

PERSONNEL COMMITTEE MEETING  
Monday, May 10, 2010 ~ 6:00 p.m.  
Lincoln Center ~ 1519 Water Street

PRESENT: Chairperson Molski; Alderpersons Moore, Brooks, M. Stroik, Slowinski

ALSO

PRESENT: Mayor Halverson; C/T Schlice; Clerk Moe; Attorney Molepske;  
Alderpersons Mallison, R. Stroik, O'Meara, Suomi, Trzebiatowski;  
Directors Schrader, Morrissey, Halverson, Lemke; Assessor Siebers;  
Chief Ruder; Assistant to the Mayor Pazdernik; Reid Rocheleau; Barb  
Jacob; Mark Porlier; Human Resource Manager Jakusz

Chairperson Molski called the meeting to order.

1. Request to fill part time Bus Operator Vacancy ~ Transit Department.

Jakusz noted that Transit Manager Lemke does not plan to re-fill this vacancy prior to the end of the UWSP school term.

Alderman Slowinski moved to approve filling the vacancy; Alderman Brooks seconded. Ayes all; nays none. Motion carried.

2. Request to fill vacancies in Water/Wastewater Department due anticipated to upcoming retirement(s).

Alderman Molski moved to approve filling the vacancies that occur due to upcoming retirements; Alderman M. Stroik seconded. Discussion ensued.

Alderman Wiza suggested the approval be contingent upon the employees actually retiring.

Jakusz indicated that was her understanding. Summer is a very busy season for the department and being down two employees would be difficult.

Ayes all; nays none. Motion carried.

3. Request to create new position ~ Administrative Assistant/Paralegal.

Alderman Brooks questioned whether the cost for this position would be charged to one department or be charged back to all the departments in some manner for the 2010 budget?

Mayor Halverson responded that there's never been investment in the office of the City Attorney with dedicated staff. Doing so will help keep legal consistency throughout the City. The mid-year request is due to the volume of issues and the huge disconnect. Currently, there is no "clearinghouse" between the part-time City Attorney and the departments. 2010 funding for this position would come from contingency, but would leave approximately \$90,000 in that fund for 2010. For 2011 and beyond, reductions in the City Attorney office subsidy and other line items would fund the position and perhaps we'd not fill other vacancies.

Alderman Brooks questioned whether it would be a non-rep position, what the hours would be and where it would be housed. Mayor Halverson responded that due to the likelihood of handling confidential matters, the position would be non union. The work hours would mirror those in City Hall of 7:30 a.m. to 4:00 p.m. with the employee being housed immediately adjacent to the Mayor's office. We may have to relocate the Sustainability Coordinator, but such issues can be worked out.

Alderman Wiza asked who this employee would report to. Mayor Halverson responded the employee would report almost fully to the City Attorney. The City Attorney would be responsible for evaluating and overseeing the work of this employee.

Alderman Mallison questioned what have we been missing? Mayor Halverson responded that it isn't so much of matter of what we've missed; it's a matter of having better coordination; a seamless way of responding to legal issues in a more timely fashion. Mayor Halverson invited the department heads to speak to their individual experiences.

Director Morrissey indicated that Stevens Point is a first class city. Not having full time legal means that you cannot obtain immediate answers to issues. One specific example is the Blue Top license agreement that is

35 days out. Legal issues are becoming more complex and sophisticated than they were years ago.

Chief Ruder stated that from an emergency services perspective he seeks legal assistance relating to ordinance violations and contract issues. Scheduling conflicts make it difficult to get a timely response.

Director Lemke stated that a good example of legal need is this evening's Public Works Agenda; many of the items listed require input from the City Attorney.

Director Halverson referenced legal issues related to bonding issues, revenue requirements, contract issue, and small claims/bankruptcy issues. She added that City Attorney Molepske is busy and it is hard to get his availability.

Director Schrader stated that a frequent issue he seeks legal advice for relates to leases. Because it is not as pressing as matters from other departments, it gets put behind and takes longer to get a response. He too agrees that over time, legal matters have become more complex.

Mayor Halverson reiterated that it is not a matter of the City miss-stepping or items being lost; a full-time assistant will organize and coordinate the day-to-day interface with department heads who are seeking legal advice.

Alderman Moore stated that City's our size generally has full time attorney with a legal assistant and in some cases have a staff attorney as well.

Alderman Stroik stated that he raised the issue in the fall of 2009 when the half-time support position was discussed. He stated that in some cases where a timely response couldn't be gotten from the City Attorney we went outside for legal advice. He indicated that about two months ago he requested a meeting with the Mayor, Comptroller/Treasurer and City Attorney. As a result the City Attorney agreed to set standard office hours so that he is more accessible. Alderman Stroik indicated that since that time efforts have been made, but it hasn't actually come to fruition. He voiced his opinion that this is absolutely the right thing to do. He feels it is

critical in staying with the times keeping the legal department in the twentieth century.

Reid Rocheleau voiced his opinion that Stevens Point is not a first class city; at best it's a second class city. He referred to suggestions he made two years ago, prior to the election. He stated that Sturgeon Bay hires a city attorney only when they need one and that other places hire an independent firm. He stated, can't change the thing now; you're stuck with him. You can't do this mid-term.

Rocheleau indicated that the Mayor's office added an assistant position that the former Mayor eliminated.

Rocheleau stated that it's time you tell him no. He doesn't want to see him skimping somewhere else.

Human Resource Manager asked to be recognized to make a point of clarification. Administrative Services has one less employee now than it did when former Mayor Wescott left office. Mayor Halverson eliminated the position of Administrative Assistant to the Mayor. The Sustainability Coordinator is housed in our department, but is not a City employee; he is a UWSP limited term employee.

Mayor Halverson stated that Stevens Point is a first class city based on the level of services we provide. He went on to reference the City Attorney's utilization of other city staff to prepare documents. He indicated that he has relied on the assistance of Barb Iris (Community Development), Lisa Jakusz (Personnel), Tricia Church (Engineering), Carrie Freeberg (Treasurer's Office), Betty and Kari (City Clerk's Office) to prepare legal documents for him.

Barb Jacob voiced her opinion that we need to hear from the City Attorney ~ what does he think? If his assistant is not located near him, is confidentiality going to be an issue? Should the position be full or part-time? We need to hear that from the City Attorney.

Bob Woehr referenced the third paragraph in the memo included in the agenda packet. He indicated that can be done by Microsoft Excel. He

stated that he hopes you'd ask for the opinion of the City Attorney. He went on to reference the statutory duties of the Mayor; City Ordinance 3.05 that references the City Attorney and that he "may appoint an assistant". He suggests that his (City Attorney's) opinion be asked before you go forward. He indicated that four department heads can appoint a deputy: Attorney, Assessor, Clerk, Comptroller/Treasurer. He stated that the City probably needs a full-time attorney or should employ special counsel; something controlled by the City Attorney.

Alderman Slowinski asked who would do the hiring. The Mayor responded that the City Attorney would make the hiring decision.

City Attorney Molepske addressed the committee. He indicated that he has had more formal office space recently and has kept more consistent hours. He stated that some work is at his law office and some in City Hall. He stated that he has worked with various staff people in their offices. He too agreed that the City is going to have to have a full-time City Attorney at some point. He added that fellas like him become rare; there is more specialization.

He added that a new employee would have a six-month probationary period; if it doesn't work or if we can't find someone we can try something else.

Alderman Moore moved approval of the position; Alderman Slowinski seconded. Ayes all; nays none. Motion carried.

4. Adjournment ~ 6:53 p.m.