

**MINUTES**  
**PERSONNEL COMMITTEE**  
Tuesday, September 30, 2014  
City Hall, Room 207  
8:20 p.m.

Members Present: Ald. Andy Nicholson, Ald. Guy Zima, Ald. Thomas Sladek, Ald. Thomas DeWane

Others Present: Mayor Jim Schmitt, Ald. Joe Moore, Ald. Mark Steuer, Ald. Chris Wery, Ald. Brian Danzinger, Ald. Dave Nennig, Lynn Boland, Tom Molitor, Kim Flom, Dawn Foeller, Steve Grenier, Jim Mueller, Mike Hronek, Melanie Falk and others.

1. Roll Call.

2. Adoption of the Agenda.

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

3. Approval of the minutes of the meeting of September 10, 2014.

A motion to approve the minutes of the meeting of September 10, 2014 was made by Ald. DeWane, seconded by Ald. Sladek. Motion carried unanimously.

4. Request to fill the following positions and all subsequent vacancies resulting from internal transfers.

a. Clerk Typist III – Police Department

A motion to approve the request to fill Clerk Typist III position in the Police Department and all subsequent vacancies resulting from internal transfers was made by Ald. DeWane, seconded by Ald. Sladek. Motion carried unanimously.

b. 3-Patrol Officer positions – Police Department

A motion to approve the request to fill 3-Patrol Officer positions in the Police Department and all subsequent vacancies resulting from internal transfers was made by Ald. DeWane and seconded by Ald. Sladek. Motion carried unanimously.

5. Request to review and discuss with possible action, Green Bay Public Television.

Ald. DeWane recalls Council approval for operating Public Television Channel 4 but would like more discussion on who was hired, how that decision was made, how the programming will be determined and any costs to the City.

Mayor Schmitt stated City Council passed a policy to approve operating public television. The opportunity arose when Time Warner Cable offered public access to this market which includes the Green Bay, Appleton, and Neenah/Menasha area. The City plans to utilize this channel to help educate the community. The Press Gazette ran an article in August regarding the City's vision and plans for the station. The Mayor indicated the City is currently looking for a sponsor for its first program which will be a veteran's resource show. Filming of the show will take place on the fourth floor of City Hall. Other program ideas are being developed. Mayor Schmitt went on to explain that staffing and funding are the major issues in developing the programming as this is not currently funded through the budget.

Ald. Zima raised a concern regarding current programming and inquired when Council meetings are being aired. Ald. Zima also questioned why the City took over responsibility for operating public television. Ald. Steuer inquired about production costs. Discussion continued regarding production costs, the agreement with Time Warner and right-of-way access. Mayor Schmitt stated the City is looking into grants that are available for public access and is working with UWGB and area colleges for interns to help with programming. Ald. Nennig gave a brief history on how council meetings were taped and aired on public television in the past.

A motion to receive and place on file the review and discussion of Green Bay Public Television was made by Ald. DeWane and seconded by Ald. Sladek. Motion carried unanimously.

6. Request to review and discuss, with possible action, the following items regarding Economic Development.
  - a. Request by Ald. Wery to review the function of the Economic Development Department.

Ald. Wery asked for information on staffing and responsibilities of the department. Director Boland explained the Economic Development Department staff includes a director, two economic development specialists and one clerical position. One of the specialist positions is currently vacant and is being held open until a new director is hired. The clerical position is shared between economic development and the law department.

Ald. Wery inquired if the Mayor is satisfied with the current staffing level of the department considering the importance of the department. Mayor Schmitt stated economic development is important to the economy and feels the department is understaffed. For example, the City of Madison, which is twice the size of Green Bay, has a budget of \$1.2 million while Green Bay's budget is \$390,000. Green Bay has 30,000 parcels of which 88% is residential and 8% is commercial. The commercial business is good for the City because they don't use a lot of services. Mayor Schmitt feels the Economic Development Director position is

critical for the City and is responsible for positioning the City for sustainable growth.

Ald. Wery stated he wanted to have this discussion with the budget coming up and feel it's important to understand the role of the department and how we want to proceed. Next to the Mayor, the Economic Development Director and department are the first contact with prospective businesses.

Ald. Steuer stated Economic Development was under the Planning Department when he started with the City in 1981 and asked when that changed. Ald. Nennig indicated that was changed shortly after Mayor Jadin was elected. Mayor Jadin had a desire to heighten the role of economic development and rather than have it as a division under Planning, he wanted economic development to be its own department and report to himself as Mayor in order to put more emphasis on economic development.

Ald. Steuer stated economic development is important as well as business retention. There are many businesses in the community and the staff the City has may not be large enough in some respects, to go out and get businesses and garner that feeling of economic development for the community, but to also retain businesses, that's a challenge, a huge challenge. It would be interesting to see what other communities do, how many folks are based in economic development that do this on a daily basis. Ald. Steuer questioned if three positions in the City's ED department are enough.

Ald. DeWane felt there should be more transparency in the department and more focus on other areas of development in addition to downtown. Ald. DeWane stated there are a number of businesses, both large and small that want to do business in the City of Green Bay, but the Council doesn't see half of them. If it's not in a picture of what is good for the Mayor or our staff, the Council doesn't get to see it. There needs to be a lot more transparency. The City has plans for University, Velp and Military, but can't seem to get outside of downtown. There needs to be a stronger effort to look at the entire City. Ald. DeWane stated he was told the City was fine with development in the 43-Industrial Park, but he met with these individuals recently and they aren't happy. There are hundreds of square feet of vacant area in the industrial park. In addition, East Mason Street is blank all the way down, Main Street, University and Velp Avenue have numerous empty buildings, and the City has done nothing. It took thirteen to fourteen years to do downtown and if it wasn't for the strength of the Council, you wouldn't see it going the way it is right now. Ald. DeWane thinks economic development is one of the more important aspects of the City and the City may need more people. Ald. DeWane stated there needs to be a strong emphasis outside of downtown.

Ald. Zima felt the department should provide an annual report on their accomplishments and should be managed by a planning and development committee. The report should provide a breakdown on the number of businesses that come to town that people take credit for and those that are actually sought out. Ald. Zima questioned how much outreach the department is doing to bring in

new businesses and whether they need to travel to find new business. Real estate people are familiar with the location of empty lots and store fronts and suggested part of the budget could include commissions paid to individuals who bring business to the City. There is a risk/reward for people in real estate to get out and hustle to make their living. The City should consider putting money in the budget to attract some outreach to have people bring developments into the City. Ald. Zima has always felt the Economic Development Director has been sort of a cheerleader for the administration, the Mayor's office; that just works on a few things. Ald. Zima stated the department should be required to provide a yearly report of their accomplishments that were actually recruited, not just when someone comes in and opens a business on Broadway. Ald. Zima feels the economic development department has been a stale department for as long as he's been here and suggested exploring other avenues such as tapping into professionals. There needs to be an economic development planning committee with monthly reports regarding what is being worked on, what has been accomplished, what calls have been made.

Ald. Nicholson inquired about the business developments recruited by the outgoing director. Mayor Schmitt gave a brief overview of some of the accomplishments which include both of the Fox City Credit Unions, which were significant investments on Military and Main, and Hart Manufacturing. The Mayor indicated the department is working to grow businesses that are here, it's more organic growth that's more successful and not lost as quickly. The Mayor stated the director has been working with the top 30-businesses and numerous retention calls. Director Flisram was sought after and has done a good job for the City. The Mayor indicated he could provide the committee with a list of accomplishments, but doesn't feel what the director is working on is for the Press Gazette.

Ald. Moore stated it's a waste of time to think about the past and the committee should focus on the requirements for the position before the next director is hired in terms of job duties, role and reporting expectations. Ald. Nicholson stated the past director was very hard to communicate with. Ald. Moore indicated he had both positive and negative experiences with the director.

Ald. Zima stated retention is also important as Ald. Steuer talked about earlier. The structure of the department could include one person who works on retention and one person who works on outreach and they report every month on who they are contacting, in order to have some way to measure accomplishments.

A motion to receive and place on file the request by Ald. Wery to review the function of the Economic Development Department was made by Ald. DeWane, seconded by Ald. Sladek. Motion carried unanimously.

- b. Request by Ald. Zima to review other approaches to filling the Economic Development Director vacancy.

Director Boland gave a brief overview of other approaches the City could consider to fill the director position which included contracting services on an as needed basis or establishing an outside Economic Development Corporation as a separate entity from the City. Contracting out for services could include looking at an economic development firm or planning firm to attract new businesses and develop new space, a market analysis firm, or real estate broker for commercial office sales. The City would still need someone to manage the professional services and contracts. The other approach would be the establishment of an outside economic development corporation which is typically done on a regional basis and includes surrounding communities and county. This is usually a non-profit corporation with their own staff and offices. Communities serviced by the corporation often continue to provide some level of internal economic development effort. Director Boland stated examples of ED Corporations include Progress Lakeshore which serves Manitowoc County, Milwaukee 7 which services a seven county region around Milwaukee, and New North which is an 18 County Regional Development Corporation that includes Brown County.

Ald. Zima said some of this looks like more bureaucracy and some of it appears to be way too broad. Why would the City look at regional things when we're talking about developing something for the City of Green Bay? Ald. Zima suggested looking at the table of organization and possibly re-organizing the department to include one person for retention, one dedicated to outreach, bonuses if certain goals are met, or setting up a fund for private incentives. The ED department needs to provide monthly reports on what they are working on. Ald. Zima stated the City needs more than the bureaucratic routine that basically serves one office, the Mayor. The Mayor is part of the Common Council and the Common Council has to become more directly involved in this. This position needs to be appointed and report directly to the Council. Ald. Zima stated he's given ideas on how the department could be reorganized and would like to hear how other people feel.

Ald. Moore stated he likes the direction Ald. Zima is going regarding setting up a fund for private incentives and suggests referring this to staff to see what it would take to set up this fund. Ald. Zima asked Ald. Moore how he feels about reorganizing the department so there's one person for retention, one for outreach and some money then for private incentives. Ald. Moore recommended sending this to staff for further review of the table of organization and to establish guidelines for the economic development staff.

Ald. DeWane stated he has no problem with the direction Ald. Zima is trying to go. Ald. DeWane believes strongly there is already an economic development committee in place, but they need to do more reporting. There are so many people that come to Green Bay that the Council doesn't see. When individuals or businesses come to Green Bay and ask for direction of any type, it should be reported. Ald. DeWane stated there needs to more reporting from the economic development department to the Council.

Ald. Danzinger suggested considering dividing staff duties by regions such as east-side, west-side, and downtown. Having one staff member assigned to a region could allow for better reporting to the Council and better access for council members if they have questions regarding what's being done with buildings and properties. Ald. Danzinger feels one of the challenges now is that staff is being distributed based on project and less on areas of the City the Council wants isolated. Ald. Danzinger asks that this be considered as an approach too, along with direct reports or oversight by Council. Ald. Zima agreed there needs to be a reporting system back to the Council in order to measure the effectiveness of staff on a month to month basis. Ald. Danzinger stated from a managerial and productivity approach, having the staff duties divided by region may be somewhat easier to facilitate and manage. The needs of Military Avenue are distinctly different from University Avenue or downtown.

Ald. Steuer stated there is strong competition between communities for economic development dollars; right now with the way economic development is set up, each community has their own ED department, so in a sense the entire community may be benefiting but a particular community might get more than the adjoining community. Ald. Steuer stated the regional approach for economic development dollars should be looked at too.

A motion to refer to staff to develop job descriptions following the guidelines and discussions by the Council and recommend a budget and salary ranges was made by Ald. Zima, and seconded by Ald. DeWane. Motion carried unanimously.

- c. Request to fill the Economic Development Director position and all subsequent vacancies resulting from internal transfers.

A motion to hold the request to fill the Economic Development Director position until the next Personnel Committee meeting was made by Ald. Zima and seconded by Ald. DeWane.

Mayor Schmitt stated he feels strongly about moving forward to fill this position. Economic development is something the City has done well and the Mayor believes the City should hire an ED director.

Ald. Sladek inquired if the Mayor would be concerned about hiring a director and then having to adjust to the discussions the committee had tonight. Mayor Schmitt stated he's not concerned and would like to hire a director so the other vacancies within the department can be filled too. Ald. Sladek asked if the Mayor believes a new director would live up to the issues discussed regarding more communication, more accountability, and more specific targets and goals. Mayor Schmitt indicated that some committee members could be included in the final interviews for the position.

Ald. DeWane stated economic development is important but doesn't see the harm in holding this request for two weeks while the committee determines how

to proceed with filling this position. Ald. Sladek agreed with Ald. DeWane about holding the request for two weeks.

Motion carried unanimously.

- d. Request to reclassify the Economic Development Director position from Pay Grade 39 to Pay Grade 41.

A motion to hold the request to reclassify the Economic Development Director position from pay grade 39 to pay grade 41 until the next Personnel Committee meeting was made by Ald. DeWane and seconded by Ald. Sladek. Motion carried unanimously.

7. Request by the Public Works Director to reclassify 3-Shop Helper positions from Grade G-6 at a rate of \$22.51 per hour to the Senior Mechanic classification Grade G-9 at a rate of \$23.13 per hour in accordance with the Labor Association wage schedule effective at the beginning of the pay period following approval by City Council. If qualified, current incumbents will be reclassified to Sr. Mechanic otherwise the position(s) will be reclassified when a vacancy occurs.

A motion to approve the request to reclassify 3-Shop Helper positions from Grade G-6 to the Senior Mechanic classification Grade G-9 in accordance with the Labor Association wage schedule effective at the beginning of the pay period following approval by the City Council was made by Ald. DeWane and seconded by Ald. Sladek.

Ald. Sladek asked for clarification on the last sentence that states "if qualified, current incumbents will be reclassified to the Sr. Mechanic classification otherwise the positions will be reclassified when a vacancy occurs". Public Works Director Grenier responded the Shop Helper is a combination of preventative maintenance and small engine mechanic. The Senior Mechanic is more of the large classic mechanic on heavy equipment. Shop Helpers who meet the minimum requirement for Senior Mechanic will automatically be reclassified to Sr. Mechanic upon approval by the Council and will then be able to carry out the responsibilities of Sr. Mechanic. If there are Shop Helpers who do not meet the minimum qualifications for Sr. Mechanic, those individuals will remain in the Shop Helper category until there is a vacancy in that position or the individual acquires the minimum qualifications to be a Sr. Mechanic. Ald. Sladek stated the current table of organization shows 3-Shop Helper positions and 8-Sr. Mechanic positions. Ald. Sladek asked if this would change to 11-Sr. Mechanics if the request is approved. Director Grenier replied there is the potential for 11-Sr. Mechanics. Currently, there may be one Shop Helper who meets the minimum qualifications to make the automatic jump to the Sr. Mechanic classification.

Motion carried unanimously.

8. Request by Ald. Nicholson, with possible action, that the City consider contracting for an attorney to advise the Common Council on matters that come before the Common Council and its committees.

Ald. Nicholson stated the City should consider contracting for an attorney to advise the Council on matters. Brown County contracted for an attorney to represent County Board Supervisors and it worked very well. Ald. Nicholson feels the Council should have their own representation; it's an investment for the City and the taxpayers. For example, if the Council had their own legal council on the Younkers deal, which was \$12 million, there may have been a chance the agreement would have been stopped. Ald. DeWane agreed it worked for the County and suggested hiring a fourth attorney as part of the budget to work with the Council.

Ald. Zima believes it should be a contracted position without fringe benefits that answers to the City Council. A contracted position would allow the legislative branch to function more effectively, and give the Council the tool they need in the balance of power. This would be a legal reference the Council could depend on to keep the existing staff on the straight and narrow. Ald. Zima stated at the County there were very few arguments where there were differences of opinion. The policy making rights and responsibilities of the Council will be much enhanced when you have someone who will tell you if you're going astray or give an interpretation of the law that may not be the same as our staff, which basically, they just toe the line with administration. This will put the Council on its proper two feet and give us the strength we need to function as a policy making body. Ald. Zima stated whenever there is a court case, there are always two lawyers. This position has to answer to the Council, not the City Attorney. Ald. Sladek inquired if all council members would have access to the attorney. Ald. Zima stated all County Supervisors had access to the attorney and the cost was approximately \$30,000 per year. Ald. Zima stated his experience with the City Attorney's office has always been a response in line with administration and Ald. Zima wants someone he can trust to give him a straight answer rather than what the Mayor wants.

Ald. Sladek stated his experience with the law department over the last two and a half years has been nothing like Ald. Zima described. Ald. Sladek always felt the law department served him and never felt they were misleading.

Ald. Wery favors contracting an attorney for services. Ald. Steuer also prefers contracting an attorney. Ald. Danzinger questioned the liability and exposure of the Council when following the advice of a contracted attorney. Ald. Zima feels it's absolutely essential to have outside council on matters. Ald. Nennig stated during his experience working in the Mayor's office there were many times the City Attorney gave advice the Mayor didn't like. As council members it's easy to think it's them against us, but if you look at State Statute 62.11, the Mayor and Alderpersons shall be the Common Council. The Mayor is part of Common Council in our form of government. State Statute 62.09 states the City Attorney shall conduct all the law business in which the City is interested. There is also a

provision that states the Council may employ and compensate special counsel to assist in or take charge of any matter in which the City is interested. Ald. Nennig stated in our form of government the City Attorney is appointed by the Mayor but confirmed by the Council. The Council has some say in that person's appointment, not just the Mayor. Ald. Nennig stated in his opinion as individual council members we should submit our requests to the City Attorney's office and make demands for information when we want it and recognizing as with any professional whether it's an attorney or a doctor, you may not get the response you want to hear. The Council could request a second legal opinion when needed if additional dollars were added to the budget. Ald. Danzinger thought the City already hired outside counsel for land deals and special purchases. Ald. Zima stated that everything Ald. Nennig said was true, but irrelevant. In theory, you can follow the ordinance, but when you have doubts, there needs to be an immediate resource that can either wipe away our doubts or confirm our doubts. The Council needs the guidance; it's a separation of power and a safeguard for our decisions.

Ald. Sladek is against contracting an attorney.

A motion to approve contracting for an attorney to advise the Council on any issue at a contract salary of \$30,000 per year was made by Ald. Nicholson, seconded by Ald. Zima.

Ald. Danzinger asked for clarification on whether the contracting process has to go through the RFP process. Atty. Mueller stated it's a professional service and does not need to be bid out even though it's over \$25,000. Normally, in professional services the City does some type of RFP in order to get the word out.

Motion carried 3-1. Ald. Sladek voted no.

9. Request by Ald. Nicholson to review with possible action, State Statutes, Roberts Rules of Order and/or Ordinances that deal with the process of communications submitted to committees.

Ald. Nicholson stated an issue arose out of Advisory Committee and a communication was submitted that never surfaced. Atty. Mueller explained the communication was submitted to the Clerk's Office whose practice is to forward the communication to City Council for referral to a committee. Communications can also be submitted to the chair of the committee or the staff person that handles the committee.

Following discussion, a motion to refer to staff to revise the language regarding the process of submitting communications to committees was made by Ald. Zima and seconded by Ald. Nicholson. Motion carried unanimously.

10. Monthly report on the progress of the traffic unit within the Green Bay Police Department with possible action.

Chief Molitor provided the committee with an updated report on the traffic operation statistics. The report showed that officers assigned to the traffic unit increased the amount of time spent on traffic related calls to 89% and also showed an increase in the number of citations issued.

A motion to receive and place on file the report on the progress of the traffic unit within the Green Bay Police Department was made by Ald. Zima, seconded

11. Request by Ald. Tom DeWane to look at bringing back sergeants in the Police Department with possible action.

Ald. DeWane stated there is additional work to be done on this issue and moved to hold this item for two weeks. Motion seconded by Ald. Zima. Motion carried unanimously.

12. Request by Ald. Tom DeWane, to discuss with possible action, hiring an outside consultant to study the Green Bay Police Department organization and discuss any cost savings the consultant may bring forward.

Ald. DeWane stated other departments have used consultants and believes this would be a good idea.

A motion to hold the request by Ald. DeWane, to discuss with possible action, hiring an outside consultant to study the Green Bay Police Department organization for two weeks was made by Ald. Zima, and seconded by Ald. Sladek.

Under discussion, Ald. Nicholson inquired about the process of bringing in a consultant and determining what it would cost. Director Boland stated the process would involve contacting firms who conduct organizational studies for a cost proposal. There may be 4-6 firms that could be contacted who do this type of work. The first step would be to put together parameters for the study and then submit that information to the consulting firms. Director Boland anticipates the firms would respond within two to three weeks with a cost proposal.

Ald. DeWane would like to look into the cost of bringing in a consultant. Ald. Zima is neutral on this issue. Ald. Sladek is in favor of asking staff to contact firms regarding the cost of a study. Ald. DeWane doesn't see an issue in holding this item for two weeks.

Motion carried unanimously.

13. Request by Human Resources Director to schedule the fact-finding hearing regarding the Green Bay Professional Police Association (GBPPA) Recruit Academy Grievance – Step 3 for the Personnel Committee meeting to be held on October 28, 2014.

A motion to approve scheduling the fact-finding hearing regarding the Green Bay Professional Police Association Recruit Academy Grievance – Step 3 for the Personnel Committee meeting on October 28, 2014 was made by Ald. Sladek, seconded by Ald. Zima. Motion carried unanimously.

14. Report of Routine Personnel Actions for regular employees.

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

15. Update by staff on status of the review of the Housing Administrator position.

A motion to convene in closed session was made by Ald. Zima and the closed session language was read. Motion seconded by Ald. Sladek and carried on roll call vote.

Reporting out of closed session, a motion to have staff proceed as recommended on the review of the Housing Administrator position was made by Ald. Zima, seconded by Ald. DeWane. Motion carried unanimously.

16. Update and discussion regarding labor negotiations.

- a. Fire Fighters
- b. Police Supervisory

Director Boland stated there have been further discussions since the last Council meeting and inquired if the committee would prefer to wait and go into closed session at the next Council meeting to provide an update on the status of negotiations.

A motion to hold the update and discussion regarding labor negotiations on 16a and 16b until the next committee meeting was made by Ald. Zima, seconded by Ald. DeWane. Motion carried unanimously.

There being no further business, a motion to adjourn was made by Ald. DeWane and seconded by Ald. Zima at 10:50 p.m. Motion carried unanimously.

Respectfully submitted,  
Peggy Barden  
Recording Secretary