

**CITY OF PARK RAPIDS
CITY COUNCIL WORKSHOP
August 30, 2016, 6:00 PM
Park Rapids Public Library-Lower Level
Park Rapids, Minnesota**

1. CALL TO ORDER: Mayor Pat Mikesh called the City Council Workshop for August 30th, 2016, to order at 6:00 p.m.

2. ROLL CALL: Present: Mayor Pat Mikesh, Councilmembers Ryan Leckner, Rod Nordberg, Erika Randall, and Paul Utke. Absent: None. Staff Present: Administrator John McKinney, Treasurer Angela Brumbaugh, Public Facilities Superintendent Chris Fieldsend, Public Safety Director Harlan Johnson, and Clerk Margie Vik. Others Present: Ellis Jones, Lowell Wolff, and Kevin Cederstrom from the Enterprise.

3. DISCUSSION:

A. Update on Police Chief Search: Mikesh stated as part of the Personnel Committee we decided on a process and went through those steps. This is a workshop for the Council so any remarks from the audience need to be held until the end of the meeting.

Mikesh stated we reviewed the job description for the chief of police, prepared an advertisement based on the description and then advertised the open position on our website, in the Park Rapids Enterprise, on the Chiefs of Police Association website, and on the League of Minnesota Cities job classified. We received eighteen applications. In some cases we did not receive a city application which is needed to do background checks and to determine veteran's preference. We evaluated the applications based on the city's established process. We changed the format to include questions that pertain to this job description. We advertised for the position with minimum requirements of ten years of law enforcement experience, and five years of supervisory experience.

Mikesh stated the Personnel Committee, in reviewing each application, we discussed the quality of the law enforcement experience and supervisory law enforcement experience each applicant had. As a committee we were concerned about what exactly that meant. We had Harlan Johnson do some background checking. McKinney stated Johnson explained that a sergeant might be the same as a lieutenant, or vice versa. He verified information for us when we had a question. Johnson stated it was a corporal versus a sergeant. A corporal is a supervisory position.

McKinney stated the applications were not required to be on a particular form. One of the issues was whether or not veteran's preference applied and we needed permission from the applicants to do background checks. If they used the city's form of application, and some did, then they would have submitted that paperwork. Without changing what they had filed we asked those that did not use the city's form to submit a completed city application so we had the same format for each of the applicants. That give us the source of information for the review.

Nordberg stated the listing names the website. It's surprising that people wouldn't do that. McKinney stated the ad didn't say fill out the application. It only asked for a resume and a letter of interest. Leckner stated some did send us an application and some didn't. Nordberg questioned was everything else clear besides the application? Is there anything that needs to be changed for the future? McKinney stated we had a deadline for submission, and a couple of them asked if they could email the applications in.

Randall stated in the future we need to add the salary range for positions. We know what it is. We're not a Fortune 500 company that is going to negotiate with a CEO. We know what it's going to be and it should have been in there. Nordberg questioned was there enough time to get applications? I think eighteen is a good number. Johnson stated I think there was adequate time to submit your information. People who are looking for chief's jobs are looking all of the time. We advertised in three different places.

Nordberg stated you didn't require Minnesota experience. Johnson stated Minnesota experience is always better because they're familiar with Minnesota Statutes. But they are going to be supervising people and that skill transcends not just states but also occupations. Nordberg questioned did you get out-of-state applicants? Were the ads seen by people outside of Minnesota? Johnson answered yes. Once it was put on the website it was picked up by other venues and republished nationally.

McKinney stated some of the out-of-state applicants have ties to Park Rapids. Randall stated the out-of-state don't currently have POST licenses, which is one of our requirements, but it's understood that they will become POST licensed? Johnson answered yes. Every Tuesday or Thursday they do reciprocity testing in St. Paul. If they pass, they get a license. Randall stated I understand that process. My concerns are about the criteria. One of our requirements is that they are current POST licensed in Minnesota.

Mikesh stated if they are serious about it they can get the license in a timely fashion. Nordberg questioned is there a probationary period in which they can get the license, or do they have to have it before they are actually signed on, so if we extended the application from September 30th to October 30th? Is it physically possible for someone who is not presently POST licensed? Johnson stated any Tuesday or Thursday, one day every week they can take the reciprocity test.

McKinney stated the discussion was in regard to other time requirements. Those they would have to have when they filed the application, for example ten years of experience. If someone had nine years and ten months, we could say by the time the appointment is made they will have the ten. We were discussing the supervisory time as much as anything. If you are going to allow candidates from outside of Minnesota, it's unreasonable to expect them to have a Minnesota license in hand when we reviewed the applications, but when they get the job they would have to have it. It can be gotten in a week's time. So they would have time before they were actually hired.

Utke stated these are people that would be certified in the state they work in. They wouldn't have it until they would be in Minnesota. Randall stated that's not going to be a problem.

Mikesh stated there were seven applicants that met the criteria. We looked at each one individually and went through a scoring process. The questions we had as far as the schooling process we asked Johnson to explain that. It wasn't a fast, easy process. There are a lot of good applicants here that we looked at. Randall questioned so the quality of supervisory law enforcement experience, you did award different numbers, from 0 to 15? It was a range up to 15? Mikesh answered yes. Randall stated you have the seven top

candidates, so those are the ones who placed based on the points? The ones who meet the requirements are the top seven and those are the only people who are ranged. These are the top out of the 100? I'd like to know their scores. Was number one the highest score? Utke stated that's their ranging, score-wise.

McKinney stated each of the members of the committee had the score sheet with the columns that totaled 100. They went through the top seven and scored them. Randall questioned you didn't even score the other people? Mikesh stated no. Randall stated these other people might have had higher scores than the people that met the requirements. Mikesh stated they didn't meet the requirements. Randall stated I think we screwed this whole thing up right from the beginning. Utke questioned how can they be scored if they don't meet the minimum requirements?

Randall stated I do know more than the rest of the Council about law enforcement, not more than Johnson, but I agree this is what the job description said. I think we messed it up. If we are going to hold a hard line and say only five years of supervisory experience, I don't think we are going to pick from the best candidates. That's my concern. I think everybody deserves to be ranked. When I've hired before, every job application is ranked regardless of experience and what we've put down as requirements. I think we are going to let some of the best candidates go. I'm well aware of what's private and what's public on this. But I'm very familiar with some of the supervisory experience of the yes's and of the some of the no's. It's vastly different. The type of candidates we're looking for is someone who has supervised other officers every day that has supervised personnel matters, patrol matters, that's had to deal with budgets. It's a whole bunch of things. There are a couple of people that don't do that. They manage a part time police department. Yet, we are not considering someone that is a chief deputy of a sheriff's office that has a master's degree. A chief deputy. That's a huge job and it's a big job. If we are going to go forward and push on through then I think we are making a big mistake. I want to go on record saying that.

Nordberg stated your argument is the minimum requirements. Do you have a recommendation? Randall stated I think they all should be scored. Why even have a scoring system? Everyone deserves a chance to be scored. My research on the requirements is to keep ourselves from getting into hot water we could certainly interview everyone that met the requirements, but we certainly should score the other ones and interview the other ones that are scored high. Mikesh questioned where do we draw the line when this is what our description says, and the comment that I'm almost there. Randall stated if you pick the best candidate you can have people that say as long as we are following the job interview process and pick the best candidate how can we go wrong there? Mikesh stated that's what we are doing, following the job description.

Randall stated I think that we are going to overlook some of the best candidates. These are people that are actually familiar with this area and want to live in northern Minnesota that are close in proximity that have really great supervisory experience, is a big no on here. I think we made a big mistake in our criteria. At least as how it was described. I cannot believe that according to this that we would not interview a deputy from a sheriff's office with a master's degree with twelve years of law enforcement experience, and its phenomenal experience. I'm not saying he's the best one. That's an example that I know of and I think it's really unfortunate that he's not going to be interviewed.

Leckner stated we had a lot of discussion on this. That is a tough question. I tried to figure out what is the best way to do it. Starting over is questionable to say you don't have to meet the job description because you're local. That doesn't seem right either. Randall

stated it's still about picking the best person for the job that has the best experience, and the best going forward for our department.

Nordberg stated for the future would you change the job description and criteria? Are you looking for a different number of years? Randall stated I would say preferred five years of supervisory experience instead of required. That is very easy. I think we're going to make a huge mistake going forward. I look at the supervisory experience of some of these officers, I'm not entirely sure but state patrol supervisor experience, in my experience of law enforcement, does not even come close to supervisory experience of chief deputy roles. They are totally opposite. In a small tiny police department there's one full time chief that supervises one other full time officer, or two part time officers, would not be equivalent. It deserves to be weighted far differently. We are looking for someone to lead these young guys and not, accordingly to our study that we paid the consulting company for, the biggest problem we had was leadership. We are looking for a strong leader. Not all law enforcement supervisory experience is the same when it comes to leadership.

Mikesh stated we have the next steps that we feel should be done. We need to select the candidates to be interviewed, conduct the background checks, conduct interviews and who will be doing those, and then to select the candidate for the appointment. We'd have to negotiate the terms of the appointment and then present that to the Council for approval.

Randall stated I think these people need to be told before they come for an interview what the salary is so they can bow out if they want to. Leckner stated we were planning on that. Some people may already have a different job. We'll have to contact them first to see if they still want the job.

Randall questioned what is your recommendation? I get that we have seven that met the criteria. I disagree that some of these meet the criteria, but if we would have only had two that met the criteria, we certainly are within our rights to interview those that didn't meet the criteria. McKinney stated my reaction to your question is, if you are not going to follow the criteria you might want to ask the question, are there people out there that didn't apply because they thought we were going to follow it. Maybe they only had eight years of experience instead of ten, and they would be a good person. So the problem that confronts the committee is the job description as you see doesn't say preferred. Do you take it literally? If you really do it the way you'd like you'd have the job description worded a little differently and that would have allowed a different wording on the advertisement.

Leckner stated we'd probably have to start all over and then change the job description. Randall stated we could at least have the salary range on there. By stating the salary range that would eliminate some that have already applied. By contacting them and saying are you still interested and reopening this.

Randall questioned what are your thoughts on my concern over the supervisory experience of a chief deputy over the two man police department? Johnson stated that is one of the issues the Personnel Committee asked about. We said that supervising is when you actually supervise someone side by side, not just you and a part time person and you don't really supervise that person, that didn't count as supervision. I think you're right if the job description would have said five years' experience or a chief deputy for three years then it would be inclusive. But, it didn't say that.

Randall stated the chief deputy thing is a sticking point for me. Johnson stated if that's the case then throw the whole thing out and re-advertise so that everyone has an

equal opportunity for those people who read the application notice and followed it because they only had four years of experience, therefore I can't apply. It's not fair to them. If you're going to make an exception, then throw it out and start over from scratch. Randall stated I totally agree with that. Johnson stated it's an idea, but at the same time the Personnel Committee has reviewed these applications and I think they feel confident that the seven that they are considering are capable of doing the job.

Randall stated I may feel different after I go through the applications themselves. Maybe its better that I haven't gone through them. I think my concern is still valid. I really want to make sure we are getting the absolute best person here. I care about these officers so much that the thought of putting them through anything but a great boss, really bothers me. They have been through a lot in the last couple of years. They have had no leadership for ten years. They have been learning on their own. I want to get somebody in there to be great for them. I'm not saying it's not one of these seven. I'm just concerned that I know of a really great person that wasn't selected because he's two years chief deputy and not five years.

Utke stated they all look very qualified. I like seeing it like this to take personalities out of it because that's not fair. We should be doing this on credentials. Randall stated this doesn't tell you that it's two years as chief deputy. Utke stated it didn't meet the qualifications that we had them apply for. This is cut and dried. It's the proper way to do it, unless it's going to be cast out. You followed the right policy. We can't do anything but this. This is what they applied for.

Randall stated fourteen years law enforcement and eleven years supervisory, what type of supervisory and how many people do they supervise? Utke stated they were all scored. They based it on what the application scored. It was weighted properly. Mikesh stated both Leckner and I scored each applicant and averaged the score. Randall stated I get it. I also have hired at the county attorney's office. I have been through several assistant county attorneys. Utke stated a lot of us have hired a lot of people too. Randall stated that's not to say that nobody else has, if I could finish my comment, I think it's important to look at things outside of just the minimum or preferred requirements too. That's all I'm going to say. I'm not saying that I know best. I said it right from the beginning that I think we made a mistake up front. I'm not saying that we're not going to find someone out of these seven, but I think we made a mistake up front. That's my opinion.

Mikesh stated of the applicants that we looked at I think there are strong applicants here. One of them is going to fit to what we are looking for. I feel confident with my selections. We scored them all fairly. Leckner stated there are some very good applicants here. The ones that were really close on supervisory experience we had Johnson call every one of them to make sure that they couldn't find another year. They all had a chance and they didn't have the qualifications. We didn't just throw them out right away. We checked them. Randall stated I'm not saying you did anything wrong. Leckner stated it was tough. We came down to doing what we thought was right. The only other option would be to start over, but I think we'd end up in the same place.

Randall stated the discussion about who we're going to interview is premature because if we are going to keep going down this path, I think it's important to contact these people that met the criteria to tell them what the pay is. We could be sitting here with only four. Three of them could say thanks, but I can't take it for that.

Leckner stated we wanted everyone to be involved, but some of the information is confidential so the rest of the Council could stop in at city hall and look over everything.

You could give us some opinions from there too. Randall stated I did say that maybe these seven may be the best. I'm disappointed that the people that I know should get a shot at an interview, and they aren't. I'm not saying they are the ones that we would pick.

McKinney stated it's important for all the Council to know that all of the applications were read, not just the top seven. So, in a sense, they got a shot. But I'm not sure that it was intended we'd interview everyone until the Council decides to go to the next step. Once we decide to interview we have criteria to follow concerning the public nature of their information. Randall stated it would have been interesting to see the ranking of all of them, compared to the ones that had the five years of supervisory experience. The five years' experience is met by a police chief of a three man department, but not met with the chief deputy. I'd like to see how they would come out in the ranking. I'm not saying you're going to go back and do that, but it's a curiosity that I have if they all would have been scored. I'm certainly not faulting the Personnel Committee. I know how much time they spent on this and I appreciate it. I'm not questioning how they did the ones that they did do.

Nordberg stated I'm impressed that we got seven qualified people. I agree that they may change their minds when they hear the salary range in Park Rapids. On the other hand it's also surprising that eleven out of eighteen didn't meet the requirements that were clearly stated. I'm wondering if that means that they thought it was preferred and not required. These are all intelligent people with educations. Maybe they are used to a different system, but it clearly says minimum.

McKinney stated there's no question that the ten years of experience wasn't a problem. I think your suggestion is valid. Most of those thought they met five years supervisory. That's why we had Johnson check out beyond what was written in their resumes. For some of them it was very clear they met the requirements as described to the committee by Johnson. Randall stated to me I think these people that were close they should apply even though they didn't have the five years. They all have good experience and a reason to apply even with that minimum requirement there.

Mikesh questioned where do we go from here? Johnson stated it's a Council decision as to what they want to do next. You could decide who you want to interview and who will conduct the interviews. If the full Council does it then it will be an open session. That's very difficult for an interviewee to be able to have everyone here while baring their soul to you. It's not impossible, but difficult. Another way would be to have the Personnel Committee conduct the interviews, and recommend the top three to speak to all of the Council and the public so each Councilmember can get to know them. You can then see how you feel about the person. Then the Council can interview the top candidates even though the preliminary interviews have already been done.

McKinney questioned when would we address the salary question. Johnson stated the city could send out a letter to all seven people to ask are you still interested to be considered a finalist, and this is our salary range. Nordberg questioned what's a reasonable time on that, two days, two weeks? Johnson stated I think one week. Randall questioned wouldn't it be faster to call them since we're getting ready to set up interviews. Johnson stated that could be accomplished in two hours.

Nordberg questioned do you think the preliminary interview process would involve non-local people as you did with the sergeants? Johnson stated at this point it's at the Council level. If you want citizen input on it, it's certainly your decision. But I think that it should be in a closed session. Nordberg questioned do the applications come with letters of reference? Johnson stated yes, it calls for them on the application. Leckner stated if you

used a committee like for the sergeants, then it could be closed. Mikesh stated I'd rather have the Council involved. Johnson stated a committee already ranked their preferences one through seven. You can get any kind of assistance that you want. That's your decision but it's now at the Council level as to who you want to interview. Nordberg stated seven is still a pretty big number. Leckner suggested three, four, or five. Johnson stated that could be done by the Personnel Committee, or if you wanted some outside help.

Mikesh stated in a previous hiring the Council were in different rooms and the applicants talked to the Council in a one on one situation. Randall stated that's a good idea. As long as we discuss our opinions and thoughts as a group but not individually. Mikesh stated that's how we did it before. We had ten to fifteen minutes to talk and ask questions. Randall stated the problem is when you have three Councilmembers together. Nordberg stated to Johnson we met with you one on one, did it seem to go fast enough? Johnson stated yes, I liked the one on one thing.

McKinney stated we could start with the seven and validate their present availability given the salary, and then are you thinking to reduce the seven before the interview process, or would you do all seven? Johnson stated if you set up this process for one day it wouldn't make any difference as to how many. Randall questioned the Personnel Committee as to are there some candidates in the top seven that just aren't in the same league as the rest of them? I'm not a fan of interviewing seven people just because they met the criteria. If we can narrow it down to five that would be great. But if five and six are really a close call then it should be six. But if it's not a close call then let's just interview the best people that are out there that clearly jump out. If we interview those and we walk away with a bad feeling then we can call more people in for interviews.

McKinney stated let's assume that we're going to keep everybody in the boat, but if we don't, and you call the top person and they say no, then we really only have six. Mikesh stated we don't know how many will want the job once they know the wage scale. Johnson stated you want me to call the applicants just to see if they are available, let them know the salary range, and if there is any reason they would not be willing to be interviewed. Can they infer from this that they will be invited for an interview? McKinney stated I would assume so. Randall stated we need to make that decision. If they say yes, and yes, we can't say we're still deciding who we want to interview. The Personnel Committee could meet before any phone calls are made to determine how many of the candidates to call. Fieldsend suggested calling them in order, so if you lose someone just call the next one on the list. Randall stated if you get five for five they'll have to tell you if you call number six. Johnson stated I will make these phone calls until I get five people that want to come starting with the top rated candidate.

Randall stated if you don't get five then I think you'll have to decide if you're going to score the non-criteria ones and then ask those people to interview. Mikesh stated we'd have to go back to square one again. Randall stated I don't know that we would because we gave everyone the option of an interview with that criteria. Johnson stated there are those that would have applied with three years' experience had he known four years was being accepted. McKinney stated that's our problem we made it an absolute as opposed to a preference. Nordberg stated you should be able to get one out of four interviewees with these qualifications. It's not that five, six, and seven are no good but if you have people that are numerically that much improved. What range of days would the interviews be? I don't think it's fair to insist it has to be Monday at four o'clock. There has to be a little flexibility. Mikesh stated some people will need time to travel. Leckner stated you could

give them three different days and see. Johnson stated it should be at your convenience. Nordberg questioned how about sometime in the first half of September. Johnson suggested the second week in September.

Randall stated people are going to ask about the salary range. They are going to ask is that negotiable? My opinion is that it is. We just had a chief that left at the top of the pay scale. I do not like the approach that we start people at the bottom. We need to give Johnson some guidance on that. People should be paid for their experience. Nordberg questioned we must have a policy on that, like when they should expect raises. Randall stated they are on a pay scale. Brumbaugh stated there are steps on the pay scale and the Council have started people on higher steps based on experience. We haven't always started employees at step one. For people that start at the top they have to understand that the only raise they get would be a cost of living increase. Randall stated I think most of these people work in government so they'll be very familiar with the step system. If you come in and our steps are one through five, and you start at step five, they'll understand what that means. McKinney stated I assume that you can control the discussion so that you don't cut anybody off without proper information. It's another part of the filtering process. We just want to make sure they are still available, what our present salary range is, it's just giving them information, and can they come for an interview.

McKinney questioned would the Council be willing to interview on a weekend so they wouldn't lose so much time from their jobs? Johnson stated that would work out well for a lot of people. Nordberg questioned do the background checks take a while? Randall stated they can take a long time. You can offer people the job conditioned on passing a successful background check, and a drug test and psych evaluation if that's part of our policy.

McKinney stated I would suggest the Council direct Johnson to do that exercise and then report back to the Personnel Committee for them to decide who we are going to interview. Johnson questioned what day for the interviews so I can set it in motion. We would do a background check only on the person who is conditionally offered the job. It's a Council decision if you want a drug test and/or psych evaluation. McKinney stated only the finalist goes through all of that. Johnson stated right because there is an expense to do a background check.

Randall stated I'd like to see before we offer the job after the interviews and we narrow it down to two then I'd like to see some references checked, and then report back to us to see which one we offer the job to, and then we'd go through the background check. What if we have three great candidates and references can make or break people, especially when you have a supervisory role with other agencies. Johnson stated I do a cursory check on each of them and then I ask them for references, and that puts more credibility in the second tier. Utke stated the second tier is going to tell you a lot more.

McKinney questioned would the second week in September work? We have to find out what's available to us. Johnson stated you should pick a time or you're going to end up with five different days. Randall stated I think we can make an exception for the people that have a problem, but you'll run into a scheduling nightmare if you don't narrow it down. Johnson stated it would be nice on a Saturday and do them all in one day. Then you're really comparing apples to apples. McKinney stated we can tentatively set it for the 17th. Johnson stated it's far enough in advance they should be able to make arrangements.

Johnson stated I will confirm with each of the applicants the salary range, if they are still interested and available for an interview, I'll contact the number one applicant first and

keep calling until I get five people. McKinney stated the Personnel Committee can meet on Thursday, September 1st at 1:00 p.m. to hear his report.

4. ADJOURNMENT: A motion was made by Utke, seconded by Randall, and unanimously carried to adjourn the workshop at 6:55 p.m.

[seal]

Mayor Pat Mikesch

ATTEST:

Margie M. Vik
City Clerk