

**Special Council Meeting Minutes**  
**April 28, 2020**  
**Meeting was held via Zoom-video/teleconference**

**CALL TO ORDER**

Mayor Novak called the Special Council Meeting to order at 5pm.

**OLD BUSINESS:**

Process and Procedures for Police Chief Interviews

A.Forsman indicated that he wants to make sure the interviews are fair. Since the interviews are an open meeting he was concerned how we make it fair for all the candidates.

Mayor Novak indicated that he put together another Emergency Declaration 2020-05 which allows for meetings in person in the council chambers. Mayor Novak indicated that he did this with anticipation of Governor Walz modifying his Stay at Home Order. Mayor Novak indicated that several cities have been meeting in person, with social distancing guidelines in place. Mayor Novak indicated that the feel he has got from the council that the current process of doing the interviews via video conference was unfair to the candidates. In the past the council has interviewed and discussed the hiring practices in person. In the past the media has allowed the council to discuss their choices without their presence. The interviews with the full council present will be an open meeting, we will need to establish some guidelines as to how individuals will be able to come into the council chambers, the number of people allowed is going to be extremely limited. If we do the interviews in the chambers we will have a better sense of the candidates themselves. It will also eliminate the listening to other candidates answers; by doing this in chambers it gives everybody a fair process.

A.Forsman asked if purpose of the Emergency Declaration is to have the interviews in person, would future council meetings still be via Zoom?

Mayor Novak indicated it would be up to the council after that. It will need to be an individual decision to make whether we would do a mix n match, or do them all in the chambers. We have social distancing guidelines to follow. It will be up to the council as to how we want to meet.

Kess stated that the declaration that the mayor made will need to be approved by the council. Mayor Novak indicated that it will be at the next meeting. Kess indicated that he is not comfortable on having in person meetings until the governor rules on these kinds of things.

Mayor Novak indicated that governor has not said that we cannot meet in person, it just requires social distancing. The Council Chambers are big enough for the 6 foot separation.

Callen indicated that if we can meet the requirements for Social Distancing for the interviews we should do the interviews in the council chambers; we can learn more about the candidates with in person interaction.

Omerza stated that as a council we have interviewed candidates before in person, and some candidates have not been able to attend their interview so we have had to do phone interviews. We have also had the challenge before of questions getting out beforehand, as the first person gets interviewed and people wait outside the room on the bench. Some of these challenges are not as unique to the situation as we think. We are the full council and our council does all of our department head hiring we need to understand that this process is a little different because it is the full council doing the interview and we need to do the best we can with it.

Debeltz stated that it is better to have the interviews in person. We should be able to social distance in the chambers. The questions need to be fair and we need to ask the same questions.

A.Forsman/Kess moved to have the Police Chief Interviews in person, issue the questions to the candidates ahead of time, and to have a special council meeting the following week to deliberate.

Kess asked if we can add to the May 5<sup>th</sup> Council Agenda to deliberate the interviews. Omerza indicated her preference would be to make the decision immediately after the interviews, transparency is the most important part and making a decision immediately would be in the best interest the council and of the City of Ely, then make formal action at the council meeting on Tuesday.

A.Forsman indicated that he had gone back and forth with each option, sometimes it has been clear to me in interviews, but sometimes you need more time to make your decision. Callen asked what has been done in the past, was it decided immediately after the interviews or was there time in between?

Mayor Novak indicated that it has been decided immediately after the interviews.

Campbell indicated that she would like to make the decision immediately after.

A.Forsman/Kess amended the motion to have the Police Chief Interviews in person with Social Distancing in place, and to have the voting and decision making immediately after the interviews and to issue the questions to the candidates ahead of time.

Attorney Klun stated that giving the questions before came up with Zoom to keep the process fair. In person interviews we have not given out questions ahead of time. With giving the questions on the spot in person you get people's reactions better. We did have some discussion on giving the questions ahead of time, but that was in regard to using Zoom to keep the process fair.

Kess indicated at Vermillion Community College when they would do interviews they would do it both ways. By giving them some of the questions ahead of time, you get candidates time to think and answer questions more creatively and by giving them some impromptu questions it gives us the opportunity for us to see how they react.

A.Forsman stated to amend this motion and take the question issue out of the motion and we can discuss it in a separate motion if needed.

**A.Forsman/Kess amended the motion to have the Police Chief Interviews in person in the Council Chambers with Social Distancing in place, and to have the decision making for Police Chief immediately after the interviews. Roll Called: Council Member A.Forsman-Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, Campbell – Yes, and Mayor Novak-Yes. Motion Carried Unanimously.**

A.Forsman suggested that the Council proceed as normal and to not provide the questions ahead of time to the candidates, and we will decide on the question at our pre interview meeting.

Attorney Klun indicated that the default would be to not release any questions because of fairness. Attorney Klun indicated as it sits right now she would give the council the sample questions a half hour before the interviews and the council can refine them and then we can hand them out.

Mayor Novak indicated that with the declaration to allow in person meetings, to ask staff to write the resolution that is necessary. The resolution would be to approve the declaration to be in place, how we proceed in the future, and the option will be there to do in person or not, the council can make that decision on what the current times are.

Attorney Klun asked if the council wants staff to prepare rank voting sheets, if not you would make a motion and the candidate would move forward.

Mayor Novak indicated that how we vote will be decided on Friday.

A.Forsman asked if it would be easy enough to prepare two forms and we can decide at the deliberation meeting which way to go.

Kess indicated that it is difficult to have someone nominate someone as the hire and you are forced into either voting for them or against them.

Omerza indicated that in the past it has seemed like someone has risen to the occasion, and lets cross the bridge when we get there, there is two processes we will figure it out on Friday. They both have their merits some good and some bad.

NEW BUSINESS: None

ADJOURN

Mayor Novak Adjourned the meeting at 5:32pm without objection.

Casey Velcheff  
Deputy Clerk