

Osakis City Council – Regular Meeting
Community Center
October 12, 2020
7:00 PM

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

Absent: None

Others Present: Angela Jacobson, Reenie Goodwin, Chad Gulbranson, Craig Dropik, Sheila Krohse, Jeremy Thorson, Dan Wessel, Rebecca Peterson, Paper

The October 12th, 2020 meeting was called to order by Mayor Keith Emerson at 7:00 p.m.

Roll Call – All present as indicated above.

Pledge of Allegiance was spoken.

Motion by Backes, seconded by Anderson, to approve the agenda as presented with the addition of Flaherty & Hood bills, Boy Scout request, Meals on Wheels, West Central report, Overtime report, Downtown Clock, Closed Meeting request, Attorney and Waste Water Project Motion Carries

Motion by Backes, seconded by Dahlheimer, to approve the general consent items, including the September city bills in the amount of \$338,614.90, meeting minutes from September 14th, 2020 and September 28th, 2020 special meeting minutes. Motion Carries

Project #24: Liquor Store

Reenie Goodwin was in attendance.

Council received the following reports:

- Statement of Revenue & Expense
- 2 Year Liquor Store Expenditures & Revenues
- Exp/Rev Off Sale
- Exp/Rev On Sale
- Inventory
- Bullet Points
- Cycle Counts
- Session Summary

Goodwin informed the council of the following:

- Profit for September was \$5,506.65.
- The deck and the front of the building were stained.
- Liquor Store is doing good considering it was shut down for a couple months and the cost of the new floor is included in the totals.
- Pull-tabs are up this fall. More than all of last year.
 - 2019 E-tabs were \$9,487.06.
 - 2019 Bar-tabs were \$20,627.29
 - 2020 Pull-tabs for July, August and September total \$19,003.70.

- E-tab totals are \$12,497.76
- Bar options totals are \$6,505.80.

Council said the numbers look good and told Goodwin to keep up the good work.

Project #73: First Responders

Mark Grinstead was not in attendance.

Council received the September report:

- 13 calls for the month, 1 no-shows (Friday 8 a.m.).
- 3.2 average member response per call.
- 2 calls had a solo responder.
- 188 calls year to date.
- 61% of the calls were between 6 a.m. to 6 p.m.
- 46% were in town.
- 38% were in Leslie and Little Sauk Twps.
- Top Response Members for the month were Shannon Graff with 9 and Brenda Majerus with 8.
- Monthly meeting on September 30th – new Covid protocols were discussed. The First Responders are now back to only one First Responder in the house.
- Runestone Electric and Stearns Electric's Round Up grants were applied for.
- New members Kyle Swenstad and Hatti Thorson will be finished with EMR training in mid-October.
- 10 new ditch bags were received.
- First Responders will be assisting at the upcoming OHS football games.
- Training this month will be with the Fire Department with scene/traffic control.

Project #74: Fire Department

Craig Dropik was in attendance.

Council received the September Fire Department report. The department had 3 calls for the month.

Dropik informed the council of the following:

- 10,000 gallons of water was used in September for pump testing.
- 59 calls for the year so far.

Project #76: Police

Chad Gulbranson was in attendance.

Council received the September Police Report.

Council asked Gulbranson how the time keeping system was.

Gulbranson stated that it is a work in progress.

Anderson told Gulbranson to make sure you are on yours guys. It should all be correct when payroll gets the reports.

Jacobson stated they have been working together to get to the bottom of any issues and problems. Gulbranson works with Jacobson to get problems resolved.

The Resource Officer is not working at school as much. Gulbranson's dog has been at school as needed. Students are not using the lockers this year.

Project #205: Public Works/City Crew

Greg Gottwald was not in attendance.

Council received the September Public Works Report:

- Routine monthly sampling.
- Continue to work on PER and Rural Development Application for the water plant and tower.
- Meter calibration was completed
- RPZ annual testing was completed.
- Continue to work on the NPDES permit negotiations.
- Repairs were done on lift stations.
- Derek Lang passed Class D water certification.
- Preparation for winter snow removal began.
- Water line was installed at the Lions Park for the fountain installation.

Project #22: Clerks

Council received information as of the end of the 3rd Quarter for 2020:

- Cash balances.
- Savings balances.
- Expenditure by Department Budget Report.

Project #242: West Central Initiative

Rebecca Peterson was in attendance.

Peterson informed the council of the following:

- Working on strategic plan.
- Investing in local.
- Educate & reimagine.
- Day Care grant – four were given out to our community.

Dahlheimer stated that it would help if more information was given to understand Federal funds that come out and how it applies to local business and planning.

Osakis has seen growth in the community. Working from home is now a life style and child care is in need.

Project #191: Skating Rink

Last year we added to the skating rink to make it twice as big. In the spring we needed to add grass seed to reseed what did not come back from the area under the skating rink.

The council made no additions and the skating rink will be the same as last year.

Project #483: CD3 Unit

Council received an agreement for the CD3 AIS watercraft cleaning station operation and maintenance agreement with Douglas County.

The city has been working with Douglas County since we restored the public access with the DNR. This agreement outlines the items that the county will take care of and what the city will take care of.

Some of the highlights from the agreement are:

- City agrees to the placement of the watercraft station by our public access.
- City agrees to a lease agreement for its placement with the DNR.
- City agrees to allow power to the cleaning station. The monthly bill will be the city’s responsibility.
- Upon termination, the county will transfer ownership to the city of remove the cleaning station.
- City will notify the county when they see the unit is in need of repairs or supplies and the city will assist in minor repairs.
- City will be in charge of garbage at the station.
- City will need to dispose of vacuum system waste.
- City will winterize and do spring startup of the unit.

The county will:

- Purchase the watercraft cleaning station.
- Provide signage.
- Provide supplies and maintenance for the unit.
- Respond to repairs within 24 hours.
- Provide insurance for the unit.
- Provide for all costs related to repairs or replacement of the unit.

Douglas County will also be reviewing the agreement at their October Board meeting.

Motion by Anderson, seconded by Dahlheimer, to approve the AIS Watercraft Station Agreement with Douglas County or the CD3 unit at the public access. Motion Carries.

Project #46: Water/Sewer Rates

Council received an updated projection from Jason Murray for the water and sewer rates,

At the budget meeting, the council discussed the rates for both water and sewer.

At the budget meeting, Clerk Jacobson had suggested the following increases:

<u>Water</u>			
Base	31.72	was	30.50
1,000 to 5,000	3.75		3.50
5,000 to 10,000	3.95		3.80
10,000 to 20,000	4.25		4.10
20,000 and up	4.55		4.40

<u>Sewer</u>			
Base	21.00	was	19.50
Per 1,000	3.02		1.80

EDU charge	31.72	30.50
Seasonal Water	31.72	30.50
Sewer Fixed	29.50	28.00

Council reviewed the projections from Jason Murray and they are slightly different than the amounts suggested.

Jacobson suggested a little higher so when the water plant project is added, the increase will not be as much, but this can be done either way.

Council would like the information for 2019 and 2020 bulk water amounts, usage and revenues for the November meeting.

Project #229: Election

The council was informed that the General Election will be held on November 3rd, 2020.

The council received a list of election judges for the General Election. Council also received Resolution 2020-20 approving the designated election judges.

Douglas County has informed Jacobson that they have already received over 12,000 absentee ballots and anticipate receiving 20,000 in total. This will mean a lower turn out at the polls on November 3rd because of the use of absentee voting. In the 2018 General Election, there were only 4,300 absentee ballots.

Resolution 2020-20 was presented by Emerson, seconded by Anderson, to approve the designated election judges for the November 3rd, 2020 General Election. When put to a vote, the resolution passed unanimously.

Council expressed concern of the voter challenger that may be at the election and want police present. Gulbranson said that he works that day and will step in often. If needed, he will be there more. Jacobson will be at the election and can also call Gulbranson if needed.

Project #243: Canvass Votes

Because the city will be holding elections this fall for council and mayor seats, the council must hold a Board of Canvass to Canvass the Votes after the election.

This Canvass of Votes is to look over the election results and approve them.

Because the courts allowed the late mail in ballots, they did not change the law of when we are allowed to hold the Canvass of Votes.

The council has two days to choose – Thursday, November 12th, 2020 or Friday, November 13th, 2020.

Motion by Anderson, seconded by Backes, to approve Thursday, November 12th, 2020 at 3:30 p.m.to hold the Canvass of Votes. Motion Carries

Project #196: Fee Schedule

Council received the 2020 Fee Schedule to review.

The staff and council can suggest any fee schedule changes for 2021.

The council will inform Jacobson of any changes and will be on the November council agenda.

Project #192: Truth in Taxation

Council was informed of the date for the Truth in Taxation hearing for the proposed tax levy for 2021. This has been set for the regular council meeting on December 14th, 2020 at 7:00 p.m.

Project #179: Building Ordinance/Inspection

Backes had asked to discuss the Building Inspectors for Osakis.

The council received the following information:

- In 1999, the City of Osakis adopted the state building code. That same year, the city contracted with Mid MN Code Enforcement which was owned by Dan Marthaler to do all the building inspections to enforce the state building code. The city pays 85% of the fees collected to Mid MN Code Enforcement for the inspections.
- In December 2019, Dan Marthaler retired and sold his business to Mark Harren.
- Michael Friedrichs works for Harren and takes care of the building permits and inspections in Osakis.
- Harren deals with the Commercial permits which are more in depth with state building codes.

Council received the Building Services Agreement we have with Mid MN Code Enforcement.

Backes commented that she had talked to Friedrichs and Harren. One was not very helpful with questions and Backes feels we could have someone that has more interest in Osakis.

Dahlheimer stated they were not much help with the Rental Ordinance and did not have much experience with one or help with what we should do.

Jacobson will contact Sourcewell to look for some guidance with this matter and if they offer anything or do inspections.

Dahlheimer commented – The Building Code questions has come up at the Planning & Zoning meetings and that usually means they are not getting answers from the Building Inspector.

Council would like to ask Harren to attend a council workshop and discuss expectations to see how we can work together better.

Project #42: Clean Up Day

The 2020 Clean Up Day was held on September 19th. \$2,346 was collected.

Costs included:

- Mailing of flyers (total cost \$400) West Central Sanitation paid \$200.
- \$.00 in dumping fees. Jeff Bertram said there was good cooperation and were not going to charge and dumping fees.
 - The dumping report included the following:
 - 35 appliances

- 26 TV's
- 15 tires
- 30 mattresses
- 3.55 tons refuse

Project #382: Union

Council received a letter from MAPE (Minnesota Association of Professional Employees) to open the Supervisor's contract due to expire on December 31st, 2020.

Project #286: Donation

Council received a letter from Spencer Wolbeck who is working on his Eagle Scout project which includes cleanup and restoration to the beach. Wolbeck is requesting a donation of \$1,500 for the sand for the beach project.

Motion by Dahlheimer, seconded by Olson, to approve to pay up to \$1,500 for the sand at the beach and to waive the Zoning Permit fee. All Ayes

Council received a letter from Osakis Senior Club & Meals on Wheels. They are in need of funds to help defray the cost of delivering meals in our community.

OEDC is no longer in operation. Could request funds from the Nelsons Men's Club.

The EDA contribution was small but could look at resubmitting a request.

Jacobson will check into if COVID funds could be used for the costs for Meals on Wheels also.

Project #444: Waste Water Project

Council received the following bills:

- Flaherty & Hood in the amount of \$18,759.55.
- Hall & Associates in the amount of \$1,075.00.

Motion by Dahlheimer, seconded by Olson, to approve the bills from Flaherty & Hood and from Hall & Associates as presented above. Motion Carries

Open Floor

Backes asked about the Downtown Clock and if the correct time could be set.

Dahlheimer commented that the Chamber takes care of the clock.

Motion by Dahlheimer, seconded by Emerson, to take a 5 minute recess before opening the closed meeting. Motion Carries

Motion by Dahlheimer, seconded by Anderson, to continue the regular meeting. Motion Carries

Project #444: Waste Water Project

The Mayor read the following to close the meeting for discussion with the attorneys:

- The agenda item for this special meeting is to discuss legal strategy regarding threatened litigation in the matter of City of Osakis NPDES Permit No. MN0020028.
- This properly noticed special meeting of the City Council of the City of Osakis will be closed pursuant to Minnesota Statutes, section 13D.05, subdivision 3 (b) under the attorney/client privilege exception to the Minnesota Open Meeting Law.
- The city's need for confidentiality outweighs the purposes served by the open-meeting law in this case based on the following:
 - Absolute confidentiality is necessary so that the City Council and legal counsel can have a candid and open discussion to determine the available legal options to handle threatened litigation, including strategy and any possible areas of resolution.
 - The purpose of the closed meeting is not to make a decision behind closed-doors, but instead is to determine the legal options for handling the referenced threatened litigation.
 - The only business to be discussed in this meeting is the threatened litigation.
 - An open session would be detrimental because it may take place in the presence of individuals involved in the threatened litigation.
 - A closed session would benefit the public because the ultimate outcome of the threatened litigation may impact the finances and regulatory authority of the City.

Mayor Emerson entertained a motion to close this portion of the meeting.

Motion by Anderson, seconded by Dahlheimer, to close the regular meeting at 8:20 p.m. Motion Carries

The City Council will now go into a closed session. The time is 8:20 p.m.

Only the officials and consultants of the City who reasonably require access to this data may be in attendance at any portion of the meeting for this agenda item.

This portion of the meeting should not be taped or otherwise electronically recorded since it has been closed under the attorney-client privilege.

The minutes of this portion of the meeting should reflect only that a meeting was held with its date, time and location; who was present at the meeting; and the purpose of the meeting'

The City Clerk took roll call:

Present: Randy Anderson, Laura Backes, Justin Dahlheimer, Jerry Olson, Keith Emerson.

In addition to the City Council, the following persons are present for the closed meeting:

Angela Jacobson, City Clerk, Robert Scott, Attorney with Flaherty & Hood

Mayor Emerson stated:

Members of the Council, I will now have our city clerk and our appointed legal counsel begin our discussion on this agenda item.

Mayor Emerson stated when discussion concluded:

Members of the Council, following the completion of our business, we will now adjourn into open session and I will entertain a motion:

Motion by Dahlheimer, seconded by Backes, to approve to close the closed meeting and open the regular meeting. Motion Carries

Meeting adjourned at 9:00 p.m.

Mayor – Keith E. Emerson

City Clerk/Treasurer – Angela A. Jacobson