

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
July 26, 2021**

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, July 26, 2021.

2. ROLL CALL

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

Staff present: City Administrator Riley Grams, Police Chief Shane Mikkelsen, and City Attorney Mary Tietjen.

Others present: James Kelly, Dr. Rolando Garcia, and Kevin Willie.

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.

Grams requested Item 7C be added to the Agenda which is a Proclamation for Romo Week in the City of Osseo.

A motion was made by Hultstrom, seconded by Stelmach, to accept the Agenda as amended adding Item 7C – Proclamation for Romo Week. The motion carried 5-0.

5. CONSENT AGENDA

- A. Receive EDA Minutes of July 12
- B. Approve City Council Minutes of July 12
- C. Receive June Fire Report
- D. Receive American Legion Gambling Report
- E. Receive Osseo Lion's Club Gambling Report
- F. Receive Osseo Maple Grove Hockey Association Gambling Report
- G. Approve Knights of Columbus Rescheduled Exempt Permit for Lions Roar 2021
- H. Approve Bandshell Fee Waiver Request from Osseo High School Cross Country Alumni Association

A motion was made by Johnson, seconded by Stelmach, to approve the Consent Agenda.

Vickerman asked if the bandshell waiver request under Item 5H was consistent with previous requests. She understood this event would focus on the City of Osseo.

Stelmach thanked Councilmember Vickerman for raising this question. He indicated he supported the waiver given the fact the event would focus on the Osseo community. He asked if the City had given any waivers in the past for similar events. Grams reported the City had provided waivers for school related events, such as the homecoming parade and football day.

The motion carried 5-0.

6. MATTERS FROM THE FLOOR – None.

7. SPECIAL BUSINESS

A. PRESENTATION OF PRESIDENTS CUP CITY CHALLENGE TROPHY – Dr. Rolando Garcia, President of North Hennepin Community College (NHCC)

City Administrator Riley Grams stated Mayor Duane Poppe and his team recently won the 2021 North Hennepin Community College Presidents Cup City Challenge golf trophy. The President of the North Hennepin Community College, Dr. Rolando Garcia, was on hand to present the winning trophy to Mayor Poppe. The golf event raises money to create access and educational opportunities to North Hennepin Community College students through scholarships, emergency aid, food cupboard, tutoring, and programming support. The NHCC Presidents Cup Golf Classic also hosts the City Challenge, which is a 'tournament within the tournament' for local cities that participate. The name of the winning city and players are engraved onto the City Challenge Trophy which then is showcased at their city hall for one year.

Dr. Rolando Garcia, President of North Hennepin Community College (NHCC), commended Mayor Poppe and his team for their great play at the North Hennepin Community College Presidents Cup City Challenge golf tournament which was held on June 21. He then presented Mayor Poppe and the City of Osseo with the City Challenge Trophy and Presidents Cup.

B. ACCEPT DONATIONS (Resolution)

Grams stated the City has received the following donations:

<u>Donor</u>	<u>Amount/Item</u>	<u>Designated Fund</u>
Osseo Lions Club	\$2,000	Beautification
Harold E. Johnson	\$ 750	Beautification
Osseo Lions Club	\$5,000	Music/Movies in Park

Staff recommended the Council accept the donations.

A motion was made by Stelmach, seconded by Vickerman, to adopt Resolution No. 2021-43, accepting donations from the Osseo Lions Club and Harold E. Johnson. The motion carried 5-0.

C. PROCLAMATION FOR ROMO WEEK

Poppe read a proclamation in full for the record declaring July 24 through July 31 to be Romo Week in the City of Osseo.

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS

A. APPROVE POSTING FOR CITY CLERK POSITION

Grams stated the City Council tabled action on posting for the City Clerk position on May 24 to a future work session. The Council met in a work session on June 28, and directed staff to meet with Councilmembers Juliana Hultstrom and Larry Stelmach to make a recommendation to any changes to the City Clerk position before coming back to the Council to approve the posting. Staff meet with Councilmembers Hultstrom and Stelmach and have developed a recommendation for the Council to consider. Staff determined that several duties could be shifted within the Administration Department to provide a better workflow and add some financial duties to the City Clerk position moving forward.

Grams explained the plan is for the Community Management Coordinator to manage the rental inspection program. The Administrative Assistant will handle accounts payable. The City Clerk will handle quarterly utility billing receivables and be the backup for payroll processing.

Grams reported due to the impending retirement of current City Clerk LeAnn Larson, the Council should approve the noted changes to the City Clerk position description and approve the posting for the City Clerk position. Timing of interviews will depend on the quality of applicants. If the City does not receive any highly qualified candidates initially, we can keep the posting open longer to collect more applicants. Once there are enough qualified candidates, interviews will proceed. The Council HR Committee will be involved in that process as well. The position posting will be open until filled to allow for maximized flexibility in the hiring process. The posting will be located on the League of Minnesota Cities job website, as well as the City website and social media platforms.

Stelmach clarified there was a split point of view on the committee noting good arguments were made from both sides.

Vickerman discussed the physical requirements within the job description. She indicated the statements addressing the ability to hear and speak were awkward to her. She asked City Attorney Mary Tietjen to speak further to these statements. City Attorney Tietjen explained it was important to include all of the essential functions of a position in a job description including any essential physical requirements to the position. She reported this did not mean an applicant who needed an accommodation and could not perform all of the essential functions of the job wouldn't be qualified for the position. She indicated this language could assist the City later on after hiring a candidate if a request was made for a reasonable accommodation. She stated that was why it is important to explicitly list the essential functions of the position and it was not an attempt to exclude anyone.

Stelmach questioned if activities such as climbing, standing, walking, lifting, and movement should be addressed in the job description. City Attorney Tietjen indicated the Council would have to determine if these were essential functions for the City Clerk to have. She reported while it was important to list all of the essential functions it was also important to be accurate.

Hultstrom suggested mobility be used instead of walking and typical instead of normal. City Attorney Tietjen commented these changes would be reasonable.

Grams stated at the end of the job description a blanket statement could be added that all reasonable accommodations will be accepted. City Attorney Tietjen recommended this statement read: "Reasonable accommodations that will allow qualified applicants to perform the essential functions of the position will be provided."

Johnson asked why the utility billing receipts was going to be done by the City Clerk. Grams stated typically a City Clerk does take on receivables. He reported this ties into the separation of duties as well.

Johnson commented no one was verifying refunds on utility bills and he could understand why this work should have two people overseeing it. He explained he did not like the idea that the quarterly billings would be moved from the Accountant to the City Clerk. He suggested the City Clerk supervise or oversee this work. Grams commented further on the proposed shifts that were being proposed for City Hall staff. It was noted these changes would help the City eliminate one of the deficiencies within the annual audit.

Johnson feared that the City Accountant was being relieved of too many duties.

Hultstrom indicated one of the reasons the changes were being proposed at this time was because the duties had to be documented now for the City Clerk and could not be changed later once someone was hired. She discussed how the Tyler Tech duties will fall onto the City Accountant once the system was up and running.

Johnson expressed frustration with Tyler Tech and how he has been locked out of accessing the system.

Stelmach stated as presented he would not be able to support the job description. He believed that the Tyler Tech manager was willing to meet the needs of the City's technology piece. He understood Tyler was trying.

Poppe clarified the Council was addressing the City Clerk position at this time and this was not a discussion about Tyler Tech. He encouraged the Council to focus on the City Clerk job description.

Stelmach understood and stated he still believed the City was missing an opportunity at this time. He suggested a Deputy Clerk be hired and that promotions be made in the future. He anticipated the extra work that the City could complete by an extra hire. He believed this additional staff member would help reduce the stress on staff members.

Hultstrom stated she supported the job description as submitted by staff.

A motion was made by Hultstrom, seconded by Vickerman, to approve the updated City Clerk position description and approve the posting for the City Clerk position as amended.

Johnson explained he was not fully in support of the job description as written, but he understood this was a critical fill position and therefore he would be offering his support at this time.

Vickerman agreed stating she heard the arguments from Councilmember Stelmach, but she believed something had to be done at this time.

Hultstrom commented the committee discussed the possibility of a data entry person in the future. She indicated when this was first discussed, she estimated this position would save the City \$20,000.

The motion carried 4-1 (Stelmach opposed).

10. NEW BUSINESS

- A. APPROVE JOINT POWERS AGREEMENT WITH STATE OF MINNESOTA AND COURT DATA SERVICES SUBSCRIBER AMENDMENT TO CJDN SUBSCRIBER AGREEMENT FOR POLICE DEPARTMENT AND CITY ATTORNEY (Resolution)

Police Chief Shane Mikkelsen stated periodically the City Council adopts a resolution approving the State of Minnesota Joint Powers Agreement with the City on behalf of its City Attorney and Police Department. This JPA gives the City authority to utilize certain features of the criminal justice data communications network of the State of Minnesota, Department of Public Safety, and the Bureau of Criminal Apprehension. In 2012 all law enforcement agencies and prosecutors changed from paper citations and complaints to eCharging, a service which is now covered by the Court Data Services Subscriber Amendment Agreement.

A motion was made by Hultstrom, seconded by Stelmach, to adopt Resolution No. 2021-44, Renewing the State of Minnesota Joint Powers Agreement and Court Data Services Subscriber Amendment to CJDN Subscriber Agreement, and adopt resolution authorizing such action. The motion carried 5-0.

- B. APPROVE AGREEMENTS WITH MELISSA KLOSTER AND LAURIE WOLFE FOR ADULT FITNESS CLASSES IN COMMUNITY CENTER

Grams stated in 2014 the City Council approved an adult fitness program whereby more use of the community center would be encouraged, and seniors and others had more activities than just playing cards and Bingo. The classes have been free to users and the city has paid two fitness instructors to lead these classes. At the beginning, classes offered were yoga and jazzercise. Classes now are yoga and strength training. Annually the fitness program is reviewed to determine use level and health of the program overall.

Grams reported there have been no formal agreements agreed to and signed between the fitness instructors and the City of Osseo. Staff and the city attorney agree that formal agreements should be in place in the event of any injury or negligence and to formalize payment arrangements. Staff has reached out to the two fitness instructors for approval of the attached agreements (one for each instructor). Proof of insurance must be provided, also. Laurie Wolfe, Yoga Soles, leads the yoga class. Missy Kloster, MHSK LLC, leads the strength training class. Each instructor is paid \$50 per class. It was noted this is a housekeeping matter.

Johnson asked if the general liability insurance of \$1 million was reasonable. Grams reported this was the recommendation of the City Attorney.

A motion was made by Stelmach, seconded by Vickerman, to approve the two agreements between the City of Osseo and fitness instructors, Laurie Wolfe and Missy Kloster, as presented. The motion carried 5-0.

C. APPROVE ACCOUNTS PAYABLE

Grams reviewed the Accounts Payable with the Council.

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

11. ADMINISTRATOR REPORT

Grams reported construction along Central Avenue has been pushed back so it won't interfere with Lions Roar. Construction will be after Lions Roar.

12. COUNCIL AND ATTORNEY REPORTS

City Attorney Tietjen stated it was great to be back meeting in person.

Hultstrom reported it was nice to serve with Councilmember Stelmach on the HR Committee. She congratulated Mayor Poppe for winning the North Hennepin Community College Presidents Cub City Challenge golf tournament.

Stelmach thanked Councilmember Hultstrom for her service on the HR Committee as well. He stated he has enjoyed attending the Music and Movies in the Park this year with his family.

Vickerman reported the BLRT Committee was seeking feedback on if there were certain stores or locations where stops should be made. She anticipated the stops would be one-half mile apart.

13. ANNOUNCEMENTS

Poppe invited the public to attend the Osseo Farmers Market on Tuesdays from 3 to 7 p.m.

Poppe reported the next Music and Movie in the Park event would be held on Tuesday, July 27, where Led Penny would provide music at 7 p.m. followed by the screening of Cats and Dogs 3.

14. ADJOURNMENT

A motion was made by Johnson, seconded by Hultstrom, to adjourn the City Council meeting at 7:52 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial