

**OSSEO CITY COUNCIL  
WORK SESSION MINUTES  
October 28, 2024**

1. CALL TO ORDER

Mayor Duane Poppe called the work session of the Osseo City Council to order at 6:00 p.m. on Monday, October 28, 2024.

2. ROLL CALL

Members present: Councilmembers Mark Cook, John Hall, Juliana Hultstrom, Mark Schulz, and Mayor Duane Poppe.

Members absent: None.

Staff present: City Administrator Shane Mikkelson, Fire Chief Mike Cogswell, and City Attorney Mary Tietjen.

Others present: None.

3. AGENDA

Council agreed to discuss the work session items.

4. DISCUSSION ITEMS

A. DISCUSS OSSEO FIRE DEPARTMENT ESST RECOMMENDATIONS

Mikkelson stated there have been numerous discussions about Earned Sick and Safe Time (ESST) with the Osseo Fire Department members and City Administrators. It was originally determined that ESST could be paid to on-call firefighters for scheduled events only. But, effective 5/25/2024, the law was changed that now states ESST does not apply to volunteer or paid on-call firefighters. Below is an excerpt from the MN Department of Labor & Industry website. Following these discussions, a final decision needs to be made on how the City/department moves forward with this. Staff's recommendation is that we do not provide a similar program effective 5/25/24, but pay out "hours earned" (1 hour for every 30 hours worked) for those that became eligible prior to 5/25 (worked 80 hours). The Fire Department polled other Fire Departments in our area, and 10 out of 11 are NOT providing a similar program to their paid on-call firefighters after 5/25/2024. Three did/are paying out as outlined in the above paragraph, and this includes Maple Grove, Anoka, Brooklyn Center, and West Metro. After a discussion with Rogers, it is anticipated they will do the same. Andover and Lino Lakes did not do any payout. This recommendation is fair and consistent with what neighboring departments are doing. Staff reviewed a chart showing those eligible and the number of hours that would be paid to on-call firefighters with the OFD. Staff requested direction regarding the updates our ESST Policy.

Fire Chief Cogswell explained no one within the fire department used ESST.

Schulz asked what the current pay rate was for firefighters. Mikkelson stated the rate was currently \$17.87 per hour.

Hultstrom commented after adding up the numbers on Page 4, the department doesn't have 50 hours total. She indicated she could support paying out the hours earned as proposed by staff.

Hall reported the total payout totaled around \$900. Fire Chief Cogswell reported this was the case.

Schulz stated he supported the payouts as well.

The Council supported the payouts and ending the ESST program for the paid on call firefighters.

#### B. DISCUSS CANNABIS REGISTRATION ORDINANCE

Mikkelson stated at the September 30th work session, the council gave direction to staff on their thoughts on a new cannabis registration ordinance. Attached is a draft of that new ordinance with a couple of new questions on some parts of the ordinance. We are asking the council to give us direction on the new questions so the ordinance can be brought back to the city council to before the end of the year.

City Attorney Tietgen reviewed the draft ordinance in detail with the Council, noting the State will issue licenses and retail businesses are then required to register with the City. She explained this ordinance would establish the registration process while also capping the number of retail shops to one, plus a municipal shop. She indicated the ordinance also establishes a process for reviewing the registrations and includes a section for that addresses enforcement/compliance checks. She asked how the Council wanted to address the storage or placement of edibles in a retail shop.

Hultstrom asked if the City had any establishments that allow for visitors to be only 18 years of age. Mikkelson stated patrons of the tobacco retail shops have to be 21 years of age to make a purchase. He explained all future cannabis retail shops would be tied to the 21 years of age in order to make a purchase.

Schulz reported when the Council worked through this originally, the Council only wanted to have establishments that were used to carding people, be allowed to sell edibles. He supported this requirement remaining in place going forward.

Hultstrom asked if any of the current establishments have locks on their edible cases. Mikkelson stated this was not a current requirement. City Attorney Tietjen reported she would have to check City Code regarding edibles, but stated she did not believe this was a City requirement.

Hultstrom did not support putting additional regulations in place to mandate edibles being in locked cases.

Hall indicated he liked the 21+ idea, but did not support requiring locked display cases for local business owners.

Schulz asked what a 21+ establishment was. He indicated Holiday has chosen not to move into the sales of edibles, but if this were to change, would they be allowed to sell edibles through their tobacco license. He noted Sipes also has a tobacco license, and if the City were to move to a 21+ license, both Sipes and Holiday would be precluded from selling edibles. He commented he did not support this. He explained both Holiday and Sipes was used to carding individuals and he did not believe the City should stand in their way from selling edibles.

Poppe and Hultstrom supported this recommendation.

City Attorney Tietjen reviewed the current ordinance language noting edible cannabinoid licenses shall only be issued to businesses that also are licensed as an exclusive liquor store, on-sale liquor sales or licensed to sell tobacco. She indicated this would include Holiday or other vendors that have a tobacco license that were not 21+.

Poppe recommended this language be added into the cannabis registration ordinance.

Cook commented this language would limit a wellness boutique type shop from moving into the community. City Attorney Tietjen reported this was the case and noted this would be a policy decision for the City Council.

Mikkelson commented the concern raised by the Council was that cannabis licenses should only be given to businesses that were used to carding patrons, such as alcohol and tobacco establishments.

Hultstrom indicated a wellness boutique could pursue a tobacco license, without selling tobacco in order to sell edibles or other cannabinoid products.

Further discussion ensued regarding the license process and registration language.

Schulz reported the current language was originally included because this offered the easiest process for edible sales. He understood this may not be the best process going forward. He questioned how the Council wanted to address temporary events. City Attorney Tietjen reported temporary events were optional.

Hall questioned how much a tobacco license costs in the City of Osseo. City Attorney Tietjen reported a tobacco license was \$250. Mikkelson commented on how there was some level of control by requiring THC retailers to have a tobacco license because this requires a background check and other security measures.

Hall inquired if the City could set a cap on the number of low potency shops in the community. City Attorney Tietjen anticipated the City could do this, but there might be other business policy reasons no to. She stated she could look into this further.

Hall asked if the City could require background checks on THC retailers. City Attorney Tietjen reported any necessary background checks would be completed by the State when a retailers requests a cannabis license.

Hultstrom commented she was torn on this matter. She stated if the City required a tobacco license the City would have more regulations, enforcement and oversight in place for low potency THC retailers.

Hall supported the City Attorney looking into if the City could cap the number of low potency retailers in the community and then the Council could revisit this topic.

Schulz questioned if the City Council wanted to set hours of operation restrictions for temporary events, or did the Council support low potency products being sold at Lions Roar or other City events. City Attorney Tietjen reported an event organizer would have to get licensed with the State in order to hold a temporary event. She recommended the Council support requirements 1 and 5. She indicated the Council may have to consider additional buffers for temporary events. She noted the buffers for special events could mirror what was being proposed within the zoning ordinance.

5. ADJOURNMENT

The Work Session adjourned at 6:54 p.m.

Respectfully submitted,

Heidi Guenther  
*Minute Maker Secretarial*