

Royalton Sick Leave — Supporting Records

Adam Gunderson | Organized reference packet

Contents

1. Transcript, Part 1 — supplied automated transcription of meeting audio (approximately 30 minutes)
2. Transcript, Part 2 — supplied automated transcription of remaining meeting audio (approximately 29 minutes)
3. Original council meeting minutes — June 10, July 2, and August 6, 2019 (appended unchanged)

Important: Transcripts are machine-generated and have not been independently verified against the audio. They include apparent recognition errors, including dollar signs where the discussion concerns hours. The council minutes are the formal written record.

Selected reference points

Part 2, around 6:59: “Ignore the policy, pay Adam off for what he deserves.” Around 9:57–10:31: an expressed consensus is discussed, but the need for a future motion is also raised. Around 23:02: participants discuss a possible payout formula; verify numbers against the audio.

August 6 minutes: Verley moved to pay sick leave according to the personnel-policy formula; the motion failed for lack of a second.

Automated Transcript — Part 1

Timestamps restart at 0:00 in each supplied transcript. Text preserved from the supplied transcription; no speaker identities have been independently verified.

(0:00) I guess that's the first thing. (0:04) I honestly believe we should always have done that. (0:07) I believe you're right. (0:08) I mean, we've listened to opposition about it. (0:12) We chose not to. (0:14) But, you know, like, the places that have it, their lawns stay nicer. (0:22) So I don't quite know why people would object. (0:26) And I think it's, unless I'm wrong, I think it's a little easier for you guys. (0:31) It's easier for us. (0:33) And the thing is, it keeps the people from driving up on the sidewalk and stuff like that. (0:39) Because you've got a curtain, you know. (0:41) Instead of driving up over it.

(0:42) That would be an option, would be to have that paid out. (0:46) So you'd get 50% of your payback at the time of death? (0:50) No, no, no. (0:51) That's the way we do now. (0:53) What's that? (0:54) The death thing is for the family, isn't it? (0:57) Right, right, yeah. (0:58) So, but... (1:03) Well, the city of Managa, they do it to where you can bank, I think it's 580 hours of PTO time. (1:15) But every year, you have the option to have 40 hours paid out directly. (1:22) So if you have, it doesn't matter what you have, if you have 200 and some hours, (1:26) and you're like, really, I'd like 40 hours of it paid out to me.

(1:30) They'll pay you out that 40 hours a year. (1:33) No matter what you have. (1:35) But if you get over that 500 and whatever hours, you can't bank anymore. (1:44) So then, do they get paid out on PTO when they leave? (1:48) If there's PTO out? (1:49) That would have to be in the policy. (1:51) That's something that we have to decide what we want to do. (1:54) Because... (1:55) Oh, well, and you have to tell us the definitions, too, because retirement... (1:59) What does that mean? (2:02) You retire from your job, you retire from... (2:03) No, the intent is at time of retirement, from ceasing to work.

(2:12) Yeah, that should be called out better in there. (2:15) Because retirement... (2:19) Resigning and retiring are two different things. (2:22) Yeah, that's what I'm saying. (2:28) It's tough to get time off. (2:30) Well, see, that's the problem. (2:32) In a small, when there's so few employees. (2:35) Right, it's one of those things where you almost have to... (2:41) When you can't plan, like us guys, we don't plan it. (2:44) If we've got to leave, that looks okay. (2:46) We've got some rain, or we've got... (2:48) You let the girls know, I'm taking off three days.

(2:52) Even if you don't want to, but you need to time off because your brain is... (2:55) Well, and that's just it. (2:57) It's hard to get. (2:58) I think there should be a way of getting it paid out so it doesn't become ridiculous numbers. (3:04) And that's manageable for the city to budget it. (3:06) Right, exactly. (3:09) That's... (3:10) Because it's still part of their annual salary. (3:13) The vacation time is figured into their annual salary. (3:16) Yes. (3:17) Right, so it shouldn't be that much more out of the budget for them for us to figure out... (3:23) No, it wouldn't be anymore. (3:25) If we did it in a year...

(3:26) But here's the problem. (3:28) If you end up working that time anyway, and you end up with a year with your three weeks or whatever you guys get, (3:33) that's an extra three weeks of pay that wasn't in the budget. (3:36) Right, if we do it that way. (3:38) If we pay it out at the end of the year. (3:40) I would just assume roll it over. (3:41) Right, but the question is, now we get back to how much can you roll over. (3:45) But you should make a thing where each person should have take off at least seven days out of the year or whatever that they have to.

(3:55) I know it's hard to do that, but the thing is, that person, that's why you're giving them the time. (4:02) Because they need a break. (4:03) And that's why, like with us, you can roll over five days a year. (4:06) You can't roll five and another five and another five and also have 80 in one year. (4:11) You can only roll over five per year. (4:12) And that's us. (4:14) We have to be below 80 hours at the beginning of June, January 1st. (4:18) Because, you know, like us. (4:21) Like me. (4:22) But that's the thing is... (4:23) Almost 200 an hour. (4:25) The thing is, there's times you don't get time off.

(4:29) So it's nice to roll it over so you don't get scared. (4:31) Otherwise, I'll take off and then three things won't get done. (4:34) Or you'll wind up coming in anyway. (4:37) Right. (4:37) Or I want to do this, some of this stuff and can't get it done. (4:43) So you've got to come in. (4:45) Right. (4:45) And that's why it's been a very, it's been so difficult to figure out what would be fair. (4:50) Right. (4:50) So you can't just walk away and say leave it as it is. (4:54) It should come up to a certain amount. (4:57) But if you don't roll it over, you're kind of screwed, too.

(5:01) Well, one thing, maybe we should define that vacations have to be taken within a year. (5:09) But that's the problem, too. (5:10) And leave it as is. (5:13) I don't know. (5:15) I just know it's tough for, like I said, especially with everyone. (5:19) It's tough for you guys to even schedule time. (5:20) You're looking at your employees right here in this room. (5:22) Yeah, exactly. (5:23) Why would you not want to take vacation? (5:25) Because we can't always. (5:27) Well, we're telling you that you have to take vacation. (5:30) So City Hall gets shut down? (5:32) All that goes.

(5:33) Two people cannot take vacation in the same department at the same time. (5:37) Or we can't, no. (5:39) And you guys would have a hard time doing that. (5:42) Yeah, we have a hard time, one, taking off, because we've got a lot of things, especially wintertime. (5:47) I mean, you've got snow removal. (5:49) We get called in when we're off. (5:51) I shouldn't say we, but you guys. (5:53) And that's a big thing. (5:55) That's why if you try to stay under overtime, then you're coming in. (6:02) And the thing is, it's tough. (6:05) It's tough to take time off. (6:07) Well, it doesn't matter to me so much.

(6:08) I mean, you guys talk about not being able to take vacation. (6:12) But when I tell you it's mandatory, you don't want to do that either. (6:16) So then what's your legal? (6:18) It's not that we don't want to. (6:19) Yeah, it's not that we don't want to. (6:20) You need to. (6:23) That's why you get burnt out, and that's why people quit. (6:25) Right, you want to avoid that. (6:26) So you've got to avoid that. (6:27) You've got to figure out how to run a department and tell the council what you need to accomplish. (6:32) Well, then you'd have to hire a couple more people for a place.

(6:35) Because, you know, three people on our team, we go. (6:39) I mean, we don't sit around. (6:42) And when one person's gone, ten more things come up that you've got to do. (6:47) And it's like, that person can't do it all, you know. (6:50) And it's like, you don't know what's going to happen. (6:53) Like today, me and team, they had our day planned. (6:57) All of a sudden, Tri-State called. (6:59) We have to get our stuff done. (7:00) They had to come early because they wouldn't have been able to do it tomorrow, so they came. (7:05) It just, stuff comes up that you don't. (7:07) Can we have substitutes?

(7:10) I mean, that's what we do with our custodial. (7:13) Well, what would you want to do? (7:15) Kind of cooperation with another city. (7:18) Mutual aid, we did that. (7:19) Yeah, do that with a city, then you're doing their work when we should be taking off, you know. (7:26) I mean, have somebody on a list that, you know, maybe retired and he could come plow, you know, (7:33) during the winter when you have a cave and you want another person in one of our trucks. (7:37) Because like rice, they don't even plow their own snow, you know. (7:40) And then when you do have, like, let's say piers, they don't have no extras either.

(7:46) You know, you don't. (7:47) In a lot of our small towns, it's sometimes there's one maintenance person. (7:53) Like in Upsala. (7:56) There's just Frank. (8:00) I mean, I'd love to take more time off, but if I do, then I come back and I got to, (8:06) I got to almost work overtime to get caught up to what I need to get caught up with. (8:11) And you don't want overtime, so it's like, you know what I mean? (8:15) It's tough. (8:16) Caught me too. (8:17) Because I'm getting up there in hours too, and I try to take off a little bit here, a little bit there. (8:23) But that ain't a vacation either, you know. (8:25) No, no.

(8:27) But the big thing for me is I was looking at PTO, and I think that there are times when people are not sick. (8:36) But they'll take sick time to have a day off. (8:40) And to me, I look at it like a mental health day. (8:45) I'd feel really good if I knew that they were taking the day off and going fishing or golfing or something like that. (8:52) Yeah, that's a mental health day, that's a sick day. (8:56) Yeah, I just, I think that no matter what we call it, we want to make sure that they get the time off that they need. (9:04) And recharge. (9:05) And recharge, right. (9:08) Can you take half days too? (9:10) You can do increments.

(9:12) Yeah, yeah. (9:13) Some companies, you have to do it like half. (9:16) Well, the thing is, you have a day that there ain't a lot going on because it rained, and you feel like going home. (9:22) If somebody else is there, go home. (9:24) Yeah. (9:25) You know, some people don't want to take the vacation pay. (9:28) They'd rather take the sick pay, but I mean, if you got enough hours. (9:33) You know, some people won't get as much. (9:36) But then the sun comes out, and then you got twice as much to do, so then you work overtime. (9:41) You can't take any sick pay off. (9:43) You just work like a house. (9:45) Okay.

(9:46) Welcome to our world. (9:49) Well, we're not really having any... (9:51) I don't know that we've solved anything. (9:53) We haven't solved anything, but I think that we need to figure some things out with that. (9:58) Or at least come up with some options. (10:02) I was telling Andrea, like, so you get 12 sick days a year, month to month, basically. (10:07) So like on a two to five, you get 10 days, 12 sick days. (10:10) So you get 22 days, right? (10:12) So if you gave them 22 PTO days, and you could carry over a certain number that encourages those days to be used,

(10:21) but yet save some up for the end of the year that, you know, could be used sick or PTO. (10:27) And then you carry those over to the next year, and you've got that many more to use the next year. (10:32) And again, by the end of that year, you use them or lose them or carry them over. (10:38) Well, let's get some examples from some other cities and see. (10:41) Yeah, I think so. (10:42) And then you can talk to people and see how it works all over again. (10:46) What did you find out from Foley? (10:48) Did you call Foley? (10:49) And then one thing that's a little confusing...

(10:54) If you're accumulating these days, but the only way you can get them is to live long enough to leave, (11:01) or either to live long enough to enjoy the financial aspect of being reimbursed, (11:07) or in this retirement age, it seems to me if you've earned something, you should get it, (11:15) defined by the policy, but we're not really... (11:19) Well, Adam's leaving right now. What, a week you're leaving? (11:23) This is his last week. (11:24) He's accumulating a lot, but according to that... (11:28) But he's getting his vacation paid out. (11:30) Well, yeah. (11:31) His vacation. (11:31) Because the policy allows it.

(11:33) Right. Just not his sick time. (11:36) Right. (11:39) If you cure it, you should... (11:41) So we're punishing him because he was healthy? I mean, that doesn't seem fair. (11:45) Even if he wasn't healthy, he was still coming in. (11:52) The issue with some of the sick time is because of my call-out stuff, (11:58) there are times where I could not use my sick time, (12:01) there are times where I could not use my vacation time because I get called out, (12:06) and it felt like I got punished for being here for the city. (12:14) I agree. I completely understand where you're coming from,

(12:19) and like I said, we've struggled to figure out what to do with this very situation. (12:31) When I got offered the job in Managa, (12:36) I let the mayor know that I was being interviewed for a different position. (12:40) I let her know that I was getting a second interview, (12:45) and it kind of seemed like a slap in the face when I talked to her, (12:52) because when Lee left, the city asked him what he wanted to stay, (12:59) and they gave him what he wanted. (13:01) And then when he wanted to leave a second time, the city gave him what he wanted.

(13:06) Not to contain her at all, but when she got offered the job in Little Falls, (13:11) you guys offered her something to stay. (13:13) And when I talked to the mayor and told her that I'm being looked at by another city, (13:18) it was, well, I wish you best for you kind of thing. (13:22) It wasn't, you know, what would it take for you to stay here? (13:26) It just felt like I was unwanted in the city. (13:35) And it's hard, and that's why I did the retirement thing that way. (13:41) So they looked up the definition, and the definition is a ceased-once current position.

(13:47) And so I drafted my letter in retirement so that I could recoup some of the stuff (13:53) that I felt was owed to me by the sick time. (13:57) And today, Carol called me in and said, (14:01) Hey, you know what, we're going to pay you out your vacation time, (14:06) but you don't meet the definition of retired because you're not old enough. (14:11) And the fire department, you spend 10 years on the fire department, you're vested, (14:15) you're eligible for your retirement. (14:18) You know, I gave 14 years to the city, and through the years, you know, (14:24) I've tried to talk to my advisors, when Al was my advisor,

(14:31) about restructuring how I got paid my overtime, (14:34) because I didn't get overtime unless I worked over 90 hours in a paid period. (14:39) But if I worked over 90 hours in a paid period and took a day or two vacation (14:45) or a day or two sick, but I had time that I accumulated from call-outs, (14:54) that overtime pay that I should have gotten was consumed by taking, (14:59) well, you can't take your sick time, you can't take your vacation time, (15:03) so you don't get any overtime whatsoever. (15:06) And when I was talking to Al about it, and I talked to him every year for 4, 5, 6 years,

(15:14) and, you know, you look into it, yep, you think about it this year, you know, whatever, (15:19) and it was, well, according to the League of Minnesota Cities, we don't have to. (15:24) We're exempt from paying you overtime unless you reach that 90 hours. (15:28) So the city's not going to do that. (15:33) And, I don't know, it's just hard. (15:36) Because I felt like the city doesn't care about some of its employees. (15:40) You know, especially when, you know, it came to this, and I talked to the mayor, (15:49) and it was, you know, not, hey, what can we do to keep you here?

(15:53) It was, well, I wish the best for you, I'm sorry to see you go, but enjoy your life. (16:01) So that's just what I wanted to say. (16:08) How was it handled with Lee? (16:11) How was that different? (16:13) I think the thing that we learned a little bit from when we were dealing with Lee, too, (16:21) was the fact that we did make concessions to try to keep him. (16:35) And it wasn't necessarily the right thing to do. (16:43) And when it was your time, we had discussed making a change in your job points (16:55) and step before you were offered the job up in Little Falls.

(17:03) Well, part of that was because somebody had mentioned, I think Danny mentioned to me, (17:09) talking about the paid step program. (17:12) And I didn't review the step program when it was redone, (17:16) when it was reclassified with Dan's job and your job, (17:20) and that was basically the big changes of it. (17:22) And I didn't review it, and that was my fault. (17:25) And that's why when we got down to talking about it, (17:28) I feel Lee made a mistake in not reviewing it (17:31) and seeing the paid discrepancy for your position. (17:37) That's why that happened. (17:40) Lee was probably us trying to keep the department going,

(17:47) and some of his requests seemed legitimate, (17:51) but it really wasn't. (17:53) Those, I don't think, were really his issue. (17:55) I think his issue was he did not want to be here. (17:58) But maybe if this changed, I might want to be. (18:01) But along the way, I think he kept working, and he just really didn't. (18:07) This wasn't for him. (18:10) Now, Adam, thank you for all that you said. (18:13) It didn't sound easy for you to say that. (18:17) But I have to speak in my defense in that when you and I talked, I didn't want you. (18:22) I think I relayed to you pretty well that I didn't want you going out

(18:26) looking for other employment. (18:27) And we did discuss some of those things you were talking about. (18:35) If that's the factor of why you're leaving and you want to change your mind, (18:39) I wouldn't mind having a discussion of how we can guarantee (18:44) that he either gets overtime or he gets his time off that he needs. (18:49) I don't quite understand. (18:50) I mean, I understand your loyalties and your positions here, (18:54) but everybody deserves to take the vacation they've earned. (18:58) And that's for us to deal with. (19:01) If you can't take a vacation, you know, and then your whole department

(19:08) goes into a shambles because you took a day off. (19:11) And I grew up going on family vacations. (19:15) So when I think of a vacation, I don't think of one day. (19:17) I think of a week or two weeks at a time where you actually get away. (19:25) And I think if we could figure that out so that you guys feel relaxed enough (19:30) to do that, whatever it takes to kind of solve that, (19:34) because I honestly think it's wrong for people to be working year after year (19:37) and not taking vacation times. (19:41) I know there's times, you know, like I come in on Saturday,

(19:46) back up or something, or even plowing snow, and I have a plan. (19:52) Okay, I was going to take Friday off, but okay. (19:54) Now I work from 12 o'clock at night until 4 in the morning. (20:01) Now I've got this time, but I was going to take a vacation day off. (20:05) But I can't because I'm going to lose my overtime. (20:10) So really, coming in at midnight to, you know, 4 in the morning, (20:17) I'm getting paid single time. (20:20) You know what I'm saying? (20:21) So it's like, oh, you hate to lose that, but then you also, (20:24) you can't take that vacation day off because if you do, it goes away.

(20:30) Okay, so I think that's some of the problems we have. (20:35) Should this be in closed doors? (20:37) What? (20:37) Should this be closed doors? (20:43) Very possibly. (20:44) So we'd have to arrange for another meeting to actually get into the details. (20:48) Personal issues, yeah. (20:50) Take that, I suppose. (20:52) Yeah, you're probably right. (20:54) Kind of went that direction, but I think we should put some thought into that. (20:58) Since you do the payroll, Carol, how is that, you know, (21:02) I'm not quite getting if a person takes a sick day (21:06) and that screws up their whole week of pay.

(21:12) Oh, that's a state law. (21:15) That's a state law. (21:16) Yeah. (21:18) So you only have to pay overtime over 40 hours a week? (21:23) As long as it doesn't include sick pay or vacation in the middle of the week. (21:26) Right. (21:27) You cannot include vacation or sick leave into the overtime formula. (21:33) So even if they work 45 hours and they have eight hours of vacation in there, (21:38) all of a sudden, by state law, that screws that up? (21:42) They don't screw it up. (21:43) You just don't get paid overtime. (21:45) You get your regular straight pay. (21:48) So if you work 60 hours in a week

(21:50) and you have eight hours of vacation in there in the middle of that, (21:53) that completely screws up 20 hours of overtime. (21:55) No. (21:55) Just eight hours. (21:56) Just eight hours. (21:59) Yeah. (21:59) So you get paid 48 hours of regular pay and 12 hours of overtime. (22:07) Yeah. (22:08) So if you have a full week of vacation, you're off, yeah. (22:13) But you still work the hours. (22:14) It's not working. (22:16) No, you're not. (22:17) Yes, you did. (22:18) No, you're not. (22:19) You worked 60 hours that week. (22:21) No, hang on. (22:21) You worked 60 hours that week.

(22:23) But you had one of those days you worked 60 hours. (22:25) Let's see. (22:26) You worked 60 hours in four days. (22:28) On Wednesday, you had a vacation day where you were off. (22:31) Right. (22:31) So you didn't work those eight hours. (22:32) Right. (22:33) Right. (22:34) So I still worked 60 hours and then had plus eight hours of vacation. (22:38) Oh, yeah. (22:38) Well, 60 plus. (22:40) Yeah. (22:40) Oh, yeah. (22:41) Oh, yeah. (22:42) No. (22:42) Yeah, that's not what we're talking about. (22:44) No. (22:45) I misunderstood. (22:46) No, you worked 60 hours. (22:48) So total of 68. (22:50) It would be a total of 68.

(22:51) But you worked 60 hours. (22:54) Right. (22:54) Plus eight hours. (22:55) Yeah. (22:55) That's what I'm getting at. (22:56) Right. (22:56) But that's what I wasn't understanding is why isn't that getting paid on top of what (23:01) that worked? (23:02) I mean, it doesn't make sense. (23:02) No, yeah. (23:03) If it's a full week, it's 60 hours. (23:05) Some of my paychecks were. (23:05) Is that the police department? (23:07) Is that the police? (23:09) It wasn't added as regular pay on some of my paychecks. (23:14) It was my call-out time basically pushed my vacation or my sick time out of the picture

(23:20) so I didn't get paid any of it. (23:22) Right. (23:22) For him, it's really difficult. (23:25) Eight hours. (23:26) So that's what I'm saying is a lot of the hours that I have banked, I have tried to use, but (23:35) I've not been able to. (23:37) So I haven't been paid for the hours that I've worked with that stuff. (23:43) But if you want to do that in a closed meeting, maybe that should be talked later. (23:53) Okay, let's do that. (23:57) We'll have to call for a closed meeting. (24:02) How much time do we have to report notification? (24:08) Three? (24:10) Yeah. (24:12) Three days? (24:14) Yes. (24:16) Well, that kind of.

(24:19) Yeah, I can't do two early days in one week. (24:22) That's one of my rules on my job. (24:25) So it would have to be next week. (24:26) Okay. (24:29) So you would just call on the day next week? (24:31) Tuesday. (24:32) Monday or Tuesday, please. (24:37) So does that mean that nothing that I brought up is addressed? (24:41) We can't. (24:42) We can't. (24:44) Okay. (24:48) 18. (24:52) 630 or ?? (24:55) 630. (25:14) What day is that, please? (25:15) Tuesday, 18. (25:22) 630. (25:29) Do you want all of us employees here? (25:33) Sure. (25:37) Kind of do some thinking about this so we can try to solve.

(25:42) You know, not a lot of this is going to affect me. (25:46) I mean, I'm within a year or two of retiring. (25:50) Yeah. (25:50) So I want to hear from them and what they want. (25:54) Well, you can answer some payroll stuff also. (25:56) Yes. (25:57) Absolutely. (25:59) Yeah. (26:02) Okay. (26:02) Okay. (26:10) This is a closed meeting. (26:28) Do you have a question, Mark? (26:30) Yeah. (26:32) I'm going to check with your attorney to see if you can hold a closed meeting. (26:37) Because usually you can only close them for personnel matters, like discipline. (26:44) Or you can close it for strategy.

(26:47) But this wouldn't be strategy with your employees here. (26:51) Okay. (26:52) So I would check with your attorney to see if— (26:55) Good point. (26:59) Well, it would be worth a recall, then, because we have the issues. (27:04) And we just need some solutions, really. (27:08) Yeah. (27:15) I can call up the attorney and get an opinion. (27:20) Yeah. (27:24) And I believe you can call for a meeting at any time. (27:30) Yeah. (27:33) Maybe wait until then after we talk to the attorney. (27:38) Yeah. (27:39) And if there's still three days left until Tuesday, then just set it up for Tuesday. (27:43) Get it done.

(27:55) When's Adam's last day? (27:56) Friday? (27:58) Friday. (27:59) Well, Sunday. (28:01) 16th? (28:02) Yeah. (28:03) Technically Sunday, but he will be done with his hours probably Thursday or Friday. (28:09) Depending on how many call outs. (28:20) Well, I think we could discuss the fact that he feels cheated out of a lot. (28:25) He has 775 hours of sick leave. (28:30) And a lot of that was accumulated, I think, way back when he was in Iraq. (28:33) Because he continued to get his benefits for that time while he was over there. (28:41) And that's after those 480 hours with the 50% figured in on it? (28:47) Yeah.

(28:49) Because we were just looking at that today. (28:52) Okay, we need to redo that because anything after the 480 hours was half. (29:02) Mm-hmm. (29:05) So, yeah, because that was like another 150 or something. (29:12) Yeah. (29:14) So it wouldn't be 775, it would be actually less. (29:25) But I do know how he feels. (29:27) I have come to work so sick, I could just die. (29:31) But we had the audit that week. (29:34) And that was only about three, four years ago. (29:37) I have to be here for the city audit. (29:39) I can't not be here. (29:45) So, that's the way it is. (29:47) And I ain't complaining. (29:50) It's just the way it is.

(29:52) That's why you have time being tough. (29:54) And that's, you know, it happens. (29:57) Right, right.

Automated Transcript — Part 2

Timestamps restart at 0:00 in each supplied transcript. Text preserved from the supplied transcription; no speaker identities have been independently verified.

(0:00) We're going to go on for a little bit. (0:02) Not anymore. (0:03) Not anymore. (0:06) You're getting down there, huh? (0:10) So what are we going to do? (0:12) I mean, can we solve this? (0:15) What's your wish? (0:16) The policy. I think we should just (0:18) either accept (0:20) his definition of retirement (0:21) or we rewrite the policy. (0:25) Just remember now, (0:26) you're setting precedents here. (0:27) I know, we're going to set a precedence (0:29) that will reflect the policy (0:31) itself. (0:32) Because I'm aware of that danger because (0:34) it's going to happen over and over again. (0:37) But if it reflects a good fair

(0:39) policy, whatever we're (0:41) doing here, if we decide to do anything at all, (0:44) it reflects a really (0:45) good fair policy (0:47) in the end. (0:49) For everyone, it would be fair for everyone. (0:52) Does the benefits (0:53) start at the first day of the year? (0:57) Well, they're just ongoing. (0:59) They're just ongoing. (1:00) So if you put a new policy (1:01) and start January 1st? (1:05) Yeah, but (1:05) the issue we have is how it's worded. (1:09) And it's worded in a way (1:10) that you'd have to be a lifer here (1:13) and retire from here (1:14) to get any benefit out of it. (1:17) Right, like me. (1:18) Yeah.

(1:21) Well, and... (1:24) But that's encouragement (1:26) to stay too. (1:30) But I think (1:31) within policy we're going to have to have (1:33) some kind of (1:36) written definition of (1:37) what do we mean by retirement. (1:39) What's the intent? (1:41) What is the intent? (1:45) But you know, (1:46) to your point too, (1:47) you don't want miserable people staying either. (1:50) Right. (1:51) We just gathered somebody that was going to (1:54) go get to the end of the year to get a bonus. (1:56) To get the bonus. (1:58) Mm-hmm. (1:59) Well, we don't have a bonus. (2:01) No. (2:06) But if it's time-earned,

(2:08) I don't see why it should be taken away. (2:11) Well, that's why (2:11) the whole figuring out what to do with a PTO. (2:13) If we go to a PTO-based system, (2:15) how can we get it paid out to them because (2:18) this way, (2:20) after so long, it can just be transferred (2:21) into vacation time. (2:23) Well, PTO is vacation time. (2:24) I know, but you're calling it (2:26) PTO versus... (2:27) I'm calling it PTO versus vacation. (2:31) PTO is personal time off. (2:33) Right. (2:33) It's one bank, so all the stuff that they would earn (2:36) from their vacation or sick pay and (2:37) whatever they have somehow gets rolled

(2:40) into one bank. (2:41) That's the amount of sick and vacation. (2:43) Everything is split, and that's what we need to try and figure out (2:46) what to get rid of. (2:47) But if we go to a PTO-based system, (2:50) then we're still ending up with (2:52) hundreds of hours if you guys (2:54) don't take your time off. We need to make sure (2:56) we keep that number manageable (3:00) while not... (3:00) But still try (3:02) and make it so that when they need time (3:04) off or when they want to take time off, they can take it (3:06) off. (3:08) It has to be... (3:09) You get these big numbers now, and we end up with (3:15) this situation.

(3:16) It sucks. (3:17) It sucks for (3:20) the employees because (3:21) of what we just heard, (3:23) and I completely understand with them, (3:25) and Carol, you said you've dealt with it too, (3:27) but there's got to be some way for (3:29) them to be rewarded either (3:31) through time off or get the (3:33) financial back from that (3:35) when they get it off. (3:37) Something has to be done, and (3:39) like I said, it's... (3:41) I just paid Preston (3:43) out his vacation time, but I did not (3:45) pay him out his sick time, (3:47) and I think towards the end (3:49) when he knew he was going to be quitting,

(3:51) he was taking days off and saying (3:53) he was sick, so to use up (3:55) his sick time... (3:57) If you're going to quit working after school, (4:00) call in sick and use your PTO (4:01) because you're not going to be here for it. (4:07) That's the same situation I had in my work (4:09) when we were doing the whole vacation. (4:11) We had three personal days, and then we had a sick (4:13) bank that would get up to \$96 (4:15) and it would stop accruing. (4:17) We had one guy that would call in (4:19) once every three months (4:21) to keep his sick pay under (4:24) \$96 a year. (4:31) You shouldn't have to do that,

(4:34) and that's the part that (4:35) needs to be fixed. (4:36) Like me, getting older, (4:38) one day you're going to have surgery, fall break, (4:40) something. It's nice to have some (4:42) sick pay sitting there. (4:44) So if you do have three weeks off, (4:46) you don't have to worry about that check coming in. (4:50) But the thing is, (4:53) if you get too much time, (4:56) it's still nice (4:57) to take a day off and just say, (4:58) hey, I need a break. (5:00) But that's when we have the definition of PTO. (5:03) It acts just like that. (5:04) You can use that for anything. (5:06) It can be scheduled, unscheduled, whatever.

(5:09) If you want to take two weeks vacation, (5:12) take two weeks vacation. (5:13) If you want to take four days (5:16) and just say, you know what, (5:17) I'm just going to take PTO, I'm going to go fishing. (5:21) Or if you're sick, (5:22) you still use your PTO. (5:23) Yeah, but that's exactly what it is. (5:26) Personal time off. (5:27) It encompasses any time you are (5:30) away from work. (5:31) Vacation for taking four or five days off. (5:34) But if you want a day off (5:36) just because you need a day off, (5:38) PTO time. (5:39) That's why it's personal time off. (5:42) It encompasses any time that you need to be

(5:44) away from work or want to be away from work. (5:51) You only have so many. (5:53) We just all love our jobs. (5:54) Exactly. (5:58) I think that does reflect how we feel (6:00) about our jobs. (6:01) We don't mind coming to work. (6:03) We like our jobs. (6:04) We come in a lot more than we probably really have to. (6:07) But the thing is, (6:08) there's days you hate to fall behind. (6:11) And I know there's days I'm sick (6:13) and I can't come in to give everybody. (6:16) But if I have to be in the plow truck (6:17) and say, stay away from me. (6:19) I'm in the plow truck, I'm plowing snow. (6:22) I got something.

(6:23) But I'm here because you have to be. (6:26) But you try not to spread it too. (6:30) That's what sick pay is supposed to be for. (6:32) Sometimes you don't have the option (6:34) but sometimes you do. (6:37) That's where we're back to (6:38) we have as few employees as we do. (6:42) This is why we're having this issue. (6:47) Let's use our closed meetings (6:50) to determine all this stuff. (6:54) But I think (6:57) how would this work? (6:59) I don't know. (7:00) Ignore the policy, pay Adam off (7:03) for what he deserves. (7:05) I'd have to pay Preston also. (7:08) Well, what does he have? (7:09) 20 hours of sick pay left?

(7:11) I don't remember. (7:13) He can't have a lot. (7:14) He don't. (7:15) He only 12. (7:18) He don't. It's not a lot. (7:20) I'm just saying (7:22) we have to do it for everybody. (7:25) Did Adam think (7:26) that Lee got paid? (7:28) Was Lee paid sick time? (7:29) No. (7:34) But Lee got sick for a couple weeks. (7:37) Yeah. (7:40) Then he was on vacation for a month. (7:42) So he burned up his sick pay pretty much? (7:45) You know, I don't remember. (7:46) He lost, I think, like 20 hours. (7:48) It wasn't bad, but he did have 160 (7:50) and then he started getting sick (7:51) and it's like, yep, you better watch it

(7:53) because he was taking a couple weeks off (7:55) and then I point blank and said, (7:57) Lee, are you leaving me? (7:59) Sooner or later. (8:00) But I've been sick. (8:02) Yeah. (8:05) Lee has kids. He is sick. (8:12) Catching it from the kids. (8:14) Yeah. (8:15) Well, I think we should (8:17) wait until we can have another meeting (8:20) and justice. (8:25) You mean the personnel policy and how to regrant it? (8:28) Okay, I'm talking about one thing. (8:30) Just the Adam scenario right now. (8:32) And I'd rather solve that tonight. (8:38) So we can do one easy thing (8:40) and just take his definition of retirement

(8:43) and use that (8:45) and not our new law. (8:47) We can do it that, (8:48) simply that way, I think. (8:50) That's the way I would rather do it. (8:53) But then that sets it up for all of us. (8:58) Not until the policy is rewritten. (9:03) So if you all retire (9:04) by next Tuesday, (9:07) you can certainly take your pay. (9:19) Here's a mistake we made. (9:21) We started on this (9:22) and we didn't finish it. (9:24) That's a mistake that we all made. (9:26) Not you. (9:31) But for whatever reason, (9:32) we didn't follow through with it. (9:33) And I think part of it was the complication (9:35) of trying to figure out

(9:36) what this was all meant to be. (9:39) But we got a lot out today. (9:42) I mean, we got a lot open today (9:44) to make us guys think. (9:47) You know what I mean? (9:57) Yeah. (9:57) I just think that if someone earned a benefit, (10:00) it shouldn't be taken away from them. (10:02) Okay. (10:03) And I think I heard that from Jeff (10:05) and from Josh. (10:07) I think that there's a consensus. (10:13) I need a motion to overrule (10:15) the intent of the policy. (10:19) Oh. (10:20) Yeah, I'll get that motion done. (10:22) Yep. (10:24) You can't make a motion (10:25) in a penny heap. (10:27) No. (10:30) So that's gone

(10:31) for the next agenda. (10:33) Or what? (10:34) Unless you're telling me (10:37) that that's not the intent. (10:41) Oh, good morning. (10:43) We'll look up (10:43) in the dictionary every time. (10:45) We did. (10:47) The action or fact of leaving one's job (10:50) and ceasing to work. (10:58) An act of retiring (11:00) the state of being retired, (11:02) withdrawal from one's position (11:03) or occupation, (11:04) or from active (11:06) working life. (11:10) The age at which one normally (11:12) retires reaches retirement. (11:16) That's Miriam Webster. (11:21) That's retirement. (11:35) Retire, leave one's job

(11:37) and cease to work typically upon (11:39) reaching the normal age (11:40) for leaving employment. (11:43) Withdraw to or from (11:45) a particular place. (11:47) She retired (11:49) from the bathroom with her toothbrush. (11:51) That's interpretation of that. (12:31) Conclude one's working (12:32) or professional career. (12:34) But that's part of number four. (12:44) No. (12:45) To withdraw from one's position (12:47) or occupation. (12:49) Conclude one's working or professional (12:51) career. (12:52) You're ending your career. (12:57) So that's what we went off from. (13:08) Here's Miriam Webster.

(13:20) To withdraw from one's position (13:23) or occupation. (13:26) It doesn't say and occupation. (13:28) No, it says or. (13:30) So he's withdrawing from his (13:31) position. (13:33) What's the rest of the sentence? (13:35) It doesn't make a difference. It's an or. (13:37) It doesn't have to include. (13:39) To withdraw from one's position or occupation. (13:43) Colons. (13:46) It's not an and. (13:47) No, I understand that. (13:49) Position or occupation. (13:51) So your position is changed or your occupation (13:54) as an officer. (13:57) You're concluding (13:59) or (14:01) his occupation. He's retiring from his position.

(14:05) There's no and in there. I don't know why you're trying to (14:07) make two of these three work. (14:09) It only makes one work. (14:18) That means (14:20) this is (14:22) defining what that means. (14:35) So we really can't solve (14:37) this to make that. (14:46) All I'm saying is that in that line there (14:49) you do not have to have two or three (14:51) facts. Withdrawal from one's position (14:53) or occupation or from active working (14:55) life. (14:57) Ours is different. (15:00) It's saying (15:01) the same thing but there's (15:03) a semicolon there. (15:06) And that means (15:07) that this means what that.

(15:09) This is retire. (15:11) Oh, that's why we're not seeing (15:13) the same thing. (15:16) Then I'll go back to that one. (15:25) So based on that (15:27) we accept that as the (15:29) definition of retire. (15:57) They changed (15:58) the policy twice since I've been there (16:00) because of (16:02) loopholes. (16:03) Sometimes when you make policies up (16:06) things come up (16:07) later that you didn't really (16:09) even consider it ever happening. (16:18) I probably haven't read that (16:19) since it was approved. (16:25) I just assumed (16:26) when Dan Kaiser left he got paid off on his sick pay. (16:30) I assumed when every

(16:32) employee left they got paid off on their (16:33) sick pay. (16:35) And partly the reason I said that (16:37) is because I didn't like the idea anyways. (16:40) I didn't like this whole accumulation (16:42) of sick pay where you get (16:44) a big check. (16:45) I just didn't like it because here's (16:47) the deal. Here's part of the deal in my argument. (16:50) If you came to work (16:51) every day, you got paid (16:53) to come to work every day. (16:57) That's (16:58) why I didn't like the accumulation of sick pay. (17:00) You didn't suffer (17:01) any loss through your whole career. (17:04) Sick pay is there to

(17:05) cover your loss of having (17:07) to take your day off. (17:10) So that's why I never (17:11) liked the accumulation of sick pay. (17:14) But here we have it. (17:18) Well like Danny said (17:19) it's kind of nice to have a few (17:21) weeks of sick time under your belt (17:23) so in case you have to have a surgery (17:25) where you have to be off (17:28) three to six weeks or something. (17:31) Like I said, if you make a policy (17:33) and you don't consider all options of that (17:36) my statement about (17:38) sick pay doesn't consider the (17:40) scenario of a person who had

(17:42) a surgery that's going to be off three to four weeks. (17:44) It doesn't have that. (17:46) My other thought on that (17:48) is we have disability insurance. (17:49) Because that's what I was wondering about. (17:51) The short term disability. (17:52) No, we don't have this. (17:53) The city does not provide any (17:56) disability. (17:57) That's something that could come up (17:59) where we could... (18:01) Employees have to do it their own. (18:04) Right. (18:05) Yes, we can. (18:08) Right, but it's not a city (18:10) provided benefit. (18:10) Right, and that's where maybe to cover that whole fact

(18:13) where you're talking about it's nice to have that time around (18:15) because when you were gone, Carol, you got that right. (18:18) You know, that would be (18:19) something that may have to be (18:21) built into the insurance (18:22) where we do provide short term disability (18:25) so we don't have to worry about (18:27) employees wanting (18:29) four or five weeks of (18:31) vacation or sick time built up. (18:35) There's so many stipulations for short term. (18:37) I think my short term's like (18:39) 18 months long. (18:44) So... (18:45) But if you have PTO (18:46) time and you just save, you know, (18:48) just a calendar.

(18:50) Don't use it all up. (18:51) The thing is... (18:53) But you won't here anyway. (18:56) I know for us, we can have (18:58) up to 240 hours. (19:00) That's our max. (19:01) But then we have enough people around that we can (19:04) always get down to where we should never have (19:06) that much time. (19:08) But that's where (19:09) we know the situation's different. (19:12) We know we're limited. We gotta figure out a way (19:14) to make sure that (19:15) you guys, there's a way, (19:17) there's an outlet (19:19) to get that time paid out. (19:21) Yeah, we can discuss that. (19:23) Even Carol can maybe find out

(19:25) from some other cities out there. (19:27) I prefer not to do it. (19:30) I would prefer when (19:32) maybe (19:35) Brandon and... (19:40) You know what? (19:41) With the sick pay, that's nice too. (19:42) I mean, even if you did it (19:44) to Peote. (19:48) He's Peote now. (19:51) You know, if you don't (19:52) have, let's say, (19:54) like when my son died, (19:56) Carol and Lee, they donated some (19:58) of their time for me. (20:01) And that's great. And then when (20:02) Lee's son died, I donated a bunch (20:04) back. And I mean, it's nice (20:06) to know that you have that and people (20:08) are willing. I mean, that's great

(20:10) because it's something you do not have (20:12) to worry about. And I thought, (20:17) you know, I'll always keep some (20:19) time in case somebody (20:21) needs that because it sure (20:24) melted my heart when that (20:25) happened. Right, and that's just that we can have... (20:27) And that's why I stayed as long as I did (20:29) because it's like, you don't get that too (20:31) often. You know, there's some people that do, (20:33) but it's a good (20:35) thing, you know. (20:38) It'd still be (20:39) nice even if you went to (20:41) PTO. (20:43) PTO shot. (20:44) You could still do it. (20:46) You could still do that.

(20:49) Oh yeah, no, and that's just it. (20:50) You're, you know, I would be in (20:52) favor of having that where, you know, (20:53) we do 40 hours or (20:56) 80 hours, you know. So that way (20:58) if you wanted to take time off in January, (21:00) you could take that week vacation (21:02) or that two-week vacation right away. (21:05) And if there's a set (21:06) and all carried over, then you always know what (21:08) your budget might be to pay off. (21:10) Right, exactly. (21:15) Right, so your new policy (21:17) probably would have to reflect all (21:19) Lake Carroll would be the big issue. (21:22) But you said you don't have much

(21:23) left. (21:26) I'm always an issue. (21:28) Somebody has an (21:29) accumulation, right? (21:31) She has more than I do on sick leave. (21:33) Okay, so we have to figure out how to (21:35) make that all work. You know, (21:37) that's the other sticky issue of the (21:39) budget inversion. (21:40) I think that's what got us hung up last time. (21:43) How do we convert what they had left over? (21:46) One for one, (21:47) that's what I want. (21:49) Right, and that's just it. (21:51) You want that one to one. (21:53) Well, that's what we're doing for Adam. (21:55) Right, and that's what I'm saying is that

(21:57) you guys want that as a one to one. (21:59) If I was over there, (22:01) I would want that too. (22:03) But it's, you know... (22:05) I think, and I'll tell you (22:07) that also (22:11) when (22:12) we did pay out (22:13) the sick leave, (22:15) the scenario that it gives in there, I believe (22:17) it is one to two (22:19) or two to one. (22:22) It's half. (22:23) Because when you earned a lot of this sick time, (22:25) we weren't making the wages (22:27) that we're making now. (22:30) So (22:31) I think that's, you know, (22:33) again, intent. (22:35) But... (22:36) Yeah, so it's not 100% payout (22:39) is what you're saying.

(22:40) Right. (22:41) Is it 100% for so many hours? (22:45) \$400,000, (22:46) 50% of \$480,000. (22:49) It's 50% of \$480,000 (22:51) and capped at \$480,000. (22:54) Capped at \$480,000, (22:54) but then you can accrue (22:57) half days after that (22:59) but not paid out. (23:02) So Adam would get (23:04) 50% of \$480,000 (23:06) \$240,000 paid out. (23:09) Okay. (23:10) So then (23:11) I understood that correctly then, I guess. (23:27) Alright, so... (23:30) Yeah, do that (23:34) and we'll (23:36) plan on next Tuesday (23:37) a closed meeting to iron out this policy. (23:41) I can't have a closed meeting (23:43) just for policies.

(23:44) Well, how are we going to discuss it? (23:48) At an open meeting. (23:50) At an open meeting. (23:51) Just discuss it. (23:52) It'll be a public meeting. (24:07) It's a policy issue. (24:11) Well, then let's do a committee. (24:15) Good idea. (24:16) Let's do a committee of (24:18) what can (24:19) we have on the committee? (24:21) Two people on the committee. (24:24) Both from the (24:25) council or one (24:27) from the employees and one from the council? (24:30) Well, then you can have two from (24:31) the council on a committee. (24:33) Okay. (24:35) So if we have two from the council and (24:36) then the staff.

(24:39) One from each department. (24:41) Like one U2 and one U2. (24:45) And we don't have a police chief (24:47) so do we need to have... (24:49) Lindsay? Yeah, Lindsay. (24:50) Lindsay don't get any benefits. (24:56) Oh, he doesn't get any benefits. (24:58) Well, but he could be a waste. (25:00) Wouldn't you think that's a fair representation (25:02) of the employees? (25:04) Each department. (25:05) What do you think, Adam? (25:08) Let's just do it that way. (25:10) But you don't want to get anything solved (25:11) before... (25:13) And Lindsay could probably bring to the table (25:15) what he gets at his other job.

(25:18) Yeah, that could be helpful. (25:19) If he wanted to just even bring (25:21) a copy of their deal (25:23) and I'll try to get one from Benton County (25:26) and the city of (25:27) Holy, look at how they treat this all. (25:30) Because I know they've (25:31) both converted to the PTO. (25:36) So then (25:37) then we can iron it all. (25:41) We can just have it all (25:42) and then bring it in front of the council (25:45) by (25:49) I don't think we can do it quick enough. (25:51) Two weeks. Is that two weeks or three weeks? (25:54) Oh, three weeks. (25:55) July 2nd is the next meeting. (25:57) Yeah, so it must be (25:59) three weeks.

(26:01) Yeah, three weeks. (26:02) That's a start. (26:05) We can try to do that. (26:06) What two council members? (26:10) Oh, then we've got to do it at night. (26:12) The committee meeting. (26:16) You're going to pay us (26:17) to come to those, I'm just saying. (26:18) Well, why don't you (26:21) If someone else (26:22) wants to be on it, I'll just get the information (26:24) that I can find (26:25) and relay it to (26:27) Andrea and whoever else wants to be on it. (26:30) If it can happen during the day (26:32) I don't know if all of you guys have it working. (26:35) What are you looking at? (26:36) When would you want to look at it?

(26:38) Monday. (26:39) Because I travel Wednesday through Friday next week. (26:42) You've got three weeks. (26:45) Mine? (26:47) I'm usually off at 2.30 every day. (26:49) 2.30? (26:51) Keep your time up (26:53) for after 3. (26:56) Monday? (26:58) Tuesday? (26:59) 3.30? (27:00) Sure. (27:07) I'm going to stick the spot. (27:10) He's married to this one. (27:11) That's what I'm saying. (27:12) I'm going to stick the spot. (27:48) Do you want to just hand them your copy (27:50) and we'll make you a new one? (27:51) Okay, is this the only thing we need for this? (27:54) I think so. (27:55) Is this the second vacation? (28:00) Should be.

(28:01) We'll get you a new one tomorrow. (28:18) Thursday after work (28:19) we're having a little get together (28:21) for Adam over at the 10 spot. (28:25) From 4 to 5 (28:26) we're going to do just the employees (28:28) and the council. (28:29) If you can make it at that time. (28:31) Then after that (28:36) let the public know. (28:42) 4 to 5? (28:43) I don't think that's possible. (28:45) You can go afterwards. (28:47) But if we've got a 10 spot? (28:50) You know what it is? (28:52) I don't know. (28:54) That's where they're having trouble with it. (28:56) Don't drive on the sidewalk (28:57) when you leave there.

(29:00) Make sure you don't drive (29:02) on the sidewalk. (29:07) If I show up (29:08) it'll be like 8, 8, 3. (29:11) Hopefully that'll... (29:12) We'll be gone. (29:14) You can still have a drink on Adam. (29:21) I like that.

SPECIAL CITY COUNCIL PLANNING MEETING
JUNE 10, 2019
6:30 P.M.
ROYALTON CITY CENTER

Mayor Lauer called the Special Planning Meeting to order at 6:30 pm.

On roll call members present were: Lauer, Gerads, Weiss-Pesta, Verley and Walberg.

People present: Carol Madsen, City Clerk/Treasurer; Leah Walberg, Deputy Clerk; Police Chief Adam Gunderson, Public Works Supervisor Danny McDougall; Water/Wastewater Operator Tina Harrington and Liz Verley, Morrison County Record.

Topics of discussion were:

- Cedar Street
 - MNDot Update
 - Discussed storm water benefits of South Cedar Street near Dairy Queen.
 - Verley and McDougall will check out area when it rains to see what percentage of benefit would be for the City.
 - McDougall will check with Les Mateffy, Moore Engineering, about what was done on North Cedar Street.
 - No other action was taken at this time.
- Water tower logo update
 - Harrington will look into quotes for inspection and painting.
 - No action was taken.
- Sentence to Serve projects
 - McDougall will contact Benton County Sentence to Serve for Police Department building.
 - McDougall will contact Morrison County Sentence to Serve for painting curbs in town.
- Industrial Park Sign
 - Council member Verley will connect with Ed Gertken Signs, Foley.
- Property Maintenance Ordinance
 - Letters will be drafted in time for City Council meetings to have all Council members sign.
- Fencing around sewer pond area.
 - Fencing was purchased at one time to replace what has been damaged. New fencing will be erected as time allows.

- Avon Lions property
 - Council member Verley will contact the Avon Lions Club for negotiations for parcel near the sewer ponds.
- PTO (Personal Time Off)
 - After a lengthy discussion, a committee of Mayor Lauer, Council member Gerads and department heads will meet to update the Personnel Policy.
- Chief Adam Gunderson requested that his sick leave be paid out as according to the personnel policy. The Personnel policy states “upon death or retirement”. The matter will be looked into.

Walberg moved to adjourn at 8:43 p.m., 2nd by Weiss-Pesta. Put to a vote with all members voting aye. Motion carried.

Deputy Clerk, Leah Walberg

35REGULAR CITY COUNCIL MEETING
JULY 2, 2019
7:00 PM
ROYALTON CITY CENTER

Call to Order/Attendance

Mayor Lauer called the Regular City Council meeting to order. The pledge of allegiance was said. On roll call members present were: Lauer, Weiss-Pesta, Gerads and Verley. Absent: Walberg.

People present: Interim Police Chief, Lindsay Bruyere; Tyler Jensen, Morrison County Record; Les Mateffy, Moore Engineering; Janey Novak-Day, Adam Gunderson; Tim Majaski, Planning and Zoning; and Carol Madsen, Clerk/Treasurer.

Minutes

Gerads moved to approve the minutes of the Regular City Council meeting on June 4, 2019, 2nd by Verley. Put to a vote with all members voting aye. Motion carried.

Weiss-Pesta moved to approve the minutes of the Special City Council meeting on June 10, 2019, 2nd by Verley. Put to a vote with all members voting aye. Motion carried.

Added Agenda Item

Verley added 1 action and 1 discussion item.

Public Forum

Janey Novak Day reported on her drainage issue. Neighbors are blocking the natural flow of water through the drainage ditch by placing rocks, dirt or sod in the path. Les Mateffy stated he will shoot the elevation again and may have to re-establish the drainage.

Adam Gunderson stated at the June 10, 2019 planning meeting it was discussed paying out his sick time. It was suppose to have been placed on the agenda for the City Council to act on it, but it is not on the agenda. Gunderson proceeded to request copies of all his time cards back to 2005 along with a copy of his file.

Department Reports

Public Works – General report submitted.

Verley moved to hire Joe Sobania as the full time Public Works Assistant, effective July 2, 2019, with a starting wage of \$17.94 per hour, 2nd by Weiss-Pesta. Put to a vote with all members voting aye. Motion carried.

City Office – General report submitted.

Verley moved to accept the Petty Cash Transaction report for April – June, 2019, as submitted, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Fire & Rescue – General report submitted.

Weiss-Pesta moved to accept the resignation of Kati Struffert from the Royalton First Response with many thanks, effective immediately, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Verley moved to accept the resignation of Nick Lanners from the Royalton First Response with many thanks, effective July 16, 2019, 2nd by Weiss-Pesta. Put to a vote with all members voting aye. Motion carried.

Police Department – General report submitted.

Verley moved to put Officer Tom Franklin on paid administrative leave, pending an investigation, effective June 25, 2019, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Verley moved to appoint Officer Lindsay Bruyere as the Chief of Police, up to 24 hours per week, setting his wages at \$35.68 per hour, effective June 25, 2019, 2nd by Lauer. Put to a vote with all members voting aye. Motion carried.

Verley moved to advertise for up to 3 part time officers, each for 24 hours per week at a starting wage to be determined, 2nd by Weiss-Pesta. Put to a vote with all members voting aye. Motion carried.

Tree Board – No report submitted.

Dairy Queen, Storm Water

Les Mateffy, Moore Engineering, reviewed his report on the drainage benefit to the City from the Dairy Queen storm water pond. After some discussion, Mateffy will talk with the Public Works department about it. No action was taken.

Liability Coverage Waiver

Verley moved to not waive the monetary limits on municipal tort liability established by Minnesota Statute 466.04, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Cell Phone Stipend

Mayor Lauer reported that the Fire Chief now gets a stipend of \$20.00 per month for his cell phone and she feels since that is the main communication with other departments for the office staff, they should also get a stipend for the use of their personal cell phones. Gerads made a motion to approve a cell phone stipend of \$20/month for the city office staff, 2nd by Weiss-Pesta. Put to a vote with all members voting aye. Motion carried.

Avon Lions Club Property Purchase

Verley reported that the Avon Lions Club wants the estimated market value on the tax statement, which is \$1600.00 and they are not interested in negotiating, for the property out by the sewer ponds and compost site. The money they get for the land will go to the boy scouts. After some discussion, Verley made a motion to purchase the property from the Avon Lions Club for \$1600.00, with the Avon Lions Club paying all closing costs, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Royalton Lions Club Temporary Liquor Application

Weiss-Pesta moved to approve the temporary on-sale liquor license application from the Royalton Lion's Club for August 3, 2019 during Platte River Day, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Gambling Permit for St. Cloud Boxing Club

Verley moved to approve the gambling application with no waiting period for the St. Cloud Boxing Club, for September 14, 2019 at the Royalton American Legion, 2nd by Weiss-Pesta. Put to a vote with all members voting aye. Motion carried.

Platte River Industrial Park Sign

Verley will continue to look into it. Possibly include the Peterka property on the sign and get them to cost share. Lauer will contact Peterka and work on it with Verley.

Dog Park Financing

Mayor Lauer requested that the City allow the use of the dog license fees for 2019 be used to help fund the dog park project. To date the City has collected \$2,390.00 in dog license fees. Verley moved to approve the use of the dog license fees for 2019 to be used for the Dog Park project, 2nd by Weiss-Pesta. Put to a vote with all members voting aye. Motion carried.

Added Agenda items

Verley reported he had a request to have the Mosquito Control people do the route backwards every other

week so they could be outside longer those evenings. The Clerk will meet with Verley and get address of person requesting and then pursue it with Clarke Mosquito control.

Verley reported he had spoke with Adam Gunderson and he is requesting his sick time be paid out to him. No action was taken.

Adam Gunderson then requested copies of all his time cards and personnel file.

Planning & Zoning – Tim Majaski, Planning & Zoning Chairman

Majaski reported they are still working on the Liquor Ordinance and the Floodplain Ordinance and Maps.

Reminder – Mayor Lauer reminded the Council that the Fire Department fund raiser “Fire Up the Diamonds” will be held on July 13, 2019.

Bills

Gerads moved to pay all bills; voucher no.’s 35971 - 36019 in the amount of \$39,642.92, 2nd by Verley. Put to a vote with all members voting aye. Motion carried.

Adjournment

Weiss-Pesta moved to adjourn at 8:13 pm, 2nd by Verley. Put to a vote with all members voting aye. Motion carried.

Clerk/Treasurer, Carol Madsen

REGULAR CITY COUNCIL MEETING
AUGUST 6, 2019
7:00 PM
ROYALTON CITY CENTER

Call to Order/Attendance

Mayor Lauer called the Regular City Council meeting to order. The pledge of allegiance was said. On roll call members present were: Lauer, Weiss-Pesta, Gerads and Verley. Absent Walberg.

People present: Sue Kadlec, Jovanovich, Kadlec & Athmann; Kristy Nelson, Dairy Queen; Aaron Nelson, Dairy Queen; Liz Verley, Morrison County Record; Les Mateffy, Moore Engineering; Adam Gunderson; Tim Majaski, Planning and Zoning; Carol Madsen, Clerk/Treasurer; Leah Walberg, Deputy Clerk.

Minutes

Weiss-Pesta moved to approve the minutes of the Regular City Council meeting on July 7, 2019, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Added Agenda Item

Lauer added an update.

Public Forum

None

Dairy Queen, Storm Water

Les Mateffy, Moore Engineering, reviewed his report and drainage map on the drainage benefit to the City from the Dairy Queen storm water pond. After some discussion, Verley moved to reimburse the owners Kristy and Aaron Nelson, \$12,000, for the storm water pond City benefit, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Department Reports

Public Works – General report submitted.

Mayor Lauer reported on the performance review for Water/Sewer Operator Tina Harrington and recommends her going to the next step on the payscale. Weiss-Pesta moved to approve Tina Harrington to advance to the next step on the payscale, effective August 20, 2019, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

City Office – General report submitted.

City Clerk/Treasurer Carol Madsen reported on the performance review for Deputy Clerk Leah Walberg and recommends her going to the next step on the payscale. Weiss-Pesta moved to approve Leah Walberg to advance to the next step on the payscale, effective August 3, 2019, 2nd by Verley. Put to a vote with all members voting aye. Motion carried.

Fire & Rescue – General report submitted.

Police Department – General report submitted.

Verley moved to approve the Royalton Police Department Policy for “Responding to reports of Sexual Assault”, 2nd by Weiss-Pesta. Put to a vote with all members voting aye. Motion carried.

Tree Board – No report submitted.

Resolution 8-6-19-1 Accepting donation to the City of Royalton

Weiss-Pesta moved to approve Resolution 8-6-19-1, Accepting Donations to the City of Royalton to be used towards the Memorial Park Gazebo, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Animal Permit

Weiss-Pesta moved to approve an animal permit for Eric and Stephanie Rajkowski, until June 2020 for the 2 chickens, with the stipulation that there will not be any roosters, 2nd by Verley. Put to a vote with all members voting aye. Motion carried.

Liquor License Renewals

Verley moved to approve the renewal of the On Sale, Off Sale and Sunday Liquor license for Scotties Log Bar, for September 1, 2019 through August 31, 2020, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Weiss-Pesta moved to approve the renewal of the On Sale, Off Sale and Sunday Liquor License for 10 Spot Bar & Lounge, for September 1, 2019 through August 31, 2020, 2nd by Verley. Put to a vote with all members voting aye. Motion carried.

Weiss-Pesta moved to approve the renewal of the On Sale and Sunday Liquor License for the American Legion Post 137, for September 1, 2019 through August 31, 2020, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Verley moved to approve the renewal of the Off Sale Liquor License for Royalton Discount Liquor, for September 1, 2019 through August 31, 2020, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Weiss-Pesta moved to approve renewal of the 3.2 Off Sale for Bills Superette and Off Sale Liquor License for G-Will Liquors for September 1, 2019 through August 31, 2020, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Set 2020 Budget Meeting Date

Verley moved to hold the budget meeting on Tuesday, August 27, 2019 at 6:30pm, 2nd by Weiss-Pesta. Put to a vote with all members voting aye. Motion carried.

Planning & Zoning – Tim Majaski, Planning & Zoning Chairman

Majaski reported they are still working on the Liquor Ordinance and the Floodplain Ordinance and Maps.

Added agenda Item

Mayor Lauer reported to the council about finishing the paperwork to be certified as Shovel Ready. She informed the council that Minnesota Power would pay a portion of this certification.

Added discussion about the budget meeting and working together with department employees to get it completed

Recess

Weiss-Pesta moved to recess the council meeting until Former Police Chief Gunderson arrives, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Mayor Lauer called the Regular City Council meeting back to order at 7:39 p.m.

Former Royalton Police Chief Adam Gunderson Requests Sick Leave Paid Out

Former Royalton Police Chief Adam Gunderson asked the City of Royalton to have his "Sick leave" paid out to him. The current Personnel policy reads that "Sick leave may be accumulated up to 480 hours with 50% payback at retirement or death only". Gunderson presented paperwork indicating that the United States Army considers him to be retired. He also informed the council that because of his call outs and hours needed to work each week it was difficult to be able to use his sick leave. Sue Kadlec, City Attorney stated that because he left the Chief of Police position at the City of Royalton to take the Chief of Police position at the City of Menahga, he did not retire, therefore his sick leave cannot be paid out according to the current personnel

policy. City Attorney, Sue Kadlec also suggested that if the City wants to start paying out accumulated Sick Leave, in the future, other than at “death or retirement” the City should look at revising the Personnel Policy. She also informed the council the State of Minnesota law that a company does not have to pay out “Sick Leave” unless it is stated in the personnel policy saying to do so, and the employee is allowed to use this time to care for themselves or that of other family members. After more discussion, Verley moved to review and possibly amend the Personnel Policy, 2nd by Weiss-Pesta. Put to a vote with all members voting aye. Motion carried.

Verley moved to pay Gunderson his sick leave based on the Personnel Policy formula, Mayor Lauer asked for a second to the motion 3 times. The motion failed for lack of a second.

Bills

Gerads moved to pay all bills; voucher no.'s 36020 - 36077 in the amount of \$129,782.16, 2nd by Verley. Put to a vote with all members voting aye. Motion carried.

Adjournment

Verley moved to adjourn at 7:59pm, 2nd by Gerads. Put to a vote with all members voting aye. Motion carried.

Deputy Clerk, Leah Walberg