

FEBRUARY 10, 2004

Regular meeting of the Common Council was called to order by Mayor Meyers at 7:00 p.m., in the Council Chambers, City Hall Plaza.

PRESENT: Michael Feirer, Brad Parks, Gerald Nelson, Tim Kraus, Russell Stauber, Don Krueger, Ray Gougeon, Tom Buttke and Edward Beaudry, Jr.

ABSENT: Jerry Bennington, Sr.

The flag was saluted and the pledge given.

Rev. Charles Stoetzel, St. John the Baptist Catholic Church gave the invocation.

RECOMMENDATIONS FROM MAYOR

None

CC04-026 Motion by Stauber, second by Krueger to approve the minutes of the Common Council meeting of January 27, 2004. All Ayes

Motion carried

No items were added to the agenda.

A presentation was given by Marshfield Sister Cities, Inc. (Marshfield, Wisconsin and Jauregui, Lujan, Argentina). Cathy Lau introduced exchange student Miss Josefina Otero. Josefina's host family is Jackie Andres. Cathy Lau also dedicated a permanent display case to the City of Marshfield.

Mayor Meyers thanked them on behalf of the City of Marshfield for the display case. He mentioned that another display case is at the UW Center.

Mayor Meyers welcomed the Boy Scouts that were present at the meeting. They were attending the meeting to earn their merit badge.

CITIZEN COMMENTS

None

A presentation on the City's Geographical Information Systems was given by GIS Coordinator, Eric Spangenberg.

COMMUNICATIONS

None

MINUTES OF GOVERNING BOARDS AND COMMISSIONS

CC04-027 Motion by Nelson, second by Parks to receive and place on file the minutes of the Board of Review of November 3, 2003, November 5, 2003 and November 6, 2003; University Commission of November 19, 2003; Community Development Authority of January 8, 2004 and Library Board of January 13, 2004.

Alderman Stauber referred to item BR03-084 of the Board of Review minutes of November 5, 2003. He commended the Assessor's office for the extra effort of going out to the residents home to help facilitate the meeting by telephone. He mentioned that this was

not the first time that someone from the Assessor's office visited this resident to help them through the revaluation process.

Alderman Kraus said that he doesn't know if the public really realizes what the Board of Review goes through. He thanked the Board of Review for doing what they do.

Alderman Stauber pointed out item LB04-05 of the Library Board minutes of January 13, 2004. He explained that the Library found itself some unused funds and given that the roof is an important issue at the Library, a decision was made to direct those funds for roof replacement at the Library. It's a CIP project slated for 2007 and this will bring it up to 2004. He said that he would appreciate the Common Council's support as that project progresses.

Vote on motion **CC04-027**; All Ayes
Motion carried

MINUTES OF ADVISORY BOARDS, COMMISSIONS AND COMMITTEES

CC04-028 Motion by Parks, second by Feirer to approve the minutes of the Industrial Park Authority of January 28, 2004. All Ayes.
Motion carried

MINUTES OF COUNCIL COMMITTEES

CC04-029 Motion by Kraus, second by Gougeon to approve the minutes of the Airport Committee of January 22, 2004. All Ayes
Motion carried

CC04-030 Motion by Feirer, second by Nelson to approve the minutes of the Board of Public Works of February 2, 2004. All Ayes
Motion carried

CC04-031 Motion by Beaudry, second by Parks to approve the minutes of the Finance, Budget and Personnel Committee of February 3, 2004.

City Administrator Brehm asked that motion FBP04-014 be amended to include the approval of the revised Organization Chart.

CC04-032 Motion by Stauber, second by Parks to amend motion FBP04-014. All Ayes
Motion carried

CC04-033 Motion by Feirer, second by Buttke to vote on FBP04-11 separately. Beaudry voted Naye, rest Aye.
Motion carried

Administrator Brehm gave an overview of that action. He explained that the Sign Helper position was eliminated by the Common Council effective January 1, 2004 and subsequent to that the union filed a grievance. The Human Resources Specialist met with the union to discuss this and a tentative agreement was reached between staff and the union, which would basically reinstate the Sign Helper position and in lieu of eliminating the Sign Helper's position an EOI - Laborer position would be eliminated. The impact is that there

would still be one full time staff person reduced from the City's list of employees. There were several options that were looked at. The option that the staff recommended and that would work best is that we would continue with the Sign Helper in a .6 FTE capacity. From an administrative perspective, it would make it a lot easier to assign work and to schedule work. The Union recognized that the City would maintain their right to schedule the Sign Helper to perform EOI - Laborer work whenever possible. The cost is the same since the Sign Helper is paid the equivalent of an EOI - Laborer. Whenever you can compromise any situation, both sides win. In this instance, the staff and the Union are recommending a compromise. What it will do is it will avoid potential cost of litigation, provide management staff the ability to more effectively administer their employees, but it would still give the City also what it is looking for; the reduction of one full time equivalent employee. Compromise is a lot better than polarization, mediation, and arbitration having someone else telling you what you can or can't do.

Alderman Kraus stated that he didn't like the fact that Brian Panzer can't pull the lowest ranking laborer in his Department to do sign helper stuff like putting up a sign in the middle of the summer. You have to pull one of the top paid truck drivers off to do it, because he has done that more. If this is the way it is in the contract that is very disappointing. What if we wanted to get rid of the Sign Department and contract that out because it is a seasonal thing? Are we bound to keep a Sign Department?

Street Superintendent Brian Panzer responded that in the City Street Department's operations, we would need to keep a Sign Department in some capacity regardless of the implications just for liability sake. He explained that through contract negotiations the City could eliminate the job titles in the contract. But as long as the job titles are in the contract and the positions are eliminated then we are creating a layoff situation and we would be forced to use those individuals in that capacity when we are doing that work.

Human Resources Specialist Baehr stated that management does have the right to contract out if there is significant cost savings. The Union could grieve this, but there would be an argument there that the City would have that there are significant savings and it could be done more efficiently.

Alderman Feirer expressed his concerns. The Sign Helper position was taken out of the budget and it should stay out.

Street Superintendent Brian Panzer explained that this is basically a swap in job titles. The amount of dollars that were removed from the 2004 budget is identical.

Alderman Buttke agreed with Alderman Feirer's comments. He said that he is upset, because we are not doing what we told the people we were going to do.

Discussion was held on services such as lawn mowing and the snow plowing of parking lots that are already contracted out by the Street Department.

Street Superintendent Brian Panzer explained that the contracting was done to supplement existing staff for the sole purpose of not having to hire additional people within the Street Department to keep up with the service levels as the City continues to grow.

Alderman Feirer said that the Council does not seem to give themselves enough credibility when we try to do something. Maybe it is time that this union comes and sits down and talks to them a little bit more than they do instead of saying that they need everything and everything should go their way. Life is not that way.

Administrator Brehm commented that staff does represent the Common Council and not the represented employees. The contract language that we have to work with is restrictive and it was language that was there prior to himself or the HR Specialist becoming an employee of the City and administering those contracts. It is language that previous Common Councils approved, not staff. There was a question on when the PSPC's study is going to be implemented. If you take a look at the study, we have already implemented some of those things prior to the final report. We are implementing things now in 2004 that are in there. We will most likely implement some of those things in 2005. But all of those things as far as the recommendations go may not be implemented at all because they are not practical or they are not within the constraints of the wording in our contracts with our represented employees. A comment was made that no one told the third party consultant about the limiting contract language. That is not true. If you read the specific report, there is very specific language in there. It says that we should eliminate those positions if there is not contractual language to the contrary. They knew of that when they wrote the report.

Vote on **motion FBP04-011** that reads: Motion by Beaudry, second by Parks to approve reinstatement of Sign Helper position and to delete the EOI-Laborer position effective January 2, 2004. Feirer, Nelson and Buttke voted Naye, rest Aye.

Motion carried

Recessed at 8:33 p.m.

Reconvened at 8:38 p.m.

Vote on motion **CC04-031** as amended; Feirer voted Naye, rest Aye.

Motion carried

MINUTES OF COMMUNITY ASSOCIATIONS

CC04-034 Motion by Gougeon, second by Kraus to receive and place on file the minutes of Central Wisconsin State Fair Board of January 19, 2004. All Ayes

Motion carried

CC04-035 Motion by Feirer, second by Buttke to approve Preliminary Resolutions No. 2004-03 and 2004-04, declaring the City's intent to 1) initiate various street improvements; and 2) levy special assessments upon abutting properties for benefits conferred on such properties. Improvement Project No. 1818 - Elm Avenue Sanitary Sewer Reconstruction (Depot Street to Blodgett Street; Resolution No. 2004-03) and Improvement Project No. 1816 - Cleveland Street Sanitary Sewer Reconstruction (Palmetto Avenue to Hinman Avenue, Resolution No. 2004-04). All Ayes.

Motion carried

CC04-036 Motion by Parks, second by Kraus to approve Budget Resolution No. 01-2004, transferring \$35,000 within the Parks Capital Project Fund from Wildwood Park Trail to Mill Creek Trail. All Ayes

Motion carried

Motion by Gougeon, second by Stauber to adjourn at 8:43 p.m. All Ayes

Motion carried

Lori A. Panzer
Deputy City Clerk