

Minutes and Proceedings of the City
Council of the City Of Emily in the
County of Crow Wing, State of Minnesota

February 19, 2008
SPECIAL MEETING

The Emily City Council met for a Special Meeting on Tuesday, February 19, 2008 in the Council Chambers and was called to order by Mayor George Pepek at 6:00 p.m. Council members George Pepek, Gerhart Hanson, Joan Hite, Dan Barrett, and Kent Rees were present. Deputy Clerk, Christa Andrews, was also present.

The purpose of the Special Meeting was to discuss the Community Growth Planning and Zoning Administrator Contract for 2008. The Council will also close the meeting to meet with Attorney Steve Qualley to discuss Northern Lights Over Roosevelt possible litigation.

Community Growth is requesting to be paid a fixed monthly amount. The Council had budgeted \$37,000.00 for the year and Community Growth is asking for \$45,000.00. Councilmember Rees stated the budget for the year is set. Councilmember Rees stated Marohn should be here to discuss and have input regarding his contract. Councilmember Hanson clarified Marohn was asked not to attend. Mayor Pepek said it would have been nice to have him in attendance. Councilmember Rees stated when contract negotiations are done after the budget is complete, the City is left between a rock and a hard place. Rees also stated contract discussion should take place several months in advance.

The Council agreed there needs to be open discussions with Community Growth. Councilmember Rees stated there is considerable unrest with the performance of Community Growth. Rees suggested a closed type discussion of personnel matters. Councilmember Hanson stated three specific individuals that have complained about Chuck Marohn are ordinance violators. Hanson compared previous Planning and Zoning Administrator's to Mr. Marohn stating Marohn enforces the ordinances. Councilmember Hanson stated he was not taking sides but it is not fair to criticize Mr. Marohn based on comments of a few individuals who are constantly in violation of the ordinances. Mayor Pepek stated there were a couple complaints of things that were not followed through. Hanson also stated Mr. Marohn was not hired for his personality but for the job he is doing. Councilmember Hanson said it had been brought up during the EAW process that Mr. Marohn was leading the Planning and Zoning Commission around by the nose, telling them how to vote. Hanson stated it was funny how the people who have said that are not on the Planning and Zoning Commission. Not one commissioner has come up and complained about Mr. Marohn.

The Council agreed the budget has been set and those figures can not be changed. Councilmember Hanson stated that the Council should open dialog and state what the Council expects of Community Growth. Councilmember Hite stated Personnel can meet with Mr. Marohn and then the Council at the next meeting. Attorney Steve Qualley stated a closed meeting can be held for only a few reasons, litigation/lawsuit, personnel discipline and that sort of thing. Contract discussions do not warrant a closed meeting. Councilmember Barrett stated that questions can be taken from other council members to personnel to air them, and then bring them back to a council meeting.

Councilmember Rees questions a month to month payment basis until a resolution is reached. The Clerk's office will look into what other cities pay for a Planning and Zoning Administrator.

Councilmember Hanson stated previous administrators did not follow the ordinances and enforce them as Mr. Marohn has. Now there is a Commission instead of everything coming directly to the Council. Mayor Pepek recalled Marohn being directed to send letters to residents requiring them to clean up their yards, which then aggravated those residents who have complained about Marohn. Councilmember Hanson stated that Mr. Marohn gets the flack for the Council and Planning and Zoning Commissions decisions and directives

The Personnel Committee will meet with Mr. Marohn to further discuss and negotiate the contract. Councilmember Hite stated the Council needs to be on the ball to have the next contract settled and in place to take over immediately after previous contract expires. Mayor Pepek suggested negotiations begin in July before the budget is set.

AT 6:40 P.M. COUNCILMEMBER HANSON MADE THE MOTION TO CLOSE THE MEETING TO MEET WITH ATTORNEY STEVE QUALLEY TO DISCUSS NORTHERN LIGHTS OVER ROOSEVELT POSSIBLE LITIGATION. COUNCILMEMBER HITE SECONDED. MOTION CARRIED.

The meeting reopened at 7:16 p.m. No motions or actions were taken during the closed meeting.

COUNCILMEMBER BARRETT MADE THE MOTION TO APPOINT COUNCILMEMBER REES AND MAYOR PEPEK TO A LITIGATION COMMITTEE. COUNCILMEMBER HITE SECONDED. MOTION CARRIED.

COUNCILMEMBER HITE MADE THE MOTION TO ADJOURN THE MEETING. COUNCILMEMBER BARRETT SECONDED. MOTION CARRIED.

The meeting adjourned at 7:18 p.m.

Respectfully Submitted,

Christa Andrews
Deputy Clerk