

Osakis City Council – Special Workshop Meeting
Held Via Virtual Meeting Zoom
April 21, 2020
6:00 PM

Present via Virtual meeting: Randy Anderson, Laura Backes, Jerry Olson, Justin Dahlheimer, Keith Emerson

Absent: None

Others Present: Angela Jacobson

Others Present – conference via phone: Mark Grinstead, Chad Gulbranson, Greg Gottwald, Rodger Larson, Jim Snyder, Mark Harren, Dan Marx – Attorney from Flaherty & Hood at 8:26 p.m.

Meeting was called to order by Mayor Keith Emerson at 6:02 p.m.

Roll Call – All present as indicated above

Pledge of Allegiance was spoken.

Motion by Anderson, seconded by Olson, to approve the agenda as presented. Roll Call Vote – Motion Carries

Project #60: Rental Ordinance

On January 1st, 2020, Mark Harren took over as Building Inspector for Dan Marthaler.

Harren questioned the council and how they are going to address rental property:

- How are you going to track them down and find Owner occupied properties?
- Fee for rental property – who has to pay and how much.
- Items that the city would do for an actual inspection and how often.
- What is a livable house and what isn't?

Dahlheimer stated his thoughts, concerns and complaint process:

- Have a registration piece.
- Can only be rented if a good property and house.
- Not clearly defined and can be a complaint driven process.

Harren discussed the following:

- Need to outline egress, rodent, smoke detectors and what is required.
- If civil complaints come in – they are not designated in the ordinance to deal with them – the owners need to deal with them.

If we receive a call, we need to have an ordinance to refer to as to what is allowed. Without an ordinance, it opens up slum lord rentals. Crime can be more prevalent in low income rentals.

Gulbranson stated that most land lords are good but low income ones have problems.

Dahlheimer – Planning & Zoning can try to clean-up the outside of properties but nothing can be done inside without a rental ordinance. We want good rental property in Osakis.

There are some poor properties that need help.

Harren – Every community has rental issues. If there is a rental ordinance, then we can go to them to show what is needed. We can help the land lords that have rental issues and that can keep the property cleaned up. An ordinance weeds out the poor land lords if we are actively enforcing rental issues.

Harren – If a city has no rental ordinance there can be issues with drugs, rental issues, abuse and alcohol issues that come up. A rental ordinance can shut down properties if there is crime or run down property.

The council asked Harren to help develop a rental ordinance.

Harren will help but would not look to enforce the ordinance at this time.

The city can also work with Horizon Public Health in Alexandria to do inspections and enforce the ordinance.

Project #319: Website

Jacobson reviewed the website quote.

Anderson suggested Jacobson contact those using the program to see if the program is usable for staff to post items.

Project #76: Police

Gulbranson discussed the following:

- Vehicle chase that took place on I-94 where a PIT move was used and damaged the Crown Vic squad car.
- Letters going out for property clean-ups
- Building maintenance.

Vehicle chase started with the State Patrol in West Union. They located a car pursue from Osakis. The DO Cty Sheriffs and Alexandria PD had stop sticks out. A PIT move was made by the Crown Vic so the car would not get out on the interstate. This maneuver spun the car around and took out the front and back fender of the Crown Vic.

The Crown Vic may or may not be totaled. Gulbranson will get estimates. If totaled, Gulbranson would like to buy back and fix or see what options we have to replace.

The Crown Vic is the oldest squad in use.

The person in the pursuit was arrested.

Olson asked if the Osakis Police was called into action or heard on the radio. The officer heard the call, then went to the call by his own decision.

Dahlheimer asked about a pursuit policy.

Gulbranson stated to contact the supervisor regarding the pursuit and how far to go on the pursuit.

Did a PIT move because the car needed to be stopped and to save lives. Due to this move, the squad was hit and it did some damage.

DO Cty did a PIT move and it damaged 2 cars on other actions.

Backes – damages were done to the Crown Vic but a criminal was stopped.

Emerson said he would feel better if you were called by the state trooper and when others were there you stopped, but you continued.

Anderson stated did a good job to get the bad guy.

Council wants Gulbranson to check on the amount of damage for their chase and if state patrol is willing to help with the damage and check into the use of forfeiture funds.

Project #388: On-Sale Liquor License

On Friday, April 17, 2020, Governor Walz passed a bill to allow restaurants and bars to sell off-sale with food orders during COVID-19. The council received a copy of the law that was passed. The law allows the sale of up to 72 ounces of malt liquor, hard seltzer, cider or 750 milliliter of wine to be sold with takeout food preparation.

The items must be unopened and will end when the governor's executive order for 20-18 and 20-33 is terminated.

Motion by Anderson, seconded by Olson, to approve to allow up to 72 ounces of malt liquor, hard seltzer, cider or 750 milliliter of wine to be sold with takeout food until the governor's executive order is lifted. Roll Call Vote – Motion Carries

Project #373: Policies

Council received a draft copy of the overtime policy.

Gulbranson had suggested changes to the police section of the overtime policy to be used for life, limb, property, assault, accident, burglary and alarms.

City crew – remove whisper wireless.

Liquor Store had no changes.

City Staff – remove city council meetings.

Dahlheimer suggested Planning & Zoning meetings, Liquor Store Inventory events should not be allowed for overtime, these are planned events.

Resolution presented by Anderson, seconded by Dahlheimer, to approve the Overtime Policy 2020-10 with changes. Roll Call Vote – Resolution Carries

Project #24: Liquor Store

The Liquor Store flooring is done, baseboards have been put on, foot guards on.

Jeff Lund's probation period is up and Goodwin would like to advance him to step 3 - \$15.96 per hour.

Gretta went down to the Liquor Store when working on the ATM and wasn't very happy with how he treated her.

Goodwin contacted another gambling organization.

The OEDC gambling board is shut down now.

Could get bar operation – 20% and electronic pull-tabs – 15 %.

Goodwin was contacted by the Sauk Centre Fire Relief.

Emerson wanted the VFW to be contacted. Want them to do our gambling if it meets our requirements.

Goodwin will call Nicol Newmann about the VFW options.

Dahlheimer would like the budget for 2020 out to the year end to review. The difference is what would be after project costs and how costs/Rev would change with the shut down and updated expenditure costs and revenue for year end of 2020.

Project #360: Employee/Personnel

The closed session for personnel review for Goodwin and Lund.

Meeting closed pursuant to state statute 13.D.05.

Motion by Emerson, seconded by Olson, to open the closed meeting and suspend the special workshop meeting at 7:27 p.m. Roll Call Vote – Motion Carries

This portion of the meeting is taped and will be available at a later date as is allowed by law.

Roll Call: Randy Anderson, Laura Backes, Jerry Olson, Justin Dahlheimer, Keith Emerson, Angela Jacobson, Reenie Goodwin, Greg Gottwald – Union Steward.

Discussion was held.

Motion by Anderson, seconded by Backes, to close the closed meeting and open the special meeting workshop at 8:20 p.m. Roll Call Vote – All Ayes – Motion Carries

Motion by Emerson to remove Lund from probation and move to step 3 wage. Motion failed for lack of second.

Motion by Dahlheimer, seconded by Backes, to put a reprimand in Goodwin's file for lack of communication as discussed in the past. Roll Call Vote – For: Olson, Dahlheimer, Backes Against: Emerson, Anderson Motion Carries

Project #444: Wastewater Project

Attorney Dan Marx, from Flaherty & Hood joined the virtual meeting.

Motion by Dahlheimer, seconded by Backes, to close the special meeting and open the closed meeting at 8:26 p.m. Roll Call Vote – Motion Carries

Meeting is closed due to threatening litigation in the matter of the City of Osakis NPDES Permit #MN0020028.

Closed for attorney/client privilege pursuant to MN State Statute 13.D.05.

The purpose to be closed:

- Absolute confidentiality necessary, so council and legal counsel can have a candid open discussion to determine legal options to handle threatening litigation. Discuss a strategy resolution.
- Purpose is not to make a decision behind closed doors, but to determine legal option of handling litigation.
- Open meeting would allow those involved in the litigation to know the city strategy.

Roll Call: Randy Anderson, Laura Backes, Jerry Olson, Justin Dahlheimer, Keith Emerson, Angela Jacobson, Greg Gottwald, Daniel Marx

This is not tape recorded as allowed by law. No minutes were taken but only that the meeting was held.

Motion by Anderson, seconded by Olson, to close the closed meeting and open the special workshop meeting at 9:27 p.m. Roll Call Vote – All Ayes, Motion Carries

Meeting was adjourned at 9:28 p.m.

Mayor – Keith E. Emerson

City Clerk/Treasurer – Angela A. Jacobson