

CROSSLAKE CITY COUNCIL MEETING
SPECIAL SESSION
Thursday, June 9, 1988
10:00 a.m. at City Hall

The City Council of Crosslake, Minnesota met in a special session on Thursday, June 9, 1988 in the Council Chambers of City Hall. The following members were present: Mayor Oliver Courts, and Councilmembers Elizabeth Andolshek, Lyle Arends, Diana Gallaway and Oliver Yates. Also present was City Clerk Arlene Buchite, City Attorney James Gammello, Park Director Patricia Felber, Ms. Felber's attorney Steven Van Drake and a court reporter retained by Mr. Van Drake. There were approximately 28 members of the community present as well as Police Sargeant Don Coulter.

Mayor Courts called this meeting to order at approximately 10:00 a.m. and stated that on the advice of City Attorney James Gammello he was closing this meeting to everyone except the City Council because of the imposing threat of litigation.

Mr. Steven Van Drake introduced himself and protested having the meeting closed saying it violated the closed meeting law and because they had requested a public hearing on the personnel matter to aire all the reported claims and evidence against his client with the City's "Notice of intended termination" report. Mr. Van Drake demanded a public hearing.

Mr. Gammello said that according to Minnesota law if there is any threatened litigation, and with the presence of a Court Reporter the City is within its right to close the meeting so their City Attorney has the opportunity to speak with the Council.

MOTION NO. 6S1-01-88 WAS MADE BY COUNCILMEMBER GALLAWY AND SECONDED BY COUNCILMEMBER YATES TO CLOSE THIS SPECIAL MEETING FOR A CONFERENCE WITH THE CITY ATTORNEY. MOTION PASSED UNANIMOUSLY.

*Motion amended 7-11-88
"Councilman Arends voted "nay" to closing the meeting.*

Mayor Courts asked Police Sargeant Coulter to clear the Council Chambers.

The closed meeting was adjourned at 11:55 a.m. and Mayor Courts declared a five minutes recess to allow the citizens to be seated in the Council Chambers.

Mayor Courts reopened the meeting and stated that the Council had taken no action during the closed portion of this meeting.

MOTION NO. 6S-02-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK THAT THE CITY ATTORNEY PROCEED WITH THE INVESTIGATIONS OF THE PARK DEPARTMENT AS A WHOLE TO DETERMINE ANY GROUNDS FOR DISCIPLINARY ACTION OR IMPROVEMENTS TO PROCEDURES OR POLICIES WITHIN THE STRUCTURE OF THE PARK DEPARTMENT AND THAT THIS BE DONE WITHIN A TWO WEEK PERIOD. MOTION PASSED UNANIMOUSLY.

Mr. Van Drake asked to be recognized as attorney for Patricia Felber and wanted to go on record as protesting the closed meeting as a violation of Minnesota Closed Meeting Law, he also opposed and protested the fact that

the Council disallowed their request for a public hearing based upon what he considered very clearly the intended termination of Pat Felber. Mr. Van Drake stated that Ms. Felber had complied with everything she was supposed to do.

Mayor Courts said the Council had not taken any official action against Ms. Felber and any action against her would have to come from the full Council.

Mr. Van Drake said he felt there was a cloud over Ms. Felber and it made it increasingly difficult for her to do her work.

Mr. Gammello said the Council has taken no action so there should not be any cloud anywhere. The Council has authorized an investigation but has not taken any formal action as yet.

A citizen present said he had not heard the list of complaints. To which Mr. Gammello responded that if there is anything to be charged it will be done at a public meeting.

Another citizen asked Mr. Gammello if he was qualified to conduct such and investigation and Mr. Gammello said if he felt he was not he would hire someone who was but he felt with his experience he was quite qualified. Mr. Gammello stated that if he got into an area where he was not comfortable or felt he needed outside expertise, he would not hesitate to hire someone else.

MOTION NO. 6S1-03-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO ADJOURN THIS SPECIAL COUNCIL SESSION AT 12:20 P.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:



Arlene A. Buchite, City Clerk/Treasurer