

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
July 22, 2024**

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, July 22, 2024.

2. ROLL CALL

Members present: Councilmembers John Hall, Alicia Vickerman and Mayor Duane Poppe.

Members absent: Councilmembers Juliana Hultstrom and Mark Schulz.

Staff present: Police Chief Shane Mikkelson and City Attorney Mary Tietjen.

Others present.

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.

Hall recommended Item 10D be discussed under Old Business as Item 9A.

A motion was made by Hall, seconded by Vickerman, to accept the Agenda as amended. The motion carried 3-0.

5. CONSENT AGENDA

- A. Approve July 8 Council Minutes
- B. Receive June Osseo Lions Club Gambling Report
- C. Receive June Osseo-Maple Grove Hockey Association Gambling Report
- D. Accept Heather Starry's resignation
- E. Receive June Fire Department Activity Report

A motion was made by Hall, seconded by Vickerman, to approve the Consent Agenda. The motion carried 3-0.

6. MATTERS FROM THE FLOOR

A resident from Osseo stated he had a public records request for Riley Grams contract from June 8, 2015. In addition he wanted to know Mr. Grams actual start date with the City. He asked for the 2020 employee policy for PTO and benefits. He also wanted the

prior 2020 employee policy and aid benefits. He requested he also be provided with information on Statute 13.43 and asked how the City was justifying their answers to keeping his public records request private.

7. SPECIAL BUSINESS – None

8. PUBLIC HEARINGS – None

9. OLD BUSINESS

A. APPROVE NEW TOBACCO LICENSE FOR A&M ATMS

Mikkelson stated on July 8, 2024, this license application was considered by the Council. During that discussion, the action on this application was tabled until the July 22, 2024, meeting. There were some expressed concerns over permitting at the location proposed by the applicant. All the concerns have been remedied, and Council should consider this application. Ali Aledawi, the owner, applied for a new tobacco and edible cannabinoid products license for A&M ATMS dba A&M ATMS located at 208 Central Avenue. He did not indicate any other tobacco establishments that he is interested in and will be the manager overseeing daily operations. The owner was also provided with a copy of the current moratorium on cannabis businesses. Zoning was previously reviewed and approved by the Community Management Coordinator for this address location through other inquiries. The Police Department has conducted a background investigation for the owner, which was clear. Staff collected fees per city code for the regular license period, from July 1, 2024, to June 30, 2025. The applicant may be in attendance for the meeting for any Council questions. The Council should also allow for public comment to consider approval of the licenses for A&M ATMS.

Vickerman explained some of the surrounding businesses are concerned with how the proposed business will impact them. She encouraged the new tenant to be mindful of this and to be a good neighbor to the existing businesses.

Hall questioned how many feet a person had to be from a door to smoke in the Central Business district. Mikkelson stated he would have to look this up.

Hall indicated he would like this information prior to considering the tobacco and edible cannabinoid products licenses. He supported action on this item being tabled to the next City Council meeting.

City Attorney Tietjen advised the Council could move to table action on this item and staff could look to see if there was an Ordinance on the books regarding smoking distances. She indicated if an Ordinance was in place, the applicant would have to comply. Otherwise, she reported the applicant has met all City Code requirements. She stated there was no reason for the Council to delay action or deny approval, unless a reason could be found within City Code to deny the license.

Hall stated he wanted to be assured that smokers were at least 25 feet from a door so as to lessen the impact on adjacent businesses. Mikkelson indicated he has never enforced a 25 foot ordinance in Osseo, but noted he could investigate this further.

A motion was made by Vickerman, seconded by Hall, to table action on this item approve a new tobacco and edible cannabinoid products licenses for A&M ATMS dba A&M ATMS.

Hall voiced his disapproval for this license, but he understood there was nothing the City could do to deny the license request.

The motion carried 3-0.

10. NEW BUSINESS

A. DECLARE SURPLUS PROPERTY

Mikkelson stated due to the nature of the items on the list being police specific equipment that cannot be sold at public auction the items will either be destroyed or donated to another government entity that can reuse the equipment. There will be no impact on the city's budget.

A motion was made by Hall, seconded by Vickerman, to adopt Resolution No. 2024-48, declaring City property as surplus and authorizing its destruction and/or donation. The motion carried 3-0.

B. APPROVE MUTUAL AIDE AGREEMENTS WITH BROOKLYN PARK FIRE

Interim Fire Chief Cogswell stated these agreements authorize the respective fire agencies to respond to and receive services as needed to provide and receive assistance by making equipment, personnel and other resources available for fire, rescue, and other emergency services. He explained verbal agreements have been in place for years and Brooklyn Park was now seeking a written agreement.

A motion was made by Hall, seconded by Vickerman, to approve the Mutual Aid and Automatic Aid Agreements. The motion carried 3-0.

C. APPROVE CAPTAIN 11 FIRE PROMOTION

Interim Fire Chief Cogswell stated the Captain 12 position became vacated in June 2023 when Billy Evans retired. The position was posted internally from June 13 through June 27. All qualified and interested candidates were encouraged to apply for the position. An application was received from one Lieutenant, Luke Churchill. The interview committee consisted of Interim Chief Mike Cogswell and Assistant Chief Blane Anderson. The candidate was asked a series of 30 questions across 10 categories in an attempt to thoroughly and fairly gauge his knowledge, experience, ability, and vision pertaining to fireground operations, emergency scenes, equipment, training, commitment, leadership, management, policies, administration, and general considerations. Lieutenant Churchill was unanimously recommended for the position by the interview committee.

A motion was made by Hall, seconded by Vickerman, to approve the promotion of Luke Churchill to Captain 12. The motion carried 3-0.

D. APPROVE NICK TORRES TO THE ECONOMIC DEVELOPMENT AUTHORITY

Mikkelson stated citizen appointments are made each year to various commissions and committees. After the last Council meeting, all positions were filled besides one vacancy on the Economic Development Authority. The vacancy will be filled until the term ends on December 31, 2024.

A motion was made by Hall, seconded by Vickerman, to adopt Resolution No. 2024-49, approving Nick Torres for the 2024 Citizen Appointment. The motion carried 3-0.

E. CONSIDER FILLING VACANCIES ON COUNCIL COMMITTEES

Mikkelson stated Council Member Hultstrom has asked that the Council consider filling the committees she is a part of for 2024. The Council should consider appointing a Councilmember to the following vacant positions:

Human Resource Committee:	_____	& Council Member Schulz
Cannabis Committee:	_____	& Council Member Schulz
Public Safety Advisory Committee:	_____	& Council Member Hall
Fire Relief Association:	_____	& Council Member Vickerman

Mikkelson reported the Council should consider these openings and discuss who should fill them.

Hall explained he would be interested in the Human Resources and Cannabis Committees.

Poppe questioned if these positions should be filled temporarily given the fact another member of the City Council would be resigning and reappointed. City Attorney Tietjen stated these appointments could be made temporarily and be revisited once a new Councilmember was appointed.

Poppe suggested action on this item be delayed until a new Councilmember was in place. City Attorney Tietjen suggested making an appointment to the HR Committee and the other positions could be filled after the new Councilmember was appointed.

Poppe explained he would be more than happy to serve on the HR Committee as well.

A motion was made by Hall, seconded by Vickerman, to approve the temporary appointment of Mayor Poppe to the Human Resources Committee and Councilmember Hall to the Cannabis Committee and that the Council reconsider the remaining committee vacancies after the appointment of a new Councilmember. The motion carried 3-0.

F. ACCEPT ALICIA VICKERMAN’S RESIGNATION AND DECLARE VACANCY ON CITY COUNCIL (Resolution)

Mikkelson stated the City has received a resignation letter from Councilmember Alicia Vickerman. The City Council should adopt a Resolution which accepts Councilmember Vickerman’s resignation from office as of July 22nd, 2024, and declare that a vacancy on

the Osseo City Council must be filled by appointment. MN Statute 412.02, subdivision 2a, states that when a vacancy is an elected office of a city with less than two years remaining in the unexpired term of office, the City Council must appoint someone to complete the balance of the unexpired term. The Council has leeway in terms of how to appoint an individual to the Council. Typically, the City Council has solicited letters of interest from community members interested in serving on the Council. Should the Council want to continue that same practice, staff recommends that letters of interest be accepted until August 7th at Noon.

Vickerman explained she was facing new professional opportunities that would not allow her to continue her service on the City Council. She indicated the City and the community mean so much to her. She stated she has really enjoyed her time on the City Council and wished the Council all the best in the future.

Poppe thanked Councilmember Vickerman for her dedicated service to the City of Osseo.

A motion was made by Poppe, seconded by Hall, to adopt Resolution No. 2024-50, accepting Councilmember Vickerman's resignation from Office as of July 22, 2024, and declaring that a vacancy exist on the Osseo City Council to be filled by appointment. The motion carried 3-0.

G. APPROVE ACCOUNTS PAYABLE

Mikkelson reviewed the Accounts Payable with the Council.

A motion was made by Vickerman, seconded by Hall, to approve the Accounts Payable as presented. The motion carried 3-0.

11. ADMINISTRATOR REPORT – None
12. COUNCIL AND ATTORNEY REPORTS

City Attorney Tietjen reported she would be speaking with the Interim Administrator regarding the cannabis moratorium. She indicated the Council would have to begin to consider how zoning related issues for full potency cannabis sales.

Hall asked if there would be food trucks at the farmers market this year.

_____ explained she was new to organizing the farmers market. She stated food trucks have been present in the past and it was her understanding the food trucks competed with the food vendors at the Movies/Music in the Park and neither were receiving enough business. For this reason, food trucks were not invited to be a part of the farmers market this year.

Hall provided an update on the park at the old Osseo Elementary School.

Hall questioned who was responsible for maintaining the ditch adjacent to the west side of the cemetery.

Hall requested the fire chief provide the City Council with a presentation on a monthly basis. In addition, he wanted to receive a monthly report on how the City was doing on the budget with breakdowns on revenues and expenditures. Mikkelson stated he would be providing the Council with quarterly breakdowns on the budget.

Hall encouraged staff to keep a close eye on water revenues. He discussed how water revenues would be impacted this year due to the large amounts of rain the City has received.

Vickerman stated she started on the City Council in uncertain times noting began on the Council by attending virtual meetings. She commented on how important it was for her to serve in local government. She hoped that residents of Osseo could see how much the City Council was giving of themselves through their service. She stated she was very proud of the great work the City Council has done and the lessons she has learned over the past few years. She thanked all of the past and present City Council and staff members for their tremendous service to the community.

Poppe thanked Councilmember Vickerman for her service to the City.

13. ANNOUNCEMENTS

Poppe encouraged the public to attend the upcoming Music and Movies in the Park events planned for Tuesday, July 23 and July 30.

Poppe stated the farmers market would begin on Tuesday, July 23.

Poppe commented on the Osseo Night to Unite/Drawing Contest and encouraged residents to consider hosting a Night to Unite gathering on Tuesday, August 6.

Poppe reported the EDA Business Breakfast would be held on Tuesday, August 6 from 7:00 a.m. to 8:30 a.m. at the Osseo American Legion.

Poppe stated the Council filing period would be open on Tuesday, July 30 and would close on Tuesday, August 13.

14. ADJOURNMENT

A motion was made by Vickerman, seconded by Hall, to adjourn the City Council meeting at 7:36 p.m. The motion carried 3-0.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial