

COMMITTEE OF THE WHOLE MINUTES
WEDNESDAY, MAY 9, 2018
7:00 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE

Call to Order

Roll Call

Pledge of Allegiance – President Pfannerstill

Present: Trustees Anson, Dorau, Meyers, Landwehr, Swenson, Wallschlager, President Pfannerstill

Others: Administrator Cox, Clerk Igl, Attorney Jill Pedigo Hall of von Briesen and Roper, S.C.

1. Review and discussion of the Sexual Harassment and Retaliation policy.

Administrator Cox commented that management staff had performed an extensive review of the employee handbook to make sure that the language was clear, that the practices outlined were being followed and to identify language that required modification. The Village attorney's office was engaged to assist in drafting an updated Sexual Harassment and Retaliation policy. The goal was to develop a modern, clear policy around which the Village could make a strong statement against harassment, discrimination and retaliation.

Attorney Hall stated that the goal of having this policy is prevention. The policy alone doesn't stop the activity but informs the employees and the community what the culture of the organization is and provides a strong statement about what behavior that is not allowed. Attorney Hall stated that protected characteristics are included in federal and state laws and that a strong policy, strong training and strong leadership are the best keys to prevention.

President Pfannerstill expressed concerns that he felt there had not been communication about revisions to the policy before it was placed on an agenda for consideration. Concerns were raised by board members that elected officials are included in the policy and the board should have been involved in drafting of the policy. Administrator Cox stated that he had received no comments on the policy from Board members after the draft had originally been provided for consideration.

Attorney Hall stated that the old policy is defective as it doesn't fully describe what harassment and retaliation are and does not outline the reporting process and responsibilities. She stated that this type of policy is generally written by an attorney and revised in a routine manner for Board consideration.

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Board members requested clarification as to what type of action could be taken under the policy against an elected official. Administrator Cox stated that it was not the intent that elected officials would be disciplined under the policy by staff. Any discipline or removal of an elected official is subject to state law and the actions of the electors. There was discussion about how conduct away from Village Hall is treated under the policy. It was indicated that such conduct could be subject to the policy and that this would be addressed more fully during training. It was noted that training is an important aspect of this policy and its implementation.

The Board also sought clarification on the intent as it relates to the reporting of conduct under the policy. Cox and Hall indicated that the intent is to provide a broad range of possible persons to whom an aggrieved person could report issues. However, the Board felt that matter was not clear in the document, especially as it related to their duties.

Administrator Cox stated that modifications will be made to the draft policy including clarification of the intent toward elected officials and clarification of reporting procedures.

2. Discussion related to future Board and Staff communications and practices.

There was discussion related to communications from the Village Administrator to the Village Board. The Board expressed their desire to have proposals for a development or new business in the Village be submitted to the Board prior to Plan Commission review. Administrator Cox proposed that the Village Board review items at the concept level. A developer would be asked to provide a presentation on the proposed project to the Village Board.

Administrator Cox stated that he has been providing updates through memos in "off" weeks recently in an effort to increase communication to the Board. He also suggested that he create some sort of regular activity report to make sure the Board is updated on his activities. Administrator Cox commented that staff has changed the way that it handles distribution of materials for the Plan Commission recently. A draft agenda is prepared following the submittal deadline once the staff review is complete. The draft is then sent to neighboring property owners within 600 feet for Plan Commission items and 300 feet for Architectural Board items approximately two weeks before the meeting. The buffers were previously 300 feet and 100 feet, respectively. Additionally, the draft agenda is sent to the Plan Commission and Village Board at the same time as it is mailed to the public. Plan Commission electronic packets are also sent to the Village Board.

President Pfannerstill requested an update memo on a weekly basis and requested that a listing of items that will be placed on the upcoming Village Board agenda be sent on Tuesday of the week prior.

3. Discussion related to known upcoming agenda items for the May 14 Village Board meeting.

There was discussion regarding an agenda item related to Riverwalk. It was stated that a request has been received from the developer to amend the Planned Unit Development to allow

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the building to be utilized entirely for commercial, eliminating the residential units. It was stated that the building's physical construction and the PUD agreement would allow the building to return to the original plan with residential units on the second floor in the future if desired. This item will be placed on the next Village Board agenda for discussion.

4. Adjournment

Motion (Swenson/Landwehr) to adjourn at 9:45 p.m.

Respectfully submitted,

Darlene Igl
Village Clerk