



Finance/Personnel Committee

Regular Meeting

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

Minutes

Tuesday, December 10, 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, December 10, 2019, at the De Pere City Hall Council Chambers, 335 South Broadway Street, De Pere, Wisconsin 54115.

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

Also Present: City Administrator Lawrence Delo, City Attorney Judith Schmidt-Lehman, Assistant Fire Chief Richard Annen, Police Chief Derek Beiderwieden, Joe Zegers, Scott Hemauer of HZ Properties LLC, and a representative of Best Built, Inc.

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

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

3. Public Comment Period and other announcements.

No announcements were made. No one in the audience came forward when offered by Mayor Walsh to comment on any item not on the Agenda.

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

In response to Aldersperson Crevier, Assistant Fire Chief Annen reviewed the monthly incident report as to which properties are commercial versus residential. He further explained that positioning of personnel can sometimes impact a larger response, such as when an ambulance responds in the course of returning from a previous call (or the hospital) in "all come" situations. City Attorney Judith Schmidt-Lehman and Finance Director Zegers both advised Aldersperson Crevier that the vast majority of credits on the LifeQuest billings are due to Medicare adjustments. Further discussion was held on the Gross Revenue chart in response to Aldersperson Crevier's questions regarding aging population and potentially higher increases than what is being shown, and Assistant Chief Annen indicated an aging population would also bring the Medicare factor more into play. He added that an analysis of the increased call volume as compared to the increase in revenues could be undertaken to determine appropriate future staffing and facilities.

Administrator Delo added that the City is a fairly young community overall and is experiencing growth in younger families, although the ambulance calls are typically for older individuals. While the majority of adjustments are for Medicare, write-offs also occur for Medicaid and uncollectible accounts. In response to Aldersperson Crevier, Administrator Delo indicated that he believes the City's average age has stayed relatively

consistent over the last 5 to 10 years, but may have decreased some by gaining younger population due to the school districts attracting younger families.

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

5. Approval of the November 2019 Police Overtime Report.

Alderperson Crevier reviewed the overtime report for larger trends and asked Chief Beiderwieden about the decrease in overtime in the Reimbursed Overtime category. The Chief indicated that he has not done an analysis of that specific category, but the net total overtime is increasing as the staffing level is driving the overall number; the department is down four employees and expects that it may not be fully-staffed until next May. Mayor Walsh added that reimbursed overtime is driven by the number of events and would have experienced a decrease this year because "Celebrate" was held at the fairgrounds.

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

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

In response to Alderperson Nelson, Chief Beiderwieden explained that compression braking uses a device on large commercial vehicles to release exhaust from the motor to assist braking in order to slow the vehicle, which creates a noise that is loud, annoying and disruptive. The intention of the revision is to create a more reasonable fine at \$75 for a first offense. The Department does not currently issue many tickets for this offense and feels currently it is a high-priced fine for a noise violation that is the driver's responsibility, not the company. There is an exception for use in emergencies. In response to Alderperson Crevier's questions regarding the expectation among the driving community and comparison to other communities, Chief Beiderwieden indicated he believes it would be a welcome change for a lower fine, with no points or loss to insurance. Companies may not even be aware of these citations as they are issued their drivers and the offense is not a moving violation.

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

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

In response to Alderperson Nelson, Chief Beiderwieden confirmed that this ordinance will allow, typically the first offense, to be handled locally rather than burden the circuit court system, which handles charges that violate state statute. Chief Beiderwieden indicated, in response to Alderperson Crevier in discussion regarding the definition of nudity, that clothing that isn't opaque is still a violation. City Attorney Schmidt-Lehman advised that "harmful to minors" was mirrored from the Supreme Court standard on

obscenity. Both the Chief and City Attorney further explained that these citations would follow the standard municipal court procedure for events that do not rise to the level of criminal by either paying a fine or having a hearing. Chief Beiderwieden advised that the suggestion of this ordinance came internally, and may have risen from a suggestion of the school districts; he is not aware of any opposition from the districts. In response to Alderperson Chandik Kundinger, the Chief confirmed that there is a criminal statute in place for adults who share nudity; this is posed as a first step to resolve an issue. Administrator Delo questioned whether there is a double-standard between males and females and whether thong swim suit pictures that are texted are violations, to which both the Chief and City Attorney indicated it could be. Alderperson Crevier appreciates the approach of trying to stop this issue quickly and early.

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

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

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

9. Request of HZ Properties LLC that the City Subordinate its Revolving Loan for Refinancing Purposes.

In response to Alderperson Crevier, City Attorney Judith Schmidt-Lehman explained that if the loan defaults, the City would now be further down the line for payment, but the risk level difference in first and second positions isn't significant in this instance.

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

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

In response to questions of Alderpersons Nelson and Crevier, City Attorney Judith Schmidt-Lehman explained that this item is a request to transfer a current three-year option to purchase that AmeriLux executed this past summer to LTF Investments, LLC (LTF), who will assume the obligations of AmeriLux in full. The transfer would be under the same terms and conditions, and the City will consent. LTF does currently own property that is adjacent to the option parcel. The intent is ultimately for the City to sell the land and have the property developed; occasionally options do lapse, and then the property returns to the City to be offered to other potential buyers.

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

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). *

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

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). *

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

13. Consideration and possible action on 2019 Short Term Note.*

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

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

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

15. Future agenda items.

None.

16. Adjournment

Upon Motion of Mayor Walsh, seconded by Alderperson Crevier, the Finance/Personnel Committee unanimously adjourned at 8:05 PM.

Respectfully submitted,
Angela Zills