

PERSONNEL COMMITTEE

June 8, 2020 - 7:40 PM

(or immediately following previously scheduled meeting)

Zoom Conference Call Meeting

Click to Connect: [Zoom Meeting](#) | Dial in Number +1 312 626 6799 | Meeting ID 810 3697 2353

(A quorum of the City Council may attend this meeting)

AGENDA

Discussion and Possible Action on:

1. Roll Call
2. Request to increase IT Support Analyst position from part-time to full-time.
3. Elected versus appointed Clerk, Comptroller/Treasurer and City Attorney.
4. **Request to hire a limited term employee (LTE) in the Community Development Department.**
5. Adjourn into closed session (approximately 7:00 p.m.) pursuant to Wisconsin State Statute 19.85(1)(c) to consider a request for leave of absence without pay.
6. Reconvene into open session (approximately 10 minutes after adjourning into closed session) for action on the request for a leave of absence without pay.
7. Adjournment

Meeting Rider

Any person who has special needs while attending this meeting or needing agenda materials for this meeting should contact the City Clerk as soon as possible to ensure a 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 Ave., 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 normal business hours from 7:30 a.m. to 4:00p.m.

PERSONNEL COMMITTEE AGENDA
Monday, March 9, 2020 – 6:45 p.m.
[or immediately following the previously scheduled meeting]
Police Department – 933 Michigan
[A quorum of the City Council may attend this meeting]

1. Discussion of Elected Versus Appointed Clerk, Comptroller/Treasurer, City Attorney.
2. 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 a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569 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 normal business hours from 7:30 a.m. to 4:00 p.m.

Meleesa Johnson

President-Stevens Point Common Council
Alder-5th District
Portage County Supervisor-3rd District
1703 Division Street, Stevens Point, WI 54481

Memorandum

To: Chairperson Mary Kneebone; Vice Chair Cathy Dugan; Clerk Karlen Krautkramer
Date: February 2, 2020
RE: Discussion item for February 10, 2020 Public Protection agenda

In August 2016 the Public Protection Committee approved a policy called “General Purpose Guidance Document for The Public Protection Committee of the Stevens Point Common Council.” That document was later approved by Council at its August 2016 meeting. The policy document outlines a number of overarching duties of the committee, including:

- Request staff to conduct evaluations and research related to topics of interest/concern that may lead to ordinance creation and/or modifications
- Evaluate and make policy recommendations to the Common Council on topics related to protecting the best interests, safety and harmony of the general public

It is because of those approved overarching duties that I am asking Public Protection Committee to consider the following discussion/action item for the February agenda: Discussion and possible action related to dispensing with the elected offices of clerk, comptroller/treasurer and attorney, then developing appointed positions, with specific job duties and job qualifications, for same offices.

As you are well-aware, Council approved the appointment of Clerk Krautkramer to replace resigning Clerk Piotrowski. In that process the Office of the Mayor and Council used a search and screen method to find the most qualified applicant. We dispensed with the system of going to the voters and seeking candidates whose only qualifications are that they live in the city, are of age and have no felony record.

Over the past many years we have had the good fortune to have skilled and qualified candidates in the roles of clerk, comptroller/treasurer and attorney. However, that may not always be the cases. We could find ourselves with a “popular” candidate for any of the offices, with little or no qualifications, beating out our current highly educated and skilled staff. Literally, we could find ourselves with a treasurer with no idea of public finance or a clerk with no background in securing our elections, all with sizable salaries paid by the citizens of our city.

The cities of Wausau, Marshfield, Wisconsin Rapids, Superior, Eau Claire, Appleton and La Crosse have already transitioned away from these positions as elected (either in part or in whole). Like those cities, we need to plan for the future. Our city is growing. Our needs are becoming more diverse. Our programs are increasingly complex. We need to plan for the time when our outstanding elected staff are no longer in those roles.

Chapter 62 of WI Statute allows Council to make policy decisions like this. Therefore, I ask that this be on the agenda for discussion and possible action.

aldermeleesajohnson@gmail.com
supervisormelesajohnson@gmail.com
715-343-1624

PERSONNEL COMMITTEE MEETING
Monday, March 9, 2020 – 7:24 p.m.
Police Department ~ 933 Michigan Avenue

PRESENT: Chairman Shorr, Alderpersons Dugan, Nebel, Zarazua, Dalton

OTHERS

PRESENT: Mayor Wiza; C/T Ladick; Attorney Beveridge; Clerk Krautkramer; Alderperson(s) Johnson, Fishler, Kneebone, Slowinski; Director(s) Lemke, Kernosky; AC Zenner; Chief Finn; Thomas Leek, HR Manager Jakusz

Chairman Shorr called the meeting to order.

Discussion on:

1. Discussion of Elected Versus Appointed Clerk, Comptroller/Treasurer, City Attorney

Alder Johnson spoke referencing her memo included in the packet. She stated this is not about people but about the positions and into the future.

Chairperson Shorr stated this was explored in 2012

Mayor Wiza stated he was an Alderperson during that time and it was concluded change wasn't necessary. He added that he is fine with exploring this again as things have changed and suggested the Alderpersons send their thoughts on the matter through the City Clerk's Office. A committee could be formed to discuss the pros and cons. Mayor Wiza stated that qualifications can be added to the elected positions. He also pointed out that alderpersons have more authority than these elected positions we are discussing, but there aren't any substantive qualifications required.

Alder Nebel stated she'd like to see Mike O'Meara's draft that is referenced in the agenda materials.

HR Manager Jakusz stated that is included in the packet (p. 14) and the Q and A with Dan Olson who was Assistant Legal Counsel for the League of Municipalities is also included (p. 12 – 13).

Alder Dugan stated she attended the meetings back in 2012 and went on to list several pros and cons for both elected and appointed.

City Attorney Beveridge stated he is uncertain of the City's legal authority to place qualifications on elected positions other than what is detailed in Wis Stats 62.09 (12).

Alder Kneebone stated she has discussed this with some constituents and for the most part they are comfortable with maintaining elected – however some feel the Treasurer should be appointed due to the high level of expertise required.

Alder Jennings stated she is strongly in favor of changing from elected to appointed.

Alder Slowinski stated he'd rather see it kept the way it is; it's not broke – why change it.

Alder Johnson stated there is a comfort level with “what is” and went on to reference a conflict she experienced between elected and appointed position in her current position.

She feels the City shouldn't hang onto what “was” when we have an opportunity.

Alder Zarazua stated it was great conversation and referenced pros and cons to both elected and appointed.

Alder Dalton stated we are in a democracy – do you have faith and trust the electorate? She stated she is not supportive of the change.

Alder Dugan stated it is important to involve the public in educated selection – vote well. She added that she doesn't support electorate that is not educated.

The meeting adjourned at 7:50 p.m.

PERSONNEL COMMITTEE AGENDA
Monday, July 9, 2012 - 6:30 p.m.
(or immediately following previously scheduled meeting)
Lincoln Center - 1519 Water Street

[A quorum of the City Council may attend this meeting]

1. Discussion of appointed versus elected office for the positions of City Attorney and Comptroller/Treasurer.
2. 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 a 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 normal business hours from 7:30 a.m. to 4:30 p.m.

PERSONNEL COMMITTEE MEETING

Monday, July 9, 2012 - 6:37 p.m.

Lincoln Center ~ 1519 Water Street

PRESENT: Chairperson Moore; Alderpersons Slowinski, O'Meara, Patton, Phillips

OTHERS

PRESENT: Mayor Halverson; C/T Schlice; Clerk Moe; Attorney Molepske; Alderpersons Suomi, Beveridge, M. Stroik, R. Stroik, Trzebiatowski, M. Stroik, Wiza; Directors Schatschneider, Lemke, Ostrowski, Schrader; Assistant Chief Skibba; Assessor Siebers; Assistant to the Mayor Pazdernik; Barb Jacob; Cathy Dugan; Reid Rocheleau; Matthew Brown ~ Portage County Gazette; Brandi Makuski ~ SPCT; Brian Kowalski ~ SPJ; Human Resource Manager Jakusz

Chairman Moore called the meeting to order.

1. Discussion of appointed versus elected office for the positions of City Attorney and Comptroller/Treasurer.

Mayor Halverson stated that he has had discussion with some Alderpersons and wanted to bring this topic forward for discussion. The Council has two options; A) do we want to pursue changing the status from "elected" to "appointed" which would allow the implementation of credentials for those holding these positions or B) do we want to leave the positions elected as they are today?

Is there merit to consider changing how these positions are filled? If the City Council believes there is, the following steps would need to be taken:

- The Governing Body would need to pass a Charter Ordinance by two-thirds vote approving the change;
- The Common Council would call for the referendum on the November ballot; it would be a "YES/NO" question.
- This would allow time for candidates to take out nomination papers.

The Mayor stated that currently by statute, there are no credentials for the City Comptroller/Treasurer; the City Attorney must be an attorney.

Other questions to consider are whether we want to guarantee credentials? What would the hiring process be? Would the Mayor forward three names to the Council to select the individual to fill the positions or would the Council be

involved in the selection process?

Alderman Slowinski questioned whether requirements could be added to the Comptroller Treasurer position and still have it maintain the elected status? The Mayor replied that this question is being evaluated and researched.

Alderman Slowinski voiced concern of an individual having to run for re-election of job every four years and the level of confidence that person would have in their job security.

Alderman O'Meara stated that he supports having both of these positions be appointed. He stated if these positions are appointed, they would be at-will employees and would be much more accountable.

Alderman Phillips questioned whether the referendum in the steps outline previously by the Mayor would be a binding referendum. Mayor Halverson replied that it would be a binding referendum.

Alderman Suomi stated that she was glad to see this item on the agenda for discussion. She stated that out of 596 municipalities in the State of Wisconsin, 190 are Cities and only 19 of those Cities have an elected attorney.

She stated that out of 356 members of the State Treasurer's Association, only 36 are elected and only 7 of those that are elected are from Cities ~ including Stevens Point.

She stated that she is going on record to support these positions being appointed by the Mayor with input by the full Common Council. She added that the Personnel Committee/Council members be involved in the process.

Alderman Beveridge stated that maintaining an appointed Comptroller/Treasurer will not ensure the employee has the right skills for the job.

He added that he believes if this question goes to referendum, the people will vote to keep the positions elected.

He stated there are pros and cons to having these positions appointed versus maintaining them as elected:

Cons

Best Politician is not the best attorney

Time/cost of running for office

Conflicts

It is still political

Not accountable to voters

Adds additional political element for Mayor and Council members

Pros

Select best candidate

Wider range of candidates

Not a politician

Alderman Wiza stated that he is glad this is being discussed. He added that accountability to voters is important. He stated that the biggest downside is that an employee will do what their boss tells them to do; whether or not it's in the best interest of the City.

Alderman Wiza stated that his biggest concern is the comment made by Mayor Halverson indicating that he's had several conversations with many alderpersons; was there a walking quorum?

He is requesting to know who/when/what was discussed.

R. Rocheleau stated that he's been pushing for this for a long time. He added that he feels the Clerk should be included. He feels the present system isn't so great; there's no competition.

He feels that an appointed system with a binding referendum is the way to go. The Constituents need to see all the facts and all the figures. He also feels the Personnel Committee along with the Council should be involved in the process.

He added that to take the politics out of it, you hire a law firm to handle legal matters.

C. Dugan voiced her agreement with those who've spoken about the need for public input.

She stated that she's had easy access to both the City Attorney and the Comptroller/Treasurer. She indicated that were they under the thumb of a very strong figure head, they may not be. Power consolidation is a concern.

Alderman Moore stated that he has had discussion with Mayor about this agenda and with regard to the timeline for the process of changing from elected to

appointed.

Alderman R. Stroik suggested that Alderman Wiza file an open records request to obtain the information he requested previously.

He added his opinion that it would have been better to discuss this topic in February or March rather than make a determination in the next 30 days to put the matter to binding referendum.

He cautions acting in haste. This is huge and should not be handled in 30 days.

He added that he has a ton of respect for the Mayor, but if things are done too quickly problems are likely to arise.

B. Jacob stated her opinion that there is not nearly enough time. She referenced the mall hassle.

She stated that people are losing faith in the Council and that we need to make this change over time. Stick with elected positions for the next four years; it will give us time to sort it out. Do we include the Clerk? She added that he is unsure if we can put limitations on elected positions. She doesn't feel a fast process would be fair to ourselves or others.

Mayor Halverson stated that the timing issue is purely his fault. Initially he was focused on the spring election. He acknowledges that this is a major decision, but is more convinced that credentials for these positions are more important than who they report to. He stated that he is not looking to build an empire.

He indicated that he underestimated the timeline for such a change.

2. Adjournment ~ 7:30 p.m.

SPECIAL COMMITTEE MEETING
Thursday, August 8, 2012 – 7:00 p.m.
City Conference Room ~ 1515 Strongs Avenue

PRESENT: Chairman R. Stroik; Alderpersons Suomi, O'Meara, Moore,
Wiza

OTHERS

PRESENT: Brandi Makuski, SPCT; Cathy Dugan; Matthew Brown; Brian
Kowalski; Alderman Phillips; Human Resource Manager Jakusz

Chairman R. Stroik called the meeting to order.

1. Discussion and possible action on elected versus appointed for the Offices
of City Attorney and City Comptroller/Treasurer.

Chairperson Stroik reviewed the question/answer responses from Dan
Olson, Assistant Legal Counsel from the League of Wisconsin
Municipalities. Also reviewed was the options process submitted by
Alderman O'Meara.

Alderman Wiza stated that he felt the process outlined in Alderman
O'Meara's e-mail was well thought out.

He added that he has spoken to approximately 9 constituents and none
are in favor of changing the process from elected to appointed.

Chairperson Stroik referred to the memo from Mayor Halverson addressed
to the Common Council establishing the Special Committee. He
indicated that in his memo, Mayor Halverson charged the Special
Committee with identifying what the appointment process would look like
if the City chose that route.

Alderman Wiza responded that he advised Mayor Halverson and those in
attendance at the Council meeting that he would be happy to serve on
the Special Committee, but that in his mind the timing was off; the
question of whether these positions should remain elected or be
appointed had to be addressed first. If determination was made to

pursue a referendum, then set a timeline to charge this committee if referendum passes.

Alderman Wiza moved to recommend not pursuing an appointment process but to maintain the election process for the positions of Comptroller/Treasurer and City Attorney; Alderman Moore seconded the motion. Discussion ensued.

Chairperson Stroik stated that the Committee's task isn't to determine if these positions should be elected versus appointed, but what an appointment process would look like.

Alderman Wiza replied that it doesn't make sense to him to how it should happen, rather than IF it should happen.

Alderman Moore stated that the feedback he received has been against the appointment process. He feels the charge given to the Committee was out of order; we need to first determine what the constituents want.

Alderman Suomi asked whether the motion currently on the table would kill the referendum question. Chairperson Stroik replied not necessarily, the issue could be placed on the Council Agenda for discussion and action by the full City Council. If the Council voted to go forward with a referendum, this Committee could be reconvened.

Alderman O'Meara stated that currently appointments are very one-sided and all the power rests with the appointing authority. He stated that his outline allows for shared responsibility and power in the process.

Alderman Wiza moved to amend his prior motion to: recommend not pursuing an appointment process but to maintain the election process for the positions of Comptroller/Treasurer and City Attorney and to forward Alderman O'Meara's options to the Personnel Committee; Alderman Moore seconded.

Discussion ensued.

Aldersperson Suomi expressed her disappointment in the lack on feedback from her constituents. Those constituents that she initiated contact with on this matter admitted a preference to the elected process.

Aldersperson Suomi suggests that if a referendum is moved forward two questions be asked:

1. Do we want the Comptroller/Treasurer position to be elected?
2. Do we want the City Attorney position to be elected?

Alderman O'Meara stated that the backgrounds of constituents asked make a difference; those that are licensed for their profession have indicated to him a preference for appointment over elected. He reported that he spoke with eight or nine City residents.

Chairperson Stroik stated that he has received two calls and solicited input from ten constituents. One of the constituents he spoke with indicated that two prior votes for changing the City Clerk and Comptroller/Treasurer positions to appointed; both failed.

Alderman Wiza stated that if it ain't broke, don't fix it. We now know that we can place qualifications on the elected positions.

Alderman Moore stated that they need to decide first if the positions should be appointed and if we do want that, who would they report to and who would be able to remove them from office.

Alderman Wiza reiterated his comments made during the July City Council meeting regarding the sequence of the charge of the Special Committee versus determining whether the process should be changed from elected to appointed for the Comptroller/Treasurer and City Attorney.

Alderman O'Meara voiced his opinion that the Council should let the question go to referendum and give the public a voice.

Alderman Moore stated that there is a cost to the City for a referendum.

Aldersperson Suomi stated that with the attachment of Alderman O'Meara's outline she would not support the motion. She reiterated that the Committee was not charged with determining elected versus appointed.

Alderman Wiza stated that although collectively it is a small group, the constituents have spoken. He added that it would be a waste of time and resources to move forward with a referendum based on the information received. He added that if managers or other employees appeared voicing that these positions should be appointed because of X, Y and Z ~ but they didn't. He also voiced his disappointment in the response from the community. He feels it would be a waste of resources to continue down the appointment process.

Aldersperson Suomi stated that we have facts; we are one of the few communities that continues to elect the Comptroller/Treasurer and City Attorney. She added that our community has been lucky and have appropriate checks and balances in place, but what if that were not the situation?

Aldersperson Wiza replied that based on the response from the Attorney at the League of Municipalities, the City could remove the person from office.

The question was called on the prior motion, Alderman Wiza moved to recommend not pursuing an appointment process but to maintain the election process for the positions of Comptroller/Treasurer and City Attorney and to forward Alderman O'Meara's options to the Personnel Committee; Alderman Moore seconded. Motion passed with a vote of 3 – 2. A roll call vote was requested:

Moore:	Aye
Wiza:	Aye
Suomi:	No
O'Meara:	No
R. Stroik	Aye

Adjournment ~ 7:47 p.m.

August 9, 2012

MEMORANDUM

TO: City Council Members
Department Heads

FROM: Lisa Jakusz, City Personnel

RE: Information Compiled for the Special Committee

Attached you will find information received from Dan Olson, Assistant Legal Counsel for the League of Wisconsin Municipalities in response to questions from the Special Committee and an outline prepared by Alderman O'Meara identifying selection processes for a City Comptroller/Treasurer or Attorney.

This information may aid you during discussion at Monday's Personnel Committee meeting.

Dan ~ I have been tasked with compiling information for a Special Committee here in Stevens Point that is being tasked with determining whether or not to recommend a referendum modifying our current elected Comptroller/Treasurer and City Attorney positions from elected to appointed.

The information the Committee is requesting specifically is:

Can a municipality impose job-related requirements (e.g. education, experience) for elected positions? We have opined in the past that a municipality may impose additional qualifications for holding elected office in a city/village such as term limits. The same analysis would probably allow job-related qualifications as well.

Is there training mandated by the State for those who hold elected Comptroller/Treasurer and City Attorney positions? I am aware that the League OFFERS training, the inquiry is focused on MANDATED training. No. There is no mandatory training specific to these public offices under state law.

Can an elected official be removed from office before they are eligible for recall? Yes. If yes, under what circumstances can they be removed? An elected official may be removed by a city council for cause pursuant to Wis. Stat. sec. 17.12(1)(a). "Cause" is defined by Wis. Stat. sec. 17.001 as "inefficiency, neglect of duty, official misconduct, or malfeasance."

In municipalities of similar size (population of 18,000 to 30,000) which elect these two positions and which appoint these two positions? The League does not have complete information to respond to this question because we do not compile such information for our records. However, based on my own informal review, it appears that the only Wisconsin city/village of comparable size that still elects their city attorney appears to be Wisconsin Rapids. I do not have any specific information on comptroller/treasurer but believe the results would be similar (i.e., very few are elected).

Dan ~ The committee was very appreciative of the time and effort put in to the responses to their initial inquiry. They do have a few follow up questions:

Are there other communities that place additional requirements for elected City Attorney or Comptroller/Treasurer? The League does not track this data so it does not have any information to share in response to this question. Also, I am not personally aware of any communities that impose special qualifications for elected attorneys or comptrollers/treasurers. If so, do you know what these qualifications are?

Can we require that an elected official be bondable? Yes. See Wis. Stat. sec. 62.09(4)(b).

Can we require continuing education/training or that a specific certification be maintained by an elected official? There is no clear Wisconsin law establishing any general authority of local governments to add qualifications for elective offices. However, the League has opined in the past that a municipality may impose term limits on elective or appointed offices, which is a qualification for office. The same analysis may apply to continuing education or certification

qualifications but that will depend on the specifics of the qualification. Thus, Wisconsin law does not provide a clear yes or no answer to this question and any answer will be influenced by the details of the specific non-statutory qualification that is imposed and whether there is any legal authority from other jurisdictions that should affect the analysis.

From: Alderperson O'Meara

As I see it there are 3 major ways we can select a city attorney or a comptroller treasurer.

- 1) We can continue electing them.
 - a. No change in present process
 - b. Require additional qualifications by charter ordinance.
- 2) The mayor can appoint them.
 - a. Staff does first scan of applications, mayor conducts final interviews, mayor appoints.
 - b. Staff does first scan of applications, council conducts final interviews, recommends 3 finalists to mayor for appointment.
- 3) The council can appoint them.
 - a. Staff does first scan of applications, council conducts final interviews, council appoints.
 - b. Staff does first scan of applications, mayor conducts final interviews, recommends 3 finalists to council for appointment.

In order for the staff to do the initial scan of the applications, they will have to be given an agreed set of review parameters prior to starting the review. The review parameters should be based on duties found in the position description.

Who will check references will have to be decided ahead of time. One scheme that I like is the mayor checks references from other mayors. Council members check references from other council members and the outgoing attorney or comptrollers check references from their counterparts.

PERSONNEL COMMITTEE AGENDA
Monday, August 13, 2012 – 6:45 p.m.
(or immediately following previously scheduled meeting)
Lincoln Center – 1519 Water Street

[A quorum of the City Council may attend this meeting]

1. Request to fill vacancy ~ Streets Division.
2. Request to fill vacancies ~ Transit Division.
3. Discussion and possible action on elected versus appointed for the Offices of City Attorney and City Comptroller/Treasurer.
4. 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 a 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 normal business hours from 7:30 a.m. to 4:30 p.m.

PERSONNEL COMMITTEE MEETING
Monday, August 13, 2012 – 7:12 p.m.
Lincoln Center ~ 1519 Water Street

PRESENT: Chairperson Moore; Alderpersons Slowinski, O'Meara, Patton, Phillips

OTHERS

PRESENT: Mayor Halverson; C/T Schlice; Clerk Moe; Attorney Molepske; Alderpersons Suomi, M. Stroik, R. Stroik, M. Stroik, Wiza; Directors Schatschneider, Lemke, Ostrowski, Schrader; Assistant Chief Zenner; Assessor Siebers; Carrie Freeberg, Joe Senn, Assistant to the Mayor Pazdernik; Barb Jacob; Cathy Dugan; Reid Rocheleau; Matthew Brown ~ Portage County Gazette; Brandi Makuski ~ SPCT; Human Resource Manager Jakusz

Chairman Moore called the meeting to order.

1. Request to fill vacancy ~ Streets Division.

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

2. Request to fill vacancies ~ Transit Division.

Alderman Slowinski moved to approve the vacancies; Alderman Patton seconded.

Alderman Phillips suggested that in order to save money relating to benefits, etc. the Transit Division utilized part-time employees. Human Resource Manager Jakusz indicated that the Bus Operator position before the Committee this evening is a part time position and that there are a number of part-time Bus Operators in City Transit. The part-time positions allow for more flexibility in back-filling full time positions for coverage for vacations and sick leave. Benefits for the part-time employees are pro-rated.

Action on motion: ayes all; nays none. Motion carried.

3. Discussion and possible action on elected versus appointed for the Offices of City Attorney and City Comptroller/Treasurer.

Chairperson Moore reviewed the motion forwarded to the Personnel Committee from the Special Committee and asked for input from the Personnel Committee members.

Alderman Patton stated that he is leaning toward favoring appointed positions due to training.

Alderman O'Meara stated that he is in agreement with Alderman Patton. Both positions are professional and must have certain credentials. He urges the Council to review his process as it allows for shared responsibility and power in the appointment process. He further urged approving a referendum to allow public input.

Alderman Slowinski stated that now is the time to do it.

Alderman Phillips stated that he spoke with a bunch of people about this subject. 100% of the people he spoke with want the process to remain the same. He also voiced concern that the time table isn't right.

Alderman Moore stated his opinion that the Special Committee meetings yielded interesting debates. He added that he spoke with his constituents and they want the process to remain the same. He also voiced concern over the number of Public Works Directors the City has gone through within a relatively short period of time; he feels this is another reason to maintain elected positions as candidates elected for a term aren't as likely to leave for a better job offer. They have to face those who elected them and are likely to stay through at least their first term.

Alderman Moore moved to approve the action taken by the Special Committee; Alderman Phillips seconded.

Discussion ensued.

Alderman Wiza indicated that a number of the questions and concerns regarding elected positions, such as the credentials were addressed by the responses received from both the City Attorney and the attorney at the Wisconsin League of Municipalities.

He added that what's been in place for over two-hundred years works.

He stated that this was shown today through the audit report.

His constituents want the positions to remain elected, which are the same findings experienced by Joanne Suomi, Jerry Moore and Mike Phillips.

That's our referendum; nobody wanted appointed rather than elected. We have addressed concerns raised and heard from the constituents. Alderman O'Meara voiced his opinion that the referendum is the only poll that counts.

Chairperson Moore called on City Clerk Moe to address the cost of the referendum. Clerk Moe indicated that he had spoken with the County Clerk and the cost is estimated to be \$2,800 to \$3,000.

Barb Jacob stated that she has spoken with a lot of people and none want it appointed. She stated that she was in the military and if you take away people's right to vote, you take away right they fought for as part of the military.

Alderpersion Suomi stated that she echoes the comments made by Alderman O'Meara. She indicated that the sample size was very small and based on hearsay. It is the right of the community to get involved in this decision. She stated that she was disappointed that the Special Committee didn't get further into the appointment process - that the closest they got was Alderman O'Meara's draft.

Reid Rocheleau stated that he is happy to hear the discussion. He voiced his opinion that this process should have started a year ago. He feels the opportunity to make the elected process better has been squandered. He stated that Joe Schmo on the street wants a say.

Alderman Wiza indicated that when an incumbent is running unopposed, it is because the incumbent is doing a good job. When an elected position is vacated, there are more candidates. He urged fellow council members to knock on doors and solicit input from constituents. Let's save the City the cost of the referendum and apply those savings to some other budget item.

Cathy Dugan stated that she attended all of the Special Committee meetings. She voiced her opinion that the charge by the Mayor to set up an appointment process for these positions was putting the cart before the horse. She indicated the "why" needed to be addressed before the "how". She stated that the Mayor's charge seemed like a maneuver.

Alderman R. Stroik stated that he was the Special Committee Chairperson. He added that he understood what the Committee was tasked with, however, the members could get past whether it was needed or not. He stated that the committee hadn't heard from those who could sell the appointment process ~ those in city management. He felt this group could help the Special Committee members understand why doing it differently would better sustain the City for the future.

Mayor Halverson indicated that he has purposefully not spoken on this issue. He indicated that the charge for the Special Committee was laid out specifically and was meant to presuppose these positions were appointed, to consider an appointment process that preserved the appropriate reviews to ensure a strong connection of the Council to the process. He further indicated that he did not alone create or charge the committee, the Common Council voted and agreed to the charge and creation. He added that it would be inappropriate to ask Directors to speak and sell the idea of appointed versus elected. He felt he was in the best position to speak on the matter and that it was not about who holds these positions now, but rather about how they could look in the future. Mayor Halverson also said, that it is our responsibility as elected officials to challenge commonly held beliefs and think about new ways things can be done.

He stated that it is a best practice among other communities to appoint these important positions and that they handle it in that manner for a reason.

He agrees that no Mayor should singlehandedly have sole authority over the appointment process. He stated that if the input from the Mayor's office is what is of greatest concern, then take the Mayor out of the equation totally; he would abdicate authority over these positions. He stressed the importance of education and experience for those stepping into these positions.

He stated that Stevens Point doesn't need to be like everybody else, but maybe there's something we're not seeing.

He stated that the Council will be discussing the question of a referendum on the matter at the upcoming meeting.

It is not the intent to stack the deck but to preserve the best possible way to fill the vacancies and place the city in the best position for the best outcomes in the future.

Action on the motion: Ayes 3; nays 2. Motion carried.

4. Adjournment ~ 8:00 a.m.

AMENDED
City of Stevens Point
REGULAR COUNCIL MEETING

Council Chambers
County-City Building

August 20, 2012
7:00 P.M.

1. Roll Call.
2. Salute to the Flag and Mayor's opening remarks.
3. Consideration and possible action of the minutes of the Common Council meeting of July 16, 2012 and the Special Common Council meetings of July 16, and August 7, 2012.
4. *Persons who wish to address the Mayor and Council on specific agenda items other than a "Public Hearing" must register their request at this time. Those who wish to address the Common Council during a "Public Hearing" are not required to identify themselves until the "Public Hearing" is declared open by the Mayor.
5. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.

Consideration and Possible Action on the Following:

- *6. Motion to reconsider the request to Amend Conditional Use Permit – 940 Maria Dr – to remove landscaping for the parking lot screening and possible action thereafter.
7. Minutes and actions of the Plan Commission meeting of August 7, 2012.
8. Ordinance - Annexation of Northeast Quadrant of the Intersection of Badger Avenue and Highway 10 East.
9. Public Hearing – Zoning – Zone Northeast Quadrant of the Intersection of Badger Avenue and Highway 10 East as "B-5" Highway Commercial District.
- *10. Ordinance amendment on the above.
11. Minutes and actions of the Public Protection Committee meeting of August 13, 2012.
12. Minutes and actions of the Finance Committee meeting of August 13, 2012 and the minutes of the Special Finance meeting of July 16, 2012.

13. Resolution – Transfer of Funds from the General Fund to the McDill Lake Management Fund, Library Repair, Lincoln Center Repair and Airport Fuel Clean Up accounts.
14. Minutes and actions of the Board of Public Works meeting of August 13, 2012.
15. Minutes and actions of the Personnel Committee meeting of August 13, 2012.
16. Minutes and actions of the Special Committee/Appointment Process Review meetings of July 26, August 2, and August 8, 2012.
- *17. Charter Ordinance Amendment – Changing the method of selection of the City Attorney and Comptroller/Treasurer from Elected to Appointed and submittal to referendum.
18. Minutes and actions of the Board of Water & Sewage Commissioners meeting of August 13, 2012.
19. Minutes and actions of the Board of Park Commissioners meeting of August 1, 2012.
20. Minutes and actions of the Special Police and Fire Commission meeting of July 31, 2012.
21. Statutory Monthly Financial Report of the Comptroller-Treasurer.
22. Mayoral Appointment:
Community Development Authority – Appoint Marge Molski, 800 St. Paul St. Unexpired term of Walther (Expires 6/19/14)
23. Adjournment.

RMC – Revised Municipal Code

Persons who wish to address the Common Council may make a statement as long as it pertains to a **specific** agenda item. Persons who wish to speak on an agenda item will be limited to a five (5) minute presentation. Any person who wishes to address the Common Council on a matter which is not on the agenda will be given a maximum of three (3) minutes and the time strictly enforced under the item, "Persons who wish to address the mayor and council on non-agenda items." Individuals should not expect to engage in discussion with members of the City Council and City staff.

Any person who has special needs while attending this meeting or needing agenda materials for this meeting should contact the City Clerk as soon as possible to ensure a 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.

**A CHARTER ORDINANCE RELATING TO THE APPOINTMENT
OF THE CITY ATTORNEY AND COMPTROLLER/TREASURER
AND SUBMITTAL TO REFERENDUM**

The Common Council of the City of Stevens Point do ordain as follows:

SECTION I: The City of Stevens Point hereby elects that pursuant to the provisions of Section 62.09(3)3 of the Wisconsin Statutes and of Section 66.0101 of the Wisconsin Statutes, the method of selection of the incumbents for the following City offices shall be as provided by this ordinance:

SECTION II: The incumbents for the City offices, namely City Attorney and City Comptroller shall be appointed by the Common Council of the City of Stevens Point and shall serve for a term of four (4) years. The first appointment for such position shall be held in April of 2013 and each four (4) years thereafter, and the persons appointed shall take office on May 1st next succeeding the appointment.

SECTION III: This is a Charter Ordinance and shall be submitted to a referendum of the electors voting therein without initiative petition and becomes effective when approved by a majority of the electors voting in the referendum pursuant to Wis. Stats. 9.20(4) to 9.20(6).

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John V. Moe, Clerk

Dated _____

Passed _____

Published _____

**City of Stevens Point
REGULAR COUNCIL MEETING**

**Council Chambers
County-City Building**

**August 20, 2012
7:00 P.M.**

Mayor Andrew J. Halverson, presiding

Roll Call: Ald. Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.

Also

Present: City Atty. Molepske; Clerk Moe; C/T Schlice; Directors Schrader, Ostrowski, Lemke, Schatschneider; Deputy Police Chief Skibba; Emergency Mgt. Director McGinty; Asst. to the Mayor Pazdernik; B.C. Kowalski-Stevens Point Journal; Matt Brown-Portage Co. Gazette; Brandi Makuski-Stevens Point City Times

2. Salute to the Flag and Mayor's opening remarks.

Mayor Halverson said Michigan Avenue will be open prior to the opening of the school year. He said the demolition company has mobilized at the mall site, they will start this week. He said the CDA will be awarding the Third Street bid Tuesday. He said he would be sending Council President Randal Stroik to the Sister City Rostov Velicky, Russia to join them in celebrating their 1,150 year anniversary.

3. Consideration and possible action of the minutes of the Common Council meeting of July 16, 2012 and the Special Common Council meetings of July 16, and August 7, 2012.

Ald. Patton **moved**, Ald. O'Meara seconded, to approve the minutes of the Common Council meeting of July 16, 2012 and the Special Common Council meetings of July 16 and August 7, 2012.

Call for the Vote: Ayes: All.

Nays: None. Motion carried

4. *Persons who wish to address the Mayor and Council on specific agenda items other than a "Public Hearing" must register their request at this time. Those who wish to address the Common Council during a "Public Hearing" are not required to identify themselves until the "Public Hearing" is declared open by the Mayor.

Mayor Halverson said the city is in the process of negotiating with the County and these issues are being addressed.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion carried.

14. Minutes and actions of the Board of Public Works meeting of August 13, 2012.

Ald. Patton moved, Ald. Suomi seconded, to approve the minutes and actions of the Board of Public Works meeting of August 13, 2012.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion carried.

15. Minutes and actions of the Personnel Committee meeting of August 13, 2012.

Ald. Moore moved, Ald. Phillips seconded, to approve the minutes and actions of the Personnel Committee meeting of August 13, 2012.

Call for the Vote: Ayes: All.
Nays: None. Motion carried.

16. Minutes and actions of the Special Committee/Appointment Process Review meetings of July 26, August 2, and August 8, 2012.

Ald. O'Meara moved, Ald. R. Stroik seconded, to approve the minutes and actions of the Special Committee/Appointment Process Review meetings of July 26, August 2, and August 8, 2012.

Call for the Vote: Ayes: All.
Nays: None. Motion carried.

17. Charter Ordinance Amendment – Changing the method of selection of the City Attorney and Comptroller/Treasurer from Elected to Appointed and submittal to referendum.

Ald. Wiza asked if the Council was voting for a Charter Ordinance Amendment or a referendum. He asked why there would be a need for a referendum if the Charter Ordinance Amendment was successful.

Mayor Halverson said the vote would be simultaneous for both the ordinance and a referendum. He said he asked the city Attorney to write it this way so that the Charter Ordinance Amendment would automatically call for a referendum.

Ald. Trzebiatowski said he talked to numerous people throughout the city, he discovered most people were in opposition to the idea of an appointment process. The cost of a referendum would not be justified.

Ald. Moore asked if the referendum would be a binding referendum.

City Attorney Molepske said yes.

Ald. Moore asked what the number of votes it would take to pass this Charter Ordinance. Would it be the same for the referendum as the Charter Ordinance Amendment?

City Attorney Molepske said the Charter Ordinance Amendment and submittal to referendum is written in unity and it would require a two-thirds vote.

Ald. Wiza said most of his constituents and those he has spoken with from other districts are opposed to the proposed change. After talking about it at Council, at the Sub-Committee and the Personnel Committee, he feels no one wants this.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, to deny the Charter Ordinance Amendment as a whole.

Bob Woehr, 727 Second Street, said he opposes the idea of appointing a City Attorney and Comptroller/Treasurer. He said 10-15 percent of the voters consist of University students and they do not have permanent ties to the community.

Barb Jacobs, 1616 Depot Street, said there is not enough time devoted to this subject. She said she agrees that these positions do need requirements but opposes the appointment process.

Mayor Halverson said it was his intention all along that this would be taken to referendum but can see that now is not the right time. He said this is a conversation that should continue. He said there is not enough time to make this decision and give the citizens adequate time to debate it. He asked the Council to vote to deny the Charter Ordinance Amendment.

Reid Rocheleau, 408 Cedar West, said he opposed the Charter Ordinance Amendment and referendum being on the Council agenda and the Charter Ordinance as a whole.

Ald. Phillips asked if it would be out of order to table this agenda item.

Mayor Halverson said no, it could be tabled to a specific date or indefinitely.

City Attorney Molepske said it could just be tabled. If no one takes it off the table before the meeting adjourns it dies.

Ald. Phillips moved, Ald. Trzebiatowski seconded, to table the Charter Ordinance Amendment – Changing the method of selection of the City Attorney and Comptroller/Treasurer from Elected to Appointed and submittal to referendum.

Call for the Vote: Ayes: Majority.

Nays: Minority. Motion carried.

Ald. Wiza asked if the Mayor, as Chairman of Council, does indeed have the authority to set the agenda.

City Attorney Molepske said yes the Mayor does have the authority to set the Council agenda.

18. Minutes and actions of the Board of Water & Sewage Commissioners meeting of August 13, 2012.

Ald. Moore moved, Ald. O'Meara seconded, to approve the minutes and actions of the Board of Water & Sewage Commissioners meeting of August 13, 2012.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.

Nays: None. Motion carried.

19. Minutes and actions of the Board of Park Commissioners meeting of August 1, 2012.

Ald. Slowinski moved, Ald. M. Stroik seconded, to approve the minutes and actions of the Board of Park Commissioners meeting of August 1, 2012.

Call for the vote: Ayes: All.

Nays: None. Motion carried.



MEMORANDUM

TO: Members of the Finance & Personnel Committees

From: Ryan Kernosky, Director of Community Development

CC: Corey Ladick, Comptroller; Lisa Jakusz, HR Manager

Date: June 8, 2020

RE: REQUEST FOR LIMITED-TERM EMPLOYEE IN COMMUNITY DEVELOPMENT DEPARTMENT

Background: Starting mid-July, the Community Development Department has an expected leave of absence within our critical administrative functions of the department. As such, I am requesting the ability to hire a limited-term employee (LTE) to assist during the leave of absence.

It is expected the LTE will answer phones, schedule inspections, process payments, take meeting notes, and perform other administrative functions of the department during their employment with the City. I am requesting this position be 40 hours per week beginning in early-July and ending mid to late September.

Funding: This position will be funded through the Community Development budget adjustments as a result of temporary reduced staffing levels and other administrative budget areas.

Other Information: It is critical to the constituents of the City to have this position filled. Without it, other administrative staff will be beyond their capacities to perform administrative duties in an efficient and customer-service focused manner.

Please reach out to me with any additional questions or concerns.

Leave of Absence

Upon the recommendation of the department head, the Mayor and City Personnel Committee may grant a regular employee a leave of absence subject to the conditions set forth below.

1. Leave without pay shall be granted only when it is in the best interests of the City to return the employee to service at a future date. Requests for leave of absence shall be approved prior to the taking of such leave. If the leave is requested as an extension of sick leave, it must be accompanied by a physician's statement indicating the need for such leave.
2. At the end of a leave of absence, the employee shall be reinstated in the position he/she vacated, or in an equivalent vacant position, if the employee meets the stated qualifications. If there is not a suitable vacancy available, the employee's name shall be placed on a waiting list.
3. Credit toward vacation and sick leave shall not be earned while an employee is on leave of absence, but insurance benefits may be retained if the premium is paid in full by the employee.
4. If an employee is on leave of absence for more than ten (10) consecutive work days during a calendar year, it shall change the employee's anniversary date correspondingly.
5. A return to work earlier than the scheduled date may be arranged between the department head and the employee.
6. Employees on leave of absence will be subject to termination if actively employed elsewhere during the term of their leave.
7. If an employee is unable to return to work on the date stipulated, he/she may submit a written request to extend a leave of absence, to the Personnel Committee. If, on the date following the expiration of the leave of absence, an extension has not been requested and granted and the employee has not returned to his/her position, the employee shall be considered to have resigned from City employment.

An employee must exhaust all accrued vacation benefits before requesting a leave of absence.

Unauthorized Absence

An employee who is absent from duty without prior approval shall receive no pay for the duration of the absence, and shall be subject to disciplinary action which may include dismissal. It is recognized there may be extenuating circumstances for an unauthorized absence.