

**PERSONNEL COMMITTEE
COUNCIL ROOM, CITY HALL
106 W. DIVISION STREET
THURSDAY, MAY 25, 2023
4:00 P.M.**

The Personnel Committee was called to order by Chair Barbara Petkovsek. On roll call: Council Members Barbara Petkovsek, Julie Counsell, William Neville and Mayor Duane Poeschel present.

Also present: City Attorney Bonnie Wachsmuth, Chief of Police James Mankowski and City Clerk-Treasurer Rex R. Roehl.

The minutes of the previous meeting were declared approved.

Chair Petkovsek called for appearances.

Chair Petkovsek stated that it has been talked about for some time as to whether the City Attorney employee position is the best utilization of that amount of money. Should we continue as an employee position or go to a contracted position.

Council Member Counsell stated we should do what everyone else in the area is doing, using a contract position. We have been talking with the League recently. Over the last few years, we have had complicated issues, where we could have been put in a different situation, as a City or employee. It makes sense to change to a contracted position where we can use whoever you want when you want. When you need an attorney, table the matter and call, it is better use of our time.

Mayor Poeschel stated that this has been talked about for a long time.

Council Member Counsell stated as an employee the City Attorney gets Wisconsin Retirement and Social Security, with a contracted attorney you would not have these expenses. The hourly rate depends on the hours worked.

Council Member W. Neville asked is there a benefit to having an employee attorney.

Chair Petkovsek stated she attends every Council meeting, whether it's ten minutes or an hour.

City Attorney Wachsmuth stated that is by the Council's choice not hers.

Council Member Counsell stated the City is paying the Attorney to come to Council meetings when she has been in town for court. We are paying the Attorney mileage, no other employee is paid mileage.

City Attorney Wachsmuth stated that she does not necessarily stay at the Courthouse and sit around for the City Council meeting to happen.

Chair Petkovsek stated we are not here to discuss performance, we are talking budget matters, with a contracted position you could end up paying more.

Council Member Counsell stated you could roll over the unused budget funds to do other things like hiring a service to redo the ordinance book.

Motion Poeschel, to recommend to the Common Council to amend Ordinance SEC. 2-3-4 CITY ATTORNEY to a contracted position.

City Attorney Wachsmuth stated the amendment would be to appoint general counsel at the annual meeting for a one-year term, the duties as listed in the ordinance would be kept, with the removal for cause language removed. The contracted position would be nominated by the Mayor and confirmed by the Council.

Council Member Counsell stated the Mayor should shop it out.

Chair Petkovsek stated we need to get this in place, approved by the Council, then set up a plan for general counsel-get quotes for services. What is the effective date.

Mayor Poeschel suggested September 30, 2023, with contracted services beginning October 1, 2023.

Chair Petkovsek called for a second to Mayor Poeschel's motion.

Second Counsell. All Aye.

City Attorney Wachsmuth stated that SEC. 2-3-1X OFFICIALS needs to be amended to take City Attorney out of the list of officers.

Motion Counsell, second W. Neville, to recommend to the Common Council to amend Ordinance SEC. 2-3-1X OFFICIALS to remove the City Attorney position from this section.
All Aye.

Motion Poeschel, second Counsell, to adjourn. All Aye.

Barb Petkovsek, Chair