

MINUTES
FINANCE COMMITTEE
Monday, March 9, 2015
City Hall, Room 400
5:30

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

OTHERS PRESENT: Dawn Foeller, Diana Ellenbecker, Rick Jensen, Dawne Cramer, Coleen Hinz, Lynn Boland, Ald. Christopher Wery, Jim Mueller and others.

1. Roll Call. Ald. Guy Zima arrived at 5:45 p.m.
2. Approval of the Agenda.

A motion was made by Ald. Tom Sladek, seconded by Ald. Tom De Wane, and carried to approve.

3. Approval of the minutes of the Finance Committee meeting of February 23, 2015.

A motion was made by Ald. Tom Sladek, seconded by Ald. Tom De Wane, and carried to approve.

4. Request by the Safety Manager to review and approve a resolution to continue the City being self-funded for its workers compensation fund.

Safety Manager Colleen Hinz handed out a document that detailed cost savings for years 2012 – 2014 to the City of Green Bay of being self-insured vs. fully-insured for 2012 was a little bit over \$140,000, 2013 was \$248,000, and 2014 was slightly over \$455,000. This resulted in a total cost savings to the City of Green Bay of a little more than \$843,000 over the last three years by being self-insured.

A motion to approve was made by Ald. Tom De Wane, seconded by Ald. Tom Sladek, open for discussion.

Ald. Tom Sladek asked how much of difference in the amount for 2014 was attributable to the automated garbage pickup.

Safety Manager Colleen Hinz stated that it could not be answered without a review of the numbers and that it could be looked at in further detail.

Ald. Tom Sladek and Ald. Andy Nicholson requested that a breakdown of the numbers be done by department due to feedback from constituents that would like to see the numbers.

A motion to approve the requested resolution presented by the Safety Manager for continuation of the City being self-insured for its workers compensation fund made by Ald. Tom Sladek, seconded by Ald. Tom DeWane and carried.

5. Request by Ald. Tim DeWane to direct staff to draft an amendment to the Animal Service Agreement Contract with language that on the eighth day Bay Area Humane Society has first rights to all stray animals held at Packerland Veterinary.

Ald. Tom De Wane stated that this is under Ald. Tim De Wane who is involved in another meeting at this time, but was an item that was brought forward at the City Council meeting for our City Attorney to explore. Ald. Tom DeWane is aware that this amendment still needs to be discussed with Packerland, but feels this item could be approved by committee today directing the law department to negotiate with Packerland changes to the contract and brought before council at its next meeting.

City Attorney Jim Mueller handed out draft document to provide framework to the committee of the amendment and explained that he has not had an opportunity to discuss the amendment with Packerland due to their representative being out of town with family. Attorney Mueller plans on setting up a meeting with Packerland to go over the proposition and proposed this item be advance to Council.

Ald. Tom Sladek asked if this was reviewed with the Bay Area Humane Society.

City Attorney Jim Mueller stated that he has spoken with Dr. Warpinski and they are in agreement. The drafted document contains a clause that both Packerland and Bay Area Humane Society would have to enter into their own agreement due to unforeseen details and logistics that the City may not be aware of.

A motion to approve the amendment with Packerland was made by Ald. Tom De Wane, seconded by Ald. Tom Sladek, and open for discussion.

Ald. Tom Sladek asked for clarification on the motion if the approval is for our attorney to meet with the involved parties and see if they can come to an agreement, which would then provide a contract to be brought to Council for a decision. Ald. DeWane replied yes.

A motion was made by Ald. Tom De Wane, seconded by Ald. Tom Sladek, and carried to direct staff to pursue entering into an amendment to the City's Animal Service Contract with Packerland Veterinary Clinic.

6. Request by the Purchasing Manager to approve the following:
 - a. Request approval to purchase one Washer and two Dryers, commercial grade, for laundering Fire Department turnout gear, from Belson Company for \$20,724.

A motion was made by Ald. Tom Sladek, seconded by Ald. Tom De Wane, and carried to approve.

7. 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.

Finance Director Dawn Foeller reached out to Ald. Christopher Wery last Friday to see if today's meeting date would work, however, had not heard back from him.

A motion to hold until next meeting made by Ald. Tom De Wane, seconded by Ald. Tom Sladek, and carried.

8. Request by Ald. Andy Nicholson to have the DPW staff bring back applicable environmental and historical information related to the parcel located on the southwest corner of University and Irwin Avenues.

Director of Public Works Steve Greiner prepared a short memo describing the property and historical information on the property located at 626 N. Irwin Avenue, which was requested at the last meeting. He stated it is approximately 15,480 square feet and includes a vacant 430 square foot building, which was constructed in 1970 as a Clark Station.

The recently completed University Avenue corridor plan calls for this corner to have multiple uses including commercial and/or high intensity retail office zoning. It was identified as a potential ground field redevelopment site. The surrounding area is residential and commercial.

The Wisconsin Historical Society was contacted and this site is not governed by anything that would limit redevelopment. The property similar to this one located on Velp Avenue is different due to the age in which it was constructed.

The DNR website listed two separate activities on this site. The first recorded activity was a surface fill in 1992 with the second being the removal of three underground tanks in 2010. There is no groundwater contamination or insignificant soil contamination reported, which means that any dirt that is dug up and removed needs to be managed at a land fill. There is no limitation on redevelopment of this site. A parking lot, retail office space, or commercial use would be acceptable for this site.

Ald. Andy Nicholson questioned if there were specific plans for this parcel and with it being owned by Brown County if the City of Green Bay had plans for this site could the County refuse the development of this area.

Director Grenier replied that any redevelopment would need to be consistent with zoning no matter who would own the parcel.

Ald. Andy Nicholson stated that the Green Bay Board of Education is interested in buying this property to use as a parking lot for Nicolet School and if that plan would fit into the zoning, it could be a possibility.

A motion to receive and place on file made by Ald. Tom De Wane, seconded by Ald. Tom Sladek, and carried to approve.

Ald. Guy Zima arrived at 5:45 p.m. and Ald. Nicholson left shortly after 5:45.

9. Request by Ald. Tom DeWane for an update on the Watermark and for it to include the debt that was abandoned by the developers, guaranties in place for the property, taxes outstanding and City money that was put toward tenant improvements for CH Robinson.

Finance Director Dawn Foeller prepared a chronological document and provided a verbal summary of the information presented. In December, 2005 a term sheet was approved by the RDA and the City Council for the development of the Younker's site. This term sheet authorized staff to prepare the developer agreement in accordance with the approved term sheet and was approved unanimously by the RDA and 9-3 vote by the Council.

In October, 2006 a revision to the term sheet was brought forward that would break the project down into two phases, the redevelopment of the Younkers Site including Flats on the Fox and the Astor site. The revision was approved by the Redevelopment Authority unanimously. The Common Council approved the changes on November 8 on a 9-3 vote. The developer agreement was signed on May 7, 2006.

Ald. Guy Zima asked to have terms discussed.

Finance Director Dawn Foeller stated that the City of Green Bay issued a debt in 2005 for the purchase of the Younker's property. One of the terms of the developer agreement was to have the developer take over the debt of this borrowing effective January 1, 2009. Another term of the agreement was to approve access of up to \$2.6M in TIF funds for this project. Only \$1.4M was drawn upon. Both of these two borrowings were to be covered by increment created by the project.

Additional discussion ensued walking through the documents presented. It was requested by Ald. Guy Zima and Ald. Tom De Wane that Director Foeller put together additional documentation and prepare a narrative on this project for the committee's next meeting. Director Foeller suggested once additional documentation is complete, that she sit down with Ald. DeWane to review the documents and make sure this is what he is looking for.

Motion to refer back to staff the request by Ald. Tom De Wane for a financial update on the Watermark with a complete narrative of chronological records of all financial transactions and for it to include debt that was abandoned by the developers, guarantees in place for the property, taxes outstanding and City money that was put toward tenant improvements for CH Robinson.

Motion to hold this item for further information until next meeting made by Ald. Tom De Wane, seconded by Ald. Tom Sladek, and carried to approve.

It is noted that Ald. Christopher Wery arrived at 6:35 p.m. at which time, the committee took up item 7 from above.

7. 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. Christopher Wery spoke on this item wherein he stated information was adequate, but there he did not feel there had been enough public debate on the issue and is concerned with regard to the purchase of the property not being reported on.

Ald. Guy Zima suggested outside counsel be obtained on whether this item was completed legally. It was not publicly voted on and was done in closed session.

Ald. Tom Sladek suggested that Ald. Guy Zima bring it to the DA as an individual. Ald. Tom Sladek stated he was not interested in taking it any further as he believes this item was completely legally. Ald. Tom Sladek further stated his understanding that common council was in a dilemma to save the KICC Expansion project and purchasing the property that was in receivership would allow the project to remain on schedule.

Attorney Mueller advised the Committee that Ald. Zima is threatening a litigation against his clients, the committee members and the council, and that the conversation end immediately.

A motion to receive and place on file made by Ald. Tom De Wane, seconded by Ald. Tom Sladek, and carried.

10. Report by the Finance Director

Finance Director Dawn Foeller had no report at this time.

A motion to adjourn was made by Ald. Tom Sladek, seconded by Ald. Tom De Wane, and carried to approve. Meeting adjourned at 6:54 p.m.

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.