

MINUTES

SHEBOYGAN COMMON COUNCIL

COMMITTEE OF THE WHOLE

Wednesday July 21st, 2010 at 7:00 p.m.

The meeting was called to order by Chairman Rindfleisch at 7:05 p.m.

Ald. Present: Bohren, Bowers, Gischia, Hammond, Hanna, Kath, Kittelson, Montemayor, Radtke, Rindfleisch, VanderWeele, Versey and Wangemann (13)

Ald. Excused: Bouck, Dekker, and Heidemann (3)

Pledge of Allegiance

Approval of Minutes of the June 9th, 2010 meeting – motion to approve by Hanna/second by Hammond vote 13-0 motion carried.

1. Chairman Rindfleisch spoke about the Mayor's role regarding the Committee of the Whole meetings in response to Ald. Wangemann's concerns. The Mayor may speak depending on the issues being discussed and at the discretion of the chairman of the committee. However, the discretion of the chairman can be objected to and overruled by the committee. The committee's decision would prevail. Chairman Rindfleisch then thanked Ald. Wangemann for expressing his concerns.

Ald. Wangemann responded – He had talked to City Attorney McLean regarding this issue and felt we should follow Robert's Rules of Order on this matter and treat the Mayor the same as any other citizen. Technically, we are bound to follow Robert's Rules of Order.

Chairman Rindfleisch spoke saying he didn't disagree. We were not trying to bend or break the rules. It was a time/convenience issue for the Mayor.

2. Next we received an update from the Mayor and the Fire Chief on Fire Department/Ambulance issues.

Mayor spoke on their excursion to 2 cities in Minnesota – Eden Prairie and Maple Grove. They spent the day in Eden Prairie touring the city in general. The population is similar to Sheboygan (60,000) however, what is different is the density of the city itself. Lots of single family homes spread apart – newer, modern city – a suburb of Minneapolis. Lots of hardwired smoke alarms systems. 10 fulltime people in the fire department and 90 paid on call. They are paid for time/training. Average response time is 7 minutes. They don't have the density we have here in Sheboygan with the fear of fire spreading to adjoining buildings. In either city, they have not entered into a burning building in 10 years.

Fire Chief Hermann: They don't do interior fire fighting. It was stated by fire chiefs of both cities that they could not fight fires the same way we do here in Sheboygan. They have not experienced any fire fatalities in their cities. All commercial buildings are sprinklered by code and monitored by outside agencies. May mandate sprinkler systems in the future. No industry

and no large malls. Eden Prairie has approximately 4 structure fires per year. Maple Grove has under 10. The fire issues are different here in Sheboygan.

Mayor: It is hard to compare these 2 cities to Sheboygan. What was different was the outlook in people. People seemed happy and more content with the way the government was run. 4 aldermen in the city – a newer, younger, more prosperous city.

Alderman Gischia: Why were those cities picked to visit?

Mayor: They seemed to be similar in size, but were much different when got there. Food for thought – size, density, home sizes, modern sprinkler systems and hard wired smoke detectors.

Fire Chief: Met with the city manager of Menominee Wisconsin. They have a fire department of 50 fulltime and 50 Paid on Call people.

Mayor: We were not able to get the full tour. We did not glean enough information to be meaningful. We need to look into more cities.

Fire Chief: Eden Prairie has a very aggressive rental inspection program. 50 – 100-200 apt. bldgs. @ \$50 a building. They have inspections 1 every 4 years. The program was not popular in the beginning, but as time went on, it was more appreciated.

Fire Chief: Also went to visit Oak Creek Fire Department where they 50-52 firefighters, but they have other cities bordering them (Cudahy being one)They have 12 firefighters on duty each day and Sheboygan has 18 on. They use AutoAid Dispatching which helps them tremendously. Response times are critical – need resources there in 8 minutes. What are the results you want from our fire department?

Ald. Bohren: Did he tell you in Eden Prairie why they have no ambulance?

Fire Chief: Because of the area – they wait 11-12 minutes for an ambulance. The police department are the first responders in Eden Prairie.

Ald. Bohren: Did they go over the blend of people as volunteers?

Mayor: Paid on call the average age is 43. They train every Thursday. They live within 7 minutes of the fire station land carry pagers and are available at all times. They get paid all year – they get workman's comp, long-term disability insurance. \$7.50 each time they train. Receive a pension at retirement - \$56 for every month served (cost to the city is \$250,000 per year to the pension fund).

Ald. Bohren: Do they do building inspections?

Fire Chief: No, they do not.

Chairman Rindfleisch: Spoke of his experience with the Minneapolis ambulance service several years ago and stated that at time the service was not better – he waited too long for service.

Mayor: Trip was not a waste of time. It was good, but we need to how a city operates that is similar to the way Sheboygan operates.

Ald. Hanna: How much is their Budget? Fire Chief responded that Maple Grove is 2 million and Eden Prairie is over 5 million. These are cities with 4 fire stations each.

Ald. Gischia: Council voted unanimously to have a report by the end of Dec. – a layout of options. Where do we go from here, what is the next step?

Mayor: We need more research on similar cities. What do we want? It is a work in progress. We need guidance from the council. What direction are we going to go?

Ald. Radtke asked if Oak Creek was similar to Sheboygan and the Fire Chief replied it was not, it was similar to Eden Prairie.

Ald. Hanna: What are the statistical outcomes that are acceptable at the end of the day? The Mayor responded with the question who would be our first responders? What kind of service do we want at the end of the day? Chairman Rindfleisch added that first responders are not EMT's.

Ald. Bohren: asked further about the ambulance and laying off personnel. The Fire Chief responded that this is a 2-sided question and is a budget issue. Mayor responded that the budget will not get better and how do we curb expenses.

Ald. Gischia: clarified status of 4 people still in the fire department budget (4 isn't 4 anymore) The ambulance is an example of a diversified revenue source. If we eliminate it, we put more pressure on the General Fund. The ambulance service allowed us to reduce budget, staff and taxes (the trifecta). Take away the ambulance and that puts more pressure on the General Fund.

More discussion ensued regarding paid on call personnel and the fire houses at Eden Prairie, what beautiful and comfortable places they are as they want the employees to use them as a social outlet, a place to hang out.

Ald. Wangemann: I would like to point out that a Resolution is being introduced right now to citizens to let us know and ask them what do they want. We need to look to the people to find out what they want – Shall we give tax payers a right to speak? That is all it is saying.

Ald. Gischia: I agree with the right to speak, but we need to supply adequate information to the public – it is not as simple as a yes or no answer. Questions need to be answered. Would you accept a tax increase? How will this affect other services by loss of revenue? All information needs to be given regarding the ambulance issue.

Ald. Wangemann: I agree, but once they tell us what they want, then it is our duty to tell the people what will happen. Gischia asked if data was available – Wangemann stated yes.

Chairman Rindfleisch thanked the Fire Chief and the Mayor for the information and we will wait for further information.

3. Motion was made to file Documents 5-86, 4-43 and 4-44 by Gischia/ second by VanderWeele

Under discussion on 5-86 Eldon Burg spoke about the report from the Greater Sheboygan Committee. Ald. Hanna thanked him for the data.

Under discussion on Documents 4-43 and 4-44 Ald. Bohren thanked his constituents for the letters with their comments and concerns.

Vote taken 13 ayes

4. Motion was made to file Document 7-62 by Hanna/second by Gischia

Under discussion Richard Hartman spoke. He stated that the thoughts and ideas from documents 5-86, 4-43 and 4-44 deserved well-thought out discussion, response, consideration and action. Discussion on document 7-62 he stated there should be strong commitment to address the contents of the brochure and send a favorable recommendation on what I have to say. Thank you.

Ald. Hanna asked that those items emailed to us by the Sheboygan County Taxpayers Alliance be sent to the proper committees.

Motion made by Hanna/second by Gischia to send the referrals to the proper committees.

Vote taken – 13 ayes.

5. Discussion and possible action on ethics complaint filed against Alderperson Versey - Council Document 7-27 from Susan Lessard.

Susan Lessard began the discussion by reading the complaint filed to the Committee of the Whole. Lessard stated she requested emails from some of the aldermen. Hanna asked about open records request – who responded and who did not. Discussion continued. Bowers takes issue with the request. Stated he hand delivered a note to Linda Long at the city clerk's office on July 10th. He stated he has no email. Discussion continued between Lessard and Bowers. Chairman stopped discussion and moved on. Bohren responds to Lessard regarding emails and discussion continues. Chairman stops discussion and moves on. Wangemann replies getting back to the discussion did he (Versey) act unethically or not? Discussion continues.

Chairman Rindfleisch: The question is if there is enough information that warrants an investigation from this committee into the issue? Otherwise the proper motion is to file the complaint. Does it move forward or not?

Ald. Hanna: spoke on abstaining from things he needed to . Discussed his situation and how he handles himself and chooses to abstain when he needs to. Ald. Bohren states that we have no business relationship with Orange Cross now today in any way, shape or form. This is pure conjecture. Ald. Gischia spoke on ethical behavior in general and on voting or not voting on things we need to. Further discussion took place.

Mayor: stated he would like to see Alderman Versey abstain on ambulance issues in the future for the sake of the council.

A motion was made by Alderperson Montemayor/ second by Ald. Bowers to file the complaint.

Discussion continued.

City Clerk Sue Richards: to clear up the issue on copies of emails, yes Alderman Bowers did drop something off at the city clerk's office – just to clarify.

Ald. Bohren: Asked Attorney McLean a question – how long should I and the rest of the council keep our emails before we delete them?

Attorney McLean: spoke of records retention and whether deleting emails is a violation. He stated that government records should be kept for 6 years. Discussion on emails was held at the aldermen's orientation session that was held a few months ago. It was stated that aldermen should have a city email address, separate from our own personal email address. This would help the situation greatly. As aldermen, we are on our own. This would be a good subject for further discussion.

Ald. Bohren: discussion continued further on emails. Attorney McLean stated that you don't have to respond to an open records request if you don't have the record. It is not an open records violation. Gischia stated that the IT Steering Committee could discuss email addresses for aldermen. Atty. McLean spoke further on communication via email as to what we should and should not do.

Ald. Versey: Stated to committee and council he will abstain from all ambulance issues – not fire department issues. He will have no problem with that.

Ald. Hanna: Discussion continued regarding other group email communications with his name on them – stated he preferred his name to be left off those types of emails. Discussion took place regarding open meeting laws via emails. Ald. Bohren asked regarding the Insurance Committee if there would be a conflict with employees and aldermen voting on issues regarding their insurance? Attorney McLean replied yes if they are building policy and no if they are only sharing information. Potentially, you could run into problems. Bohren asked who should vote on issues?

Ald. Radtke called the question – vote taken – all ayes (13)

Vote taken on filing of Document 7-27 12 ayes and 1 abstention

Next meeting date set tentatively for Wed. Aug. 4th at 7:00 p.m.

Motion to adjourn by Gischia/second by Wangemann Meeting adjourned at 9:50 p.m.

Respectfully submitted

Alderman Jean Kittelson
Vice-president of the Common Council