

**City of Stevens Point  
SPECIAL COMMON COUNCIL**

**Lincoln Center  
1519 Water Street**

**April 7, 2014  
7:15 P.M.**

1. Roll Call.

**Discussion and possible action on the following:**

2. Confirmation of Municipal Court Judge.
3. Suggested Modifications to City Pay Plan Matrix.
4. Update on Appeals Process, Time Line and Information Disclosure.
5. Adjournment.

Any person who has special needs while attending this meeting or needs agenda materials for this meeting should contact the City Clerk as soon as possible to ensure that reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569, TDD #346-1556, or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

Copies of ordinances, resolutions, reports and minutes of the committee meetings are on file at the office of the City Clerk for inspection during the regular business hours from 7:30 A.M. to 4:00 P.M.



City of Stevens Point  
1515 Strongs Avenue  
Stevens Point, WI 54481-3594  
FAX 715-346-1530



**Andrew J. Halverson**  
Mayor  
715-346-1570

TO: City of Stevens Point Common Council  
FROM: Mayor Andrew J. Halverson   
DATE: April 2, 2014  
SUBJECT: Appointment of Municipal Court Judge

The Joint Municipal Court Oversight Committee hereby recommends the appointment and confirmation of Michael J. McKenna as the Municipal Court Judge for the City of Stevens Point and Village of Plover.

Attached are Michael J. McKenna's resume and other supporting documents.

We ask for your confirmation of our recommendation of the first Municipal Court Judge.



MICHAEL J. MCKENNA

Attorney at Law

MAR 18 2014

2131 Shadowview Circle Plover WI 54467

March 18, 2014

SUBJECT: Application for the Position of City/Village Municipal Court Judge

Hon. Andrew J. Halverson, Chairperson

Joint Municipal Court Oversight Committee c/o City Hall

1515 Strongs Avenue Stevens Point WI 54481

Dear Hon. Mayor Halverson:

I would be honored to be considered for the newly created position of Municipal Court Judge. I believe that I have the experience, leadership skills, and administrative acumen which render me an outstanding candidate to enable the Municipal Court to get off to a successful start.

I share your stated goals for the operation of the court being committed to provide city and village residents with impartial and efficient delivery of justice for citations while providing high quality customer service that is effective, efficient, and delivered in a professional environment while providing case management, revenue collection and record retention support skills. I am further committed to adjudicate cases, conduct arraignments and perform magisterial functions with respect for the law and the accused. Municipal Court should provide a place to decide disputes impartially, and in a manner which is understood to be fair. Due Process is the first obligation of any court. It is my goal to make sure that each person is treated with dignity while seeing to it that the law is enforced. The municipal court is primarily concerned with enforcing rules of safety and civility.

I suggest that I have the legal background needed to ensure the court is run properly and by the book. I have the administrative and technical background needed to ensure the finances of the court operation meet their stated goals. My resume is attached. While I was unsuccessful in running for Circuit Court Judge in 2012, I did get almost four thousand votes county-wide, with a majority from the Plover-Stevens Point area. I would highlight my service both with Portage County as its Corporation Counsel for over fifteen years but also a plethora of directly valuable experience including criminal law practice in Federal Magistrate's court. I have managed a staff of over a dozen attorneys and paralegals in the National Guard and have the skill set to supervise the court and the staff. I have also taught numerous courses on the technical aspects of the law, particularly evidence.

I submit that I have a proven track record which will enable me both to handle the technical aspects of Municipal Court, but also to ensure that the court provides friendly,

courteous, and efficient service to the public. The Municipal Court represents the judicial branch of government and provides a neutral setting for resolving City and Village ordinance violations. I provide you the following references for this position

O. Philip Idsvoog	County Board Chairman	Tel. 715-341-3433
Patty Dreier	County Executive	Tel. 715-346-1997
Hon. Peter Kastenholtz	Wis. Rapids Municipal Court Judge	Tel. 715-421-6212
Hon. Dick Baker	Wauwatosa Municipal Court Judge	Tel. 414-471-8488

I also meet the technical requirements of living in the Village of Plover and being a licensed attorney.

If selected as Municipal Court Judge, I would be committed to a fair and respectful process with the primary duty to administer justice in a fair and unbiased manner which results in greater respect for and understanding of our system of law by the citizens who appear in the court. Thank you for your consideration.

Sincerely,

  
Michael J. McKenna

Attorney at Law

Enclosures

1. Resume of Michael J. McKenna
2. Addendum (Job descriptions)
3. Letter of Magistrate Judge Garrett
4. Letter of Magistrate Judge Trumbull
5. Magistrate Court Statistics

**COLONEL (Retired) MICHAEL J. MCKENNA**, Judge Advocate, Staff Judge Advocate, Joint Forces Headquarters, Wisconsin National Guard, B.A. (Magna Cum Laude), University of St. Thomas, 1982; J.D., University of Minnesota Law School, 1985; Masters of Strategic Studies, U.S. Army War College 2009, Judge Advocate Officer Basic Course, Distinguished Graduate, 1986; Judge Advocate Officer Advanced Course, 1993; Command and General Staff College, 1996. Years of active military service: 34.

Military Career Highlights: Graduate, Defense Language Institute (Korean), 1977; Squad Leader, 2 ID, Korea, 1977-1978; Squad Leader, Sergeant, 7 ID, Fort Ord, California 1978-1979; Legal Specialist Staff Sergeant, USAR 1979-1985; Legal Assistance Officer, 7 ID, 1985-1986; Special Assistant U.S. Attorney, Fort Ord, California, 1986-1988; Chief, Trial Defense Service, 19<sup>th</sup> Support Command, Taegu, Korea, 1989-1991; Deputy Staff Judge Advocate, Claims, 4 ID, Fort Carson, Colorado, 1991-1992; Deputy Staff Judge Advocate, 64<sup>th</sup> Troop Command, WIARNG, 1992-1996; Staff Judge Advocate, 264<sup>th</sup> Engineer Group, WIARNG, 1997-1998; Staff Judge Advocate, 32d Infantry Brigade (Light), WIARNG, 1999-2006, Staff Judge Advocate, Combat Tour with 32<sup>nd</sup> Brigade with duty in Baghdad, Multi-National Force Headquarters-Iraq, 2005-2006 awarded Bronze Star Medal, State Staff Judge Advocate JFHQ 2006-2010 awarded Legion of Merit.

Military Awards: Legion of Merit, Bronze Star Medal, Meritorious Service Medal wOLC, ARCOM w 4 OLC, AAM, GCM, ARCAM, NDSM w SBS, Iraqi Campaign Medal, GWOT Exp., GWOT Service, Korean Service, AFRM, NCODP B2, AOR, AROT

Civilian Career Highlights: Corporation Counsel, Portage County, Stevens Point, Wisconsin, 1997-present; Corporation Counsel, Adams County, Adams, Wisconsin, 1992-1997; Past President, Wisconsin Association of County Corporation Counsels. Admitted to practice before all state courts of Wisconsin and Minnesota; the U. S. District Court of the Western District of Wisconsin; the Army Court of Review and the Court of Appeals for the Armed Forces. Member Wisconsin, Minnesota and American Bar Associations.

Reported Appellate Cases:

County of Adams vs. Romeo, No. 93-0781 191 Wis.2d 379, 528 N.W. 2d 418 (Supreme Court 1994);

Ammerman vs. Adams County Board of Adjustment, No. 97-2970, 221 Wis. 2d 597, 586 N.W.2d 699 (Court of Appeals 1998);

Olsen's Mill Inc. vs. Portage County, No. 01-1829, 250 Wis. 2d 355, 639 N.W. 2d 802 (Court of Appeals 2001);

Justmann vs. Portage County, No. 03-3310, 278 Wis. 2d 487, 692 N.W. 2d 273 (Court of Appeals 2004);

In re the Termination of Jasmine A.S., No. 2008AP2740, 320 Wis. 2d 705, 771 N.W. 2d 930 (Court of Appeals 2009).

## ADDENDUM TO BIOGRAPHICAL SUMMARY

MICHAEL J. MCKENNA, Colonel (ARNGUS)

CURRENT MILITARY OCCUPATION Staff Judge Advocate, Joint Forces Headquarters  
Wisconsin National Guard, Madison, Wisconsin

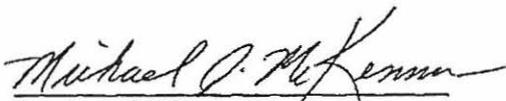
### NATURE, SCOPE AND EXTENT OF RESPONSIBILITIES

Serves as the senior legal advisor and attorney for the Wisconsin National Guard, The Adjutant General, responsible for the formulation of state legal policy and its execution; legal representation; legal initiatives; interpretation and litigation of U.S. and state/territory(s) constitutional, civil, criminal, labor law; international law and treaty agreements; trial defense; and a full spectrum of expert legal advice. Responsible to advise on the legal, factual and other impacting aspects of drafting, interpretation and application of legislation, regulation, tasking orders, decision, opinions or other guiding, instruments associated with emerging or highly conflicted and emotionally charged issues. Advises appointed and elected leaders on the appropriate use of National Guard personnel, resources and status issues for critical and diverse missions, emergency responses, contingencies and exercises, ensuring execution is consistent with legislative intent, executive orders, current U S Codes and state/territory laws, court decisions and agreements. Oversee, support and coordinate JAG activities throughout the Wisconsin National Guard. Supervise the administration of military justice and the delivery of legal services for the National Guard. Direct the operation of the office of the Staff Judge Advocate and the training of all Wisconsin JAG officers and legal specialists. Ensure and manage the overall system of legal services in all areas of command to include soldier readiness, legal assistance, and the prosecution and defense of soldiers. Serves as the state National Guard litigation point of contact. Represents the state National Guard in all legal matters in state and Federal courts of original or appellate jurisdictions.

CURRENT CIVILIAN OCCUPATION Portage County Corporation Counsel, Stevens Point,  
Wisconsin

### NATURE, SCOPE AND EXTENT OF RESPONSIBILITIES

Serves as the primary civil legal counsel for Portage County, the County Board, the County Executive, and all County Departments. Serves as labor law advisor and negotiator, providing extensive advice and counsel on numerous personnel issues. Serve as the County's Public Information Officer during emergencies. Serves as the County's HIPAA Privacy Officer. Provides legal advice and procedural advice during meetings. Reviews, drafts and coordinates county board resolutions and ordinances, county and department policies and the Portage County Code of Ordinances. Provides legal advice and counsel on all major county proposals, initiatives and programs. Responsible for cases involving mental commitments, drug and alcohol commitments, guardianship filings, child support and zoning enforcement, and civil actions involving county government. Serves as the civil collections attorney, responsible for collections for Portage County. Provides legal advice, counsel, and document preparation for contracts, opinions, requests for proposals, leases, and opinions for all legal issues, including municipal and contract law, tort law, estate issues and real estate. Provides expert litigation skills and service for complex cases involving Portage County.

  
Nominated Officer's Signature

20 May 2009  
Date

United States District Court  
Northern District of California  
P.O. Box 1390  
Monterey, California 93940

Chambers of  
William L. Garrett  
United States Magistrate

(208) 375-1855

September 27, 1988

U. S. Army JAG Corps  
Washington, D.C.

Dear Sir or Madam:

Captain Michael J. McKenna serves as a Special Assistant U.S. Attorney responsible for prosecuting federal criminal cases in my courts during a period from June 1988 to the present.

Captain McKenna prosecuted a wide variety of cases, some involving very difficult issues. His activity throughout the period reflected long hours of preparation, a lot of hard work, and first class advocacy skills.

Captain McKenna also provided excellent supervision over the administration of one of the busiest Magistrate Court jurisdictions in the U.S. Army. During his service in the position, tremendous improvements were made in docketing, processing, and tracking all types of federal criminal cases.

I enthusiastically recommend Captain McKenna and predict a bright future for him in the profession of law.

Very truly yours,

  
William L. Garrett

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PATRICIA V. TRUMBULL  
UNITED STATES MAGISTRATE

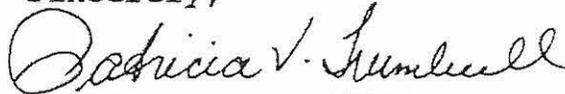
280 S. FIRST ST. ROOM 4200  
SAN JOSE, CALIFORNIA 95113  
(408) 291-7903

To Whom It May Concern:

Michael McKenna practiced in my court, United States Magistrate, Northern District of California, San Jose Division as a Special United States Attorney, prosecuting petty offenses and misdemeanors. He came to the job fairly inexperienced with civilian courts and procedures. During the year that he had this assignment he grew tremendously in all areas. He left as a good trial lawyer with good skills and a finely tuned instinct for the courtroom.

We were sorry to see Mr. McKenna leave because he was a firm but fair and well reasoned prosecutor. He could evaluate cases well and he was able to try those which had to be tried. He handled evidentiary and legal issues in the courtroom with growing expertise. He will be an asset to any office especially if he is handling litigation matters.

Sincerely,



PATRICIA V. TRUMBULL  
United States Magistrate

UNITED STATE MAGISTRATE COURT

FORT ORD BRANCH

MISDEMEANOR STATISTICS: January-June 1988

Ranking on list	Case type	Code	Total	% of total cases
1	Driving under influence	23152	103	24%
2	Suspended licenses	14501	83	19%
3	Trespass	1382	57	13%
4	Thefts	661	45	10%
5	Assault	113d	23	5%
5	Drug possession	344a	24	5%
7	Simple assault	113e	21	5%
8	Public drunkenness	647	16	4%
9	Hit and run	20002	11	4%
10	Disturbing the peace	415	9	4%
11	Reckless driving	23103	4	1%
11	Possession of stolen goods	662	4	1%
11	Cruelty to animals	594	4	1%
12	Vandalism	597	2	1%
	all others (one case each)		7	2%

yy

TOTAL CASES

434

\*cases cover all misdemeanor cases cited into Magistrate Court from a wide variety of agencies. Not included are infractions (generally traffic offenses).



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1515 Strongs Avenue  
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FAX 715-346-1530



**Andrew J. Halverson**  
**Mayor**  
715-346-1570

To: Alderpersons  
From: Mayor Andrew J. Halverson   
Date: April 2, 2014  
RE: Suggested Pay Plan Changes

We have been analyzing and working with this Pay Plan for several months, really nearly a year now from initial presentation to implementation. There have been many changes, conversations, and debate, relating to this matter. Given that very debate by yourselves, and substantial internal review and analysis, I want to recommend changes to the Plan to better position the City for success; vis a vis our current employees and potential future employees.

I am suggesting we implement two distinct changes to the current matrix: 1. Reinststitute the comparables that were eliminated from the averaging along with Sun Prairie and 2. Slide the matrix one column to the left, making step one of our new plan, 90% of the mean average versus 87.5%. This will allow for numerous improvements to our plan relative to a competitive environment statewide.

By reinststituting the comparables (Eau Claire, La Crosse, DePere, and adding Sun Prairie), we have a better average (more valid) that can be used internally and externally. We are now off from key communities around the State that would naturally be competitive for current employees, and for recruits potentially to vacant positions we may have in the future. The averages are lower plain and simple, and due to the fact we were collectively considerably lower prior to implementation, that compounds to create a worse situation for many of our employees who started at step one.

As you will also recall there was a great deal of conversation as to how we will compensate our employees: low, average, or high. That reference doesn't mean changing the numbers or distorting the average (control point) but rather where the control point rests within our matrix over the duration of the plan: Currently that is 100% directly in the middle of the plan after several key annual steps. This recommendation will move the control point as well one step to the left, making our plan slightly more "above average" by 2.5%. In addition this will add one more multi- year step towards the max pay step within respective grades. This is warranted in my mind due to the years of compounding lower pay versus the mean average. Please call with any questions to either myself or Lisa; as we hopefully implement this much needed change and alteration. Financial data and impact will also be available to you at the meeting if not before.