



Finance/Personnel Committee

Regular Meeting

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

Minutes

Tuesday, December 10, 2024

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
James Boyd	Mayor	Present	
Pamela Gantz	Alderpersion	Present	
Amy Chandik Kundinger	Alderpersion	Present	
Devin Perock	Alderpersion	Present	
John Quigley	Alderpersion	Present	

Also present is City Administrator Larry Delo, City Attorney Tony Wachewicz, Development Director Dan Lindstrom, Community and Economic Development Specialist Quasan Shaw, Human Resources Director Shannon Metzler, Finance Director/Treasurer Pamela Manley, Assistant City Attorney Eric Erdman, Health Director/Officer Chrystal Woller, Police Chief Jeremy Muraski, Detective Sergeant Aaron Hanson, and Attorney Tom Sucevic of MacGillis Wiemer LLC.

2. Approval of the Minutes from November 12, 2024 Regular Meeting of the Finance/Personnel Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Mayor
SECONDER:	John Quigley, Alderpersion
AYES:	Boyd, Gantz, Kundinger, Perock, 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 and Personnel Committee. §6-3(f) DPMC

None

4. Consideration and Possible Action on Health Department copier purchase and subsequent service Contract.*

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

5. Recommendation and Possible Action to Reclassify the Senior Building Inspector.*

Development Services Director Dan Lindstrom was present to talk on this agenda item. He mentioned this is for the reclassification of the Building inspector. The Building Inspector position has been a non-managerial position in the past, however with the new budget and the new code compliance officer, we are requesting the reclassification of that role.

Human Resources Director Shannon Metzler also spoke on this item. She said that this is something we've been considering for a while. We added another position in this department, and it made sense for our structure.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunderling, Alderperson
SECONDER:	Devin Perock, Alderperson
AYES:	Boyd, Gantz, Kunderling, Perock, Quigley

6. Recommendation and Possible Action to Approve City Manager Job Description.*

Alderperson Kunderling had a question if this was just the formal approval process since this was talked about previously. It was clarified and confirmed that this is just the formal process.

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

7. Consideration and Possible Action on revisions to De Pere Municipal Code Section 10-5 concerning Assistant City Manager and Comptroller.*

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Devin Perock, Alderperson
SECONDER:	Pamela Gantz, Alderperson
AYES:	Boyd, Gantz, Kunderling, Perock, Quigley

8. Consideration and Possible Action on Revisions to De Pere Municipal Code Section 6-3 Rules of Order concerning Consent Agenda for Common Council Meetings.*

Alderperson Quigley asked if there is a process if an individual wants to talk about one particular item to break it out. Attorney Wachewicz confirmed that to be true.

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

9. Consideration and Possible Action on First Amendment to Development Agreement with Gypsum Management and Supply - Builders Court (Parcel Nos. WD-L176-1 & WD-1138).*

City Attorney Wachewicz talked about this agenda item. Amendment to a development agreement that we entered into back in May. There was a delay to a closing this past fall. They put in a request to amend certain dates in the agreement. We are in agreement of those changes and that also gives us some time to amend TID #12.

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

10. Consideration and Possible Action regarding an Amendment to the "Deeper Roots - Housing Stock Improvement Program."*

Community and Economic Development Specialist Quasan Shaw was present to speak about this item. The "Deeper Roots- Housing Stock Improvement Program" was something Council approved back in 2023. We marketed it during the rock the block celebration. We have roughly only 2 loans. Only \$24,000 out in loans right now. We are making some changes from the feedback that we've received. We changed the name to the De Pere Home Improvement Loan. We took away the matching funds requirement of \$20,000, Increased the maximum loan amount to \$50,000 for homes that meet the eligibility requirements, Increase interest rate to 1.5 percentage points below the 10-year treasury note rate, Increase the income limit to 120% of the County Median Income, and allow for the applicant to use up to 30% of funds for interior remodeling projects as part of the loan.

Mayor Boyd asked about the reach out and how we can spread the word about this Home Improvement Loan. He asked about going to banks or realtors. Shaw responded that we have run a lot on social media, ads, contacted our partner organizations like De Pere Chamber & Definitely De Pere to help spread the word.

Aldersperson Kunderer brought up a question about putting this information into mailings for water bills to get the word out. Lindstrom said that has been on their radar to possibly do.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Pamela Gantz, Aldersperson
SECONDER:	John Quigley, Aldersperson
AYES:	Boyd, Gantz, Kunderer, Perock, Quigley

11. Consideration and Possible Action on proposed Sale and Development Agreement terms with BCD Holdings, LLC (Bedford Paper) for Parcels ED-2315 and ED-2311 to develop a 100,000-square-foot warehouse facility. *

Development Services Director Dan Lindstrom was present to speak on this item. Bedford Paper is a business located in our East business park on Commerce Drive.

Bedford Paper has been a business in our business park. They tried to come into our industrial park with a large expansion back when COVID was happening. This project was put on hold.

Bedford is looking to expand their existing operations and is out of space in their current facility right now. They would like to stick with the East side, so it is better for their operations.

They are looking at a 2 phased approach to this project. They are looking to do a 100,000 square foot now and then a potential expansion. They would like to be able to relocate some of their warehousing that they have in their current facility. They are looking at a \$5.6 million building. Assumed start date of early 2025, full first revenue year of 2027. Bedford has asked for a PAYGO agreement and a land grant. Proposed terms phase 1 construction of the 100,000 square-foot warehouse by 2026 with the potential 60,000 square-foot warehouse or converting expansion by 2028. The projections are against the mill rates that we have right now. That is important to note since anytime we have parcels by the South Bridge Connector Project area, they are becoming more sought after, which in return helps them and helps the South Bridge Connector Project.

Additional components are the additional berm and landscaping screening, reduced lighting, and a summary expense report at the end of the project.

City components would be a site assembly grant for \$210,000, a developer incentive, and a certified survey map.

All the information is in the packets for committee members.
Staff would recommend approval.

Aldersperson Kunding requested to hear from the community member present from Bedford Paper.

Mayor Boyd made a motion to open the meeting. Aldersperson Kunding seconded the motion.

Steve Peters from Suamico, President of Bedford Paper was present to speak.

They have invested \$10 million in their current business this year. They did some internal work of the building. They've invested \$7 million of that in converting assets, as well as updated some automation in the building itself. Added additional people in the converting line, building a bigger infrastructure, 65 employees at Commerce Drive. They currently lease a space in West De Pere and want to put into their future and build a building since their lease will be coming up soon. Future growth. Adding 60,000 square feet to Commerce Drive.

Mayor Boyd made a motion to go back to our regular session meeting.
Aldersperson Quigley seconded the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Mayor
SECONDER:	Amy Chandik Kunding, Aldersperson
AYES:	Boyd, Gantz, Kunding, Perock, Quigley

12. Consideration and Possible Action on the award of Contract for the Design and Construction Administration of a public parking structure at 230 N. Wisconsin St. (ED-875) to the team of GRAEF/Berners Schober/ECS.*

Development Services Director Dan Lindstrom was present to speak on this agenda item.

Funding of the design as well as the construction is part of the TID districts. We put out an RFP for design & architecture services, as well as an RFP for construction manager at risk. Open for about a month, inquiries of questions and received 2 responses. The two responses were very similar in scope and resources, but one came in significantly lower when it came to cost. The unanimous decision came in to recommend GRAEF for this project. GRAEF will be doing the structural work, Berners Schober will be doing the architecture work and ECS will be doing the Geo-technical engineer part.

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

13. Consideration and Possible Action on a request from Definitely De Pere to waive Invoice #202408015405 related to the 2024 Tour De Pere special event for \$1,461.25.*

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	Devin Perock, Alderperson
AYES:	Boyd, Gantz, Kunding, Perock, Quigley

14. Consideration and Possible Action on the City of De Pere Investment and Cash Detail, October 2024.

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

15. Future agenda items.
None

16. Consideration and Possible Action on Step 2 of De Pere Police Union Grievance regarding Employee Policy Manual Acknowledgement Form.

Attorney Tom Sucevic from MacGillis Weimer and Union President Officer Hanson are present for the Police Union.

Human Resources Director Metzler, City Attorney Tony Wachewicz and Chief of Police Jeremy Muraki are present for the city.

The CBA (Collective Bargaining Agreement) is the governing document for the Police Department. Anyone under the union is governed by the CBA. Where the CBA is silent is when the City Handbook is the authoritative document. Only where the CBA is silent does the city handbook apply to the Police Officers. If there is a conflict in CBA trumps the handbook. The employee handbook was changed and asked to be signed in August 2024. Some of the policies don't apply to the police officers.

A letter was placed in the Police Officers files who failed to sign and acknowledge the City Police Manual. The Union states that every time the Policy Manual is changed, they want wording in there stating that you will agree to the changes as they pertain to you or as the CBA is silent. The Union is requesting that the letter is pulled from the Officers files because it isn't completely accurate and to have something that reflects that they signed the policy once it has been resolved.

Hanson was present to speak as well. He said there is an understanding that when the CBA is silent, they would then fall under the city policies. They are looking for more clarification for people who are signing the form. They don't want to sign the form that they see as contradictory right now. They don't want the letter being brought into consideration if they are involved in a promotional process.

Attorney Wachewicz wanted to address a couple of things on behalf of the city. This is a grievance concerning whether there was some sort of provision in the contract that was violated or some sort of discipline that was imposed. This is not disciplinary of nature. There is no alleged violation that the city has done. The request is for the letter to be pulled from the employees file. The manual applies in any provision in the CBA. We have an acknowledgement form that is specific to public safety that takes these issues into account. There are plenty of provisions in the manual that do apply to them.

Chief Muraski spoke on behalf of the city as well. The Union is objecting to the form. The form that has been in effect for plenty of years. Whenever the policy is updated, we have to notify employees that the policy changed. If something were to happen, we have to have documentation that they were notified about this and they acknowledged that the policy existed. When employees wouldn't agree to sign this acknowledgement form, there needed to be documentation that they were informed that the policy has been updated. This was a non-disciplinary letter just to establish a record that they were advised the policy manual was updated. The letter proposed doesn't require any signature from the employee. There is no space for them to sign. There is a space to acknowledge who talked to the employee and the date and time of that happening. There was also a department wide email that was sent to everyone. He outlined what would happen if they signed the city's form or what would happen if they didn't sign the city's form and provided them with a draft of the letter. Regardless of the outcome, we need to come up with a system that will serve the City and the Department that anytime we update the policy manual, we have to figure out how to document that they recognize that they've been notified that the City's policy manual has changed.

Human Resources Director Metzler mentioned that we have had the same form in place for the last 10 years. The policy manual is for all employees. It is a general policy that includes the whole work force. We have a certain form for unionized employees. At least 80% of the manual is for all employees. They are welcome to come to HR to ask questions. We've never held employees accountable if something comes up that doesn't apply for them.

Muraski would like to add that they put letters in Officers files for numerous reasons. Just because an employees has a letter filed in their employee file doesn't mean it is placed in their discipline sub folder.

Mayor Boyd had a question about the discipline portion of their grievance and why now since we've had this form for years.

Attorney Sucevic is stating that this is a disciplinary letter. It is disciplinary in action. He believes this is the first time a letter like this has been placed in an employees file. He states it could be used for disciplinary action in the future. He is asking for things to be clear. Add a sentence "only the policies that apply to you do you have to acknowledge and need to understand and follow."

Chief Muraski mentioned again that this letter is not a document of discipline. It is simply an informational item and doesn't take over for any of the written forms of discipline.

Aldperson Kunding stated that employees have signed the policy manual update letter in the past and now don't want to sign it. She asked for the context of why this is even a situation.

Aldperson Quigley had a question. If employees have signed in the past, is there something different about the acknowledgement statement this year that makes them not want to sign it?

Attorney Sucevic said that agreeing to and say that I'm governed to policies that don't apply to you could bring up a sticky situation in the future. He's not sure why it wasn't challenged in the past, but he wants to make sure all the members understand what they are signing.

Aldperson Quigley had a question for the city staff. Under the employee acknowledgment of the manual, it states this is for benefit eligible employees, excluding unionized public safety officers.

Director Metzler mentioned there are 3 separate sign off forms. We recognize the policy covers various types of employees. There are things in the policy that don't pertain to all employees (seasonal, etc) and they have to sign off as well. She also stated that Chief Muraski sent out an email to his employees and let them know what the letter was about and it is not a disciplinary letter, which it is not. There are a lot of things that we put in employee personnel files regarding their employment. We are obligated to notify employees on policy changes that they are required to follow.

Aldperson Gantz asked if they want the city to re-write some of the updates, or what are you looking for? And have you spoken to the city about what you want differently?

Attorney Sucevic said that they aren't looking for any manual updates to be re-written. They wanted to add a sentence with the updates and acknowledgement on the letter that states "you are bound by the policies in the policy manual that apply to you essentially when the CBA is silent. "

City Administrator Delo spoke and asked Director Metzler if she was aware that they wanted the sentence Attorney Sucevic was talking about added to the form? Metzler replied with a no, that we wouldn't be here tonight if the city would have been aware that the Union was wanting certain language on the letter. Metzler said that she has no concerns with adding that language to the form but didn't want to speak for everyone.

Attorney Sucevic asked if him and Attorney Wachewicz could take a short meeting and discuss this to see if they could come to some sort of an agreement.

We took a short recess.

Attorney Wachewicz stated that we can be agreeable to add the language to the acknowledgment form. Language will be hammered out later, second part to amend the letter saying that the letter is not disciplinary.

No decision is needed. Withdrawn without prejudice.

RESULT: NO ACTION

Motion to:

PLEASE TAKE NOTICE, that the Committee may convene in closed session pursuant to any of all of the following subsections of Wis. Stat. §19.85(1), for the purpose of:

(a.) Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body.

(b.) Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter; provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session. This paragraph and par. (f) to not apply to any such evidentiary hearing or meeting where the employee or person licensed requests that an open session be held.

(c.) Considering employment, promotion, compensation or performance evaluation data or any public employee over which the governmental body has jurisdiction or exercises responsibility.

(f.) Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.

(g.) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

The Committee may then reconvene in open session to take action on any matter discussed in closed session or for such other purposes as are allowed by law.

17. Adjournment

Mayor Boyd made a motion to adjourn
Aldersperson Perock seconded it.
Adjourned at 8:46 PM

Any person wishing to attend this meeting who, because of disability, requires special accommodations should contact the Clerk's office at 339-4050 by Noon, the previous day so that arrangements can be made.

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

Agenda Sent To:

Alderspersons

City Administrator

Mayor

Department Heads

TV, Newspapers & Radio Stations

Kress Family Library

De Pere Chamber of Commerce

Detective Sergeant Aaron Hanson

Attorney Brendan Matthews, MacGillis Wiemer LLC

Respectfully submitted,
Amy Darnick