

REGULAR MEETING OF THE COMMON COUNCIL
CITY OF HUDSON
SEPTEMBER 19, 2011

UNAPPROVED

Meeting called to order by Mayor Alan Burchill in the Council Chambers of City Hall at 7:00 p.m.

PRESENT: Mayor Burchill and Alderpersons Randy Morrisette, Mary Yacoub, Lori Bernard, Lee Wyland, John Hoggatt and Rich Vanselow.

OTHERS PRESENT: Catherine Munkittrick, Devin Willi, Denny Darnold, Marty Jensen, Tom Zeuli, Dennis Postler, Gordon Conard, Randy Hanson, Lynn Berg, Diane Ruona, German & Jill Duran, Gerald Koehn, and others.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT: Lynn Berg spoke on behalf of Grace Place in Somerset, WI. She shared information about the services they provide to women and children and requested volunteers to ring the bells for the Salvation Army Red Kettle collections. The Grace Place mission is, "To provide safe temporary shelter to homeless individuals and families without discrimination, while giving guidance to promote independence." Donations are requested to support their services.

CONSENT AGENDA ITEMS: MOTION by Bernard, second by Vanselow to approve the following consent agenda items:

MINUTES: Approve the Public Hearing and Regular Meeting minutes and Closed Session minutes of 9/06/11, and the Special Meeting minutes of 9/12/11.

CLAIMS: Approve the following claims for payment:

		Council Claims 9.19.11		
FUND	DESCRIPTION	PAYABLES	PAYROLL	TOTALS
100	General	142,688.34	147,886.31	290,574.65
410	Tax Increment Financing	20,727.50	0.00	20,727.50
610	Sewer	31,980.68	11,453.87	43,434.55
620	Parking	718.14	1,141.48	1,859.62
630	Ambulance	24,018.66	7,779.60	31,798.26
860	Tax Agency	83,335.20	0.00	83,335.20
	TOTALS	303,468.52	168,261.26	471,729.78

APPLICATIONS FOR OPERATOR'S LICENSES: Approve the issuance of a Regular Operator's License for the period 9/20/11 to 6/30/13 to Michelle A. Brown, 514 River Street, Hudson, WI.

And the issuance of a Temporary Operator's License to be used September 23-25, 2011 at St. Patrick's Fall Festival to Dale G. Simmons, 585 County Road N, Hudson, WI.

REGULAR MEETING OF THE COMMON COUNCIL
CITY OF HUDSON
SEPTEMBER 19, 2011

And deny issuance of an Operator's License to Coty R. Reinhardt Thoenke, as recommended by Police Chief Jensen, based on the number of alcohol related violations in the past year.

APPLICATION OF FIESTA LOCA LLC FOR CLASS C WINE LICENSE D/B/A FIESTA LOCA AT 131 CARMICHAEL ROAD, UNIT 106, HUDSON, WI: Approve the issuance of a "Class C" Wine License to Fiesta Loca LLC dba Fiesta Loca at 131 Carmichael Road, Unit 106, Hudson, WI through 6/30/12 contingent on successful building inspections, receipt of the restaurant certificate, and that start up of business begins within 90 days of approval.

CONSIDER ADOPTION OF DISCIPLINE AND GRIEVANCE PROCEDURES POLICY: Adopt the Discipline and Grievance Procedures Policy as presented, to update Chapter 8 in the City of Hudson Employee Handbook (attached).

APPLICATION OF HUDSON CHAMBER OF COMMERCE FOR TEMPORARY CLASS "B" RETAILER'S LICENSE TO SELL BEER AND WINE COOLERS 11/5/11 AT THE "BRAS FOR A CAUSE" - AMERICAN CANCER SOCIETY FUNDRAISER AT 112 WALNUT STREET: Approve the issuance of a Temporary Class "B" Retailer's License to the Hudson Area Chamber of Commerce to sell beer and wine coolers 11/5/11 at the "Bras for a Cause" - American Cancer Society fundraiser at 112 Walnut Street.

APPLICATION OF KIWANIS CLUB OF GREATER HUDSON FOR TEMPORARY CLASS "B" RETAILER'S LICENSE TO SELL BEER ON 9/24/11 AT THE RIVERCITY CENTER BLOCK PARTY, 207 SECOND STREET: Approve the issuance of a Temporary Class "B" Retailer's license to the Kiwanis Club of Greater Hudson to sell beer on 9/24/11 at the Rivercity Center Block Party at 207 Second Street.

REQUEST FOR ST. PATRICK'S FALL FEST FUN RUN, 5K AND 10K FOOTRACE ON 9/24/11: Approve the St. Patrick's Fall Fest Fun Run, 5K and 10K footrace to be held 9/24/11.

REQUEST FOR "BRAS FOR A CAUSE" BLOCK PARTY EVENT ON 11/5/11 AT 112 WALNUT STREET, AND DESIGNATION AS A COMMUNITY EVENT: Approve the "Bras for a Cause" block party event to be held 11/5/11 at 112 Walnut Street, and the designation as a Community Event.

REQUEST FOR "LIGHT UP NIGHT" PARADE AT 7:00 P.M. ON FRIDAY, NOV. 25, 2011: Approve the annual "Light Up Night" parade to be held Friday, November 25, 2011 at 7:00 p.m.

REPORTS OF CITY OFFICIALS, BOARDS, AND COMMISSIONS: Place on file the quarterly report of the St. Croix E.M.S. Chief, monthly report of the Finance Officer, and the 9/13/11 minutes of the Public Utilities Commission.

Roll call vote taken, all ayes (6) MOTION CARRIED.

REQUEST OF DIANE RUONA FOR EXTENSION OF CLASS C WINE LICENSE FOR ANTOINE'S CREOLE MAISON LLC AT 517 SECOND STREET: Mayor Burchill stated that Ms. Diane Ruona advised the Finance Committee that she would surrender back the wine and beer licenses that were previously approved, due to the inability to negotiate a lease at 517 Second Street. City Attorney Catherine

REGULAR MEETING OF THE COMMON COUNCIL
CITY OF HUDSON
SEPTEMBER 19, 2011

Munkittrick advised that the licenses had been approved but not issued and should be cancelled; publication of their availability is also required. MOTION by Morrisette, second by Bernard to cancel the Class "B" beer and "Class C" wine licenses that had been approved for Antoine's Creole Maison LLC at 517 Second Street. All ayes (6) MOTION CARRIED.

CONSIDER AUTOMATION OF INCOMING TELEPHONE CALLS IN CITY HALL BUILDING: City Administrator Devin Willi reported the Finance Committee recommended proceeding with implementation of an automated phone attendant. He noted if the cost would exceed the estimate of \$500.00, he would bring the item back to Council for consideration. Discussion was held regarding automated options; rollover features, and number of city phone lines. MOTION by Bernard, second by Yacoub to authorize the City Administrator to proceed with implementation of an automated phone attendant system for the city phone lines, and if the cost is substantially over \$500.00, to bring it back to Council. All ayes (6) MOTION CARRIED.

REVIEW POSSIBLE USE OF CAR RENTAL FOR TRAVEL TO MEETINGS/CONFERENCES: City Administrator Devin Willi reported on the possibility of using rental cars for travel to meetings/conferences. He shared information about the break-even point for rental costs and gas, using a cooperative purchasing agreement through the State of Wisconsin with Enterprise, and that the City Employee Handbook would not require that a city-owned vehicle which is mechanically sound be used for city-related travel. Mr. Willi will obtain a contract from Enterprise for Council consideration at a future meeting.

UPDATE ON POSSIBLE USE OF CREDIT CARD PAYMENTS: Mayor Burchill stated the Finance Committee, by a split vote, recommended to not proceed any further with the credit card issue. Finance Officer Neil Soltis provided a detailed explanation to Council in his memo dated 9/15/11. Discussion was held regarding the issue. MOTION by Wyland, second by Morrisette to send it back for additional research on what system the Municipal Court uses to see if it will answer some of the requests in the City. Mr. Soltis provided additional information regarding payments via credit card over the Internet, and fees. Vote taken, Ayes (2) Noes (4) MOTION FAILED.

MOTION by Vanselow, second by Bernard to drop (exploring the) credit card payment idea. Show of hands vote taken: Ayes (3) - Bernard, Vanselow, Yacoub; Noes (3) - Morrisette, Wyland, Hoggatt. Mayor voted yes to break to the tie. MOTION CARRIED.

REQUEST OF HUDSON BOOSTERS FOR PROPOSED CHANGES TO FIELD #5 IN GRANDVIEW PARK: Wyland provided information about the request from the Hudson Booster Club regarding proposed changes to Field #5 in Grandview Park. He noted the costs would be paid by the Boosters, and DNR approval was needed. Parks and Public Works Director Tom Zeuli added that DNR approval was granted on 9/19/11 and that the concessions stand was portable. MOTION by Bernard, second by Vanselow to approve the proposed changes to Field #5 in Grandview Park. All ayes (6) MOTION CARRIED.

UPDATE ON PROJECTS: Foth Engineer Dennis Postler provided an update on projects. He reported on the status of the Mill & Overlay projects (He also

REGULAR MEETING OF THE COMMON COUNCIL
CITY OF HUDSON
SEPTEMBER 19, 2011

shared information that some base areas were deficient and needed repair before proceeding.), Grandview Park Storm Water Improvements, Lakefront Park Bath House Pathway Improvements, Weitkamp Park Pathway Improvements, and the status of some private development projects.

Mayor Burchill asked if the resurfacing on Laurel Avenue and Spruce Drive was complete. Mr. Zeuli responded about the areas where warranty work had been done. He also noted that a letter was needed regarding warranty work that needs to be done on a previous seal coating project in various areas, including Laurel Ave. The work would be scheduled for 2012.

UPDATED CITY INVESTMENT POLICY AND RESOLUTION AUTHORIZING INVESTMENT FIRMS - RESOLUTION NO. 20-11: Finance Officer Neil Soltis explained the recommendation regarding the new Investment Policy and the resolution identifying firms through which the City can purchase investments. He noted an updated listing of the current investment firms, with the addition of RBC Wealth Management, was provided in the resolution. MOTION by Wyland, second by Hoggatt to approve the updated Investment Policy, as presented (attached). All ayes (6), MOTION CARRIED.

MOTION by Bernard, second by Yacoub to suspend the rules toward adoption of Resolution No. 20-11. Roll call vote, all ayes (6), MOTION CARRIED. MOTION by Bernard, second by Yacoub to adopt the following:

RESOLUTION NO. 20-11
AUTHORIZING INVESTMENTS WITH NON-CHAPTER 34 INVESTMENT FIRMS
(Copy on file in Clerk's office and attached)

All ayes (6), MOTION CARRIED.

COMMUNICATIONS AND ITEMS FOR FUTURE AGENDAS: Wyland stated he received a question about lighting on Carmichael Road and he requested the Safety Committee to review the Walgreens area; and he will provide a report on the findings of the IT report at a future meeting.

CLOSED SESSION PURSUANT TO §19.85(1)(E), TO DELIBERATE REGARDING THE POSSIBLE SALE OF PUBLIC PROPERTY: Mayor Burchill announced a Closed Session was being held to deliberate regarding the possible sale of public property. MOTION by Yacoub, second by Hoggatt to convene into closed session as announced by Mayor Burchill. Roll call vote, all ayes (6) MOTION CARRIED at 7:45 p.m.

RECONVENE IN OPEN SESSION FOR POSSIBLE ACTION ON THE SALE OF PUBLIC PROPERTY: MOTION by Bernard, second by Wyland to reconvene in Open Session. All ayes (6) MOTION CARRIED at 8:03 p.m. MOTION by Wyland, second by Bernard to authorize Denny Darnold to negotiate the sale of public property [on the City's behalf] and to report back for Council approval.

Council took a brief break at 8:05 p.m. Council returned back in session at 8:07 p.m.

REGULAR MEETING OF THE COMMON COUNCIL
CITY OF HUDSON
SEPTEMBER 19, 2011

Denny Darnold announced that the potential buyer offered to purchase the public property for \$15,000, with a condition of sale that the City must approve their development plans. Attorney Munkittrick advised that they could not do that. Mr. Darnold clarified the issue explaining that the contingency would be that the sale of the City property would be contingent on the sale of the Kinney property.

MOTION by Yacoub, second by Hoggatt to authorize Denny Darnold to negotiate the final purchase contract for \$15,000 (with the representative). All ayes (6) MOTION CARRIED.

ADJOURNMENT: MOTION by Bernard, second by Yacoub to adjourn the meeting. All ayes (6) MOTION CARRIED at 8:10 p.m.

Nancy J. Korson, City Clerk

I hereby certify that the City Clerk has submitted the foregoing minutes to me, and I hereby by my signature approve said minutes and all acts of the Common Council as set forth therein.

Alan D. Burchill, Mayor

Date approved by Council

CITY OF HUDSON
RESOLUTION NO. 20-11

RESOLUTION AUTHORIZING INVESTMENTS
WITH NON-CHAPTER 34 INVESTMENT FIRMS

BE IT RESOLVED, by the Common Council of the City of Hudson, Wisconsin, that Finance Officer Neil J. Soltis, as Treasurer of the City of Hudson, Wisconsin, St. Croix County, State of Wisconsin, is hereby authorized to invest and withdraw City surplus funds with the following institutions, pursuant to §66.0603, Wis. Stats.

Edward D. Jones & Co.
325 Vine Street
P.O. Box 163
Hudson, WI 54016

Local Government Investment Pool
P.O. Box 7871
Madison, WI 53707

Wells Fargo Securities
608 2nd Avenue S. 10th floor
Minneapolis, MN 55479-0145

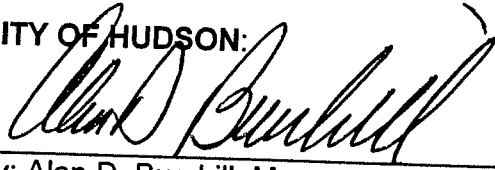
Smith Barney Inc.
333 S. 7th Street, Suite 2600
Minneapolis, MN 55402

Wells Fargo Advisors
80 S. 8th St., Suite 3400
Minneapolis, MN 55402

RBC Wealth Management
60 S. 6th Street
Minneapolis, MN 55402

Dated this 19th day of September 2011.

CITY OF HUDSON:



By: Alan D. Burchill, Mayor

ATTEST:


Nancy J. Korson, Clerk

City of Hudson INVESTMENT POLICY

Purpose

The purpose of this policy is to establish specific guidelines the City of Hudson will use in the investment of City funds. It will be the responsibility of the City Treasurer, with oversight by the City Administrator, to invest City funds in order to attain a market rate of return while preserving and protecting the capital of the overall portfolio. Investments will be made, based upon statutory constraints, in safe, low-risk instruments.

Scope

The City Treasurer is responsible for the investing of all funds in the custody of the City, including, but not necessarily limited to, the General Funds, Special Revenue Funds, Debt Service Funds and Capital Project Funds.

Objective

There are three main objectives for all investment activities, prioritized as follows:

- 1) Safety - Safety of principal is the foremost objective of the City. Each investment transaction shall first seek to insure that capital losses are avoided.
- 2) Liquidity - The investment portfolio shall remain sufficiently liquid in order to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet the anticipated demand.
- 3) Yield - The investment portfolio of the City of Hudson shall be designed to attain a market-average rate of return through budgetary and economic cycles, taking into consideration the City's investment risk constraints and cash flow characteristics.

Subject to the requirements of the foregoing objectives, it is the policy of the City of Hudson to offer financial institutions and investment companies within the City of Hudson the opportunity to bid on investments; however, the City of Hudson will seek the best investment yields.

Delegation of Authority

Management responsibility for the investment program is hereby delegated by the Common Council to the City Administrator and City Treasurer, who shall establish procedures for the operation of the investment program consistent with this investment policy. The City Treasurer shall be responsible for all transactions undertaken and shall establish a system of internal controls designed to prevent losses.

Authorized and Suitable Investments

The City is required to invest its funds in accordance with Section 66.0603(1m) of the Wisconsin Statutes. Such statute authorizes the City to invest any of its funds not immediately needed in:

- 1) Time deposits in any credit union, bank, savings bank, trust company or savings and loan association which is authorized to transact business in this state if the time deposits mature in not more than 3 years.
- 2) Bonds or securities issued or guaranteed as to principal and interest by the federal government, or by a commission, board or other instrumentality of the federal government.
- 3) Bonds or securities of any county, city, drainage district, technical college district, village, town or school district of this state.
- 4) Any security which matures or which may be tendered for purchase at the option of the holder within not more than 7 years of the date on which it is acquired, if that security has a rating which is the highest or 2nd highest rating category assigned by Standard & Poor's corporation, Moody's investors service or other similar nationally recognized rating agency or if that security is senior to, or on a parity with, a security of the same issuer which has such a rating.
- 5) Securities of an open-end management investment company or investment trust, if the investment company or investment trust does not charge a sales load, if the investment company or investment trust is registered under the investment company act of 1940, 15 USC 80a-1 to 80a-64, and if the portfolio of the investment company or investment trust is limited to the following:
 - a. Bonds and securities issued by the federal government or a commission, board or other instrumentality of the federal government.
 - b. Bonds that are guaranteed as to principal and interest by the federal

- government or a commission, board or other instrumentality of the federal government.
- c. Repurchase agreements that are fully collateralized by bonds or securities under subd. 5. a. or b.
- 6) Any bonds or securities issued under the authority of the municipality
 - 7) The local government pooled-investment fund.
 - 8) Transactions in which a public depository, as defined in s. 34.01 (5), agrees to repay funds advanced to it by the local government plus interest, if the agreement is secured by bonds or securities issued or guaranteed as to principal and interest by the federal government.

Deposits at Financial Institutions

The City's balances at individual financial institutions must be subject to coverage under federal depository insurance and amounts appropriated by Sections 20.144(1)(a) and 34.08 of the Wisconsin Statutes (State Guarantee Fund). Federal depository insurance provides for coverage of up to \$100,000 for time or savings deposits and up to \$100,000 for demand deposits at any institution. Coverage under the State Guarantee Fund may not exceed \$400,000 above the amount of coverage under federal depository insurance at any institution, and is limited by the availability of the appropriations authorized therein. (Due to the relatively small size of the State Guarantee Fund in relation to the total coverage, total recovery of losses may not be available.) Also, Section 34.07 of the Wisconsin Statutes authorizes the City to collateralize its deposits that exceed the amount of coverage provided under federal depository insurance and the State Guarantee Fund.

Investment Reporting

The City Treasurer shall prepare an Investment Report at least quarterly which provides a clear picture of the status of the current investment portfolio.

Conclusion

The intent of this policy is to ensure the safety of all City funds. The main investment goal of the City will be to achieve a market rate of return while maintaining the safety of its principal.

Chapter 8

Discipline and Grievance Procedures

Section 1 Discipline: Discipline may result when an employee's actions do not conform with generally accepted standards of good behavior, when an employee violates a policy or rule, when an employee's performance is not acceptable, or when the employee's conduct is detrimental to the interests of the City. Disciplinary action may call for any of four steps – verbal warning, written warning, suspension (with or without pay) or termination of employment – depending on the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed. Certain types of employee problems are serious enough to justify either a suspension or termination of employment without going through progressive discipline steps. The City reserves the right, in its sole discretion, to impose disciplinary action as may be appropriate to the particular circumstances.

Section 2 Grievance Procedures: This policy is intended to comply with Section 66.0509, Wis. Stats., and provides a grievance procedure addressing issues concerning workplace safety, discipline and termination. This policy applies to all employees covered under Section 66.0509, Wis. Stats., other than police and fire employees subject to Section 62.13(5), Wis. Stats. An employee may appeal any level of discipline under this grievance procedure. For purposes of this policy, the following definitions apply:

- "Employee discipline" includes all levels of progressive discipline, but shall not include the following items:
 - Placing an employee on paid administrative leave pending an internal investigation;
 - Counseling, meetings or other pre-disciplinary action;
 - Actions taken to address work performance, including use of a performance improvement plan or job targets;
 - Demotion, transfer or change in job assignment; or
 - Other personnel actions taken by the employer that are not a form of progressive discipline.

- "Employee termination" shall include action taken by the employer to terminate an individual's employment for misconduct or performance reasons, but shall not include the following personnel actions:
 - Voluntary resignation;
 - Layoff or failure to be recalled from layoff at the expiration of the recall period;
 - Retirement;
 - Job abandonment, "no-call, no-show", or other failure to report to work; or termination of employment due to medical condition, lack of qualification or license, or other inability to perform job duties.

- "Workplace safety" is defined as conditions of employment affecting an employee's physical health or safety, the safe operation of workplace equipment and tools, safety of the physical work environment, personal protective equipment, workplace violence, and training related to same.

Any written grievance filed under this policy must contain the following information:

- The name and position of the employee filing it,
- A statement of the issue involved,
- A statement of the relief sought,
- A detailed explanation of the facts supporting the grievance;
- The date(s) the event(s) giving rise to the grievance took place,
- The identity of the policy, procedure or rule that is being challenged;
- The steps the employee has taken to review the matter, either orally or in writing, with the employee's supervisor; and
- The employee's signature and the date.

Section 3 Steps of the Grievance Procedure:

Employees should first discuss complaints or questions with their immediate supervisor. Every reasonable effort should be made by supervisors and employees to resolve any questions, problems or misunderstandings that have arisen before filing a grievance.

- Step 1 – Written Grievance Filed with the Department Head. The employee must prepare and file a written grievance with the Department Head within five (5) business days of when the employee knows, or should have known, of the events giving rise to the grievance. The Department Head or his/her designee will investigate the facts giving rise to the grievance and inform the employee of his/her decision, if possible within ten (10) business days of receipt of the grievance. In the event the grievance involves the Department Head, the employee may initially file the grievance with the City Administrator, who shall conduct the Step 1 investigation.
- Step 2 – Review by City Administrator. If the grievance is not settled at Step 1, the employee may appeal the grievance to the City Administrator within five (5) business days of the receipt of the decision of the department head at Step 1. The City Administrator or his/her designee will review the matter and inform the employee of his/her decision, if possible within ten (10) business days of receipt of the grievance.

- Step 3 – Impartial Hearing Officer. If the grievance is not settled at Step 2, the employee may request in writing, within five (5) business days following receipt of the City Administrator’s decision, a request for written review by an impartial hearing officer. The City shall select the impartial hearing officer. The hearing officer shall not be a City employee. In all cases, the grievant shall have the burden of proof to support the grievance. The impartial hearing officer will determine whether the City acted in an arbitrary and capricious manner. This process does not involve a hearing before a court of law; thus, the rules of evidence will not be followed. Depending on the issue involved, the impartial hearing officer will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents. The impartial hearing officer shall prepare a written decision.
- Step 4 – Review by the Governing Body If the grievance is not resolved after Step 3, the employee or the City Administrator shall request within five (5) business days of receipt of the written decision from the hearing officer a written review by the Governing Body. For Library employees, the appeal shall be filed with the Library Board. For all other employee, the appeal shall be filed with the City Council. The City Council shall not take testimony or evidence; it may only determine whether the hearing officer reached an arbitrary or incorrect result based on a review of the record before the hearing officer. The matter will be scheduled for the City Council’s next regular meeting. The City Council will inform the employee of its findings and decision in writing within ten (10) business days of the City Council meeting. The City Council shall decide the matter by majority vote and this decision shall be final and binding.

An employee may not file a grievance outside of the time limits set forth above. If the employee fails to meet the deadlines set forth above, the grievance will be considered resolved. If it is impossible to comply with the deadlines due to meeting notice requirements or meeting preparation, the grievance will be reviewed at the next possible meeting date. An employee must process his/her grievance outside of normal work hours, unless the employee elects to use accrued paid time (vacation, comp time etc.) in order to be paid for time spent processing his/her grievance through the various steps of the grievance procedure.

Section 4 Costs:

Any expense incurred by an employee in investigating, preparing, or presenting a grievance shall be the sole responsibility of the employee. Each party (employee and employer) shall bear its own costs for witnesses and all other out-of-pocket expenses, including possible attorney fees.