

LABOR RELATIONS COMMITTEE

MINUTES

The Labor Relations Committee of the Willmar City Council met on Wednesday, May 27, 2015 at 4:45 p.m. in Conference Room No. 1 at the City Office Building.

Present: Steve Ahmann Chair
Jim Dokken Member
Denis Anderson Member
Ron Christianson Member

Others present: Mayor Marv Calvin, Council Member Audrey Nelsen, Interim City Administrator Kevin Halliday, Finance Director Steve Okins, Public Works Director Sean Christensen, Senior Technician Lynden Wittman, Administrative Assistant Janell Sommers, and David Little, "West Central Tribune."

Item No. 1 Call to Order

The meeting was called to order by Council Member Ahmann at 4:45 p.m.

Item No. 2 MOA for Salary Compensation (Motion)

As referred from the April 29, 2015 Labor Relations Committee meeting, the Committee considered a Memorandum of Agreement (MOA) to the Department Head, First Line Supervisor, Confidential Employees contract, whereby Section 14.2 of Article XIII allows for a temporary one-time pay adjustment for additional duties assigned. Senior Engineering Technician Lynden Wittman assumed the role and additional responsibilities of the Engineering Department for the City for the time period of September 14, 2012 to March 13, 2014; approximately 18 months during the absence of a Public Works Director. The matter has been discussed and approved by the bargaining unit and it is staff's recommendation to approve the MOA. The question was raised as to whether or not the MOA had been approved by Labor Attorney Frank Madden.

Council Member Christianson made a motion to approve the Memorandum of Agreement as presented contingent upon approval of the document by Labor Attorney Frank Madden. Council Member Dokken seconded the motion, which carried.

Item No. 3 Public Comment

Steve Gardner, 2645 SW 19th Avenue, commented on the agenda item "Open Forum Protocol" and the need to discuss it. He felt it inappropriate for Committee members to make comments about members of the general public who exercise their right to speak. The Council should carefully consider the effects of limiting effective speech by the public at any meeting. The Council needs to begin the healing process that the City so desperately needs.

Jessica Rohloffs, 3501 SE 15th Avenue, commented that there are times people don't agree with what's said during the Open Forum. Parameters need to be set to maintain civility, yet people should be given the right to be heard.

Item No. 4 Open Forum Protocol (Information)

Council Member Ahmann brought forth information from the Mayor's Handbook published by the League of Minnesota Cities, along with examples of Open Forum Protocol from several other cities. The Committee discussed several examples including limiting the amount of people who speak, allowing a citizen to speak twice a year, having Open Forum at the Committee level, and also limiting it to 15 minutes and not recording any audio or video for this portion of the agenda.

What direction the Committee wanted to take on the matter was discussed at length and it was the consensus of the members that it is a sensitive issue and future discussion and input is necessary. This matter was for information only.

Item No. 5 LMCIT Training (Motion)

Interim City Administrator Kevin Halliday informed the Committee that he, Mayor Calvin and Council Member Steve Ahmann have met with League of Minnesota Cities (LMC) staff member, Dan Greensweig, to discuss Council/Staff training. Correspondence as presented from the LMC gave a brief description of one of their presentations which covers the legal rubric for Council operation and touches on individual Council roles and personal liability. The presentation summarizes the open meeting law and data practices laws. Interim City Administrator Kevin Halliday presented a proposed schedule whereby the Council can attend the presentation prior to a Council meeting with a meal in-between and that City staff would have training sessions earlier in the day.

Council Member Anderson made a motion to authorize staff to work with LMCIT to coordinate training sessions with staff and Council and work out the logistics. Council Member Christianson seconded the motion, which carried.

Item No. 6 Interim City Administrator Salary Compensation (Motion)

Mayor Calvin requested the Committee consider compensation for the additional work assignment for the job duties of Interim City Administrator taken on by City Clerk Kevin Halliday. The City Council appointed City Clerk Halliday as Interim City Administrator on April 16th when he took on the critical and immediate job duties of the City Administrator while continuing the duties of City Clerk. The City Clerk-Treasurer's current salary of \$91,915 and the vacated City Administrator contracted salary of \$118,750 totals \$210,665. The combined temporary salary of \$118,750 is suggested (annualized until the hour a new City Administrator is under contract). The incremental impact could be estimated with seven months' worth at 7/12's of \$26,835 or \$15,650.00.

The question was raised by Council Member Anderson as to how much of the actual City Administrator's job is not being done by Mr. Halliday such as not participating in contract negotiations nor counseling department directors. Council Member Anderson made a motion that the Mayor and Interim City Administrator look at the current City Administrator job description and see what duties apply to the Interim City Administrator and bring this information to the next meeting. Council Member Christianson seconded the motion, which carried.

Item No. 7 Safety Boots/Footwear Policy (Motion)

Interim City Administrator Kevin Halliday informed the Committee that members of the Safety Committee have voiced concerns with the ever-increasing cost of steel-toed boots required to be worn by some employees. The adopted policy allows a City cost share of \$125.00, which is a rate that is over a decade old. Staff recommends increasing the rate to \$175.00 as it appears to cover local costs of quality boots, with the exception of super sole ice boots worn by Ice Arena staff.

Council Member Christianson made a motion to increase the City cost participation for safety footwear from \$125.00 to \$175.00 contingent upon approval of Labor Attorney Frank Madden that is his not a negotiated item within the labor contracts. Council Member Dokken seconded the motion, which carried.

Item No. 8 Prosecutor Legal Services (Resolution)

Interim City Administrator Kevin Halliday brought forward for consideration a contract for City Prosecutor Legal Services received from Anderson Law Offices. The issue was raised of having the City's criminal attorney provide civil legal services to enforce local ordinances including, but not limited to, the enforcement of exterior storage zoning violations. Mr. Halliday has contacted the City's civil law firm which

concurrent allowing the criminal attorney to proceed with some civil code enforcement makes sense. The cost to the City is at an hourly rate of \$125.00. The agreement has been reviewed by City Attorney Robert Scott.

Council Member Anderson made a motion to approve the contract for Prosecutor Legal Services from Anderson Law Office and authorize the Mayor and City Administrator to execute it on behalf of the City. Council Member Dokken seconded the motion, which carried.

Item No. 9 LMCIT Training Course Selection (Information)

Council Member Ahmann announced that if any member of the Council has specific courses they would like included in the training sessions, they should contact either him, the Mayor or Kevin Halliday.

There being no further business to come before the Committee, they adjourned at 5:58.

Respectfully submitted,

Janell Sommers
Administrative Assistant
Recording Secretary