

MINUTES
FINANCE COMMITTEE
Wednesday, January 28, 2015
City Hall, Room 604
5:00 p.m.

MEMBERS: Alders Tom De Wane, Andy Nicholson, Tom Sladek and Guy Zima

OTHERS PRESENT: Ald. Wery, Ald. Steuer, Ald. Nennig, Ald. Tim DeWane, Dawn Foeller, Diana Ellenbecker, Rick Jensen, Kim Flom, Lynn Boland, Melanie Falk, Atty Mueller, Tom Molitor, Dave Litton and others.

1. Roll Call. All present except Ald. Tom DeWane, who was excused.
2. Approval of the Agenda.

A motion to approve the agenda as presented Ald. Tom Sladek, seconded by Ald. Andy Nicholson and carried to approve.

3. Approval of the minutes of the Finance Committee meeting of January 14, 2015.

A motion to approve the minutes made by Ald. Tom Sladek, seconded by Ald. Andy Nicholson and carried to approve.

4. Request by Ald. Tim DeWane to look at the cost and feasibility of contracting out the animal control division within the City.

Ald. Tim DeWane came forward to address this issue to which he listed four concerns he has heard from constituents concerning the Humane Officer division which include:

1. Slow response and timeliness of service
2. Quality of service, primarily after 4:30 in the afternoon
3. Animal welfare
4. Use of interns and concern for adequate training.

Ald. Tim DeWane stated there is lack of reporting where animals are concerned such as the number of calls, disposition of the animals, number of pets returned to their owner, and number adopted. Through this communication, he would like the committee to consider combining contracting out animal control and maintenance of animals as a service to one provider.

Ald. Tim DeWane stated that our current contract with Packerland is a three year contract with its first renewal up on June 1, 2016. Ald. Tim DeWane had concerns about Packerland's ability to handle the large number of animals brought in by our Humane Officer.

At this time, a motion was made by Ald. Andy Nicholson and seconded by Ald. Tom Sladek to open the floor for interested parties to speak.

Ms. Lisa Peters, 325 N. Maple Avenue, Green Bay, came forward and asked the committee to explore options for this service. She stated that Packerland did have the capacity to handle the animals for the required 7 days, however, on day 8 is where she has the issue. When this contract was initially approved, one of Packerland's partners was going to be Happily Ever After, a no kill organization, that would take the animals and find homes for them. Packerland had been using Happily Ever After, however, Ms. Peters stated that there are reports that Happily Ever After has failed several of their inspections at their location in Ashwaubenon, requiring Packerland to use other partners to take the strays after the 7 day period.

Ald. Zima asked about details of the current contract of which Purchasing Manager Rick Jensen stated that the City, according to state requirements, is responsible for the first 7 days of care for animals picked up by the City's Humane Officer. Mr. Jensen went onto say a RFP was issued in Spring 2013 and had four vendors reply. Scoring was based on experience and qualifications of the business and individual members of the business, facilities and operations, location, hours, capacity, reporting capabilities, animal records and accessibility to GBPD. The low vendor, Happily Ever After was not selected due to its newness to the Green Bay area and instead, Packerland, who had garnered the most points in the process, was approved by the Common Council as the City's vendor for this service in May 2013.

Ald. Zima asked how long the City had been using Bay Area, to which Mr. Jensen replied giving some background on this contract, and explained to the committee that Bay Area Humane Society had held the contract for several years until it lapsed some time prior to the issuance of the RFP. Attorney Kail Decker had been working with the Humane Society for months on the renewal of the contract, however, neither side could come to terms and thus the RFP process was initiated by the purchasing department.

A team consisting of the Humane officer, a police lieutenant and the assistant wildlife director took part in the review and scoring of the proposals. The final contract was written to be consistent with State statute for animal control and Mr. Jensen believes that Packerland is operating within the signed contract.

Ald. Zima stated he believed the Humane Society had been a long standing partner with the City in the maintenance of animals and to not have let the contract to them seemed strange.

Ald. Sladek stated he sat through the debate and his recollection was that the Police Department had difficulty getting reporting from Bay Area and there was a lack of cooperation to license animals by Bay Area Humane Society.

Ald. Sladek stated that the RFP process was performed by professionals who know this field and was approved after much debate by the Common Council. Certain individuals may be dissatisfied with the level of service occurring after the 7 day period, however, the City's contract with Packerland follows the state statute which obligates the City for care of animals just for the first 7 days. A term beyond the 7 days would be an expansion of that service which would be a separate issue from the current contract.

Additional conversation ensued amongst the committee members and other Common Council members present regarding the care given to strays after day 8. Chair, Ald. Zima made a suggestion to Ald. Tim DeWane to bring forward another communication to broaden the topic and to gather more information including looking at combining the maintenance of animal's

contract with the duties of the humane officer and to address other concerns Ald. Tim DeWane may have about this service. Atty Mueller stated that he could help Ald. Tim DeWane with that communication.

Ald. Zima asked if there were any other members of the audience that would like to come forward on this issue.

Cindy Ashbeck, 857 N. Ninth Street, Manitowoc, WI addressed the committee and voiced her concern that stray animals may be being euthanized by Packerland and the conditions those strays may face at Happily Ever After if that is where they are going after the 7 day period with Packerland.

Heidi Waukechon, W5215 County Road E, Bonduel, WI came forward to address the committee. Ms. Waukechon was a volunteer with Happily Ever After at their Marion site. She stated that the Marion site was already overcrowded prior to Packerland receiving the contract and using Happily Ever After as a partner to take strays after day 7. Ms. Waukechon stated that there were animals that died due to respiratory issues and would recommend committee members who vote on this issue to visit Happily Ever After's Marion location.

Susan Scheintner, 145 S. Franklin St, Shawano, WI came forward to address the committee. Ms. Scheintner also was a volunteer with Happily Ever After at their Marion site and described the conditions of the Marion facility as being small and cramped with very little air flow or stimulation for the cats. She stated when Happily Ever After was first opened, she believes the owners had good intentions, however, the Marion facility has become inadequate for the volume of strays animals being taken in.

Ald. Zima asked if there were any other members of the audience that would like to come forward to address this issue. No other members came forward and a motion to return to regular order was made by Ald. Tom Sladek and seconded by Ald. Andy Nicholson and carried.

A motion was made by Ald. Tom Sladek and seconded by Ald. Andy Nicholson to hold until next meeting the request by Ald. Tim DeWane to look at the cost and feasibility of contracting out the animal control division within the City and for Ald. Tim DeWane to provide further communication on this issue at the next Common Council meeting.

5. Request by Ald. Wery that the Mayor and staff provide documentation for "approval and purchase" of the Clarion Hotel, showing when public debate and vote were held and the purchase price.

Ald. Wery came forward to address the committee on this item. Attorney Mueller spoke to the documents that were placed in each of the Common Council member's mailboxes in City Hall. Those documents included each of the respective Common Council meetings that took up the purchase of the Clarion as well as closed session minutes. Attorney Mueller indicated that since this purchase had been completed in the past, closed session minutes were distributed to the Common Council. The minutes of the January 15, 2013 indicate the Common Council authorized the Mayor to spend up to \$3.5M on the purchase of the property.

A few of the committee members wanted to take more time to review the information provided and a motion was made by Ald. Andy Nicholson and seconded by Ald. Tom Sladek to hold this item for the next finance committee meeting.

6. Request by Ald. Nicholson to review the total number of lawsuits since 2002 and to have the Finance Department prepare a report broken down by year that shows the cost of each lawsuit per year, brief description of the lawsuit, the amount paid in attorney fees, and the cost of the lawsuit.

Director Foeller stated the reports were included in the member's packet. The first two pages related to outside legal counsel fees incurred by the City and put together by the Law Department and the second grouping of documents is a report that was put together by the City's insurance carrier, CVMIC. Both of the documents were the same documents included with prior finance committee agendas.

A motion to hold the request by Ald. Nicholson to review the total number of lawsuits since 2002 until the next finance meeting to give the committee a chance to review the documents was made by Ald. Andy Nicholson and seconded by Ald. Tom Sladek and carried.

12. Report by the Finance Director

Director Foeller had nothing to report at this time.

A motion to receive and place on file the report of the finance director was made by Ald. Andy Nicholson and seconded by Ald. Tom Sladek and carried.

A motion to adjourn the meeting at 6:04 was made by Ald. Andy Nicholson and seconded by Ald. Tom Sladek and carried.

2015 Contingency Fund
\$110,000

- 1) **THIS MEETING IS AUDIO TAPED:** THE AUDIO OF THIS MEETING & MINUTES ARE AVAILABLE ON LINE AT WWW.CI.GREEN-BAY.WI.US.
- 2) **ACCESSIBILITY:** Any person wishing to attend who, because of a disability, requires special accommodation should contact the City Safety Manager at 448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) **QUORUM:** Please take notice that it is possible that additional members of the Council may attend this committee meeting resulting in a majority or quorum of the Common Council. This may constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) **REPRESENTATION:** The party requesting the communication, or their representative, should be present at this meeting.