

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
February 28, 2022**

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, February 28, 2022. Due to the COVID-19 pandemic this meeting was held virtually.

2. ROLL CALL

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

Members absent: Councilmember Larry Stelmach.

Staff present: City Administrator Riley Grams, Community Management Coordinator Joe Amerman, Public Works Director Nick Waldbillig, Lee Gustafson with WSB & Associates, and City Attorney Mary Tietjen.

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 Vickerman, seconded by Hultstrom, to accept the Agenda as presented. A roll call vote was taken. The motion carried 4-0.

5. CONSENT AGENDA

- A. Receive February 14 EDA Minutes
- B. Approve February 14 City Council Minutes
- C. Receive February 8 Parks and Recreation Committee Minutes
- D. Receive February 22 Planning Commission Minutes
- E. Receive January Lions Club Gambling Report
- F. Receive January Fire Activity Report
- G. Receive January Hockey Association Gambling Report
- H. Approve Public Works Training/Conference Request
- I. Approve Public Works Josh Lunde Training Request
- J. Set Public Safety Advisory Committee Meeting for March 9
- K. Approve Raffle Permit for Osseo Northeast-Winslow Lewis Masonic Lodge

A motion was made by Johnson, seconded by Vickerman, to approve the Consent Agenda. A roll call vote was taken. The motion carried 4-0.

6. MATTERS FROM THE FLOOR

Grams reported the Council received a comment from Michael Olkives at 325 Third Street NE requesting the Council to reconsider the ban on in person meetings. Mr. Olkives believed there was no reason for the Council, EDA, and Planning Commission to continue meeting virtually. Mr. Olkives noted Maple Grove has continued to hold in person meetings for the past year. Mr. Olkives reported in the last month the positive test rate in Minnesota has dropped from 24% to 6% and the fatality rate was less than 1%. Mr. Olkives stated he understood it was difficult for Osseo to hold virtual meetings and it limits people from attending. Mr. Olkives recommended the Council step up, resume holding meetings in person and quit operating in fear.

7. SPECIAL BUSINESS

A. ACCEPT DONATIONS

Grams stated the City has received the following donations:

Donor	Amount/Item	Designated Fund
American Legion Post 172	\$10,000	Music and Movies in the Park
Duffy's Bar & Grill	\$1,000	Police
Duffy's Bar & Grill	\$1,000	Fire
Michael Forsberg	\$50	Fire
Lila Hedlund	\$20	Fire
Harold E. Johnson	\$750	Beautification

Staff recommended the Council accept the donations.

A motion was made by Hultstrom, seconded by Vickerman, to adopt Resolution No. 2022-14, accepting a donation from the American Legion Post 172, Duffy's Bar & Grill, Michael Forsberg, Lila Hedlund and Harold E. Johnson. A roll call vote was taken. The motion carried 4-0.

8. PUBLIC HEARINGS – None

9. OLD BUSINESS – None

10. NEW BUSINESS

A. APPROVE CHANGE ORDER NO. 2 FOR LIFT STATION PROJECT – Lee Gustafson, WSB & Associates

Lee Gustafson, WSB & Associates, stated Lift Station Nos. 2 and 3 were successfully started up on November 17, 2021, and all that remains at these locations is final site restoration in the spring of 2022. As discussed at the Council meeting on November 22, 2021, the majority of the work at Lift Station No. 1 was postponed due to pump manufacturing and shipping and overhead power line relocation delays. However, preliminary electrical and building work has been in progress over the winter to prepare for early spring construction.

Mr. Gustafson explained Change Order No. 2 includes the additional costs for an enlarged floor opening and roof opening at Lift Station No. 1 which would allow the new 40HP pumps to be pulled directly upwards through the floor and roof, thereby facilitating pump maintenance and reducing both staff and pump service maintenance hours.

Mr. Gustafson reported the existing floor opening and roof skylight at Lift Station No. 1 are along the south wall of the building and are not directly over the pumps. To pull the existing pumps, staff and pump service crews must rig up a cable system and jockey the pumps around as they're raised. Also, the existing skylight isn't big enough to pull an existing pump through, so once the pump is through the floor, it must be set down and removed through the front door. During design, WSB and City staff discussed improving pump maintenance by relocating the floor and roof openings more directly over the pumps. At that time, the intent was to be able to remove one pump at a time.

Mr. Gustafson stated upon further discussion between WSB, Staff, the contractor, and their builder during construction, it was identified that a further functional upgrade would be to enlarge the floor opening and roof opening so that both of the new 40HP pumps can be pulled directly upwards without impinging on or deflecting the lifting cable. The proposed modifications are shown on the structural plan markup and roof exhibits. The larger openings will significantly reduce staff and pump service crew labor hours. Staff commented further on the project and recommended approval of the Resolution that would approve Change Order No. 2.

Johnson questioned why this work was not in the original bid. Mr. Gustafson commented hindsight was always 20/20. He reported as this project began staff looked to improve things and noted the contractor recommended the proposed changes after getting into the project.

Vickerman asked how often maintenance was completed on the pumps. Waldbillig stated in his time with the city the pumps have been in and out twice after failures occurred. He commented further on how difficult it was to get the pumps in and out.

Johnson inquired if a crane would still be needed if a pump has to be replaced. Mr. Gustafson commented this was the case. He noted all other maintenance work would be able to be done by City staff without requiring a crane.

Johnson questioned what the life expectancy was for a pump. John Christiansen, WSB & Associates, estimated the pumps at Lift Station No. 1 would last 20 to 25 years.

Hultstrom asked if yearly maintenance was performed on the pumps. Waldbillig reported this did occur. He noted not all yearly maintenance required the pump to be pulled.

Johnson stated spending \$35,000 now, would save the City money over the life of the pump. Mr. Gustafson reported the savings would be spread out of 60 years because it would run with the life of the lift station and not just the pump.

Poppe anticipated the proposed improvements would also make the maintenance work safer for City employees. Waldbillig reported this would be the case. He commented

further on the tasks that were involved to get the pumps out of the Lift Station at this time.

Johnson indicated he was concerned about employee safety. He inquired what annual type of annual service was provided to the pumps. Waldbillig explained this preventative maintenance work was completed by a contractor each year.

Johnson stated while he was concerned about the additional expenditure, he would support the change order in order to improve employee safety.

Hultstrom asked if Representative Bahner was working to get the City additional funding for infrastructure improvements. Grams reported staff has been working with Representative Bohner on this.

A motion was made by Hultstrom, seconded by Vickerman, to adopt Resolution No. 2022-15, approving Change Order No. 2 for the Lit Station Nos. 1, 2 and 3 and SCADA Improvement Project. A roll call vote was taken. The motion carried 4-0.

B. APPROVE SITE AND BUILDING PLAN APPLICATION FOR 332 CENTRAL AVENUE

Amerman stated Jesse and Jordan Dickinson of Zephyr Investments LLC are looking to expand the footprint of their building located at 332 Central Avenue. They have operated Union Speed and Style at 340 Central Ave, adjacent to the north of this location, since 2018. While the primary goal of the proposal is to attract a microbrewery as tenant (a conditional use in the Central Business District), the applicants will not be operating such a brewery themselves. In addition, if unable to find an appropriate brewery partner, the applicants intend to continue with the building plans and find alternative tenants. Staff reported the Planning Commission reviewed this item at their February 22, 2022 meeting and recommended approval.

Vickerman questioned if the increased building height was to the rear of the building. Jesse Dickinson, 332 Central Avenue, stated this was correct. He commented further on how he was working to prep the building for a future tenant (perhaps a brewery). It was noted the future tenant would have to receive a conditional use permit from the City.

Vickerman requested further information regarding the proposed patio area. Mr. Dickinson described the covered patio in further detail for the Council.

Johnson commented he was in favor of the proposed construction. He commended the applicant for the great job they did on their current building. He appreciated how the Dickinson Brothers protected the architectural integrity of the building. He asked how the SAC fee would be assessed. Amerman reported this was a calculation based on the demand a single home would put on the sewer. He indicated this development would come with a small SAC fee, that would be determined by the Met Council. He reported after a tenant were to take occupancy of the building, they would have to apply for a building permit, and the SAC fee would be reassessed by the Met Council.

Johnson questioned how the building would receive shipments. Mr. Dickinson explained this would occur on the east side of the building through the alleyway. He noted this would not interrupt any parking onsite.

Johnson commented his biggest concern was that if a brewery were to locate in this building, that the five parking spaces will not be enough to support this use. He feared that parking would spill over into Dean's. He encouraged the Dickinson Brothers to be good neighbors and work this concern out with Dean's. Mr. Dickinson reported he has heard this concern and noted he would be working on a solution.

A motion was made by Vickerman, seconded by Johnson, to adopt Resolution No. 2022-16, approving the site and building plans for an addition at 332 Central Avenue with the following conditions:

- 1. The improvements shall match the site plan submitted for approval by the City Council;**
- 2. Any necessary payment for SAC charges must be made prior to issuance of any building permits;**
- 3. The applicant shall obtain all necessary building and sign permits and pay all fees related to the proposed improvements;**
- 4. Weeds and other vegetation shall be maintained at all times in accordance with Chapter 93.38 of the City Code;**
- 5. All trash shall be stored within a properly-screened enclosure.**
- 6. The site plan will be valid for one year following the date of approval, unless work begins toward completion within one year or the approval is renewed for a period of one year by the City Council.**

A roll call vote was taken. The motion carried 4-0.

C. APPROVE 2022 MUSIC AND MOVIES IN THE PARK EVENT SERIES

Amerman stated the Parks & Recreation Committee discussed this item at their February 8, 2022 meeting and voted 7-0 to support the schedule as presented, with food trucks being added to available dates. The Committee has been coordinating the event series since 2016. The Committee is recommending a schedule which plans for music and movies every Tuesday night between June 14 and August 30, excepting three nights. July 5 will be a night off following Independence Day, August 2 will remain unfilled as that is the Night to Unite, and August 30 will be held open as a rain date.

Amerman reported agreements in principle have been reached with performers for each of the scheduled nights. These performers include returning groups such as The Teddy Bear Band, Penny Lane, Dirty Shorts Brass Band, The Classic Big Band, and Penny Lane, along with the Raptor Center and Spark School. New performers include the Dean Weisser Band, and Sawyer's Dream. Performance costs, based on what has been communicated to Staff, are included in the proposed schedule.

Amerman explained the City is once again partnering with Swank Motion Pictures to provide a calendar of movies to screen following the musical performances. These will start at dusk, and as in past years, the night's events conclude when the movie is over. The schedule includes a list of nine movies, selected by a subcommittee of the Parks

and Recreation Committee, which have been confirmed to be available. The cost per movie is \$450, which was expected given charges in past years.

Amerman indicated Ed Columbus has agreed to return as Master of Ceremonies for the 2022 MMIP series. This is a role he has played for a number of years, and staff is happy to have him back. Based on the recommendation of Mr. Columbus, and the Public Works Director Nick Waldbillig, staff is once again requested that the Council authorize hiring movie attendants to assist with set up and tear down of the movie screening equipment.

Amerman stated as in past years, the Committee recommends hosting food trucks. The process should be similar to last year. Under current ordinances, food truck vendors would be required to get a Transient Merchant license for the day of sales, they must also be licensed by Hennepin County. The Parks and Recreation Committee recommends that the Council once again require a refundable deposit for food trucks and waive all other local fees. New to 2022, staff has reached out to local food service establishments and offered them the opportunity to function as the food vender for a MMIP night of their choosing. As of this time no businesses have expressed interest, but that may change as the summer approaches. Staff commented further on the proposed events and recommended approval of the schedule.

Johnson thanked staff and the Parks Committee for all of their efforts. He indicated these events were very enjoyable for the residents of Osseo.

Vickerman agreed these events were the highlight of the summer.

A motion was made by Vickerman, seconded by Hultstrom, to approve the proposed schedule and authorize the City to enter into agreements with selected performers, and waive Transient Merchant fees for food trucks. A roll call vote was taken. The motion carried 4-0.

D. APPROVE YELLOW TREE THEATRE SPECIAL EVENT PERMIT APPLICATION AND WAIVERS

Amerman stated in the summer of 2021, Yellow Tree Theatre hosted a six-night event series in Boerboom Park. These events consisted of musical performances, merchandise sales, food trucks, and at three of the nights, beer sales by Omni Brewing. This event series received universally positive feedback, and as early August of 2021 Yellow Tree expressed in interest in repeating the series in 2022. And so, in 2022 Yellow Tree is applying to return and host a very similar series of events. The primary difference being that Omni Brewing would be present at all six of the nights. The dates, all of which fall on Thursday nights, are as follows:

- | | | |
|-----------|------------|-------------|
| • June 9 | • June 23 | • July 7 |
| • July 21 | • August 4 | • August 18 |

Amerman explained in an update from what has been described in the Special Event Permit application, Yellow Tree is coordinating with Randy's Sanitation/Republic Services to provide recycling services at the Thursday night events. As part of the application, Yellow Tree is requesting waivers for use of the bandshell and gateway sign.

All materials have been reviewed by the required department heads, and their comments have been included in the submitted materials. Staff commented further on the request and recommended approval of the Yellow Tree Special Event Permit and associated waivers.

Hultstrom reported last year proved that this was a valuable partnership to the City. She believed the residents of Osseo enjoyed these events. She indicated she would be supporting staff's recommendation.

A motion was made by Hultstrom, seconded by Johnson, to approve the Yellow Tree Special Event Permit and all associated waivers. A roll call vote was taken. The motion carried 4-0.

E. APPROVE ACCOUNTS PAYABLE

Grams reviewed the Accounts Payable with the Council.

Johnson requested the expenditures for Abdo Financial Solutions be removed from Accounts Payable in order for additional information to be provided to the Council. Grams stated he supported this recommendation.

A motion was made by Johnson, seconded by Hultstrom, to approve the Accounts Payable as amended removing the expenditure from Abdo Financial Solutions. A roll call vote was taken. The motion carried 4-0.

11. ADMINISTRATOR REPORT

Grams welcomed Councilmember Johnson back to the City Council.

12. COUNCIL AND ATTORNEY REPORTS

Vickerman reported schools were finally without masks, which was very exciting.

Vickerman urged all those interested to consider making a donation to those suffering in Ukraine.

Hultstrom commented the Council went to virtual meetings because a hybrid option was not available and several members of the Council were immune compromised. She explained the Council was not acting out of fear but rather were acting out of consideration.

Johnson stated he was happy to be back. He indicated while COVID rates were decreasing, there still were not beds available in local hospitals. He reported those working in hospitals were working a tremendous number of hours. He encouraged the public to continue to be safe and cautious.

13. ANNOUNCEMENTS – None

14. ADJOURNMENT

A motion was made by Hultstrom, seconded by Johnson, to adjourn the City Council meeting at 8:04 p.m. A roll call vote was taken. The motion carried 4-0.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial