



**Minutes**  
**Committee #2**  
**Labor Negotiations, Personnel, Policy & Administration**  
**April 15, 2013**

**Committee #2 met on Monday, April 15, 2013 at 8:00 AM in the Council Chambers, City Hall, 30 West Central Street, Chippewa Falls, WI.**

Council/Committee Members present: CW King, Bill Hicks, Jane Lardahl, George Adrian.  
Others present: Finance Manager/Treasurer Lynne Bauer, City Clerk Bridget Givens, City Engineer/Public Works Director/Utilities Manager Rick Rubenzer, Street & Utility Maintenance Manager Rick Ruf, Police Chief Wendy Stelter.

Call to Order: 8:00 AM

Items of business to be discussed or acted upon at this meeting are shown on the attached agenda below.

**1. Open Session**

*(It was agreed upon by the Committee members they will combine Items 5 and 6 when they go into closed session. Any action taken will be reported in open session after Item 6.)*

**2. Discuss and clarify Fire Department Battalion Chief pay issues. Possible recommendations to the Council.**

Finance Mgr Bauer requested a clarification regarding battalion chief pay. On November 5, 2012 the Council approved the Fire Department restructuring plan and pay for battalion chiefs (see attached). The pay grid created included a starting pay of \$58,531 and an increase to \$59,994 one year later. The proposal also included language that the next battalion chief would receive 2.5% less than the top pay or \$58,494.15. This creates a third grid amount. Based on the intent of the proposal, Bauer is requesting that there be only two pay grids - \$58,531 and \$59,994. In addition, the proposal did not specify if the battalion chiefs would receive raises based on management or union status. Because the battalion chief position is not represented, the more appropriate increase would be equal to what other management personnel receive.

**Motion by King/Hicks** to recommend the pay grids for battalion chiefs be established at \$58,531 and \$59,994 with battalion chiefs receiving any raises granted to non-represented management personnel.  
**All present voted aye, motion carried.**

**3. Discuss City cell phone issues and policy. Possible recommendations to the Council.**

The Committee reviewed the proposed cell phone policy. The cell phone policy states a department head may determine if an employee needs a cell phone to perform their job duties. The employee has a choice to use their personal cell phone and receive a stipend or carry a city phone strictly to be used for city business.

**Motion by Hicks/King** to recommend the Council approve the attached Cellular Telephone Policy. **All present voted aye, motion carried.**

4. **Discuss request to fill vacant Street Department Heavy Equipment Operator Position. Possible recommendations to the Council.**

Public Works Director Rick Rubenzer and Street & Maintenance Manager Rick Ruf requested permission to fill the vacant Street Department Heavy Equipment Operator Position. This position has been vacant since the summer of 2012 and the monies are included in the 2013 budget.

**Motion by King/Hicks** to recommend the Council approve filling the vacant Street Department Heavy Equipment Operator. **All present voted aye, motion carried.**

**5 and 6: Closed Sessions**

**Motion by King/Hicks** to go into closed session under 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) Consider vacation benefits for new hire Matthew Decur, Asst City Engineer; and closed session under WI Statutes 19.85(1)(e) "conducting public business with competitive or bargaining implications" to: a) Discuss labor negotiation issues and strategy; b) review terms of tentative agreement between the City of Chippewa Falls and Local 1241 AFSCME Chippewa Falls City Employees and Chippewa Falls Parks, Recreation and Forestry Department Employees; and c) review terms of tentative agreement between City of Chippewa Falls and Chippewa Falls Professional Police Association; and to include Council Members, Finance Manager, and Police Chief Stelter; may return to open session.

**Roll Call Vote: King – Aye; Hicks – Aye; Motion carried.**

The Committee discussed the above items.

**Motion by King/Hicks** to return to open session. **Motion carried.**

**Chair CW King** reported there was a recommendation made to the Council in closed session to give Assistant City Engineer Matthew Decur five (5) days of vacation upon his hire date.

**There were no other recommendations made in closed session.**

7. **Discuss pay and benefits for management personnel. Possible recommendations to the Council.**

The Committee discussed a possible pay increase for non-represented management personnel. Finance Mgr. Bauer also requested clarification of the sick leave annual incentive payout that was eliminated in 2012 for AFSCME General and Parks & Recreation employees. It was noted that this will be eliminated for management personnel for 2013.

**Motion by Hicks/King** to recommend a 1% pay increase for non-represented management personnel retroactive to January 1, 2013. **All present voted aye, motion carried.**

**Motion by Hull/Hicks** to return to open session. **All present voted aye. Motion carried.**

8. **Adjournment.**

**Motion by Hicks/King** to adjourn at 9:49 AM. **All present voted aye. Motion carried.**

**Minutes submitted by,  
CW King, Chair**



*Chippewa Falls Fire and Emergency  
Services Department*

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## **REPORT**

**TO: MAYOR GREG HOFFMAN  
CHIPPEWA FALLS CITY COUNCIL MEMBERS  
FINANCE MANAGER/TREASURER LYNNE BAUER**

**FROM: CHIPPEWA FALLS FIRE CHIEF TOM LARSON  
LIEUTENANT MICHAEL HEPFLER**

**DATE: OCTOBER 25, 2012**

**RE: FIRE DEPARTMENT STRUCTURE & PROMOTIONS**

We present the following information regarding the Fire Department's structure and promotions from within the ranks.

**Chain of Command:** *the system by which authority passes down from the top through a series of ranks in which each person is accountable to a superior officer*

In carrying out day to day operations along with responding to emergency call, both the firefighters and the officers, must work as a closely bonded team to execute complex tasks under stressful, difficult, and very dangerous conditions. Success in training and experience requires a common background, including three critical components:

1. A system of rank reflecting a person's responsibilities and experience
2. An organizational structure in which personnel know their responsibilities
3. Customs and traditions that serve to bond fire fighting professionals together

**Bases of Rank within the Chain of Command:** At least one officer needs to be on-duty 24/7. To accomplish this and allowing for vacations, each shift needs a senior officer and a junior officer.

1. Current system of senior officer of Battalion Chief/Fire Chief and junior officer of Lieutenant works extremely well.
2. Increased use of mutual aid (both given and received) and the expansion of state-wide MABAS (Mutual Aid Box Alarm System) warrant Chief Officers of the department.
  - ◆ Increased job responsibilities, training levels and duties (both city and county-wide)
  - ◆ Importance of officer respect level on a county-wide and regional level.
3. Safety of personnel and the public we serve, along with increased liability issues, greatly warrants Chief officers of the department.

## Cost Saving Measures to the City of Chippewa Falls:

- A. Battalion Chief Joe See retired August 6, 2012. Department promotions have been frozen since and his Battalion Chief rank position has been left open for ten weeks and counting. (Estimated savings of \$8,000 and counting).
- B. Fire Chief Thomas Larson continues to serve a dual role position since January 2007 as Fire Chief of the Department and also Senior Officer (Battalion Chief) of "B" Shift. (Estimated savings of \$130,000 annually).
- C. New officially assigned duties and responsibilities for each of the senior officers: Well defined, task oriented, and very efficient multi-tasking use of personnel
- "A" Shift – (Battalion Chief Taylor)
    - In charge of Hazardous Materials Response & Special Rescue
  - "B" Shift - (Fire Chief Larson)
    - In charge of Operations, Budget & Safety
  - "C" Shift – (Battalion Chief Hepfler)
    - in charge of Emergency Medical Services (EMS) & Fire Training
- (Savings of not creating an Assistance Chief position nor creating any Deputy Chief positions).
- D. Remove the Battalion Chief position from the City of Chippewa Falls Pay Schedule A2 Non-union Salary Structure (Matrix).
- \* ✓ Currently at Grade 13 with ten pay grades from \$46,591 start to \$69,887 maximum. Remove from the Matrix and change to two pay grade; \$58,531 start to \$59,994 one year later. \$ 58,494.15 (36.85)
  - \* ✓ The next Battalion Chief promotion (following this one) would start at 2.5% less than the top annual salary and be subject to the same increase after one year.
  - \* ✓ Future pay increases equal to any increases granted to Union 1816 firefighters or any increases granted to non-union salary personnel
- E. Change Battalion Chiefs overtime pay for school training hours and meetings from monetary pay to compensatory time.
- ✓ Cap at 96 hours maximum per year
  - ✓ Allow 48 hours to be carried over into the following year.
  - ✓ Estimated cost savings of \$25,000 per year
- F. Additionally several cost savings proposals are in current negotiations/discussions with Union Local 1816 for a new 2013 labor contract



## CELLULAR TELEPHONE POLICY CITY OF CHIPPEWA FALLS

### Purpose:

This policy governs the use of mobile cellular telephones and other personal communication devices including, but not limited to PDAs, Blackberrys, iPhones, and other "smart phones" (collectively referred to hereafter as "cell phones" or "cellular phones"). This policy applies to cell phones (whether City-provided or personal) that are used to conduct City business, are used during paid work time, or are used while on City property. The guidelines, prohibitions and information established in this policy are meant to provide departments and employees with specific information regarding the intended use of cell phones as well as procedures related to their procurement and use.

Unless otherwise provided, "cell phone use" or "cellular phone use" shall mean and include, but is not limited to placing and receiving calls, Internet use, sending, receiving, and viewing text messages, social networking, or taking pictures or video, etc.

### Policy Objectives:

- To provide efficiency through the use of technology, the City will provide limited cell phones or a personal cell phone allowance to authorized individuals.
- To allow employees to remain available for work-related communication while away from their office land line and enable them to complete the essential functions of their job.
- To meet the Internal Revenue Service rules relating to the taxability issue of personal use of City-provided cell phones.
- To provide for acceptable use of cell phones and the City's expectations regarding cell phone use.

### Determination of Need:

The respective Department Head is responsible for identifying the needs of his/her department and requesting needed equipment and services.

All requests for a cellular phone device or allowance shall be authorized by the Department Head, at the sole discretion of the Department Head, and must meet the following strict justification guidelines:

1. The employee is an "exempt" employee under the Fair Labor Standards Act, and the employee's job duties require a cellular phone for operational tasks; or
2. If the employee is "non-exempt" under the Fair Labor Standards Act, the employees' functions must require a cell phone, which are for:
  - a. a defined and identifiable need.
  - b. a specific task or function.
  - c. the use of which will enhance efficiency or effectiveness of City operation.

Non-exempt employees under the Fair Labor Standards Act shall receive prior permission from the Department Head before using cell phones (whether personal or owned by the City) for City business outside the employee's regularly scheduled hours.

### Policy:

#### 1. Personal Cellular Phones:

While at work, employees are expected to exercise discretion in using personal cellular phones as is expected for the use of City phones. Excessive cell phone use during the workday, regardless of the phone used, can interfere with employee productivity and be distracting, potentially causing safety issues. Use of cell phones during work hours should be limited and cannot interfere with work performance or cause a distraction. ~~Employees shall not use personal cell phones during working hours except in very limited circumstances demanding immediate attention, such as a family emergency.~~

The City is not liable for the loss or damage of personal cellular phones brought into the workplace.

#### 2. Use of City-Provided Cellular Phones

Where job or business needs demand immediate access to an employee, the City may issue a business cell phone to an employee

for work-related communications. To protect the employee from incurring a tax liability for the personal use of this equipment, such phones are to be used for business reasons only, and personal use is prohibited.

Cell phone voice mail greetings and messages should meet the same professional standards as other City voice mail. All cellular phones shall be placed in silent or vibrate mode during City meetings.

### 3. Camera Phones

Employees are not permitted to use camera phones or any other camera or recording technology to capture visual images or audio recordings without the prior permission of the department head. The use of cell phones shall comply with state and federal law.

### 4. Personal Cellular Phone Use for City Operations

If a Department Head has determined a specific need for an employee to possess a cell phone for the efficiency of City operations, the employee may choose the option of using a personally acquired cell phone for City use. If the employee either currently has a personal cell phone, or agrees to obtain a cell phone at their own expense, that employee will receive a monthly allowance for the proposed use of that phone for City business. The Department Head, at his or her sole discretion, shall first provide written approval of personal cell phone use for City operations before the employee is able to obtain the below-listed cell phone allowance.

The allowance shall be \$25 per month for an employee. This allowance amount shall not be exceeded in any one month: That is, an employee cannot have two personal cell phones for City business and receive \$50.

In no circumstances shall the allowance be greater than the employee's cost for the personal cell phone.

The allowance is for monthly phone use only, and is not guaranteed for the length of any contract beyond one month.

When an employee initially joins the allowance program, and if the employee does not already have a personal cell phone, they will receive a one-time \$30 payment to assist with the purchase of a cell phone. The employee is not entitled to the above payment if the employee is eligible for a rebate with the purchase of the cell phone

that results in no cost to the employee. The employee must submit appropriate documentation for the purchase (copy of receipt) with the completed ad signed monthly allowance request form.

Allowances will be paid on the first full payroll of the month. Department Heads must send a completed and signed monthly allowance request form to the Finance Division for the allowance request. This form shall include the employee name, cell phone number and account code.

At the sole discretion of the City, City employees subject to a collective bargaining agreement can receive the stipend *only if it is* provided for in the relevant collective bargaining agreement or if otherwise agreed to between the City and union.

#### **5. Requirements for Maintenance of City-Issued Equipment**

Employees in possession of City equipment, such as cellular phones, are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within 24 hours may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

The City may seek pre-deduction written authorization from the employee to deduct from his/her paycheck the amount of damage done to City-provided cell phones or the value of any cell phone that is lost or stolen.

#### **6. Safety Issues for Cellular Phone Use**

All employees must not use their City-provided and/or personal cell phones while driving during paid time or while otherwise conducting City business. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees must pull off to the side of the road and safely stop the vehicle before using a cell phone. (The ban does not apply to an operator of an authorized emergency vehicle or to a device whose primary function is transmitting and receiving emergency alert messages and messages related to the operation of the vehicle or an

accessory that is integrated into the electrical system of a vehicle, including GPS).

Employees who are charged with traffic violations resulting from the use of their phone while operating a vehicle will be solely responsible for all liabilities that result from such actions.

## 7. Privacy

### City-Provided Phones

Users of City-provided cell phones shall have no expectation of privacy in the use of those cell phones. The City reserves the right to monitor cell phone usage of City-provided cell phones. Use of City-provided cell phones constitutes consent by the employee for the City to monitor the use of such cell phones; and for those with City-provided cell phones, the City also reserves the right to review, audit, intercept, and disclose usage records at any time with or without prior notice to the employee.

### Personal Cell Phones

Further, employee use of personal cell phones on or through City property or networks or to conduct City business shall have no expectation of privacy in the use of those cell phones. Use of personal cell phones to conduct City business may be subject to review through proper legal means (e.g. public records request, subpoena, investigation of work-related misconduct, etc.) The City of Chippewa Falls reserves the right to monitor cell phone usage. Use of City-provided cell phones or use of personal cell phones on or through City property or networks or to conduct City business constitutes consent by the employee for the City to monitor the use of such cell phones. The City also reserves the right to review, audit, intercept and disclose usage records at any time with or without prior notice to the employee.

### Public Records

Access to public employees' electronic records can occur both under the public records law and under the rules governing discovery in civil litigation. It is the responsibility of the user to ensure proper archiving of materials used through cell phones as required by the City's record retention policy/ordinance.

8. **Professionalism**

Users are expected to act in a professional manner that will reflect positively on themselves and the City. Cell phones should not be used to display, download or send sexually explicit images, messages, cartoons, jokes or any material disparaging or harassing to anyone on the basis of race, creed, color, sex, disability, age, religion, national origin, sexual orientation, marital status or other protected classification under state and/or federal law, whether such use occurs on City-provided cell phones or personal cell phones on or through City property or networks.

9. **Other City Policies**

When using cell phones, (whether personal or City-provided), employees shall comply with other City policies, including but not limited to harassment, e-mail and Internet, and confidentiality policies.

10. **Policy Violations**

Violations of this policy could result in suspension of allowance payments or use of a City-provided cell phone, in addition to other disciplinary actions up to and including discharge in accordance with City policy or an effective collective bargaining agreement.

11. **Reservation of Rights**

The City reserves the right to modify or amend this policy and employees under or other persons impacted by this policy have no vested rights to any benefits provided by this policy, such as the City-provided cell phone or the cell phone allowance.

**CELLULAR TELEPHONE/ALLOWANCE POLICY  
ACKNOWLEDGEMENT FORM**

**Instructions**

Completed forms are to be returned to the employee's Department Head. Department Heads shall forward a copy to the Finance/Administration Department.

**Employee Agreement**

I acknowledge that I have received and read a copy of the City of Chippewa Falls Cellular Telephone Policy and I understand the contents.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Printed Name

\_\_\_\_\_  
Department

April 8, 2013

Mayor Greg Hoffman  
City of Chippewa Falls  
30 West Central Street  
Chippewa Falls, WI 54729

Dear Mayor Hoffman:

Due to retirements at the Street Department two positions became vacant in the fall of 2012 and both vacancies exist today. When the hiring process for the Street and Utility Maintenance Manger was occurring in 2012, a decision was made to allow the successful candidate to begin his employment and then evaluate the need for one or both of the positions after a six month period. Street Manager Ruf and myself have now reevaluated the work schedule and concluded that at least one replacement Class IV Heavy Equipment Operator is necessary.

Would you please grant permission to internally post for a Class IV Heavy equipment Operator position? Also, if no qualified candidates post for the positions, grant permission to request applicants, and hire for the positions? I have requested this item for referral and recommendation at the April 12, 2013 committee #2 meeting.

Funding for this position has been included and approved in the 2013 City of Chippewa Falls Budget.

Thank you!

Sincerely,

Richard J. Rubenzer, PE  
Director of Public Works  
City Engineer  
Utilities Manager

pc: Finance Manager Lynne Bauer  
pc: Street and Utility Maintenance Manager Rick Ruf  
RJR/mb

**CITY OF CHIPPEWA FALLS  
STREET DEPARTMENT**

**JOB TITLE:** HEAVY EQUIPMENT OPERATOR – CLASS 4

**DEPARTMENT:** STREET

**SUPERVISOR TITLE:** STREET AND UTILITIES MAINTENANCE MANAGER

**GENERAL DESCRIPTION:**

Under limited supervision to perform duties requiring the exercise of some independent judgment, and personal knowledge to complete work in a satisfactory manner.

**TYPICAL JOB DUTIES:**

Loading and driving trucks and heavy equipment.

Build roads, compact sand and gravel, prepare road surfaces for blacktopping, apply oil seal to road surfaces.

Dig, repair, and maintain open ditches, patch potholes.

Clean up after construction work, clean streets, level alley ways, streets, and skating rinks.

Salting and sanding operations in winter.

Perform maintenance on equipment.

Grade roadways and plow snow.

**EQUIPMENT AND TOOLSUSED (*according to qualifications*):**

End Loader  
Rubber tire and steel roller  
Street Sweeper  
Grader  
Track Backhoe  
Paver  
Chip Spreader  
All other heavy equipment listed in Class 4

## QUALIFICATIONS:

1. Previous experience on heavy equipment related to street construction, snow removal and construction work.
2. Ability to perform daily maintenance on said equipment.
3. Knowledge of working hazards and safe operation of equipment.
4. Commercial Driver's License (CDL) with endorsements and two (2) years experience to include:
  - a. Air brakes,
  - b. Tanker and combination vehicle.
5. Must be familiar with safe operation and general daily maintenance of heavy trucks (over 26,000 G.W.)
6. Must have high school diploma or equivalent.
7. Eighteen (18) years of age, or older.
8. Work every 2<sup>nd</sup> and 4<sup>th</sup> Saturday from April 2<sup>nd</sup> to November 2<sup>nd</sup> at Yard Waste Site.