

**INVER GROVE HEIGHTS CITY COUNCIL WORK SESSION  
MONDAY, MARCH 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, March 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 Clerk Rebecca Kiernan, Community Development Director/Interim City Administrator Heather Rand, City Attorney Bridget McCauley Nason, Fire Chief Judy Thill, Interim Parks and Recreation Director Jon Oyanagi, and Human Resources Manager Janet Shefchik.

Staff Present via Zoom Video Conferencing: Technology Manager Marc Gade, Environmental Specialist Ally Sutherland, City Engineer Tom Kaldunski, Recreation Superintendent Julie Dorshak and Police Chief Melissa Chiodo.

Presenting/Speaking via Zoom Video Conferencing/Phone: Marisa Bayer, Jamie Johnson, and Megan Weck from Center for Energy and Environment; Program Manager from Xcel Energy Tami Gunderzik; Energy Action Team Members: Dawn G. (Resident), and Environmental Commission Chair Ted Trenzeluk; Greg Fransen, Barr Engineering.

Mayor Bartholomew stated the Agenda is long with eight items for discussion. This is a Work Session for Council Members and Staff; input will be accepted and asks that it be 3 minutes in length and on topic.

**1) Partners in Energy, IGH Energy Action Plan:**

Environmental Specialist Ally Sutherland gave an informational presentation about the Inver Grove Heights Energy Action Plan and Associated Memorandum of Understanding (MOU) with Xcel Energy's Partners in Energy Program. Final approval of the Plan and Memorandum of Understanding are scheduled for the Monday, March 8<sup>th</sup> City Council meeting. Information on the program was presented as follows:

What is Partners in Energy:

- Partners in Energy is a two-year collaboration with Xcel Energy to develop and implement the Community's energy goals.
- Built upon existing sustainability goals and a stakeholder engagement process.

Marisa Bayer stated she has Jamie Johnson and Megan Weck with her for this presentation. The three of them work for an Organization called Center for Energy and Environment. They are a part of the Vendor Team that delivers Partners in Energy on behalf of Xcel Energy. Also joining them is the Program Manager from Xcel Energy, Tami Gunderzik. Ms. Bayer began the presentation:

Partners in Energy Program:

- To date more than 30 Communities have participated in the Partners in Energy Program and have gone through the process to create goals and strategies unique to their Community needs and energy priorities.
- Nearby Cities:
  - Rosemount completed the first phase of implementation
  - Hastings is wrapping up the process

Environmental Specialist Sutherland discussed:

How Partners in Energy can help Inver Grove Heights:

- Further existing programming goals
  - GreenStep Cities
  - Transition to Sustainable Operations Plan (new recently introduced Municipal Facilities Plan)
- New opportunities
  - Build on existing municipal actions
  - Expand and target outreach
  - Promote sustainability in the Community (residents and businesses)
  - Free technical assistance and outreach resources (for two years)

IGH Partners in Energy Planning Process:

- Currently in Phase 1
  - Fall 2019: Environmental Commission and City Council directed Staff to apply for the program.
  - February 2020:
    - Applied and selected
    - Stakeholder engagement recruiting. 22 Community members joined the team. Representatives of City Commissions, Committee's, City Council, local education institutes; including K-12 Schools and the local Community College, business representatives, representatives of service organizations, utilities, and residents.
  - July through January 2021: Planning process
    - Stakeholder engagement workshops
    - Community Survey (done online and via Social Media to collect business and residential feedback on energy needs). 200 responses were collected.
  - March 2021:
    - Energy Action Plan and MOU (Memorandum of Understanding) Draft
    - Energy Action Plan and MOU approval
- Phase 2 (begins once Plan and MOU are approved). Process will continue as long as Staff sees fit. Facilitated by Partners in Energy for the first 18 months.
  - April 2021: Implementation Process

IGH Energy Action Plan:

1. Baseline Data (2017 - 2019)
  - Partners in Energy consolidated energy in the Community giving stakeholders an idea of how the Community has been using energy and energy related emissions per sector.
2. Energy Vision & Goals
  - Began the planning process by creating a Vision Statement with the stakeholder team. Aids with planning and reflects the vision of what they foresee for the Community's future.

The Vision Statement: "Inver Grove Heights will be an innovative and engaged Community where energy choices conserve both our natural and financial resources".

- Goals and targets identified throughout the Plan.
3. Implementation Work Plan
    - Identifies target audiences of the plan and what actions would be taken. Three focus areas (target audiences):

1. Residents. 2. Businesses (Large and small businesses, schools, non-profits, and places of worship). Provide additional outreach and education.
  - o Create new educational material currently not available, City web pages for easy access to material.
  - o 1.1 outreach to small businesses. Unique needs with each individual business.
  - o Partner with business and Community Organizations. Help reach populations currently not reaching.
  - o Create a recognition program and share testimonials.
  - o Annual engagement opportunities.
3. Municipal
  - o Update Code as needed
  - o Connect Developers to education and Grants
  - o Consider renewable energy and energy efficiency opportunities
  - o Efficient fleet

Ms. Bayer stated the Partners in Energy Team will support the Community toward achieving goals set in the Energy Action Plan. Marketing support is one of the resources. Will work closely with City Staff and the Communications Department to create outreach material needed while implementing strategies. Materials will be cobranded and designed so messaging, design, and imagery resonates with residents, businesses, and the Community.

Environmental Specialist Sutherland continued:

4. Measuring Success
  - o Helps with understanding what successful implementation of the Plan would look like. For example: By implementing actions for 2021 and 2022, the Community could avoid up to \$1.3 million dollars in energy costs and avoid 6,800 metric tons of Carbon Dioxide. The equivalent of taking 1,500 vehicles off the road for a year.
5. Support and Commitments
  - o Plan an MOU for Partners in Energy support (over 18 months).
  - o Community Development and support. Will look to other Divisions for support some on items.
  - o Annual reporting of progress. Includes presenting to the Environmental Commission and City Council. Report progress and request Council feedback about how the plan is going.
  - o Energy Action Team and new Community relationships. Hopeful the 22 stakeholders of the Energy Action Team would be interested in implementing the program and see it move forward. Interested in making new relationships with other service organizations and work with them to expand outreach.

Environmental Specialist Sutherland stated there are two Energy Action Team Members on the phone, Dawn G. is a resident of the City, and Ted Trenzeluk, who is the Chair of the Inver Grove Heights Environmental Commission.

Dawn G., Resident of Inver Grove Heights, was grateful to be on the committee. She stated Fossil Fuel Energy will have to be replaced, the fastest most cost-effective way to transition is to reduce the amount of energy needed. That is why this Energy Action Plan is so important. It focuses on the crucial first step of reducing energy use. She stated by adopting this Plan, the City points the way in reducing

costs for itself and citizens. Longer term goals of the Plan discuss electric vehicle infrastructure. She is happy knowing the City has recognized the need to get ready for changes on the horizon and is grateful for the opportunity to work on this. She encouraged the Council to adopt the Plan.

Ted Trenzeluk, Chair, thanked the Council for supporting this item and for the work of the Environmental Specialist and Xcel Energy. This item was brought before the Environmental Commission by one of the Commissioner's in 2019. The Commission adopted it and Council agreed to support. The Environmental Commission unanimously approved this at their meeting last Thursday and fully supports. He stated this was a professionally done Plan with data, facts, measurements, goals, objectives, and is balanced. It is not overly green, has something for everyone in the Community. For example, a young family that wants to save money, this would direct them to energy rebates, rebates from Xcel, or information about replacing light bulbs. It has information about solar gardens or electric transportation. He stated this was a balanced Plan for a diverse Community and encouraged the Council to support and approve.

Environmental Specialist Sutherland continued:

Where things stand and next steps:

- February 25<sup>th</sup>: Environmental Commission Meeting
- March 1<sup>st</sup>: City Council Work Session. Make comments and ask questions about the Plan and Memorandum of Understanding
- March 8<sup>th</sup>: City Council Meeting. Approval of the Plan and Memorandum of Understanding
- April 2021: Implementation Kickoff

Mayor Bartholomew stated this was well written, well done, and easy to understand. He thanked the Team Members and affiliates from Staff, Elected Officials, appointed business partners, schools, residents, utility representatives, and Partners in Energy facilitators.

Mayor Bartholomew asked to make sure the memorandum is reviewed by Legal Staff to make sure there is no problem with compliance and is not Contractually binding. He asked about Finance and the effect to the budget. Environmental Specialist Sutherland responded Legal has not reviewed the memorandum and would make sure that happens before the City Council meeting Monday. She responded it is her understanding that everything in the plan is nonbinding. It is a document to guide in order to meet the goals identified by stakeholders. She responded about the budget stating the only anticipated cost would be her salary, her Staff time spent on this is already budgeted for.

Environmental Initiatives is noticed in her existing workplan. She stated there were some tactics included in the Plan that may have a financial impact. Whenever that is anticipated a clause was placed stating the City would consider. She stated Staff would do background research, make a Draft Budget, and present to the Environmental Commission and the City Council. It would not be implemented until approved.

Councilmember Murphy was impressed with the report and asked if there was a potential cost of \$2,500 for cobranding marketing. Environmental Specialist Sutherland responded Xcel's budget provides printed marketing material up to that amount. Ms. Bayer responded the budget item is a part of the \$2,500 available to the City. If incurring any costs related to printing or any activities, the City could request reimbursement from Xcel Energy up to that amount.

Councilmember Murphy asked, aside from the Environmental Specialists time, if there would be any impacts on Staff time. Environmental Specialist Sutherland responded as they move into implementation, a Work Plan would be determined about what an appropriate amount of time would be to spend on this per week. Other Division's involved in the process would be: Communications, Public Works, Operations, and Maintenance. They have been involved in the process to be aware of the Work Plan and have provided feedback.

Councilmember Gliva stated she spoke with Environmental Specialist Sutherland this week about the process. She thanked the stakeholders and stated the Plan is well thought out. She stated it was a really good way to move forward as a Community and become more energy conscious.

Councilmember Piekarski Krech referenced decreased energy burden for under-resourced households and asked what is considered an under-resourced and high energy burden household. Ms. Bayer responded energy burden is defined as a percentage of your household income being spent on energy costs. It is considered energy burdened or high energy burdened if spending 5% or more of your income on energy costs. She stated under-resourced identifies and defines households that may be under-resourced in different ways, be it financially, access to materials, or communications. This targets those households to make sure they can access resources. Jamie Johnson stated it was a priority to ensure the Plan reaches all of the Community, especially those who may not have as much access to resources.

Councilmember Piekarski Krech asked for more information about SolSmart. Environmental Specialist Sutherland responded they are currently not a part of the SolSmart Program. The Work Plan identifies considering SolSmart. The program provides assistance to City Planning Staff to review sections of the City Code dealing with energy or site requirements. Neighboring City, South St. Paul, has become a part of the program.

Councilmember Dietrich thanked Environmental Specialist Sutherland for being proactive and for the details and work that all have put into the packet.

Mayor Bartholomew asked Council if they were ready to have this come before them at the next City Council meeting. This includes the Energy Action Plan, Resolution, and MOU for approval. All Councilmembers were in approval. He listed the following checklist when it comes down for approval:

- Legal review of the MOU
- Affirmation of the effect to the budget
- Affirm there is no additional burden to Staff

Environmental Specialist Sutherland responded she would include the checklist of items and bring it to the Consent Agenda for the meeting on March 8<sup>th</sup>.

## **2) Fire Department Response Study:**

Fire Chief Judy Thill discussed the potential for a Staffing/Service Delivery Study for Council determination. Follows are items to be discussed:

- Need for the study
- Potential scope

- How we find a Consultant
- Timeframe
- Cost
- Interest in pursuing

Need for Study:

- Calls and training requirements continue to increase, the number of Paid on Call (POC) Firefighters continues to decrease.
- Recruitment and Retention issues are a Nation-wide crisis.
- Changes were made to the structure over the years to try to make it easier to POC Firefighters.
  - Had POC Firefighters doing Administrative work.
  - Company Inspection Program (this became to be too much).
  - Investigation Team (also too much).
  - Still use POC for Training and Company Officer Program.
  - Tried to make it easier with the Duty Crew:
    - Have vacation and leave time. Many other POC Fire Departments do not have this.
    - Restructure training to do more online or during shifts.
    - Lower requirements hour-wise for Duty Crew participation.
  - Tried to ease into adding full time Staff to Administration and Operations.
    - Continue trying to supplement full time jobs with POC Staff as much as possible.
- Trouble staffing the Duty Crew. Especially early weekdays, weekends, over the summer, and holiday weekends.
- Use full time Administrative Staff to fill in gaps. Not a good use of their time, cannot get regular jobs done.
- Applied for the SAFER Grant to pay for wages and benefits that would cover a second Duty Crew. Hope to hear back about the Grant in August or September.
- Attitude toward volunteering has changed.
  - Fewer people are willing to volunteer.
    - Work 40 plus hours, per week, plus family activities
    - Add in requirements for calls, trainings, or activities
  - Both parents' work.
  - More transient population (not staying in one place).
  - Volunteer Firefighters aging out, younger ones not as interested. (Average age is older, rather than younger).
  - Training requirements have increased considerably.
  - Number and different types of risks have increased:
    - Cancer, cardiac, mental health, COVID, other general risks.
  - Calls will continue to increase.
    - Growth in both residential and commercial buildings.
    - Population will continue to grow and age.
- No magic bullet to address recruitment and retention issues.
- Authorized to 60 Firefighters. Have 52 active.
  - 11 of those were just hired and are in training.
  - Covering present Duty Crew with 41 when needing close to 60 to fill all shifts.

- Constant hiring and training.
  - Study can look at turnover costs.
- Unexperienced Staff due to turnover. At the end of 2020:
  - 40% of their Firefighters had 19 months or less with the City.
  - 15% had only 27 months or less.
  - Leaves 55% of Firefighters with less than three years' experience
  - While Firefighters train hard, three years working as Paid on Call does not build up a lot of experience.
- Experienced Staff:
  - 9 will have at least 20 years. Lost one, one is talking about leaving. Some are talking of retiring because they are fully vested.
  - 5 will have 10 or more years this year (partially vested).
  - If those 14 would retire next year and are replaced with new recruits, that leaves 82% of the City Firefighters with less than four years of experience. Doing everything to keep them.

Type of Study Proposed:

- Standards of Response Coverage. Used by most Consultants as an outline for reports.
- Considered a "basic" study to look at Department history, present response, demographics.
- Commission on Fire Accreditation International (CFAI) defines "Standards of Response Coverage".
- The CFAI methodology has 9 points of assessment. Based on nationally recognized guidelines and criteria.
  - Component 1: Looks at overall Community, population, demographics, financial resources, and current service delivery infrastructure.
  - Component 2: Looks at summary of services provided. Reviews and evaluates calls, staffing for operations and administration. Looks at Department performance goals, objectives, and measures.
  - Component 3: Looks at inter/intra-jurisdictional response partners. Mutual aid, EMS, and others. How they interact together.
  - Component 4: Looks at the Community risk, growth projections, and land use zoning classifications. What can be expected from the Comprehensive Study, and how response may be going forward. Looks at the fire protection by risk and workload of Department based on those risks.
  - Component 5: Looks at history and how it affects performance and service level. Looks at the current facility and apparatus and how they respond out of those. Company and Staff distribution. Concurrent calls and impact on response.
  - Component 6: Performance objectives and measures, will make recommendations for their Department to improve on. Goals and objectives, look at distribution, expectation, and measures for the Community and what the Community might want from the Department.
  - Component 7: Compliance Methodology. Work with the management team and any Councilmembers to look at the ability to continue future performance. Measure's performance going forward. It is not a one and done study. Tools are given.

- Component 8: Conclusion, recommendations, different things they would be providing. Long range strategy recommendations and options. They will look at the best level of service at the most efficient cost.
- Component 9: Final report that would go to the Fire Department and City Council Members. They can also come in and give a presentation.

Finding a Consultant/Timeframe needed:

- Two ways to determine a Consultant:
  1. Request for Proposal (RFP)
  2. Request for Qualifications (RFQ)
- In both situations they would have a panel made up of five Department Personnel and Council Members to review proposals and interview Consultants.
- Timeframe would be 5-6 months from time Contract is signed.
  - After issuing RFP or RFQ and determining Consultant.

Difference between Request for Proposal and Request for Qualifications:

Request for Proposal (RFP):

- When having clear cut needs and ready to make a final decision.
- Need to offer a very detailed scope of services being looked for.
- Vendor provides qualifications.
- Process would be to interview Vendors, rate them based on answers and proposals submitted. Takes less time at the end.
- Concerns: More time is needed at the front end to develop the detailed scope.
- When reading proposals or interviewing Consultants, may get vague answers that sound good, but may cost more money down the road.

Request for Qualifications (RFQ):

- When qualifications may not be known or how to express specific needs.
- Still provide a detailed scope for a focus.
- Less time needed in developing the scope at the front end.
- Process is to interview Vendors and rate them based on qualifications.
- Start looking at them as a "fit".
- Choose one Vendor to jointly develop the exact scope and bring a specific cost back to the Council.
- Pull out specific items to reduce costs of the proposal.
- Also has add-in phases for specific items (Options).
- Select 2-3 based on interviews, then go out for RFP after interviews.
- Concerns would be more time on the back end before signing a Contract.

Cost:

- Based on recent studies done by various Consultants in Minnesota:
  - Approximately \$50,000 to \$60,000 depending on scope. (just for the basic, options can be added or taken out as needed).

Next Steps:

- Determine:
  - If Council wants to move forward with a Study.
  - Challenges would be cost and the timeframe. Would be end of year by the time they the final report.

- Pluses: Having a 3<sup>rd</sup> party independent company to evaluate.
- City Council would need to determine scope of the study.
  - Is the Standards of Response Coverage the basic study?
- If wanting an RFP or RFQ.

Fire Chief Thill stated if wanting to do the study, she would develop a scope for RFP or RFQ and bring back to the Council to approve advertising. She would work with the Finance Director to determine possible funding options. She asked the Council if they had an interest in doing the study.

Mayor Bartholomew stated he did not have complete clarity between the RFP and RFQ but agreed with the need for study. He was unsure which one.

Councilmember Gliva asked about the possibility of being awarded the SAFER Grant and if it would have any bearing on this study. Fire Chief Thill responded no, if not receiving the Grant, the only way they would have a bearing would be if applying next year. This year the Grant would be known in August or September, this report would not be available after that. Councilmember Gliva asked if it made sense to do this after August. Fire Chief Thill responded the Grant is already in process. She responded they requested nine with the SAFER Grant, the question would be what they would do with the nine. Without knowing the results of the Grant, it could be asked what adding nine full time people would do to help out.

Councilmember Piekarski Krech stated if having an evaluation done, she prefers it be independent and more of a management study looking at fire operations. Someone who is not related to the field but brings in experts from different areas. She was unsure what type of group could do that. Fire Chief Thill responded she did not know too many people on the outside that have experience with the Paid-on Call Fire Department or would give much for the time they give. She stated trying to explain how this Department operates is unique. She stated the RFP or RFQ goes out and then sees who submits. Typically, it is Fire Service or others that have done other forms of management. She stated she could look into the types of Consultants and see what is out there. If putting out an RFP or RFQ, you look at the types of studies they have done, and whether they have done more than just Fire Department studies, such as other Departments. Councilmember Piekarski Krech suggested discussing with the Interim City Administrator and Human Relations Manager, they did a wonderful job getting RFP's.

Councilmember Dietrich asked which was the best fit, RFP or RFQ, for the Department. Fire Chief Thill responded her main concern with an RFP, is if they are not detailed enough, everyone bids on it, comes back at \$50,000 and something is missed or were not specific enough, there would be an added cost. With an RFQ, you get the information and then go out to the RFP to the two chosen based off the RFQ. With an RFQ there is a better idea of what the scope of operations would be to have an RFP.

Mayor Bartholomew stated it seems the route spoken of would be an RFQ before an RFP. The RFQ is written by the Fire Chief and Staff and will set guidelines for a future RFP. Fire Chief Thill assumes in the RFQ they could narrow it down to a specific number and invite the finalist to submit for an RFP. He stated he did not see the logic with the RFQ and asked if it has been used in the City. Fire Chief Thill responded she was not aware of one. She stated Bloomington and Lakeville have done them recently. Mayor Bartholomew asked if the RFQ asks what the deficiencies and needs are and what would get them to their goals. Fire Chief Thill responded the way it was explained to her is that you do not get as

detailed in the scope, you do not need every detailed bullet. If something is forgotten, it can be added later.

Interim City Administrator Rand stated she has used both RFQ's and RFP's. An RFQ is done when it is not exactly known what is needed but want to identify professionals that can guide and suggest what may be needed. After dialog, written materials are submitted and then compiled an RFP. Other Cities have used this, it would be constructive to learn from those studies. Other Staff, like herself and the Finance Director, would be very interested in the process and how it plays out. She recommends Council move forward the sooner the better to guide in decision making when it comes to the SAFER Grant.

Mayor Bartholomew stated to clarify, an RFQ is presented to analyze. A statement is made, with what the Department does, what the capacity is, goals, and what they attain. Fire Chief Thill responded the RFQ's she has seen for Bloomington and Lakeville, have a basic scope of services to look at. It is not as defined as an RFP would be. Part of the RFQ is to put in what the Department believes they need.

Councilmember Dietrich asked if Bloomington and Lakeville's RFQ's were available for view. She asked where they were in their process. Fire Chief Thill responded Bloomington is done, Lakeville just put their RFQ out. She stated she could email Bloomington's to the Council. She said several companies have done this in Minnesota and could send some of them to the Council. Bloomington's cost was \$80,000. One of the things that added to their cost was having six Fire Stations and looking at moving some and were.

Mayor Bartholomew stated Staff's consensus seems to be the RFQ and asked if Council was in agreement. The Council agreed to get started on an RFQ and have it brought back to Council. Fire Chief Thill stated if Council does not like it, they could move to an RFP. She will put together a scope along with Staff.

Councilmember Gliva asked about the budget for this and when it would come back to Council. Fire Chief Thill responded she would work on where the financing might come from. Options will be presented to Council.

### **3) Review Draft Feasibility Study for Water Level Management on Basin IGT-B-3 (CPN 2021-06):**

City Engineer Tom Kaldunski presented the review Draft Feasibility Study as follows:

Outline:

- Project background
- Existing conditions evaluation
- Alternative's evaluation
- Potential financing
- Recommendations/Next steps

Project Background:

- Contributing Area
  - Basin located between 87<sup>th</sup> on the north, 89<sup>th</sup> Street on the south.

- 22 acres contribute to runoff (27 parcels). Some are private lots some are road and County right of ways and City outlots.
- Historic Water Elevations
  - Basin was mostly dry in 2010
  - Historically wet period occurred between 2014 and 2019
  - Basin was completely inundated during 2019 and 2020
- Historic Rainfall and Water Elevations
  - Studied from 1935 to 1920
  - Estimates from 2014 show it has gone up significantly in the area
- Management Elevations
  - Normal water level 892.2
  - Ordinary high water 893.0
  - 100-year high water 894.2
- Highest Recorded Elevation (2020)
  - 5 plus inches of rain fell on June 29<sup>th</sup>, 2020
  - Highest recorded elevation of 896.5 occurred on June 30<sup>th</sup>
  - Temporary pumping began on July 17<sup>th</sup> and ended July 23<sup>rd</sup>
- City Response to Resident Concerns
  - Temporary pumping to lower water from 896.3 to 893.0 (July 17 to 23)
  - Hydrologic Study to determine potential causes of recent persistently high water
  - Feasibility Study would evaluate potential future actions addressing resident concerns

Alternatives Evaluation

- Seven alternatives were reached. One dropped early in the process leaving six
- Six alternatives were simulated using 40 years of historical rainfall records
- Benefits were quantified based on several criteria including:
  - Average water elevation
  - Duration of water elevations above 100-year HWL (High Water Level)
  - Average inundated area (water surface area)
- Costs were estimated based on recent similar projects

Alternative 1 - Re-grade Rainwater Garden

- Intended to excavate a pond.
- Look at building a bigger pond.

Alternative 2 - Divert Runoff to IGT-A-5

- Resulted in putting in a pond. From the pond they would expand down to the northern area where there is an existing waterbody and lake.

Alternative 3 - Gravity Outlet to IGH-B-2

- Existing basin west of the basin they have been studying
- Would have been installation of a pipe from the larger basin to a smaller basin. *This does not seem like a good alternative as it affects down-stream properties*

Alternatives 4, 5, 6 - Outlet to DP-66

- Results in various methods of getting water from IGT-B-3 following the alignment along Concord Boulevard and over to pond DP-66. Some are gravity, some pumped with forcemains, or permanent installation of pumps.

Costs and Benefits: Cost Estimates:

Alternative 1: \$65,000

Alternative 2: \$459,000

Alternative 3: \$230,000

Alternative 4: \$545,000

Alternative 5: \$488,000

Alternative 6: \$33,000

Construction Financing Options:

- A Financing Plan should be prepared prior to implementing any alternative
- During 2020 there were other landlocked basins in the City with water level issues
- Choices made for this basin could establish precedent for future actions
- Special Assessment
  - Funded by collections from benefited properties
  - Must provide at least 20% of funding if bonding is also used
- Stormwater Utility
  - Funded by collections from all City properties
  - Typically used for maintenance, not new infrastructure
- Watershed Management Tax District
  - Funded by collections from a defined watershed
  - No minimum assessment

Recommendation:

- Delay action until the City-wide Landlocked Basin Water Level Management Policy can be reviewed and updated, if necessary.
  - City Staff have started the Policy review process
  - The IGT-B-3 water level dropped by over a foot to 891.8 feet between August and December. Due to below normal rainfall
  - Snowfall is below normal through the end of February

City Engineer Kaldunski stated one thing identified in the feasibility study was that there may be a possibility of working with the DNR to put in a new storm sewer or potentially pumping at 1.5 feet below the ordinary high-water mark. There are some processes available at the DNR that would lower the ordinary high water mark water elevation going to the west 1.5 feet. This would not cost any more than matching the ordinary high-water mark.

Greg Fransen, Barr Engineering, introduced himself and stood by for questions.

Councilmember Piekarski Krech asked what the implications were. If redoing the inland water study/policy, she asked how long that would take, what the results would do, and what the rationale was. City Engineer Kaldunski responded the gravity pipe going west is the option they like best. One step they are requesting Council guidance on is discussion with the DNR to give a Permit to go 1.5 lower than the high-water mark. He responded about the timing of the policy stating they have begun. Mr. Fransen responded a review has been done with existing City Policies on landlocked basins and doing comparisons with surrounding Cities with similar landlocked areas. A memo was provided to City Staff for review. Comments would be received and incorporated into a revised memo. He stated the next step would be to do a City Council Work Session to discuss a City-wide Policy on how to manage these types of basins and provide guidance with IGT-B-3.

Councilmember Piekarski Krech referenced Alternative 3 asking why that solves the problem. It goes from one small pond to another, but there is still the big lake. She asked how that drains the big lake, she asked if there was water infiltrating underground. City Engineer Kaldunski responded an error was made, Alternative 4 is the one they are interested in.

Mayor Bartholomew asked what Work Session this would be brought back for. Mr. Fransen believed they could be ready for the Work Session in April. Mayor Bartholomew asked if information from the DNR and the stormwater would be received. Mr. Fransen responded he could follow up with the DNR.

**Mayor Bartholomew stated several emails were received that should be taken into the record. City Clerk Kiernan stated she has one email from Danielle Lemay. He stated there is the one email that they would like to put on record.**

**4) Bee Elite Gymnastics Lease:**

Interim City Administrator Heather Rand stated this is about the space within the Veteran's Memorial Community Center. Since 2006 the space has been occupied by Bee Elite Gymnastics. The City did not have a lease with the Vendor but did have a verbal Agreement. For many years Staff/City Attorney have been in discussion with the business to try to secure a lease. It has not taken place.

She stated revenues have decreased significantly enough to look into reprogramming the space. In 2009 to 2012 revenues ran from \$14,000 to \$15,000 a year, back to the City. This was 20% gross revenue the City received for the space, utilities, cleanup, and some advertising. In 2016 through 2019 revenues ranged between \$4,600 to \$9,500 with an average of \$7,100. She stated something is going on with the programming. In the meantime, City Staff knows there are other needs and can serve more residents with that space and would like the opportunity. This was brought to Council for approval to make the change. She stated Bee Elite has equipment in the facility and suggests providing a 90-day written notice to vacate.

Some programming options that would generate revenue would be:

- Additional space for the Kids Rock program this summer. Youth have not been served to the extent liked during the Pandemic. It would be nice to offer additional activities to the Day Camp. With limited space at the Community Center, if making this change, they predict generating between \$20,000 to \$30,000 just this summer. She stated Council has also asked that Park and Recreation try to generate 86% of its operational costs be covered by its revenue. That is what Staff is trying to do here, and to provide services needed by the Community.
- In the future it could be a multi-use room for: Silver Sneakers, Yoga and Boot Camps.

She stated Staff's recommendation is to provide a 90-day notice to Bee Elite to find other space to operate.

Interim City Administrator Rand stated the Interim Parks and Recreation Director Jon Oyanagi is in attendance and could give more information.

Interim Parks and Recreation Director Jon Oyanagi thanked the Council for the opportunity to serve as the Interim Parks and Recreation Director. This is an issue of highest and best use for the space. It is a short-term and long-term solution. It is time sensitive to know the future of the space to be able to do necessary planning to fill the space over the summer, especially for the Kids Rock Program. There are

other programming needs, prior to COVID. Programming opportunities can be provided for all ages and can also move a program into the space to free up other space for programming and private rentals. This is a great opportunity to maximize the use of the Community Center.

Mayor Bartholomew stated he was trying to connect the issue of COVID, increase need for space, and the Kids Rock Program. He asked how COVID-19 is responsible for the need for a bigger footprint for the Kids Rock Program. Interim Parks and Recreation Director Oyanagi responded the National Guard Armory is typically one of the sites where Kids Rocks happens, in the gym and Community rooms. Those are not available due to COVID Testing taking place, projecting into the summer. It leaves one small Community room. Instead of serving 100 kids, they would be down to 23 kids in one space.

Mayor Bartholomew asked if the space under discussion would allow for all of Kids Rock or be limited. Interim Parks and Recreation Director Oyanagi responded if receiving the additional space, it would be 1/3 of what it typically would. Mayor Bartholomew asked about the revenue generated and if that was full participation or a smaller COVID population. Interim Parks and Recreation Director Oyanagi responded it anticipates reduced participation.

Interim City Administrator Rand referenced a page in the packets stating, "In non-Pandemic years the Kids Rock program typically has three home room classrooms with an average daily attendance of 30". She stated the revised program, due to COVID and the need for the National Guard to continue using the current spaces, they believe it could be offered to 23 students per classroom, for a total of 46 participants during COVID. Off of the 46, its estimated revenue would be \$20,000 to \$30,000 for the summer.

Mayor Bartholomew asked for a recap of the Kids Rock Program. Recreation Superintendent Julie Dorshak responded the Kids Rock Program was established in 2006 for youth ages 5-12. In the past the program was offered in three spaces, a Community room and two classrooms in the Armory. She stated there were 115 participants in 2019, 107 the year before. The program operates from 6:00 a.m. to 6:00 p.m. Kids have the opportunity to participate in using the gym, turf, open swim, and open skating. There is a variety of arts and crafts, games, and use the playground outside. In the past the grassy area that is now a solar field was used but will determine a new place for kids to play outside.

She stated the program begins the Monday after school lets out and continues to August 28<sup>th</sup>. There are 30 kids per classroom in by age classrooms. This year would be more challenging with COVID but make sure to adhere to guidelines. Kids can also be put into pods depending on the activity. To note, in 2019, 96/115 lived in the City of Inver Grove Heights.

Councilmember Dietrich thanked Interim Parks and Recreation Director Oyanagi for attending and for filling the Interim position. She asked what Staffing would look like with the decreased numbers anticipated in the program. Recreation Superintendent Dorshak responded in the past they had one leader, an assistant, and floaters. The floaters helped take kids back and forth to swimming lessons, other activities, and the restrooms. Staffing has not been determined yet, but plan on hiring a paid Intern this summer rather than hiring a Kids Rock Coordinator. She stated they are being mindful of budget challenges and being conservative while still having a quality program.

Councilmember Dietrich requested hard numbers. Recreation Superintendent Dorshak responded they are trying to determine how many spaces they have, there is typically a 10:1 ratio of kids to teachers. Depending on how many are in the classroom, if having 23 kids, they would have two Staff. They can only have pods of 25 when having different activities. She stated the Intern and Recreation Coordinator would oversee the whole program. There is other classroom space that would have similar staffing set up. Substitutes and additional Staffing would be needed. She stated the hours would be too long for Staff and would need some part-time workers. Staffing costs would be \$10,000 to \$12,000. Revenues would range depending on price point and the program. She stated they were unsure of the price for Kids Rock as the space would be much different and there is not access to the gym. She commented the space under discussion is an old handball/racquetball court and would need to be made more inviting. Staff believes it would be a revenue producing program and would make it fun and exciting for the kids.

Councilmember Gliva referenced the net revenue of \$20,000 to \$30,000 and asked if that was two spaces or one. Interim Parks and Recreation Director Oyanagi responded two spaces. Interim City Administrator responded for the Bee Elite space the revenue could be \$15,000. That is for the three months of the summer. They are hopeful to have other planning for the rest of the year.

Mayor Bartholomew asked if the revenue was net revenue. Recreation Superintendent Dorshak responded Kids Rock for the 2020 Brochure, anticipated an enrollment fee of \$75.00 per student. For five days per week participants pay \$177.00 per week. For three to four days a week, participants pay \$147.00 per week. She calculated the \$150.00x46 participants for eight weeks and came to approximately \$52,000 in revenue. She stated they are unsure what will happen due to COVID. The numbers could be greater than that. She stated in 2019 the program made a net of \$98,000. The program is very financially successful and highly regarded. Staff has received calls from families asking if the program will continue, Staff hopes to continue to have the program.

**Mayor Bartholomew stated one email has been received and asked to put it into the record.**

Tomas Settel, 3417 78<sup>th</sup> Street East, Bee Elite Gymnastics, stated the numbers being described were skewed. When he came in 2006, he was approached by the Parks and Recreation Department to begin a gymnastics program in the space. He stated the Fire Marshal Code for the space is 36 people. Under the Executive Order only nine people, one instructor and eight students, could be in the space.

He addressed the revenue, stating prior to COVID he was paying what the average space would cost. In the beginning, although revenue was higher, it was not standard rates. Numbers decreased due to the recession. Pre-COVID they had about 50 kids in attendance weekly. It has been successful with incredible athletes coming out of the program. In the time he has been here, 50% of his occupancy is minority who enjoy the program. He mentioned one athlete who came out of the Level 8 program who entered the Simley High School Dive Team and broke records. He stated there were a lot of other things he has done for the City. He has gifted a lot of his own funds as Scholarship money to the Community.

He stated if the Governor says they can have 50% occupancy, he would be back to normal. His revenues could come up rapidly. He has been receiving calls asking about the program and has been

easing back into things. He stated Ms. Rand has not been involved in Contract negotiations, this was put on hold due to the Election, new Council coming in, and outgoing/incoming Staff. He stated this is the first time he has been able to speak with Staff in person.

Mr. Settel recommended the Council not do what Staff asks. The Staff has not been on for long and he has been here since 2006. He stated the dollar amount has not come up, or a formal inquiry to raise the cost to renegotiate terms in regard to finances. While Staff speaks of opening up other opportunities, they do not realize they are closing down an opportunity. He stated not one of them have come into the space and toured it with him. He respectfully requests the City Council look at the facility, watches a class, and sees what is done and offered to the City. It would be a travesty if the gym is closed down, they are very passionate and bring a lot of value to the City. He requests opening up new negotiations with his Attorney and the new Staff that would be fair and mutual for the City.

He asked if Kids Rock was during the day. Most of his classes begin at 5:00 p.m. He felt it was not wise to get rid of a program that has been around for so long. If Kids Rock is before 5:00 he stated he would not have a problem sharing the space and would work the City. He stated he has insurance on the space, the City is listed as an additional insured.

Councilmember Piekarski Krech referenced a memo received stating she had questions about the space not being cleaned up and fire issues. Mr. Settel responded that he believed outgoing Staff was targeting him and trying to use smear tactics. He stated Eric Carlson had a fire inspection last January and did not tell him about it until July. He stated Councilmember Dietrich, Kevin Sethre, and his Attorney were in the space when Mr. Carlson described and brought it to his attention. He spoke with the Inspector last week, there are very simple things that need to be taken care of. Had he been allowed the opportunity and notified, it would have been resolved awhile ago. For seven months he was not told. He stated there is an HDMI Cable coming down a pillar, the Inspector wanted that taped onto a locker. Councilmember Piekarski Krech asked if that had been done. Mr. Settel responded he was told to have it done within 45 days. He stated there are items under the trampolines for office storage, he was told to remove them. There was also a chair the Inspector did not want by the door. Those were the three small issues.

He stated open communication is important instead of putting things in a document or targeting a program. He respects Staff trying to generate revenue but hope they are willing to talk about the program at a deeper level. Councilmember Piekarski Krech asked why there could only be eight people in the space. Mr. Settel responded the Executive Order states 25% capacity, space is rated for 36, that leaves one Instructor and eight kids as the maximum for the space. There cannot be more than nine or they would be fined by the State.

Councilmember Piekarski Krech stated Kids Rock is a licensed childcare facility, she believed the ratios would be different. Recreation Superintendent Dorshak responded the Kids Rock program is not a childcare program, it is a Kids Camp. The numbers given by Mr. Settel are for an exercise program. The occupancy load is calculated in a different way. For example: 15 square feet for table and chair seating. Chairs only would be smaller. 15 square feet gives an occupancy of 128 people. Divided by 25%, the number would be 32. She stated they could have 32 kids/people, max, in that space in the summer.

Councilmember Dietrich referenced the Kids Rock Program ending at 6:00 p.m., and the Gymnastic Program is held primarily evenings, she asked if there has been any collaboration. Recreation Superintendent Dorshak responded she was unsure how that would work given the number of mats and trampolines in the space. The space would have to be cleaned out in order to have tables.

Mr. Settel stated when coming into the Veterans Memorial Community Center over the last number of years it is rare to see all the rooms being occupied as well as the gymnasium. Those spaces are not being used and requests the Council do a study on the usages. He does not believe they are being used as much as they say. If the gymnasium is unusable, his understanding was if the Executive Order is lifted, that space would become available again. Staff is pending a lot on not knowing. He stated if the Executive Orders lift, and they would kick out something that has a reputation and has been doing great all this time, it was like kicking someone when they are down. His numbers were doing well and growing prior to COVID. He asked for the opportunity to service the Community and collaboratively work together. He asked Council to deny Staff's request and allow children that like to do gymnastics.

Councilmember Gliva asked when programming would be out. Recreation Superintendent Dorshak responded they are in the middle of putting together the summer brochure. They hope to launch it April 1<sup>st</sup>. By the end of next week, they need to know exactly what they are coordinating and offering to the Community.

Councilmember Dietrich asked if it was still printed or online. Recreation Superintendent Dorshak responded they would do a digital launch and a smaller mail flyer to direct people to the website. With the Pandemic it has been working well to have a digital format on the website.

City Attorney Bridget McCauley Nason stated the question asked may have to do with timing in respect to the summer programming. If that is the question, the current lease is a verbal lease, there is no written lease with termination provisions. She stated if the City wanted to terminate that lease, they would provide 90 days, or three months' notice, of the termination of that lease. If providing three months' notice, that will push the decision-making process up if the Council intends to use the space at the start of Kids Rock programming. Her advice to Council is if the intent is to terminate the existing verbal lease, to provide three months' notice of the termination date. For example, if Kids Rock starts June 10<sup>th</sup>, notice on or before March 10<sup>th</sup>.

Mr. Settel stated when he was speaking with Eric Carlson, they discovered part of the reason why the City did not establish a written Contract was because the City had a subsidy by the Federal Government. They had him in that position with a verbal agreement because of that. Once that was paid off, that's when things began to change. He stated he was used as a great way to produce revenue for the City and fit into the bill of what was needed. Now when he is down, it feels like he is being kicked in the teeth.

Councilmember Piekarski Krech stated if not using that space, there are other spaces he could go into, it is not terminating the program. Mr. Settel responded this would destroy his gym and shut him down. His space requires high ceilings, Kids Rock does not. Trampolines need high clearances. Trying to find a warehouse with the space like that is to cost prohibitive. He would need to find new marketing and

clients in a COVID environment. Councilmember Piekarski Krech stated the City is subsidizing his private business. Mr. Settel responded no, he was paying full fair rate until COVID happened, the City was getting a good deal.

Mayor Bartholomew asked if there was any other space that could be beneficial to high ceilings. Interim City Administrator Rand stated there is still an issue with the ongoing lease and an underperforming program. Recreation Superintendent Dorshak responded she was unaware of any other location. They had even explored using the team locker rooms at the arenas.

Mayor Bartholomew stated Staff's request is to terminate with a 90 Day notice. He asked Interim City Administrator Rand to put it on a Council Meeting Agenda. Interim City Administrator Rand responded that would mean issuing a formal letter with the 90 Day notice. The March 8<sup>th</sup> Meeting would put them just under the begin date of June 10<sup>th</sup>.

City Attorney McCauley Nason stated there are three options for the Council:

1. Do nothing. Space would continue to be used as it is under existing verbal Lease Agreement. From a Legal standpoint this option is not recommended. If the Council wants to lease the space, they should enter into a legally binding Lease Agreement that covers the City liability.
2. Direct Staff to engage in further negotiations with Mr. Settel and his Attorney. Timelines and parameters are beneficial. A Draft Lease was provided in August 2020 based off Market Rate. She stated Eric Carlson had reached out to Dave Langer in July to obtain information about Market Rate rent for the space. The recommendation from Broker #1 was \$2,000 to \$3,000 per month, recommendation from Broker #2 was \$8.00 to \$12.00 per square foot to be \$19,000 a year or \$1,700 a month. She stated Mr. Settel also had information about a different rent structure for some several months. Direction and parameters are needed to bring this back if there is not any movement on the Lease.
3. Terminate the Lease. Technically it is a Tenancy at Will, because there is no written Lease. Her recommendation is to comply with Statutes, Chapter 504B which requires notice be provided to a tenant with a Tenancy at Will, minimum of the interval between rent payments. She stated it was unclear if they were monthly rent payments, quarterly, annually, or three months. She recommends three months. This would be a written notice of termination of Lease, need Council approval and sent from the City. It would need to go through formal approval on an Agenda.

Mayor Bartholomew believes it is in their best interest, in a business decision, to terminate the Lease and use the area for the best use possible.

Councilmember Murphy stated the VMCC has lost on average \$775,000 a year for the last five years. Previous Councils have established a goal of covering 86% of the cost, operating and capital. He questioned working toward covering 100% of the cost. He stated any decision made heading in that direction; he would be fully supportive of. Mayor Bartholomew responded it has been the Council's policy that the VMCC pays for 86% out of revenue. They have done a very good job. Capital Improvement is paid by taxpayer. The Policy has been that this is a jewel, asset to the City, the City recognizes the cost is there, and the majority of the cost is carried by proceeds generated from programming. Councilmember Murphy stated he was not criticizing but believes there is the ability to

generate 100% and should move in that direction. Mayor Bartholomew stated when he came on the Golf Course was not performing at all and was able to turn it around and be profitable.

Mayor Bartholomew stated he would like to terminate the Lease. Councilmember Piekarski Krech stated she would be in favor of terminating the Lease. She was surprised there was not a Lease, and they were not being paid a market rate for the space. This is subsidizing a private business. Other businesses would love to have that kind of subsidy and deal. She does not believe they are putting him out of business, he needs to find another space. She responded about the Community Center paying for itself stating it is a service/amenity, there are extra costs, but the question is if it is a benefit to the Community. She stated they do not make any money off parks and spend money on them. She agreed it would be nice to have as little City money as possible going in, but it was a facility for the Community.

Councilmember Gliva stated she was having a hard time not trying to figure out if there is a solution. She asked if there were any classrooms Kids Rock could use in the Community Center. If making a choice to do something like this, she wants to make sure every option was vetted. Recreation Superintendent Dorshak responded there are three Community rooms in the VMCC:

- Community Room 1 is highly used for business to business, classroom space, defensive driving. Taking it away for a classroom use will not work, it could be done, but then they would be taking away other rental opportunities throughout the summer/year.
- The next Community Room is the Senior Center. Those activities will be back on April 1, if not sooner.
- Community Room 3 uses the space for Kids Rock and is used 100% for this purpose. This is a large program, art is put up, a lot of supplies, balls, and equipment, are stored in the space. It is not conducive to other activities. There is potential to put supplies away every day, but it creates a lot of challenges. It is limited to the different types of uses in the summer. She stated no matter what happens, they need something in writing going forward. She suggested that whoever uses the space, it be paid at market rate. They cannot subsidize anymore.

Mayor Bartholomew asked if they should bring a Resolution before Council on Monday to start/look for a new Contract or a Resolution to terminate. Two Councilmembers have stated they are ready to terminate. Councilmember Piekarski Krech responded the only problem she has with a Contract is they have allegedly been working on a Contract and nothing has been settled. She does not believe the current Occupant is happy with the amount the City needs to charge to have it be Market Rate. She was not looking to negotiate a Contract, but to be paid the rate the space was determined, or the City needs to be using it. She stated the City can generate more revenue in a summer than generating in the space over an entire year.

Councilmember Dietrich stated in July there was a kitchen space that was authorized to be turned into a storage facility for \$20,000. She asked what was happening in the space and if they were bringing in any revenue. Recreation Superintendent Dorshak responded the old concession area had refrigeration and venting. The room was very messy. Currently it is being used as storage for Aquatics, Guest Services, and Birthday Party space. It is well utilized and organized and was a helpful change to become more efficient. She stated if anyone would like to look at these spaces, she would be happy to give a tour to see how the space is used, what it is used for, and how it is programmed.

Councilmember Dietrich stated she was concerned about the price tag to renovate the space with no revenue being brought in. \$20,000 is either a lot of money, or it is not, it was not squaring up. Recreation Superintendent Dorshak responded sometimes they have to pay money to make money. The room was unusable, messy, and had become a place for clutter.

Mayor Bartholomew asked about having this discussion the following Monday, instead of this Monday so everyone can think about where they are at. Councilmember Piekarski Krech stated time is of the essence. Councilmember Murphy stated if putting it on the Agenda to terminate, if not terminating, they would have to put together a Lease.

City Attorney McCauley Nason stated if direction is to have a Resolution of Termination voted on and does not pass, a Motion could be made to reconvene negotiations and put a deadline for when the Council wants an update. For example: "Reconvene negotiations and bring a Draft Lease to the Council Work Session at the first Monday in April. Councilmember Murphy stated he did not see a problem with having this on Monday's Agenda.

Councilmember Bartholomew requested bringing the Resolution forward to terminate and proceeding from there.

Mr. Settel stated he has been trying to get Staff to paint the walls in his space but was never allowed. It would cost between \$12,000 to \$15,000 to paint. He referenced Recreation Superintendent Dorshak's comment about having to spend money to make money and stated he has been making the space work as a warehouse space. In speaking with a Real Estate Agent, the quote was for a finished office space, not warehouse space. He stated the space is approximately 1,800 square feet, it is not very big. He asked the Council to look at the cost of converting it with paint. He stated extending him out for a year would be appreciated, he would like more time than that, have something in writing, and do a sharing of space.

The City Council took a break at 8:54 p.m. Council was back in session at 8:59 p.m.

##### **5) Selection of Professional Recruitment Service Firm Per RFP Process:**

Interim City Administrator Rand stated there are three open positions, the City Administrator, Public Works Director, and the Parks and Recreation Director. All three currently have Interims, the positions still need to be filled as soon as possible. Some Cities have done this by hiring an Executive Recruitment Search Firm. She stated on January 26<sup>th</sup>, the Council authorized Staff to solicit proposals for Executive Recruitment Search services. Proposals were due on February 12<sup>th</sup>. Staff reached out to the Public Sector Search firms they were aware of, posted an RFP, and posted an ad with the League of Minnesota Cities (Organization in which other Cities partner).

She stated on February 12<sup>th</sup> they received six Executive Recruitment Search Firm proposals. When proposals come into a Government Entity the proposals remain private/nonpublic until the time the City Council selects one of them. She stated the proposer can be named by name, can discuss details, but cannot share the physical proposal with members of the public at this time. The six proposals received by the due date:

1. Baker Tilly US
2. DDA Human Resources; Gallagher Executive Search
3. Leadership Advisors
4. GovHR USA
5. Strategic Government Resources
6. Talent Solutions CLA

In the Drafted RFP, it states the Council is making a selection and would utilize about 10 different criteria:

- Responsiveness to the provisions and requirements of the RFP.
- Was the proposal thorough, clear.
- Did the Firm demonstrate the ability, capacity, and skillset required for this type of service?
- Did they demonstrate they could accomplish the work in a timeframe without delay or interference?
- Are they a Firm that appears to have: character, integrity, reputation, judgement, experience, and efficiency in the nature of the work?
- Quality of performance from previous contracts or services. Especially with municipalities in the State of Minnesota.
- Did they articulate an effective strategy for recruitment of a diverse and qualified candidate pool?
- Did they speak to their qualifications and experience?
- Did they provide a detailed cost analysis?
- Was there any reference to client satisfaction and successful Applicant retention guarantees?

She stated at a previous Council meeting, Council made it clear to Staff they did not want a recommendation. Staff did not make a recommendation. She stated she outlined a few factors found in the proposals to help guide Council. She worked with Human Resources Manager Janet Shefchik. They are willing to follow up if Council wishes to rank the proposals and come up with one favored. A Contract could be brought back for consideration on March 8<sup>th</sup>. Remote interviews could be lined up with a couple of the proposers, check references, and secure additional detailed information on the cost. She stated some of the Council asked if she was intending to be an Applicant for the City Administrator job, it is not her intent to apply. Due to that, there is no conflict, her interest is to assist in her role as Interim City Administrator and help Council move forward with the process to secure the best Candidate.

She stated in St. Louis County she coordinated their City Administrator, Human Service Director, and Planning and Economic Developer search. They found it was not only important to select the right search Firm, but to think about the Selection Committee. For example: The Committee could include 1-3 Council Members, a couple Community members, and/or Staff, or a Union Representative. With most Communities, they say it is bad form to undertake a City Administrator search at the same time as a Public Works Director and Parks and Recreation Director. Most Communities would want to hold the City Administrator accountable for their Department Heads performance. If there are a couple of openings, it is suggested to hire the City Administrator first and have them be part of the selection rather than having them begin at the same time.

Mayor Bartholomew commented about when they selected the Police Chief the search group brought forth a pool of candidates, the Committee brought that down to a pool of four or five. Then interviews took place in multiple rooms. When it was in front of Council, the group made the decision. Human Resources Manager Janet Shefchik responded there may have been a Community Meet and Greet too. She stated they have had experience with Baker Tilly twice.

Mayor Bartholomew stated that Councilmembers Piekarski Krech and Dietrich were on Council when the Police Chief was hired with the help of one of the Firms mentioned. He stated he would personally be comfortable with that Firm, or if Council would prefer two and rank them. Baker Tilly was the one he liked, price is where they need it, responsible, the head Officer was very skilled and itemized strengths and weakness of every Candidate.

Councilmember Piekarski Krech stated DDA was interesting to her, they were local. She was unsure of their fee, if that was the entire total, or if it was each one. She stated she would be happy with the one they used for the Police Chief; they did an excellent job. If wanting two, those two were the ones that stood out to her.

Councilmember Gliva stated she believed 20% was a solid fee and felt Talent Solutions should not be considered. If they had a good experience with Baker Tilly she would consider. Councilmember Piekarski Krech stated Baker Tilly was here twice, with the first Police Chief who left after one year, and then the second Police Chief. DDA would be her other option, they have a 24-month guarantee, and questioned what the \$50,000 buys. Councilmember Murphy stated Baker Tilly because of their track record and guarantee. He stated that DDA mentioned a "work personality index" he felt that critical to have the data for the hire. He assumes Baker Tilly offers it, but it is not listed. Mayor Bartholomew and Human Resources Director Shefchik both recalled Baker Tilly doing the work personality index in the past.

Mayor Bartholomew asked to get clarification for pricing. Interim City Administrator Rand responded she would look into DDA pricing and get back to Council. City Attorney McCauley Nason stated if there is not clear direction tonight as to which Firm, Staff could provide additional information. The Contract would be up for consideration at the meeting on March 22<sup>nd</sup>.

Full Council consensus at this time was support for Baker Tilly. Councilmember Murphy stated as long as they do the personality profile.

City Attorney McCauley Nason stated in the Baker Tilly information on Page 9 it references selected finalists completing a management and leadership style and strengths assessment "personality and behavioral analysis".

Mayor Bartholomew stated Council would go with Baker Tilly for Monday.

## **6) Meeting Management:**

Interim City Administrator Rand stated there has been discussion about making meetings for the Council more efficient, effective, and more open for the public to participate. One of Council's directions was to conduct a Resident Survey. The Communications Department moved forward with conducting a Meeting Survey with information as follows:

## Survey Goal:

- Poll Community regarding City meeting days and times with the goal of better accommodating Community members, Council, and Staff on increasing engagement and participation.

## Survey Methodology:

- Asked for preferred day and time.
- Respondents were given four days to choose from: Monday, Tuesday, Wednesday, or Thursday.
- Timeframes were: 5:30, 6:00, 6:30, or 7:00 p.m.

## Survey Distribution:

- Live on website on February 8 to present
- Emailed as a website newsflash to all residents who signed up for City emails (100 email addresses)
- Homepage newsflash item
- Posted on Facebook February 8<sup>th</sup>
- 1,000 people reached on Facebook with 85 engagements
- 3 likes, 2 comments, 2 shares (not a very robust response)

## Messaging: Building Bridges within the Community

- 47 people responded
- Comments received: One comment was: "I know there are a lot of very unhappy people about your spending" and "no, should not be changing the times, when people are back in the office working, they would be driving home and picking up kids from school, activities. Making it earlier is not a good choice".

## Response so far:

- When asked preferred time of day: 55% of people say keep it at the 7:00 p.m. start.
- When asked what day: 78% said to keep it on the same day, Monday's.

## Recommendations based on survey results:

- Feel the public is getting fatigued with all the surveys. Council may want to think of something different or creative.

## Other Relevant City Council Considerations:

- River Heights Chamber of Commerce stated they as a Board would appreciate keeping Public Comments at the front end, so they are encouraging to be transparent, and limit comments to three minutes.
- Town Square Television. Checked with management. Asked what moving the meeting would mean for them. They suggest if making a change giving them 60-90 days to reschedule. It is about Staffing, a lot who help with telecommunications workday jobs and come in later. They would work with the City if having enough notice. They believed 5:00 p.m. was a bit too early.
- Department Heads/City Staff were asked, and the consensus was to leave it at Monday night at 7:00 p.m. There was some interest in moving the regular City Council Meetings to Tuesday as most City Staff are busy on Monday's getting caught up on things after the weekend. With a Monday night Council meeting they want to be responsive to the Public and Council questions. This can be a bit tricky on a Monday.
- Legal Counsel responded they would accommodate what Council does.

Interim City Administrator Rand asked Council what they would like to do and suggests not doing it too quickly as schedules will have to be changed. She stated there was discussion about the information

and the format presented to Council. Staff is committed to working diligently to not provide too much information or detail. Discussions with Staff have been to try to keep it in an outline or memo format. There is currently a new format. If not providing enough information, she asked requested they call.

Councilmember Piekarski Krech asked if they would do the City-Wide survey again. Interim City Administrator Rand responded she has not had that conversation with Communications yet. She believes they have said that would be preferable. She stated many Cities have a survey once a year and try to promote it to generate enough interest. If Council wants to give that direction, she will bring it back to the Communications Staff. Councilmember Piekarski Krech stated if they do a survey this year, that would be the place to ask about meeting times and days. She stated she knows that Tuesdays are difficult for the NDC Board because they need enough Cable Casters and stations to broadcast the information.

Mayor Bartholomew stated he strongly likes having Public Comments at the end of the meeting. He has had three phone calls commenting it was the best thing ever done. It reduced the length of meetings. He stated he would like to keep Public Comments at the end and have three minutes be the rule.

Councilmember Gliva stated if keeping Public Comments at the end they could do an earlier meeting. She stated at the local issues meeting, they were commenting the meeting gets so long, with comments way at the end it did not seem as if they were serving the public very well. She suggested having an earlier meeting and keeping Public Comments at the end.

Councilmember Piekarski Krech stated another complaint she has heard with Public Comments being at the beginning, people were in attendance for an Agenda Item. Public Comments can get long and those there for a business item on the Agenda do not get the service they feel they should receive.

Mayor Bartholomew stated it has helped the meetings a lot to keep it at three minutes.

Councilmember Murphy stated keeping Public Comment at the end drives further Agendas. He stated he brought the meeting topic up and did some research. He did not feel the survey results were statistically significant based on a population of 35,000, comments are very important. He stated the feedback he received was for Tuesday's at 6:00. Tuesday was driven by the fact that Monday was busy for Staff. He felt Tuesday made a lot of sense and 6:00 was a good compromise. Work Sessions start at 6:00 giving consistency. He stated it is Residents first, Staff second, and Council third. He thought if the meetings were more efficient the public would still be here.

Councilmember Dietrich agreed with a start time of 6:00 p.m. and having Public Comment at the end.

Mayor Bartholomew suggested working toward a goal of Tuesday's at 6:00 p.m. Councilmember Piekarski Krech stated it would be an Ordinance change, and conflicts with Planning Commission. Interim City Administrator Rand stated the Planning Commission meets on the first and third Tuesdays of the month. Those are not the weeks scheduled for Regular meetings. Council would need to find a different day for Work Sessions.

Mayor Bartholomew asked if keeping Work Sessions to Mondays at 6:00 p.m. worked. Councilmember Gliva responded she liked having the meetings fall on the same day of the week. Councilmember Murphy liked the simpler schedule. Councilmember Gliva suggested asking the day change question in the survey.

Mayor Bartholomew asked if they should transition to a 6:00 start and eventually get to a Tuesday meeting. Interim City Administrator Rand clarified what Council was requesting stating to change the regularly scheduled City Council meeting start time to 6:00 p.m. via Ordinance and keeping them on Monday with the intent to try to get them to Tuesday.

Mayor Bartholomew asked what the likelihood was of getting them to a Tuesday meeting. They know they would have to switch the Planning Commission. Interim City Administrator Rand responded they should have a discussion with Planning Commissioners, they are volunteers. To date, Staff has not done that.

Councilmember Piekarski Krech stated they receive Council packets on Wednesdays. Council can email Staff by Friday or Saturday and they are not as pushed to respond before or on Monday.

Councilmember Murphy stated if doing Monday at 6:00 p.m. and having to rewrite that, he asked if changing the day of the meetings would also have to be rewritten. Mayor Bartholomew responded it would be Three Readings for either. Rules can be suspended; he was unsure of suspending rules for day change.

Mayor Bartholomew agreed with reaching out to the Planning Commission about a change. Interim City Administrator Rand responded she would have discussion with the Planning Commission and move toward an Ordinance change for Monday's at 6:00 p.m. Council agreed.

#### **7) Telework Policy Discussion:**

Interim City Administrator Rand stated with the Pandemic, many employees perform work from home. They are pleased with the productivity of many, there were a couple they had to work with. Remote working is not for every position, and not for everyone. Staff and management began to realize that Council should approve a Telework Policy for the Pandemic and going forward. She stated Telework has become more popular in the last 20 years. Sometimes it allows for certain limitations employees may have.

Staff reached out to other large employers who have such Policies and crafted and Drafted their own. The Draft was routed to management and Labor Unions for input. She stated everyone has signed off that this is an acceptable Policy. This Policy establishes guidelines for employees when it becomes an option, and the Manager/Supervisor feels comfortable with providing the opportunity to work in a Telework situation opposed to an office.

She stated they see teleworking as a Management decision, not for every employee, not a benefit, and not something an employee should expect. The Policy is dated March 2021. To note, in the definitions there are a few references to COVID-19. She stated she discussed this with the City Attorney and would like to eliminate the references to COVID-19, so this is a Policy to serve City needs now and in

the future. She recommends approval. If Council supports this it would be placed on the Consent Agenda for March 8<sup>th</sup>.

Human Resources Manager Shefchik stated there is a reference about families first referenced. That ended on December 31<sup>st</sup>. She suggested modifications to update it.

Councilmember Dietrich asked if the Commissioner's, Department Heads, residents, businesses, and Council would be offered to attend virtually. Interim City Administrator Rand responded the Policy was intended just for employees. More time would be needed to discuss the request about Council's and Commissions. Councilmember Dietrich stated she thought of that when they got the recent Interim Parks and Recreation Director and new Staff coming on board, it would be different not knowing them. She asked for more information about where it was headed. Interim City Administrator Rand responded the intent was as long as there is a Governor's Executive Order encouraging employees and the public to work from home, they are trying to accommodate. She stated she has encouraged Department Heads and other Staff to continue to participate remotely. The Parks and Recreation Board felt strongly they would like to meet in person. Council meetings are offering the Hybrid option where some can remote in. The Planning Commission prefers to meet remotely, but this may change. She stated members of the public with public meetings have the opportunity to remote/call in. This still offers the public a chance to stay engaged and be involved. When there is not a Pandemic, the intention would be to go back to public meetings.

Councilmember Piekarski Krech thought there was a legal reason they cannot meet remotely. Under the Governor's Executive Order, they currently can. City Attorney McCauley Nason responded if there was not an emergency, they could meet using interactive television technology. There is a separate Statute that would allow Council Members to participate remotely. She stated the Legislature adopted an Amendment to the Open Meeting Law last Legislative Session that states after the emergency is done for a specified period of time, if there is a medical reason, for themselves or a family member, and want to meet remotely, the house where they would attend the meeting from could not be open to the public.

Councilmember Piekarski Krech asked if this was a Policy so it does not have to go through Ordinance. Interim City Administrator Rand responded that was correct, it is just a Policy. Some HR Policies are part of City Code and some are not. Some Cities have done away with having HR Policies being Ordinances. Staff is working with the HR Department and Legal to make changes and pull Policies out of the Ordinance book.

Councilmember Murphy stated it has not been his experience outside of the City that this increases productivity but reduces customer service and decreases productivity. He asked if there were any statistics that state its more productive. Interim City Administrator Rand responded they do not have statistics, but discussion amongst Managers and Department Heads. Some areas it has increased, and in some it has not. That was why this would be a management decision and should not be taken lightly.

#### **8) IGH Mutual Aid:**

Police Chief Melissa Chiodo stated she intends to bring this before the City Council on March 8<sup>th</sup>. It is a Mutual Aid Agreement between the Inver Grove Heights Police Department and the St. Paul Police

Department. Legal has gone over it and made changes. It was initially drafted by the St. Paul Police Department. Currently, it is with the St. Paul Department for Legal review and hope to get it back to the City in the next few days with additional review by the City Attorney before presenting to Council.

She stated Mutual Aid Agreements are not new. Fire Departments use them all the time to assist each other. Such as when our Fire Department helps South Metro, or South Metro helps our Fire Department. That is called Mutual Aid. They do this with other Dakota County Agencies all the time when needed. This is formalizing an Agreement with St. Paul Police to assist in Emergencies. Inver Grove Heights assisted St. Paul in the civil unrest last year and is what led to this now. All Agencies within Dakota County assist with St. Paul. St. Paul realized they need help as well and offered to help our City. It was decided to have a Mutual Aid Agreement.

She stated if having an emergency, a fire, or do not have enough Police to do Traffic Control or take calls, they can call other Dakota County Agencies quickly, or call St. Paul who has a larger Department and can send resources to Inver Grove Heights. This could also be done in the event of a natural disaster, Officer involved shooting, or Community unrest. St. Paul is willing to help in the future if asked.

Police Chief Chiodo stated each Agency in Dakota County is doing a Mutual Aid Agreement with St. Paul. This includes: Apple Valley, Burnsville, Dakota County Sheriff, Eagan, Farmington, Rosemount, West St. Paul, and South St. Paul have either signed one or in the process. Signing this states "Either Agency can either verbally or writing, in times of emergency, make a request for Aid from their Department". After it is done verbally, it has to be followed up in writing within a certain time period. There would be a process through Command Staff as to who can make the request for an emergency and what type of emergency, they could make a request in. Covered in the request:

- Each Agency is still required to cover their own Workers Compensation. If one of the Officers was injured, the City would still take care of that with their own insurance.
- If damaging equipment when helping St. Paul, or St. Paul came to Inver Grove Heights and equipment is damaged, their City is still responsible for that.
- There are State Laws that discuss if something is a FEMA event and reimbursement. Costs would have to be tracked and submitted for reimbursements.

Limitations:

- If providing assistance to another City, resources can be withheld. For example, if St. Paul were to ask to assist them, they would only assist them with what they reasonably can.
  - There is a plan in place for how to work with them. If there was some other emergency that popped up, it does not mean they would leave Inver Grove Heights with nothing. They would only give what they can afford to give at the time.
  - Assistance can be pulled back at any time. For example: if assisting St. Paul and something happens in Dakota County, they can pull back and assist their home Agency Dakota County. This does not lock them in, they can assist when they can, then come back and take care of anything they have to in our County.
  - Withdraw. Can withdraw at any time by putting it in writing. The Department helped St. Paul last year and are training with them to prepare for civil unrest.
  - They are being done due to the entire Coalition of Agencies in the East Metro. Chief Axtell in St. Paul has been trying to get funding to pay for equipment and training to

prepare for civil unrest. Trying to secure funding to help take care of any Agencies in the East Metro Coalition with any future training or resource needs. Joining this Coalition states they are committed to taking care of Dakota County and St. Paul, and St. Paul would assist us. If Chief Axtell is able to secure funding, that would be distributed to Agencies that have signed on to the Mutual Aid for training and preparing for these events. She stated because they have seen some things occur in Dakota County, things have happened where there are limited resources, St. Paul can provide a larger resource pool.

She stated if entering into this Agreement it would become effective on March 8<sup>th</sup> when it is signed by the Council. It would go through December 31<sup>st</sup>, 2026 at which time it would be reviewed. South St. Paul has had an Agreement for over a year, West St. Paul has had an Agreement for over six years with no issues.

Police Chief Chiodo stated any time there are major events, Mutual Aid Agreements are signed onto. The City is being proactive with the civil unrest coming up and any other things that may come up for Law Enforcement. Once St. Paul is finished with their review it will come back to the City Attorney again, then the Council would be sent a full copy and could follow up with the Police Chief or City Attorney.

Councilmember Piekarski Krech asked if this just covers Police and if there were budget implications. Police Chief Chiodo responded it is Law Enforcement only. For budget, they do not know if something would be a FEMA Event, or if the State would Grant reimbursement. They are currently paying to put the Officers in training to prepare for civil unrest. Overtime was paid last year to respond to civil unrest in Dakota County. By signing this, there is not anything they would have to pay money for. When responding to civil unrest, it is going to cost money to help protect Dakota County and surrounding Agencies. If money becomes available, they can submit for reimbursement.

Mayor Bartholomew stated his concern is with the Officer Camera Policy and if rules were the same from City to City and who has jurisdiction over the camera data. For example, one of our Officers was in St. Paul, he asked whose rules would govern the camera information. Police Chief Chiodo responded Inver Grove Heights Officers still operate under their own Policy procedures. If our City Officers body camera records something, that is our data. St. Paul would make a formal data request to get the body camera. Some Agencies, if using the same platform, permission can be given to share for Legal reasons. With St. Paul, they would need to make a formal request for data. If an Inver Grove Heights Officer were to go to St. Paul, they would still follow our City Policy and Procedures.

**B. Adjourn:**

**Motion by Gliva second by Dietrich to adjourn the meeting at 10:10 p.m.**

**Ayes: 5**

**Nays: 0      Motion carried.**

Minutes prepared by Recording Clerk Sheri Yourczek.