

**Lewiston City Council
Special Meeting Minutes
December 3, 2020
Lewiston City Hall via Zoom**

Call to Order

Mayor Carlson called the meeting to order at 6:45 pm.

Council Members Present:

Present (4): Councilors Larry Rupprecht, Dan Robertson, Carol Boynton, and Mayor Beth Carlson.

Vacancy (1).

Others Present:

Scott Yeiter, A. Franzen, Alan Mote, Andrea Smith, Ben Borchardt, Brad Essig, Cheryl Knight, Curt Benter, Dan Robertson, Dennis Yeiter, Erik Fredberg, Jeff Peterson, Matt Essig, Nick Ebnet, Polly Calhoun, Scott Kinstler, Time Dahl, Greg, Patricia, Trevor, and other unidentified members of the public.

Agenda Item:

The first agenda item is preliminary consideration of allegation or allegations against a City of Lewiston Employee.

The employee is Scott Yieter.

Pursuant to Minnesota Statutes, section 13D.05, subdivision 2 Scott Yieter has requested that this portion of the meeting be open.

It was stated that the focus of this agenda item should be kept to whether or not the complaint warrants council action. Council should avoid going into investigative mode because of special rules about investigations involving peace officers.

Discussion led to the recognition of conflict within the workplace. Mediation has been used before and there were mixed messages about its worth. Perhaps LMC has other conflict resolution options..

Motion by Mayor Carlson to have Mayor Carlson contacted the League of Minnesota Cities to discuss workplace conflict resolution options. Seconded by Councilor Rupprecht. Councilors Boynton and Rupprecht, and Mayor Carlson voted in favor. Councilor Robertson voted against. Motion passes.

Mr. Yeiter requested a copy of the complaint. Mayor Carlson asked that he fill out a data request form and asked for permission to speak to the attorney about handling that data request properly.

Motion by Councilor Robertson, seconded by Councilor Rupprecht to have Mayor Carlson contact the attorney about processing the data request properly for Scott Yeiter. All voted in favor. Motion carried.

Agenda Item:

The second agenda item is preliminary consideration of allegation or allegations against a City of Lewiston Employee.

The employee is Matt Essig.

Pursuant to Minnesota Statutes, section 13D.05, subdivision 2 Matt Essig has requested that this portion of the meeting be open.

The complexity of the situation has led to questions that need to be asked of the city attorney. There is concern about speaking to the attorney in an open meeting situation. There is a statute that allows councils to speak with their attorney in a closed session under an attorney-client privilege. It is unknown if this situation would be covered by that statute.

Motion by Councilor Rupprecht, seconded by Councilor Robertson to have Mayor Carlson ask the attorney about the council speaking to the attorney in a closed session under attorney-client privilege statute. All voted in favor. Motion carried.

Agenda Item:

The third agenda item is preliminary consideration of allegation or allegations against a City of Lewiston Employee.

The employee is Tim Dahl.

Pursuant to Minnesota Statutes, section 13D.05, subdivision 2 Tim Dahl requested that this portion of the meeting be open.

Motion by Mayor Carlson, seconded by Councilor Rupprecht to have Mayor Carlson ask the attorney about the council speaking to the attorney in a closed session under attorney-client privilege statute for all three employees, Scott Yeiter, Matt Essig, and Tim Dahl. All voted in favor. Motion carried.

The council will meet again to discuss the situation once they have a response from the city attorney.

Motion to adjourn made by Mayor Carlson, seconded by Councilor Rupprecht. All voted in favor. Motion carried.

Minutes Submitted by Mayor Carlson