DE PERE

Finance/Personnel Committee

335 South Broadway
De Pere, WI 54115
https://www.deperewi.gov/

Regular Meeting

Minutes

Tuesday, June 14, 2022 **7:30 PM** **Council Chambers and Virtual**

1. Call to Order. The meeting was called to order at 7:30 PM by Mayor James Boyd.

Attendee Name	Title	Status	Arrived
Devin Perock	Alderperson	Present	
Pamela Gantz	Alderperson	Present	
James Boyd	Mayor	Present	
Amy Chandik Kundinger	Alderperson	Present	
John Quigley	Alderperson	Present	

Also Present: City Administrator Lawrence Delo, City Attorney Judith Schmidt Lehman, Assistant City Attorney Kristen Johnson, Public Works Director Scott Thoresen, Finance Director-Treasurer Joe Zegers, Development Services Director Daniel Lindstrom, Human Resources Director Shannon Metzler and Police Chief Jeremy Muraski.

Also Present (Remote): Fire Chief Alan Matzke and Josh Sherman from Accurate Appraisal.

2. Approval of the Minutes of the May 10, 2022, Regular Meeting of the Finance/Personnel Committee.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Mayor
SECONDER:	Devin Perock, Alderperson
AYES:	Perock, Gantz, Boyd, Kundinger, Quigley

3. Public comment upon matters not on the agenda. Comments made during the public comment period shall pertain only to matters under the jurisdiction of the Finance/Personnel Committee, §6-3(f) DPMC.

   None.

4. Consideration and Possible Action on the May 2022 Police Overtime Report.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John Quigley, Alderperson
SECONDER:	Pamela Gantz, Alderperson
AYES:	Perock, Gantz, Boyd, Kundinger, Quigley

5. Consideration and possible action on the Fire Department Overtime and LifeQuest Services Monthly Reports for May, 2022.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Mayor
SECONDER:	Pamela Gantz, Alderperson
AYES:	Perock, Gantz, Boyd, Kundinger, Quigley

6. Consideration and possible action on request from the Chief of Police to authorize expenditure of $10,800 from $56,000 Wisconsin Grant Allocation to purchase ALPR Cameras and Wi-Fi enabled video cameras. *

Following the Motion, the Mayor asked Chief Muraski for some background information on this item, and Chief Muraski explained that the Police Department would like to have surveillance cameras for both driveways into Voyageur Park to gather license plate data and hope to expand the surveillance area further outside the park. In response to Alderperson Chandik Kundinger, Chief Muraski advised that these are fixed-place cameras that are solar powered or hardwired into a light pole. Mayor Boyd confirmed funding is available from the Wisconsin Grant Allocation.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Devin Perock, Alderperson
SECONDER:	James Boyd, Mayor
AYES:	Perock, Gantz, Boyd, Kundinger, Quigley

7. Consideration and possible action on request from the Chief of Police to authorize expenditure of $38,800 from unassigned reserves to purchase patrol rifles.*

Chief Muraski advised the Committee that the grant funding secured in April is not eligible to be used for this purpose. Mayor Boyd clarified that the ask at this time is for another funding source as this is clearly a need for the department.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John Quigley, Alderperson
SECONDER:	Pamela Gantz, Alderperson
AYES:	Perock, Gantz, Boyd, Kundinger, Quigley

8. Consideration and Possible Action on Creating an Ordinance Related to Trespassing on Municipal Parking Facilities.*

The Mayor requested that Assistant City Attorney Johnson provide background on this item prior to entertaining a Motion, and she explained that it was requested during the Common Council meeting last week for the Law Department to draft an ordinance on this issue based upon Madison's ordinance. For reference, the current bond schedule was provided for forfeitures under Chapter 8, De Pere Municipal Code. She added that the schedule does not include court courts, so a forfeiture of $200 is $313 with costs; the forfeiture of $250 is $376 and $400 is $565. Police officers have discretion to apply the ordinance to a particular activity and they could issue a park ban.

In response to Mayor Boyd's question on the reference to “four violations” in the Madison draft, ACA Johnson explained that this provision is not relevant to trespassing, it is in reference to parking tickets. Alderperson Chandik Kundinger indicated that the draft presented seems too vague; that "reasonable time" is subjective, and she was hoping the ordinance could be clarified more, as she wants it to be enforceable. ACA Johnson replied that other problematic activity is already addressed in other ordinances; this ordinance is intended to prohibit the activity of lingering about with no real purpose. Madison's ordinance is more detailed as it covers parking facility regulations; trespassing is only a small section of that ordinance, once the parking tickets and parking enforcement portions are removed. This ordinance is intended to be used in conjunction with those that already exist to hold people accountable. The Mayor added it is intended to specifically address loitering.

In response to Alderperson Perock, ACA Johnson advised that the issues with the flamingos in the Nicolet Alley would be addressed by a different section of the code or by disorderly conduct citations. "Keep Off" signs will also be placed in that area.

In response to the questions of Alderpersons Gantz and Chandik Kundinger, ACA Johnson explained that Madison's ordinance seems to stress the purpose of the parking facility for parking. An officer has discretion as to appropriate time; however, it is hard to regulate this type of behavior as there enforcement issues and potential proof issues, and it is hard to remove those issues when drafting an ordinance.

Administrator Delo asked the Committee to think of this as a tool that the Police Department can use to enforce issues that are occurring in the parking facilities. The Mayor added that he is comfortable with the draft and having it move forward as final. ACA Johnson advised that bond schedule is already in place and has been previously approved by the Common Council. Citations for this ordinance fall generally under Chapter 8.

In response to the Mayor's Motion to approve the draft ordinance as presented, ACA Johnson confirmed that the Committee intends the same version considered at this meeting to move forward to Council.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Mayor
SECONDER:	Pamela Gantz, Alderperson
AYES:	Perock, Gantz, Boyd, Kundinger, Quigley

9. Notification of Discontinuation of Health Assessments.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Mayor
SECONDER:	Amy Chandik Kundinger, Alderperson
AYES:	Perock, Gantz, Boyd, Kundinger, Quigley

10. Consideration and possible action on MSA Professional Services, Inc. Proposal for Community Development Block Grant Eligibility Determination for Street Improvement Projects.*

In response to Mayor Boyd's request for detail on this item, Public Works Director Thoresen advised that the City is currently under contract with MSA to assist all city departments to identify grants to apply for to fund various projects.

This request is for MSA to investigate whether the City is eligible to apply for Community Development Block Grant funding for street improvement and reconstruction projects. It involves a determination as to whether 51% of residents adjacent to the improvement are of a low to moderate income; a salary survey is needed. This request is just to start the initial process to determine eligibility in hopes to apply in 2023 for a grant to be utilized in 2024. The 2023 budget would fund that process, if eligible. This item requests $3,500 to $4,700 from unassigned reserves for the first phase. A contract amendment is needed to the current MSA Agreement to add these services.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Amy Chandik Kundinger, Alderperson
SECONDER:	Pamela Gantz, Alderperson
AYES:	Perock, Gantz, Boyd, Kundinger, Quigley

11. Consideration and possible action for approval of preliminary 2022 borrowing.*

Finance Director-Treasurer Zegers advised that he has been coordinating with department heads to review numbers in the approved budget to verify bonding for 2022. On pages 54-56 of the agenda packet there is a list of adjusted items from the adopted budget being slated for a short-term note, a 10-year note, or for TIF projects; highlights have been made to items that have changed. He shared a few major changes, including additions for resurfacing various streets for $740,000, $150,000 to TIDs 8,11, 12 and 15 for the South Bridge Corridor; $50,000 for DOT Main Avenue design and street light inventory repair; TID funding is also included for the extension of American Boulevard and Commerce Drive.

The next 2-3 weeks will be spent reviewing the worksheet for anything additional so that a preliminary resolution can be ready for the July Finance meeting. In response to Alderperson Gantz's question as to why American Boulevard is so high, Public Works Director Thoresen advised that project bids are coming in higher, and Development Services Director Lindstrom added that this project includes a Green Bay Metropolitan Sewerage District main line running through, as well as significant infrastructure in American Boulevard that Commerce Drive does not have. Administrator Delo added that due to workloads and inflation, construction projects are significantly higher than a year ago; there is less ability for multiple contractors to bid on projects.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Mayor
SECONDER:	Devin Perock, Alderperson
AYES:	Perock, Gantz, Boyd, Kundinger, Quigley

12. Review and possible action on City of De Pere Investments and Cash Detail report for April 2022.

Finance Director-Treasurer Zegers provided a summary of the cash and investment report ending April 30, 2022. There is a balance of $3.4 million total checking, with $1.4 million in City Checking, $1.9 million in Health and $80,000 for Dental.

Investment depreciation was $309,000 in market value. The Money Market account decreased due to the payment of bills and the LGIP account increased due to receipt of state transportation aids.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Mayor
SECONDER:	Devin Perock, Alderperson
AYES:	Perock, Gantz, Boyd, Kundinger, Quigley

13. Discussion Regarding the Future Funding of the Downtown Facade Grant Program

Development Services Director Lindstrom provided background on this item, wanting to have a discussion closer to the budget cycle and annual TID review regarding the facade grant program. The aesthetic improvements resulting from this program are the envy of other programs around the state. The facade grant program has existed over 20 years in several different forms, with the funding level match being increased: the program started with a 4:1 ratio and is now a 1:1 ratio, with each dollar spent being matched by the City or TID, up to the applicable limit in exchange for the increased tax value of the building. Funding the program is not as economically viable as it is aesthetically viable. His memo in the agenda packet analyzes the current TIDs in the downtown area and shows that these improvements have not appreciated tax value as compared to residential properties. If a TID closes in a deficit, the municipality must pay off that amount before it can close. While the requirements are the same, the TIDs perform differently on both sides of the river. Administrator Delo added that one solution is loaner TIDs; the City has two Joint Review Boards due to having two school districts, with each one including the City, County and the technical college.

Mayor Boyd indicated that he likes the facade program and thinks it should continue, and DSD Lindstrom confirmed that one option is to supplement with funding from the general fund. City Administrator Delo added that staff can keep in mind loaner TIDs when structuring development programs, so the structure will create surplus to pull from when working with development. In response to the Mayor's question regarding payback in relation to the City being annually adjusted, DSD Lindstrom explained that not all are projects are positive, especially when the rest of the building does not change significantly. Administrator Delo added, that in his experience, it is very common for communities to have a deficit. Alderperson Chandik Kundinger added that assessed value is one aspect, that continuing to operate without vacancies is another, to which DSD Lindstrom indicated that this conversation is being approached from a budget perspective and that the program is aesthetically worthwhile.

Mayor Boyd indicated he is fine with Option "a." noted in the memo and keeping the status quo. DSD Lindstrom indicated he is looking for guidance for drafting his budget submission and set this item up as a discussion item and not as an action item.

Alderperson Kundinger proposed that it might be good to assess risks for additional ways to fund the program and that it might be worth expanding options, to which DSD Lindstrom indicated that PILOT (payment in lieu of taxes) would be challenging. Certain business owners could take on a PILOT, but it would be challenging overall. Administrator Delo indicated he is concerned with the risk of establishing a policy of parameters, whether it be too risk heavy or simply adjust and cut-off the grants at a certain time. The Council could adopt a policy to change the program. It was decided that staff would come back with a more detailed proposal for consideration at future meeting.

RESULT:	**DISCUSSED**

14. Staff Presentation and Discussion for Tax Increment Financing (TIF) Overview.

Development Services Director Lindstrom provided a brief overview to the Committee as an annual TID (tax increment district) review. Tax increment financing (TIF) has been used to promote orderly development of the city since 1975. The TIF is the tool and the TID is where is happens. TIFs spread out the cost of development and spread the benefit across the board and creates a public/private partnership to promote industrial and mixed-use development and to eliminate blighted areas. A TIF is not a tax break; a development agreement is entered into and is a tool for public infrastructure projects.

TIDs are increasing in Wisconsin at a faster rate than closures are happening. The base value of a TID increases with public-private projects and increased revenue will pay-off debt at the end as revenue increases over the life of a TID. Type of TIDS are: Blight Elimination - TID 14 - Irwin School; Rehabilitation/Conservation - TIDs 7, 9 and 16; Industrial -TID 10; and Mixed-Use TIDs - 8, 11, 12, 13, 15 and 17.

De Pere is above average for steadily increasing value and is one of the highest in the state. TID creation and amendment is a very rigid process. Although plan creation does have flexibility, improvements should increase value.

The project plan must have eligible TIF projects and there are some prohibited projects. Under the 12% Rule, the equalized value of the taxable property of the TID plus the aggregate value increment of all existing TIDs within the City cannot exceed 12% of the total equalized value of property in the City.

It is necessary to maintain an accurate annual report for closure of a TID; there is a standard three-year extension, a tech college extension for TIDs created prior to 2014, and an affordable housing extension. An amendment to a project plan within 10 years of closure will allow for donor TIDs to utilize funds to a maximum.

Mayor Boyd indicated that this is a very good overview of this process.

RESULT:	DISCUSSED

15. Future agenda items.

None.

16. Consideration and possible action on claim for tax refund filed by Sheila McCarron - Parcel #ED-124-N-44 (1327 Ridgeway Blvd).*

Mayor Boyd made a Motion to allow the tax refund request; seconded by Alderperson Perock.

Upon further discussion, Assistant City Attorney Johnson advised that this matter involves a claim filed due to some information relied upon by Accurate being inaccurate; the error was made by relying on 2021 information, rather than what should have been used from 2020. The Claimant didn't become aware of the issue until after January 31, so the claim was filed late.

Mayor Boyd confirmed with Josh Sherman of Accurate that this was a correct recitation of the circumstances, and he added that the home was listed for sale, and when reviewed it listed remodeling done, and as a result priced out higher than it should have, which he believes is a clerical error under Wis. Stats. § 74.33(1).

Mayor Boyd confirmed that the refund will be paid from the City, and in response to Alderperson Chandik Kundinger, ACA Johnson confirmed that this is the only property impacted by this error.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Mayor
SECONDER:	Devin Perock, Alderperson
AYES:	Perock, Gantz, Boyd, Kundinger, Quigley

17. Discussion and Possible Action on Hiring Outside Counsel to Assist with Police Department Reorganization.*

Mayor Boyd made a Motion to go into closed session at 8:33 PM, seconded by Alderperson Perock. Motion carried by unanimous vote.

Mayor Boyd made a Motion to return to regular order at 8:52 PM, seconded by Alderperson Quigley. Motion carried by unanimous vote.

RESULT:	**NO ACTION**

Adjournment

Mayor Boyd made a Motion to Adjourn at 8:53 PM, seconded by Alderperson Perock. Motion carried by unanimous vote.

***Items with an asterisk require City Council approval.**

Respectfully submitted,
Angela Zills