

**PERSONNEL COMMITTEE**  
**THURSDAY, FEBRUARY 4, 2010 – 6:00 PM**  
**CITY HALL, CONFERENCE ROOM 2A**

Meeting was called to order by Chairman Frank Marsala.

Roll Call: Alderman Tolar, Marsala, Krohn, and Roehrer. Also present; Alderman Krause, Mott, Fesenmaier, Clerk Dykstra, Administrator Jordan, Treasurer Clifford, Street Superintendent Carstensen, Assessor Lininger, Attorney Draper, and various members of the public.

**Approve minutes from December 11, 2009 committee meeting.**

Roehrer/Tolar motion to approve. Unanimously carried.

**Discussion/Recommendation regarding investigating mismanagement of City funds by City Personnel.**

Roehrer/Krohn motion to allow Alderman Fesenmaier to speak. Unanimously carried.

Alderman Fesenmaier noted she has concerns formed into a list and she hopes the Personnel Committee will refer an investigation into the mismanagement of City Funds by City Personnel.

Listing her concerns:

- A. Taking Funds from undesignated reserves. This should have been done by resolution at the time or shortly after the Council expressed an interest in doing that. Council supported the idea and step B is to approve the resolution so the public could comment on it. She could understand how this could be an oversight except the fact that staff received a copy in November of the procedure explaining that this has to be done by resolution. It is paragraph 7 of what she passed around. It says “no order may be issued by a County, City, Village or Town, Special purpose district, School district, Cooperative education system service agency or technical college district clerk in excess of funds available or appropriated for the purposes for which the order is drawn unless authorized by a resolution adopted by affirmative vote of 2/3 of the entire membership of the governing body.” The undesignated fund portion was not about Edwards Boulevard. Edwards Boulevard was funded through TIF. The part of the property that was purchased to finish Edwards Boulevard needed a resolution also but it was from TIF. It is not about people trying to block the Edwards Boulevard extension. It is about following State Statutes, Ordinances, Policies and Procedures.
- B. Petty Cash from accounts payable of 12/16 thru 12/31. She noted our petty cash policy says that no petty cash purchases over \$25. The total here was \$48.99. Again this is a policy and what supports this is the internal controls report.
- C. Park Benches – She stated while the Park Board approved purchasing park benches it was not appropriate to take park bench money out of park impact fees. There is an exclusive list by State Statute that authorizes what can be purchased and she checked with Vandewalle and Park Benches is not on the list. The second issue she raised on the park benches was that a check was made payable to an individual and yet they got a document from staff that Chuck’s Welding is the one that fabricated the benches. She is wondering why the full expense isn’t made to Chuck’s welding. It is not appropriate to make a check out to an individual.

D. Library Credit Cards – She brought samples from the Library Credit Cards. Some has tried to say it was only one person and that person was dealt with through the court system. She finds it hard to believe. She has documents from 2005, 2006, 2007, and 2008 that has prepaid check stubs on them. One is not signed, the attachment is signed by Library Staff. In 2006 a prepaid check is signed by staff, but written in numbers for a receipt. It can't happen this many years and be an oversight.

She noted she doesn't understand how this committee can not recommend an investigation.

Roehrer/Krohn motion to hire an outside attorney to investigate the four items listed by Alderman Fesenmaier.

Chair Marsala questioned the type of investigation and why it can't be handled by the Police Department if it is a violation of the law.

Alderman Fesenmaier noted that this is to approve a contract for an outside attorney, she believes Attorney Cook has already contacted Attorney Draper and he is available to assist.

Alderman Marsala questioned why the Police Department locally would not investigate this first. Alderman Fesenmaier noted she felt it was important to start with the investigation because some of these issues may or may not be State Statutes and they can recommend at what level were these things mishandled.

Alderman Tolar noted this is a recommendation to the Council and he feels the Police Department should handle this first and see what they come up with.

Alderman Krohn stated she felt the Police Department had a conflict.

Alderman Roehrer agrees the Police Department has a conflict and this is going to Council because it is serious enough to look at.

Roll Call: "Yes" Alderman Krohn, and Roehrer. "No" Alderman Marsala and Tolar. Tie Vote. Attorney Draper stated the motion fails.

### **Discussion/Recommendation on Employee Evaluations.**

Chair Marsala noted Mayor Chesen requested that the entire staff and city employees get evaluated. Administrator Jordan noted that Department heads have been evaluated and Police are evaluated annually. Fire Department also is evaluated annually. He felt it was Clerical and Street. Clerk Dykstra noted the Clerical has been done in the past.

Alderman Roehrer noted they need to pick up and finish and she would recommend for the next meeting.

Alderman Krohn noted that Mayor Chesen started this, then Alderman Krause when he was chair and now Marsala. The Administrator's evaluation was not finished.

Alderman Roehrer noted it has been a year since the new financial software has been in and they need to see if the job descriptions need to be adjusted.

Roehrer/Tolar motion to initiate evaluations for employees to evaluate themselves and be evaluated. Krohn opposed. Motion carried. 3-1.

Spyro Condos made a Point of Order. He noted item #4 was a tie vote and should be sent to the Council without recommendation and the Attorney was wrong.

**Discussion/Recommendation on job description of the Public Works Director.**

Alderman Roehrer noted this was received prior as a combination and wanted to see it separated out and would like to review.

Roehrer/Krohn motion to table to the next meeting. Unanimously carried.

**Discussion/Recommendation on City Administrator Job Description Ordinance Changes.**

Administrator Jordan noted his job description changes needed to be put into ordinance form by the City Attorney.

Roehrer/Tolar motion to direct the City Attorney to take the items and make the necessary changes and send to Council. Unanimously carried.

**Discussion/Recommendation on vacation schedule for exempt employees of 20 years of service.**

Chair Marsala noted that he was contacted by an employee who came to work in 1989 and signed a work agreement in 2005. In 2005 contract it says to refer to the employee handbook at that time the handbook stated after 20 years it would be 5 weeks vacation available. In 2006 a new employee handbook was passed out. At that time Grace Lininger had 17 years already. The new one says it is the discretion of the Administrator, but they are not given 5 weeks automatically. The minutes from a prior meeting state the new employee handbooks will be distributed and signed for. Grace did not get an employee handbook and never signed for one. In 2009 she was presented with a book from the Administrator. The Employee feels she has the vacation coming and that is the discussion.

Alderman Tolar noted that when you type handbooks you should make it apply to new employees not employees already there.

Alderman Krohn noted that if they are hired it should be enforced what they were hired with.

Alderman Krause noted that this issue was before Personnel when he was a chair. There was to be a memo in 2006 that updated the change of that contract and there is no verification that memo is sent. It was his understanding it would be granted based on that.

Roehrer/Krohn motion Grace Lininger is entitled to five weeks vacation. Unanimously carried.

**Items for next agenda.**

Items tabled on this agenda

Update on Policies and Procedures for City Hall.

Pete Peterson was recognized. He noted that Chair Marsala said publically he would have public comment on every meeting he was chair of. Marsala noted he did allow the public to speak, but he will make that change. Peterson noted that if there is an item of mismanagement they should all vote in favor. Marsala and Tolar both commented they were not in favor of the process.

Tolar/Roehrer motion to Adjourn at 6:35pm. Unanimously carried.

/s/ Diana Dykstra, City Clerk