

City of North Saint Paul
October 26, 2021
Approved City Council Special Meeting Minutes

North St. Paul City Hall – Council Chambers
2400 Margaret Street

I. CALL TO ORDER

Mayor Furlong called the meeting to order at 6:30 p.m. The meeting was conducted in person and via Zoom.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Council Member Thorsen
Council Member Petersen
Council Member Cole
Council Member Wong
Mayor Furlong

Staff: Interim City Manager Brian Frandle, Deputy Clerk Jennie Kloos, Finance Director Daniel Winek.

IV. ADOPT AGENDA

On motion by Council Member Petersen, seconded by Council Member Cole, with all present voting aye (5-0), motion carried to approve the agenda as presented.

V. PUBLIC HEARINGS

- A. Special Assessment Hearing for unpaid bills and authorizing the City of North St. Paul to certify to the County Auditor's Office all unpaid fees.

Finance Director Daniel Winek reviewed the annual special assessment process for identifying unpaid utilities for the City of North St. Paul. He added a public hearing will be held, and residents with outstanding balances have until November 29, 2021 to pay with no interest, after which the amount will be certified to Ramsey County to be added to 2022 property taxes.

Mr. Winek stated City Staff have been addressing the issue of how to reach more diverse residents, and Communications Staff Kari Erpenbach is reviewing CivicReady, a new platform for communication that will provide residents access to information in multiple languages. He added this software could be used for utility notices, law enforcement notifications, Public Works notifications, and utility outages.

Mayor Furlong opened the public hearing at 5:06 p.m.

There were no comments.

Mayor Furlong closed the public hearing at 5:07 p.m.

Mayor Furlong requested clarification regarding the difference in interest rates between 6% and 10%. Mr. Winek stated that is dictated by State statute, based on type of utility.

On motion by Council Member Thorsen, seconded by Council Member Cole, with all present voting aye (5-0), motion carried to adopt Resolution No. 2021-108 Approving Assessment to Properties for Unpaid Water, Wastewater, Environmental Utilities, Street Lights, Solid Waste and Recycling for North St. Paul Properties.

On motion by Council Member Petersen, seconded by Council Member Thorsen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2021-109 Approving Assessment to Properties for Water, Wastewater, Environmental Utilities, and Recycling For Maplewood Properties.

On motion by Council Member Cole, seconded by Council Member Thorsen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2021-110 Approving Assessments to Properties for 2020-2021 Nuisance Abatements.

On motion by Council Member Petersen, seconded by Council Member Wong, with all present voting aye (5-0), motion carried to adopt Resolution No. 2021-111 Approving Assessments to Properties for Unpaid Water, Wastewater, Environmental Utilities, Street Lights, Solid Waste and Recycling for North St. Paul Properties Billed by the City of Oakdale.

VI. CITY BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. Selection of City Manager Finalists to be Interviewed

Mark Casey, David Drown Associates, gave a review of the search for a City Manager. The position was posted for 30 days nationally through a wide variety of venues, and 23 applicants were selected with 13 semi-finalists. It is hoped that the City Council can narrow it down to the top 3 candidates to be brought in for a day of interviews with City Council as well as staff, to include a tour and lunch. Interviews would be scheduled on November 17, 2021.

Council Member Cole stated he is not available on November 17, 2021. He asked when that date was picked. Mr. Casey stated that is the date that was advertised, but that can be discussed.

The City Council's top 3 candidates were as follows:

Council Member Petersen - 13, 6, 5
Council Member Thorsen - 7, 13, 14, 5
Council Member Wong - 11, 12, 4
Council Member Cole - 11, 12, 7
Mayor Furlong - 14, 12, 11

Mr. Casey stated the candidates with the most votes are 5, 7, 11, 12, 13, 14. He requested that the City Council pick their top 3 candidates from that list.

Council Member Cole - 7, 11, 12
Council Member Petersen - 14, 5, 7
Council Member Thorsen - 14, 13, 5
Council Member Wong - 11, 12, 13
Mayor - 11, 12, 14

Mr. Casey stated the top final candidates are 11, 12 and 14. He asked whether the City Council would like to interview more than 3 candidates.

There was a consensus of the City Council to interview 4 candidates.

Mr. Casey requested that the City Council choose a 4th candidate from the remaining finalists.

Council Member Petersen - 13
Council Member Thorsen - 13
Council Member Wong - 13
Council Member Cole - 7
Mayor Furlong - 13

Mr. Casey confirmed that the four candidates are: 11, 12, 13, 14.

Mr. Casey requested City Council feedback and comment on a date other than November 17, 2021.

Council Member Thorsen stated he would support splitting it up into two days and interview 3 candidates per day.

Mayor Furlong stated he is unsure whether he wants to do two days of interviews.

Mr. Casey asked whether the City Council would be available to begin interviews at 1:00 p.m. or 2:00 p.m., with staff interviews and lunch earlier in the day.

Mayor Furlong stated the City Council should pick between 5 and 7 to add an additional candidate.

There was a consensus of the City Council to hold the interviews on November 18, 2021.

Mr. Casey asked whether the City Council would want to add another candidate. The City Council agreed.

Mr. Casey requested that the City Council choose a 5th candidate.

Council Member Petersen - 5
Council Member Thorsen - 5
Council Member Wong - 7
Council Member Cole - 7
Mayor Furlong - 7

Mr. Casey stated the interview questions take approximately 45 minutes to answer, and there will be opportunity for the City Council to deliberate and make recommendations. He suggested a 2:00 p.m. start time.

Mr. Casey confirmed that the final 5 candidates will be: 7, 11, 12, 13, 14

Mr. Casey stated all of these candidates reside within the metro area and travel expenses will not be incurred.

Mr. Casey stated, after the interviews, the City Council would appoint a negotiation committee with a few Council Members and City Staff to negotiate the new City Manager's contract. He added he uses a model contract from the League of Minnesota Cities in cooperation with the Acting City Manager and City Attorney.

Mr. Casey stated he will contact all the finalists this evening. He added their names will be made public. He agreed to send draft questions and interview guides to the City Council for their consideration, and candidates will undergo an intellectual profile and extensive background check. He added he will keep the City Council informed throughout the process.

There was a consensus of the City Council to hold the City Manager Interviews on November 18, 2021 at 2:00 p.m.

B. City of North St. Paul COVID-19 Operational Policy

Mr. Winek reviewed the draft Covid-19 Operational Policy, including revisions that were received from the City Attorney last night. He added the meeting packet includes a redlined version that reflects changes made at the October 19, 2021 meeting, and a proposed Resolution for adoption.

Mr. Winek reviewed changes recommended by the City Attorney, including the addition the policy "can be eliminated at any time by City Council action" as well as a stipulation that any new employee not hired before the end of 2020 would be given a balance of 80 hours.

Mayor Furlong stated asked whether the section can be read out loud, as the City Council does not have that copy in front of them.

Mr. Winek stated the section reads, "This leave will not be paid out if any employee terminates employment before the leave is utilized and can be eliminated at any time by City Council action."

Mr. Winek stated City Staff have discussed not giving everyone 80 hours, but rather only new employees, and only related to Covid. He added employees are not entitled to whatever is remaining of the 80 hours and will be compensated for that. He noted this would go into effect retroactively starting October 1, 2021, to accommodate an employee who tested positive for Covid earlier in October. He stressed that the policy will not go back any further to make additional adjustments.

Mayor Furlong asked how this will be managed. Mr. Winek stated this will be administered through the Payroll system, with supervisors providing approval of use of time.

Council Member Thorsen stated, in summary, this policy is being put in place because the federal government extended the 80-hour Covid sick pay, but it has expired, and the City is considering extending it for those who have not used it. Mr. Winek confirmed this.

Council Member Thorsen stated he does not have a problem with that. He added, however, he does have an issue with the open-ended time frame. He noted the emergency declaration lasted

well over a year, despite the fact that they are supposed to only last 3 days. He noted that is a concern to him, and he would like to see hear from the City Attorney, although they are not present.

Mr. Winek stated the City Attorney asked whether employees still have access to 80 hours of federal Covid leave that expired December 31, 2020, and the answer is yes, because the City will be allowing an extension of the use of the balance.

Mr. Winek stated language can be added to stipulate that the Covid-related leave will be subject to federal, state or local quarantine orders related to Covid-19, under advisement from a health provider to quarantine due to Covid-related concerns.

Mr. Winek stated the City Council had discussed the potential of a negative balance in addition to 80 hours, but the City Attorney has stricken that language.

Council Member Thorsen stated it is confusing as it is difficult to for the City Council to determine whether the City Attorney's comments are reflected in what they are reviewing.

Mr. Winek stated there is an urgency to set a policy as there have been a number of confirmed Covid cases, and the negative balance issue could hold them up. He added this effort reflects the importance that the City Council has shown toward employees that they are an asset to the City, and this policy is a step in the right direction, and it is needed, retroactively to October 1, 2021, and he believes it is warranted.

Mr. Frandle stated the City Attorney indicated that if the City allowed negative hours, they could only be used for sickness of the employee themselves, and not for the care for family members. Mr. Winek agreed.

Mayor Furlong stated it would be nice to have a document in front of us.

Council Member Cole requested a definition of negative hours. Mr. Winek stated, how the policy is written, if an employee goes through their 80 hours of leave for Covid and does not have any sick time left, they would go negative. He added there are many complications with that scenario. He noted many organizations have a vacation advance.

Council Member Cole asked whether the this would fall under short-term disability or FMLA if it extends beyond 80 hours. Mr. Winek confirmed this.

Mr. Winek stated the purpose of this discussion is to define the use of the pandemic leave. He added the comments of the City Attorney were received last night.

Mr. Frandle agreed to provide a clean version of the document for the City Council's review for approval at the next regular meeting, with the policy still retroactive to October 1, 2021.

There was a consensus of the City Council to table the Covid-19 Operational Policy to be reviewed at the City Council's next regular meeting.

C. Purchasing Policy

Mr. Winek reviewed the requested change to the purchasing policy as requested by the City Council last week. He added the change on page 38 of 86 specifies that flowers are not to be purchased for public purpose.

Council Member Thorsen stated he requested clarification regarding “public purpose”, which should be more specific. He added this issue is referenced in State statute, and flowers are not an appropriate purchase. He noted, in the past, the City has purchased flowers for purposes that do not fall into that category.

Mayor Furlong stated, with these new restrictions, that will not happen. He added some cities have a donated account to be used for public purpose items.

Council Member Thorsen stated everything falls under “not for public purpose”.

Mr. Winek stated “prohibited expenditures” is anything that is not for public purpose. He added Council Member Thorsen had mentioned landscaping, which is a public purpose. He noted language clarification would be allowed.

Mayor Furlong stated City Staff should have a way to make donations for public purposes. Mr. Winek agreed that is a very good idea.

Council Member Wong stated a resident requested the following correction: on Page 4 of the updated policy, under Footnotes, referencing “Meals and Refreshments”; and again under “Certain Employee Expenditures”. Mr. Winek agreed.

Council Member Wong thanked Mr. Winek, adding it all looks great.

On motion by Council Member Thorsen, seconded by Council Member Wong, with all present voting aye (5-0), motion carried to approve the Purchasing Policy with the proposed amendments.

D. 2022 Budget Discussion – City Manager Proposed Enterprise and Internal Service Funds

Mr. Winek stated the City Council approved HRA and EDA general fund levies on September 21, 2021. He added some adjustments are required to the internal and external service enterprise funds. He noted the enterprise funds look good, and the electric fund is operable.

Mr. Winek stated revenues included in enterprise funds are viewed conservatively, and there is not much change from 2021 to 2022. He added no rate change or fee increases will be requested. He noted enterprise funds revenues exceed expenses collectively by approximately \$578,000.

Council Member Thorsen requested fund balances for each fund through Quarter 3 2021. Mr. Winek agreed to provide that information.

Council Member Thorsen stated it would be beneficial for the City Council to establish a recommended fund balance, so necessary rate adjustments can be determined.

Council Member Thorsen stated the solid waste fund should be re-evaluated since the City switched to a new hauler and changed fees, as the fund appears to be increasing. He asked when negotiations are planned for the hauler contract.

Mr. Winek stated the City Council will be reviewing fund balances for enterprise funds, as a new forecasting tool from Baker Tilly will provide that capability. He added the solid waste fund will be part of the fund balance discussion, and the contract is entering its 3rd year. He noted negotiations will be planned in the 4th year of the contract, and the solid waste fund will be a separate discussion related to the community center.

Council Member Cole stated solid waste funding was earmarked for the community center, which will have expenditures if the City moves forward with improvements.

Mr. Winek stated City Staff is recommending a full facility assessment for review by the City Council. He added the goal is to provide recommendations regarding the funding source.

VII. ADJOURNMENT

There being no further business, on motion by Council Member Petersen, seconded by Council Member Thorsen, with all present voting aye (5-0), Mayor Furlong adjourned the special meeting at 6:20 p.m.

/s/ Terrence J. Furlong, Mayor

Attest: /s/ Brian Frandle, Interim City Manager / Clerk