



Osseo City Council Meeting

AGENDA

REGULAR MEETING
Monday, March 13, 2023
7:00 p.m., Council Chambers

MAYOR: DUANE POPPE | COUNCILMEMBERS: JULIANA HULTSTROM, HAROLD E. JOHNSON, MARK SCHULZ, ALICIA VICKERMAN

1. **Call to Order**
2. **Roll Call** [quorum is 3]
3. **Pledge of Allegiance**
4. **Approval of Agenda** [requires unanimous additions]
5. **Consent Agenda** [requires unanimous approval]
 - A. Approve February 27 Work Session Minutes
 - B. Approve February 27 Council Minutes
 - C. Receive February Building Report
 - D. Set Council Work Session for March 27 at 5:30pm
 - E. Approve Training Request for City Accountant for Utility Solutions Expo
 - F. Approve Hire of Firefighter Andreas Aristidou
 - G. Accept Resignation of Firefighter Erin Lynne
 - H. Receive February American Legion Gambling Report
 - I. Receive February Fire Activity Report
 - J. Receive February Fire Gambling Report
6. **Matters from the Floor**

Members of the public can submit comments online at www.DiscoverOsseo.com/virtual-meeting
7. **Special Business**
 - A. Police Lieutenant Todd Kintzi Swearing in Ceremony
 - B. Accept Donations (Resolution)
8. **Public Hearings**
9. **Old Business**
10. **New Business**
 - A. Approve EDA Actions of March 13
 - B. Approve First Reading of City Code Enforcement Ordinance
 - C. Approve 2023-2024 Sanitary Sewer Rates (Resolution) – Rebecca Kurtz, Ehlers & Associates
 - D. Accept Metropolitan Council Environmental Services Sewer Lining Grant (Resolution) – Alyson Fauske, WSB & Associates
 - E. Approve City Concurrence on Shingle Creek and West Mississippi Watershed Boundary Change (Resolution)
 - F. Ratify Fire Department Relief Association Bylaws (Resolution)
 - G. CLOSED SESSION – Employee Performance Review
 - H. Accounts Payable
11. **Administrator Report**
12. **Council and Attorney Reports**
13. **Announcements**

The City of Osseo's mission is to provide high-quality public services in a cost-effective, responsible, innovative, and professional manner given changing needs and available resources.

Osseo Orchard Tree Pruning March 18

Blood Drive March 22

14. Adjournment

**OSSEO CITY COUNCIL
WORK SESSION MINUTES
February 23, 2023**

1. CALL TO ORDER

Mayor Duane Poppe called the work session of the Osseo City Council to order at 5:04 p.m. on Monday, February 23, 2023.

2. ROLL CALL

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

Members absent: Councilmember Alicia Vickerman.

Staff present: City Administrator Riley Grams, Public Works Director Nick Waldbillig and Gary Groen.

3. AGENDA

Council agreed to discuss the work session items.

4. DISCUSSION ITEMS

A. DISCUSS UTILITY RATE STUDY - EHLERS

Rebecca Kurtz, Ehlers & Associates, discussed the work she had been doing on the City's water and sewer rate study in detail with the Council.

Jessica Cook, Ehlers & Associates, commented further on the utility study and explained utilities are enterprise funds, which meant these funds had to be self-sufficient. She then reviewed the sewer rates that have been charged to property owners. She reported prior to 2022, winter quarter averaging was in place. However, in 2022 winter quarter averaging went away. She indicated the Council asked if a credit could be provided to residents that paid sewer rates without winter quarter averaging and noted this could be done for customers that used more than 15,000 gallons in the summer and less in the winter. She reported it would take some time for Staff to calculate each customers bill. She anticipated this work would be done by the time 3rd quarter bills were sent out in 2023.

Schulz questioned why credits would not be offered to commercial and multi-family property owners. Ms. Cook stated commercial and multi-family properties have never received winter quarter averaging.

Ms. Cook reviewed the proposed rates for 2023 and recommended winter quarter averaging resume. She noted the base fee would increase from \$55.44 to \$58.77, plus a 7% rate increase in 2024. She reviewed how the proposed changes would impact the health of the sanitary sewer fund.

Schulz stated that at the proposed rates, even with increases, if the City would still not be recovering its expenditures for the next seven years. Ms. Cook reported this was the case.

Hultstrom explained if the City were to receive grant funding to assist with the lift station expenditures, this would greatly assist with the health of this fund. Grams stated this was the case.

Johnson asked how the credits would impact this fund. Ms. Cook estimated approximately \$100,000 would be refunded to residents in the 3rd quarter of 2023. She indicated this refund was accounted for within her graphs.

Poppe questioned when rates would be to get back to normal. Ms. Cook stated rates would need to increase 10% to 12% in the near term and then could be scaled back.

Ms. Cook commented on the City's tiered water rate structure. She understood the Council wanted to make the minimum less than 8,000 gallons to make water more affordable to low volume users, while also creating a fourth tier for high volume users. She discussed a potential rate structure that would increase the lowest volume to 10,000 gallons for the same price in order to assist with providing greater affordability for residents. She noted 38% of residents would fall into the new proposed tier 1. She commented further on the proposed tiered rates.

Hultstrom stated she did not like increasing the minimum number of gallons. She feared this would move the City away from conservation efforts. She believed the low users were paying more than their fair share. She did not support the new 4-tiered system. She explained she was paying more for water than her friend who lives in Arizona in the desert. Ms. Cook explained the City of Osseo had comparable water rates to fully developed cities in the northwest metro area.

Ms. Cook commented on how all users had to pay to support the fixed costs for the infrastructure the City had in place in order to deliver water. She estimated half of the City's costs to supply water was in fixed costs.

Schulz inquired if it was more expensive to maintain water lines if less water was moving through it, versus having more water. Ms. Cook stated it did benefit the City to have more water moving through the water lines in order to keep the water fresh. Waldbillig added that if not enough water volume was being pushed through the water lines, the chlorine levels would be impacted, which would require more flushing.

Hultstrom feared that the conservation efforts were being lost through the new tiered system. She wanted to see residents being rewarded for being conservative when it comes to their water usage.

Further discussion ensued regarding the water meter fee.

Schulz asked if the water meter fee could be increased and then the usage could come down. He stated this would provide more funding for fixed costs. Ms. Cook explained she called it a water meter fee, but noted this fee was not dedicated for the water

meter, but rather paid for fixed costs such as utility billing, pipe replacements and Staff time.

Hultstrom suggested the meter fee be increased across the board and that low volume users be rewarded for their water conservation efforts. She believed this would be more equitable for users that are paying for services they are not receiving.

Schulz stated this would be interesting to see. He anticipated the low volume should be pushed down to 6,000 gallons. He wanted to see how this would impact the numbers for the water rates. The Council was in agreement and asked Staff to rerun the tier system shifting the low volume down to 6,000 gallons while increasing the meter fee.

Ms. Cook reviewed the current health of the water fund noting future rate increases would only need to be approximately 2% to 2.5%.

Schulz indicated Staff was looking at alternative water options for the City.

Ms. Cook reviewed several sample bills and commented on how their sewer and water rates would be impacted through the new rate structures.

Schulz indicated he would like to see a positive impact on the water rates with the increased accuracy of the water meters. Ms. Cook commented the data shows about the same amount of water billed from 2017 to 2022.

Ms. Cook recommended the Council reinstitute winter quarter averaging and noted she would report back to the Council in March with new water rates.

Johnson asked how many commercial properties have separate meters for their lawns. Waldbillig estimated there were 20 properties with an irrigation or deduct meter. Further discussion ensued regarding the rates charged to commercial and multi-family properties for water.

Hultstrom appreciated the fact that the water fund was healthy and recommended further consideration be made to support the efforts of those conserving water. Ms. Cook noted she would report back to the Council in March with new water rates to address this concern.

Grams commented the hope was to receive final comments on the rate structure in order to approve the rate structure in March. He asked when the Council expected to approve the new rates.

Hultstrom supported the Council reviewing the new rate structure in March prior to approving. She anticipated the new rate structure would not be approved by the Council until April.

Schulz requested Ms. Cook come back to the Council in March with graphs on how the water rate structure would be impacted based on the feedback provided. He feared that if the water meter fee were increased too much, the low end users may still be paying more for their water.

Ms. Cook noted she would come back in March with water rates that address the concerns that were raised by the Council at this meeting. The Council agreed to review this information at the March worksession for consideration at the second Council meeting in March.

5. ADJOURNMENT

The Work Session adjourned at 6:41 p.m.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial

Unapproved

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
February 27, 2023**

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 27, 2023.

2. ROLL CALL

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

Members absent: Councilmember Alicia Vickerman.

Staff present: City Administrator Riley Grams, Police Chief Shane Mikkelson, Fire Chief Mike Phenow, Community Management Coordinator Joe Amerman, City Attorney Mary Tietjen and Morgan Dahl, WSB & Associates.

Others present: Kenny Nelson, City Resident; Sarita Nelson, City Resident; and James Kelly, 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.

Schulz requested Item 5I be pulled from the Consent Agenda for further discussion.

A motion was made by Hultstrom, seconded by Johnson, to accept the Agenda as amended removing Item 5I from the Consent Agenda for further discussion. The motion carried 4-0.

5. CONSENT AGENDA

- A. Receive February 7 Park and Recreation Minutes
- B. Receive February 13 EDA Minutes
- C. Approve February 13 Council Minutes
- D. Approve City Clerk Training Request for MCFOA Conference
- E. Approve City Accountant Training Request for MCFOA Conference
- F. Receive January Lions Club Gambling Report
- G. Receive January Fire Gambling Report
- H. Receive January Hockey Association Gambling Report
- ~~I. Approve Gateway Sign Waiver Request for Benedictine Living Community Fundraiser~~

- J. Approve Public Works Training Request for Utility Solutions Expo

A motion was made by Hultstrom, seconded by Schulz, to approve the Consent Agenda as amended. The motion carried 4-0.

- I. Approve Gateway Sign Waiver Request for Benedictine Living Community Fundraiser

Schulz stated he wanted to make sure the City was being consistent with respect to the fee waiver for the Gateway Sign. He asked if the Benedictine Living Community was asking for the message to be posted for a week or for a month. He did not believe a fundraiser for a private business constituted a fee waiver from the City.

Hultstrom indicated she met with Kendra Boerst, Administrator for Benedictine, for some time and discussed this request. She explained Benedictine Living has many residents that were living on County aid and they want to do a renovation project. She stated this organization was looking to involve the community, local churches and businesses. She commented Kendra requested the City allow the event to be posted on the Gateway Sign for a short period of time. She reported Benedictine Living was a 501C3 which meant they were a non-profit entity.

Schulz stated he was not in favor of providing a fee waiver for a private business.

Poppe indicated it has been the practice of the Council to not support fee waivers for private business events.

Johnson commented he could support the fee waiver because this was a non-profit entity.

Hultstrom stated Benedictine had their sidewalk ripped up for quite some time and the City never received a complaint for this inconvenience. She believed it would be in the best interests of the community to support this request.

A motion was made by Hultstrom, seconded by Johnson, to approve the Gateway Sign Waiver Request for Benedictine Living Community Fundraiser. The motion carried 3-1 (Schulz opposed).

6. MATTERS FROM THE FLOOR

James Kelly, 624 3rd Avenue NE, commented on a public notice that was printed for a watershed commission. He believed the City was not in compliance with one of the requirements. Based on this, he submitted two petitions to the City.

7. SPECIAL BUSINESS

- A. APPROVE EMPLOYMENT AGREEMENT WITH POLICE LIEUTENANT TODD KINTZI

Grams stated last year the Council discussed the addition of a new supervisor position within the Police Department. The Public Safety Advisory Committee discussed this new position and recommended their approval to the Council. The Council included the

newly created position in the 2023 budget, with a start date of February 1, 2023. From there, the Police Department posted an internal opening for the Lieutenant position, and letters of interest were collected. One in-house officer applied, Officer Kintzi. The HR Committee, Police Chief and City Administrator conducted an interview with Officer Kintzi to discuss the position and his vision for the Department. After careful consideration, the HR Committee recommended that Officer Kintzi be promoted to the newly created Lieutenant position.

Grams explained he and Lieutenant Kintzi recently negotiated the draft employment agreement, which included input and a recommendation of approval from the Council HR Committee (Councilmembers Vickerman and Hultstrom). While we anticipate that the Council should consider entering into the employment agreement with Lieutenant Kintzi, we are awaiting on the delivery of his new uniform badge. Once we receive that, we will come back to the Council to conduct the official swearing-in ceremony. The Lieutenant position has a budgeted hourly rate of \$49.79 per hour and includes all benefits applicable under the City's Personnel Policy. The Lieutenant position is an additional supervisory position within the Police Department and is considered a non-exempt position. This position is not included in LELS Local #182.

Police Chief Mikkelson spoke to the Council regarding Lieutenant Kintzi stating he has been with the department since 2008. He discussed how Lieutenant Kintzi has become a leader within the department and stated he supported the employment agreement for Lieutenant Kintzi.

Hultstrom stated it was her pleasure to interview Lieutenant Kintzi. She believed he was a wonderful candidate for this position.

A motion was made by Hultstrom, seconded by Johnson, to approve the employment agreement with Lieutenant Todd Kintzi.

Schulz asked if any mental health or gym membership services would be provided to Lieutenant Kintzi. He believed both of these were valuable services for Osseo Police Officers. Police Chief Mikkelson explained these services would be extended to Lieutenant Kintzi per the department's policy.

Schulz suggested these services be made official within the police personnel policy.

The motion carried 4-0.

B. ACCEPT DONATIONS

Grams stated the City has received the following donations:

Donor	Amount/Item	Designated Fund
Osseo Lions Club	\$3,500	Music and Movies in the Park
Harold E. Johnson	\$750	Beautification

Staff recommended the Council accept the donations.

A motion was made by Schulz, seconded by Hultstrom, to adopt Resolution No. 2023-9, accepting a donation from the Osseo Lions Club and Harold E. Johnson. The motion carried 4-0.

8. PUBLIC HEARINGS – None

9. OLD BUSINESS – None

10. NEW BUSINESS

A. ACCEPT POLICE BODY WORN CAMERA AUDIT RESULTS

Police Chief Mikkelson stated according to Minnesota Statute 13.825 the department's body worn camera system must have a biennial audit by an independent source and the findings must be presented to the Council. He commented on the results from the audit in further detail and requested the Council accept the findings.

A motion was made by Hultstrom, seconded by Johnson, to accept the police body worn camera audit findings. The motion carried 4-0.

B. APPROVE POSTING FOR FULL-TIME POLICE OFFICER POSITION

Police Chief Mikkelson stated this posting would create a list of candidates for any possible full-time officer position openings in 2023.

A motion was made by Hultstrom, seconded by Schulz, to approving posting for Full-Time Police Officer position. The motion carried 4-0.

C. APPROVE FIRE DEPARTMENT MANUAL

Fire Chief Phenow stated on March 28, 2022, the Council approved a new Participation Policy for the Fire Department. This document established a new participation policy that was better suited to the needs of the department and was easier to understand, track, report, and enforce. Since that time, we've identified a number of improvements and clarifications. He reviewed the proposed changes in further detail with the Council and recommended approval of the Participation Policy Document with the proposed changes.

Hultstrom thanked Fire Chief Phenow for bringing this document forward with the necessary changes.

A motion was made by Hultstrom, seconded by Johnson, to approve the "Participation Policy" Document. The motion carried 4-0.

D. APPROVE PURCHASES FROM OFDRA CHARITABLE GAMBLING DONATIONS

Fire Chief Phenow stated Staff recommends using the OFDRA charitable gambling donations be used for the following purchases:

Suction Device - A suction device is used to help clear a patient's airway of any bodily fluids during a medical emergency. We would like to purchase a current-model suction device that is compatible with the equipment used by North Memorial Ambulance Service (NMAS), so that we have interchangeable parts to ensure seamless operations on scene and the ability to get replacement parts supplied by NMAS.

Ballistic Vests - The Osseo Fire Department has completed numerous training sessions in the past couple years covering response to active shooter events and is included in the Hennepin County mutual aid system for regional response to such events. While we would never intentionally operate in a "hot zone" at such incidents, but could be expected to enter a scene like a school shooting after law enforcement has cleared an area to help triage, treat, and remove victims. Additionally, we may respond to civil unrest situations or volatile domestic incidents. While ensuring the scene is safe 10 D is always the first step before proceeding, having an additional level of protection is simply prudent in today's emergency response environment. We have evaluated options and received an estimate from the vendor that supplies our preferred vest. They estimate around \$1,100 per vest, but it will ultimately depend on the final configurations we decide upon. We plan to get 8 vests, enough for a crew of four on each of two trucks.

Lucas CPR Device - A number of years ago, we purchased one of the first-generation LUCAS CPR devices. We were one of the first agencies in the county to have one in service. Automatic CPR devices can do more effective CPR than human responders and can do it consistently and without tiring or the need for rotations. Unlike humans performing CPR, It can also continue performing chest compressions while defibrillation is being performed, which improves the effectiveness of the defibrillation shock being delivered. This model that we're using relies on bottles of compressed air to operate using pneumatics. The current, third generation models use interchangeable, rechargeable batteries. It is also the model carried on the NMAS ambulances, allowing for a more seamless response and hand-off process on scene. We have a quote from Stryker that includes a \$2,500 discount for trading in our current device. We feel that the value of the current device exceeds that and is more valuable to us remaining in service on a second truck. This also allows us to have a LUCAS device on a truck that leaves town on a mutual aid call or stand-by assignment while still leaving one in service in our jurisdiction.

Future Fire Truck Purchase - The next fire truck on our replacement schedule is Tanker 11. The current apparatus was purchased in 2004. NFPA 1911 "Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Emergency Vehicles" recommends that "fire departments should seriously consider the value (or risk) to fire fighters of keeping fire apparatus more than 15 years old in first-line service." The replacement of this truck in 2025 has been included in the Equipment CIP for many years. The \$66,000 donation by the OFDRA is intended to be placed in the CIP to help supplement the City of Osseo's contribution to the cost of that truck.

Schulz thanked all of the residents and visitors to Dick's Bar that participated in the charitable gambling.

A motion was made by Schulz, seconded by Hultstrom, to approve the proposed purchases from four donations from the OFDRA Charitable Gambling Fund. The motion carried 4-0.

E. AUTHORIZE DISTRIBUTION OF QUOTE PACKAGE FOR SOD REPLACEMENT IN THE 2020 STREET PROJECT AREA (Resolution)

Morgan Dahl, WSB & Associates, stated the sod that the contractor originally placed in July 2020 had died and was replaced in October 2020. Based on inspections from November 2020 and the spring of 2021 portions of the boulevard sod was replaced at 525, 533 and 632 2nd Avenue NE in June 2022. This year several property owners reached out with concerns about the dead sod, settlement within the restored area, and the soil used. At the August 23, 2022, work session the Council indicated a desire to solicit quotes to replace the topsoil and sod in these areas. Following the work session, the project site was visited and 150 cubic yards of topsoil and 1,112 square yards of sod is proposed to be replaced and consist of areas meeting one or more of the following criteria:

1. Sod has died
2. Restoration area is less than 75% green
3. Restoration area is weedy
4. Boulevard area is at least 0.5" lower than the adjacent curb

Mr. Dahl explained a quote package was prepared and distributed to eight contractors and posted on Quest CDN (a construction industry website advertising projects) in September 2022 for work to be completed by October 15, 2022. The quotes were requested late in the construction season and several contractors indicated that they could not perform the work within the required timeframe. Two quotes were received: \$38,417.38 and \$47,732.00, which exceeded the estimate of \$17,000. Council rejected the quotes and directed Staff to requote the project in early 2023.

Mr. Dahl reported the 2022 quote package specified boulevard topsoil as the council expressed concern about the common topsoil that was originally used. One third of the boulevard mix is compost, which is higher in organic matter and moisture content. Staff proposes to include a quote alternate for common topsoil borrow to provide the Council a comparison of the pricing. Regardless of which topsoil is used, the contractor will be required to provide topsoil tickets to verify that the topsoil meets specifications. After the sod is placed the contractor will be responsible for maintenance for 30 days at which time the sod will be inspected to determine replacement needs. Photos will be taken to document the condition.

Johnson explained he and Councilmember Hultstrom spent many hours working on this matter. He indicated he was told the topsoil that was used on this project was MNDOT approved, and it deteriorated because it had a lot of wood particles. He stated he was concerned with the topsoil that would be used and wanted to ensure it would not decay. It was his hope that healthy sod would be laid over proper topsoil and that WSB would be properly supervising this project.

Hultstrom indicated she was uncomfortable with this project because the Resolution does not properly spell out the work that had to be done. She recommended specific addresses be written into the Resolution. She wanted to be assured all safety hazards were addressed with the new topsoil and sod. She explained she could support this Resolution with the understanding the City would not be picking and choosing three or

four properties to correct. Mr. Dahl explained the Exhibit within the Staff report shows 90% of the boulevards within the project area would be addressed.

Hultstrom commented she understood several residents put in their own topsoil and seed in the boulevard. She stated she would still like the City to review these properties to ensure there was not a safety hazard. Mr. Dahl reviewed the criteria that would be followed for topsoil replacement noting anything at least ½ inch below the curb would be addressed. He explained the Council would rebid this project to include the entire project area.

Grams stated he did not support the Council rebidding this project as this would cause delays. He supported Staff following the Exhibit within the Staff report and addressing the topsoil and sod concerns on the properties listed.

Schulz indicated he would like to see a higher level of detail included in the Resolution explaining the type of fill that will be used and which properties would be included within the project. He believed this was necessary given the amount of discussion this project has warranted. He understood the City would do its best on this project, but he anticipated it would be difficult to make it perfect. He supported the City sending another mailing to the residents in the project area to educate them on the proper maintenance of the sodded area once the work was completed.

Johnson asked if the topsoil would be compacted. Mr. Dahl explained the topsoil would be scarified and raked, but would not compacted. He reported photo documentation would be taken of the sod for this project.

Johnson questioned how much of the existing soil would be taken out. Mr. Dahl estimated 150 cubic yards would be taken out of the boulevards, he estimated this would be the top four to six inches of topsoil and failed sod.

Schulz inquired if there was a topsoil better than select. Mr. Dahl stated premium, boulevard or select was typically the best topsoil.

A motion was made by Schulz, seconded by Hultstrom, to adopt Resolution No. 2023-10, authorizing the distribution of a Quote Package to replace topsoil and sod at various locations within the 2020 Street Reconstruction Project, including quote alternates to use boulevard topsoil borrow or common topsoil borrow per the areas defined within Exhibit A. The motion carried 4-0.

F. APPROVE 2023 YOUTH SPORTS PROGRAM

Amerman stated like in past years, Osseo Youth Sports will take place on Monday and Wednesday nights at Sipe Park. There will be two sports offered each night, for a variety of ages. Classes will begin at 5:15 pm with the youngest children and end at 8:10 pm for the oldest. Ages will range from 2 to 10. In 2022 the city changed the summer schedule from 3 five-week sessions to 3 four-week sessions, this will be continued in 2023. RevSports has found that this allows them to keep all of their partners on the same schedule, so in the event coaches need to be unexpectedly moved around they can still ensure that the programming is consistent. The changes to the fee schedule were

reviewed in further detail. Staff reviewed the proposed summer sports schedule with the Council and noted the Parks and Recreation Committee recommended approval.

Johnson explained he attended the Parks meeting when the group discussed this item. He reported the City has had positive feedback and good enrollment numbers in the youth sports programs.

A motion was made by Johnson, seconded by Hultstrom, to approve the proposed 2023 Osseo Youth Sports Program.

Schulz asked if this program paid for itself. Amerman reported this was the case.

Schulz stated he was pleased with how well received these programs were by the community. He supported the City further lowering the participation costs for Osseo residents.

The motion carried 4-0.

G. APPROVE 2023 MOVIES & MUSIC IN THE PARK (MMIP) SERIES

Amerman stated that similar to 2022, the 2023 MMIP calendar will have nine dates over the course of the summer. This includes each Tuesday from June 13 through the end of August, with the exceptions of July 4, August 1 (Night to Unite), and August 29 (reserved as a rain date). Staff has already arranged for performances on seven of the nine nights, though official contracts won't be sent for signatures until there is official Council approval. There are nearly a dozen other performers that have contacted the City about filling the remaining dates, so Staff does not expect any difficulty in filling those dates. The goal of scheduling has been to produce a mix of returning favorites, introduce some new performers, and bring back some highly regarded groups that have visited in the past but haven't been able to take part in recent years. The City will once again be partnering with Swank Motion Pictures to provide movie screenings at the series. Staff has been notified that the cost per movie is increasing to \$495. He reviewed the donations the City has received for this programming to date. Staff commented further on the proposed Movie and Music in the Park schedule and reported the Parks and Recreation Committee recommended approval.

Schulz stated he understood the Parks Committee supported food trucks being at these events again in 2023. He encouraged Staff to offer a guide regarding pricing and to bring in reasonable food options for the public. He suggested all of the donors for this program be featured on the Gateway Sign and at the events with banners.

Johnson reported the food trucks were discussed by the Parks Committee. He indicated the cost per item was discussed and the group encouraged Staff to pursue family friendly reasonably priced food options. He noted the Yellow Tree Theater would be returning for the summer of 2023.

A motion was made by Hultstrom, seconded by Johnson, to approve the 2023 Music and Movies in the Park Plans. The motion carried 4-0.

H. APPROVE ACCOUNTS PAYABLE

Grams reviewed the Accounts Payable with the Council.

A motion was made by Johnson, seconded by Schulz, to approve the Accounts Payable as presented. The motion carried 4-0.

11. ADMINISTRATOR REPORT

Grams congratulated Lieutenant Kintzi on his promotion.

12. COUNCIL AND ATTORNEY REPORTS

Hultstrom congratulated Lieutenant Kintzi on his promotion.

Hultstrom thanked the Public Works Department for all of their efforts to keep the City free and clear of snow after the major storm last week.

Schulz stated he believed the City was very blessed to have dedicated employees in each and every department.

13. ANNOUNCEMENTS

Poppe encouraged residents to consider participating in the American Red Cross Blood Drive that would be held on Wednesday, March 22 at the Community Center from 1:00 p.m. to 7:00 p.m.

14. ADJOURNMENT

A motion was made by Schulz, seconded by Johnson, to adjourn the City Council meeting at 8:27 p.m. The motion carried 4-0.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial

February 2023 - City of Osseo Building Permits

PID	Date	Permit Number	Estimated Value	Owner or Applicant	Address	Type	Project	SAC	Permit Amount	Surcharge	Plan Review	Total
18-119-21-21-0062	2/1/2023	23016	\$ 1,200	Mark Blaskowski	416 4th Ave NE	PL	water heater		\$ 75.00	\$ 1.00		\$76.00
18-119-21-23-0002	1/31/2023	23019	\$ 5,000	Michael Olkives	325 3rd St NE	ME	furnace		\$ 75.00	\$ 1.00		\$76.00
18-119-21-23-0108	2/1/2023	23020	\$ 1,200	Marcia Thomson	16 2nd Ave NE	PL	water heater		\$ 75.00	\$ 1.00		\$76.00
18-119-21-21-0018	2/1/2023	23021	\$ 1,200	Mark Krieg	609 5th Ave NE	PL	water heater		\$ 75.00	\$ 1.00		\$76.00
18-119-21-24-0036	2/1/2023	23022	\$ 8,500	Gerry Kiffmeyer	624 3rd St NE	BL	windows within existing		\$ 75.00	\$ 1.00		\$76.00
18-119-21-23-0002	2/1/2023	23023	\$ -	Michael Olkives	325 3rd St NE	EL	furnace		\$ 45.00	\$ 1.00		\$46.00
18-119-21-31-0101	2/1/2023	23024	\$ 37,150	Rudolph Priebe Post 172	260 4th Ave SE	BLC	sprinkler system		\$ 552.75	\$ 19.00	\$ 359.29	\$931.04
13-119-22-14-0109	2/8/2023	23025	\$ 5,250	Bell Tower Osseo LLC	101 Broadway St W	MEC	relocate and add diffusers, relocate 1 t-stat and add return air eggerate for revised floor plan		\$ 132.75	\$ 3.00	\$ 86.29	\$222.04
18-119-21-24-0040	2/8/2023	23026	\$ 6,500	Warren Jorenby	617 2nd St NE	U	sewer repair		\$ 75.00	\$ -		\$75.00
13-119-22-14-0109	2/14/2023	23027	\$ 5,250	Bell Tower Osseo LLC	101 Broadway St W	MEC	Install 1 new FPVAC and 1 new VAV tie into existing SA main and HW piping for reheat coils, add ductwork, diffusers, and 2 t-stats to accommodate modified floor plan		\$ 132.75	\$ 3.00	\$ 86.29	\$222.04
18-119-21-31-0064	2/15/2023	23028	\$ 2,993	Terry Smith	501 3rd St SE	BL	windows within existing		\$ 75.00	\$ 1.00		\$76.00
13-119-22-14-0109	2/16/2023	23029	\$ 3,626	Bell Tower Osseo LLC	101 Broadway St W	BLC	remove and relocate sprinkler heads for new layout		\$ 103.25	\$ 2.00	\$ 67.11	\$172.36
n/a	2/16/2023	23030	\$ -	Xcel Energy	317 2nd Ave NW	ROW	power pole replacement		\$ 150.00	\$ -		\$150.00
18-119-21-32-0098	2/16/2023	23031	\$ -	Lynde's	209 Co Rd 81	ELC	connect new HVAC unit to existing circuit		\$ 45.00	\$ 1.00		\$46.00
18-119-21-24-0028	2/27/2023	23033	\$ -	Deanne Stejskal	17 6th Ave NE	EL	new dedicated microwave circuit to kitchen and new kitchen/countertop circuit outlet		\$ 40.00	\$ 1.00		\$41.00
18-119-21-22-0041	2/27/2023	23034	\$ 1,877	Mary Hohn	408 3rd Ave NE	ME	water heater		\$ 75.00	\$ 1.00		\$76.00
18-119-21-24-0031	2/27/2023	23035	\$ 10,000	Jeff Stelmach	509 E Broadway	PL	water heater and gas repipe		\$ 150.00	\$ 2.00		\$152.00



City of Osseo City Council Meeting Item

Agenda Item: Set Council Work Session for March 27 at 5:30PM

Meeting Date: March 13, 2023

Prepared by: Riley Grams, City Administrator

Attachments: None

Policy Consideration:

Considering setting the Council work session on March 27 to begin at 5:30PM rather than 6:00PM.

Background:

The City is currently undertaking a utility rate study and the anticipation is the next public meeting will be during the March 27 work session meeting. Typically we would need more time than the standard one hour timeslot (with the regular Council meeting to begin at 7:00PM that evening) so Staff is requesting that we begin this meeting at 5:30PM to allow for more time to complete the meeting.

Options:

The City Council may choose to:

1. Approve setting the Council work session for March 27 to begin at 5:30PM;
2. Deny setting the Council work session for March 27 to begin at 5:30PM;
3. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the City Council choose option 1) Approve setting the Council work session for March 27 to begin at 5:30PM.



City of Osseo

415 Central Avenue

Osseo, MN 55369-1195

P 763.425.2624 F 763.425.1111

www.DiscoverOsseo.com

City of Osseo Employee/Elected Official Travel Request Form

This form shall be completed and submitted to the City Administrator for inclusion in the City Council agenda and shall be submitted on the Monday preceding the regularly scheduled City Council meeting the following week.

Date of Request: February 28, 2023

Employee or Elected Official Name: Shelly Cisewski

Employee Department (if this applies): Administration

Conference/Workshop/Seminar: Utility Solutions Expo 2023 – Mankato, MN

Dates: April 19 - 20, 2023

Estimated costs associated with the Conference/Workshop/Seminar for which you are /will be requesting reimbursement:

** Note: Please include supporting documentation showing actual costs (such as registration confirmation, hotel/motel confirmation, air fare or other travel costs confirmation)*

Registration Fee: \$159.00

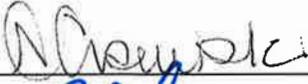
Hotel/Motel Costs: \$169 x 2 = \$338 (two nights)

Air Fare Costs: 0

Meal Costs: 0

Misc. Costs: (Mileage 87 miles) x (2 trips) @ \$0.655 = \$114

How will your attendance in this conference/workshop/seminar be a benefit to you professionally, or a benefit to the City of Osseo as a whole? This training for Neptune 360 Users further professional development and networking opportunities amongst colleagues. I have not been able to attend this conference before.

Employee/Official Signature:  Date: 2/28/2023

Administrator Signature:  Date: 3/1/23

Council Approval Date: 3/13/23

#169 Conf. & Z

161 Hotel



Don't forget to Register!

Ferguson Waterworks and Neptune Technology Group are excited to announce the first annual two-day Utility Solutions Expo. This annual Users Group will be focused on the Neptune Metering System your utilities operate. With so many advancements in the industry from the meter to the software, Ferguson and Neptune wanted to bring a local session to MN/IA where our customers could gather, collaborate and learn more about today's technology.

Educational Session topics will include:

- Neptune 360 Beginner/Advanced
 - Neptune Cellular
- Neptune Mach10 Meters
 - Data Security
- Installation Best Practices
- My 360 Customer Portal

When:

Wednesday April 19th, 2023 1:00pm-7:00pm
Thursday April 20th, 2023 7:00am-7:00pm

Where:

Mayo Clinic Health System Event Center
1 Civic Center Plaza Mankato, MN 56001

Hotel Information:

Hilton Garden Inn Mankato Downtown
20 Civic Center Plaza, Mankato MN 56001
Call to book 507-344-1111 Room Block: Ferguson Users Group

Deadline to book 03/29/2023

This will be a fun 2-day learning experience with Topics everyone can relate to.

Please Contact Brian Rollins with any questions: 319-631-3174
brian.rollins@ferguson.com





City of Osseo City Council Meeting Item

Agenda Item: **Approve Hire of Firefighter Andreas Aristidou**

Meeting Date: March 13, 2023
Prepared by: Mike Phenow, Fire Chief

Attachments: *None*

Policy Consideration:

Consider approving the hire of Andreas Aristidou as a firefighter.

Background:

Mr. Aristidou submitted an application in January. We conducted an interview, performed a background check, and had the candidate receive a number of examinations at Health Strategies, including a pre-placement medical exam, drug screen, SCBA mask fitting, N95 mask fitting, and physical ability test.

Andreas previously received CPR, AED and First Aid training from the American Heart Association, and has a master's degree in environmental health & safety.

The candidate presented here has made it through all requirements and is being recommended by the hiring committee (Captain 11, Captain 12 and Lieutenant 11) as well as Chief 1. He is eager to start and would be a great addition to the department.

Previous Action or Discussion:

The Council received the resignation of four firefighters in late 2022.

Budget or Other Considerations:

We would put the candidate through the full fire academy consisting of: Firefighter I, Firefighter II, Hazardous Materials Operations, and Emergency Medical Responder. The first three of those classes and their associated state certification tests are reimbursable through the Basic Fire Training Fund through the Minnesota Board of Firefighter Training and Education. The Emergency Medical Responder class may be reimbursable through the MBFTE department grant (depending on timing and availability of redistribution funds).

To equip a firefighter so they can do their job safely and effectively requires an ensemble consisting of, at the very least: pager, coat, pants, boots, helmet, mask, hood, and gloves. We have a sufficient supply of pagers. We will outfit the candidate with the remaining gear and seek reimbursement through the The MSFDA SAFER Recruitment Grant.

There will be some other miscellaneous expenses including apparel, name tags, etc.

With the other departures, there should not be a net increase in payroll expenses.

City Goals Met By This Action:

Recruit high quality staff, continue to train staff, and work to promote staff retention.

Options:

The City Council may choose to:

1. Approve the hiring of Firefighter Andreas Aristidou;
2. Approve the hiring of Firefighter Andreas Aristidou, with noted changes;
3. Deny the hiring of Firefighter Andreas Aristidou;
4. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the City Council approve the hire of Firefighter Andreas Aristidou.



City of Osseo City Council Meeting Item

Agenda Item: Accept Resignation of Firefighter Erin Lynne

Meeting Date: March 13, 2023

Prepared by: Mike Phenow, Fire Chief

Attachments: *None*

Policy Consideration:

Consider accepting the resignation of firefighter Erin Lynne.

Previous Action or Discussion:

Erin was hired as a firefighter in November 2022. On March 3, 2023, he notified me of his intent to resign effective immediately.

Erin came to us with all of his required training, however, just after being approved for hire by the Council and before being onboarded, he suffered a medical issue that prevented him from being able to perform the duties of an Osseo firefighter. We had been optimistic that it would resolve quickly, however, at this time, there is no timeline for when he might be cleared to perform the duties of the position.

As a result, during our telephone meeting on March 3, 2023, Erin felt it is best to officially end his employment with the OFD at this time, so he communicated his resignation to Chief Phenow over the phone.

We've encouraged him to reapply in the future should he have a full recovery.

Options:

The City Council may choose to:

1. Accept the resignation of Firefighter Erin Lynne, or
2. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the City Council accepts the resignation of Firefighter Erin Lynne.

**RUDOLPH PRIEBE POST 172
GAMBLING REPORT TO
CITY OF OSSEO**

1. Report for the Month of February, 2023.
2. Check as appropriate:

Paddlewheel

Pulltabs

Bingo

Raffle

Other Etabs/Linked E-Bingo _____

3. Gross Receipts: \$526,935 _____
4. Less prizes paid \$464,259 _____
5. Net Receipts \$62,676 _____
6. Expenses/Taxes \$62,702 _____

Expenses Itemized:

Compensation	\$11,264
Misc. (accounting, trash, clean, insurance)	\$1,667
Cost of Games	\$15,339
State Gambling Tax	\$31,721
Federal Gambling Tax	\$1,511
Meat Raffle Gift Certs	\$1,200

7. Profit \$-26

8. Distribution of Profits

Utility Bills A-16	\$8,595
Youth A-7	\$9,000
Homelessness/Poverty/Disability A-2	\$2,500
Veteran A-6	\$2,000

Signed: 

Allen Lund

Gambling Manager

Attach additional information if necessary.

This completed form must be returned to the Osseo City Clerk's office monthly; as required by State law and City Ordinances for all licensed organizations.



Osseo Fire Department

Monthly Activity Report – February 2023

Incident Responses

Fire	9
Car Fire.....	1
Apartment Fire Alarm.....	3
Business Fire Alarm.....	1
Smoke Indoors.....	1
Spill.....	2
Wire Down.....	1
EMS	18
Heart.....	11
Unconscious.....	4
Stroke.....	1
Lift Assist.....	1
Down/Unknown.....	1
Mutual Aid	7
Brooklyn Park	7
Total	34

Training

- EVOC Classroom
- EMR Refresher

Activities & Other

- Maple Grove Standby



Osseo Fire Department Relief Association
 Charitable Gambling Operations
 Minnesota Lawful Gambling License # 01851
 415 Central Ave
 Osseo, MN 55369

Osseo Fire Department Relief Association Charitable Gambling Report to the City of Osseo

1. Report for the month of **February 2023**

2. For the conduct of the following types of lawful gambling (as checked):

Pull-Tabs	49 deals
Paddlewheel	51 deals
Electronic Pull-Tabs	28 occasions
Electronic Linked Bingo	28 occasions

3. Receipts

Gross Receipts (G1 11A)	\$466,803.92	
Prizes (G1 11B)	<u>- \$400,362.75</u>	
Net Receipts	\$66,441.17	→ \$66,441.17

4. Expenses

Wagering Tax (tax on Schedule C)	\$21,696.29	
Rent (G1A 18)	\$5,927.83	
Gambling Product Costs (G1A 12)	\$4,881.18	
Electronic Pull-Tab Costs (G1A 19-20)	\$9,214.25	
Compensation & Payroll (G1A 13)	\$8,284.97	
Other (G1A 14-17,21-23) (accounting, supplies, etc.)	<u>+ \$1,400.14</u>	
Total Expenses	\$51,404.66	→ - \$51,404.66

5. Profit **\$15,036.51**

6. Distribution of Profits (Lawful Purpose Expenditures):

Osseo High School (Seniors All-Night Party)	<u>+ \$1,000.00</u>
Total Donations	\$1,000.00

-- Dave Jorgenson, Gambling Manager



City of Osseo City Council Meeting Item

Agenda Item: Police Lieutenant Todd Kintzi Swearing in Ceremony

Meeting Date: March 13, 2023

Prepared by: Shane Mikkelson, Chief of Police

Attachments: None

Background:

In November 2022, the Council approved the promotion of Officer Kintzi for the newly created Lieutenant position within the Osseo Police Department. Lieutenant Kintzi's official start date for the position was February 1, 2023, and at the February 27, 2023, Council meeting his employment agreement was approved.

At the Council meeting, the swearing-in of Lieutenant Todd Kintzi with a badge and collar brass pinning ceremony will take place.

Resolution No. 2023-xx**RESOLUTION ACCEPTING DONATION TO CITY OF OSSEO**

WHEREAS, the Osseo City Council is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statutes Section 465.03; and

WHEREAS, the Council agrees that said donation would be of benefit to the citizens of Osseo; and

WHEREAS, the following has proposed this contribution to the City of Osseo and the donation be used for the specific purpose as indicated below:

<u>Donor</u>	<u>Amount/Item</u>	<u>Designated Fund</u>
Duffy's Bar & Grill	\$1,000	Police
Duffy's Bar & Grill	\$1,000	Fire
Darrell and Deanna Healy	\$300	Fire



City of Osseo City Council Meeting Item

Agenda Item: Approve EDA Actions of March 13

Meeting Date: March 13, 2023

Prepared by: Riley Grams, City Administrator

Attachments: None

The EDA took the following actions at their regular meeting on March 13, 2023:

- 1) Discussed amendments to the EDA bylaws
- 2) Discussed an in-house business survey project
- 3) Approved EDA accounts payable

Options:

The City Council may choose to:

1. Approve the EDA actions of March 13, 2023;
2. Deny the EDA actions of March 13, 2023;
3. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the City Council choose option 1) Approve the EDA actions of March 13, 2023.



City of Osseo City Council Meeting Item

Agenda Item: Approve First Reading of City Code Enforcement Ordinance

Meeting Date: March 13, 2023
Prepared by: Shane Mikkelson, Chief of Police

Attachments: Draft Ordinance

Policy Consideration:

Consider approving the first reading of an ordinance adding Chapter 37 under Title III: Administration which would authorize certain city employees and reserve officers to issue citations for ordinance violations.

Background:

This request stems from many conversations with the Public Safety Advisory Committee and Council about who could be designated to issue citations for ordinance violations. This ordinance covers many designated employees that would be allowed to issue citations for ordinance violations. Chief Mikkelson sent a copy of the ordinance to other departments within the City that would be effected and all Staff were supportive. If the first reading is approved, the second reading and adoption will be on the next Council meeting agenda, March 27, 2023.

Previous Action or Discussion:

At the January work session meeting, the Council discussed allowing Police Reserves to issue citations for violations for Snowbird Parking or 24-hour parking violations. Under this ordinance a Reserve Officer would now be able to issue ordinance violation citations.

Budget or Other Considerations:

There is no effect on the budget.

City Goals Met By This Action:

Continue to give staff the necessary tools to do their jobs effectively and efficiently.

Options:

The City Council may choose to:

1. Approve the first reading of the ordinance adding Chapter 37 under Title III: Administration;
2. Approve the first reading of the ordinance adding Chapter 37 under Title III: Administration with noted changes/as amended;
3. Deny the first reading of the ordinance adding Chapter 37 under Title III: Administration;
4. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the City Council choose option 1) Approve the first reading of the ordinance adding Chapter 37 under Title III: Administration.

Next Step:

The second reading and adoption will be held at the March 27, 2023, Council meeting.

**CITY OF OSSEO
ORDINANCE NO. 2023-XX**

**AN ORDINANCE PROVIDING FOR THE ENFORCEMENT OF CERTAIN VIOLATIONS OF THE OSSEO
CITY CODE BY CITY EMPLOYEES AND RESERVE OFFICERS**

THE CITY COUNCIL OF THE CITY OF OSSEO HEREBY ORDAINS AS FOLLOWS:

Section 1. Title III of the Osseo City Code is amended by adding a new Chapter 37 as follows:

CHAPTER 37: ORDINANCE ENFORCEMENT

37.01 Purpose

37.02 Promise to Appear

37.03 Issuance of Citations

§ 37.01 Purpose

The purpose of this chapter is to provide for the enforcement of the Osseo City Code and define the roles of certain employees and volunteers of the City of Osseo in the City's Code enforcement practices and procedures. Nothing in the chapter shall be read or interpreted to limit the ability of the City of Osseo to institute appropriate civil, criminal, or administrative actions against a person, firm, or corporation who violates any provision of the Osseo City Code.

§ 37.02 Promise to Appear

Except as provided by statute, only a peace officer or part-time peace officer may issue a citation and ask a person receiving a citation to give a written promise to appear in court or take a person into custody as permitted by Minnesota Statute.

§ 37.03 Issuance of Citations

Areas of jurisdiction will be contained in City policy. The following employees of the City of Osseo and designated volunteers of the City of Osseo may issue citations in lieu of arrest for violations of the City Code:

1. Peace Officers;
2. Community Service Officers;
3. Reserve Officers;
4. Code Enforcement Officers;
5. Building or Rental Inspector; and
6. Fire Marshal.

Section 2. The ordinance shall be in full force and effect from and after its passage and publication according to law.

ADOPTED by the City Council of the City of Osseo, Minnesota, this ___ day of _____ 2023.

APPROVED:

Duane E. Poppe, Mayor

ATTEST:

Katrina Jones, City Clerk

First reading: March 13, 2023

Second reading and adoption: _____, 2023

Published: _____, 2023, *Osseo-Maple Grove Press*

DRAFT

MEMORANDUM

TO: Osseo City Council
FROM: Rebecca Kurtz and Jessica Cook
DATE: March 8, 2023
SUBJECT: Adopting Sewer Rates for 2023

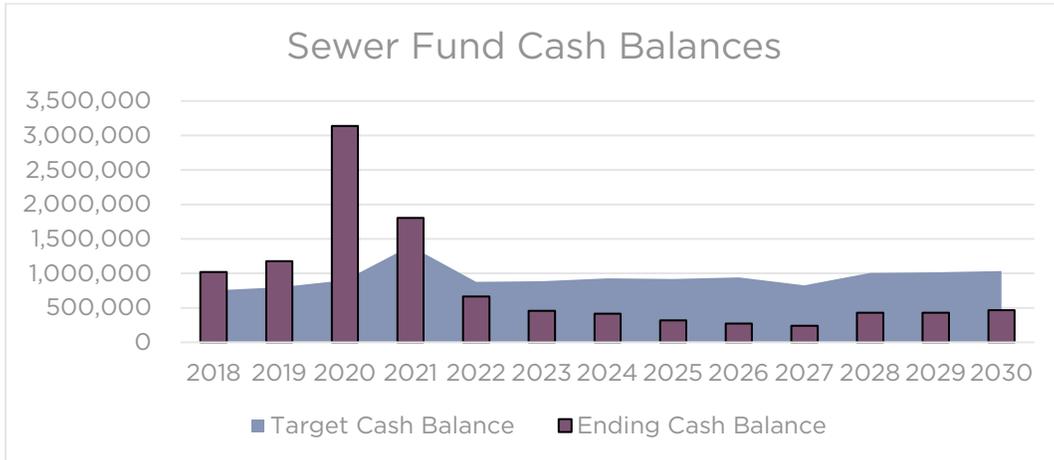
Background

The City of Osseo requested Ehlers to update its water and sewer utility rate study. The impetus for the rate study update was to base rates on the usage measured by the new water meters and also to address customer complaints regarding total utility billings.

The City Council held two work sessions on January 20th and February 27th of 2023 to review options for water and sewer rates for 2023 and beyond. At the last work session on February 27th it was clarified that prior to 2022 the City implemented winter quarter averaging for single family sewer customers, and inadvertently stopped the winter quarter averaging for 2022. The Council indicated that they supported a return to winter quarter averaging and supported the proposed 2023 sewer rates, described below. However, the Council indicated that they wanted to see more options for water rates at another work session on March 27th.

Because there was consensus among the Council about setting sewer rates for 2023, Ehlers is recommending that the Council adopt 2023 sewer rates effective January 1, 2023 at its Council meeting on March 13, 2023. Waiting until March 27th, as previously discussed with the Council, will not allow staff enough time to reprogram the billing software prior to bills going out in April. The reasons to move ahead with sewer rates now is twofold:

1. The rates currently programmed into the billing software do not provide for winter quarter averaging. It is important to reprogram the billing software before bills go out in April to ensure that winter quarter averaging is reinstated and that it is calculating properly.
2. The sewer fund's cash balance is less than the target cash reserves and is projected to remain so over the next ten years, as shown in the following graph. It is important to implement rate increases from the beginning of 2023 to ensure the system rebuilds adequate cash reserves over the long-term.



In the graph above the approximately \$3,000,000 cash balance in 2020 was the result of bond proceeds for the lift station and sewer lining projects that were spent down as the projects were completed.

Credit for Winter Quarter Averaging

At the January work session the Council asked if refunds could be provided to single family residential customers that did not receive winter quarter averaging in 2022. Ehlers has determined that credits can be provided on sewer bills to those affected customers. The cash balance graph above includes the provision of the credits.

It is expected that single family residential customers who receive a credit will generally be those who, during 2022:

- a. used more water per quarter from April through December as compared to January through March AND
- b. used more than 15,000 gallons of water per quarter in that same time period of April through December.

Ehlers will assist the City in calculating the refund amounts, and the City staff expect the credits will show up on the third quarter utility bills next fall.

Proposed 2023 Sewer Rates

Sewer rate increases are needed to pay for debt service associated with the 2020 and 2022 bond issues, which financed the lift station and sewer pipe lining, plus pay for operations and maintenance and slowly restore cash balances.

Single family residential quarterly sewer billings will be based on the lesser of the winter quarter water usage or the actual quarterly usage, but not less than the 15,000 gallons included in the base charge. Winter quarter water usage will be calculated as the metered water usage during January, February, and March. The quarterly sewer billings for all other classes of customers will be based on the actual quarterly metered water usage. No sewer charges will be billed on irrigation meters.

The proposed 2023 rates are shown in the table below. The base rate includes the first 15,000 gallons of metered water use for all customers.

Quarterly Sewer Rates					
	Current	Proposed			
	2022	2023	2024	2025	2026
Usage Rate	10.67	11.31	11.76	12.59	13.47
Base Rate	55.44	58.77	61.12	65.40	69.98

Next Steps

1. Consider adopting the proposed 2023 sewer rates effective January 1, 2023 at the March 13th Council meeting.
2. Consider revised water rate options at the March 27th work session.
3. Consider adopting 2023 water rates effective April 1, 2023 at a Council meeting in April.
4. Work with Ehlers to calculate sewer refunds for eligible residents.

Resolution No. 2023-xx

RESOLUTION SETTING SANITARY SEWER USER FEES IN 2023

WHEREAS, the costs for providing sanitary sewer services are funded via a quarterly base charge and user fees; and

WHEREAS, the sanitary sewer base charge and user fees are designed to cover ongoing operating expenses, maintenance, debt service, and future replacement costs; and

WHEREAS, the current base charge and user fees are not adequate to meet the revenue requirements for 2023; and

NOW, THEREFORE, BE IT RESOLVED by the City Council that single family residential quarterly sewer billings will be based on the lesser of the winter quarter water usage or the actual quarterly usage, but not less than the 15,000 gallons included in the base charge. Winter quarter water usage will be calculated as the metered water usage during January, February, and March. The quarterly sewer billings for all other classes of customers will be based on the actual quarterly metered water usage. No sewer charges will be billed on irrigation meters.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Osseo, County of Hennepin, Minnesota, that sanitary sewer user fees be set as follows and charged quarterly, effective as of January 1, 2023, for the year of 2023:

A base charge of \$58.77 per quarter which includes 15,000 gallons and \$11.31 per 1,000 gallons beyond 15,000 gallons.



Agenda Item: 2022 Sewer Lining Project

Meeting Date: March 13, 2023

Prepared By: Alyson Fauske, PE, City Engineer

Attachments: Resolution, Letter of Intent

Policy Consideration:

Request to approve the following:

1. Adopt the attached resolution accepting and approving the grant agreement between the City of Osseo and the Metropolitan Council Environmental Services for the improvement of publicly owned infrastructure in the 2022 Sewer Lining Project.

Background:

The 2022 sanitary sewer lining project consists of lining approximately 20,135 lineal feet of sanitary sewer pipe in the south and east part of the City with a cured-in-place epoxy resin pipe liner. The proposed improvements will help reduce groundwater infiltration 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 located on several streets throughout the City. See attached title sheet of the plan set. The recommended sewer repairs were determined after analyzing sewer televising.

Work was completed in December, 2022 and the City is eligible to request that the Metropolitan Council Environmental Services (MCES) reimburse the City for up to 50% the project cost.

Funding:

The estimated project cost including construction, engineering, legal and administrative costs was estimated at \$857,490.40. The total project cost based on the lowest bid was \$873,676.90 and the final project costs are \$854,858.90. The project funding includes the 2020 bond proceeds, a Metropolitan Council Environmental Services (MCES) Grant and the City's utility fund.

	Estimated Project Cost	Project Cost per Bid	Final Project Cost	Proposed Funding
Construction Costs		\$809,324.40	\$806,692.90	
2% Construction Contingency		\$16,186.50	\$0.00	
Engineering, Administration, and Indirect Costs		\$48,166.00	\$48,166.00	
2020 Bond Proceeds				\$716,806.00
MCES Grant (final reimbursement amount, or FRA)				\$52,762.00
City Utility Fund				\$85,290.90
Total	\$857,490.40	\$873,676.90	\$854,858.90	\$854,858.90

Previous Action or Discussion:

On May 23, 2022, the City Council adopted a resolution approving plans and specifications and authorizing the advertisement for bids.

On July 11, 2022 the City Council adopted a resolution accepting the bids and awarding the contract.

Budget or Other Considerations:

Project funding sources include 2020 bond proceeds, the MCES grant, and from the City's utility fund.

City Goals Met By This Action:

Maintaining city infrastructure.

Options:

The City Council may choose to:

1. Adopt the attached resolution accepting and approving the grant agreement between the City of Osseo and the Metropolitan Council Environmental Services for the improvement of publicly owned infrastructure in the 2022 Sewer Lining Project;
2. Adopt the attached resolution accepting and approving the grant agreement between the City of Osseo and the Metropolitan Council Environmental Services for the improvement of publicly owned infrastructure in the 2022 Sewer Lining Project with noted changes or as amended;
3. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the City Council choose Option (1): Adopt the attached resolution accepting and approving the grant agreement between the City of Osseo and the Metropolitan Council Environmental Services for the improvement of publicly owned infrastructure in the 2022 Sewer Lining Project.

Next Step:

Submit necessary documentation to the MCES.

DATE: April 29, 2021

TO: Nick Waldbillig, Public Works Director
Osseo
415 Central Ave.
Osseo, MN 55369-1195

FROM: Matt Gsellmeier, MCES I/I Grant Administrator

SUBJECT: 2020 I/I Grant Program Letter of Intent

Thank you for applying to the 2020 State Bond Funded Municipal Inflow and Infiltration (I/I) Grant Program. This non-binding letter of intent confirms receipt of your city's application and approval to participate per the Metropolitan Council's approved program design and guidelines.

The program design and guideline details, along with the draft agreement that must be entered with the Metropolitan Council, can be found at the following link under Inflow/Infiltration Grant Programs:

<https://metrocouncil.org/Wastewater-Water/Funding-Finance/Available-Funding-Grants.aspx>

Preliminary Non-binding Grant Estimates

Estimated Grant Amount	Based on
Preliminary Minimum Allocation (PMA) \$50,000	Preliminary project description and projected cost estimates in city's application
Final Reimbursement Amount (FRA) \$52,762	City's application, the amount available for funding, and prior year's reimbursement percentages

Please be advised that these are preliminary non-binding estimates and that each participant's final FRA depends upon the actual and eligible project work submitted per approved guidelines. PMA and FRA will be calculated simultaneously for all participants upon receipt of documentation verifying a project costs. Should a city not complete a project with I/I eligible work, or complete with insufficient eligible work, PMA and FRA will be adjusted accordingly. Contingent upon availability of funding, cities may be eligible for additional funding should they complete a project(s) with more I/I eligible work than described in their application.

Important Dates

April 30, 2021	MCES sends Letter of Intent to program participants
March 31, 2023	Cities provide descriptions and pay claims for completed projects
May 1, 2023	MCES makes FRA determination, distributes grant agreements

MCES will process reimbursement upon receipt of signed agreement and commits to sending semi-annual grant notices to all participants throughout the program. These notices will serve as both reminders of participation and solicitations for changes in participant contact, projects, or other relevant information.

Documentation submitted to MCES at project completion to verify eligibility and calculate both PMA and FRA must include the following:

- Completion and submission of MCES provided cost verification form
- A city resolution authorizing participation in the grant program
- Certification (notarized) confirming ownership or easements for locations where work was completed
- Description of work, along with description or map of locations
- Invoices substantiating cost of work completed.

This letter is a commitment to enter into a legally binding grant agreement upon verification that grant program guidelines and requirements have been met. It is not a legally binding document that confirms funding.

MCES appreciates and is committed to your participation in this program designed to assist our stakeholders in the mitigation of excess inflow and infiltration into the metropolitan disposal system.

MCES appreciates and is committed to your participation in this program designed to assist our stakeholders in the mitigation of excess inflow and infiltration into the metropolitan disposal system.

Please direct your questions or concerns to:

Matt Gsellmeier, MCES I/I Grant Administrator
390 Robert Street North
St. Paul, MN 55101
17633670264
matthew.gsellmeier@metc.state.mn.us



Ned Smith, MCES, Director of Pretreatment and Finance



Leisa Thompson, MCES General Manager

Resolution No. 2023-xx

RESOLUTION ACCEPTING AND APPROVING THE GRANT AGREEMENT BETWEEN THE CITY OF OSSEO AND THE METROPOLITAN COUNCIL ENVIRONMENTAL SERVICES FOR THE IMPROVEMENT OF PUBLICLY OWNED INFRASTRUCTURE

WHEREAS, the Minnesota Legislature has appropriated to the Metropolitan Council of Environmental Services (MCES) in the 2020 State Bonding Bills, \$5,000,000 for a grant program to be administered by the MCES for the purpose of providing grants to municipalities for capital improvements to public municipal wastewater collection systems to reduce the amount of inflow and infiltration to the MCES metropolitan sanitary sewer disposal system (I/I Municipal Grant Program).

AND WHEREAS, the MCES has identified the City of Osseo as a contributor of excessive inflow and infiltration to the MCES metropolitan sanitary sewer disposal system and thus an eligible applicant for grant funds under the I/I Municipal Grant Program.

AND WHEREAS, grant monies will be awarded to pre-approved municipalities for a pre-determined amount up to 50% of eligible improvements completed between January 1, 2021 and December 31, 2022.

AND WHEREAS, the City of Osseo has submitted an application to the Metropolitan Council of Environmental Services (MCES) for grant funding for improvements to the publicly owned sanitary sewer system to reduce inflow and infiltration.

AND WHEREAS, the MCES has determined to contribute one-half of the actual amount of eligible expenses during the grant activity period up to an estimated Preliminary Minimum Allocation (PMA) of \$50,000. In addition to the PMA an additional Final Reimbursement Amount (FRA) will be allocated proportionally to grant participants, determined based on eligible project expenses submitted and available remaining grant program funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Osseo, County of Hennepin, State of Minnesota, as follows:

1. The City of Osseo has budgeted and completed the City's portion of the improvements as set forth in the agreement; and
2. The City Council agrees to accept and approve the Grant Agreement between the City of Osseo and the Metropolitan Council of Environmental Services; and
3. The City Council hereby authorizes the City Administrator and the City Clerk to execute said Agreement for and on behalf of the City of Osseo.



City of Osseo City Council Meeting Item

Agenda Item: Approve City Concurrence on Shingle Creek and West Mississippi Watershed Boundary Change (Resolution)

Meeting Date: March 13, 2023
Prepared by: Riley Grams, City Administrator

Attachments: Watershed District Boundary Change Letter
Resolution

Policy Consideration:

Consider approving the attached Resolution concurring with the Shingle Creek and West Mississippi Watershed boundary changes through the City of Osseo.

Background:

The Shingle Creek Watershed Management Commission (SCWMC) and West Mississippi Watershed Management Commissions (WMWMC) are in the process of updating their legal boundaries to better reflect the current hydrologic condition. SCWMC and WMWMC request that the City of Osseo review the proposed boundary and take action to provide concurrence with the revision as stated.

The Watershed Commissions voted to update the boundaries of the two Commissions last summer now that they have a much better understanding of the hydrology of the land area for which the two Commissions are responsible and there has been a tremendous amount of development in much of the land area in these two Watersheds. The engineers from Stantec proceeded to look at all boundaries that were originally drawn when the Commissions were first created. They looked at all the properties along the boundaries between where, for example, the West Mississippi Watershed met the Elem Creek Watershed to see if those were accurate hydrologically. The practical affect for homeowners or business owners will be for what watershed will the taxes be assessed.

In the attached letter, you will note the tables which outline the number of Osseo properties that will be moving into and out of both the Shingle Creek and West Mississippi Watershed Districts. Each affected City is asked to concur with the boundary changes by passing the attached Resolution. The City Attorney's office reviewed this information and has recommended that the Council approve the boundary changes as requested.

After municipal concurrence, SCWMC and WMWMC will submit the boundary revision to the Minnesota Board of Water and Soil Resources and to Hennepin County for updating of official property records.

Options:

The City Council may choose to:

1. Adopt the attached Resolution concurring with the boundary changes between the Shingle Creek and West Mississippi Watershed Districts;

2. Adopt the attached Resolution concurring with the boundary changes between the Shingle Creek and West Mississippi Watershed Districts with noted changes/as amended;
3. Deny adopting the attached Resolution;
4. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the City Council choose option Adopt the attached Resolution concurring with the boundary changes between the Shingle Creek and West Mississippi Watershed Districts.

Next Step:

If the attached Resolution is adopted, Staff will confirm the boundary changes with the Shingle Creek and West Mississippi Watershed District Administrator.

To: Amy Dietl, Clerk, City of Maple Grove
Katrina Jones, Clerk, City of Osseo
Devin Montero, Clerk, City of Brooklyn Park
Barb Suciu, Clerk, City of Brooklyn Center

From: Todd Shoemaker, PE
Lisa Tilman, PE

Project: Shingle Creek & West Mississippi
Watershed Legal Boundary Update:
Municipal Concurrence

Date: February 8, 2023

Stantec Project #: 227705202

The Shingle Creek Watershed Management Commission (SCWMC) and West Mississippi Watershed Management Commissions (WMWMC) are in the process of updating their legal boundaries to better reflect the current hydrologic condition. SCWMC and WMWMC request that the City review the proposed boundary and take action to provide concurrence with the revision. We attached a resolution template that may be used for concurrence by the City.

The proposed Shingle Creek and West Mississippi Watershed boundary may be viewed at: [SCWM Legal Boundary Review - PUBLIC \(arcgis.com\)](#).

The SCWMC and the WMWMC received concurrence from the three neighboring watersheds: Elm Creek Watershed Management Commission, Bassett Creek Watershed Management Commission and Mississippi Watershed Management Organization. Their concurrence letters are attached for your reference. After municipal concurrence, SCWMC and WMWMC will submit the boundary revision to the Minnesota Board of Water and Soil Resources and to Hennepin County for updating of official property records.

Legal Boundary Update Process Summary

The Shingle Creek Watershed Management Commission and West Mississippi Watershed Management Commission established the existing legal boundaries after the organizations formed in 1984 using parcels and hydrologic data present at that time. Parcel subdivisions, topographic changes, and the construction and modification of stormwater conveyance systems have occurred over the years. The Commission completed a review and update of the watershed's legal boundary to ensure the boundary better reflects today's hydrologic conditions.

The SCWMC and WMWMC used the following process to define a legal boundary that most accurately reflects current hydrologic conditions:

Reference: 227705202

- (1) Stantec used the Shingle Creek hydrologic boundary, which was updated in 2020, and the Elm Creek hydrologic boundary, which was updated in 2021, to delineate a proposed boundary. Parcels were considered within the Shingle Creek Watershed legal boundary if over 50% of the parcel area was inside the Shingle Creek hydrologic boundary.
- (2) Stantec then confirmed the digitized legal boundary with a review comparing the hydrologic boundary against stormsewer networks and hydrologic boundaries defined by neighboring watersheds. The review also drew on input from municipal staff serving on the Technical Advisory Committee to incorporate their specific knowledge of municipal stormsewer networks and drainage patterns.
- (3) The neighboring watersheds of Elm Creek Watershed Management Commission, Bassett Creek Watershed Management Commission and Mississippi Watershed Management Organization reviewed the boundary to provide further refinements and ultimately concurrence with the proposed boundary.

Tables 1 and 2 summarize how area and parcels will change with the proposed SCWMC Legal Boundary among the adjacent WMOs and member cities.

Table 1. Changes in Shingle Creek Watershed Area by Watershed

	Moving into Shingle Creek		Moving out of Shingle Creek	
	Area (acres)	Parcels (number)	Area (acres)	Parcels (number)
Bassett Creek Watershed	76	223	627	782
Elm Creek Watershed	60	361	378	509
Mississippi Watershed	26	192	109	560
West Mississippi Watershed	89	119	173	249

Table 2. Changes in Shingle Creek Watershed Area by City

	Moving into Shingle Creek		Moving out of Shingle Creek	
	Area (acres)	Parcels (number)	Area (acres)	Parcels (number)
Brooklyn Center	13	25	89	123
Brooklyn Park	41	74	34	77
Crystal	1	4	34	140
Maple Grove	56	149	139	144
Minneapolis	32	232	110	565
New Hope	0.4	1	117	73
Osseo	3	10	49	42
Plymouth	95	328	668	823
Robbinsdale	10	70	35	97

Tables 3 and 4 summarize how area and parcels will change with the proposed WMWMC Legal Boundary among the adjacent WMOs and member cities.

Reference: 227705202

Table 3. Changes in West Mississippi Watershed Area by Watershed

	Moving into West Mississippi		Moving out of W. Mississippi	
	Area (acres)	Parcels (number)	Area (acres)	Parcels (number)
Elm Creek Watershed	52	155	1146	600
Mississippi Watershed	0	0	3	22
Shingle Creek Watershed	173	249	89	119

Table 4. Changes in West Mississippi Watershed Area by City

	Moving into West Mississippi		Moving out of West Mississippi	
	Area (acres)	Parcels (number)	Area (acres)	Parcels (number)
Brooklyn Center	89	123	13	25
Brooklyn Park	34	77	44	75
Champlin	44	142	1073	531
Maple Grove	9	13	98	69
Osseo	49	42	3	10



Bassett Creek Watershed Management Commission

November 16, 2022

Shingle Creek Watershed Management Commission
ATTN: Judie Anderson
3235 Fernbrook Lane N
Plymouth, MN 55447

Re: Petition for Boundary Change, Shingle Creek Watershed Management Commission: Letter of Concurrence

Dear Ms. Anderson,

The Bassett Creek Watershed Management Commission has reviewed and considered the proposal to change the common boundary between the Shingle Creek Watershed and the Bassett Creek Watershed. Pursuant to Resolution #22-10, the Bassett Creek Watershed Management Commission concurs with the proposed petition to change the common boundary.

If you have any questions or comments, please contact BWCMC Administrator Laura Jester at laura.jester@keystonewaters.com or 952-270-1990.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cesnik".

Catherine Cesnik, Chair

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

Resolution No. 22-10

RESOLUTION CONCURRING WITH PROPOSED BOUNDARY CHANGES

WHEREAS, the Shingle Creek Watershed Management Commission and the West Mississippi Watershed Management Commission (collectively, the “Requesting WMOs”) have jointly undertaken a process to review and amend as needed their boundaries with neighboring watersheds in accordance with the requirements of Minnesota Statutes, section 103B.215 (“Act”);

WHEREAS, the Act requires the Requesting WMO’s to include with their petition for a boundary change to the Minnesota Board of Water and Soil Resources “a written statement of concurrence in the petition from the governing body of each statutory or home rule charter city and town and each watershed management organization having jurisdiction over the territory proposed to be added or transferred.”;

WHEREAS, the Requesting WMOs prepared and provided maps showing the proposed boundary changes (“Boundary Change Maps”), which are incorporated herein by reference; and

WHEREAS, the Boundary Changes identified in the Boundary Change Maps were developed using updated hydrologic information, they more accurately reflect the hydrologic boundaries, and so it is appropriate to issue a written statement of concurrence to change the boundaries as reflected in the Boundary Change Maps submitted by the Requesting WMOs.

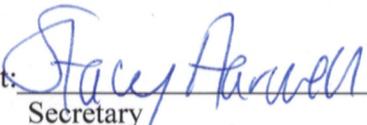
NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Bassett Creek Watershed Management Commission (the “Board”) as follows:

1. The Board concurs with the boundary changes proposed by the Requesting WMO’s and reflected in the Boundary Change Maps.
2. The Board chair is authorized and directed to execute and provide a letter of concurrence to the Requesting WMOs together with a copy of this Resolution.

Adopted this 16th day of November, 2022.

Attest:

Secretary



Chair



elm creek Watershed Management Commission

ADMINISTRATIVE OFFICE
3235 Fernbrook Lane • Plymouth, MN 55447
PH: 763.553.1144 • email: judie@jass.biz
www.elmcreekwatershed.org

January 11, 2023

Shingle Creek Watershed Management Commission
ATTN: Judie Anderson
3235 Fernbrook Lane N
Plymouth, MN 55447

Re: Petition for Boundary Change, Shingle Creek Watershed Management Commission: Letter of Concurrence

Dear Ms. Anderson:

The Elm Creek Watershed Management Commission has reviewed and considered the proposal to change the common boundary between the Shingle Creek Watershed and the Elm Creek Watershed. Pursuant to Resolution #2023-01, the Elm Creek Watershed Management Commission concurs with the proposed petition to change the common boundary.

Your point of contact regarding this concurrence is Erik Megow, Associate, Water Resources Engineer, Stantec, 763 252-6857, erik.megow@stantec.com

Sincerely,



Doug Baines

Chair

DB:jaa

Encls: Resolution 2023-01

Z:\Elm Creek\Boundaries\5 To Shingle Creek - Elm Letter of Concurrence.docx



Protect it. Pass it on.

**MISSISSIPPI
WATERSHED
MANAGEMENT
ORGANIZATION**

2522 Marshall Street NE
Minneapolis, MN 55418

612-746-4970

contacts@mwmo.org

www.mwmo.org

January 19, 2023

Shingle Creek Watershed Management Commission
ATTN: Judie Anderson
3235 Fernbrook Lane N
Plymouth, MN 55447

Dear Ms. Anderson,

The Mississippi Watershed Management Organization has reviewed and considered the proposal to change the common boundary between the Shingle Creek Watershed Management Commission and the Mississippi Watershed Management Organization. Pursuant to Resolution #2023-03, the Mississippi Watershed Management Organization concurs with the proposed petition to change the common boundary between the Shingle Creek Watershed and the Mississippi Watershed Management Organization.

Your point of contact regarding this concurrence is Shawn James, Projects and Planning Specialist, at 612-746-4983 or sjames@mwmo.org.

Sincerely,

Kevin Reich, Executive Director

Mississippi Watershed Management Organization

RESOLUTION 2023-003

A RESOLUTION CONCURRING WITH PROPOSED BOUNDARY CHANGES

WHEREAS, the Shingle Creek Watershed Management Commission and the West Mississippi Watershed Management Commission (collectively, the “Requesting WMOs”) have jointly undertaken a process to review and amend as needed their boundaries with neighboring watersheds in accordance with the requirements of Minnesota Statutes, section 103B.215 (“Act”); and

WHEREAS, The Act requires the Requesting WMO’s to include with their petition for a boundary change to the Minnesota Board of Water and Soil Resources “a written statement of concurrence in the petition from the governing body of each statutory or home rule charter city and town and each watershed management organization having jurisdiction over the territory proposed to be added or transferred.”; and

WHEREAS, The Requesting WMOs prepared and provided maps showing the proposed boundary changes (“Boundary Change Maps”), which are incorporated herein by reference; and

WHEREAS, The Boundary Changes identified in the Boundary Change Maps were developed using updated hydrologic information, they more accurately reflect the hydrologic boundaries, and so it is appropriate to issue a written statement of concurrence to change the boundaries as reflected in the Boundary Change Maps submitted by the Requesting WMOs.

NOW THEREFORE BE IT RESOLVED, by the MWMO Board of Commissioners as follows:

1. The Board concurs with the boundary changes proposed by the Requesting WMO’s and reflected in the Boundary Change Maps.
2. The Board Chair and Executive Director are authorized and directed to execute and provide a letter of concurrence to the Requesting WMOs together with a copy of this resolution.

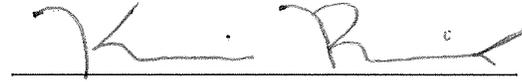
Adopted this the 10th day of January, 2023.

Review for the Board:



Stephen Eggert, Chair

Review for Administration:



Kevin Reich, Executive Director

CITY OF OSSEO
Resolution No. 2023-XX

RESOLUTION CONCURRING WITH PROPOSED WATERSHED BOUNDARY CHANGES

WHEREAS, the Shingle Creek Watershed Management Commission and the West Mississippi Watershed Management Commission (collectively, the “Requesting WMOs”) have undertaken a process to review and amend as needed their boundaries with neighboring watersheds in accordance with the requirements of Minnesota Statutes, section 103B.215 (“Act”);

WHEREAS, the Act requires the Requesting WMOs to include with their petition for a watershed boundary change to the Minnesota Board of Water and Soil Resources “a written statement of concurrence in the petition from the governing body of each statutory or home rule charter city and town and each watershed management organization having jurisdiction over the territory proposed to be added or transferred.”;

WHEREAS, the Requesting WMOs prepared and provided maps showing the proposed boundary changes (“Boundary Change Maps”), which are incorporated herein by reference; and

WHEREAS, the Boundary Changes identified in the Boundary Change Maps were developed using updated hydrologic information, they more accurately reflect the hydrologic boundaries, and so the City Council determines it is appropriate to issue a written statement of concurrence to change the boundaries as reflected in the Boundary Change Maps submitted by the Requesting WMOs.

NOW, THEREFORE, BE IT RESOLVED, by the City of Osseo, County of Hennepin, State of Minnesota, as follows:

1. The City concurs with the boundary changes proposed by the Requesting WMOs and as reflected in the Boundary Change Maps.
2. The City Clerk shall forward this Resolution to the Requesting WMOs, which shall serve as the City’s written statement of concurrence with the proposed boundary change.



City of Osseo City Council Meeting Item

Agenda Item:	Ratify Updated OFDRA Bylaws
Meeting Date:	March 13, 2023
Prepared by:	Mike Phenow, Fire Chief
Attachments:	OFDRA Bylaws (signed, effective 2/9/2023) OFDRA Bylaws (digital, with changes shown) Resolution

Policy Consideration:

Consider approving the resolution ratifying the bylaws recently approved by the OFDRA membership.

Background:

The Board of Trustees of the Osseo Fire Department Relief Association (OFDRA) discussed and approved these bylaws changes on February 9, 2023. At the regular meeting of the membership of the OFDRA, also on February 9, 2023, the membership approved and adopted the proposed bylaws.

This version includes a few minor changes:

- Amended language for Section 7 – Definition of Year of Active Service. The original language stated that "Service pensions and ancillary benefits will not be prorated for fractional years of service," but this was inconsistent with the OFD Participation Policy approved by the council on March 28th, 2022, which calls for service credit to be awarded on a quarterly basis, therefore resulting in prorated years. The updated language, modeled largely on the template language provided by the Office of the State Auditor, allows for fractional years of service and provides language clarifying how partial months are to be handled.
- Removed names from Attachment B – Compensation. The previous version listed the names of the individuals in each position, which quickly becomes out of date as members resign or reach the end of their term and new members are elected or appointed.
- Increased the annual salaries on Attachment B – Compensation. The relief association is allowed by statute to pay salaries to officers and board members out of the association's Special Fund. These annual salaries have not been adjusted in almost 30 years. The updated salaries help compensate the President, Vice President, Secretary, and Treasurer for the time, energy, and responsibility associated with serving in those roles.
 - According to the article "New Laws and Volunteer Fire Relief Associations" by former State Auditor Rebecca Otto for the September-October 2012 issue of the *Minnesota Fire Chief* magazine, "Previously, only a relief association's president, secretary, and treasurer were authorized to receive salaries paid from the association's Special Fund. The new law gives the relief association authority to pay salaries from the Special Fund to all board members, if the salary amounts are approved by the governing body of the governmental entity that is responsible for paying any required contributions. Municipal approval of the salary amounts is only required for salaries paid to trustees other than the relief association's officers."

Given this, the council would need to ratify these bylaws before the new Vice President salary could be paid.

Budget or Other Considerations:

These changes to the bylaws do not propose any changes to the benefit level. However, the updated salaries do have a minor impact on the Special Fund, which the city is required to ensure remains adequately funded.

The calculation of service credit has an impact on the benefits paid to retiring firefighters and consequently, the Special Fund. The determination of service credit is specified in the Fire Department Participation Policy. Only recognizing full years of service credit could be unduly penalizing in cases where members missed the requirements for part of a year. Conversely, lowering the requirements too low risks not being able to ensure adequate response levels.

City Goals Met By This Action:

Recruit high quality Staff, continue to train Staff, and work to promote Staff retention
Ensure City's continued financial stability

Options:

The City Council may choose to:

1. Approving the resolution ratifying the bylaws recently approved by the OFDRA membership;
2. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the City Council choose option 1) Approving the resolution ratifying the bylaws recently approved by the OFDRA membership.



Osseo Fire Department Relief Association

Bylaws

Effective February 9th, 2023

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Bylaws of the Osseo Fire Department Relief Association

Article I – Name

Section 1 – Name

The name of this relief association is the Osseo Fire Department Relief Association (Association). It is a nonprofit corporation incorporated under the laws of Minnesota.

Section 2 – Type

The Association is a defined-benefit lump-sum relief association subject to Minn. Stat. §§ 424A.015; 424A.02; and 424A.091 to 424A.094.¹ All benefits provided by this Association derive from and are governed by Federal and State laws and these bylaws.

Section 3 – Books and Records²

The Association will keep, at a minimum, correct and complete copies of its articles of incorporation and bylaws, accounting records, records documenting Special Fund, General Fund, and Charitable Gambling Fund transactions, records necessary to determine benefits payable and paid to individual members and their beneficiaries, and minutes of each of its meetings that record the votes of actions taken. Unless a Records Retention Schedule is adopted and the Minnesota Historical Society has been notified or authority to destroy records is received from the Records Disposition Panel, relief association records may not be destroyed.

Section 4 – Purpose

The Association is a governmental entity that receives and manages public money to provide retirement and ancillary benefits for individuals providing the governmental services of firefighting and emergency first response, and for their beneficiaries.³

Section 5 – Fiscal Year

The Association's fiscal year begins on January 1 of each calendar year and ends on December 31 of the same calendar year.⁴

Article II – Membership

Section 1 – Membership

All individuals who are members of the Osseo Fire Department (Fire Department), are engaged in or qualified to provide fire suppression duties, and who meet any additional standards established by the Fire Department or by the Association are eligible for membership in the Association.

¹ Minn. Stat. § 424A.002, subd. 2

² Minn. Stat. §§ 138.17; 317A.461

³ Minn. Stat. § 424A.001, subd. 4

⁴ Minn. Stat. § 424A.001, subd. 11

If the city has approved the employment on the Fire Department of volunteer firefighters to perform fire prevention duties and to supervise fire prevention duties, the personnel serving in fire prevention positions are eligible for membership in the Association and qualify for service pensions and other benefit coverage of the Association on the same basis as members who perform fire suppression duties.⁵

If the city has approved the employment on the Fire Department of volunteer emergency medical personnel, individuals who solely perform or supervise volunteer emergency medical duties are eligible for membership in the Association and qualify for service pensions and other benefit coverage of the Association on the same basis as members who perform fire suppression duties.⁶

No member may be credited with service credit in the Association for the same hours of service for which coverage is already provided in a fund operated by the Public Employees Retirement Association.⁷

Application for membership will be made in writing on a form supplied by the Secretary of the Association. Membership will be approved by the Board of Trustees.

Section 2 – Membership Start Date⁸

Membership in the Association begins on the date the hiring of a firefighter is approved by the City Council.

Section 3 – Exclusions⁹

The Association may exclude from membership an applicant who, due to some medically determinable physical or mental impairment or condition, would constitute a predictable and unwarranted risk of imposing liability for an ancillary benefit at any age earlier than the minimum age specified for receipt of a service pension. A minor may not be a member of this Association.

Section 4 – Termination

Any member may be terminated from the Association for cause by a two-thirds vote of all members present at a special meeting of the membership. Cause for termination includes, but is not limited to, failure to account for money belonging to the Association, or feigning illness or injury for the purpose of defrauding the Association. A member may not be terminated except by a fair and reasonable process.

Section 5 – Active Service

Active service is the supervision or performance of fire suppression duties. If the city has approved the employment on the Fire Department of fire prevention personnel, active service includes the supervision or performance of fire prevention duties. If the city has approved the employment on the Fire Department of volunteer emergency medical personnel and if their membership in the Association

5 Minn. Stat. § 424A.01, subd. 5

6 Minn. Stat. § 424A.01, subd. 5a

7 Minn. Stat. § 424A.01, subd. 4a

8 Minn. Stat. § 424A.001, subd. 12

9 Minn. Stat. § 424A.01

is permitted in Section 1 of this Article, active service also includes the supervision or performance of emergency medical response duties. Active service requires meeting minimum service requirements specified by the Fire Department in the Fire Department's rules, regulations, and policies.

Section 6 – Certification of Service Credit¹⁰

Annually, by March 31, the Fire Chief must certify the service credit for the previous calendar year of each member rendering active service with the Fire Department. The certification must be made to an officer of the Association and to the city clerk.

Section 7 – Definition of Year of Active Service¹¹

~~A year of active service will be defined as 12 months of active service in the Fire Department. A "month" is a completed calendar month of active service measured from the member's date of entry to the same date in the subsequent month. Service pensions and ancillary benefits will not be prorated for fractional years of service (i.e., a member only receives credit for each complete year of service). A year of active service will be defined as 12 months of active service in the Fire Department. A "month" is a completed calendar month of active service. Service pensions and ancillary benefits will be prorated for fractional years of service.~~

~~Partial months resulting from the beginning of service, break in service, return to service, or end of service will be considered one full month if the number of active days in that month was 16 or more days and zero months if 15 or fewer days. All other months will be considered as full calendar months for which a member will be awarded service credit or not based on the Fire Department's rules, regulations, and policies.~~

~~The Fire Department's rules, regulations, and policies may determine periods of active service at intervals as short as a month, as long as a year, or an interval in between, such as a quarter (3 months).~~

Section 8 – Break In Service

If a member is unable to perform the duties of a firefighter for any reason, including an approved leave of absence, the member will be considered to have a break in service and will not receive service credit in the Association for that period of time, except that the resumption service requirements of this Section do not apply to leaves of absence or breaks in service made available by Federal or State statute, such as the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), Minn. Stat. § 424A.021, and the Family and Medical Leave Act (FMLA), 29 U.S.C. § 2601, et al. Active membership in the Association immediately resumes when a member returns to active service with the Fire Department, if the member's break in service was less than 60 days.¹²

¹⁰ Minn. Stat. § 424A.003

¹¹ Minn. Stat. § 424A.02, subd. 1(a)

¹² Minn. Stat. § 424A.01, subd. 6

Section 9 – Return to Service¹³

Any firefighter who has ceased to perform or supervise fire suppression and fire prevention duties for at least 60 days, including former members who have received payment of a service pension or disability benefit, will be eligible to resume active membership in the Association should the firefighter resume active firefighting duties with the Fire Department.

If the firefighter has previously received payment of a service pension or disability benefit, the firefighter may be eligible for a second pension or benefit for the resumption period of service if the firefighter meets the vesting requirements defined in these bylaws based on the resumption years of service. No firefighter may be paid a service pension twice for the same period of service.

If the firefighter has not received payment of a service pension or disability benefit, the firefighter must complete at least 3 years of active service with the Fire Department upon a resumption of active service. If the firefighter completes the minimum period of resumption service specified in this Section prior to a subsequent cessation of firefighting duties, the firefighter will receive a service pension (if vested) for all years of active service calculated at the benefit level in effect on the date of the firefighter's final cessation of duties. If the firefighter does not complete the minimum period of resumption service specified in this Section prior to a subsequent cessation of duties, the firefighter will receive a service pension (if vested) for all years of active service calculated at the benefit level in effect at the time of the firefighter's original cessation of duties.

A firefighter who has been granted an approved leave of absence not exceeding one year by the Fire Department or by the Association is exempt from the minimum period of resumption service requirement under this Article.

A person who has a break in service not exceeding one year but who has not been granted an approved leave of absence and who has not received a service pension or disability benefit from the Association is exempt from the minimum period of resumption service requirement under this Article.

Section 10 – Uniformed Services¹⁴

A volunteer firefighter who is absent from firefighting service because of service in the uniformed services may obtain service credit for the period of the uniformed service, not to exceed five years, unless a longer period is required by Federal law, if the volunteer firefighter returns within the time frame required by Federal law to firefighting service with coverage by this same Association or its successor upon discharge from service in the uniformed service.

Service credit will not be given if the firefighter separates from uniformed service with a dishonorable or bad conduct discharge or under other than honorable conditions.

¹³ Minn. Stat. § 424A.01, subd. 6

¹⁴ Minn. Stat. § 424A.021. In some instances service other than service with the Armed Forces may qualify. See 38 U.S.C. § 4303(13) ("service in the uniformed services").

Article III – Officers and Trustees

Section 1 – Powers of the Board of Trustees

The Board of Trustees (Board) is the governing board and has exclusive control of the investment of the Association's plan assets in conformance with Federal and State law including, but not limited to, Minnesota statutes and these bylaws. The members of the Board will act as Trustees, with a fiduciary obligation to the active, deferred, and retired members of the Association, who are its beneficiaries; the taxpayers of the municipality, who help to finance the plan; and the State of Minnesota, which established the plan.¹⁵

The Board will invest and reinvest the Association's plan assets, determine benefits, determine eligibility for membership or benefits, determine the amount or duration of benefits, determine the funding requirements or amounts of contributions, oversee the expenditure of plan assets, and select financial institutions and investment products.¹⁶

The Board will submit a written report of the financial condition of the Association to the members at the annual meeting.

The Board will develop and periodically revise a program for continuing education.¹⁷ The Trustees will participate in continuing education to keep themselves abreast of their fiduciary responsibilities.

Section 2 – Members of the Board of Trustees

The Board consists of nine members (Trustees): six Trustees elected by the membership and three Trustees drawn from officials of the city served by the Fire Department.¹⁸ Trustees will be elected for 3-year terms. The elections of the Trustees will be staggered. Of the three municipal Trustees, one must be an elected official and one must be an elected or appointed municipal official, and both must be designated annually by the municipal governing board. The third municipal Trustee must be the fire chief.

A vacancy in the position of a non-municipal Trustee may be filled by the remaining Trustees at a Board meeting. The Trustee selected to fill the vacancy holds office only until the next annual or special meeting of the Association membership when a successor will be elected by the membership.

Section 3 – Officers¹⁹

The President, Vice President, Secretary, and Treasurer will be elected from among the elected Trustees by the full Board for 1-year terms. In no event will any Trustee hold more than one Officer position at any one time. In no event will any municipal Trustee hold an Officer position.

¹⁵ Minn. Stat. § 356A.04, subd. 1

¹⁶ Minn. Stat. § 356A.02, subd. 2

¹⁷ Minn. Stat. § 356A.13, subd. 2

¹⁸ Minn. Stat. § 424A.04, subd. 1

¹⁹ Minn. Stat. § 424A.04, subd. 1; see also Minn. Stat. § 317A.305

Section 4 – President

The President will attend and preside at all meetings of the Association and the Board. The President will actively manage the business of the Association. The President will enforce the due observance of the law, including Minnesota statutes, the articles of incorporation, and the bylaws of the Association. The President will ensure that the Officers properly perform the duties assigned to them and that the orders and resolutions of the Board are carried into effect. The President will sign all checks issued by the Treasurer and all other papers requiring the President's signature. The President will be a member of all committees and will exercise careful supervision over the affairs of the Association. The President will perform other duties as prescribed by the Board.

Section 5 – Vice President

The Vice President will assist the President in the discharge of their duties and will perform the duties of the President in the event of their absence.

Section 6 – Secretary

The Secretary will keep and post a true and accurate record of the proceedings of all meetings of the Association and of the Board. The Secretary will keep a correct record of all amendments, alterations, and additions to the bylaws in a book separate from the minute books of the Association. The Secretary will prepare all paperwork and obtain signatures required for benefits due. The Secretary will keep an account book in which to enter all money transactions of the Association, including the dates and amounts of all receipts and the source from which derived and the dates and the amounts of all expenditures with the payee and the object. The Secretary will keep individual files and a roll of membership, with the date of joining, resignation, discharge, retirement, dues, and service pensions and ancillary benefits paid. The books of the Secretary will be at all times open to the Board. The Secretary will prepare and process all correspondence as needed. The Secretary will, jointly with the Treasurer, prepare and file all reports and statements required by law, including reports to be filed with the Office of the State Auditor (OSA). The Secretary will perform other duties as prescribed by the Board.

Section 7 – Treasurer

The Treasurer will, together with the Secretary, keep accurate financial records of the Association. The Treasurer will receive all monies belonging to the Association and deposit them in the name of and to the credit of the Association in the banks and depositories designated by the Board. The Treasurer will disburse funds and issue checks and drafts in the name of the Association as ordered by the Board. The Treasurer will keep separate and distinct accounts of the Special Fund and the General Fund, if applicable, and will prepare and present to the Board a full and detailed statement of the assets and liabilities of each fund separately, prior to the annual meeting of the Association, and upon requests of the Board.

The Treasurer will deliver to the Treasurer's successor in office, or to any committee appointed by the Board to receive the same, all monies, books, papers, etc., pertaining to the Treasurer's term in office immediately upon the expiration of the Treasurer's term in office. The Treasurer will, prior to entering upon the duties of the Treasurer's office, give a bond in an amount equal to at least ten percent of the

assets of the Association; however, the amount of the bond need not exceed \$500,000.²⁰ Jointly with the Secretary, the Treasurer will prepare and file all reports and statements required by law, including reports to be filed with the Office of the State Auditor. The Treasurer will perform other duties as prescribed by the Board.

Section 8 – Compensation²¹

Trustees of the Association identified in Attachment B may be paid a salary out of the Special Fund. The amount paid in salary is limited to the amount listed in Attachment B. Only after the amounts listed in Attachment B have been approved by the City Council may salaries be paid to non-Officer Trustees. For all Trustees, itemized expenses eligible for reimbursement are limited to those expenses incurred as a result of fulfilling responsibilities as administrators of the Special Fund.

Section 9 – Gambling Board

The 6 Trustees elected by the membership and the organization's licensed Gambling Manager will constitute the Gambling Board for the OFDRA. The Gambling Board will serve as an advisory committee to the general Membership in matters relating to the conduct of charitable gambling. They will meet monthly prior to the monthly Association General Membership Meeting. The Gambling Board will review, discuss, and make recommendations to the general membership, but has no authority to act independently on any matters.

The President of the Association will also serve as the CEO for the charitable gambling operations, per Gambling Control Board rules.

The licensed Gambling Manager can also serve on the Board of Trustees, but can not be the President/CEO or the Treasurer.

Article IV – Meetings of the Members and of the Board

Section 1 – Membership Meetings

Subdivision 1 – Monthly Membership Meeting

The membership of the association will meet the second Thursday of each month at 7:00 pm in the Meeting Room of the Osseo Fire Department.

Subdivision 2 – Annual Membership Meeting²²

At the regularly-scheduled monthly meeting the second Thursday in February, the membership will elect new Trustees for those whose terms are expiring (see Article III, Section 2 – Members of the Board of Trustees).

²⁰ Minn. Stat. § 69.051, subd. 2

²¹ Salary amounts paid to non-Officer Trustees of the relief association must be approved by the governing body of the entity responsible for meeting any minimum obligation. Salaries paid to Officers of the relief association do not require this approval.

²² Minn. Stat. § 317A.431. Your relief association may hold additional regular meetings during the year. Minn. Stat. § 317A.111, subd. 3(21).

Subdivision 3 – Special Membership Meetings²³

A special meeting of the Association's members may be called at any time upon the written order of the President, Secretary, and one additional Trustee, or of 25 percent of the members of the Association. The Order will be filed with the Secretary.

Subdivision 4 – Notice of Annual Membership Meeting²⁴

Notice of each annual meeting of the Association's members will be delivered to each member entitled to vote at the meeting at least five days before the date of the meeting and not more than 60 days before the date of the meeting. Notice will contain the date, time, and place of the meeting.

Subdivision 5 – Notice of Special Membership Meetings²⁵

Notice of each special meeting of the Association's members will be delivered to each member entitled to vote at the meeting at least five days before the date of the meeting and not more than 60 days before the date of the meeting. Notice will contain the date, time, and place of the meeting. The Secretary will give due notice of each special meeting, specifying the object of said meeting, and no business will be transacted at any special meeting except the business for which the meeting was called.

Subdivision 6 – Quorum for Membership Meetings²⁶

A majority of the members of the Association will constitute a quorum for the transaction of business at the monthly, annual, or any special meeting of the Association.

Subdivision 7 – Voting at Membership Meetings²⁷

Members of the Association are entitled to one vote. Voting by proxy is not permitted. All votes, unless specified prior to the vote, will be conducted by a voice vote. If a majority cannot be determined by voice vote, the Officer in charge of the vote will ask for a vote by roll call or by ballot.

Subdivision 8 – Order of Business at Membership Meetings

The monthly and annual meetings of the members of the Association will be conducted in the following order:

1. Call to order
2. Roll call
3. Reading and approval of minutes of previous meeting
4. Special Guests / Presentations
5. Secretary's report
6. Treasurer's report
7. Gambling report
8. Committee reports

23 Minn. Stat. § 317A.433

24 Minn. Stat. § 13D.04; see also Minn. Stat. § 317A.435

25 See Minn. Stat. §§ 317A.433; 317A.435 (additional requirements regarding notice)

26 Minn. Stat. §§ 317A.235; 317A.451

27 Minn. Stat. §§ 317A.181, subd. 2; 317A.441; 317A.443

9. Old business
10. New business
11. Announcements
12. Adjournment

Section 2 – Board Meetings

Subdivision 1 – Quarterly Board Meetings²⁸

The Board will meet the second Thursday of the second month of every quarter at 6:00 pm in the Meeting Room of the Osseo Fire Department.

Subdivision 2 – Annual Board Meetings

At the February Board Meeting, the board will elect Trustees to officer positions (see Article III, Section 3 – Officers) and approve the Trustee Compensation schedule (See Article III, Section 8 – Compensation and Attachment B – Compensation).

Subdivision 3 – Special Board Meetings

A Trustee may call a Board meeting by giving five days' notice to all Trustees of the date, time, and place of the meeting.²⁹ The Board will meet at least 1 time during the year to discuss the investments, finances, benefits, and records of the Association. These meetings will be open to any member of the Association and to the public.³⁰

Subdivision 4 – Notice of Board Meetings

Notice requirements of the Minnesota Open Meeting Law will be followed for all Board meetings.³¹ A schedule of the Board's regular meetings will be kept on file at the Board's primary office.³²

For special meetings (including any regular meeting held at a time or place different from the time or place stated in the schedule of regular meetings), the Board will post written notice of the date, time, place, and purpose of the meeting on the Board's principal bulletin board, or if the Board has no such bulletin board, on the door of its usual meeting room. The notice will also be mailed or delivered to each person who has filed a written request for notice with the Board. The notice will be posted and mailed or delivered at least three days before the date of the meeting.³³

If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.³⁴

28 Minn. Stat. §§ 13D.04; 317A.231

29 See Minn. Stat. § 317A.231

30 Minn. Stat. § 13D.04; see also Minn. Stat. § 317A.435

31 Minn. Stat. ch. 13D

32 Minn. Stat. § 13D.04, subd. 1

33 Minn. Stat. § 13D.04, subd. 2

34 Minn. Stat. § 13D.04, subd. 4

Subdivision 5 – Quorum for Board Meetings³⁵

A majority of the Trustees will constitute a quorum for the transaction of business at the quarterly, annual, or any special meetings of the Board.

Subdivision 6 – Voting at Board Meetings³⁶

The Board has a responsibility to vote on the investment and reinvestment of Association assets, the determination of benefits, the determination of eligibility for membership or benefits, the determination of the amount or duration of benefits, the determination of funding requirements or the amounts of contributions, the maintenance of membership and financial records, the expenditure of Association assets, the selection of financial institutions and investment products, and on any other matter related to the business or affairs of the Association. Trustees are entitled to one vote and each has equal rights. Voting by proxy is not permitted. All votes, unless specified prior to the vote, will be conducted by a voice vote. If a majority cannot be determined by voice vote, the Officer in charge of the vote will ask for a vote by roll call or by ballot.

Subdivision 7 – Order of Business at Board Meetings

The monthly and annual meetings of the board of the Association will be conducted in the following order:

1. Call to order
2. Roll call
3. Reading and approval of minutes of previous meeting
4. Special Guests / Presentations
5. Secretary's report
6. Treasurer's report
7. Committee reports
8. Old business
9. New business
10. Adjournment

Article V – Application for Pensions and Benefits

Section 1 – Notice of Intent to Take Distribution

Each member who intends to take distribution of a service pension, including a deferred service pension, from the Association must file a Notice of Intent to Take Distribution. Such Notice of Intent to Take Distribution will be in writing, and will be filed with the Secretary not less than 90 days prior to the intended date of distribution. Upon receipt of the Notice of Intent to Take Distribution, the Secretary will provide to the applicant an Application for Distribution and any forms or notices required by Federal or State law. No Notice of Intent to Take Distribution is required for ancillary benefits.

³⁵ Minn. Stat. § 317A.235

³⁶ Minn. Stat. §§ 317A.201; 356A.02, subd. 2

Section 2 – Process

Each person who intends to take distribution of a service pension, including a deferred service pension, or an ancillary benefit from the Association must file an Application for Distribution. The Secretary will provide to the applicant the Application for Distribution and any forms or notices required by Federal or State law. All Applications for Distribution will be submitted to the Board for approval at a Board meeting. Applications for Distribution will state the age of the member, the period of service, the date of separation from active service with the Fire Department, and any other information the Board may require. No service pension, including any deferred service pension, or ancillary benefit will be paid until the Application for Distribution has been approved by a majority vote of the Board.

Section 3 – Governing Benefit Plan Provisions

All service pensions, deferred service pensions, and ancillary benefits payable by the Association are governed by and must be calculated based on the State law, the Association bylaw provisions, and the Association articles of incorporation that are in effect on the date that the member separates from active service with the Fire Department and active membership in the Association.³⁷

Article VI – Service Pensions

Section 1 – Lump-Sum Service Pensions

Upon the member's meeting the requirements in Section 2 of this Article and following the submission and approval of an Application for Distribution, the Association will pay the member out of the Special Fund the benefit level for each year that the member served as an active member of the Fire Department. The benefit level amounts can be found in Attachment A. A reduced service pension may be paid according to the partial vesting schedule contained in this Article.

Section 2 – Eligibility³⁸

To receive a service pension, a member must meet all of the following requirements:

1. Have separated from active service with the Fire Department;
2. Be at least 50 years of age;
3. Be partially vested by having completed at least 10 years of active service with the Fire Department, or be fully vested by having completed at least 20 years of active service with the Fire Department; and
4. Be partially vested by having completed at least 10 years of active membership with the Association, or be fully vested by having completed at least 20 years of active membership with the Association.

³⁷ Minn. Stat. § 424A.015, subd. 6

³⁸ Minn. Stat. § 424A.02, subd. 1

Section 3 – Deferred Status

A member who has otherwise met the eligibility requirements defined in Section 2 of this Article but who has not yet reached the age of eligibility specified in Section 2 may not collect a service pension at the time of separation from active service. The member will be placed on deferred status and be entitled to receive the service pension upon reaching the age of eligibility specified in Section 2 and following submission and approval of an Application for Distribution.

A member who has met the eligibility requirements defined in Section 2 of this Article and who has reached the age of eligibility in Section 2, but who chooses not to immediately submit an Application for Distribution following the member's separation from active service will be placed on deferred status and be entitled to receive the service pension following submission and approval of the Application for Distribution.

Section 4 – Partial Vesting Schedule³⁹

Completed Years of Service	Nonforfeitable percentage of pension amount:
10	50%
11	55%
12	60%
13	65%
14	70%
15	75%
16	80%
17	85%
18	90%
19	95%
20 and thereafter	100%

Section 5 – Payment Options

The retiring member may elect, by making a written request, the manner of payment of the service pension. Options include:

- (a) A single lump-sum payment payable to the retiring member (subject to current income tax withholding requirements).

³⁹ Minn. Stat. § 424A.02, subd. 2

- (b) An annuity contract purchased with a lump-sum payment on behalf of a retiring member from an insurance carrier licensed to do business in the State of Minnesota.⁴⁰
- (c) A direct transfer on an institution-by-institution basis of the retiring member's lump-sum payment to the member's individual retirement account (IRA).⁴¹
- (d) A direct transfer on an institution-by-institution basis of the retiring member's lump-sum payment to the member's individual Minnesota deferred compensation plan.⁴²

Section 6 – Supplemental Benefit⁴³

A supplemental benefit will be paid out of the Special Fund to individuals who receive a lump-sum distribution of a service pension. The amount of the supplemental benefit to be paid is ten percent of the regular pre-tax lump-sum distribution, excluding any interest that may have been credited during the period of deferral, but not to exceed \$1,000.

Article VII – Deferred Interest

Section 1 – Deferred Interest Type⁴⁴

Interest will be paid on partially-vested and fully-vested deferred lump-sum service pensions during the period of deferral. A pooled separate investment account maintained separately from the assets of the Association will be established for the amounts payable to deferred members. Interest will be paid at the investment performance rate actually earned on the member's portion of the assets. The accrued liability for the deferred member's service pension is equal to the deferred member's portion of the separate relief association account balance. The deferred member bears the full investment risk subsequent to transfer.

Section 2 – Deferred Interest Payment Method

Interest on a deferred service pension is creditable beginning on the first date of the month next following the date on which the member separated from active Fire Department service and active Association membership, and ending on the last date of the month immediately before the month in which the deferred member commences receipt of the deferred service pension.

Article VIII – Ancillary Benefits

Section 1 – Survivor Benefit⁴⁵

Upon the death of a member of the Association and following the submission and approval of an Application for Distribution, a survivor benefit will be paid out of the Special Fund to the member's

40 Minn. Stat. § 424A.015, subd. 3

41 Minn. Stat. § 424A.015, subd. 4 (Your relief association must be "a qualified pension plan under Section 401(a) of the Internal Revenue Code, as amended..."); IRC § 408(a).

42 Minn. Stat. § 424A.015, subd. 5

43 Minn. Stat. § 424A.10

44 Minn. Stat. § 424A.02, subd. 7

45 Minn. Stat. § 424A.02, subd. 9

surviving spouse; if there is no surviving spouse, to the member's surviving children; if there is no surviving spouse and there are no surviving children, to the member's designated beneficiary. If no beneficiary has been designated and if the deceased member was active or deferred, the survivor benefit will be paid as a death benefit to the estate of the deceased member.

If there are no surviving children, the member's surviving spouse may waive, in writing, wholly or partially, the spouse's entitlement to a survivor benefit, so that the survivor benefit may be paid directly to the member's designated beneficiary.

A trust created under Chapter 501B may be a designated beneficiary if the survivor benefit will be distributed as a one-time lump-sum payment. If a trust was created and is payable to the surviving children and there is no surviving spouse, the survivor benefit will be paid to the trust.

For active members, a survivor benefit equal to the benefit level for each year that the member served as an active firefighter in the Fire Department, without regard to minimum or partial vesting requirements, but in no case less than five times the benefit level in effect on the date of the death, will be paid if, upon death, the member had not yet separated from active service. The benefit level can be found in Attachment A.

A survivor benefit equal to a deceased deferred member's deferred service pension will be paid on behalf of the deceased deferred member. The survivor benefit amount may not exceed the total earned service pension of the deceased deferred member.

Section 2 – Supplemental Survivor Benefit⁴⁶

A supplemental survivor benefit will be paid out of the Special Fund when a lump-sum survivor benefit is paid to the surviving spouse or, if none, to the surviving child or children of a deceased active or deferred member. The amount of the supplemental survivor benefit to be paid is 20 percent of the survivor benefit, but not to exceed \$2,000.

Section 3 – No Additional Financial Relief

Except for the relief expressly identified for survivors in these bylaws, a member or former member's surviving spouse, child or children, designated beneficiary, and/or estate are not entitled to any other or further relief or benefits from the Association.

Section 4 – Disability Benefit

Permanent disability benefits may be paid to permanently disabled members of the Association out of the Special Fund following the submission and approval of an Application for Distribution. For active members, a permanent disability benefit equal to the benefit level for each year that the member served as an active firefighter in the Fire Department, without regard to minimum or partial vesting requirements, will be paid if, upon the date of permanent disability, the member has not yet separated from active service. The benefit level can be found in Attachment A. The years of service must be determined as of the date of disability. The member is eligible to receive the disability benefit immediately upon approval by the Board.

⁴⁶ Minn. Stat. § 424A.10

Payment of a permanent disability benefit to a deferred member is not authorized.

Neither temporary nor partial disability benefits are provided by this Association.

Section 5 – Disability Benefit Qualification

Subdivision 1 – Disability Definition

For the purposes of the disability benefit described in Section 4, a disability must satisfy two requirements:

1. The disability must have arisen out of and in the course of employment with the city as defined and determined by the workers' compensation plan held by the city and in effect at the time of the injury.
2. The disability must meet the definition of a "disability" pursuant to Social Security Administration rules, which is as follows: 1) you cannot perform the work that you did before; 2) you cannot adjust to other work because of your medical condition(s); and 3) your disability has lasted or is expected to last for at least one year or to result in death.

Subdivision 2 – Notification

To be eligible to receive payment of a disability benefit from the Association, a member must notify the Secretary in writing not more than 30 days after submission of a First Report of Injury form to the employer.

Subdivision 3 – Application

An applicant for disability benefits must submit the following:

1. A copy of the approved claim from the issuer of the city's workers' compensation plan, showing that the disability arose out of and in the course of employment with the city.
2. A copy of the approved claim from the Social Security Administration showing that the applicant meets the requirements for a disability under social security administration rules.

These documents must be submitted to the Secretary within 30 days after the respective determinations by the workers' compensation insurer and the Social Security Administration.

Subdivision 4 – Approval

If the conditions described in Subdivision 3 are met, the Association must pay the disability benefit as described in Section 4. No other conditions are to be placed on approval.

If the conditions described in Subdivision 3 are not met, the Association will not pay the disability benefit. No other considerations are to be given.

Section 6 – Payment Options

The recipient of an ancillary benefit may elect, by making a written request, the manner of payment of the ancillary benefit. Options include:

- (a) A single lump-sum payment payable to the intended recipient (subject to current income tax withholding requirements).
- (b) A direct transfer on an institution-by-institution basis of the lump-sum survivor benefit to the active member's surviving spouse's individual retirement account (IRA).⁴⁷

Article IX – Funds

Section 1 – Funds

The Association will establish and maintain a Special Fund, a General Fund, and a Charitable Gambling Fund.⁴⁸

Section 2 – Special Fund⁴⁹

All public funds, such as fire state aid, supplemental state aid, municipal contributions, and supplemental benefit reimbursements, received by the Association will be deposited in the Special Fund. Disbursements from the Special Fund will not be made for any purpose except as authorized by Minn. Stat. §§ 69.80 and 424A.05.

The Treasurer is the custodian of the assets of the Special Fund and the recipient on behalf of the Special Fund of all revenues payable to it. The Treasurer will maintain adequate records documenting all transactions involving the financial activities of the Special Fund.

Checks or authorizations for electronic fund transfers for disbursement of Special Fund assets must be signed by the Association Treasurer and at least one other elected Association Trustee who has been designated by the Board to sign the checks or authorizations. The Association may only make disbursements by electronic fund transfers if the specific method of payment and internal control policies and procedures regarding the method are approved by the Board.⁵⁰

Section 3 – General Fund⁵¹

Money received from any nonpublic source, such as fundraising activities and donations, will be deposited into the General Fund. Funds may be disbursed by the Board for any purpose authorized by the articles of incorporation or by these bylaws. Such purposes include:

1. supporting the operations of the fire department;
2. supporting fire safety education in the community;
3. supporting community events and charitable causes;

47 Minn. Stat. § 424A.015, subd. 4 (Your relief association must be “a qualified pension plan under Section 401(a) of the Internal Revenue Code, as amended...”); IRC § 408(a).

48 Minn. Stat. § 424A.06

49 Minn. Stat. §§ 69.80; 424A.05

50 Minn. Stat. § 424A.05, subd. 3

51 Minn. Stat. § 424A.06

4. showing support or expressing condolences to members or the family members thereof in the event of a death, disability, or hardship to a member, retired member, deceased member, or the family thereof; or
5. any purpose reasonably suited to promote the welfare of the Association and its members.

All Association expenses not specifically authorized by State statute to be paid out of the Special Fund must be paid out of the General Fund.

The Treasurer is the custodian of the assets of the General Fund and the recipient on behalf of the General Fund of all revenues payable to it. The Treasurer will maintain adequate records documenting any transactions involving the financial activities of the General Fund.

Section 4 – Charitable Gambling Fund

If the Association receives funds as a result of lawful gambling pursuant to Minnesota Statutes, Chapter 349, then the Association shall maintain a Charitable Gambling Fund separate from its Special Fund and General Fund. All funds received as a result of lawful gambling shall be deposited in the Charitable Gambling Fund and shall be disbursed only in accordance with the requirements of Chapter 349 and the Minnesota Gambling Control Board.

Section 5 – Nonassignability of Benefits⁵²

Benefits paid or payable from the Special Fund are not subject to garnishment, judgment, execution, or other legal process, except as provided in Minn. Stat. §§ 518.58; 518.581; or 518A.53. Benefits paid or payable may not be assigned for any purpose.

Article X – Investments

Section 1 – Standard of Fiduciary Conduct⁵³

Trustees owe a fiduciary duty to the active, deferred, and retired members of the Association, who are plan beneficiaries; to the taxpayers of the municipality, who help finance the plan; and to the State of Minnesota, which established the plan. The Trustees will act in good faith and exercise that degree of judgment and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, considering the probable safety of plan capital as well as the probable investment return to be derived from the assets.

Section 2 – Investment Policy

The Board will approve an investment policy, and will investigate and prepare for the safe and profitable investment of Association funds in conformance with State statutes and the Association's investment policy. The Board may hire investment professionals to act for or on its behalf. The Special Fund assets will be invested only in securities that are authorized by Minn. Stat. §§ 69.775; 356A.06, subd. 6; and 356A.06, subd. 7 (if the Association qualifies to use the expanded list).⁵⁴ The Board will

⁵² Minn. Stat. § 424A.015, subd. 2

⁵³ Minn. Stat. § 356A.04

⁵⁴ Minn. Stat. § 424A.05, subd. 4

have on file a copy of the investment policy of the Association. The Board will file a copy of the Association's investment policy, and all changes to the policy, with the Office of the State Auditor.⁵⁵

Section 3 – Broker Certification⁵⁶

The Association will provide annually to its broker a written statement of investment restrictions from the applicable State laws and from the Association's investment policy. Annually, before the Association enters into or continues business with the broker, the broker must submit to the Association a signed Broker Certification, using the form prepared by the Office of the State Auditor.

Article XI – Unclaimed Benefits

Section 1 – Unclaimed Benefits⁵⁷

In the event that the Association is unable with reasonable effort to locate a member or a survivor of a member entitled to payment or distribution under these bylaws or by State law, the benefit distributable to such member or survivor of such member will be forfeited and will be credited to the Special Fund. Efforts to locate a member or survivor must be documented. Forfeiture will occur no earlier than thirty-six (36) months after the Board concludes the Association was unable to locate such member or survivor despite reasonable efforts to locate them.

Article XII – Amendments, Consolidation, and Dissolution

Section 1 – Amendments⁵⁸

These bylaws may be amended when necessary by a majority of the members of the Board. Proposed amendments will be submitted to the Secretary to be posted with regular Board announcements.

Amendments to these bylaws which affect the amount of, the manner of payment of, or the conditions for qualification for service pensions, deferred service pensions, or ancillary benefits are not effective until they have been ratified by the City Council.⁵⁹

The Association will file a revised copy of these bylaws with the Office of the State Auditor upon the adoption of any amendments.⁶⁰

Section 2 – Consolidation

A consolidation of the Association with one or more volunteer fire relief associations will be initiated pursuant to Minn. Stat. § 424B.02, subds. 1 and 2, and will comply with the process set forth in and

55 Minn. Stat. § 356.219, subd. 3(a)

56 Minn. Stat. § 356A.06, subd. 8b

57 If an Association's bylaws do not address the disposition of unclaimed benefits, unclaimed benefits must be handled as set forth in Minn. Stat. § 356.65.

58 Minn. Stat. § 317A.181

59 In certain circumstances, bylaw amendments which affect service pensions, deferred service pensions, or ancillary benefits do not require City ratification to become effective. See Minn. Stat. § 424A.02, subd. 10.

60 Minn. Stat. § 424A.02, subd. 10

the requirements of Chapter 424B.

Section 3 – Dissolution

Prior to dissolution of the Association, all legal obligations of the Association other than service pensions and benefits must be settled under Minn. Stat. § 424B.20, subd. 3, a benefit trust must be established under subdivision 4, and the affairs of the Association must be concluded under subdivision 5.⁶¹

⁶¹ Minn. Stat. § 424B.20, subd. 2

Adoption and Approval of Bylaws

These bylaws are hereby adopted and approved by the members of the Osseo Fire Department Relief Association on this _____ day of _____, 20_____.

Mike Cogswell, President

Date

Drew Cogswell, Vice President

Date

Barry Anderson, Secretary

Date

~~John Hegstrand~~Blane Anderson, Treasurer

Date

|
|

Attachment A – Benefit Level

Benefit Level Amount	Date Approved by Relief Association	Date Ratified by City	Effective Date
\$1,532.00	prior to 1996	prior to 1996	prior to 1996
\$1,600.00	2/22/2010	2/22/2010	2/22/2010
\$2,000.00	8/13/2020	8/24/2020	1/1/2021

Attachment B – Compensation

Position	Annual Salary
President (officer)	\$ 100 250
Vice President (officer)	\$ 100 250
Secretary (officer)	\$ 200 500
Treasurer (officer)	\$ 500 2,000
Association Trustee #5	---
Association Trustee #6	---
Municipal Trustee (elected official)	---
Municipal Trustee (elected or appointed official)	---
Municipal Trustee (fire chief)	---

RESOLUTION NO. 2023-XX

**RESOLUTION RATIFYING THE
OSSEO FIRE DEPARTMENT RELIEF ASSOCIATION BYLAWS**

WHEREAS, the city of Osseo (the “City”) has a strong tradition of relying on firefighters to provide fire protection services; and

WHEREAS, to help retain paid, on-call firefighters, the State of Minnesota allows for volunteer fire relief associations to provide firefighters with pension benefits upon retirement; and

WHEREAS, a fire relief association is a separate legal entity from the affiliated fire department, and from the City; and

WHEREAS, funding for these pension benefits comes primarily from State fire aid, investment income, and certain local government contributions required by law; and

WHEREAS, each relief association is required to be organized as a nonprofit organization in accordance with applicable law and to administer the pension funds pursuant to Minnesota Statutes, chapters 424A and 424B and applicable federal law; and

WHEREAS, as a nonprofit corporation, the Osseo Fire Department Relief Association (“OFDRA”) must comply with state and federal laws regarding its nonprofit status, employee compensation, and handling of pension funds, and annually reports the relief association’s financial and investment information to the City and the Office of the State Auditor; and

WHEREAS, the OFDRA desires to allow for prorated years of services, as provided for in the Bylaws of the Osseo Fire Department Relief Association (“Bylaws”) in Section 7 – Definition of Year of Active Service; and

WHEREAS, the City Council is required to ratify amendments to the bylaws which affect the amount of, the manner of payment of, or the conditions for qualification for service pensions, deferred service pensions, or ancillary benefits under Bylaws, Article XII, Section 1 – Amendments; and

WHEREAS, the OFDRA adopted an increase the annual salaries of officers of the OFDRA, as provided for in the Bylaws, Exhibit B; and

WHEREAS, the City Council acknowledges that OFDRA has increased the annual salary of Officers, as provided in Bylaws, Article III, Section 8 – Compensation ; and

WHEREAS, the amendments to the Bylaws adopted by the OFDRA and for which City Council ratification is sought as well as the amendments to Officer annual salary approved by OFDRA are attached to this resolution as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Osseo, County of Hennepin, State of Minnesota, that the OFDRA Bylaws are ratified as presented in Exhibit A.



Osseo Fire Department Relief Association

Bylaws

Effective February 9th, 2023

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Bylaws of the Osseo Fire Department Relief Association

Article I – Name

Section 1 – Name

The name of this relief association is the Osseo Fire Department Relief Association (Association). It is a nonprofit corporation incorporated under the laws of Minnesota.

Section 2 – Type

The Association is a defined-benefit lump-sum relief association subject to Minn. Stat. §§ 424A.015; 424A.02; and 424A.091 to 424A.094.¹ All benefits provided by this Association derive from and are governed by Federal and State laws and these bylaws.

Section 3 – Books and Records²

The Association will keep, at a minimum, correct and complete copies of its articles of incorporation and bylaws, accounting records, records documenting Special Fund, General Fund, and Charitable Gambling Fund transactions, records necessary to determine benefits payable and paid to individual members and their beneficiaries, and minutes of each of its meetings that record the votes of actions taken. Unless a Records Retention Schedule is adopted and the Minnesota Historical Society has been notified or authority to destroy records is received from the Records Disposition Panel, relief association records may not be destroyed.

Section 4 – Purpose

The Association is a governmental entity that receives and manages public money to provide retirement and ancillary benefits for individuals providing the governmental services of firefighting and emergency first response, and for their beneficiaries.³

Section 5 – Fiscal Year

The Association's fiscal year begins on January 1 of each calendar year and ends on December 31 of the same calendar year.⁴

Article II – Membership

Section 1 – Membership

All individuals who are members of the Osseo Fire Department (Fire Department), are engaged in or qualified to provide fire suppression duties, and who meet any additional standards established by the Fire Department or by the Association are eligible for membership in the Association.

1 Minn. Stat. § 424A.002, subd. 2

2 Minn. Stat. §§ 138.17; 317A.461

3 Minn. Stat. § 424A.001, subd. 4

4 Minn. Stat. § 424A.001, subd. 11

If the city has approved the employment on the Fire Department of volunteer firefighters to perform fire prevention duties and to supervise fire prevention duties, the personnel serving in fire prevention positions are eligible for membership in the Association and qualify for service pensions and other benefit coverage of the Association on the same basis as members who perform fire suppression duties.⁵

If the city has approved the employment on the Fire Department of volunteer emergency medical personnel, individuals who solely perform or supervise volunteer emergency medical duties are eligible for membership in the Association and qualify for service pensions and other benefit coverage of the Association on the same basis as members who perform fire suppression duties.⁶

No member may be credited with service credit in the Association for the same hours of service for which coverage is already provided in a fund operated by the Public Employees Retirement Association.⁷

Application for membership will be made in writing on a form supplied by the Secretary of the Association. Membership will be approved by the Board of Trustees.

Section 2 – Membership Start Date⁸

Membership in the Association begins on the date the hiring of a firefighter is approved by the City Council.

Section 3 – Exclusions⁹

The Association may exclude from membership an applicant who, due to some medically determinable physical or mental impairment or condition, would constitute a predictable and unwarranted risk of imposing liability for an ancillary benefit at any age earlier than the minimum age specified for receipt of a service pension. A minor may not be a member of this Association.

Section 4 – Termination

Any member may be terminated from the Association for cause by a two-thirds vote of all members present at a special meeting of the membership. Cause for termination includes, but is not limited to, failure to account for money belonging to the Association, or feigning illness or injury for the purpose of defrauding the Association. A member may not be terminated except by a fair and reasonable process.

Section 5 – Active Service

Active service is the supervision or performance of fire suppression duties. If the city has approved the employment on the Fire Department of fire prevention personnel, active service includes the supervision or performance of fire prevention duties. If the city has approved the employment on the Fire Department of volunteer emergency medical personnel and if their membership in the Association

5 Minn. Stat. § 424A.01, subd. 5

6 Minn. Stat. § 424A.01, subd. 5a

7 Minn. Stat. § 424A.01, subd. 4a

8 Minn. Stat. § 424A.001, subd. 12

9 Minn. Stat. § 424A.01

is permitted in Section 1 of this Article, active service also includes the supervision or performance of emergency medical response duties. Active service requires meeting minimum service requirements specified by the Fire Department in the Fire Department's rules, regulations, and policies.

Section 6 – Certification of Service Credit¹⁰

Annually, by March 31, the Fire Chief must certify the service credit for the previous calendar year of each member rendering active service with the Fire Department. The certification must be made to an officer of the Association and to the city clerk.

Section 7 – Definition of Year of Active Service¹¹

A year of active service will be defined as 12 months of active service in the Fire Department. A "month" is a completed calendar month of active service. Service pensions and ancillary benefits will be prorated for fractional years of service.

Partial months resulting from the beginning of service, break in service, return to service, or end of service will be considered one full month if the number of active days in that month was 16 or more days and zero months if 15 or fewer days. All other months will be considered as full calendar months for which a member will be awarded service credit or not based on the Fire Department's rules, regulations, and policies.

The Fire Department's rules, regulations, and policies may determine periods of active service at intervals as short as a month, as long as a year, or an interval in between, such as a quarter (3 months).

Section 8 – Break In Service

If a member is unable to perform the duties of a firefighter for any reason, including an approved leave of absence, the member will be considered to have a break in service and will not receive service credit in the Association for that period of time, except that the resumption service requirements of this Section do not apply to leaves of absence or breaks in service made available by Federal or State statute, such as the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), Minn. Stat. § 424A.021, and the Family and Medical Leave Act (FMLA), 29 U.S.C. § 2601, et al. Active membership in the Association immediately resumes when a member returns to active service with the Fire Department, if the member's break in service was less than 60 days.¹²

Section 9 – Return to Service¹³

Any firefighter who has ceased to perform or supervise fire suppression and fire prevention duties for at least 60 days, including former members who have received payment of a service pension or disability benefit, will be eligible to resume active membership in the Association should the firefighter resume active firefighting duties with the Fire Department.

¹⁰ Minn. Stat. § 424A.003

¹¹ Minn. Stat. § 424A.02, subd. 1(a)

¹² Minn. Stat. § 424A.01, subd. 6

¹³ Minn. Stat. § 424A.01, subd. 6

If the firefighter has previously received payment of a service pension or disability benefit, the firefighter may be eligible for a second pension or benefit for the resumption period of service if the firefighter meets the vesting requirements defined in these bylaws based on the resumption years of service. No firefighter may be paid a service pension twice for the same period of service.

If the firefighter has not received payment of a service pension or disability benefit, the firefighter must complete at least 3 years of active service with the Fire Department upon a resumption of active service. If the firefighter completes the minimum period of resumption service specified in this Section prior to a subsequent cessation of firefighting duties, the firefighter will receive a service pension (if vested) for all years of active service calculated at the benefit level in effect on the date of the firefighter's final cessation of duties. If the firefighter does not complete the minimum period of resumption service specified in this Section prior to a subsequent cessation of duties, the firefighter will receive a service pension (if vested) for all years of active service calculated at the benefit level in effect at the time of the firefighter's original cessation of duties.

A firefighter who has been granted an approved leave of absence not exceeding one year by the Fire Department or by the Association is exempt from the minimum period of resumption service requirement under this Article.

A person who has a break in service not exceeding one year but who has not been granted an approved leave of absence and who has not received a service pension or disability benefit from the Association is exempt from the minimum period of resumption service requirement under this Article.

Section 10 – Uniformed Services¹⁴

A volunteer firefighter who is absent from firefighting service because of service in the uniformed services may obtain service credit for the period of the uniformed service, not to exceed five years, unless a longer period is required by Federal law, if the volunteer firefighter returns within the time frame required by Federal law to firefighting service with coverage by this same Association or its successor upon discharge from service in the uniformed service.

Service credit will not be given if the firefighter separates from uniformed service with a dishonorable or bad conduct discharge or under other than honorable conditions.

Article III – Officers and Trustees

Section 1 – Powers of the Board of Trustees

The Board of Trustees (Board) is the governing board and has exclusive control of the investment of the Association's plan assets in conformance with Federal and State law including, but not limited to, Minnesota statutes and these bylaws. The members of the Board will act as Trustees, with a fiduciary obligation to the active, deferred, and retired members of the Association, who are its beneficiaries;

¹⁴ Minn. Stat. § 424A.021. In some instances service other than service with the Armed Forces may qualify. See 38 U.S.C. § 4303(13) ("service in the uniformed services").

the taxpayers of the municipality, who help to finance the plan; and the State of Minnesota, which established the plan.¹⁵

The Board will invest and reinvest the Association's plan assets, determine benefits, determine eligibility for membership or benefits, determine the amount or duration of benefits, determine the funding requirements or amounts of contributions, oversee the expenditure of plan assets, and select financial institutions and investment products.¹⁶

The Board will submit a written report of the financial condition of the Association to the members at the annual meeting.

The Board will develop and periodically revise a program for continuing education.¹⁷ The Trustees will participate in continuing education to keep themselves abreast of their fiduciary responsibilities.

Section 2 – Members of the Board of Trustees

The Board consists of nine members (Trustees): six Trustees elected by the membership and three Trustees drawn from officials of the city served by the Fire Department.¹⁸ Trustees will be elected for 3-year terms. The elections of the Trustees will be staggered. Of the three municipal Trustees, one must be an elected official and one must be an elected or appointed municipal official, and both must be designated annually by the municipal governing board. The third municipal Trustee must be the fire chief.

A vacancy in the position of a non-municipal Trustee may be filled by the remaining Trustees at a Board meeting. The Trustee selected to fill the vacancy holds office only until the next annual or special meeting of the Association membership when a successor will be elected by the membership.

Section 3 – Officers¹⁹

The President, Vice President, Secretary, and Treasurer will be elected from among the elected Trustees by the full Board for 1-year terms. In no event will any Trustee hold more than one Officer position at any one time. In no event will any municipal Trustee hold an Officer position.

Section 4 – President

The President will attend and preside at all meetings of the Association and the Board. The President will actively manage the business of the Association. The President will enforce the due observance of the law, including Minnesota statutes, the articles of incorporation, and the bylaws of the Association. The President will ensure that the Officers properly perform the duties assigned to them and that the orders and resolutions of the Board are carried into effect. The President will sign all checks issued by the Treasurer and all other papers requiring the President's signature. The President will be a member

15 Minn. Stat. § 356A.04, subd. 1

16 Minn. Stat. § 356A.02, subd. 2

17 Minn. Stat. § 356A.13, subd. 2

18 Minn. Stat. § 424A.04, subd. 1

19 Minn. Stat. § 424A.04, subd. 1; see also Minn. Stat. § 317A.305

of all committees and will exercise careful supervision over the affairs of the Association. The President will perform other duties as prescribed by the Board.

Section 5 – Vice President

The Vice President will assist the President in the discharge of their duties and will perform the duties of the President in the event of their absence.

Section 6 – Secretary

The Secretary will keep and post a true and accurate record of the proceedings of all meetings of the Association and of the Board. The Secretary will keep a correct record of all amendments, alterations, and additions to the bylaws in a book separate from the minute books of the Association. The Secretary will prepare all paperwork and obtain signatures required for benefits due. The Secretary will keep an account book in which to enter all money transactions of the Association, including the dates and amounts of all receipts and the source from which derived and the dates and the amounts of all expenditures with the payee and the object. The Secretary will keep individual files and a roll of membership, with the date of joining, resignation, discharge, retirement, dues, and service pensions and ancillary benefits paid. The books of the Secretary will be at all times open to the Board. The Secretary will prepare and process all correspondence as needed. The Secretary will, jointly with the Treasurer, prepare and file all reports and statements required by law, including reports to be filed with the Office of the State Auditor (OSA). The Secretary will perform other duties as prescribed by the Board.

Section 7 – Treasurer

The Treasurer will, together with the Secretary, keep accurate financial records of the Association. The Treasurer will receive all monies belonging to the Association and deposit them in the name of and to the credit of the Association in the banks and depositories designated by the Board. The Treasurer will disburse funds and issue checks and drafts in the name of the Association as ordered by the Board. The Treasurer will keep separate and distinct accounts of the Special Fund and the General Fund, if applicable, and will prepare and present to the Board a full and detailed statement of the assets and liabilities of each fund separately, prior to the annual meeting of the Association, and upon requests of the Board.

The Treasurer will deliver to the Treasurer's successor in office, or to any committee appointed by the Board to receive the same, all monies, books, papers, etc., pertaining to the Treasurer's term in office immediately upon the expiration of the Treasurer's term in office. The Treasurer will, prior to entering upon the duties of the Treasurer's office, give a bond in an amount equal to at least ten percent of the assets of the Association; however, the amount of the bond need not exceed \$500,000.²⁰ Jointly with the Secretary, the Treasurer will prepare and file all reports and statements required by law, including reports to be filed with the Office of the State Auditor. The Treasurer will perform other duties as prescribed by the Board.

²⁰ Minn. Stat. § 69.051, subd. 2

Section 8 – Compensation²¹

Trustees of the Association identified in Attachment B may be paid a salary out of the Special Fund. The amount paid in salary is limited to the amount listed in Attachment B. Only after the amounts listed in Attachment B have been approved by the City Council may salaries be paid to non-Officer Trustees. For all Trustees, itemized expenses eligible for reimbursement are limited to those expenses incurred as a result of fulfilling responsibilities as administrators of the Special Fund.

Section 9 – Gambling Board

The 6 Trustees elected by the membership and the organization's licensed Gambling Manager will constitute the Gambling Board for the OFDRA. The Gambling Board will serve as an advisory committee to the general Membership in matters relating to the conduct of charitable gambling. They will meet monthly prior to the monthly Association General Membership Meeting. The Gambling Board will review, discuss, and make recommendations to the general membership, but has no authority to act independently on any matters.

The President of the Association will also serve as the CEO for the charitable gambling operations, per Gambling Control Board rules.

The licensed Gambling Manager can also serve on the Board of Trustees, but can not be the President/CEO or the Treasurer.

Article IV – Meetings of the Members and of the Board**Section 1 – Membership Meetings****Subdivision 1 – Monthly Membership Meeting**

The membership of the association will meet the second Thursday of each month at 7:00 pm in the Meeting Room of the Osseo Fire Department.

Subdivision 2 – Annual Membership Meeting²²

At the regularly-scheduled monthly meeting the second Thursday in February, the membership will elect new Trustees for those whose terms are expiring (see Article III, Section 2 – Members of the Board of Trustees).

Subdivision 3 – Special Membership Meetings²³

A special meeting of the Association's members may be called at any time upon the written order of the President, Secretary, and one additional Trustee, or of 25 percent of the members of the Association. The Order will be filed with the Secretary.

21 Salary amounts paid to non-Officer Trustees of the relief association must be approved by the governing body of the entity responsible for meeting any minimum obligation. Salaries paid to Officers of the relief association do not require this approval.

22 Minn. Stat. § 317A.431. Your relief association may hold additional regular meetings during the year. Minn. Stat. § 317A.111, subd. 3(21).

23 Minn. Stat. § 317A.433

Subdivision 4 – Notice of Annual Membership Meeting²⁴

Notice of each annual meeting of the Association's members will be delivered to each member entitled to vote at the meeting at least five days before the date of the meeting and not more than 60 days before the date of the meeting. Notice will contain the date, time, and place of the meeting.

Subdivision 5 – Notice of Special Membership Meetings²⁵

Notice of each special meeting of the Association's members will be delivered to each member entitled to vote at the meeting at least five days before the date of the meeting and not more than 60 days before the date of the meeting. Notice will contain the date, time, and place of the meeting. The Secretary will give due notice of each special meeting, specifying the object of said meeting, and no business will be transacted at any special meeting except the business for which the meeting was called.

Subdivision 6 – Quorum for Membership Meetings²⁶

A majority of the members of the Association will constitute a quorum for the transaction of business at the monthly, annual, or any special meeting of the Association.

Subdivision 7 – Voting at Membership Meetings²⁷

Members of the Association are entitled to one vote. Voting by proxy is not permitted. All votes, unless specified prior to the vote, will be conducted by a voice vote. If a majority cannot be determined by voice vote, the Officer in charge of the vote will ask for a vote by roll call or by ballot.

Subdivision 8 – Order of Business at Membership Meetings

The monthly and annual meetings of the members of the Association will be conducted in the following order:

1. Call to order
2. Roll call
3. Reading and approval of minutes of previous meeting
4. Special Guests / Presentations
5. Secretary's report
6. Treasurer's report
7. Gambling report
8. Committee reports
9. Old business
10. New business
11. Announcements
12. Adjournment

24 Minn. Stat. § 13D.04; see also Minn. Stat. § 317A.435

25 See Minn. Stat. §§ 317A.433; 317A.435 (additional requirements regarding notice)

26 Minn. Stat. §§ 317A.235; 317A.451

27 Minn. Stat. §§ 317A.181, subd. 2; 317A.441; 317A.443

Section 2 – Board Meetings

Subdivision 1 – Quarterly Board Meetings²⁸

The Board will meet the second Thursday of the second month of every quarter at 6:00 pm in the Meeting Room of the Osseo Fire Department.

Subdivision 2 – Annual Board Meetings

At the February Board Meeting, the board will elect Trustees to officer positions (see Article III, Section 3 – Officers) and approve the Trustee Compensation schedule (See Article III, Section 8 – Compensation and Attachment B – Compensation).

Subdivision 3 – Special Board Meetings

A Trustee may call a Board meeting by giving five days' notice to all Trustees of the date, time, and place of the meeting.²⁹ The Board will meet at least 1 time during the year to discuss the investments, finances, benefits, and records of the Association. These meetings will be open to any member of the Association and to the public.³⁰

Subdivision 4 – Notice of Board Meetings

Notice requirements of the Minnesota Open Meeting Law will be followed for all Board meetings.³¹ A schedule of the Board's regular meetings will be kept on file at the Board's primary office.³²

For special meetings (including any regular meeting held at a time or place different from the time or place stated in the schedule of regular meetings), the Board will post written notice of the date, time, place, and purpose of the meeting on the Board's principal bulletin board, or if the Board has no such bulletin board, on the door of its usual meeting room. The notice will also be mailed or delivered to each person who has filed a written request for notice with the Board. The notice will be posted and mailed or delivered at least three days before the date of the meeting.³³

If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.³⁴

Subdivision 5 – Quorum for Board Meetings³⁵

A majority of the Trustees will constitute a quorum for the transaction of business at the quarterly, annual, or any special meetings of the Board.

28 Minn. Stat. §§ 13D.04; 317A.231

29 See Minn. Stat. § 317A.231

30 Minn. Stat. § 13D.04; see also Minn. Stat. § 317A.435

31 Minn. Stat. ch. 13D

32 Minn. Stat. § 13D.04, subd. 1

33 Minn. Stat. § 13D.04, subd. 2

34 Minn. Stat. § 13D.04, subd. 4

35 Minn. Stat. § 317A.235

Subdivision 6 – Voting at Board Meetings³⁶

The Board has a responsibility to vote on the investment and reinvestment of Association assets, the determination of benefits, the determination of eligibility for membership or benefits, the determination of the amount or duration of benefits, the determination of funding requirements or the amounts of contributions, the maintenance of membership and financial records, the expenditure of Association assets, the selection of financial institutions and investment products, and on any other matter related to the business or affairs of the Association. Trustees are entitled to one vote and each has equal rights. Voting by proxy is not permitted. All votes, unless specified prior to the vote, will be conducted by a voice vote. If a majority cannot be determined by voice vote, the Officer in charge of the vote will ask for a vote by roll call or by ballot.

Subdivision 7 – Order of Business at Board Meetings

The monthly and annual meetings of the board of the Association will be conducted in the following order:

1. Call to order
2. Roll call
3. Reading and approval of minutes of previous meeting
4. Special Guests / Presentations
5. Secretary's report
6. Treasurer's report
7. Committee reports
8. Old business
9. New business
10. Adjournment

Article V – Application for Pensions and Benefits

Section 1 – Notice of Intent to Take Distribution

Each member who intends to take distribution of a service pension, including a deferred service pension, from the Association must file a Notice of Intent to Take Distribution. Such Notice of Intent to Take Distribution will be in writing, and will be filed with the Secretary not less than 90 days prior to the intended date of distribution. Upon receipt of the Notice of Intent to Take Distribution, the Secretary will provide to the applicant an Application for Distribution and any forms or notices required by Federal or State law. No Notice of Intent to Take Distribution is required for ancillary benefits.

Section 2 – Process

Each person who intends to take distribution of a service pension, including a deferred service pension, or an ancillary benefit from the Association must file an Application for Distribution. The Secretary will provide to the applicant the Application for Distribution and any forms or notices required by Federal or State law. All Applications for Distribution will be submitted to the Board for approval at a

³⁶ Minn. Stat. §§ 317A.201; 356A.02, subd. 2

Board meeting. Applications for Distribution will state the age of the member, the period of service, the date of separation from active service with the Fire Department, and any other information the Board may require. No service pension, including any deferred service pension, or ancillary benefit will be paid until the Application for Distribution has been approved by a majority vote of the Board.

Section 3 – Governing Benefit Plan Provisions

All service pensions, deferred service pensions, and ancillary benefits payable by the Association are governed by and must be calculated based on the State law, the Association bylaw provisions, and the Association articles of incorporation that are in effect on the date that the member separates from active service with the Fire Department and active membership in the Association.³⁷

Article VI – Service Pensions

Section 1 – Lump-Sum Service Pensions

Upon the member's meeting the requirements in Section 2 of this Article and following the submission and approval of an Application for Distribution, the Association will pay the member out of the Special Fund the benefit level for each year that the member served as an active member of the Fire Department. The benefit level amounts can be found in Attachment A. A reduced service pension may be paid according to the partial vesting schedule contained in this Article.

Section 2 – Eligibility³⁸

To receive a service pension, a member must meet all of the following requirements:

1. Have separated from active service with the Fire Department;
2. Be at least 50 years of age;
3. Be partially vested by having completed at least 10 years of active service with the Fire Department, or be fully vested by having completed at least 20 years of active service with the Fire Department; and
4. Be partially vested by having completed at least 10 years of active membership with the Association, or be fully vested by having completed at least 20 years of active membership with the Association.

Section 3 – Deferred Status

A member who has otherwise met the eligibility requirements defined in Section 2 of this Article but who has not yet reached the age of eligibility specified in Section 2 may not collect a service pension at the time of separation from active service. The member will be placed on deferred status and be entitled to receive the service pension upon reaching the age of eligibility specified in Section 2 and following submission and approval of an Application for Distribution.

³⁷ Minn. Stat. § 424A.015, subd. 6

³⁸ Minn. Stat. § 424A.02, subd. 1

A member who has met the eligibility requirements defined in Section 2 of this Article and who has reached the age of eligibility in Section 2, but who chooses not to immediately submit an Application for Distribution following the member's separation from active service will be placed on deferred status and be entitled to receive the service pension following submission and approval of the Application for Distribution.

Section 4 – Partial Vesting Schedule³⁹

Completed Years of Service	Nonforfeitable percentage of pension amount:
10	50%
11	55%
12	60%
13	65%
14	70%
15	75%
16	80%
17	85%
18	90%
19	95%
20 and thereafter	100%

Section 5 – Payment Options

The retiring member may elect, by making a written request, the manner of payment of the service pension. Options include:

- (a) A single lump-sum payment payable to the retiring member (subject to current income tax withholding requirements).
- (b) An annuity contract purchased with a lump-sum payment on behalf of a retiring member from an insurance carrier licensed to do business in the State of Minnesota.⁴⁰
- (c) A direct transfer on an institution-by-institution basis of the retiring member's lump-sum payment to the member's individual retirement account (IRA).⁴¹

³⁹ Minn. Stat. § 424A.02, subd. 2

⁴⁰ Minn. Stat. § 424A.015, subd. 3

⁴¹ Minn. Stat. § 424A.015, subd. 4 (Your relief association must be "a qualified pension plan under Section 401(a) of the Internal Revenue Code, as amended..."); IRC § 408(a).

- (d) A direct transfer on an institution-by-institution basis of the retiring member's lump-sum payment to the member's individual Minnesota deferred compensation plan.⁴²

Section 6 – Supplemental Benefit⁴³

A supplemental benefit will be paid out of the Special Fund to individuals who receive a lump-sum distribution of a service pension. The amount of the supplemental benefit to be paid is ten percent of the regular pre-tax lump-sum distribution, excluding any interest that may have been credited during the period of deferral, but not to exceed \$1,000.

Article VII – Deferred Interest

Section 1 – Deferred Interest Type⁴⁴

Interest will be paid on partially-vested and fully-vested deferred lump-sum service pensions during the period of deferral. A pooled separate investment account maintained separately from the assets of the Association will be established for the amounts payable to deferred members. Interest will be paid at the investment performance rate actually earned on the member's portion of the assets. The accrued liability for the deferred member's service pension is equal to the deferred member's portion of the separate relief association account balance. The deferred member bears the full investment risk subsequent to transfer.

Section 2 – Deferred Interest Payment Method

Interest on a deferred service pension is creditable beginning on the first date of the month next following the date on which the member separated from active Fire Department service and active Association membership, and ending on the last date of the month immediately before the month in which the deferred member commences receipt of the deferred service pension.

Article VIII – Ancillary Benefits

Section 1 – Survivor Benefit⁴⁵

Upon the death of a member of the Association and following the submission and approval of an Application for Distribution, a survivor benefit will be paid out of the Special Fund to the member's surviving spouse; if there is no surviving spouse, to the member's surviving children; if there is no surviving spouse and there are no surviving children, to the member's designated beneficiary. If no beneficiary has been designated and if the deceased member was active or deferred, the survivor benefit will be paid as a death benefit to the estate of the deceased member.

If there are no surviving children, the member's surviving spouse may waive, in writing, wholly or partially, the spouse's entitlement to a survivor benefit, so that the survivor benefit may be paid directly to the member's designated beneficiary.

⁴² Minn. Stat. § 424A.015, subd. 5

⁴³ Minn. Stat. § 424A.10

⁴⁴ Minn. Stat. § 424A.02, subd. 7

⁴⁵ Minn. Stat. § 424A.02, subd. 9

A trust created under Chapter 501B may be a designated beneficiary if the survivor benefit will be distributed as a one-time lump-sum payment. If a trust was created and is payable to the surviving children and there is no surviving spouse, the survivor benefit will be paid to the trust.

For active members, a survivor benefit equal to the benefit level for each year that the member served as an active firefighter in the Fire Department, without regard to minimum or partial vesting requirements, but in no case less than five times the benefit level in effect on the date of the death, will be paid if, upon death, the member had not yet separated from active service. The benefit level can be found in Attachment A.

A survivor benefit equal to a deceased deferred member's deferred service pension will be paid on behalf of the deceased deferred member. The survivor benefit amount may not exceed the total earned service pension of the deceased deferred member.

Section 2 – Supplemental Survivor Benefit⁴⁶

A supplemental survivor benefit will be paid out of the Special Fund when a lump-sum survivor benefit is paid to the surviving spouse or, if none, to the surviving child or children of a deceased active or deferred member. The amount of the supplemental survivor benefit to be paid is 20 percent of the survivor benefit, but not to exceed \$2,000.

Section 3 – No Additional Financial Relief

Except for the relief expressly identified for survivors in these bylaws, a member or former member's surviving spouse, child or children, designated beneficiary, and/or estate are not entitled to any other or further relief or benefits from the Association.

Section 4 – Disability Benefit

Permanent disability benefits may be paid to permanently disabled members of the Association out of the Special Fund following the submission and approval of an Application for Distribution. For active members, a permanent disability benefit equal to the benefit level for each year that the member served as an active firefighter in the Fire Department, without regard to minimum or partial vesting requirements, will be paid if, upon the date of permanent disability, the member has not yet separated from active service. The benefit level can be found in Attachment A. The years of service must be determined as of the date of disability. The member is eligible to receive the disability benefit immediately upon approval by the Board.

Payment of a permanent disability benefit to a deferred member is not authorized.

Neither temporary nor partial disability benefits are provided by this Association.

Section 5 – Disability Benefit Qualification

Subdivision 1 – Disability Definition

For the purposes of the disability benefit described in Section 4, a disability must satisfy two requirements:

⁴⁶ Minn. Stat. § 424A.10

1. The disability must have arisen out of and in the course of employment with the city as defined and determined by the workers' compensation plan held by the city and in effect at the time of the injury.
2. The disability must meet the definition of a "disability" pursuant to Social Security Administration rules, which is as follows: 1) you cannot perform the work that you did before; 2) you cannot adjust to other work because of your medical condition(s); and 3) your disability has lasted or is expected to last for at least one year or to result in death.

Subdivision 2 – Notification

To be eligible to receive payment of a disability benefit from the Association, a member must notify the Secretary in writing not more than 30 days after submission of a First Report of Injury form to the employer.

Subdivision 3 – Application

An applicant for disability benefits must submit the following:

1. A copy of the approved claim from the issuer of the city's workers' compensation plan, showing that the disability arose out of and in the course of employment with the city.
2. A copy of the approved claim from the Social Security Administration showing that the applicant meets the requirements for a disability under social security administration rules.

These documents must be submitted to the Secretary within 30 days after the respective determinations by the workers' compensation insurer and the Social Security Administration.

Subdivision 4 – Approval

If the conditions described in Subdivision 3 are met, the Association must pay the disability benefit as described in Section 4. No other conditions are to be placed on approval.

If the conditions described in Subdivision 3 are not met, the Association will not pay the disability benefit. No other considerations are to be given.

Section 6 – Payment Options

The recipient of an ancillary benefit may elect, by making a written request, the manner of payment of the ancillary benefit. Options include:

- (a) A single lump-sum payment payable to the intended recipient (subject to current income tax withholding requirements).
- (b) A direct transfer on an institution-by-institution basis of the lump-sum survivor benefit to the active member's surviving spouse's individual retirement account (IRA).⁴⁷

⁴⁷ Minn. Stat. § 424A.015, subd. 4 (Your relief association must be "a qualified pension plan under Section 401(a) of the Internal Revenue Code, as amended..."); IRC § 408(a).

Article IX – Funds

Section 1 – Funds

The Association will establish and maintain a Special Fund, a General Fund, and a Charitable Gambling Fund.⁴⁸

Section 2 – Special Fund⁴⁹

All public funds, such as fire state aid, supplemental state aid, municipal contributions, and supplemental benefit reimbursements, received by the Association will be deposited in the Special Fund. Disbursements from the Special Fund will not be made for any purpose except as authorized by Minn. Stat. §§ 69.80 and 424A.05.

The Treasurer is the custodian of the assets of the Special Fund and the recipient on behalf of the Special Fund of all revenues payable to it. The Treasurer will maintain adequate records documenting all transactions involving the financial activities of the Special Fund.

Checks or authorizations for electronic fund transfers for disbursement of Special Fund assets must be signed by the Association Treasurer and at least one other elected Association Trustee who has been designated by the Board to sign the checks or authorizations. The Association may only make disbursements by electronic fund transfers if the specific method of payment and internal control policies and procedures regarding the method are approved by the Board.⁵⁰

Section 3 – General Fund⁵¹

Money received from any nonpublic source, such as fundraising activities and donations, will be deposited into the General Fund. Funds may be disbursed by the Board for any purpose authorized by the articles of incorporation or by these bylaws. Such purposes include:

1. supporting the operations of the fire department;
2. supporting fire safety education in the community;
3. supporting community events and charitable causes;
4. showing support or expressing condolences to members or the family members thereof in the event of a death, disability, or hardship to a member, retired member, deceased member, or the family thereof; or
5. any purpose reasonably suited to promote the welfare of the Association and its members.

All Association expenses not specifically authorized by State statute to be paid out of the Special Fund must be paid out of the General Fund.

48 Minn. Stat. § 424A.06

49 Minn. Stat. §§ 69.80; 424A.05

50 Minn. Stat. § 424A.05, subd. 3

51 Minn. Stat. § 424A.06

The Treasurer is the custodian of the assets of the General Fund and the recipient on behalf of the General Fund of all revenues payable to it. The Treasurer will maintain adequate records documenting any transactions involving the financial activities of the General Fund.

Section 4 – Charitable Gambling Fund

If the Association receives funds as a result of lawful gambling pursuant to Minnesota Statutes, Chapter 349, then the Association shall maintain a Charitable Gambling Fund separate from its Special Fund and General Fund. All funds received as a result of lawful gambling shall be deposited in the Charitable Gambling Fund and shall be disbursed only in accordance with the requirements of Chapter 349 and the Minnesota Gambling Control Board.

Section 5 – Nonassignability of Benefits⁵²

Benefits paid or payable from the Special Fund are not subject to garnishment, judgment, execution, or other legal process, except as provided in Minn. Stat. §§ 518.58; 518.581; or 518A.53. Benefits paid or payable may not be assigned for any purpose.

Article X – Investments

Section 1 – Standard of Fiduciary Conduct⁵³

Trustees owe a fiduciary duty to the active, deferred, and retired members of the Association, who are plan beneficiaries; to the taxpayers of the municipality, who help finance the plan; and to the State of Minnesota, which established the plan. The Trustees will act in good faith and exercise that degree of judgment and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, considering the probable safety of plan capital as well as the probable investment return to be derived from the assets.

Section 2 – Investment Policy

The Board will approve an investment policy, and will investigate and prepare for the safe and profitable investment of Association funds in conformance with State statutes and the Association's investment policy. The Board may hire investment professionals to act for or on its behalf. The Special Fund assets will be invested only in securities that are authorized by Minn. Stat. §§ 69.775; 356A.06, subd. 6; and 356A.06, subd. 7 (if the Association qualifies to use the expanded list).⁵⁴ The Board will have on file a copy of the investment policy of the Association. The Board will file a copy of the Association's investment policy, and all changes to the policy, with the Office of the State Auditor.⁵⁵

Section 3 – Broker Certification⁵⁶

The Association will provide annually to its broker a written statement of investment restrictions from the applicable State laws and from the Association's investment policy. Annually, before the

⁵² Minn. Stat. § 424A.015, subd. 2

⁵³ Minn. Stat. § 356A.04

⁵⁴ Minn. Stat. § 424A.05, subd. 4

⁵⁵ Minn. Stat. § 356.219, subd. 3(a)

⁵⁶ Minn. Stat. § 356A.06, subd. 8b

Association enters into or continues business with the broker, the broker must submit to the Association a signed Broker Certification, using the form prepared by the Office of the State Auditor.

Article XI – Unclaimed Benefits

Section 1 – Unclaimed Benefits⁵⁷

In the event that the Association is unable with reasonable effort to locate a member or a survivor of a member entitled to payment or distribution under these bylaws or by State law, the benefit distributable to such member or survivor of such member will be forfeited and will be credited to the Special Fund. Efforts to locate a member or survivor must be documented. Forfeiture will occur no earlier than thirty-six (36) months after the Board concludes the Association was unable to locate such member or survivor despite reasonable efforts to locate them.

Article XII – Amendments, Consolidation, and Dissolution

Section 1 – Amendments⁵⁸

These bylaws may be amended when necessary by a majority of the members of the Board. Proposed amendments will be submitted to the Secretary to be posted with regular Board announcements.

Amendments to these bylaws which affect the amount of, the manner of payment of, or the conditions for qualification for service pensions, deferred service pensions, or ancillary benefits are not effective until they have been ratified by the City Council.⁵⁹

The Association will file a revised copy of these bylaws with the Office of the State Auditor upon the adoption of any amendments.⁶⁰

Section 2 – Consolidation

A consolidation of the Association with one or more volunteer fire relief associations will be initiated pursuant to Minn. Stat. § 424B.02, subds. 1 and 2, and will comply with the process set forth in and the requirements of Chapter 424B.

Section 3 – Dissolution

Prior to dissolution of the Association, all legal obligations of the Association other than service pensions and benefits must be settled under Minn. Stat. § 424B.20, subd. 3, a benefit trust must be established under subdivision 4, and the affairs of the Association must be concluded under subdivision 5.⁶¹

57 If an Association's bylaws do not address the disposition of unclaimed benefits, unclaimed benefits must be handled as set forth in Minn. Stat. § 356.65.

58 Minn. Stat. § 317A.181

59 In certain circumstances, bylaw amendments which affect service pensions, deferred service pensions, or ancillary benefits do not require City ratification to become effective. See Minn. Stat. § 424A.02, subd. 10.

60 Minn. Stat. § 424A.02, subd. 10

61 Minn. Stat. § 424B.20, subd. 2

Adoption and Approval of Bylaws

These bylaws are hereby adopted and approved by the members of the Osseo Fire Department Relief Association on this 9th day of February, 2023.

Mike Cogswell
Mike Cogswell, President

2/9/23
Date

Drew Cogswell
Drew Cogswell, Vice President

2/9/23
Date

Barry Anderson
Barry Anderson, Secretary

2/9/23
Date

Blane Anderson
Blane Anderson, Treasurer

2/9/23
Date

Attachment A – Benefit Level

Benefit Level Amount	Date Approved by Relief Association	Date Ratified by City	Effective Date
\$1,532.00	prior to 1996	prior to 1996	prior to 1996
\$1,600.00	2/22/2010	2/22/2010	2/22/2010
\$2,000.00	8/13/2020	8/24/2020	1/1/2021

Attachment B – Compensation

Position	Annual Salary
President (officer)	\$250
Vice President (officer)	\$250
Secretary (officer)	\$500
Treasurer (officer)	\$2,000
Association Trustee #5	---
Association Trustee #6	---
Municipal Trustee (elected official)	---
Municipal Trustee (elected or appointed official)	---
Municipal Trustee (fire chief)	---



City of Osseo City Council Meeting Item

Agenda Item: CLOSED SESSION – Discuss Employee Performance

Meeting Date: March 13, 2023
Prepared by: Riley Grams, City Administrator

Attachments: None

Policy Consideration:

Consider entering into a closed session to discuss employee performance for Officer Mike Smith.

Background:

The Council HR Committee has asked to conduct a closed session review of an employee performance.

Under Minnesota Statute regarding the Open Meeting Law, after a public body meets in a closed session to evaluate the performance of an employee, the body is required to summarize the conclusions regarding the evaluation at its next open meeting. A summary of the closed session proceedings will be given at the next open meeting, on March 27, 2023.

Recommendation/Action Requested:

Staff recommends the City Council motion to close the meeting pursuant to Minnesota Statutes Section 13D.05, subd. 3(a), convene to a closed meeting to conduct the review, and then re-open the meeting and announce that a summary will be given at the meeting on March 27, 2023.



Osseo, MN

Pending Expense Approval Report

By Vendor Name

APPKT00125

Vendor Name	Payable Number	Description (Item)	Account Name	Account Number	Amount
Vendor: Alex Air Apparatus, Inc.					
Alex Air Apparatus, Inc.	6482	OFD JOB 8133 ANNUAL COMPRESSOR AIR QLTY TEST	Equip Repair/ Maintenance	101-41920-221	971.44
Vendor Alex Air Apparatus, Inc. Total:					971.44
Vendor: Amazon Capital Services, Inc					
Amazon Capital Services, Inc	1HY6-76MX-GLVX	OFD OFFICE/CLEANING SUPPLIES, PAPER, WIPES, BAG	Operations	101-41920-211	63.06
Amazon Capital Services, Inc	1LFK-6QQJ-VFFQ	3 FIREFIGHTER TRAINING TEXTBOOKS	Fire Training - Reimbursable	101-41920-261	255.03
Amazon Capital Services, Inc	1YGL-DLHG-LDNQ	OFD TOOLS FOR STATION/TRUCKS	Equipment	120-41920-570	818.09
Vendor Amazon Capital Services, Inc Total:					1,136.18
Vendor: Central Telephone					
Central Telephone	133293	PD 50% DEPOSIT RENT/INSTALL PHONE/VMAIL	Other Professional Services	101-41900-310	1,539.98
Central Telephone	133150	REPROGRAM TELEPHONE/VMAIL SYSTEM/UNIT	Telecommunications	101-41900-321	189.50
Vendor Central Telephone Total:					1,729.48
Vendor: Cintas First Aid & Safety					
Cintas First Aid & Safety	8406123751	2/16/23 PW FIRST AID SVC/SUPPLIES	Operations	101-42000-211	88.25
Vendor Cintas First Aid & Safety Total:					88.25
Vendor: City of Eden Prairie					
City of Eden Prairie	4371	PD Annual Fencing Consortium Fee	Emergency Preparedness	101-41900-402	6,696.00
Vendor City of Eden Prairie Total:					6,696.00
Vendor: Comcast					
Comcast	2/24/23	MARCH 2023 CITY HALL SERVICE	Telecommunications	101-41700-321	376.32
Comcast	Feb. 24, 2023	MARCH 2023 CITY HALL SVC	Telecommunications	101-42000-321	182.83
Vendor Comcast Total:					559.15
Vendor: Comfort Solutions Heating & Cooling					
Comfort Solutions Heating &	12801	Diagnose OFD Heater - service call	Equip Repair/ Maintenance	101-41920-221	149.95
Comfort Solutions Heating &	12815	REPLACE OFD CENTER HEATER BLOWER UNIT	Equip Repair/ Maintenance	101-41920-221	715.00
Vendor Comfort Solutions Heating & Cooling Total:					864.95
Vendor: Eftps - Fit And Fica					
Eftps - Fit And Fica	CM0000013	Federal Tax	Federal Withholding	101-21701	-8.51
Eftps - Fit And Fica	INV0000284	Federal Tax	Federal Withholding	101-21701	5,151.14
Eftps - Fit And Fica	INV0000284	Social Security	Fica Withholding	101-21703	4,556.58
Eftps - Fit And Fica	INV0000284	Medicare	Fica Withholding	101-21703	1,705.30
Vendor Eftps - Fit And Fica Total:					11,404.51
Vendor: Emergency Apparatus Maintenance, Inc					
Emergency Apparatus Mainte	126539	OFD Utility 11 replace batteri	Vehicle Repairs/Maintenance	101-41920-217	551.40
Emergency Apparatus Mainte	126540	OFD Engine 11 replace light bulb	Vehicle Repairs/Maintenance	101-41920-217	142.09
Emergency Apparatus Mainte	126543	OFD Engine 11 replace light bulb	Vehicle Repairs/Maintenance	101-41920-217	142.03
Vendor Emergency Apparatus Maintenance, Inc Total:					835.52

Pending Expense Approval Report

Packet: APPKT00125

Vendor Name	Payable Number	Description (Item)	Account Name	Account Number	Amount
Vendor: Felicia Wallgren					
Felicia Wallgren	2/28/23	REIMBURSE FOR BREAKROOM SUPPLIES	Office Operations	101-41900-201	56.92
Vendor Felicia Wallgren Total:					56.92
Vendor: Finken Water Solutions					
Finken Water Solutions	1356630	March 2023 417 1st Ave NE Water Softener Rental	State Sales Tax	101-21550	2.63
Finken Water Solutions	1356628	March 2023 Admin Water Cooler Rental	Operations	101-41700-211	13.00
Finken Water Solutions	53249TM	2/21/23 City Hall Bottled Water Delivery	Operations	101-41700-211	19.95
Finken Water Solutions	1356630	March 2023 417 1st Ave NE Water Softener Rental	Rental Property Expenses	205-42350-801	34.95
Vendor Finken Water Solutions Total:					70.53
Vendor: Further					
Further	INV0000274	Employee HSA	Employee H.S.A Contribution	101-21711	850.93
Vendor Further Total:					850.93
Vendor: Gary A Groen, CPA (inactive)					
Gary A Groen, CPA (inactive)	2/28/23	FEB 2023 Financial consulting service	Accounting/Auditing	101-41550-301	1,206.00
Gary A Groen, CPA (inactive)	2/28/23	FEB 2023 Financial consulting service	Accounting/Auditing	601-49400-301	753.75
Gary A Groen, CPA (inactive)	2/28/23	FEB 2023 Financial consulting service	Accounting/Auditing	602-49400-301	753.75
Gary A Groen, CPA (inactive)	2/28/23	FEB 2023 Financial consulting service	Accounting/Auditing	604-49400-301	301.50
Vendor Gary A Groen, CPA (inactive) Total:					3,015.00
Vendor: Gopher State One Call Inc					
Gopher State One Call Inc	3020665	FEB 2023 Utility locate service	Other Professional Services	601-49400-310	1.35
Gopher State One Call Inc	3020665	FEB 2023 Utility locate service	Other Professional Services	602-49400-310	1.35
Vendor Gopher State One Call Inc Total:					2.70
Vendor: Health Strategies					
Health Strategies	123333	OFD RECRUIT A ARISTIDOU EXAM/TEST/SCBA FIT	Personnel/Recruitment	101-41920-355	448.00
Vendor Health Strategies Total:					448.00
Vendor: Hennepin County Fire Chiefs Association					
Hennepin County Fire Chiefs	2023 Dues	OFD 2023 Agency Dues	Dues/Membership	101-41920-255	200.00
Vendor Hennepin County Fire Chiefs Association Total:					200.00
Vendor: Hennepin County Treasurer - Community Corrections & Rehab					
Hennepin County Treasurer -	1000199553	Booking # 23-00453 Jan 26 - 27 2023 Room and Board	Incarceration Services	101-41900-316	430.00
Vendor Hennepin County Treasurer - Community Corrections & Rehab Total:					430.00
Vendor: Hennepin County Treasurer - Information Technology					
Hennepin County Treasurer - I	1000203413	CIT SERVICE CHARGES MAR 2023 PINS, CILS, CALS	Assessing Service	101-41110-308	29.00
Hennepin County Treasurer - I	1000203046	FEBRUARY 2023 PD RADIO AND LEASE FEES	Radio Communications	101-41900-220	1,505.24
Hennepin County Treasurer - I	1000203045	FEB 2023 OFD RADIO LEASE & FLEET FEES	Radio Communications	101-41920-220	744.93
Vendor Hennepin County Treasurer - Information Technology Total:					2,279.17
Vendor: Icma Retirement Corporation					
Icma Retirement Corporation	INV0000273	DFC - ICMA	Deffered Comp	101-21705	865.00
Vendor Icma Retirement Corporation Total:					865.00
Vendor: Kennedy & Graven, Chartered					
Kennedy & Graven, Chartered	172823	JAN 2023 LEGAL SERVICE - CIVIL	Legal Service - Civil	101-41500-304	3,317.00
Vendor Kennedy & Graven, Chartered Total:					3,317.00

Pending Expense Approval Report

Packet: APPKT00125

Vendor Name	Payable Number	Description (Item)	Account Name	Account Number	Amount
Vendor: Law Enforcement Labor Services					
Law Enforcement Labor Serv	March 2023	MARCH 2023 OSSEO PD #182 UNION DUES	Union Dues	101-21708	472.50
Vendor Law Enforcement Labor Services Total:					472.50
Vendor: Lynch, Neil					
Lynch, Neil	3/1/23 Email	Refund \$50 rental fee/\$250 deposit CC cancellation	Community Center Deposits	101-22001	300.00
Vendor Lynch, Neil Total:					300.00
Vendor: MacQueen Emergency					
MacQueen Emergency	P12540	OFD TURNOUT GEAR - C. STEARNS PANTS & COAT	Uniforms/Gear	101-41920-218	3,789.29
Vendor MacQueen Emergency Total:					3,789.29
Vendor: Melissa Kloster					
Melissa Kloster	22	FEB 2023 STRENGTH CLASS INSTRUCTION & MIC	Programming	101-42300-312	150.00
Melissa Kloster	22	FEB 2023 STRENGTH CLASS INSTRUCTION & MIC	Programming	101-42300-312	350.00
Vendor Melissa Kloster Total:					500.00
Vendor: Menards - Brooklyn Park					
Menards - Brooklyn Park	61426	PW VEHICLE CLEANING SUPPLIES	Operations	101-42000-211	61.44
Vendor Menards - Brooklyn Park Total:					61.44
Vendor: Metro Sales Inc					
Metro Sales Inc	INV2231539	MARCH 2023 PD COPIER CONTRACT LEASE CHARGE	Leases/Rentals	101-41900-410	78.88
Vendor Metro Sales Inc Total:					78.88
Vendor: Metropolitan Council Environmental Services					
Metropolitan Council Environ	1152923	APRIL 2023 WASTE WATER SERVICES	Sanitary Sewer Service	602-49400-386	17,934.93
Vendor Metropolitan Council Environmental Services Total:					17,934.93
Vendor: MHSRC/Range					
MHSRC/Range	337900-9832	OFD TRAINING MN HWY SAFETY B THIBODEAU	Fire Training - Reimbursable	101-41920-261	400.00
Vendor MHSRC/Range Total:					400.00
Vendor: Midwest Lighting Products					
Midwest Lighting Products	72564	PW REPLACEMENT BOLLARDS FOR STOCK	Street Maintenance/Signage	101-42000-224	4,440.00
Vendor Midwest Lighting Products Total:					4,440.00
Vendor: Minger Construction Co., Inc.					
Minger Construction Co., Inc.	1932	Pay App #13 Lift Stations 1, 2, 3 and SCADA Imp.	Infrastructure	602-11101	1,422.75
Vendor Minger Construction Co., Inc. Total:					1,422.75
Vendor: Minnesota Bureau of Criminal Apprehension					
Minnesota Bureau of Criminal	28121	PD OFFICER KINTZI DMT-G ONLINE RECERT. TRNG.	Education/Meetings/Travel	101-41900-260	75.00
Vendor Minnesota Bureau of Criminal Apprehension Total:					75.00
Vendor: Minnesota Department of Health					
Minnesota Department of He	2/13/23	1Q23 Water Supply Service Connection Fee	Mn Water Connect Fee	601-21560	2,012.00
Vendor Minnesota Department of Health Total:					2,012.00
Vendor: Minnesota Life Insurance Company					
Minnesota Life Insurance Co	643242 March	Life Insurance Premiums	Medical/Dental/Life/Ltd	101-21706	92.40
Minnesota Life Insurance Co	643242 March	Life Insurance Premiums	Med/Den/Life/Ltd/Std Insura	101-41110-130	18.25
Minnesota Life Insurance Co	643242 March	Life Insurance Premiums	Med/Den/Life/Ltd/Std Insura	101-41650-130	5.00
Minnesota Life Insurance Co	643242 March	Life Insurance Premiums	Med/Den/Life/Ltd/Std Insura	101-41900-130	50.00
Minnesota Life Insurance Co	643242 March	Life Insurance Premiums	Med/Den/Life/Ltd/Std Insura	101-42000-130	15.00
Vendor Minnesota Life Insurance Company Total:					180.65

Pending Expense Approval Report

Packet: APPKT00125

Vendor Name	Payable Number	Description (Item)	Account Name	Account Number	Amount
Vendor: Minnesota State Fire Department Association					
Minnesota State Fire Departm	2023 DUES	2023 OFD MEMBERSHIP DUES	Dues/Membership	101-41920-255	175.00
Minnesota State Fire Departm	2023 PUBLICATION	18 OFD MINNESOTA FIREFIGHTER SUBSCRIPTIONS	Dues/Membership	101-41920-255	126.00
Vendor Minnesota State Fire Department Association Total:					301.00
Vendor: MN Department of Revenue					
MN Department of Revenue	CM0000014	State Tax	State Withholding	101-21702	-4.55
MN Department of Revenue	INV0000285	State Tax	State Withholding	101-21702	2,537.99
Vendor MN Department of Revenue Total:					2,533.44
Vendor: Msrs Dfc/Hcsp					
Msrs Dfc/Hcsp	INV0000278	DFC-MSRS (Empower)	Deffered Comp	101-21705	1,574.00
Msrs Dfc/Hcsp	INV0000279	Employee HSA	Hcsp	101-21712	508.34
Vendor Msrs Dfc/Hcsp Total:					2,082.34
Vendor: NAPA - Cottens Osseo					
NAPA - Cottens Osseo	326765	OFD OIL DRY FOR ENGINES/STATION	Operations	101-41920-211	47.96
NAPA - Cottens Osseo	327235	PW VEHICLE TOWELS/DEGREASERS/RAGS	Vehicle Repairs/Maintenance	101-42000-217	50.44
NAPA - Cottens Osseo	325733	PW LOADER REPAIR HYDRAULIC HOSE	Snow Management	101-42000-250	5.22
NAPA - Cottens Osseo	325744	PW LOADER REPAIR HYDRAULIC HOSES	Snow Management	101-42000-250	26.10
Vendor NAPA - Cottens Osseo Total:					129.72
Vendor: Pera					
Pera	INV0000272	PEPFF	Pera	101-21704	302.34
Pera	INV0000283	PEPFF	Pera	101-21704	7,342.29
Pera	INV0000283	PERA	Pera	101-21704	4,294.49
Vendor Pera Total:					11,939.12
Vendor: Pitney Bowes Global Fin Svcs L					
Pitney Bowes Global Fin Svcs	3105966228	1Q23 ADMIN POSTAGE METER RENTAL	Leases/Rentals	101-41110-410	197.19
Vendor Pitney Bowes Global Fin Svcs L Total:					197.19
Vendor: Premier Bank					
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Grams i94 CC Mmb	Dues/Membership	101-41000-255	50.00
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Jones Hultstrom	Education/Meetings/Travel	101-41000-260	350.00
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Wallgren Adobe	Operations	101-41110-211	127.88
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Jones MFMA	Dues/Membership	101-41110-255	70.00
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Wallgren software	Dues/Membership	101-41110-255	7.25
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Grams MCMA Conf	Education/Meetings/Travel	101-41110-260	535.00
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Grams Microsoft	Software	101-41515-309	206.25
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Mikkelson icloud	Cell/Travel/Ins/Dfc Allowance	101-41900-135	2.99
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Wallgren Amazon	Office Operations	101-41900-201	147.01
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Wallgren Amazon	Office Operations	101-41900-201	107.14
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Wallgren Vistapnt	Office Operations	101-41900-201	55.36
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Wallgren Amazon ?	Office Operations	101-41900-201	55.44
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Mikkelson car wsh	Vehicle Repairs/Maintenance	101-41900-217	66.00
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Mikkelson Beyer	Education/Meetings/Travel	101-41900-260	199.00

Pending Expense Approval Report

Packet: APPKT00125

Vendor Name	Payable Number	Description (Item)	Account Name	Account Number	Amount
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Mikkelson Malmon	Education/Meetings/Travel	101-41900-260	25.00
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Phenow Zoom	Software	101-41920-309	16.11
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Phenow Dropbox	Software	101-41920-309	54.00
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Phenow antivirus	Software	101-41920-309	47.28
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Phenow NFPA	Software	101-41920-309	99.99
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Waldbillig fluid	Operations	101-42000-211	83.74
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Waldbillig unifor	Uniforms/Gear	101-42000-218	195.74
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Lunde uniform	Uniforms/Gear	101-42000-218	59.94
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Lunde uniform	Uniforms/Gear	101-42000-218	33.98
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Lunde dump truck	Snow Management	101-42000-250	64.39
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Lunde dump truck	Snow Management	101-42000-250	64.39
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Mikkelson	Dues/Membership	115-41900-255	32.00
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Mikkelson	Dues/Membership	115-41900-255	32.00
Premier Bank	FEB 2023 STMT	1/7 - 2/4/23 Credit Card charges Mikkelson	Dues/Membership	115-41900-255	32.00
Vendor Premier Bank Total:					2,819.88
Vendor: Prime Advertising & Design					
Prime Advertising & Design	84699	March 2023 Monthly Website Hosting	Software	101-41515-309	100.00
Vendor Prime Advertising & Design Total:					100.00
Vendor: Republic Services					
Republic Services	0894-006057472	12/31/22 Certification 2022 - open balances	Accounts Payable	101-20200	3,953.58
Republic Services	894-006139737	March 2023 Admin Document Shred Svc	Office Operations	101-41110-201	19.20
Vendor Republic Services Total:					3,972.78
Vendor: Satellite Shelters, Inc.					
Satellite Shelters, Inc.	INV631539 INS	INS DAMAGE WAIVER FEE	Operations	101-42350-211	47.50
Satellite Shelters, Inc.	INV645383	2/27 - 3/26/23 WARMING HOUSE RENTAL	Operations	101-42350-211	522.50
Vendor Satellite Shelters, Inc. Total:					570.00
Vendor: Schindler Elevator Corp					
Schindler Elevator Corp	8106190279	3/1/23 - 2/29/24 ELEVATOR INSPECTION SVC	Building Repair/Maintenance	101-41700-222	950.52
Vendor Schindler Elevator Corp Total:					950.52
Vendor: Sloth Inspections Inc					
Sloth Inspections Inc	2/28/23	FEB 2023 ELECTRICAL INSPECTION SERVICES	Electrical Inspections Payable	101-20221	180.00
Vendor Sloth Inspections Inc Total:					180.00
Vendor: Symbolarts LLC					
Symbolarts LLC	455022	PD BADGES - 2 UNIFORM/2 CHAPLAIN	Officer Equipment	101-41900-213	499.75
Vendor Symbolarts LLC Total:					499.75
Vendor: Thomson Reuters - West					
Thomson Reuters - West	847950215	FEBRUARY 2023 PD ONLINE/SFTWR SUBSPT CHARGES	Dues/Membership	101-41900-255	121.34
Vendor Thomson Reuters - West Total:					121.34

Pending Expense Approval Report

Packet: APPKT00125

Vendor Name	Payable Number	Description (Item)	Account Name	Account Number	Amount
Vendor: Tims Quality Plumbing					
Tims Quality Plumbing	502598	PD TOILET/FOUNTAIN LEAK SVC CALL	Building Repair/Maintenance	101-41700-222	69.00
Tims Quality Plumbing	502788	PD BOOKING ROOM TOILET REPAIR	Building Repair/Maintenance	101-41700-222	320.25
Vendor Tims Quality Plumbing Total:					389.25
Vendor: Trophies By Linda					
Trophies By Linda	47350	OFD PAR TAGS FOR LT. T. ANDERSON	Uniforms/Gear	101-41920-218	8.30
Vendor Trophies By Linda Total:					8.30
Vendor: WEX Bank					
WEX Bank	87816518	FEB 7 - MAR 7 2023 PD FUEL CHARGES	Fuel - Vehicle/Equipment	101-41900-216	1,180.72
Vendor WEX Bank Total:					1,180.72
Vendor: World Fuel Services Inc.					
World Fuel Services Inc.	347627747896-41801	PW BULK FLUIDS FOR SQUADS/TRUCKS/HYDRAULIC	Vehicle Repairs/Maintenance	101-42000-217	2,895.27
Vendor World Fuel Services Inc. Total:					2,895.27
Vendor: WSB & Associates Inc					
WSB & Associates Inc	JAN 2023	JAN 2023 ENGINEERING SERVICES RETAINER	Engineering Service	130-42000-303	750.00
WSB & Associates Inc	JAN 2023	JAN 2023 ENGINEERING SERVICES 2022 ALLEY PROJ.	Engineering Service	412-42000-303	2,701.00
WSB & Associates Inc	JAN 2023	JAN 2023 ENGINEERING SERVICES 2023 STREET PROJ	Engineering Service	412-42000-303	1,562.00
WSB & Associates Inc	JAN 2023	JAN 2023 ENGINEERING SERVICES 2022 SEWER LINING	Infrastructure	602-11101	414.00
WSB & Associates Inc	JAN 2023	JAN 2023 ENGINEERING SERVICES LIFT STATIONS IMPV	Infrastructure	602-11101	1,677.50
WSB & Associates Inc	JAN 2023	JAN 2023 ENGINEERING SERVICES MS4 REAUTH IMPLMNT	Engineering Service	604-49400-303	260.75
Vendor WSB & Associates Inc Total:					7,365.25
Vendor: Xcel Energy					
Xcel Energy	815900843	Electric Service Fee	Operations	101-41110-211	93.76
Xcel Energy	815900843	JAN 2023 Electric Service	Electric Service	101-41700-380	1,208.54
Xcel Energy	815900843	JAN 2023 Electric Service	Electric Service	101-41800-380	265.29
Xcel Energy	815900843	JAN 2023 Electric Service	Emergency Preparedness	101-41900-402	11.78
Xcel Energy	815900843	JAN 2023 Electric Service	Traffic Signals/Street Lights	101-42000-226	2,518.73
Xcel Energy	815900843	JAN 2023 Electric Service	Electric Service	101-42000-380	462.23
Xcel Energy	815900843	JAN 2023 Electric Service	Gateway Sign Operations	101-42350-212	204.63
Xcel Energy	815900843	JAN 2023 Electric Service	Electric Service	101-42350-380	750.21
Xcel Energy	815900843	JAN 2023 Electric Service	Electric Service	601-49400-380	38.13
Xcel Energy	815900843	JAN 2023 Electric Service	Electric Service	602-49400-380	1,004.97
Vendor Xcel Energy Total:					6,558.27
Grand Total:					112,282.31

Report Summary

Fund Summary

Fund	Expense Amount
101 - GENERAL FUND	79,743.54
115 - POLICE DONATIONS/EXPENSES	96.00
120 - FIRE DONATIONS/EXPENSES	818.09
130 - PAVEMENT MANAGEMENT	750.00
205 - PARK DEDICATION	34.95
412 - 2022-23 Alley & Street Projects	4,263.00
601 - WATER FUND	2,805.23
602 - SEWER FUND	23,209.25
604 - STORM WATER FUND	562.25
Grand Total:	112,282.31

Account Summary

Account Number	Account Name	Expense Amount
101-20200	Accounts Payable	3,953.58
101-20221	Electrical Inspections Pa	180.00
101-21550	State Sales Tax	2.63
101-21701	Federal Withholding	5,142.63
101-21702	State Withholding	2,533.44
101-21703	Fica Withholding	6,261.88
101-21704	Pera	11,939.12
101-21705	Deffered Comp	2,439.00
101-21706	Medical/Dental/Life/Ltd	92.40
101-21708	Union Dues	472.50
101-21711	Employee H.S.A Contrib	850.93
101-21712	Hcsp	508.34
101-22001	Community Center Depo	300.00
101-41000-255	Dues/Membership	50.00
101-41000-260	Education/Meetings/Tra	350.00
101-41110-130	Med/Den/Life/Ltd/Std In	18.25
101-41110-201	Office Operations	19.20
101-41110-211	Operations	221.64
101-41110-255	Dues/Membership	77.25
101-41110-260	Education/Meetings/Tra	535.00
101-41110-308	Assessing Service	29.00
101-41110-410	Leases/Rentals	197.19
101-41500-304	Legal Service - Civil	3,317.00
101-41515-309	Software	306.25
101-41550-301	Accounting/Auditing	1,206.00
101-41650-130	Med/Den/Life/Ltd/Std In	5.00
101-41700-211	Operations	32.95
101-41700-222	Building Repair/Mainten	1,339.77
101-41700-321	Telecommunications	376.32
101-41700-380	Electric Service	1,208.54
101-41800-380	Electric Service	265.29
101-41900-130	Med/Den/Life/Ltd/Std In	50.00
101-41900-135	Cell/Travel/Ins/Dfc Allow	2.99
101-41900-201	Office Operations	421.87
101-41900-213	Officer Equipment	499.75
101-41900-216	Fuel - Vehicle/Equipmen	1,180.72
101-41900-217	Vehicle Repairs/Mainten	66.00
101-41900-220	Radio Communications	1,505.24
101-41900-255	Dues/Membership	121.34
101-41900-260	Education/Meetings/Tra	299.00
101-41900-310	Other Professional Servi	1,539.98
101-41900-316	Incarceration Services	430.00
101-41900-321	Telecommunications	189.50
101-41900-402	Emergency Preparednes	6,707.78

Account Summary

Account Number	Account Name	Expense Amount
101-41900-410	Leases/Rentals	78.88
101-41920-211	Operations	111.02
101-41920-217	Vehicle Repairs/Mainten	835.52
101-41920-218	Uniforms/Gear	3,797.59
101-41920-220	Radio Communications	744.93
101-41920-221	Equip Repair/ Maintena	1,836.39
101-41920-255	Dues/Membership	501.00
101-41920-261	Fire Training - Reimburse	655.03
101-41920-309	Software	217.38
101-41920-355	Personnel/Recruitment	448.00
101-42000-130	Med/Den/Life/Ltd/Std In	15.00
101-42000-211	Operations	233.43
101-42000-217	Vehicle Repairs/Mainten	2,945.71
101-42000-218	Uniforms/Gear	289.66
101-42000-224	Street Maintenance/Sig	4,440.00
101-42000-226	Traffic Signals/Street Lig	2,518.73
101-42000-250	Snow Management	160.10
101-42000-321	Telecommunications	182.83
101-42000-380	Electric Service	462.23
101-42300-312	Programming	500.00
101-42350-211	Operations	570.00
101-42350-212	Gateway Sign Operation	204.63
101-42350-380	Electric Service	750.21
115-41900-255	Dues/Membership	96.00
120-41920-570	Equipment	818.09
130-42000-303	Engineering Service	750.00
205-42350-801	Rental Property Expense	34.95
412-42000-303	Engineering Service	4,263.00
601-21560	Mn Water Connect Fee	2,012.00
601-49400-301	Accounting/Auditing	753.75
601-49400-310	Other Professional Servi	1.35
601-49400-380	Electric Service	38.13
602-11101	Infrastructure	3,514.25
602-49400-301	Accounting/Auditing	753.75
602-49400-310	Other Professional Servi	1.35
602-49400-380	Electric Service	1,004.97
602-49400-386	Sanitary Sewer Service	17,934.93
604-49400-301	Accounting/Auditing	301.50
604-49400-303	Engineering Service	260.75
	Grand Total:	112,282.31

Project Account Summary

Project Account Key	Expense Amount
None	112,282.31
Grand Total:	112,282.31

Fruit Tree Pruning Workshop

Osseo Orchard

Saturday, March 18

10:30 am - 12:00 pm

Learn about dormant pruning for the fruit trees at the Osseo Orchard and get an opportunity to test your skills! Located at 200 8th Ave SE, next to the Public Works Building

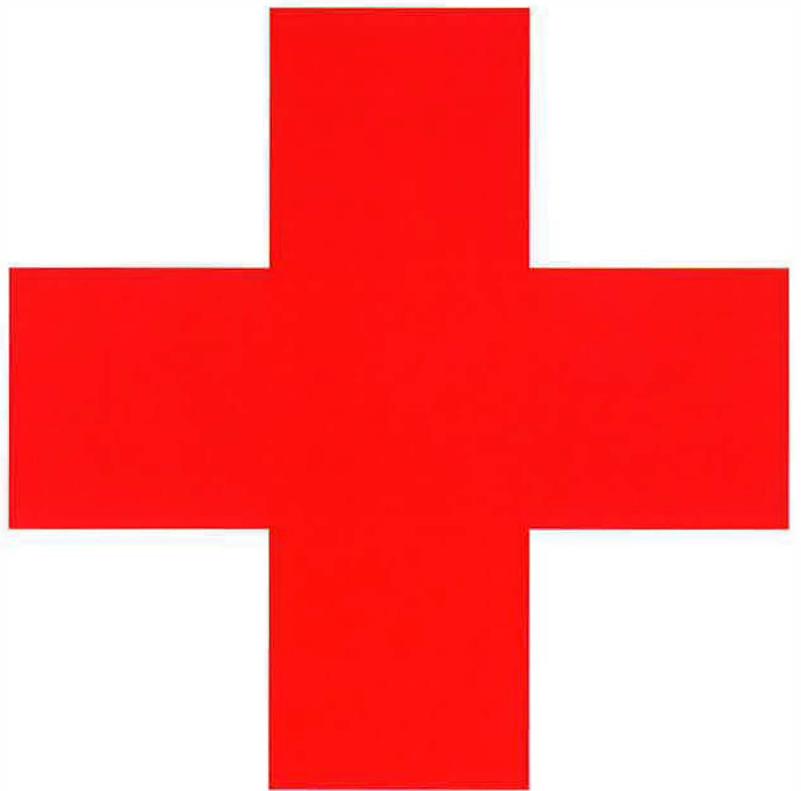
Register at discoverosseo.com/event/fruit-tree-pruning-workshop/



Give blood.

Every 2 seconds someone
in the U.S. needs blood.

American Red Cross



Blood Drive
City of Osseo City Hall

Community Center Room A
415 Central Avenue, Osseo, 55369

Wednesday, March 22, 2023
1:00 p.m. to 7:00 p.m.

Please call 1-800-RED CROSS (1-800-733-2767) or visit RedCrossBlood.org and enter: CITYOFOSSEO to schedule an appointment.



Scan to schedule
an appointment.