## **City of Appleton**

100 North Appleton Street Appleton, WI 54911-4799 www.appleton.org

## **Meeting Agenda - Final**

## **Human Resources & Information Technology Committee**

Wednesday, February 12, 2020

6:30 PM

Council Chambers, 6th Floor

- 1. Call meeting to order
- 2. Roll call of membership
- 3. Approval of minutes from previous meeting

20-0161 Minutes from 1/29/20

Attachments: Minutes 1-29-20.pdf

## 4. Public Hearings/Appearances

#### 5. Action Items

20-0160

Request to award Heartland Business Solutions the contract to purchase and implement a new network core switching system. The amount requested is \$52,178.68 with a 10% contingency for a project total of \$57,400.

Attachments: Network Core Replacement.pdf

Res 020-17 Resolution 1-R-20 City Administrator

Attachments: Resolution #1-R-20 City Administrator.pdf

HR-IT Coenen - Resolution #1-R-20 - Form of Government.pdf

Resolution #1-R-20 memo.pdf

#### Legislative History

1/15/20 Human Resources & amended

Information Technology

Committee

Motion to amend language to: "Therefore Be It Resolved, the Human Resources department will research and provide information regarding a city manager

and city administrator position in lieu of or in addition to a mayor."

1/15/20 Human Resources & held

Information Technology

Committee

1/29/20

Human Resources & Information Technology

Committee

held

#### 6. Information Items

20-0162 Recruitment Status Report 2/6/20

Attachments: RSR thru 2-6-20.pdf

## 7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



## **City of Appleton**

100 North Appleton Street Appleton, WI 54911-4799 www.appleton.org

# Meeting Minutes Human Resources & Information Technology Committee

Wednesday, January 29, 2020

6:30 PM

Council Chambers, 6th Floor

- Call meeting to order
- 2. Roll call of membership

Present: 3 - Spears, Siebers and Fenton

Excused: 2 - Van Zeeland and Thao

3. Approval of minutes from previous meeting

20-0120 Minutes from 1-15-2020

Attachments: Minutes 1-15-2020.pdf

Spears moved, seconded by Fenton, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 3 - Spears, Siebers and Fenton

Absent: 2 - Van Zeeland and Thao

### 4. Public Hearings/Appearances

#### 5. Action Items

20-0121 Request to approve the Fire Fighter union contract for a 3 year term with

the following wage adjustments:

2.25% increase on 10/1/2020

2.25% increase on 10/1/2021

2.25% increase on 10/1/2022

Attachments: | IAFF Tentative Agreements 2020-2022.pdf

Spears moved, seconded by Fenton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 3 - Spears, Siebers and Fenton

Absent: 2 - Van Zeeland and Thao

Res 020-17 Resolution 1-R-20 City Administrator

Attachments: Resolution #1-R-20 City Administrator.pdf

HR-IT Coenen - Resolution #1-R-20 - Form of Government.pdf

Resolution #1-R-20 memo.pdf

Spears moved, seconded by Fenton, that the Resolution Submitted by Alderperson be held. Roll Call. Motion carried by the following vote:

Aye: 3 - Spears, Siebers and Fenton

Absent: 2 - Van Zeeland and Thao

#### 6. Information Items

<u>20-0133</u> The committee will meet in closed session to discuss status of labor

negotiations, pursuant to the exemptions contained in State Statutes 19.85 (1) (c) and (e). The Committee will then reconvene into an open

session and conduct further business.

no closed session was held

This Closed Session was not requested

20-0122 Administrative recommendation to adjust the Connecting Care Clinic

staffing by adding a Medical Assistant (32 hours per week) and reducing

the Registered Nurse position by 16 hours per week (from 40 to 24).

Pam Berth and Jesse Rickert from ThedaCare will have presentation on

Connecting Care Clinic for the committee.

Attachments: Connecting Care Clinic report 1-29-20.pdf

ThedaCare staff gave presentation on staffing needs of the Clinic.

This recommendation was Presented.

20-0123 Recruitment Status Report 1-23-2020

Attachments: RSR thru 1-23-20.pdf

This report was presented

#### 7. Adjournment

Spears moved, seconded by Fenton, that the meeting adjourn be approved. Roll Call. Motion carried by the following vote:

Aye: 3 - Spears, Siebers and Fenton

Absent: 2 - Van Zeeland and Thao



"...meeting community needs...enhancing quality of life."

Information Technology Department 100 N. Appleton Street Appleton, WI 54911

## **MEMO**

To: Alderperson Siebers and Members of the HR / IT Committee

From: Dean J. Fox, Information Technology Director

Date: 2/12/2020

Re: Request to award Heartland Business Solutions the contract to purchase and implement a new network core switching system. The amount requested is \$52,178.68 with a 10% contingency for a project total of \$57,400.

The CIP budget of \$80,000 includes funding to replace the Core Network Equipment

An RFP went out in late November for a core switching system to replace the outdated equipment which has reached end of life and 8 years old

The scores were as follows:

•	Heartland Business Solutions	149/160
•	Extreme Networks	142/160
•	Camera Corner #2	138/160
•	Camera Corner #1	125/160
•	DigiCorp	96/160

In addition to the cost of all hardware, software and implementation, I requested all costs include 5 years of support, which is included in the above pricing.

I request your consideration and approval of a contract with Heartland Business Solutions as proposed. After considerable review, and multiple follow up questions, it has been determined due to the inclusive nature of the Heartland Cisco equipment solution, the cost included in the proposal, and the complete software package with it, that the Heartland response is the best solution for the next 7 years for the City of Appleton.

If you have any questions regarding this recommendation, please contact Dean Fox.

## Resolution #1-R-20 City Administrator Position

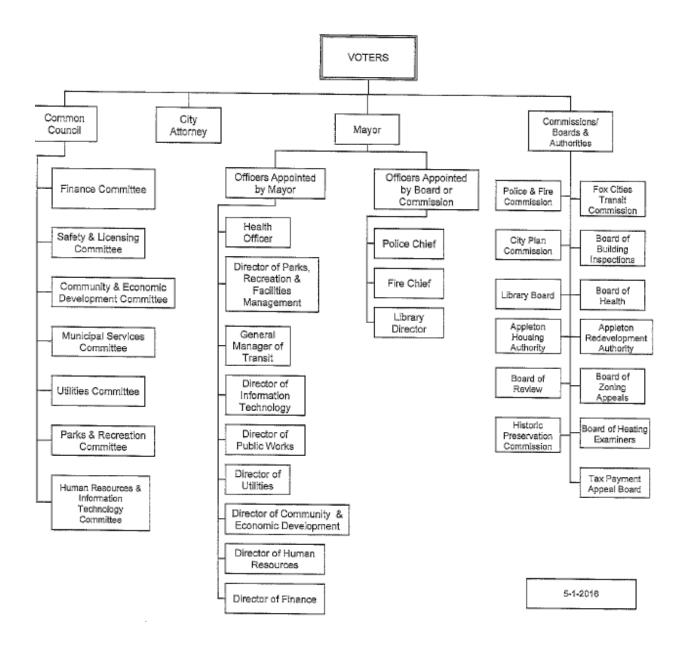
Submitted By: Alderperson Coenen, District 11 and Alderperson Spears, District 12

Date: January 8, 2020

Referred to: Human Resources & Information Technology Committee

**Whereas**, the only requirements to run for mayor in the City of Appleton are residency in the city for 10 consecutive days, must be 18 years or older and have no felony convictions, and;

Whereas, the mayor is responsible for managing a city budget of over \$190 million and a staff consisting of 12 directors/officers/chiefs/general manager, who are in turn responsible for all the city departments: fire, police, health, public works, library, human resources, information technology, community and economic development, finance, utilities, Valley Transit, park and rec and facilities management as shown on the chart below, and;



**Whereas**, many cities and counties throughout the United States have moved to a city administrator or city manager in lieu of or in addition to a mayor to ensure the position is filled by a person with the correct qualifications,

**Therefore Be It Resolved,** the Human Resources department will recommend options for a city administrator position in lieu of or in addition to a mayor.



...meeting community needs...enhancing quality of life."

## LEGAL SERVICES DEPARTMENT

Office of the City Attorney

100 North Appleton Street Appleton, WI 54911 Phone: 920/832-6423

Fax: 920/832-5962

**TO:** Members of the Human Resources/Information Technology Committee

Alderperson Patti Coenen

**FROM:** Darrin M. Glad, Assistant City Attorney

**DATE:** January 22, 2020

**RE:** Resolution #1-R-20 – Form of Government

This memo is in response to Ald. Spears' questions of "Are we too far along in the process for the election now to do any type of changing...what if we chose not to have a mayor?"

If the Common Council were to adopt a manager form of government, then per Wis. Stat. §64.01(2) the new form of government would "take effect and become operative on the third Tuesday in April." At that point the Office of the Mayor would cease to exist (along with any obligation to pay or right to collect a salary for that position).

As to the question about current timing, based on the effective date noted in Chapter 64, the next third Tuesday in April is April 21, 2020. Common Council can adopt a city manager form of government through the passage of a charter ordinance, which requires a 2/3 majority vote. Per Wis. Stat. §66.0101(5) a charter ordinance cannot go into effect for 60 days after its passage and publication, which allows time for a petition "demanding that the charter ordinance be submitted to a vote of the electors" to be filed with the City Clerk. If Council passed the amendment to the Charter Ordinance at the upcoming February 5<sup>th</sup> meeting, publication occurs on February 10<sup>th</sup> and goes into effect 60 days later on April 10<sup>th</sup>, which is after the upcoming election and assumes that no petition is filed. Under these circumstances, the newly-elected mayor would not take office on the third Tuesday in April because the Manager-Council form would take effect on that date.

If Council passes the amendment to the Charter Ordinance after the February 5<sup>th</sup> meeting, for example at the next scheduled Council meeting on February 19<sup>th</sup>, then the timelines in Chapter 64 would cause the effective date to go beyond the third Tuesday of April 2020, and cause the effective date to be the third Tuesday of April 2021.

Similarly, if Council passes the amendment to the Charter Ordinance at the upcoming February 5<sup>th</sup> meeting, but a petition is filed within the 60 days following its publication, then the timelines under Wis. Stat. §9.20(4) would prevent the new form of government (if passed) from taking effect until the third Tuesday of April 2021

If any further clarification of this opinion is requested, I will gladly provide that information as soon as possible.



**HUMAN RESOURCES DEPARTMENT** 

100 N. Appleton Street Appleton, WI 54911

Phone: (920) 832-6458

Fax: (920) 832-5845

## January 16, 2020

TO:

Mayor Hanna and the Common Council

FROM:

Sandy Matz, Human Resources Director

RE:

Resolution #1-R-20 City Administrator Position

On January 15, 2020 the above resolution was discussed at the Human Resources Committee meeting. The committee referred the resolution to my office for the purpose of researching and providing general information regarding Council-Mayor and Council-Manager forms of government as well as a Mayor-Administrator model. A general comparison outline follows:

## Council-Mayor form of government:

Probably the most understood, since this is the current form of government in Appleton. Under this form of government, the Mayor is elected separately from the Council, is often full-time and paid, and has significant administrative and budgetary authority.

The responsibilities are outlined in Chapter 62.09 (8) of the Wisconsin State Statutes.

The Mayor directly supervises the day-to-day conduct of city activities and the department directors report directly to the mayor and receive assignments from the mayor.

Council is elected and maintains legislative powers.

Some cities appoint a professional manager who maintains limited administrative authority.(Often referred to as a Chief of Staff, Deputy Mayor or other similar title)

## Council-Manager form of government:

Under this form of government, the City Council oversees the general administration, makes policy and sets the budget.

The Council appoints a professional city manager to carry out day-to-day administrative operations.

Chapter 64 of Wisconsin State Statutes outlines the major responsibilities of the manager and the council.

Chapter 64 makes no reference to a mayor and the president of the council is the highest elected official. (Often the Mayor is chosen from among the council on a rotating basis).

Chapter 64 makes a clear distinction between the administrative role of the manager and the legislative role of the council.

The manager is hired and can be dismissed by the council by majority vote.

The manager oversees day-to-day operations of the City and the department directors report directly to the manager and receive assignments from the manager.

## Mayor-Administrator model:

Under this model, Cities remain under Chapter 62 of the Wisconsin State Statute (Mayor) The duties of the administrator are not described by Statute and may be tailored to fit the needs of the municipality.

The position of Mayor remains and the mayor exercises the executive responsibility indirectly by monitoring the activities of the administrator and the various departments. This model was considered in Wausau and is described in the attached materials.

The administrator oversees day-to-day operations of the City including supervision of the department directors.

Mayor may be full or part time and is paid.

I am attaching a few resources that may be helpful in outlining the forms and models that may be adopted as well as a letter from City Attorney Carman from September, 1998 regarding a proposed resolution to consider a City Manager form of government. I am also attaching a listing of the ten cities in the State that have adopted a Council-Manager form of government and some cities who have retained a Council-Mayor form either with or without an administrator.

## Forms of Local Government

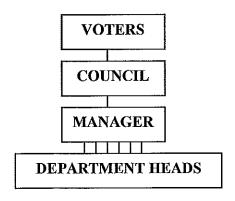
## Council-Manager

In the council-manager form of government, the council is the governing body of the city, elected by the public, and the manager is hired by the council to carry out the policies it establishes. The council usually consists of five to nine members including a mayor (or council president) who is either selected by the council or elected by the people as defined in the city charter. The size of the council is generally smaller than that of a mayor-council municipality and council elections are usually nonpartisan.

The council provides legislative direction while the manager is responsible for day-to-day administrative operations of the city based on the council's recommendations. The mayor and council, as a collegial body, are responsible for setting policy, approving the budget, and determining the tax rate. The manager serves as the council's chief advisor. Managers also serve at the pleasure of the council and are responsible for preparing the budget, directing day-to-day operations, and hiring and firing personnel.

Typically, the mayor is recognized as the political head of the municipality but is a member of the legislative body and does not have the power to veto legislative actions.

#### Council-Manager Organizational Structure



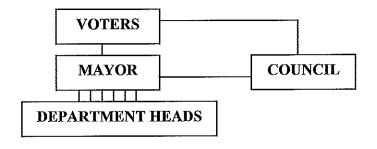
### Mayor-Council

The mayor-council (council-elected executive counties) form of government is the form that most closely parallels the American federal government with an elected legislature and a separately elected executive.

The mayor or elected executive is designated as the head of the city or county government. The extent of his or her authority can range from purely ceremonial functions to full scale responsibility for day-to-day operations. But the mayor's or elected executive's duties and powers generally include the following: hiring and firing department heads, preparation and administration of the budget, and veto power (which may be overridden) over acts of legislature. The legislature has the following responsibilities: adoption of the budget, passage of resolutions with legislation, auditing the performance of the government, and adoption of general policy positions.

In some communities, the mayor or executive may assume a larger policy-making role, and responsibility for day-to-day operations is delegated to an administrator appointed by and responsible to the chief executive.

#### **Mayor-Council Organizational Structure**



#### Commission

The commission form of government, characterized by an elected governing board that holds both legislative and executive powers, is the oldest form of government in America. A descendant of the old English shire-moot or county governing board, the board is usually composed of three to five members, although the number varies.

The board of commissioners is the county governing board and serves as the head of the government. It has responsibility for adopting the budget, passing resolutions, and enacting ordinances and regulations. A number of other officials are also popularly elected and serve as heads of some of the major county departments (although the number of these independently elected officials varies considerably. Some of the common are sheriff, treasurer, and clerk).

## **Town Meeting**

All qualified voters of the town gather on a given day (usually once a year, but more often if necessary) to elect a board of officers (selectmen) and to make policy decisions. The board of selectmen has the responsibility for carrying out the policy set by the citizens. In some towns, a manager or administrator is appointed to carry out the administrative operations of the town.

### Representative Town Meeting

The representative town meeting form of government is structured in much the same way as the town meeting form, with the exception that a large number of citizens are chosen by the general electorate to represent them in voting. All citizens can attend the meetings and participate in debates, but only those chosen as representatives have a direct vote.





## City Administrator Discussion

RELATED SUBJECT	MAYOR	CITY ADMINISTRATOR
A. COMMON COUNCIL	Preside at all Common Council meetings.     Veto power on all acts where allowed.     Provide information to the Council.     Recommend measures seen as advantages to the City.     Implement policy set by Council.     Call special Common Council meetings.     Appoint Common Council Committee members and chairs.	Attend meetings of Common Council.     Advise Mayor on vetoes.     Provide information to the Council.     In cooperation with the Mayor, recommend measures seen as advantages to the City.     Assist Mayor in interpreting policies of the Council.     Act as ilaison between Mayor and Common Council.
B. DAILY DIRECTION AND OPERATION OF THE CITY	1. Responsible for ensuring that all City ordinances and state laws are observed and enforced. 2. Ensure that resolutions, policies, and programs are efficiently administered. 3. Ensure that all City officers and employees discharge their duties. 4. Provide day-to-day supervision and direction to all Dept. Heads on policy and program matters. 5. Provide day-to-day supervision and direction to 4 Depts. on operations (E/PW, BINS, Dev, Health). 6. Make recommendations to Council and Council Cmtes. on improvements in Dept. operations.	<ol> <li>Assist the Mayor in ensuring that all City ordinances and state laws are observed and enforced.</li> <li>Assist the Mayor in ensuring that resolutions, policies, and programs are efficiently administered.</li> <li>Assist the Mayor to ensure that all City officers and employees discharge their duties, and assist in day-to-day supervision.</li> <li>Provide day-to-day supervision and direction to all Dept. Heads on administrative and financial matters.</li> <li>Supervise 5 Depts. (Cik, HR, Fin/Trs, IT, Assr.) on operations.</li> <li>Prepare studies on operations and finances and do research and reports on trends, technology, innovations, etc., and make recommendations to Council and Council Cmtes. on improvements in Dept. operations.</li> <li>When necessary, and as directed by Council, carry out duties as described in Mayor's column.</li> </ol>
C. MEDIA RELATIONS	Spokesperson for the City.     Responsible for public relations plan and activities.	Spokesperson when Mayor or Common Council President is unavallable.
D. COMMUNITY RELATIONS	Official representative of the City at public, business, and social events.	Representative of the City when Mayor or CC President is unavailable.
E. LEGISLATIVE ACTIVITIES	Responsible for conveying official City position on legislative matters either through personal testimony or other methods.     Serve as Chair of the Legislative Committee.	Assist in preparation of either oral or written testimony for Mayor or Common Council President, Present City position when Mayor or Common Council President unavailable.  Participate and serve as Secretary of the Legislative Committee.
F. INTERGOVERNMENTAL RELATIONS AND ACTIVITIES	Represents City in organizations     where participation will benefit the City (ICC, League of Wis, Municipalities).	Participate along with Mayor where appropriate.     Prepare specific details on intergovernmental projects.     Represents City when Mayor or Common Council President is unavailable.
G. BUDGET  1. Provide guidance and direction to CA to prepare budget for presentation to the Common Council for action. 2. Formally presents the Mayor's Budget to the Common Council.		Directs Dept, Heads in budget request proposals.     Sets up reviews of requests for Mayor's consideration.     Advise and assist Mayor in preparation of final budget for submission to Common Council.

## OFFICE OF THE CITY ATTORNEY

CITY ATTORNEY
Greg J. Carman



Deputy City Attorney James P. Walsh

Assistant City Attorneys
Maureen C. Roberts
Christopher R. Behrens

September 16, 1998

TO:

Mayor Hanna and the Common Council

FROM: Greg Carman, City Attorney

RE:

Legal Opinion on Resolution #57-R-98

(Proposing a City Manager Form of Government)

On September 2, 1998 the above resolution was filed with the City Clerk. At that time, the Mayor directed this office to provide a legal opinion regarding the procedures extent when changing from a Mayor-Council form of government to a City Manager form of government. My opinion follows.

Chapter 64 of the Wisconsin Statutes deals with the City Manager form of government. More specifically, ss. 64.01 to 64.15, Stats, outline both the procedural process for changing to a City Manager form of government as well as the division of powers under that form. Sec. 64.01, Stats, is "on point" to Appleton's specific situation. That statute relates, in pertinent part, that:

(1) - Any city of the second, third or fourth class may reorganize under the provisions of ss. 64.01 - 64.15 either by enactment of a charter ordinance or by a petition and referendum election as provided by section 66.01. Such petition and election shall be governed by Section 9.20 (1) to (6). (Emphasis supplied).

Alderman Meyer's resolution calls for a referendum of the citizens addressing the following:

- 1. A change from the Mayor-Council form of government to the City Manager form; and
- 2. A change from eighteen aldermen elected by district to nine aldermen elected at large (with the highest vote getter serving as honorary Mayor).

With regard to the last parenthetical comment, be advised that sec. 64.07 (2), Stats, requires the selection of the Council president by a majority of the Common Council under the City Manager form of government. Accordingly, an honorary Mayor would be a departure from that model. That can be

Finally, the Wisconsin Supreme Court has previously found that municipalities can place an advisory referendum on the ballot.

The alternatives set forth above should no way be read as being in any way critical of the resolution submitted by Alderman Meyer. It is not this office's role to dictate to the Common Council matters solely within its purview, such as the form of government Appleton should have. The alternatives are offered simply to illustrate the fact that the Common Council has far ranging powers in dealing with the resolution it finds before it. As long as the final form meets the legal requirements of the Wisconsin Statutes and Appleton Ordinances, it may be either adopted by the Common Council or sent to the populous in referendum form. Of course, the Common Council can also choose to maintain the present form of government without change.

If any further clarification or application of this opinion is required, I will be glad to provide that information as expeditiously as possible.

GC/ejv

Council-Manage	r Earm	ωf
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Council-ivianager Form of		
Government:	Population	
Eau Claire	68,587	
Oshkosh	66,665	
Beloit	36,773	
Fond du Lac	42,809	
Whitewater	14,540	
Janesville	64,359	
Platteville	12,457	
Two Rivers	11,153	
Fort Atkinson	12,482	
Lake Mills	5,898	
Mayor-Council Form with		
Administrator Position:		
Sheboygan	48,329	
Kenosha	99,877	
Menomonee	16,429	
Sturgeon Bay	8,919	
Racine	77,542	
Waukesha	72,489	
West Allis	59,934	
Sun Prairie	32,894	
Middleton	19,660	
Wauwatosa	48,277	
DePere	25,034	
Oak Creek	36,354	
Mayor-Council Form with		
no Administrator Position:		
Wausau	39,114	
Wisconsin Rapids	17,806	
Manitowoc	32,697	
Menasha	17,748	
Neenah	25,951	
Green Bay	105,116	
Madison	255,214	
Stevens Point	26,293	
Brookfield	37,920	
Appleton	74,653	

1/23/2020

## RECRUITMENT STATUS REPORT

## **UPDATES THRU 02/06/2020**

STAFF PERSON	POSITION	DEPT.	Date of Vacancy	# of Openings	STATUS
KIM	Bus Driver	VT	Multiple	4	Troy Stoeger starting on 2/24/20. Testing on 2/10/20. Application deadline 4/26/20.
	Part-Time Bus Driver	VT	N/A	N/A	Testing on 2/10/20. Application deadline 4/26/20.
	Communication Technician	VT	10/25/19	1	Medical pending on top candidate.
	Operator I - DPW	DPW	8/26/19	1 + Elig. list	Panel interviews 2/14/20.
	Lead Person - Street	DPW	1/3/20	1	Panel interviews 2/19/20.
	Part-Time Service Person	DPW	1/18/20	1	Application deadline 2/16/20.
	Instrumentation Technician	Utilities	Jan 2020	1	Start date pending on top candidate.
	Solids Operator	Utilities	2/3/20	1	Melissa Schill starting on 2/24/20.
ALLISON	Police Officer	Police	NA	1 + Elig. list	Background pending on 2 candidates. 1 candidate placed on eligibility list.
	Community Service Officer (CSO)	Police	NA	1	Physical Fitness Testing on 2/13/20 and 2/15/20.
	Forensic Evidence Specialist	Police	12/16/19	2	Falynne Gerisch starting on 2/24/20. Kourtney Rowe starting on 2/24/20.
	Fire Fighter	Fire	N/A	N/A	Conditional offers extended to 5 candidates.
	Deputy Fire Chief	Fire	1/3/20	1	PFC interviews 2/6/20.
	Civilian Fire Inspector	Fire	1/3/20	1	Panel interviews 2/7/20.
	Library Operations Clerk - Sub	Library	1/2/20	1	Second process application deadline 2/16/20.

## TOTAL POSITIONS OPEN = 17 TOTAL ELIGIBILITY LISTS = 2

#### POSITIONS ON HOLD

STAFF PERSON	POSITION	DEPT	Date(s) of Opening(s)	# of Openings	Person Vacating Position/Status
ALLISON	Systems Analyst	IT	7/6/15 & 9/6/19	2	Using part-time temporary staffing to fill current need.
	Library Ops Clerk	Library	1/2/20	1	Pending department re-organization.
	Library Page Clerk5 FTE	Library	5/21/19	1	Pending department re-organization.
	Library Clerk – Public Services5 FTE	Library	5/21/19	1	Pending department re-organization.
	Weights & Measures Specialist5 FTE	Health	1/13/20	1	Todd Schmidt promotion. Waiting for Request to Fill.

**TOTAL POSITIONS ON HOLD = 6** 

Note: Part time non-benefited positions do not (per Recruitment Policy) require authorization outside the department. The Mayor has asked departments to scrutinize.