expenses itemized:

Compensation 7,118

Prizes 238,361

Pull tab games/taxes 4,239

Supplies/misc/payroll proc./storage 1,902

Combined receipts 14,409

Cash long/short (mo. Games) (90)

Rent 875

5. Profits 5,916

6. Distribution of profits (itemized)

OMGHA \$ 50,000

Signed:

Craig Cheatham

This completed form must be returned to the Osseo City Clerk's office by the 19th day of each month and is required by state law and City ordinances for all licensed organizations.



Osseo Heritage Preservation Commission

The Heritage Preservation Commission was formed in 1992 to review historically significant properties and issues in Osseo. The Commission acts in tandem with the Planning Commission in recommending to the City Council the appropriate means of preserving the heritage of the community.

OHPC Meeting Notes: October 15, 2019, 6:30 p.m. Location: Osseo City Hall

Meeting Attendees: Patty McLean, Dorothy Clarke, Mary Moyle

1. Our next meeting in 2020 will be January 21st.
2. No new update on the water tower.
3. Discussed Union Speed and Style Company open house that was held on September 6th.
4. Discussed that we will change out the city hall cabinets throughout the winter with different artifacts.

COMMISSION MEMBERS AND CONTACT INFORMATION

Harold Johnson, councilmember and commission liaison
haroldjohnson@ci.osseo.mn.us 763-424-3707

Patty McLean, resident commission member, co-chair
mcleanpk@gmail.com 763-425-2157

Dorothy Clarke, honorary resident commission member, co-chair
763-760-2741

James Killmer, resident commission member
manyki@online.no

Jaz Kelm, commission member
kelmjazmine@gmail.com 218-251-0705

Brittney Quant, resident commission member
bquant@comcast.net 612-275-9590

Jan Hawkins, resident commission member
janella@embarqmail.com 763-424-5850



Osseo Fire Department Relief Association
 Charitable Gambling Operations
 Minnesota Lawful Gambling License # 01851
 415 Central Ave
 Osseo, MN 55369

Osseo Fire Department Relief Association Charitable Gambling Report to the City of Osseo

- Report for the month of **September 2019**
- For the conduct of the following types of lawful gambling (as checked):

Pull-Tabs	57 deals
Paddlewheel	63 deals
Electronic Pull-Tabs	30 occasions
Electronic Linked Bingo	30 occasions
Sports-Themed Tipboards	1 deals

3. Receipts

Gross Receipts (G1 11A)	\$394,574.20	
Less Prizes Paid (G1 11B)	- \$339,145.99	
Net Receipts	\$55,428.21	→ \$55,428.21

4. Expenses

Wagering Tax (tax on Schedule C)	\$6,073.71	
Rent (G1A 18)	\$4,817.65	
Gambling Product Costs (G1A 12)	\$3,199.53	
Electronic Pull-Tab Costs (G1A 19-20)	\$6,763.23	
Compensation & Payroll (G1A 13)	\$8,959.30	
Other (G1A 14-17,21-23) (accounting, supplies, etc.)	+ \$544.77	
Total Expenses	\$30,358.19	→ - \$30,358.19

5. Profit **\$25,070.02**

6. Distribution of Profits (Lawful Purpose Expenditures):

Osseo Dance Club	\$250.00
Osseo Cheer Boosters	+ \$250.00
Total Donations	\$500.00

Signed: _____

Dave Jorgenson, Gambling Manager



Osseo Fire Department Activity Summary – September 2019

Incident Responses

Fire	11
Building Fire	0
Appliance Fire	0
Vehicle Accident	1
Smoke	0
Fire Alarm	3
Canceled En Route	5
Wire Down	1
HazMat Spill	1
EMS	15
Medical	12
Welfare Check	1
Lift	1
Mutual Aid	0
Total	26

Training

- EMR (Emergency Medical Responder) Refresher
- Car Fire Simulator and Driving Course
- Submit annual EMSRB (MN Emergency Medical Services Regulatory Board) recertifications
- Submit annual MFSCB (Minnesota Fire Service Certification Board) recertifications

Activities

- Osseo Lion's Roar
- Fire Department Group Photo
- Candidate Physical Ability Testing
- Candidate Interviews
- Hennepin County Fire Chiefs Association Meeting

Other

- Outfitting New Utility 11 Apparatus
 - Lighting and Communication
 - Equipment Box
 - Identification Body Wrap

Resolution No. 2019-xx**RESOLUTION ACCEPTING DONATIONS TO CITY OF OSSEO**

WHEREAS, the Osseo City Council is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statutes Section 465.03; and

WHEREAS, the Council agrees that said donations would be of benefit to the citizens of Osseo; and

WHEREAS, the following have proposed these contributions to the City of Osseo and the donations be used for specific purposes as indicated below:

<u>Donor</u>	<u>Amount/Item</u>	<u>Designated Fund</u>
Becky Meierhofer Insurance	\$100	Minidazzle
Realife Cooperative	\$250	Minidazzle
Osseo American Legion	\$500	Minidazzle
Lynde Enterprises	\$500	Minidazzle
Harold E. & Gayle Johnson	\$400	Beautification/Streetscape
<i>(in memory of Judy Christianson, John Hansen, Robert Lage, & Irene Nerison)</i>		



Agenda Item: Items pertaining to the 2020 Street Reconstruction Project

Meeting Date: October 28, 2019

Prepared By: Lee Gustafson, City Engineer

Attachments: Feasibility Report and Resolution

Policy Consideration:

Request to approve the following:

1. Resolution receiving feasibility report and calling for the improvement hearing.

Background:

The 2020 Street Reconstruction Project consists of reconstructing portions of 2nd Avenue NE and 3rd Avenue NE, from 4th Street NE to CR 30 including repairing or minimal reconstruction of the storm and sanitary sewer, and full replacement of curb and gutter. See attached project location map.

Surface Improvements

As part of the City's initiative to increase walkability around the City, sidewalk installation is being considered for this project. In analyzing the sidewalk options, it was determined that narrowing the road slightly would maintain the functionality of the existing street while reducing the impacts on adjacent properties. The sidewalk installation recommendations therefore assume that both 2nd Avenue NE and 3rd Avenue NE will be reduced to a 32-foot wide street section.

In determining the benefit of sidewalk on the project, each sidewalk option was evaluated for potential impacts, connectivity to existing sidewalk, and overall benefit to adjacent properties. Based on this evaluation, new sidewalk is proposed on both 2nd Avenue NE and 3rd Avenue NE as noted within the feasibility report.

Utility Improvements

Storm and sanitary sewer televising, and geotechnical evaluation was performed as a part of preparing the feasibility report to help calculate pavement design and recommended utility repairs. Installation of additional catch basins to minimize local flooding concerns are proposed for the storm sewer. Minimal casting and manhole improvements are proposed for the sanitary sewer.

Minor watermain improvements are also proposed as part of this project. All hydrants are proposed to be replaced, as well as any valves or watermain structures found to be deficient throughout the project area. New hydrants will be added to provide fire protection to the all properties within the project area.

Public Involvement

A neighborhood open house for the proposed improvements was conducted on October 1, 2019. Preliminary information was presented to 11 property owners regarding the proposed improvements, funding, schedule, and impacts associated with the project. Comment cards were made available to attendees at the meeting and responses that were received prior to the

meeting are shown within the feasibility report. Sidewalk installation was a big concern to those that attended the meeting.

Funding/Financing:

The total project cost is estimated at \$1,034,500.00, and includes all proposed street, utility, sidewalk, and storm sewer improvements as well as all engineering, legal, financing, and administrative costs. Detailed cost estimates can be found in the attached feasibility report. The opinion of probable cost is based on projected construction costs for 2020 and includes a 10% contingency and 25% indirect costs. The indirect costs include engineering, legal, and administrative costs associated with the project. No right-of-way acquisition is expected as a part of this project.

Financing the 2020 Street Reconstruction Project will be based on the City's special assessment policy which calls for 50% of the proposed improvements to be specially assessed including all administrative costs. The remaining 50% and 100% of the storm and utility costs will be financed by the City through street and enterprise funds. The proposed assessment roll is included in the feasibility report, along with an assessment map highlighting the benefiting properties and the assessment calculations for benefiting property owners.

Schedule:

The next step for this project is to hold an improvement hearing on November 25, 2019. Immediately following the improvement hearing, Council will consider authorizing the preparation of plans and specifications. A detailed schedule is included within the feasibility report.

Previous Action or Discussion:

Council authorization of a feasibility report on August 26, 2019.

Budget or Other Considerations:

Project will be funded in accordance with the City's special assessment policy for street reconstruction.

Options:

The City Council may choose to:

1. Adopt the attached resolution receiving the feasibility report and calling for the improvement hearing for the 2020 Street Reconstruction Project;
2. Adopt the attached resolution receiving the feasibility report and calling for the improvement hearing for the 2020 Street Reconstruction Project with noted changes or as amended;
3. Deny the project;
4. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the City Council choose Option (1): Adopt the attached resolution receiving the feasibility report and calling for the improvement hearing for the 2020 Street Reconstruction Project.

Next Step:

November 25, 2019: Hold improvement hearing, and authorize preparation of plans and specifications.

K:\014703-000\Cad\Exhibits\014703-000 Project Location Exhibit.dwg 8/29/2019 11:08:49 AM



WSB PROJECT NO.:
014703-000

2020 STREET RECONSTRUCTION PROJECT
FIGURE 1 - PROJECT LOCATION MAP
CITY OF OSSEO, MN





FEASIBILITY REPORT

2020 STREET RECONSTRUCTION PROJECT

CITY OF OSSEO | HENNEPIN COUNTY, MINNESOTA

OCTOBER 28, 2019

Prepared for:
City of Osseo
415 Central Avenue
Osseo, MN 55369

WSB PROJECT NO. R-014703-000



FEASIBILITY REPORT

2020 STREET RECONSTRUCTION PROJECT

**FOR THE
CITY OF OSSEO, MINNESOTA**

October 28, 2019

Prepared By:





October 28, 2019

Honorable Mayor and City Council
City of Osseo
415 Central Avenue
Osseo, MN 55369

Re: Feasibility Report
2020 Street Reconstruction Project
City of Osseo, MN
WSB Project No. R-014703-000

Dear Honorable Mayor and City Council Members:

Attached for your review is a feasibility report which addresses improvements associated with the 2020 Street Reconstruction Project.

We would be happy to discuss this report with you at your convenience. Please contact me at 763.762.2843 if you have any questions or concerns.

Sincerely,

WSB

A handwritten signature in black ink that reads "Emily Lueth". The signature is fluid and cursive, with the first name "Emily" and last name "Lueth" clearly distinguishable.

Emily Lueth, PE
Project Manager

Attachment

srb

CERTIFICATION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed professional engineer under the laws of the State of Minnesota.


Emily A. Lueth, PE

Date: October 28, 2019

Lic. No. 51773

Quality Control Review Completed By:


Lee E. Gustafson, PE

Date: October 28, 2019

Lic. No. 18443

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LETTER OF TRANSMITTAL

CERTIFICATION SHEET

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Appendix A

Figure 1 – Project Location Map

Figure 2 – Typical Sections

Figure 3 – Residential Driveway Apron Detail

Appendix B

Sidewalk Options – Existing Conditions and Impacts

Appendix C

Opinion of Probable Cost

TABLE OF CONTENTS (continued)

Appendix D

Geotechnical Report

Appendix E

Assessment Map

Preliminary Assessment Roll

Appendix F

Public Comment Summary

1. EXECUTIVE SUMMARY

The 2020 Street Reconstruction Project consists of roadway improvements on 2nd Avenue NE and 3rd Avenue NE. A map illustrating the project location is shown on **Figure 1** in **Appendix A**.

Improvements throughout the project consist of roadway reclamation, full curb replacement, minor utility improvements, and sidewalk installation and repair. New sidewalk is proposed to be installed on both 2nd Avenue NE and 3rd Avenue NE and will be located on the side of the road that will result in the least number of impacts to mailboxes, trees, and roadside utilities, while maintaining connectivity to existing sidewalks.

The cost of the 2020 Street Reconstruction Project, based on the recommended scope of work, is estimated at **\$1,034,500**. This includes a 10% contingency and 25% indirect costs. Funding for the project will consist of special assessments and City street and utility funds.

The proposed project schedule includes construction beginning May 2020, with final completion by the fall of 2020.

The project is feasible, necessary, and cost-effective from an engineering standpoint and should be constructed as proposed herein.

2. INTRODUCTION

2.1 Authorization

On August 26, 2019, the Osseo City Council authorized a feasibility report for the 2020 Street Reconstruction Project.

2.2 Scope

This feasibility report includes roadway improvements, pedestrian improvements, and utility repairs along the following roadways:

- 2nd Avenue NE from 4th Street NE to 93rd Avenue N (CR 30)
- 3rd Avenue NE from 4th Street NE to 93rd Avenue N (CR 30)

2.3 Data Available

Information and materials used in the preparation of this report include the following:

- City of Osseo Capital Improvement Plan
- City of Osseo Assessment Policy
- City of Osseo Property Index Records
- Geotechnical and Pavement Coring Reports
- Televising Reports
- Field Observations of the Area and Field Topography Surveys

2.4 Project History

The 2020 Street Reconstruction Project is identified in the City's Capital Improvement Plan to address the poor condition of these roadways.

The City held a neighborhood meeting on October 1, 2019, to receive input on the project. Many of the meeting attendees were generally supportive of the road reconstruction with concerns regarding the installation of sidewalk. Comments from the neighborhood meeting can be found in **Appendix F**.

3. EXISTING CONDITIONS

3.1 Surface

The streets included in the project have the following existing conditions.

Existing Conditions					
Street Segment	From	To	Existing Street Width	Right of Way Width	Curb
2 nd Avenue NE	4 th Street NE	93 rd Street N (CR 30)	35	50	Yes
3 rd Avenue NE	4 th Street NE	93 rd Street N (CR 30)	35	50	Yes

A geotechnical report was completed by WSB in October of 2019. Six soil borings were taken along 2nd Avenue NE and 3rd Avenue NE. The street pavement thickness ranged from 3 inches to 5.5 inches. The full geotechnical report can be found in **Appendix D**.

Sidewalks exist within the project area along the southern portion of both sides of 2nd Avenue NE. Both sidewalks consist of a 4-foot sidewalk and a 3-foot boulevard. Generally, the existing sidewalk condition is in fair condition with some cracking concerns. The existing sidewalk on the east side of 2nd Avenue NE is at or just beyond the right-of-way. The existing sidewalk conditions and proposed options for both streets are shown in **Appendix B**.

Concrete curb and gutter exists on all streets identified above. Generally, the curb and gutter is in poor condition with cracking, joint separation, and drainage concerns.

3.2 Drainage

Storm sewer facilities exist within the proposed project area. The existing sewer system was televised in preparation of this project and showed that most of the pipe was in good condition. Minor flooding during rain events has been reported within the project area at the low points.

A wetland delineation was not completed as part of this project since no wetlands are located in the project area.

3.3 Sanitary Sewer

All properties within the project area are served by City sanitary sewer. The existing sewer system was televised in preparation of this project and showed that the existing pipe is in good condition with some minor root intrusion and joint offsets.

3.4 Watermain

The properties within the project area are served by City water services. City maintenance records and resident input indicate no significant issues with the water system. Hydrant age and spacing was also reviewed in the project area.

3.5 Private Utilities

Private utilities that have facilities in or near the project area will be notified during the final design phase of the project. They will be requested to coordinate any necessary repairs and replacements as needed at their cost. Private utility companies that have facilities within the project area include the following:

- CenterPoint Energy (Gas)
- CenturyLink (Telephone/Internet)
- Comcast (Telephone/Internet)
- Mastec (Telecommunications)
- MCI (Telephone)
- Xcel (Electric/Gas)
- Zayo (Fiber Optic)

4. PROPOSED IMPROVEMENTS

4.1 Surface

The proposed roadway improvements on 2nd Avenue NE and 3rd Avenue NE include the reclamation of the existing bituminous pavement and aggregate base, realignment of the roadway to center the public infrastructure in the right-of-way including sidewalk, and full replacement of concrete curb and gutter. Due to public right-of-way constraints, both street widths are proposed to be narrowed to 32 feet wide. Typical sections are included on **Figure 2** in **Appendix A**.

The typical section has been improved to increase the longevity of the roadway. The bituminous section is slightly thicker than the existing section, which adds strength to the street. A mastic sealer will be applied between the pavement and curb edge to prevent water from penetrating into the subsoil.

4.2 Drainage

Reconstruction of the streets provides the opportunity to improve drainage within the project area through the installation of new additional catch basins to minimize local flooding concerns previously described. Existing manholes, manhole castings, and catch basins will be repaired/replaced to meet current City standards.

4.3 Sanitary Sewer

There are minimal casting and chimney seal improvements proposed for the sanitary sewer system as part of this project. Sanitary pipes within the project area are proposed to be cleaned and lined as part of a separate maintenance project.

4.4 Watermain

Minor watermain improvements are proposed as part of this project. All hydrants are proposed to be replaced, as well as any valves or watermain structures found to be deficient throughout the project area. New hydrants will be added to provide fire protection to all properties within the project area.

4.5 Pedestrian Improvements

As part of the City's initiative to increase walkability around the City, sidewalk installation is being considered for this project. Four options were considered for sidewalk installation: a 5-foot-width walk with 5-foot boulevard on the east side of the street, a 5-foot-width walk with 5-foot boulevard on the west side of the street, a 6-foot-width walk with no boulevard on the west side of the street, and a 6-foot-width walk with no boulevard on the east side of the street. Each of these options was evaluated with a 35-foot street section and a 32-foot-wide street section. In the analysis, it was determined that narrowing the road would maintain the functionality of the existing street while reducing the impacts on adjacent properties. Therefore, the recommendation listed in the table on the following page assumes a 32-foot-wide street section.

In determining the benefit of sidewalk on the project, each sidewalk option was evaluated for potential impacts, connectivity to existing sidewalk, and overall benefit to adjacent properties. There is an existing house at 609 3rd Avenue that is abutting the right-of-way line. Due to the proximity of this house, the sidewalk options were reviewed under the condition that the new curb and gutter would not get any closer to the house than the existing condition. This condition was necessary so City snowplows would not push snow any closer to the house than they do today. Based on this design requirement, the proposed location and geometry of new sidewalk are listed below.

Proposed Sidewalk			
Street Segment	From	To	Sidewalk Recommendation
2 nd Avenue NE	4 th Street NE	93 rd Street N (CR 30)	Install 5-foot-width walk with 5-foot boulevard on east side of street. (Shown as Option 1 in Appendix B.)
3 rd Avenue NE	4 th Street NE	93 rd Street N (CR 30)	Install 5-foot-width walk with 5-foot boulevard on west side of street. (Shown as Option 2 in Appendix B.) Due to the proximity of the house at 609 3 rd Avenue NE, a 6-foot-width walk would be placed at back of curb at this location. (Shown as Option 4 in Appendix B.)

As previously mentioned, the existing sidewalk conditions and proposed options for both streets are shown in **Appendix B**. In order to keep the proposed sidewalk within the right-of-way, the roadway is proposed to be realigned to center the public infrastructure section within the right-of-way.

4.6 Right-of-Way/Easements

It is expected that the roadway improvements can be completed within existing road rights-of-way.

The addition of sidewalk within the project will be located to best fit the existing right-of-way and minimize impacts to adjacent property owners.

4.7 Permits/Approvals

The anticipated permits and approvals required from the respective regulatory agencies are listed below:

- MN Pollution Control Agency NPDES.....Erosion/Stormwater
- Hennepin County Right-of-Way for 93rd Avenue N (CR 30)

4.8 Construction Access/Staging

The contractor will be responsible for providing access to properties throughout the project. Signed detours will be required to direct traffic around the construction zones and notify users of the increased truck and construction activity as needed.

4.9 Public Involvement

A neighborhood open house for the proposed improvements was conducted on October 1, 2019, for property owners. Preliminary information was presented to 11 property owners regarding the proposed improvements, funding, schedule, and impacts associated with the project. Comment cards were made available to attendees at the meeting and responses that were received prior to completing this feasibility report are shown in **Appendix F**.

5. FINANCING

5.1 Opinion of Probable Cost

A detailed opinion of probable cost is included in **Appendix C** of this report. The opinion of probable cost is based on projected construction costs for 2020 and includes a 10% contingency and 25% indirect costs. The indirect costs include engineering, legal, and administrative costs associated with the project.

The opinion of probable cost is summarized as follows:

2020 Street Reconstruction Project Opinion of Probable Cost	
	Estimated Cost
Surface Improvements	\$786,100.00
Drainage Improvements	\$86,400.00
Sanitary Sewer Improvements	\$12,600.00
Watermain Improvements	\$149,400.00
TOTAL	\$1,034,500.00

5.2 Funding

Funding for the 2020 Street Reconstruction Project will be through assessments to benefitting properties and City street and utility funds.

Assessments will be levied to the benefitting properties as outlined in Minnesota Statute 429 and the City's assessment policy. Detailed preliminary assessment rolls are included in **Appendix E**.

Financing the 2020 Street Reconstruction Project will be based on the City's special assessment policy which calls for 50% of the proposed improvements to be specially assessed. The remaining 50% and 100% of the utility costs will be financed by the City.

A summary of the assessment rates is:

Single-Family Roadway Reclamation \$6,720/unit

The assessment rates include the sidewalk installation as proposed.

The project funding is summarized as follows:

2020 Street Reconstruction Project Project Funding Summary	
Funding Source	Proposed Funding
Special Assessments	\$393,120.00
City Road Fund	\$392,980.00
City Drainage Fund	\$86,400.00
City Sanitary Sewer Fund	\$12,600.00
City Watermain Fund	\$149,400.00
TOTAL	\$1,034,500.00

6. NECESSITY AND EFFECTIVENESS

The improvements proposed in this study are necessary for a number of reasons. The proposed street improvements provide the City with a cost-effective means of rehabilitating the streets, thereby extending the life expectancy of the streets, minimizing City maintenance efforts, and providing an adequate means of transportation for local residents.

The proposed improvements will provide a project large enough to ensure a competitive bidding environment and economy of scale, and therefore, are deemed to be cost-effective. Based on the information contained within this report, the proposed improvements as described can be considered to be necessary, cost-effective, and feasible from an engineering standpoint.

7. PROJECT SCHEDULE

The proposed schedule for the 2020 Street Reconstruction Project is as follows:

City Council Authorizes Feasibility Report	August 26, 2019
Neighborhood Meeting	October 1, 2019
City Council Receives Feasibility Report/Orders Public Hearing	October 28, 2019
Public Hearing	November 25, 2019
Plan/Specification Preparation	November 2019 – January 2020
City Council Approves Plans/Specs and Authorizes Bidding	January 27, 2020
Project Bidding.....	February 2020
Assessment Hearing	March 2020
City Council Awards Construction Contract	April 2020
Construction.....	May – October 2020

8. FEASIBILITY AND RECOMMENDATION

The 2020 Street Reconstruction Project consists of pavement improvements, sidewalk installation, and minor utility improvements. Improvements included for consideration also include the addition of sidewalk at locations as depicted in **Appendix B**. The cost of the 2020 Street Reconstruction Project is estimated at **\$1,034,500**.

Based on the information contained within this report, the proposed improvements as described are necessary, cost-effective, and feasible from an engineering perspective. WSB recommends construction of the proposed improvements as detailed in this report. The economic feasibility of this project will be determined by the City Council.

APPENDIX A

Figure 1 – Project Location Map

Figure 2 – Typical Sections

Figure 3 – Residential Driveway Apron Detail

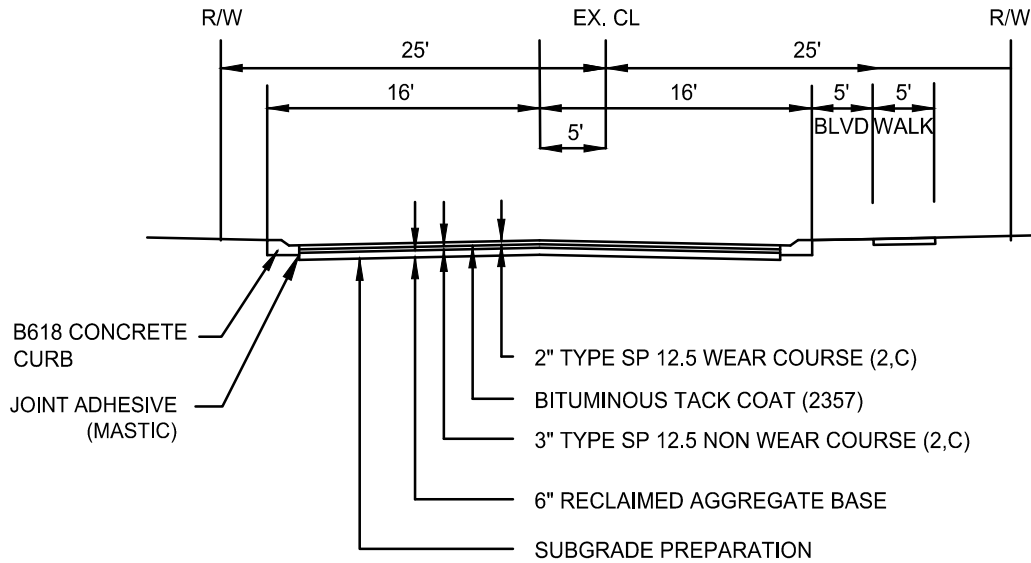
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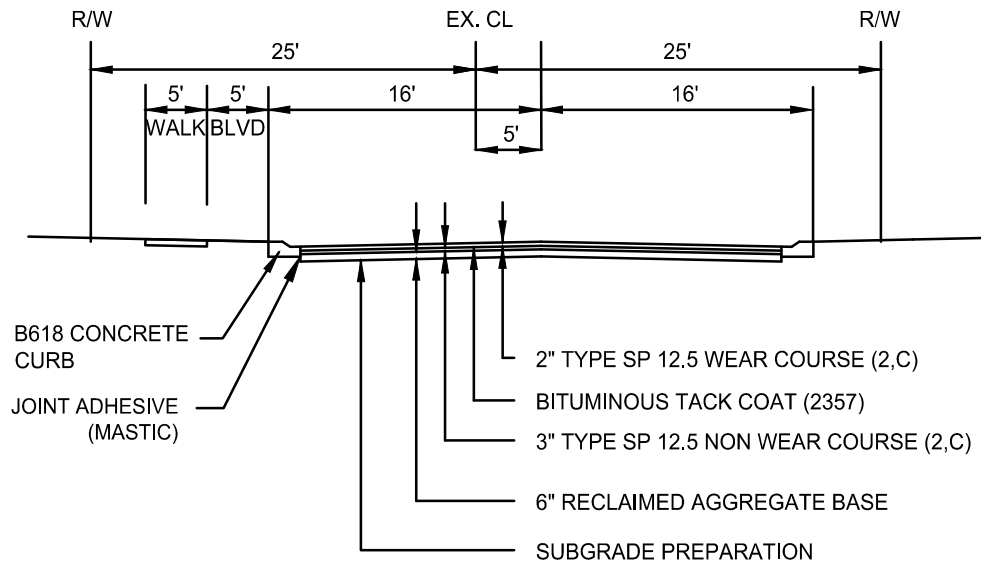
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2020 STREET RECONSTRUCTION PROJECT
FIGURE 1 - PROJECT LOCATION MAP
CITY OF OSSEO, MN

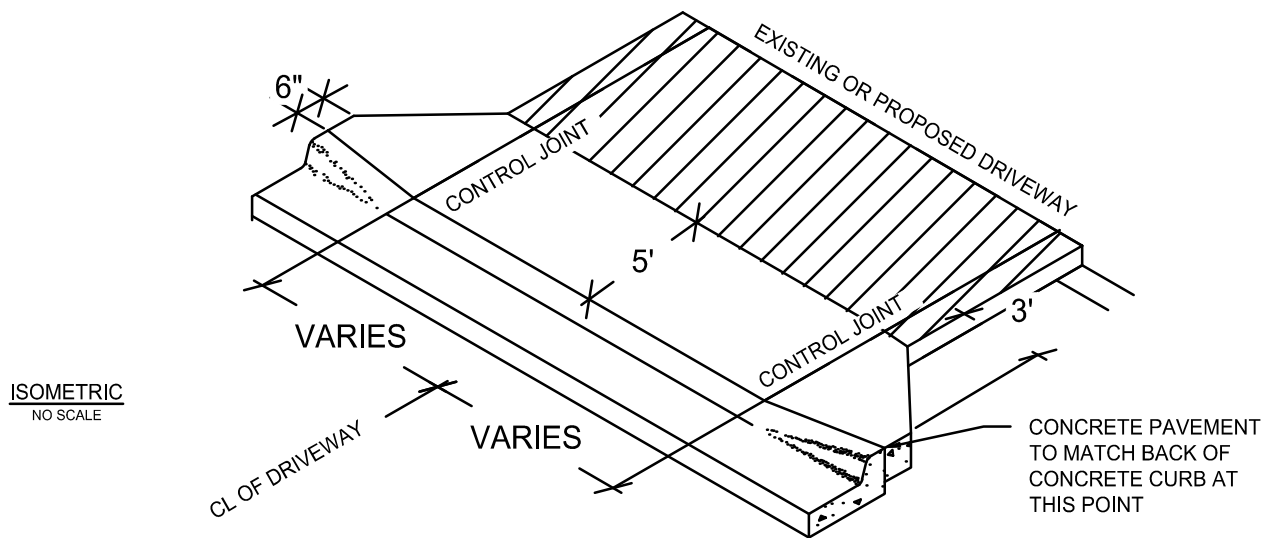
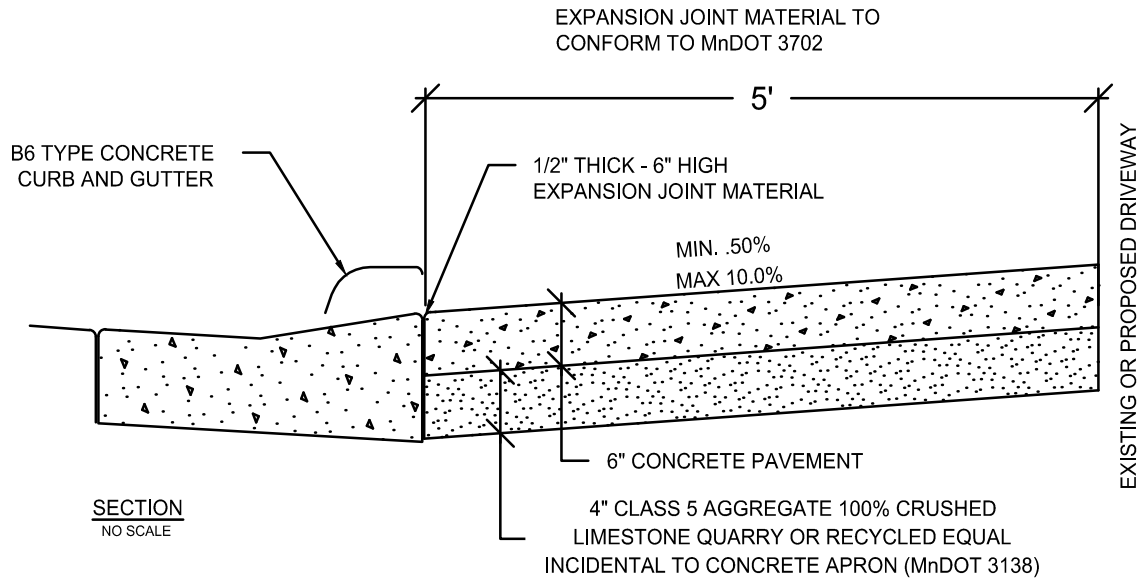




STREET RECONSTRUCTION 2ND AVE NE



STREET RECONSTRUCTION 3RD AVE NE

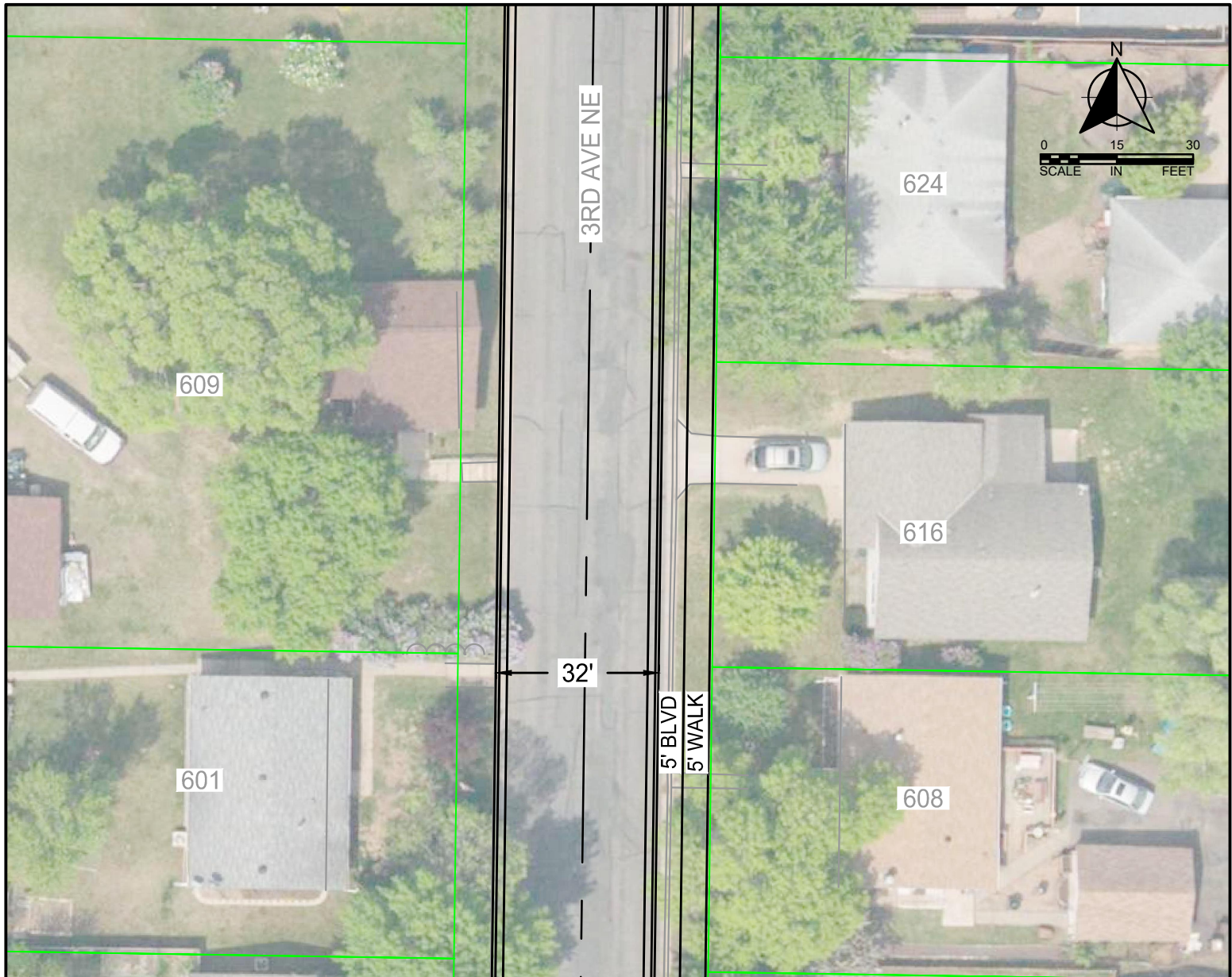


NOTE:

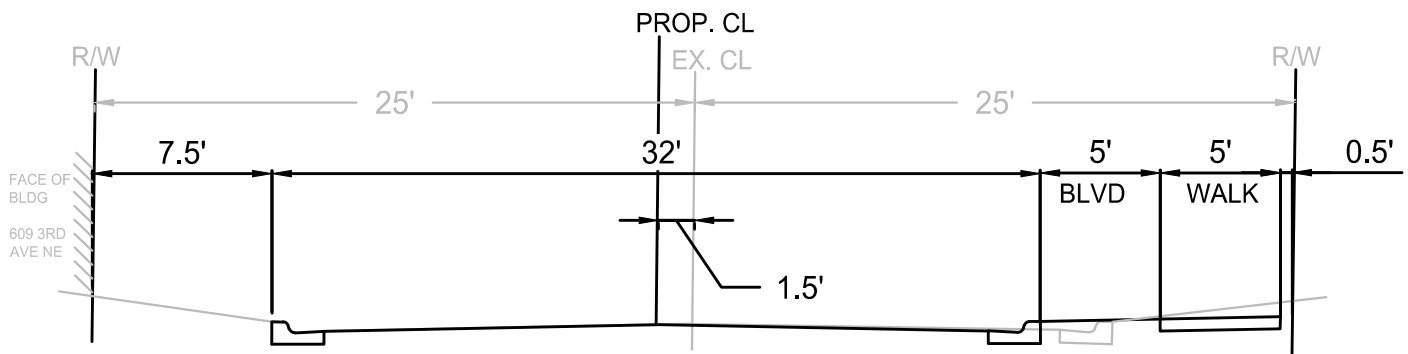
1. CONCRETE JOINS IN CONCRETE CURB NOT TO EXCEED 10' SPACING THROUGH DRIVEWAY SECTION.
2. DRIVEWAY WINGS ARE REQUIRED WITH THE B6 STYLE CURBING.

APPENDIX B

Sidewalk Options – Existing Conditions and Impacts



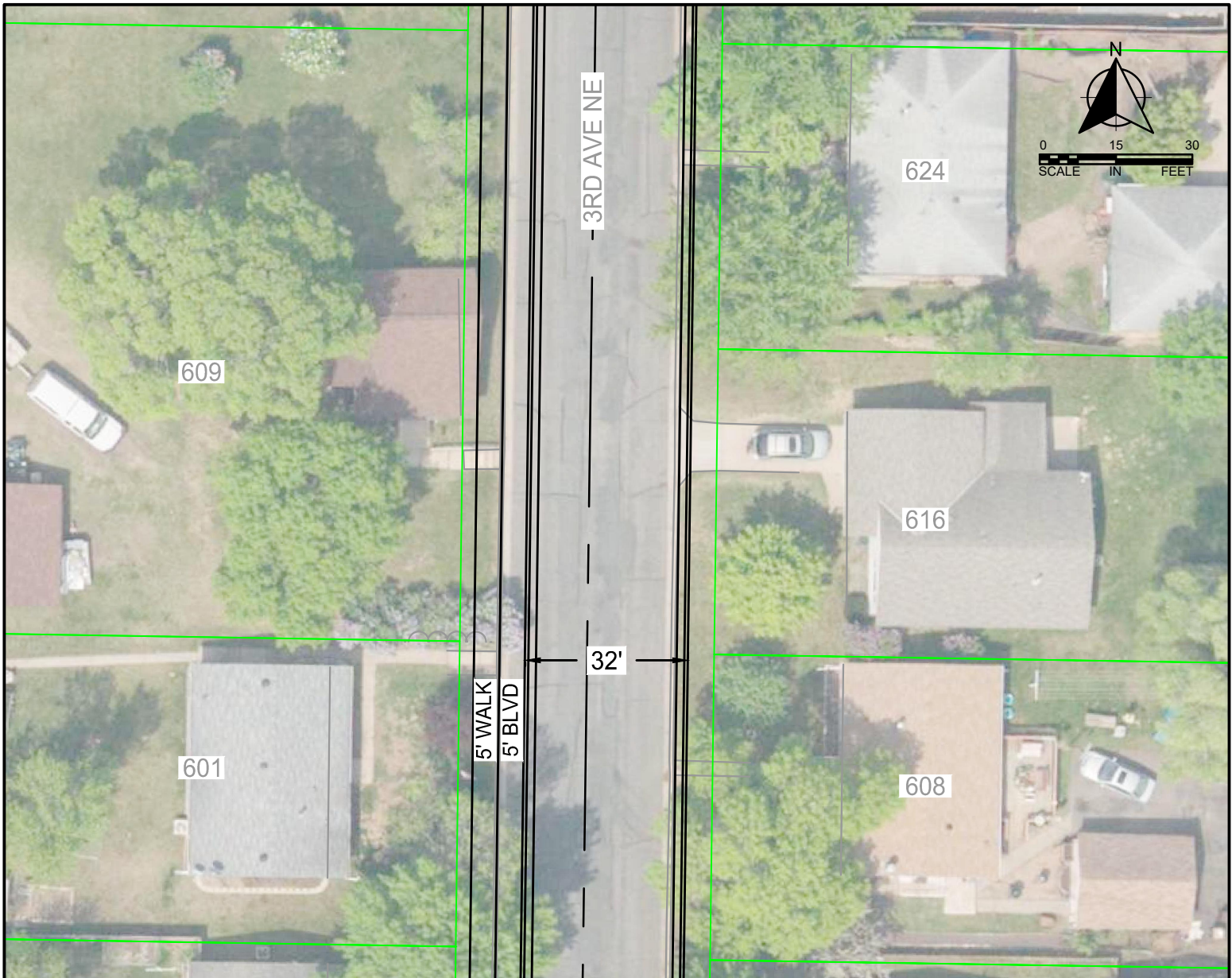
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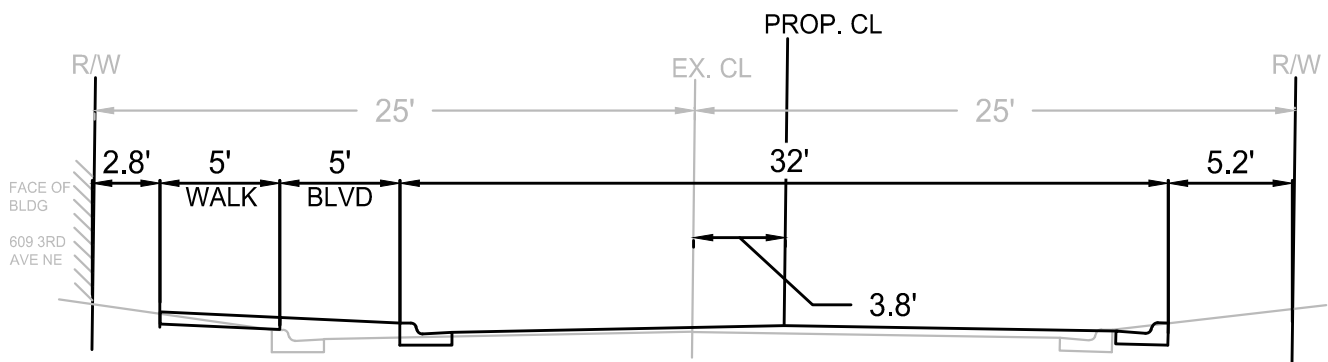
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2020 STREET RECONSTRUCTION PROJECT 32' SECTION WITH BLVD - EAST CITY OF OSSEO





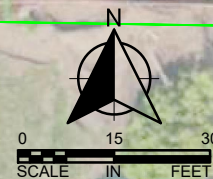
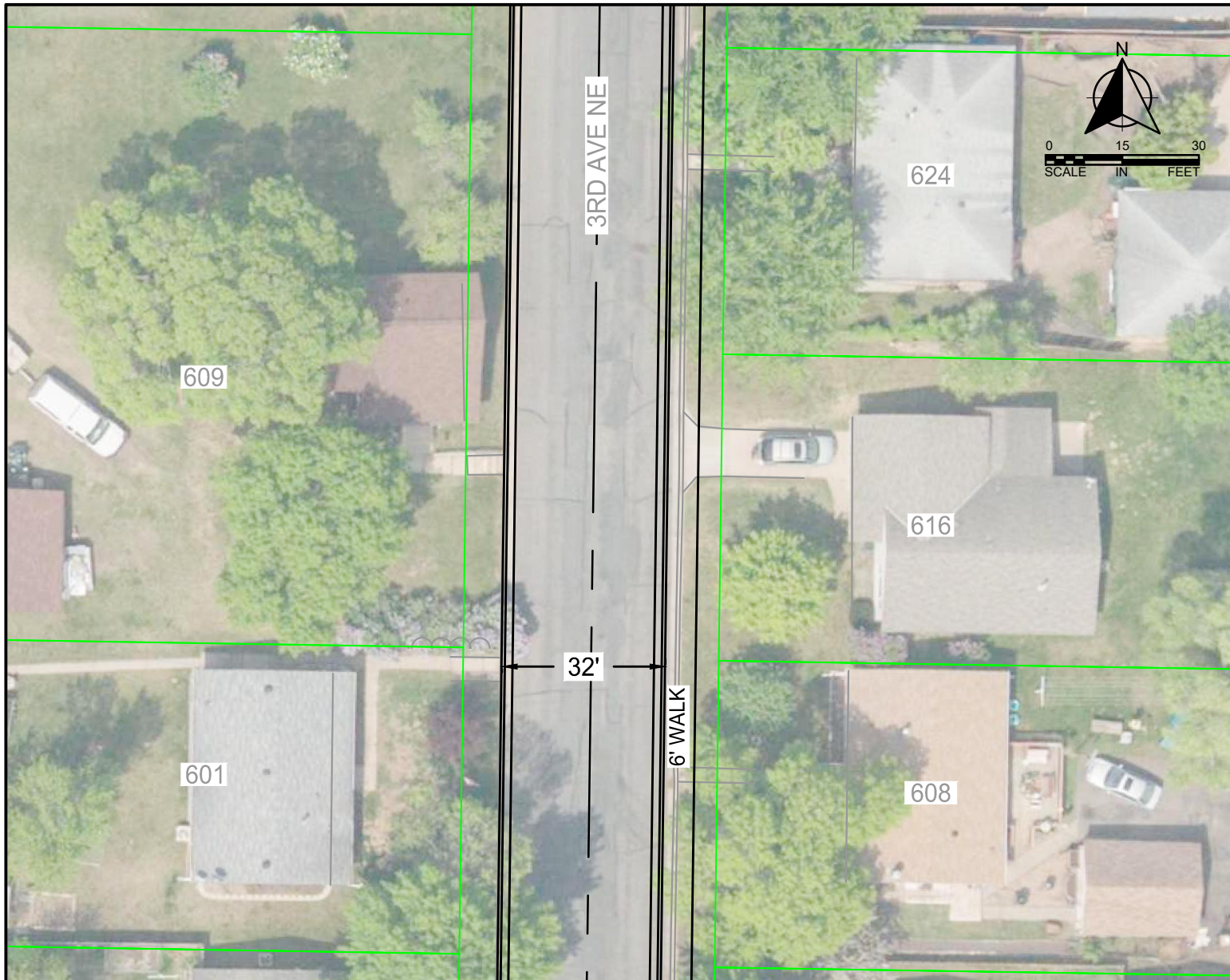
OPTION 2



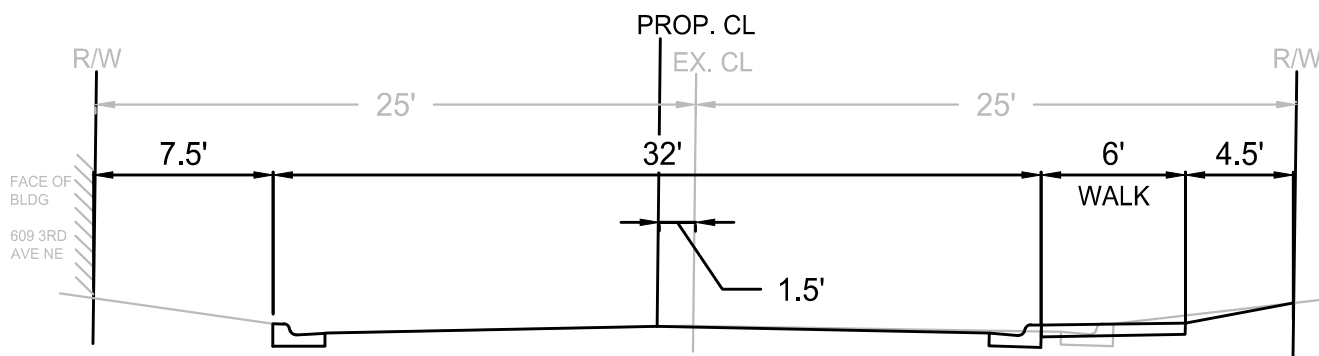
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2020 STREET RECONSTRUCTION PROJECT 32' SECTION WITH BLVD - WEST CITY OF OSSEO





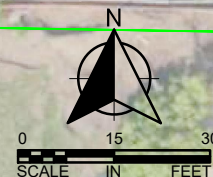
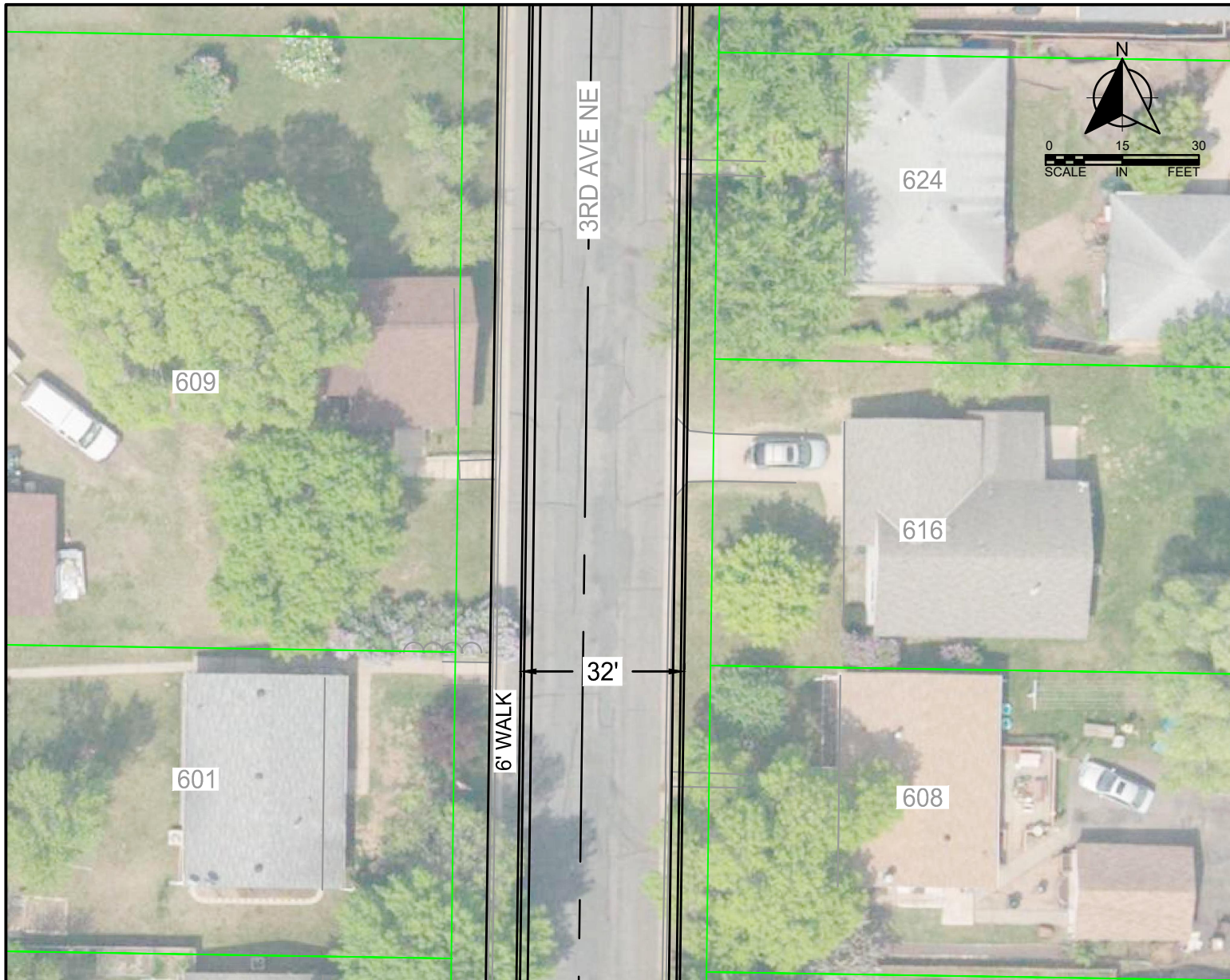
OPTION 3



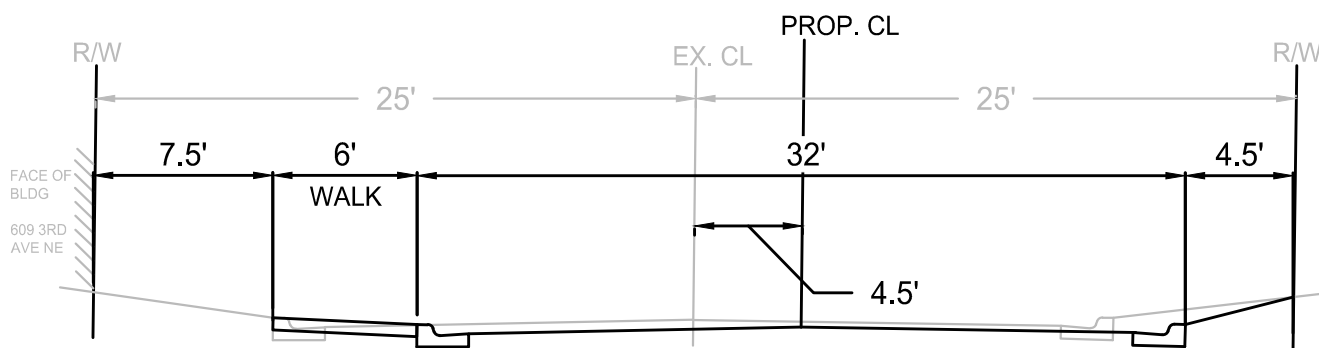
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2020 STREET RECONSTRUCTION PROJECT
32' SECTION WALK AT BACK OF CURB - EAST
CITY OF OSSEO





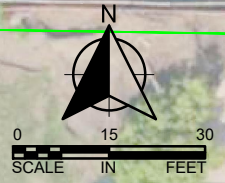
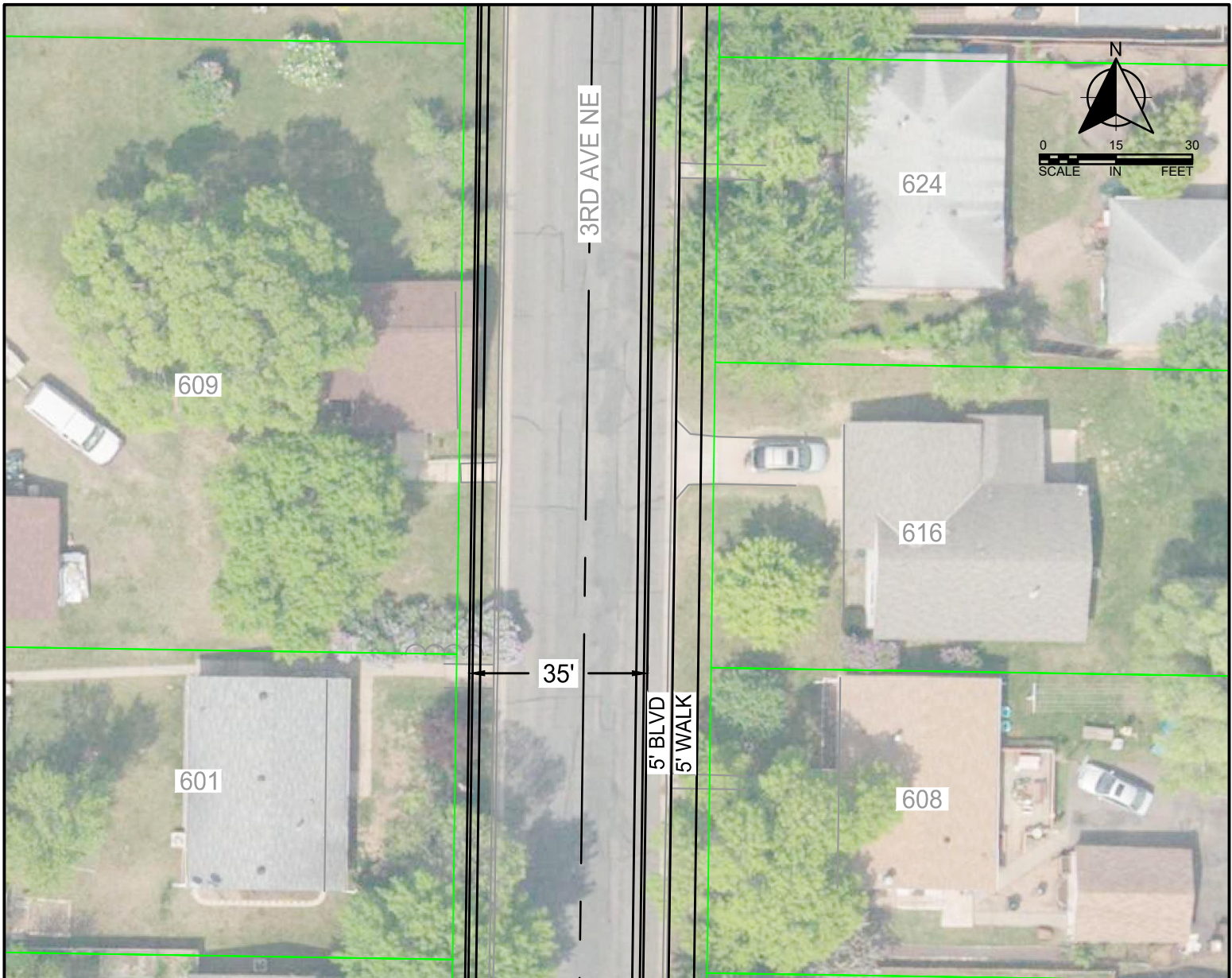
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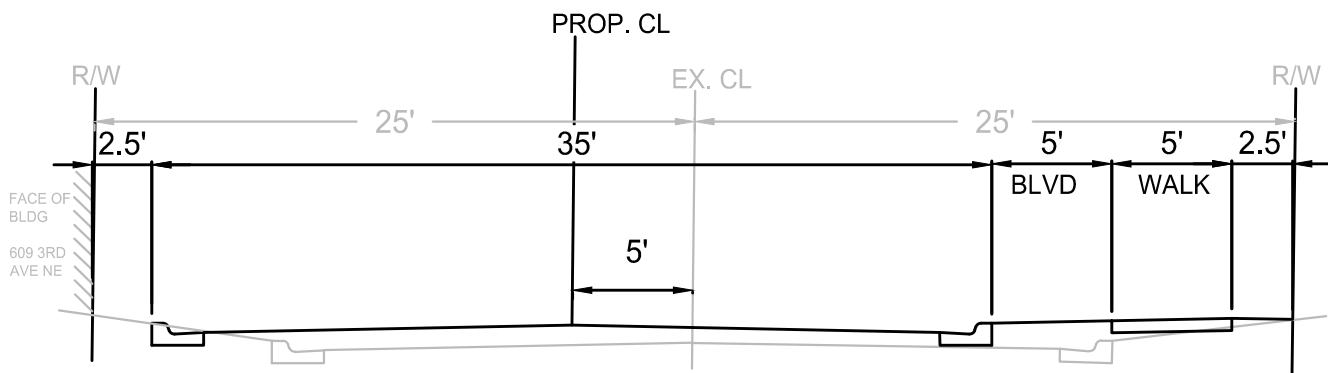
WSB PROJECT NO.:
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2020 STREET RECONSTRUCTION PROJECT
32' SECTION WALK AT BACK OF CURB - WEST
CITY OF OSSEO





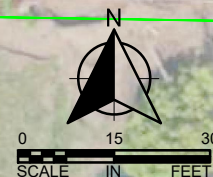
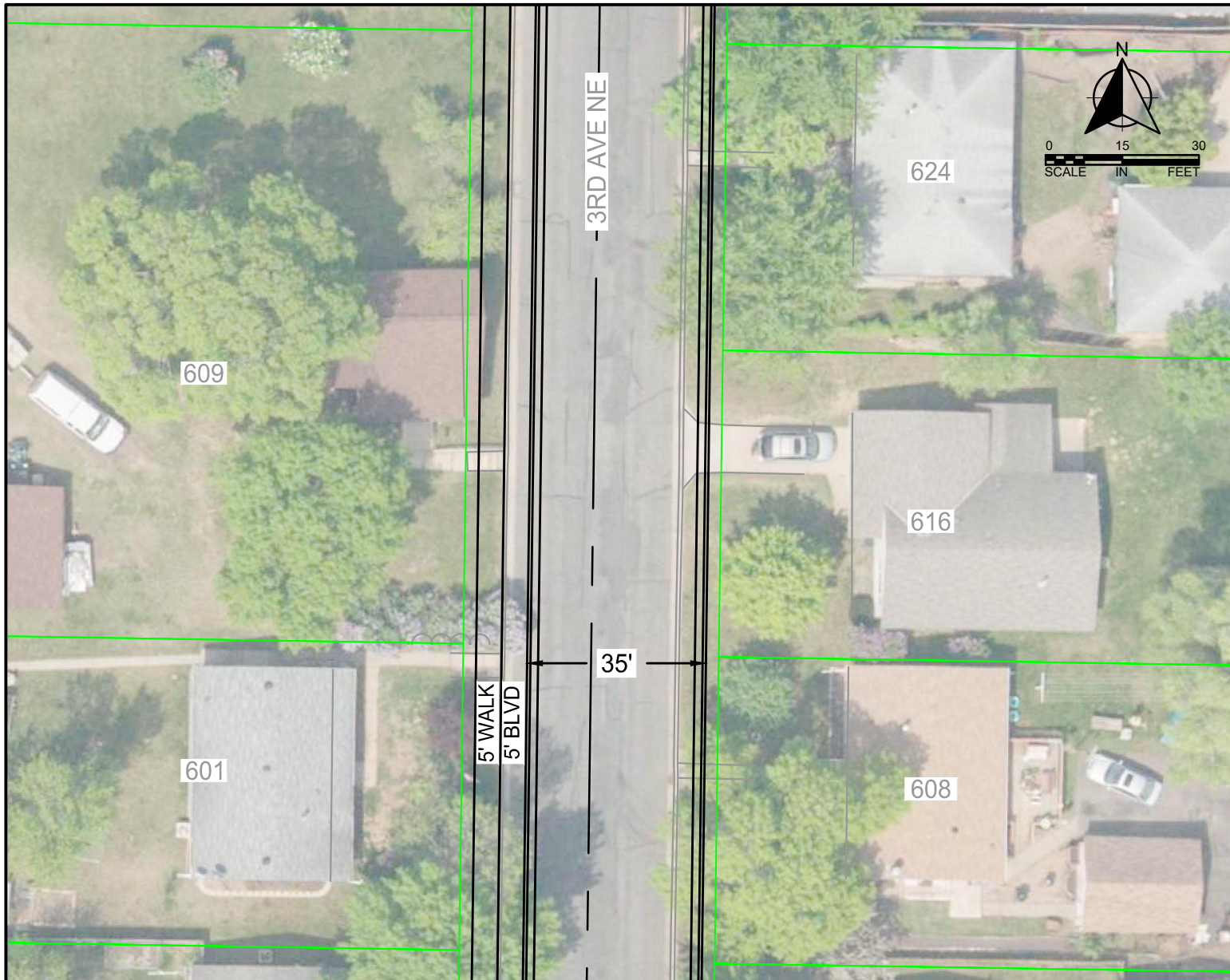
OPTION 5



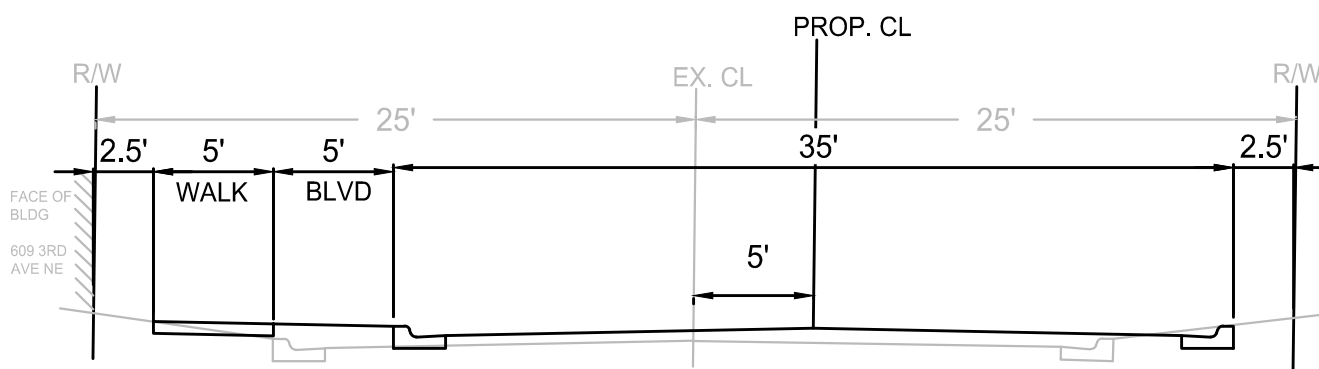
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2020 STREET RECONSTRUCTION PROJECT 35' SECTION WITH BLVD - EAST CITY OF OSSEO





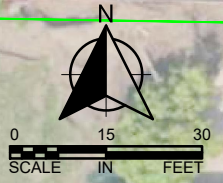
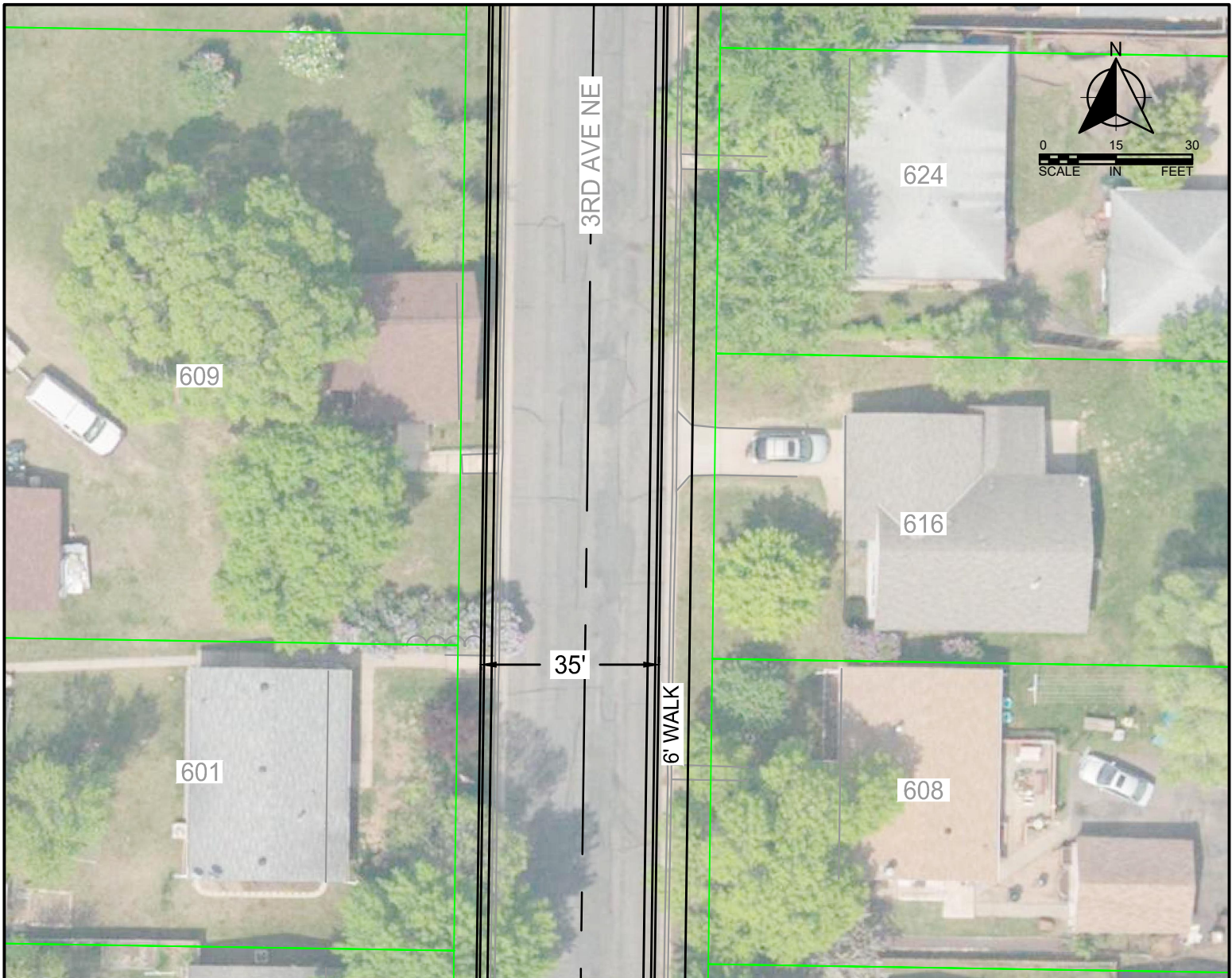
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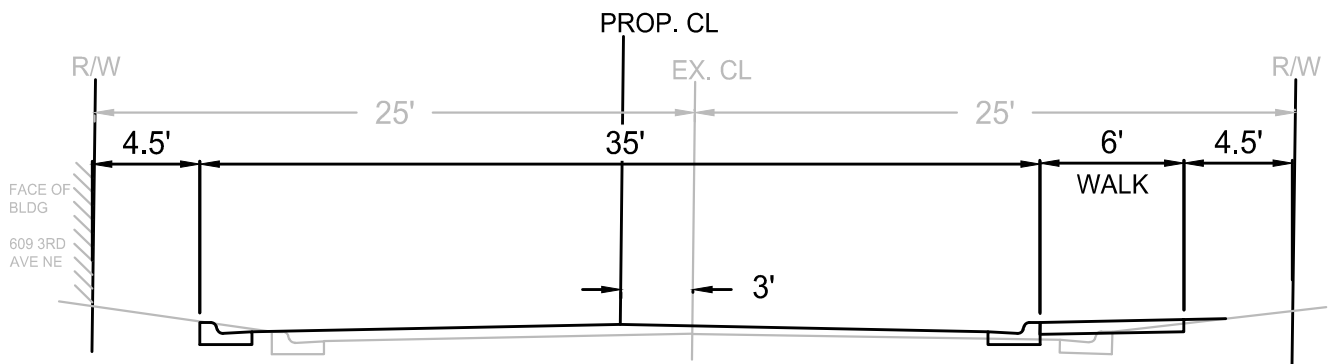
WSB PROJECT NO.:
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2020 STREET RECONSTRUCTION PROJECT 35' SECTION WITH BLVD - WEST CITY OF OSSEO





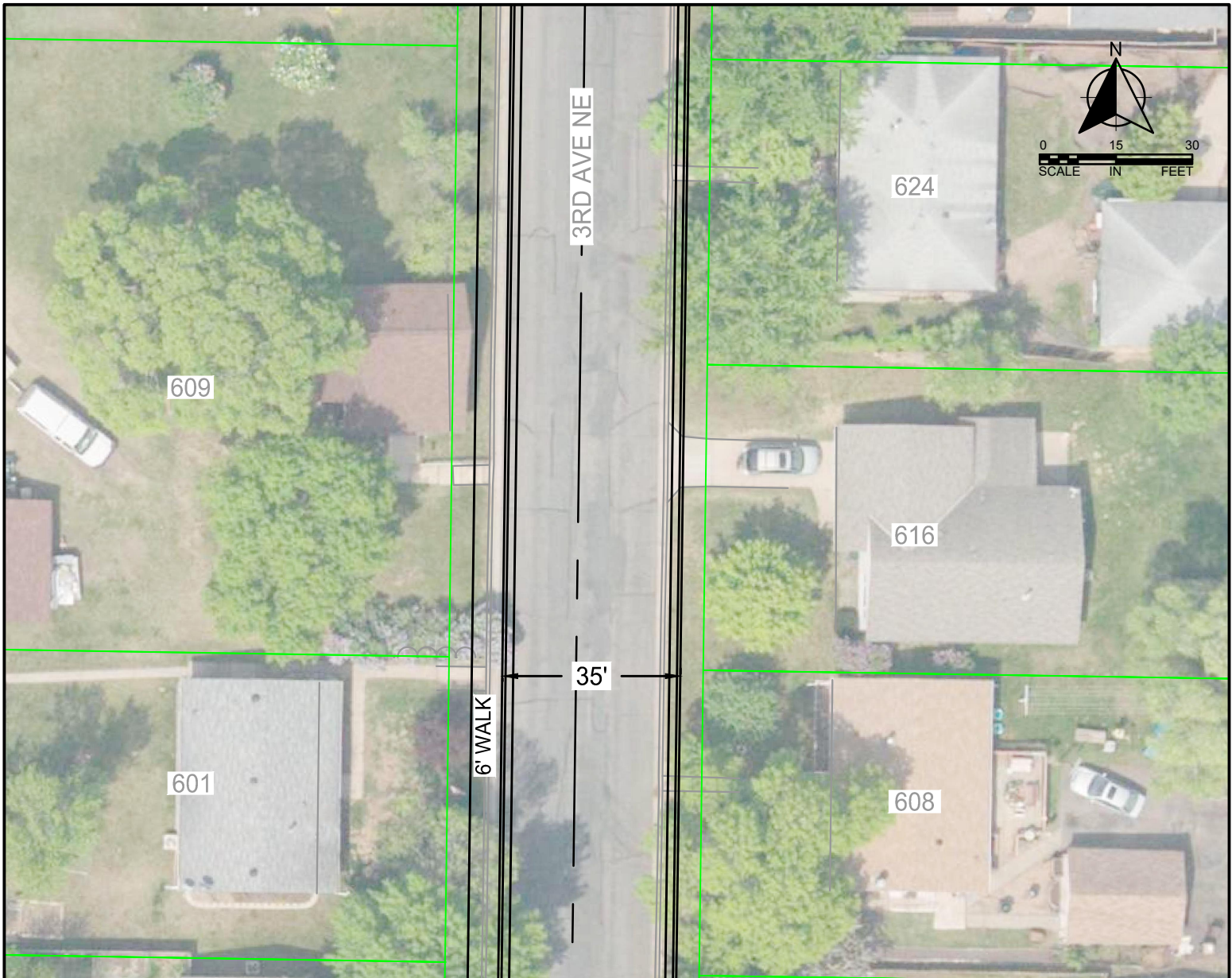
OPTION 7



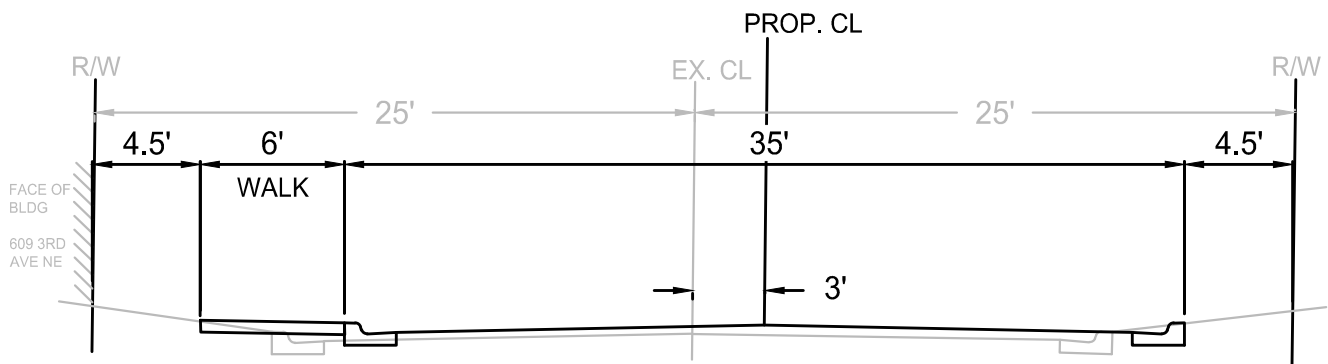
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2020 STREET RECONSTRUCTION PROJECT
35' SECTION WALK AT BACK OF CURB - EAST
CITY OF OSSEO





OPTION 8



WSB PROJECT NO.:
14703-000



2020 STREET RECONSTRUCTION PROJECT 35' SECTION WALK AT BACK OF CURB - WEST CITY OF OSSEO

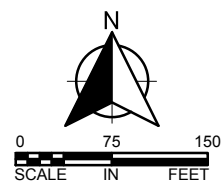


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LEGEND:

-  RECLAMATION WITH FULL CURB REPLACEMENT
-  PROPOSED SIDEWALK



WSB PROJECT NO.:
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2020 STREET RECONSTRUCTION PROJECT
PROPOSED SIDEWALK LAYOUT
CITY OF OSSEO, MN



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WSB PROJECT NO.:
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2020 STREET RECONSTRUCTION PROJECT SIDEWALK OPTIONS CITY OF OSSEO, MN



Sidewalk Impacts Summary – Reduced Street Width (32')

Location			Impacts		
			6' Walk at Back of Curb	5' Walk with 5' Boulevard	Retaining Wall Dimensions (if needed)
1	2nd Ave NE	East Side	None	None	None
2	2nd Ave NE	East Side	None	None	None
3	2nd Ave NE	East Side	None	None	None
4	2nd Ave NE	East Side	None	None	None
5	2nd Ave NE	East Side	Power Pole	Power Pole	None
6	2nd Ave NE	East Side	Misc. Landscaping	None	60 LF wall (1-2' tall)
7	2nd Ave NE	East Side	None	None	None
8	2nd Ave NE	East Side	None	None	None
9	2nd Ave NE	West Side	2 Trees	2 Trees	None
10	2nd Ave NE	West Side	None	None	None
11	2nd Ave NE	West Side	Decorative Rock Wall	Decorative Rock Wall, 1 Tree	40 LF wall (2-3' tall)
12	2nd Ave NE	West Side	1 Bush	Misc. Landscaping, 1 Bush	50 LF wall (1-2' tall)
13	2nd Ave NE	West Side	None	None	None
14	2nd Ave NE	West Side	Misc. Landscaping	Misc. Landscaping, 1 Tree	None
15	2nd Ave NE	West Side	1 Bush	1 Bush	None
16	2nd Ave NE	West Side	Pavers, Misc. Landscaping	Pavers, Misc. Landscaping	None
17	2nd Ave NE	West Side	None	None	None
18	3rd Ave NE	East Side	None	None	None
19	3rd Ave NE	East Side	None	None	None
20	3rd Ave NE	East Side	None	None	None
21	3rd Ave NE	East Side	None	None	None
22	3rd Ave NE	East Side	Misc. Landscaping, 1 Tree	Misc. Landscaping, 1 Tree	None
23	3rd Ave NE	East Side	1 Tree	1 Tree	None
24	3rd Ave NE	East Side	None	None	None
25	3rd Ave NE	East Side	None	None	None
26	3rd Ave NE	East Side	Native Grass Landscaping	Native Grass Landscaping	None
27	3rd Ave NE	West Side	Boulders, 1 Tree	Boulders, 2 Trees	None
28	3rd Ave NE	West Side	None	None	None
29	3rd Ave NE	West Side	2 Bushes	2 Bushes	None
30	3rd Ave NE	West Side	Boulder, Power Pole	Boulder, Power Pole	None
31	3rd Ave NE	West Side	Pavers	Pavers	None
32	3rd Ave NE	West Side	None	None	80 LF wall (1-2' tall)
33	3rd Ave NE	West Side	None	2 Steps, Power Pole	40 LF wall (1-2' tall)
34	3rd Ave NE	West Side	None	None	None

Sidewalk Impacts Summary – Maintain Existing Street Width (35')

Location			Impacts		
			6' Walk at Back of Curb	5' Walk with 5' Boulevard	Retaining Wall Dimensions (if needed)
1	2nd Ave NE	East Side	None	None	None
2	2nd Ave NE	East Side	1 Tree	1 Tree, 2 Steps	None
3	2nd Ave NE	East Side	None	2 Steps	180 LF wall (1-2' tall)
4	2nd Ave NE	East Side	None	None	None
5	2nd Ave NE	East Side	Power Pole	Power Pole	None
6	2nd Ave NE	East Side	Misc. Landscaping	Misc. Landscaping	None
7	2nd Ave NE	East Side	None	Misc. Landscaping	None
8	2nd Ave NE	East Side	None	None	None
9	2nd Ave NE	West Side	2 Trees	2 Trees	None
10	2nd Ave NE	West Side	None	None	60 LF wall (1-2' tall)
11	2nd Ave NE	West Side	Decorative Rock Wall, 1 Tree	Decorative Rock Wall	60 LF wall (2-3' tall)
12	2nd Ave NE	West Side	Misc. Landscaping, 1 Bush	Misc. Landscaping, 1 Bush	None
13	2nd Ave NE	West Side	None	None	None
14	2nd Ave NE	West Side	Misc. Landscaping	Misc. Landscaping, 1 Tree	None
15	2nd Ave NE	West Side	1 Bush	1 Bush	None
16	2nd Ave NE	West Side	Pavers, Misc. Landscaping	Pavers, Misc. Landscaping	None
17	2nd Ave NE	West Side	None	None	None
18	3rd Ave NE	East Side	None	None	None
19	3rd Ave NE	East Side	None	None	None
20	3rd Ave NE	East Side	None	None	None
21	3rd Ave NE	East Side	None	None	None
22	3rd Ave NE	East Side	Misc. Landscaping, 1 Tree	Misc. Landscaping, 1 Tree	None
23	3rd Ave NE	East Side	1 Tree	2 Trees	None
24	3rd Ave NE	East Side	None	None	None
25	3rd Ave NE	East Side	None	None	None
26	3rd Ave NE	East Side	Native Grass Landscaping	Native Grass Landscaping	None
27	3rd Ave NE	West Side	Boulders, 2 Trees	Boulders, 2 Trees	None
28	3rd Ave NE	West Side	5 Steps	5 Steps	120 LF wall (3-4' tall)
29	3rd Ave NE	West Side	3 Bushes	3 Bushes	60 LF wall (1-2' tall)
30	3rd Ave NE	West Side	Boulder, Power Pole	Boulder	None
31	3rd Ave NE	West Side	Pavers, 1 tree	Pavers, 2 Trees, 2 Steps	120 LF wall (1-2' tall)
32	3rd Ave NE	West Side	None	None	120 LF wall (1-2' tall)
33	3rd Ave NE	West Side	2 Steps, Power Pole	2 Steps, Power Pole	60 LF wall (1-2' tall)
34	3rd Ave NE	West Side	None	None	None

Image Number 1



Image Number 2



Image Number 3

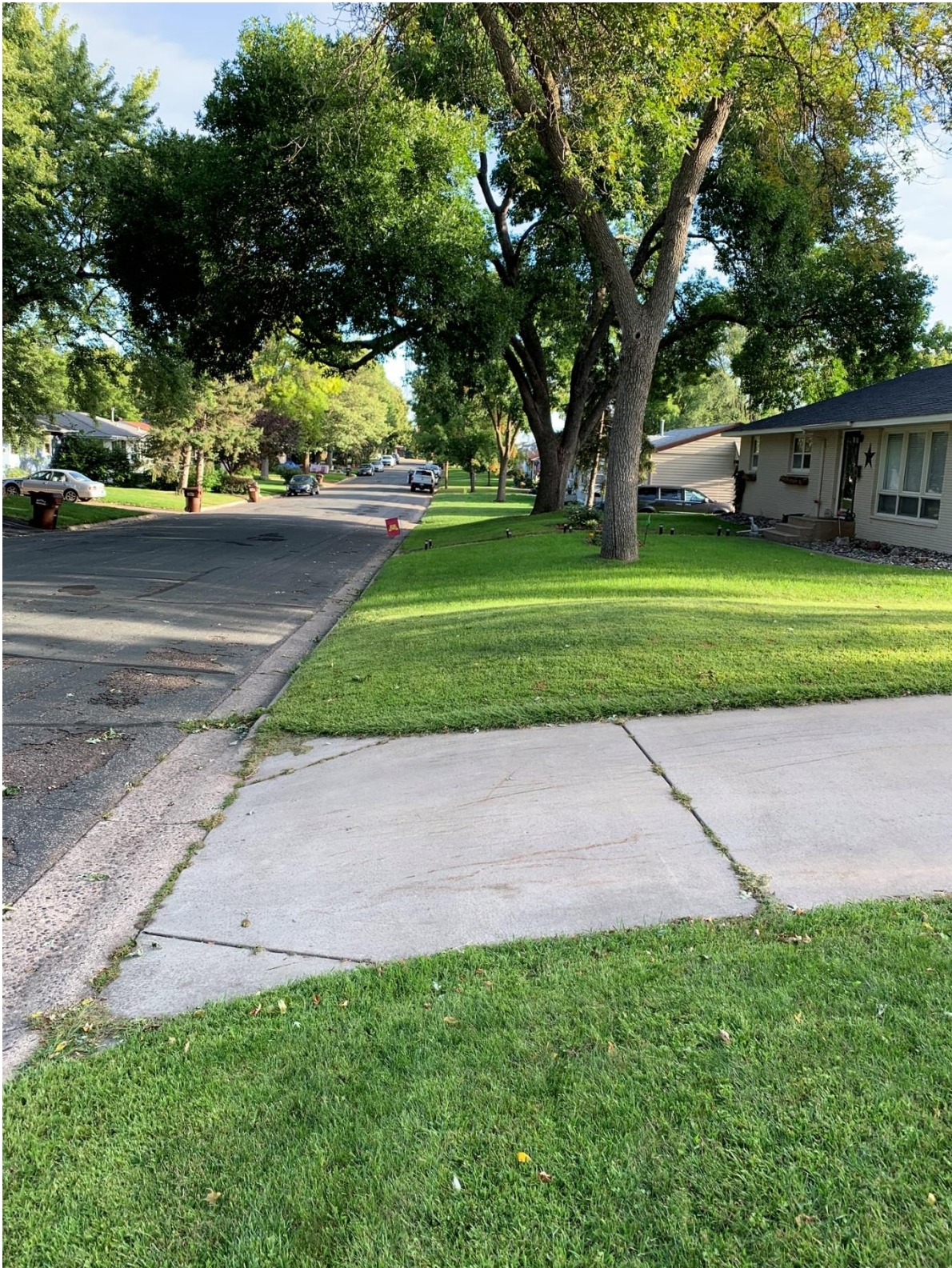


Image Number 4



Image Number 5



Image Number 6



Image Number 7



Image Number 8



Image Number 9



Image Number 10



Image Number 11



Image Number 12



Image Number 13



Image Number 14



Image Number 15



Image Number 16



Image Number 17



Image Number 18



Image Number 19



Image Number 20



Image Number 21



Image Number 22



Image Number 23



Image Number 24



Image Number 25



Image Number 26



Image Number 27



Image Number 28



Image Number 29



Image Number 30



Image Number 31



Image Number 32



Image Number 33



Image Number 34



APPENDIX C

Opinion of Probable Cost

OPINION OF PROBABLE COST						
WSB Project: 2020 Street Reconstruction Project Project Location: City of Osseo, MN				Design By: BPM Checked By: NNP		
WSB Project No: 014703-000				Date: 10/28/2019		
Item No.	MnDOT Specification No.	Description	Unit	Estimated Total Quantity	Estimated Unit Price	Estimated Total Cost
A. SURFACE IMPROVEMENTS						
1	2021.501	MOBILIZATION	LS	1	\$ 36,000.00	\$ 36,000.00
2	2101.524	CLEARING	TREE	9	\$ 300.00	\$ 2,700.00
3	2101.524	GRUBBING	TREE	9	\$ 150.00	\$ 1,350.00
4	2104.502	SALVAGE SIGN	EACH	10	\$ 45.00	\$ 450.00
5	2104.503	SAWING BIT PAVEMENT (FULL DEPTH)	L F	240	\$ 3.00	\$ 720.00
6	2104.503	REMOVE CURB & GUTTER	L F	4280	\$ 4.00	\$ 17,120.00
7	2104.504	REMOVE CONCRETE DRIVEWAY PAVEMENT	S Y	280	\$ 12.00	\$ 3,360.00
8	2104.504	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	S Y	160	\$ 5.00	\$ 800.00
9	2104.518	REMOVE CONCRETE WALK	S F	1600	\$ 2.00	\$ 3,200.00
10	2104.601	SALVAGE AND REINSTALL LANDSCAPE STRUCTURES	LS	1	\$ 15,000.00	\$ 15,000.00
11	2106.507	EXCAVATION - COMMON	C Y	830	\$ 20.00	\$ 16,600.00
12	2106.507	GRANULAR EMBANKMENT (CV)	C Y	280	\$ 15.00	\$ 4,200.00
13	2112.519	SUBGRADE PREPARATION	RDST	21.0	\$ 500.00	\$ 10,500.00
14	2123.610	STREET SWEEPER (WITH PICKUP BROOM)	HOURL	10	\$ 150.00	\$ 1,500.00
15	2130.523	WATER	MGAL	20	\$ 35.00	\$ 700.00
16	2211.501	RECLAIMED AGGREGATE BASE PLACED (P)	C Y	420	\$ 15.00	\$ 6,300.00
17	2211.507	AGGREGATE BASE (CV) CLASS 5	C Y	210	\$ 15.00	\$ 3,150.00
18	2215.504	FULL DEPTH RECLAMATION	S Y	6790	\$ 3.50	\$ 23,765.00
19	2331.603	JOINT ADHESIVE	L F	4080	\$ 1.00	\$ 4,080.00
20	2360.504	TYPE SP 12.5 WEAR CRS MIX(2,B)3.0" THICK	S Y	120	\$ 45.00	\$ 5,400.00
21	2360.509	TYPE SP 9.5 WEARING COURSE MIX (2,C)	TON	830	\$ 78.00	\$ 64,740.00
22	2360.509	TYPE SP 12.5 WEARING COURSE MIX (2,C)	TON	1240	\$ 76.00	\$ 94,240.00
23	2411.604	MODULAR BLOCK RETAINING WALL	S F	700	\$ 35.00	\$ 24,500.00
24	2504.602	IRRIGATION SYSTEM REPAIR	EACH	9	\$ 600.00	\$ 5,400.00
25	2521.518	4" CONCRETE WALK	S F	10180	\$ 5.00	\$ 50,900.00
26	2521.518	6" CONCRETE WALK	S F	260	\$ 18.00	\$ 4,680.00
27	2531.503	CONCRETE CURB & GUTTER DESIGN B618	L F	4280	\$ 20.00	\$ 85,600.00
28	2531.504	6" CONCRETE DRIVEWAY PAVEMENT	S Y	400	\$ 60.00	\$ 24,000.00
29	2531.618	TRUNCATED DOMES	S F	200	\$ 40.00	\$ 8,000.00
30	2563.601	TRAFFIC CONTROL	LS	1	\$ 5,000.00	\$ 5,000.00
31	2564.602	INSTALL SIGN	EACH	10	\$ 200.00	\$ 2,000.00
32	2572.503	CLEAN ROOT CUTTING	L F	250	\$ 6.00	\$ 1,500.00
33	2572.510	PRUNE TREES	HOURL	10	\$ 300.00	\$ 3,000.00
34	2573.501	STABILIZED CONSTRUCTION EXIT	LS	1	\$ 1,000.00	\$ 1,000.00
35	2573.502	STORM DRAIN INLET PROTECTION	EACH	8	\$ 150.00	\$ 1,200.00
36	2573.503	SEDIMENT CONTROL LOG TYPE STRAW	L F	810	\$ 4.00	\$ 3,240.00
37	2573.503	SEDIMENT CONTROL LOG TYPE ROCK	L F	210	\$ 10.00	\$ 2,100.00
38	2574.507	COMMON TOPSOIL BORROW	C Y	360	\$ 15.00	\$ 5,400.00
39	2575.504	SODDING TYPE LAWN	S Y	2950	\$ 9.00	\$ 26,550.00
40	2575.523	WATER	MGAL	20	\$ 50.00	\$ 1,000.00
41	2575.523	RAPID STABILIZATION METHOD 3	MGAL	0.2	\$ 4,000.00	\$ 800.00
					CONSTRUCTION TOTAL	\$ 571,700.00
					CONTINGENCY TOTAL (10%)	\$ 57,200.00
					SUBTOTAL	\$ 628,900.00
					INDIRECT COST TOTAL (25%)	\$ 157,200.00
					TOTAL	\$ 786,100.00

OPINION OF PROBABLE COST						
WSB Project: 2020 Street Reconstruction Project Project Location: City of Osseo, MN				Design By: BPM Checked By: NNP		
WSB Project No: 014703-000				Date: 10/28/2019		
Item No.	MnDOT Specification No.	Description	Unit	Estimated Total Quantity	Estimated Unit Price	Estimated Total Cost
B. DRAINAGE IMPROVEMENTS						
42	2104.502	REMOVE DRAINAGE STRUCTURE	EACH	4	\$ 600.00	\$ 2,400.00
43	2104.503	REMOVE SEWER PIPE (STORM)	L F	70	\$ 20.00	\$ 1,400.00
44	2503.503	12" RC PIPE SEWER DES 3006 CL V	L F	70	\$ 50.00	\$ 3,500.00
45	2503.503	15" RC PIPE SEWER DES 3006 CL V	L F	100	\$ 55.00	\$ 5,500.00
46	2503.503	24" RC PIPE SEWER DES 3006 CL III	L F	70	\$ 80.00	\$ 5,600.00
47	2503.602	CONNECT TO EXISTING STORM SEWER	EACH	4	\$ 1,000.00	\$ 4,000.00
48	2506.502	CASTING ASSEMBLY	EACH	4	\$ 700.00	\$ 2,800.00
49	2506.503	CONST DRAINAGE STRUCTURE DES 48-4020	L F	16	\$ 600.00	\$ 9,600.00
50	2506.503	CONST DRAINAGE STRUCTURE DES 60-4020	L F	16	\$ 1,000.00	\$ 16,000.00
51	2506.602	CONST DRAINAGE STRUCTURE DESIGN SPEC (2'X3')	EACH	4	\$ 3,000.00	\$ 12,000.00
CONSTRUCTION TOTAL						\$ 62,800.00
CONTINGENCY TOTAL (10%)						\$ 6,300.00
SUBTOTAL						\$ 69,100.00
INDIRECT COST TOTAL (25%)						\$ 17,300.00
TOTAL						\$ 86,400.00
C. SANITARY SEWER IMPROVEMENTS						
52	2104.502	REMOVE CASTING	EACH	8	\$ 200.00	\$ 1,600.00
53	2506.502	CASTING ASSEMBLY	EACH	8	\$ 700.00	\$ 5,600.00
54	2506.602	CHIMNEY SEAL	EACH	8	\$ 250.00	\$ 2,000.00
CONSTRUCTION TOTAL						\$ 9,200.00
CONTINGENCY TOTAL (10%)						\$ 900.00
SUBTOTAL						\$ 10,100.00
INDIRECT COST TOTAL (25%)						\$ 2,500.00
TOTAL						\$ 12,600.00
D. WATERMAIN IMPROVEMENTS						
55	2104.502	REMOVE GATE VALVE & BOX	EACH	2	\$ 600.00	\$ 1,200.00
56	2104.502	REMOVE CURB STOP & BOX	EACH	32	\$ 200.00	\$ 6,400.00
57	2104.502	REMOVE HYDRANT	EACH	2	\$ 800.00	\$ 1,600.00
58	2504.602	HYDRANT	EACH	4	\$ 6,000.00	\$ 24,000.00
59	2104.503	REMOVE WATER SERVICE PIPE	L F	224	\$ 8.00	\$ 1,792.00
60	2504.602	CONNECT TO EXISTING WATER SERVICE	EACH	32	\$ 300.00	\$ 9,600.00
61	2504.602	6" GATE VALVE & BOX	EACH	4	\$ 1,750.00	\$ 7,000.00
62	2504.602	8" GATE VALVE & BOX	EACH	4	\$ 3,250.00	\$ 13,000.00
63	2504.602	1" CURB STOP & BOX	EACH	32	\$ 400.00	\$ 12,800.00
64	2504.603	1" TYPE K COPPER PIPE	L F	416	\$ 40.00	\$ 16,640.00
65	2504.603	6" WATERMAIN DUCTILE IRON CL 52	L F	120	\$ 55.00	\$ 6,600.00
66	2506.602	CASTING ASSEMBLY SPECIAL	EACH	32	\$ 250.00	\$ 8,000.00
CONSTRUCTION TOTAL						\$ 108,600.00
CONTINGENCY TOTAL (10%)						\$ 10,900.00
SUBTOTAL						\$ 119,500.00
INDIRECT COST TOTAL (25%)						\$ 29,900.00
TOTAL						\$ 149,400.00
GRAND TOTAL						\$ 1,034,500.00

APPENDIX D

Geotechnical Report



GEOTECHNICAL REPORT

2020 STREET IMPROVEMENTS

HENNEPIN COUNTY | OSSEO | MINNESOTA

October 18, 2019

Prepared for:
City of Osseo
415 Central Avenue
Osseo, MN 55369

WSB PROJECT NO. 014703-000



GEOTECHNICAL REPORT

2020 STREET IMPROVEMENTS

**FOR
CITY OF OSSEO
HENNEPIN COUNTY, MINNESOTA**

October 18, 2019



CERTIFICATION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.


Darin E. Hyatt, PE

Date: October 18, 2019

Lic. No. 41316

October 18, 2019

Mr. Riley Grams
City Administrator
City of Osseo
415 Central Avenue
Osseo, MN 55369

Re: Geotechnical Report
2020 Street Improvements
Osseo, Minnesota
WSB Project No.: 014703-000

Dear Mr. Grams:

We have conducted a geotechnical subsurface exploration program for the above referenced project. This report contains our soil boring logs, an evaluation of the conditions encountered in the borings and our recommendations for subgrade preparation, underground utility installation, and other geotechnical related design and construction considerations.

If you have any questions concerning this report or our recommendations, or for construction material testing for this project, please call Darin Hyatt at (952) 737-4660.

Sincerely,

WSB



Darin Hyatt, PE
Senior Geotechnical Engineer



Kyle Shubert, PE
Materials Group Manager

Attachment:
Geotechnical Report

DEH/kkp

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TITLE SHEET

CERTIFICATION SHEET

LETTER OF TRANSMITTAL

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Appendix A

Soil Boring Exhibit

Logs of Test Borings

Symbols and Terminology on Test Boring Log

Notice to Report Users Boring Log Information

Unified Soil Classification System (USCS)

1. INTRODUCTION

1.1 Project Location

The proposed roadway improvements will be located along 2nd Avenue NE and 3rd Avenue NE between 93rd Avenue N (County Road 30) and 4th Street NE in Osseo, Minnesota.

The approximate boring locations can be found on the Soil Boring Exhibit in **Appendix A**.

1.2 Project Description

The segments of roads addressed in this report are urban sections and all will undergo a full reconstruction which will replace the existing pavement section and curb and gutters. The reconstructs will be to an urban section.

The roadways will generally maintain the existing vertical and horizontal alignments.

WSB has developed recommendations for this project in consideration of the proposed layout, loadings, and configurations as understood at this time. WSB must be made aware of the revised or additional information in order to evaluate the recommendations for continued applicability.

1.3 Purpose and Project Scope of Services

Emily Lueth of our firm authorized this work. In order to assist the design team in preparing plans and specifications, we have developed recommendations for pavement subgrade preparation and pavement thicknesses. As such, we have completed a subsurface exploration program and prepared a geotechnical report for the referenced site. This stated purpose was a significant factor in determining the scope and level of service provided. Should the purpose of the report change the report immediately ceases to be valid and use of it without WSB's prior review and written authorization shall be at the user's sole risk.

Our authorized scope of work has been limited to:

1. Mobilization/demobilization of a truck mounted drill rig.
2. Clearing underground utilities utilizing the Gopher State One Call system.
3. Drilling 6 standard penetration borings, each to a depth of about 5 feet.
4. Sealing the borings per Minnesota Department of Health procedures.
5. Perform soil classification and analysis.
6. Review of readily available project information and geologic data.
7. Providing this geotechnical report containing:
 - a. Summary of our findings.
 - b. Discussion of subsurface soil and groundwater conditions and how they may affect the proposed pavements and utilities.
 - c. Estimated R-value of the soils.
 - d. A discussion of soils for use as structural fill and site fill.

2. PROCEDURES

2.1 Boring Layout and Soil Sampling Procedures

WSB recommended the boring depths and selected the desired locations. The boring locations were staked using existing features as guides. The approximate boring locations are shown on the Soil Boring Exhibit in **Appendix A**, which is an aerial photo.

We drilled the borings on September 23, 2019, with a truck-mounted CME-55 drill rig operated by a two-person crew. The drill crew advanced the borings using continuous hollow stem augers. Drilling methods, crew chief, depths, sampling interval, casing usage, groundwater observations, test data, and other drilling information are indicated on the boring logs.

Generally, the drill crew sampled the soil in advance of the auger tip at two and one-half foot (2½') intervals to the borings termination depth. The soil samples were obtained using a split-barrel sampler which was driven into the ground during standard penetration tests in accordance with ASTM D 1586, Standard Method of Penetration Test and Split-Barrel Sampling of Soils.

The materials encountered were described on field logs and representative samples were containerized and transported to our laboratory for further examination and testing.

The samples were visually examined to estimate the distribution of grain sizes, plasticity, consistency, moisture condition, color, presence of lenses and seams, and apparent geologic origin. We classified the soils according to type using the Unified Soil Classification System (USCS). A chart describing the Unified Soil Classification System is included in **Appendix A**.

2.2 Groundwater Measurements and Borehole Abandonment

The drill crew observed the borings for free groundwater while drilling and after completion. These observations and measurements are noted on the boring logs. The crew then backfilled the borings in accordance with Minnesota Department of Health regulations.

2.3 Boring Log Procedures and Qualifications

The subsurface conditions encountered by the test borings are illustrated on the Logs of Test Borings in **Appendix A**. Similar soils were grouped into the strata shown on the boring logs, and the appropriate estimated USCS classification symbols were also added. The depths and thickness of the subsurface strata indicated on the boring logs were estimated from the drilling results.

The transition between materials (horizontal and vertical) is approximate and is usually far more gradual than shown. Information on actual subsurface conditions exists only at the specific locations indicated and is relevant only to the time exploration was performed. Subsurface conditions and groundwater levels at other locations may differ from conditions found at the indicated locations. The nature and extent of these conditions would not become evident until exposed by construction excavation. These stratification lines were used for our analytical purposes and, due to the aforementioned limitations, should not be used as a basis of design or construction cost estimates.

3. EXPLORATION RESULTS

3.1 Site and Geology

The standard penetration test borings were performed on the existing roadways.

Geologic origins can be difficult to determine solely from boring samples. We referenced online geologic data of the area and used our experience to help determine geologic origin of the soils; however, only a detailed geologic exploration would accurately determine the geologic history of the site.

The Hennepin County Geologic Atlas indicated the surficial geology of the area is mostly lacustrine deposits. These deposits consist of sands.

3.2 Subsurface Soil and Groundwater Conditions

The boring profile generally consisted of a pavement section, fill materials and naturally deposited sand.

Pavement Section

The bituminous thickness generally ranged from about 3 to 5 ½ inches and averaged about 4 inches. The aggregate base ranged from about 4 to 7 inches and averaged about 5 inches. It should be noted that a discernable aggregate base layer was not observed in Boring PB-4. It is likely that an aggregate base layer was present, but it could not be distinguished from that of the underlying subgrade soils.

Buried Topsoil

Beneath the pavement section in Boring PB-2 our boring encountered silty sand that contained organic fines and was black in color. This material, which appeared to be topsoil, extended to a depth of about 4 ½ feet. It is possible that this material was fill mixed with topsoil.

Fill

The remaining borings encountered fill below the pavement section. In Borings PB-1 and PB-6 the fill extended to the boring's termination depth, while in Borings PB-3, PB-4 and PB-5 the fill extended to about 4 to 4 ½ feet. The fill consisted of sand and silty sand that was brown to dark brown in color and moist.

Lacustrine Deposit

Below the buried topsoil and fill materials, Borings PB-2, PB-3, PB-4 and PB-5 encountered and terminated in lacustrine deposits. The lacustrine deposits consisted of sand that was fine- to medium-grained, brown in color and were moist.

Table 1 below presents the approximate pavement section thickness and subgrade soils that were encountered within the borings.

Table 1: Roadway Soil Boring Profiles

Boring No.	Bituminous Thickness (inches)	Aggregate Base Thickness (inches)	Subgrade Soils (Upper 4 feet)
PB-1	4 ½	5	Fill: Sand
PB-2	4	7	Fill: Topsoil (silty sand)
PB-3	3 ½	5 ½	Fill: Silty sand
PB-4	3	nd	Fill: Silty sand
PB-5	5 ½	4	Fill: Silty sand
PB-6	4	4	Fill: Sand

nd – not discernable

3.3 Strength Characteristics

The penetration resistance N-values of the materials encountered were recorded during drilling and are indicated as blows per foot (BPF). Those values provide an indication of soil strength characteristics and are located on the boring log sheets. Also, visual-manual classification techniques and apparent moisture contents were also utilized to make an engineering judgment of the consistency of the materials.

Table 2 presents a summary of the penetration resistances in the soils for the standard penetration test borings completed and remarks regarding the material strengths of the soils.

Table 2: Penetration Resistances

Soil Type	Classification	Penetration Resistances	Remarks
Fill	SP, SM	7 to 13 BPF	Variable compaction
Lacustrine	SP	6 to 14 BPF; avg. \approx 10	Loose to medium dense; Generally loose

The preceding is a generalized description of soil conditions at this site. Variations from the generalized profile exist and should be assessed from the boring logs, the normal geologic character of the deposits, and the soils uncovered during site excavation.

3.4 Groundwater Conditions

WSB collected groundwater level readings in the exploratory borings, reviewed the data obtained, and discussed its interpretation of the data in the text of the report.

Groundwater was not encountered in the borings. Our borings generally encountered relatively permeable sands within their profiles, therefore, it is our opinion that a static groundwater level is below the depths of our borings.

Note that groundwater levels may fluctuate due to seasonal variations (e.g. precipitation, snowmelt and rainfall) and/or other factors not evident at the time of measurement.

4. ENGINEERING ANALYSIS AND RECOMMENDATIONS

4.1 Discussion

Based on our borings, the buried topsoil encountered in Boring PB-2 is not suitable for direct support of the proposed roadway as the organic materials can become unstable under construction traffic. Where such soils are encountered, we recommend they be removed from the upper portions of the roadway embankment.

After removal of the existing pavement section and topsoil, it is our opinion that the proposed pavement can generally be supported on the fill or lacustrine soils encountered in the borings.

4.2 Pavement Subgrade Preparation and Stability

After removal of the existing pavement section, and any soils containing organic materials from within the upper 3 feet of the pavement subgrade, we anticipate silty sand and sand soils will be exposed. The soils at the bottom of the excavation should be prepared in accordance with MnDOT Specification 2112, Subgrade Preparation. If the subgrade preparation operations encounter unstable soils, we recommend removing these unsuitable materials and replacing them with Select Grading Material (MnDOT 2105.1.A.6). If the on-site soils cannot be moisture conditioned and compacted as recommended, additional measures, such as placement of a sand subbase or a section of coarse breaker run aggregate, can be completed to provide a firm base for subsequent fill placement.

Nevertheless, the final subgrade should have proper stability within three vertical feet of grading grade (grade which contacts the bottom of the aggregate base). This will generally be achieved in fill areas with proper compaction of embankment materials and in cut areas through proper subgrade preparation. The stability of the pavement subgrade should be evaluated prior to placement of the sand subbase using the test roll procedure (MnDOT 2111), except a fully loaded tandem axle dump truck or a full water truck should be utilized for the proof roll. If unstable soils are found under the test roll, these soils should be improved by means of scarification, moisture conditioning, and re-compaction, or by subcutting and replacement.

4.3 Pavement Section

Once the site has been prepared as recommended, we anticipate the subgrade will consist of a mixture of sands and silty sands. The MnDOT Flexible Pavement Design Guidance Memo from January 2017, indicates soils such as those anticipated have an estimated R-value of 20 to 70. Based on our experience, we recommend an estimated R-value of 40 be used for design of roadways for this project.

No traffic data was made available for our use; however, the streets are low volume residential roads. We have assumed that the volume and distribution of vehicles using the roads will have 20-year Equivalent Single Axle Loads (ESAL's) of less than 50,000.

It is our understanding that the City of Osseo has a minimum bituminous pavement section requirement of 5 inches. That exceeds the bituminous pavement thickness based on MnDOT's FlexPave excel design utilizing granular equivalent charts. To meet the City's minimum requirement, we recommend the pavement section indicated below in Table 3.

Table 3: Recommended Flexible Pavement Section

Section	Thickness (inches)	Granular Equivalent
Bituminous Wear Course, MnDOT 2360	2	4.50
Bituminous non-Wear Course, MnDOT 2360	3	6.75
MnDOT Aggregate Base	6	6.0
TOTAL	-	17.25

Aggregate base placement for pavement support should meet the gradation and quality requirements for Class 5, 5Q, or 6 per MnDOT specification 3138. Aggregate base material should be compacted to 100 percent of its standard Proctor maximum dry density.

Within several years after initial paving, some thermal shrinkage cracks will develop. We recommend routine maintenance be performed to improve pavement performance and increase pavement life. Pavement should be sealed with a liquid bitumen sealer to retard water intrusion into the base course and subgrade. Localized patch failures may also develop where trucks or buses turn on the pavement. When these occur, they should be cut out and patch repaired.

The pavement sections above provide options to meet the ESAL requirements. Other pavement design options would be acceptable as well as long as they meet the minimum requirements for bituminous thickness, aggregate base thickness, and can meet the ESAL requirements.

4.4 Backfill and Fill Selection and Compaction

It is our opinion the onsite non-organic sand soils may be reused as backfill and fill provided they are moisture conditioned and can be compacted to their specified densities. Any wet soils excavated would need to be dried before reuse as an engineered fill. Backfills with cobbles larger than six inches (6") should not come in contact with utilities. We recommend that sandy soils be moisture conditioned to meet compaction specifications as determined from their standard Proctor tests (ASTM D-698). Sand fill should be spread in thin lifts (8-12 inches depending on compaction equipment) to allow for full depth compaction.

Table 4 indicates the recommended compaction levels.

Table 4: Recommended Level of Compaction for Backfill and Fill

Area	Percent of standard Proctor Maximum Dry Density
Pavement: Within 3 feet of grading grade* Within 3 foot perimeter of structures such as manholes	100
Pavement: Greater than 3 feet below grading grade	95
Utility Trench (unless within 3 feet of pavement grading grade)	95
Landscaping (non-structural)	90

*Grading grade is defined as the bottom of the aggregate base.

4.5 Dewatering

Our borings did not encounter a static groundwater table to the depths of our subsurface exploration while drilling and sampling. Based on the proposed construction, dewatering is not anticipated.

4.6 Construction Considerations

Good surface drainage should be maintained throughout the work so that the site is not vulnerable to ponding during or after a rainfall. If water enters the excavations, it should be promptly removed prior to further construction activities. Under no circumstances should fill or concrete be placed into standing water.

Soil corrections at this site for foundations and pavement subgrades may not be continuous in all areas. We recommend tapering the fills back to native soils at a ten to one (10:1) slope.

4.7 Construction Safety

All excavations must comply with the requirements of OSHA 29 CFR, Part 1926, Subpart P “Excavations and Trenches”. This document states that excavation safety is the responsibility of the contractor. Reference to this OSHA requirement should be included in the job specifications.

The responsibility to provide safe working conditions on this site, for earthwork, building construction, or any associated operations is solely that of the contractor. This responsibility is not borne in any manner by WSB.

4.8 Cold Weather Construction

It is our understanding that construction is unlikely to occur during the winter months. However, if the construction does continue into the winter months, we recommend the following guidelines.

Roadbed embankments should not be constructed during periods when the embankment material freezes while being placed and compacted, nor should any embankment material be placed on soil that is frozen to a depth greater than 4 inches. When the soils are frozen to a depth exceeding 4 inches, at a time when weather conditions are such that embankment construction could be continued without the material freezing as it is being placed and compacted, the contractor may be permitted to excavate the frozen soil and proceed with the embankment construction for so long as the weather will permit. The frozen soils should be pulverized or replaced with other suitable soils, as may be necessary to construct the embankments as specified. Only unfrozen fill should be used.

4.9 Field Observation and Testing

The soil conditions illustrated on the Logs of Test Borings in Appendix A are indicative of the conditions only at the boring locations. For this reason, we recommend that all excavations at this site be observed by a soils engineer or technician prior to fill or backfill placement or construction of any foundation elements to determine if the soils are capable of supporting the fill backfill and/or foundation loads. These observations are necessary to judge if all unsuitable materials have been removed from within the planned construction area and an appropriate degree of lateral oversize has been provided.

WSB also recommends a representative number of field density tests be taken in all engineered fill and backfill placed to aid in judging its suitability. Fill placement and compaction should be monitored and tested to determine that the resulting fill and backfill conforms to specified density, strength or compressibility requirements. We recommend at least one compaction test for every 150 feet of utility trench at a vertical interval of two (2) feet. Prior to use, any proposed fill and backfill material should be submitted to the WSB laboratory for testing to verify compliance with recommendations and project specifications.

Dynamic Cone Penetrometer (DCP) tests can be completed in the aggregate base in lieu of density testing. We recommend following MnDOT Specification 2211.3.D.2.c.

WSB would be pleased to provide the necessary field observation, monitoring and testing services during construction.

4.10 Plan Review and Remarks

The observations, recommendations and conclusions described in this report are based primarily on information provided to WSB, obtained from our subsurface exploration, our experience, several necessary assumptions and the scopes of service developed for this project and are for the sole use of our client. We recommend that WSB be retained to perform a review of final design drawing and specifications to evaluate that the geotechnical engineering report has not been misinterpreted. Should there be any changes in the design or location of the structures related to this project or if there are any uncertainties in the report we should be notified. We would be pleased to review any project changes and modify the recommendations in this report (if necessary) or provide any clarification in writing.

The entire report should be kept together; for example, boring logs should not be removed and placed in the specifications separately.

The boring logs and related information included in this report are indicators of the subsurface conditions only at the specific locations indicated on the Soil Boring Exhibit and times noted on the Logs of Test Boring sheets in Appendix A. The subsurface conditions, including groundwater levels, at other locations on the site may differ significantly from conditions that existed at the time of sampling and at the boring locations.

The test borings were completed by WSB solely to obtain indications of subsurface conditions as part of a geotechnical exploration program. No services were performed to evaluate subsurface environmental conditions.

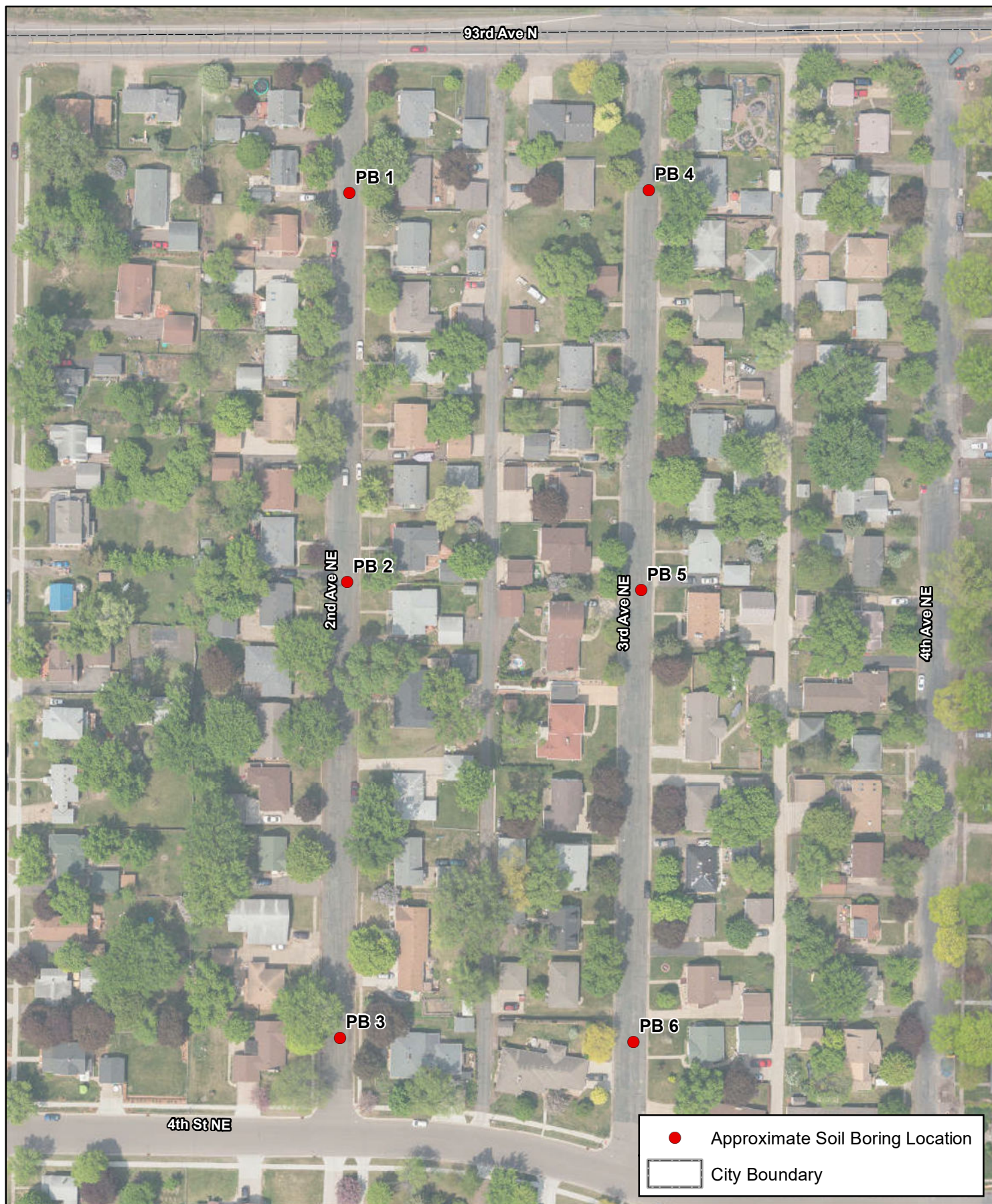
WSB has not performed any observations, investigations, studies or testing that is not specifically listed in the scope of service. WSB shall not be liable for failing to discover any condition whose discovery required the performance of services not authorized by the Agreement.

5. STANDARD OF CARE

The recommendations and opinions contained in this report are based on our professional judgment. The soil testing and geotechnical engineering services performed for this project have been performed with the level of skill and diligence ordinarily exercised by reputable members of the same profession under similar circumstances, at the same time and in the same or a similar locale. No warranty, either express or implied, is made.

APPENDIX A

Soil Boring Exhibit
Log of Test Borings
Symbols and Terminology on Test Boring Log
Notice to Report Users Boring Log Information
Unified Soil Classification Sheet (USCS)



Boring Location Exhibit

Geotechnical Report
2020 Street Reconstruction Project
Osseo, MN
WSB Project #: 014703-000



0 125 Feet
1 inch = 125 feet



LOG OF TEST BORING



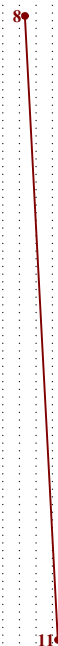
PROJECT NAME: 2020 Street Improvements
CLIENT/WSB #: 014703-000

PROJECT LOCATION: Osseo, Minnesota

BORING NUMBER PB-1

PAGE 1 OF 1

DEPTH (ft)	DESCRIPTION OF MATERIAL	USCS	GEOLOGIC ORIGIN	WL	Drilling Operation	SAMPLE		N	MC %	% Fines	N-Value Plot		
						TYPE	No.				0	7.5	15
0	4 1/2" BITUMINOUS OVER 5" AGGREGATE BASE		Pavement Section										
1	SAND, fine grained, brown, moist	SP	Fill			HSA	1						
2													
3						SB	2	8					
4						HSA							
5													
6						SB	3	11					
6	End of Boring 6.0 ft.												



WATER LEVEL MEASUREMENTS

START: 9/23/2019

END: 9/23/2019

DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	WATER DEPTH	WATER ELEVATION	METHOD	Crew Chief:	Logged By:
9/23/2019	12:20 pm	6	4.5	2	None		3 1/4" HSA 0' - 4.5'	R. Kurth	DEH
								Notes:	

LOG OF TEST BORING



PROJECT NAME: 2020 Street Improvements
CLIENT/WSB #: 014703-000

PROJECT LOCATION: Osseo, Minnesota

BORING NUMBER PB-2

PAGE 1 OF 1

DEPTH (ft)	DESCRIPTION OF MATERIAL	USCS	GEOLOGIC ORIGIN	WL	Drilling Operation	SAMPLE		N	MC %	% Fines	N-Value Plot		
						TYPE	No.				0	8	16
	4" BITUMINOUS OVER 7" AGGREGATE BASE		Pavement Section										
1	SILTY SAND, fine grained, with organic fines, black, moist	SM	Topsoil			HSA	1						
2													
3						SB	2	9					
4						HSA							
5	SAND, fine grained, brown, moist, medium dense	SP	Lacustrine			SB	3	12					
6	End of Boring 6.0 ft.												

WATER LEVEL MEASUREMENTS

START: 9/23/2019

END: 9/23/2019

DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	WATER DEPTH	WATER ELEVATION	METHOD	Crew Chief:	Logged By:
9/23/2019	12:45 pm	6	4.5	2	None		3 1/4" HSA 0' - 4.5'	R. Kurth	DEH
								Notes:	

GEOTECHNICAL N-VALUE PLOT - WSB GDT - 10/8/19 15:07 - C:\USERS\TMEYER\DESKTOP\2020 S.GPJ

LOG OF TEST BORING



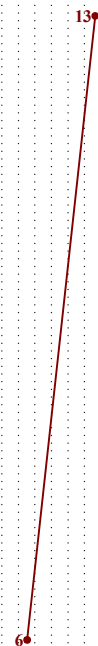
PROJECT NAME: 2020 Street Improvements
CLIENT/WSB #: 014703-000

PROJECT LOCATION: Osseo, Minnesota

BORING NUMBER PB-3

PAGE 1 OF 1

DEPTH (ft)	DESCRIPTION OF MATERIAL	USCS	GEOLOGIC ORIGIN	WL	Drilling Operation	SAMPLE		N	MC %	% Fines	N-Value Plot		
						TYPE	No.				0	8.5	17
0	3 1/2" BITUMINOUS OVER 5 1/2" AGGREGATE BASE		Pavement Section										
1	SILTY SAND, fine to medium grained, with gravel, brown, moist	SM	Fill			HSA	1						
2													
3						SB	2	13					
4						HSA							
5	SAND, fine to medium grained, brown, moist	SP				SB	3	6					
6	End of Boring 6.0 ft.												



WATER LEVEL MEASUREMENTS

START: 9/23/2019

END: 9/23/2019

DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	WATER DEPTH	WATER ELEVATION	METHOD	Crew Chief:	Logged By:
9/23/2019	12:48 pm	6	4.5	2	None		3 1/4" HSA 0' - 4.5'	R. Kurth	DEH
								Notes:	

LOG OF TEST BORING



PROJECT NAME: 2020 Street Improvements
CLIENT/WSB #: 014703-000

PROJECT LOCATION: Osseo, Minnesota

BORING NUMBER PB-4

PAGE 1 OF 1

DEPTH (ft)	DESCRIPTION OF MATERIAL	USCS	GEOLOGIC ORIGIN	WL	Drilling Operation	SAMPLE		N	MC %	% Fines	N-Value Plot		
						TYPE	No.				0	6.5	13
0	3" BITUMINOUS		Pavement Section										
1	SILTY SAND, fine to medium grained, with gravel, dark brown, moist	SM	Fill			HSA	1						
2													
3						SB	2	7					
4	SAND, fine grained, brown, moist, loose	SP	Lacustrine			HSA							
5													
6						SB	3	9					
6	End of Boring 6.0 ft.												

WATER LEVEL MEASUREMENTS

START: 9/23/2019

END: 9/23/2019

DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	WATER DEPTH	WATER ELEVATION	METHOD	Crew Chief:	Logged By:
9/23/2019	1:55 pm	6	4.5	1.5	None		3 1/4" HSA 0' - 4.5'	R. Kurth	DEH
								Notes:	

LOG OF TEST BORING



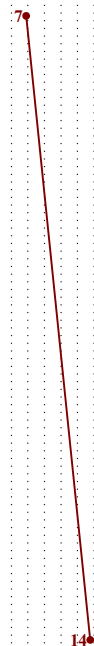
PROJECT NAME: 2020 Street Improvements
CLIENT/WSB #: 014703-000

PROJECT LOCATION: Osseo, Minnesota

BORING NUMBER PB-5

PAGE 1 OF 1

DEPTH (ft)	DESCRIPTION OF MATERIAL	USCS	GEOLOGIC ORIGIN	WL	Drilling Operation	SAMPLE		N	MC %	% Fines	N-Value Plot		
						TYPE	No.				0	9	18
0	5 1/2" BITUMINOUS OVER 4" AGGREGATE BASE		Pavement Section										
1	SILTY SAND, fine to medium grained, with gravel, dark brown, moist	SM	Fill			HSA	1						
2													
3						SB	2	7					
4						HSA							
5	SAND, fine grained, brown, moist, medium dense	SP	Lacustrine										
6	End of Boring 6.0 ft.					SB	3	14					



GEOTECHNICAL N-VALUE PLOT - WSB GDT - 10/8/19 15:07 - C:\USERS\TMEYER\DESKTOP\2020 S.GPJ

WATER LEVEL MEASUREMENTS							START: 9/23/2019		END: 9/23/2019	
DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	WATER DEPTH	WATER ELEVATION	METHOD		Crew Chief:	Logged By:
9/23/2019	1:40 pm	6	4.5	2	None		3 1/4" HSA 0' - 4.5'		R. Kurth	DEH
									Notes:	

LOG OF TEST BORING



PROJECT NAME: 2020 Street Improvements
CLIENT/WSB #: 014703-000

PROJECT LOCATION: Osseo, Minnesota

BORING NUMBER PB-6

PAGE 1 OF 1

DEPTH (ft)	DESCRIPTION OF MATERIAL	USCS	GEOLOGIC ORIGIN	WL	Drilling Operation	SAMPLE		N	MC %	% Fines	N-Value Plot		
						TYPE	No.				0	6	12
0	4" BITUMINOUS OVER 4" AGGREGATE BASE		Pavement Section										
1	SAND, fine grained, brown, moist	SP	Fill			HSA	1						
2													
3						SB	2	8					
4						HSA							
5													
6						SB	3	7					
6	End of Boring 6.0 ft.												

WATER LEVEL MEASUREMENTS

START: 9/23/2019

END: 9/23/2019

DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	WATER DEPTH	WATER ELEVATION	METHOD	Crew Chief:	Logged By:
9/23/2019	1:24 pm	6	4.5	2.5	None		3 1/4" HSA 0' - 4.5'	R. Kurth	DEH
								Notes:	

SYMBOLS AND TERMINOLOGY ON TEST BORING LOG



SYMBOLS			
Drilling and Sampling		Laboratory Testing	
<u>Symbol</u>	<u>Description</u>	<u>Symbol</u>	<u>Description</u>
HSA	3 1/4" LD. Hollow Stem Auger	MC	Moisture content, % (ASTM D2216)
FA	Flight Auger	DD	Dry Density, pcf
HA	Hand Auger	LL	Liquid Limit (ASTM D4318)
RC	Size A, B, or N rotary casing	PL	Plastic Limit (ASTM D4318)
CS	Continuous split barrel sampling		
DM	Drilling Mud		- Inserts in last column
JW	Jetting Water		
SB	2" O.D. split barrel sampling	Qu	Unconfined compressive strength, psf (ASTM D2166)
_L	2 1/2" or 3 1/2" OD split barrel liner sampler	Pq	Penetrometer Reading, tsf (ASTM D1558)
_T	2" or 3" thin walled tube sample	Ts	Torvane Reading, ts
W	Wash sample	G	Specific Gravity (ASTM D854)
B	Bag sample	SL	Shrinkage limits (ASTM D427)
P	Test Pit sample	OC	Organic Content (ASTM D2974)
_Q	BQ, NQ, or PQ wire line system	SP	Swell Pressure, tsf (ASTM D4546)
_X	AX, BX, or NX double tube barrel	PS	Percent swell under pressure (ASTM D4546)
N	Standard penetration test, blow per foot	FS	Free swell, % (ASTM D4546)
CR	Core recovery, percent	SS	Shrink swell, % (ASTM D4546)
WL	Water level	pH	
n/a	no measurement recorded	SC	Sulfate content, parts/million or mg/l
		CC	Chloride content, parts/million or mg/l
		C	One dimensional consolidation (ASTM D2435)
		Qc	Triaxial compression (ASTM D2850 and D4767)
		DS	Direct Shear (ASTM D3080)
		K	Coefficient of permeability, cm/sec (ASTM D2434)
		P	Pinhole Test (ASTM D4647)
		DH	Double hydrometer (ASTM D4221)
		MA	Particle size analysis (ASTM D422)
		R	Laboratory electrical resistivity, ohm-cm (ASTM G57)
		VS	Field vane shear (ASTM D2573)
		RQD	Rock quality designation, percent
		IR	Infiltration Test (ASTM D3385)

TERMINOLOGY							
Particle Sizes				Soil Layering and Moisture			
<u>Type</u>	<u>Size Range</u>	<u>Term</u>	<u>Visual Observation</u>				
Boulders	> 12"	Lenses	Small pockets of different soils				
Cobbles	3" - 12"	Lamination	< 1/4" thick stratum				
Coarse gravel	3/4" - 3"	Layer	1/4" - 12" thick stratum				
Fine gravel	#4 sieve - 3/4"	Stratified	Altering lenses of varying materials or colors				
Coarse sand	#4 sieve - #10 sieve	Varved	Altering laminations of clay, silt, fine sand, or colors				
Medium sand	#10 sieve - #40 sieve	Dry	Powdery, no noticeable water				
Fine sand	#40 sieve - #200 sieve	Moist	Damp, below saturation				
Silt	100% passing #200 sieve, and > 0.002mm	Wet	MC above plastic limit				
Clay	100% passing #200 sieve, and < 0.002mm	Waterbearing	Pervious soil below water table				
		Saturated	Cohesive soil with MC above liquid limit				
Gravel Content				Standard Penetration Resistance (N-value)			
Coarse-Grained Soils		Fine-Grained Soils		Cohesionless Soils		Cohesive Soils	
<u>% Gravel</u>	<u>Description</u>	<u>% Gravel</u>	<u>Description</u>	<u>N-Value</u>	<u>Relative Density</u>	<u>N-Value</u>	<u>Consistency</u>
2 - 15	A little gravel	2 - 5	Trace of gravel	0 - 4	Very loose	0 - 4	Very soft
16 - 30	With gravel	5 - 15	a little gravel	5 - 10	Loose	5 - 8	Soft
31 - 49	Gravelly	16 - 30	with gravel	11 - 30	Medium dense	9 - 15	Firm
		31 - 49	Gravelly	31 - 50	Dense	16 - 30	Hard
				>50	Very dense	>30	Very hard

NOTICE TO REPORT USERS BORING LOG INFORMATION



Subsurface Profiles

The subsurface stratification lines on the graphic representation of the test borings show an approximate boundary between soil types or rock. The transition between materials is approximate and is usually far more gradual than shown. Estimating excavation depths, soil volumes, and other computations relying on the subsurface strata may not be possible to any degree of accuracy.

Water Level

WSB & Associates, Inc. took groundwater level readings in the exploratory borings, reviewed the data obtained, and discussed its interpretation of the data in the text of this report. The groundwater level may fluctuate due to seasonal variations caused by precipitation, snowmelt, rainfalls, construction or remediation activities, and/or other factors not evident at the time of measurement.

The actual determination of the subsurface water level is an interpretive process. Subsurface water level may not be accurately depicted by the levels indicated on the boring logs. Normally, a subsurface exploration obtains general information regarding subsurface features for design purposes. An accurate determination of subsurface water levels is not possible with a typical scope of work. The use of the subsurface water level information provided for estimating purposes or other site review can present a moderate to high risk of error.

The following information is obtained in the field and noted under "Water Level Measurements" at the bottom of the log.

Sample Depth:	The lowest depth of soil sampling at the time a water level measurement is taken.
Casing Depth:	The depth to the bottom of the casing or hollow stem auger at the time of water level measurement.
Cave-in Depth:	The depth at which a measuring tape stops in the bore hole.
Water Level:	The point in the bore hole at which free-standing water is encountered by a measure device from the surface.

Obstruction Depths

Obstructions and/or obstruction depths may be noted on the boring logs. Obstruction indicates the sampling equipment encountered resistance to penetration. It must be realized that continuation of drilling, the use of other drilling equipment or further exploration may provide information other than that depicted on the logs. The correlation of obstruction depths on the log with construction features such as rock excavation, foundation depths, or buried debris cannot normally be determined with any degree of accuracy. For example, penetration of weathered rock by soil sampling equipment may not correlate with removal by certain types of construction equipment. Using this information for estimating purposes often results in a high degree of misinterpretation.

Accurately identifying the obstruction or estimating depths where hard rock is present over the site requires a scope of service beyond the normal geotechnical exploration program. The risk of using the information noted on the boring logs for estimating purposes must be understood.



UNIFIED SOIL CLASSIFICATION SYSTEM

UNIFIED SOIL CLASSIFICATION AND SYMBOL CHART

COARSE-GRAINED SOILS (more than 50% of material is larger than No. 200 sieve size.)		
Clean Gravels (Less than 5% fines)		
GRAVELS More than 50% of coarse fraction larger than No. 4 sieve size	GW	Well-graded gravels, gravel-sand mixtures, little or no fines
	GP	Poorly-graded gravels, gravel-sand mixtures, little or no fines
	Gravels with fines (More than 12% fines)	
	GM	Silty gravels, gravel-sand-silt mixtures
	GC	Clayey gravels, gravel-sand-clay mixtures
Clean Sands (Less than 5% fines)		
SANDS 50% or more of coarse fraction smaller than No. 4 sieve size	SW	Well-graded sands, gravelly sands, little or no fines
	SP	Poorly graded sands, gravelly sands, little or no fines
	Sands with fines (More than 12% fines)	
	SM	Silty sands, sand-silt mixtures
	SC	Clayey sands, sand-clay mixtures
FINE-GRAINED SOILS (50% or more of material is smaller than No. 200 sieve size.)		
SILTS AND CLAYS Liquid limit less than 50%	ML	Inorganic silts and very fine sands, rock flour, silty of clayey fine sands or clayey silts with slight plasticity
	CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
	OL	Organic silts and organic silty clays of low plasticity
SILTS AND CLAYS Liquid limit 50% or greater	MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts
	CH	Inorganic clays of high plasticity, fat clays
	OH	Organic clays of medium to high plasticity, organic silts
HIGHLY ORGANIC SOILS	PT	Peat and other highly organic soils

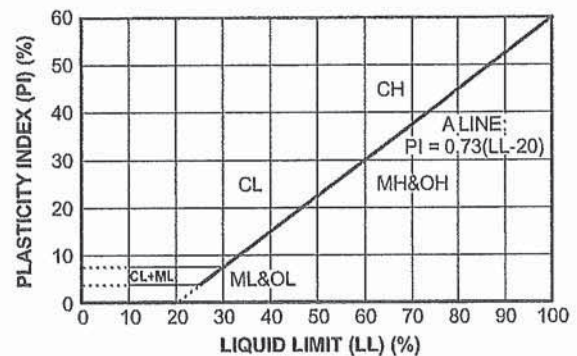
LABORATORY CLASSIFICATION CRITERIA

GW	$C_u = \frac{D_{60}}{D_{10}}$ greater than 4; $C_c = \frac{D_{30}}{D_{10} \times D_{60}}$ between 1 and 3	
GP	Not meeting all gradation requirements for GW	
GM	Atterberg limits below "A" line or P.I. less than 4	Above "A" line with P.I. between 4 and 7 are borderline cases requiring use of dual symbols
GC	Atterberg limits above "A" line with P.I. greater than 7	
SW	$C_u = \frac{D_{60}}{D_{10}}$ greater than 4; $C_c = \frac{D_{30}}{D_{10} \times D_{60}}$ between 1 and 3	
SP	Not meeting all gradation requirements for GW	
SM	Atterberg limits below "A" line or P.I. less than 4	Limits plotting in shaded zone with P.I. between 4 and 7 are borderline cases requiring use of dual symbols.
SC	Atterberg limits above "A" line with P.I. greater than 7	

Determine percentages of sand and gravel from grain-size curve. Depending on percentage of fines (fraction smaller than No. 200 sieve size), coarse-grained soils are classified as follows:

Less than 5 percent GW, GP, SW, SP
More than 12 percent GM, GC, SM, SC
5 to 12 percent Borderline cases requiring dual symbols

PLASTICITY CHART



APPENDIX E

Assessment Map
Preliminary Assessment Roll

K:\014703-000\Cad\Exhibits\014703-000 Assessment Map.dwg 10/21/2019 12:37:03 PM



WSB PROJECT NO.:
014703-000

2020 STREET RECONSTRUCTION PROJECT
ASSESSMENT MAP
CITY OF OSSEO, MN



CITY OF OSSEO 2020 STREET RECONSTRUCTION PROJECT PRELIMINARY ASSESSMENT ROLL												
Date: 10/28/2019 WSB Project No.: 014703-000										Complete Reconstruction Residential Single-Family Per Unit Assessment:		Rate \$6,720.00
MAP ID	PID	FEE OWNER	FEE OWNER ADDRESS	CITY/STATE/ZIP	PROPERTY ADDRESS	USE DESCRIPTION	UNITS	UNIT ASSESSMENT RATE	FRONT FOOTAGE (LF)	FOOTAGE ASSESSMENT RATE	PROPOSED ASSESSMENT	
1	1811921220101	PRESIDIUM PROPERTIES LLC	13700 83RD WAY #206	MAPLE GROVE MN 55369	401 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
2	1811921220100	ERICKA S SCHAPER & NEAL A FOY	409 2ND AVE NE	OSSEO MN 55369	409 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
3	1811921220099	STANLEY D ROCHAT	417 2ND AVE NE	OSSEO MN 55369	417 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
4	1811921220098	CYNTHIA L BECK	425 2ND AVE NE	OSSEO MN 55369	425 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
5	1811921220097	DIANE VOGEL	433 2ND AVE NE	OSSEO MN 55369	433 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
6	1811921220096	JOHN P & PATRICIA R COCHRAN	501 2ND AVE NE	OSSEO MN 55369	501 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
7	1811921220095	ALAN T SCHMITT	509 2ND AVE NE	OSSEO MN 55369	509 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
8	1811921220094	KAREN J DANIELSON	517 2ND AVE NE	OSSEO MN 55369	517 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
9	1811921220093	HANNA KENOW & JESSE KENOW	525 2ND AVE NE	OSSEO MN 55369	525 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
10	1811921220092	TERRI M HAINES	533 2ND AVE NE	OSSEO MN 55369	533 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
11	1811921220091	RICHARD D HOPKES	541 2ND AVE NE	OSSEO MN 55369	541 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
12	1811921220090	ERICA HOFFMAN	601 2ND AVE NE	OSSEO MN 55369	601 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
13	1811921220089	RALPH P VAN HEEL	609 2ND AVE NE	OSSEO MN 55369	609 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
14	1811921220088	ROGER K & MARY M DRAMSTAD	617 2ND AVE NE	OSSEO MN 55369	617 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
15	1811921220087	CAROLYN J WATERS	625 2ND AVE NE	OSSEO MN 55369	625 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
16	1811921220086	DAVID & JENNIFER NELSON	633 2ND AVE NE	OSSEO MN 55369	633 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
17	1811921220071	RUSSELL JAMES NIELSEN	400 2ND AVE NE	OSSEO MN 55369	400 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
18	1811921220072	MARY ABBEY	416 2ND AVE NE	OSSEO MN 55369	416 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
19	1811921220073	JASON MARTINEZ & NANCY MARTINEZ	424 2ND AVE NE	OSSEO MN 55369	424 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
20	1811921220074	LEEANN C ADAMS	432 2ND AVE NE	OSSEO MN 55369	432 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
21	1811921220143	MARCUS ROGERS LEAB	440 2ND AVE NE	OSSEO MN 55369	440 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
22	1811921220077	AMANDA LITTLE	516 2ND AVE NE	OSSEO MN 55369	516 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
23	1811921220078	SARAH BROWN & ROBERT BROWN & LINDA BROWN	524 2ND AVE NE	OSSEO MN 55369	524 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
24	1811921220079	ANDREW J SANDAHL	532 2ND AVE NE	OSSEO MN 55369	532 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
25	1811921220080	LYNDA PELLETIER	540 2ND AVE NE	OSSEO MN 55369	540 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
26	1811921220081	WILLIAM A KELLY	608 2ND AVE NE	OSSEO MN 55369	608 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
27	1811921220082	PAUL FERRY & BONITA FERRY	616 2ND AVE NE	OSSEO MN 55369	616 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
28	1811921220083	JOSHUA PELOQUIN & ABIGAIL PELOQUIN	624 2ND AVE NE	OSSEO MN 55369	624 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
29	1811921220084	ANDREW R OLSON	632 2ND AVE NE	OSSEO MN 55369	632 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
30	1811921220085	ED BERTHIAUME	644 2ND AVE NE	OSSEO MN 55369	644 2ND AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
31	1811921220070	LAWRENCE J TRAUT	217 4TH ST NE	OSSEO MN 55369	217 4TH ST NE	RESIDENTIAL	0.5	\$6,720.00			\$3,360.00	
32	1811921220069	GERALD KROIS	417 3RD AVE NE	OSSEO MN 55369	417 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
33	1811921220068	JOHN P & JODY K HALLIDAY	425 3RD AVE NE	OSSEO MN 55369	425 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
34	1811921220067	TEDDY KOPREN	433 3RD AVE NE	OSSEO MN 55369	433 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
35	1811921220066	DAVID A ANDREWS	501 3RD AVE NE	OSSEO MN 55369	501 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
36	1811921220065	SARITA R CASTRO & KENNY J NELSON	509 3RD AVE NE	OSSEO MN 55369	509 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
37	1811921220064	RICHARD & JESSICA PECHACEK	519 3RD AVE NE	OSSEO MN 55369	519 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
38	1811921220063	RANDALL D DALLUGE	525 3RD AVE NE	OSSEO MN 55369	525 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
39	1811921220062	BRENT MAVES & ARCENIA MAVES	533 3RD AVE NE	OSSEO MN 55369	533 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
40	1811921220061	SHAWN HANSEN & ALYSSA HASTINGS	541 3RD AVE NE	OSSEO MN 55369	541 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
41	1811921220060	ANN BISTODEAU & BRYAN AHNER	601 3RD AVE NE	OSSEO MN 55369	601 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
42	1811921220144	C MARIE BAUER	609 3RD AVE NE	OSSEO MN 55369	609 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
43	1811921220057	THOMAS R WICK	625 3RD AVE NE	OSSEO MN 55369	625 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
44	1811921220056	ADAM J HOUTKOOPER & CINDI M HOUTKOOPER	224 7TH ST NE	OSSEO MN 55369	224 7TH ST NE	RESIDENTIAL	0.5	\$6,720.00			\$3,360.00	
45	1811921220040	CYNTHIA K CASTLE	309 4TH ST NE	OSSEO MN 55369	309 4TH ST NE	RESIDENTIAL	0.5	\$6,720.00			\$3,360.00	
46	1811921220041	MARY HOHN	408 3RD AVE NE	OSSEO MN 55369	408 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
47	1811921220042	DAVID S & MARLENE M AANERUD	416 3RD AVE NE	OSSEO MN 55369	416 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
48	1811921220043	RICHARD F WEBER	424 3RD AVE NE	OSSEO MN 55369	424 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
49	1811921220044	ABBY SUNDQUIST	432 3RD AVE NE	OSSEO MN 55369	432 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
50	1811921220045	REBECCA L HILLIARD	500 3RD AVE NE	OSSEO MN 55369	500 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
51	1811921220046	VERNON E LOWE & SALLY B LOWE	508 3RD AVE NE	OSSEO MN 55369	508 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
52	1811921220047	STEVE MASTRIAN	516 3RD AVE NE	OSSEO MN 55369	516 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
53	1811921220048	MARY ROSE KNUTSON & CHRISTINE MARIE WOLF	524 3RD AVE NE	OSSEO MN 55369	524 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
54	1811921220049	DEAN A TRIPP	532 3RD AVE NE	OSSEO MN 55369	532 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
55	1811921220050	JAMES MELVIN SCHUMM	600 3RD AVE NE	OSSEO MN 55369	600 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
56	1811921220051	DENNIS & DIANA L JOHNSON	608 3RD AVE NE	OSSEO MN 55369	608 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
57	1811921220052	DAVID M BRESS	616 3RD AVE NE	OSSEO MN 55369	616 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
58	1811921220053	JAMES B KELLY	624 3RD AVE NE	OSSEO MN 55369	624 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	
59	1811921220054	KYLE M JOHNSON & ROSE A JOHNSON	632 3RD AVE NE	OSSEO MN 55369	632 3RD AVE NE	RESIDENTIAL	1	\$6,720.00			\$6,720.00	

**CITY OF OSSEO
2020 STREET RECONSTRUCTION PROJECT
PRELIMINARY ASSESSMENT ROLL**

Date: 10/28/2019
WSB Project No.: 014703-000

	<u>Rate</u>
Complete Reconstruction Residential Single-Family Per Unit Assessment:	\$6,720.00

[illegible]

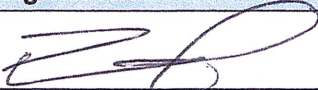




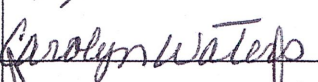
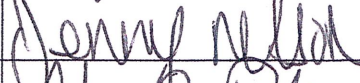

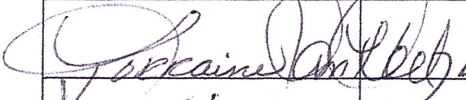

APPENDIX F


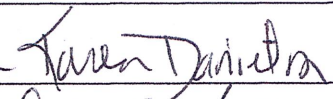




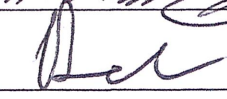
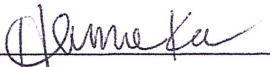


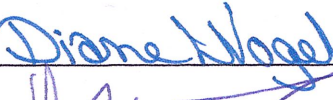
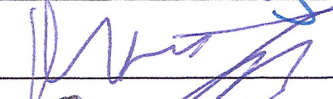



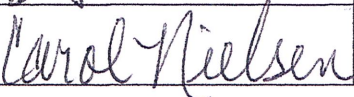
Public Comment Summary

Petition to Eliminate the Sidewalks from the Scope of Work

(2020 Road Construction Project on 2nd Ave NE)

Petition summary and background	Reasons for no sidewalk: Neighbors do not want it, Currently our street is uniform, 50-60 year old trees will be removed in result, Sidewalk dead ends on County Road 30 (inviting people to walk on a busy road with no sidewalk), And any additional comments from undersigned. ASKING FOR 1 SIGNATURE PER ADDRESS
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to remove the sidewalks, from the scope of work. (2020 road construction project on 2 nd Ave NE.)

Printed Name	Signature	Address	Comments	Date
Preston Koska		601 2 nd Ave NE	No sidewalk	9-15-19
MIKE GRIGG		540 2 nd Ave NE	No SIDE WALK	9-15-19
Bill Kelly		608 2 nd Ave NE	No side walk	9-15-19
TERRI HAINES		533 2 ND AVE NE	NO SIDEWALK	9-15-19
RICHARD HOPKES		541 2 ND AVE NE	No SIDEWALK, SMALL YARD	9/15/19
Carolyn Waters		625 2 ND AVE NE	No side walk.	9/15/19
Jenny Nelson		633 2 nd ave NE	NO SIDE WALK	9/15/19
Abigail Pelouquin		624 2 ND AVE NE	No Sidewalk	9/15/19
Lorraine VanDer		609-2 ND AVE N.E.	No Sidewalk	9/15-19
Keal Chaisne		617 2 nd Ave NE	no S.d. walk	9/15/19

Printed Name	Signature	Address	Comments	Date
Amanda Little		516 2nd Ave NE	NO sidewalk	9/15/19
Taren Danielsen		517 2nd Ave NE	no sidewalk	9/15/19
Alan Schmitt		569 2ND AVE N.E	NO SIDEWALK	9/15/19
John P. Cochran		501 2nd Ave NE	NO Sidewalk ! ! ! ! !	9-15-19
Tom Rochan		417 2nd ave NE	NO!	9/15/19
Max Martinez		424 2nd ave NE	NO sidewalk!	9/15/19
Andrew Olsen		632 2nd Ave NE	No sidewalk	9-15-19
Hanna Kenao		525 2nd Ave NE	NO sidewalk	9/15/19
Andrew Sandahl		532 2nd Ave NE	NO Sidewalk	9/15/19
Cynthia Beck		425 2nd Ave NE	no sidewalk	9/16/19
Diane Vogel		433-2nd Ave NE	No Sidewalk	9/16/19
MARCUS L BAY		440 2ND AVE NE	NEGATIVE ON SIDEWALK	9/16/19
Ed Berthman		644 2nd Ave NE		9/17/19
Michael Bass		616 2nd Ave NE	No sidewalk	9/17/19
BRIAN ADAMS		432 2nd Ave NE	no sidewalk	9/17/19
Carol Nielsen		400 2nd Ave NE	no sidewalk	9/17/19

[illegible]

Petition to Eliminate the Sidewalks from the Scope of Work

(2020 Road Construction Project on 3rd Ave NE)

Petition summary and background	Reasons for no sidewalk: Neighbors do not want it, Currently our street is uniform, 50-60 year old trees will be removed in result, Sidewalk dead ends on County Road 30 (inviting people to walk on a busy road with no sidewalk), And any additional comments from undersigned. ASKING FOR 1 SIGNATURE PER ADDRESS
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to remove the sidewalks, from the scope of work. (2020 road construction project on 3rd Ave NE.)

Printed Name	Signature	Address	Comments	Date
Rebecca Hilliard	Rebecca Hilliard	500 3rd Ave NE	No sidewalk	9-25-19
Mary Hohn	Mary Hohn	408 3rd Ave. NE	Another thing to shiver / <u>No</u> sidewalk maintain	9/25/19
Marlene Amoner	MARLENE AMONER	416 3rd Ave NE	NO side walk	9/25/19
DICK WEBER	R. F. Weber	424 2nd Ave.	NO SIDEWALK	9/25
Linda Krois	Linda Krois	417 3rd Ave N.E.	No Sidewalk	9/25
Tammi Kuhn	Tammi Kuhn	217 4th St NE	NO sidewalk	9/25
Abby Sundquist	Abby Sundquist	432 3rd Ave NE	No sidewalk	9/25
Cynthia Castle	Cynthia Castle	309 4th St NE	No sidewalk	9/28
Sam Halliday	Sam Halliday	425 3rd Ave NE	no sidewalk	9/21
Teo Kopren	Teo Kopren	433 3rd Ave. NE	no sidewalk	9/28

[illegible]

COMMENT CARD

City of Osseo, Minnesota
2020 Street Reconstruction Project

Date: Tuesday, October 1, 2019
Location: Osseo Community Center

Name Mary Hohn
Address 408 3rd Ave NE Phone 263, 772-8051
City Osseo State MN Zip Code 55369

General Comments

No sidewalk! Half my yard will be taken over,
and I do NOT want to maintain it during
winter

Signature Mary Hohn

COMMENT CARD

City of Osseo, Minnesota
2020 Street Reconstruction Project

Date: Tuesday, October 1, 2019

Location: Osseo Community Center

Name David Ranerud
Address 416 3rd Avenue Phone (763) 315-1070
City Osseo State MN Zip Code 55369

General Comments

No Side Walk

Signature David Ranerud

COMMENT CARD

City of Osseo, Minnesota
2020 Street Reconstruction Project

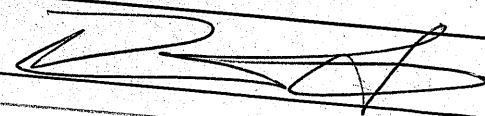
Date: Tuesday, October 1, 2019
Location: Osseo Community Center

Name Preston Krooka
Address 601 2nd Ave NE Phone (612) 298 0287
City Osseo State MN Zip Code 55369

General Comments

I handed in Petitions / No Sidewalks

Signature



COMMENT CARD

City of Osseo, Minnesota
2020 Street Reconstruction Project

Date: Tuesday, October 1, 2019

Location: Osseo Community Center

Name

010010

Address

624 3rd Ave N.E.

Phone

763-425-3492

City

Osseo MN

State

MA

Zip Code

55369

General Comments

Set-up timely

Submitted letter before meeting.

Allowance for information to be shared.

Sewer clean-out presented in writing.

Sketch submitted showing improvement for future.

Signature

010010

10-1-19

624 3rd Ave. N.E.

Property owner input (Allow to address)

1. Updated code R.O.W. (Permit Acknowledgement)
2. Mandated A.D.A. (Least running slope possible.)
3. Property limited liability for future.

Actions deemed worth consideration.

A.) Safety - Grading - Current sidewalk in R.O.W from curb 7° to 4°. This w/glaze ice is accident prone.

Options for solution w/A.D.A. slope for future Boulevard sidewalk.

1.) 616 driveway access elevation drop to decrease 3° slope to 2°. 624 to share grade change from 632 = (0° grade.)

2.) Grading options from 624 to R.O.W.

- 1.) Natural living ground cover is best long-term.
- 2.) Any retaining wall set in R.O.W. is a problem.
- 3.) Future ramp for A.D.A to 624 from R.O.W. has steps underneath far away. Sketch included.

4.) Items in R.O.W. A.) Sanitary sewer clean-out access, B.) Grounding cable around tree roots. C.) Glass dump.

Not previously marked.

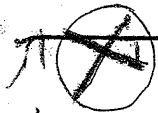
624 3rd Ave N.E.

Stairs
position
under
ADA ramp

↑ 624 3rd Ave N.E.

2020 project to make
access to street w/ least
running slope possible.

B.O.W.



grounding
cable
around
tree roots

← 4' →
← 3' →
current
width

glass
dump
glass
dump
3ft
deep

Permit #
2019-91-B

Water
shut off

Sewer
clean-out

Sewer
clean-out
2002
Permit

Curb line
Scale 1" = 2' Street
← N

← Curb

← N

Emily Lueth

From: Lee Gustafson
Sent: Tuesday, October 1, 2019 5:56 PM
To: Emily Lueth
Subject: Fwd: 2020 Street Reconstruction Project

Sent from my iPhone

Lee
763.762.2821

Begin forwarded message:

From: Rose Johnson <roseajohnson@yahoo.com>
Date: October 1, 2019 at 5:52:00 PM CDT
To: lgustafson@wsbeng.com
Subject: 2020 Street Reconstruction Project

I'm writing about the proposed 2020 street reconstruction project. I agree these streets are in desperate need of updates.

We are in support of adding a sidewalk. We live two houses south of County Road 30 on 3rd Ave. Our children take the school bus on 2nd Ave and 4th street. At minimum my children walk on these streets twice a day. We're in full support of adding sidewalks to one side of the road for safety.

Our street is also heavily walked by Osseo patrons as an entry way to crossing CR-30. Many people walk down our road, cross CR-30, cut through St. Vincent De Paul parking lot. Then they have access to the paths along Jefferson and the trails connected to the Elm Creek Park Reserve. We're in full support of sidewalks. Thank you for your time.

Rose A Johnson

Sent from my iPhone

Emily Lueth

From: Lee Gustafson
Sent: Tuesday, October 1, 2019 10:42 PM
To: Emily Lueth
Subject: FW: 2020 Street reconstruction project

Lee
763.762.2821

From: Deanna Burke <deannaburke72@gmail.com>
Sent: Wednesday, September 25, 2019 6:58 AM
To: Lee Gustafson <LGustafson@wsbeng.com>
Subject: 2020 Street reconstruction project

Good morning,

I'm writing to discuss a concern about the reconstruction project for 3rd Ave NE. I live at 640 3rd Ave NE and am aware that a sidewalk is planned along my side of the street. I am opposed to having a sidewalk along the front of my property for many reasons -- mostly due to liability issues and also that I am nearing 70 and it would present a HUGE hardship for me to clear the snow in Winter (I contract to have my driveway plowed but the company does not do sidewalks). Since I have a corner lot that borders 93rd (CR 30), I believe that eliminating a sidewalk for the 50 or so feet between my driveway and the CR 30 ditch would not significantly inhibit the "walkability" in that neighborhood in Osseo.

As it is, that corner is particularly hazardous for pedestrians in it's present state. Drivers are very impatient and HATE to wait for cars to turn into the catholic church parking lot. Often they will try to drive around the turning car by driving off the road and onto the gravel shoulder. In Winter, cars frequently slip and have, on several occasions, crashed into the trees on my property. This is already a dangerous intersection for people walking along CR 30 (but they very often do) and it would be even more dangerous if the sidewalk were installed. Therefore, I am requesting an exemption for my property in regards to the sidewalk that is part of the street reconstruction project.

Thank you,
Deanna Burke
640 3rd Ave NE
Osseo, MN 55369

COMMENT CARD

Reconstruction Project

Date: Tuesday, October 1, 2019

Location: Osseo Community Center

Name Mary Knutson

Address 524 3rd Ave NE

City Osseo

Phone 612-867-3646

State MN

Zip Code 55369

General Comments

No Sidewalks needed on this Street. It is not a through Street and I would NOT have a yard.

Another note - when I bought this house 1 year ago I asked about the street & was told "nothing is on the books". That is complete BS. I love this town.

Signature

Mary Knutson

Brandon Movall

From: Brandon Movall
Sent: Wednesday, October 16, 2019 3:12 PM
To: Brandon Movall
Subject: FW: 2020 Project Letter 10-1

Brandon
763.231.4866

From: James Kelly <osseomn@gmail.com>
Sent: Wednesday, October 16, 2019 9:11 AM
To: Lee Gustafson <LGustafson@wsbeng.com>
Subject: 2020 Project Letter 10-1

Safety consideration A.D.A. sidewalk on 3rd Ave.
The max. grade of slope 2nd Ave should be goal on 3rd.

616 3rd driveway access grade dropped max.
624 walk grade dropped to least possible slope grade for steepest hill in Osseo.
Any retaining blocks must be on residential property.

**624 walk to front door is to be A.D.A.
compliant in 2020.**

010010

Resolution No. 2019-xx

**RESOLUTION RECEIVING FEASIBILITY REPORT AND
CALLING FOR THE IMPROVEMENT HEARING ON THE
2020 STREET RECONSTRUCTION PROJECT**

WHEREAS, pursuant to a motion of the City Council adopted August 26, 2019, a report has been prepared by the City Engineer with reference to the following proposed street and utility improvements:

- Streets reconstruction:
 - 2nd Avenue NE from 4th Street NE to 93rd Avenue N
 - 3rd Avenue NE from 4th Street NE to 93rd Avenue N

WHEREAS, the report provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Osseo, Hennepin County, Minnesota:

1. The council will consider the improvement of such street and utility improvements in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429, at an estimated total cost of the improvement of \$1,034,500.
2. A public hearing shall be held on such proposed improvement on the 25th day of November, 2019, in the council chambers of the city hall at 7:00 p.m. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.



City of Osseo City Council Meeting Item

Agenda Item: Discuss Property Donation Agreement

Meeting Date: October 28, 2019

Prepared by: Riley Grams, City Administrator

Attachments: Draft Property Donation Agreement

Policy Consideration:

Discuss any potential changes to the attached draft donation agreement for the property located at 632 Central Ave.

Background:

Back at the June 10, 2019 EDA meeting, the EDA directed Staff and the City Attorney to draw up a draft donation agreement between the City of Osseo and Wiley Enterprises for the donation of the empty lot located at 632 Central Ave. The idea was that the Wiley's would donate the property to the City in exchange for paying off the property's special assessment amount and paying for an appraisal of the property.

After that meeting, the City Attorney drew up the attached donation agreement and Staff sent it over to Wiley Enterprises for comments. However, as you may recall, Wiley Enterprises wanted the property to remain as open space and wasn't agreeable to the property being developed at *any* point in the future. The City Attorney attempted to write the agreement with that in mind, however, it is difficult to handcuff the City to not developing ANY of that property (either all or partial) in the future, should they desire to do so. The initial draft of the agreement (which is attached) was rejected by Wiley Enterprises, noting that the property could ultimately wind up as part of a redevelopment for the benefit of the City and a future Developer.

Unless the EDA/City is willing to agree to a 100% no-development clause on this property, I'm not sure we can reach an agreement. The Council should provide some discussion on this matter at the meeting on Monday night, and give any necessary direction to Staff on how to proceed. The EDA discussed this matter briefly at the October 14, 2019 EDA meeting and ultimately tabled the discussion to allow for the City Council to discuss this matter.

Currently the property brings in approximately \$5,000 annually in property taxes (of which, the City receives roughly one-third). If the City were to accept the donation, the property would be taken off the tax rolls because it would be publicly owned. With no identifiable development project planned in that area, the City would most likely hold and maintain the property until additional adjacent properties could be acquired.

Previous Action or Discussion:

The EDA discussed this matter at the [June 10, 2019 meeting](#), the [July 8, 2019 meeting](#), and the [October 14, 2019 meeting](#).

Budget or Other Considerations:

If the property donation is ultimately approved and signed, the City would pay off the balance of the Special Assessments, as well as an appraisal of the property.

City Goals Met By This Action:

Foster and promote economic development in the City

Recommendation/Action Requested:

Staff recommends the City Council discuss the update to the property donation agreement and give clear direction to Staff on how to proceed with this matter.

DONATION AGREEMENT

1. **PARTIES.** This donation agreement (the “Donation Agreement”) is made this ____ day of _____, 2019, by and between Barbara J. Wiley and Alan R. J. Lindquist, a married couple (collectively, the “Donor”), and the City of Osseo, a Minnesota municipal corporation (the “City”).

2. **SUBJECT PROPERTY.** The Donor is the owner in fee simple of real estate located at 632 Central Avenue in the City of Osseo, Hennepin County, Minnesota, consisting of land identified by Tax Parcel Identification Number 18-119-21-22-0113, which is legally described as:

Lot 5, Block 2, Osseo

(the “Property”).

3. **OFFER/ACCEPTANCE.** In consideration of the mutual agreements between the Donor and the City contained herein, the Donor agrees to donate the Property to the City, and the City agrees to accept the donation of the Property from the Donor.

4. **CONTINGENCIES.** This Donation Agreement is contingent upon the satisfaction of the following condition:

A. Condition of title being satisfactory to the City following the City’s examination of title as provided for in Section 9 of this Donation Agreement.

The parties shall have until the Closing Date, as herein defined, of the donation of the Property (“Closing”) to satisfy the foregoing contingency. If the contingency is duly satisfied or waived in writing by the City, then the City and the Donor shall proceed to close the transaction as contemplated herein. If, however, the contingency is not timely satisfied and is not waived in writing by the City, then this Donation Agreement shall thereupon be void, at the option of the City. If this Donation Agreement is voided, then the City and the Donor shall execute and deliver to each other a termination of this Donation Agreement.

5. **PERSONAL PROPERTY INCLUDED IN DONATION.** The following items of personal property and fixtures owned by the Donor and currently located on the Property are included in this donation: None.

6. **CLOSING DATE.** The Closing shall take place on or before _____, 2019 (the “Closing Date”), unless otherwise mutually agreed upon by the Donor and the City. The Closing shall take place at 415 Central Avenue, Osseo, Minnesota, or such other location as mutually agreed upon by the Donor and the City.

7. **DOCUMENTS TO BE DELIVERED AT CLOSING.** The Donor agrees to deliver the following documents to the City at Closing:

- A. A duly recordable warranty deed conveying marketable fee simple title to the Property to the City, free and clear of any mortgages, liens or encumbrances other than matters created by or acceptable to the City;
- B. An affidavit from the Donor sufficient to remove any exception in the City's policy of title insurance for mechanics' and materialmens' liens and rights of parties in possession;
- C. Affidavit of the Donor confirming that the Donor is not a foreign person within the meaning of Section 1445 of the Internal Revenue Code;
- D. A completed Minnesota Well Disclosure Certificate;
- E. Any notices, certificates, and affidavits regarding any private sewage systems, underground storage tanks, and environmental conditions as may be required by Minnesota statutes, rules or ordinances; and
- F. Customary affidavits, certificates and such other documents as the City may request to carry out this transaction.

8. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS.

- A. The City shall be responsible for all real property taxes and special assessments assessed and pending against the Property on the date of Closing.

9. EXAMINATION OF TITLE; CURING TITLE DEFECTS. The Donor will provide to the City any available title records in its possession. The City will obtain a commitment for title insurance ("Commitment") for the Property, and the City shall have 20 business days after receipt thereof to examine the same and to deliver written objections to title, if any, to the Donor, or the City's right to do so shall be deemed waived. The Donor shall have until Closing to make title marketable at the Donor's cost. In the event that title to the Property cannot be made marketable or is not made marketable by the Donor by Closing, then this Donation Agreement may be terminated at the option of the City.

10. CLOSING COSTS AND RELATED ITEMS. The Donor shall be responsible for the following closing costs and related items: all charges relating to the filing of any instrument required to make title marketable and its own legal fees associated with this transaction. The City shall be responsible for the following costs and related items: premiums required for issuance of the City's title insurance policy, if purchased by the City; any costs of preparation of a title commitment, including any abstracting fees and fees for standard searches with respect to the Donor and the Property; any state deed tax and conservation fee with respect to the warranty claim deed; its own legal fees associated with this transaction; all other recording fees; fees of any soil tests, environmental assessments, inspection reports, appraisals, or other tests or reports ordered by the City in connection with its acquisition of the Property; and closing fees charged by the title company or closer.

11. POSSESSION/CONDITION OF PROPERTY. The Donor shall deliver possession of the Property to the City at Closing in the same condition as the Property existed on the date of execution of this Donation Agreement.

12. DONOR'S WARRANTIES. The Donor has good, indefeasible and marketable fee simple title to the Property. The Donor has the legal capacity and is authorized to enter into this Donation Agreement. The Donor warrants that there has been no labor or material furnished to the Property for which payment has not been made. The Donor agrees not to place any liens or encumbrances on the Property after the date of execution of this Donation Agreement. The Donor warrants that there are not any tenants or third parties entitled to possession of all or any portion of the Property and there are no leases, oral or written, affecting all or any portion of the Property. The Donor warrants that it has no knowledge of any "Hazardous Substance," "pollutant" or "contaminant" ever being released from any "facility" or "vessel" located on or used in connection with the Property and has not taken any action in "response" to a "release" in connection with the Property (the terms set forth in quotation marks shall have the meanings given to them in the federal Comprehensive Environmental Compensation and Liability Act). The Donor warrants that as of Closing, there will be no obligations or liabilities of any kind or nature whatsoever, including, but not limited to, any tax liabilities, contract liabilities, or tort liabilities for which or in which the City or the Property will be liable or subject except for non-delinquent real estate tax obligations. To the best of the Donor's knowledge, there are no septic systems on the Property. Donor has not filed, voluntarily, or involuntarily for bankruptcy relief within the last year under the United States Bankruptcy Code or has any petition for bankruptcy or receivership been filed against the Donor within the last year. The Donor warrants that the Donor has not received any notice from any governmental authority regarding a violation of any regulation, ordinance, or law related to the Property. If the Property is subject to any restrictive covenants, then the Donor warrants that the Donor has not received any notice from any person or authority concerning a breach of those covenants. The Donor shall provide any notices which the Donor receives concerning a breach of those covenants to the City immediately. These representations shall survive closing for a period of 12 months.

13. EASEMENTS. The Donor represents and warrants that there are no easements, or claims of easements, other than the easements of public record on the Property.

14. BROKER COMMISSIONS. The Donor and the City represent and warrant to each other that there is no real estate agent or broker involved in this transaction with whom either has negotiated, or to whom either has agreed to pay any agent or broker commission or fees. Each party agrees to defend, indemnify, and hold harmless the other for any and all claims for any agent or brokerage commissions or fees in connection with negotiations for conveyance of the Property arising out of any alleged agreement or commitment or negotiation by the indemnifying party.

15. NO MERGER OF REPRESENTATIONS, WARRANTIES. The representations and warranties contained in this Donation Agreement will not be merged into any instrument or conveyance delivered at the Closing, and the parties shall be bound accordingly.

16. ENTIRE AGREEMENT; AMENDMENTS. This Donation Agreement constitutes the entire agreement between the parties and no other agreement prior to this Donation Agreement or

contemporaneous herewith shall be effective except as expressly set forth or incorporated herein. Any purported amendment hereto shall not be effective unless it shall be set forth in writing and executed by both parties or their respective successors or assigns.

17. BINDING EFFECT; ASSIGNMENT. This Donation Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

18. NOTICE. Any notice, demand, request or other communication which may or shall be given or served by the parties shall be deemed to have been given or served on the date the same is deposited in the United States Mail, registered or certified, postage prepaid and addressed as follows:

a. If to Donor: Barbara J. Wiley
315 1st Avenue Northeast
Osseo, MN 55369

b. If to City: City of Osseo
415 Central Avenue
Osseo, MN 55369

with a copy to: Mary D. Tietjen
Kennedy & Graven
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402

or such other address as either party may give to another party in accordance with this Section 18.

19. DEFAULT; REMEDIES; SPECIFIC PERFORMANCE. If either party defaults in any of its obligations under this Donation Agreement, then the other party may terminate this Donation Agreement by written notice delivered pursuant to Section 18 hereof. If this Donation Agreement is not so terminated, then the City or the Donor may seek specific performance of this Donation Agreement, provided that any action for specific enforcement of this Donation Agreement must be brought within six months after the date the party receives actual notice of the alleged breach.

20. COUNTERPARTS. This Donation Agreement may be executed in any number of counterparts, each of which will, for all purposes, be deemed to be an original, and all of which are identical. This Donation Agreement may further be evidenced by facsimile and email scanned signature pages.

21. FURTHER ASSURANCES. Each party agrees that it will, without further consideration, execute and deliver such other documents and take such other action, whether prior or subsequent to Closing, as may be reasonably requested by the other party to consummate more effectively the purposes or subject matter of this Donation Agreement.

22. SEVERABILITY. In case any one or more of the provisions contained in this Donation Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Donation Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

23. WAIVER. The waiver by any party of a breach of any provision of this Donation Agreement shall not be deemed a continuing waiver or a waiver of any subsequent breach whether of the same or another provision of this Donation Agreement.

24. INDEPENDENT REVIEW. The Donor warrants to the City that it has undertaken an independent review of the transaction contemplated herein, and has, to the extent necessary, engaged the services of professional advisors to determine the availability of any tax benefits which may be realized upon completion of this transaction. The City makes no warranties about any tax benefit which may be received, and the Donor hereby waives any claims against the City related to any such benefits which may or may not be realized upon completion of this transaction.

25. USE OF PROPERTY. The parties hereto agree that the underlying purpose of this Donation Agreement is to provide the Property to the City for its eventual redevelopment. Such redevelopment is not currently imminent, and it is unclear when such redevelopment may occur. Until such time as the City may decide to transfer the Property to the Economic Development Authority (“EDA”), the City shall maintain the Property as open space. The City shall exercise its discretion in determining what activities to allow on the Property. At such time as the City may transfer the Property to the EDA, or shall take any other steps to develop the Property, any obligation of the City to use the Property for such purpose shall cease. Nothing herein shall be construed as constituting a deed restriction or any perpetual right of the public to use the Property.

IN WITNESS WHEREOF, the Donor and the City have executed this Donation Agreement as of the date written above.

DONOR

By: _____
Barbara J. Wiley

By: _____
Alan R. J. Lindquist

CITY OF OSSEO

By: _____
Duane Poppe
Its: Mayor

By: _____
LeAnn Larson
Its: City Clerk



City of Osseo City Council Meeting Item

Agenda Item: Approve Personnel Policy and Employee Compensation Plan

Meeting Date: October 28, 2019

Prepared by: Riley Grams, City Administrator

Attachments: Draft Personnel Policy

Policy Consideration:

Consider approving and adopting the updated City of Osseo Personnel Policy and Employee Compensation Plan.

Background:

Late last year, the Osseo City Council directed the City Administrator and appropriate Staff to begin reviewing the City's Personnel Policy for updates. The Personnel Policy was last updated by the City Council in May 2014. Since then, several State and Federal laws have changed that required updating in our policy. Additionally, the Council asked Staff to review the City's compensation plan, moving from a grade-and-step system to a merit-based compensation system.

An initial draft of the new policy was developed over several months, with assistance from City Clerk LeAnn Larson and City Attorney Mary Tietjen. The Council Human Resources Committee has also had an active role in developing the attached draft policy. The draft policy was then brought to the full City Council in a work session on July 29 for review and discussion. Several updates were recommended by the City Council at that meeting and have since been incorporated into the attached draft. Most recently, the Council discussed a final version of the policy at the October 26 meeting.

All other components of the Personnel Policy, including the merit-based compensation system, have remained in the draft policy from the recent Council work session. This policy will dictate how the City handles all personnel related matters and lays out the process for annual merit-based compensation increases. The policy is scheduled to take full effect on January 1, 2020.

Previous Action or Discussion:

The Council discussed the policy at the [July 29, 2019 work session](#) and the [August 26, 2019 Council meeting](#).

City Goals Met By This Action:

Continue to give Staff the necessary tools to do their jobs effectively and efficiently
Update City policies
Recruit high quality Staff, continue to train Staff, and work to promote Staff retention

Options:

The City Council may choose to:

1. Approve the attached Osseo Personnel Policy and Employee Compensation Plan;
2. Approve the attached Osseo Personnel Policy and Employee Compensation Plan, with noted changes/amendments;
3. Deny the attached Osseo Personnel Policy and Employee Compensation Plan;
4. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the City Council choose option 1) Approve the attached Osseo Personnel Policy and Employee Compensation Plan.

Next Steps:

If approved, Staff will obtain the necessary signatures and distribute the policy to all Staff members.



CITY OF OSSEO

EMPLOYEE PERSONNEL POLICY AND COMPENSATION PLAN

Adopted by the Osseo City Council on October 28, 2019

Effective January 1, 2020

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INTRODUCTION

Purpose

The purpose of these policies is to establish a uniform and equitable system of personnel administration for employees of the City of Osseo (the “city”). They should not be construed as contract terms for any city employees. No supervisor or city representative has any authority to enter into any agreement for employment for any specific period, or to make any agreement contrary to this provision. Nothing in this Personnel Policy (or Employee Handbook), or in other city policies which may be communicated to the employee, constitutes a contract of employment for any city employee. The policies are not intended to cover every situation that might arise and can be amended at any time at the sole discretion of the city. These policies supersede all previous personnel policies. As an employee, you are responsible for complying with current city policy at all times.

Except as otherwise prohibited by law, the city has the right to terminate any employee at any time for any or no reason. Employees may similarly terminate employment at any time for any reason. Only the City Council has the right to alter the “at will” agreement.

Scope

These policies apply to all employees of the city. Except where specifically noted, these policies do not apply to:

1. Elected officials
2. City attorney
3. Members of city boards, commissions, and committees
4. Consultants and contractors
5. Volunteers (except for paid-per-call firefighters)

If any specific provisions of the personnel policies conflict with any current union agreement or civil service rules, the union agreement or civil service rules will prevail. Union employees are encouraged to consult their collective bargaining agreement first for information about their employment conditions. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

These policies serve as an information guide to help employees become better informed and to make their experience with the city more rewarding. Departments may have special work rules deemed necessary by the supervisor and approved by the City Administrator for the achievement of objectives of that department. Each employee will be given a copy of such work rules by the department upon hiring and such rules will be further explained, and enforcement discussed with the employee by the immediate supervisor.

No Discrimination

The city will not discriminate against any employee or job applicant on the basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, or gender expression, disability, age, marital status, genetic information, status with regard to public assistance, veteran status, familial status, or membership on a local human rights commission or lawful participation in the Minnesota Medical Cannabis Patient Registry.

Data Practices Advisory

Employee records are maintained in a location designated by the City Administrator. Personnel data is retained in personnel files, finance files, and benefit/medical files. Information is used to administer employee salary and benefit programs, process payroll, complete state and federal reports, document employee performance, etc.

Employees have the right to know what data is retained, where it is kept, and how it is used. All employee data will be received, retained, and disseminated according to the Minnesota Government Data Practices Act.

For more information, refer to the City of Osseo **Data Practices Policy**.

Media Requests

All city employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Requests for private data or information outside of the scope of an individual's job duties should be routed to the appropriate department or to the data practices authority.

Any employee who identifies a mistake in reporting should bring the error to the City Administrator or other appropriate staff. Regardless of whether the communication is in the employee's official city role or in a personal capacity, employees must comply with all laws related to trademark, copyright, software use, etc.

Except for routine events and basic information readily available to the public, all requests for interviews or information from the media are to be routed through the City Administrator. No city employee is authorized to speak on behalf of the city without prior authorization from the City Administrator or his/her designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, social media postings, and websites. When responding to media requests, employees should follow these steps:

1. If the request is for routine or public information (such as a meeting time or agenda), provide the information and notify the City Administrator of the request.
2. If the request is regarding information about city personnel, potential litigation, controversial issues, an opinion on a city matter, or if an employee is unsure if the request is a "routine" question, forward the request to the City Administrator. An appropriate response would be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person, who will get back to you as soon as he/she can." Then ask the media representative's name, questions, deadline, and contact information.

All news releases concerning city personnel will be the responsibility of the City Administrator.

When/if the City Administrator authorizes a staff person to communicate on behalf of the city in interviews, publications, news releases, on social media sites, and related communications, employees must:

- Identify themselves as representing the city. Account names on social media sites must be clearly connected to the city and approved by the City Administrator.
- Be respectful, professional, and truthful when providing information. In most cases, only factual information (not opinions or editorial comments) should be provided: "The city finished street cleaning on 16 streets in the northwest corner of the city this past week" instead of "The city is doing a great job with street cleaning this year!" Corrections must be issued when needed.
- Generally, do not include personal opinions in official city statements. One exception is communications related to promoting a city service. For example, an employee could post the following on the city's Facebook page: "My family visited Hill Park this weekend and really enjoyed the new band shelter." Employees who have been approved to use social media sites on behalf of the city should seek assistance from the City Administrator on this topic.
- Notify the City Administrator if they will be using their personal technology (cell phones, home computer, cameras, etc.) for city business. Employees should be aware that data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

Personal Communications and Use of Social Media

It is important for city employees to remember that the personal communications of employees may reflect on the city, especially if employees are commenting on city business. The following guidelines apply to personal communications, including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements:

- Remember what you write, or post is public, and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos you would not want your boss or other employees to read, or you would be embarrassed to see in the newspaper. Keep in mind harassment, bullying, threats of violence, discrimination, or retaliation that would not be

permissible in the workplace are not permissible between co-workers online, even if it is done after hours, from home and on home computers.

- The city expects its employees to be fair, courteous, and respectful to supervisors, co-workers, citizens, customers, and other persons associated with the city. Avoid using statements, photographs, video, or audio that reasonably may be viewed as malicious, obscene, threatening or intimidating, disparaging, or might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of sex, race, national origin, age, color, creed, religion, disability, marital status, familial status, veteran status, sexual orientation, gender identity, or gender expression, status with regard to public assistance, or membership or activity in a local human rights commission.
- If you publish something related to city business, identify yourself and use a disclaimer such as, "I am an employee of the city. However, these are my own opinions and do not represent those of the city."
- City resources, working time, or official city positions cannot be used for personal profit or business interests, or to participate in personal political activity. Some examples: a building inspector could not use the city's logo, email, or working time to promote his/her side business as a plumber; a parks employee should not access a park after hours even though he or she may have a key; a clerk, while working at city hall, should not campaign for a friend who is running for City Council.
- Personal social media account name or email names should not be tied to the city (e.g., Osseo Cop).

For more information, refer to the City of Osseo [Social Media Policy](#).

CITYWIDE WORK RULES AND CODE OF CONDUCT

Conduct as a City Employee

In accepting city employment, employees become representatives of the city and are responsible for assisting and serving the citizens for whom they work. **An employee's primary responsibility is to serve the residents and business community of the city.** Employees should exhibit conduct that is ethical, professional, responsive, and of standards becoming of a city employee. To achieve this goal, employees must adhere to established policies, rules, and procedures and follow the instructions of their supervisors.

The following are job requirements for every position at the city. All employees are expected to:

- Always perform assigned duties to the best of their ability.
- Render prompt and courteous service to the public always.
- Read, understand, and comply with the rules and regulations as set forth in these personnel policies as well as those of their departments.
- Conduct themselves professionally toward residents, business community members, and staff and respond to inquiries and information requests with patience and every possible courtesy.
- Report any and all unsafe conditions to the immediate supervisor.
- Maintain good attendance while meeting the goals set by an employee's supervisor.

Attendance and Absence

The operations and standards of service in the city require that employees be at work unless valid reasons warrant absence, or an employee has a position that has been approved to work remotely. For a team to function efficiently and effectively, employees must fully understand the goals that have been set for them and the time required to be on the job. Understanding attendance requirements is an essential function of every city position.

Employees who are going to be absent from work are required to notify their supervisor as soon as possible in advance of the absence. In the event of an unexpected absence, employees must contact their supervisor before the scheduled starting time and keep in mind the following procedures:

- If the supervisor is not available at the time, the employee should leave a message that includes a telephone number where he/she can be reached and/or contact any other individual who was designated by the supervisor.
- Failure to use the established reporting process may be grounds for disciplinary action.
- The employee must call the supervisor on each day of an absence extending beyond one (1) day unless arrangements otherwise have been made with the supervisor.
- Employees who are absent for three (3) days or more and who do not report the absence in accordance with this policy, will be considered to have voluntarily resigned not in good standing.
- The city may waive this rule if extenuating circumstances warranted such behavior.

This policy does not preclude the city from administering discipline for unexcused absences of less than three (3) days. Individual departments may establish more specific reporting procedures. For budgetary and confidentiality reasons, non-exempt employees (eligible for overtime pay) are not authorized to take work home or work through lunch without prior approval from their supervisor.

Access to and Use of City Property

Any employee who has authorized possession of keys, tools, cell phones, pagers, or other city-owned equipment must register his/her name and the serial number (if applicable) or identifying information about the equipment with his/her supervisor. All such equipment must be turned in and accounted for by any employee leaving employment with the city in order to resign in good standing.

Employees are responsible for the safekeeping and care of all such equipment. The duplication of keys owned by the city is prohibited unless authorized by the City Administrator. Any employee, current or former, found having an unauthorized duplicate key will be subject to disciplinary action and/or any applicable legal recourse.

Appearance

Departments may establish dress codes for employees as part of departmental rules. Personal appearance should be appropriate to the nature of the work and contacts with other people and should present a positive image to the public. Clothing, jewelry, or other items that could present a safety hazard are not acceptable in the workplace. Dress needs vary by function. Employees who spend a portion of the day in the field need to dress in a professional manner appropriate to their jobs, as determined by their supervisor. Employees may dress in accordance with their gender identity, within the constraints of the dress codes adopted by the city.

Conflict of Interest

City employees are to remove themselves from situations in which they would have to act or decide where that action or decision could be a perceived or actual conflict of interest or could result in a personal benefit for themselves or a family member. If an employee has any question about whether such a conflict exists, he/she should consult with the City Administrator.

Falsification of Records

Any employee who makes false statements or commits, or attempts to commit, fraud to prevent the impartial application of these policies, will be subject to immediate disciplinary action up to and including termination and potential criminal prosecution.

Whistleblower Protections

An employee of the city who, in good faith, reports an activity that he/she considers to be illegal or dishonest to one or more of the parties may have whistleblower protections. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate city management officials are charged with these responsibilities.

Examples of illegal or dishonest activities include violations of federal, state, or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting. If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor or City Administrator or city attorney. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing may be subject to discipline up to and including termination.

It is the city's legal responsibility to protect employees who make a complaint of employment discrimination, who serve as a witness or participate in an investigation, or who are exercising their rights when requesting religious or disability accommodation from retaliation.

Whistleblower protections are provided in two important areas – confidentiality and against retaliation; insofar as consistent with Minnesota Data Practices, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense. The city will not retaliate against a whistleblower. This includes but is not limited to protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the City Administrator and/or City Attorney immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing.

Political Activity

City employees have the right to express their views and to pursue legitimate involvement in the political system. However, no city employee will directly or indirectly, during hours of employment, solicit or receive funds for political purposes. Further, any political activity in the workplace must be pre-approved by the city to avoid any conflict of interest or perception of bias such as using authority or political influence to compel another employee to apply for or become a member in a political organization.

Smoking

The city observes and supports the Minnesota Clean Indoor Air Act. All city buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that smoking in any form (through the use of tobacco products such as pipes, cigars, and cigarettes) or “vaping” with e-cigarettes is prohibited while in a city facility or vehicle.

Smoking of any kind, including pipes, cigars, cigarettes, vaping with e-cigarettes, and the use of chewing tobacco, is prohibited for employees while on duty. Employees eighteen (18) and over can smoke only during their breaks and lunch, and only in areas allowed by law.

DEFINITIONS

For purposes of these policies, the following definitions will apply:

Authorized Hours

The number of hours an employee was hired to work. Actual hours worked during any given pay period may be different than authorized hours, depending on workload demands or other factors, and upon approval of the employee’s supervisor.

Benefits

Privileges granted to qualified employees in the form of paid leave and/or insurance coverage.

Benefit Earning Employees

Employees who are eligible for at least a pro-rated portion of city-provided benefits. Such employees must be year-round employees who work at least twenty (20) hours per week on a regular basis.

Demotion

The movement of an employee from one job class to another within the city, where the maximum salary for the new position is lower than that of the employee’s former position.

Employee

An individual who has successfully completed all stages of the selection process, including the training period.

Exempt Employee

Employees who are not covered by the overtime provisions of the federal or state Fair Labor Standards Act.

FICA (Federal Insurance Contributions Act)

FICA is the federal requirement that a certain amount be automatically withheld from employees' earnings. Currently, FICA requires an employee contribution of 6.2 percent for Social Security and 1.45 percent for Medicare. The city contributes a matching 7.65 percent on behalf of each employee. Certain employees are exempt or partially exempt from these withholdings (e.g., police officers). These amounts may change if required by law.

Fiscal Year

The period from Jan. 1 to Dec. 31.

Full-Time Employee

Employees who are required to work forty (40) or more hours per week year-round in an ongoing position.

Hours of Operation

The city's regular hours of operation are Monday through Thursday, from 7:30 a.m. to 5 p.m.; on Fridays, from 7:30 a.m. to 11:30 a.m.

Management Employee

An employee who is responsible for managing a department or division of the city.

Non-Exempt Employee

Employees who are covered by the federal or state Fair Labor Standards Act. Such employees are normally eligible for overtime at 1.5 times their regular hourly wage for all hours worked over forty (40) in any given workweek.

Pay Period

A fourteen (14) day period beginning at 12 a.m. (midnight) on Sunday through 11:59 p.m. on Saturday, 14 days later.

PERA (Public Employees Retirement Association)

Statewide pension program in which all city employees meeting program requirements must participate in accordance with Minnesota law. The city and the employee each contribute to the employee's retirement account.

Personal Protective Equipment (PPE)

Personal Protective Equipment, commonly referred to as "PPE," is equipment worn to minimize exposure to a variety of hazards. Examples of PPE include such items as gloves, foot and eye protection, protective hearing devices (earplugs, muffs), hard hats, respirators, and full body suits. OSHA requires that employers protect their employees from workplace hazards that can cause injury.

Probationary/Training Period

A six (6)-month period at the start of employment with the city (or at the beginning of a promotion, reassignment, or transfer) that is designated as a period within which to learn the job, unless covered by a collective bargaining agreement stating a different time frame. The training period is an integral extension of the city's selection process and is used by supervisors for closely observing an employee's work.

An employee serving his/her initial probationary period may be disciplined at the sole discretion of the city, up to and including dismissal. An employee so disciplined, including dismissal, will not have any grievance rights. Nothing in this policy handbook shall be construed to imply that after completion of the probationary period, an employee has any vested interest or property right to continued city employment. A probationary/training period may be extended at the recommendation of the supervisor or City Administrator if, in the opinion of the supervisor or City Administrator, an employee needs additional training time for up to an additional six (6) months.

Time served in temporary, seasonal, volunteer, or interim positions are not considered part of the probationary period. If an emergency arises during an employee's probationary period which requires a leave of absence, such time off, if granted, will not be considered as time worked, and the probationary period will be extended by the length of time taken.

Promotion

Movement of an employee from one job class to another within the city, where the maximum salary for the new position is higher than that of the employee's former position.

Reclassify

Movement of a job from one classification to another classification because of a significant change in the position's duties and responsibilities.

Service Credit

Time worked for the city. An employee begins earning service credit on the first day worked for the city. Some forms of leave will create a break in service.

Transfer

Movement of an employee from one city position to another of equivalent pay.

Weapon

Weapons are defined to include all legal or illegal firearms, switchblade knives, or any other object that has been modified to serve as a weapon or that has the primary purpose of serving as a weapon.

Workweek

A workweek is seven (7) consecutive twenty-four (24) hour periods. For most employees the workweek will run from Sunday through the following Saturday. With the approval of the City Administrator, departments may establish a different workweek based on coverage and service delivery needs (e.g., police department or fire department).

EMPLOYEE RECRUITMENT & SELECTION

Scope

The City Administrator or a designee will manage the hiring process for positions within the city. While the hiring process may be coordinated by staff, the City Council is responsible for the final hiring decision and must approve all hires to city employment. All hires will be made according to merit and fitness related to the position being filled.

Features of the Recruitment System

The City Administrator or designee will determine if a vacancy will be filled through an open recruitment or by promotion, transfer, or some other method. This determination will be made on a case-by-case basis.

Application for employment will generally be made online or by application forms provided by the city. Other materials in lieu of a formal application may be accepted in certain recruitment situations as determined by the City Administrator or designee. Supplemental questionnaires may be required in certain situations. All candidates must complete and submit the required application materials by the posted deadline in order to be considered for the position.

The deadline for application may be extended by the City Administrator. Unsolicited applications will not be kept on file. Position vacancies may be filled on an "acting" basis as needed. The City Council will approve all acting appointments. Pay rate adjustments, if any, will be determined by the City Council.

Testing and Examinations

Applicant qualifications will be evaluated in one or more of the following ways: training and experience rating; written test; oral test or interview; performance or demonstrative test; physical agility test; or another appropriate job-related exam. For example:

- Keyboarding exercises for data entry positions.
- Writing exercises for positions requiring writing as part of the job duties.

- “In-basket” exercise for an administrative support position (sets up real-life scenarios and items that would likely be given to the position for action and asks the candidate to list and prioritize the steps they would take to complete the tasks).
- Mock presentation to the City Council for a planning director position, for example.
- Scenarios of situations police officers are likely to encounter on the job that test the candidate’s decision-making skills (can be role played or multiple-choice questions).

Internal recruitments will be open to any city employee who: (1) has successfully completed the initial training period; (2) meets the minimum qualifications for the vacant position; and (3) currently is and for the past year has been in good standing with the city.

The City Council or designee will establish minimum qualifications for each position with input from the appropriate supervisor. To be eligible to participate in the selection process, a candidate must meet the minimum qualifications.

Pre-Employment Medical Exams

The City Administrator or designee may determine that a pre-employment medical examination, which may include a psychological evaluation, is necessary to determine fitness to perform the essential functions of any city position. Where a medical examination is required, an offer of employment is contingent upon successful completion of the medical exam.

When a pre-employment medical exam is required, it will be required of all candidates who are finalists and/or who are offered employment for a given job class. Information obtained from the medical exam will be treated as confidential medical records.

When required, the medical exam will be conducted by an appropriate licensed provider designated by the city with the cost of the exam paid by the city. (Psychological/psychiatric exams will be conducted by a licensed psychologist or psychiatrist). The physician will notify the City Administrator or designee that a candidate either is or isn’t medically able to perform the essential functions of the job, with or without accommodations, and whether the candidate passed a drug test, if applicable. If the candidate requires accommodation to perform one or more of the essential functions of the job, the City Administrator or designee will confer with the physician and candidate regarding reasonable and acceptable accommodations. If a candidate is rejected for employment based on the results of the medical exam, he/she will be notified of this determination.

Selection Process

The selection process will be a cooperative effort between the City Administrator or designee and the hiring supervisor, subject to final hiring approval of the City Council. Any, all, or none of the candidates may be interviewed.

The process for hiring seasonal and temporary employees may be delegated to the appropriate supervisor with each hire subject to final City Council approval. Except where prohibited by law, seasonal and temporary employees may be terminated by the supervisor at any time, subject to City Council approval. The city has the right to make the final hiring decision based on qualifications, abilities, experience, and city needs.

Background Checks

All finalists for employment with the city will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate’s suitability for the position. Except where already defined by state law, the City Administrator will determine the level of background check to be conducted based on the position being filled.

ORGANIZATION

Job Descriptions

The city will maintain job descriptions for each regular position. New positions will be developed as needed but must be approved by the City Council prior to the position being filled.

A job description is prepared for each position within the city. Each job description will include position title, department, supervisor’s title, FLSA status (exempt or non-exempt), essential functions of the position, minimum requirements, desirable

training and experience, supervisory responsibilities (if any), and extent of supervisory direction or guidance provided to position. In addition, job descriptions may also describe the benefits offered and potential career path opportunities to entice a qualified pool of applicants. Good attendance and compliance with work rules and policies are essential functions of all city positions.

Prior to posting a vacant position the existing job description is reviewed by the City Administrator or designee and the hiring supervisor to ensure the job description is an accurate reflection of the position and the stated job qualifications do not present artificial barriers to employment. A current job description is provided to each new employee. Supervisors are responsible for revising job descriptions as necessary to ensure that the position's duties and responsibilities are accurately reflected. All revisions are reviewed and must be approved by the City Administrator.

Assigning and Scheduling Work

Assignment of work duties and scheduling work is the responsibility of the supervisor subject to the approval of the City Administrator.

Job Descriptions and Classifications

Assignment of job titles, establishment of minimum qualifications, and the maintenance of job descriptions and related records is the responsibility of the City Administrator.

Layoff

In the event it becomes necessary to reduce personnel, temporary employees and those serving a probationary period in affected job classes will be terminated from employment with the city before other employees in those job classes. Within these groups, the selection of employees to be retained will be based on merit and ability as determined by the City Administrator, subject to approval of the City Council.

HOURS OF WORK

Work Hours

Employee work schedules and opportunities to work remotely will be established by supervisors with the approval of the City Administrator. The regular workweek for employees is four (4) nine-hour days plus one (1) four-hour day in addition to a lunch period, Monday through Friday, except as otherwise approved by the City Administrator in accordance with the customs and needs of the individual departments.

All shifts, including scheduled trades or picked-up shifts, must be pre-approved by supervisor. Working a shift without prior approval may result in discipline, up to and including termination of employment.

Meal Breaks and Rest Periods

A paid fifteen (15) minute break is allowed within each four (4) consecutive hours of work. An unpaid thirty (30) minute lunch period is provided when an employee works eight (8) or more consecutive hours. Employees are expected to use these breaks as intended and will not be permitted to adjust work start time, end time, or lunch time unless approved by City Administrator.

Employees working in city buildings will normally take their break at the place provided for that purpose in each building. Employees working out-of-doors will normally take their break at the location of their work. Employees whose duties involve traveling throughout the city may stop along the assigned route at a restaurant or other public accommodation for their fifteen (15) minute break. Exceptions must be approved by the supervisor or City Administrator. Departments with unique job or coverage requirements may have additional rules, issued by the supervisor and subject to approval of the City Administrator, on the use of meal breaks and rest periods.

Flexible Scheduling

Employees may work on a flexible schedule as approved by the supervisor or City Administrator. Approval will be based on coverage requirements in order to maintain an acceptable level of city service. The city has the right to evaluate flexible schedules on an ongoing basis and may discontinue a flexible schedule at any time and for any reason.

Working Remotely

The City Administrator or supervisor may authorize an employee to work remotely in situations involving extenuating circumstances and only when doing so will not adversely impact city operations. The city has the right to evaluate working remotely on an ongoing basis and may discontinue the arrangement at any time and for any reason.

Adverse Weather Conditions/Emergency Situations

City facilities will generally be open during adverse weather or emergency situations. Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees will be allowed to use accrued PTO or compensatory time or, with supervisor approval, may modify the work schedule or make other reasonable schedule adjustments. Employees may be able to work from home if approved by the City Administrator.

An exception may be allowed when unforeseen circumstances demand the closing of city facilities, and any such situation will be evaluated on a case-by-case basis. If the City Council or City Administrator closes City Hall due to adverse weather conditions or other emergency situations, each employee will receive their normal hours for that day and need not use any accrued PTO or compensatory time.

Sworn police officers and public works maintenance employees will generally be required to report to work regardless of conditions. Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective supervisor with approval from the City Administrator.

COMPENSATION

Full-time employees of the city will be compensated according to schedules adopted by the City Council. Unless approved by the Council, employees will not receive any amount from the city in addition to the pay authorized for the positions to which they have been appointed. Expense reimbursement or travel expenses may be authorized in addition to regular pay. Compensation for seasonal and temporary employees will be set by the City Council at the time of hire, or on an annual basis.

Under the Minnesota Wage Disclosure Protection Law, employees have the right to tell any person the amount of their own wages. While the Minnesota Government Data Practices Act (Minn. Stat. §13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end, and in accordance with Minn. Stat. §181.172, employers may not:

- Require nondisclosure by an employee of his or her wages as a condition of employment.
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minn. Stat. §181.172, subd. 3.

The city cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under the Wage Disclosure Protection Law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or (800) 342-5354.

Direct Deposit

As provided for in Minnesota law, all employees are required to participate in direct deposit, except in instances of written objection to the employer by the employee. Employees are responsible for notifying the Finance Department of any change in status, including changes in address, phone number, names of beneficiaries, marital status, etc.

Time Reporting

Full-time, non-exempt employees are expected to work the number of hours per week as established for their position. In most cases, this will be forty (40) hours per workweek. They will be paid according to the time reported on their time sheets. To

comply with the provisions of the federal and state Fair Labor Standards Acts, hours worked, and any leave time used by non-exempt employees are to be recorded daily and submitted to the Finance Department on a bi-weekly basis. Each time reporting form must include the signature of the employee and immediate supervisor. Reporting false information on a time sheet may be cause for immediate termination.

Overtime/Compensatory Time

The city has established an overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The City Administrator will determine whether each employee is designated as "exempt" or "non-exempt" from earning overtime. In general, employees in executive, administrative, and professional job classes are exempt; all others are non-exempt.

Non-Exempt (Overtime-Eligible) Employees

All overtime-eligible employees will be compensated at the rate of one-and-one-half for all hours worked over forty (40) in one workweek. Paid time off and paid holidays do not count toward "hours worked." Compensation will take the form of either one-and-one-half pay or compensatory time. Compensatory time is paid time off at the rate of one-and-one-half hours off for each hour of overtime worked.

For most employees the workweek begins at midnight on Sunday and runs until the following Saturday night at 11:59 p.m. Supervisors may establish a different workweek based on the needs of the department, subject to the approval of the City Administrator. The employee's supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

Overtime earned will be paid at the rate of one-and-one-half on the next regularly scheduled payroll date, unless the employee indicates on his/her timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment. The maximum compensatory time accumulation for any employee is 40 hours per calendar year. Once an employee has earned 40 hours of compensatory time in a calendar year, no further compensatory time may accrue in that calendar year. All further overtime will be paid. Employees may request and use compensatory time off in the same manner as other leave requests. Compensatory time shall be taken only at mutually agreed-upon times between the supervisor and employee.

All compensatory time will be marked as such on official time sheets, both when it is earned and when it is used. The Finance Department will maintain compensatory time records. All compensatory time accrued will be paid when the employee leaves city employment at the hourly pay rate the employee is earning at that time. Any time a non-exempt employee with accrued compensatory time promotes to an exempt position, that employee's accrual will be cashed out at their current non-exempt hourly rate.

Call Back for Emergency

Any employee called back to work for an emergency, outside of his/her regularly scheduled shift, shall be paid for a minimum of two (2) hours at one-and-one-half compensation. Compensation will take the form of either one-and-one-half pay or compensatory time. Compensatory time is paid time off at the rate of one-and-one-half hours for each hour of overtime worked for the emergency. This emergency could be called by the employee's supervisor or the City Administrator and is not limited to weather-related events, water or sewer breaks, and other emergency situations.

Public Works On-Call Time

Each week, a Public Works employee will be scheduled as on-call. Scheduling of on-call weeks shall be completed by the Public Works Director to ensure that adequate service coverage is maintained and considering various leaves of absence. On-call requires that the employee be able to respond to an emergency outside of the normal work hours during a given week or weekend in a timely manner. For being on-call, the employee will collect four (4) hours of straight time on their current bi-weekly timesheet. The four (4) hours of on-call time do not accrue toward the employee's standard 40-hour workweek, overtime accrual, or compensatory time.

Actual time worked during the on-call period will be paid at a one-and-one-half rate. The Public Works Director may allow for any flex scheduling if the employee prefers. Any flexible scheduling allowed by the Public Works Director may be reviewed at any

time for adequate service coverage or for known Public Works specific emergencies (such as snow plowing, or other off-hours work to be completed).

Exempt (Non-Overtime-Eligible) Employees

Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors. Generally, to meet these expectations, and for reasons of public accountability, an exempt employee will need to work forty (40) or more hours per week. Exempt employees do not receive extra compensation for the hours worked over 40 in one (1) workweek.

Exempt employees are paid on a salary basis. This means they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of work performed, and they receive their full weekly salary for any week in which any work is performed.

The city will only make deductions from the weekly salary of an exempt employee in the following situations:

- The employee is in a position that does not earn paid time off and is absent for a day or more for personal reasons other than sickness or accident.
- The employee is in a position that earns paid time off, receives a short-term disability benefit or workers' compensation wage loss benefits, and is absent for a full day due to sickness or disability, but he/she is either not yet qualified to use the paid leave or he/she has exhausted all of his/her paid leave.
- The employee is absent for a full workweek and, for whatever reason, the absence is not charged to paid leave (for example, a situation where the employee has exhausted all of his/her paid leave or a situation where the employee does not earn paid leave).
- The very first workweek or the very last workweek of employment with the city in which the employee does not work a full week. In this case, the city will prorate the employee's salary based on the time worked.
- The employee is in a position that earns paid leave and is absent for a partial day due to personal reasons, illness, or injury, but:
 - Paid leave has not been requested or has been denied.
 - Paid leave is exhausted.
 - The employee has specifically requested unpaid leave.
- The employee is suspended without pay for a full day or more for disciplinary reasons for violations of any written policy that is applied to all employees.
- The employee takes unpaid leave under the FMLA.
- The city may for budgetary reasons implement a voluntary or involuntary unpaid leave program and, under this program, make deductions from the weekly salary of an exempt employee. In this case, the employee will be treated as non-exempt for any workweek in which the budget-related deductions are made.

The city will not make deductions from pay due to exempt employees being absent for jury duty or attendance as a witness but will require the employee to pay back to the city any amounts received by the employee as jury fees or witness fees. If the city inadvertently makes an improper deduction to the weekly salary of an exempt employee, the city will reimburse the employee and make appropriate changes to comply in the future.

All employees, in all departments, are required to work overtime as requested by their supervisors as a condition of continued employment. Refusal to work overtime may result in disciplinary action. Supervisors will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.

Leave Policy for Exempt Employees

Exempt employees are required to work the number of hours necessary to fulfill their responsibilities including evening meetings and/or on-call hours. Normal business hours for exempt staff are as outlined in this policy, plus evening meetings as necessary.

Exempt employees are required to use paid leave when on personal business or away from the office for four hours or more, on a given day. Absences of less than four hours do not require use of paid leave as it is presumed that the staff member regularly puts in work hours above and beyond the normal Monday through Friday business hours requirement. Exempt employees must communicate their absence to the City Administrator or his/her designee.

If an exempt employee is regularly absent from work under this policy and it is found that there is excessive time away from work that is not justified, the situation will be handled as a performance issue.

If it appears that less than forty (40) hours per week is needed to fulfill the position's responsibilities, the position will be reviewed to determine whether a part-time position will meet the needs of the city. Additional notification and approval requirements may be adopted by the City Administrator for specific situations as determined necessary.

Employee Merit Compensation Program Objectives

- To establish and maintain pay opportunities that enable the city to attract and retain qualified, reliable, and motivated people who are committed to quality and excellence for those we serve.
- To ensure, subject to the financial condition of the city, that employees receive fair and equitable salaries in relation to their individual contributions to the city's success.
- To follow the principles of equal pay for equal work and comparable worth in establishing and maintaining pay relationships among positions based on skill, effort, responsibility, and working conditions.
- To ensure program flexibility necessary to meet changing economic, competitive, technological, and regulatory conditions.
- To establish, manage, and communicate the compensation and performance management program in a manner that strengthens internal relationships among related and unrelated functions and emphasizes the service expectations of our community.
- To balance compensation and benefit needs with available resources.

Merit Plan Structure

The non-represented compensation plan specifies salary range minimums and maximums, as well as mid-points. The City Council has the discretion to hire employees at any point within the salary range based on market conditions and qualifications of employee and to secure the best candidate for the position.

Merit Plan Components

There are two components to the compensation program: annual cost of living adjustments and annual merit increases.

Annual Cost of Living Adjustments

An annual cost of living adjustment, expressed as a percentage increase, is recommended by the City Administrator to the City Council for review and approval. The amount approved, if any, is applied to all non-union wages on the first payroll of the year. All salary range minimums and maximums will be adjusted to reflect the cost of living adjustment. Annual cost of living adjustment percentages will be based on the Minnesota Consumer Price Index for each given year.

Annual Merit Increases

Increases will be determined based on the results of a performance evaluation on an annual basis on January 1. All non-represented city regular full-time employees are eligible for annual merit increases.

Increase levels will be correlated to the final score on the employee's annual performance evaluation. The total of the numeric scores received for each category shall be divided by the number of categories. The resulting whole numbers (decimals of 0.5 and greater should be rounded up to the next whole number) shall be used to determine the Increase level. Increase levels will correlate to final scores as described below. All increases will be calculated on base wages. Employees with scores that correlate to an increase, but who are at the maximum of their pay range, will receive a lump sum award equal to the correlating percent of their base pay. Lump sum awards are not added to the employee's base pay.

A final score of...	results in Merit Increase of...
0	0.0%
1	0.5%
2	0.75%
3	1.0%
4	1.25%
5	1.5%
6	1.75%
7	2.0%
8	2.25%
9	2.5%
10	3.0%

The City Council has final approval of all merit increases. The city, as fiscally possible, will budget an annual amount for merit increases. There is no obligation on the part of the city to award merit increases even though an amount is budgeted. Because this program is designed to reward specific behaviors and performance levels, the city is obligated to only approve increases which, in its professional judgement, are truly merited and meet the program purpose and guidelines.

Performance evaluation criteria is outlined in the Performance Reviews section below. All awards shall be made through the Finance Department and all appropriate tax requirements shall apply.

Part-Time Paid On-Call Fire Department Annual Pay

Annually each fall the Fire Chief or Assistant Fire Chief will submit a record of all part-time fire department member hours for training and calls. This request for payment should be submitted to the City Accountant for the time period of November 1 of the previous year through October 31 of the current year. The hourly rate for part-time fire department employees and any additional annual officer pay shall be approved by the City Council annually and is subject to the approved annual cost of living adjustment, if any. The City Accountant will present the part-time fire department payroll to the City Council for approval and payment will be made in December each year.

If a part-time fire department member has a lapse in time on the department and is required to re-train for firefighter certification, the city will pay for the new certification hours required. All fire department relief association members are eligible for pension payments, as allowed by state law and the Osseo Fire Relief Association bylaws.

PERFORMANCE REVIEWS

An objective performance review system will be established by the City Administrator or designee for the purpose of periodically evaluating the performance of city employees. The quality of an employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations and, where applicable, salary adjustments.

Performance reviews will be discussed with the employee. While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable using the city's grievance process, other performance evaluation data, including subjective assessments, are not. For those parts of the performance evaluation system deemed not challengeable, an employee may submit a written response, which will be attached to the performance review. Performance reviews are to be scheduled on a regular basis, at least annually. The form, with all required signatures, will be retained as part of the employee's personnel file.

During the training period, informal performance meetings should occur at least quarterly between the supervisor and the employee. Conducting these informal performance meetings provides both the supervisor and the employee the opportunity to discuss what is expected, what is going well, and not so well. Signing of the performance review document by the employee acknowledges the review has been discussed with the supervisor and does not necessarily constitute agreement. Failure to sign the document by the employee will not delay processing.

BENEFITS

Health, Dental, Life Insurance

The city will contribute a monthly amount toward group health, dental, and life insurance benefits for each eligible employee and his/her dependents.

In accordance with federal health care reform laws and regulations, the city shall offer health insurance benefits to eligible employees and their dependents that work on average or are expected to work thirty (30) or more hours per week or the equivalent of 130 hours or more per month. In order to comply with health care reform law while avoiding penalties, part-time employees will be scheduled with business needs and in a manner that ensures positions retain part-time status as intended.

Retirement/PERA

The city participates in the Public Employees Retirement Association (PERA) to provide pension benefits for its eligible employees to help plan for a successful and secure retirement. Participation in PERA is mandatory for most employees, and contributions into PERA begin immediately. The city and the employee contribute to PERA each pay period as determined by state law. Most employees are also required to contribute a portion of each paycheck for Social Security and Medicare (the city matches the employee's Social Security and Medicare withholding for many employees).

Tuition Reimbursement

To be considered for tuition reimbursement, the employee must be in good standing and have been employed by the city for at least one (1) year. All requests for tuition reimbursement will be considered on a case-by-case basis by the City Administrator, with final approval/disapproval provided by the City Council.

Courses taken for credit at a City Council approved educational institution must meet the following criteria to be approved for reimbursement:

- Courses must be directly related to the employee's present position (whether required for a degree program or not); OR
- Courses must be directly related to a reasonable promotional opportunity in the same field of work as present position (whether part of a degree program or not).

The city will pay the cost of tuition upon successful completion (C grade or better; "pass" in a pass/fail course) of the approved course. Reimbursements will be prorated for part-time employees. The maximum reimbursement per course will be based on an average course cost at the University of Minnesota. Employees may elect to attend a more costly school provided they pay the difference in cost. Employees must reimburse the city if they voluntarily leave employment within twelve (12) months of receiving tuition reimbursement from the city.

HOLIDAYS

The city observes the following official holidays for all regular full-time and benefit-earning part-time employees:

New Year's Day	Veterans Day
Martin Luther King Jr. Day	Thanksgiving
Presidents' Day	Friday after Thanksgiving
Memorial Day	Christmas Eve Day
Independence Day	Christmas
Labor Day	New Year's Eve Day

Official holidays commence at the beginning of the first shift of the day on which the holiday is observed and continue for twenty-four (24) hours thereafter. When a holiday falls on a Sunday, the following Monday will be the "observed" holiday and when a holiday falls on a Saturday, the preceding Friday will be the "observed" holiday for city operations/facilities that are closed on holidays.

Full-time employees will receive pay for official holidays at their normal straight time rates, provided they are on paid status on the last scheduled day prior to the holiday and first scheduled day immediately after the holiday. Part-time employees will receive prorated holiday pay based on the number of hours normally scheduled. Any employee on a leave of absence without pay from the city is not eligible for holiday pay.

Premium pay of one-and-one-half times the regular hourly wage for employees required to work on a holiday will be for hours worked on the “actual” holiday as opposed to the “observed” holiday.

Employees wanting to observe holidays other than those officially observed by the city may request either paid time off or unpaid leave for such time off. Requests for additional religious holidays will be considered on a case-by-case basis with approval by the City Administrator.

LEAVES OF ABSENCE

Depending upon an employee’s situation, more than one form of leave may apply during the same period (e.g., the Family and Medical Leave Act is likely to apply during a workers’ compensation absence). An employee will need to meet the requirements of each form of leave separately. Leave requests will be evaluated on a case-by-case basis.

Except as otherwise stated, all paid time off taken under any of the city’s leave programs must be taken consecutively, with no intervening unpaid leave. The city will provide employees with time away from work as required by state or federal statutes, if there are requirements for such time off that are not described in the personnel policy.

Funeral Leave

Employees will be permitted to use up to five (5) working days, with pay, as funeral leave upon the death of a family member. Family members include parents (biological, stepparents, and adopted), spouses, and children (biological, adopted, or stepchildren), siblings, aunts/uncles, grandparents, grandchildren, and in-laws.

This paid leave will not be deducted from the employee’s paid time off balance. The actual amount of time off and funeral leave approved will be determined by the supervisor or City Administrator depending on individual circumstances (such as the closeness of the relative, arrangements to be made, distance to the funeral, etc.).

Paid Time Off (PTO)

Paid time off (PTO) replaces individual sick leave and vacation leave plans and combines them into a single benefit program. Paid time off does not replace city observed holidays, jury duty, military leave, or court leave. Employees accrue paid time off based on length of service with the city. Plan provisions discourage unnecessary utilization by providing cash and savings incentives. Paid time off can be used for any reason, subject to existing request and approval procedures. As with all paid time off programs, the city needs to ensure that service to the public and work requirements are not adversely impacted.

Accrual Rates for Paid Time Off [*For all current employees as of December 31, 2019]

<u>Years of Service</u>	<u>Accrual Rates Per Pay Period</u>
Date of hire until completion of five years	6.77 hrs/pp
Six years until completion of ten years	8.31 hrs/pp
Start of eleven years	8.61 hrs/pp
Start of twelve years	8.92 hrs/pp
Start of thirteen years	9.23 hrs/pp
Start of fourteen years	9.54 hrs/pp
Start of fifteen years	9.84 hrs/pp
Start of sixteen years	10.15 hrs/pp
Start of seventeen years	10.46 hrs/pp
Start of eighteen years	10.77 hrs/pp
Start of nineteen years	11.07 hrs/pp
Start of twenty years and above	11.38 hrs/pp

During the first six (6) months of employment with the city, paid time off use must be approved by the employee's supervisor.

Accrual Rates for Paid Time Off [*For all employees hired after January 1, 2020]

<u>Years of Service</u>	<u>Accrual Rates Per Pay Period</u>
Date of hire until completion of two years	5.54 hrs/pp
Three years until completion of five years	6.77 hrs/pp
Six years until completion of ten years	8.31 hrs/pp
Start of eleven years	8.61 hrs/pp
Start of twelve years	8.92 hrs/pp
Start of thirteen years	9.23 hrs/pp
Start of fourteen years	9.54 hrs/pp
Start of fifteen years	9.84 hrs/pp
Start of sixteen years	10.15 hrs/pp
Start of seventeen years	10.46 hrs/pp
Start of eighteen years	10.77 hrs/pp
Start of nineteen years	11.07 hrs/pp
Start of twenty years and above	11.38 hrs/pp

During the first six (6) months of employment with the city, paid time off use must be approved by the employee's supervisor.

Paid Time Off Cap and Conversion Option

Each employee may accrue paid time off up to a maximum of 840 hours. Paid time off will not accrue during unpaid leaves. Employees can carry over any paid time off that does not exceed the stated cap. No additional accrual will occur above the cap. If an employee accrues over 840 paid time off hours, the city shall pay the employee for each hour over 840 (at the employee's current pay rate as of December 31 each year). Employees may cash out excess paid time off hours during the year, on an hour-for-hour basis, paid out at the employee's current rate.

Paid time off will also be eligible for conversion to a 457 deferred compensation plan on an hour-for-hour basis (subject to IRS maximum deferral regulations and Minnesota law) annually, if the employee so chooses. Payment will be based on the employee's current hourly rate on December 1. Conversion to deferred compensation will occur in the second payroll of the following year with specific dates to be determined by the Finance Department each year. The Finance Department will notify all employees in November of each year as to the dates and conversion options. Regular rate for the purpose of this policy is the employee's straight time rate not including overtime, pay differentials, out-of-class adjustments, or any other additions to regular pay.

Current Sick and Vacation Leave Balances

Upon the effective date of this personnel policy, employees' unused sick and vacation balances shall be converted to paid time off on an hour for hour basis.

Donation of Paid Time Off Hours to Another Employee

City employees who have accrued paid time off hours may donate up to a maximum of forty (40) hours to another employee if employee has spent all accrued paid time off hours, per City Administrator approval. The Finance Department shall maintain records of such times in order to maintain correct paid time off banks for each employee.

Medical Certification

Good attendance is an essential job function for all city employees. If unplanned absences are excessive, a doctor's certification may be required. The physician's certification is to state the nature and duration of the illness or injury and verify that the employee is unable to perform the duties and responsibilities of his/her position. A statement attesting to the employee's ability to return to work and perform the essential functions of the job and a description of any work restrictions may also be required before the employee returns to work.

Severance Pay

Employees leaving the city in good standing will receive one hundred (100) percent of their paid time off balance as compensation (applicable taxes will be withheld). Employees have the option of directing those dollars into a 457 deferred compensation plan (subject to IRS maximum deferral regulations and Minnesota law). To leave employment in good standing, an exempt employee must give the city at least one-month prior notice in writing. A non-exempt employee must give written notice at least 14 calendar days in advance. An employee whose position is terminated or abolished by the City Council without cause is deemed to have left employment in good standing.

Military Leave

State and federal laws provide protections and benefits to city employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of fifteen (15) days in any calendar year.

The leave of absence is only in the event the employee returns to employment with the city as required upon being relieved from service, or is prevented from returning by physical or mental disability or other cause not the fault of the employee, or is required by the proper authority to continue in military or naval service beyond the 15-day paid leave of absence. Employees on extended unpaid military leave will receive 15 days paid leave of absence in each calendar year, not to exceed five years.

Where possible, notice is to be provided to the city at least ten (10) working days in advance of the requested leave. If an employee has not yet used his/her fifteen (15) days of paid leave when called to active duty, any unused paid time will be allowed for the active duty time, prior to the unpaid leave of absence.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of vacation leave and sick leave accruals. Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen (15) days will follow the same procedures as for any employee on an unpaid leave of absence.

Employees will be granted up to ten (10) working days of unpaid leave whose immediate family member is a member of the United States armed forces who has been injured or killed while engaged in active service. The ten days may be reduced if an employee elects to use appropriate accrued paid leave. Unless the leave would unduly disrupt the operations of the city, employees whose immediate family member, as a member of the United States armed forces has been ordered into active service in support of a war or other national emergency, will be granted an unpaid leave of absence, not to exceed one (1) day's duration in any calendar year, to attend a send-off or homecoming ceremony for the mobilized service member.

Jury Duty

Regular full-time and part-time employees will be granted paid leaves of absence for required jury duty. Such employees will be required to turn over any compensation they receive for jury duty, minus mileage reimbursement, to the city in order to receive their regular wages for the period. Time spent on jury duty will not be counted as time worked in computing overtime. Employees excused or released from jury duty during their regular working hours will report to their regular work duties as soon as reasonably possible or will take accrued vacation or compensatory time to make up the difference.

Employees are required to notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for ensuring that a report of time spent on jury duty and pay form is completed by the clerk of court so the city will be able to determine the amount of compensation due for the period involved. Temporary and seasonal employees are generally not eligible for compensation for absences due to jury duty but can take unpaid leave subject to department head approval. However, if a temporary or seasonal employee is classified as exempt, he/she will receive compensation for the jury duty time.

Court Appearances

Employees will be paid their regular wage to testify in court for city-related business. Any compensation received for court appearances (e.g. subpoena fees) arising out of or in connection with city employment, minus mileage reimbursement, must be turned over to the city.

Victim or Witness Leave

An employer must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony, or is the spouse or immediate family member (immediate family member includes parent, spouse, child, or sibling of the employee) of such victim, reasonable time off from work to attend criminal proceedings related to the victim's case.

Job Related Injury or Illness

All employees are required to report any job-related illnesses or injuries to their supervisor immediately (no matter how minor). If a supervisor is not available and the nature of injury or illness requires immediate treatment, the employee is to go to the nearest available medical facility for treatment and, as soon as possible, notify his/her supervisor of the action taken. In the case of a serious emergency, 911 should be called.

If the injury is not of an emergency nature, but requires medical attention, the employee will report it to the supervisor and plan for a medical appointment. Workers' compensation benefits and procedures to return to work will be applied according to applicable state and federal laws.

Pregnancy and Parenting Leave

Employees who work twenty (20) hours or more per week and have been employed more than one year are entitled to take an unpaid leave of absence under the Pregnancy and Parenting Leave Act of Minnesota. Unpaid pregnancy and parenting leave for up to 12 weeks is available to female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions, as well as for biological or adoptive parents in conjunction with the birth or adoption of a child. For leave related to the birth or adoption of a child, the leave must begin within 12 months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital. Employee should provide reasonable notice. If the leave must be taken in less than three (3) days, the employee should give as much notice as practicable.

Employees are required to use accrued paid time off during Parenting Leave. If the employee has any FMLA eligibility remaining at the time this leave commences, this leave will also count as FMLA leave. The two leaves will run concurrently. The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave. Group insurance coverage will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave Act, but the employee will be responsible for the entire premium unless otherwise provided in this policy (i.e., where leave is also FMLA qualifying). For employees on an FMLA absence as well, the employer contributions toward insurance benefits will continue during the FMLA leave absence.

Paid Parental Leave

The city shall offer any new mother or father up to two paid weeks for parental leave (for a biological birth, adoption or surrogacy). Paid parental leave will be the first two full weeks of FMLA leave. Any additional leave after the initial two weeks of paid parental leave shall be taken in accordance to the Pregnancy and Parenting Leave section of this policy.

Administrative Leave

Under special circumstances, an employee may be placed on an administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, as determined by the City Administrator with the approval of the City Council.

Adoptive Parents

Adoptive parents will be given the same opportunities for leave as biological parents (see provisions for Parenting Leave). The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Such leave must begin before or at the time of the child's placement in the adoptive home.

School Conference Leave

Any employee who has worked half-time or more during the 12-month period immediately preceding the leave, may take unpaid leave for up to a total of sixteen (16) hours during any twelve (12) month period to attend school conferences or classroom activities related to the employee's child (under age 18, or under 20 and still attending secondary school), provided the conference or classroom activities cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the city. Employees may choose to use paid time off for this absence but are not required to do so.

Bone Marrow/Organ Donation Leave

Employees working an average of twenty (20) or more hours per week may take paid leave, not to exceed forty (40) hours, unless agreed to by the city, to undergo medical procedures to donate bone marrow or an organ. The 40 hours is over and above the amount of accrued time the employee has earned.

The city may require a physician's verification of the purpose and length of the leave requested to donate bone marrow or an organ. If there is a medical determination that the employee does not qualify as a bone marrow or organ donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

Elections/Voting

An employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off without pay for purposes of serving as an election judge, provided that the employee gives the city at least twenty (20) days written notice.

All employees eligible to vote at a State general election, at an election to fill a vacancy in the office of United States Senator or Representative, or in a Presidential primary, will be allowed time off with pay to vote on the election day. Employees wanting to take advantage of such leave are required to work with their supervisors to avoid coverage issues.

Unpaid Leave

The City Administrator may authorize unpaid leave for up to thirty (30) days. Unpaid leave for greater periods may be granted by the City Council. Normally employee benefits will not be earned by an employee while on unpaid leave. However, the city's contribution toward health, dental, and life insurance may be continued, if approved by the City Council, for leaves of up to ninety (90) days when the leave is for medical reasons and FMLA has been exhausted.

If an employee is on an unpaid leave and is not working any hours, the employee will not accrue (or be paid for) holidays or paid time off. Employees who are working reduced hours while on this type of leave will receive holiday pay on a prorated basis and will accrue paid time off based on actual hours worked. Unpaid leave hours will not count toward seniority and all accrued paid time off and compensatory time must normally be used before an unpaid leave of absence will be approved. To qualify for unpaid leave, an employee need not have used all paid time off earned unless the leave is for medical reasons. Unpaid leave for purposes other than medical leave or work-related injuries will be at the convenience of the city.

Employees returning from an unpaid leave for a reason other than a qualified Parenting Leave or FMLA will be guaranteed return to the original position only for absences of thirty (30) calendar days or less. Employees receiving unpaid leave in excess of thirty (30) calendar days, for reasons other than qualified Parenting Leave or FMLA, are not guaranteed return to their original position. If their original position or a position of similar or lesser status is available, it may be offered at the discretion of the City Administrator subject to approval of the City Council. If the leave qualifies under Parenting Leave or Family and Medical Leave, the employee may retain a balance of forty (40) hours when going on an unpaid leave. Any exceptions to this policy must be approved by the City Administrator.

FAMILY AND MEDICAL LEAVE

Eligibility

To qualify to take FMLA leave under this policy, an employee must meet all the following conditions:

- Have worked for the city for 12 months (or 52 weeks) prior to the date the leave is to commence. The 12 months or 52 weeks need not have been consecutive; however, the city will not consider any service seven (7) years prior to the employee's most recent hire date.
- Have worked at least 1,250 hours during the 12-month period prior to the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act ("FLSA") determine the number of hours worked by an employee. The 1250 hours include only on-the-clock hours worked and do not include paid time off.

Types of Leave Covered by FMLA

Leave will be granted to all eligible employees for any of the following reasons:

- The birth of a child, including prenatal care, or placement of a child with the employee for adoption or foster care;
- To care for a spouse, child, or parent who has a serious health condition;
- Due to a serious health condition that makes the employee unable to perform the essential functions of the position;
- A covered military member's active duty or call to duty or to care for a covered military member (Military Caregiver and Qualified Exigency Leave) (described below).

Definitions

- **"Spouse"** does not include domestic partners or common-law spouses.
- **"Caring for"** a covered family member includes psychological as well as physical care. It also includes acquiring care and sharing care duties. An eligible **"child,"** with some exceptions, is under 18 years of age.
- An eligible **"parent"** includes a biological parent or a person who stood in the place of a parent.
- **"Serious Health Condition"** means an illness, injury, impairment, or physical or mental condition that involves one of the following:
 - **Hospital Care:** Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
 - **Pregnancy:** Any period of incapacity due to pregnancy, prenatal medical care, or childbirth;
 - **Absence Plus Treatment:** A period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider;
 - **Chronic Conditions Requiring Treatments:** An incapacity from a chronic condition which requires periodic visits for treatment by a health care provider, continues over an extended period, and may cause episodic rather than a continuing period of incapacity;
 - **Permanent/Long-Term Conditions Requiring Supervision:** A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease;
 - **Multiple Treatments:** Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider.

Length and Amount of Leave

The length of FMLA leave is not to exceed twelve (12) weeks in any twelve (12) month period. The leave year is calculated based on a looking forward basis. The entitlement to FMLA leave for the birth or placement of a child for adoption expires twelve (12) months after the birth or placement of that child.

How Leave May be Taken

FMLA leave may be taken for twelve (12) (or less) consecutive weeks, may be used intermittently (a day periodically when needed), or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks.

Intermittent leave may be taken when medically necessary for the employee's serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary. If an

employee is taking intermittent leave or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment to not disrupt the city's business.

In instances when intermittent or reduced schedule leave for the employee or employee's family member is foreseeable or is for planned medical treatment, including recovery from a serious health condition, the city may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule. Intermittent/reduced schedule leave may be taken to care for a newborn or newly placed adopted or foster care child, but only with City Administrator approval.

Procedure for Requesting Leave and Notice

All employees requesting FMLA leave must provide written or verbal notice of the need for the leave to the City Administrator. When the need for the leave is foreseeable, the employee must give verbal or written notice to his/her supervisor at least thirty (30) days prior to the date on which leave is to begin.

If 30 days' notice cannot be given, the employee is required to give as much notice as practicable, including following required call-in procedures. If an employee fails to give 30 days' notice for a foreseeable leave with no reasonable explanation for the delay, the leave may be denied until 30 days after the employee provides notice. The city requires an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

The City Administrator will approve or deny requests for FMLA leave.

Certification and Documentation Requirements

For leave due to an employee's serious health condition or that of an employee's family member, the city will require the completion of a medical certification form by the attending physician or practitioner. The form must be submitted by the employee to the City Administrator within fifteen (15) calendar days after leave is requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

When leave is due to an employee's own serious health condition, a fitness for duty certification (FFD) will be required before an employee can return to work. Failure to timely provide such certification may eliminate or delay an employee's right to reinstatement under the FMLA.

If an employee is using intermittent leave and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, an FFD certificate may be required as frequently as every thirty (30) days during periods when the employee has used intermittent leave. Recertification of leave may be required if the employee requests an extension of the original length approved by the City Administrator or if the circumstances regarding the leave have changed. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to the serious health condition.

Second and Third Medical Opinions

The city may require an employee obtain a second opinion from a provider which the city selects. If necessary, to resolve a conflict between the original certification and the second opinion, the city may require the opinion of a third doctor. This third opinion will be considered final. An employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Annual Medical Certification and Recertification

Where the employee's need for leave due to the employee's own serious health condition lasts beyond a single leave year, the city will require employees to provide a new medical certification in each subsequent leave year. Such new medical certifications are subject to the provisions for authentication and clarification and second and third opinions.

Reinstatement

Employees returning from Family and Medical Leave will be reinstated in the same position or a position equivalent in pay, benefits, and other terms and conditions of employment. An employee on FMLA leave has no greater right to reinstatement or

to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

Group Health Insurance and Other Benefits, Concurrent Leave, and Substitution of Paid Leave

An employee granted leave under this policy will continue to be covered under the city's group health and dental insurance plan under the same conditions and at the same level of city contribution as would have been provided had the employee been continuously employed during the leave period. The employee will be required to continue payment of the employee portion of group insurance coverage while on leave. Arrangements for payment of the employee's portion of premiums must be made by the employee with the city.

If there are changes in the city's contribution levels while the employee is on leave, those changes will take place as if the employee were still on the job. Rights to additional continued benefits will depend on whether leave is paid or unpaid.

Any paid disability leave benefits (short term disability or long term disability), paid time off, or compensatory time off available to employees for a covered reason (an employee's serious health condition or a covered family member's serious health condition, including workers' compensation leave and Minnesota State Parenting Leave) will run concurrently with FMLA.

Failure to Return to Work after FMLA

Under certain circumstances, if the employee does not return to work at the end of the FMLA leave for at least thirty (30) calendar days, the city may require the employee to repay the portion of the monthly cost paid by the city for group health plan benefits. The city may also require the employee to repay any amounts the city paid on the employee's behalf to maintain benefits other than group health plan benefits.

If an employee does not return to work following twelve (12) weeks of FMLA leave, the employee may be subject to COBRA continuation. If the employee fails to pay the city a portion of the premiums for which he or she is responsible during the FMLA leave and the employee fails to return to work, coverage may end. Loss of coverage for failure to pay premiums is not a qualifying event for purposes of continuation coverage under COBRA.

If the employee does not return from the FMLA leave and coverage ended sometime during the FMLA leave due to lack of payment, there is no COBRA election available. For COBRA to apply, the employee must have been covered on the day before the qualifying event. In this situation, the qualifying event would occur at the time the employee did not return from the leave.

Activities Prohibited During FMLA

While on leave, an employee may not engage in activities (including employment) which have the same or similar requirements and essential functions of an employee's current position. While on leave, an employee may not engage in any activity that conflicts with the best interests of the city. Such conduct will result in disciplinary action up to and including termination of employment.

Seniority

Unless required by a contract provision, seniority does not accrue during any period of unpaid FMLA except as allowed when the leave is covered by worker's compensation. However, seniority accrued prior to commencement of FMLA leave will not be lost.

Unpaid Medical Leave of Absence

If an employee is ineligible for FMLA leave or has exhausted available FMLA leave benefits, it is the policy of the city to consider an employee's request for a medical or personal leave of absence. The amount of medical leave available to each employee will be determined on a case-by-case basis depending on the position held, staffing requirements, the reasons for the leave, and the anticipated return-to-work date. Employees who take unpaid medical leave are not guaranteed to return to the same position held prior to taking leave.

Employees seeking a medical leave of absence will be required to present medical documentation to support the need for the leave, on-going documentation to support the need for continued leave, and documentation to support a return to work. During Unpaid Medical Leave, employees will be expected to keep in regular contact with the City Administrator. When you anticipate your return to work, please notify the City Administrator of your expected return date at least one week before the end of your

leave. Employees on an Unpaid Medical Leave of Absence may be subject to COBRA notice and continuation benefits and will be solely responsible for payment of the entire COBRA. Failure to keep in touch with management during your leave, failure to advise management of your availability to return to work, or failure to return to work following leave will be considered a voluntary resignation of your employment.

FMLA – QUALIFIED EXIGENCY AND MILITARY CAREGIVER LEAVE

Qualified Exigency

Eligible employees (described above) whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service.

The qualifying exigency must be one of the following: (1) short-notice deployment; (2) military events and activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; (8) parental care; or (9) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Military Caregiver Leave

An employee eligible for FMLA leave (described above) who is the spouse, son, daughter, parent, or next of kin of a covered servicemember may take up to twenty-six (26) weeks in a single 12-month period to care for that servicemember.

The family member must be a current member of the Armed Forces (including a member of the National Guard or Reserves), who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy, or otherwise is on outpatient status or on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, or members on the permanent disability retired list.

DEFINITIONS

- A **“son or daughter of a covered servicemember”** means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.
- A **“parent of a covered servicemember”** means a covered servicemember's biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.”
- The **“next of kin of a covered servicemember”** is the nearest blood relative, other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.
- **“Covered active duty”** means:
 - “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
 - “Covered active duty” for members of the reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of Title 10 of the United States Code.

- **“Covered servicemember”** means:
 - An Armed Forces member (including the National Guard or Reserves) undergoing medical treatment, recuperation, or therapy or otherwise in outpatient status or on the temporary disability retired list, for a serious injury or illness; or
 - A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
- **“Serious injury or illness”** means:
 - In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
 - In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating.

AMOUNT OF LEAVE – QUALIFIED EXIGENCY

An eligible employee can take up to twelve (12) weeks of leave for a qualified exigency.

AMOUNT OF LEAVE – MILITARY CAREGIVER

An eligible employee taking military caregiver leave is entitled to twenty-six (26) workweeks of leave during a “single twelve (12) month period.” The “single 12-month period” begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

Leave taken for any FMLA reason counts towards the 26-week entitlement. If an employee does not take all 26 workweeks of leave to care for a covered servicemember during this “single 12-month period,” the remaining part of the 26 workweeks of leave entitlement to care for the covered servicemember is forfeited. 29 C.F.R. § 825.127(e)(1) (2017).

CERTIFICATION OF QUALIFYING EXIGENCY FOR MILITARY FAMILY LEAVE

The city will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

CERTIFICATION FOR SERIOUS INJURY OR ILLNESS OF COVERED SERVICEMEMBER FOR MILITARY FAMILY LEAVE

The city will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Servicemember.

All other provisions of the FMLA policy, including Use of Paid Leave, Employee Status and Benefits During Leave, Procedure for Requesting Leave, and Benefits During Leave and Reinstatement, are outlined above in the FMLA policy.

Reasonable Unpaid Work Time for Nursing Mothers

Nursing mothers will be provided reasonable unpaid break time for nursing mothers to express milk for nursing her child for one year after the child’s birth. The city will provide a room (other than a bathroom) as close as possible to the employee’s work area, that is shielded from view and free from intrusion from coworkers and the public and includes access to an electrical outlet, where the nursing mother can express milk in private.

Light Duty/Modified Duty Assignment

This policy is to establish guidelines for temporary assignment of work to temporarily disabled employees who are medically unable to perform their regular work duties. Light duty is evaluated by the City Administrator on a case-by-case basis. This policy does not guarantee assignment to light duty.

Such assignments are for short-term, temporary disability-type purposes; assignment of light duty is at the discretion of the City Administrator. The City Administrator reserves the right to determine when and if light duty work will be assigned.

When an employee is unable to perform the essential requirements of his/her job due to a temporary disability, he/she will notify the supervisor in writing as to the nature and extent of the disability and the reason why he/she is unable to perform the essential functions, duties, and requirements of the position. This notice **must** be accompanied by a physician's report containing a diagnosis, current treatment, and any work restrictions related to the temporary disability. The notice must include the expected time frame regarding return to work with no restrictions, meeting all essential requirements and functions of the city's job description along with a written request for light duty. Upon receipt of the written request, the supervisor is to forward a copy of the report to the City Administrator. The city may require a medical exam conducted by a physician selected by the city to verify the diagnosis, current treatment, expected length of temporary disability, and work restrictions.

It is at the discretion of the City Administrator whether to assign light duty work to the employee. This policy is handled on a case-by-case basis. If the city offers a light duty assignment to an employee who is out on workers' compensation leave, the employee may be subject to penalties if he/she refuses such work. The city will not, however, require an employee who is otherwise qualified for protection under the Family and Medical Leave Act to accept a light duty assignment. The circumstances of each disabled employee performing light duty work will be reviewed regularly. Any light duty/modified work assignment may be discontinued at any time.

Reasonable Accommodations to an Employee for Health Conditions Relating to Pregnancy

The city will attempt to provide a female employee who requests reasonable accommodation with the following for her health conditions related to her pregnancy or childbirth:

- More frequent restroom, food, and water breaks;
- Seating;
- Limits on lifting over twenty (20) pounds; and/or
- Temporary transfer to a less strenuous or hazardous position, should one be available.

Unless such accommodations impose an undue hardship on the city, the city will engage in an interactive process with respect to an employee's request for a reasonable accommodation.

SEXUAL HARASSMENT PREVENTION

General

The city is committed to creating and maintaining a public service workplace free of harassment and discrimination. Such harassment is a violation of Title VII of the Civil Rights Act of 1964, the Minnesota Human Rights Act, and other related employment laws.

In keeping with this commitment, the city maintains a strict policy prohibiting unlawful harassment, including sexual harassment. This policy prohibits harassment in any form, including verbal and physical harassment. This policy statement is intended to make all employees, volunteers, members of boards and commissions, and elected officials sensitive to the matter of sexual harassment, to express the city's strong disapproval of unlawful sexual harassment, to advise employees against this behavior, and to inform them of their rights and obligations. The most effective way to address any sexual harassment issue is to bring it to the attention of management.

Definitions

To provide employees with a better understanding of what constitutes sexual harassment, the definition, based on Minnesota Statute § 363.01, subdivision 41, is provided: sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature, when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Examples of inappropriate behaviors that are unacceptable and therefore prohibited, even if not unlawful in and of themselves, include: unwanted physical contact; unwelcome sexual jokes or comments; sexually explicit posters or pinups; repeated and unwelcome requests for dates or sexual favors; sexual gestures or any indication, expressed or implied, that job security or any other condition of employment depends on submission to or rejection of unwelcome sexual requests or behavior. In summary, sexual harassment is the unwanted, unwelcome, or repeated action of an individual against another individual, using sexual overtones.

Expectations

The city recognizes the need to educate its employees, volunteers, members of boards and commissions, and elected officials about sexual harassment and stands committed to providing information and training. All employees are expected to treat each other and the general public with respect and assist in fostering an environment free from offensive behavior or harassment. Violations of this policy may result in discipline, including possible termination. Each situation will be evaluated on a case-by-case basis.

Employees who feel that they have been victims of sexual harassment, or employees who are aware of such harassment, should immediately report their concerns to any of the following:

1. A supervisor
2. City Administrator
3. Mayor or city councilmember

In addition to notifying one of the above persons and stating the nature of the harassment, the employee is also encouraged to take the following steps, if the person feels safe and comfortable doing so. If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911, and as soon as feasible, a supervisor.

1. Communicate to the harasser the conduct is unwelcome. Professionally, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions, and request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.
2. In some situations, such as with an offender from the public, it is preferable to avoid one on one interactions. Talk to your supervisor about available options to ensure there are others available to help with transactions with an offender.
3. To reiterate, it's important you notify a supervisor, the City Administrator, or the mayor or a councilmember of your concerns. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter. If, after what is considered to be a reasonable length of time (for example, 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the City Administrator, the mayor, or the city attorney.

The city urges conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate. Management takes these complaints seriously and has the obligation to provide an environment free of sexual harassment. The city is obligated to prevent and correct unlawful harassment in a manner which does not abridge the rights of the accused. To accomplish this task, the cooperation of all employees is required.

In the case of a sexual harassment complaint, a supervisor must report the allegations promptly to the City Administrator. If the City Administrator is the subject of the complaint, then the supervisor is to report the complaint to the city attorney. A supervisor must act upon such a report even if requested otherwise by the victim. The city will take action to correct any and all reported harassment to the extent evidence is available to verify the alleged harassment and any related retaliation. All allegations will be investigated. Strict confidentiality is not possible in all cases of sexual harassment as the accused has the right to answer charges made against them, particularly if discipline is a possible outcome. Reasonable efforts will be made to respect the confidentiality of the individuals involved, to the extent possible.

The city is not voluntarily engaging in a dispute resolution process within the meaning of Minn. Stat. § 363A.28, subd. 3(b), by adopting and enforcing this workplace policy. The filing of a complaint under this policy and any subsequent investigation does not suspend the one-year statute of limitations period under the Minnesota Human Rights Act for bringing a civil action or for filing a charge with the Commissioner of the Department of Human Rights.

Special Reporting Requirements

When the supervisor is the alleged harasser, a report will be made to the City Administrator who will assume the responsibility for investigation and discipline.

If the City Administrator is the alleged harasser, a report will be made to the city attorney who will confer with the mayor and City Council regarding appropriate investigation and action. If a councilmember is the alleged harasser, the report will be made to the City Administrator and referred to the city attorney who will undertake the necessary investigation. The city attorney will report his/her findings to the City Council, which will take the action it deems appropriate.

Pending completion of the investigation, the City Administrator may at his/her discretion take appropriate action to protect the alleged victim, other employees, or citizens. If an elected or appointed city official (e.g., councilmember or commission member) is the victim of disrespectful workplace behavior, the city attorney will be consulted as to the appropriate course of action.

Retaliation

The city will not tolerate retaliation or intimidation directed towards anyone who makes a complaint of employment discrimination, who serves as a witness or participates in an investigation, or who is exercising his/her rights, including when requesting religious or disability accommodation. Retaliation is broader than discrimination and includes, but is not limited to, any form of intimidation, reprisal, or harassment. While each situation is very fact dependent, generally speaking retaliation can include a denial of a promotion, job benefits, or refusal to hire, discipline, negative performance evaluations, or transfers to less prestigious or desirable work or work locations because an employee has engaged or may engage in activity in furtherance of EEO laws.

It can also include threats of reassignment, removal of supervisory responsibilities, filing civil action, deportation or other action with immigration authorities, disparagement to others or the media, and making false report to government authorities because an employee has engaged or may engage in protected activities. Any individual who retaliates against a person who testifies, assists, or participates in an investigation may be subject to disciplinary action up to and including termination.

If you feel retaliation is occurring within the workplace, please report your concern immediately to any of the following:

1. Immediate supervisor
2. City Administrator
3. Mayor or city councilmember
4. In the event an employee feels retaliation has occurred by the City Administrator or the City Council, then reporting may be made to the city attorney.

Supervisors who have been approached by employees with claims of retaliation will take the complaint seriously and promptly report the allegations promptly to the City Administrator, or if the complaint is against the City Administrator to the city attorney, who will decide how to proceed in addressing the complaint.

RESPECTFUL WORKPLACE POLICY

The intent of this policy is to provide general guidelines about conduct that is and is not appropriate in the workplace and other city-sponsored social events. The city acknowledges this policy cannot possibly predict all situations that might arise and recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

Applicability

Maintaining a respectful public service work environment is a shared responsibility. This policy is applicable to all city employees, volunteers, firefighters, members of boards and commissions, and city councilmembers.

Abusive Customer Behavior

While the city has a strong commitment to customer service, the city does not expect employees to accept verbal and other abuse from any customer. An employee may request that a supervisor intervene when a customer is abusive, or the employee may defuse the situation themselves, including professionally ending the contact. If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911 and, as soon as feasible, a supervisor. Employees should leave the area immediately when violence is imminent unless their duties require them to remain (such as police officers). Employees must notify their supervisor about the incident as soon as possible.

Types of Disrespectful Behavior

The following behaviors are unacceptable and therefore prohibited, even if not unlawful in and of themselves:

Violent Behavior

Includes the use of physical force, harassment, bullying, or intimidation.

Discriminatory Behavior

Includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, disability, sex, pregnancy, gender-biased statements, such as stereotypes about women or men, marital status, age, sexual orientation, gender identity, or gender expression, familial status, or status with regard to public assistance.

Offensive Behavior

May include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disparaging language, or any other behavior regarded as offensive to a reasonable person based upon violent or discriminatory behavior as listed above. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees and supervisor what is regarded as offensive, considering the sensibilities of employees and the possibility of public reaction.

Although the standard for how employees treat each other and the general public will be the same throughout the city, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a behavior is appropriate, the employee should request clarification from their supervisor or the City Administrator.

Names and Pronouns

Every employee will be addressed by a name and by pronouns that correspond to the employee's gender identity. A court-ordered name or gender change is not required.

Employee Response to Disrespectful Workplace Behavior

All employees should feel comfortable calling their supervisor or another manager to request assistance should they not feel comfortable with a situation. If situations involve violent behavior, call the police or ask the individual to leave the area.

If employees see or overhear a violation of this policy, employees should advise a supervisor, the City Administrator, or city attorney promptly. Employees who believe disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. If there is a concern about the possibility of violence, the individual should use his/her discretion to call 911 and, as soon as feasible, a supervisor.

Step 1(a). If you feel comfortable doing so, professionally, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1(b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor or City Administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter.

In some situations, with an offender from the public, it is preferable to avoid one on one interactions. Talk to your supervisor about available options to ensure there are others available to help with transactions with the offender.

Step 1(c). The city urges conduct which is viewed as offensive be reported immediately to allow for corrective action to be taken through education and immediate counseling, if appropriate. It is vitally important you notify a supervisor, the City Administrator, the mayor or councilmember of promptly of your concerns. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it promptly to a supervisor or the City Administrator.

Step 2. If, after what is a reasonable length of time (for example, 30 days), you believe inadequate action is being taken to resolve your complaint/concern, the next step is to report the incident to the City Administrator or the mayor.

Supervisor's Response to Allegations of Disrespectful Workplace Behavior

Employees who have a complaint of disrespectful workplace behavior will be taken seriously. In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations promptly to the City Administrator, who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

Step 1(a). If the nature of the allegations and the wishes of the victim warrant a simple intervention, the supervisor may choose to handle the matter informally. The supervisor may conduct a coaching session with the offender, explaining the impact of his/her actions and requiring the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 1(b). Supervisors, when talking with the reporting employee, will be encouraged to ask him or her what he or she wants to see happen next. When an employee comes forward with a disrespectful workplace complaint, it is important to note the city cannot promise complete confidentiality due to the need to investigate the issue properly. However, any investigation process will be handled as confidentially as practical and related information will only be shared on a need to know basis and in accordance with the Minnesota Data Practices Act.

Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The person being interviewed may have someone of his/her own choosing present during the interview. Typically, the investigator will obtain the following description of the incident, including date, time, and place:

- Corroborating evidence
- A list of witnesses
- Identification of the offender

Step 3. The supervisor must notify the City Administrator about the allegations (assuming the allegations do not involve the City Administrator).

Step 4. In most cases, as soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations, and the alleged violator will have the opportunity to answer questions and respond to the allegations. The city will follow any other applicable policies or laws in the investigatory process.

Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether disciplinary action will be taken.

Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable and to the extent permitted by the Minnesota Government Data Practices Act.

Special Reporting Requirements

When the supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Administrator who will determine how to proceed in addressing the complaint as well as appropriate discipline.

If the City Administrator is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the city attorney who will confer with the mayor and City Council regarding appropriate investigation and action.

If a councilmember is perceived to be the cause of a disrespectful workplace behavior incident involving city personnel, the report will be made to the City Administrator and referred to the city attorney who will undertake the necessary investigation. The city attorney will report his/her findings to the City Council, which will take the action it deems appropriate.

Pending completion of the investigation, the City Administrator may at his/her discretion take appropriate action to protect the alleged victim, other employees, or citizens. If an elected or appointed city official (e.g., councilmember or commission member) is the victim of disrespectful workplace behavior, the city attorney will be consulted as to the appropriate course of action.

Confidentiality

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved employees' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

Retaliation

Consistent with the terms of applicable statutes and city personnel policies, the city may discipline any individual who retaliates against any person who reports alleged violations of this policy. The city may also discipline any individual who retaliates against any participant in an investigation, proceeding, or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

Possession and Use of Dangerous Weapons

Possession or use of a dangerous weapon (see attached definitions) is prohibited on city property, in city vehicles, or in any personal vehicle which is being used for city business. This includes employees with valid permits to carry firearms.

The following exceptions to the dangerous weapons prohibition are as follows:

- Employees legally in possession of a firearm for which the employee holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on city property.
- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and employees who are in possession of a weapon or firearm in the scope of their official duties.

SEPARATION FROM SERVICE

Resignations

Employees wishing to leave the city service in good standing must provide a written resignation notice to their supervisor at least ten (10) working days before leaving. Exempt employees must give thirty (30) calendar days' notice. The written resignation must state the effective date of the employee's resignation.

Unauthorized absences from work for a period of three (3) consecutive workdays may be considered as resignation without proper notice. Failure to comply with this procedure may be cause for denying the employee's severance pay and any future employment with the city.

Severance Pay

Employees who leave the employ of the city in good standing by retirement or resignation will receive pay for 100 percent of accrued paid time off.

DISCIPLINE

General Policy

Supervisors are responsible for maintaining compliance with city standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the city. City employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable city policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the grievance procedures established in the city's personnel policies. The supervisor and/or the City Administrator will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

No Contract Language Established

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

Process

The city may elect to use progressive discipline, a system of escalating responses intended to correct the negative behavior rather than to punish the employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies implies that any city employee has a contractual right or guarantee (also known as a property right) to the job he/she performs.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee. The following are descriptions of the types of disciplinary actions:

Oral Reprimand

This measure will be used where informal discussions with the employee's supervisor have not resolved the matter. All supervisors can issue oral reprimands without prior approval.

Oral reprimands are normally given for first infractions on minor offenses to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the change must be. The supervisor will document the oral reprimand including date(s) and a summary of discussion and corrective action needed.

Written Reprimand

A written reprimand is more serious and may follow an oral reprimand when the problem is not corrected, or the behavior has not consistently improved in a reasonable period. Serious infractions may require skipping either the oral or written reprimand, or both. Written reprimands are issued by the supervisor with prior approval from the City Administrator.

A written reprimand will: (1) state what did happen; (2) state what should have happened; (3) identify the policy, directive, or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. Employees' signatures do not mean the employee agrees with the reprimand. Written reprimands will be placed in the employee's personnel file.

Suspension With or Without Pay

The City Administrator may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council, except in the case of veterans. Qualified veterans, who have completed their initial probationary period, will not be suspended without pay in conjunction with a termination. The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on several factors including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will be removed from the employee's personnel file and the employee will receive any compensation and benefits due had the suspension not taken place.

Demotion and/or Transfer

An employee may be demoted or transferred if attempts at resolving an issue have failed and the City Administrator determines a demotion or transfer to be the best solution to the problem. The employee must be qualified for the position to which they are being demoted or transferred. The City Council must approve this action.

Salary

An employee's salary increase may be withheld, or the salary may be decreased due to performance deficiencies.

Dismissal

The City Administrator, with the approval of the City Council, may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with city standards. If the disciplinary action involves the removal of a qualified veteran who has completed his/her initial probationary period, the appropriate hearing notice will be provided, and all rights will be afforded the veteran in accordance with Minnesota law.

GRIEVANCE PROCEDURE

Any dispute between an employee and the city relative to the application, meaning, or interpretation of these personnel policies will be settled in the following manner:

Step 1. The employee must present the grievance in writing, stating the nature of the grievance, the date at which the incident allegedly occurred, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated, and the remedy requested to the proper supervisor within twenty-one (21) days after the alleged violation or dispute has occurred. The supervisor will respond to the employee in writing within seven (7) calendar days.

Step 2. If the grievance has not been settled in accordance with Step 1, it must be presented in writing, stating the nature of the grievance, the date at which the incident allegedly occurred, the facts on which it is based, the provision or provisions of the Personnel Policies allegedly violated, and the remedy requested by the employee to the City Administrator within seven (7) days after the supervisor's response is due. The City Administrator or his/her designee will respond to the employee in writing within seven (7) calendar days. The decision of the City Administrator is final for all disputes except for those specific components in a performance evaluation subject to a challenge through the Minnesota Department of Administration.

Waiver

If a grievance is not presented within the time limits set forth above, it will be considered "waived." If a grievance is not appealed to the next step in the specified time limit or any agreed extension thereof, it will be considered settled based on the city's last answer. If the city does not answer a grievance or an appeal within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the city and the employee without prejudice to either party.

The following actions are not able to be grieved:

- While certain components of a performance evaluation, such as disputed facts reported to be incomplete or inaccurate are challengeable, other performance evaluation data, including subjective assessments, are not.
- Pay increases or lack thereof.
- Merit pay awards.

The above list is not meant to be all inclusive or exhaustive.

EMPLOYEE EDUCATION AND TRAINING

The city promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to residents. The purposes for staff development are to ensure that employees develop and maintain the knowledge and skills necessary for effective job performance and to provide employees with an opportunity for job enrichment and mobility.

Job-Related Training and Conferences

The subject matter of the training session or conference is directly job-related and relevant to the performance of the employee's work responsibilities. Responsibilities outlined in the job description, annual work program requirements and training, goals and objectives that have been developed for the employee will be considered in determining if the request is job-related.

CLE or similar courses taken by an employee in order to maintain licensing or other professional accreditation will not be eligible for payment under this policy unless the subject matter relates directly to the employee's duties, even though the employee may be required to maintain such licensing or accreditation as a condition of employment with the city.

The supervisor and the City Administrator are responsible for determining job-relatedness and approving or disapproving training and conference attendance.

Compensation for Travel and Training Time

Time spent traveling to and from, as well as time spent attending a training session or conference, will be compensated in accordance with the federal Fair Labor Standards Act. Travel and other related training expenses will be reimbursed subject to the employee providing necessary receipts and appropriate documentation.

For more information, refer to the City of Osseo [Travel Policy](#).

Memberships and Dues

The purpose of memberships to various professional organizations must be directly related to the betterment of the services of the city. Normally, one city membership per agency, as determined by the City Administrator, is allowed, providing funds are available. Upon separation of employment, individual memberships remain with the city and are transferred to another employee by the supervisor.

OUTSIDE EMPLOYMENT

The potential for conflicts of interest is lessened when individuals employed by the city regard the city as their primary employment responsibility. All outside employment is to be reported to the employee's immediate supervisor. If a potential conflict exists based on this policy or any other consideration, the supervisor will consult with the City Administrator.

Any city employee accepting employment in an outside position that is determined by the City Administrator to conflict with the employee's city job will be required to resign from the outside employment or may be subject to discipline up to and including termination.

For the purpose of this policy, outside employment refers to any non-city employment or consulting work for which an employee receives compensation, except for compensation received in conjunction with military service or holding a political office or an appointment to a government board or commission that is compatible with city employment. The following is to be considered when determining if outside employment is acceptable:

- Outside employment must not interfere with a full-time employee's availability during the city's regular hours of operation or with a part-time employee's regular work schedule.
- Outside employment must not interfere with the employee's ability to fulfill the essential requirements of his/her position.
- The employee must not use city equipment, resources, or staff in the course of the outside employment.
- The employee must not violate any city personnel policies as a result of outside employment.
- The employee must not receive compensation from another individual or employer for services performed during hours for which he/she is also being compensated by the city. Work performed for others while on approved vacation or compensatory time is not a violation of policy unless that work creates the appearance of a conflict of interest.
- No employee will work for another employer, or for his/her own business, while using paid time off from the city for those same hours.
- Departments may establish more specific policies as appropriate, subject to the approval of the City Administrator.

City employees are not permitted to accept outside employment that creates either the appearance of or the potential for a conflict with the development, administration, or implementation of policies, programs, services, or any other operational aspect of the city.

DRUG FREE WORKPLACE

In accordance with federal law, the city has adopted the following policy on drugs in the workplace:

- A. Employees are expected and required to report to work on time and in appropriate mental and physical condition. It is the city's intent and obligation to provide a drug-free, safe, and secure work environment.
- B. The unlawful manufacture, distribution, possession, or use of a controlled substance on city property or while conducting city business is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.
- C. The city recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use their health insurance plans, as appropriate.
- D. Employees must, as a condition of employment, abide by the terms of this policy and must report any conviction under a criminal drug statute for violations occurring on or off work premises while conducting city business. A report of the conviction must be made within five (5) days after the conviction as required by the Drug-Free Workplace Act of 1988.

CITY DRIVING POLICY

This policy applies to all employees who drive a vehicle on city business at least once per month, whether driving a city-owned vehicle or their own personal vehicle. It also applies to employees who drive less frequently but whose ability to drive is essential to their job due to the emergency nature of the job. The city expects all employees who are required to drive as part of their job to drive safely and legally while on city business and to maintain a good driving record.

The city will examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify their immediate supervisor on the first workday after any temporary, pending, or permanent action is taken on their license and to keep their supervisor informed of any changes thereafter. The city will determine appropriate action on a case-by-case basis.

CELLULAR PHONE USE

This policy is intended to define acceptable and unacceptable uses of city issued cellular telephones. Its application is to ensure cellular phone usage is consistent with the best interests of the city without unnecessary restriction of employees in the conduct of their duties. This policy will be implemented to prevent the improper use or abuse of cellular phones and to ensure that city employees exercise the highest standards of propriety in their use.

General Policy

Cellular telephones are intended for the use of city employees in the conduct of their work for the city. Supervisors are responsible for the cellular telephones assigned to their employees and will exercise discretion in their use. Nothing in this policy will limit supervisor discretion to allow reasonable and prudent personal use of such telephones or equipment provided that:

- Its use in no way limits the conduct of work of the employee or other employees.
- No personal profit is gained, or outside employment is served.
- All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones always. Employees whose job responsibilities include regular or occasional driving and who are issued a cellphone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances and in accordance with Minnesota law, employees are required to use hands-free operations or pull off into a parking lot and safely stop the vehicle before placing or accepting a call. Employees are always encouraged to refrain from discussion of complicated or emotional matters and to keep their eyes on the road while driving. Special care should be taken in situations where there is traffic or inclement weather, or the employee is driving in an unfamiliar area. Hands-free equipment will be provided with city-issued phones to facilitate the provisions of this policy.
- Reading/sending text messages, making or receiving phone calls, emailing, video calling, scrolling/typing, accessing a webpage, or using non-navigation applications while driving is strictly prohibited.
 - In accordance with State law, there is an exception to hands free cell phone operations to obtain emergency assistance to report a traffic accident, medical emergency or serious traffic hazard, or prevent a crime from being committed. There is also a State law exception for authorized emergency vehicles while in the performance of official duties.
- Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. See above "City Driving Policy" for more information on reporting driver's license restrictions.

Alternatively, a supervisor may authorize an employee to use his/her own personal phone for city business and be reimbursed by the city for those calls. Regardless of who pays the bill, cell phone records about city business are subject to the Minnesota Government Data Practices Act. What this means is that if a request were received, the city would be under the obligation to determine what information is public data and what information is private data and would need access to the employee's phone records and possibly the phone itself in order to provide the data that is being requested. Therefore, the best practice is to limit usage of personal cell phones for city business to that which is truly necessary or be prepared to produce your cell phone and the associated records if needed.

An employee will not be reimbursed for business-related calls without prior authorization from his/her supervisor. Supervisors may also prohibit employees from carrying their own personal cell phones during working hours if it interferes with the performance of their job duties.

Use of public resources by city employees for personal gain and/or private use including, but not limited to, outside employment or political campaign purposes, is prohibited and subject to disciplinary action which may include termination and/or criminal prosecution, depending on the circumstances. Incidental and occasional personal use may be permitted with the consent of the supervisor. Personal calls will be made or received only when necessary. Such calls must not interfere with working operations and are to be completed as quickly as possible. Any personal long-distance call costs will be paid for by the employee.

Procedures

It is the objective of the city to prevent and correct any abuse or misuse of cellular telephones through the application of this policy. Employees who abuse or misuse such telephones may be subject to disciplinary action.

Responsibility

The City Administrator, or designee, will have primary responsibility for implementation and coordination of this policy. All supervisors will be responsible for enforcement within their departments.

SAFETY

The health and safety of each employee of the city and the prevention of occupational injuries and illnesses are of primary importance to the city. To the greatest degree possible, management will maintain an environment free from unnecessary hazards and will establish safety policies and procedures for each department. Adherence to these policies is the responsibility of each employee. Overall administration of this policy is the responsibility of each supervisor.

Reporting Accidents and Illnesses

Both Minnesota workers' compensation laws and the state and federal Occupational Safety and Health Acts require that all on the job injuries and illnesses be reported as soon as possible by the employee, or on behalf of the injured or ill employee, to his/her supervisor. The employee's immediate supervisor is required to complete a First Report of Injury and any other forms that may be necessary related to an injury or illness on the job.

Safety Equipment/Gear

Where safety equipment is required by federal, state, or local rules and regulations, it is a condition of employment that such equipment be worn by the employee.

Unsafe Behavior

Supervisors are authorized to send an employee home immediately when the employee's behavior violates the city's personnel policies, department policies, or creates a potential health or safety issue for the employee or others.

Access to Gender-Segregated Activities and Areas

With respect to all restrooms, locker rooms, or changing facilities, employees will have access to facilities that correspond to their affirmed gender identity, regardless of their sex at birth. The city maintains separate restroom and/or changing facilities for male and female employees and allows employees to access them based on their gender identity.

In any gender-segregated facility, any employee who is uncomfortable using a shared facility, regardless of the reason, will, upon the employee's request, be provided with an appropriate alternative. This may include, for example, addition of a privacy partition or curtain, provision to use a nearby private restroom or office, or a separate changing schedule. However, the city will not require a transgender or gender diverse employee to use a separate, nonintegrated space, unless requested by the transgender or gender diverse employee, because it may publicly identify or marginalize the employee as transgender.

Under no circumstances may employees be required to use sex-segregated facilities that are inconsistent with their gender identity.

Personnel Policy adopted by the Osseo City Council on October 28, 2019, and effective January 1, 2020.

Duane Poppe, Mayor

Riley Grams, City Administrator

RECEIPT FOR PERSONNEL POLICY

* * * * *

I have received a copy of the City of Osseo Personnel Policy and I agree to comply with this policy. This policy was approved October 28, 2019, and is effective January 1, 2020.

Date: _____

(signature)

(printed name)

(position)

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Payments

Current Period: OCTOBER 2019

Batch Name	10-28-19 CKS	User Dollar Amt	\$143,121.63	
	Payments	Computer Dollar Amt	\$143,121.63	
			\$0.00	In Balance
Refer	8293 <i>BURSHVILLE CONSTRUCTION</i>			
Cash Payment	E 601-49400-221 EQUIP REPAIR/ MAINT	16 2ND AVE NE WATER SVC LINE REPAIR		\$4,050.00
Invoice 4547	9/27/2019			
Cash Payment	E 601-49400-221 EQUIP REPAIR/ MAINT	825 3RD ST NE WATER SVC LINE REPAIR		\$3,175.00
Invoice 4547	9/27/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$7,225.00
Refer	8319 <i>CANON FINANCIAL SERVICES, INC</i>			
Cash Payment	E 101-41110-410 LEASES/RENTALS	ADMIN COPIER LEASE		\$346.92
Invoice 20647868	10/13/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$346.92
Refer	8308 <i>CINTAS - UNIFORMS AND RUGS</i>			
Cash Payment	E 101-41900-201 OFFICE OPERATIONS	RUG SVC-PD		\$6.24
Invoice 4031531733	10/2/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$6.24
Refer	8302 <i>COMCAST - CALIFORNIA</i>			
Cash Payment	E 101-42000-321 TELECOMMUNICATION	OCT 2019 SVC-PW		\$174.98
Invoice				
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$174.98
Refer	8340 <i>COMCAST BUSINESS</i>			
Cash Payment	E 101-41700-321 TELECOMMUNICATION	NOV 2019 TRUNK LINES		\$332.85
Invoice 89756023	10/15/2019			
Transaction Date	10/24/2019	PREMIER CHECKIN 10100	Total	\$332.85
Refer	8336 <i>CONCENTRA MEDICAL CENTERS</i>			
Cash Payment	E 101-41920-355 PERSONNEL/RECRUIT	PRE-EMPLOYMENT SCREENING FOR 2 FIRE APPLICANTS		\$944.00
Invoice 103052717	9/24/2019			
Transaction Date	10/24/2019	PREMIER CHECKIN 10100	Total	\$944.00
Refer	8337 <i>CONCENTRA MEDICAL CENTERS</i>			
Cash Payment	E 101-41920-355 PERSONNEL/RECRUIT	PRE-EMPLOYMENT SCREENING FOR 5 APPLICANTS		\$2,360.00
Invoice 103056328	10/2/2019			
Transaction Date	10/24/2019	PREMIER CHECKIN 10100	Total	\$2,360.00
Refer	8328 <i>ECM PUBLISHING</i>			
Cash Payment	E 101-41110-351 PRINTING/PUBLISHING	AMEND CHP. 153-PH		\$106.32
Invoice 730805	10/10/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$106.32
Refer	8348 <i>EFTPS</i>	Ck# 001933E 10/24/2019		
Cash Payment	G 101-21701 FEDERAL WITHHOLDING	10/23/19 PAYROLL		\$4,190.96
Invoice 27096976587393				
Cash Payment	G 101-21703 FICA WITHHOLDING	10/23/19 PAYROLL		\$4,374.10
Invoice 27096976587393				
Transaction Date	10/24/2019	PREMIER CHECKIN 10100	Total	\$8,565.06

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Payments

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Current Period: OCTOBER 2019

Refer	8351 <i>ELECTRICAL PRODUCITON SERVI</i>	-		
Cash Payment	G 101-20221 ELECTRICAL INSPECTION	REFUND DUPLICATE PERMIT 2018-230E		\$64.00
Invoice				
Cash Payment	E 101-41940-305 INSPECTION SERVICE	REFUND DUPLICATE PERMIT 2018-230E		-\$64.00
Invoice				
Cash Payment	R 101-32103 ELECTRIC PERMITS	REFUND DUPLICATE PERMIT 2018-230E		\$80.00
Invoice				
Transaction Date	10/24/2019	PREMIER CHECKIN 10100	Total	\$80.00
Refer	8332 <i>ELEMENT TECHNOLOGIES LLC</i>	-		
Cash Payment	E 101-41515-302 IT SERVICE	OCTOBER IT SVCS		\$1,900.00
Invoice sla43651	10/1/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$1,900.00
Refer	8341 <i>ELEMENT TECHNOLOGIES LLC</i>	-		
Cash Payment	E 101-41515-302 IT SERVICE	SEPTEMBER IT SERVICE		\$1,900.00
Invoice SLA43263	9/1/2019			
Transaction Date	10/24/2019	PREMIER CHECKIN 10100	Total	\$1,900.00
Refer	8347 <i>EMPOWER- MSRS DFC</i>	<u>Ck# 001932E 10/24/2019</u>		
Cash Payment	G 101-21705 DEFFERED COMP	10/23/19 PAYROLL		\$50.00
Invoice 792688391				
Transaction Date	10/24/2019	PREMIER CHECKIN 10100	Total	\$50.00
Refer	8305 <i>FAIRS GARDEN CENTER</i>	-		
Cash Payment	E 407-42000-529 STREET IMPROVEMEN	2019 STREET PROJECT TREE REPLACEMENT		\$1,750.00
Invoice 11597	9/27/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$1,750.00
Refer	8310 <i>FINKEN WATER</i>	-		
Cash Payment	E 101-41920-211 OPERATIONS	10/8/19 WATER DELIVERY-PD		\$80.70
Invoice 33015TI	10/8/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$80.70
Refer	8333 <i>FINKEN WATER</i>	-		
Cash Payment	E 101-41110-211 OPERATIONS	10/8/19 WATER DELIVERY-ADMIN		\$37.25
Invoice 33014TI	10/8/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$37.25
Refer	8322 <i>FISH, ANNIE</i>	-		
Cash Payment	G 101-22001 COMMUNITY CENTER DEP	10/13/19 COMM CENTER RENTAL DEPOSIT REFUND		\$250.00
Invoice				
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$250.00
Refer	8343 <i>FURTHER - FORMERLY SELECTAC</i>	<u>Ck# 001929E 10/24/2019</u>		
Cash Payment	G 101-21711 EMPLOYEE H.S.A CONTRI	10/23/19 PAYROLL		\$1,464.00
Invoice				
Transaction Date	10/24/2019	PREMIER CHECKIN 10100	Total	\$1,464.00
Refer	8356 <i>FURTHER - FORMERLY SELECTAC</i>	-		
Cash Payment	E 101-41110-130 MED/DEN/LIFE/LTD INS	OCT 2019 ADMIN FEES		\$32.50
Invoice 1412611	10/8/2019			
Transaction Date	10/24/2019	PREMIER CHECKIN 10100	Total	\$32.50

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Refer	8318 HENN CO INFO TECH	-			
Cash Payment	E 101-41900-220 RADIO COMMUNICATI	SEPT RADIO FEES-PD			\$1,268.93
Invoice	1000137609	10/3/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$1,268.93
Refer	8297 HENN CO PUBLIC WORKS	-			
Cash Payment	E 101-42000-216 FUEL - VEHICLE/EQUIP	AUGUST FUEL COSTS			\$216.64
Invoice	1000136779	9/18/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$216.64
Refer	8317 HENN CO SHERIFF	-			
Cash Payment	E 101-41900-316 INCARCERATION SERV	SEPT BOOKING SVCS			\$375.00
Invoice	1000137735	9/30/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$375.00
Refer	8315 HOLIDAY COMMERCIAL	-			
Cash Payment	E 101-41900-216 FUEL - VEHICLE/EQUIP	SEPT 2019 SQUAD FUEL PURCHASES			\$1,936.42
Invoice		9/21/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$1,936.42
Refer	8342 ICMA RETIREMENT CORPORATIO	-			
Cash Payment	G 101-21705 DEFFERED COMP	10/23/19 PAYROLL			\$480.65
Invoice	220656	10/24/2019			
Transaction Date	10/24/2019	PREMIER CHECKIN	10100	Total	\$480.65
Refer	8313 INNOVATIVE OFFICE SUPPLY	-			
Cash Payment	E 101-41900-201 OFFICE OPERATIONS	PD OFFICE SUPPLIES			\$58.05
Invoice	IN2697210	10/2/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$58.05
Refer	8314 INNOVATIVE OFFICE SUPPLY	-			
Cash Payment	E 101-41900-201 OFFICE OPERATIONS	PD OFFICE SUPPLIES			\$29.94
Invoice	IN2697214	10/2/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$29.94
Refer	8330 INNOVATIVE OFFICE SUPPLY	-			
Cash Payment	E 101-41110-211 OPERATIONS	ADMIN OFFICE SUPPLIES			\$303.33
Invoice	IN2695049	9/30/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$303.33
Refer	8286 KW FLOORS	-			
Cash Payment	E 205-42350-801 RENTAL PROPERTY E	CARPET-417 1ST AVE NE			\$2,513.24
Invoice	1696	10/7/2019			
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$2,513.24
Refer	8331 LAW ENFORCE LABOR SERVICE I	-			
Cash Payment	G 101-21708 UNION DUES	OCTOBER 2019 DUES			\$255.00
Invoice	OCT2019				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$255.00
Refer	8352 MACDONALD & MACK ARCHITECT	-			
Cash Payment	E 260-42370-310 OTHER PROFESSIONA	WATER TOWER SVCS THRU 9/30/19			\$1,113.75
Invoice	21919-001	10/11/2019			
Transaction Date	10/24/2019	PREMIER CHECKIN	10100	Total	\$1,113.75
Refer	8304 MAPLE GROVE, CITY OF	-			

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Cash Payment	E 601-49400-385 PURCHASED WATER	8,893GAL WATER PURCHASED-SEPT 2019		\$14,454.68
Invoice	20245	10/2/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$14,454.68
Refer	8287 MENARDS-BROOKLYN PARK	-		
Cash Payment	E 205-42350-801 RENTAL PROPERTY E	25 4TH ST NE SUPPLIES		\$95.49
Invoice	93101	10/14/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$95.49
Refer	8288 MENARDS-BROOKLYN PARK	-		
Cash Payment	E 205-42350-801 RENTAL PROPERTY E	25 4TH ST NE SUPPLIES		\$1.74
Invoice	93102	10/14/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$1.74
Refer	8289 MENARDS-BROOKLYN PARK	-		
Cash Payment	E 205-42350-801 RENTAL PROPERTY E	17 4TH ST NE SUPPLIES		\$80.56
Invoice	93079	10/14/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$80.56
Refer	8303 MENARDS-BROOKLYN PARK	-		
Cash Payment	E 205-42350-801 RENTAL PROPERTY E	25 4TH ST NE SUPPLIES		\$25.53
Invoice	92848	10/10/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$25.53
Refer	8329 MENARDS-BROOKLYN PARK	-		
Cash Payment	E 101-41700-211 OPERATIONS	CLEANING SUPPLIES-CITY HALL		\$34.41
Invoice				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$34.41
Refer	8306 METRO COUNCIL-WASTEWATER	-		
Cash Payment	E 602-49400-386 SANITARY SEWER SE	NOVEMBER 2019 WASTE WATER SVCS		\$13,689.92
Invoice	1101515	10/8/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$13,689.92
Refer	8323 MN CONFERENCE OF 7TH-DAY AD	-		
Cash Payment	G 101-22001 COMMUNITY CENTER DEP	10/12/19 COMM CENTER RENTAL DEPOSIT REFUND		\$250.00
Invoice				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$250.00
Refer	8326 MN DEPT OF HEALTH	-		
Cash Payment	G 601-21560 MN WATER CONNECT FEE	3Q19 MN CONNECT FEES		\$1,311.75
Invoice				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$1,311.75
Refer	8354 MN DEPT OF LABOR & INDUSTRY	-		
Cash Payment	E 101-41700-222 BUILDING REPAIR/MAI	CITY HALL ANNUAL ELEVATOR LICENSE		\$100.00
Invoice	ALR0101052I	10/2/2019		
Transaction Date	10/24/2019	PREMIER CHECKIN	10100	Total \$100.00
Refer	8345 MN DEPT OF REVENUE	Ck# 001930E 10/24/2019		
Cash Payment	G 101-21702 STATE WITHHOLDING	10/23/19 PAYROLL		\$1,553.80
Invoice	1-640-715-296	10/24/2019		
Transaction Date	10/24/2019	PREMIER CHECKIN	10100	Total \$1,553.80
Refer	8346 MN DEPT OF REVENUE	Ck# 001931E 10/24/2019		

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Cash Payment	G 101-21710 MISC DEDUCTIONS/BENEF	10/23/19 PAYROLL		\$35.00
Invoice				
Transaction Date	10/24/2019	PREMIER CHECKIN	10100	Total \$35.00
Refer	8349 MN DEPT OF REVENUE	Ck# 001934E	10/21/2019	
Cash Payment	G 101-21550 STATE SALES TAX	3Q2019 SALES/USE TAX		\$8.43
Invoice 0-193-483-808 10/21/2019				
Cash Payment	G 205-21550 STATE SALES TAX	3Q2019 SALES/USE TAX		\$101.95
Invoice 0-193-483-808 10/21/2019				
Cash Payment	G 601-21550 STATE SALES TAX	3Q2019 SALES/USE TAX		\$1,842.62
Invoice 0-193-483-808 10/21/2019				
Transaction Date	10/24/2019	PREMIER CHECKIN	10100	Total \$1,953.00
Refer	8350 MN RURAL WATER ASSOCIATION			
Cash Payment	E 601-49400-260 EDUCATION/MEETING	OPERATOR EXPO-SWENSON & SCHILLINGER		\$125.00
Invoice 9/18/2019				
Cash Payment	E 602-49400-260 EDUCATION/MEETING	OPERATOR EXPO-SWENSON & SCHILLINGER		\$125.00
Invoice 9/18/2019				
Transaction Date	10/24/2019	PREMIER CHECKIN	10100	Total \$250.00
Refer	8290 NAPA-COTTENS OSSEO			
Cash Payment	E 101-42000-217 VEHICLE REPAIRS/MAI	MOTOR OIL,BATTERY		\$117.47
Invoice 863604 10/7/2019				
Cash Payment	E 101-42000-217 VEHICLE REPAIRS/MAI	OIL FILTER PURCHASE, DEPOSIT RETURN		-\$0.64
Invoice 863687 10/7/2019				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$116.83
Refer	8291 OSSEO SAVITT PAINT STORE			
Cash Payment	E 101-42350-222 BUILDING REPAIR/MAI	PAINT FOR HOCKEY RINK		\$515.90
Invoice 39055 10/10/2019				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$515.90
Refer	8321 PEIP	Ck# 001927E	10/21/2019	
Cash Payment	E 101-41900-130 MED/DEN/LIFE/LTD INS	NOVEMBER MED/DEN INSURANCE PREMIUM		\$5,051.63
Invoice 887136 10/10/2019				
Cash Payment	E 101-41110-130 MED/DEN/LIFE/LTD INS	NOVEMBER MED/DEN INSURANCE PREMIUM		\$1,527.42
Invoice 887136 10/10/2019				
Cash Payment	E 101-42000-130 MED/DEN/LIFE/LTD INS	NOVEMBER MED/DEN INSURANCE PREMIUM		\$1,762.84
Invoice 887136 10/10/2019				
Cash Payment	G 101-21706 MEDICAL/DENTAL/LIFE/LT	NOVEMBER MED/DEN INSURANCE PREMIUM		\$369.13
Invoice 887136 10/10/2019				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$8,711.02
Refer	8344 PERA	Ck# 001928E	10/24/2019	
Cash Payment	G 101-21704 PERA	10/23/19 PAYROLL		\$8,945.32
Invoice SOMPER005304 10/22/2019				
Transaction Date	10/24/2019	PREMIER CHECKIN	10100	Total \$8,945.32
Refer	8298 QUALITY FLOW SYSTEMS, INC.			
Cash Payment	E 602-49400-221 EQUIP REPAIR/ MAINT	LIFT STATION REPAIR		\$187.00
Invoice 37803 9/26/2019				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total \$187.00

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Refer	8292 RANDYS SANITATION	-			
Cash Payment	E 205-42350-801 RENTAL PROPERTY E	SEPT SVC-17 4TH ST NE			\$10.02
Invoice					
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$10.02
Refer	8295 RANDYS SANITATION	-			
Cash Payment	E 205-42350-801 RENTAL PROPERTY E	417 1ST AVE NE XTRA TRASH SVC			\$10.02
Invoice					
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$10.02
Refer	8325 ROHE, BETH	-			
Cash Payment	G 101-22001 COMMUNITY CENTER DEP	10/11/19 COMM CENTER RENTAL DEPOSIT REFUND			\$250.00
Invoice					
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$250.00
Refer	8327 SATHIYANESAN, SATHISH	-			
Cash Payment	G 101-22001 COMMUNITY CENTER DEP	10/20/19 COMM CENTER RENTAL DEPOSIT REFUND			\$250.00
Invoice					
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$250.00
Refer	8294 SIPE BROS. INC.	-			
Cash Payment	E 101-42350-216 FUEL - VEHICLE/EQUIP	FUEL PURCHASES-MOWER			\$52.02
Invoice	9/30/19STMT				
Cash Payment	E 101-42000-216 FUEL - VEHICLE/EQUIP	FUEL PURCHASES-PW			\$78.40
Invoice	9/30/19STMT				
Cash Payment	E 204-42390-352 TROLLEY OPERATION	FUEL PURCHASES-TROLLEY			\$8.42
Invoice	9/30/19STMT				
Cash Payment	E 604-49400-216 FUEL - VEHICLE/EQUIP	FUEL PURCHASES-SWEEPER			\$80.59
Invoice	9/30/19STMT				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$219.43
Refer	8316 SIPE BROS. INC.	-			
Cash Payment	E 101-41900-217 VEHICLE REPAIRS/MAI	SQUAD 665 CAR WASH			\$5.00
Invoice	9/30/19STMT2 9/30/2019				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$5.00
Refer	8309 STREICHERS INC	-			
Cash Payment	E 101-41900-218 UNIFORMS/GEAR	TACTICAL ASSAULT CARRIER,NAME TAG CLOTH-CURRENT			\$180.99
Invoice	I1391907 10/8/2019				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$180.99
Refer	8311 STREICHERS INC	-			
Cash Payment	E 101-41900-401 POLICE RESERVE PRO	NAMEPLATE-ANDERSEN			\$9.99
Invoice	I1374513 6/24/2019				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$9.99
Refer	8312 STREICHERS INC	-			
Cash Payment	E 101-41900-218 UNIFORMS/GEAR	NAME TAG CLOTH-STARRY			\$5.99
Invoice	I1382786 8/14/2019				
Transaction Date	10/21/2019	PREMIER CHECKIN	10100	Total	\$5.99
Refer	8334 SWANK MOTION PICTURES INC	-			

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Cash Payment	E 253-42400-211 OPERATIONS	HALLOWEEN MOVIE IN THE PARK		\$463.00
Invoice	RG1657795	10/9/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$463.00
Refer	8320 THE SOTA SHOP	-		
Cash Payment	E 101-41000-218 UNIFORMS/GEAR	LOGO SHIRTS-SCHULZ		\$68.00
Invoice	1662	10/4/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$68.00
Refer	8296 TITAN MACHINERY	-		
Cash Payment	E 101-42000-221 EQUIP REPAIR/ MAINT	INSTALL LONGER JOYSTICK HANDLE		\$894.38
Invoice	13006801	9/25/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$894.38
Refer	8355 US BANK - PW COPIER LEASE	-		
Cash Payment	E 101-42000-410 LEASES/RENTALS	PW COPIER LEASE		\$22.32
Invoice	397597766	10/16/2019		
Transaction Date	10/24/2019	PREMIER CHECKIN 10100	Total	\$22.32
Refer	8339 VERIZON WIRELESS	-		
Cash Payment	E 101-42000-321 TELECOMMUNICATION	OCT 2019 CELL SERVICE		\$119.32
Invoice	9839196638	10/24/2019		
Cash Payment	E 101-41900-321 TELECOMMUNICATION	OCT 2019 CELL SERVICE		\$412.00
Invoice	9839196638	10/24/2019		
Cash Payment	E 204-42390-352 TROLLEY OPERATION	OCT 2019 CELL SERVICE		\$29.62
Invoice	9839196638	10/24/2019		
Cash Payment	E 101-41110-321 TELECOMMUNICATION	OCT 2019 CELL SERVICE		\$36.73
Invoice	9839196638	10/24/2019		
Transaction Date	10/24/2019	PREMIER CHECKIN 10100	Total	\$597.67
Refer	8307 WSB & ASSOCIATES INC	-		
Cash Payment	E 101-41110-310 OTHER PROFESSIONA	AUGUST 2019 ENGINEERING SVCS		\$525.00
Invoice	AUG2019			
Cash Payment	E 101-41650-303 ENGINEERING SERVIC	AUGUST 2019 ENGINEERING SVCS		\$150.00
Invoice	AUG2019			
Cash Payment	E 101-41920-310 OTHER PROFESSIONA	AUGUST 2019 ENGINEERING SVCS		\$75.00
Invoice	AUG2019			
Cash Payment	E 407-42000-303 ENGINEERING SERVIC	AUGUST 2019 ENGINEERING SVCS		\$41,473.00
Invoice	AUG2019			
Cash Payment	E 409-42000-303 ENGINEERING SERVIC	AUGUST 2019 ENGINEERING SVCS		\$1,850.00
Invoice	AUG2019			
Cash Payment	E 101-41110-310 OTHER PROFESSIONA	AUGUST 2019 ENGINEERING SVCS		\$264.00
Invoice	AUG2019			
Cash Payment	E 602-49400-303 ENGINEERING SERVIC	AUGUST 2019 ENGINEERING SVCS		\$358.00
Invoice	AUG2019			
Cash Payment	E 150-41650-303 ENGINEERING SERVIC	AUGUST 2019 ENGINEERING SVCS		\$1,585.25
Invoice	AUG2019			
Cash Payment	E 135-41700-520 CAPITAL OUTLAY	AUGUST 2019 ENGINEERING SVCS		\$86.50
Invoice	AUG2019			
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$46,366.75
Refer	8299 XCEL ENERGY	-		

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Payments

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Current Period: OCTOBER 2019

Cash Payment	E 101-41700-380 ELECTRIC SERVICE	AUGUST 2019 SVC		\$1,367.98
Invoice	653318848	9/11/2019		
Cash Payment	E 101-41800-380 ELECTRIC SERVICE	AUGUST 2019 SVC		\$300.29
Invoice	653318848	9/11/2019		
Cash Payment	E 101-41900-402 EMERGENCY PREPAR	AUGUST 2019 SVC		\$9.22
Invoice	653318848	9/11/2019		
Cash Payment	E 101-42000-380 ELECTRIC SERVICE	AUGUST 2019 SVC		\$338.35
Invoice	653318848	9/11/2019		
Cash Payment	E 101-42000-226 TRAFFIC SIGNALS/STR	AUGUST 2019 SVC		\$1,812.91
Invoice	653318848	9/11/2019		
Cash Payment	E 101-42350-380 ELECTRIC SERVICE	AUGUST 2019 SVC		\$225.03
Invoice	653318848	9/11/2019		
Cash Payment	E 601-49400-380 ELECTRIC SERVICE	AUGUST 2019 SVC		\$33.05
Invoice	653318848	9/11/2019		
Cash Payment	E 602-49400-380 ELECTRIC SERVICE	AUGUST 2019 SVC		\$658.07
Invoice	653318848	9/11/2019		
Cash Payment	E 101-42350-212 GATEWAY SIGN OPER	AUGUST 2019 SVC		\$273.37
Invoice	653318848	9/11/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$5,018.27
Refer	8300 XCEL ENERGY			
Cash Payment	E 205-42350-801 RENTAL PROPERTY E	SEPT 2019 SVC-25 4TH ST NE		\$159.91
Invoice	654635146	9/20/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$159.91
Refer	8301 XCEL ENERGY			
Cash Payment	E 205-42350-801 RENTAL PROPERTY E	AUG 2019 SVC-17 4TH ST NE		\$121.17
Invoice	654033812	9/17/2019		
Transaction Date	10/21/2019	PREMIER CHECKIN 10100	Total	\$121.17

Fund Summary

10100 PREMIER CHECKING

101 GENERAL FUND	\$51,551.78
135 CIP FACILITIES	\$86.50
150 COMP PLAN GRANT	\$1,585.25
204 TROLLEY	\$38.04
205 PARK DEDICATION	\$3,119.63
253 MUSIC/MOVIES IN THE PARK	\$463.00
260 HERITAGE PRESERVATION	\$1,113.75
407 2019 STREET IMPROVEMENT	\$43,223.00
409 2020 STREET IMPROVEMENT	\$1,850.00
601 WATER FUND	\$24,992.10
602 SEWER FUND	\$15,017.99
604 STORM WATER FUND	\$80.59
	\$143,121.63

Pre-Written Checks	\$31,277.20
Checks to be Generated by the Computer	\$111,844.43
Total	\$143,121.63



**City Hall will be closed
Monday, November 11,
in honor of Veterans Day**

**EDA & City Council meetings will be
held on Tuesday, November 12**