

**CITY COUNCIL WORK SESSION
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey City Council conducted a City Council Work Session on Monday, February 26, 2024, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Mark Kuzma
Councilmember Chelsee Howell
Councilmember Debra Musgrove
Councilmember Michael Olson
Councilmember Dan Specht
Councilmember Matt Woestehoff

Members Absent: Councilmember Chris Riley

Also Present: City Administrator Brian Hagen
Administrative Services Director Colleen Lasher
City Attorney Fritz Knaak

1. CALL TO ORDER

Mayor Kuzma called the City Council Work Session to order at 5:30 p.m.

2. TOPICS FOR DISCUSSION

2.01: Continue Discussions Regarding Proposed Updates to the Personnel Policy

Administrative Services Director Lasher reviewed the Staff report in regard to the proposed updates to the personnel policy. She reviewed the proposed changes to Sections 3, Employee Recruitment, Selection, Employment and Termination, Section 4, Benefits, Section 5, Classification and Compensation, and Section 6, Leave.

Councilmember Howell asked if including Councilmember family members in the nepotism policy would extend beyond immediate family.

Administrative Services Director Lasher said they can add a definition of what a family member would be considered. She noted she does not see this extending to cousins, aunts, or uncles.

Mayor Kuzma shared he is not in favor of adding Councilmembers to the nepotism policy. He explained that if a Councilmember had a child who wanted to work for the City he does not see a problem with that. He stated this has not been a problem for as long as he has served on the Council and there have been Councilmember's family members who have worked for the City.

City Administrator Hagen said this does not happen often and they have not had any major issues.

Councilmember Musgrove noted that there is some clarifying language in this section around who is and is not allowed to work for the City and where they are allowed to work. She asked if this already addresses these concerns and if they would need to change this language to match the proposed changes.

Administrative Services Director Lasher said they would not need to change this language to match the changes. She explained that marriage is protected against discrimination in the hiring process and the nepotism policy cannot apply to an employee's spouse.

Councilmember Musgrove asked about the purpose of a probationary period versus training.

Administrative Services Director Lasher explained that training is a part of the probationary period; however, training is not the whole picture of the probationary period. She noted that once an employee is trained and performing the job, they are still subject to probation to make sure they are doing the job well.

Councilmember Musgrove shared the probationary period at her job is 90 days and asked about the benefits of having such a long probationary period. She asked about the benefit to the City to increase it from the current six months to one year.

Administrative Services Director Lasher explained that the City has non-union employees as well as contracted employees. She noted that once an employee passes this probationary period it becomes much harder to do things as simple as issuing a verbal reprimand. She explained these reprimands are often grieved which then gets into the grievance process.

Councilmember Howell shared that she is supportive of lengthening the probationary period from six months to a year. She asked if the additional 90 day extension on top of this is also vital.

Administrative Services Director Lasher noted it would be really unlikely that they would have to even extend the probationary period by the 90 days; however, it is a good thing to have in place in the event that it is needed.

Mayor Kuzma shared his support for lengthening the probationary period.

Councilmember Howell asked if Staff sees this probationary period as prohibitory of someone who may be looking for employment.

Administrative Services Director Lasher stated that this was discussed by Staff. She added that anyone who is currently serving on Staff will not be held to this standard as this was not included in their offer letter. She said she does not see the length of the probationary period as an issue and it has not been an issue for firefighters or police officers.

City Administrator Hagen noted they would continue to allow these employees to utilize vacation time.

Mayor Kuzma asked when benefits would be available for new employees.

Administrative Services Director Lasher said benefits are available on the first day of employment.

Mayor Kuzma shared he liked the idea of offering an incentive for employees to give a three month notice of resignation as it can help with planning and succession for the role.

City Administrator Hagen noted they can add 10% to the eligible sick leave severance.

Councilmember Musgrove asked if there is a better metric they could use to figure out what this percentage should be.

Administrative Services Director Lasher explained that the City of Champlin offers a 10% increase in severance to employees who are retiring. She shared that she called Champlin to ask about their logic in this and she was told that they do not want people to quit their jobs for the extra 10% severance just to go work for another city. She added that employees can sign up for their pension then later change their mind. She noted that Champlin's strategy seems to be a good one but it is not fool-proof. She added there are many cities who are at 15% severance regardless.

Councilmember Woestehoff asked if some of these terms are in union contracts or if it is just in the City's policy.

Administrative Services Director Lasher explained the current percentage and years of service required that are in the personnel policy nears what is in the union contracts.

Mayor Kuzma stated he likes the 10% additional severance versus the 15% for the early resignation notice.

Councilmember Specht asked if there is any kind of clause that could be added to this that would state the resigning employee could leave early if a replacement was found before the three months was up.

City Administrator Hagen shared that Staff's thoughts around this is that it will mostly apply to people who are retiring versus someone who is going on to another employer.

Administrative Services Director Lasher shared that in years past there have been employees who have resigned who are using vacation days in the resignation period which could extend this period and continue to allow the employee to qualify for City benefits. She noted the change would not allow this.

Councilmember Musgrove added that this will also allow the employee to accrue more vacation time. She noted she is supportive of this language change. She asked about the benefit of the City Administrator extending application deadlines and unsolicited applications not being kept on file.

Administrative Services Director Lasher explained the benefit of having a deadline is that they have timelines for every recruitment and lined up interview panels with many people within the

departments for these applicants. She noted that if they left the application period open it would be very difficult for them to manage schedules without having the deadline. She added that the option to extend the deadline would be in the event that they do not get enough qualified applicants. She explained that it is a liability to keep unsolicited applications; however, if someone comes in dropping off a resume or application, they tell this person where to find information online to get notices when there are openings in a field, they are interested in.

Councilmember Musgrove asked if the words ‘training period’ and ‘probationary period’ were meant to be interchangeable in this policy or if further clarifications needed to be made to this area.

Administrative Services Director Lasher said she believes the language should be changed to ‘probationary period.’

Councilmember Musgrove noted that paragraphs two and three under Section 3.3 are redundant in meeting the qualifications. She said she is not sure if this is necessary.

Administrative Services Director Lasher shared that the third paragraph addresses the job description rather than meeting general qualifications.

Councilmember Musgrove asked about the change from the language ‘he/she’ to ‘they’ and noted this was not consistently changed throughout the policy. She suggested keeping the language at ‘he/she.’

Councilmember Howell agreed that the use of ‘they’ does not flow well. She suggested replacing any of the areas where these pronouns are used with language that states ‘the candidate’ or ‘the employee’ as it would not exclude anyone and there would be no concerns with the flow of the language.

Administrative Services Director noted that any specific job requirement could also have that job title listed in place of pronouns.

Councilmember Musgrove asked if in Section 3.5 if the City Council has the right to make final hiring decisions rather than just the City.

Administrative Services Director Lasher said yes.

Councilmember Musgrove asked about the paragraph in Section 3.8 that addresses new positions.

City Administrator Hagen said that paragraph may not be needed as the whole policy calls out the recruitment process.

Councilmember Musgrove asked about supplemental employment for board members which are unpaid positions. She asked if there should be a disclosure surrounding this in Section 3.11.

Administrative Services Director Lasher noted that this section excludes compensation that is received in conjunction with military service, holding political office, or an appointment to a government board or commission compatible with City employment.

City Administrator Hagen noted that if there is a potential concern with an employee being on a certain board or commission then it could be brought to Council to discuss.

Councilmember Howell shared that she has these same concerns that if there is some kind of organization that is looking to have influence on the City and if a position in the City is too closely related, it would create that concern for her.

Mayor Kuzma asked if this would be something that could be discussed as these situations arise.

Councilmember Woestehoff asked if they are wanting this to apply beyond employment and into volunteer opportunities as well.

Councilmember Howell said yes and gave an example of if there was a non-profit organization that wanted to influence the City and there was an employee who was a part of this, it could be a concern that the employee could be pushing the vision of the non-profit.

Councilmember Woestehoff stated he would not want to put prohibitions on someone volunteering with a non-profit or other organization outside of their job. He understood the concerns of Councilmember Howell.

Councilmember Musgrove noted that the way the situation with Economic Development Manager Sullivan's interest in joining a non-City board was handled was a good process.

Mayor Kuzma stated it seems like they are trying to come up with language that would address a hypothetical situation.

Councilmember Howell suggested handling future situations like this that have a potential conflict of interest in a similar manner to Economic Development Manager Sullivan's situation where the information was presented to the Council to approve to add transparency.

Councilmember Olson noted that this seems to be getting a little invasive. He stated a second employer would be a different situation; however, beyond secondary employment seems invasive. He added that something that could potentially be a conflict of interest could be brought forward; however, he does not know how you would put that into a policy. He said it was great how the situation with Economic Development Manager Sullivan was handled but it was not in the policy as a requirement.

Administrative Services Director Lasher explained there are other sections in the personnel policy that address situations and conflicts of interest that they are discussing. She reviewed the proposed changes to Section 4 and there were no questions from the Council. She moved on to review the proposed changes for Section 5.

Councilmember Musgrove noted that the section about employees not being able to work overtime unless they received prior approval from the department heads; however, in other sections it says approval can come from a designee. She said she would like the approval to stay with the department head. She asked why these two areas were different.

Administrative Services Director Lasher explained that there are a lot of places within the policy that it says 'designee' and there are two different ways to look at the use of this word. She noted that most people will be going to the department head; however, if the department head is not available, that is when the designee would come into play. She noted that overtime can be very time sensitive and if the department head is not available then this would fall to the designee.

City Administrator Hagen added that the department heads are also the ones who are responsible for department budgets.

Councilmember Woestehoff suggested having the department head or City Administrator be the ones to approve overtime. He added that the last paragraph of Section 5.1 seems redundant based on what was discussed previously concerning secondary employment.

Administrative Services Director Lasher stated this paragraph is slightly different.

Councilmember Musgrove suggested having these written agreements brought to the Council for approval.

Administrative Services Director Lasher gave an example of an employee who was employed by both Ramsey and Anoka County at the same time.

City Administrator Hagen stated they can discuss this section more in the future.

Councilmember Woestehoff noted that different labor unions have negotiations at different times. He asked if the plan was to do negotiations simultaneously within a single department or with all departments at the same time.

Administrative Services Director Lasher explained that they have managed to keep all unions on the same negotiation schedule.

Councilmember Musgrove suggested that the department heads can assess what classification employees are in on an ongoing basis. She asked if this is already an ongoing process.

Administrative Services Director Lasher noted this is possibly not currently happening, but she is not sure. She explained that the Labor Management Committee and the employee survey both focus on staying on top of classifications and adding something in policy that states that these classifications will be looked at on a regular basis. She stated this new language is an attempt to address that in the policy.

Councilmember Woestehoff noted that some of the labor contracts are three year contracts so there would be no review of the pay scale in that timeframe.

Administrative Services Director Lasher said that is correct. She stated that three year contracts work well administratively; however, there is a lot that comes over the three years that needs to be discussed.

City Administrator Hagen noted that this also sets the expectation of when these reviews will happen.

Councilmember Musgrove asked if an employee is in a certain classification and in the middle of a contract, their job duties change and they are reclassified, if this would be allowed mid-contract.

Administrative Services Director Lasher said this is allowed and noted this section does not really relate to reclassifications.

Councilmember Howell asked how many times a market rate adjustment has gone above 5% in the past few years.

Administrative Services Director Lasher said it happened once and went to the Council for approval.

Councilmember Howell said she would like the Council to still see any adjustments that are greater than 5%.

Councilmember Musgrove asked if there is a market rate adjustment done, if this employee would get two raises in one year, one for the market rate adjustment and one for their anniversary date.

Administrative Services Director Lasher said that this could potentially be the case but would not apply in all circumstances.

Mayor Kuzma agreed that he would like anything above a 5% market rate adjustment to come before the Council for approval.

Councilmember Musgrove agreed.

Councilmember Howell asked about stillbirths under the leave policy.

Administrative Services Director Lasher explained that stillbirths are addressed in FMLA, which the City has honored in the past. She suggested that they pause this discussion and begin discussing severance pay and the changes in Section 6 at the next Work Session.

The consensus of the Council was to direct Staff to make the proposed changes to the personnel policy based on Council's feedback.

2.02: Discuss Legislative Advocacy

City Administrator Hagen reviewed the Staff report in regard to the legislative advocacy and to consider the City of Ramsey opposing Minnesota from becoming a sanctuary state with the North Star Act.

Councilmember Musgrove shared she wanted to discuss this item as she feels it would be very detrimental to the State's economy based on other cities who have made their city a sanctuary city. She explained that a lot of the financial responsibility of sanctuary cities takes away from the financial responsibility and care of the residents. She added this can also be a burden on police departments. She explained that there have been other cities and counties that have many resolutions that show that they are not in support of this. She stated she would like Ramsey to let the legislature know that they do not support this. She suggested bringing a resolution forward that shows they are not in support of this.

Councilmember Howell asked what the practical application of the resolution in these other cities and counties was.

Councilmember Musgrove said she did not know the goal of the resolutions.

Mayor Kuzma asked if this did pass if they could opt out or voice our opposition.

City Administrator Hagen said Police Chief Katers would be able to best answer this question as he is not sure about the penalty would be if the North Star Act gets approved and the Police Department continues to enact the laws that the North Star Act prohibits. He noted if they pass a resolution stating that they do not support the North Star Act, it is mainly just expressing their desire to leave things as is in the State.

Councilmember Howell stated she is not necessarily opposed to this.

Councilmember Musgrove noted that the resolution made by the other county states that the enforcement of the laws comes from the Federal Government and not the State and that the duty of police officers is to keep the residents safe, as well as encouraging the legislature to not pass the North Star Act.

Councilmember Woestehoff said he has no interest in putting together a resolution for this as he sees it as a distraction, and this is not City business.

Councilmember Howell disagreed and stated it is City business as it could burden schools and cause a burden on taxpayers. She noted that she does not think that the legislature would care what the City thinks and that a resolution for this would be pointless. She reiterated that she is not opposed to this and suggested discussing this further at a later date.

City Administrator Hagen noted that Staff can continue to keep an eye on this situation.

Councilmember Musgrove stated the City could be a motivated entity that encourages other cities or groups to do something.

Councilmember Olson agreed that Staff should keep this on their radar for the time being.

Councilmember Specht stated he does not support this legislation; however, he does not see how beneficial it would be for the City to take a stance on this.

Mayor Kuzma shared he also does not support the legislation and suggested that they continue to monitor the situation and revisit it if need be.

The consensus of the Council was to direct Staff to continue to monitor proposed legislation and various advocacy groups that represent a larger consortium of Minnesota cities and counties for their stance on the proposed legislation.

3. TOPICS FOR FUTURE DISCUSSION

3.01: Review Future Topics/ Calendar

Noted.

4. MAYOR / COUNCIL / STAFF INPUT

None.

5. ADJOURNMENT

The Work Session of the City Council was adjourned at 6:54 p.m.

Respectfully submitted,

Brian Hagen
City Administrator

ATTEST:

Katie M. Schmidt
City Clerk

Drafted by Ava Major
TimeSaver Off Site Secretarial, Inc.