

MINUTES OF THE SPECIAL COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON MONDAY, APRIL 2, 2018

The meeting was called to order by Alderperson Karl Kastner at 6:04 p.m.

1. ROLL CALL:	Alderperson Lubotsky	Present
	Alderperson Bailey	Present
	Alderperson Kastner	Present
	Alderperson Akers	Present
	Alderperson Saryan	Present

ALSO PRESENT:	Michael Neitzke	Mayor
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Mayor Neitzke said he was recusing himself from the discussion and decision-making, but would record the motions and voting on behalf of the City Clerk.

2. Discussion and decision regarding the compensation and benefits of the Municipal Judge effective May 1, 2018.

Motion was made by Alderperson Bailey, seconded by Alderperson Akers, to adopt Resolution No. 3630:

RESOLUTION NO. 3630

A RESOLUTION REPEALING AND RECREATING
THE COMPENSATION OF THE MUNICIPAL JUDGE OF THE CITY OF GREENFIELD
COMMENCING MAY 1, 2018

WHEREAS, the Common Council adopted Resolution 3610 on December 5, 2017 setting the compensation and benefits of the Municipal Judge effective May 1, 2018 (“Original Resolution”); and

WHEREAS, the Common Council adopted Resolution 3620 on February 6, 2018 revising the compensation and benefits of the Municipal Judge effective May 1, 2018 (“Subsequent Resolution”); and

WHEREAS, it is the intention of The Common Council to repeal and rescind The Subsequent Resolution and replace and recreate it with the Original Resolution effective May 1, 2018,

NOW THEREFORE, BE IT RESOLVED, Resolution 3620 is repealed and rescinded and by this Resolution the terms and conditions of the Original Resolution shall control. To wit, the Municipal Judge shall receive \$26,016 per year paid annually, the Municipal Judge shall not receive nor be eligible for medical and surgical insurance benefits, the Municipal Judge is not eligible to participate in a Section 125 medical reimbursement plan (\$1,000/family or \$500/single) paid for by the City, and that the City shall provide a Technology Expense Reimbursement up to \$1,000 dollars (one thousand dollars) annually to cover high speed

internet and/or cell phone expenses. Consistent with how other expense reimbursements are handled, the Technology Expense Reimbursement would be pre-tax, if monthly bills are submitted, or on an after tax basis if bills are not submitted.

This resolution shall take effect and be in force effective April 2, 2018.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 2nd day of April, 2018.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Aldersperson Bailey read the resolution into the record. Mayor Neitzke said where the resolution refers to the Section 125 medical reimbursement plan (\$1,000/family or \$500/single) – it would be “whatever it is” consistent with the non-rep agreement. He thinks it might be \$750 or more.

On a roll call vote, the motion carried unanimously.

Mayor Neitzke said the council’s agenda packet includes a letter from City Attorney Pyzyk indicating he would not have accepted the health insurance, as well as copies of Resolution 3610 and Resolution 3620.

Aldersperson Bailey said the Council strives to be transparent in its actions. Because they have learned that there are some questions now about the open meeting law regarding the action the Council took on the Municipal Judge compensation, he feels the Council must repeal the action it took on Feb. 6, 2018.

Aldersperson Kastner said discussion was held at both Finance and Council meetings concerning this topic in open session.

Aldersperson Bailey said the Council had advice from the City Attorney on how to proceed on some of these matters. The Council has to make sure it does not violate any open meeting laws.

Aldersperson Akers asked what did the City Attorney advise on? How to revoke this?

Aldersperson Kastner said the City Attorney gave guidance on how to do the first resolution. Actually, it was brought up by the Human Resources Director that originated the directive that this is the next step and it was approved, the guidance, by the City Attorney. The Council did nothing wrong; the Council is not changing it because they feel anything is wrong; they are just trying to mirror what is actually going to be in place next year.

For information purposes, Mayor Neitzke said there is going to be a new City Attorney and a new City Prosecutor. Previously, the two positions were married together. He said he was giving draft resolutions to the alderpersons concerning this. He asked they not discuss it in the hallways.

Aldersperson Akers asked if it would be discussed at the next Council meeting. Mayor Neitzke said it would be discussed at the April 17, 2018 Council meeting. He said the current City Attorney's last day would be April 30, 2018. The goal would be to have the new City Attorney and new City Prosecutor on board by around May 1, 2018.

Mayor Neitzke said on the radio it was said the Municipal Judge item was decided in closed session at the Finance & Human Resources Committee meeting. It is his understanding that nothing was decided at the Finance & Human Resources Committee meeting, that the Human Resources Director was told to proceed as directed, which was to create the resolution which is now known as the Subsequent Resolution, which was recommended by the Human Resources Director to the Common Council at the next Council meeting, and the Council voted on the resolution in open session.

3. Motion was made by Aldersperson Akers, seconded by Aldersperson Kastner, to adjourn the meeting at 6:12 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Sheryl Hartman, Deputy Clerk
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