

EMPLOYEE RELATIONS COMMITTEE MEETING

Tuesday, October 9, 2007

Council Chambers

PRESENT: Alds. Maher, Meaux, Purins, Stepaniak – 4

EXCUSED: Ald. Krill

ALSO PRESENT: A. Kesner, City Atty.; B. Aldana, City Atty./Human Resources Dir.; Police Chief B. Weber; Fire Chief D. Redman; Asst. Fire Chief M. Anton; Asst. Fire Chief J. Hevey; Deputy Fire Chief M. Carberry

Ald. Purins as chair called the meeting to order at 7:30 p.m.

Amendment to city code Section 2.52.240 to change the residency and take-home vehicle requirements for fire department command staff

Chief Redman referred to his memo regarding the residency requirement and take-home vehicles saying that 5 out of 6 of the department's command staff live in the city now. He relies on the command staff to be able to respond to incidents and the residency requirement was created to support that. Command staff response to emergencies is extremely beneficial to the city. They found; however, that in preparing a list of eligible candidates for filling positions, the number of internal applicants was very small because of the residency requirement. He noted that they have a command staff opening in the next few months. He asked the candidates about interest if the residency requirement were waived and they now have three times the applicants. He also was interested in how comfortable the Council would be with staff taking city vehicles home outside of the city.

Chief Redman noted that he is willing to allow a change in the residency requirement as long as he can meet his other objective of having command staff arrive at emergencies within a certain period of time. One option would be allowing command staff to live within 3 miles of the border of Wauwatosa or no farther than 6 miles from the work site. More than 6 miles would make it difficult to quickly respond to emergencies. Another option was letting command staff take a city vehicle home outside of the city with the person paying the difference between the mileage within the city and the added mileage to travel outside of the city. He further suggested another option of having employees use their own vehicles for city business and being compensated for the use. He noted that several applicants are willing to move, but one cannot move due to a spousal residency requirement and others have financial considerations that would make it difficult for them to move.

Police Chief Weber expressed support for Chief Redman's proposal. He noted that the residency requirement is not enforced uniformly and could be challenged in court. He stressed that he would like a more diverse workforce and that will not happen if staff is not able to move up to the top tier because of the residency requirement. He pointed out that the neighboring municipalities all have mutual aid agreements. He felt it was time to change the ordinance adding that in the case of the police and fire departments there needs to be a travel limit.

Asst. Fire Chief Anton supported Chief Weber's comments. He thought that staff agreed with Chief Redman that it is important to have people live close enough to be able to respond to emergencies. He noted that the union firefighters do not have any residency requirements.

Asst. Chief Hevey felt that a 3 mile limit from the city's border was more than generous. He moved to Wauwatosa from Madison. At the time his son was in senior high school and chose to stay in Madison with his grandparents. There is always one chief that is on call for emergencies. He preferred that the residency requirement be retained. His family loves living in Wauwatosa. He noted that the applicants for these future positions have known for many years that they would have to move into the city.

Ald. Purins commented that the boundary is based on the response time. Chief Redman stressed that they are looking for a response time of 10 minutes. Ald. Purins asked if there were travel restrictions for those command staff on call. Chief Redman said the person's travel is restricted or else they have to get someone to cover for them. Dep. Fire Chief Carberry emphasized that taking a city vehicle home would not only enable them to respond to incidents in Wauwatosa, but it would enable them to respond to incidents in other municipalities as part of mutual aid agreements. During a major incident like the recent house explosion, they had off duty staff officers on the scene in 4 minutes. To have staff officers living too far out doesn't help the incident commander.

Ald. Stepaniak expressed support for Chief Redman's recommendation. Using response time as a gauge is good for programmatic purposes. It makes sense for the city's interests.

Ald. Maher commented that he is opposed to residency requirements. This is one of those times when both regular staff and command staff appear to agree. He noted the option put forth by Chief Redman to move the residency requirement to 3 miles from the border of Wauwatosa. He wanted to know if it would be possible to substitute the miles for response time. He was not opposed to the 3 mile limit. He also wanted to know how this would impact the ability to recruit in the future. Chief Redman responded that of the 9 applicants in the pool, 2 currently live within the 6 mile travel distance from the work place. Several live considerably farther away and would have to relocate or be granted a major exception. He thought they would have enough applicants this time. Changing the residency requirement would not change anything as far as mutual aid and other communities being able to respond to Wauwatosa. Most of the other communities do not have residency requirements. They city would still have command staff responding to major incidents.

Ald. Maher thought this recommendation was more of an administrative call. He also thought that either the employees should use their own vehicles and be reimbursed or they should take city vehicles home and reimburse the city for the difference in mileage if they live out of the city's borders. Chief Redman added that either option would make command staff more available for emergency response. He added that he has experienced frustration with the vehicle use policy.

Asst. Chief Anton thought he would not use his personal vehicle for any type of emergency response. He felt that anyone who did might be delayed. He added that he would not be able to get insurance for driving his personal vehicle to an emergency response. When he is at home he would use the emergency response vehicle and have a better response time.

Ald. Meaux asked how many command vehicles there are. Chief Redman replied that there are 5 take home vehicles and 1 on duty at the station. Asst. Chief Anton noted that those vehicles are used on a daily basis for normal administrative duties.

Ald. Stepaniak asked if Chief Redman would rather have a limit of 3 miles from the city border or 6 miles from its functional equivalent. Chief Redman responded that the easiest definition is 3 miles from the Wauwatosa border. Ald. Stepaniak stressed that he would like to give Chief Redman administratively defined flexibility. Ald. Purins suggested within 3 miles of the border or an appropriate response time per Chief Redman.

Moved by Ald. Stepaniak, seconded by Ald. Meaux to recommend that the Common Council draft an ordinance for introduction amending Section 2.52.240 of the city code to change the residency requirement in the fire department to 3 miles from the border of Wauwatosa or the demonstrated equivalent response time and that command staff be allowed to take home fire department vehicles within the amended residency limit – 4

The meeting adjourned at 8:05 p.m.

Carla A. Ledesma, City Clerk
City of Wauwatosa

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