



Minutes
Committee #2
Labor Negotiations, Personnel, Policy & Administration
September 24, 2020

Committee #2 met on Thursday, September 24, 2020 at 10:00 am in the Council Chambers, City Hall, 30 West Central Street, Chippewa Falls, WI.

Committee Members present: **Remotely** – CW King, Chuck Hull, and John Monarski

Mayor/Other Council Members present:

Others present: **Remotely** – Finance Manager/Treasurer Lynne Bauer, City Attorney Robert Ferg, Police Chief Matt Kelm, Fire Chief Lee Douglas, Police Officer Christian LeMay, and City Clerk Bridget Givens. **In-person** – Utility Office Manager Connie Freagon.

Call to Order: 10:00 am

1. **Open Session**
2. **Discuss Police Department Employee request for waiver from the city residency policy. Possible recommendations to the Council.**

Finance Manager/Treasurer Bauer advised that a residence as a condition of employment ordinance was adopted in 2007. Changes at the state level allow the City to enforce residency requirements with personnel deemed emergency personnel. Currently, Police Department personnel must reside within a 30 minute response time and Fire Department within a 20 minute response time. A police officer was hired with the knowledge that within completion of his 18-month probationary period, he would be subject to the residency requirement. The officer has a closing scheduled for the end of September on a home that is a 50-minute response time. Currently there are no officers nor fire personnel outside of the dictated response times. The Committee expressed concern with setting a precedent.

Motion by Hull/Monarski to recommend Council deny the Police Department employee request for waiver from the city residency policy. The Officer addressed his request with the Committee. **All present voting aye, motion carried**

3. **Motion by Hull/Monarski to go into Closed Session under Wis. Stats. Sec. 19.85(1) (c), Wis. Stats. for “Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility” to:**
 - a. **Discuss benefits/compensation for Fire Department Office Assistant; and to include Committee/Council Members, Bauer, Ferg, Douglas, Freagon, and Givens; may return to Open Session for possible action on Closed Session item.**

Roll Call Vote: Aye – Hull, Monarski, King. Motion carried.

The Committee discussed item (a) above.

Motion by Hull/Monarski to return to Open Session. All present voting aye, motion carried.

Committee Chair King announced that it was moved, seconded, and unanimously approved in Closed Session to recommend Council approve offering the Fire Department Office Assistant seven days of vacation upon hire and ten days after one year of employment with placement on the vacation schedule thereafter.

4. Adjournment

Motion by Hull/Monarski to adjourn at 10:41 am. All present voting aye, motion carried.

**Minutes submitted by,
Lynne Bauer, Finance Manager/Treasurer**

1.38 - RESIDENCE AS A CONDITION OF EMPLOYMENT. (Cr. #2007-02)

- (1) DEPARTMENT HEADS. The Chippewa Falls Common Council deems that it is in the best interests of the City of Chippewa Falls and its residents to require certain Department Heads to reside within the City of Chippewa Falls because their decisions and/or budgets can have a substantial impact upon the taxes paid by residents of the City of Chippewa Falls and they should be subject to the regulations and/or tax impact which their decisions and budgets may have.
- (a) Applicability. This section shall apply to the following: Director of Parks and Recreation, Librarian, City Inspector, City Planner, City Engineer, Director of Public Works, Superintendent of Streets, Superintendent of Public Utilities, Police Chief, Fire Chief, City Clerk/Treasurer, and City Administrator.
- (b) Residence. As a condition of employment an individual performing any job function set forth above in subsection (1)(a) shall be or become a resident of the City of Chippewa Falls. Any person not living in the City of Chippewa Falls at the time of commencement of his or her job function shall have 6 months from the completion of his or her probationary period but no more than 18 months from the commencement of employment to establish residency within the City of Chippewa Falls or such employment shall be terminated upon resolution of the Chippewa Falls Common Council by a majority vote of those present.
- (c) Exception. (Cr. #2011-10) Any City employee employed at the time of the adoption of this ordinance section on February 11, 2007, who later becomes a listed department head is exempt from the requirement that department heads live within the City limits, provided however, that the employee has been continuously employed with the City since February 11, 2007, and has continuously lived outside the City limits since February 11, 2007, as permitted under the City Code. Provided further that §1.38(4) below will apply if the employee, after becoming a department head, moves from his or her permanent residence to another permanent residence.
- (2) OTHER EMPLOYEES. Any other employee, excluding independent contractors, of the City of Chippewa Falls, whether part-time or full-time, shall be subject to this section, provided however, that their residency status is not governed by another applicable State Statute(s) or Chippewa Falls Ordinance(s).
- (a) Subemployees. The department heads listed in subsection (1)(a) above shall set a geographical response time area in which the employees under them shall live. This geographical response time area shall be equally applied for all such employees. If a department head does not act and establish a geographical response time area, then the Common Council may act in the place of the department head and establish such a geographical response time area for the employees under that department head.
- (b) Remaining Employees. Any applicable employee not covered by subsection (2)(a) above shall reside within such geographical response time area as may be from time to time established by the Chippewa Falls Common Council.
- (c) Approval. Any geographical response time area established by a department head, whether initially or by subsequent amendment, shall be subject to approval by the Chippewa Falls Common Council by a majority vote of those present.
- (3) WAIVER PROCEDURE. Any department head listed in subsection (1)(a) above or any other employee listed in subsection (2) above or any prospective department head or employee

may seek a waiver of any applicable residency requirement. The waiver shall be sought before the Chippewa Falls Common Council. Any waiver shall be subject to such conditions, modifications, or other terms as the Common Council deems just and equitable. The waiver shall be granted upon a vote of two-thirds of the Council elect.

- (4) EFFECTIVE DATE AND PROSPECTIVE APPLICATION. This section shall take effect upon adoption by the Common Council and any notifications required by law. This section shall apply to any current department head listed in subsection (1)(a) above when that department head moves from his or her permanent residence to another permanent residence. This section shall apply to any current subemployees and remaining employees listed in subsections (2)(a) and (2)(b) above upon the geographical response time area being established by the department head or the Common Council, as may be applicable. Any current department head, subemployee, or remaining employee who is presently in compliance with Code §1.33 being repealed is deemed to be in compliance with this section and any provisions herein shall not be applicable until he or she moves from his or her permanent residence to another permanent residence.

CITY OF CHIPPEWA FALLS EMPLOYEES **2007 RESIDENCY MAP BOUNDARIES**

20 MINUTE RESPONSE TIMES

➤ **CHIPPEWA FALLS FIRE & EMERGENCY SERVICES DEPT.**

FROM THE INTERSECTION OF HIGHWAYS 124 & 64

East on Highway 64 to the 190th Avenue grid line
West on 190th Avenue grid line to County Highway K
South on County Highway K to County Highway S
East on County Highway S to Highway 27
South on Highway 27 to 120th Avenue
East on 120th Avenue to County Highway EE
South on County Highway EE to County Highway O
East on County Highway O to 320th Street in Boyd (including Boyd Village Limits)
South on 320th Street to County Highway X
West on County Highway X to County Highway D
South on County Highway D to 40th Avenue
West on 40th Avenue to 270th Street
South on 270th Street to 10th Avenue (Chippewa/Eau Claire County Line)
West on Chippewa/Eau Claire County Line to County Highway XX
South into Eau Claire County on County Highway XX to County Highway Q
West on County Highway Q to County Highway K
South on County Highway K to Highway 12
West on Highway 12 to County Highway I
South and west on County Highway I to I-94
West on I-94 into Dunn County to Highway 29
East on Highway 29 to Highway 40
North on Highway 40 to Bloomer (including Bloomer City Limits)
North on Highway 40 to Highway 64
East on Highway 64 to Highway 124

CITY OF CHIPPEWA FALLS EMPLOYEES 2007 RESIDENCY MAP BOUNDARIES

30 MINUTE RESPONSE TIMES

- **CHIPPEWA FALLS POLICE DEPARTMENT**
- **CHIPPEWA FALLS STREET DEPARTMENT**
- **CHIPPEWA FALLS DEPARTMENT OF PUBLIC UTILITIES**
- **CHIPPEWA FALLS PARKS & RECREATION DEPARTMENT**
- **CHIPPEWA FALLS PUBLIC WORKS & ENGINEERING DEPARTMENTS**

FROM THE INTERSECTION OF COUNTY HIGHWAYS DD & M

East on County Highway M to New Auburn (including New Auburn Village Limits)
East on County Highway M to County Highway F
South on County Highway F to County Highway AA
East and south on County Highway AA to 226th Avenue
East on 226th Avenue to 225th Avenue
East on the 225th Avenue grid line to County Highway Z
East on County Highway Z to County Highway CC into Cornell (including Cornell City Limits)
North on County Highway CC to the 240th Avenue grid line
East on 240th Avenue to Highway 27
South on Highway 27 to Highway 64
East on Highway 64 to County Highway EE
South on County Highway EE to 190th Avenue
East on 190th Avenue to County Highway D
South on County Highway D to 170th Avenue
East on 170th Avenue around Otter Lake to 165th Avenue
East on 165th Avenue to County Highway H at the Chippewa/Clark County Line
South along the Chippewa/Clark County Line to 40th Avenue
West on 40th Avenue to County Highway G
South on County Highway G into Eau Claire County to Stoney Lonesome Road
West on Stoney Lonesome Road to County Highway NL
West on County Highway NL to Highway 27
South on Highway 27 to County Highway V
West on County Highway V to County Highway JJ
West on County JJ to County Highway KK
South on County Highway KK to County Highway D
West on County Highway D to County Highway V
West on County Highway V to County Highway HH
West on County Highway HH Highway 37
North on Highway 37 to Highway 85
West on Highway 85 into Dunn County to County Highway H
North on County Highway H to County Highway E
Northwest on County Highway E to Highway 29