

**MINUTES
CITY OF LONSDALE
SPECIAL CITY COUNCIL MEETING
AUGUST 3, 2022**

1. CALL TO ORDER

Mayor Rud called a meeting of the Lonsdale City Council to order at 7:00 a.m. in the City Council Chambers, 415 Central Street West.

2. PLEDGE OF ALLEGIANCE

Everyone stood and recited the pledge of allegiance.

3. ROLL CALL

Members Present: David Webb (via Zoom), Kevin Kodada, Tim Rud, Cindy Furrer and Scott Pelava

Members Absent: None

City Staff Present: City Administrator Joel Erickson, Public Works Director Russ Vlasak and City Attorney David Kendall

4. APPROVAL OF AGENDA

Mayor Rud asked if there were any additions, deletions or corrections to the agenda. A motion was made by Pelava and seconded by Furrer to approve the agenda as presented. Vote for: Webb, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

5. APPROVAL OF MINUTES

None

6. PUBLIC HEARINGS

None

7. PRESENTATION OF CITIZEN PETITIONS AND COMMENTS

None

8. APPROVAL OF THE CONSENT AGENDA

None

9. OLD BUSINESS

None

10. NEW BUSINESS

a. Consider Making a Conditional Job Offer to Brittani Barnett for the Accounting Technician at Grade 8 / Step 10 (\$31.05/hr.)

Erickson said with the retirement of Mary Jo Turek, staff was authorized to advertise the open position. Erickson said the position has been reviewed and more responsibilities have been added to it, resulting in it becoming full time with a higher wage.

He said there were eleven applications received and of those, six were selected for interviews but only four actually interviewed. Erickson said based on the applications received and the interviews conducted, the interview committee was recommending that a conditional job offer be made to Brittani Barnett at Grade 8 / Step 10 for the Accounting Technician position. He said Barnett meets the minimum and desired education and experience, with the exception of government experience. Mayor Rud asked if additional responsibilities were incorporated into the position. Erickson said yes. Furrer asked if Barnett understands there will be more responsibility. Erickson said yes. Furrer asked if the City Treasurer was involved in the process. Erickson replied yes. A motion was made by Pelava and seconded by Kodada to approve making a conditional job offer to Brittani Barnett as Accounting Technician at Grade 8 / Step 10. Vote for: Webb, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

b. Review the Performance of Public Works Director Russ Vlasak

Mayor Rud asked Vlasak if he wanted the meeting closed or open. Vlasak said the meeting could be open. Erickson said this was one of the reasons this meeting was called. He said for a while and more recently, employees in the Public Works Department have stated employees have very low morale, do not enjoy coming to or being at work and some are looking for other employment. Erickson said because of this, he has met with the Public Works employees to hear their concerns and work towards improving the environment to make work more enjoyable. He said the three main concerns are: (1) perceived hostile work environment; (2) low employee morale – lack of professionalism and (3) safety. Mayor Rud said his concerns are the hostile work environment and safety. Pelava said that he spoke to Joe Dornfeld and he was told to expect more complaints after he quits. Kodada said it would be better to have the complaints in writing. Pelava said the employees did not put the complaints in writing due to fear of retaliation. He said the concerns today are the same as a year ago. Pelava said there was some improvement at that time but since then, it has gotten worse. Furrer asked if there was any documentation in Vlasak's personnel file. Erickson said approximately a year ago, Vlasak was not following light duty work restrictions. Vlasak said he asked Erickson to meet with the Public Works employees to address their concerns, which seem to stem from one employee. Pelava asked what type of insubordination that employee was demonstrating. Vlasak said insubordination such as not following directions, which seems to have gotten worse recently, recording conversations with him and the employee said he was unsure if he is quitting and taking the job in Elko New Market so they might as well get this over. Furrer asked why it seems to have gotten worse after the meeting. Vlasak said it is one maybe two employees. He said he asked employees to help him with his tasks, which helped improve and educate them. Mayor Rud asked about claims of safety concerns? Vlasak

said he recommended Safe Assure be brought in to assist the City with safety nearly twenty years ago. Vlasak said there is no perfect situation and other areas of safety can be improved. Mayor Rud asked about a hostile work environment? Vlasak said he has one employee that he needs to communicate with in a different way than other employees. Mayor Rud asked if it was more than one employee. Vlasak said he does not believe it is more than one employee he has to communicate with that way. Mayor Rud said the situation seems to warrant an investigation with the amount of “he said, she said”. Pelava said one employee told him when it came to operating the street sweeper for the time, after telling Vlasak it was his first time operating one and asked about receiving training on operating the street sweeper first, that he was told by Vlasak that he would “figure it out”. Pelava said the employee operated the street sweeper without training and did not question it due to fear of being belittled. Vlasak said he never had an employee come and tell him that they felt uncomfortable when it came to operating equipment or safety and if so, he would not have them do it. Kodada asked where a suspension with pay was on the range of discipline. Erickson said three out of four. City Attorney Kendall said the degree of discipline depends on the severity of the cause for discipline and if it is warranted. Furrer said it seems a step in the discipline process has been skipped. Mayor Rud said a suspension with pay is appropriate given the complaints received and it should remain in effect pending an investigation. Mayor Rud said over the years, human resources could have been better and was small town polite over the years. Pelava asked if a resignation would be sufficient instead of an investigation. He said the point of an investigation is not to hurt anyone. Mayor Rud said that all options should be discussed. Vlasak asked if the City Council wanted his resignation. Pelava said he did reach out to staff based on getting their concerns put in writing. Mayor Rud said the suspension with pay should be continued through the investigation. City Attorney Kendall said Pelava is correct that employee concerns should be in writing because it is hard for the City Council to react to claims if they are vague. He said the concerns should be clear and that a voluntary resignation is always an option. Mayor Rud reaffirmed that the investigation should happen and the suspension with pay continue through it. Kendall said the City Council should provide staff direction on the timing of the investigation and they should report back then. Mayor Rud summarized the situation, available options and that it is important for the investigation to be timely. Pelava said the urgency of the situation is that Dornfeld is leaving at the end of this week and questioned if other staff have the capabilities to manage the department in the short term. Mayor Rud said the investigation needs to be fair and thorough. Kodada agreed. Furrer said the Public Works staff is great and they need to be supported. There was general discussion on whether or not the City Council needed to take any action. Erickson said the City’s Personnel Policy allows staff to make the decisions made to this point.

c. Consider Joe Dornfeld for the Position of Public Works Director

Erickson said the HR Committee met with Dornfeld on July 27, 2022 to determine if he was interested in the Public Works Director position. He said they discussed the position and also Facebook posts that Erickson said were unprofessional. Mayor Rud clarified and said it was Dornfeld’s wife and not him. Mayor Rud asked the City Council members how they wanted to do to fill the position – interim or full time. Pelava said

Dornfeld told him he is not interested in the interim position. Kodada said he was supportive of the position being interim but the full time Public Works Director should be advertised if needing to be filled pending the investigation. Erickson asked about compensation for the interim position. The consensus of the City Council was to not increase Dornfeld's wage since the position was interim. A motion was made by Pelava and seconded by Furrer to appoint Joe Dornfeld as Interim Public Works Director as his current wage. Vote for: Webb, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

11. OTHER BUSINESS

- a. Staff Reports
None

- b. Council Reports
None

12. ADJOURNMENT

A motion was made by Kodada and seconded by Pelava to adjourn the meeting. Vote for: Webb, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried. The meeting ended at 7:56 am.

Respectfully Submitted:

Joel A. Erickson, City Administrator