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Office of the City Administrator

**PUBLIC WELFARE COMMITTEE**  
**Wednesday, November 9, 2016**  
**5:00 PM**  
**South Conference Room**

**Minutes**

1. Call to Order, Roll Call

**Present:**

Alderman Dale Mayr  
Alderman Mark Gierl  
Alderman John Wirth (arrived 5:29 p.m.)

**Also Present:** City Administrator Jones, Community Development Director Tollefson, Alderman Strzelczyk, City Attorney Sajdak, Executive Assistant Prosser, Attorney Mary Hubacher (left 5:47 p.m.)

2. Approval of Meeting Minutes

Public Welfare Committee - Regular Meeting - September 13, 2016

**RESULT:** Accepted as Amended [Unanimous]  
**MOVED BY:** Alderman Mayr  
**SECONDED BY:** Alderman Gierl

**AYES:** Alderman Gierl, Alderman Mayr  
**NOT PRESENT:** Alderman Wirth

Public Welfare Committee - Regular Meeting - October 11, 2016

**RESULT:** Accepted [Unanimous]  
**MOVED BY:** Alderman Mayr  
**SECONDED BY:** Alderman Gierl

**AYES:** Alderman Gierl, Alderman Mayr  
**NOT PRESENT:** Alderman Wirth

3. Ordinances

1. **An Ordinance Amending the Mequon Municipal Code Relating to Employee Conduct**

City Attorney Sajdak provided the Committee with background information on past discussions and actions taken by the Public Welfare Committee regarding amending the Mequon municipal code as it relates to employee conduct. Attorney Sajdak stated at the September Public Welfare Committee meeting, the Committee moved to withdraw the proposed changes to the Ethics Code and to address the issue with changes to the Personnel Code. The Committee also directed staff to establish criteria that would allow for an Alderman to place concerns related to a violation of the proposed amended language on the Council agenda. Attorney Sajdak, noted following the meeting, Alderman Gierl reached out and suggested that the final ordinance also include language related to non-retaliation. Attorney Sajdak went on to review the proposed language changes tentatively approved at the September Committee meeting noting that the language raises the level of employee commitment significantly with the addition of the introductory paragraph in Section 2-205, and the three new paragraphs that contain express language related to various aspects of ethical and moral conduct. Attorney Sajdak noted a discipline paragraph has been added as Section Q within the personnel code to address non-retaliation.

Attorney Sajdak went on to provide an update of staff's discussion with the City's labor counsel, Mary Hubacher, on whether there would be a process of how to better address situations when concerns have been raised related to the standards of conduct. Attorney Sajdak stated there are two concerns; the first concern is that as part of Act 10 there was a requirement that all municipalities adopt a grievance policy and that procedure provides that the Council is ultimately the final decision-maker in terms of any grievances that would be appealed, and the second concern is constitutional whereby the Supreme Court has recognized that employees have certain due process rights when it comes to their employment with the City. Attorney Sajdak pointed out that Attorney Hubacher is present and available to answer questions. A discussion was held on whether the process could become part of the City Administrator's annual performance evaluation. Alderman Mayr stated what the Committee is looking for is not an evaluation process, rather a procedure for a Council member to bring forward an individual grievance. Alderman Gierl supported having a written complaint procedure in place.

Attorney Sajdak will draft an ordinance for the next meeting that will address the process of placing an item to an agenda.

The Committee agreed to use the same language provision in Section 2-427 (c) with respect to the Council. Alderman Mayr noted it should be written in such a way that it will require two aldermen to request an item be added to an agenda.

Alderman Wirth made a motion to strike the words *for personal benefit* in Sec. 2-230 (q) of the ordinance, Alderman Gierl seconded the motion.

**RESULT:**           **Approved by Voice Acclamation [Unanimous]**  
**MOVED BY:**           Alderman Wirth  
**SECONDED BY:**       Alderman Gierl

**AYES:** Alderman Gierl, Alderman Mayr, Alderman Wirth

A motion was made by Alderman Wirth to approve the amended ordinance language.

**RESULT:** Approved by Voice Acclamation [Unanimous]  
**MOVED BY:** Alderman Wirth  
**SECONDED BY:** Alderman Gierl

**AYES:** Alderman Gierl, Alderman Mayr, Alderman Wirth

City Attorney Sajdak reviewed the direction of the Committee stating that an amended ordinance will go to Council for first reading in December and language will be brought to the Committee next month with regard to placing an item on the agenda.

#### 4. Discussion Items

##### **Discussion of City Zoning Code Enforcement and Procedures**

City Administrator Jones stated at the last meeting there was a request to bring forward materials that had been before the committee previously with regard to time frames for promptly addressing concerns and inquiries made to City staff. Mr. Jones noted as part of that conversation, it was pointed out that staff would be bringing forth customer service standards during the first quarter of next year as part of the Committee's work plan. Mr. Jones stated after conferring with the City Attorney and the Director of Community Development, two instances were identified where the committee talked about enforcement procedures and the time frame for enforcing code violations within the City. Mr. Jones stated the documents related to those conversations contained in the Committee's meeting packet included: deadlines for enforcement of zoning code violations within the City, documents related to the enforcement procedure process that the city staff follows and a sample letter of correction that the City's Community Development department issues. Mr. Jones pointed out the documents were being provided for informational purposes.

Alderman Gierl stated he would like to have a set timeframe as to when staff is required to respond to a request made by an Alderman. Alderman Wirth stated he is more concerned with staff's response to a resident. Alderman Wirth mentioned that the discussion would be best discussed under the topic of customer service which is part of the Committee's work plan for next year. City Administrator Jones mentioned with the new Assistant City Administrator starting soon, customer service training will be amongst his first year priorities.

The Committee briefly discussed the use of a software system that would track citizen requests. Mr. Jones mentioned that the City's current system MUNIS may have a customer relationship management module. Mr. Jones stated staff will look into what is available in MUNIS and include the topic as part of the Committee's work plan.

## **Review of City Boards, Commissions and Committees**

City Administrator Jones stated several of the documents included in the meeting packet have been provided to the Committee at previous meetings, including general language provisions drafted by Alderman Wirth which are applicable to all of the City's Boards, Committees and Commissions. Mr. Jones stated that he will be working with the City Attorney to prepare a master copy of all of the changes to the general provisions recommended by the Committee which will ultimately be presented to the Committee for approval. Mr. Jones went on to say that he has worked with the City Attorney on alternative language for the Committee to consider including: allowing non-residents to serve on City commissions, proposed language relative to allowing committee members to participate by telephone, additional language for consideration regarding the removal of committee members due to absences, and language that defines what constitutes the end of a committee member's term.

The Committee went on to discuss the proposed alternative language prepared by the City Administrator and City Attorney.

The Committee agreed to include in the proposed language for non-residents; and further that no more than 25% of the voting members can be made up of non-residents.

The Committee held a discussion on the proposed language regarding meeting participation by telephone. City Attorney Sajdak stated telephonic testimony is not allowed in some other communities. Alderman Gierl stated there would not be a problem with using the method of telephonic testimony if it is written in the City Code. Alderman Wirth stated telephonic testimony should not be allowed. The Committee agreed to amend the ordinance to disallow telephone communication.

### 5. Information Items

#### **2016-2017 Work Plan**

City Administrator Jones stated a meeting has been scheduled for November 15 to view website demonstrations by three final vendors for the City's new website. Mr. Jones stated each vendor will have 30 minutes to present, followed by questions and answers.

Due to time constraints, the Committee requested that a review of the 2016-2017 work plan be placed on the November 15 agenda prior to the start of the vendor demonstrations for review.

### 6. Adjourn

The meeting of the Public Welfare Committee was adjourned at 6:35 p.m.

**RESULT:** **Approved by Voice Acclamation [Unanimous]**  
**MOVED BY:** Alderman Wirth  
**SECONDED BY:** Alderman Gierl

**AYES:** Alderman Gierl, Alderman Mayr, Alderman Wirth