



Finance/Personnel Committee

Regular Meeting

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Agenda

Tuesday, December 10, 2019

7:30 PM

De Pere City Hall Council Chambers

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **Finance/Personnel Committee** of the City of De Pere will be held on **December 10, 2019** at **7:30 PM** in the **De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI 54115.**

This meeting can be viewed LIVE at www.depere.tv. This meeting is also rebroadcast on Spectrum Cable Channel 4 and AT&T U-verse Channel 99 throughout the week and available on demand at www.depere.tv.

Call to Order

1. Roll Call
2. Approval of the Minutes of the November 12, 2019 Regular Meeting of the Finance/Personnel Committee.
3. Public Comment Period and other announcements.
4. Fire Department Overtime and LifeQuest Services Billing Reports for November, 2019.
5. Approval of the November 2019 Police Overtime Report.
6. Recommendation from Police Department to revise Section 150-4 Disorderly Conduct with a Motor Vehicle and create Section 150-132 Compression Braking Prohibited.*
7. Recommendation from Police Department to create Section 8-26 Sexting by Minors Prohibited.*
8. Recommendation from Law Department on Repeal of Certain City Ordinances.*
9. Request of HZ Properties LLC that the City Subordinate its Revolving Loan for Refinancing Purposes.
10. Request from Amerilux Holdings, LLC to assign its Option to Purchase Lot ED-2077-1 to LTF Investments, LLC.*
11. Consideration and possible action regarding proposed Purchase/Sale Agreement terms with And Beyond, LLC for a proposed expansion for Infinity Machine located at 2249 American Boulevard (Parcel WD-1138-1). *
12. Consideration and possible action regarding proposed Purchase/Sale Agreement terms with Best Built, Inc for a project located at 1512 American Court (Parcel WD-1626). *
13. Consideration and possible action on 2019 Short Term Note.*
14. Review and possible action on City of De Pere Investments and Cash Detail for October 2019.
15. Future agenda items.
16. Adjournment

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
Scott Santaga
Pat Rafferty
Stacie Maus
Jim Boyea
John O'Connor
Scott Hemauer
Eugene Turchyn
Kurt Voss



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: City Attorney

FROM: Angela Zills

SUBJECT: Approval of the Minutes of the November 12, 2019 Regular Meeting of the Finance/Personnel Committee.

ATTACHMENTS:

- November 12, 2019 Minutes-DRAFT (PDF)



Finance/Personnel Committee

Regular Meeting

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Draft Minutes

Tuesday, November 12, 2019

7:30 PM

De Pere City Hall Council Chambers

1. Call to Order. Mayor Walsh called the regular meeting of the Finance/Personnel Committee to order at 7:30 PM on Tuesday, November 12, 2019, at the De Pere City Hall Council Chambers, 335 South Broadway St., De Pere, WI 54115.

Attendee Name	Title	Status	Arrived
Scott Crevier	Aldersperson	Present	
Ryan Jennings	Aldersperson	Present	
Amy Chandik Kunding	Aldersperson	Present	
Casey Nelson	Aldersperson	Present	
Michael J. Walsh	Mayor	Present	

Also Present: City Administrator Lawrence Delo, Fire Chief Alan Matzke, City Attorney Judith Schmidt-Lehman, Assistant City Attorney Kristen Johnson, IT Director Steve Massey, Finance Director Joe Zegers, Police Chief Derek Beiderwieden, Development Services Director Kimberly Flom, and Bob Weyers of Commercial Horizons.

2. Approval of the Minutes of the October 8, 2019 Regular Meeting of the Finance/Personnel Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Aldersperson
SECONDER:	Amy Chandik Kunding, Aldersperson
AYES:	Crevier, Jennings, Kunding, Nelson, Walsh

3. Public Comment Period and other announcements.

No announcements were made. Mayor Walsh offered the audience the opportunity to speak on any item not on the Agenda; no one came forward.

4. Fire Department Overtime and LifeQuest Services Billing Reports for October, 2019.

Aldersperson Crevier asked Chief Matzke to explain if a specific reason caused overtime in the EMS Training category to be higher this month, to which Chief indicated the overtime was attributed to well-attended standard monthly training and was nothing extraordinary.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ryan Jennings, Aldersperson
SECONDER:	Casey Nelson, Aldersperson
AYES:	Crevier, Jennings, Kunding, Nelson, Walsh

5. Approval of the October 2019 Police Overtime.

Aldersperson Crevier asked Chief Beiderwieden about the spike in overtime for October, which he explained was attributed to mandatory outdoor firearm training at De Pere Sportsmen's Club, resulting in overtime for officers to attend a half-day session. In addition, St. Norbert College hosted training for active threats that was attended in connection with the county and the Fire Department. Aldersperson Nelson confirmed with the Chief that although overtime is higher than projected for the year, it is offset by

decreased salaries for positions that haven't been filled as of yet. Chief further indicated that overtime does have its own category and should be visible on reports accessible through City's financial transparency software, OpenGov.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Casey Nelson, Alderperson
SECONDER: Michael J. Walsh, Mayor
AYES: Crevier, Jennings, Kunding, Nelson, Walsh

6. Consideration and acceptance of donation from Ogan Restaurant, LLC in the amount of \$1,000 to the Fire Department.*

RESULT: ADOPTED [UNANIMOUS]
MOVER: Amy Chandik Kunding, Alderperson
SECONDER: Ryan Jennings, Alderperson
AYES: Crevier, Jennings, Kunding, Nelson, Walsh

7. Consideration of Approval of Nsight Teleservices Quotation to Change Voice Carrier. *
- In response to Alderperson Crevier, IT Director Massey confirmed that the proposed change in service providers would cover all City-owned buildings. In further discussion with Alderpersons Crevier and Nelson, IT Director Massey explained that analog lines are being used for ancillary items, such as panic buttons and the City Hall elevator, but most lines are digital, and while analog lines will be phased out over time to replace and modernize systems, the upgrades are not easy and the benefit is not significant. IT Director Massey added that retaining the analog elevator phone currently is wise as it is not affected by (and is protected from) digital phone outages.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Michael J. Walsh, Mayor
SECONDER: Casey Nelson, Alderperson
AYES: Crevier, Jennings, Kunding, Nelson, Walsh

8. Consideration and possible action regarding hiring a consultant for a boundary amendment to TID #12. *

RESULT: ADOPTED [UNANIMOUS]
MOVER: Michael J. Walsh, Mayor
SECONDER: Casey Nelson, Alderperson
AYES: Crevier, Jennings, Kunding, Nelson, Walsh

9. Consideration and possible action regarding hiring a consultant for the creation of TID #15. *

In response to Alderperson Crevier, Development Services Director Flom explained that the short lifespan remaining for TID #8 limits its ability to earn increment over time; TID #15 would create an overlay tax increment district for new development, as well as permit more time for development of undeveloped properties within TID #8 and allow removal of properties that have already been developed. Alderperson Nelson confirmed with DSD Flom that the consultant, Baird, will analyze TID #15 for financial solvency.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Crevier, Jennings, Kunding, Nelson, Walsh

10. Consideration and possible action regarding hiring a consultant for the creation of TID #16. *

Alderperson Crevier asked whether this TID is intended for just one property, to which Development Services Director Flom indicated that the boundaries had not yet been established but confirmed it is being created to assist 123 North Broadway. The TID boundary could also take into account the Façade Grant Program in terms of whether an expanded boundary would create new assessed value to support the program in that area; this will be explored with Baird, and the boundary may be as small as the parking lot or expanded to include additional properties.

In response to Alderperson Nelson, DSD Flom indicated that the City's current TID percentage is just over 10; there is wiggle room as TIDs #6 and #5 will soon expire; and in her opinion, the City is in a good spot, but the percentage will continue to be monitored to maintain a comfort level.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Amy Chandik Kunding, Alderperson
AYES:	Crevier, Jennings, Kunding, Nelson, Walsh

11. Consideration and possible action regarding Purchase/Sale Agreement terms for a proposed business expansion at 2257 American Blvd and on a portion of Parcel WD-1138-1. *

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Crevier, Jennings, Kunding, Nelson, Walsh

12. Consideration and possible action regarding Development Agreement Terms for a proposed office development in the Southbridge Business Park (Parcel WD-D0036 and WD-D0035-1-1).

Development Services Director Flom advised the Committee that this is an exciting development for the City in the Southbridge Business Park, near Foth, and is the development that is part of the basis for the creation of TID #15. Commercial Horizons owns most of the property for the development and has City property under option; the terms are laid out in the packet materials and a site plan is scheduled to be reviewed by the Plan Commission at its November meeting. Commercial Horizons may do earth work yet this year and plans to begin construction next year. The building was designed by a local company, Performa, and will add a great presence to the business park.

Mayor Walsh made a Motion to open the meeting at 7:49 PM, seconded by Alderperson Jennings. Bob Weyers of Commercial Horizons introduced himself to the Committee and indicated his group currently owns 35 acres near Southbridge Road. Currently located in Howard, UnitedHealthcare employs 1,300 workers and expressed interest in a

new building location, either in Green Bay or the surrounding area. Work is planned to start this winter, with a summer 2021 move-in. Mayor Walsh indicated that this project is certainly a boost for the city and expressed appreciation of the efforts in choosing De Pere. Alderperson Chandik Kunding confirmed with Mr. Weyers that UnitedHealthcare will be the sole occupant of the building. Mayor Walsh made a Motion to return to regular order at 7:52 PM, seconded by Alderperson Crevier

Upon further discussion, Administrator Delo confirmed, in response to Alderperson Crevier, that this is the property adjacent to the highway near the "De Pere sign." DSD Flom added that an easement will be obtained to allow City access to maintain the sign. Mr. Weyers added that his group is currently working through the lease terms and expects to have those completed within the next week or two.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott Crevier, Alderperson
SECONDER:	Amy Chandik Kunding, Alderperson
AYES:	Crevier, Jennings, Kunding, Nelson, Walsh

13. Request of Alderperson Nelson to Reallocate Certain Stadium Tax Surplus Funds to Construct a Concession Area in Voyageur Park.*

Alderperson Nelson advised the Committee that while he was not part of the Council in 2017 when the stadium tax surplus funds were allocated, he is excited by the idea of an amphitheater or stage at Voyageur Park; however, it seems that the project has stalled, so he is suggesting the reallocation of funds to construct a concession stand in connection with the new bathrooms being built at Voyageur Park, expanding upon the draw of the new playground to make the park even more of a destination.

Upon further discussion, Alderperson Crevier expressed his agreement with Alderperson Nelson, and a discussion followed regarding decisions of the Park Board and the status of the stage/amphitheater project. Administrator Delo indicated that this item, as a financial request to reallocate funding, would need council approval once a recommendation is made; the Park Board has not taken action to indicate that Voyageur Park will never have a stage, it has just not taken any action, although no request has been presented as an alternative. Administrator Delo further suggested that the Finance/Personnel Committee could refer the matter to the Park Board. Alderperson Nelson clarified that his suggestion was intended to start a conversation, and he would like the item to channel through the Park Board.

Alderperson Chandik Kunding confirmed that this item is a concept as of now and would need further discussion, such as whether the entire amount of allocated funding would be needed, and Alderperson Crevier added that further information is needed as to whether the concession stand requires staffing or vending services. The Mayor suggested referring this matter to the Park Board to discuss at that level; he believes this is a good idea, but it may be difficult to staff and those types of concerns should be vetted at the Park Board.

Alderperson Nelson made motion to refer this matter to the Park Board, seconded by Alderperson Chandik Kunding.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Amy Chandik Kunding, Alderperson
AYES:	Crevier, Jennings, Kunding, Nelson, Walsh

14. Consideration and Possible Action on Proposed Changes to Sec. 106-6(a) DPMC Regarding Special Events.*

City Attorney Schmidt-Lehman advised the Committee that the memo in the packet highlighted proposed changes to the special events ordinance following a recent meeting of City's Special Events Team. In response to Alderperson Nelson, City Attorney Schmidt-Lehman explained that examples of the new "special hazard event" would be marathons and collegiate or professional sporting events. In response to Alderperson Crevier, City Attorney Schmidt-Lehman reviewed and clarified the definition of a special event, which interferes with the usual flow of traffic or use of parks or other public grounds; only events that utilize the City's portion of the fairgrounds require a special event permit and events which are contained to private-owned property are not considered special events. In response to Alderperson Jennings, City Attorney Schmidt-Lehman advised that the proposed new fee structure mirrors that of Green Bay and having alcohol at an event disqualifies it from the low hazard category.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	Michael J. Walsh, Mayor
AYES:	Crevier, Jennings, Kunding, Nelson, Walsh

15. Consideration of proposal from CLA LLP for sewer utility rate study.*

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Crevier, Jennings, Kunding, Nelson, Walsh

16. Review and possible action on City of De Pere Investments and Cash Detail for September 2019.

Mayor Walsh made a Motion, seconded by Alderperson Jennings, to accept the report. Upon vote, Motion carried unanimously. No further action was taken on this item as it was for discussion purposes only.

RESULT:	DISCUSSED
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17. Future agenda items.

Alderperson Crevier requested a status report of the stadium tax refund projects and funding. Finance Director Zegers will prepare a report to include in a future City Administrator's Friday Memo.

18. Adjournment. Upon Motion of Mayor Walsh, seconded by Alderperson Crevier, the Finance/Personnel Committee unanimously adjourned at 8:07 PM.

Respectfully submitted,
Angela Zills



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: Fire Department

FROM: Lea Taylor

SUBJECT: Fire Department Overtime and LifeQuest Services Billing Reports
for November, 2019.

ATTACHMENTS:

- FIRE DEPT_NOV 2019 OT RPT (PDF)

DE PERE FIRE RESCUEOVERTIME BREAKDOWN BY REASON FOR THE YEAR 2018

REASON	Jan.*	Feb.**	Mar. ***	Apr.+	May++	June+++	July^	Aug.^^	Sept.^^^	Oct.#	Nov.##	Dec.###	TOTAL
DUTY CREW	153.00	117.00	196.50	190.25	135.00	129.00	48.25	129.00	135.25	90.00	81.00	66.25	1,470.50
EMS TRAINING	79.50	31.50	98.00	67.00	61.50	17.75	0.00	0.00	98.50	117.50	121.50	99.00	791.75
FIRE TRAINING	21.75	31.50	24.00	18.00	94.25	16.00	18.50	15.75	0.00	55.00	66.50	34.50	395.75
RESCUE CALLS	17.00	6.75	16.50	10.50	4.00	10.75	4.50	0.00	0.00	24.25	13.00	9.75	117.00
FIRE CALLS	1.00	4.00	0.50	1.25	0.00	0.00	0.00	1.75	0.00	1.50	0.75	2.50	13.25
MEETINGS	30.25	41.25	10.50	12.75	3.75	5.50	4.25	31.50	17.25	5.25	0.00	14.50	176.75
STAFFING REP.	0.00	0.00	77.25	109.00	93.75	36.00	83.00	69.75	85.50	6.00	49.50	309.75	919.50
MAINTENANCE	26.50	6.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	33.25
PUB. ED.	13.50	0.00	17.75	0.75	14.25	6.00	6.00	19.50	29.25	48.00	1.50	0.00	156.50
SPECIAL EVENTS	58.75	0.00	0.00	0.00	211.50	0.00	0.00	32.50	0.00	23.50	6.00	21.00	353.25
# FIRE RUNS	39	35	31	47	38	39	46	48	50	30	38	36	477
# EMS RUNS	193	168	164	196	179	179	169	194	202	178	177	184	2,183
DISPATCH ERRORS	6	1	2	4	5	4	6	4	1	3	10	9	55
TOTAL HRS.	401.25	238.75	441.00	409.50	618.00	221.00	164.50	299.75	365.75	371.00	339.75	557.25	4,427.50

Special Events included in Overtime

Total Overtime Budget \$95,000, Expenditures through January 2, 2019, \$93,505, 98%

*Period: 12/30/17-01/26/18 +Period: 03/24/18-04/20/18 ^Period: 06/30/18-07/27/18 #Period: 09/22/18-11/02/18
 **Period: 01/27/18-02/23/18 ++Period: 04/21/18-06/01/18 ^^Period: 07/28/18-08/24/18 ##Period: 11/03/18-11/30/18
 ***Period: 02/24/18-03/23/18 +++Period: 06/02/18-06/29/18 ^^^Period: 08/25/18-09/21/18 ###Period: 12/01/18-12/28/18

OVERTIME BREAKDOWN BY REASON FOR THE YEAR 2019

REASON	Jan.*	Feb.**	Mar. ***	Apr.+	May++	June+++	July^	Aug.^^	Sept.^^^	Oct.#	Nov.##	Dec.###	TOTAL
DUTY CREW	72.75	54.00	22.50	69.00	3.00	12.00	30.00	39.00	52.00	46.75	27.00		428.00
EMS TRAINING	40.75	129.25	108.25	107.25	8.00	3.75	8.75	0.00	77.00	139.50	103.50		726.00
FIRE TRAINING	3.50	43.50	15.50	86.75	56.50	9.00	0.00	13.75	5.25	18.50	0.00		252.25
RESCUE CALLS	13.00	2.25	11.25	2.00	0.00	9.50	4.75	7.00	2.25	13.00	4.50		69.50
FIRE CALLS	13.50	4.50	23.50	9.75	7.50	0.00	1.75	0.00	0.00	0.00	0.00		60.50
MEETINGS	3.00	33.00	22.25	8.50	19.00	2.25	11.25	12.00	21.75	9.50	16.25		158.75
STAFFING REP.	89.25	15.50	0.00	153.00	152.25	171.75	665.00	561.75	190.50	169.25	162.00		2,330.25
MAINTENANCE	0.00	0.00	0.00	3.25	8.25	0.75	0.00	0.00	0.00	0.00	0.00		12.25
PUB. ED.	2.25	0.00	4.50	34.00	0.00	7.50	0.00	2.50	0.00	59.50	0.00		110.25
SPECIAL EVENTS	0.00	0.00	0.00	0.00	210.00	0.00	10.50	56.50	0.00	28.50	7.50		313.00
# FIRE RUNS	56	31	50	52	40	32	44	33	46	37	23		444
# EMS RUNS	191	178	167	223	191	186	196	196	204	217	204		2,153
DISPATCH ERRORS	6	6	8	2	4	4	6	8	5	4	3		56
TOTAL HRS.	238.00	282.00	207.75	473.50	464.50	216.50	732.00	692.50	348.75	484.50	320.75	0.00	4,460.75

Special Events included in Overtime

Total Overtime Budget \$95,000, Expenditures through December 2, 2019, \$88,412, 93%

*Period: 12/29/18-01/25/19 +Period: 03/23/19-05/03/19 ^Period: 06/29/19-07/26/19 #Period: 09/21/19-11/01/19
 **Period: 01/26/19-02/22/19 ++Period: 05/04/19-05/31/19 ^^Period: 07/27/19-08/23/19 ##Period: 11/02/19-11/29/19
 ***Period: 02/23/19-03/22/19 +++Period: 06/01/19-06/28/19 ^^^Period: 08/24/19-09/20/19 ###Period:

Attachment: FIRE DEPT_NOV 2019 OT RPT (8990 : Fire Department Overtime and LifeQuest Services Billing Reports for November, 2019.)

**DE PERE FIRE RESCUE
NOVEMBER, 2019
*OVERTIME CAUSED BY SICK LEAVE**

DATE	HOURS OF SICK LEAVE	OVERTIME PAID
11/07/2019	2	3
11/17/2019	5	7.5
11/26/2019	24	36
29-Nov	24	36
TOTALS	55	82.5

*Overtime generated when staffing levels fall below minimum as a result of sick leave.

DE PERE FIRE RESCUE STRUCTURAL FIRE "STILL" ALARMS FOR NOVEMBER, 2019



Date	Incident Location	Reported Situation	Units Dispatched	Disposition	Mutual Aid Received
11/06/2019	2000 American Blvd.	Alarm system activation, no fire, unintentional	BC103, E111, E121	Investigate, Incident Command	N/A
11/08/2019	1366 S. Ninth Street	Carbon monoxide incident	E121	Identify, analyze hazardous materials	N/A
11/08/2019	3001 Ryan Road	Smoke detector activation, no fire, unintentional	A111, E111, E121	Investigate	N/A
11/08/2019	Reid/Third Streets	Passenger vehicle fire	BC103, A111, E111	Investigate, fire out upon arrival	N/A
11/10/2019	Fortune/Venture	Hazmat release investigation without hazmat	BC105, E111, E121	Investigate	N/A
11/12/2019	1808 Ridgeway Drive	Smoke scare, odor of smoke	A111, A121, E111, E121, L111	Investigate, refer to proper authority	N/A
11/14/2019	2360 Hopf Lane	Gas leak	E121	Investigate	N/A
11/15/2019	2373 Talladega Speedway	Carbon monoxide detector activation, no CO	BC104, E111, E121	Investigate	N/A
11/16/2019	406 Grant Street	Gas leak	E121	Investigate, refer to proper authority	N/A
11/18/2019	1016 N. Broadway Street	Smoke detector activation, no fire, unintentional	BC104, E111, E121	Investigate	N/A
11/20/2019	3285 Cedar Hedge Lane (Town of Ledgeview)	Structure fire	C101, C102, L111	Dispatched/canceled en route	N/A
11/20/2019	1432 Rebman Street	Carbon monoxide detector activation, due to malfunction	E111	Investigate, replace detector	N/A
11/21/2019	1486 McRae Circle (Village of Bellevue)	Structure fire	BC104, L111	Extinguishment by fire service personnel, ventilate	N/A
11/21/2019	1700 Chicago Street	Trash or rubbish fire, contained	BC104, E111, E121	Investigate, fire out upon arrival	N/A
11/23/2019	849 Fribourg Street	Carbon monoxide detector activation, due to malfunction	E111	Investigate	N/A
11/25/2019	1177 S. Ninth Street	Smoke detector activation, due to malfunction	BC105, A111, E111	Restore fire alarm system	N/A
11/29/2019	1630 View Lane (Village of Ashwaubenon)	Oven fire	L111	Dispatched/canceled en route	N/A

**LIFEQUEST MEDICAL BILLING - 2019
MONTHLY REPORT**

	JAN.	FEB.	MARCH	APRIL	MAY	JUNE
CHARGES	143,655	104,733	155,785	152,178	84,427	163,643
PAYMENTS	55,433	56,668	75,702	53,535	65,318	52,157
CREDIT ADJUSTMENTS	63,699	48,843	69,520	52,183	52,374	33,099

	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.
CHARGES	211,284	123,787	143,496	145,006	183,259	
PAYMENTS	74,156	68,797	60,290	69,765	68,470	
CREDIT ADJUSTMENTS	102,100	80,649	58,494	67,188	76,652	

Payments to LifeQuest	
January	3,057
February	3,823
March	4,791
April	3,407
May	3,661
June	3,277
July	4,079
August	4,314
September	3,554
October	4,178
November	3,804
December	
Total Paid	\$41,946

**See attached details

City Of De Pere
Income and Expenditures
November 2019
All Phases

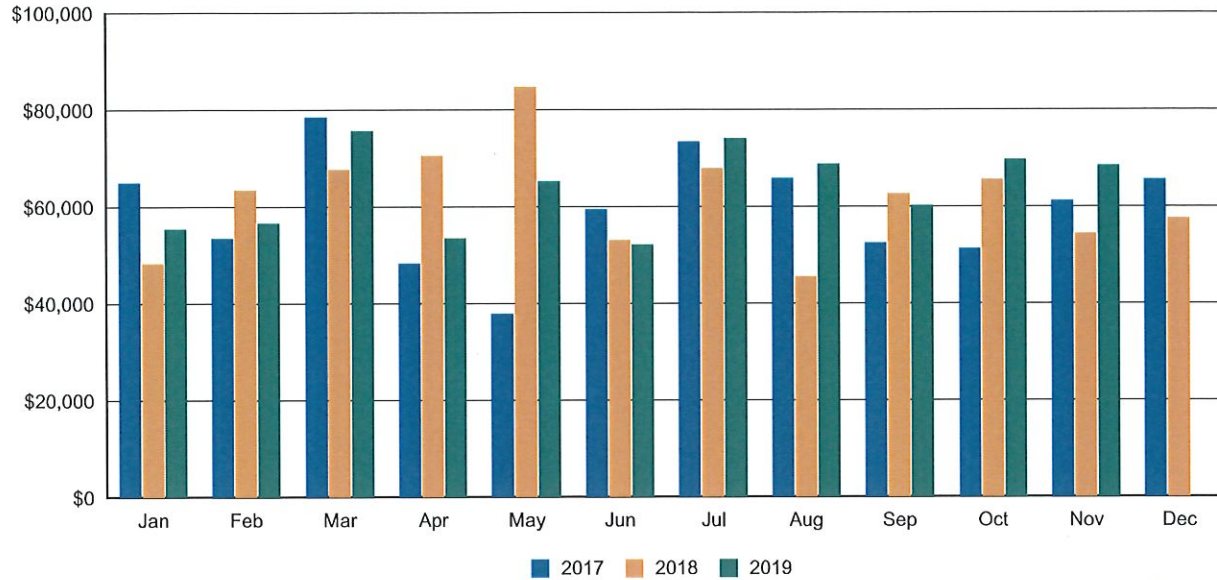
Charges		Billing	Collection	Total
Billing Charges / Collection Placements		\$155,145.00	\$28,113.54	\$183,258.54
Other	+	\$0.00	\$24.39	\$24.39
Subtotal of Charges		\$155,145.00	\$28,137.93	\$183,282.93
Account Transfers		\$22,535.02	\$5,578.52	\$28,113.54
Credit Summary				
Total Credits		\$140,583.33	\$7,339.38	\$147,922.71
Less Adjustments	-	\$76,245.01	\$406.96	\$76,651.97
Less Delinquent Closed Accounts Reconciliation	-	\$0.00	\$2,800.40	\$2,800.40
Less Overpayments	-	\$(96.25)	\$0.00	\$(96.25)
Gross Payments Received		\$64,434.57	\$4,132.02	\$68,566.59
Plus Overpayment Returns	+	\$0.00	\$0.00	\$0.00
Net Payments Received		\$64,434.57	\$4,132.02	\$68,566.59
Less Payments Kept By Service	-	\$0.00	\$0.00	\$0.00
Total Deposits Reconciliation		\$64,434.57	\$4,132.02	\$68,566.59
Summary of Disbursement				
Total Deposits & Payments Kept By		\$64,434.57	\$4,132.02	\$68,566.59
Plus Overpayment Refunds	+	\$(96.25)	\$0.00	\$(96.25)
Gross Revenue		\$64,338.32	\$4,132.02	\$68,470.34
LifeQuest Fee		\$2,895.22	\$909.05	\$3,804.27
Plus Probate Fees	+	\$0.00	\$0.00	\$0.00
Other / Fees		-	-	\$0.00
Total Due LifeQuest	Check # EFT	\$2,895.22	\$909.05	\$3,804.27
Service Revenue		\$61,443.10	\$3,222.97	\$64,666.07
Less Payments Kept By Service	-	\$0.00	\$0.00	\$0.00
Less Service Payable	-	\$0.00	\$0.00	\$0.00
Less Probate Fees	-	\$0.00	\$0.00	\$0.00
Other / Fees		\$0.00	\$0.00	\$0.00
Total Due Service	Check # EFT	\$61,443.10	\$3,222.97	\$64,666.07

Messages:

Total Deposits EOM differ from bank statement by \$1218.69 due to 10/30 NHIC now posted. 12.2.19 BJ

All Phases Gross Revenue

City of De Pere
January 2017 to November 2019



	2017	2018	2019
January	\$65,035	\$48,362	\$55,433
February	\$53,532	\$63,538	\$56,668
March	\$78,566	\$67,787	\$75,702
April	\$48,367	\$70,664	\$53,535
May	\$38,017	\$84,800	\$65,318
June	\$59,532	\$53,162	\$52,157
July	\$73,500	\$67,954	\$74,156
August	\$65,845	\$45,566	\$68,797
September	\$52,557	\$62,667	\$60,290
October	\$51,374	\$65,610	\$69,765
November	\$61,219	\$54,498	\$68,470
December	\$65,635	\$57,599	\$0
Total Gross Revenue	\$713,180	\$742,207	\$700,292

City Of De Pere

Billing Summary

November 2019

Phase 1

Charges

Billing Charges		\$155,145.00	
Other	+	\$0.00	
Subtotal of Charges			\$155,145.00

Account Transfers

Billing to Collections Transfer Total			\$22,535.02
---------------------------------------	--	--	-------------

Credit Summary

Total Credits		\$140,583.33	
Less Adjustments	-	\$76,245.01	
Less Overpayments	-	\$(96.25)	
Gross Payments Received			\$64,434.57
Plus Overpayment Returns	-	\$0.00	
Net Payments Received			\$64,434.57
Less Payments Kept By Service	-	\$0.00	
Total Deposits Reconciliation			\$64,434.57

Summary of Disbursement

Total Deposits & Payments Kept By		\$64,434.57	
Plus Overpayment Refunds	+	\$(96.25)	
Gross Revenue			\$64,338.32
LifeQuest Fee		\$2,895.22	
Plus Probate Fees	+	\$0.00	
Total Due LifeQuest	Check # EFT		\$2,895.22
Service Revenue		\$61,443.10	
Less Payment Kept By Service	-	\$0.00	
Less Service Payable	-	\$0.00	
Less Probate Fees	-	\$0.00	
Other / Fees	-	\$0.00	
Total Due Service	Check # EFT		\$61,443.10

Messages:**Legend:****Charges - Other:** Includes insurance interest, transaction fees, probate fees**Credit Summary - Less Overpayments:** Includes recoupments, refunds, returns, service payables**Credit Summary - Plus Overpayment Returns:** Includes NSF/bank returned type payments

(888) 777-4911

This Report May Contain Confidential Information or Protected Health Information.
Please Handle Accordingly.

12/2/2019

Page 2 of 4

252.11.2019.M001

Attachment: FIRE DEPT_NOV 2019 OT RPT (8990 : Fire Department Overtime and LifeQuest Services Billing Reports for November, 2019.)

Billing Reconciliation Summary

City of De Pere

For the month of November 2019

Beginning Balance of Accounts Receivables			\$189,434.25
Total Charges entered for the Month		+	\$155,145.00
Adjustments			
Intercept	\$0		
Per Contract	\$0		
Account Transfer Total	\$22,535.02		
Other	\$53,709.99		
Total Adjustments for the Month	\$76,245.01	-	\$76,245.01
Payments			
Cash	\$12,456.19		
Contract Payments	\$0		
Credit Card	\$0		
Direct Deposit	\$44,813.54		
Hospital	\$0		
Insurance	\$7,164.84		
Payment Kept By	\$0		
Other	\$0		
	\$64,434.57	-	\$64,434.57
Overpayment			
Recoupment	\$0		
Refunds	\$(96.25)		
Returns	\$0		
Service Payable	\$0		
Other	\$0		
	\$(96.25)	-	\$(96.25)
Total for Reconciliation Summary			\$203,995.92
Ending Balance of Accounts Receivables			\$203,995.92

Total Page : 1 of 1
Page : 1 of 1
Date : 12/02/2019
Time : 12:30:23

Receivables Distribution Report

Receivables Cash

All Companies

All Directories

Charges	Dec 2018	Jan 2019	Feb 2019	Mar 2019	Apr 2019	May 2019	Jun 2019	Jul 2019	Aug 2019	Sep 2019	Oct 2019	Nov 2019	Totals
Dec 2018	831	22268	14799	8020	2832	3152	1863	-649	66	150	150	121 \$	53605
107646	0.8	20.7	13.7	7.5	2.6	2.9	1.7	-0.6	0.1	0.1	0.1	0.1 %	49.8
Jan 2019		0	17895	24350	7265	2742	2194	392	626	251	563	332 \$	56608
121031		0	14.8	20.1	6	2.3	1.8	0.3	0.5	0.2	0.5	0.3 %	46.8
Feb 2019			360	27858	15532	7822	6557	795	0	0	498	1090 \$	60511
109224			0.3	25.5	14.2	7.2	6	0.7	0	0	0.5	1 %	55.4
Mar 2019				0	18625	14767	2190	2220	1205	1097	1350	121 \$	41575
96217				0	19.4	15.3	2.3	2.3	1.3	1.1	1.4	0.1 %	43.2
Apr 2019					2228	30061	21238	4950	2988	1268	276	298 \$	63306
116914					1.9	25.7	18.2	4.2	2.6	1.1	0.2	0.3 %	54.1
May 2019						186	17726	23851	5330	3230	1200	0 \$	51523
108279						0.2	16.4	22	4.9	3	1.1	0 %	47.6
Jun 2019							0	27853	14633	4964	3377	761 \$	51587
107254							0	26	13.6	4.6	3.1	0.7 %	48.1
Jul 2019								5997	33097	10788	2603	213 \$	52698
128342								4.7	25.8	8.4	2	0.2 %	41.1
Aug 2019									3616	29399	17250	6533 \$	56797
117136									3.1	25.1	14.7	5.6 %	48.5
Sep 2019										3589	34751	11707 \$	50048
129705										2.8	26.8	9 %	38.6
Oct 2019											5464	36523 \$	41987
134091											4.1	27.2 %	31.3
Nov 2019												2136 \$	2136
83518												2.6 %	2.6
Averages	1st Mo	2nd Mo	3rd Mo	4th Mo	5th Mo	6th Mo	7th Mo	8th Mo	9th Mo	10th Mo	11th Mo	12th Mo	
Extended	1.8	<NA>	<NA>	<NA>	<NA>	<NA>	<NA>	<NA>	<NA>	<NA>	<NA>	<NA>	
Weighted	1.8	23.2	14.8	4.9	2.7	1.4	0.6	0.3	0.2	0.5	0.2	0.1	

Attachment: FIRE DEPT_NOV 2019 OT RPT (8990 : Fire Department Overtime and LifeQuest Services Billing Reports for November, 2019.)



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: Police

FROM: Derek Beiderwieden

SUBJECT: Approval of the November 2019 Police Overtime Report.

The overtime (OT) report covers a four (4)-week period. Two previous years of overtime report summaries are attached for comparison.

Miscellaneous OT of 19 total hours is comprised of 12.5 hours of patrol fraction allotments, 1.5 hours for field training Daily Observation Reports, and 5 hours for the change during the daylight savings time that is contractual.

Reimbursable Miscellaneous OT of 33 total hours for the Drug Task Force assigned officer.

Please let me know if you have any questions about this overtime report.

ATTACHMENTS:

- 2017 PD OT Report Summary (PDF)
- 2018 PD OT Report Summary (PDF)
- PD Overtime (PDF)

**DE PERE POLICE DEPARTMENT
OVERTIME BY REASON
2017**

REASON	JAN*	FEB**	MAR***	APR+	MAY++	JUN ^	JUL #	AUG ##	SEPT^^	OCT^^^	NOV*+	DEC*+*	TOTAL
OFFICER SICK RELIEF	12.00	64.75	39.50	24.75	23.50	15.00	38.00	37.00	18.00	32.75	4.00	23.00	332.25
OFFICER WORKED ON HOLIDAY	97.00	13.75		31.00	97.00	21.75	54.75	8.00	121.75	16.00	66.00	87.00	614.00
OFFICER FOR COURT	9.00	10.00	6.00	1.75	21.00	10.00	4.00	25.00	4.00	22.00	15.00	4.00	131.75
OFFICER TRAINING	207.00	65.50	36.00	39.00	241.75	60.25	16.50	46.75	259.25	203.00	51.25	97.00	1323.25
OFFICER RELIEF FOR FUNERAL													0.00
OFFICER ATTEND MEETING	5.50	27.25	10.50	16.00	17.50	9.50	16.50	3.00	2.00	12.00	2.00	14.00	135.75
STAFFING LEVEL	63.00	22.50	39.25	39.50	199.50	74.00	66.50	97.50	130.50	209.50	98.00	69.00	1108.75
INVESTIGATION	37.50	44.50	43.50	36.50	73.75	24.50	47.00	26.25	23.50	108.50	28.50	57.50	551.50
HONOR GUARD FOR FUNERAL		2.00		11.00									13.00
SCHOOL LIAISON REIMBURSED	18.00	23.50	25.00	7.00	31.50	15.00		5.00	41.00	61.00	10.00	16.00	253.00
COMMUNITY RELATIONS					2.00			3.50	3.50	3.00			12.00
SPECIAL ASSIGNMENT		6.25					9.00						15.25
SPECIAL ASSIGNMENT REIMBURSED		6.25		18.50	219.50	13.00			8.00	29.50	29.00		323.75
MISCELLANEOUS	27.50	13.50	42.75	20.25	26.25	17.75	10.75	11.50	9.75	35.50	17.00	20.25	252.75
MISCELLANEOUS REIMBURSED	66.00	130.00	45.00	60.00	104.00	67.50	57.50	51.00	30.50	42.50	26.00	19.00	699.00
Gross OFFICER OVERTIME	542.50	429.75	287.50	305.25	1057.25	328.25	320.50	314.50	651.75	775.25	346.75	406.75	5766.00
SUBTOTAL REIMBURSED OVERTIME	(84.00)	(159.75)	(70.00)	(85.50)	(355.00)	(95.50)	(57.50)	(56.00)	(79.50)	(133.00)	(65.00)	(35.00)	(1275.75)
NET OFFICER OVERTIME	458.50	270.00	217.50	219.75	702.25	232.75	263.00	258.50	572.25	642.25	281.75	371.75	4490.25

Total Overtime Budget: **\$145,000.00**
Expenditures through 1/02/2018 **\$182,422.00**
Percent of Total Budget: **125.81%**

01/02/2018
Report Date

NOTES:

* Period 12/31/2016 - 1/27/2017

**Period 1/28/2017 - 2/24/2017

***Period 02/25/2017 - 3/24/2017

+Period 03/25/2017 - 4/21/2017

++Period 4/22/2017 - 6/02/2017

^Period 6/03/2017 - 6/30/2017

#Period 7/1/2017 - 7/28/2017

##Period 7/29/2017 - 8/25/2017

^^Period 8/26/2017 - 9/22/2017

^^^Period 9/23/2017 - 11/3/2017

*+Period 11/4/2017 - 12/1/2017

*+*Period 12/2/2017- 12/29/2017

Attachment: 2017 PD OT Report Summary (8997 : Police November 2019 Overtime)

**DE PERE POLICE DEPARTMENT
OVERTIME BY REASON
2018**

REASON	JAN*	FEB**	MAR***	APR+	MAY++	JUN ^	JUL #	AUG ##	SEPT^^	OCT^^^	NOV*+	DEC*+*	TOTAL
OFFICER SICK RELIEF	41.50	19.50	10.00	15.50	23.00	14.00	20.00	97.50	33.00	29.00	19.50	8.50	331.00
OFFICER WORKED ON HOLIDAY	105.75	8.00	12.00	42.00	98.25	22.00	70.50	4.00	114.00	12.00	51.75	98.75	639.00
OFFICER FOR COURT	4.00	14.00	13.00	12.00	18.00	12.00	23.50	6.00	14.00	53.50	9.00	26.00	205.00
OFFICER TRAINING	82.00	122.00	71.75	140.00	277.00	164.75	104.50	73.50	179.75	224.25	66.50	28.00	1534.00
OFFICER RELIEF FOR FUNERAL			4.50										4.50
OFFICER ATTEND MEETING	10.50		3.50	15.00	0.50		7.50		10.00	12.00		21.00	80.00
STAFFING LEVEL	68.00	51.25	97.75	61.50	87.50	92.00	83.00	73.75	140.50	175.50	99.50	85.25	1115.50
INVESTIGATION	50.75	77.00	82.25	87.50	40.75	27.50	39.00	55.50	15.00	83.00	57.25	74.50	690.00
HONOR GUARD FOR FUNERAL						15.50		3.00					18.50
SCHOOL LIAISON REIMBURSED	12.50	25.50	10.00	19.00	33.75	27.50		15.00	61.00	41.50	7.00	22.00	274.75
COMMUNITY RELATIONS						1.50		2.00	3.00	14.50		4.00	25.00
SPECIAL ASSIGNMENT						6.50				46.00			52.50
SPECIAL ASSIGNMENT REIMBURSED		17.50	9.50		212.75		26.50		13.50		30.75		310.50
MISCELLANEOUS	16.00	19.00	10.75	25.75	35.00	10.75	9.00	18.50	19.75	37.75	18.75	19.00	240.00
MISCELLANEOUS REIMBURSED	33.00	41.50	79.00	20.00	32.50	23.50	25.00	34.00	32.00	43.00	22.00	19.00	404.50
Gross OFFICER OVERTIME	424.00	395.25	404.00	438.25	859.00	417.50	408.50	382.75	635.50	772.00	382.00	406.00	5924.75
SUBTOTAL REIMBURSED OVERTIME	(45.50)	(84.50)	(98.50)	(39.00)	(279.00)	(51.00)	(51.50)	(49.00)	(106.50)	(84.50)	(59.75)	(41.00)	(989.75)
NET OFFICER OVERTIME	378.50	310.75	305.50	399.25	580.00	366.50	357.00	333.75	529.00	687.50	322.25	365.00	4935.00

Total Overtime Budget: **\$150,000.00**
Expenditures through 3/1/2019 **\$190,045.02**
Percent of Total Budget: **126.70%**

NOTES:

* Period 12/30/2017 - 1/26/2018

**Period 1/27/2018 - 2/23/2018

***Period 2/24/2018 - 3/23/2018

+Period 3/24/2018 - 4/20/2018

++Period 4/21/2018 - 6/1/2018

^Period 6/2/2018 - 6/29/2018

#Period 6/30/2018 - 7/27/18

##Period 7/28/2018 - 8/24/2018

^^Period 08/25/2018 - 09/21/2018

^^^Period 9/22/2018 - 11/2/2018

*+Period 11/3/2018 - 11/30/2018

*+*Period 12/01/2018 - 12/28/2018

**DE PERE POLICE DEPARTMENT
OVERTIME BY REASON
2019**

REASON	JAN*	FEB**	MAR***	APR+	MAY++	JUN ^	JUL #	AUG ##	SEPT^^	OCT^^^	NOV*+	DEC*+*	TOTAL
OFFICER SICK RELIEF	20.50	16.50	15.00	48.50	9.50	23.00	47.75	12.00	21.00	76.75	13.50		304.00
OFFICER WORKED ON HOLIDAY	105.00	22.25	4.00	30.00	91.75	12.00	61.00	10.00	121.25	15.25	69.00		541.50
OFFICER FOR COURT	22.50	10.00	18.50	10.50	14.00	8.00	10.00	6.00	8.00	2.00	90.75		200.25
OFFICER TRAINING	29.50	89.00	124.00	160.75	82.75	77.25	69.75	50.25	154.25	200.25	33.00		1070.75
OFFICER RELIEF FOR FUNERAL													0.00
OFFICER ATTEND MEETING	3.00	2.00	12.00	13.00		2.00	7.50	2.00		20.00			61.50
STAFFING LEVEL	39.00	60.00	124.50	85.50	169.25	131.25	157.00	263.75	305.00	406.50	317.50		2059.25
INVESTIGATION	33.00	38.50	16.00	58.50	29.00	27.00	58.00	17.00	12.75	44.00	41.75		375.50
HONOR GUARD FOR FUNERAL		10.00											10.00
SCHOOL LIAISON REIMBURSED	25.50	30.50	14.00	30.00	8.00	25.00		3.50	35.50	78.00	16.00		266.00
COMMUNITY RELATIONS					2.00								2.00
SPECIAL ASSIGNMENT				8.25	32.00	6.00			4.50				50.75
SPECIAL ASSIGNMENT REIMBURSED		14.00					14.00	10.00		15.00	10.00		63.00
MISCELLANEOUS	8.00	31.25	22.75	41.50	14.50	22.75	29.25	20.50	25.75	43.75	19.00		279.00
MISCELLANEOUS REIMBURSED	14.50	16.50	13.00	30.50	75.00	50.00	1.50	3.50	10.50	3.50	33.00		251.50
Gross OFFICER OVERTIME	300.50	340.50	363.75	517.00	527.75	384.25	455.75	398.50	698.50	905.00	643.50	0.00	5535.00
SUBTOTAL REIMBURSED OVERTIME	(40.00)	(61.00)	(27.00)	(60.50)	(83.00)	(75.00)	(15.50)	(17.00)	(46.00)	(96.50)	(59.00)	0.00	(580.50)
NET OFFICER OVERTIME	260.50	279.50	336.75	456.50	444.75	309.25	440.25	381.50	652.50	808.50	584.50	0.00	4954.50

Total Overtime Budget: \$160,000.00
Expenditures through 12/6/2019 \$257,401.87
Percent of Total Budget: 160.88%

NOTES:

* Period 12/29/2018 - 1/25/2019

**Period 1/26/2019 - 2/22/2019

***Period 02/23/2019 - 3/22/2019

+Period 3/23/2019 - 5/03/2019

++Period 5/4/2019 - 5/31/2019

^Period 6/1/2019 - 6/28/2019

#Period 6/29/2019 - 7/26/2019

##Period 07/27/2019 - 08/23/2019

^^Period 8/24/2019 - 9/20/2019

^^^Period 9/21/2019 - 11/01/2019

*+Period 11/2/2019 - 11/29/2019

*+*Period



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: City Attorney

FROM: Kristen Johnson

SUBJECT: Recommendation from Police Department to revise Section 150-4
Disorderly Conduct with a Motor Vehicle and create Section 150-132
Compression Braking Prohibited.*

ATTACHMENTS:

- Mayor & F-P Memo 12-10-19 Compression Braking (PDF)
- DRAFT Ordinance - Compression Braking (DOC)

CITY OF DE PERE MEMO



To: Michael J. Walsh, Mayor
Members of the Finance/Personnel Committee

From: Kristen Johnson, Assistant City Attorney

RE: Recommendation from Police Department to revise Section 150-4 Disorderly Conduct with a Motor Vehicle and create Section 150-132 Compression Braking Prohibited

Date: December 10, 2019 (meeting date)

The Police Department has requested changes to Chapter 150 related to certain traffic regulations. Section 150-4 prohibits disorderly conduct with a motor vehicle, which currently includes compression braking. However, the Police Department believes compression braking and disorderly conduct with a motor vehicle should be separate offenses and the fine for each should be different. The fine for a violation of Section 150-4 Disorderly Conduct with a Motor Vehicle as established by the current fee schedule is \$200.00 + costs for a first offense, \$250.00 + costs for a second offense, and \$400.00 + costs for any additional violations. The Police Department does not feel this fine is appropriate for compression braking. By creating a new section to prohibit compression braking, a violation of Section 150-132 will fall under the general penalty section established by the fee schedule. The fine for traffic violations under Chapter 150 that are not otherwise specified is \$75.00 + costs for a first offense, \$150.00 + costs for a second offense, and \$250.00 + costs for any additional violations.

If you have questions regarding this matter prior to the December 10, 2019 meeting, please call me at 339-4070.

KKJ

J:\Law\Memos\2019\Mayor & F-P Memo 12-10-19 Compression Braking

Attachment: Mayor & F-P Memo 12-10-19 Compression Braking (8985 : Recommendation from Police Department to revise Section 150-4 and

Sec. 150-4. - Disorderly conduct with a motor vehicle.

- (a) *Prohibited conduct.* No person shall, within the city, by or through the use of any motor vehicle including, but not limited to, an automobile, truck, motorcycle, minibike or snowmobile, cause or provoke disorderly conduct with a motor vehicle.
- (b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Disorderly conduct with a motor vehicle means engaging in violent, unreasonably loud or otherwise disorderly conduct including, but not limited to, unnecessary, deliberate or intentional spinning of wheels, squealing of tires, revving of engine, blowing the horn, causing the engine to backfire, or causing the vehicle, while commencing to move or in motion, to raise one or more wheels off the ground. ~~Disorderly conduct with a motor vehicle also means operating or using a motor vehicle upon any street within the city limits where a compressor brake is in any way engaged or activated, causing noise which disturbs or tends to distract the peace and quiet of any person within the vicinity thereof, except when engaged or activated to avert imminent danger. "Compression brake" means a device primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking, with or without the use of, or in addition to, wheel brakes.~~ This section shall not apply to fire trucks or fire equipment.

(Code 1974, § 43.04; Ord. No. 02-32, § 1, 10-15-2002)

Sec. 150-132. – Compression braking prohibited.

- (a) *Definitions.*

Compression brake means a devise primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking, with or without the use of, or in addition to, wheel brakes.

- (b) *Prohibited conduct.* No person shall use a motor vehicle within the city limits where the compression brake is in any way engaged or activated on such motor vehicle or any unit which is a part thereof except for the aversion of imminent danger. This section shall not apply to fire trucks or fire equipment.



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: City Attorney

FROM: Kristen Johnson

SUBJECT: Recommendation from Police Department to create Section 8-26
Sexting by Minors Prohibited.*

ATTACHMENTS:

- Mayor & F-P Memo 12-10-19 Sexting (PDF)
- DRAFT Ordinance - Sexting (DOCX)

CITY OF DE PERE MEMO



To: Michael J. Walsh, Mayor
Members of the Finance/Personnel Committee

From: Kristen Johnson, Assistant City Attorney

RE: Recommendation from Police Department to create Section 8-26 Sexting by Minors Prohibited

Date: December 10, 2019 (meeting date)

The Police Department has requested that an ordinance be created to prohibit the act of sexting by minors. Recently, several Wisconsin municipalities have adopted similar ordinances in an effort to deter the sharing of inappropriate images among minors. The Police Department and School Resource Officers have seen an increase in these types of activities in recent years.

Rather than pursuing criminal charges or citing under state statute, the adoption of a municipal ordinance would allow the Police Department an alternative enforcement mechanism. The ordinance specifically prohibits minors from distributing, possessing or soliciting any image, recording, text, correspondence or message that depicts nudity and is harmful to minors. The ordinance would not apply to minors who do not solicit the content, take reasonable steps to report the content, and do not further distribute the content. The proposed fine for a violation of this ordinance is \$100.00 + costs for a first offense, \$150.00 + costs for a second offense, and \$200.00 + costs for any subsequent offenses. If this ordinance is approved, an updated fee schedule will be recommended for adoption.

If you have questions regarding this matter prior to the December 10, 2019 meeting, please call me at 339-4070.

KKJ

J:\Law\Memos\2019\Mayor & F-P Memo 12-10-19 Sexting

Attachment: Mayor & F-P Memo 12-10-19 Sexting (8986 : Recommendation from Police Department to create Section 8-26)

Sec. 8-26. – Sexting by Minors Prohibited.

a) Definitions.

- (1) “Nudity” means the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple. A mother’s breastfeeding of her baby does not constitute “nudity” irrespective of whether or not the nipple is covered during or incidental to feeding.
- (2) “Harmful to Minors” means any reproduction, imitation, characterization, description, exhibition, presentation or representation, of whatever kind of form, depicting nudity, sexual conduct, or sexual excitement when it:
 - a. Predominately appeals to prurient, shameful, or morbid interest;
 - b. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors; and
 - c. Taken as a whole, is without serious literary, artistic, political, or scientific value for minors.
- (3) “Minor” means any person under the age of 18 years.

b) Prohibited Acts. A minor commits the offense of sexting by knowingly:

- (1) Using any device capable of electronic data transmission or distribution to transmit or distribute to another minor any image, recording, text, correspondence, message or other substantially similar form of communication, of any person that depicts nudity and is harmful to minors.
- (2) Possessing any image, recording, text, correspondence, message or other substantially similar form of communication that was transmitted or distributed by another minor that depicts nudity and is harmful to minors.
- (3) Soliciting the transmission or distribution of any image, recording, text, message or other substantially similar form of communication from another minor that would itself be prohibited under this section.

c) Exceptions. A minor does not violate this paragraph if all of the following apply:

- (1) The minor did not solicit the photograph or video;
- (2) The minor took reasonable steps to report the photograph or video to a school or law enforcement official; and
- (3) The minor did not transmit or distribute the photograph or a video to a third party other than a school or law enforcement official.



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: City Attorney

FROM: Judith Schmidt-Lehman

SUBJECT: Recommendation from Law Department on Repeal of Certain City Ordinances.*

ATTACHMENTS:

- Mayor F-P Memo 12-10-19 Ordinance Repeal 2019 (PDF)

CITY OF DE PERE MEMO



To: Michael J. Walsh, Mayor
Members of the Finance/Personnel Committee
From: Judith Schmidt-Lehman, City Attorney
RE: Recommendation to Repeal Certain City Ordinances
Date: December 10, 2019 (meeting date)

Yearly, the law department keeps track of city ordinances in need of amending or repeal to address changes in the law. For the reasons set forth below, we are recommending repeal of the Panhandling/Aggressive Panhandling and Social Host ordinances.

§8-11; Panhandling/Aggressive Panhandling Ordinance.

Federal courts have determined that panhandling ordinances are unconstitutional as content based speech regulations, including the 7th Circuit Court of Appeals, which governs Wisconsin.¹ Many courts (although none yet with jurisdiction over Wisconsin) are also determining that aggressive panhandling ordinances are likewise suspect under the United States Constitution, making uncertain whether the city's ordinance prohibiting aggressive panhandling is enforceable.

The city's ordinance defines "aggressive" panhandling as:

*...engaging in any conduct with the intention of intimidating another person into giving away money or goods, including but not limited to, intentionally approaching, speaking to or following a person in a manner that would cause a reasonable person to fear imminent physical injury or the imminent commission of a criminal act upon the person or upon the property in the person's immediate possession; intentionally touching another person without consent; or intentionally blocking or interfering with the free passage of a person.*²

The Police Chief reports no record of any citations for this type of activity since the ordinance was adopted in 2010. If the Committee/Council believes it important to protect the public against this type of conduct, we suggest that the Council simply adopt a prohibition against assaultive behavior. Under common law,³ an assault is defined as:

¹ *Norton v. City of Springfield*, 806 F.3d 411 (2015)

² §8-11(a)(1) De Pere Municipal Code

³ Wisconsin Law no longer has "assault" as a criminal offense; hence a common law definition is used

(t)he threat or use of force on another that causes that person to have a reasonable apprehension of imminent harmful or offensive contact; the act of putting another person in reasonable fear or apprehension of an imminent battery...⁴

Adoption of a prohibition against an assault without any reference to the purpose or motive of the assault should remove any constitutional concerns.

§8-23: Social Host Alcohol Regulations.

In 2009 (amended 2012), the city (along with many other municipalities) adopted an ordinance to hold adults accountable for underage alcohol consumption which the adult property owners/renters knew or should have known was taking place on property under their control. These types of ordinances were determined in 2016 by the Wisconsin Court of Appeals to violate Wisconsin law as not being strictly in line with then current state alcohol regulations. The Wisconsin legislature has since revised state law to include social host liability. City ordinances already adopt by reference the statute that was revised, so there is no need to adopt any new regulation. The only action needed at this point is to repeal the non-conforming city ordinance.

If you have any questions ahead of the December 10, 2019 meeting, please call me at 339-4042.

J:\Law\Memos\2019\Mayor & F-P Memo 12-10-19 Ordinance Repeal 2019.docx

⁴ Blacks Law Dictionary, 9th Ed.



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: City Attorney

FROM: Judith Schmidt-Lehman

SUBJECT: Request of HZ Properties LLC that the City subordinate its Revolving Loan for Refinancing Purposes.

ATTACHMENTS:

- Subordination Request - Scott Hemauer (PDF)
- Mayor F-P -HZ Properties Subordination (PDF)



To: The City Finance/Personnel Committee

From: Johnson Financial Group on behalf of Scott Hemauer and HZ Properties, LCC

Subject: Request to increase the subordination amount

This is a request to change an existing subordination mortgage amount on the property located at 113 S. Broadway Street, De Pere, WI.

Johnson Financial Group is partnering with Scott Hemauer and HZ Properties, LLC to refinance and consolidate Mr. Hemauer's business debt with the intent to lower the interest rate and shorten the amortization. This will allow Mr. Hemauer to build equity in the building through a shorter repayment timeframe.

CITY OF DE PERE**MEMO**

To: Michael J. Walsh, Mayor
 Members of the Finance/Personnel Committee
 From: Judith Schmidt-Lehman, City Attorney
 RE: Subordination of Loan Request of HZ Properties LLC
 Date: December 10, 2019 (meeting date)

In 2009, the Finance/Personnel Committee reviewed and approved providing a \$120,000.00 Economic Development Loan to HZ Properties, LLC. Mr. Scott Hemauer is the principal member of this LLC, doing business as Ameriprise Financial at 111-113 South Broadway Street. At the time the loan was issued, the loan agreement stipulated that the city's loan would be subordinate only to the principal mortgage in an amount not to exceed \$245,000.00 (amended in 2010 to \$275,000.00.)

HZ Properties LLC has submitted a request asking the City subordinate its loan to a new first mortgage in an amount not to exceed \$345,000.00. Since this amount exceeds what was previously approved, the Finance /Personnel Committee must authorize the requested subordination and the Loan Agreement must be amended to reflect the new amount.

In addition to the 2010 amendment raising the first mortgage limit to \$275,000.00, this Loan Agreement was amended in 2017 to remove the retiring co-borrower as an obligor under the Agreement. The current loan balance is approximately \$68,900.00.

The request will increase the first mortgage ceiling by only 20%. Staff recommends approval of the request.

If you have any questions ahead of the December 10, 2019 meeting, please feel free to call me at 339-4042.



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: City Attorney

FROM: Judith Schmidt-Lehman

SUBJECT: Request from Amerilux Holdings, LLC to assign its Option to Purchase Lot ED-2077-1 to LTF Investments, LLC.*

ATTACHMENTS:

- Amerilux Request to Assign Option ED-2077-1 (PDF)
- Mayor F-P -Amerilux Option Assign (PDF)

Judy Schmidt-Lehman

From: Kurt Voss <kvoss@amerilux.com>
Sent: Friday, November 22, 2019 4:14 PM
To: Judy Schmidt-Lehman
Cc: Joe Nick
Subject: transfer of Option to Purchase

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Judy,

Consistent with our conversation, please use this as a formal request to assign the Option to Purchase on property (Parcel ED-2077-1) that is currently held by AmeriLux Holdings LLC as follows:

- Assign to: LFT Investments LLC, 3774 Ryan Road, De Pere, WI 54115

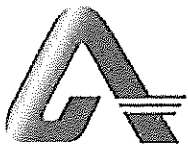
AmeriLux has recently acquired our adjacent neighbor's property and we're currently putting an expansion to one of our existing warehouses on that property. Our need, therefore, of the referenced parcel is diminished significantly. The assignee on the other hand recently acquired the property immediately adjacent to the referenced parcel and has plans to develop the property.

As we discussed, please get the on the agenda of the December 10 Finance Committee meeting and the December 17 City Council Meeting. If you have any further questions don't hesitate to contact me.

Thanks,

Kurt

Kurt Voss | Chief Executive Officer



AmeriLux International
 AmeriLux Logistics
 1212 Enterprise Drive, De Pere WI 54115
 D: (920) 632.6061 | C: (920) 246.6247
[Website](#) | [vCard](#) | [Email](#) | [f](#) [p](#) [in](#) [e](#)

Attachment: Amerilux Request to Assign Option ED-2077-1 (8966 : Request from Amerilux LLC to assign its Option to Purchase Lot ED-2077-1)

CITY OF DE PEREMEMO

To: Michael J. Walsh, Mayor
Members of the Finance/Personnel Committee
From: Judith Schmidt-Lehman, City Attorney
RE: Request of Amerilux Holdings, LLC to Assign Option to Purchase Parcel ED-2077-1
Date: December 10, 2019 (meeting date)

Kurt Voss, Chief Executive Officer of Amerilux Holdings, LLC, has submitted the attached request to assign the Option Amerilux, LLC received from the City in July, 2019, to LFT Investments, LLC. The reason for the request is explained in the attachment. If recommended for approval by the Committee, the law department will draft, for Common Council approval an Assignment and Consent to Assignment, which, after signed by all parties involved, will result in LTF Investments taking over the current Option Agreement and being bound by its terms.

If you have any questions or concerns, please feel free to call me at 339-4042.

Attachment: Mayor F-P -Amerilux Option Assign (8966 : Request from Amerilux LLC to assign its Option to Purchase Lot ED-2077-1)



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: Planning

FROM: Kimberly Flom

SUBJECT: Consideration and possible action regarding proposed Purchase/Sale Agreement terms with And Beyond, LLC for a proposed expansion for Infinity Machine located at 2249 American Boulevard (Parcel WD-1138-1). *

ATTACHMENTS:

- Infinity FP Memo 12-10-19 (DOCX)

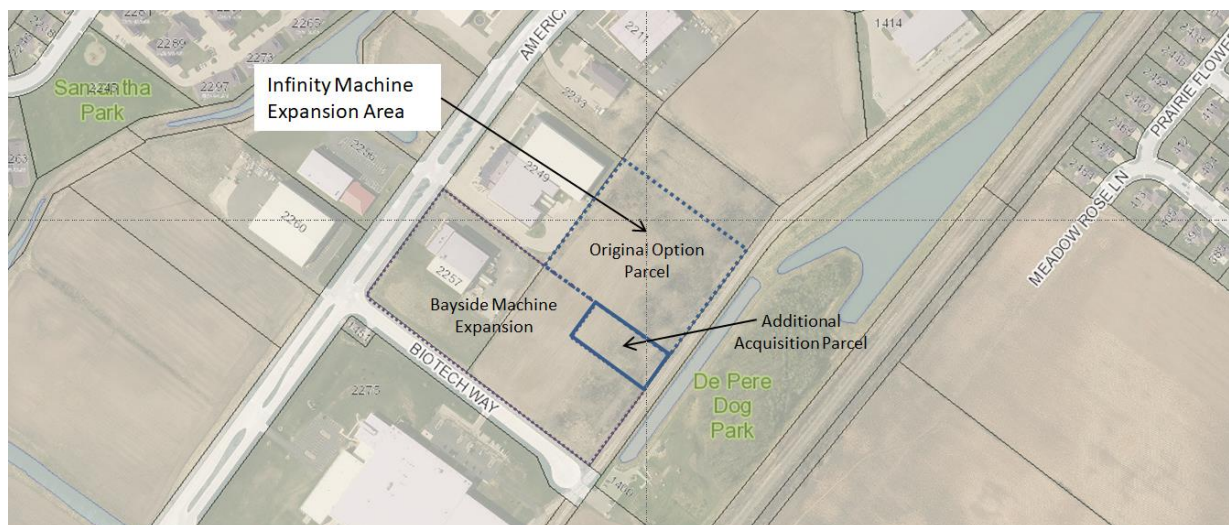
CITY OF DE PERE MEMO



To: Finance and Personnel Committee
From: Kim Flom, Development Services Director
Date: December 10, 2019

RE: **Proposed Purchase/Sale Agreement Terms for WD-1138-1 (generally located just west of the De Pere Dog Park on Biotech Way) to accommodate the expansion of Infinity Machine.**

Infinity Machine had an option on a portion of parcel WD-1138-1 for several years. The option has since expired but Infinity would like to pursue a large expansion project utilizing the option parcel and some additional land as shown in the below diagram. The Finance/Personnel Committee approved terms for another portion of WD-1138-1 in November of 2019. The City is obtaining a CSM that will divide the 12-acre parcel into three separate developable parcels.



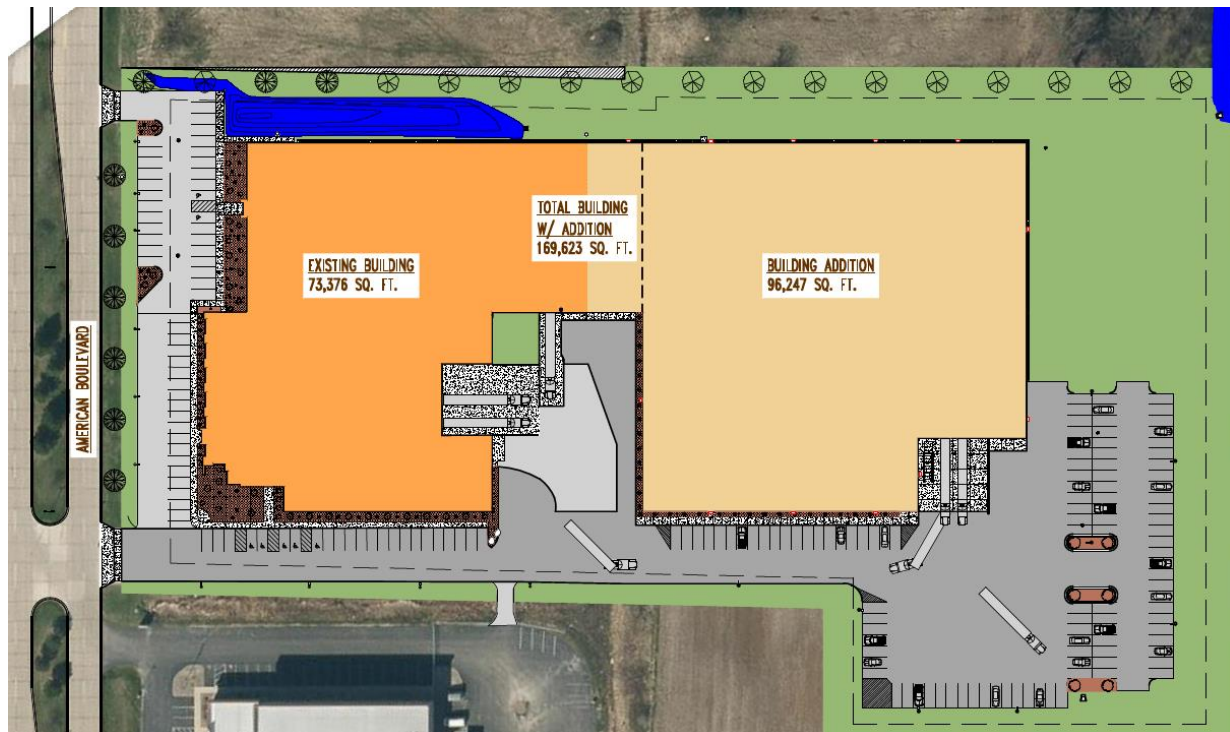
The expansion requires the acquisition of City property and subsequent land combination to create one parcel. The current Infinity building is located in TID #6 and the WD-1138-1 is located in TID #12. Therefore, a TID #12 Boundary amendment is required in order to include the existing building. The Boundary amendment will also include the Bayside Machine property in order to facilitate their future expansion plans.

The City and the applicant have come to agreement on the below purchase/sale terms. The proposed Project terms are based on a number of assumptions including:



Project Assumptions

1. A proposed large expansion of the Infinity Machine De Pere location that includes acquisition of City property located in TID 12.
2. Guaranteed Assessed value of the expansion at \$2,500,000. Updated Guaranteed Assessed Value of the existing building at \$3,800,000 (reduced from \$4,009,400). Total Guaranteed Assessed Value for entire site to be \$6,300,000.
3. Compliance with City codes. Plan Commission approval of Site Plan and Building Elevations.
4. Acquisition of City property at listed price of \$35,000/acre. \$192,500 for 5.5 acres. Final lot area to be determined after completion of CSM that divides property into three parcels.
5. Previous option on the property expired in September of 2018. Previous options payments will be credited towards land purchase.
6. Completion of a CSM Subdivision of WD-1138-1 into 3 lots. City responsibility. Rezoning will also occur but may occur as part of the Zoning Code re-write, which proposes to change the names of the Industrial Districts.
7. Consolidate the acquired parcel with your existing lot (WD-1372) prior to building permit issuance. We will make this a condition in the Agreement that the deed will expressly provide that the parcel being conveyed is to be combined with the existing lot (WD-1372).
8. TID #12 Boundary Amendment to remove existing parcel from TID #6 and place consolidated parcel into TID #12. City responsibility. Estimated completion date of March/April 2020.
9. Final project and purchase/sale agreement details to be reviewed and decided upon by Council.
10. Building will be a large expansion at the De Pere headquarters in order to accommodate company growth that is currently being housed in two other leased facilities.
11. Property currently has outstanding PILOT payments based on previous agreement (currently estimated at \$11,497 – 2014-2019). Actual PILOT to be updated with 2019 tax numbers.
12. Project completion (full assessment) by January 1, 2021.



Project 'But For' Statement

The financial assistance for the project is required due to the various costs of the following:

1. Cost to purchase the land behind existing facility (including need to acquire additional property due to existing on-site wetlands).
2. Mitigation and adjustment of project due to wetlands.

TIF Terms for Infinity Machine Expansion – Land Rebate and Pay Go

9.5% Incentive (\$237,500)

- \$177,500 Land Rebate- repaid through TID #12 increment. Amount will adjust based on actual land acquired.
- \$11,500 PILOT Credit. Based on PILOT payments required under previous expansion agreement. Amount may be adjusted based on review of 2019 tax bill and assessed value.
- \$48,500 Property Tax Rebate paid in 2 annual installments after project completion after submittal of property tax receipt. Amount will adjust based on land rebate amount in order to total \$237,500
- Payment in Lieu of Taxes (PILOT) required if Assessed Value falls below guaranteed amount during life of TID.

Approved TIF West Industrial Park ^{Proposed Site Plan for Infinity Expansion} agreements over the past few years generally range from 9% to 12% of guaranteed assessed value. Factors that influenced the terms proposed for this project include:

- 'But For' statement as provided above.
- Consideration of wetlands on the City owned parcel.
- Consideration of scale of expansion project.

The following reviews anticipated for this project:

- Purchase/Sale Agreement Terms (Finance/Personnel Committee)
- TID #12 Boundary Amendment (Joint Review Board)
- Site Plan (Plan Commission)
- Purchase Sale Agreement (Common Council)

If the Finance and Personnel Committee approves the proposed terms, the City will draft a Developer's Agreement that will be reviewed by the Common Council at a future meeting. Please contact Larry Delo or Judy Schmidt-Lehman with any questions regarding this item.



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: Planning

FROM: Kimberly Flom

SUBJECT: Consideration and possible action regarding proposed Purchase/Sale Agreement terms with Best Built, Inc for a project located at 1512 American Court (Parcel WD-1626). *

ATTACHMENTS:

- FP Memo - December 10, 2019 (DOCX)
- TID letter from John (PDF)

CITY OF DE PERE MEMO



To: Finance and Personnel Committee
 From: Kim Flom, Development Services Director
 Date: December 10, 2019

RE: **Proposed Purchase/Sale Agreement Terms for 1536 American Court (Parcel WD-1626)**

Best Built, Inc. on behalf of Clover Properties, LLC would like to acquire a 1.66 acre parcel of property in the West Industrial Park (WD-1626) in order to construct a building for an office/warehouse/sales support building for Clover Auto Supply. The property is located on American Court and is part of a cluster of properties that the City rezoned from C-E-O to I-B-2 in 2017. The Finance/Personnel Committee approved terms for CMR, LLC to develop the same parcel into an Indoor Climbing Facility in June of 2018. However, that agreement was never finalized due to financing issues. CMR, LLC representatives confirmed they no longer have interest in developing the property.



Attachment: FP Memo - December 10, 2019 (8928 : Purchase/Sale Agreement terms with Best Built, Inc for a project located at 1512 American

A TID incentive is proposed for this project that includes the following assumptions and terms:

1. A proposed 5,000 s.f. building (with appropriate façade materials as required by Code) for building to serve Clover Auto & Truck Supply (Clover Properties, LLC) for office, warehouse and sales support for their three retail locations.
2. Guaranteed Assessed value of \$350,000. Payment in Lieu of Taxes (PILOT) required if building assesses under Guaranteed Assessed Amount during life of TID.
3. Compliance with all City codes, particularly as related to design standards and landscaping. Plan Commission approval of Site Plan.
4. Acquisition of City property (Parcel WD-1626) at listed price of \$35,000/acre (estimated 1.66 acres = \$58,100).
5. Final purchase/sale agreement to be reviewed and decided upon by City Council.
6. Project completion (full assessment) by January 1, 2021

Project Incentive Option – Land Grant and Developer Grant

10% Total Incentive Package (\$35,000)

- \$35,000 Land Rebate. Total land cost of \$58,100 to paid as \$35,000 rebate from the City at time of close and \$23,100 from the applicant.
- PILOT would be required if Assessed Value falls under \$350,000.

Approved TIF West Industrial Park project over the past few years generally range from 9% to 13% of guaranteed assessed value. Factors that influenced the terms proposed for this project include:

- 1) Project is located in TID #11, which will generate increment until 2034.
- 2) Project provides minimum building size on property, but future expansion is possible.

The following reviews anticipated for this project:

- Purchase/Sale Agreement Terms (12/10/19 Finance/Personnel Committee)
- Site Plan (Plan Commission – target date 1/27/20)
- Purchase Sale Agreement (Common Council – target date 2/4 or 2/18/20)

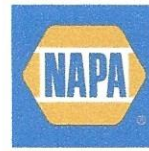
If the Finance and Personnel Committee approves the proposed terms, the City will draft a Developer's Agreement that will be reviewed by the Common Council at a future meeting. The Developer's Agreement will not be finalized until required land use and site plan approvals are secured.

Please contact Larry Delo or Judy Schmidt-Lehman with any questions regarding this item.



2681 N. Packerland Dr.
Green Bay, WI 54303
920-499-6272

1665 Main St.
Green Bay, WI 54302
920-406-6020



956 N. Main St.
Seymour, WI 54165
920-833-6272

Kimberly T. Flom
Development Services Director
City of DePere
335 S. Broadway
DePere, Wisconsin 54115

October 7, 2019

Dear Kimberly

We are writing to express interest in purchasing parcel WD-1626 in the West Business Park. We are seeking to build a 5,000 square foot support center for our business. The growth of our business has created the need for additional space to provide office, warehouse and sales support for our three stores located in Green Bay and Seymour, Wisconsin. Clover Properties, LLC will be the purchaser of the property and will lease the property and the building we are seeking to build to Clover Auto & Truck Supply, Inc.

Clover Auto & Truck Supply is a leading supplier of automotive and heavy truck parts and supplies within the communities we serve. Our primary customers are professional repair facilities and fleet accounts, however we also serve retail customers who perform their own vehicle repairs at home.

Our company provides parts, supplies and delivery service to our customer base in our three existing store locations. Due to an increase in sales revenue as well as the continued proliferation of inventory in our industry our store locations are currently space constrained. This new facility will provide the space needed to better support our three store locations including:

- Office space to improve efficiency in managing the many administrative aspects of our business.
- Additional warehouse space allowing the procurement of truckload quantities of key parts and commodities, which will then be redistributed to our three locations.
- The addition of a telephone service center that will provide phone sales service to our customer base. (note: all customer orders will continue to be processed and delivered to our customers from our current three store locations)

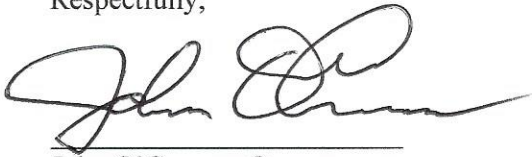
We founded Clover Auto & Truck Supply in 2012 and we have strong ties to West DePere including living in the community and our children attending schools within the district. For numerous reasons it is our desire to locate our new support center in West DePere, however we are seeking TID funds to make this plan a reality.

Specifically, having reviewed the city building codes as well as the specific parcel we are interested in purchasing there appears to be incremental costs for our project. The parcel we are considering has frontage on two streets and code requires full masonry on each side facing a street. Additionally, landscaping will be required on both street frontages. Our support center will require a loading dock to support product deliveries and given the specific lot we are considering a lift pump will be required to

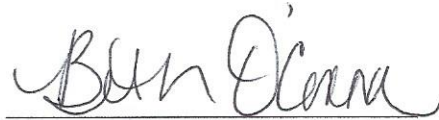
provide adequate drainage according to code. If available, TID assistance can serve to offset these costs, allowing us to move forward with our project in West DePere.

The estimated building costs for the building we are seeking to build is \$500,000 and in speaking with Accurate Appraisal the estimated assessment for our building would be \$350,000. Attached to this letter please find a site diagram as well as elevations for parcel WD-1626. We stand ready to make an offer for the property and commence construction spring of 2020. We are interested to learn whether our project would qualify for TID assistance and await your response to begin moving forward on our project.

Respectfully,



John O'Connor, Owner
Clover Auto & Truck Supply, Inc.
Clover Properties, LLC



Beth O'Connor, Owner
Clover Auto & Truck Supply, Inc.
Clover Properties, LLC



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Consideration and possible action on 2019 Short Term Note.*

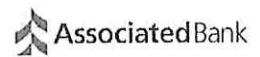
ATTACHMENTS:

- 2019 Short-TermNoteBorrowingMemo (PDF)
- Associated Short Term Note 2019 (PDF)
- Short Term Note Reso 19-XXX (PDF)

To: Honorable Mayor and Members of the Finance Committee
Larry Delo, Administrator
From: Joe Zegers, Finance Director
Date: December 3, 2019
Subject: Consideration and Possible Action on 2019 Short-Term Note

I have attached the interest rate quote from Associated Bank for the City's short-term note borrowing of \$400,000 authorized in the Adopted 2020 budget in November 2019. The repayment of the note was included in the City's 2020 debt service fund expenditures and covers seven items included in the 2020 budget as noted in the attachment. These amounts were included on pages 326-329 of the 2020 Executive Budget. The interest rate quote of 3.5% for 60 days or earlier prepayment will cost just under \$1,600 in interest which is included in the City's 2020 debt service fund budget.

I recommend the Finance Committee approve the terms of this note. Should you have any questions on this feel free to contact me or I will be present at the Finance Committee meeting on December 10th.



November 27, 2019

Mr. Joseph G. Zegers
Finance Director
City of De Pere
335 S. Broadway Street
De Pere, WI 54115

RE: Financing

Dear Joe:

Associated Bank (the "Bank") is pleased to provide the City of De Pere (the "Borrower") with a financing Commitment for a Taxable General Obligation Term Loan in the amount of \$400,000 (the "Commitment"). This Commitment is subject to the acceptance by the Borrower of the following terms and conditions:

<u>Borrower:</u>	City of De Pere
<u>Purpose:</u>	Purchases as outlined in attachment
<u>Commitment:</u>	\$400,000
<u>Interest Rate:</u>	3.50% fixed – taxable Calculated on the basis of the actual number of days over a 365 day year
<u>Repayment:</u>	Principal and interest due at maturity
<u>Note Date:</u>	12-27-19
<u>Maturity:</u>	2-27-20
<u>Legal Fees:</u>	\$2,000
<u>Prepayment Costs:</u>	None

If you have any questions, please contact me at (920) 433-3091.

Sincerely,

By: 
Joseph G. Hockers – VP, Government Banking Associated Bank

Attachment: Associated Short Term Note 2019 (8996 : Consideration and possible action on 2019 Short Term Note*)

2020 to purchase the following equipment and services:

1. \$25,000 for Police Department body cameras;
2. \$32,100 for Police Department two patrol vehicles;
3. \$70,000 for Police Department three squad vehicles;
4. \$187,900 for Police Department radio replacements;
5. \$65,000 for Fire Department utility vehicle;
6. \$10,000 for Main Avenue Alley bump out tables & chairs;
7. \$10,000 for Kelly Danen Park fence repair

By: _____

Joseph G. Zegers – Finance Director City of De Pere

RESOLUTION #19-XXX

AUTHORIZING ISSUANCE OF A PROMISSORY NOTE FOR
TEMPORARY BORROWING OF \$400,000 FOR PUBLIC PURPOSES

WHEREAS, Wis. Stats. §67.12 (12) authorizes municipalities to issue promissory notes as evidence of indebtedness for any public purpose; and

WHEREAS, on November 19, 2019, the Common Council adopted Resolution 19-XXX a copy of which is attached as Exhibit A, approving the City's 2020 budget, including authorization for indebtedness of \$400,000 in 2019 with repayment thereof, including interest, in 2020 to purchase the following equipment and services:

1. \$25,000 for Police Department body cameras;
2. \$32,100 for Police Department two patrol vehicles;
3. \$70,000 for Police Department three squad vehicles;
4. \$187,900 for Police Department radio replacements;
5. \$65,000 for Fire Department utility vehicle;
6. \$10,000 for Main Avenue Alley bump out tables & chairs;
7. \$10,000 for Kelly Danen Park fence repair

all of which constitute public purposes; and

WHEREAS, Resolution 19-XXX further levied a direct, annual tax, sufficient in amount to pay, and for the express purpose of paying, the interest on the note as it falls due and to pay and discharge the principal thereof at maturity; and

WHEREAS, including this anticipated borrowing of \$400,000, the City's indebtedness is \$36,615,000, which is within the City's 5% constitutional debt limitation of \$110,490,770;

WHEREAS, the promissory note shall be on the terms and conditions authorized below;
and

WHEREAS, this matter has been reviewed by the Finance/Personnel Committee which recommends approval thereof.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

The Mayor and Clerk Treasurer are authorized and directed to issue a promissory note for the purposes expressed above provided such note is on the following terms:

1. In an amount not to exceed four hundred thousand and no/100 (\$400,000);
2. Bears an interest rate of no more than 3.60% per annum;
3. Is due and payable in no more than sixty (60) days from the date of issuance;
4. Contains no pre-payment penalty.

BE IT FURTHER RESOLVED THAT:

All City officials, officers, employees, and agents are authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 18th day of

December, 2019.

APPROVED:

Michael J. Walsh, Mayor

ATTEST:

Carey E. Danen, Clerk

Ayes: _____

Nays: _____



City of De Pere, Wisconsin

Request For Finance/Personnel Committee Action

MEETING DATE: December 10, 2019

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Review and possible action on City of De Pere Investments and Cash Detail for October 2019.

ATTACHMENTS:

- October Cash and Investment Memo (PDF)
- October Cash and Investment Report (PDF)

To: Honorable Mayor and Members of the Finance Committee
Larry Delo, Administrator
From: Joe Zegers, Finance Director
Date: December 4, 2019
Subject: Cash and Investments Report for October 31, 2019

I have attached a summary of the City's Cash and Investments for your information and review as of October 31, 2019. I have also attached a monthly summary of the accounts from January 1 to October 30, 2019 so you can see comparable activity throughout the course of the year for all accounts. As you can see, the City investments are performing well compared to the 2019 budget. The 2019 investment income budget was conservatively estimated based on 2018 results at the time the budget was prepared. The LGIP investment amount increased in October due to the receipt of the 2019 borrowing. The LGIP investment account will decrease \$3.8 million for scheduled debt payments at the end of November 2019 as well as another \$4,000,000 for November payroll and accounts payable which includes over \$1,328,000 in public works contracts and another \$936,000 for our monthly water and sewer bills to Central Brown County Water Authority and NEW Water. Feel free to contact me should you have any questions on this.

DE PERE CASH AND INVESTMENTS SUMMARY

October 31, 2019

CASH ACCOUNTS	
CHECKING ACCOUNTS	BALANCE
CITY CHECKING	\$ 974,406.51
HEALTH CHECKING	\$ 1,683,453.48
DENTAL CHECKING	\$ 38,962.71
SUBTOTAL	\$ 2,696,822.70
RESTRICTED	BALANCE
WATER BOND MM	\$ 212,073.96
SUBTOTAL	\$ 212,073.96
TOTAL CASH	\$ 2,908,896.66

INVESTMENTS			
	BALANCE	INTERST AND APPRECIATION	RATE OF RETURN
LGIP	\$ 11,312,727.68	\$ 200,929.04	2.34%
ASSOCIATED BANK TRUST	\$ 4,967,345.66	\$ 120,876.62	2.99%
CHARLES SCHWAB INVESTMENTS	\$ 6,213,084.19	\$ 252,083.91	5.07%
MONEY MARKET	\$ 2,885,484.14	\$ 40,434.65	1.92%
TOTAL INVESTMENTS	\$ 25,378,641.67	\$ 614,324.22	
TOTAL CASH AND INVESTMENTS	\$ 28,287,538.33		

NOTE: The City budgeted \$262,000 for general fund revenues in the 2019 Adopted Budget.

DE PERE CASH AND INVESTMENT YEARLY SUMMARY

October 31, 2019

	31-Jan-2019	28-Feb-2019	31-Mar-2019	30-Apr-2019	31-May-2019	30-Jun-2019
CHECKING ACCOUNTS						
CITY CHECKING	\$ 825,289.48	\$ 553,303.45	\$ 204,276.91	\$ 1,016,068.70	\$ 655,555.09	\$ 727,308.78
HEALTH CHECKING	\$ 951,100.75	\$ 963,398.81	\$ 1,054,752.12	\$ 1,130,092.06	\$ 1,222,398.04	\$ 1,288,692.56
DENTAL CHECKING	\$ 25,718.97	\$ 27,095.40	\$ 28,528.22	\$ 29,472.36	\$ 31,203.17	\$ 32,415.90
SUBTOTAL	\$ 1,802,109.20	\$ 1,543,797.66	\$ 1,287,557.25	\$ 2,175,633.12	\$ 1,909,156.30	\$ 2,048,417.24
RESTRICTED						
REVOLVING LOAN	\$ 811,350.56	\$ 811,630.64	\$ 811,940.83	\$ 812,241.13	\$ 812,551.56	\$ 812,852.09
WATER BOND MM	\$ 211,361.51	\$ 211,434.47	\$ 211,515.28	\$ 211,593.51	\$ 211,674.38	\$ 211,752.67
SUBTOTAL	\$ 1,022,712.07	\$ 1,023,065.11	\$ 1,023,456.11	\$ 1,023,834.64	\$ 1,024,225.94	\$ 1,024,604.76
TOTAL CASH	\$ 2,824,821.27	\$ 2,566,862.77	\$ 2,311,013.36	\$ 3,199,467.76	\$ 2,933,382.24	\$ 3,073,022.00
INVESTMENTS						
LGIP	\$14,391,367.90	\$12,008,510.91	\$11,933,482.05	\$10,670,625.37	\$9,064,527.52	\$ 6,943,714.70
ASSOCIATED BANK TRUST	\$ 4,852,594.23	\$ 4,858,078.63	\$ 4,876,516.60	\$ 4,886,737.64	\$4,922,508.25	\$ 4,933,830.69
CHARLES SCHWAB INVESTMENTS	\$ 6,000,316.76	\$ 6,015,896.39	\$ 6,043,494.20	\$ 6,076,140.99	\$6,087,574.21	\$ 6,119,076.89
MONEY MARKET	\$ 2,034,996.72	\$ 2,038,118.90	\$ 2,041,580.90	\$ 2,045,541.00	\$2,049,710.53	\$ 2,053,753.79
TOTAL INVESTMENTS	\$ 27,279,275.61	\$ 24,920,604.83	\$ 24,895,073.75	\$ 23,679,045.00	\$ 22,124,320.51	\$ 20,050,376.07
TOTAL CASH AND INVESTMENTS	\$ 30,104,096.88	\$ 27,487,467.60	\$ 27,206,087.11	\$ 26,878,512.76	\$ 25,057,702.75	\$ 23,123,398.07

	31-Jul-2019	31-Aug-2019	30-Sep-2019	31-Oct-2019	30-Nov-2019	31-Dec-2019
CHECKING ACCOUNTS						
CITY CHECKING	905,026.81	426,041.63	735,827.64	974,406.51	-	-
HEALTH CHECKING	1,353,881.40	1,490,067.36	1,568,755.39	1,683,453.48	-	-
DENTAL CHECKING	29,314.13	30,520.16	36,811.43	38,962.71	-	-
SUBTOTAL	\$ 2,288,222.34	\$ 1,946,629.15	\$ 2,341,394.46	\$ 2,696,822.70	\$ -	\$ -
RESTRICTED						
REVOLVING LOAN	813,162.75	813,473.53	-	-	-	-
WATER BOND MM	211,833.60	211,914.56	211,992.94	212,073.96	-	-
SUBTOTAL	\$ 1,024,996.35	\$ 1,025,388.09	\$ 211,992.94	\$ 212,073.96	\$ -	\$ -
TOTAL CASH	\$ 3,313,218.69	\$ 2,972,017.24	\$ 2,553,387.40	\$ 2,908,896.66	\$ -	\$ -
INVESTMENTS						
LGIP	\$12,354,986.31	\$ 6,769,355.45	\$ 3,568,424.04	\$11,312,727.68		
ASSOCIATED BANK TRUST	\$ 4,931,169.73	\$ 4,954,939.21	\$ 4,955,580.76	\$ 4,967,345.66		
CHARLES SCHWAB INVESTMENTS	\$ 6,141,231.12	\$ 6,173,193.84	\$ 6,186,727.81	\$ 6,213,084.19		
MONEY MARKET	\$ 2,057,940.06	\$ 2,062,134.87	\$ 2,880,835.35	\$ 2,885,484.14		
TOTAL INVESTMENTS	\$ 25,485,327.22	\$ 19,959,623.37	\$ 17,591,567.96	\$ 25,378,641.67	\$ -	\$ -
TOTAL CASH AND INVESTMENTS	\$ 28,798,545.91	\$ 22,931,640.61	\$ 20,144,955.36	\$ 28,287,538.33	\$ -	\$ -

Attachment: October Cash and Investment Report (8995 : Review and possible action on City of De Pere Investments and Cash Detail for