

MINUTES OF THE BOARD OF CITY COMMISSIONERS  
SPECIAL CITY COMMISSION MEETING  
HELD APRIL 10, 2017

Pursuant to due call and notice thereof, the Board of City Commissioners met at the City Office on Monday, April 10, 2017 at 5:30 P.M. with the following members present: Commissioners Ben Sander, Craig Stromme, Rick Morse, Dale Robbins and President Richard Johnson. None were absent.

President Johnson stated the purpose of the meeting was to review the Police Department Assessment Report and to hear responses from Keith Schroeder and Jon Barnett.

The City Attorney gave an update on where the City was in the process. The two individuals are given the opportunity to respond. The Police Chief is covered under city ordinances because he is appointed. The ordinance requires a hearing to be held within ten days of the action taking place. The Police Captain is a city employee so he fits under the personnel policy.

Mr. Barnett's attorney has contacted the City Attorney. Both attorneys have agreed to table the action tonight so they have time to negotiate. If tabled, Mr. Barnett has the right to come back for a hearing if terms cannot be negotiated.

Commissioner Morse moved to table the response from Jon Barnett pending negotiation between his attorney and the City Attorney. The motion was seconded by Commissioner Stromme. On roll call all Commissioners voted aye, and the motion carried.

Keith Schroeder distributed a written document to the Commissioners. The following letter was read into the record by Mr. Schroeder.

Devils Lake City Commission  
President Johnson

Two months ago I came to city hall to request help in dealing with issues at the police department. I met with Mr. Johnston, the city administrator, and Ms. Weiler, the city's human resources consultant. At that time I was given some advice as to how to move forward with those issues. Some days after that meeting I was advised that Ms. Weiler would be conducting an internal assessment for the police department. I was assured at that time that nobody had made a complaint against me and that this was just a survey that was being conducted.

I cooperated fully with Ms. Weiler and provided all information she requested. I knew that the survey would reveal issues within the department. It was my hope to be able to use the results of the survey to work with staff to create strategic plans to address these issues.

Since learning of the survey results I have started to develop basic strategies on how to move forward. I come before you this evening to ask you for the opportunity to work with city and department staff to use this survey as a starting point to work towards resolving these issues. I know that this will not be an easy thing to accomplish, but I am asking for your support in moving forward.

Thank you for this opportunity to speak this evening.

Keith Schroeder

The City Commission inquired as to what options they had. The City Attorney stated the Commission could decide what to do. Mr. Schroeder is currently on paid leave so the Commission can do nothing or go up to discharging.

President Johnson asked Mr. Schroeder if he wanted to address any of the written comments. Mr. Schroeder said he had attempted to go through it, but did not want to point fingers, lay blame or belittle the officers' comments. He stated he had talked with the interim Police Chief and was told the majority of officers would feel okay with him coming back to work.

Commissioner Sander visited with the employees at the Police Department. The conversations validated the report. Mr. Schroeder should have addressed the items earlier. Discussion followed on when Mr. Schroeder thought things had started to go wrong.

Mr. Schroeder indicated the issues surfaced when the four sergeants met with him in January 2017. He then met with the City Administrator and the Human Resource Consultant shortly afterwards.

Commissioner Sander stated he was hoping to hear more from Mr. Schroeder especially why issues witnessed by multiple people were not addressed.

Mr. Schroeder responded that the employee was on modified duty to recover, and was only performing administrative duties. Mr. Schroeder was upset with the statement in the report that stated he did not care for the officers. He was prepared for the negative results of the survey, but was hoping to have the opportunity to work with staff and city hall to move forward.

President Johnson inquired if the City Attorney had any negotiations with Mr. Schroeder. The City Attorney stated he had a conversation with Mr. Schroeder last week after the meeting about some kind of resolution; otherwise, there have been no other conversations.

Mr. Johnson stated the Commission wants to follow due process and asked Mr. Schroeder if he had enough time to respond or if he needed more time.

Mr. Schroeder said he can provide more details if the Commissioners wish.

Commissioner Morse commented there has been an issue with retaining officers. He needs more detail of the staff hierarchy to see if something is going to change.

Commissioner Sander reiterated he would like to hear more. After his research, Commissioner Sander feels if they let Mr. Schroeder and Mr. Barnett come back there wouldn't be much of a police department left. He appreciates the efforts of Mr. Schroeder to come up with a plan, but it seems to be too little too late.

Mr. Schroeder said he had started a detailed response, but after talking it over with others, he felt his written letter was more effective.

Commissioner Robbins stated he preferred the written response that was received and not having the going back and forth detail by detail.

Mr. Johnson asked if a severance package should be prepared. The Human Resource Consultant stated Mr. Schroeder would have 21 days to respond from when the package is offered.

Commissioner Robbins moved to have the City Attorney negotiate with Mr. Schroeder to come up with a severance package and present it to the City Commission. The motion was seconded by Commissioner Sander. Discussion followed on having 21 days to respond to any deal and on the possibility of having the package ready for next Monday's City Commission meeting. On roll call all Commissioners vote aye, and the motion carried.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 5:56 P.M.

**LINDA LYBECK  
CITY AUDITOR**

**RICHARD S. JOHNSON  
PRESIDENT**