



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Minutes

Administration & Finance Committee

Aldersperson James W. Sengstock, Chair

Aldersperson Vincent Vitale, Vice-Chair

Alderspersons: Thomas G. Lajsic, Michael P. May, Cathleen M. Probst

Monday, September 10, 2012

6:00 PM

City Hall Room 128

REGULAR MEETING

A. CALL TO ORDER

Chair Sengstock called the meeting to order at 6:00 p.m.

B. ROLL CALL

Present: 4 - Ald. Sengstock, Ald. Lajsic, Ald. May and Ald. Probst

Excused: 1 - Ald. Vitale

Others Attending

Alderspersons Reinke, Roadt, Weigel; Paul M. Ziehler, City Administrative Officer; Scott Post, City Attorney; Sheryl Kuhary, Assistant City Attorney; Audrey Key, HR Manager; Jane Barwick, Principal HR Analyst; Kris Moen, Acting Manager of Finance; Mike Lewis, Director of Public Works/City Engineer; Tom Harmatys, Assistant Director of Public Works; Dept. of Public Works Superintendents Doug Bartels, Bruce Danowski, Terry Meincke, Gordy Paprocki, Mike Rushmer; Joe Burtch, Assistant City Engineer; Dave Wepking, PW-Sanitation & Street Superintendent; Nicole O'Conner, Kristen Vistory, Finance Division; Linda Huske, Safety & Training Coordinator; Local 80 Reps: Joe Narlock, Ron Terkel, Peter Swinful, Allen Lemke, Allan Richter, Dan Molleson, Michael Weisnicht, Patrick Waystedt, Paul Barwick; Brenda Schmid, Principal Secretary; Jeanette Wardinski, Administrative Assistant.

C. APPROVAL OF MINUTES

A motion was made by Ald. Lajsic, seconded by Ald. May, to approve the Regular meeting minutes of May 7, 2012; Recess meeting minutes of May 15, 2012; June 5, 2012, June 19, 2012; July 3, 2012, August 7, 2012, and September 4, 2012; and Recess meeting closed session minutes of August 7, 2012. The motion carried by the following vote:

Votes: Aye: 4 - Ald. Sengstock, Ald. Lajsic, Ald. May and Ald. Probst

No: 0

D. APPEARANCE BEFORE COMMITTEE

1. Appearance by Tom Karman, CPA, of Schenck Government & Not-for-Profit Solutions.

[2012-0471](#)

Acting Comptroller/Manager of Finance submitting the City of West Allis Comprehensive Annual Financial Report for the year ended December 31, 2011.

Mr. Tom Karman of Schenck and Acting Finance Manager Kris Moen were present to discuss the City's audit of 2011 financial statements. Mr. Karman said the City has received a clean audit, which fairly states the financial position of the City. The City has once again received GFOA's Certificate of Achievement for Excellence in Financial Report for 2011, and this is a positive factor as viewed by the bond rating agencies. Mr. Karman spent a few minutes giving an overview of the CAFR and the City's compliance with its operations, and reporting for federal and state grants. He stated there are no items in the City's internal control system that are material weaknesses and no items of non-compliance. This is the best report the City can

receive. Ald. Sengstock asked if there are any areas of improvement for the City. Mr. Karman said these types of issues would be brought to the attention of City management/finance if that was the case, and for this audit there are none.

Mr. Karman then reviewed Schenck's Management letter, and he briefly explained various City fund balances and what the categories represent. He noted the \$10 mil. in unassigned funds which will be drawn down over the remainder of the year for various uses including capital projects. Brief overview also given on various utilities. Mr. Karman and City staff responded to questions/comments from Committee members. Mr. Ziehler advised that the report be accepted and placed on file. The Committee concurred.

A motion was made by Ald. May, seconded by Ald. Probst, that this matter be Recommended to be Placed on File. The motion carried by the following vote:

Votes: Aye: 4 - Ald. Sengstock, Ald. Lajsic, Ald. May and Ald. Probst
No: 0

E. NEW AND PREVIOUS MATTERS

1. [2012-0479](#)

Communication from Transition Team relative to Implementation of WI Act 10 (2011 Budget Repair Bill) and WI Act 32 (2011-13 Biennial Budget Bill).

Mr. Ziehler introduced this matter and noted that we will need more than this one meeting to go over all this material. He invited Transition Team Members to the table. He gave a brief overview of what prompted this work, which was a result of Acts 10 and 32. The overriding factor to this work was not to change everything for the sake of change, but at the same time, not ignore changes that should be made, so that's how the Team approached its work. In the end, minimal changes were made compared to what actually could have been done. He noted that these are collective recommendations by the whole Team, not one person. The Team met with Department Heads for their input, broadened the review process to include supervisory staff, Clerical Task Force members, and previous union presidents. Feedback was not extensive but was considered and incorporated as the Team deemed appropriate. Therefore, the report is a result of efforts by the Transition Team (Team) and City-wide staff.

Mr. Ziehler thought that tonight we should focus on two issues raised by Mr. Lewis and then discuss the 8 issues from Mr. Joe Narlock, former AFSCME Local 80 President. Once we get through these matters, we can then determine whether to continue with the material contained in the Team's report or hold for discussion at the next Committee meeting. The Committee agreed with this approach. Mr. Ziehler presented the first handout for discussion purposes, Mr. Lewis' email addressing (1) double time premium and (2) vehicle operation/driving policy.

Before this discussion began, Ald. Probst asked how the Transition Team was selected. Mr. Ziehler said that the Team was basically self appointed because all the Team members collectively had the expertise to address the many issues before it, including legal, financial, human resources, and administrative. The Team then looked to all departments for their help/input. Ald. Probst thanked him for this clarification, and then Mr. Lewis appeared before the Committee on his two main issues of concern.

* *Double Time Premium.* Mr. Lewis explained that this concerns the removal of double time after 12 hours of work. He thinks it's a relatively cheap alternative to pay double time for Sundays and holidays, and during emergency operations, this will reduce the incentive to continue to work (such as snow plowing, water main breaks, etc.). Time and a half at other times beyond the 12 hours is acceptable, other than the Sundays/holidays. Ms. Key stated that double time was in the policy for Sundays and holidays, and the only question was with respect to removing the "after 12 hours." Ald. Sengstock expressed his concerns about this change especially during the snow plowing operations when it is critical to perform; he asked if the fiscal impact was driving this change. Ms. Moen said the driving force behind this policy

change was not the fiscal issue. Ald. Probst asked why the change was made if it was not a big savings - she doesn't want to make a change just to make a change. Mr. Ziehler commented that the Fair Labor Standards Act (FLSA) actually speaks to time and a half. Mr. Post said double time was only in place due to the union contract. No other public or private employer pays double time; time and one-half is the standard based on the FLSA. Ald. May said he agrees with the Team on the time and one-half, and he thinks we will still have employees willing to stay for the additional hours even if it's not double time. Further discussion ensued and it was noted that no final decisions need to be made this evening. These issues are brought forward for the Committee's review and final determination when the whole report is acted on.

* *Vehicle Operation and Driving Policy.* Mr. Lewis said this topic is of major concern to the Dept. as it relates to emergencies, and a number of clarifications are needed on this matter. First, under current policy, the Dir. of PW declares the snow emergency not the Mayor. The language now in place states the Mayor or his designee. Mr. Post said there is no State statute that addresses this issue. After discussion, it was the Committee's preference that the Dir. of PW not the Mayor declares the snow emergency. Next, "on-duty time" was discussed, and Mr. Lewis stated that limiting driving to 12 hours and/or 16 hours of on-duty time would have a major impact on operations like snow plowing. Various examples were given of situations involving driving time, snow plowing, and declaring snow emergencies and how that impacts driving/work time. Ald. Probst said she would not want to broaden the definition of driving. Ald. Sengstock wondered how many drivers worked in excess of 16 hours last year. He emphasized that he doesn't want services to change as a result of these Acts, and if we are losing services, he wants to know what the fiscal costs/impact is. Ms. Key said the policy on 12 or 16 hours isn't changing, it's how the emergency is being declared. Mr. Harmatys and Mr. Danowski also addressed the Committee on this topic, giving specific examples of work time, driving time, and how it is affected with snow plowing and snow emergencies. Further and lengthy discussion ensued, with many questions/comments from the Committee with staff response. Staff also pointed out that there is the risk factor involved with long driving times. A handout was provided on DPW Accident Action Summary 1978-November 2011 on this issue. Ald. May said the question becomes do we let the policy or the department head drive the work. No further discussion occurred on this issue at this time.

Next, Mr. Ziehler provided a handout on Mr. Narlock's concerns on various issues as a result of his review of the TT work. Mr. Ziehler suggested we take each item individually.

Issue 1 - Premium Pay Policy. There was a suggestion that overtime should continue to be paid when an employee works more than 8 hours per day. The TT decided to stay with its recommendation that overtime be paid when an employee works more than 40 hours in a week. It was also noted that although the FLSA would allow further limitations on overtime payment, they opted not to make such recommendations. Additional discussion ensued on this item as it impacts refuse collection and the incentive route/pay.

Issue 2 - Double-Time Premium. This was previously discussed with Mr. Lewis earlier in the meeting. No need to discuss again.

Issue 3 - Interim Assignment (out-of-class pay). This question is regarding the requirement of working 2 weeks in a position before receiving this pay. Because of the overlap of skills/duties among various positions, the TT generally does not believe there is a need for additional compensation for such work performed for less than 2 weeks. The Team did decide, however, to recommend paying PW employees an additional \$20/day when filling in as a Lead Person. Mr. Narlock addressed the yard vs. clerical workers and incentive for taking on more responsibility. Comments were also made about an employee's advancement in pay range or payment of a performance allowance as a result of the willingness to take on additional responsibilities in a higher classification.

Issue 4 - Sick Leave. It was suggested that an employee off from work because of a non-work related injury should be allowed to perform alternate duties while they recover. On the advice of the City's worker's compensation administrator and based on the liability risk of returning such an employee, the TT does not agree with the suggestion. Mr. Narlock stated that if the employee has a doctor release, the employee should be able to come back and do light duty work. Further discussion ensued on the subject of doctor release (private vs. worker's comp).

Issue 5 - Sick Leave Accrual. It was pointed out by Mr. Narlock that currently four out of five employee groups receive 10 hours of sick leave accrual per month (one group receives 8 hours), and they feel it is fair to bring the one group up to the 10 hours. The TT agrees with this suggestion and the change has been made.

Issue 6 - Creating/Filling Positions. The issue was raised that when positions become available, departments should be required to fill those positions with a qualified internal candidate prior to any external candidate being hired. The TT noted that this issue comes within the purview of the Civil Service Commission.

Issue 7 - Reduction in Force. It was suggested that reductions in force should be done solely according to seniority. The TT believes that seniority should not be the sole criteria used in determining this; however, length of service will be taken into account when all other factors are equal. Considerable discussion ensued on this. Ald. Sengstock stated he does not want to take seniority away because we can, and Mr. Ziehler said the TT does not have a problem with it being a factor but not being the rule. Most of the Committee agreed that with all things being equal, length of service is the final factor. However, Ald. Lajsic disagrees and he thinks seniority should be the first factor and then look at other mitigating circumstances. Additional discussion took place with many questions/comments from the Committee which staff responded to. It was decided that the TT would look at this again to provide further clarity.

Issue 8 - Residency. This matter involves the request to grandfather three employees who live outside the newly-established residency perimeter as they established their residence in good faith under the old perimeter. Staff commented that it cannot administratively make the change, the Committee/Council must make this decision. It was pointed out that this matter became an issue as the City moved from a perimeter to boundary residency. After further explanation of the three employees' situations, the Committee concurred to grandfather them in with the understanding that if they would ever move, residency under the new policy (boundaries) would have to be established.

After this very lengthy discussion period, Mr. Ziehler suggested that at the next meeting, Mr. Lewis' two issues and Local 80's eight issues will be discussed further, arrive at a consensus, and from there, we can get started on going through the TT Report (binder of TT work). Ald. May asked if questions in the meantime can be referred to the TT in preparation for the next meeting. Mr. Ziehler said these should be referred to Ms. Key. Ald. Probst expressed her appreciation to the TT on the amount and level of work that has been done, and Committee members agreed.

Mr. Ziehler concluded by stating this matter will be held for final action until all pertinent discussion and decisions are arrived at during future meetings.

Held

F. OTHER MATTERS TO COME BEFORE THE COMMITTEE FOR DISCUSSION/ACTION

1. Discussion/Action on Items by Alderpersons.

None.

2. Discussion/Action on Items by City Administrative Officer.

None.

3. Other.

None.

G. ADJOURNMENT

A motion was made by Ald. Lajsic, seconded by Ald. May, to adjourn the meeting at 8:12 p.m. The motion carried unanimously.