

## FINANCE & PERSONNEL COMMITTEE

July 11, 2023

6:40pm

PRESENT: Chairperson Rusniak, Members Fulop, Savage and Alternate Regan

ALSO PRESENT: City Administrator Steve Volkert, Wastewater Director Dan Dentice, Police Chief Scott MacFarlan, Fire and Rescue Chief Paul Stephans, Parks and Recreation Director Randy Wojtasiak

Call to Order – Chairperson Rusniak called the meeting to order at 6:40 p.m. in the Common Council Chambers of Hartford City Hall, 109 North Main Street.

Roll Call – All members were present, with Alderperson Regan filling in for Alderperson Kohler

Public Comment Period – None.

Discussion and consideration of denying the sewer backup claim for Acuity Insurance on behalf of Gust Zignego – Director Dentice explained that a crew was cleaning roots in the area and sometimes the water pressure from the cleaning nozzle can blow back into a homeowner's lateral and sometimes up into their floor drains or toilets. The homeowner's insurance company has now filed a claim with the city. Administrator Volkert explained the city then takes the claim to CVMIC, which then takes the stand that as long as the city was not knowingly doing something wrong and the city should deny the claim. The homeowner then has an opportunity to take legal action against the city, in which they would have to prove that it was the city's negligence that caused the damage. Whenever the city is doing maintenance on the collection system, it is understood that as long as the city follows proper procedures for the cleaning of the collection system, things like this can happen but it is not due to the city's negligence.

Alderperson Savage asked if a private company were to perform this sewer clean out service, and something happened like this, would the private company then be responsible. She then asked if that company were responsible, why wouldn't the city be responsible in this case. Administrator Volkert explained that the city owns and is responsible for the main collection system. A private company would not be cleaning or maintaining the city's collection system. Also, if there were to be a backup due to a private company performing work, it would not necessarily be due to negligence, which is the important part. The private company's insurance would also likely deny a claim like this and require the homeowner to take legal action to prove the damage was due to negligence.

MOTION by Alderperson Fulop, seconded by Alderperson Regan approving the denial of the sewer backup claim for Acuity Insurance on behalf of Gust Zignego.

MOTION CARRIED UNANIMOUSLY.

Discussion and consideration of denying the sewer backup claim for The Local Collective – Director Dentice explained this sewer backup was caused by grease and rags clogging the sewer main, which is something the city could not have anticipated or prevented. The city cleared the clog and helped clean the basement that flooded.

Alderperson Regan asked if cleaning the basement was over and above what the city needed to do, which was confirmed.

Alderperson Fulop asked if all the city did in this case was to purge the clog, there was no city process that would have caused the flooding. Director Dentice indicated that the basement flooding was a result of the sewer clog, which was present before the city crew arrived at the building. The city did not cause the issue, the city corrected the problem by clearing the sewer main. Alderperson Fulop then asked if the city was liable if the system is not being regularly maintained. Administrator Volkert advised that the city is regularly maintaining the collection system, and there are records to show that. Alderperson Fulop revised his question to ask that as long as there is regular maintenance of the system, the city is absolved of liability if there is an incidental clog. Administrator Volkert confirmed and added that when addressing a problem, as long as proper procedures are followed, there is no liability to the city. Alderperson Fulop then asked how those proper procedures are determined. Administrator Volkert answered that the city follows standard procedures from the sewer industry.

MOTION by Alderperson Regan, seconded by Alderperson Savage approving the denial of the sewer backup claim for the Local Collective.

MOTION CARRIED UNANIMOUSLY.

Alderperson Fulop then asked about the follow-up to denying these claims. Administrator Volkert explained that the homeowner would next likely hire an attorney, and that attorney would review if the city is maintaining the collection

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system, and the procedures were followed according to the standards. The attorney would then have to prove the city's negligence within those areas. The city's insurance would then step in.

Discussion and consideration of authorizing the appropriate City Officials to enter into the crossing guard contract with the Hartford Joint #1 District – Chief MacFarlan explained that this contract is an extension of the previous contract that was in place from 2017-2023. The contract is essentially identical, and will be for another six years. Administrator Volkert clarified that the city pays half with Hartford Joint #1 District paying the other half.

Aldersperson Fulop asked if the pay would vary based on the number of students in the area or if it is straight pay. Chief MacFarlan explained that the only thing that would vary would be the individual who is physically working at the crosswalk and what benefits they receive. The services are the same length from year to year, regardless of student attendance.

MOTION by Aldersperson Fulop, seconded by Aldersperson Savage authorizing appropriate City officials to enter into the crossing guard contract with the Hartford Joint #1 School District.

MOTION CARRIED UNANIMOUSLY.

Discussion and consideration of authorizing appropriate City officials to move forward with transitioning dispatch services to the Washington County Sheriff's Department and purchase Pro Phoenix records management software for a cost not to exceed \$166,845.00 – Chief MacFarlan began by explaining that it was very important to him that none of the current staff lose their employment. Chief MacFarlan has been successful in finding a way to keep staff on board through this transition, which included regular attrition. Funding and legislation in Wisconsin are pushing agencies like ours into this position. Over the last few years, there had been discussion of grants being made available to assist with funding of transitioning to Next Generation 911, however, the city did not qualify for any of those grants. The timing of this transition is also important, as there are CIP projects that were due to begin soon that may not be needed after transitioning dispatch services to the county. There will also be some cost-savings by transitioning dispatch services to the county.

Chief Stephans commented that this decision is not a reflection of any dissatisfaction with any dispatching service from the City of Hartford. He also mentioned that the timing of implementing the Next Generation 911 along with a continuing increase of call volume for Fire and Rescue, is critical as the city would have needed to begin to increase staffing within the dispatch center in order to maintain the level of service. Fire and Rescue operations would most likely experience an increase in efficiency by transitioning dispatch services, as Washington County currently receives all wireless 911 calls and has to transfer those calls to the city, costing time. Additionally, Fire and Rescue currently has to issue information twice when responding to a call outside of the city, also costing time.

Aldersperson Regan asked if what is being approved at this meeting is sort of the whole package of the transition and that would include the AT&T contract being canceled. Chief MacFarlan confirmed that the transition is what is being approved and that the AT&T contract would be canceled. Aldersperson Regan asked if there were any ramifications to canceling the contract. Chief MacFarlan confirmed that there wouldn't be any ramifications.

Aldersperson Fulop asked if Washington County would be looking for any chargeback in exchange for taking on the dispatching services for the city. Administrator Volkert advised that Washington County would be taking this responsibility without asking for any money in exchange.

MOTION by Aldersperson Fulop, seconded by Aldersperson Regan authorizing appropriate City officials to move forward with transitioning dispatch services to the Washington County Sheriff's Department and purchase Pro Phoenix records management software for a cost not to exceed \$166,845.00.

MOTION CARRIED UNANIMOUSLY.

Discussion and consideration of authorizing the approval of the purchase of a new 2023 Ram 1500 4 x 2 Classic Tradesman truck from Ewald Automotive Group as specified with options for \$31,214 and accepting the Ewald Automotive Group trade-in offer for the 2008 GMC 1500 Sierra pick-up in the amount of \$4,725 – Director Wojtasiak explained this truck was a 2022 CIP project. However, Dodge notified the city in December, that the order was not going to be fulfilled, so the truck needed to be reordered. The amount originally budgeted was \$25,500 and the current cost of the truck is \$26,489, a difference of \$989. The finance department advised there is enough debt budget to cover the overage.

Aldersperson Fulop asked why the city is purchasing a 2-wheel drive truck. Director Wojtasiak explained that this truck is replacing a vehicle primarily used for cemetery work where 4-wheel drive is not needed, and a 4-wheel drive truck is more expensive.

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MOTION by Alderperson Regan, seconded by Alderperson Savage authorizing the approval of the purchase of a new 2023 Ram 1500 4 x 2 Classic Tradesman truck from Ewald Automotive Group as specified with options for \$31,214 and accepting the Ewald Automotive Group trade-in offer for the 2008 GMC 1500 Sierra pick-up in the amount of \$4,725.  
MOTION CARRIED UNANIMOUSLY.

Adjournment – MOTION by Alderperson Savage, seconded by Alderperson Fulop for adjournment at 7:05 p.m.  
MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,  
Shanna Kreilkamp, City Clerk

FPJUL11.23  
Compiled by Samantha Walters, Deputy Clerk