

Minutes and Proceedings of the
City Council of the City Of Emily in the
County of Crow Wing, State of Minnesota

May 23, 2023
Special Meeting

THESE MINUTES ARE PARAPHRASED AND ARE NOT WRITTEN WORD FOR WORD.

The Emily City Council met for a Special Meeting on Tuesday, May 23, 2023 in the Council Chambers and was called to order by Mayor Tracy Jones at 4:05 p.m. Councilmembers Bryce Butcher, Gerhart Hanson, Andrew Hemphill, and Gregory Koch were present. Tom Pearson, City Attorney, attended remotely and Cari Johnson, City Clerk/Treasurer, was present..

The Pledge of Allegiance was recited.

The Council continued the Emily Police Department discussion from the May 9, 2023 regular Council Meeting. The Crow Wing County Sheriff's Office and Cuyuna Police Department submitted preliminary soft quotes for 60 hours of police service coverage per week for one year in the City. The preliminary soft quote from the Sheriff's Office was for a total of \$263,130 and from Cuyuna Police Department was \$181,704.12. The City budgeted \$179,000 for the Emily Police Department (PD) in 2023, including one full-time police chief and one part-time officer. The advantage of eliminating the Emily PD would be cost. Advantages for keeping the Emily PD included having a local officer that knows the City and response time and the disadvantage would be the City's two squad cars are older vehicles. The disadvantage of contracting out for police service would be cost and loss of a local officer that is familiar with the City and the public. If the City hires a new police chief, the background check process would be thorough, extensive, and include the Sheriff's Department. The City would need to set a priority on hiring someone with police chief experience. **MAYOR JONES MADE THE MOTION TO PLAN TO REINSTATE THE EMILY POLICE DEPARTMENT AND TO START THE HIRING PROCESS FOR AN EMILY POLICE CHIEF. COUNCILMEMBER KOCH SECONDED THE MOTION.** Discussion included the Sheriff's Department is obligated to cover calls or emergency response to the City per Minnesota Statute while the City searches for a police chief. **ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.** The City currently has one part-time officer on administrative leave until a Police Chief is hired. Unless the City contracts with the Sheriff's Department, the Sheriff's Department will only be able to provide minimal coverage to the City for the remainder of the year because they are currently understaffed in their patrol division. The City has a Law Enforcement Services Agreement to provide police coverage to Little Pine Township. The City has been unable to invoice Little Pine Township in 2023. Little Pine Township will be notified the City is searching for a new police chief.

COUNCILMEMBER KOCH MADE THE MOTION TO CLOSE THE SPECIAL MEETING BECAUSE THE SUBJECT MATTER CONTAINS ACTIVE INVESTIGATIVE DATA AND DATA PERTINENT TO ALLEGATIONS AGAINST LAW ENFORCEMENT PERSONNEL PER MINNESOTA STATUTE 13D.05, SUBDIVISION 2. MAYOR JONES SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED. Time was 4:27 p.m.

The Special Meeting reopened at 4:30 p.m.

Because Damien Stalker effectuated notice to terminate immediately under paragraph #20 of his Police Chief Employment Agreement with the City, Stalker is effectively terminating the agreement for cause which allows the termination to be effective immediately. **COUNCILMEMBER BUTCHER MADE THE MOTION TO ACCEPT CHIEF DAMIEN STALKER'S TERMINATION OF THE POLICE CHIEF EMPLOYMENT AGREEMENT FOR CAUSE IMMEDIATELY. COUNCILMEMBER HANSON SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.** City staff and the City Attorney will prepare a confirmation of the City Council's acceptance of Damien Stalker's termination.

The Council continued the First Responder Personnel Matter discussion from the May 9, 2023 regular Council Meeting. **COUNCILMEMBER KOCH MADE THE MOTION TO CLOSE THE SPECIAL MEETING PER MINNESOTA STATUTE 13D.05, SUBDIVISIONS 1(D) AND 2(B), FOR PRELIMINARY CONSIDERATION OF ALLEGATIONS OF MISCONDUCT AGAINST AN INDIVIDUAL SUBJECT TO THE AUTHORITY OF THE CITY COUNCIL. COUNCILMEMBER HEMPHILL SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.** Time was 4:34 p.m.

The Special Meeting reopened at 4:54 p.m.

COUNCILMEMBER KOCH MADE THE MOTION TO HIRE JACK HENDERSON AS A TEMPORARY PART-TIME SUMMER MARKETING/GRAPHIC DESIGN AND COMMUNICATIONS INTERN FOR UP TO 30 HOURS PER WEEK PER RECOMMENDATION OF THE PERSONNEL COMMITTEE WITH A WAGE OF \$17.00 PER HOUR WITH A START DATE OF JUNE 5, 2023, PENDING PREEMPLOYMENT SCREENINGS AND BACKGROUND CHECK, AS PER DRAFTED JOB OFFER LETTER. COUNCILMEMBER HEMPHILL SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

The Council discussed the proposed Criminal History Background Checks Policy for Employment and License Applicants. Crow Wing County needs to complete background checks for the City while the Emily PD is deactivated, but needs parameters. Crow Wing County would provide a pass/fail determination for the background checks and then inform City staff where to find public information if necessary. The Personnel Committee could review any public information with the applicant and make a determination of whether or not to hire. **MAYOR JONES MADE THE MOTION TO APPROVE THE CRIMINAL HISTORY BACKGROUND CHECKS POLICY FOR EMPLOYMENT AND LICENSE APPLICANTS AS PRESENTED. COUNCILMEMBER KOCH SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.**

Purchase of a graphic design program for the intern position was tabled for more information.

COUNCILMEMBER KOCH MADE THE MOTION TO ADJOURN THE MEETING. COUNCILMEMBER BUTCHER SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED. The meeting ended at 5:11 p.m.

Respectfully submitted,


Cari Johnson, MCMC
City Clerk/Treasurer

Attest:


Tracy Jones
Mayor