

MINUTES
PERSONNEL COMMITTEE
Tuesday, February 12, 2013
City Hall, Room 207
5:40 p.m.

Members Present: Ald. Andy Nicholson, Ald. Amy Kocha, Ald. Thomas DeWane, Ald. Tom Sladek

Others Present: Ald. David Boyce, Ald. Joe Moore, Commissioner Goldhahn, Commissioner Nelson, Director Lynn Boland, Director Dawn Foeller, Chief Tom Molitor, City Attorney Tony Wachewicz and others

1 Roll Call.

2. Adoption of the Agenda.

A motion to adopt the agenda was made by Ald. DeWane, seconded by Ald. Kocha. Motion carried unanimously.

3. Approval of the minutes of the meeting of January 22, 2013.

A motion to approve the minutes of the meeting of January 22, 2013 was made by Ald. Kocha, seconded by Ald. DeWane. Motion carried unanimously.

4. Request to fill the Account Clerk II position in Finance and all subsequent vacancies resulting from internal transfers.

Director Boland stated this vacancy is due to the retirement of Jean Mercier on March 18, 2013. Ald. DeWane inquired if there is a Clerk I position. Director Boland stated this position is represented by the bargaining unit, and doesn't believe there is an Account Clerk I job title in the bargaining unit agreement.

A motion to approve the request to fill the Account Clerk II position in Finance and all subsequent vacancies resulting from internal transfers was made by Ald. DeWane, seconded by Ald. Kocha. Motion carried unanimously.

5. Invitation to Police and Fire Commission President Goldhahn and Vice-President Nelson to provide information why the Assistant Police Chief isn't automatically appointed as the Interim Police Chief when the Police Chief vacates the position.

PFC President Goldhahn stated the provision in the job description that refers to the Assistant Chief filling in for the Chief in his absence is meant to cover two instances. One, for coverage on a short-term basis when the Chief is unavailable such as vacation or attending a conference; and two, for a

catastrophic incident where the Chief is unable to perform his duties. For these instances, the provision in the job description clearly spells out who's in charge and who has the decision making authority in the Chief's absence. In cases where the Chief resigns or retires, there is time to make a decision on the appointment of an interim Chief, and the Assistant Chief does not necessarily have to move into the Chief position.

A motion to receive and place on file the information provided by Police and Fire Commission President Goldhahn on why the Assistant Police Chief isn't automatically appointed as the Interim Police Chief when the Police Chief vacates the position was made by Ald. Kocha, seconded by Ald. Sladek. Motion carried unanimously.

6. Report on the status of the contracts with the Villages of Allouez and Ashwaubenon and the City of DePere for animal control services.

Chief Molitor indicated copies of the contracts were included in the packet. Each contract can be terminated with 30 days notice. Ald. Nicholson inquired when the contracts were approved.

Director Boland stated the first animal control agreement with the Village of Allouez was approved by the Finance Committee on October 30, 2007 and then approved by City Council on November 15, 2007. The contract with the Village of Ashwaubenon was agreed to a year later on September 23, 2008. In checking with Capt. Bongle he thought the other contracts had gone through the approval process, but there is no record of the contracts with the Village of Ashwaubenon and the City of DePere being approved by Council.

Ald. Nicholson asked why the contracts with the Village of Ashwaubenon and the City of DePere were not approved by Council and questioned if those contracts were valid. Atty. Wachewicz stated that generally contracts should go through for approval and he would need to review the terms and conditions of these contracts in further detail; but there may be a question regarding the authority to enter into the agreement. Atty. Wachewicz stated there is a performance standard that has been carried out over the past couple of years pursuant to this, so if it's determined to terminate the agreement there may need to be a 30 day notice.

Ald. DeWane inquired if a lieutenant has the authority to enter into contracts. Chief Molitor believes the former Police Chief was aware of the agreements and the lieutenant in charge of the program was acting as the Chief's agent when he entered into the contracts.

Ald. Nicholson questioned whether the contracts were valid. Atty. Wachewicz will review the contracts and respond to the committee.

Discussion continued on the pros and cons of providing City services to other communities and the effect of services on City residents; particularly the response time on animal control calls. Ald. Sladek inquired if additional information on response time for animal control calls could be provided. Chief Molitor is not aware of any complaints to the Police Department. Ald. Kocha would like to see a random sample of out-of-community calls and see if there were in-community calls at the same time to determine if City residents are being neglected.

To refer the animal control services contracts with the Villages of Allouez and Ashwaubenon and the City of DePere to the Police Chief for review and a recommendation at the next Personnel Committee meeting was made by Ald. Kocha, seconded by Ald. DeWane. Motion carried unanimously.

7. Request by Ald. Kocha to discuss, with possible action, eliminating (1)(a) of City Ordinance, Chapter 1.80 and Section 5.1.1 of the City Personnel Policy - Chapter 5, Residency pertaining to the City employee residency requirement to allow Department Heads to reside outside the City limits.

Ald. Kocha stated the Mayor indicated at the last Council meeting that despite his original feeling about the importance of department heads living in the City, he has evolved into feeling that the best person for the job trumps residency. Ald. Kocha stated she is a proponent of the best person for the job and feels the Council should reconsider allowing department heads to live outside the City in order to assure that the City gets the best person for the job.

Ald. Sladek, DeWane and Nicholson indicated the opinions they expressed at the Council meeting last week have not changed.

A motion to change the Residency Ordinance to allow department heads to reside outside the City limits was made by Ald. Kocha. Motion failed due to lack of second.

Ald. DeWane believes that department heads should live in the City of Green Bay and believes the taxpayers feel the same way.

A motion to adopt the current Residency Ordinance and eliminate the Exceptions provision was made by Ald. DeWane, seconded by Ald. Nicholson.

Ald. Moore disagrees with requiring residency for department heads and feels the taxpayers want to see the best individual in the job no matter where they live. Ald. Moore will not support a policy that applies to less than one percent of the employees. Ald. Sladek feels the policy should be maintained as is and stated it is not unusual to have a different level of expectations and different policy application for the very top people in an organization versus the rest. Ald.

DeWane stated almost all municipalities demand that department heads live within their city.

Motion failed 2-2. Ald. DeWane, Nicholson voted yes, Ald. Kocha, Sladek voted no.

A motion to receive and place on file the discussion to eliminate (1)(a) of City Ordinance, Chapter 1.80 and Section 5.1.1 of the City Personnel Policy - Chapter 5, Residency pertaining to the City employee residency requirement to allow Department Heads to reside outside the City limits was made by Ald. DeWane, seconded by Ald. Sladek. Motion carried 3-1; Ald. Kocha voted nay.

8. Request by Ald. Kocha to review the City-wide policy regarding administration of comp-time for employees.

Director Boland explained the policy states that employees who are exempt from FLSA are eligible to earn comp time to a maximum of sixty-four hours per year. Comp time is accounted for on a weekly basis, and time not taken by the end of the year is lost. Only overtime authorized by the department head or division head may be accrued. General guidelines that have been provided over the years for administration of comp time state that comp time may be accumulated for mandatory meetings or work time, i.e. council meetings, meeting with the public, etc. Generally, staying late to do your job is not considered to be eligible for comp time; however if the employee is required to stay for a special project that may be approved for comp time. Comp time is recorded on an employee's time card and there is a payroll code that is entered for straight-time comp time. Only exempt employees earn comp time at straight time; non-exempt employees earn comp time at time and one-half if they have worked over 40 hours during the week and they can choose whether they want to earn comp time or get paid for the overtime.

Ald. Kocha inquired if any issues have been raised by department heads or have any employees complained about comp time. Director Boland stated it appears that comp time is being administered appropriately, but we may send out a memo to clarify a couple of questions that have come up recently. Ald. DeWane asked that employees record the reason on their timecard for the comp time and asked what happens if an employee earns more than 64 hours. Director Foeller stated that exempt employees can earn more than 64 hours but they can only take 64 hours – no exception.

A motion to receive and place on file the review of the City-wide policy regarding administration of comp-time for employees was made by Ald. Kocha, seconded by Ald. Sladek. Motion carried unanimously.

9. Request by Ald. Moore to review and update the policy on performing exit interviews with employees who have terminated employment.

10. Request by Ald. Moore to perform a voluntary survey of those employees that live outside of the City limits with the goal of determining reasons, and what improvements they would like to see to encourage residency in Green Bay.

A motion to take agenda items 9 and 10 together was made by Ald. DeWane, seconded by Ald. Kocha. Motion carried unanimously.

Ald. Moore stated there is a big difference between the private and public sector, but two things are the same; it costs a lot of money to train an employee and a happy employee is usually a productive employee. As council members, one of our goals is to continually strive to improve the quality of life of our residents. Ald. Moore would like to see a year-end summary from 2012 and bi-monthly or quarterly updates on what the turnover is and what department the employee worked in to determine if one department is having a lot more turnover than another and why that is. The survey of employees ties into this to improve our parks, add housing to the downtown, make living affordable and safer neighborhoods and see what the focus is of people not living here and what those reasons are. Ald. Moore said the reason behind these two requests is to reduce turnover and make Green Bay a little more desirable for people to want to live here. Ald. DeWane agreed, and asked if all employees are given exit interviews. Director Boland stated employees are sent a paper survey and the response rate is approximately 37%. The exit interview process is being automated and a new survey is being developed on-line which may increase our response. Director Boland said we can work with the Economic Development regarding the residency survey.

A motion to refer the review and update on the exit interview policy and to refer the voluntary survey of employees living outside City limits with the goal of determining reasons and what improvements they would like to see to encourage residency in the City of Green Bay to Human Resources was made by Ald. DeWane and seconded by Ald. Kocha.

Under discussion, the time frame for reporting on the exit interview results was discussed.

Motion carried unanimously.

11. Recommendation to approve a contract with Healics as the vendor to conduct the City's health risk assessments effective upon approval by the City Council.

Director Boland requested the committee hold this matter at this time.

A motion to receive and place on file the recommendation to approve a contract with Healics as the vendor to conduct the City's health risk assessments effective upon approval by the City Council was made by Ald. DeWane, seconded by Ald. Sladek. Motion carried unanimously.

12. Update and discussion regarding labor negotiations.

A motion to convene in closed session was made by Ald. Kocha, seconded by Ald. Sladek. Roll call vote taken 4-0.

Reporting out of closed session, a motion to proceed as discussed in closed session regarding labor negotiations was made by Ald. DeWane, seconded by Ald. Sladek. Motion carried unanimously.

13. Report of Routine Personnel Actions for regular employees.

A motion to receive and place on file the routine report of Personnel Actions for regular employees was made by Ald. Sladek and seconded by Ald. DeWane. Motion carried unanimously.

There being no further business, a motion to adjourn was made by Ald. Kocha and seconded by Ald. DeWane at 7:00 p.m. Motion carried unanimously.

Respectfully submitted,
Peggy Barden
Recording Secretary