

**CITY OF BEAVER BAY
BEAVER BAY, MN 55601
OCTOBER 25, 2012 EMERGENCY MEETING OF THE COUNCIL**

Reason for Emergency Meeting: Deal with the situation presented to the City of Beaver Bay by the City Administrator requesting an emergency medical leave (Request was made on 10/24).

Present: Shamblin, Harris, Huss, Malzac, Nazian

Absent: None

Others Present: None

Mayor Shamblin called the meeting to order at 7 pm.

Agenda:

1. Housekeeping Items (*Added by consensus*)
 - a. Distribution of Office Keys to Council Members plus a key for the Inner Office for the Administrative Assistant
 - b. Distribution of Copies of ARDC Plan (2006) in Preparation for Committee of the Whole
 - c. Update on PT bartender and eligibility of Andy Morris (*moot, waiting for Attorney's opinion*)
 - d. Use of city employees and equipment on behalf of private citizens if they pay specifics (*consensus: not proper unless it is city work; help citizen find competent, fairly priced contractors*)
 - e. Basic office and accounting procedures
2. Approval or Changes to Agenda
3. Resolution, presented by Nazian to Improve Numbering System for Resolutions and Ordinances
4. Discussion and Action to Provide for Continuing Functions of City Administrator/City Clerk
5. Responsibilities Matrix
6. Adoption of Resolution
7. Adjustment in Administrative Assistant's Hours
8. Public Works (*Added at the request of Councilor Harris*)
9. Communication with Employees
10. Public Notice
11. Discussion of Medical Leave; Potential Use of Sick Leave and Vacation Time

Meeting Minutes:

1. **Housekeeping items** (see *italicized* comments in the agenda above)
2. **Approval or Changes to Agenda** (Passed: Huss moved, Malzac second, Harris suggested addition, all in favor, none opposed)

3. Resolution to define and clarify the numbering system used for City of Beaver Bay Resolutions and Ordinances. (Passed: Nazian moved, Harris second, roll call vote: Harris, Malzac, Shamblin, Huss, Nazian all "Aye"; none opposed)

There was discussion as to whether or not this topic could be handled at an emergency meeting. The Mayor reported that he had researched the issue and since it was an Emergency Meeting, any relevant topic was valid as long as minutes contain a specific description. Consensus was that whole meeting was open to any city business since we have a "crisis" (minimal time to prepare for the impact of the City Administrator's absence).

The resolution was numbered 10252012 and is attached to the minutes and should be self explanatory.

4. and 5 and 6. Discussion and action to provide for continuing functions of the city administrator/city clerk... **Responsibilities Matrix. Adoption of Resolution.**

Nazian explained the Responsibilities Matrix (attached to and made a part of these minutes) as a contingency plan drawn up based on the responsibilities of the City Administrator as described in the position description and allocating those responsibilities to the various council members based on their areas of interest and expertise. Nazian stressed that, in the Matrix, when Council Members are allocated responsibility for a category/activity, that Council Member is responsible for making sure that the task or activity gets done, not necessarily doing it himself or herself.

All members of the council reviewed the matrix, paying specific attention to their allocated responsibilities. All felt it was an excellent guideline and tool and that any and all council members should pitch in and assist in any area.

It was requested that each member make a note of how many hours per week were spent on the various tasks so as to get a thorough understanding of the work load. Also, it was noted that the responsibilities will give the council a better direct handle on the various skills of the city's employees.

All members of the council expressed appreciation for and understanding of the tasks that the Administrative Assistant will find thrust upon her and that patience may be called for as she transitions from private to public business processes.

The members of the council, led by Shamblin, discussed the need for designation of an individual to function in the official role of "City Clerk" to comply with various regulatory and statutory requirements. Research indicated that a council member may be appointed to serve as a City Clerk for the purposes of attesting to documents and resolutions.

The Council Members concluded that Marc Huss was appropriate for this designation given his current role of Acting Mayor.

Resolution number RES-2012-1001, designating Marc Huss to execute documents and activities where a City Clerk is required and also adopting the (attached) Responsibilities Matrix was formally adopted. (Passed: Harris moved, Malzac second, roll call vote: Harris, Malzac, Shamblin, Huss, Nazian all "Aye"; none opposed)

7. Adjustment in administrative assistant's hours

The need to expand the Administrative Assistant's hours to accommodate expanded duties during the crisis was discussed. The council was unanimous in recognizing the need and agreed to any necessary expansion but recognized the need to keep the hours under 37 a week. The council also committed to keeping the office open during the posted hours of 11:00AM to 4:00PM, Monday through Friday, and that the Administrative Assistant's work day starts at 8:30.

Motion made to adjust the Administrative Assistants hours to work Monday, Wednesday, Thursday, Friday, 8:30AM to 4:00PM plus be available to record minutes at Council meetings. Shamblin said he could staff the office most Tuesdays, 11-4, and possibly some council members and volunteers could handle the office on Tuesdays when he could not. (Passed: Shamblin moved, Huss second, all in favor, none opposed)

It was noted that the Administrative Assistant had previously scheduled to not work the week of November 11th. City Council members and volunteers will be asked to cover the office for the purposes of answering phones and taking messages as required.

8. Public Works

Councilor Harris reported that in conversation with the maintenance employees, he was concerned to learn that their work list for the next week or so as assigned by their supervisor was sketchy. Harris believes this needs to be rectified.

The Council as a whole was concerned to learn, as Harris reported, that the first time the maintenance employees were able to review the Lift Station Inventory and Repair Status Reports as compiled by Electric Pump was Tuesday the 23rd. *(Note: A check of the Minutes and meeting materials indicates that the Lift Station Reports were provided to the Council at the 10/11/2012 meeting and that they were in the package provided to the Council Members on 10/9/2012. Further, review of the Reports themselves indicate that they are variously dated 9/25, 9/26 and 9/27).*

Harris reported that he and Andy concurred that the reports specified the stations in greatest need of repair and that those were to be given priority.

Harris reported that the water meter readings needed to be made in the next few days and that Bob Strand (who has been the volunteer reader pending the addition of staff) had agreed to show the new Beaver Bay employees (Andy and Zach) the process and procedures. Bob also provided a list of meters that need to be replaced/repared.

Harris reported that on Saturday 10/27, Kathy Carlson's water shut-off remediation would occur and that he had instructed the employees to pre-check that they had all the necessary tools and parts pre-determined and available.

Harris indicated that we would be arranging for delivery of salt/sand mix in anticipation of winter needs.

Harris, particularly in light of the Responsibilities Matrix, indicated that he would be setting up more specific work schedules.

Harris also indicated that he personally was going to work on Saturday 10/27, with contractors to investigate what work is needed to repair the culverts near Camp 61 and Negard's and get that work scheduled (even if we need to bid out, it is hoped to get it done before frost).

9. and 10. Communication with employees and Public Notice (regarding the City Administrator's absence)

Generally agreed that supervisors (including as determined by the Responsibilities Matrix) would convey the message to employees, and that word was already all around town. Officially, the only thing that we should communicate is that the City Administrator is on Medical Leave.

Nazian agreed to update the web site with an appropriate notice. Council agreed that a notice will be posted on the front door. *(As of the writing of these minutes, both have been done)*

Shamblin indicated that he needed to check with the North Shore Journal to determine if the public notice regarding the adoption of the Minnesota Basic Code was arranged and if it was not, he would do it. *(As of the writing of these minutes, it was in the Journal's 10/27 issue)*

11. Discussion of medical leave

It is clearly, although not particularly well, stated in the Employee Handbook what the policy is concerning medical leave. Shamblin indicated that the council need not take any particular action at this point other than to approve a medical leave of up to 30 days and that all available sick leave and vacation must be exhausted prior to the leave.

The council recognized that the city is not obligated to grant medical leave. An open discussion regarding all of the council's options and responsibilities regarding the situation and various circumstances as well as background information took place. There was also relevant

discussion regarding whether or not the City Administrator could have notified the City Council in advance of the possibility of the need for medical leave.

Motion by Harris that the City Administrator's medical leave will commence once he has exhausted his earned sick leave and vacation time and that the medical leave will be UP TO 30 days of leave. Second by Huss. (Passed: All in favor, opposed, none.)

A discussion took place regarding the need of the city to ensure that accurate time records be maintained for all employees, including salaried employees, so that questions regarding vacation and sick leave as well as, when authorized, compensatory time off, can be answered through documentation rather than recollection.

No Number. Further Housekeeping Issues related to topics discussed in the meeting.

Further discussion took place regarding the ambiguity and complexity of the current Employee Handbook. It was stated that the Council has the ability and right to alter the Employee Handbook as it sees fit. It was suggested that the Council take up the revamping of the handbook, perhaps relying heavily on recommendations and language promoted by the Minnesota League of Cities at the next regular council meeting as an agenda item.

Discussion took place that the Liquor Store Manager should be encouraged to take shifts behind the bar and behind the counter at the off-sale, as discussed during the interview process. Malzac indicated that under the Responsibilities Matrix she feels it is her responsibility to take up the matter with the manager and that she will so do. Also indicated was the desire that the Manager interact more with customers.

Discussion took place as to whether or not the council should meet again before the next regularly scheduled meeting to compare notes on progress in absorbing the day-to-day activities of the City Administrator. While the consensus was that it makes sense, external commitments by all members as well as availability of the meeting hall (due to the General Election) made it difficult to schedule. It was concluded that a Special Meeting might be called if required, perhaps involving teleconference to accommodate various external commitments.

Motion to Adjourn by Huss, Harris second. All in favor, none opposed. Meeting adjourned at 8:42PM.

| Responsibility Matrix | Proposed | | Updated: 10/24/2012 |
|---|------------------------|---------------------------------|--|
| | Council Member | Proposed | |
| Beaver Bay Administrative Responsibilities | Responsible: | Detail Work Performed By | Notes: |
| Statutory Requirements and Adherence | Shamblin | | This is a short term/interim solution which could be |
| -- Publish Notices, Ordinances etc. | | Admin. Asst. | put into effect immediately in the event that the City |
| -- Comply/Advise Council on State Regulation Compliance | | Shamblin | of Beaver Bay found itself without a City Administrator or |
| -- Report Financial Data to State | | Nazian/Shamblin | if the City Administrator was on an extended leave. |
| -- Prepare Resolutions as Needed | | Shamblin | |
| Counsel and Advice | City Council | | It is based on the perceived interests and skills of the |
| -- Recommendations on Policy | | All Council Members | current makeup of the Beaver Bay City Council along |
| -- Recommendations on Fee Schedules | | Shamblin | with their external commitments and availability. |
| -- Recommendations on Priorities and Actions | | All Council Members | |
| | | | Conceptually, each member of the Council is appointed |
| Accounting | Nazian | | to a committee of one to have responsibility for a given |
| -- Provide receipts | | Admin. Asst. | area and reports to the City Council as a whole. |
| -- Deposit Cash/Checks Received | | Admin. Asst. | For the concept to work, it assumes that the Council, |
| -- Bank Reconciliation | <i>Shamblin/Nazian</i> | Admin. Asst. | in formulating the various committees, has delegated |
| -- Financial Data Entry | | Admin. Asst. | authority as well as responsibility to the named |
| -- Financial Reporting | | Nazian | individual and that that individual acts on behalf of the |
| -- Prepare Accounts Payable for Council Approval | | Admin. Asst. | council under the delegated authority. |
| -- Liaise With Auditors | | Nazian/Admin. Asst. | |
| | | | The Regular Meeting Agendas will be altered to include |
| General Clerical Duties | Shamblin | | reports from each committee to the Council as a whole |
| -- Record/Transcribe/Disseminate Council Minutes | | Admin. Asst. | (as well as to the public). |
| -- Maintain and Respond to Records Requests | | Admin. Asst. | |
| -- Publish Minutes and Otherwise Maintain Web Site | | Nazian | For this to work, it is also recommended that the hours of |
| -- Prepare Council Meeting Agenda & Packet | | Shamblin/Admin. Asst. | the Administrative Assistant be expanded (perhaps made |
| | | | a full time employee) and consideration given to hiring |
| | | | another administrative assistant for help if required. |
| Special Clerical Duties | Shamblin | | |
| -- Building and Zoning Permits | | Admin. Asst. | Please note that this might be able to work on a |
| -- Permits and Licenses | | Admin. Asst. | permanent or long term basis but would rely on the |
| -- Other (as Required) | | Admin. Asst. | skill sets and availability of each council member. The |
| | | | Matrix would, of necessity, need to be adjusted after |
| Payroll/Personnel Officer For City Employees | City Council | | each change of membership in the council. |
| -- Prepare and Report Payroll | | Nazian/Shamblin | |
| -- Handle Human Resource Matters | | City Council/City Attorney | Responsibilities not specifically addressed in this matrix |
| -- Employee Performance Appraisals | | | would be handled on an ad hoc basis by an individual |
| -- Green Door | | Green Door Manager | assigned by the Mayor pending the next Regularly |
| -- Administrative Staff | | Shamblin | Scheduled, Special or Emergency City Council Meeting. |
| -- Maintenance Staff | | Harris | |
| -- Green Door Manager | | Malzac | |
| -- Beaver Bay City Council | | Beaver Bay Voters | |

| Responsibility Matrix | Proposed | | Updated: 10/24/2012 |
|---|-----------------------|---|----------------------------|
| | Council Member | Proposed | |
| Beaver Bay Administrative Responsibilities | Responsible: | Detail Work Performed By | Notes: |
| Green Door | Malzac | | |
| -- Cash Handling | | Green Door Manager | |
| -- Inventory Control and Ordering | | Green Door Manager | |
| -- Marketing, Development and Promotion | | Green Door Manager | |
| Community Center | Nazian | | |
| -- Tenants | | Nazian/Admin. Asst. | |
| -- Physical Plant | | City Maintenance Employees | |
| -- Rental of Space | | Nazian/Admin. Asst. | |
| Street Maintenance | Harris | | |
| --Roads and Sidewalks | | City Maintenance Employees | |
| -- Signage | | City Maintenance Employees | |
| -- Plowing | | City Maintenance Employees | |
| General Maintenance | Harris | | |
| -- City Shop | | City Maintenance Employees | |
| -- City Equipment | | City Maintenance Employees | |
| Water/Sewer | Huss/Harris | | |
| -- Water Billing Data Entry | | Admin. Asst. | |
| -- Water Plant | | Paul Borrell/City Maintenance Employees | |
| -- Lift Stations | | City Maintenance Employees | |
| -- Sewer Treatment System | | City Maintenance Employees | |

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**RESOLUTION 10252012
CITY OF BEAVER BAY
RESOLUTION TO DEFINE NUMBERING SCHEMES
USED FOR RESOLUTIONS AND ORDINANCES**

WHEREAS, the City of Beaver Bay wishes to and is required to maintain a formal book of passed resolutions and ordinances; and

WHEREAS, the current scheme does not lend itself to easy indexing and can cause confusion when the existing scheme assigns the same number to an ordinance and to a resolution;

NOW THEREFORE, be it resolved by the City Council that henceforth after the passage of this resolution all resolutions be numbered as follows: the letters RES followed by the year in which the resolution is drafted followed by a sequential number. The initial number to be used will be 1001. Thus, the first resolution passed after the passage of this resolution will be (assuming it was drafted in calendar year 2012) RES-2012-1001. The next resolution would be RES-2012-1002.

NOW THEREFORE, be it further resolved by the City Council that Ordinances will follow a similar scheme but that the initial letters will be ORD and the initial sequential number will be 5001. Thus, the first ordinance passed after the passage of this resolution will be (assuming it was drafted in calendar year 2012) ORD-2012-5001. The next resolution would be ORD-2012-5002.

Mayor: _____ Date: _____

**Attest: _____ Date: _____
(Council Member in the Absence of the City Clerk)**

SIGNED COPY ON FILE

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RESOLUTION RES-2012-1001
CITY OF BEAVER BAY
RESOLUTION TO AUTHORIZE MEMBERS OF THE COUNCIL TO CONDUCT CERTAIN
CITY BUSINESS

WHEREAS, the City of Beaver Bay is currently without a City Administrator/City Clerk; and

WHEREAS, it is deemed necessary to provide for the execution of the job responsibilities assigned to the City Administrator/City Clerk;

NOW THEREFORE, be it resolved by the City Council that MARC HUSS is designated to execute those documents and other actions requiring attestation or action by the City Clerk under state law or the city code, and further that members of the Council are hereby assigned the ministerial and administrative responsibilities stated in the attached Responsibilities Matrix which becomes a part of this resolution.

Mayor: _____

Attest: _____
(Council Member in Absence of City Clerk)

SIGNED COPY ON FILE