

INVER GROVE HEIGHTS CITY COUNCIL WORK SESSION
MONDAY, FEBRUARY 1, 2021. 6:00 PM - 8150 BARBARA AVENUE
****Meeting Via In-Person or Virtual Zoom****

A. CALL TO ORDER: The City Council of Inver Grove Heights met for a Work Session on Monday, February 1, 2021. Mayor Bartholomew called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

Roll Call: Present In-Person: Mayor Bartholomew; Council Members; Piekarski Krech, Dietrich, Murphy, and Gliva; City Administrator Joe Lynch, City Clerk Rebecca Kiernan, and Community Development Director Heather Rand.

Present via Zoom Video Conferencing: Technology Manager Marc Gade, Environmental Specialist Ally Sutherland, Associate Planner Heather Botten, City Planner Allan Hunting, and City Attorney Bridget McCauley Nason.

1) Goats for Invasive Species Management:

Environmental Specialist Ally Sutherland discussed the following two items:

1. Goat Grazing Technique: Widely used in the region for invasive species control.
2. If the City Council would like Staff to draft an Ordinance allowing for temporary keeping of Goats in residential, City parks, and open space areas for invasive species control.

She stated Invasive Species are an organism not native to a particular natural area. The focus is about an invasive plant species called Buckthorn. It is a common woody shrub with green leaves and bluish/black berries ranging in size from small seedlings/shrubs, to up to 20-foot-tall, small trees with up to a 10-inch diameter. Buckthorn has no natural control method, management and control of its spread is up to humans. Buckthorn was brought to the United States from Europe to be used as hedging material. The seeds are extremely hardy and can grow and spread to unintended areas causing the plant to spread so widely. Buckthorn outcompetes and destroys natural vegetation and wildlife habitat. Due to that, management can be challenging, expensive, labor intensive, and requires a variety of land management tools to manage.

She stated prescribed grazing with goats is a popular tool being used nationally and regionally to manage Buckthorn and other unwanted vegetation. There are benefits to having goats, they thoroughly clear the area of Buckthorn, similar to a controlled burn. She displayed images of a pilot project by the City of Burnsville showing before and after effects of having goats grazing. Goats effectively clear the area. The cost of goats is comparable to conventional removal methods and reduce the use of pesticides. Goats can easily access areas of challenging topography, which is relevant to the hilly areas in the City. She stated this is not a one-time fix, annual treatment of Buckthorn is required to continue to limit the establishment of new seedlings. People may decide to use goats annually and also use herbicide and physical removal methods.

She stated over the past few years the Planning Division has received occasional residential inquiries asking if goats are allowed for Buckthorn management in the City. Under City Code, goats are defined as farm animals and only allowed in Agricultural and E-1 Zoning Districts. Based on Staff's initial review, they found areas such as Dakota County, and the Cities of Minneapolis, St. Paul, Lakeville, Burnsville, and Minnetonka have used goats for Buckthorn management on their own public lands. Other Cities like Eagan, Cottage Grove, Burnsville, and Maplewood have developed Ordinances to allow keeping

goats temporarily for prescriptive grazing in Residential Zoning Districts. She stated through Staff review, a list of parameters was compiled and addressed in City Ordinances that allow the temporary use of goats in residential areas, City parks, and open spaces. Examples of parameters include:

- Definition of the allowed use of goats
- Lot size
- Zoning District
- Approval process. May include an Application
- Site Plan Review
- Proof of a Licensed Contractor
- Number of goats allowed
- Daily timeline
- Maximum duration of work
- Specific times of year allowed
- Daily monitoring requirements
- Noise and Odor levels
- Enclosure area and the distance from your property line

She stated Staff has received one written comment from a resident in favor of the Ordinance. Planning Staff has spoken to the Parks Department who said they would be in favor of having this as a management tool if ever needed. Staff believes there would be value to homeowners and City operations in providing an Ordinance to allow for the temporary use of goats for invasive species control in residential, City parks, and open space areas. Direction from Council is needed. If in support of moving forward, additional research would be done by Staff and come back to the City Council with a proposed Draft Ordinance.

Councilmember Piekarski Krech asked if there were any sample Ordinances from other Cities. Environmental Specialist Sutherland responded yes, she did not provide that information in the packet, but has reviewed several and was how she collected the list of parameters. Parameters varied, those listed were the most common. Councilmember Piekarski Krech stated she would like to see them to know exactly what other parameters were. She stated she could not see goats in South Grove but could see them in other areas. She commented residential covers a broad area. Environmental Specialist Sutherland responded she could come back with proposed parameters and specify lot size and attach other City Ordinances. For lot size, she noticed a minimum of ½ acre. Smaller lot size would not allow, larger would.

Councilmember Piekarski Krech stated having goats for Buckthorn is a wonderful thing. After the goats are gone, pigs need to be brought in because that is what roots out the roots, and why goats do not have to be brought back every year. She stated there have been a couple of farms in the City that have used goats such as Darvan Acres. She asked to see what they plan to do so they do not create more havoc than helping.

Councilmember Dietrich asked what the fencing would look like in City park areas. Environmental Specialist Sutherland responded companies vary, one company has two types of fencing, the interior fence with very low voltage that keeps goats in. The second layer is another fencing that has no voltage, protecting people, children, and other animals. This would be defined in the Ordinance if going forward.

Councilmember Dietrich asked when this comes back to the City Council, she would like to see costs compared to using heavy equipment in areas that do not have such a steep grade.

Councilmember Murphy stated all parameters are important. He asked if this situation would be one driving around and seeing a neighbor with goats in their backyard, or just City parks. Environmental Specialist Sutherland responded in this case; this is proposed to be for residential. It was decided to add the potential to have them in City parks and open space areas. Through her research she noticed other Government Agencies have been using them in their own parks for the same benefits. She stated she spoke to the Parks Department, who has said they have their own management plans they use for invasive species. They stated there is no plan at this time to utilize goats in City parks but thought it would be great to have as an option for consideration going forward.

Councilmember Murphy asked if there would be enforcement issues. For example, someone is supposed to get rid of their goats but do not. Environmental Specialist Sutherland responded in the parameters listed, one example is the approval process that includes an application, site plan review, and proof of a Licensed Contractor. The Ordinance would ask for defined days the goats would be there and the duration of time on the lots. She stated those would be included in the application process. Another parameter they noticed was a daily monitoring requirement, the Licensed Contractor is being hired, is onsite whenever the goats are there, so someone is watching and enforcing. They are hired professionals and would be handling as needed.

Community Development Director Heather Rand stated Planning Staff noticed a trend throughout the Midwest. This is similar licensing to having chickens in the City. Chickens are kept without Roosters, if there are neighborhood complaints, the License is pulled. She stated this will not make sense for every lot and every application. The intent is to Draft an Ordinance that makes sense for this Community but based on the guidance of surrounding Communities that already have this in practice.

She stated they have been contacted by Organizations that lease out goats for this type of use. Staff's first question was how to control them. They should not be running around loose into neighbors' yards, streets, or harming personal property. The Organization assured the City fencing and monitoring will be key. They will also have Liability Insurance and said they have an investment in the property and the goats and do not want them to get hurt. She stated the City would have to hold them accountable to that as well as their insurance company. She stated whatever Ordinance Staff drafts for future consideration would be taken very seriously. She wanted Council's reaction.

Mayor Bartholomew asked if progressing, he would like some type of analysis of what the cost to Staff would be for monitoring and what the appropriate fee would be for licensing to offset that cost. He stated the need for diligence with the League and the insurance policy and see what kind of liability and coverage would be needed for the City to have livestock on public property/parks. He commented if serious about this, to get closest to cost neutral as they can, take the long-term approach that Staff cost is monitored, what it is, and how to offset it by fee. An analysis of what other Cities are doing would be helpful and to have the insurance carrier weigh in about how other Cities are handling liability.

Councilmember Piekarski Krech stated it should be easy to get most of that information. St. Paul used goats in Mounds Park and Dakota County has at Pilot Knob. It was also used by either the County or the Refinery in the Pine Bend area. She stated the only problem had was in Mounds Park where someone went in and stole some of the goats.

City Administrator Lynch asked if this was comparable to a lawn maintenance service, where the goats are brought in during the day and removed at night, or if they were left overnight for a period of time/days. He asked what the typical operation was. Environmental Specialist Sutherland responded it is daily 9:00 - 5:00 or specified daytime period. She has not noticed anything about working overnight but is something that could be specified in the parameters. She has noticed two companies in the local area.

Councilmember Piekarski Krech stated some companies have trailers they load the goats into at night for protection. City Administrator Lynch stated they want to give a comparative service like someone who comes in, cuts the lawn, is done by 4:00 or 5:00 at night, takes the equipment, and moves off site. This limits, noise, disruption, and potential odor.

City Administrator Lynch clarified the request stating Council would like cost comparisons to typical removal costs, administrative Staff time to put this in place and monitor, and copies of Ordinances for examples. He asked if Council wanted to see a Draft or have further discussion. Mayor Bartholomew responded they would be ready for a Draft since it has to go through three Readings.

Councilmember Murphy asked if the Humane Society or similar organization weighs in on the professionalism of some of the companies. Environmental Specialist Sutherland responded she could look into the certifications of some of the companies and referrals.

2) Weather Warning Siren:

City Administrator Lynch responded due to the circumstances of the day, the Police Chief and the Police Department have not had time to put the rest of the information on this item together. This will return to a future Work Session.

3) Ordinance Change Considerations:

a. Front Yard Fence

Associate Planner Heather Botten stated at the January 11th, City Council Meeting, Council directed Staff to review the City Ordinance relating to front yard and corner front yard fence requirements. Current Code state fences in the front yard provide no less than 75% clear visible opening and shall not be higher than 42 inches. On a typical corner lot, the front yard setback requirements, when abutting a house in the back that has their front yard accessing the street behind them, the 42-inch maximum height applies to the entire side yard. She stated discussion has been had about Variances for fences. Over the past five years, the Council has reviewed eight fence Variances, six of them have been for properties located on corner lots. All six requested to exceed the 42-inch-high fence maximum height.

She stated Staff researched fence requirements in several Cities and contacted a few fence companies that do business in Inver Grove Heights. Front yard fence requirements range from 42-48 inches. The City is not the only one that has the 42-inch maximum height in the front yard. There were differences

with the clear visible openings and different requirements for a corner lot versus an interior lot. She stated in speaking with the fence companies, they said 42-inch fencing is available for customers, 48 inch is more of a standard height they see in their work in front yards. Staff continues to see the benefit in the 42-inch-high fence. She stated this requirement has been in the City Code and believes it stems from the MnDOT Road Design Manual that states the assumed height of both the driver's eye and the object are to be seen at 3.5 feet above the roadway surface, which correlates with the 42-inch height.

Associate Planner Botten stated Staff sees a benefit in having a 42 in maximum height in the front yard with the 75% clear visible opening, but would be in support, or review of the Ordinance for corner lots when abutting the front yard. She commented that corner lots can be confusing. When the corner lot abuts another property to the rear yard, they only have to have the 42-inch-high maximum in the front yards. The corner side could have a solid fence up to seven feet high because it is not interfering with sight lines from the neighboring person's front yard. She stated they are not suggesting changes here, but on corner yards that abut someone else's front yard.

Councilmember Murphy asked if the reason they have 42 inches on the side when it abuts a front yard is, so the fences are the same height. Associate Planner Botten responded aesthetics is one reason, another is the impact to a neighboring person's front yard. The neighbor is only allowed to have a 42-inch fence in their front yard, for consistency and traffic safety it continues along currently.

Mayor Bartholomew stated he sees the value to raising the fence where it ties in on the side but does not tie into another side yard. There are several in the City. He would like to see an Ordinance Amendment to allow as proposed. Councilmember Gliva stated by doing this, they are allowing residents a choice, it does not seem to be a safety issue. Councilmember Piekarski Krech stated it does not matter to her either way as long as it meets safety issues. Mayor Bartholomew stated the Council has reached an agreement on researching this and bringing something back to Council. Associate Planner Botten responded Staff would start the Ordinance Amendment and focus on corner lots that abuts someone else's front yard.

b. Mini Storage

City Planner Allan Hunting stated this was last discussed at the October Work Session. Council initiated the Amendment to the Ordinance to remove mini storage as an allowed use in the B-3 District. It would still be allowed in I-1 and I-2. There was concern in allowing these in Commercial Districts. The First Reading took place in July and a couple of residents raised some concerns. He referenced a map stating one area is located at 494 and 50th Street, where there are two lots at the far end of the cul de sac. The Real Estate Broker who has control of the properties raised a question about the possibility of expanding the mini storage and were concerned about the impacts to B-3. He stated the other property is located along Highway 52/55, where there is an existing mini storage, the other property is currently Zoned B-3. He commented he has spoken with that individual and while he does not have any users, he always thought that might be a site for mini storage.

He stated Council asked Staff if there could be different provisions for those parcels. Staff consulted with the City Attorney and the response was no. Whatever type of Ordinance is adopted covers equally all properties that have that zoning. There cannot be any special provisions. Staff has laid out four alternatives:

1. Follow the same path. Eliminating mini storage in the B-3. Both indoor/outdoor.
2. Allowing mini storage in the B-3 with outdoor storage. (Keeping it as it is).
3. Allowing mini storage and limiting the amount of outdoor storage.
4. Allowing mini storage in the B-3 with no outdoor storage.

He stated Staff suggests moving forward with a Second Reading and either continuing to prohibit in the B-3 District or allow indoor only mini storage. Outdoor can be unsightly and is not a tax base benefit to the City.

Councilmember Piekarski Krech asked if going with Option 4, what Zoning Districts outdoor storage is allowed in. City Planner Hunting responded outdoor storage is allowed in the I-1 and I-2 District. Mayor Bartholomew stated the B-3 issue is a concern to him, he could entertain the idea to allow indoor only and no outdoor if there is enough Council support. He asked if deciding differently, if they would have to start the process over. City Planner Hunting responded he would have to verify but thought Council could just continue with the Ordinance to the Second Reading and have a modification to what was started. City Attorney Bridget McCauley Nason stated the Ordinance was presented once for a First Reading and has been awhile. The Council can start fresh with a First Reading of a new Ordinance with the revised approach or move forward with a Second Reading of the original Ordinance directing that the Second Reading version include the proposed revision.

Councilmember Gliva asked how this came about. She asked if there were mini storages that were being developed. Community Development Director Rand responded this was brought forward because they had a request for a three story, almost \$3 million-dollar proposed state of the art indoor storage across the street from Cub Foods. As they were moving forward with the process, some Councilmembers at that time were concerned about storage taking up limited Commercial real estate in the City. She stated she would advocate for state-of-the-art storage that are built as beautiful buildings and have a high tax rate, high level of security, and an amenity being by Commercial. She stated a study has shown these new types of storage are open limited hours, people come, drop off their items, and shop nearby. She commented that Developer has since moved on but liked that it has generated this conversation. She stated as a City now, we are past the time to having flat parking lot outdoor storage within the Commercial corridor. One the edge, in Industrial areas, that may make sense. She stated Planning Staff did an analysis about where storage exists.

Councilmember Murphy stated he was leaning towards Option 1 and eliminating it in the B-3. There is other space, what we have for Commercial is important. Councilmember Dietrich agreed.

Councilmember Piekarski Krech stated she was against the one on Cahill. She referred to the two properties that are B-3 off of 494 and Blaine and was unsure what else that property could develop into. She assumes the one along Highway 55 could be rezoned. She stated that property owner was upset about having his B-3 abilities taken away. She stated there are still two properties that created the question about moving forward and will still be a concern. Otherwise, she was in agreement. Councilmember Dietrich asked if they could let the Real Estate Agent/Owner know the timeframe they have to work with and if they want to move forward with getting something built there may be boundaries. Community Development Director Rand responded they can inform them. She stated she spoke to the listing Agent for one of those properties last week and discussed how it may be optimal to have a two to three story indoor storage facility because of the high visibility. There would not be many

vehicle trips for those that live nearby. It was discussed that it may make sense being next to the other storage.

Mayor Bartholomew referenced Councilmember Piekarski Krech's comment about Property #9 and it is possible rezoning to an I-1 or I-2 and asked what Staff's take may be. He was concerned the Council is spot zoning. He stated he sees the rationale for outdoor storage in the area, it is on the fringe. They need to be mindful if progressing, in the future they may be in the position to consider a rezone there. Councilmember Piekarski Krech asked why that one little pocket of B-3 was there. She did not believe the property where the storage facility was B-3. City Planner Hunting responded Number 9 is zoned Industrial 1, the current property owner at the time specifically requested Council zone that land B-3. There may have been thought of other Commercial uses in mind or trying to obtain highest and best use.

Mayor Bartholomew suggested leaving it as it is, bringing it back for a Second Reading, and discussing further at that time. He suggested contacting the property owner to let them know this is still moving forward.

City Administrator Lynch clarified the discussion stating the Second Reading would be to keep the process as is, elimination of Storage in B-3.

4) Interim City Administrator & Interim Public Works Director:

City Administrator Lynch stated on January 11th and 19th, there was discussion about what to do about City Administrator services. Additional information has been given to Council. He stated information has been provided from the League of Minnesota Cities which provides a service that connects Cities with individuals willing to serve in the role. He stated Council also heard that Community Development Director Rand is willing and capable to serve in the role. Council requested this return for further discussion before placing it on the Council Agenda for a decision with the following reasons:

1. Consideration that on a day-to-day basis, there needs to be someone in place that can make big and small decisions for the City.
 - a. Small such as conversations on daily/weekly basis with Department Heads,
 - b. And bigger decisions like the one faced today, and are still dealing with, in terms of what to do about the information, when, and who does it.
2. To keep the Department Head team going as it is. Departments keep their eyes on the items that are most important to them, the City Administrator tries to keep their eyes on all.
3. Interaction and communication, connection with the City Council. The City Administrator is a point person that communicates with Council. Council can ask questions through that person, through Department Heads, or let information float to you that needs to flow from City Staff. If other items come up from Constituents, there be one central collection point.

He urged the Council to make that appointment and stating he strongly believes that Heather Rand is capable and has the support of Department Head Staff to go forward.

City Administrator Lynch stated at the meeting on the 19th they did not have information back for an Interim Public Works and asked that be returned to this meeting for overview. The League of Minnesota Cities does not have a list of retired or in between positions for Public Works. Neither does the American Public Works Association. The option to find someone that had been retired that they

knew about has a shallow pool. The fourth option would be to rely on the Consulting Engineering Firms. For that there are two options:

1. Bolton and Menk, one of the Engineering firms, has offered to provide an individual at \$184.00 per hour. Weekly cost compared to current cost of the Public Works Director was provided to Council for scope.
2. Engineering Firm, WSB, has an individual who was previously a Public Works Director in the City of Woodbury and have offered that individual at an hourly rate of \$110.00 an hour. Breakdown of costs for this, and a full time Public Works Director was included for scope.
 - a. There is an option within this option for a flat retainer fee per month. Based on part time 20 hours a week, not a full time fill in. Staff believes this to be the best course of action because the fee offered is very reasonable. If having scope of services outside of those mentioned, they would charge \$110.00 per hour. This is competitive in a private market and more competitive than the monthly cost at the hourly rate for the individual at 20 hours a week.

His recommendation, after speaking with current Public Works Director Scott Thureen, is to go with the flat fee arrangement with WSB and the individual offered. The person is Clay Eckles who has worked as the Public Works Director for Woodbury for at least 12 years and prior to that, served in another City as a Public Works Director. He is currently with WSB and has a PE, which is the same standing Scott Thureen has. He stated if going forward with this, his timing proposed services are to end February 26th. At the February 22nd meeting both should be made effective as of March 1st as Mr. Thureen will be done in that timeframe too.

Mayor Bartholomew clarified the position for Public Works Director stating it would be 20 hours a week for \$110.00 an hour, weekly cost would be \$2,200. He commented he is trying to understand the other option. City Administrator Lynch responded both Engineering Firms contemplated part time 20 hours a week. Hourly would cover all services mentioned in the memo. WSB is trying to anticipate other services outside of what is needed, they would still only charge \$110.00 an hour. He stated in most cases Consultants would charge a fee for that because it is not something they plan for and would cost more to get an individual situated to do the work/project. For example: wanting the person's help on the public works facility and wants the individual to work with the Architect on changes and modifications to the building. He stated that would be additional services above and beyond this and cost \$110.00 per hour for the number of hours the individual worked on something of that nature.

Councilmember Piekarski Krech stated pay would be \$4,750. If needed for more than the 20 hours per week, it would be at \$110.00 per hour. City Administrator Lynch responded or if anything else comes up, both situations. Councilmember Gliva asked if there was a minimum contract period. City Administrator Lynch responded this was a good deal, Staff indicated it be at least four or five months. It would have to be set up to be mutually agreeable to extend or end early to be able to complete processes sooner.

Councilmember Dietrich stated she would like to hear from either Heather Rand or HR, it says Scott Thureen and the City Administrator. She commented the City Administrator is not supposed to solely handle these items and it was agreed Heather Rand would be a part of the conversation. Community Development Director Rand responded she is supportive of the proposal for Interim Public Works

Director services. It seems like a good value and gives flexibility to alter to the needs. She stated either party could cancel if it is not working out.

Mayor Bartholomew agreed the flat rate is a good alternative. If it is not working out, they can terminate. With the season coming up, construction, bids, and projects, it is important to have strong experience and knowledge. He is in support of the Interim Public Works Director as recommended by Heather Rand, Scott Thureen, and City Administrator Lynch. Councilmember Piekarski Krech stated support of both recommendations.

Mayor Bartholomew asked if Council had an understanding to bring the Interim Public Works Director to the next Council meeting to be considered for vote. City Administrator Lynch stated Council would likely want to see the Agreement with WSB, that may not be available by next Monday. He suggested Council may want to have a conversation with Heather Rand about any terms, conditions, and compensation adjustments. This would be put together as a complete package to have on the Agenda on the 22nd. It would be approved all at once and effective March 1st. Mayor Bartholomew agreed.

Mayor Bartholomew stated it is proposed that Community Development Director Heather Rand be appointed Interim City Administrator. Community Development Director Heather Rand stated she has worked in her current position for almost two years. As discussions were had among Department Heads and the existing City Administrator, she volunteered to serve as the Interim City Administrator while a professional search is underway. She offered this knowing that a professional search can take from three to five months. She stated she felt it was important that she volunteer as she has the willingness and skillset to step in and take on the additional responsibilities. It felt like a good fit.

She stated she has served as a Municipal Administrator as well as a Deputy County Administrator in the past and has been working in the public sector for almost 30 years. She has experience working with external partners, Legal Agreements, and Lobbying at the State Capital with the Federal Government. These are all things that come down to good communication and leadership. She stated she believes in the existing Department Head team and wants to continue to support them, but also looks forward to building good relationships with the City Council. She volunteered knowing there would be a full menu of responsibilities. She wanted to make sure they do not drop the ball going forward because this is a growing City and residents deserve good quality public service.

Councilmember Murphy stated one of the tools he found most useful in starting his service on the Council was the weekly Friday update. He asked if she would continue doing this. Community Development Director Rand responded the Friday update is a document Department Heads are solicited to provide updates on happenings in their Department. The City Administrator also provides updates on what is happening with Administrative Divisions such as IT, Communications, HR, and the City Clerk's Office. She stated she knows this is something she would want to continue. She stated the City Administrator gives day to day direction to Administrative Division Heads. There are also relationships with external Community such as the School Superintendent and surrounding Administrators in Dakota County. She understands how important that communication is to Council and the larger Community.

Mayor Bartholomew asked about workload with Community Development and taking on the task of City Administrator and if she would be able to handle both. He stated his fear is with the added duties of an Interim City Administrator and with a Community Development workload, they do not fall behind. He wanted assurance if it gets to the point that she cannot do it, to let Council know, adjustments can be made at that time. He appreciated her stepping forward, she brings historical context and connectivity with existing Staff, Council, and the business Community. He sees the value. He stated if having that assurance, he is in support. Community Development Director Rand appreciated the concern and the way expressed. She stated the job of a Community Development Director in a City like that is growing is over 40 hours a week. The City Administrator job is very full time, over 40 hours a week. She stated she would not be working 80 hours a week but is accustomed to working extra hours. She commented it is a sacrifice to her personal life but helps to know its short term and in the best interest of the City, fellow Department Heads, and Colleagues elsewhere in the City. Communication will be key. She stated discussion would be needed about priorities and determining if something could be temporarily delayed, or if something they can take on due to other Staff positions open at this time. She commented one nice thing about being on board is that she does not have the learning curve in understanding the City and its issues. She looks forward to hearing from new Council Members going forward and hearing what is important to them.

She stated within the existing Community Development Budget, she does have to rely on Ehlers Financial. It is possible she may need more of their services so anything important is not dropped development wise. It is also possible she may need an Administrative Assistant to help with her calendaring or being responsive to Constituents and resident calls to get them in the right hands. These are conversations that can be had more robustly in the coming weeks.

Mayor Bartholomew asked if the Council was comfortable with seeing this on the Agenda at the last meeting in February for approval and ready on March 1st for the position of Interim City Administrator. Councilmember Piekarski Krech stated she was ready. Mayor Bartholomew asked the City Administrator to bring this forward at the last meeting in February for consideration of Interim City Administrator as proposed and Interim Public Works Director services as proposed. The flat fee retainer is what was agreed upon.

Councilmember Gliva asked Heather Rand if she was considering applying for the full-time position of City Administrator, or if it was to help the City to keep going through this phase. Community Development Director Rand responded what motivated her to volunteer was knowing the need and having concerns about having someone step in readily. She has nine more years of her career, it is possible she would be looking for growth opportunities, in this Community or elsewhere. It was not an immediate plan. More than anything she looks for the Council to hire a reputable search firm as they work with Council to develop the profile on what they are seeking in a City Administrator. She will be thinking about her skillset and if that is a good fit, and her strengths and weaknesses. At that time, she may make application, or may say it just was not the right fit. Councilmember Dietrich thanked Community Development Director Rand for volunteering for the position.

Councilmember Dietrich stated she needed to advocate for residents that have contacted her. She commented Ms. Rand has mentioned twice about the City and its issues which is at the heart of what residents have contacted her about. Residents are concerned about the culture and how close/integral

the Community Development Director is with the culture and it changing. She suggested the Interim position have three options from the League of Minnesota and Heather Rand, so residents know the vetting process was fair and equitable.

Mayor Bartholomew asked if Councilmember Dietrich wanted the Council to look into the select three that were given from the League and then whittle the list down that night or this evening.

Councilmember Dietrich responded she would agree with the majority of the Council's decision. Mayor Bartholomew stated he would like to see Council come in on the last Monday in February with Heather Rand as the Interim City Administrator. He feels this is the best candidate. He commented he has seen the pool of names vetted from the League.

Councilmember Gliva stated for timeliness it would be good to move forward with Heather Rand but is concerned with doing that given the drama the City has gone through in the last few months. Looking and vetting promotes better transparency to residents. She felt the need to look elsewhere just to make sure they are doing everything transparent and giving others opportunities.

Mayor Bartholomew asked Councilmember Gliva if she wanted to go through the League pool this evening. His concern was to have someone in place on March 1st as Interim City Administrator. He questioned when and how to do otherwise. Councilmember Gliva responded they could try to go through the list. Councilmember Piekarski Krech stated she does not know anything about most of the people on the list, whether they would be a fit, terminated their last job, and why. Councilmember Gliva stated they would need to interview them.

Councilmember Murphy stated going forward they have to try to improve the culture of the City. He asked if interviewing was for the Interim or Permanent position. Councilmember Gliva responded Permanent for sure. Councilmember Murphy stated they would be able to address that for the permanent position, right now they need a "band aid". He commented it was not meant disrespectfully to him it is different than who is hired on a permanent basis. Councilmember Gliva stated there is a Consultant for Public Works and a Consultant for Parks and Recreation, she asked why this would be different. Those positions came from outside. Councilmember Piekarski Krech responded nobody internally could do the job. She stated Assistant City Engineer Steve Dodge does not have the PE to do the work for Interim Public Works Director. Councilmember Dietrich asked what qualifications were needed for the job. City Administrator Lynch responded the current Public Works Director, City Engineer, and the Assistant City Engineer all have PE's. It is not a job requirement; it is a preference. It involves management engineering from a technical standpoint and management of the maintenance side.

Councilmember Dietrich stated she hears from Council that Heather Rand is a good choice for Interim City Administrator. Another positive with the choice is the current City Administrator would be able to transition out in a couple of weeks. She stated there would not be a learning curve for Ms. Rand to do the position. She commented if majority decides to put this on the Agenda for next time, she will agree.

Mayor Bartholomew stated Council consensus is to bring forward for the last meeting in February, consideration for the Interim City Administrator as proposed and the Interim Public Works Director as

proposed per discussion. City Attorney McCauley Nason stated this would involve preparation of a Resolution appointing an individual to serve in the position of Interim City Administrator. A salary adjustment component would go along with it. She asked if there was any further direction, or if direction was to work to include some type of compensation adjustment as appropriate in that Resolution.

Councilmember Piekarski Krech asked if they could look into what was done previously. City Attorney McCauley Nason responded she was not aware of a time there was an Interim. Councilmember Piekarski Krech responded there was an Interim when Mr. Willis left.

City Attorney McCauley Nason stated a Resolution sets the salary based on experience and qualifications. She would look into what was done before. She wanted Council to be aware that was part of the Resolution and if there was any specific direction. She stated she could have a conversation with Heather Rand, the HR Manager, and others to see what the proposed recommended salary adjustment might look like. Mayor Bartholomew agreed.

City Administrator Lynch stated with the Union, they try to follow it in the non-Union positions as well, when there are vacancies and openings because of departures and retirements, there are two parameters:

1. The individual be paid at the lowest step of the higher position, if not already there given their current position.
2. 50% of the difference.

He stated between the City Administrator and the Community Development Director, 50% gets added as part of the Interim duties. Mayor Bartholomew asked for the numbers for that practice. City Administrator Lynch suggested the HR Manager work with the City Attorney on this. City Attorney McCauley Nason responded she would.

5) Meeting Management

City Administrator Lynch stated at the last Council meeting Councilmember Murphy brought up this subject. He stated he had a discussion with the Councilmember regarding this and provided the following items from their discussion:

- Try to make meetings more efficient.
- Work/Life balance for everyone involved in the meetings.
- Standardize Presentations and allow maximization of participation and interchange of communication between Councilmembers and Applicants or Councilmembers and Residents.

Information from the past when trying to create efficiencies:

- At one time there were four meetings a month.
 - The first and third weeks were workshops with the purpose/intent to introduce topics, give direction, or end them.
 - The second and fourth weeks were to conduct regular business.
 - Council went to a platform to reduce the number of times they met per month.
 - Started the meetings at 5:00 with Work Sessions.
 - Regular meetings at 7:00.
- (This reduced the number of meetings per month, but extended the timeframe, starting at 5:00 and sometimes ending past 10:00 p.m.)

He stated he checked with the City Attorney and the start time is in the City Code. If desiring a different start time, Council would have to change it through Ordinance, a three Reading process. He stated they could consider a temporary period of time, for example, six months, where Council could try whatever timeframe decided for a different start time or process. That would have to pass by majority of City Council and notice would have to be given, posted, and legally published. Other suggestions:

- Establish a curfew. Allows people to know business would not be started after a certain period of time. He stated he has heard it said that “not many good things happen after a certain hour” (whatever timeframe is chosen). The unfortunate part of that would be in the middle of a discussion, would have to stop, vote, and then what to do when extending. Logistics would have to be prepared as to when to continue, such as, another night, next night, or next week.
- Staff has started with Power Points, which are standard. It is from the City and has an official style and format. Certain things can be discussed that could condense the information as much as possible, for example:
 - Purpose
 - Objective
 - Three main points
 - Costs, if involved
 - If there is a factor, they are trying to get at
 - More discussion time with Applicants or Residents

He stated Staff looks to Council for direction.

Mayor Bartholomew asked if any conversation has been had with Department Heads about this topic and if there was any feedback. City Administrator Lynch responded there has been general conversation, Department Heads would be in favor. Staff does not enjoy being in attendance from 8:00 a.m. to midnight, if they could start and end earlier, it would be appreciated. There is concern that there is a lot of history and context that sometimes needs to be presented and to make sure it is not shorted. It helps the general public, Applicant, and Developers know the history and reasons why some of these things are in place.

Mayor Bartholomew stated his sense was some of the most difficult applications the City receives that come in front of Council are not ready to come in front of them. Staff is not prepared, the public is not ready, there is too much of a divide. He believes that is the biggest failing in bringing big applications before Council. He stated for whatever reason, be the Applicant wants it done, or there is a timeline issue. He wants to be sure when it gets to a Council meeting its ready for a clear presentation and understanding from the Applicant. If they can get past that and have a clear understanding of what they are in/or not in agreement with, or if they are ready/not ready. He stated he likes the 6:00 start.

Councilmember Piekarski Krech stated Staff believes they have an impression of what the Council thinks, and the Council throws a curve ball. Council has not asked Staff questions when the Agenda was received, then Staff comes before Council, questions are asked, throwing them off. She commented it was not just on the Developer and Staff, it was on Council too.

Councilmember Gliva stated Council packets are received on Thursday evening, she gets to them Friday afternoon. That leaves Monday if there are any questions which can be difficult because Department Heads need time to respond, think, and prepare. From her experience being on the

School Board, they also received their packets on Thursday's. They moved it up a day to Wednesday, which gives two days, Thursday and Friday, and more time. She commented it really made a difference. Meetings flowed better, she would ask questions two days in advance, there were very little surprises. She stated she did not know if that was possible. She likes the 6:00 start time.

Mayor Bartholomew liked the point about receiving the packets on Wednesdays. When packets are received on Thursday nights, he reads them over the weekend when he can. Early Monday morning he fires off questions and still finds himself not quite prepared Monday night. He asked if there was a way to explore getting the Agenda on Wednesday, as it would reduce the chaos, and move the start to 6:00 p.m.

Councilmember Piekarski Krech asked if there was an Ordinance reason why packets come out on Thursdays. City Administrator Lynch responded it was practicality. A lot of the Agenda is driven by Development Contracts and Agreements. They wait for those outside of the City, Consultant Engineers, or the City Attorney, to review documents. He stated the City Clerk is really good at getting people to turn their Agenda materials in. If Council wanted to do it on a Wednesday and receive them on a Thursday, they could follow that, but would have to work very hard on those outside of the City they rely on for review and preparation. He stated a lot of time it is Developers who give things last minute as they work on things last minute. They will need to be told if the items cannot be turned in at a certain time, they would have to wait two more weeks to get on a different Agenda. He stated they try to be as accommodating as possible and maybe sometimes to their own detriment.

Mayor Bartholomew stated the Applicant/Developer would have to come in one day earlier. Council packets are from 600 - 900 pages long. He felt if they make it clear, with the new cutoff date, and why, there could be pushback at the beginning. He asked to hear what Staff's thoughts were.

City Administrator Lynch stated another concern would be the timeframe of the Planning Commission meetings. Those are held the Tuesday's in between. He stated Staff tries to time when things get to the Council based off that. They would have to examine that schedule and process.

Councilmember Piekarski Krech stated the onerous will be on the Developers and those wanting things brought forward. Mayor Bartholomew agreed and stated they owe it to the people to do it right and without chaos. Councilmember Murphy agreed, stating there was chaos come Monday morning. If wanting it addressed sooner, there is a need to hit the deadline. The smallest packet he has seen has been 250 pages. He stated the order of importance goes: Residents, Staff, and then Council. He agreed with moving the information gathering to Wednesday, as a part of establishing new/firmer guidelines when it comes to Staff presentation. He stated oftentimes he hears items repeated. There are Staff and Residents waiting. Having more time for Council and Residents to ask questions after hitting 3-5 important points, is a decent formula to explore. He stated 6:00 as a start time and would like the Council to discuss a 5:00 start time. He commented that it would not impact residents in a negative fashion because they put Public Comment on the end where it belongs so there is still plenty of time to get to a meeting if you get off of work at 5:00. The Public Hearing portion is not as widely attended, if it is very important to a resident, they would be here, Council would not keep them waiting. He is hopeful Council entertains changing the Code for start times.

Mayor Bartholomew stated he was ambivalent about the 5:00 start time. Councilmember Piekarski Krech stated 5:00 in the summer would be difficult for her. Councilmember Gliva stated 5:00 for the first meeting of the month would be difficult, 5:30 may be easier. Councilmember Piekarski Krech felt there would be a lot of pushback if residents come first, with the earlier timeframe because people are at work. Even though they may not come often, some may ask why they would have to take off work when the Council is working for the residents. Councilmember Murphy responded he doesn't disagree with that, but it assumes everyone works 9:00 to 5:00. He commented when people need to be here for something that is important to them, they come, they alter their schedule. He believes a 5:00 start time is feasible.

Councilmember Piekarski Krech asked what other Cities do. City Administrator Lynch responded it varies widely with as early as 4:30 to 7:00 p.m. Apple Valley meets on a Wednesday. South St. Paul meets on a Tuesday. He stated the County Board starts at 10:00 in the morning, but that is a different body. He commented with the 5:00 timeframe, people are returning from work, family time, food time, then meeting time. Councilmember Piekarski Krech thought at one point Council Meetings began at 7:30. City Administrator Lynch stated when he began with the City, they started at 7:15.

City Clerk Rebecca Kiernan stated she has noticed other Council's beginning earlier than this and still end up running late. She was enthusiastic that Council wants to make a change. She stated moving the packet's a day forward could be more of a challenge for Staff but could be a learning opportunity. She would be fine either way with what Council chooses. She commented she is an enforcer and makes sure deadlines are met.

Community Development Director Heather Rand stated when working with the City of Duluth, they did not have a Work Session once a month but had a Thursday at 5:30 p.m. Agenda Session. The day before Council would get the Agenda and review everything, have questions, have the weekend to have more questions or resident input, and take the vote on Monday night. She stated everyone is struggling and there is no right, or wrong answer, the Council's questions and concerns are very legitimate. Staff is willing to adjust and work with the Council. She stated she appreciated Councilmember Gliva suggesting when getting something on a Thursday night, it is a scramble to have things ready for Monday. She stated they could have discussions about giving Council an additional day to review. She stated EDA meetings and Work Sessions have had 6:00 p.m. start times.

Councilmember Dietrich thanked Community Development Director Rand stating there have been a lot of times she has contacted both Director Rand and City Clerk Kiernan on weekends and both have responded back. Councilmember Dietrich asked if there could be a transition time for putting this together with getting the Agenda out. Some of the internal things could come forward with items to be discussed in the future, getting a portion of it out, or a partial packet. She commented as long as there is a goal, and all is willing to work at it. She stated having been on different Boards, a Consent Agenda needs to be consent. Items have been randomly placed on there, does not see the consistency, and would like for the Consent Agenda to genuinely be a Consent Agenda, not the search for things that are trying to get passed through really quick.

Mayor Bartholomew asked Council about start times and if they want 5:00 or 6:00. He stated he could go with either. Councilmember Dietrich stated she could go with either. Councilmember Piekarski

Krech stated she could be present. Mayor Bartholomew asked to consider exploration of a start time of 5:00 and receiving the packets on Wednesdays. He asked if known items could be received by Council faster, that would be helpful and if they could receive items that are routine sooner.

Councilmember Gliva asked if there was any way they could do a 5:30 timeframe, she has some meetings that go later, it could be harder getting to Council. Councilmember Murphy stated if that is what needed to be done, they could explore it. Councilmember Piekarski Krech asked if anything has been sent out to see what Residents thought. She stated this is the only level of Government that people can come to. She wanted to make sure to have something out there for explanation, and as long as they keep citizen engagement. Councilmember Murphy felt transparency was still there, access to Council is still there. Residents who want/need to be here adjust.

Mayor Bartholomew asked the City Administrator how effective it would be if getting these thoughts on paper and have it put on the website in a memo saying this is what is being considered, searching for input. He asked if the website or social media would be effective for feedback/input from the public. City Administrator Lynch responded they could do both. He stated he would like the City Attorney to weigh in on changes either temporary or permanent, and when those would need to happen. City Attorney McCauley Nason responded to the change of time stating there could be time to do a Poll to residents before a First Reading of an Ordinance Amendment changing the time. She asked if the time change would be on a permanent or temporary basis. Changing on a permanent basis, an Ordinance would be needed to Amend the City Code to change the start time to whatever timeframe Council chooses. This requires Three Readings. At the time of adoption of the Third Reading there would also need to be a Resolution adopting a new regular meeting schedule with the revised time for the year.

She asked if the Council wanted to direct Staff to seek public comment before a First Reading Ordinance is presented to the Council, or after. She asked if the thought was to change the start time to a permanent or temporary basis. If changing permanently, it can always be changed back. Mayor Bartholomew suggested getting public input right away. They would receive public comment at the First Reading. The quicker this is put out there, they get an understanding from Residents. This can be on the website, social media, or both. Councilmember Murphy suggested considering 5:00 or 5:30 and it be a permanent change. He stated he did not see the advantages of public comment before the First Reading. He asked what type of comments would be received if putting on Facebook. Mayor Bartholomew stated he was willing to go either way. He wanted people to be aware when there is the Public Hearing that is the opportunity to come in. Councilmember Piekarski Krech stated in the issue of transparency they have gone out ahead of time to say this is what Council is thinking about before starting an Ordinance. Once starting with an Ordinance people think Council has already made up their mind and people do not have the opportunity to have input.

Councilmember Murphy asked when going out for comment on a topic, how it is tracked, and if it has impacted previous decisions. Councilmember Piekarski Krech responded it sometimes does, depending on the issue. Mayor Bartholomew suggested reaching out to other groups such as the School District, the Chamber of Commerce, and the Senior Group.

Councilmember Piekarski Krech asked the City Clerk if there is a list of people who receive the Agenda all of the time. City Clerk Kiernan responded yes. Councilmember Piekarski Krech suggested putting a

little blast on there stating Council is thinking about changing start times. She commented when she looks at the Agenda, she does not look at the start time. Councilmember Murphy agreed. City Administrator Lynch stated Staff could put together a Communications Plan. He asked Council for parameters such as start time suggestions. Councilmember Piekarski Krech asked for timeframes of 5:00 and 6:00. Councilmember Murphy requested 5:00 and 5:30. He did not believe the 6:00 hour gained as much, stating time limits still need to be worked on along with a standardized presentation.

Councilmember Gliva was not sure all meetings beginning at 5:00 were doable and would be unable to tell at this time if that would be the case. Councilmember Piekarski Krech suggested she email the City Clerk or the City Administrator who would then let Council know.

City Administrator Lynch stated communication could include the Council contemplating an earlier start time such as 5:00 or 5:30. That way people are aware of the timeframe. If residents could give feedback on their ability to participate along with comments they have. He stated they could set this up for a couple of weeks and bring it back to the Council at the March Work Session. Mayor Bartholomew stated they could strive for the First Reading to take place at the first regular meeting in March. Councilmember Gliva stated she would check her schedule and email the City Clerk.

City Administrator Lynch stated in the meantime Staff could be working on the earlier information gathering, assembly, and output. Councilmember Piekarski Krech stated more time may be needed before beginning. City Administrator Lynch stated they can start communication to Department Heads, Supervisors, and Managers who can get it out to Consultants and Contractors suggesting they need to get information to them by Tuesday so it can be sent out Wednesdays.

B. Adjourn:**Motion by Gliva second by Murphy to adjourn the meeting at 8:05 p.m.****Ayes: 5****Nays: 0 Motion carried.**

Minutes prepared by Recording Clerk Sheri Yourczek.