

Special Meeting

April 25, 2019

Meeting called to order by Mayor Tammy Konz at 5:30pm

Council Members present: Tammy Konz, Sheryl Carlson, Kyle Christensen, Cindy Stelten and DuWayne Orbeck

Others present: Tom Jovanovich, Jon Lentz and Jean Matua

Mayor Konz explained to those present the purpose of the meeting was to discuss the police chief position, specifically the status of the background investigation on Travis MacLeod.

City Attorney, Tom Jovanovich, explained to the Council that the background check itself is confidential private data and the City Council cannot close the meeting because it does not fall under any of the exceptions to which the Council can close the meeting. He further stated that the Data Practices Act specifically recognizes situations such as this, so the Council should only discuss the background check as it needs to in terms of making a decision. The best way to do that is to refer to the numbered paragraphs on the background check.

Mr. Jovanovich stated that the Stearns County Sheriff's Department has conducted the background check and has made a recommendation to the City to discontinue it because of what has been found to date.

Stearns County Captain Jon Lentz explained that the Lieutenant in charge of the investigation spoke with him and provided him with the data, he reviewed it and at that point advised the Lieutenant to stop the process. He then spoke with Mayor Konz and provided her with the information; she then arranged for this meeting. There are additional materials that make up the complete background check, but at this point the process has been suspended.

Councilmember Carlson inquired as to how background checks are performed.

Captain Lentz explained that law enforcement candidates fill out a background investigation packet where they are asked to disclose any other agencies that may have backgrounded them, in that process we reach out and obtain those background investigations from other agencies. A good portion of this information comes from a background that was completed by another agency. In addition to criminal history checks and local records checks, they may sometimes (not in this case) go and speak with previous background investigators.

Councilmember Stelten stated that she thinks with Items 1, 2 and 3 we cannot look at this as a viable candidate.

Mayor Konz stated that the background check shows a lack of judgment the City is looking for and we need to move forward and be positive for the community because the community does deserve the best.

Motion made by Cindy Stelten to make a conditional offer of employment to Claire Wagner; motion rescinded

Motion made by Cindy Stelten and seconded by DuWayne Orbeck to suspend the background investigation on Travis MacLeod based on the recommendation of the Stearns County Sheriff's Department and the reasons for the suspension are listed in City Attorney, Tom Jovanovich's memo to the City Council dated April 25, 2019; motion carried

The City Attorney will send a letter to Mr. MacLeod advising him of the City's decision along with statutorily required information when rescinding conditional job offers.

Motion made by DuWayne Orbeck and seconded by Cindy Stelten to make a conditional offer of employment to Claire Wagner for the Police Chief position upon completion of a successful background investigation, psychological evaluation, medical evaluation and any other pre-employment testing required; motion carried

Wages will be discussed at the next regular meeting. Mayor Konz will contact Claire Wagner.

Motion made by Cindy Stelten and seconded by Kyle Christensen to adjourn at 5:40pm; motion carried

Respectfully submitted by Nicole Pilarski