

**CITY OF NEENAH
FINANCE AND PERSONNEL COMMITTEE MEETING
Monday, May 13, 2024 at 7:00 pm
Hauser Room, Neenah City Administration Building
211 Walnut Street, Neenah, Wisconsin**

MINUTES

The meeting was called to order by Chairman Erickson at 7:00 pm.

Present: Chairman Erickson; Aldermen, Boyette and Borchardt, Mayor Lang, Director of Finance Rasmussen, Director of Human Resources Fairchild, and Clerk Nagel.

Absent/Excused: Aldermen Steiner and Ellis.

Also Present: Aldermen Lendrum and Pollnow, and Community Development Director Haese.

1. **Public Appearances:** None.
2. **Minutes:** Motion/Second/Carried Borchardt/Boyette to approve the minutes from the May 6 2024, Regular meeting as written. All voting aye.
3. **Approve Interim City Attorney agreement. (Mayor Lang) (Attachment)**

Motion/Second/Carried Borchardt/Boyette to recommend Council approve the hiring of Attorney James Walsh as Interim City Attorney for 8 hours/week at \$125/hour as outlined in the contract with a review after 45 days to assess workload needs are being met, with funding coming from the general fund, all voting aye.

Discussion: Mayor Lang reviewed her memo of May 13, 2024, with the committee highlighting that guidance was given by both Attorney Struve of the City of Menasha and Attorney Macy of Von Briesen on how to proceed with an Interim City Attorney. The City Attorney's role is two pronged: prosecution and daily activities such as review of contracts, agreements, ordinances, Council meetings etc. Attorney Struve is willing to provide the prosecution piece at no cost to the city under the current informal agreement. Although there is an informal agreement in place, Attorney Struve would like a more formal agreement between the two cities. A more formal agreement can be accomplished with an ordinance amendment allowing the attorney to decide how much assistance would be feasible to help the neighboring community. In essence it would be at the attorney's discretion.

Attorney Struve recommended that the city contact Attorney James Walsh, recently retired City of Appleton Attorney. Attorney Walsh was Appleton's City Attorney for thirty years. Attorney Walsh is willing to help the city by serving as the Interim City Attorney. Attorney Walsh would be responsible for the daily attorney tasks and would hold regularly scheduled office hours to be available to staff. The regularly scheduled office hours would be 8 hours/week at \$125/hour to be held Tuesdays and Thursdays from 9am to 1pm. Attorney Walsh would also have a city email address, no phone. Attorney Walsh would begin as Interim City Attorney on May 15th.

Funding for the Interim City Attorney was discussed. Director Rasmussen recommends forgoing the budgeted 2024 transfer from the General Fund to the Liability Insurance Claims Fund as a funding source for the Interim City Attorney. The Liability Insurance Claims Fund transfer would be reappropriated to the Outside Legal Services in the General Fund to cover to finance the Interim City Attorney.

There was discussion on if eight hours would be enough time to compensate for a regularly scheduled full-time employee. It was determined that a review would be done after 45-days to see that the workload needs are being met. If not, adjustments could be made to the number of office

hours Attorney Walsh is providing. There will be a heavy reliance on the Paralegal to fill in the gaps and in scheduling Attorney Walsh's time.

4. **Adjournment**

Motion/Second/Carried Borchardt/Boyette to adjourn the meeting 7:16 pm. All voting aye.

Respectfully submitted,

A handwritten signature in cursive script that reads "Charlotte Nagel". The signature is written in dark ink and is positioned above the printed name.

Charlotte Nagel
City Clerk

From: Vicky K. Rasmussen
Sent: Thursday, May 9, 2024 2:41 PM
To: Jane B. Lang <JLang@neenahwi.gov>
Subject: Recommendation for Funding Outside Legal Services

Jane,

I recommend that we forgo the budgeted 2024 transfer from the General Fund to the Liability Insurance Fund for Liability Insurance Claims. We could reappropriate these funds to DOLAS outside legal services. The Liability Insurance fund balance ending 12/31/23 is approximately \$151,925. The page shown below can be found on page 370 of the 2024 Adopted Budget book.

The \$70,000 would cover the expenses for an Interim attorney (as illustrated below); plus, any other legal expenses we would need to cover in Dave's absence.

Interim Attorney

6 months: \$125/hour x 8 hours a week for 26 weeks = \$26,000
12 months: : \$125/hour x 8 hours a week for 52 weeks = \$52,000

**CITY OF NEENAH
2024 ADOPTED OPERATING BUDGET
PROGRAM COMMENTS**

Department/Office:	Budget:
Finance	Liability Insurance Fund
Program: Internal Service/Trust/Agency Funds	Submitted by:
	Vicky K. Rasmussen

Liability Insurance Fund
2024 Adopted Budget

The City of Neenah Liability Insurance Fund accounts for all revenues and expenditures associated with liability claims of the City. The Fund is funded by unspent dollars budgeted for liability claims in the City's General Fund. Expenses in the fund include the cost of liability claims and transfers to the General Fund to pay for costs associated with limiting the City's liability risk. The fund also accounts for debt related activity associated with the City's investment in the Cities and Villages Mutual Insurance Company.



Due to recent increases in the claims funded by the City's self insured retention, the City's General Fund raised the budget for liability claims by \$10,000 to \$60,000 starting in 2014, with another increase to \$70,000 starting in 2016. These funds are then transferred to this fund to cover costs associated with claims incurred.

	2022 Actual	2023 Budget	2023 Estimate	2024 Proposed	2024 Adopted
Fund Balance (Current Assets less Current Liabilities), Jan. 1	\$199,886	\$151,925	\$151,925	\$151,925	\$151,925
REVENUES					
Transfers from General Fund for Liability Insurance Claims	70,000	70,000	70,000	70,000	70,000
Total Revenue	70,000	70,000	70,000	70,000	70,000
EXPENDITURES					
Liability Claims	117,961	70,000	70,000	70,000	70,000
Total Expenditures	117,961	70,000	70,000	70,000	70,000
Excess Revenues Over (Under) Expenditures	(47,961)	0	0	0	0
Fund Balance, December 31	\$151,925	\$151,925	\$151,925	\$151,925	\$151,925

Thank you,

Vicky Rasmussen, CPA

Director of Finance
City of Neenah
244 Walnut Street