

MINUTES
ADVISORY COMMITTEE
Wednesday, September 10, 2008
City Hall, Room 604
7:00 p.m.

MEMBERS PRESENT: Council President Chris Wery, Council Vice-President Tom DeWane, Ald. Tom Weber, Ald. Celestine Jeffreys, Ald. Jerry Wiezbiskie

MEMBERS EXCUSED: Ald. Andy Nicholson, Ald. John Vanderleest

Others present: Ald. Amy Kocha, Paul Srubas, (*Green Bay Press-Gazette*) Union representatives from the City

1. Call to order.

Ald. Tom DeWane called the meeting to order at 7:00 pm, and roll call was taken. Ald. Wery would be arriving a little late. Ald. Nicholson and Vanderleest were excused due to an Executive meeting of the County.

2. Approval of the agenda.

Motion made by Ald. Weber, second by Ald. Wiezbiskie to approve the agenda. Motion carried.

3. Approval of the minutes of the June 17, 2008 Advisory Committee meeting.

Motion made by Ald. Wiezbiskie, second by Ald. Jeffreys to approve the minutes of the June 17, 2008 meeting as submitted. Motion carried.

4. Request by Ald. DeWane to hold the August 19th City Council meeting.

Council President Wery arrived and took over chairing the meeting. Ald. DeWane said the timing for this item has passed. Motion made by Ald. Jeffreys, second by Ald. Wiezbiskie to receive and place this item on file. Motion carried.

5. Request by Ald. DeWane to discuss the possibility only of a referendum on our budget and discuss what would be an appropriate amount if any is needed.

Ald. DeWane said he asked Doug Daul and Fred Geissler to be in attendance at this meeting and was disappointed that they were not here. Ald. Weber stated that Fred had surgery recently and is still recovering and not feeling well. Ald. DeWane stated that the reason he brought this forward is because our budget is extremely difficult and said we can keep some services that we are trying to cut, at a reasonable rate at a certain percentage. He said if city representatives were in attendance, we could have presented some numbers that could have kept us in the safe zone and making sure that we did not go above the numbers, but since no one is here, we don't have any numbers.

Motion made by Ald. Wiezbiskie, second by Ald. Weber to receive and place on file.

Discussion: Ald. Jeffreys inquired if we didn't miss the deadline for putting this item on the ballot? Ald. DeWane said we could have had up until Sept. 26th and again said that is why he is very discouraged that city representatives are not here to discuss this. Ald. Weber stated that this issue has been taken up once before at Advisory and was taken all the way through Council and he didn't agree with trying again and again until the item gets a favorable outcome, adding that it should take the normal course and let the process give us a decision. Ald. Wery agreed stating that Doug Daul had a specific timeline for budget regarding a referendum and said because of the timeline, he is agreeing to receive and place on file.

Ald. DeWane said this was brought forward before like many other issues but again said he expects the proper authorities to be here to discuss this issue. He said this is not a dead issue and said we've changed things plenty of times. He said who is to say that at any time we couldn't have done something that would have been agreed upon?

A vote was taken on the motion. Motion carried, with Ald. DeWane voting No.

6. Request by Ald. DeWane to discuss City and public concerns on City contracts.

Ald. Wery asked for clarification on which city contracts Ald. DeWane was referring to. Ald. DeWane responded labor contracts. He stated that he was wanting to learn why these contracts are not being signed. Ald. Weber stated that the Personnel Committee ratified one of the contracts Tuesday evening and said this is an ongoing process, adding that we don't openly discuss ongoing contract negotiations and said anyone is welcome to attend the Personnel meetings. Ald. Jeffreys said she needed clarification on what the specific problems/concerns are and who has the concern, the Union? Citizens/public? Ald. Wiezbiskie stated that he serves on several committees and the public is welcome to attend to express their concerns, unless the committee is in closed session.

Ald. DeWane said he brought this item up because he's getting different answers regarding contracts that we're settling and then from the other side that we're not, adding that the committee should be sharing these concerns. He again asked why nobody is here to explain anything. After further brief heated discussion, with Ald. DeWane apologizing to the other committee members, a motion was made by Ald. Wiezbiskie, second by Ald. Weber to receive and place on file.

Discussion: Ald. Jeffreys stated that she understands Ald. DeWane's frustration with getting a straight answer, citing a recent issue with Central State and acceptance of Central States Health Care Plan and what it would do for the city's bottom line. She said it was an interesting mental exercise for her to get a straight, appropriate answer. She stated that it's the Mayor's office that is the entity that negotiates these contracts and the Council as a body approves them.

She believes that other cities do not have the Council negotiating contracts either.

Motion by Ald. DeWane, second by Ald. Jeffreys to open the floor to allow interested parties to speak. Motion carried.

Fluffy Arts, AFSCME representative said they are only asking to be heard, adding that the Council is only hearing one side. She asked why city representatives were not here to hear their side. She indicated that she and other unions would like to be allowed to speak at the City Council meetings to let their side be heard. She said in 2004 the Unions presented the Budget Task Force with a list of suggestions and they were not taken. She indicated that morale is low and there is mistrust. She said she has been with the city for 17 years and it didn't used to be like this. Ald. Wiezbiskie said the proper procedure to be heard is to go to your alderman and they can take it to the City Council. He said it gets a bit abrasive when Union employees take the wrong route, stating that it looked like a militia two Council meetings ago when they appeared to be wanting to disrupt the Council meeting. Ald. Weber said the Unions are supposed to be heard through their bargaining unit for contract negotiations and the City does the same thing. He said if they start exchanging items in open forum, they may be violating laws. He stated that he has all the numbers from a contract that was ratified the other night, but he is not giving out those numbers before the contract is ratified. Fluffy referred to the Labor Management Committee which met for three years and saved the city a lot of money. She indicated that items from this meeting were used against the Unions in negotiations. She summarized by stating that AFSCME came to the Council meeting to get the referendum approved and citizens should be told what to expect with cutting of services. Ald. Weber responded that the Council had dealt with the issue of the referendum, and voted not to approve it.

Shirley Tilleman, 28-year City employee, addressed the committee stating that they thought they were on the agenda at the Council meeting which was referred to. She indicated that the Town of Scott opens the floor to anyone who wishes to speak, without being on the agenda and said Ald. Zima said the County allows the general public to speak. She said as a citizen of this city she thought she would be allowed to speak to her concerns and their intent was not to give bad vibes to the Council members.

Julie Jansch, AFSCME, 30-year employee stated that they attended the Council meeting because they were under the impression, after talking with a few of the aldermen, that they were going to be able to get the referendum passed. She said that they had talked to Ald. Piton and said they received an email from Ald. Piton indicating that he had been advised that the Union would not need a referendum because the Unions were going to take Central States insurance and their problem would be gone. She said this was after a meeting Teamsters had with the city and said they couldn't take Central States the way it's being offered. She said they are being told one thing and the aldermen are being told a different thing. She asked how they could have made an informed decision on the referendum when they didn't have the correct information.

Mike Neph, Fire Department said he has been negotiating contracts for the Fire Dept. since 1994 and said he doesn't like to hear on Council floor that the Fire Dept. is beating up the city every year. He said every contract he has negotiated has included insurance concession of some sort and said none of the contracts have included more than a 3% raise and many were less than that. He said they have worked with the city and should not be made out to look like the bad guys. He indicated that all they ask is for respect and reasonable proposals. He said he realizes that HR is given parameters to negotiate and said he explains to his members that this is real and that's why he sold them on the ladder cut. He summed up by stating that their contracts are a matter of public record and he's not ashamed of any contract he has negotiated.

William Resch addressed the committee stating that he has been a Police Officer with the city since 1979 and said a lot of this stuff is a scam. He said Ald. Weber talked about discussing contract negotiations in public and said the city did that last January with the canine issue which he said is the subject of a prohibitive practice which has been filed with the WERC and which the city is going to have to defend at \$300 an hour. He said they are trying to negotiate their contract at the same rate of pay and after giving the city more concessions, they are going into arbitration. Mr. Resch distributed copies of an article from the *Journal-Sentinel* which states that these budget problems are not employees, but are levy limits and everything else. He said Green Bay didn't prepare very well for this problem, stating that each year they did what the city wanted and said the city agreed to these contracts and now they are being treated badly. He said they have given proposals to be more efficient, but said these have gone nowhere. He echoed Fluffy's comment that morale is low in the Police Dept. He said instead of cutting one administrative job, the city cuts 3 or 4 jobs that provide service. He stated that the city is going downhill quickly and invited anyone to come on a ride along. He said we spend hundreds of thousands of dollars to a law firm out of Wausau and asked what the city is getting for this? He said some of the information regarding the canine issue was not correct, adding that the union contracts are not killing this city as administration believes. He said their union legal bills are at an all-time high. Mr. Resch said they come to meetings and no one is here and said when the canine issue was taken up, it was moved to the back of the agenda and many people had to leave and said they see through this. He said the problem is not with the employees or with Council, but with some formulas and the levy limits.

Ald. Wery said it will be an agenda item and will be addressed at the next City Council meeting. Ald. Weber said there is frustration everywhere and on both sides and said both sides see things a little bit differently. He said he hears the same type of frustration from management and from committees and said it's not as one sided as Mr. Resch believes. He said the city doesn't tell the Police Union what attorney to hire and asked what that has to do with wages and benefits, adding that the city needs to be represented on their side of the table just as the union needs their side represented. Mr. Resch said in the near future he will not be an employee since he has almost 30 years in, but said this is about doing things if a way that does not cause them to file prohibitive practices. He

said things are changed and it did not used to be like this with attorneys deciding everything at a high cost.

Motion made by Ald. Jeffreys, second by Ald. Weber to return to regular order of business. Motion carried.

Ald. Jeffreys said the canine issue brings up a good point, stating that those contract negotiations do not belong on the Council floor. She said we need to balance what is going to happen at a Council meeting, the concept that we are not going to be negotiating contracts at Council, but that they are there to listen. She indicated that she doesn't want to negotiate contracts on Council floor but feels it's important to give our citizens the forum to be heard. Ald. Wery stated that he believes this should be forwarded to the Council, rather than received and placed on file. Ald. Wiezbiskie clarified that the direction is moving to give citizens the right to speak at City Council? When this was confirmed as correct, he withdrew his motion to receive and place on file. Ald. Wery said he appreciated all the comments and said it was important that all of Council and the Mayor hear the comments.

Motion made by Ald. Jeffreys, second by Ald. DeWane to forward this item as an agenda item to the Common Council for the September 16th meeting, so that we allow time on the agenda for employees and members of our community to address the Council about their concerns with city contracts. Ald. Wiezbiskie amended the motion to state that Council will not be there to make contract decisions and that they go through the proper channels. Motion carried.

7. Request by Ald. VanderLeest to add a provision to all City Council meetings to allow for public input.

Ald. Vanderleest was not present and Ald. Jeffreys addressed the committee stating that she is against having an open forum, adding that we don't get fairness when the rules are relaxed. She said it is easy to get on the agenda and it's not fair to allow open forum on any issue, since the parties who maybe should respond to an issue may not be there. She said if Council members are not being accessible, they need to be called on it and said individuals can put an agenda item on a committee agenda. Ald. Wiezbiskie stated that he is not in favor of an open forum either. He said he spends a lot of time studying issues that come before the Council and he does not want to see Council meetings turned into a circus with discussion on any issue, adding that many of those meetings run late. He stated that he doesn't feel Council can make good judgment on issues at the wee hours of the morning. He said these things should go through the proper committee. He summed up by stating that he appreciates Mr. Resch stating that Council didn't make this budget mess and asked that the Unions bear with them as they work it out.

Ald. DeWane stated that they have all learned a lot and made a motion to receive and place this item on file and said when something needs to be done, we'll get it in the proper place and get it done. Second by Ald. Jeffreys.

Discussion: Ald. Weber echoed many comments that had already been made. He stated our representative system of government is a very well thought out system and you are represented through the voices of your elected officials. He said you get in some conflicts if you start opening meetings to inject items into an agenda. He said if you have an open agenda, one side or the other is going to be represented and nobody will be noticed that this item is going to be discussed and multi-represented. He believes the intent of this item is to soften the rules but said there are elements to that that could be frightening and said be careful what you ask for. He stated that we don't do this at the state or federal level, adding that he appreciated Ald. DeWane's motion and comment. Ald. Wery stated that he puts things on the agenda that he doesn't always agree with.

Ald. Vanderleest arrived at this time.

Ald. Wiezbiskie addressed Ald. Vanderleest stating that there has been a lot of debate and concern regarding this item and asked that he trust the committee and agree with receiving and placing on file.

Ald. Vanderleest apologized for being late, stating that he had been attending a County executive meeting. He indicated that he brought this item forward to allow for public input from citizens if they wish since citizens have been told they could not have input without an item being on the agenda. He wanted debate on this issue. Ald. Wery explained that there was discussion and a motion and second was on the floor to receive and place on file. Ald. Vanderleest said the County allows for public comment to agenda items only and we could look at doing this at the City Council meetings.

Ald. DeWane stated that he was in favor of Ald. Vanderleest's request and said he has talked to other cities and they allow this. However, he said he now knows enough to follow the rules and said items can be placed on the agenda, which is the reason for his motion. Ald. Jeffrey's said as a procedural issue, at I&S and Parks they are respectful of the public's time and if many people are there for an item, they will rearrange the agenda. Ald. Wiezbiskie agreed and suggested having a card for the general public to put their name, address, and what agenda item they are there for, and to have a section for comment. He said if the constituent has to leave before the agenda item is addressed, the President or Vice-President can read the item into the record. Ald. DeWane said we already do that, adding that some of the aldermen read emails from their constituents. Ald. Weber stated that the Appleton City Council does exactly what Ald. Wiezbiskie suggested, they fill out a card. He said Mayor Hanna reads them in order and they have the spelling of the person's name so there is no question and said he likes this process; it's a very orderly process.

A vote was taken on the motion to receive and place on file. Motion carried.

Motion made by Ald. Jeffrey's, second by Ald. Wiezbiskie, to have a form that would allow people to fill out their name, address, and the agenda item that they are there for, as well as a section for comment, to allow for public input. Motion carried.

There being no further business, motion made by Ald. Weber, second by Ald. Jeffreys to adjourn. Motion carried.

Respectfully submitted,
Mary Haupt, Recording Secretary