

Osakis City Council – Workshop
City Hall
August 5, 2021
6:00 PM

Present: Laura Backes, Alan Larson, Dan Wessel, Tim Thornbloom

Absent: Randy Anderson

Others Present: Angela Jacobson, Greg Gottwald, Eric Meester, Robert Scott, Daniel Marx

Motion by Anderson, seconded by Backes, to approve the agenda as presented. Motion Carries Absent: Anderson

Project #444: Wastewater Project / Lawsuit

Wessel read the opening statement – This portion of the regular 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, included 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 Wessel entertained a motion to close this portion of the meeting.

Motion by Backes, seconded by Larson, to suspend the regular meeting and go into the closed meeting to discuss pending litigation in the matter of City of Osakis NPDES Permit No. MN0020028, pursuant to Minnesota Statutes, Section 13D.05, Subdivision 3(b). Motion Carries Absent: Anderson

The City Council will not go into a closed session. The time is 6:03 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.

Mayor Wessel noted that in addition to the City Council members, Laura Backes, Alan Larson, Tim Thornbloom, the following persons are present for the closed meeting:

Angela Jacobson, Greg Gottwald, Robert Scott, Daniel Marx.

Mayor Wessel opening statement:

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

Mayor Wessel 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 Backes, seconded by Larson, to approve to close the closed meeting and open the regular meeting. Motion Carries Absent: Anderson

Motion by Backes, seconded by Larson, to authorize and direct Flaherty & Hood, P.A., to file an appeal with the Minnesota Court of Appeals on the City's behalf challenging MPCA's decision and order denying the City's petition for a contested case hearing on its NPDES permit. Motion Carries Absent: Anderson

Motion by Thornbloom, seconded by Backes, to authorize and direct Flaherty & Hood, P.A., to file an appeal with the Minnesota Court of Appeals on the City's behalf challenging MPCA's decision and order denying the City's petition for a contested case hearing on the Lake Osakis Area TMDL. Motion Carries Absent: Anderson

Motion by Larson, seconded by Thornbloom, to authorize and direct Flaherty & Hood, P.A., to take such actions as are necessary and appropriate to prosecute such legal action and to defend the City's rights and interests related to the Lake Osakis Area TMDL and the City's NPDES permit No. MN 0020028. Motion Carries Absent: Anderson

Project #435: MN DOT Hwy 27

Council received a cost estimate to go south from 8th Avenue then east. Estimate was \$100,000 more.

Motion by Larson, seconded by Thornbloom, to go with Plan A to move water and sewer across the road and stop there and hookup existing lines. Motion Carries Absent: Anderson

Council received 3 options for the bridge sign for the project:

1. Trail name on the beam – painted with a symbol.
2. Larger sign mounted on the rails on the bridge with logo.
3. Small sign on the rails of the bridge – smaller to see.

One side says Central Lakes Trail, other side says Lake Wobegon Regional Trail. One is with a grebe and one with a walleye.

Council discussed the symbol and design for Osakis.

Motion by Wessel, seconded by Larson, to approve to put the trail sign painted on the side of the beams with a walleye on the Central Lakes Trail side and a loon on the Lake Wobegon Regional Trail side in DOT gray for color. Motion Carries Absent: Anderson

Project #382: Union Negotiations

Gottwald will get together next week to discuss the issues with the union members. What is allowed to have Jacobson doing and what things are in a gray area.

Jacobson requested if we have a similar proposal to what was settled from the other union, would the council like to get them executed?

Council is in agreement to get them executed.

Project #373: Policies

Council received a draft copy of the Liquor Store policy for Holiday and Employee Conduct. This is good information but needs to be tweaked to be more understandable.

Wessel will review the policy with Goodwin.

Council will review and discuss policies at a future meeting.

Project #124: Signs

Council discussed the offensive signs that are on residential properties in Osakis. This type of issue has been brought to the courts but has been shot down as it is freedom of speech and right to do.

Council would like to look into the sign requirements.

Project #488: Official Newspaper

Council discussed having the Long Prairie Leader cover the Osakis news and legal publications. The council feels that articles in the Echo Press reflect in a negative way a lot for Osakis instead of positive approaches for the community.

Osakis is located in both Douglas and Todd Counties and we will look into if it is legal to change.

Motion by Larson, seconded by Larson, to adjourn the meeting at 9:06 p.m. Motion Carries Absent: Anderson

Mayor – Daniel J. Wessel

City Clerk/Treasurer – Angela A. Jacobson