

City Council Proceedings

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State of Minnesota
Counties of Scott & Le Sueur
City of New Prague

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Special City Council Meeting
Wednesday, May 31, 2017

Mayor Nickolay called the special meeting to order at 6:00 p.m. with the following members present: Nickolay, Ryan, Jirik, Tuma
Absent: Bruzek

Staff Present: City Administrator Mike Johnson, Police Chief Jim Gareis;
City Attorney Scott Riggs

It was moved by Nickolay and seconded by Ryan to approve the Agenda. All voted in favor of the motion. (4-0)

Mayor Nickolay indicated that the only item of business was to consider RESOLUTION NO. 17-05-31-01 APPROVING A SEPERATION AGREEMENT AND RELEASE OF CLAIMS BETWEEN THE CITY OF NEW PRAGUE AND JOHN C. NORRIS, POLICER OFFICER.

City Administrator Johnson informed the Council that the City had reviewed a voluntary letter of resignation from Officer Norris with an effective date of June 1, 2017. There was a request for a severance benefit "condition" under the Union Collective Bargaining Agreement with Law Enforcement Labor Services (LELS) under Article 13.1. Mr. Norris's claim was related to whether he should be entitled to receive accrued unused sick leave under the terms of the contract, which the City disagreed with.

City Attorney Riggs indicated the Council's least expensive alternative available to the City and to avoid the cost and inconvenience of a protracted grievance arbitration claim, would be to enter into a "Separation Agreement" with Officer Norris to resolve the dispute.

The Agreement can be authorized per City Council Resolution No. 04-01-06-04 (Severance Plan/Program for City of New Prague Employees in Certain Circumstances) and it enables the City to obtain a full release of claims that Officer Norris could assert against the City arising out his employment. The agreement complies with applicable state law and represents a fair and reasonable resolution of various issues surrounding Officer Norris's separation of employment from the City.

City Attorney Riggs indicated that the Agreement is subject to a couple of Rescission/Revocation Periods within the Agreement at either a 7 or 15 day period. City Administrator Johnson indicated that the estimated costs of the severance pay was \$3,722.64.

After discussion, a motion by Ryan, seconded by Jirik to approve RESOLUTION NO. 17-05-31-01 APPROVING A SEPARATION AGREEMENT AND RELEASE OF CLAIMS BETWEEN THE CITY OF NEW PRAGUE AND JOHN C. NORRIS. All voted in Favor of the motion (4-0)

It was moved by Nickolay and seconded by Tuma to adjourn at 6:10 p.m. All voted in favor of the motion. (4-0)

Charles L. Nickolay, Mayor

ATTEST:

Michael J. Johnson
City Administrator