

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
September 9, 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, September 9, 2024.

2. ROLL CALL

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

Staff present: Interim City Administrator/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.

A motion was made by Hultstrom, seconded by Cook, to accept the Agenda as presented. The motion carried 5-0.

5. CONSENT AGENDA

- A. Approve August 26th Council Minutes
- B. Approve August 26th Work Session Minutes
- C. Accept Lawful Gambling Report from the Northwest Area Jaycee's
- D. Receive OFD Monthly Activity Report

A motion was made by Hultstrom, seconded by Cook, to approve the Consent Agenda. The motion carried 5-0.

6. MATTERS FROM THE FLOOR

Nick Torres, 133 8th Avenue NE, congratulated Mark Cook to his appointment to the City Council. He stated after reflecting on the past year, he wanted to thank the Mayor, all members of the City Council and City staff for their hard work and dedication to the operation of the City. He indicated Osseo may not be a big municipality, but running the City was not an easy task. He understood there were a number of challenges the City has faced in the past year and difficult decisions had to be made. He thanked the Mayor, City Council and City staff again for their service. He commended Interim City

Administrator Mikkelson for all of his efforts during this challenging time. He then recognized the public safety members and thanked them for their tremendous service to the community.

A resident of Osseo provided the Council with a handout that was an email from Police Chief Mikkelson. He reviewed the email noting every City has to follow State Statute and federal laws. He recommended the police department's policies and procedures be reviewed and asked for a public data request of the department's policies and procedures. He commented further on how he requested a citation from the police chief, but noted he has yet to receive a citation. He understood there was an investigation underway on how he got his hands on a personnel video. He stated it was still unknown why Riley Grams resigned and was paid 10 months of salary.

Karen Broden, 600 1st Avenue NE, stated she recently retired from the position of Administrative Assistant for the City of Osseo. She further shared her thoughts on Agenda Item 10A. She explained this was her third attempt to share her concerns regarding the City Administrator position. She indicated she was also concerned with how a City Councilmember overstepped the boundaries of their role when directing the City staff members. She reported on May 25 when the Council voted to place Shane Mikkelson into the dual role of Police Chief/Interim City Administrator she wrote an email to all City Councilmembers and the Mayor asking them to consider taking a vote to advertise the position with the League of Minnesota Cities. She indicated this would widen the pool of candidates for the position. She explained only two of the five Councilmembers replied to her email. She commented for the June 24 City Council meeting she wrote a letter to the City Council to be read into Matters from the Floor, which was read out loud, requesting the position be posted in order to seek the best possible candidates for a new City Administrator. In addition, she asked that the City post for a City Clerk and Community Coordinator. She indicated she had learned the women in those positions had resigned their positions after Mr. Mikkelson was put into the dual role. She explained she has lived in Osseo since 2009 and she recently retired from her position as the Administrative Assistant. She commented she worked with staff members who left the community to find better working environments in neighboring cities. She reported one of these staff members shared a shocking video with her that was recently made public. She stated after working in the public and private sector for nearly 50 years she had never witnessed such behavior towards an employee and while intimidation was not illegal, it was not acceptable, and the words "you need to keep your mouth closed and you're done talking to people outside the City", should not be tolerated in the work place. She explained after her letter was presented on June 24, four Councilmembers contacted her via email and she spoke to two of them. Since that meeting, two of the Councilmembers have resigned their position, but she appreciated the fact that two of the Councilmembers reached out to her and that her voice was heard. She noted Councilmember Schulz replied via email and thanked her for taking the time to write. She reported Councilmember Schulz shared his thoughts and that he understood there was some level of disfunction in the City Hall offices and that there were opportunities to make changes. She discussed how Councilmember Schulz works very hard to make his ideas into policies or the changes he envisioned. She commented on how she had witnessed Councilmember Schulz verbally requesting former staff members to make changes to things when the City Administrator was not present, sometimes rather aggressively. She stated she appreciated the work, courage and effort it took to be an elected official, but often found herself disagreeing with individual

positions that are being pushed into policy. She explained she objected to handing over the City Administrator position without seeking qualified candidates. She believed in investing in staff and not saving costs because staff were the ones working diligently on behalf of Osseo residents. She commented on how the City's small staff handle multiple tasks every day and need to be collaborative and knowledgeable. She was of the opinion the City deserved a full time City Administrator that oversees all employees including the police chief. She hoped all current and future City Councilmembers shared her opinion that City staff was in place to ensure the best possible quality of life for all citizens. She thanked the Council and Mayor for hearing her and noted she did not want to cause any hard feelings. She appreciated each of the Councilmembers and the service they provide to the community, but she had to address these issues because they need to be addressed.

Kenny Nelson, 509 3rd Avenue NW, stated two weeks ago the City Attorney issued a statement and, in this statement, he heard a threat. He asked if the City Council had approved her statement. He thanked all of the volunteers that made Lions Roar a great success. He discussed the expense for the wristbands this year and asked if there was a way to reduce the cost for residents. He understood the City made a decision to part ways with its City Administrator and the police chief was serving as the Interim City Administrator in the short term. He explained he did not believe having a police officer serving in this capacity was the long term solution for the City. He stated this was nothing personal, but rather some residents do not want to have a person in uniform serving as the City Administrator. He reported he recently received the proposed budget for 2025, and noted he was caught off guard by how much the City was spending on police. He explained Osseo would be spending 54% of its budget on police while other communities were spending only 25% to 42%. He commented further on how much other communities were spending per person on police compared to Osseo. He recommended the City start asking questions of the County to see if there was a better option for policing services. He believed it was not in the City's best interest to spend over 50% of the budget on policing without seeking other options because residents of Osseo may not be able to continue to bear larges increases to their property taxes. He indicated he supported the City moving forward with the City Administrator position.

Karen Ziska, 12 6th Street NE, encouraged City staff to clean the front entrance at City Hall because there was dust, chipping paint on the door and cobwebs.

Ashley Mueller, previous Councilmember, explained she grew up in Osseo and had served this community for many years. She indicated she has since moved away from the community. She commented on the calls and messages she has received since May. She reported she has worked with each of the Councilmembers and understood they were open to having conversations. She urged the residents of Osseo to reach out to the Councilmembers to ask questions of the City Council in order to get real answers. She stated she would like the residents of Osseo to assume the best intentions from the City Council. She encouraged those running for City Council to consider what it truly means to serve. She expressed concerns with the fact some of the individuals running for City Council had lengthy criminal histories. She encouraged to use resources to look up criminal history using websites such as publicaccess.courts.sate.mn.us/CaseSearch. She indicated these were not the people she would choose to represent her as a resident of Osseo. She noted she had questions about the people who were running for Mayor. She explained she had questions about the commitment level of the candidates and if they

were a reliable individual. She asked that the residents of Osseo ask questions directly from the source in order to have accurate information. She stated she was not here to make enemies or hurt feelings. She was of the opinion the City Council was acting in good faith to make the best decisions possible for the community. She stated she had trust in the five Councilmembers that were currently serving and she hoped things would only continue to improve for the better.

7. SPECIAL BUSINESS

A. ACCEPT DONATIONS (Resolution)

Mikkelson stated the City has received the following donations:

| Donor | Amount/Item | Designated Fund |
|---------------------------------|-------------|-----------------|
| Evans Nordby Funeral Homes Inc. | \$200 | Minidazzle |

Staff recommended the Council accept the donations.

A motion was made by Schulz, seconded by Hall, to adopt Resolution No. 2024-56, accepting a donation from Evans Nordby Funeral Homes. The motion carried 5-0.

8. PUBLIC HEARINGS – None

9. OLD BUSINESS

A. DISCUSS CITY ADMINISTRATOR POSITION

Mikkelson stated on April 22nd the Osseo City Council appointed me as the Interim City Administrator. As this position has evolved there has been many discussions about the impact of having the City Administrator a stand-alone position or having a dual role of City Administrator and Police Chief combined. This item has been requested to be placed on the agenda for discussion. At the work session on August 26th the council heard the budget impacts of both City Administrator role choices. The dual role has a savings for the city of approximately \$113,000.

Hultstrom stated she did not believe there would be a \$113,000 savings given the fact the City has shifted to hiring an assistant city administrator. She reported there have been a lot of things that she felt should be discussed in closed session, but she did not know how the rest of the Council feels.

Hall explained the Council talked about a full time administrator and agreed to have one in place by the first of January, 2025. He indicated if a dual role position were to move forward, then the budget should reflect this. He was of the opinion the police chief should not be in uniform at City Council meetings when serving as the City Administrator. Mikkelson explained he was serving as the Interim City Administrator and he was the Police Chief, which was the reason he was wearing his uniform.

Hall stated he has received many comments from many different residents in the City. He believed residents did not want to see the dual role moving forward, rather they wanted to see a full time City Administrator being hired with Police Chief Mikkelson

moving back to the police department. He commented on how the City had a part-time administrator in place in the past, but this individual was working 30 hours per week. He noted residents did not support the hire of two additional police officers. He was of the opinion the City should not be hiring additional officers in an attempt to police properties in Brooklyn Park. He recommended that the police chief and City Administrator positions be separated and if the positions remain part time that part time wages be paid. He stated he was surprised by the wages that were being paid to Osseo staff members and noted he feared the City was spending too much on staff members and police. He indicated he was on a fixed income and he could not support continual tax raises. He stated at this time he would vote no for a dual role.

Poppe asked if Councilmember Hall would support the dual role, even if this meant a tax increase.

Hall commented he did not want the two extra police officers and noted the City did not need an assistant City Administrator if a full time City Administrator was hired.

Cook indicated the matter at hand was the City Administrator position and not the assistant city administration position or if the City would be hiring two additional police officers. He encouraged the Council to keep their conversation on topic. He stated once this matter was addressed, the Council could move onto future conversations regarding these other positions.

Schulz stated he would like to hear from the Mayor because he asked to place this item on the agenda.

Poppe commented he believed Interim City Administrator Mikkelson was doing a great job but he wanted to see the position having some stability through the end of the year. He indicated he did not know how the election would go and the new Council could make the decision on how to proceed in 2025.

Schulz discussed how the City previously had a part time interim city administrator. He indicated this individual did not work 30 to 40 hours per week. Rather, this individual was a part time employee. He asked how much the interim city administrator was getting paid per hour to serve as the city administrator. Mikkelson explained was getting paid \$10 more per hour over his police chief wages.

Schulz commented his daughter works at a book store part time and she makes almost twice that much. He indicated the City was getting part time work for part time wages. He explained he has been through this in the past and noted there were a lot of things he wishes he could talk about. However, as an elected official for four different terms, he did not have the ability to say whatever he wants. He reported he supported the City continuing with the dual role. He discussed how the City managed with a part time city administrator in the past, noting this was due in part to the strong City Clerk that was in place. He commented on the tone that was taken by the interim city administrator with an employee and how he was instructed to be more gentle in the future. He stated he has no qualms moving forward with the part time administrator position. He indicated if the City were to continue with the dual role into 2025, the City would only be paying \$15 per hour for this position, which was equivalent to part time wages. He explained the budget was available for the public to review and he agreed with Councilmember

Cook that the Council needed to make a decision when it comes to this position. He stated he would not support removing the full time city administrator position from the budget because depending on how the election turns out, the interim city administrator may not want the position. He stated it was miraculous all that had been accomplished during a time of great disfunction at the City. He supported the City moving forward with the dual role in hopes of having the most functional staff on board than the City has had in years.

Cook asked how the Council should move forward. He questioned if the Council should be making a motion to continue the dual role with the interim city administrator to a certain date.

Poppe stated a motion would be in order to continue along this line with the dual administrator position. He explained he applauded all of the efforts of staff during this time of transition.

A motion was made by Schulz, seconded by Cook, to recommend the HR Committee enter into contract negotiations with Shane Mikkelson to create a permanent city administrator/police chief role and to bring this matter back to the City Council for consideration. The motion carried 3-2 (Hall and Hultstrom opposed).

10. NEW BUSINESS

A. APPROVE COUNCIL MEMBERS TO COMMITTEES

Mikkelson stated at the July 22nd Council meeting the Council was asked to fill committee appointments that were vacated by Council Member Hultstrom. The Council decided to temporarily fill the committees until another council member could be appointed. Below are the council members appointed to committees.

Human Resource Committee Mayor Poppe & Council Member Schulz
Cannabis Committee Council Member Hall & Council Member Schulz

Mikkelson reported the council directed that this item be reconsidered after a new council member has been appointed. Council Member Mark Cook was appointed to the Council on August 12th and took his Oath of Office at the August 26th Council meeting. Council should consider filling the vacancies as follows:

Council Appointments

| | |
|-----------------------------------|---------------------------------------|
| Acting Mayor | Juliana Hultstrom |
| Alternate Acting Mayor | Mark Schulz |
| Economic Development Authority | Mark Schulz, Duane Poppe, & Mark Cook |
| Fire Relief Association | Juliana Hultstrom & Mark Cook |
| Historical Preservation Committee | John Hall |
| Weed Inspector | Duane Poppe |

Council Committee Appointments

| | |
|---------------------------------|---------------------------|
| Arts & Communications Committee | Mark Schulz & _____ |
| Budget & Finance Committee | Mark Schulz & Duane Poppe |
| Cannabis Committee | Mark Cook & Mark Schulz |

| | |
|---------------------------------------|-------------------------------|
| Human Resources Committee | Duane Poppe & Mark Schulz |
| Intergovernmental Relations Committee | John Hall & Juliana Hultstrom |
| Parks & Recreation Committee | John Hall & _____ |
| Public Safety Advisory Committee | Mark Cook & John Hall |
| Risk Management Committee | Mark Schulz & Duane Poppe |

Hultstrom stated a lot of the comments have been directed at her tonight and she wanted to speak for herself. She explained she has been going through some health issues and she was 100% disabled since 2003. She indicated she still works to give of her time. She reported she asked the interim city administrator to fill her committee roles after she had a bowel obstruction because this could have been a surgical matter. She stated she did not appreciate people who do not know making accusations that she does not do her job. She commented she has given a lot to this City over the past 10 years. She indicated she would be more than happy to take back her committee assignments, but if someone else wants them, that is an option too.

Cook reported because he was currently on the EDA and the Public Safety Advisory Commission (PSAC), he would be more than happy to remain on these Commissions as a City Councilmember. He stated he was very interested in the HR Committee as well.

Hultstrom indicated she would be happy to take back the Acting Mayor role. She noted she was currently the PSAC Chair and she could continue to serve in this capacity. She commented she has asked to hold a PSAC meeting but nothing has come of this request. She explained she has served on the HR Committee for three years. She indicated if Councilmember Cook would like to take this position that would be fine. She stated she could support Councilmember Hall remaining on the Cannabis Committee. She reported she just wanted to make it clear why she stepped away without people judging her when they don't have all the facts. She questioned why former Councilmember Mueller didn't call her before making her statement at this Council meeting.

Cook stated he supported Councilmember Hultstrom remaining the PSAC Chair.

Poppe questioned if Councilmember Hultstrom would like to continue her service with the Fire Relief Board.

Hultstrom stated she could continue with this appointment and noted the Council needs a second member from the City Council for this board.

Cook explained he would be willing to give the Cannabis Committee appointment back to Councilmember Hultstrom.

Hultstrom indicated she could yield this position to Councilmember Cook if he had an interest in this appointment.

Cook stated he wanted to continue his work with the EDA and PSAC and noted he was very much interested in the Cannabis Committee as well.

Hultstrom reported she would also be interested in taking back her position on the HR Committee.

Poppe indicated he was interested in remaining on the HR Committee. He asked if anyone was interested in serving on the Fire Relief Board. He explained this group meets quarterly on a Thursday night.

Cook stated he would be willing to serve on the Fire Relief Board. Mikkelson reported the Fire Relief Board would be meeting next on Wednesday, September 11 and noted he would send a meeting notification to Councilmembers Hultstrom and Cook.

Hall suggested the Intergovernmental and Parks and Recreation Committee be appointed in the new year with the new Council.

Hultstrom stated she would be willing to serve on the Intergovernmental Committee for the remainder of the year.

A motion was made by Hultstrom, seconded by Hall, to adopt Resolution No. 2024-57, approving 2024 Official City Council Appointments as discussed. The motion carried 5-0.

B. APPROVE ACCOUNTS PAYABLE

Mikkelson reviewed the Accounts Payable with the Council.

A motion was made by Hall, seconded by Cook, to approve the Accounts Payable as presented. The motion carried 5-0.

11. ADMINISTRATOR REPORT – None

12. COUNCIL AND ATTORNEY REPORTS

City Attorney Tietjen addressed the statement that was made during Matters from the Floor regarding the video. She explained she was merely reporting what the law requires, which is an investigation. She commented there was a potential for criminal or civil penalties based on what the law states.

Hultstrom thanked Osseo staff and the volunteers from the Lions Club for another fantastic Lions Roar.

Hultstrom reported she was looking forward to the candidate forum next week and she hoped the Council could work optimistically going forward.

Hall stated another cannabis company may be coming forward and because there were now two companies interested in Osseo this item should be put out for bid. She encouraged the cannabis committee to move forward in this manner.

Hall questioned where the City was with a new fire chief.

Hall explained the new playground equipment at the elementary school was fantastic and there were lots of children enjoying the new equipment.

Hall indicated the concrete was installed on his street.

Hall stated he was concerned the City would out-spend Osseo.

Hall thanked all who spoke during Matters from the Floor. He commented on the former City Councilmember who spoke during Matters from the Floor. He explained he was very offended by the fact she made eye contact with him while discussing DWI's and DUI's. He indicated he quit drinking 25 years ago after going onto several medications for his health. He noted his driving record was very clean.

Hall requested staff provide him with a police contract. In addition, he noted he did not want to see the Osseo Police Department policing properties in Brooklyn Park.

Cook stated Lions Roar was really well done again this year. He explained he was thrilled to see all of the businesses downtown thriving and to see the City celebrated so well each year.

Schulz apologized to the residents in the City of Osseo because he was not able to attend the parade this year.

Schulz thanked the hundreds of people who have reached out to him over the past several months offering him support and encouragement to stay the course. He explained he was very cautious in the manner in which he speaks to City staff. He stated he wishes there were things he could say, but could not during public meetings. He commented on how some of the statements made by the public were just false. He reiterated the fact that he has been elected to City Council on four separate occasions. He encouraged the public to meet with candidates and to do their research before the upcoming election.

Poppe thanked the Lions Club, staff members and volunteers who did an amazing job on the Lions Roar.

13. ANNOUNCEMENTS

Poppe stated the farmers market would be held on Tuesdays through September 24 from 3:00 p.m. to 7:00 p.m.

Poppe reported the Osseo Candidate Forum would be held on Tuesday, September 17 at City Hall at 6:30 p.m.

Poppe encouraged the public to attend the Police/Fire versus Dick's/Duffy's Kickball game on Thursday, September 14 at Sipes Park at 6:00 p.m. He noted food would be available at this event.

14. ADJOURNMENT

A motion was made by Hultstrom, seconded by Hall, to adjourn the City Council meeting at 8:28 p.m. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial