

MINUTES

January 30, 2012 5:30 p.m.

Reconvened meeting of the Ely City Council from January 17, 2012 - Council Chambers, Ely City Hall

I. CALL TO ORDER

The Ely City Council Reconvened Regular Meeting from January 17, 2012 was called to order by Mayor Skraba at 5:35 p.m. on January 30, 2012 at the Ely City Hall.

Roll Call:

Present: Council members Debeltz, Nikkola, Omerza, Salerno, Sheddy, Zupec and Mayor Skraba (7)

II. ADDITIONS OR OMISSIONS TO TONIGHT'S AGENDA:

A. Addition IIIJ – Close meeting for negotiation strategy discussion

Nikkola/Omerza moved approval of the Addition to the agenda. Motion carried unanimously.

III. NEW BUSINESS:

A. Approve to appoint Rob Wilmunen to another term on the Ely Utilities Commission. Sheddy/Salerno moved approval. Motion carried unanimously.

B. Approve Police Officer overtime hours in the event the Chief of Police is assigned to other duties during the Strike. Debeltz/Nikkola moved approval. Motion carried 6 to 1 in favor with Zupec voting no.

C. Approve the Letter from the Library Director to all renters of the Community Center regarding the pending employee strike. Debeltz/Omerza moved approval. Motion carried unanimously.

D. Approve to Re-Appoint David O'Donnell and Sara Skelton to another term on the Library Board. Omerza/Nikkola moved approval. Motion carried unanimously.

E. Approve to authorize correspondence to Union representative on strike picketing procedures and return to work procedures.

Issues to address with Union Representative/ Counsel:

a. Where picketing can and cannot occur

a.i. Picketers will not be permitted inside the buildings.

a.ii. Area law enforcement officials will be notified and will remove picketers from the areas.

a.iii. Striking employees will not be permitted on City property or in City facilities with the following exceptions:

a.iii.1. Any official or agent of the striking union who needs to enter any City premise to conduct official business must have prior approval from President of the Strike Committee- the terms of entrance will be established in each individual case.

a.iii.2. Individual striking employees who have public business or wish to attend a public function held in City facilities will be permitted access. This access will be closely monitored. If problems develop, a limitation on conducting public functions may need to be considered.

a.iii.2.a. \*\*\* Striking employee members, who also serve on volunteer fire department shall enter any City premise for fire protection related purposes\*\*\*\*

- b. Identity of picket captains and locations
  - b.i. Community Center- North side of Harvey
  - b.ii. City Hall- South side of Chapman
  - b.iii. Joint Maintenance- TBD, Union to work with County
- c. Common entrance issues
  - c.i. City Hall-Both Entrances during normal work hours
  - c.ii. Community Center- All 3 entrances will remain open, during Library Hours
  - c.iii. Joint Maintenance- TBD
- d. Return to work procedures
  - d.i. Strike conclusion notice: Union representative shall notify City via email and a telephone call to the following individuals: Claire Huisman, Harold Langowski, Rachel Heinrich, and Mayor Roger Skraba
  - d.ii. Employees to return to work the next day and shall be available for call immediately thereafter.

Nikkola/Omerza moved approval. Motion carried 6 to 1 in favor with Zupec voting no.

- F. Approve recommendation from Strike Committee on non-essential services and city building hours in the event of a strike.
    - a. Sidewalks may not be plowed
    - b. Moratorium on community center rentals
    - c. Reduced Hours in the Library/Community Center
      - a.i. Hours: 10:00 a.m. to 6:00 p.m. (Tuesday – Friday)
      - a.ii. Closed February 14<sup>th</sup> – 23<sup>rd</sup>
        - b. Reduced Hours in the Utilities Billing Office
          - b.i. Window Hours: Noon to 2:00 p.m. (Monday-Friday)
        - c. Reduced Hours in the Clerk’s Office
          - c.i. Window Hours: 9:00 a.m. to 11:00 a.m. (Monday-Friday)
        - d. Moratorium on cemetery burials
        - e. Moratorium on city assistance in thawing water lines
        - f. Moratorium on rentals at the Ely Recreation Center
- Nikkola/Omerza moved approval. Motion carried unanimously.

G. Approve to authorize Press Release on reduction in City Services and Building hours in the event of a strike (see item F). Debeltz/Salerno moved approval. Motion carried unanimously.

H. Approve amended Resolution Appointing Strike Committee and to authorize the City Attorney to draw up a Memorandum of Understanding with the Union of Ely Supervisors of other than Essential Employees for non-union employees, supervisors and department heads to receive overtime compensation.

**WHEREAS**, the City of Ely is committed to sound collective bargaining principles and practices which will serve to resolve differences to the mutual satisfaction of the parties and avert, to the greatest extent possible, work actions such as strikes. On January 20, 2012, the City of Ely received correspondence from Ms. Ida Rukavina, union representative dated January 19, 2012. Said correspondence notified the City and the Bureau of Mediation Services of AFSCME Local 1490's Base Unit intent to strike. In the event bargaining demands cannot be satisfied and recognizing that the City must take responsible precautions to ensure the necessary public services will be provided in the event such action is employed.

**WHEREAS**, the City of Ely shall establish a Strike Committee. The Strike Committee will consist of the Negotiating Committee, City Attorney, Department Heads, and any other member the Council deems appropriate. Said committee shall make such preparations to ensure continuation of necessary public services. Such preparations shall, among other things provide that:

1. Priorities are established for all services provided by the department from critical – which may not be interrupted – to the minimum level of service that can be maintained.
2. Instruction is given supervisory personnel regarding their responsibilities and conduct during a strike.
3. The City develops a policy regarding striking employees to ensure that all employees are advised of their rights and responsibilities during a strike

**WHEREAS**, the Strike Committee will meet and may handle city operations on a daily basis, if necessary. This committee shall recommend to the Council action pertaining to strike planning and the continuation of City services, including but not limited to:

- Change the hours and dates of services or employees schedules on a temporary basis.
- Eliminate non-essential services on a temporary basis.
- Designate an informational officer to handle all news media and public inquiries.
- Pay competitive wages to hire additional employees to carry out essential services.
- Grant overtime or comp-time for non-union employees, supervisors and department heads who don't currently receive such compensation.
- Allow additional carry-over of vacation time if vacation leave is cancelled.
- Cancel non-essential meetings.
- And any other action the Committee deems necessary to facilitate services and information in the event of a strike.

**NOW, THEREFORE BE IT RESOLVED**, that because the City has been served with a notice of intent to strike by a bargaining unit and for the duration of any work stoppage only, the Strike Committee hereby is empowered to do all things reasonably necessary to secure the safety of the public, employees and public property and ensure the continued operations and proper administration of essential functions of the City of Ely notwithstanding any existing resolution, policy, budget restrictions or directives of the City Council in and for the City of Ely, Minnesota which would preclude or otherwise limit the Strike Committee in the full exercise of sound discretion in maintaining and protecting City functions and services.

Nikkola/Salerno moved approval. Roll Called: Debeltz-yes, Nikkola-yes, Omerza-yes, Salerno-yes, Sheddy-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

- I. Approve Mayor and Deputy Clerk to sign Assistant Police Chief John Saw's Early Retirement Agreement. Debeltz/Omerza moved approval and to also send a "Thank You" letter to Officer John Saw. Motion carried unanimously.

#### IV. OPEN FORUM

Council member Omerza thanked the Department Heads for their hard work in preparing for a strike and also for the patient understanding of those who were renting the Community Center for planned events that had to be cancelled at this time.

#### V. ADJOURN

Meeting was recessed at 5:50 p.m. and reconvened at 5:55 p.m.

Meeting was closed at 5:56 p.m. to discuss negotiation strategies.

Meeting was reopened at 7:20 p.m.

Debeltz/Nikkola moved approval to at 7:22 p.m. to recess meeting until Wednesday, February 1, 2012 at 5:00 p.m.

Claire Huisman  
Deputy Clerk