

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

1. CALL TO ORDER

Mayor Duane Poppe called the regular meeting of the Osseo City Council to order at 7:07 p.m. on Monday, October 28, 2019.

2. ROLL CALL

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

Staff present: City Administrator Riley Grams, City Planner Nancy Abts, and City Attorney Mary Tietjen.

Others present: David Bress, James Kelly, Preston Kroska, John & Patti Cochran, Kenny & Sarita Nelson, Erica Hoffman, Becky Hilliard, David Aanerud, Dick Hopkes, Andrew Sandahl, Jess Pechacek, Mike Grigg, Mary Hohn, Michael Panchyshyn, Carol Nielsen, and Brent Maves.

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.

City Administrator Riley Grams requested a change to the agenda by adding Item 10E approve letter of support for Hennepin County youth sports program grant.

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

5. CONSENT AGENDA

- A. Approve 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

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

6. MATTERS FROM THE FLOOR

Preston Kroska, 601 2<sup>nd</sup> Avenue NE, asked if residents would be able to speak to Item 10A. Poppe reported this would be allowed after the City Engineer's report to the Council. He explained each resident would have roughly three minutes to speak to the matter.

James Kelly, 624 3<sup>rd</sup> Avenue NE, requested the Council abide by Roberts Rules of Order when it comes to voting. He referenced Chapter 13 and explained if two-thirds of the assembly would like time extended, the assembly has the right to vote to extend the speaking limits.

Schulz reported the residents were not part of the voting majority and the City Council was.

Mr. Kelly encouraged the Council to show good faith and allow the residents to speak for more than three minutes for item 10A given the fact residents would be impacted financially.

Schulz explained the Mayor and City Council have always been fair with public comment. He stated if the Council wanted to put up a motion to allow for the time to be extended this could be done, but noted this would be a determination made by Council.

7. SPECIAL BUSINESS

A. ACCEPT DONATIONS (Resolution)

Grams stated the City has received the following donations:

Donor	Amount/Item	Designated Fund
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, &amp; Irene Nerison)</i>		

Staff recommended the Council accept the donations.

**A motion was made by Stelmach, seconded by Hultstrom, to adopt Resolution No. 2019-64 accepting donations from Becky Meierhofer Insurance, Realife Cooperative, Osseo American Legion, Lynde Enterprises, and Harold E. and Gayle Johnson. The motion carried 5-0.**

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS – None.

10. NEW BUSINESS

A. APPROVE FEASIBILITY REPORT FOR 2020 STREET PROJECT (Resolution)

**A motion was made by Schulz, seconded by Stelmach, to extend the speaking time for residents to four minutes and thirty seconds.**

Johnson requested speakers not speak to the same topic repeatedly.

Stelmach stated out of respect for the residents in attendance he would like residents to be allowed to address the same topics or complaints within the four-minute and thirty-second time limit.

Hultstrom agreed.

**The motion carried 5-0.**

Lee Gustafson, WSB, stated 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.

Mr. Gustafson commented 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.

Mr. Gustafson reported 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.

Mr. Gustafson explained 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.

Mr. Gustafson indicated 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.

Mr. Gustafson stated a neighborhood open house for the proposed improvements was conducted on October 1. 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. He commented further on the financing along with the proposed schedule for the project and recommended approval of the feasibility report.

Jessica Pechacek, 519 3<sup>rd</sup> Avenue NE, commented the pictures show the farm house was an issue and not a feature. She indicated the east side of the street was flat. She questioned why the people on the west side were being forced to install a retaining wall which would require a loss of a number of trees.

Mr. Gustafson explained 11 trees total would be lost on the project. He reviewed a picture of the farm house area and reported sidewalk 28 would start at the curb and would go to the east. He reported the sidewalk would only go five feet into yards with no retaining wall on the west side of 3<sup>rd</sup> Avenue. He indicated one of the key goals for this project was to minimize or eliminate retaining walls.

Ms. Pechacek asked if staff had looked at the houses on the east side and the west side of 3<sup>rd</sup> Avenue NE. She reported the houses on the west side have a slope or grade that would require a retaining wall if a sidewalk were installed. She recommended the sidewalk be placed on the east side of 3<sup>rd</sup> Avenue NE.

Mr. Gustafson commented WSB had investigated placing the sidewalk on both the east and west sides of the street. He explained the final details of the project had yet to be determined by the City Council. He understood that retaining walls may be required in some yards within the project area, but noted he would work with the Council to minimize this expense. He stated there were ways for property owners to work with the City to eliminate retaining walls altogether.

David Bress, 616 3<sup>rd</sup> Avenue NE, stated he agreed he needed a new street but questioned what value would be added by including a sidewalk. He explained there were very few cars on his street and recommended the Council eliminate the sidewalk from 3<sup>rd</sup> Avenue.

Poppe reported sidewalks have been added through every street improvement project for the past ten years to improve the walkability of the City. He commented this was a function of safety.

Stelmach discussed the number of cars using 3<sup>rd</sup> Avenue NE each day and described the number of children that walk to school every day. He stated the sidewalks were being proposed not only to improve safety today, but also for 20 years into the future.

Mr. Bress indicated there were only two families on the street with children. He reported only two homes had driveways into the street and the rest went into the alleyway. He noted the number of cars on the street was less than most streets. He was of the opinion a sidewalk was not necessary for his street.

Stelmach commented it was not just children walking to a school bus that the City was concerned with but was all forms of pedestrian safety. He noted more and more families were moving into the community and the City had to consider how to plan for the future.

Mr. Bress inquired if the sidewalks could be installed at a future date.

Schulz reported this would cost the City even more money as the City would have to tear out the curb and the cost for materials would be higher in the future. Mr. Gustafson stated this was the case and estimated the cost would be three to five times higher if the Council were to do the work at five to ten years in the future versus at the time the road was reconstructed. He noted County Road 30 would be upgraded in eight to ten years and the County would be installing sidewalks and/or trails at that time.

Brent Maves, 533 3<sup>rd</sup> Avenue NE, stated he took issue with the City Engineer's wording of "improvements." He did not believe taking a portion of his front yard and having to spend thousands of dollars was considered an improvement. He commented he recently moved into the City and has a five-week-old son. He explained he would rather teach his son life skills and how to be safe as a pedestrian versus installing a sidewalk in his yard. He believed the sidewalks were completely unnecessary. He noted he was a special education teacher and commented his students were taught to walk on a street and on a sidewalk. He commented further on the value of teaching children skills versus relying on sidewalks. He was of the opinion the sidewalks were a poor decision. He encouraged the Council to think long and hard about this decision.

Kenny Nelson, 509 3<sup>rd</sup> Avenue NE, reported he took the night off of work to attend this meeting. He explained he moved to Osseo five years ago with his wife and children. He discussed how the proposed sidewalk would change the curb appeal of every house on his street. He suggested the road width not be narrowed given the need for snow storage. He indicated he felt safe walking down his street with his two-year-old and recommended the Council not approve a sidewalk for his street given the fact it was not a through street. He noted almost all of his neighbors had signed a petition and were against a sidewalk.

John Cochran, 501 2<sup>nd</sup> Avenue NE, asked when 2<sup>nd</sup> Avenue NE was paved. He believed the roadway was no more than 30 years old. He commented there was an awful lot of pink on the street which meant his neighbors did not support the proposed sidewalks. He understood the City was concerned about safety. He stated he was not interested in maintaining a sidewalk during the winter months and commented on how dangerous they were with ice and snow.

Carol Nielsen, 400 2<sup>nd</sup> Avenue NE, reported she has lived in Osseo for the past 40 years. She indicated the existing partial sidewalk was in place when she moved in. She explained four years ago she paid an assessment on 4<sup>th</sup> Street NE and two years ago paid for the alley that she does not use. She expressed concern with the fact she would now be hit with a third assessment. She discussed how difficult it was for the elderly to maintain sidewalks in the winter months. She requested the Council listen to the residents carefully and not proceed with the sidewalks.

David Aanerud, 416 3<sup>rd</sup> Avenue NE, asked if the residents in Osseo had a voice as to whether or not the sidewalks would be included in this project.

Poppe reported the Council was taking comments from the public at this time regarding this matter.

Mr. Aanerud stated he had concerns with the proposed narrowing of the street. He commented some of his neighbors only had a single car garage and were forced to park in the street. He feared cars would not be able to park on the street and be able to drive down the street if it were narrowed.

James Kelly, 624 3<sup>rd</sup> Avenue NE, stated his main issue with this project was safety. He noted he had prepared a two-page letter with a diagram regarding this matter and had sent it to the City Council. He commented on the 3% grade change that was between the farmhouse and his property. He feared he would have slip and fall events on his property during the winter months given the grade change. He recommended a sign be posted stating there was imminent damage so he was not liable. He encouraged the Council to reconsider how to truly keep pedestrians safe. He discussed the number of residents that were against the sidewalks and recommended the Council not include the sidewalks in the improvement project.

Mr. Nelson expressed concern with the number of parking spaces that would be lost in driveways after the sidewalks were added. He indicated this would negatively impact the residents within the project area. He questioned why the City had not installed any crosswalks in the City if safety was a big concern.

Mike Panchyshyn, 408 3<sup>rd</sup> Avenue NE, stated he has been monitoring the amount of traffic moving down his street. He estimated there were roughly 20 vehicles moving down the street each day, with the vast majority being residents. He commented the school children walking down the street were always escorted by parents. He explained as these children grow up, they will begin biking to school, which cannot be done on a sidewalk. He commented on how losing ten feet of his front yard would negatively impact him. He stated he did not see value in installing sidewalks on his street given the fact it was not a through street and only residents used the roadway. He recommended the Council not proceed with sidewalks.

Mr. Bress indicated he recently paid an assessment for a new alleyway. He noted he has a single car garage. He explained if he lost a portion of his driveway due to a sidewalk, he would only be able to park one car in his driveway and this would negatively impact his family.

Ms. Nielsen recommended the City consider posting signs that state "Please Drive As If Your Children Live Here" to improve vehicle and pedestrian safety.

Patty Cochran, 501 2<sup>nd</sup> Avenue NE, stated she could fit four cars in her driveway but noted if a sidewalk was added, she would only be able to fit one car. She discussed how the resale value of her home would be impacted if she would only be able to park one car in her driveway. She commented families had multiple cars and drivers these days.

Preston Kroska, 601 2<sup>nd</sup> Avenue NE, reviewed a map with the Council noting he had six more properties that have signed his petition. He stated he was only missing seven properties at this time and noted only one resident was offering support for the sidewalks. He questioned what it would take for the Council to listen to the residents and not install the sidewalks.

Johnson stated the City's policy has been to install sidewalks on all street reconstruction projects. He reiterated the fact that the City Council represents all residents of Osseo and he understood there were hardships. He explained the Council also took into consideration the long-range goals of the City for all current and future Osseo residents. He reported the Council has received feedback on all of its street improvement projects, but noted sidewalks have been installed on all projects.

Mr. Kroska asked Councilmember Schulz what it would take for the Council to listen to the residents and not install the sidewalks.

Schulz reported he would respond to this question after the public comment portion of the meeting was complete.

Mr. Kroska asked Mayor Poppe what it would take for the Council to listen to the residents and not install the sidewalks.

Poppe stated the Council was listening to residents and weighing the long-term options at this time in order to make a decision that was best for the City.

Mr. Kroska commented his street was not a through street and the proposed sidewalks would only be used by residents living on the street. He questioned how the right of way location was measured. He noted his roadway was already narrow and he expressed concern with how his neighbors would be impacted by reducing the roadway width to 32 feet. He recommended the Council allow the roadway to remain at 35 feet. He stated he did not want to see any trees lost on his roadway. He reported his street was not designed to have sidewalks, given the location of the farmhouse and recommended the Council not approve this project with sidewalks.

Richard Hopkes, 541 2<sup>nd</sup> Avenue NE, stated he appreciated both sides of this issue. He noted he raised three children in Osseo and explained he was not concerned with them walking in the streets. He indicated he had more concerns with people not properly maintaining their sidewalks. He reported he did not buy a house in Osseo to have it look like North Minneapolis. Rather, he purchased a home in a nice neighborhood that had a decent sized front yard. He feared his property value would be negatively impacted given the fact he would be losing a large portion of his front yard to a sidewalk. He explained he has lived in his home for the past 58 years without a sidewalk. He questioned why his neighborhood didn't have sidewalks installed originally. Perhaps it was because the developer wanted to construct a nice-looking neighborhood. He requested the Council reconsider this project and not include the sidewalks.

Mr. Kroska reported most homes on his street were 33 feet from the back of the curb to the front of the homes. He stated if a sidewalk were installed the uniformity on his street would be lost.

Sarita Nelson, 509 3<sup>rd</sup> Avenue NE, stated she did not believe sidewalks made streets safer because there were always pedestrians still walking in the street. She asked when and why the decision was made to put the sidewalk on the west side of 3<sup>rd</sup> Avenue NE. She commented the sidewalk would have a very strange jog in it given the location of the farmhouse. She feared the Council was not really hearing the concerns being voiced by the residents and instead had already made a decision on the project. She believed

the residents on these streets would be losing more than they would be gaining through the proposed project and recommended the sidewalk not be included.

Mr. Hopkes stated he had a 40-year-old oak tree that could be lost in this project and asked how he would be compensated.

Stelmach reported trees would be discussed by Mr. Gustafson after the public comment portion of the meeting was closed.

Mr. Aanerud asked if the matter regarding sidewalks was open for discussion or if the matter was closed.

Poppe stated the Council was taking public comment at this time and had not voted on the matter.

Schulz reiterated the Council has not made a decision on the project at this point.

Poppe called Mr. Gustafson forward to address the questions raised by the public.

Mr. Gustafson explained any tree in the boulevard or on private property that was lost for the street improvement project would be replaced with a new tree. He commented on the curbing with respect to the farmhouse and noted the curbing would not be brought any closer to the farmhouse property. He reported property values typically increase in value when new streets and sidewalks are installed. He stated 32 feet was on the upper end of a standard street width. He indicated the lots were surveyed by licensed surveyors. He commented ADA requirements were brought into effect when a grade was 5% or steeper. He noted the crown on a street was 2%. He addressed the concern of losing parking stalls within driveways. He explained the properties on the west side of 3<sup>rd</sup> Avenue NE would only lose two to four feet.

Mr. Hopkes stated his personal opinion would be his property value would go down after he loses a large portion of his front yard and an old mature oak tree. He questioned what size tree would be replanted.

Mr. Kroska estimated he would lose more like five to seven feet of parking space in his driveway. He questioned how many roads in the City were 32 feet or narrower in Osseo.

Mr. Nelson thanked the Council for serving the City. He commented on the trees located in his yard and stated he planted a crab apple tree in his front yard after marrying his wife. He explained he did not want to see this tree negatively impacted by the grading that would occur from this project. In addition, he feared that even the loss of four to six feet in his driveway length would mean his cars would be hanging over on the sidewalk. He recommended the Council move this project forward without sidewalks.

Mary Hohn, 408 3<sup>rd</sup> Avenue NE, asked how sidewalks have impacted property values and property taxes for home owners that have already had their streets replaced. She stated she did not want to be paying even higher property taxes given the fact the City would be putting in a sidewalk she does not want.



Stelmach stated he had a sidewalk installed and alleyway improvement and his home value has gone up.

Ms. Hohn questioned what the fine would be if residents were not able to clear the sidewalk within 24 hours of a snow event. She indicated there were a number of elderly residents that lived on her street. She believed it was unfair to have this expectation from elderly residents.

Stelmach inquired if these were residents that were already clearing their driveway.

Grams stated he would have to consult with the Police Department to better understand what the fine was for failing to clear a sidewalk.

Ms. Hohn asked if the Councilmembers used the sidewalks in the City when walking around town.

Johnson, Schulz, and Stelmach stated they used the sidewalks.

Ms. Hohn requested her roadway not be narrowed as it would be difficult for cars to pass when other cars were parked in the street.

Mr. Gustafson reported on 2<sup>nd</sup> Avenue six feet would be lost on the east side of the street. He commented this could be shifted a little to the west to reduce the impact on the east. He stated on 3<sup>rd</sup> Avenue the loss would be two to four feet. He explained he did not believe Mr. Hopkes's oak tree would be impacted by this project.

Johnson questioned if the roadways would be built to handle loaded garbage trucks. Mr. Gustafson explained this would be the case.

Schulz stated he had a problem with the sidewalk being located on the same side of the street as the farmhouse. He anticipated any excavation that occurred near the farmhouse would impact the buildings foundation. He did not support sidewalks on the west side of this block. He asked how many more trees would be impacted if the sidewalk were shifted to the other side of the street. He indicated he did not like back to curb sidewalks either. He explained he would only support this project if the sidewalk were shifted to the other side of the street.

Johnson commented on the top soil that was found from the soil borings.

Schulz commented on the assessment he has for his own property. He stated as a Councilmember he was always striving to do what was right for the City and to be honest. He understood there would be dilemmas that would be created by the proposed project but stated he would not let it change the way he has voted in the past. He indicated he was quite torn on this project as he believed both solutions were correct. He discussed how difficult it was for the Council to review and approve these projects, but noted the Council was working to improve its infrastructure and property values. He explained the residents in attendance had every right to vote him out of office if they did not agree with his decision. He encouraged the residents in attendance to remember that in the end, everyone was neighbors.

Stelmach thanked all of the residents in attendance for coming forward. He reported active listening does not always mean active agreeing. He stated the Council was listening and took the time to hear from residents this evening. He indicated he had two assessments on his property. He stated this was a hard decision for the Council to make. He commented further on how sidewalks were safer for pedestrians, especially with the number of distracted drivers. He appreciated the comment about posting "Drive Safely – Kids Present" signs. He recommended this comment be brought to the Public Safety Advisory Committee. He commented further on the project and stated either way, this was a hard decision for the Council to make.

Johnson reported he has lived in Osseo longer than any other person in Osseo except for Mr. Hopkes. He stated there were lots of good things in Osseo as well as problems. He indicated when he purchased his home in Osseo, he had it surveyed and found his overhang was on his neighbor's lot. He explained he had heard through the years that residents wanted sidewalks throughout all of Osseo. He commented the Council was working to unify this situation through its street improvement projects. He described how the assessment being charged to the homeowners would be made up over time by an increased value in the home. He stated he has been threatened by residents and encouraged those interested in serving the community as a whole to consider running for office.

Hultstrom thanked all of the residents in attendance for coming forward and voicing their opinion. She noted she was the new kid on the block when it came to the City Council. She understood there was a strong majority that did not want sidewalks within this project area and stated she had to listen to these voices. She commented this may not make the rest of the City happy, but indicated she would be listening to these voices because it was a majority. She explained she personally did not have sidewalks but noted this could change in the future when her street was improved. She indicated this was a difficult decision for the Council to make but made it clear the Council was listening. She reported she answered many phone calls and emails regarding this project. She stated this would be the hardest decision for her to make as a Councilmember.

Poppe stated he appreciated all of the comments that were voiced this evening. He explained he strives to do what is best for the City in order to keep it moving forward. He indicated he did not take the comments that were made lightly. He indicated the Council was approving the feasibility study this evening and was not approving the final project. He stated he did not want to let pure emotion drive this decision because this may not lead to the best decision for the City. He believed that a lot of different options had to be considered--what was the best option for the City? He thanked everyone for coming out and offering their opinions to the Council. He reiterated that there was still time to make comments and feedback.

Hultstrom thanked the staff from WSB for providing the Council with information and knowledge in order to make informed decisions.

Schulz thanked Johnson for all of his comments. He discussed the great work WSB has been conducting on behalf of the City. He stated he appreciated the feedback that has been provided to the Council and reviewed the number of residents that had signed the

petition. He explained he would be supporting the feasibility report going forward but recommended the design would have to be reconsidered near the farmhouse.

Johnson stated in Osseo there were many different lot sizes. He discussed how the Council was working to keep the assessments the same for all residents for the street improvement projects.

Stelmach thanked all of the residents who came out and provided the Council with feedback. He encouraged residents to continue to contact him with comments or concerns regarding the proposed project.

**A motion was made by Johnson, seconded by Schulz, to adopt Resolution No. 2019-65 receiving the feasibility report and calling for the improvement hearing for the 2020 Street Reconstruction Project. The motion carried 5-0.**

**B. DISCUSS PROPERTY DONATION AGREEMENT FOR 632 CENTRAL AVENUE**

Grams stated at the June 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 Avenue. 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 a donation agreement and staff sent it over to Wiley Enterprises for comments. 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 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 mutual agreement. The Council should provide some discussion on this matter.

Grams reported 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.

Schulz commented he believed the City put its best foot forward with respect to this property. He indicated he was not willing to handcuff the City into keeping this property undeveloped. For this reason, he recommended the donation request be refused.

Stelmach agreed with these comments and stated he did not support the property donation at this time.

Consensus of the Council was not in support of the property donation.

C. APPROVE PERSONNEL POLICY AND EMPLOYEE COMPENSATION PLAN

Grams commented late last year the 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 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.

Grams stated 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 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 draft document. Most recently, the Council discussed a final version of the policy at the October 26 meeting.

Grams explained 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.

Schulz stated a lot of time had been spent updating the Personnel Policy and Employee Compensation Plan. He thanked staff and the City Attorney for their efforts. He noted several minor changes that had to be made regarding the formatting for the types of disrespectful behavior and the language regarding the possession and use of dangerous weapons be amended or deleted. He noted the City was an "at will" employer and recommended this be stated within the document. He recommended the language regarding text messages be amended to allow employees to hear text messages from vehicles, when the technology is available. Grams suggested this section of the policy read: All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cell phones always.

Stelmach commented on the dismissal language and agreed an "at will" statement should be added to the document. He supported the dangerous weapon language being amended to allow employees to carry if properly trained and backgrounded. City Attorney Tietjen clarified this policy only applies to City employees and does not apply to elected officials. She noted this policy prohibits City employees from carrying weapons, but noted this language could be omitted if there was Council consensus.

Schulz, Stelmach, and Hultstrom supported the language being removed.

**A motion was made by Hultstrom, seconded by Schulz, to approve the Osseo Personnel Policy and Employee Compensation Plan as amended.**

Johnson asked which employees in the City were exempt and which were non-exempt.

Hultstrom stated she read a recent article drafted by the League of Minnesota Cities that she would forward on to Johnson regarding this matter. Grams noted the City Administrator, Police Chief, and Public Works Director were the only exempt employees.

**The motion carried 5-0.**

D. APPROVE ACCOUNTS PAYABLE

Grams reviewed the Accounts Payable with the Council.

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

E. APPROVE LETTER OF SUPPORT FOR HENNEPIN COUNTY YOUTH SPORTS PROGRAM GRANT

Grams stated staff was made aware of a grant opportunity through Hennepin County Youth Sports Program. He explained this grant would be submitted jointly between the Osseo-Maple Grove Hockey Association and the Osseo School District #279. He reported the funds being requested would assist with replacing the hockey boards on the Osseo Area Hockey Rink. He reported the original boards were installed in 1991 and have run their useful life. He noted the hockey rink provides year-round recreational use to Osseo area youth. He explained the grant would not tie the City to the project financially in any way. Staff commented further on the grant and requested the Council support writing a Letter of Support for this grant opportunity.

**A motion was made by Schulz, seconded by Stelmach, to approve a Letter of Support for Hennepin County Youth Sports Program Grant. The motion carried 5-0.**

11. ADMINISTRATOR REPORT

Grams reported he was in Nashville last week for the National ICMA Conference. He thanked the Council for allowing him to attend this conference.

Grams commented he did not believe the general public understood how difficult it was for people to serve as a City Councilmember. He understood that residents typically only communicated with Councilmembers when they were angry or upset. He thanked the Council for their service to the community and for working so well with City staff.

12. COUNCIL AND ATTORNEY REPORTS

City Attorney Mary Tietjen stated she works with a number of different cities and reported what happened here tonight does not happen in other cities. She commended the City Council for taking comments and having a dialogue with the residents in attendance.

Hultstrom reported the Lions Halloween event this past Saturday was extraordinary and well attended. She thanked the people for coming out and taking part in this event. She thanked the Osseo businesses for participating in this event as well.

Hultstrom stated this evening was not easy for the City Council. She reiterated that the residents were heard and that comments would be taken into consideration as this project moves forward.

Stelmach indicated his three children had a wonderful time trick or treating in downtown Osseo this past weekend. He commented on how the event has grown over the years and thanked all who were involved with planning and putting on this event.

Stelmach thanked all of the residents who were in attendance and spoke politely to the Council. He noted the Council would continue to strive to do its best to represent the community. He stated he also appreciated staff and all of their efforts to support the City Council.

Johnson indicated he was proud of the Osseo Lions Club and its efforts to build community. The Lions hosted the Halloween event.

Johnson hoped that all of the residents in attendance this evening would take an active part in the upcoming election.

Johnson stated he attended the Osseo Orchard tree planting event last week and noted seven trees were added this year.

Johnson commented Housing for All would be having a legislative breakfast on Tuesday, January 28, at 7 a.m. at St. Joseph the Worker Church in Maple Grove. He invited the entire Council to attend this event.

Johnson stated he attended a Hennepin County Housing and Community Development listening session. He reported Hennepin County has funds available for community development and explained the EDA would be discussing this further at an upcoming meeting.

Schulz thanked all who attended the Council meeting this evening. He indicated he heard all of the comments that were made. He explained he has served on the City Council for the past ten years and he felt blessed by the way the Council has been turning this City around. He commented he appreciated the fact the Council had approved a new personnel policy.

Schulz stated he appreciated all of the residents and children that attended the recent Lions Halloween event in downtown Osseo. He thanked all of the local business owners for participating in this event as well.

Schulz encouraged residents to use caution on Thursday, October 31, as children would be walking the streets trick or treating.

Schulz discussed the tree trimming that would occur on Central Avenue. He thanked the Council for the dialogue that was held regarding Central Avenue during the work session.

Schulz stated he would be attending a Metro Transit meeting on Tuesday, October 26, at 1 p.m.

13. ANNOUNCEMENTS

Poppe stated City Hall will be closed on Monday, November 11, for Veterans Day. He reported the next EDA and City Council meetings will be held on Tuesday, November 12.

14. ADJOURNMENT

**A motion was made by Schulz, seconded by Stelmach, to adjourn the City Council meeting at 10:49 p.m. The motion carried 4-1 (Schulz opposed).**

Respectfully submitted,

Heidi Guenther  
*TimeSaver Off Site Secretarial, Inc.*