

City of Kennedy
Special Meeting
July 26, 2017
7 p.m.

Council Members in attendance: Todd Truedson, Matt Casper, Kevin Hanson, Jon Pietruszewski, Cindy Urbaniak

Also in attendance: Kristi Hastings, employment attorney from Pemberton Law Firm, Fergus Falls, MN
Sign-in sheet was used for the public who attended the meeting.

Mayor Truedson called the meeting to order at 7 p.m.

The Pledge of Allegiance was recited.

Ms. Hastings led the meeting. This meeting was to be a closed meeting, but was requested to be open by the Kennedy employee. This was confirmed with the employee's attorney. Ms. Hastings instructed the employee that private and confidential information that would be protected by a closed meeting would now be open and public. The employee acknowledges agreement to this.

Ms. Hastings summarized the recent actions by the council, stating that the employee was placed on paid leave as of July 11th after a co-city employee raised allegations. The 2016 audit is on hold due to lack of cooperation. Timelines for completion of tasks have not been followed. Council has received additional complaints of disrespect behavior exhibited by the employee.

Ms. Hastings went on to explain that the city clerk is not an elected position. The City has personnel policies in place, however, it is recommended that the City look to review and revise their policies. Ms. Hastings recommended that the City seek guidance from the MN League of Cities. The City does have a policy on respectful workplace behavior.

No personnel file for the city employee has been located in the city office.

Ms. Hastings states that the City can proceed with progressive discipline through verbal, written, demotion and termination actions. She asked the council if we feel we have all the facts to discipline the employee. She went on to state that the City has the option to do an investigation. This can be done internally which is difficult for a small city like Kennedy or we could do an external investigation with an investigator. This would cost the city \$5000 - \$6000. Kristi can give us contacts, if we wish to proceed with an external investigation.

Another option that the city has is remedial, not disciplinary. This would be done through a Performance Improvement Plan or PIP. This would run over a period of time, i.e. 6 months. The council would list the improvements needed by the employee and set the expectations in writing with detailed follow-up by the City. At the end of the time period, the council would determine if the employee met or didn't meet the PIP that was in place. The council could then move toward disciplining the employee. With the plan the employee would be able to return to work.

Ms. Hasting recommended that at our next council meeting, the City makes plans for assistance by a neighboring town to assist with the business of the city.

Payroll has been done, but through estimation, so paystubs are incomplete and need to be reviewed by a payroll system. Hours of work need to be reviewed for accuracy.

Ms. Hastings asked for a volunteer from the council to assist her with information gathering. Cindy Urbaniak volunteered to assist the attorney.

Ms. Hastings will prepare the PIP and send it by email to the council for review. Ms. Hastings cautioned the council that when they receive the PIP, they are to review and only reply to Ms. Hastings. The council if not to discuss this case with the public.

Employee tried several times to speak during the meeting, but our attorney reminded her that she was here to address the council only.

The meeting was adjourned at 7:45 p.m. on a motion by Jon Pietruszewski and seconded by Matt Casper. All in favor and the motion passed.

Respectfully submitted,

Cindy Urbaniak, recording secretary



Todd Tuedson 11-6-17

Cindy Urbaniak

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