

MEDINA CITY COUNCIL MEETING MINUTES OF MAY 1, 2007

The City Council of Medina, Minnesota met in special session on May 1, 2007 at 6:03 p.m. in the Medina City Hall. Mayor Crosby presided.

I. Call to Order

Members present: Weir, Crosby, Smith

Members absent: Johnson, Cavanaugh

Also present: City Administrator Chad Adams

II. City Administrator Employment Agreement

Crosby provided an overview of the five-year agreement extension. Discussion was held on the salary, personal leave, training/budget, resignation, personal time off for birth of child, and outside activities provisions with no additional changes being made to these provisions in the proposed agreement.

Crosby noted he contacted the City of Minnestrista and learned of their compensation package for their new City Administrator as a comparable City. Adams acknowledged that he is not requesting a vehicle allowance even though it is becoming a standard benefit in many agreements.

Discussion was held on the termination and severance clauses. Adams noted that legal counsel is reviewing the proposed termination/disciplinary clause that would require a 2/3 vote of the Council to take disciplinary action or termination action on the City Administrator. With the 2/3 clause, the severance payout would remain at six months. Adams suggested a majority vote clause for termination/disciplinary action with a nine month severance. Council consensus was to incorporate the 2/3 clause with six month severance, and change to majority clause with nine month severance if concern or objection was raised by legal counsel.

*Smith moved, Weir seconded to approve and execute the City Administrator Employment Agreement with the 2/3 vote termination/disciplinary clause and six month severance with the condition that the agreement may be revised to a majority vote with a nine month severance if concern or objections are raised by legal counsel. **Motion passed unanimously.***

III. Job Description Review

Adams provided an overview of the Planning Director and Public Works Maintenance job descriptions. A minor change will be made to the Planning Director description as requested by Councilor Weir. No action was taken.

IV. Planning Department and Billing

Adams summarized some planning and billing issues relating to over charging connection fees, over billing Wild Meadows building activity to developer, underpayment of SAC fees, unpaid developer fees (reimbursable for consultants), acknowledgement of City staff error on planning review resulting in disputed billing, history of past staff signing off on zoning acknowledgments without compliance with city code, and past due invoices on false alarms. Adams acknowledged most of these items are being resolved administratively.

Adams requested authority to reduce planning application related reimbursable billings by up to \$500 per application where incident's of City error is found. Discussion was held. *Weir moved, Smith seconded to authorize the City Administrator to reduce planning application reimbursable billings by no more than \$1,000 per application in circumstances where City error has been determined. Motion passed unanimously.*

Adams advised the Council that staff is sending courtesy letters to planning applicants who have past due accounts through the end of December 31, 2006. If accounts are not paid to that date, staff will be bringing a resolution to Council at a near future meeting to assess the costs against the properties. Adams stated this process will likely be followed on a quarterly basis for other past due accounts. Council discussion was favorable toward following this process.

Adams stated that several administrative processes in all departments are currently being reviewed, modified and updated to limit future billing related objections and concerns. Several of these processes are not currently in place and staff continues to work on these items and will need to focus on these items the remainder of the year to have proper functions and processes in place.

V. Pay Equity Compliance

Adams stated the City has been found to be in non-compliance with the MN Department of Employee Relations Pay Equity Requirements based on 2005 employee wage data. Adams explained that staff will be re-submitting a report with 2007 data, with the intent of the City being in compliance. Adams added that the 2005 data included two male employees that were compensated as "exceptional employees" meaning their compensation was above their salary scales, which may have resulted in the non-compliance. Attempts have been made over the past two years to improve the pay equity of City employees. Discussion was held on the penalty for non-compliance and options to report new information. No action was taken.

VI. City Hall Renovation – Unfinished Work

Adams summarized the work that has not been satisfactorily completed, primarily including the heating and cooling balance. Adams requested direction to consult the City Attorney for potential contractual default if staff is unable to resolve administratively. Council consensus concurred with this approach.

VII. Adjournment

The meeting was adjourned at 6:55 p.m.

T.M. Crosby, Jr., Mayor

Attest:

Chad M. Adams, City Administrator-Clerk