

Monday, April 15, 2024

6:00 p.m.

(Prior to the Economic Development Authority meeting)

Brooklyn Park City Hall – Council Chambers

5200 85th Avenue North

SPECIAL COUNCIL MEETING – AGENDA #15

Si usted necesita esta información en español: 763-424-8000. Yog xav tau kev pab, thov hu rau 763-424-8000 lawv mam li nrhiav ib tus neeg txhais lus rau koj. If you need this information in another language or alternative format, email access@brooklynpark.org or call 763-424-8000.

Our Vision: Brooklyn Park, a thriving community inspiring pride where opportunities exist for all.

Our Brooklyn Park 2025 Goals:

• A united and welcoming community, strengthened by our diversity • Beautiful spaces and quality infrastructure make Brooklyn Park a unique destination • A balanced economic environment that empowers businesses and people to thrive • People of all ages have what they need to feel healthy and safe • Partnerships that increase racial and economic equity empower residents and neighborhoods to prosper • Effective and engaging government recognized as a leader

I. ORGANIZATIONAL BUSINESS

1. CALL TO ORDER/ROLL CALL

II. STATUTORY BUSINESS AND/OR POLICY IMPLEMENTATION

7. GENERAL ACTION ITEMS

7.1 Resolution to Censure Council Member Boyd Morson for Violating the City's Respectful Workplace Policy, the Brooklyn Park Elected Officials Code of Conduct Policy and 2022 Censure Resolution

A. RESOLUTION

III. ADJOURNMENT

City of Brooklyn Park Request for Council Action

Agenda Item:	7.1	Meeting Date:	April 15, 2024
Agenda Section:	General Action Items	Originating Department:	Administration
Resolution:	X	Prepared By:	Jim Thomson, City Attorney
Ordinance:	N/A		
Attachments:	1	Presented By:	Jim Thomson, City Attorney
Item:	Resolution to Censure Council Member Boyd Morson for Violating the City's Respectful Workplace Policy, the Brooklyn Park Elected Officials Code of Conduct Policy and 2022 Censure Resolution		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-____ TO CENSURE COUNCIL MEMBER BOYD MORSON FOR VIOLATING THE CITY'S RESPECTFUL WORKPLACE POLICY AND THE BROOKLYN PARK ELECTED OFFICIALS CODE OF CONDUCT POLICY AND 2022 CENSURE RESOLUTION.

Overview:

On February 21, 2024, the mayor and city manager received a complaint from a city employee regarding Council Member Boyd Morson. The complaint relates to a February 20 posting by Council Member Morson on his Facebook page. Among other things, the Facebook posting criticizes the city manager and "the highly responsible city staff that he chose to head that department" for not making the creation of gyms at the CAC a priority. The employee's complaint refers to other statements and Facebook postings by Council Member Morson dating back to August 2023.

Pursuant to the procedures set forth in the Code of Conduct for Elected Officials, the mayor and city manager reviewed the complaint and consulted with the city attorney. On April 1, 2024, the City Council met in closed session to consider the allegations against Council Member Morson. Council Member Morson was provided with a copy of the employee's complaint before that meeting and received notice of the Council meeting. Council Member Morson chose not to attend the Council meeting.

At the April 1, 2024, Special City Council meeting, the Council considered the employee's complaint and directed the city attorney to draft a resolution of censure against Council Member Morson for violating the city's respectful workplace policy, the Brooklyn Park Elected Officials Code of Conduct Policy and 2022 censure resolution.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

7.1A RESOLUTION

City of Brooklyn Park
RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF BROOKLYN PARK CENSURING
COUNCIL MEMBER BOYD MORSON**

Recitals

- A. On February 21, 2024, the mayor and city manager received a complaint from a city employee regarding Council Member Boyd Morson.
- B. The complaint relates to a February 20 posting by Council Member Morson on his Facebook page. Among other things, the Facebook posting criticizes the city manager and “the highly responsible city staff that he chose to head that department” for not making the creation of gyms at the CAC a priority. The employee’s complaint refers to other statements and Facebook postings by Council Member Morson dating back to August 2023.
- C. In addition to his February 20th Facebook posting, Council Member Morson recently posted comments on his Facebook containing the following statements:
- Referring to the city manager as the “city manager of our misery”
 - Referring to the city manager as not being “our right now people in our right now moment.”
 - Containing allegations of inappropriate conduct and behavior by the mayor and other council members
 - Containing allegations about “things going on under this city manager of our city’s misery”
 - Containing allegations about “the lack of accountability under this city manager of our city’s misery”
- D. In addition to the recent comments on his Facebook page, Council Member Morson has made the following comments on his Facebook page and in other communications over the past several months:
- A Facebook posting accusing the city manager of pushing his own agenda and referring to the city manager as the “city manager of our misery.”
 - A Facebook posting critical of the city manager and city staff and stating that “in my opinion, the overpaid city manager needs to resign along with some of his go along to get along staff and department heads.”
 - An email referring to the city manager as “this failing and failed city manager.”
 - An email stating: “We unfortunately, had and have council members making incubator decisions in this incubator infancy stage of this council that are not well thought through, sudden, and or simply playing politricks. Only to discover later, it brings unwanted racial division, shame, and equal embarrassment to our city, just for owed favors and/or established harbored personal feelings and preexisting opinions. Unacceptable. Inexcusable. Immaturity at it's best.”

- An email stating that the City Council’s discussion on chickens was “mysteriously planned.”
 - A Facebook posting accusing Council Member Lee of being “corrupt.” That posting also refers to the city manager as “the culprit city manager” and accuses the city manager of being “corrupt.”
 - A Facebook posting stating that the city manager “intentionally, deliberately and willingly mislead and lied” to the City Council.
- E. Pursuant to the procedures set forth in the Code of Conduct for Elected Officials, the mayor and city manager reviewed the complaint and consulted with the city attorney.
- F. On April 1, 2024, the City Council met in closed session to consider the allegations against Council Member Morson. Council Member Morson was provided with a copy of the employee’s complaint before that meeting and received notice of the Council meeting. Council Member Morson chose not to attend the Council meeting.
- G. Based on the information considered by the City Council at its March 25th meeting, the City Council has determined that the above referenced conduct by Council Member Morson violates the following provisions in the City’s Code of Conduct for Elected Officials:
- Paragraph 6.2 (A), which states:

“**Treat all staff as professionals.** Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments toward staff is not acceptable.”
 - Paragraph 6.2(E), which states:

“**Never publicly criticize an individual employee.** Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee’s manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.”
 - Paragraph 6.1.2(D), which states:

“**Make no personal comments about other Council Members.** It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council Members, their opinions and actions.”
- H. The City Council has further determined that the above referenced conduct by Council Member Morson violates the following provision in the City’s Respectful Workplace Policy:

- **“Offensive behavior** may include such actions as rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disrespectful language, or any other behavior regarded as offensive to a reasonable person.
- I. The City Council has further determined that the above referenced conduct by Council Member Morson violates the following provision in the City Council’s March 7, 2022 Censure Resolution against Council member Morson:
- **“Council Member Morson’s future public statements, whether verbally, by email, or on social media, with respect to City officials and employees must be professional and not belligerent, impertinent, abusive, or disparaging.”**
- J. The above referenced conduct by Council Member Morson creates a substantial risk of high employee turnover, exposes the City to potential financial expense and legal liability, and significantly undermines the extremely high level of confidence the City Council has in City Manager Jay Stroebel and his staff. City Staff should not be expected to tolerate Council Member Morson’s abusive conduct and statements.
- K. Council Member Morson did not take the opportunity afforded to him by the March 7, 2022 Resolution for training, education, and counseling.
- L. The City Council has concluded that a censure of Council Member Morson is warranted and that appropriate measures should be put in place to restrict Council Member Morson’s interaction with City Staff.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOKLYN PARK, MINNESOTA AS FOLLOWS:

1. The City Council formally censures Council Member Boyd Morson for violating the above referenced provisions in the Code of Conduct for Elected Officials, the City’s Respectful Workplace Policy, and the March 7, 2022 Censure Resolution.
2. Council Member Morson shall have no communication, whether in person, by phone, by email, or by any other means, with any City employee other than the City Manager or, with respect to EDA matters, the EDA Executive Director.
3. All of Council Member Morson’s future meetings with the City Manager and EDA Executive Director shall be by phone or other remote means.
4. To prevent further interactions with City Staff, Council Member Morson is removed from all of his liaison appointments and from all of his memberships on City commissions, committees, task forces, boards, and associations.
5. Council Member Morson shall not represent the City in an official capacity at any City-sponsored public event.
6. No further expenditures of public funds are allowed for Council Member Morson to participate in, or to travel to, conferences or events on behalf of the City.

7. Except as otherwise modified in this Resolution, all provisions in the March 7, 2022 Censure Resolution remain in effect, including that Council Member Morson's future public statements, whether verbally, by email, or on social media, with respect to City officials and employees must be professional and not belligerent, impertinent, abusive, or disparaging.
8. For purposes of accountability, the City Council will consider modifications to its Censure of Council Member Morson every three months following the passage of this Censure to ensure Council Member Morson is following the provisions outlined in this Censure and has modified his behavior towards City Staff and to other members of the City Council. In addition to the provisions noted above, Council Member Morson should issue a written apology to the City Manager, City Staff, and City Council for his past conduct. Council Member Morson should also participate in City-approved training and counseling related to the matters referenced in this Censure and in the March 7, 2022 Censure.

BE IT FURTHER RESOLVED that the City Council sincerely hopes that Council Member Morson can modify his statements and behavior so that he can become an effective and productive member of the Brooklyn Park City Council.

Adopted: April 15, 2024.

Mayor of the City of Brooklyn Park