



BLACKDUCK CITY COUNCIL WORK SESSION

MONDAY, MARCH 23, 2020 @ 6:00PM

WORK SESSION MEETING MINUTES

CALL TO ORDER: The City Council of the City of Blackduck met in a scheduled work session in council chambers at City Hall at 6:00pm on March 23, 2020 and due to COVID-19 provided audience participation via teleconference.

Roll Call

Councilors present: Mayor Patch, Councilors Moore, Kolb, and Gulette

Councilors Absent: Councilor Roth

Staff Present: City Administrator, Christina Regas, Public Works Supervisor, Mike Schwanke, and Chief of Police Jace Grangruth (*joined meeting at 6:23pm*)

Others Present: none

Teleconference Presence: none

The meeting was called to order at 6:00pm the Pledge of Allegiance was not recited.

Topics covered in the work session were as follows:

APPROVAL OF AGENDA – Moved by Councilor Moore and seconded by Councilor Gulette to approve the agenda as presented. Roll call vote: **For:** Mayor Patch, Councilors Moore, Kolb, and Gulette **Against:** none. Motion carried.

OLD BUSINESS –

1. LMC Webinars on COVID-19 – Mayor Patch announced the League of MN Cities is holding free webinars every day this week regarding City involvement with COVID-19 at noon and the March 23, 2020 webinar was on Open Meeting Law.
2. City Building Designs & Redesigns – Regas stated she will be meeting with Steve Rose from WSN on the City Hall portion of the plan. Regas stated it is the intention of Rose to provide the City Council with a finished document to review at the April 6, 2020 council meeting. Mayor Patch asked if the document will include Public Works building. Regas stated yes. Patch asked if the City will include new public works equipment in the funding of the building(s). Regas stated at this time Rose is working on the buildings and Gail Levenson is working on the funding portion to include equipment. Nothing further.
3. Golf Course Cart Shed Update – Regas stated the storm water plan has been submitted to Beltrami County and the Contractor has submitted their agreement to the City for authorization. Regas stated the agreement was signed and sent back and noted the agreed price with materials came in as submitted from Northwoods Lumber. Mayor Patch stated the golf board is holding off on the fundraisers in the event of recent COVID-19.
4. Rural Development Grant Application – Regas stated the City of Blackduck was officially approved for a \$50,000 grant / \$30,000 loan / \$2490 City contribution for the purchase of a skid steer. Regas stated the equipment estimates from Cat came in with 3 attachments (bucket, blower, broom). Regas



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further stated final paperwork will be discussed and signed this Wednesday, March 25, 2020 with Angela Bokovoy and Mayor Patch. Regas stated she briefly reviewed the final documents and noted the annual cost for the \$30,000 loan has an annual cost of @ \$3,000. Councilor Kolb asked for clarification on the final cost if it was \$8249 or \$82,490. Regas apologized and noted \$82,490. Regas still has some clarification on when the City can bid and take possession of the skid steer and hopes to have a timeline. Kolb asked if \$82490 is the total bill. Regas stated that was the estimate that was in with the application and includes the attachments. Mayor Patch asked if the skid steer will replace a current piece of equipment or be additional. Schwanke stated it will be additional and assist with clearing snow with all staff. Regas further stated there is a self-compliance questionnaire that must be turned in and she will need that information by end of week. Nothing further.

NEW BUSINESS –

1. COVID-19 – Regas stated a lot of changes have happened in the City since the emergency meeting on March 18, 2020 and reported to the Council about current Minnesota and United States updates from press conferences today. Regas stated it will not be if but when COVID-19 will affect our community. Regas reminded the public how important it is to abide by the CDC recommendations. Regas stated in the community there have been people stepping up and supporting the emergency services by making masks, donating hand sanitizer, and buying take-out from local businesses. Regas stated she is included in the Beltrami County weekly conference calls for updates and to stay connected as a county. Regas discussed the City entities status of the following updates:
 - a. City Hall – City Hall will close to the public beginning Tuesday, March 24, 2020 until further notice. Utility payments will still be accepted by credit card, cash, or check.
 - b. Water & Sewer – Regas recommended the council discuss a process for potential deferrals of late fees and potential payments for utility customers on a case by case basis. Mayor Patch asked what type of timeline the City would allow for a deferral. Councilor Moore agreed the deferral was a good idea and gesture to the residents if they need it. Councilor Gullette was in favor of a deferral of payments and waive of late fees as well. Councilor Kolb also agreed and suggested considering either a 6-month or 1-year deferral. Patch asked if there would be an application process. Schwanke stated that there should be a procedure put in place and a deadline. Regas suggested the hardship would be considered and the customer would sign a contract agreeing to the pay back option decided upon. Regas further suggested not allowing any more than 3 or 6 months of time. Patch suggested a 6 month time period. Gullette suggested a 3 month time period and be allowed to be revisited so as to not be taken advantage of. Moore suggested 3 months with the ability to revisit the request after it expires. Patch asked what the repayment decision will be. Schwanke suggested a stepped repayment option providing an additional 3 months to be paid off. Regas suggested allowing the Utility Billing Committee to adopt a policy for deferral and will report on the procedures at the April 6, Council meeting. Gullette stated his concern for the businesses like the motels that are



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slow and if they can make their water and sewer payments. Regas stated that most business see a slump in traffic in March and April and may already be planning for it.

- c. Library – Regas stated the Library will remain closed at this time.
- d. The Pond – Mayor Patch asked how the Pond is doing with just take out. Regas stated at this point it has reduced but it will be reevaluated if the deadline is extended. Regas stressed the importance to shop local and support Blackduck Businesses.
- e. Essential Employee Rotations – Schwanke stated his concern for needing a rotation in schedules of his department if a shelter at home declaration is made. Schwanke stated that the decision will need to be discussed. Gulette asked if his staff has discussed the possibility. Schwanke stated at this time his staff is limiting exposure to others, not going into homes unless needed, or other exposure options. Regas stated that water and wastewater operators are considered essential workers. Regas further stated that the City should only need to consider what the plan will be if one staff member is infected and then emergency sick leave will come into use. Regas stated a rotation may have to happen without burn out. Chief Grangruth stated the whole City needs to consider this. Grangruth stated all departments need to open minded and think outside the box on shifts. Regas encouraged all department heads to find creative ways to cover the duties if need it. Regas further stated that some routine tasks could be put off and prioritized. Schwanke stated his department is coming up on his busy time and wants to ensure public works is covered. Gulette asked what Beltrami County parameters for testing for COVID-19. Schwanke stated it is his understanding that most testing is being completed on those that have an immune deficiency and healthy age groups are being turned away. Grangruth stated there is a criteria of symptoms to be asked before testing.
- f. Summer Businesses - Regas has concerns for the City non-essential businesses including the golf course. Provided Exec. Order 20-04 the golf course cannot open to the public except for the course. Regas stated that typically Superintendent Andersen begins his employment on April 1, 2020. Regas questioned if April 1 should be the date this year. Gulette believed that date should be postponed. Schwanke asked what Andersen does in April. Regas read the list provided from Andersen into the record:

1. Change fluids and filters on mowers and gator
2. Make arrangements to get reels delivered, install, check,
3. Make arrangements to have trim mower reels sharpened
4. Remove snow fences and drifts behind them
5. Remove any snow drifts on greens
6. Remove any debris on greens
7. Check for snow mold on greens treat if necessary
8. Start taking temps of greens after 1 April, once ground temps reach 40 deg. Fertilize
9. Verticut greens as soon as ground temps reach 50
10. Take care of pond as soon as possible
11. Get John Deere tractor delivered



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12. Start checking for dandelion rosettes, spray when they appear.
13. Make work list of course to be done before opening

Schwanke stated his department is not doing much of the similar duties and that it could be postponed plus public works could help in the meantime if needed. Regas recommended Andersen file for unemployment for a 2 more weeks until the middle of April. Schwanke stated his department could provide his heated shop for Andersen to work if needed. Patch stated the delay for 2 weeks would be a good start. Gulette believes a week by week basis. Regas cautioned the council to understand that if the Executive order continues for the summer the course can't stay untouched. Regas stated her concern for staffing a grounds keeping team to work on the course even if the course can't open to the public. Regas further stated it is not an easy conversation to have with staff when you need to ask them to file for unemployment. Gulette asked if the course did not open and the City is paying a greens keeper how far that will set the golf course back. Regas could not speak to the exact numbers but believed 3 employees would need to care for the course. Kolb asked if the 3 people would all work the same day or rotate. Regas stated currently the tee boxes, greens, and collars should be mowed daily; and the roughs need 25-30 hours a week; and fairways 1-2 times a week during high grow seasons. Grangruth asked if the roughs and tee boxes don't get cared for in one year will it really make a difference. Regas stated the dandelions will continue to grow back in and Andersen is the only licensed operator with herbicides. Grangruth asked if a team of 3 would be enough. Gulette stated he is thinking worst case scenario. Regas stated she will book a golf board meeting by end of week.

- g. Revolving Loan Fund committee – Regas stated the RLF committee will be offering borrowers 6 months deferred principal and interest payments. Patch asked if the interest is capitalized after the deferral is it still added to the end of the loan. Regas stated yes. Patch stated Grant Frenzel did not recommend that option. Regas stated not charging interest shows good community from the City and is the right thing to do. Regas will provide the final decision at the April council meeting. Gulette stated the offer is a good deal to offer and help out. Patch stated there will be an application process. Regas confirmed stated there will be a contract for the borrowers to sign. Nothing further.
2. Donation Request 2020 Blackduck After-Prom – Councilor Gulette reported the Senior Class will most likely not have a Prom this year. Gulette was going to recommend increasing the regular donation amount since in recent information from the State Auditor the Junior Class concession can no longer donate to this event. Regas asked for confirmation that it is the Junior Class fundraising that typically goes to these activities. Gulette confirmed and added that it also provides about \$5,000 for caps and gowns. Gulette recommended donating to the After-Prom and if the event does not take place put a stipulation in the motion or repayment. Regas asked if the organizers have been asked about the event. Gulette stated Sandy Lien told him there is most likely not going to be a prom this year. Regas asked if other entities that were asked for donations from providing the donations. Gulette stated some have yes but he knows the prom committee will just give it back otherwise the next year will have more money than usual. Gulette stated the Boosters are separate from the concessions now. Councilor Kolb asked if the cap and gown fund is and what the total cost is.



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Gullette stated he did not know. Kolb asked where that money goes to. Gullette stated junior class earns fund from the concessions during sporting events and the money goes to that fund. Kolb asked if the cap and gown fund is for the 5th or 6th grade class or goes to the seniors. Gullette stated it goes to the seniors of that year, so each school year the junior class raises the money for the senior class and so on. Kolb asked if the school is holding a graduation this year. Gullette stated he does not know at this time. Patch stated it is unknown at this time. Gullette stated the donation request just covers the after-prom prizes keeping them locked and safe. Kolb asked if the decision for donation could be tabled until more information from the Governor comes out. Regas stated tabling the decision until the April 6 meeting would be wise and the City would know more at that time. Regas further stated the junior class has 3 months of no concessions to earn due to school being closed for next year's events and now will be more difficult to raise money. Regas further cautioned the City Council on the donation because of the pull-tabs not being sold during the state close down. Kolb asked if last year's fundraising for this year will roll-over to next year. Gullette stated no it will not to his knowledge and the after-prom committee is each year. Regas asked if there will be a member of prom committee at the April council meeting. Gullette stated yes if the capacity of City Hall allows. Nothing further.

3. Councilor Resignation – Tylor Roth – Regas stated that the City has received a resignation letter from Councilor Roth due to his health at this time. Regas stated the Council will have a resignation resolution to approve in April. Mayor Patch asked if notification regarding the council vacancy can go on the monthly utility postcard. Regas stated yes there is and it could be added. Gullette stated this is a really good opportunity and could have more than one letter of interest. Mayor Patch asked when the deadline is for filling for office. Regas stated filling beginning in late July through mid-August. Councilor Kolb asked if the City will still hold local primaries if federal primaries get pushed. Regas stated the City of Blackduck does not hold a primary election only state and the federal just had theirs. Regas stated currently the state primary will still be held in August or September and the general in November and should continue.
4. Elected Official Conflict of Interest / Code of Ethics Policy – Regas respectfully requested to read a letter to the Blackduck City Council:

“Mayor Patch and Blackduck City Councilors,

I would like to address the Blackduck City Council on behalf of myself and the employees of Blackduck. In light of recent events, I would like to remind the Blackduck Council that all City employees are to abide by the Blackduck Code of Conduct which states:

Conduct as a City Employee

In accepting City employment, employees become representatives of the City and are responsible for assisting and serving the citizens for whom they work. An employee's primary responsibility is to serve the residents of the City of Blackduck. Employees should exhibit conduct that is ethical, professional,



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responsive, and of standards becoming of a City employee. To achieve this goal, employees must adhere to established policies, rules, and procedures and follow the instructions of their supervisors.

The following are job requirements for every position at the City of Blackduck. All employees are expected to:

- *Perform assigned duties to the best of their ability at all times.*
- *Render prompt and courteous service to the public at all times.*
- *Read, understand and comply with the rules and regulations as set forth in these Personnel Policies as well as those of their departments.*
- *Conduct themselves with decorum toward both residents and staff and respond to inquiries and information requests with patience and every possible courtesy.*
- *Report any and all unsafe conditions to the immediate supervisor.*
- *Maintain good attendance.*

As the City Administrator our City of Blackduck Appointed Supervisors and employees expect Blackduck elected officials to:

1. *Limit questions/inquiries to City staff during normal business hours unless the circumstances warrant otherwise.*
2. *Adhere to the Chain of Command structure of the City*
3. *Treat all staff as professionals*
4. *Not disrupt City Staff from their jobs*
5. *Never publicly criticize an individual employee or department*
6. *Not get involved in administrative functions*
7. *Check with City staff on correspondence before taking action*
8. *Limit requests for staff support*
9. *Not solicit political support from staff*

As City Administrator all City of Blackduck Appointed Supervisors and employees expect the Elected Officials' conduct with the Public to:

1. *Be welcoming during public meetings to speakers and treat them with care and gentleness*
2. *Be an active listener*
3. *Maintain an open mind*
4. *Ask for clarification, but avoid debate and argument with the public*
5. *No Personal attacks of any kind, under any circumstance*
6. *Follow parliamentary procedure in conducting public meetings*
7. *Make no promises on behalf of the Council or the City*
8. *Make no personal comments about other elected officials*

As Administrator of the City of Blackduck I am recommending the Blackduck City Council adopt a Conflict of Interest / Code of Ethics Policy for Elected Officials, Members of City Boards, Commissions,



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and Committees immediately. I have provided for the Blackduck City Council a draft of a suitable policy. Please take time to review this policy and supply constructive feedback as a council.

Additionally, I would like to remind our elected officials that as a board you work as a unit not individually. If an elected official has questions regarding policy and procedure(s) those questions should be addressed in the same fashion, as a unit.

Recent events have broken the City of Blackduck employees down. The negativity throughout the community places undue scrutiny on our supervisors and staff and can be construed as a hostile work environment. The employees of the City of Blackduck enjoy their positions and are working in their positions for good reasons, not just personal ones. I want to assure the City of Blackduck that the staff would not be here if it didn't.

*On a personal note, I would like to state that recent events on social media would cause to make any employee leave their employment no matter what position they hold. I question if this is the intention of the Council. Furthermore, I would add that if your family **DOES NOT SUPPORT** your decisions as an elected official or your position on the council, then your position on this board will be very difficult. All families should praise, lift up, and support the elected officials and staff of the City not tear it down. I question where the allegiances lie when poor social media behavior breaks the City down. As for myself, I will tell you that I have had much conflict in all of the positions I have held over my lifetime but none this hostile and it has to stop. One can only take so much."*

Thank you for your time.

*Christina Regas
City Administrator
City of Blackduck*

Regas stated a sample of a code of ethics / conflict of interest policy is included in the council packet and recommended the City Council adopt it or a version of it. Regas recommended the Blackduck City Council should provide input to change or revise the policy. Mayor Patch stated the council has had conversation in the past about adopting a policy such as this and believes it to be a good idea. Councilor Moore stated after reading the draft she believes it to be a sound code of ethics and would be very happy to adopt it. Moore continued stating it is a good for the staff and public that the council knows how to conduct themselves. Patch and Kolb both stated they were in favor of adopting the policy. Gullette stated he too was in favor of adopting the policy. Patch asked for feedback on the draft. Regas stated the policy should be created by the board and is just a sample. Regas further stated the policy will assist to have the board members hold themselves accountable as Regas and the staff does not have the authority. Regas stated the only people the Council can respond to are the citizens that elected them. Regas stated since personnel has to abide by a code of conduct then the board should too. Patch asked if the policy can be on the agenda in the April meeting. Regas stated if the council wishes. Gullette asked as a council how the board holds sanctions on one member. Gullette asked if it is brought up at a meeting. Regas stated it is addressed as a board. Patch stated the council would need to communicate through the Administrator. Regas stated her mistake in



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understanding Gillette's question. Gullette stated as one member he can't go speak to 'Councilor A' and 'Councilor B' and now violating the open meeting law. Gullette asked how to handle it properly. Regas asked for the board to allow her the time to ask the City Attorney. Patch stated it would be like a personnel committee. Gullette stated it is one thing to adopt a policy and another to be able to use it. Gullette used an example of a councilor always being late for the meetings and when and how is that enforced without violating the open meeting law. Regas referred to page 5 of the draft paragraph 2:

"Councilmembers should point out to the offending Councilmember any infractions of the Conflict of Interest / Code of Ethics Policy. If the infraction(s) continue, then the matter should be referred to the Mayor for action. If the Mayor is the individual whose action(s) are being challenged, the matter shall be referred to the Vice Mayor. It is the responsibility of the Mayor to initiate action if a Councilmember's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be brought to the full Council in a public meeting."

Regas summarized the paragraph by stating the Mayor is going to hold that councilor accountable and if the infraction continues then it the issue becomes open to a public meeting discussion. Regas used an example of absences of a council member that if that councilor does not care to listen to the Mayor then that councilor will be brought up for public sanction at the next meeting. Regas further stated the councilor would need to be removed from the board in this case. Patch further stated that if the issue was about the Mayor then it would be brought to the Vice-Mayor.

Chief Grangruth asked what would be done if a City employee has a problem. Patch stated to bring the issue up to the Administrator and they will address it to the Mayor. Regas agreed. Patch stated that would be the chain of command.

Regas stated these policies in other cities are signed each year by the board members.

Schwanke stated that the whole point of the work sessions is to 'get stuff done' correct? Schwanke asked isn't that why the board and staff are here? Schwanke stated in his opinion there is a lot of 'tip-toeing' around each other feelings and back-door issues and he believes it to be ridiculous. Schwanke stated the City is missing out on stuff that could actually be helpful to the City. Schwanke stated the City started talking about equipment for public works months ago and everything has been on the back-burner because of all this other stuff that is going on. Schwanke stated 'we' are either going to do things or 'we' are going to continue to dance around about who is going to write what up and how many people it is going to go through before it gets handled. Schwanke stated we are all adults, why can we just speak while we are here, get things on the table, and be done. Schwanke further stated that is his opinion.

Grangruth stated we all know why this has come up. Grangruth stated he wished the City Council could talk more about it. Grangruth stated that the City has departments that feel like they can't do their job properly because of some of the stuff that has gone on for this or that reason it is not alright. Mayor Patch stated that it is interrupting work performance and what needs to get done around here. Grangruth stated the City has a much bigger problem going on right now to deal with instead of, like Schwanke stated, should be just dealt with and move forward from. Grangruth stated we are all playing nice and no one wants to address the exact



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issues that are going on and it will need to be dealt with at some point. Gulette requested a copy of Regas' letter. Regas agreed.

Schwanke stated he would like to thank Regas for her letter and to let the City Council know that she has his full support in what was stated. Grangruth stated the he believes the letter was written on behalf of more employees than you think. Grangruth stated there is some real nastiness going on in this town.

Mayor Patch agreed and stated he wished he could shut social media off.

OTHER BUSINESS -

ADJOURN – Moved by Councilor Gulette and seconded by Councilor Moore to adjourn the work session at 7:23pm. Roll call vote: **For:** Mayor Patch, Councilors Moore, Kolb, and Gulette **Against:** none. Motion carried.

Christina Regas, City Administrator

Rudy Patch, Mayor