

**Tuesday, March 9, 2010  
Muskego City Hall, Aldermen's Room**

Mayor Johnson called the meeting to order at 5:30 p.m. Committee Members Ald. Werner, and Snead were present. Also present: Clerk-Treasurer Moyer, Finance Director Mueller, Ald. Harenda, Borgman, Schneider, and Schaumberg. Ald. Fiedler was absent. Those present recited the Pledge of Allegiance. The Clerk stated that the meeting was noticed in accordance with the open meeting law on March 5, 2010.

### **APPROVAL OF MINUTES**

**Ald. Snead moved for approval of the February 23, 2010 minutes. Ald. Werner seconded; motion carried.**

### **NEW BUSINESS**

#### **Recommendation Regarding Purchase of Three Police Vehicles**

Police Captain La Tour was present. He stated funding for the purchase of three squad cars was budgeted. He is requesting authorization to purchase three Ford Crown Victoria squad cars at a total cost of \$68,964. **Ald. Werner moved to recommend approval. Ald. Snead seconded; motion carried.**

### **LICENSE APPROVALS**

**Ald. Werner moved to recommend approval of a regular Operator's License for Douglas Anderson, Megan Burgard, Alexis Hayes, Jennifer Hulman, Adam Jankowski, Dustine Kurth and Jeffrey Rockteacher subject to the licensing requirements being completed prior to issuance. Ald. Snead seconded; motion carried.**

### **GRIEVANCE HEARINGS**

The following were present for the hearings: Police Chief Paul Geiszler, City Labor Attorney Jon Swain, John Dillon on behalf of the Police employees and Ed Sadlowski on behalf of the AFSCME employees.

Mayor Johnson stated that the following grievances would be heard first: Grievance No. 09-651 filed by Muskego Police Association Local #360, Grievance No. 09-652 filed by Muskego Police Telecommunicator Unit Local #443, and Grievance No. 2414-2010-001 filed by Muskego Area Public Employees Local #2414 (City Hall/Library Unit). The grievances relate to health insurance and premium co-payments.

Mr. Dillon stated that the City changed health insurance carriers in 2009 to Humana. This was a result of the previous carrier, WPS, having terminated its relationship with the Aurora network. In 2010 the City went back to WPS. The Aurora network is offered at an additional charge of \$160/month. The Police Association believes this is a violation of the existing contracts. There is one employee who has chosen the Aurora network. He paid \$1,080 for co-payments last year. This year to use the same physicians, the employee will pay \$3,188.88. If the Aurora physicians are used out of network, members will be subject to a second deductible and a second out-of-pocket maximum.

Mr. Sadlowski stated the members of Local #2414 have the same issues as those presented by Mr. Dillon. The union believes there is a violation of the contract. Mr. Sadlowski stated that the contract allows the City to change health care providers. However, the replacing coverage must be equal to or greater than the benefits in effect as of January 1, 2009.

Atty. Swain stated the City changed carriers because coverage with Humana would have resulted in additional costs of \$130,000. In terms of the benefits, coverage under WPS is the same. The providers are what is different. If an employee wants to utilize the Aurora physicians, they are available at an additional cost. Atty. Swain stated he believes the City has provided coverage that is equal to or better and that the existing contracts were not violated.

Mr. Dillon responded that employees are being charged more for a plan that cut out half of the providers. There have been arbitration decisions that support that physician selections are part of the benefits. The association is concerned that the number of physicians will continue to decrease. Where does this end?

Mr. Sadlowski stated physician selection is the issue. An employee who previously used an Aurora physician had to change doctors or incur a higher co-pay.

Ald. Snead asked how much more an employee had to pay for the Aurora plan. Ms. Mueller responded \$155/month for a family plan. Atty. Swain stated the issue is that the unions believe that the City has to retain the same provider network; the City disagrees.

Mayor Johnson stated that Grievance No. 10-134 filed by Muskego Police Association Local #360 regarding hours and workweek would be heard next.

Mr. Dillon reviewed the grievance filed on behalf of Officer Esser. On January 12, the officer was at Waukesha County Circuit Court from 8:00 a.m. until 2:30 p.m. He arrived at the Muskego Police Dept. afterwards to begin his regular shift of 2:30 p.m. to 10:30 p.m. At 8:00 p.m., he was requested to leave because he could not work in excess of 12 hours based on a 1985 General Order. Mr. Dillon reviewed the contract language he believes the City violated. The association is requesting that the officer receive 2 ½ hours of overtime pay.

Atty. Swain stated the City believes this is a safety issue. The officer was not denied eight hours of work. The hours he appeared in court were paid at time and a half. He did not incur any loss of pay. The City believes that an officer should not be on patrol duty after working 12 consecutive hours. Chief Geiszler reiterated that the issue is safety. There is concern that an excess of 12 hours could negatively impact the officer, officers working with the individual and the general public. The Chief stated that there are times when a third shift officer may have to appear in court following his/her shift. The department does not have control over that situation.

Mr. Dillon stated that the officer did incur a loss as he had to use 2.5 compensatory time to cover the period from 8:00 p.m. to 10:30 p.m. He believes the issue is that the officer's regularly scheduled hours were changed. Atty. Swain stated he disagreed. He believes the issue is safety.

## **FINANCE DIRECTOR'S REPORT**

Ms. Mueller stated she and the Mayor have been working on the implementation of a Wellness Program. They met with three companies. The one that stood out and is the best fit for the City is Workforce Health, which is a division of Froedtert Hospital. The total cost of the program will be \$7,550. The Finance Director was dismissed.

## **CLOSED SESSION**

**Ald. Snead moved to convene into closed session pursuant to Wis. Stats. §19.85(1)(a) Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body, more specifically to discuss Grievance No. 10-134 filed by Muskego Police Association Local #360, Grievance No. 09-651 filed by Muskego Police Association Local #360, Grievance No. 09-652 filed by Muskego Police Telecommunicator Unit Local #443, and Grievance No. 2414-2010-001 filed by Muskego Area Public Employees Local #2414 (City Hall/Library Unit). Ald. Werner seconded. Motion carried 2 in favor.**

## **OPEN SESSION**

Ald. Snead moved to convene into open session at 6:45 p.m. Ald. Werner seconded; motion carried.

## **NEW BUSINESS**

**Consider Grievance No. 10-134 filed by Muskego Police Association Local #360 Regarding Hours and Workweek.**

**Ald. Werner moved to recommend that the grievance be denied. Ald. Snead seconded; motion carried.**

**Consider Grievance No. 09-651 filed by Muskego Police Association Local #360, Grievance No. 09-652 filed by Muskego Police Telecommunicator Unit Local #443 and Grievance No. 2414-2010-001 filed by Muskego Area Public Employees Local #2414 (City Hall/Library Unit) Regarding Health Insurance and Premium Co-payments.**

**Ald. Werner moved to recommend that the grievances be denied. Ald. Snead seconded; motion carried.**

## **VOUCHER APPROVAL**

**Ald. Snead moved to recommend approval of Utility Vouchers in the amount \$68,728.86. Ald. Werner seconded; motion carried.**

**Ald. Snead moved to recommend approval of General Vouchers in the amount of \$207,871.93. Ald. Werner seconded; motion carried.**

**Ald. Snead moved to recommend approval of Wire Transfers for Debt Service in the amount of \$643,535. Ald. Werner seconded; motion carried.**

## **ADJOURNMENT**

**Ald. Snead moved to adjourn the meeting at 6:50 p.m. Seconded by Ald. Werner; motion carried.**