

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
September 26, 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, September 26, 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, Alyson Fauske, WSB & Associates; Lori Johnson, WSB & Associates; Morgan Dawley, WSB & Associates; and City Attorney Joseph Sathe.

Others present: Jane Warren, Domestic Violence Abuse and Action; Jeff Hall, Hall Sweeney; Shawn Sweeney, Hall Sweeney; Kysa Huddleston, Hall Sweeney; Brian Overgard, Collage Architects; Karen Ruzicka, City Resident; Susan Mattson, City Resident; Marilyn Lund, City Resident; Tom Cheney, City Resident; Bill Trombley, City Resident; Bonnie Skjonsby, City Resident; Suzanne Nelson, City Resident; Char Mead, City Resident; Bev Gustafson, City Resident; Sandy Pifau, City Resident; Chuck and Sandy B., City Residents; Frank Ruzicka, City Resident; Bob Lund, City Resident; Becky Weidenbach, City Resident; Roseanna Garibaldi, City Resident; Bev McGinty, City Resident; John McGinty, City Resident; Sharon Amundsen, City Resident; Ken Amundsen, City Resident; Doug Falls, City Resident; Sharon Falls, City Resident; Ginny Conwell, City Resident; Forrest Joel, City Resident; Dave Garibaldi, City Resident; Kenny Nelson, 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. Receive September 12 EDA Minutes
- B. Approve September 12 Council Minutes
- C. Receive September 19 Planning Minutes
- D. Receive August Fire Association Activity Report
- E. Receive August Hockey Association Gambling Report

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

6. MATTERS FROM THE FLOOR

Frank Ruzicka, 12 6th Street NE, expressed concern with the fact he was not notified of the apartment complex that was being proposed. He believed he should have been notified because he lives close to the proposed development.

7. SPECIAL BUSINESS

A. ACCEPT DONATIONS

Grams stated the City has received the following donations:

Donor	Amount/Item	Designated Fund
Harold E. Johnson	\$750	Beautification

Staff recommended the Council accept the donations.

A motion was made by Stelmach, seconded by Hultstrom, to adopt Resolution No. 2022-56, accepting a donation from Harold E. Johnson. The motion carried 5-0.

B. PROCLAIM OCTOBER AS DOMESTIC ABUSE AWARENESS MONTH

Jane Warren, Domestic Violence Abuse and Action (DVAA) introduced herself to the Council and described the work her organization does to combat domestic abuse in the community. She explained her group began 16 years ago at St. Joseph the Worker Catholic Church in Maple Grove. She discussed how police departments across the metro were now displaying purple lights during October in order to spur conversations about domestic violence. She thanked the City for displaying purple lights in Boerboom Park for the month of October.

Poppe read a proclamation in full for the record declaring October to be Domestic Abuse Awareness Month in the City of Osseo.

8. PUBLIC HEARINGS – None

9. OLD BUSINESS – None

10. NEW BUSINESS

A. APPROVE SITE PLAN APPLICATION FOR 600 BLOCK OF CENTRAL AVENUE (Hall Sweeney Housing Project)

Amerman stated Hall Sweeney Properties is proposing to combine five properties into a single lot and redevelopment the site into a 143-unit apartment building at 600-632 Central Avenue. Currently, there are 5 lots with uses including several commercial buildings, a single-family home, and a vacant lot. The redeveloped property will total

1.25 acres. He described the City's notification and publication requirements for site plan requests. It was noted Staff sent 61 public hearing notices, including a notice to the property owner for Realife Cooperative, within the appropriate timeline. Staff commented further on the site plan request and reported the Planning Commission recommended approval with conditions.

Jeff Hall, Hall Sweeney, introduced himself to the Council. He stated he appreciated all of Staff's efforts on this project, noting Staff has been great to work with. He explained he was excited about investing long-term in this beautiful, walkable, pedestrian friendly community. He reported his company builds and holds onto its buildings and has a terrific architect. He discussed how his building would fit into the walkable community noting the tenants would support local businesses. He noted 10% of the units within the building would be affordable at 60% AMI.

Shawn Sweeney, Hall Sweeney, commented further on the building design and amenities that would be included in the building. He reported the building would have a mix of studios, one bedroom and two-bedroom units. He discussed the parking proposed for the site. He explained the building would have co-working space, a fitness center, bike storage rooms, rooftop deck and pet wash area. He stated his goal would be to start the project early 2023. He thanked the Council for considering his project.

Amerman read a public comment in full for the record from Christopher Carrigan at 20 6th Street NW, #234 in the 5 Central Apartments. It was noted Mr. Carrigan is a member of the Planning Commission. He explained Mr. Carrigan was concerned with the architecture of the building and the fact this project did not have an Edge Mixed Use commercial aspect.

Lori Johnson, WSB & Associates, commented on the zoning requirements as determined by the Comprehensive Plan noting there was flexibility with the 80/20 requirement. In addition, she noted the architectural standards were fairly ambiguous. She was of the opinion this project does not deviate from the adjacent multi-family uses, but rather development meets the intent of the guidelines.

Johnson described how TIF works within redevelopment projects. He explained there is no longer any parking on the right hand side of Central Avenue in front of this building, but rather was a right-turn lane. He anticipated it would not be conducive to have retail within this building, because the on-street parking near this site was limited.

Stelmach asked how long it took to fill the retail spaces within Realife.

Johnson reported it took some time to fill the seven tenant spaces. Because of this, the 5 Central apartment building proceeded without retail spaces.

Stelmach read an email he received from a resident in full for the record, noting this resident did not support additional multi-family rental housing in Osseo.

Hultstrom commented she and Councilmember Johnson attended three housing seminars in Brooklyn Park. From these seminars, she learned that multi-use with retail uses have expired in the metro area. She encouraged residents to remember that the Met Council dictates how much housing a community should have. She believed this

project was slated to meet the average median income for Osseo and would be a nice addition to the community. In addition, this project fit well into the City's 2040 Comp Plan. She indicated it would be a shame for the City to pursue mixed use/retail uses because these were outdated concepts.

Poppe commented the rents that would need to be achieved for the retail space would be extremely high, which would make it difficult to find tenants.

Stelmach reported he was not anti-retail. He commented there were large store fronts in the 200 block of Central Avenue that took quite some time to fill. For this reason, he did not believe retail was a viable option for this site.

Vickerman asked if there would be a streetscape project that goes along with this development. Grams indicated the streetscape and landscaping would all be installed by the developer.

Vickerman explained the four blocks surrounding this property were largely multi-family. This led her to believe the proposed use fit and was keeping in line with the surrounding uses. She appreciated the architecture on the proposed building and how this building would add to the community's walkability. She understood this project would increase the density in the downtown area, but noted overall she supported the project moving forward.

Poppe opened the meeting for public comment.

Kenny Nelson, 509 Third Avenue NE, stated he was a member of the Planning Commission. He explained he voted against this project because he did not feel the spirit of the law was followed and not enough people knew that this project was being discussed by the Planning Commission. He recommended this project be sent back to the Planning Commission in order for the public to make comments.

Karen Ruzicka, 12 6th Street NE, explained she was representing the 108 residents that resided in the 77 units within Realife Cooperative. She reported the residents within Realife received no notification for the Planning Commission meeting. She expressed concern regarding the mixed-use portion of this project. She indicated she was also concerned with the proposed entrance to the parking lot, which was directly across from the Realife entrance. She did not want to see traffic and parking to overflow onto 6th Street. She questioned if the underground parking was included in the rental rates and asked where visitor parking spaces were located. She indicated she was concerned with the fact the apartment building had no space for dogs or children. She requested action on this item be sent back to the Planning Commission for a public hearing and further consideration.

Dave Garibaldi, 12 6th Street NE, stated his main concerns regarding this project was the fact that 6th Street had no sidewalks. He feared how 6th Street would be impacted in the winter months with little to no parking and no sidewalks.

Mr. Hall explained he would be happy to work with Realife to further discuss egress and architectural concerns. He anticipated this building would not have a lot of children because the units were smaller.

Brian Overgard, Collage Architects, reviewed the site plan in detail with the Council noting the street size would not be reduced and there would be sidewalk on the south side of the building. He commented further on the amount of traffic this building would generate. It was estimated 160 people would live in this building.

Roseanna Garibaldi, 12 6th Street NE, requested further information regarding the greenspace on this site. She stated she was concerned with where children in this building would play. She asked if there was enough underground parking for all of the building's tenants.

Mr. Hall explained his other urban buildings in the metro area do not have children. He reported the intent was not to provide a lot of greenspace, but rather to create more density in order for the tenants to support the local businesses. He indicated all units would have balconies and the building would also have a rooftop deck. He stated the building would have an onsite property manager that would address concerns on the site. He indicated there would be a fee for the heated underground parking and noted there would also be surface spaces for tenants, who opted not to pay for the underground parking.

Ms. Garibaldi encouraged the developer to consider adding visitor parking for the building to ensure parking from this development does not spill onto adjacent properties.

Bev McGinty, 12 6th Street NE, asked how many underground parking spaces there would be. Mr. Hall stated there would be 90 underground parking spaces.

Becky Weidenbach, 32 Third Avenue NE, encouraged the Council to table action on this project because the neighbors were not thrilled with this project. She discussed how traffic along Central Avenue would be impacted if this project were approved. She suggested more homes be considered versus more multi-family housing.

Mr. Ruzicka expressed concern with the fact the underground parking garage only had one entrance and exit point. He believed this would be a concern.

Ms. Ruzicka stated as a point of reference, there were 77 units in the Realife Cooperative and most people have one vehicle. She explained there were 87 underground parking spaces. She noted the underground spaces came with a fee and not all spaces were full. She indicated the remainder of the residents that lived within Realife parked on the surface lot. She expressed concern with the fact the proposed development would have 143 units and did not have nearly enough onsite parking.

Bill Trombley, 12 6th Street NE, commented on the commercial tenants that were located within Realife. He thanked the Council for their foresight to have these uses located within the cooperative building. He discussed how these commercial uses were meeting the needs of the community. He noted if the proposed building were constructed, long-term businesses in the City would be lost. He recommended the number of units be reconsidered in order to ensure the site was properly parked.

Mr. Sweeney explained the site would have 47 outdoor parking spaces and 109 underground parking spaces.

Johnson encouraged the developer to not charge for the surface parking spaces because this may encourage tenants to park on City streets.

Zach Morris, 616 Central Avenue, discussed the businesses that were located on 6th Street that would be lost. He noted he owned the car dealership that was being purchased. He believed this block was an eyesore and was in dire need of redevelopment. He commented on how Staff has been working to enhance this block for years.

Grams encouraged Mr. Morris to keep his comments pertinent to the proposed site plan.

Mr. Morris stated with him being one of the businesses proposed for purchase, he was ready to go and fully supported the proposed apartment complex moving forward.

Ginny Conwell, 12 6th Street NE, commented she did not object to the proposed building because this block has been an eyesore for a while. She indicated she was uncomfortable with the proposed density and mass of the proposed building. She feared how the proposed streetscape and landscaping would impact traffic and sight lines.

City resident (name not given), 12 6th Street NE, asked if there were sufficient utilities in place to provide electricity, water and sewer to the proposed building. Mr. Hall reported there was adequate capacity for all utilities.

Tom Cheney, 12 6th Street NE, stated he has lived in Realife Cooperative for the past four years. He questioned if the proposed building would have electric charging stations for electric vehicles. Mr. Hall explained the site would have six level-two chargers with 24-foot cords. He indicated the building would have the capacity to add more charging stations over time. He discussed how dense compact buildings were the number one way to fight climate change because they promote walkability.

Chris Rains, 624 Central Avenue, discussed the businesses that were on the block, noting Ameriprise, the insurance agent and himself would be staying in Osseo. He explained the Osseo Vacuum was looking for a new location as well.

Mr. Reziska expressed concern with how the trash on the site would be managed.

Char Mead, 12 6th Street NE, commented her biggest concern was the surprise of this project. She indicated she was concerned with safety, parking and the amount of traffic this project would generate. She understood this block was in need of redevelopment, but wanted to be sure this was the right project for this block and that it had enough parking. In addition, she did not want to see 6th Street adversely impacted.

Johnson stated one of the things that had to be considered for this project was the cost to purchase the land. He believed Hall Sweeney was a reputable company and they were proposing to construct a high quality building in Osseo. He anticipated the

proposed number of units would assist the developer in making the project profitable. He stated he appreciated the fact this developer would not be constructing the building and then turning around and selling it to another company for management. Rather, Hall Sweeney would have their own onsite property managers. He believed this development would be a good neighbor and he supported this project moving forward.

Poppe closed the meeting for public comment.

Stelmach discussed the comments that were brought forward from the public. He questioned what trash pickup would look like for this multi-family building. Mr. Sweeney anticipated trash would be picked up once or twice a week. He explained the building would have trash chutes and the trash would be collected underground. He indicated the management team would roll the trash out once or twice a week for pickup.

Johnson recommended the trash be picked up in the parking lot and not on the street. Mr. Sweeney stated he would take this into consideration.

Stelmach thanked all of the residents who came forward and spoke at this meeting. He stated he appreciated the cooperative efforts from the developer. He indicated he appreciated the fact that the majority of the existing businesses were looking to stay in Osseo.

Vickerman indicated the Realife Cooperative building was a huge asset to the community. She explained the Council was looking to do something similar with the proposed development. She reported the proposed building would greatly enhance this block. She stated she appreciated how forward thinking this development was. She asked if this meeting had provided the neighbors the right platform to voice their concerns.

The neighbors thanked the Council for allowing them to speak at this meeting.

Poppe reported a lot of the concerns that were raised were very similar to the comments that were brought forward when 5 Central was considered. He stated he believed 5 Central was a tremendous asset to the community. He appreciated the fact this property would have onsite management from Hall Sweeney as this would assist with addressing any concerns occurring on the property. He discussed how the businesses in Osseo were thriving due to the density in the community. He indicated people were moving to livable and walkable communities. He thanked all of the residents that came forward and stated their concerns had been heard.

Mr. Ruzicka asked if the City knew if the County would be expanding 93rd at any time in the future.

Poppe stated this may be in the long-range plans, but this would not impact the property boundaries. Grams explained staff has spoken with the County regarding 93rd and reported a trail would be considered along this roadway in the future in order to serve the future light rail station.

A motion was made by Hultstrom, seconded by Stelmach, to adopt Resolution No. 2022-57, approving the Site and Building Plan Application for a Multi-Family Residential Development at 600 Central Avenue, subject to the 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 applicant shall revised the landscape plan to increase the amount of vegetation on the eastern berm for parking lot screening purposes.**
- 7. The applicant shall provide updated information regarding the amount of bicycle parking provided on site; both outside and within the parking garage and shall comply with the ordinance standards.**
- 8. The applicant shall provide detailed information about the parking stall sizing and how circulation will occur within the surface lot and parking ramp. Turning radii for large and small passenger vehicles should be examined.**
- 9. The applicant shall revised their utility plans to comply with the City Engineer comments and City regulations.**
- 10. 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.**

Johnson asked if the comments brought forward this evening should be further considered. Mr. Sweeney stated he has been taking notes and explained all of the comments would be taken into consideration. He reported it was his goal to be a good neighbor.

The motion carried 5-0.

- B. ACCEPT QUOTES AND APPROVE CONTRACT FOR TOPSOIL AND SOD REPLACEMENT FOR 2020 STREET PROJECT – Alyson Fauske, WSB & Associates**

Alyson Fauske, WSB & Associates, stated the locations where topsoil and sod is proposed to be replaced has been determined by staff. As was discussed at the August 23, 2022, work session a different topsoil mix (a boulevard mix) was specified. The quote package requires the contractor to submit documentation to the construction observer verifying that the topsoil import meets the specifications. On September 16, 2022, the quote package was emailed to eight contractors and was posted on Quest CDN to garner as many quotes as possible. Due to the scope of the work and to get the work completed yet this fall, quotes were due at 3 pm on September 23, 2022, therefore quote information was not available at the time that the packet was published. Staff provided the Council with an update on the number and range of quotes received and reviewed an updated Resolution that includes the information on the lowest quote. It was noted the quote package includes watering for 30 days. She commented on the options available to the Council which would be to accept the

quotes and award the contract, or to reject the quotes extending the 30 day maintenance into the spring of 2023 in order to receive more competitive bids.

Stelmach asked if November was a proper time to lay sod. Ms. Fauske explained she had some experience with late season sod and noted this depends greatly on air temperature.

Morgan Dawley, WSB & Associates, indicated he represented three different cities and have faced similar challenges with sod. He stated sometimes there was a risk with laying late sod that a hard freeze could put the sod at risk. However, typically the sod comes back without concerns. He explained if the project were rebid, the cold weather condition should be taken into consideration. He commented further on the growing months for sod and stated the City could be at risk of having to replace the sod again in the spring if it was installed in mid-November and there was a hard freeze.

Johnson stated the City only received two bids for this project. He explained he supported the City bidding this project again in the spring in order to receive more competitive, reasonable bids.

Poppe questioned if it would be best to bid the project in the spring, but have the sod installed in September of 2023 in order to avoid a potential drought. Ms. Fauske stated this could be considered along with resident expectations.

Vickerman feared the City would be overpaying if the project were rushed this fall. However, she was also concerned about waiting until next fall to install the sod because residents were already upset with the situation. For this reason, she was leaning towards completing the work next spring.

Stelmach asked when sod could be installed in the spring of 2023. Ms. Fauske suggested a performance date be set for June 30, 2023 for the sod installation.

Hultstrom inquired if the City had considered putting topsoil and seeding this fall. Ms. Fauske stated it was her recollection that the City moved away from seeding because seed failed in a past project.

Hultstrom believed there was a safety condition that had to be addressed she did not support pushing this project off till the spring or fall of 2023. Mr. Dawley discussed how seeding and overseeding can provided good results, but does take more time to fully establish.

Vickerman stated she did not want the City to have to do this project again.

Johnson anticipated contractors were not looking for work at this time. He explained he supported rebidding this project in the spring in order to receive better bids.

Stelmach asked if the City could provide the water for the sod watering. Ms. Fauske discussed how the quote would be reduced if the City were to provide water for the sod.

Stelmach questioned if the sod watering was solely the responsibility of the contractor. Ms. Fauske reported it would be the contractors responsibility for the first 30 days and after that point, the homeowners were to assume this responsibility.

Hultstrom commented she was not in favor of waiting until next spring to complete a project that was discussed in July.

Vickerman discussed how the residents in the project area want this work done.

Johnson stated he understood this to be the fact but noted the project came in \$12,000 higher than anticipated. He questioned where the City would get the funds to cover the expense of this project. Grams indicated the overage would come from the Street CIP Fund.

Johnson commented he did not support moving forward with this project given the high expense.

Poppe stated he supported pushing this project to the spring of 2023 in order to receive more favorable quotes.

Stelmach concurred stating it would be better to wait until next spring.

A motion was made by Vickerman, seconded by Johnson, to adopt Resolution No. 2022-58, Rejecting the Quotes for the Topsoil and Sod Replacement for the 2020 Street Project and Directing Staff to Rebid the Project in the Spring of 2023. The motion carried 4-1 (Hultstrom opposed).

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 – None
12. COUNCIL AND ATTORNEY REPORTS

Hultstrom explained she finished her service with the League of Minnesota Cities on the Legislative Policy Human Resources and Data Practices Committee on September 13, 2022.

Johnson stated he appreciated all of the residents that came forward to speak this evening and he thanked the Mayor and Councilmembers for allowing them to voice their concerns.

Vickerman reported Rosh Hashanah began on Sunday.

Stelmach thanked all of the residents who attended the meeting and offered the Council comments. Stelmach stated he was looking forward to the upcoming Halloween event on Main Street.

13. ANNOUNCEMENTS

Poppe reported the last day for the farmers market would be on Tuesday, September 27 from 3:00 p.m. to 6:30 p.m.

Poppe encouraged residents to take advantage of the Osseo Trolley which was available Monday through Thursday from 9:00 a.m. to 2:30 p.m.

Poppe invited the public to attend the 2022 Osseo Candidate Forum which would be held on Wednesday, October 12, 2022, at 6:30 p.m. at City Hall in the Council Chambers.

14. ADJOURNMENT

A motion was made by Vickerman, seconded by Hultstrom, to adjourn the City Council meeting at 9:29 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial