

Coulee Region Joint Municipal Court Committee

Thursday, August 18, 2016

1

1 The meeting of the Coulee Region Joint Municipal Court Committee was called to order at 3:33
2 p.m. on Thursday, August 18, 2016. It was noted that the meeting had been announced and a
3 notice posted at City Hall.

4
5 Roll call was taken with the following members present: Village of Holmen Representative
6 Scott Heinig, Village of Holmen Representative Shane Collins (alternate), City of Onalaska
7 Representative Joseph Davis, Town of Shelby Representative Sean Horton (alternate), Town of
8 Campbell Representative Lee Weis (alternate), Town of Campbell Chief Drew Gavrilos, Village
9 of West Salem Representative Teresa Schnitzler

10
11 Also Present: Municipal Court Supervisor Amber Jolly, Financial Services Director/Treasurer
12 Fred Buehler, Municipal Court Judge John Brinckman, Payroll/Finance Clerk Ashley Sebo,
13 Assistant Municipal Court Clerk Mary Lynch

14
15 **Item 2 - Approval of minutes from the previous meeting**

16
17 Motion by Drew, second by Teresa, to approve the minutes from the previous meeting as printed
18 and on file in the City Clerk's Office.

19
20 On voice vote, motion carried.

21
22 **Item 3 – Public Input (Limited to 3 minutes/individual)**

23
24 Scott called three times for anyone wishing to provide public input and closed that portion of the
25 meeting.

26
27 **Consideration and possible action on the following items:**

28
29 **Item 4 – Midyear Report of Accounts Receivable – FIO**

30
31 Amber referred to the spreadsheet detailing the midyear report and noted that the percentage of
32 fines collected to date is 75 percent. This total increases to 78 percent when juvenile/minor fines
33 are removed. Amber said a total of \$10,258.19 has been collected via State Debt Collection
34 from February through August, adding that more than 700 names were submitted for debts on
35 Tuesday.

36
37 **Item 5 – Financials for 2016 – Fred**

38
39 Fred reported the following:

- 40
41
 - Court costs totaled \$41,538.75.

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- 42 • A total of \$85,925.54 has been sent back to the City of Onalaska and the towns and
43 villages. This excludes January, which is held back.
44 • A total of \$100,691.38 in fines and forfeitures has been collected.
45

46 Scott asked Fred to explain how the January payment is ultimately reimbursed.
47

48 Fred said funds are reimbursed when there are positive court costs. The sheets sent to each
49 community show the breakdown between each community. Fred cited the example of the
50 Village of Bangor, noting that forfeitures through July totaled \$5,305.72 and explaining that the
51 month of January is held back because there would be no operating funds if the entire total was
52 returned. Fred said the month of December is held back until the books are closed.
53

54 Motion by Joseph, second by Teresa, to approve the financials, as submitted.
55

56 On voice vote, motion carried.
57

58 **Item 6 – Discussion and Approval of 2017 Coulee Region Joint Municipal Court Budget**
59

60 Fred said he would first address the Personnel Justification Sheets, labeled “Option ‘A’” (status
61 quo) and “Option ‘B’” (new FTE). Fred explained that Option ‘A’ takes the 2016 operating
62 budget and utilizes “the same thought process” for 2017. Fred said the \$21,534 proposed gross
63 salary for the Assistant Municipal Court Clerk in 2017 is based on 1,560 hours and not 2,080
64 hours. Fred noted that the proposed 2017 wages under Option ‘A’ would be \$107,198. Fred said
65 Option ‘B’ would convert the Assistant Municipal Court Clerk’s position into a full-time
66 position. Doing so would increase the proposed 2017 wages to \$119,569.
67

68 Fred referred to the expenditures, noting that page 2 of 4 shows the amount budgeted as well as
69 total activity for 2014 and 2015 (2016 is year-to-date). Fred said there is a slight increase in
70 software maintenance in the 2017 budget (\$6,403 to \$6,725) due to an increase in software
71 maintenance costs. Fred noted there has been a decrease in operating supplies in the 2017
72 budget (\$2,150 to \$1,550).
73

74 Amber said JMC would no longer have to pay for toner when supplies are low because they are
75 automatically replenished through the citywide maintenance contract.
76

77 Fred said toner used to fall under operating supplies and now falls under the maintenance
78 contract. Fred referred to Expense No. 208-51200-810 (“General Capital Outlay”) and said
79 Judge Brinckman has budgeted \$500. Fred said the City of Onalaska has “General Outlay,”
80 which covers office equipment, and anything associated with IT is under “Tech Outlay.” Judge
81 Brinckman has budgeted \$2,000 under “Tech Outlay.”
82

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83 Judge Brinckman said filing cabinets have been included in the budget; however, he had
84 received the wrong webpage and never was able to obtain the government prices for the cabinets.

85
86 Scott asked Judge Brinckman to explain the \$500 budgeted under “General Capital Outlay” and
87 the \$2,000 budgeted under “Tech Outlay.”

88
89 Judge Brinckman said the \$500 is for the purchase of a third chair, noting that the City of
90 Onalaska had purchased several new chairs in 2016 (JMC had received two). Judge Brinckman
91 said \$2,000 has been budgeted for the purchase of a laptop and a PC.

92
93 Amber said JMC had obtained a laptop either at the end of 2015 or in early 2016. Amber
94 referred to the five-year new/replacement projection, noting there is a three-year rotation where a
95 laptop will be replaced in 2018; Mary’s PC will be replaced in 2017; and Amber’s PC will be
96 replaced in 2019.

97
98 Fred noted that the 2017 budget reflects the \$2,500 budgeted for both “General Capital Outlay”
99 and “Tech Outlay,” and he asked Judge Brinckman about the filing cabinets.

100
101 Judge Brinckman said one of the PCs may be removed from the budget because JMC already has
102 a laptop, and he estimated that \$1,000 will be sufficient to purchase one filing cabinet.

103
104 Fred told Judge Brinckman it was his understanding that he wanted to purchase three filing
105 cabinets.

106
107 Judge Brinckman the other filing cabinets would be purchased either in 2018 or 2019. Judge
108 Brinckman said he had intended to budget for two filing cabinets and he noted that the website
109 Fred had sent him did not direct him to the government pricing on the cabinets. Judge
110 Brinckman said the budget would need to increase to \$3,500 if JMC purchased two filing
111 cabinets. The total would remain at \$2,500 if JMC purchased one filing cabinet in 2017 and one
112 in 2018.

113
114 Scott said the committee must discuss Option ‘A,’ which keeps the budget essentially the same
115 as it is for 2016, and Option ‘B,’ which eliminates a part-time position and creates a full-time
116 position.

117
118 Judge Brinckman introduced Mary and noted that within the last year Amber went from being a
119 supervisor to not being in a supervisory position. Amber’s position is now a 40-hour position.
120 Judge Brinckman noted that Amber sometimes worked 50 hours a week when her position was
121 salaried. Judge Brinckman said there are several years of filing that must be completed, and it
122 currently is not being done. Judge Brinckman noted that Mary’s justification is for 30 hours a
123 week and said he is requesting 40 hours a week. Judge Brinckman noted that Mary would not

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124 need \$21,000 for health and dental as her husband is a State of Wisconsin employee.

125

126 Scott asked Judge Brinckman to justify the position.

127

128 Judge Brinckman said, “There’s not enough hours to get everything done right now.”

129

130 Mary noted there has been an increase in citations from all six municipalities and said she inputs
131 every citation. Mary said there is an insufficient amount of time to file everything so records
132 may be kept up-to-date and stated she believes “more manpower” is required so that the
133 necessary tasks may be completed. Mary also noted that there is a significant amount of
134 paperwork from 2012 through 2015 that needs to be address. This includes finding out if
135 citations have been paid, putting suspensions on licenses, and assisting with collections. Mary
136 said she will be able to assist Amber with collections so that the city may collect more funds.
137 Mary also said a significant amount of recordkeeping and organization is required, stating, “It’s
138 not there right now.”

139

140 It was noted that the number of cases has decreased.

141

142 Judge Brickman admitted that the number of cases has decreased, but he also pointed out that
143 JMC sometimes does more work on a dismissed case. Judge Brinckman said if an attorney
144 enters into a diversion agreement it eventually will be placed in the “Dismissed” file. Judge
145 Brinckman said JMC is doing more work on this compared to a regular citation. Judge
146 Brinckman said, “The way things are categorized now do not represent reality. That’s all I can
147 say. You just can’t look at those statistics and figure out whether we’re more or less.”

148

149 Mary said the work required for diversion agreements is twice as much as compared to
150 dismissing a citation.

151

152 Judge Brinckman pointed out that that does not appear in the statistics committee members are
153 seeing. Judge Brinckman also pointed out that a typical diversion agreement might include 15 to
154 20 hours of community service that Mary must monitor.

155

156 Mary told committee members she contacts schools, meets with social workers and contacts
157 attorneys as part of the process.

158

159 Judge Brinckman said he had both Amber and Mary determine whether or not it would change
160 the situation if the dismissed diversion agreements were included. Judge Brinckman said,
161 “Percentagewise, you might find a percent or so a little different. But the percentage between the
162 different communities is about the same. ... I don’t know right now who is paying for the work
163 that’s being done on these diversion agreements. I have to read them over. Mary has to follow
164 up on the work to make sure that they get done. There’s a whole world of work out there that’s

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165 not getting budgeted directly back to each individual city for purposes of allocating ...”

166

167 Teresa asked Mary is she works 30 hours a week.

168

169 Mary said yes, noting that she currently works a flexible schedule, and she makes up her hours
170 when she misses hours.

171

172 Teresa noted she had spoken with Human Resource Director Hope Burchell on Wednesday and
173 said she was told Mary has been working an average of 25 hours a week.

174

175 Mary said, “That’s not what my time sheets show.” Mary noted there were times when she had
176 worked less than 30 hours a week, citing the example of her daughter undergoing heart surgery
177 in 2015. However, Mary also pointed out she had made up for hours at the end of the year.

178

179 Judge Brinckman noted the calendar operates on a 12-month rotating year.

180

181 Fred said it is his understanding that Mary’s work involving unpaid citations is finished after 90
182 days, at which time they are turned over to state debt collection.

183

184 Mary said that is not necessarily the case.

185

186 Fred asked Mary why a citation would be returned to her.

187

188 Mary said JMC must know a citation has been paid so that the Wisconsin Department of Motor
189 Vehicles may be informed so that the suspension may be lifted from a driver’s license.

190

191 Fred said it is his understanding that reminders are not sent out after 90 days.

192

193 Mary said that is correct in terms of sending out letters, “But processing, we still do.”

194

195 Scott noted this is the first time he has been made aware of changing Mary’s position to a full-
196 time position, stating that the committee is just learning about the deficiencies and needs being
197 expressed. Scott said the Village of Holmen was expecting “a very modest increase” to the
198 municipal court system, “with the exception of your true needs. ... I don’t know what the City of
199 Onalaska’s overall position is with the [Common] Council and their needs, citywide.”

200

201 Judge Brinckman noted that “two or three” individuals from the City Clerk’s Office have been
202 added to the 2017 JMC budget and said, “I know it was discussed in a very surface type of a
203 way.” Judge Brinckman noted that both Ashley and Deputy Finance Director Kim Isensee
204 would be working approximately 8.75 hours per month, and Hope would be working
205 approximately 7 hours per month. Judge Brinckman said, “I haven’t gotten any justification for

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206 those numbers yet, and I don't know where they came from. But it's a shame if that gets in the
207 way of some of the things that we need. But again, hopefully there will be some justification for
208 those numbers coming through, also."

209

210 Teresa asked if the police secretary was collecting citations.

211

212 Judge Brinckman said yes.

213

214 Teresa asked if the police secretary was previously in the JMC budget.

215

216 Judge Brinckman said yes.

217

218 Teresa asked if the Mary's position is replacing the police secretary position.

219

220 It was noted that Finance Support Clerk Jackie Peters replaces the police secretary.

221

222 Fred told Scott there is a reduction in wages with Jackie's position compared to the police
223 secretary position.

224

225 Scott asked Fred to justify why Hope has been included in the 2017 budget.

226

227 Fred told Scott, "We can't offer services from the city free." Fred noted this is a Special
228 Revenue Fund and said all funds, be they a Special Revenue Fund or an Enterprise Fund, need to
229 "pay their share of services being rendered and allocated out proportionally. Five percent of
230 2,080 hours is pretty small put over in the course of a year. I do feel these are more than
231 reasonable and probably should have been allocated out before that had not been graded out."

232

233 Scott said he agrees with Fred, stating the Village of Holmen would take the same action if it
234 were in the City of Onalaska's position. Scott said he does not disagree with the reallocations
235 being shown, stating, "I just thought for the health of the group that there is a justification there.
236 If we're looking at a total of \$6,000, approximately – maybe \$7,000 – that's a little bit more than
237 what we had before. But at the same time, the wage structures have dropped because of the two
238 changes in the staff positions that we had before."

239

240 Judge Brinckman referred to the "HR Director" line listed under "Comments/Notes" at the
241 bottom of the page and noted that the HR Director serves in this capacity for every department in
242 the City of Onalaska. Judge Brinckman asked for an explanation as to why several City of
243 Onalaska departments "don't have any percentage of these people and we do." The line to which
244 Judge Brinckman referred contains the following: HR 65 percent, Water 13 percent, Sewer 13
245 percent, Omni Center 5 percent, JMC 4 percent.

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247 Scott noted the departments Judge Brinckman just listed are General Fund department operations
248 and said the city “is not going to charge itself to serve the HR responses for its own operation.
249 This is a Special Revenue Fund. Basically it’s a business like the utilities.” Scott said the City
250 of Onalaska is making the point that it will charge for the time that it takes for the
251 aforementioned individuals to process actions on behalf of the city for the JMC.

252
253 Teresa asked if there are five funds.

254
255 Teresa was told yes, and she also was told that Fire and Police are under the General Fund.

256
257 A question was asked regarding the amount that JMC is being asked to allocate.

258
259 Scott said this is traditionally determined based on the allocation of time associated with the
260 department.

261
262 A question was asked whether this amount of time is recorded or estimated.

263
264 Fred said it is based on estimations of what has been done in the past.

265
266 Scott said he does not disagree with the financial figures being presented. However, Scott also
267 said he is not entirely comfortable with the support of a new position immediately, adding he
268 believes it can be discussed as part of the 2018 budget. Scott then welcomed input from
269 committee members.

270
271 Judge Brinckman again noted that approximately \$22,000 will be removed from the budget
272 because Mary will not be asking for insurance.

273
274 Scott pointed out that while Judge Brinckman is correct, Mary could terminate her employment
275 with the city and the position would be a full-time position that applies to the same policies as
276 other full-time positions in the City of Onalaska.

277
278 Joseph said he believes it is a position that needs to be filled if there is a significant amount of
279 work that needs to be completed. However, Joseph also said he believes more time is needed
280 and that this position could be considered in the 2018 budget.

281
282 Sean said he agrees that more time is needed to examine this position.

283
284 Lee asked if perhaps hiring another part-time individual is an option.

285
286 Scott said the justifications brought forward today suggest that it would be more efficient to
287 convert Mary’s position into a full-time position.

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288

289 Mary said she is in a position where she could take insurance because she works 30 hours a
290 week, but she opted out.

291

292 Teresa suggested that perhaps the position could gradually transition to a full-time position over
293 the course of half a year.

294

295 Motion by Scott, second by Teresa, to accept the proposed 2017 Coulee Region Joint Municipal
296 Court Budget as submitted, utilizing Option 'A.' This is with the understanding that the City of
297 Onalaska Common Council may modify Option 'A' at its discretion if it so chooses.

298

299 On voice vote, motion carried.

300

301 Mary asked what type of justification and proof the committee was seeking.

302

303 Scott reiterated that today is the first time he has been made aware of the challenges being faced
304 and asked Mary to show the committee evidence in the coming months of what has been
305 discussed at this meeting.

306

307 Judge Brinckman noted that there had been discussions regarding converting the position into a
308 full-time position and said this is the first year it has been requested in the budget.

309

310 **Adjournment**

311

312 Motion by Teresa, second by Joseph, to adjourn at 4:33 p.m.

313

314 On voice vote, motion carried.

315

316

317 Recorded by:

318

319 Kirk Bey