

**OSSEO CITY COUNCIL
REGULAR MEETING MINUTES
April 24, 2023**

1. CALL TO ORDER

Mayor Duane Poppe called the regular meeting of the Osseo City Council to order at 7:10 p.m. on Monday, April 24, 2023.

2. ROLL CALL

Members present: Councilmembers Juliana Hultstrom, Harold E. Johnson, Mark Schulz, Alicia Vickerman and Mayor Duane Poppe.

Staff present: City Administrator Riley Grams and City Attorney Mary Tietjen.

Others present: Karen Ruzicka, City Resident; Frank Ruzicka, City Resident; Roseanna Garibaldi, City Resident; Michael Olkives, City Resident; Preston Kroska, City Resident.

3. PLEDGE OF ALLEGIANCE

Poppe led the Pledge of Allegiance.

4. APPROVAL OF AGENDA [Additions - Deletions]

Poppe asked for additions or deletions to the Amended Agenda.

Grams made note that the agenda was amended with the addition of Item 5J.

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

5. CONSENT AGENDA

- A. Receive April 10 EDA Minutes
- B. Approve April 10 Council Minutes
- C. Set Council Work Session for May 17, 2023 at 6:00PM
- D. Approve Hire of Part Time Police Officer Tony Mortinson
- E. Approve Hire of Ben Cisewski as Part Time Seasonal Public Works
- F. Receive March Lions Club Gambling Report
- G. Receive March Fire Gambling Report
- H. Receive 2023 Q1 Donation Report
- I. Approve Hire of Firefighter Ethan Walsh
- J. Accept Resignation of Full-Time Police Officer Matthew Beyer

A motion was made by Vickerman, seconded by Johnson, to approve the Consent Agenda.

Hultstrom thanked Staff for their efforts on the First Quarter Donation Report.

The motion carried 5-0.

6. MATTERS FROM THE FLOOR

Frank Ruzicka, 12 6th St NE, recommended all of the contracts the City gets involved with should clearly state the cost and what is covered, along with the amount of insurance the contractors carry. He suggested a report on how the contractors will do the work also be included, along with references. He questioned what recourse the City had if a contractor did not complete the project properly.

Michael Olkives, 325 3rd Street NE, stated he was speaking as a representative of ABATE (American Bikers for Awareness Training and Education). He reported this organization was working statewide and nationally to bring awareness to motorcycle safety. He commented further on the benefits of motorcycles and requested the Council consider passing a proclamation for motorcycle safety in the month of May.

7. SPECIAL BUSINESS

A. ACCEPT DONATIONS

Grams stated the City has received the following donations:

Donor	Amount/Item	Designated Fund
Premier Banks	\$5,000	Night to Unite
Minnesota Masonic Charities	\$150	Police

Staff recommended the Council accept the donations.

A motion was made by Hultstrom, seconded by Johnson, to adopt Resolution No. 2023-21, accepting a donation from Premier Banks and Minnesota Masonic Charities. The motion carried 5-0.

8. PUBLIC HEARINGS – None.

9. OLD BUSINESS

A. APPROVE EDA ACTIONS OF APRIL 10, 2023

Grams discussed the actions of the EDA. He noted the EDA approve updated EDA bylaws allowing for every other month meetings, approved an updated meeting schedule for the remainder of 2023, discussed the EDA business survey project and approved accounts payable.

Vickerman commented she supported the Council only taking action on items that required Council approval, versus a blanket approval on all EDA items.

Schulz supported this recommendation.

Hultstrom asked if this was previously discussed. Grams stated this was discussed a year ago and the City Attorney had provided input. He discussed how the Council and the EDA were two separate entities. He reported the Council has been blanket approving the EDA actions since before he came to the City but noted there was not a legal reason to take this action.

Hultstrom stated she supported Councilmember Vickerman's recommendation.

A motion was made by Schulz, seconded by Vickerman, to remove the EDA approval item from all future Council agendas. The motion carried 4-1 (Johnson opposed).

10. NEW BUSINESS

A. APPROVE 1ST READING, WAIVE 2ND READING AND ADOPT THE EDA MEETINGS ORDINANCE

Grams stated the City of Osseo Economic Development Authority (EDA) approved amending their bylaws at the April 10, 2023, EDA meeting, to allow for every other month regular meetings rather than a meeting each month. In Section 33.52 of the Osseo City Code, it states that EDA Meetings are to be held each month. For the Council to take action on the next item regarding Council consideration of the amendment to the EDA bylaws, the Council must first approve a change to the City Code to state that meetings shall be held every other month or as frequently as established by the EDA bylaws. If approved, the ordinance will be effective on the date of publication which will be May 4, 2023.

A motion was made by Hultstrom, seconded by Vickerman, to approve the First Reading, Waive the Second Reading and Adopt the Ordinance Amending EDA Meetings.

Schulz explained this was an item that had to be approved by the Council from the EDA. He reported there was a mechanism in place if the EDA wanted to move back to monthly meetings.

The motion carried 5-0.

B. APPROVE AMENDMENT TO THE ECONOMIC DEVELOPMENT AUTHORITY BYLAWS

Grams stated the EDA discussed the option of moving to every other month regular meetings at their March 13 meeting. Direction was given to Staff to bring back the proposed amendments to the EDA bylaws, which were approved by the EDA at their meeting on April 10. The Council should consider adopting the attached Resolution approving the amendments to the bylaws allowing for every other month regular EDA meetings.

A motion was made by Hultstrom, seconded by Vickerman, to adopt Resolution No. 2023-22, approving Amendment to the Bylaws of the Osseo Economic Development Authority. The motion carried 5-0.

C. DISCUSS 150TH CELEBRATION COMMITTEE AND OTHER COUNCIL ACTIONS

Hultstrom stated she has always had a close relationship with Councilmember Johnson with a great deal of respect. She expressed concern with the actions Councilmember Johnson took on April 7 when he emailed each member from the Historical Preservation Committee and made himself the chair and set the meeting place. She believed these actions were wrong. She discussed the open meeting law practices that had to be followed by Councilmembers. She indicated she was elected chair of the Public Safety Advisory Committee. She noted if she were to email each of the members on this committee and invited them to her home stating she wanted to take over Night to Unite, this would be wrong. She indicated it did not feel good being shut out and she did not believe an announcement at the end of a Council meeting, without Council action or involvement was wrong.

Hultstrom believed Councilmember Johnson took advantage of his fellow Councilmembers and Staff was not aware of the situation. She supported the Council moving forward with practices that were respectful and inclusionary and no one person was taking over. She reported this Council assigned Councilmember Johnson to be the liaison to this committee and noted this committee has not met and appointed him the chair. She indicated this problem came to the HR Committee and the HR Committee decided that it needed to be brought to the Council for further discussion and action.

Hultstrom stated Mr. Amerman was aware of Councilmember Johnson's desire to get this committee up and going. She noted 30 months was a great deal of time to plan for a couple days. She indicated committees like this typically have applications openly from the public and the Council took the time to review these applications before making appointments. She was concerned about the open meeting violation along with respectful workplace actions. She commented on how Councilmember Johnson needs to properly address Staff and another Councilmember prior to adding an item to Council agendas. She explained she admired and respects Councilmember Johnson, but she had real major concerns regarding Councilmember Johnson's behavior.

Vickerman reported the HR Committee doesn't have any authority over the Council. However, she would like to see each member of the Council operating under the same set of norms or practices. She supported the Council having an agreed upon process for adding items to Council agendas. She commented on the respectful workplace Resolution and noted there have been instances where Councilmember Johnson has had accusations or rumors that are repeated in meetings. She found this to be in direct conflict with the Resolution.

Schulz agreed calling the 150th Celebration Committee was a concern to him. He reported there has been several times when Councilmembers go rogue during meetings, but there was a point during the water study worksession where an hour long discussion ensued that was off topic. He expressed concern with the behaviors of Councilmember Johnson because they were not in keeping with the respectful workplace. He anticipated Staff may have concerns about Councilmember Johnson's behavior, but Staff doesn't want to "rock the boat". He discussed the process that should be followed to get items on the Council agenda and encouraged Councilmember

Johnson to follow this process going forward. He stated it was his hope that the Council could work together better going forward.

Johnson commented the 100th celebration in 1975 was made possible by the efforts of the Chamber of Commerce, the Osseo Lions and many volunteers. He explained this event was tremendously successful without the City of Osseo being directly involved. He stated from this event the Lions have continued with the Lions Roar each year. He reported a few from that time and others have indicated a strong desire to have a 150th celebration in 2025. He explained a planning meeting was open and publicized to the general public for April 26 at Realife Cooperative. He stated many comments in the Council packet regarding the 150th Celebration Committee have numerous errors and omissions.

Johnson reported at the last Heritage Preservation Commission in early 2021, the members in attendance were Patty McLain, Jim Kilmer, a former employee of NOLA, Mary Moya, Dorothy Clarke and himself. He stated this group discussed interest in creating a 150th booklet and a question was put into an email to the Attorney and City Administrator. He indicated this group received no response. Instead, on September 13, 2021, the Council adopted a Resolution that created a Historical Preservation Committee and doing away with the Heritage Preservation Commission. He stated the new Historical Preservation Committee was inactive for 2021, 2022 and 2023 to date with appointments being made each year, but no called meetings. He reported in 2023 he attempted to get Staff to hold a meeting with no success. He indicated this group could have involvement in the 150th Celebration. He explained he contacted the Historical Preservation Committee members to attend a meeting on April 26 at City Hall at 4:00 p.m. He stated if this was an open meeting violation, it was because Staff took no action.

Johnson commented in mid-2022 a resident with an interest in Osseo's history and the 150th Celebration made contact with Joe Amerman about getting interested people together for discussion. He stated on May 5, 2022 he sent an email to Joe Amerman regarding the 150th Celebration with a listing of businesses, individuals and organizations that have a long history with Osseo. He reported in September four individuals with Joe Amerman and himself held a sounding meeting regarding the 150th Celebration. He stated the City request would be to dedicate the park and do what was necessary to follow up on the historical water tower and provide a meeting place for the 150th Committee to meet at City Hall starting in April 2023.

Johnson reported at the next Osseo Lions board meeting they agreed to allow the 150th Celebration to be held Tuesday to Thursday after Labor Day in 2025 in conjunction with the Osseo Lions Roar Friday and Saturday. He noted this event would all fall under the Osseo Lions insurance coverage. He indicated he attended the Osseo Park and Recreation in December of 2022 and made a presentation from the 150th Committee and asked for volunteers noting April 2023 would be the next meeting date. He noted two members volunteered. He stated at each EDA and Council meeting in December of 2022 he made comments regarding the 150th planning group noting the April 2023 meeting date. He reported in April 2023 he had conversations with Realife Cooperative about using the Great Room for the 150th planning group. With or without a City approved meeting place, it has been posted that the 150th planning group would be meeting on April 26, 2023 at Realife Cooperative in the Great Room. He noted an email

was sent on April 15 to the City Administrator and City Attorney stating the 150th planning meeting was to be held and he has received no reply to date, except for the information that was included in the Council packet.

Johnson stated it should be easy to see that all members of the Council were made aware of the 150th planning committee meeting scheduled for April 26. He noted the City Administrator was responsible for what does or does not happen at City Hall. He explained when things are not handled firmly, timely or properly, this falls on him. He indicated the respectful workplace policy violations have occurred treating censured emails that he has received from the City Administrator many times. He reported the past planning for the 100th year celebration worked well without City involvement and this could occur for the 150th celebration as well. For this reason, the 150th planning group would be meeting on April 26 at 6:00 p.m. at Realife Cooperative in the Great Room. He noted the meeting has been posted and everyone is welcome. He did not believe the City needs to be involved, except for investigating the historical water tower and expanding the park. Other than that, the committee was not looking for any support from the City. He reported the planning group would be working with the Osseo Lions.

Schulz thanked Councilmember Johnson for his detailed explanation. He indicated he was concerned with the fact Councilmember Johnson wanted to plan this event on his own. He stated there has been many times where he could have asked to put items on the agenda or asked for help from the Council. Rather, Councilmember Johnson disparages Staff. He reiterated that Councilmember Johnson was not the boss of Staff. He encouraged Councilmember Johnson to bring his concerns regarding staff to the Council. He stated the 150th Celebration Committee can plan this event. He indicated his concern was with the fact Councilmember Johnson used his position as a Councilmember to inform people of this meeting. He reiterated the Council typically makes appointments to committees. He feared that Councilmember Johnson had not heard the concerns being voiced by the Council but rather just read through his written statement.

Johnson stated the 100 year celebration was completed successfully without City involvement. He was of the opinion the 150th celebration could be done in the same manner. He did not believe the City needed to set up a commission when there were volunteers willing to serve and plan this event. He reiterated that the City made no response to him when he tried to contact Staff. He stated now that a meeting date has been set, now the City was taking action. He reported in the past, the public has been able to do this on their own. He was not asking the Council to do anything, unless they wanted to dedicate the park or the historical water tower. He stated Staff did not believe this matter was important enough to bring it to the Council and he has done what he believes is necessary. He encouraged the Council to attend the planning meeting on Wednesday, April 26. He stated he was uncertain with how many people would attend this meeting, but these volunteers wanted to help plan the event without the City taking control of the event.

Vickerman questioned why the City would not want to be involved in the planning of its own 150th Celebration. She indicated the Lions Roar parade doesn't go off without any involvement from the City. She stated it appears the City can only have involvement

with the water tower and the park and all other items regarding the celebration have been taken off the table. She asked what would happen if the City wanted to do more.

Hultstrom questioned if Councilmember Johnson asked any other Councilmember to have the 150th Celebration placed on a Council agenda.

Johnson stated he did not believe this was necessary because he had contacted the Community Management Coordinator. He reported the planning group would not be requesting any City funding or anything else.

Hultstrom reported it takes two Councilmembers to get an item on a Council agenda. She questioned why Councilmember Johnson had not taken this action in order to have the 150th Celebration discussed. She commented on how the Council has been left out and the entire committee has been taken hostage by a single Councilmember. She noted she does not have a subscription to the newspaper and she didn't see the posting for the meeting. She feared Councilmember Johnson got impatient with Staff and disrespected the remaining Councilmembers by not asking them to be involved.

Johnson indicated the planning group was not asking for the City's blessings.

Hultstrom reiterated that this was the City's celebration.

Johnson stated the City had nothing to do with the 100 year celebration and asked why the City would now want to take over the 150th.

Hultstrom explained this was 50 years ago and times have changed.

Johnson reported some of the people who were involved in planning the 100 year celebration were now interested in planning the 150th Celebration.

Schulz stated it appears Councilmember Johnson was trying to do an end-around the entire Council and the City. He indicated the City had a lot of assets available to them and these assets could be valuable to planning a 150th Celebration. He reported on March 28 he sent Councilmember Johnson an email seeking clarity on a few questions and to ensure he was feeling valued. He noted Councilmember Johnson replied to his email that due to open meeting law he could not respond. He questioned why Councilmember Johnson was showing a lack of wanting to work with anyone. He stated Councilmember Johnson was exhibiting the same behaviors (wanting to take over) that he feared the City would do.

Johnson commented on the email Councilmember Schulz sent him and noted he did not respond because he had already discussed some of those issues with Councilmember Hultstrom. This was the reason he did not reply. He feared he was being set up by that email.

Schulz questioned how Councilmember Johnson's behavior was being respectful. He reiterated that he wanted to be helpful to ensure Councilmember Johnson was feeling valued. He was of the opinion Councilmember Johnson was not looking for help, but rather was criticizing Staff because they didn't do what he wanted when he wanted it

done. He reported this matter could have been placed on a Council agenda and direction could have been provided to Staff.

Johnson encouraged the Council to attend the planning meeting on Wednesday night, noting this meeting had been posted.

Schulz asked if this meeting was posted through proper City channels.

Johnson explained he gave the City notice of this meeting.

Schulz reported there was a reoccurring pattern of behavior being exhibited by Councilmember Johnson that was concerning. He stated he did not start this. He indicated the Council has to work together and if Councilmember Johnson continued to do things without Council support, he will continue to be disappointed.

Johnson noted the 150th Celebration planning meeting would go on whether he has City blessing or not. He did not believe there was anything wrong with holding a planning meeting.

Vickerman explained Councilmember Johnson could get together with residents and plan a party, but he could not dictate to the City that all the City can do revolved around the water tower and the park. She stated she had an issue with this. She indicated the City has an intent to plan a celebration and questioned why Councilmember Johnson would want to take that away. She believed these actions were overstepping.

Hultstrom stated the meeting could be held on Wednesday, but she recommended this topic come back to the Council for further discussion. She supported the City taking applications for the planning committee, just like any other committee in the City. She believed that what Councilmember Johnson had done was wrong.

Johnson left the Council meeting at 8:05 p.m.

Vickerman supported the 150th Celebration item being brought back to the Council at a future worksession meeting.

D. APPROVE ACCOUNTS PAYABLE

Grams reviewed the Accounts Payable with the Council.

A motion was made by Schulz, seconded by Vickerman, to approve the Accounts Payable as presented. The motion carried 4-0.

11. ADMINISTRATOR REPORT

Grams reported Tony Mortinson was back as a part-time police officer. He thanked Officer Beyer for his service to the City of Osseo.

12. COUNCIL AND ATTORNEY REPORTS

Hultstrom welcomed Firefighter Ethan Walsh to Osseo and welcomed Officer Tony Mortinson back to the City.

Hultstrom encouraged residents to keep their pets on leashes throughout the community, especially in the cemetery.

Vickerman welcomed Officer Mortinson back to the City of Osseo and she wished Officer Beyer all the best in his new position.

Vickerman stated there was some challenging discourse at this meeting and it was her hope that the Council could find a way to move forward with a better understanding of how this body can function and the standards the Council was held to.

13. ANNOUNCEMENTS

Poppe reported the Step To It Challenge would begin on May 1 and run through May 28 again this year. He encouraged residents to participate in this family friendly activity.

Poppe stated the citywide garage sale would be held May 18 through May 21. It was noted maps would be available on May 17.

Poppe explained the Intermarque Car Show would be held on Saturday, May 20.

14. ADJOURNMENT

A motion was made by Hultstrom, seconded by Vickerman, to adjourn the City Council meeting at 8:11 p.m. The motion carried 4-0.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial