

**Finance & Personnel Committee  
of the City of Onalaska**

Wednesday, October 2, 2019

1

1 The Meeting of the Finance & Personnel Committee of the City of Onalaska was called to order  
2 at 7:15 p.m. on Wednesday, October 2, 2019. It was noted that the meeting had been announced  
3 and a notice posted at City Hall.

4  
5 Roll call was taken, with the following members present: Ald. Jim Olson, Ald. Dan Stevens,  
6 Ald. Kim Smith

7  
8 Also Present: City Administrator Eric Rindfleisch, City Clerk Cari Burmaster, City Attorney  
9 Amanda Jackson, Financial Services Director/Treasurer Fred Buehler, Human Resource Director  
10 Hope Burchell, City Engineer Jarrod Holter, Parks and Recreation Director Dan Wick, Police  
11 Chief Charles Ashbeck, Fire Chief Billy Hayes, Ald. Diane Wulf

12  
13 **Item 2 – Approval of minutes from the previous meeting**

14  
15 Motion by Ald. Stevens, second by Ald. Olson, to approve the minutes from the previous  
16 meeting as printed and on file in the City Clerk’s Office.

17  
18 On voice vote, motion carried.

19  
20 **Item 3 – Public Input (limited to 3 minutes/individual)**

21  
22 Ald. K. Smith called three times for anyone wishing to provide public input and closed that  
23 portion of the meeting.

24  
25 **Consideration and possible action on the following items:**

26  
27 **FINANCE**

28  
29 **Item 4 – 2019 Omni Center Financials**

30  
31 Fred reported that revenues totaled \$393,077.03, and expenditures totaled \$425,578.82 for a  
32 deficit of \$32,501.79. Fred also noted there is an estimated \$18,000 in room tax that is not  
33 calculated into this report.

34  
35 Motion by Ald. Olson, second by Ald. Stevens, to accept the 2019 Omni Center Financials and  
36 place them on file.

37  
38 On voice vote, motion carried.

39  
40 **Item 5 – 2019 General Fund Financials**

41  
42 Fred reported the following:  
Reviewed 10/4/19 by Fred Buehler & Hope Burchell

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- The Police Department budgeted \$70,120 for “Overtime – Regular,” and \$75,708.58 has been expended to date in that line item. Fred noted that line item includes any special assignments that would constitute overtime.
  - The Fire Department budgeted \$46,000 for “Overtime – Regular,” and \$59,576.20 has been expended to date in that line item.
  - There is a \$22,531.56 deficit under the “Salt & Sand” line item under the Street Department.

52 Jarrod addressed the \$22,531.56 deficit, telling committee members both salt sheds are full, and

53 also that 150 tons of sand salt will be arriving at a cost of approximately \$2,500. Jarrod also told

54 committee members the city likely will obtain approximately 20,000 gallons of salt brine from

55 La Crosse County at a cost of \$5,000. As a result, the Street Department will be close to \$30,000

56 over budget in this line item at the end of 2019.

57

58 Jarrod next addressed the “Overtime – Regular” line item under the Street Department, noting

59 \$12,370.18 has been expended in this account and \$1,629.82 remains. Jarrod told committee

60 members there will be approximately \$2,500 in overtime if all the department’s vehicles are put

61 into service on a holiday such as Christmas or New Year’s, or a weekend. This would be due to

62 staff not being able to take comp time, which must be clear at the end of the year. Jarrod said the

63 “Overtime – Regular” account will be over budget unless there is no snow the last 10 days of

64 2019.

65

66 Motion by Ald. Stevens, second by Ald. Olson, to accept the 2019 General Fund Financials and

67 place them on file.

68

69 On voice vote, motion carried.

70

71 **Item 6 – Contract for legal services from O’Flaherty law firm**

72

73 City Administrator Rindfleisch said the memo that was distributed to committee members is the

74 fee sheet for former City Attorney Sean O’Flaherty and his firm to perform legal work for the

75 city. The memo includes the following information:

- 76
- 77
- 78
- 79
- 80
- 81
- 82
- 83
- The four items that were outstanding as of July 1, 2019 were 2019 union negotiations; 2019 union negotiations regarding the Fire Department, prepared union negotiations regarding this department; Sanitary Sewer Agreement with the City of La Crosse; and IAFF grievances 1-3. According to Sean’s memo, with the exception of these four items – the memo mistakenly says three – O’Flaherty Law Firm will bill \$200/hour and then apply the courtesy discount if they exceed the additional hours.
  - Starting October 1, 2019 billing for the City of Onalaska matters that were not pending as

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84 of July 1 will be billed as follows: \$200/hour for hours 1-10; \$175/hour for hours 11-30;  
85 and \$150/hour for all additional hours.

86

87 Ald. K. Smith asked how the contractual attorney spending compare to the budgeted amount so  
88 far for 2019.

89

90 Fred referred to the "Other Contractual Services" line item under "Legal" and noted \$12,288.64  
91 remains of the \$78,750 that was budgeted.

92

93 Ald. Stevens noted the city has hired Amanda to be its full-time City Attorney, and he said he  
94 understands that Sean has a long history of serving the city. Ald. Stevens asked if the city plans  
95 to both hire externally and retain in-house counsel in perpetuity, or if it plans over time to shift  
96 more of that function in-house to Amanda.

97

98 City Administrator Rindfleisch explained that the purpose and intent of hiring Amanda as the  
99 city's in-house attorney is to handle a majority of the business work. City Administrator  
100 Rindfleisch also said, "However, because of the historical backgrounds that Sean O'Flaherty in  
101 particular has, keeping him retained is probably in the best interest of the community that he can  
102 respond to that. Moreover, it's common for City Attorneys to work amongst each other and have  
103 outside counsel where there are specialties involved. I would expect that we would still keep Mr.  
104 O'Flaherty involved in the areas where our City Attorney would deem necessary."

105

106 Ald. Stevens asked if that is a five to 10-year plan.

107

108 City Administrator Rindfleisch said the plan always has been to budget for outside counsel as  
109 there always will be a need for it.

110

111 Ald. K. Smith asked if the amount the city has budgeted for outside legal counsel in 2020 is less  
112 than what was budgeted for 2019.

113

114 City Administrator Rindfleisch told Ald. K. Smith his working numbers for 2020 are  
115 substantially less than what was budgeted for 2019. City Administrator Rindfleisch also pointed  
116 out that legal services sometimes are variable, citing as an example the items the Finance and  
117 Personnel Committee will be discussing this evening in Closed Session.

118

119 Ald. Stevens stated he does not object to the city keeping Sean on retainer and said he wanted to  
120 know what the city's long-term legal plan was. Ald. Stevens also said he understands there are  
121 variable expenses based on occurrences.

122

123 City Administrator Rindfleisch pointed out that outside contractual services might not only be  
124 for Sean, noting there might be other attorneys who are better specialists depending upon issues  
125 as they arise.

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126

127 Motion by Ald. Stevens, second by Ald. Olson, to accept the fee schedule for legal services from  
128 the O’Flaherty Law Firm.

129

130 On voice vote, motion carried.

131

132 **Item 7 – Consideration and possible action regarding an amendment to Hoisington Koegler**  
133 **Group inc. (HKGi) contract**

134

135 Amanda said this item pertains to a proposed amendment to the original HKGi contract, which  
136 was not to exceed \$90,000. Amanda told committee members HKGi is seeking a contract  
137 amendment for an additional \$18,000, and she said the primary reason behind this contract  
138 amendment request is, “When we bid this project, the developer’s bill had just come out. We  
139 knew we would need to make changes, but we really hadn’t looked at how extensive those  
140 changes were. I think HKGi has really gone above and beyond for the city. This turned into a  
141 project that involved writing a lot of new code as opposed to just re-codifying our existing code.  
142 The approach that we took with respect to essentially eliminating all conditional uses required  
143 the drafting of all new standards. They’ve been instrumental in doing that for us and helping us  
144 through that process. As a result of that, it has cost more than anticipated.”

145

146 Ald. K. Smith asked City Administrator Rindfleisch if there are funds in the budget to cover the  
147 additional \$18,000.

148

149 City Administrator Rindfleisch said he will defer to Jarrod.

150

151 Jarrod said, “When we went through the Zoning Code, it is amazing how much over the years  
152 that the Public Works code was not very strong in the specification standards. A lot of the  
153 Water, Sewer, Street Code specifications, and the Storm Water Code, had been laying in the  
154 Zoning Code. As part of the rewrite process, the consultant actually worked on identifying those  
155 areas, and [they] worked with me to identify which ones to leave in. We took out 95 percent of  
156 it. We left a few things in that we wanted in there on a broad-based level, but most of it is  
157 getting moved to the Public Works Code under the respective utilities, or just under ‘Street’ for  
158 the general standards. That is part of what you see here tonight, and we are going to try to put  
159 some of that overage into each one of the operating accounts for contractual services for each  
160 one of those utilities. If we did that along with the amount that was set aside originally through  
161 the Capital Improvements Budget, there was \$100,000 budgeted. It was anticipated that we  
162 would not have in-house legal staff, so we left \$10,000 of the \$100,000 out for attorney services.  
163 We’ve spent about \$1,800 of that, so there is still \$8,200 left there. If you charge each one of the  
164 utilities \$2,500 apiece for the work, you’d have your \$18,000 that would be needed.

165

166 I would also say in going through this – and I haven’t been as involved as Katie [Planning  
167 Manager Katie Aspenson] and Amanda have – if you would not have had Amanda on staff, we

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168 probably would have spent \$20,000 on attorney services because there have been meetings that  
169 have happened between Katie and Amanda. They have weekly meetings with the consultant on  
170 the phone. I sat in on a few of them when my areas of expertise were in order. They've spent  
171 every Monday for two or three hours on the phone trying to go through the code. As Amanda  
172 stated, it's been more complicated than what they thought. I think we're going to end up with a  
173 really good product when we're done ... and [when] we start having these meetings with zoning  
174 changes with people – there are 700 parcels with zoning changes – we're trying to figure out  
175 when to have the consultant come in and when to have staff do the work. We're trying to be  
176 cognizant of those things and not have the consultant come down for every meeting. But there  
177 are going to be a lot of meetings and a lot of time spent yet on this project. I think it is justified,  
178 and that's our plan on how to fund it.”

179  
180 City Administrator Rindfleisch said he asks himself if the city is drifting away from the end  
181 product when he sees a project such as this one going over budget by a significant amount, and  
182 he told the committee, “In reviewing this, I do not see that as the case. It's been a straight line  
183 from start to finish, and the finish line has not moved. If there is drift involved in the processes, I  
184 review what's going on. In participating in and observing these, the extra work is not due to a  
185 consultant leading in different directions than we're asking them to do. They're following  
186 directions and doing it in an efficient manner as possible. What has changed is the environment  
187 around Act 67 and getting away from the conditional uses, which then require an entire rewrite  
188 there. The scope of work hasn't changed, but the size of the work has changed. That's probably  
189 the best way of saying it.”

190  
191 Ald. Stevens asked Fred if there are any issues associated with pulling the financing from other  
192 sources.

193  
194 Fred noted there is approximately \$8,000 remaining in the contractual account for legal work,  
195 and he said if he understands Jarrod correctly, the balance would be split proportionately  
196 between the contractual account within Water, Sewer, Storm Water, and the General Fund.

197  
198 Jarrod told Fred he is correct.

199  
200 Ald. K. Smith told Jarrod it was her understanding it had come in under the budgeted amount.

201  
202 Jarrod noted it originally was \$90,000 and said the original Capital Improvements Budget item  
203 had had \$100,000. Jarrod reiterated \$10,000 was reserved for legal fees, and he told Ald. K.  
204 Smith approximately \$1,800 was spent prior to Amanda being hired as the City Attorney. Jarrod  
205 also noted there is \$8,000 remaining under the CIB.

206  
207 Fred noted there is a Contractual Services Account under the Enterprise Fund and said it would  
208 be charged directly as an operational expense out of the Utility Operational Contractual  
209 Accounts.

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210

211 Ald. Stevens asked Fred if he sees any issues with doing that.

212

213 Fred said no.

214

215 Motion by Ald. Stevens, second by Ald. Olson, to accept an amendment to Hoisington Koegler  
216 Group inc. (HKGi) contract in the amount of \$18,000.

217

218 Ald. Stevens said it appears that HKGi has acted in good faith, noting that the project is  
219 important to the city, and it also involved much more work than anticipated. Ald. Stevens added  
220 he believes the city must honor its obligation.

221

222 On voice vote, motion carried.

223

224 **PERSONNEL**

225

226 **Item 8 – Monthly department presentation: Fire Department**

227

228 Fire Chief Hayes told committee members he first would like to address the overtime for his  
229 department that was discussed under Item 5, pointing out there have been numerous injuries  
230 among his firefighters, as well as resignations. Fire Chief Hayes noted staffing shortages have  
231 impacted the department and said it is difficult to backfill positions.

232

233 Fire Chief Hayes presentation including the following information:

234

235 • The Fire Department’s Mission Statement is *“To protect and enhance the quality of life*  
236 *for its residents, employees, visitors, and businesses, with responsive and comprehensive*  
237 *programs focused on fire prevention, public education, and emergency response while*  
238 *providing the highest quality of emergency management for medical, fire, hazardous*  
239 *materials and other disaster-type emergencies.”*

240 • Fire Chief Hayes recognized Firefighter/EMTs Jarod Benson and Jason Veldboom, both  
241 of whom were attending the meeting.

242 • The Fire Department provides fire protection, motor vehicle crash, vehicle extraction,  
243 emergency medical services, technical rescue, ice water rescue, water rescue, fire  
244 inspections, and public education.

245 • National Fire Prevention Week is October 6-12. The National Fallen Firefighter Service  
246 will be held 9 a.m. Sunday in Emmitsburg, Maryland.

247 • The Fire Department has 14 full-time employees (Fire Chief, Assistant Fire Chief, three  
248 Shift Lieutenants, and nine Firefighter/EMTs. The department also has 17 part-time  
249 employees (Captain Training Officer, Lieutenant, EMS Coordinator, and 14 members  
250 (assorted). The department also employs an administrative assistant. Fire Chief Hayes

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- 251 said that while part-time employees have resigned for various reasons, the department has  
252 been aggressively recruiting new employees via Facebook. Fire Chief Hayes said the  
253 department has been recruiting a variety of different certifications.
- 254 • Fire Station No. 1 has three fire engines, one aerial tower, two rescues, one water tender,  
255 two command vehicles, one boat, and two brush units.
  - 256 • There were 1,589 calls in 2018. Seventy-six percent of the department's call volume in  
257 2018 was EMS-related. There have been 1,138 calls so far in 2019.
  - 258 • The City of Onalaska provided service to the Town of Medary and the Town of Onalaska  
259 in 2016 and 2017. The city stopped serving those areas in April 2018, with the exception  
260 being a small portion of the Town of Onalaska.
  - 261 • The department's call volume will continue to increase as the city's population increases.
  - 262 • Staffing is critical during the midday hours, which is when part-time staff members face  
263 difficulties with working at that time as they have other jobs. The peak of the call  
264 volume occurs from 7 a.m. to 9 p.m.
  - 265 • There was a higher call volume in October, November, and December in 2017 and 2018.
  - 266 • The city's ISO Rating is Class 3.
  - 267 • More than 4,000 individuals were reached with public fire and life safety education.  
268 Seventeen car seats were installed by trained members. There were 1,843 fire inspections  
269 conducted. Every business in the city is inspected twice.
  - 270 • The Onalaska Fire Department is the home of the La Crosse County Community  
271 Emergency Response Team, or CERT.
  - 272 • Radios, televisions, and new boards were installed in the Emergency Operations Center,  
273 which also was painted.

274  
275 Ald. Stevens referred to Fire Chief Hayes' request at Tuesday evening's Board of Public Works  
276 meeting to acquire land on State Trunk Highway 16, and he asked Fire Chief Hayes to share his  
277 vision for that land, as well as how the city would be impacted both fiscally and safety-wise.

278  
279 Fire Chief Hayes noted Springbrook Assisted Living is the department's top response location,  
280 and he also noted a 128-unit complex is close to opening off STH 16. Fire Chief Hayes noted  
281 that is a longer response for the department, and he pointed out it will be challenging to access  
282 the new homes being constructed in Crestwood. Fire Chief Hayes said there typically are few  
283 fire calls to the Commercial properties in that area as they have sprinklers and fire protection  
284 systems. However, the department responds to several fire alarms in that portion of the city.

285  
286 Fire Chief Hayes said, "I believe we need a station over there. It's probably long past due.  
287 Anytime you're trying to play catch-up to growth, it's going to be harder and more expensive.  
288 As I presented [Tuesday] night, the one piece of property that was being looked at for the last  
289 several years, last year I think the property value was \$320,000 for this less than two-acre lot.  
290 Now it's appraised at \$457,000. [It's] trying to, one, find the property, but I also think  
291 strategically we need to look at what can we provide also in addition value because our Police

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292 Department also needs a precinct in that area. When you look at a complex, [you need to look  
293 at] more than just bays to put fire trucks in. You need to look at what's going to serve the city  
294 because I believe the Police Department has to come back here to do their report, leave that area,  
295 and come here to do their report to be able to go back. So [a facility could] have a precinct area,  
296 have a community room, have something that Public Works can benefit from. ... As we look at  
297 this, it's more than just a one-acre lot. We need it for a fire station, but we need to look  
298 strategically for the city, how does it best serve? Our response times are going to continue to rise  
299 to that area. As our call numbers go up, units become less in service.”

300

301 Fire Chief Hayes addressed back-to-back calls, telling committee members a firefighter left  
302 alone back at the station who receives a call after two firefighters have gone on another call must  
303 wait for another firefighter to arrive. Fire Chief Hayes said, “To have multiple units deployed in  
304 different locations throughout the city is ideal. But I also know it's a cost burden and something  
305 we need to look at strategically, financially, and fiscally with the city.”

306

307 Ald. Stevens asked Fire Chief Hayes if he is seeking an around-the-clock station manned with  
308 firefighters and EMTs.

309

310 Fire Chief Hayes said, “Ideally, yes.”

311

312 Ald. Stevens asked if that means there would be three more full-time crews.

313

314 Fire Chief Hayes said at least three individuals would need to be on an engine and told Ald.  
315 Stevens a station that mirrors Fire Station No. 1 would need at least three to four more full-time  
316 individuals per shift.

317

318 **Item 9 – Update from Human Resources on any Police and Fire staff vacancies (for**  
319 **information only)**

320

321 Hope said the city is in the process of hiring a firefighter, who has completed everything except  
322 for a physical, which is scheduled for next week. Hope said she envisions extending a formal  
323 offer to the individual by next week, and he/she would begin before the end of October. Hope  
324 also told committee members the Police Department is down two officers and said the list has  
325 been exhausted. Therefore, it has become necessary to compile another list. Testing will occur  
326 Thursday, October 10, and Saturday, October 12. Professional panel and Police and Fire  
327 Commission interviews will be set up at a later date. Hope noted the City of Onalaska is  
328 competing with other municipalities for many of the same individuals as there is a shortage in the  
329 employment pool.

330

331 **Item 10 – Review and consideration of changes to the following job description:**

332

333 a. Deputy City Clerk

Reviewed 10/4/19 by Fred Buehler & Hope Burchell

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334  
335 Hope said the administrative assistant portion of the Deputy City Clerk's job description has  
336 been removed with the hiring of a paralegal and an administrative assistant. The physical  
337 requirements also have been updated into the new ADA requirements.

338  
339 Ald. Olson asked if the pay grade is the same.

340  
341 Hope said it is.

342  
343 Motion by Ald. Olson, second by Ald. Stevens, to approve changes to the Deputy City Clerk job  
344 description.

345  
346 On voice vote, motion carried.

347  
348 **Item 11 – Review and consideration of one-time stipends to be paid to staff in the absence**  
349 **of the Building Coordinator**

350  
351 Ald. K. Smith noted copies of a memo from Dan pertaining to this item have been included in  
352 committee members' packets.

353  
354 Hope said the purpose of this item is to reward the Building Manager, Building Supervisor, and  
355 Administrative Assistant positions for the work during the absence of the Building Coordinator  
356 this past summer. The Building Manager would receive a \$900 stipend; the Building Supervisor  
357 would receive a \$900 stipend; and the Administrative Assistant would receive a \$600 stipend.  
358 The estimated wage savings to the department is \$5,100.

359  
360 Ald. K. Smith asked if the city has a policy pertaining to how to handle situations such as this  
361 one, and also how to determine the amount of a stipend an employee may receive.

362  
363 Hope said the city does not have such a policy and suggested perhaps looking into it in the  
364 future. Hope said Dan reviewed the work that was done and the number of weeks in which it  
365 was done and believed what is being offered is fair.

366  
367 City Administrator Rindfleisch said that when he reviews a request such as this one, his position  
368 is that the task employees perform generally are out of grade. City Administrator Rindfleisch  
369 said the tasks an employee performs and the stipend he/she receives is for taking on additional  
370 responsibilities than what normally is expected. This creates additional stress on an employee.  
371 City Administrator Rindfleisch said he also looks for is having a stipend paid out of deferred  
372 savings from not having to pay a wage or a salary. City Administrator Rindfleisch said he does  
373 not recommend approving stipends if the tasks are something an employee should be doing and  
374 he/she is picking up the slack. City Administrator Rindfleisch said, "I recommend approval  
375 because it meets both of those qualifications for me."

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376

377 Ald. Olson stated he agrees with both this proposal and with City Administrator Rindfleisch, but  
378 he also asked if each of the three employees could write a description for the Common Council  
379 as to what their duties were during the Building Coordinator's absence.

380

381 Dan told Ald. Olson he could provide him with whatever he wishes and noted his memo includes  
382 a description of what each employee had done.

383

384 Ald. Olson said each report does not need to be extensive, but should include an explanation as  
385 to what the duties were for each employee.

386

387 Dan said he can add to what he already has provided.

388

389 Motion by Ald. Stevens, second by Ald. Olson, to approve one-time stipends to be paid to staff  
390 in the absence of the Building Coordinator.

391

392 On voice vote, motion carried.

393

394 **Item 12 – Review and consideration of out-of-state travel for Jim Hansen and Adrian**  
395 **Mosser to attend Schwarze Hypervac street sweeper training for three (3) days (dates to be**  
396 **determined) in November, 2019 in Huntsville, Alabama**

397

398 Motion by Ald. Olson, second by Ald. Stevens, to approve out-of-state travel for Jim Hansen and  
399 Adrian Mosser to attend Schwarze Hypervac street sweeper training for three (3) days (dates to  
400 be determined) in November, 2019 in Huntsville, Alabama.

401

402 On voice vote, motion carried.

403

404 **Item 13 – Closed Session**

405

406 To consider a motion to convene in Closed Session under Section 19.85(1)(e) for the purpose of  
407 deliberating or negotiating the purchasing of public properties, the investing of public funds or  
408 conducting other specified public business whenever competitive or bargaining reasons require a  
409 closed session:

410

411 • Discussion and negotiation strategy regarding the proposed Sanitary Sewer  
412 Agreement with the City of La Crosse

413 • IAFF, International Association of Firefighters, Local 127

414 • OPPA, Onalaska Professional Police Association

415 • SORD, Supervisory Officers Relation Division

416

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417 If any action is required in Open Session, as a result of the Closed Session, the Committee will  
418 reconvene in Open Session to take the necessary action and/or continue on with the printed  
419 agenda.

420

421 Motion by Ald. Stevens, second by Ald. Olson, to convene in Closed Session.

422

423 On roll call vote: Ald. Dan Stevens – aye, Ald. Jim Olson – aye, Ald. Kim Smith – aye. In  
424 Closed Session at 8:01 p.m.

425

426

427 Recorded by:

428

429 Kirk Bey