

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
May 23, 2022**

1. CALL TO ORDER

Mayor Duane Poppe called the regular meeting of the Osseo City Council to order at 7:03 p.m. on Monday, May 23, 2022.

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, Community Management Coordinator Joe Amerman, Fire Chief Mike Phenow, Police Chief Shane Mikkelson and City Attorney Mary Tietjen.

Others present: John Hall, City Resident; Preston Kroska, City Resident; Tim Walsh, City Resident; and Darrell Healy, City Resident.

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 Stelmach, seconded by Hultstrom, to accept the Agenda as presented. The motion carried 5-0.

5. CONSENT AGENDA

- A. Approve April 25 Work Session Minutes
- B. Approve April 25 City Council Minutes
- C. Receive April Building Report
- D. Receive March Fire Relief Association Gambling Report
- E. Receive March Fire Activity Report
- F. Accept Resignation of Part Time Police Officer Greg Burstad
- G. Receive April Fire Relief Association Gambling Report
- H. Receive April American Legion Gambling Report
- I. Receive April Lions Club Gambling Report
- J. Receive April Fire Activity Report
- K. Set PSAC Meeting Date for July 13
- L. Set Council Work Session for June 15

Johnson requested a correction to the minutes stating the City would be celebrating its 150th Anniversary and not its 100th.

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

6. MATTERS FROM THE FLOOR

John Hall, 808 3rd Street NE, explained he was a former councilmember and mayor for the City. He thanked the Chief of Police for his assistance with a concern he had related to boats and boat trailers being parked on the street. He noted he left messages with the City Administrator and he was pleased that the matter was finally being resolved. He discussed the sidewalks in the City noting he walked on a daily basis. He understood there was a proposal to put sidewalks throughout the City. He suggested the Council have the engineer walk the City in order to better understand what infrastructure was already in place. He questioned why the City had five different sidewalk widths. He explained some sidewalks were in quite poor condition and were cracked or heaved. He discussed how people mostly walk in the street versus using the sidewalks. He encouraged the Council to reconsider its sidewalk plan. He suggested the City fix the sidewalks that were broken before installing additional sidewalks. He did not believe it was wise for the City to continually spend money on sidewalks when they are not being used or properly maintained. He then discussed an article that was printed about the City of St. Paul and how they were charging for routine street maintenance, which was not allowed. He encouraged the Council to be careful when assessing the public.

Johnson explained the City of St. Paul was charging residents for street sweeping, leaf pickup and lighting. He indicated the City pays for these things by all taxpayers and these items were not assessed to residents.

Mr. Hall asked when the filing period opened for the Council positions. Grams reported the filing period would open in August.

Preston Kroska, 601 2nd Avenue NE, questioned what remained on the 2020 street project punch list. He asked what was being done with the retaining walls. He understood that the majority of the monies have been paid to the contractor which may make it difficult to get the contractor back out to finish the punch list items. He discussed the type of soil that was used under the sod stating the sod was not taking root. He requested the City look at using better soil in the future.

Tim Walsh, 33 4th Avenue NE, stated he retired last October. He indicated his street was redone in 2012 and the street was narrowed through this project. He discussed the large number of trucks and semis that were using 4th Avenue to cut through the City. He discussed the number of families on his street and requested the City work to keep semis off his street. He stated he was more than happy to allow the City to put a camera on his property in order to count the number of semis using his street.

Darrell Healy, 216 3rd Avenue NE, expressed concern about the new garbage provider. He believed the City did a poor job in their selection and feared the new vendor would not be able to handle the City's garbage, grass clippings and recycling due to the bins residents have. He recommended the Council work this out with the vendor.

7. SPECIAL BUSINESS

A. CONGRATULATE JESSE PHENOW ON 29 YEARS OF FIRE DEPARTMENT SERVICE

Fire Chief Phenow stated Jesse Phenow was hired as a firefighter in April 1993. He resigned on May 1, 2022, after 29 years of service to the Osseo community. In his 29 years serving the City of Osseo, Jesse served as a firefighter, a lieutenant, and a captain. In addition to being a stalwart firefighter himself, he helped hire, train, and mentor dozens of firefighters over almost three decades. A 4th-generation firefighter, Jesse's daughter Mackenzie joined in 2019 and serves proudly as Osseo's first 5th-generation firefighter. Jesse's experience, expertise, and good humor will be sorely missed, but his legacy will live on for years to come. The department members presented Jesse with a plaque to commemorate his years of service to the department. A round of applause was offered by all in attendance.

B. ACCEPT DONATIONS

Grams stated the City has received the following donations:

Donor	Amount/Item	Designated Fund
Osseo Lions Club	\$5,000	Lions Roar Music
Osseo United Methodist Seniors	\$50	Police
Evans-Nordby Funeral Home	\$750	Osseo Trolley Sponsorship
Harold E. Johnson	\$750	Beautification

Staff recommended the Council accept the donations.

Hultstrom noted for the record the City also received a donation from the Osseo Fire Relief Association.

A motion was made by Hultstrom, seconded by Stelmach, to adopt Resolution No. 2022-32, accepting a donation from the Osseo Lions Club, Osseo United Methodist Seniors, Evans-Nordby Funeral Home and Harold E. Johnson. The motion carried 5-0.

8. PUBLIC HEARINGS – None

9. OLD BUSINESS – None

10. NEW BUSINESS

A. AWARD CONTRACTS FOR 2022 ALLEY RECONSTRUCTION PROJECT

Lee Gustafson, WSB & Associates, reviewed the alleys within the 2022 Alley Reconstruction Project. He stated the proposed surface improvements, with the exception of the alley between Central Avenue and 1st Avenue NE, will consist of the removal of the existing bituminous surface and installation of a new 12-foot-wide concrete alley. Full depth removal of the existing pavement will allow the alley to be reconstructed with a 6-inch concrete pavement on top of a 5-inch section of a Class 5 gravel base over an acceptable, compacted subgrade. Since the alley between Central

Avenue and 1st Avenue NE is generally in functional condition, proposed improvements include concrete panel replacement on approximately one-third of the alley length.

Mr. Gustafson explained the proposed utility improvements will consist of casting adjustments, chimney seal improvements, and replacement of the metal culvert at the north end of the alley between 4th Avenue NE and 5th Avenue NE. It is expected that most of the alley improvements can be completed within the existing right-of-way or easement area. Temporary easements or right of entry from property owners may be needed for the alley improvements to improve driveway slopes and will be discussed with property owners prior to the start of construction and during construction. Staff commented on the bidding process and reported the apparent low bidder, Concrete Idea, Inc, has satisfactorily completed several similar projects in the metro area.

Mr. Gustafson reported the total project cost is estimated at \$821,531.03 and includes all proposed alley and utility improvements as well as all engineering, legal, financing, and administrative costs. Funding for the 2022 Alley Reconstruction Project will be through assessments to benefitting properties and the City's street and utility funds. Assessments will be levied to the benefitting properties as outlined in Minnesota Statute 429 and the City's assessment policy, which calls for 80% of the proposed alley improvements to be specially assessed. The remaining 20% of the alley improvements and 100% of the utility costs will be financed by the City. Staff commented further on the project details and recommended the Council award the contract.

Johnson requested further information regarding how the project would be phased. Mr. Gustafson discussed how the alleyways would be completed throughout this summer. He noted the contractor has an aggressive schedule and noted these dates would be sent in a newsletter to the impacted homeowners.

Vickerman requested further comment on the proposed project timeline. Mr. Gustafson stated the contract may be overly optimistic about the proposed timeline and noted Staff would be working with them to make adjustments.

A motion was made by Hultstrom, seconded by Stelmach, to adopt Resolution No. 2022-33, accepting bids and awarding the contract for the 2022 Alley Reconstruction Project. The motion carried 5-0.

A motion was made by Hultstrom, seconded by Johnson, to approve the construction services proposal for the 2022 Alley Reconstruction Project with WSB. The motion carried 5-0.

B. AUTHORIZE PREPARATION OF FEASIBILITY STUDY FOR 2023 STREET RECONSTRUCTION PROJECT

Lee Gustafson, WSB & Associates, stated the 2023 Street Rehabilitation Project consists of reconstructing portions of 8th Avenue NE, 9th Avenue NE, 3rd Street NE, 1st Street NE, Broadway Street E, North Oaks Dr, and the mill and overlay of the CR 81 Service Rd, 1st Street NW and 1 ½ Street NE. The project also includes repairing or minimal reconstruction of the storm sewer, sanitary sewer and watermain, replacement of the curb and gutter, and sidewalk repair and installation as determined by Council. The existing roadway width will be maintained to the greatest extent possible, and minimal

impacts will be made outside of the curb with the exception for impacts related to utility work, curb replacement, and sidewalk work. Geotechnical evaluation will also be performed as part of this project.

Mr. Gustafson indicated the reconstruction portion of the project will be funded in accordance with the street reconstruction special assessment policy. WSB will prepare a preliminary assessment roll at the feasibility stage of the project, based on preliminary costs and the City's assessment policy. The preliminary assessment roll will be updated based on the bids received for the project at the time of the assessment hearing, prior to beginning construction. The mill and overlay portions of the project will be funded by city street funds. On completion of the assessment public hearing, the Council will determine whether or not to authorize the project. Staff commented further on the project and recommended the Council authorize preparation of feasibility report and approve engineering proposal with WSB.

Hultstrom discussed the 2023 project schedule. She noted she lives in the project area and indicated there were points where she may recuse herself. She understood her neighbors had sidewalk concerns and these concerns were already being voiced. She asked if a neighborhood informational meeting could be held prior to the plans being completed. She believed the Council needed to listen to its residents because this would make the whole process a lot easier. Mr. Gustafson stated an informational meeting would be held prior to finishing the feasibility report. He indicated the neighbors need to understand the Council could order sidewalks into this project and that the City valued comments from the public. He commented further on how the project would progress noting there may be options for the sidewalks within the project area.

Johnson recommended Staff consider a heavier surface for 1st Street NW considering the heavy truck traffic along this roadway. Mr. Gustafson reported the core samples will assist staff with making this determination.

Further discussion ensued regarding the MNDOT and cemetery properties and how these properties would be assessed. It was noted recommendations for assessments would be included in the feasibility report.

A motion was made by Hultstrom, seconded by Stelmach, to authorize preparation of feasibility report and approve engineering proposal with WSB. The motion carried 5-0.

C. APPROVE PLANS AND SPECS AND AUTHORIZE BIDS FOR 2022 SEWER LINING PROJECT

Alyson Fauske, WSB & Associates, stated the 2022 sanitary sewer lining project consists of reviewing approximately 34,000 lineal feet of sanitary sewer closed circuit television (CCTV) televising videos in order to determine which segments should be rehabilitated with a cured-in-place epoxy resin pipe liner. The proposed improvements will help reduce infiltration of rainwater and groundwater into the system, eliminate root growth at joints and ultimately extend the serviceable life of this underground infrastructure. The sanitary sewer lines that are proposed for rehabilitation are eligible for up to \$52,762 of grant funding from the Metropolitan Council through the Inflow & Infiltration Grant Program. A similar lining project was completed in 2020 in the

northeastern portion of the City. At the conclusion of this proposed project, all of the sanitary sewer lines within the City will have been cleaned, televised, and improved where necessary. WSB has reviewed the CCTV televising videos and reports, and have prepared construction bidding documents that include final plans and project specifications.

Stelmach discussed how this project stabilizes and adds life to the City's infrastructure. He questioned what the life expectancy was for the sewer lining. Ms. Fauske estimated the life expectancy on the liners to be 20 to 30 years.

Stelmach stated this was a large number in order to line the proposed streets but noted it would cost far more if one of the lines were to fail and a street had to be dug up. Ms. Fauske reported this was the case and discussed the cost to dig up a street and replace sewer lines.

Further discussion ensued regarding the sewer lining process.

Hultstrom encouraged Staff to pursue multiple ways to communicate with residents in order to make them aware of this project, versus only doing social media blasts. Ms. Fauske stated she can look at multiple modes of communication.

Johnson expressed concern with the fact this project was being bid late this year. He asked if this would impact the bid amount. Ms. Fauske stated in her experience, for this type of work, the timing of the project was not a huge factor. Grams indicated he was not too concerned about the timing of the bid either.

Stelmach stated if residents were interested in replacing their sewer line they should speak to the contractor independently.

A motion was made by Vickerman, seconded by Stelmach, to adopt Resolution No. 2022-34, approving Plans & Specifications and Authorizing the Advertisement for bids for the 2022 Sanitary Sewer Lining Project. The motion carried 5-0.

D. AWARD CONTRACT FOR PARK HOME DEMOLITION PROJECT

Lee Gustafson, WSB & Associates, stated the Boerboom Park master plan calls for the eventual removal of the four homes on the east side of that block. That area would then be incorporated into the park through a park renovation plan. The City of Osseo owns all four of these homes. The two homes closest to the park, 17 4th Street NE and 16 5th Street NE have become in disrepair and should be torn down. Small animals are finding their way into one home, and as such, it does not pay to spend money to fix either of these homes. The other two homes on the far east side of the block are in good repair and are currently being rented out.

Stelmach asked if the contractor had insurance in place. Mr. Gustafson explained the contractor had ample insurance in place in order to meet State and MPCA requirements, but noted he could check into this further and would report back to the Council.

Johnson questioned if the park would be impacted by the house demolition. He inquired how long it would take to demolish the home. Mr. Gustafson reported the demolition would occur in three phases. The first phase would include the removal of all hazardous materials. Phase two would be to knock down the home and phase three would be its removal. He anticipated it would only take four to five days to remove the home.

Johnson requested Staff speak with the contractor to ensure the demolition work does not impact the Music and Movies in the Park.

Vickerman stated she did not want to see any corners cut by the contractor, given the low bid that was submitted. Mr. Gustafson reported he had several conversations with the contractor and everything checked out just fine.

Stelmach requested City Attorney Tietjen coordinate with Mr. Gustafson the review of the contractors insurance. City Attorney Tietjen stated she would be happy to do this on behalf of the Council.

A motion was made by Stelmach, seconded by Johnson, to adopt Resolution No. 2022-35, accepting bids and awarding the contract for the 2022 House Demolition Project, pending review of the contractors insurance. The motion carried 5-0.

E. APPROVE HIRE OF JAMIE LEE-RAKOS FOR PART TIME PUBLIC SERVICES ADMINISTRATIVE ASSISTANT POSITION

Fire Chief Phenow explained the part-time public services administrative assistant position was posted on April 14, 2022. In two-and-a-half weeks, he received 15 applications. Staff reviewed them all in detail and the top 5 candidates were interviewed. Jamie stood out for her professionalism as well as the breadth and depth of her skills and experience. The position is very multi-faceted, encompassing human resources, records management, bookkeeping, general administration, and more. While some candidates had skills and experience in many of those areas, Jamie has extensive experience in all of them. Her addition will be a huge boon to the fire department and he was excited to welcome her to the team. It was noted her planned start date was May 25, 2022.

Vickerman thanked Fire Chief Phenow for answering all of her questions about the process.

Stelmach stated he was excited about this new position. He believed this position made a lot of sense and that it would free the Fire Chief up to do the business of the fire department.

A motion was made by Johnson, seconded by Vickerman, to approve the hire of Jamie Lee-Rakos for the position of Administrative Assistant, Public Services. The motion carried 5-0.

F. APPROVE UPDATE TO FIRE HYDRANT TESTING PROJECT

Fire Chief Phenow stated on January 24, 2022, the Council approved a donation from the OFDRA. That donation encompassed a number of projects, one of which was to flow-test and paint the city's fire hydrants. A total of \$14,320 was designated for that project. That was based on an initial estimate from Viking Automatic Sprinkler to perform the flow-testing, plus funds to paint 80 hydrants at \$125 apiece, based on an estimate from B&B Commercial Coating. After conferring with WSB to coordinate on the collection and proper storage of the collected hydrant data, it was determined that the city had an existing WaterCAD computer model that could be updated with the new data. Upon further discussion, it was determined that, in addition to the work required to update the computer model, WSB was capable of performing the field hydrant flow tests as well.

Fire Chief Phenow reported the City received a proposal from WSB to encompass all of the work required to review the water system properties, calculate water demands, perform the field tests on the hydrants, calibrate the model with the test results, calculate available fire flow, and update the city's DataLink GIS system. The proposal for that work is not to exceed \$5,500. We also expect that this work will support our efforts to achieve the best possible ISO PPC rating the next time we are surveyed by Verisk. We propose updating our previous plans to instead use WSB for the work outlined in their proposal and then use B&B Industrial Coatings to paint as many hydrants as the remaining funds allow (estimated to be approximately 70 hydrants). If it is determined that there are additional hydrants that should be painted, we can consider other funding sources at that time.

Johnson questioned how often this testing has to be done. Fire Chief Phenow stated it was recommended the testing be done every five years.

Stelmach inquired if there were additional hydrants that needed painting. Fire Chief Phenow stated he was uncertain.

Stelmach suggested that if there were additional fire hydrants that needed painting, that the Fire Chief consider using a local youth group or non-profit to assist with completing the work.

Vickerman asked if the fiberglass poles had to remain on the fire hydrants. Fire Chief Phenow stated he could look into this further and would report back to the Council.

A motion was made by Hultstrom, seconded by Stelmach, to approve the proposed Hydrant Testing project. The motion carried 5-0.

G. APPROVE AMENDED AGREEMENT WITH BERGLUND, BAUMGARTNER, KIMBALL AND GLASER FOR OSSEO PROSECUTION ATTORNEY SERVICES

Attorney Paul Baertschi explained the City entered into an agreement with Tallen & Baertschi for prosecution attorney services beginning in November 2014. Attorney Baertschi is leaving his current firm and joining Berglund, Baumgartner, Kimball and Glaser. As such, the Council should consider approving an amended agreement to

continue prosecuting services with Mr. Baertschi's new firm. The draft agreement outlines the services the firm will provide to the City.

Kurt Glaser, Berglund, Baumgartner, Kimball and Glaser (BBKG), introduced himself to the Council noting he was a partner at BBKG. He explained BBKG was a firm that primarily serves cities. He noted he has been doing this for more than 20 years and he was pleased to have Paul Baertschi joining their firm.

Grams explained the City will continue to compensate Mr. Baertschi at a flat monthly retainer fee of \$1200, and an hourly rate of \$100 for jury trials and appeals. Beginning in 2023, the flat monthly retainer fee will increase to \$1300, and the hourly rate will increase to \$110 for trials and appeals. Beginning in 2024 and beyond, and 3% annual increase will be applied to the flat retainer fee and the hourly rate. This agreement can be terminated by the City at any time.

Hultstrom indicated she would be recusing herself from voting on this matter because Paul Baertschi was handling another case she was involved in.

A motion was made by Johnson, seconded by Vickerman, to approve the amended agreement with Berglund, Baumgartner, Kimball and Glaser for Osseo prosecution attorney services. The motion carried 4-0-1 (Councilmember Hultstrom abstained).

H. APPROVE STATEWIDE PUBLIC WORKS MUTUAL AID PACT

Police Chief Mikkelsen stated the purpose of this agreement is to provide a process for local units of government to share public works personnel and equipment with participating agencies. There is no membership or fixed cost to participate in this public works mutual aid pact. This agreement should not be interpreted as being limited to only use during catastrophic situations, rather may be leveraged for routine circumstances such as training efforts and maintenance operations for example. The decision when to request assistance or provide assistance is left entirely to the discretion of the requesting and or sending party. The sending party has discretion whether to provide personnel or equipment and can recall such assistance at any time.

Police Chief Mikkelsen reported if resources are requested, it should be expected that those costs would be invoiced however the agreement says that "charges may be levied", so it is the decision of the sending party whether to invoice the receiving party. The agreement also speaks to responsibility and liability. Each party shall be responsible for its own personnel or damaged equipment for example. Responding personnel shall be deemed to be performing regular duties for each respective sending party for purposes of workers compensation. Hennepin County Emergency Management (HCEM) has volunteered to serve as the administrative coordinator for this agreement among local units of government. This agreement will better position the city to coordinate and work with its partnering agencies through a formalized agreement.

Stelmach commented on the expense the City would incur if a truck or other piece of equipment was brought to another community for use. Police Chief Mikkelsen stated the only expense would be to drive the equipment there. He reported staff would not have to remain on site or stay overnight.

Stelmach asked what feedback the Public Works team had regarding the mutual aid pact. Police Chief Mikkelsen stated Public Works Director Waldbillig offered his full support. He noted one member of the Public Works Department would have to attend training.

A motion was made by Hultstrom, seconded by Stelmach, to adopt Resolution No. 2022-36, approving the Statewide Public Works Mutual Aid Pact.

Vickerman asked if the City would begin paying \$5,000 a year upon approving this Resolution. Police Chief Mikkelsen stated this Resolution was approving the City's involvement in the consortium. He noted this group would be requesting money from the State and noted the City would not be responsible for paying \$5,000 yet.

The motion carried 5-0.

I. APPROVE JPA AGREEMENT FOR FENCE CONSORTIUM PROGRAM

Police Chief Mikkelsen stated in the spring of 2021, a significant number of public agency professionals (with police, fire, public works, and emergency management backgrounds) joined together to form a Fence Working Group to explore the identified challenges and develop a collective path forward. Based on the experience with civil unrest in Minneapolis and Brooklyn Center, the critical role that anti-scale fencing can serve for de-escalation and establishing a space for lawful protests became apparent. That said, it was also found that obtaining anti-scale fencing is a significant challenge due to a number of factors, as well as being very expensive. To respond to this identified need, a Fence Working Group was established.

Police Chief Mikkelsen reported the Fence Working Group's efforts have led to the formation of a Fencing Consortium. The Fencing Consortium is made up of local government agencies (members) that will; jointly contract with a fencing vendor for the availability, storage, maintenance, and transportation of anti-scale fencing (including vehicle gates and pedestrian doors). The Consortium will have, at a minimum, enough fencing for the largest police department building in the Consortium. However, the Consortium has the flexibility to increase the amount of fencing, gates, and doors as additional local governments join the Consortium. The intent of the Fencing Consortium is to provide anti-scale fencing within hours, not days, around potentially impacted government building(s) in response to a critical incident. The goal of the anti-scale fencing is to de-escalate the potential tensions and try to reduce/eliminate the non-tangibles associated with civil unrest.

Police Chief Mikkelsen indicated the purpose and structure of the Fence Consortium is to provide experienced leadership for fence deployment operations across multiple jurisdictions in a unified command structure and coordinate during the deployment of anti-scale fencing. This includes considering and planning for operational logistics and tactical planning associated with fence deployment. The Fence Consortium itself is a multi-agency, preplanned, coordinated resource management system to continue efforts to minimize multiple local and state agencies from being over-extended. He commented further on the benefits of the consortium and recommended approval of the JPA agreement. He noted the cost of the fence contract would be \$4,994 per year.

Stelmach asked how the price for the contract was determined. Police Chief Mikkelson stated this was determined by the amount of the fencing needed to secure the City's campus.

Hultstrom questioned if the City's Public Works campus should be fenced in the event of any emergency. Police Chief Mikkelson stated typically City Halls and Police Departments are the major targets. He anticipated additional fencing could be pursued if a concern were to arise. He explained Brooklyn Center still has their fencing up and was paying a monthly rental rate for this fencing.

Vickerman questioned if the fencing was for concrete barriers. Police Chief Mikkelson reviewed photos of the fencing that would be provided in the event of an emergency.

Vickerman stated she liked that this was being talked about and that the fencing would provide a safe space for protests, while creating a barrier that keeps people from having contact. She indicated she liked the direction that this contract was going in. Police Chief Mikkelson reported the police departments have learned a lot in the past few years on how to manage emergency situations and civil unrest.

Johnson commented this JPA was an insurance policy for the City.

A motion was made by Stelmach, seconded by Vickerman, to adopt Resolution No. 2022-37, approving the Joint Powers Agreement for the Fence Consortium. The motion carried 5-0.

J. APPROVE CONTRACT WITH LESO/1033 PROGRAM

Police Chief Mikkelson explained LESO program stands for Law Enforcement Support Office. This office and program was established by the congress to authorize the transfer of excess Department of Defense property to federal, state, and local law enforcement agencies. If we are approved, we may obtain this excess property if chosen to receive it. Most of the excess property is free and would have to be approved by Council before we would be able to except the property. It was noted this agreement has been reviewed by City Attorney Mary Tietjen.

A motion was made by Hultstrom, seconded by Stelmach, to approve the State Plan of Operation for the LESO Program. The motion carried 5-0.

K. APPROVE COMMUNITY CENTER POLICY UPDATE

Amerman stated that prompted by inquiries from a number of potential renters, Staff recently began a review of the Community Center (CC) Rental policy, and the alcohol policy in particular. Questions about the possibility of having alcohol in the CC are common, but recently the City has seen a number of potential renters decide not to move forward with their rental when informed of some of the regulations governing alcohol consumption in the CC. Though the CC rental policy was developed only in the last few years, a summary of the alcohol policy is helpful to keep in mind when discussing possible revisions, and so will be briefly described here.

Amerman reported the CC Rental Agreement (Section H. - Alcohol) states that alcoholic beverages are permitted so long as they are served by a licensed caterer listed as an 'Osseo Approved Caterer'. It further states that any event where alcohol is served to 50 or more attendees requires security provided by the Osseo Police Department, at a cost determined by the Osseo Fee Schedule. The application to become an Osseo Approved Caterer consists of a cover letter introducing the business, and a signed 'Agreement for Alcoholic Beverage Catering Service' (Agreement). This agreement, in turn, requires that all signees show proof of an official MN Dept of Health Alcohol Caterers Permit and a Certified Food Managers License. It also says that the City will not allow any caterer who is not on the Approved Caterer list to serve alcohol. It's important to note here that hiring alcohol caterers is a popular option for renters in other cities because along with serving alcohol they take responsibility for cutting attendees off when necessary, and carry liability insurance.

Amerman commented there are a number of other provisions, requiring things like liability coverage for the City and similar protections, which are all very beneficial and should remain unchanged. This includes having a police officer present for gatherings of over 50 people. However, what Staff has begun to suspect is that requiring alcohol-exclusive caterers to also show proof of a food license may be preventing alcohol catering companies from being able to operate in the CC, and by extension driving away any potential renters who would require those caterers. This has led Staff to consider what steps might be taken to adjust the Community Center policy in order to make alcohol a more viable possibility for renters. After some conversation with an alcohol catering company, and a review of what neighboring communities use, there are three initial steps the Council could instruct staff to take. These steps were reviewed in detail with the Council and it was noted these steps could be taken in combination, independently, or not at all, depending on the preference of the Council.

Hultstrom asked if staff spoke with Anne about cleanup after events. She questioned if the deposit system would have to be reconsidered in order to accommodate red wine. Amerman stated Karen in the office spoke with Anne and some thought was given regarding damage deposit.

Vickerman inquired what the bartending services permit would allow. Amerman explained this would allow people to have alcohol served at their events within the Community Center, while also providing extra liability insurance that protects the City. He noted this individual (bartender) would be permitted.

Stelmach did not believe it made sense to require bartenders to be a licensed caterer and bartender. He appreciated the fact that the bartenders would carry their own liability insurance. He suggested tiered rental prices be considered and for those events that would like to serve red wine, a higher rental rate would be charged. He supported the Police Department being made aware of all events that would be serving alcohol at the Community Center.

Poppe explained any event with more than 50 people would be required to have an Police Officer onsite and the renter would be responsible for this cost.

Hultstrom stated she would support this number being reduced to 25 guests.

Vickerman questioned if a higher rental rate would be charged for events that request to serve alcohol.

Stelmach supported this recommendation.

Hultstrom stated the Council may have to further discuss what the Community Center rental rates should be in order to break down how many people can attend an event at the Community Center where alcohol is served.

Vickerman commented she supported the rental rates being reviewed further as well.

Hultstrom indicated she would like to further discuss how to keep people in the Community Center area and out of the remainder of City Hall.

Stelmach supported this matter being further discussed at a future worksession meeting with Anne.

A motion was made by Hultstrom, seconded by Stelmach, to table action on this item directing staff to bring this matter to a future worksession meeting. The motion carried 5-0.

L. APPROVE LIQUOR AND TOBACCO LICENSES

Grams stated the renewal license applicants for liquor, beer, wine, and tobacco products. All applicants have submitted all required documents to be considered for license approval, plus paid the fees for all licenses. Background investigations have been completed and Staff recommends approval of the following:

ON SALE LIQUOR LICENSE	
Dick's Bar, 205 Central Ave	\$6,000
Duffy's Bar & Grill, 337 Central Ave	\$6,000
Lynde's Restaurant, 209 Co Rd 81	\$6,000
SUNDAY LIQUOR LICENSE	
American Legion, 260 4th Ave SE	\$200
Dick's Bar, 205 Central Ave	\$200
Duffy's Bar & Grill, 337 Central Ave	\$200
Lynde's Restaurant, 209 Co Rd 81	\$200
CLUB LIQUOR LICENSE	
American Legion, 260 4th Ave SE	\$650
OFF SALE LIQUOR LICENSE	
Dick's Bar, 205 Central Ave	\$240
Top Ten Liquors, 316 Co Rd 81	\$240
ZR's Mainstreet Liquor, 341 Central Ave	\$240
BEER LICENSE	
Olympia Café & Gyros, 247 Central Ave	\$300
Red's Savoy Pizza, 225 Central Ave	\$300

Yellow Tree Theatre, 320 5th Ave SE \$300

WINE LICENSE

Olympia Café & Gyros, 247 Central Ave \$650

Red's Savoy Pizza, 225 Central Ave \$650

Yellow Tree Theatre, 320 5th Ave SE \$650

TOBACCO LICENSE

Dean's Supermarket, 312 Central Ave \$250

Holiday Station, 124 Central Ave \$250

Top Ten Liquors, 316 Co Rd 81 \$250

ZR's Mainstreet Liquor, 341 Central Ave \$250

Sipe Bros, 408 3rd St SE \$250

A motion was made by Vickerman, seconded by Stelmach, to approve all liquor and tobacco license renewals as presented for July 1, 2022 to June 30, 2023. The motion carried 5-0.

M. APPROVE AGREEMENT WITH HEINEN'S MOTORSPORTS FOR OSSEO TROLLEY PROGRAM

Grams explained the beloved Osseo Trolley has seen some better days and the cost of maintaining the old golf cart is becoming costly for the City. Grams reached out to Paul Heinen of Heinen's Motorsports to see if they would consider allowing the City to use one of their newer golf carts for the Osseo Trolley service. Mr. Heinen provided the City a new golf cart for the program, and City Attorney Mary Tietjen suggested that we enter into a simple agreement with Heinen's for use of the golf cart. The agreement outlines the use and condition of the equipment, responsibility for damages, as well as the general maintenance and upkeep of the golf cart.

Johnson asked if Heinen's and Evans Nordby would be given signage on the trolley. Grams reported this has already been worked out.

A motion was made by Johnson, seconded by Vickerman, to approve the agreement with Heinen's Motorsports for the Osseo Trolley Program. The motion carried 5-0.

N. APPROVE AGREEMENT WITH ABDO FOR PROJECT MANAGEMENT SERVICES

Grams explained Staff has been busy working with the Tyler Technologies (Tyler Tech) team to fully realize and implement the City's new software package from Tyler Tech. This process has been very time consuming and, at times, difficult to accomplish. One of the major red flags the City and Tyler Tech identified when we began this process was the small staff we have here in Osseo. Most cities who undergo these large scale software overhaul projects have multiple staff from each department working hand-in-hand with the software reps to develop and ultimately go live with the software packages. However, here in Osseo, we have so few staff that it has become very time consuming to keep this project moving forward. Really, it's fallen on our City Accountant, who handles the vast majority of finance duties for the City. As the City Administrator I have participated as much as I can while not neglecting my other short term and long term duties for the City. Other staff have also participated in the project

when their department is affected by the system as well. But the small staffing numbers were identified as a potential risk by Tyler Tech when we began working towards overhauling our full software package.

Grams reported to help the immense workload and ease some stress with our Staff, we looked to some outside sources as potential help in the project management of this system overhaul. The City has a long and good working relationship with Abdo (formerly AEM) on a number of finance related issues and projects. We learned that Abdo has Staff that has specific expertise with Tyler Tech and their software systems, and can assist our staff with continuing the overall project and provide backup options should one of our staff members need time off for any reason. Staff believes that this project management proposal is a critical and key factor for a successful implementation.

Grams explained a software implementation is a significant effort and investment for the City, and having the right resources available to our Staff is critical to the success of this project. The Abdo project manager will provide leadership for the team, monitor decisions and the resolution of issues, manage the scope of various changes and updates, provide accurate and complete communication across the project, and will help ensure the project stays on track and on budget. The cost for the project management proposal will be paid out of the City's utility funds (water and sewer) which is where the entire cost of the Tyler Tech project is being paid out of. As a reminder, the City factored in the initial estimate of the Tyler Tech project into the 2020 utility bond. To date, the City has spent \$92,498.50 out of the \$125,000 budgeted thus far. If the cost of the project runs over the early initial estimate, the cost will still come from the utility fund and be factored into future utility rate reviews. Staff commented further on the proposed management services proposal and recommended approval.

Stelmach discussed how Abdo would assist the City with technical user and operational training.

Vickerman believed this proposal would provide Staff with the missing piece and would assist with translating the language back and forth. She indicated she fully supported the proposed management services agreement.

Johnson agreed stating this would provide great hands on training for Staff. He recommended the expense for this contract be a general obligation for the City and not be taken from the utility fund. Grams recommended the expense come from the CIP Cable Fund.

Hultstrom questioned if the final numbers for this project were understood. Grams reviewed the final numbers with the Council. He stated \$125,000 was budgeted for the project and as of last week \$92,000 has been spent.

City Attorney Tietjen stated the duration of the agreement has a typo and the date should be amended. Grams stated the service period should read May 15, 2022, through August 30, 2022.

A motion was made by Hultstrom, seconded by Vickerman, to approve the proposal for project management services from Abdo for the Tyler Tech project. The motion carried 5-0.

11. ADMINISTRATOR REPORT

Grams reported accounts payable would be approved by the Council later this week. He thanked Jesse Phenow for his 29 years of dedicated service to the City of Osseo. He stated on June 13, 2022, he has a family obligation and he would miss that Council meeting. He noted Police Chief Mikkelson will be in attendance at that meeting for Staff.

12. COUNCIL AND ATTORNEY REPORTS

Hultstrom reported she attended a rental rights webinar on May 20, 2022. She thanked Officer Burstad for his service to the Police Department and thanked Jesse Phenow for his many years of service to the Fire Department. She welcomed Jamie Lee Rakos to the City.

Johnson stated he was happy to be at this meeting and thanked everyone for their continued prayers for his health.

Vickerman thanked everyone who spoke at this meeting. She reported she lived down the street from Tim and explained she has noticed an uptick of semis going down 4th Street. She asked that Staff look into this further.

Stelmach welcomed Jamie Lee Rakos to the Osseo team. He thanked Officer Burstad and Firefighter Phenow for their tremendous service to the City of Osseo. He thanked all of the members of the community for coming forward and speaking tonight.

Stelmach stated per the contract with the new vendor, yard waste has to be in an approved container. He commented on the inspection the City did on all sidewalks roughly four years ago, noting homeowners were asked to make repairs. He stated the most unsafe panels were replaced. He indicated the City did the best they could to make the community safe and walkable.

Poppe thanked Jesse Phenow for all of his efforts on behalf of the City of Osseo over the past 29 years.

13. ANNOUNCEMENTS

Poppe stated City Hall would be closed on Monday, May 30 for Memorial Day.

Poppe encouraged the public to consider attending the Memorial Day Ceremonies, which would be held on Monday, May 30 at Boerboom Park at 10:00 a.m.

14. ADJOURNMENT

A motion was made by Hultstrom, seconded by Vickerman, to adjourn the City Council meeting at 9:56 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther

Minute Maker Secretarial