

**CITY OF PARK RAPIDS
CITY COUNCIL MEETING
AUGUST 27, 2019, 6:00 PM
Park Rapids City Hall Council Chambers
Park Rapids, Minnesota**

1. CALL TO ORDER: The August 27th, 2019, Regular Meeting of the Park Rapids City Council was called to order at 6:00 p.m. by Mayor Ryan Leckner, and the Pledge of Allegiance was recited.

2. ROLL CALL: Present: Mayor Ryan Leckner, Councilmembers Tom Conway, Erika Randall, Liz Stone, and Robert Wills. Absent: None. Staff Present: Administrator John McKinney, Planner Andrew Mack, Public Facilities Superintendent Chris Fieldsend, Treasurer Angela Brumbaugh, Liquor Store Manager Scott Olson, Administer in Training Ryan Mathisrud, Fire Chief Terry Long, Firefighters Bob Meier and Ben Cumber, Police Officer Rob Gilmore, and Clerk Margie Vik. Others Present: Sue Tomte, Paul Utke, Cynthia Jones, and Robin Fish from the Enterprise.

3. APPROVAL OF AGENDA: A motion was made by Stone, seconded by Wills, and unanimously carried to approve the agenda with the following addition to the Consent Agenda: Item #6.11. Approve a Public Facilities Use Permit to Close ½ Block of Second Street East, from Park Avenue to Calvary Lutheran Church Driveway on Sunday, September 8th, 2019, from 7:00 a.m. to 1:00 p.m.

4. APPROVAL OF MINUTES:

4.1. City Council Regular Meeting Minutes-August 13, 2019: A motion was made by Stone, seconded by Randall, and unanimously carried to approve the August 13th, 2019, City Council Regular Meeting minutes as presented.

5. FINANCE:

5.1. Payables & Prepaids: A motion was made by Randall, seconded by Wills, and unanimously carried to approve the payables in the amount of \$69,063.06, and the prepaids in the amount of \$174,033.58, for a total of \$243,096.64.

6. CONSENT AGENDA: A motion was made by Conway, seconded by Wills, and unanimously carried to approve all the following consent agenda items, except Leckner abstained from voting on Item #6.10.:

- 6.1. **Resolution #2019-163 Accepting the Resignation of Park Rapids Planning Commissioner Tanya Boyer.**
- 6.2. **Approve Purchase in the Amount of \$2,425.12 from PK Tire Stores for Four (4) Sets of Tires for the Police Squad Cars, at the State Bid Price.**
- 6.3. **Approve Pay Request #2 in the Amount of \$19,997.50 for Central Florida Tankees for Work on the Huntsinger Water Tower Rehabilitation Project.**
- 6.4. **Resolution #2019-164 Designating Authorized Signatures for the Year 2019 for the City of Park Rapids.**
- 6.5. **Resolution #2019-165 Appointing City Administrator Ryan Mathisrud as Responsible Authority for Records Management for the City of Park Rapids.**
- 6.6. **Approve Purchase in the Amount of \$3,450.00 for New Turnout Gear for One (1) Park Rapids Firefighter.**
- 6.7. **Approve Public Facilities Use Permit for Cynthia Jones d.b.a. Park Rapids Community Development Corporation, to Close the Second Block of Main Avenue on Thursday, August 22nd, 2019, from 5:00 p.m. to 8:00 p.m. for the Second Street Stage Event.**
- 6.8. **Resolution #2019-166 Acknowledging the Resignation of Volunteer Firefighter Jason Horton for the City of Park Rapids.**
- 6.9. **Authorize City Staff to Advertise and Interview for the Open Firefighter Position.**
- 6.10. **Resolution #2019-167 Authorizing Sale of Excess City Property from the City of Park Rapids.**
- 6.11. **Approve a Public Facilities Use Permit to Close ½ Block of Second Street East, from Park Avenue to Calvary Lutheran Church Driveway on Sunday, September 8th, 2019, from 7:00 a.m. to 1:00 p.m.**

END OF CONSENT AGENDA

7. COMMENTS FROM CITIZENS: Cynthia Jones stated on behalf of the Downtown Business Association (DBA), we'd like to say thank you to Council and staff for giving us permission to hold Second Street Stage on a city street. We are now in our

eighth year and the event has grown and we thank you for your ongoing support. Councilmember Wills, every Thursday, puts out the cones on the street. Conway supports through RDO/Lamb Weston by sponsoring and also cooks and serves French fries and donates the tip money back to the association. Leckner attends and converses and is available at the event and agreed to participate in the dunk tank. Randall and Stone your ongoing participation means a great deal to the DBA and the community. It's the fact that they can see you show up there. A special thanks to staff this year. It wasn't a real normal year. Scott Olson receives our orders and saves us a corner in his facility. Fieldsend came on evening patrol to unplug the bathrooms in Pioneer Park. Chief Appel coordinated off duty uniformed security. Sergeant Gilmore was one of the officers that was with us one night. Brumbaugh made sure they got paid by the DBA, and Vik took care of all of our paperwork. We had problems with liquor licenses this year with the state. She helped us out a lot. Terry Long and Scott Burlingame had a successful water wars night with us. We appreciate them. Andrew Mack's support and willingness to volunteer next year will not be forgotten. Stewart and Lockhart who screened and handled all of our impatience phone calls. Thank you all. As the event has grown so has the coordination for the Second Street Stage to be successful. It takes a community team to make this event what it has become.

Jones stated we have a special certificate of appreciation from the DBA. The holder of this certificate is hereby awarded honorary lifetime membership in the DBA, in recognition of his many contributions to the downtown business community. We thank you for your guidance, patience, and support through the years, and wish you the very best always, to John McKinney.

8. GENERAL BUSINESS:

8.1. Fire Department Organizational Handbook Amendments: McKinney stated the fire department staff and I have been working to revise the existing manual for several years. It has been the subject of a lot of discussion to get updated with the current thinking of different fire departments around the state. We presented the revisions to the Personnel Committee and they have forwarded it to the Council with no recommendation, thinking that the Council should be a part of the discussion.

Chief Long stated we've been working on this for a couple of years. The previous chief headed it up and pushed this forward. Most of the revisions that we want to make have to do with how we deal with the pension fund and how we accumulate years for the pension. The revised language states that a firefighter must agree to make 45% of all calls in each calendar year. Currently that is 75%. We feel that is not a realistic number. It would be very difficult for people to make that many calls with the calls that we have per year. We're trying to make this a more realistic reflection of what we expect our department to achieve.

Long stated we have established a board of officers to eliminate the executive committee. It would consist of the chief, two assistant chiefs, and two members. For us it makes it more subject to the membership since the chiefs are elected by the membership. They have more say in that versus a board that appointed strictly by the chief. We felt this was a little better way to go.

Long stated the last major change is all firefighters are required to make 45% of all calls for service annually. Any firefighter not making this annual percentage will not be credited for that year of service toward their relief association pension. This is a change that could allow us to dock a service year instead of the old way which was you were in or you were out. We had no ability to anything other than termination.

Long stated those are the significant changes that we are requesting approval for. Are there any questions? Randall questioned how did you come up with the 45% and how many other comparable fire departments did you review to see if this was consistent with other fire departments. Long stated we looked at a number of departments while gathering this information over a period of several years. We found for the most part is that 45% is relatively high if you look at departments that are comparable to ours in number of calls or size of protection range. We have a number of departments that are close but aren't comparable because they do other things like medicals, a bigger range, or more people. In coming up with this number we tried to keep it to a number that we could use so we are capable of making this. Some departments in the metro are at 25-35%. They also don't limit the area that you can pull from because people down there work across the city so they limit them to either day or night time calls so you're required to have a percentage of that.

Stone questioned do you keep attendance? Long stated we do. Randall questioned will that be monitored going forward? I understand that the 75% was not achievable but it still was the policy of the fire department. My understanding is that in the past we have not been doing a great job following that requirement. In order to get the pension, you're supposed to meet whatever is set in your policy. Long stated the requirement for the pension didn't allow you to delete the pension for that year.

Bob Meier stated the state passed a law that the chief had to provide a fire fighter good standing list to the relief association. That was what pushed this forward. At the end of the year Long has to provide a list to the relief association that lists each fireman and if they are in good standing or not. Before, we kept track of how many calls everyone made but there was no fallout for your pension. You were either on or you weren't.

Randall stated I appreciate that. I just want some accountability. This is no reflection of anyone in particular. From what my experience has been and what answers I have gotten to my questions is that this has been pretty lacks. I do think if people are going to take up this position as fire fighter and accumulate a pension, that this needs to be strictly adhered to. Long stated I don't disagree with that. I think along the same lines. The idea is that we can hold this as a carrot, and that the eligibility for the pension for a single year will help us. Its difficult to train a fireman and if he doesn't make a year for whatever reason and then we have to let him go. We have to try and draw a line between retention and working with them. I think this is a good tool. We are not reinventing the wheel here. A lot of departments in the state and dealing with this. Randall stated I agree that retention is important.

Meier stated for our fire department we have solid retention. We're full all of the time, which is abnormal. Down in the cities they'd have twenty people apply for one position four or five years ago, and this year they were four short. The comradery we have as a group helps a lot with that. We're not kicking people to the curb and that has helped with our retention, but we still have to have some teeth in this so we can make them show up. We came up with a number that we thought we could live with.

Stone stated I appreciate that. The 45% is higher than other comparable departments? Long stated it really is. It's difficult to compare departments. Detroit Lakes' policy is 50% and they only have to make it to the hall. A lot of calls don't require a full run of trucks. Some trucks can go out and people can still get their kids to a babysitter and come in a little later. That would qualify for the 50%. Their actual number of being on a scene fighting a fire is only 10% per year. It's kind of the same number, but it's really not the same number. Everybody has a little different situation. Some departments do 25-35% but they also do only days, or only nights.

Randall questioned tell me about the meeting attendance? It says it's required and there is a consequence for not attending 45% of the calls. What's the reasoning for having a requirement of the 75% meeting attendance if there is no consequence for not making that? Long stated we looked at the requirement that the attendance for meetings be held at 75%. We opted not to take that out of there. We don't have a consequence for it other than peer pressure to regulate that. Meetings are easier to expect people to attend because they're always on the same day, every first Wednesday of the month. If they are consistently not there you can pull them aside to ask do you want to be here or not. You knew going in you are expected to attend these meetings. It's the same with training. We expect them to allot the time to that.

Randall questioned I'm wondering why put a number to that. Meier stated in the handbook it says what a regular firefighter has to do to be in good standing. If you don't make 75% of the meetings you will not be considered a fire fighter in good standing so you could lose your pension. Anything under A-I in the handbook could cost you your pension. Randall stated that should follow through under the attendance policies because that's another section. Meier stated it refers back to this section. If you don't make 75%, you still are going to lose that pension.

Randall stated under R. Attendance Policies: #3 Meeting Attendance, it doesn't say you will lose your pension if you don't make at least 75% of the meetings, like it does in #2. It probably should just to make it very clear. That's about attendance. This section talks about the run attendance and that thing about the pension and the consequence, but #3 doesn't have any of that language. It would be helpful and clearer to have that language in there if that is the way you guys are interpreting this. Meier stated yes, we are. Randall stated then it should be there as well. Someone could say I'm in good standing because the attendance policy doesn't say anything different.

Randall stated I'd like to refer this back just for that revision. Meier stated I would agree. I thought a fire fighter in good standing was defined better.

Randall stated the other thing that is a carryover from the current policy is in Section C: Honorary Member. I'm confused about this. I want to make a motion to refer this section back to staff about the last sentence about lifetime members and that they should be entitled to use the facilities with the permission of the chief or assistant chief. We are very shortly going to be going to an electronic keycard system. I fully anticipate that whoever it is, when they retire their key card is going to be shut off that day and they are not going to have access to the fire department. This isn't because I don't think these people haven't earned or been a great asset to the fire department. You have the lawyer up here talking to you about liability. It really is a huge liability allowing individuals who are no longer currently employed by the city into our facilities, not just the fire department. I'm not comfortable with this going forward.

Long stated one of the things that we talked about is to get a group of retired fire fighters together to be identified and maybe we can still use some of those assets and to have them help us at events and things going forward. One of the neatest things about the fire department, when we had the Green Valley fire, everyone was out on that. We had another fire up by Two Inlets. Some of us split off and went up to that fire. We turned it over to a mutual aid department when we got it under control. A lot of our retired guys had come into the hall and they were manning the hall. They were helping us. There was a lot of food being donated that needed to be unloaded and managed. There's a real value to that. They would like to still be a part of the department. It becomes a real brotherhood. Their dedication still continues and we would like to be able to include them.

Randall stated I recognize all of that, but the way this is worded is that if you gave permission to a retired fire fighter to go in and wash their car they could. From my perspective that unfortunately can't be allowed. Because it is a huge liability to the city. This needs to be reworked so that we can try to come up with language that accommodates those situations that you just talked about, but eliminates any potential for individuals who are no longer employed with the fire department to be in there just because they got permission. We wouldn't let a retired police officer go into the police department and I know that the police department feels the same way about those police officers that have put in twenty years and were a very big asset to the department and want to be there to help. It just wouldn't be allowed.

Meier stated the biggest difference between us and them is that we still use these retired guys quite a bit. I don't disagree that we could change the language in the book. We'd need to come to some common ground where we can still use these guys as an asset. You'd be surprised how much these retired guys do around our building and for us when we need them. I understand the point that they shouldn't have access just willy-nilly, but I feel they need to be on some kind of a level where maybe they could be listed as a part time employee where they'd have access to our building with our permission, but still be under some kind of city guidance or policy.

Randall stated I don't disagree. There are ways to look at it to get something in here about those people, and those people are named and there's something on file with the city about who these people are and what kind of paperwork they fill out. They need to be identified. This is just too broad. I know a lot of fire fighters. I have family that was on the fire department for thirty-five years. I understand the comradery without being on the fire department and I know that it's a big part of their life, that they want to keep being a part of. This isn't in any way to say that we are not grateful for that. We're running a city and we have to be conscience of that.

Long stated we certainly want to do it the best we can. They are still making contributions to us all the time so we'd like to include them. Stone stated this is implied that it's an individual use. I don't deny that they are clearly providing support, but this to me implies they have use of the facility as an individual with no other active or employed fire fighter there. Randall stated they may make contributions by helping to get gear set up or they're washing trucks afterward because they want to help us guys if you've been out all night, I understand that, or they're bringing donations from Hugos so that's one less fire fighter that has to be running, I understand that. Those people have to say I want to be on as a non-paid volunteer. I think there are ways to explore that and identify them without having the pool be everybody that's ever served on the fire department. I think there are

some people that have served twenty years that probably don't come back to the fire department. These people need to be identified. This is not for individual use.

Long stated that's what we're working towards. A number of them got together and had one meeting. They talked about it. We'll work with them. We'll identify them and put some perimeters on what is expected of them. We appreciate having them. Meier stated we can find some common ground here pretty easily. Randall stated if we refer it to staff, our attorney could probably draft something for us that covers the city and yet allows these people to help us out. That's what I'm looking for, that we are covering the city's liability, and somehow allowing these people to still help you guys out. Conway stated sort of like an auxiliary unit type of thing. Long stated I think we'd be all for that. McKinney stated we're prepared to do that. We have some notes on it.

The Council discussed whether to approve proposed changes for some sections of the handbook, or to wait for the newly requested revisions and approve all the changes as a whole. **A motion was made by Conway, seconded by Randall, and unanimously carried to refer amendments to the Park Rapids Fire Department Organizational Handbook back to the city administrative staff to review Section #3 regarding honorary members, and Section R, #3 regarding meeting attendance requirements.**

9. CITY ADMINISTRATOR COMMENTS: McKinney stated the Council did a good job selecting my successor. Mathisrud is doing a good job of getting reacquainted here. I've enjoyed working with this Council and your predecessors. It's been a real joy to work with you. Thank you very much.

10. DEPARTMENT HEAD UPDATES: Brumbaugh stated next week we'll be working with the Finance Committee on the budget. We will be scheduling a Council workshop on September 10th at 5:00 p.m. The preliminary budget has to be approved that night at the regular Council meeting. That will give you a full hour to review it after staff and the Finance Committee has reviewed it. Stone stated I can't make it at 5:00 p.m. Leckner questioned how long before we do the final budget? Brumbaugh answered in December. Leckner questioned should we wait to go over it until there's a date that will work for everybody? We can always change things. Randall stated we can schedule another workshop before the final adoption, if needed. Leckner stated I mean if there were questions. Brumbaugh stated we could have the first meeting and then discuss it later. Stone stated I think that would be fine.

Mathisrud stated things have been going really well shadowing McKinney. I'm just about settled in now. I've sat down one on one with all of the department heads. That seemed to go well. At some point I'd like to sit down with each of the Councilmembers to get to know each of you more. I'm really excited to be back.

Terry Long stated the Fire Department Fishing Frenzy had good attendance. It was a good time. James Eischens and Bob Bateman won the tournament.

11. MINUTES/REPORTS/INFORMATION: There were no comments.

12. COMMENTS FROM COUNCIL: Stone stated I would like to thank McKinney. It's been a pleasure working with him and he will be missed. His mentorship was appreciated. Randall stated I echo those comments. The city has been very blessed to have Mr. McKinney. Wills stated McKinney has been a real inspiration and has been a lot of help for someone just starting out. Conway stated I would say the same thing. You've been a mentor for me in the short time that I've worked with you. I'd also like to welcome Mathisrud because he will take over next week. Leckner stated I'd like to wish McKinney the best. You've been a mentor. He has guided all of us. We look forward to Mathisrud coming on board.

Paul Utke stated this is my first chance to attend your meetings. You have remodeled here and it's wonderful. You did a great job. I thank McKinney. He came on board when I was on the Council. McKinney was going to come on for four months for the interim. Then it became eight months. Then it was a year. Then we removed the label interim. You made our lives easy at that time and you outlasted me. Congratulations.

13. ADJOURNMENT: A motion was made by Conway, seconded by Wills, and unanimously carried to adjourn the meeting at 6:45 p.m.

[seal]

Mayor Ryan Leckner

ATTEST:

Margie M. Vik
City Clerk