

**VILLAGE OF GERMANTOWN
GENERAL GOVERNMENT & FINANCE COMMITTEE
MEETING MINUTES
January 22, 2013**

CALL TO ORDER: The meeting was called to order at 5:05 p.m. by Chairperson Zabel.

ROLL CALL: Chairperson Zabel and Trustee Members Baum, Kaminski and Vanderheiden. Also present Administrator Schornack, Clerk Goeckner, Park & Recreation Interim Director Masiarchin, Finance Director Rath, and Deputy Clerk Micka.

APPROVAL OF MINUTES: *Motion Baum, second Kaminski, to approve the minutes from the November 27, 2012 meeting. Motion carried without negative vote.*

PUBLIC COMMENT: No-one addressed the Committee.

RECONSIDERATION OF ORDINANCE #19-12 TO AMEND SECTION 14.09 OF THE MUNICIPAL CODE AS IT PERTAINS TO TEMPORARY SWIMMING POOLS:

Rich Vachalek, W163 N10467 Ridgeview Lane, addressed the Committee regarding temporary swimming pools. He stated that this is the fifth meeting he has attended regarding this issue. His neighbor has had a temporary pool for three years that is located fifteen feet from the side of his home. He described the noise from children in the pool as a nuisance. The neighbor was appointed by the Village President to be on the Board of Zoning Appeals. He filed a written complaint last year, this issue was discussed by the Village Board, and he wants to see the ordinance enforced. He stated that the pool setback should be from the neighbors home, and more than fifteen feet. He stated that pools need to be regulated, and the Village Board should look out for the entire village, not just one person.

The Committee discussed the reason for the reconsideration, to make sure all sections of the code and the ordinance are uniform. The Committee is requesting a legal opinion from the Village Attorney regarding accessory uses in Chapter 17 of the Code. Pool regulations are addressed under Chapter 14 of the Code, and there may be a conflict. When this issue was first brought forward, there was no ordinance addressing temporary pools. If the setbacks were changed for the zoning, the pool could be located within five feet. If the accessory use is taken out of Chapter 17, it would need to be updated and would require a public hearing.

Motion Baum, second Vanderheiden, to obtain a legal opinion from the Village Attorney regarding accessory uses as it relates to temporary pools. Motion carried without negative vote.

The Committee addressed the concerns from Mr. Vachalek. He has been speaking regarding the noise from the neighbors children at every meeting he has attended, and it was noted that the Committee makes rules on pools, not children's noise. Also, there is no special treatment of the neighbor because he is on a Village Committee.

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The Committee continued discussion on amending the ordinance. The Village has many temporary pools, and Building Inspection has not been issuing permits for the pools. Temporary pools have a time frame, there is a redundancy in the electrical code, and if the National Electrical Code is changed, it may not be updated in the Village Code.

VILLAGE COPY MACHINE EXCHANGES: Village Clerk Goeckner discussed her memo to the Committee regarding the Village copy machines. In recent months there have been several repairs on the copy machine in the Clerk's Department. The machine was originally installed in 2007, and was retained when two other machines were replaced in 2010. There is high usage on this machine of approximately 17,000 copies per month, the current lease will end in 2014, a change out will create a new 48 month lease, and the three remaining leased machines will finish out their current lease term which ends in 2014. The cost increase for the new copier will be \$328.57 per month, which will be spread out between all departments based on copier usage each month.

Discussion followed regarding if we need to stay with Canon machines (Gordon Flesch only handles Canon), if the Clerk's Department machine can be switched with another department machine, and if other companies should be contacted to look at the entire contract. Also discussed was trying to cut down on the amount of monthly copies by copying more documents two-sided and scanning agendas and packets.

Motion Kaminski, second Baum, to carry the copy machine exchanges over to the next meeting to obtain more information and additional quotes. Motion carried. Ayes 3. Abstain 1 (Zabel).

GERMANTOWN SENIOR CENTER UNBUDGETED EXPENSES: Joe Masiarchin, Interim Park and Recreation Director, was present to discuss the unbudgeted items at the Senior Center. The wireless microphone receiver requested at a cost of \$500.00 was replaced for \$25.00 as there was an identical microphone in the Park & Recreation Department. He stated that two of the requested items were repaired: the electronic wheelchair at a cost of \$285.00 and the refrigerator at a cost of \$550.00, which was required because of the meal program.

Interim Park and Recreation Director Masiarchin stated that staff has been working for several months to resolve an issue with the air flow between two rooms at the Senior Center. A two stage plan was proposed: a cost of \$400.00, and if resolved, would not require additional work; or if not resolved, additional monitors would be installed.

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Discussion followed on if the HVAC unit is a dual unit, heat vents are on one side and cold air return on one side, and the DPW Foreman is working with a contractor on a resolution to the problem.

The Committee felt the recommendation would not solve the problem. Trustee Baum volunteered to meet with the Forman and Park and Recreation Department to look at options for the air flow problem.

Motion Vanderheiden, second Baum, to approve the wheelchair repairs and the refrigerator at a cost of \$835.00, and direct Trustee Baum to meet with the Park and Recreation Interim Director to look at the problems with the HVAC at the Senior Center. Motion carried without negative vote.

CONSIDERATION OF FULL WAGE CONTINUATION FOR WORKPLACE ILLNESS / INJURY FOR POLICE AND FIRE SUPERVISORY / ADMINISTRATIVE PERSONNEL:

Finance Director Rath reviewed her memo with the Committee. Currently there is a case with a Police Lieutenant workers compensation injury, where the weekly salary at 2/3 would be approximately \$1,030.77, and Workers Compensation pay is \$854.00. The formula for Worker's Compensation is 2/3 of an employee's gross wage, with the State reimbursed amount being capped at a maximum, which in 2012 was \$854 per week, not taxable. The Police Department and Fire Department Union employees have full wage continuation for up to one full year.

Finance Director Rath stated that staff is bringing this issue forward for discussion on the disparity of employee compensation if there is a duty injury. There are four items brought forward for discussion: 1) Should the Village contribute to an employee's worker's compensation to match 2/3 of their salary when the employee is over the capped amount? 2) Should the Village contribute to an employee's worker's compensation to their full salary in the Police and Fire Departments where wage continuation is afforded some employees and not others? 3) Should the Village contribute to all employees to match full salary when on a workplace injury? and 4) If an employer contribution is accepted, how long should it be?

Finance Director Rath reviewed FMLA laws for sick time, the memo from Chief Hoell regarding Worker's Compensation benefits as it relates to Non-Represented Police Staff, and stated that the Police Lieutenant had requested that this item be discussed. Prior to Act 10, most contracts had wage continuation and the now only the Police and Fire contracts allow that continuation.

Administrator Schornack stated that he conducted a survey of other municipalities asking how they handled wage continuation, and there were not consistent policies that were being followed.

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Discussion continued regarding how the Lieutenant was injured; how many job injuries the Village has; disability insurance if offered to employees through AFLAC at the employee's expense; why supervisory employees should have to pay when union contracts allow wage continuation; the possibility of removing this continuation from the union contracts; employees can be put on light duty when returning to work; and if this employee had purchased a disability insurance policy.

Motion Kaminski, second Baum, to postpone this item to a future agenda and direct staff to provide additional information on AFLAC costs and what can be done for Police & Fire personnel when injured in the line of duty. Motion carried without negative vote.

REPORTS:

Monthly Year to Date Financials:

Revenue and Expense Report – All Funds: Finance Director Rath stated that there are several invoices from 2012 and also payroll back to 2012, noting that December expenses will not be complete until the end of February.

Health and Dental Plans: Finance Director Rath noted this was a positive year, and claims will continue to be submitted for 2012 in January and February.

Impact Fees Financial Reports: Finance Director Rath reviewed the report with the Committee. The Fire, Library, and Water Impact Fees are up, there are no projects associated with Recreation, there are some projects for Police, and the Water Impact Fee can be used for water debt.

Accounts Payable: No discussion.

Monthly Code Violation Reports: Building Inspection Department and Planning

Department: The Committee reviewed the reports.

Report on Permits for Gehl's Guernsey Farms: The Committee reviewed the report submitted by Planner Retzlaff, noting that three rooftop units had not been issued prior to installation. Gehl's has submitted the necessary permits for these units, a review of the application has been completed by the Building Inspector, and the permits will be issued next week.

C.I.P. PROJECTS: Finance Director Rath reviewed the report with the Committee.

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Letter of Credit Summaries: Building Inspection Department, Public Works Department, and Planning Department; The Committee reviewed the reports.

Summary of all Village Contracts: Administrator Schornack reviewed the report with the Committee, noting that several contracts have expired.

Status of Building Inspection Services: The Committee reviewed the report submitted by Planner Retzlaff.

NEXT MEETING: Discussion followed on the next meeting date. The next scheduled date of February 19th is election day, and it was suggested it be re-scheduled to February 26th. Trustee Kaminski will check her calendar to see if she is available on February 26th, and if not the meeting will be held on February 19th.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:10 p.m.

Respectfully Submitted,

Christine M. Micka, CMC/WCMC
Deputy Clerk