



MINUTES OF THE FINANCE COMMITTEE

TUESDAY, DECEMBER 13, 2022, 4:30 PM

In person at City Hall, Room 207.

Virtual attendance also available via Zoom.

Immediately following Personnel.

AMENDED

A. ZOOM MEETING INFORMATION.

I. This item contains Zoom information, instructions, and a link to the Virtual Comment Form.

B. ROLL CALL.

I. Members: Ald. Brian Johnson, Ald. Jesse Brunette, Ald. Bill Galvin & Ald. Jim Hutchison.

Present: Jesse Brunette, Jim Hutchison, Brian Johnson, Bill Galvin

Also present: Ald. Mark Steuer, Ald. Steven Campbell, IT Director Mike Hronek, Development Director Neil Stechschulte, City Attorney Joanne Bungert, Police Chief Chris Davis, Finance Director Diana Ellenbecker, Assistant Finance Director Pam Manley and others.

C. APPROVAL OF THE AGENDA.

Moved by Ald. Bill Galvin, seconded by Ald. Jesse Brunette to approve.

Motion Passed.

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

D. APPROVAL OF MINUTES.

I. Approval of the Finance Committee minutes from the November 29, 2022 meeting.

Moved by Ald. Jim Hutchison, seconded by Ald. Bill Galvin to approve.

Motion Passed.

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

E. REGULAR BUSINESS.

1. For consideration with possible action on the purchase of FortiNet EPP-APT, EDR/MDR and MultiFactor Authentication software and support for 36 months for total cost of \$154,125.00.

Moved by Ald. Jesse Brunette, seconded by Ald. Jim Hutchison to approve.

Motion Passed.

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

2. For consideration with possible action acceptance of the State of Wisconsin Department of Administration Neighborhood Investment Fund Grant program for \$5,000,000 as part of the American Rescue Plan Act of 2021.

Moved by Ald. Bill Galvin, seconded by Ald. Jesse Brunette to approve.

Motion Passed.

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

3. Consideration with possible action on a request by Department of Public Works for a sole-source purchase of an Aries TR3320 Pathfinder Tractor (with case) and an Aries PE3530 CCTV Camera (with case) from JWR, Inc., in the amount of \$51,229.

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to approve.

Motion Passed.

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

4. For consideration with possible action acceptance of the WECD Community Development Investment Grant for up to \$250,000.

Moved by Ald. Bill Galvin, seconded by Ald. Jim Hutchison to approve.

Motion Passed.

Yes- Bill Galvin, Jesse Brunette, Jim Hutchison, Abstain- Brian Johnson.

5. Consideration with possible action on a first amendment to the resolution adopting the City's plan for expenditure of funds received pursuant to the American Rescue Plan Act of 2021.

Moved by Ald. Jesse Brunette, seconded by Ald. Brian Johnson to approve.

Motion Passed.

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

6. Report of the Claims Committee.

The Committee may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

Moved by Ald. Bill Galvin, seconded by Ald. Jesse Brunette to enter closed session at 4:58pm. Motion Passed.

Ald. Bill Galvin read the closed session language for Items 6 & 7, 19.85(1)(g) and 19.85(1)(e).

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

Moved by Ald. Bill Galvin, seconded by Ald. Jesse Brunette to return to regular session at 5:49pm.
Motion Passed.

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

Moved by Ald. Bill Galvin, seconded by Ald. Jesse Brunette to proceed as directed in closed session and approve the balance of the report.

Motion Passed.

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

7. For consideration and possible action to authorize the engagement of Husch Blackwell as outside counsel to provide legal assistance related to the Lambeau Field Stadium Lease.

The Committee may convene in closed session pursuant to Sections 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating the sale of public properties, investing of public funds or conducting other specified public business as necessary for competitive or bargaining reasons. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

Moved by Ald. Bill Galvin, seconded by Ald. Jim Hutchison to approve.

Motion Passed.

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

8. For consideration with possible action the resolution authorizing budget amendments for unbudgeted community events and costs offset by invoices for a total of \$39,719.27.

Moved by Ald. Bill Galvin, seconded by Ald. Jesse Brunette to approve.

Motion Passed.

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

F. INFORMATIONAL.

1. 2022 Contingency Account: \$184,297.00; unobligated is \$57,297.00.

2. The next Finance Committee meeting will be held on Tuesday January 10, 2023 at 4:30 PM.

G. ADJOURNMENT.

Moved by Ald. Jesse Brunette, seconded by Ald. Jim Hutchison to adjourn.

Motion Passed.

Yes- Bill Galvin, Brian Johnson, Jesse Brunette, Jim Hutchison

H. VERBATIM MINUTES.

- Call this meeting to order at 4:41 PM. Let the record reflect that Alder Galvin, Alder Brunette, Alder Hutchinson, and Alder Johnson are all present. A motion to approve the agenda?

- Approve.
- Second.
- A motion by Galvin, a second by Brunette. Any discussion? Seeing none, all those in favor say aye.
- Aye.
- Propose motion carries, item D, approval of minutes. Approval of the finance committee minutes from the November 29th, 2022 meeting.
- So move.
- Second.
- We have a motion by Hutchison and a second by Galvin. Any discussion? Seeing none, all those in favor say aye.
- Aye. Propose motion carries item E, regular business. Number one for consideration with possible action, the purchase of Fortinet EPP-APT EDR/MDR and multifactor authentication software and support for 36 months for total cost of \$154,125. Director Hronek.
- Good evening. We've been researching this probably for nine months with deputy director Dave Wilquet and cyber security specialist Jason Bamman. These purchases are recommendations from our cyber security insurance provider, which is EDA, which is basically endpoint detection and response, and MDR, which is a subscription service that will tie into our servers, and if they spot malware, they're supposed to fix it before we even notice it happens. And then the other purchase is multi-factor authentication, another requirement by our cyber security insurance provider. And then the EPP-APT is kind of a virus protection software that is replacing our current software. So we're gonna be implementing that this year. This is a three-year contract, so you're actually paying about \$50,000 a year. It's gonna replace some software so we're not, three years from now, it's probably gonna be offset a little bit by replacement of some software.
- Okay. Thanks for being here, your last meeting.
- Thank you very much.
- We appreciate your service to the city.
- Yes, thank you. I appreciate what you guys do too.
- Every meeting we think it's his last. He finds a way here.
- This is it, this is it.
- Any questions? No? All right. Want to retain a motion?
- I move to approve.

- Second.

- We have a motion by Brunette, a second by Hutchison. Any discussion? Seeing none, all those in favor say aye.

- Aye.

- Hronek's motion carries.

- Thank you.

- Just as your last item should be, a slam dunk. All right, item number two for consideration of possible action, acceptance of the State of Wisconsin Department of Administration Neighborhood Investment Fund grant program for \$5 million as part of the American Rescue Plan Act of 2021. I think this is just a formality to actually accept the grant. I did notice one thing, I presume it's a typo, but there was a reference in here to the shipyard. Did that just kind of slip in from another grant?

- [Stechschulte] That's correct, Alder. If I remember correctly, that was a late night getting those narratives in, so I think that was just leftover.

- All right, so we'll at least just take that as sort of a scrivener error. If you could please correct that.

- [Stechschulte] Yep, no problem.

- Proof that we actually read the packet.

- [Stechschulte] I'm good with that. That's okay.

- Alder Brunette has a question.

- Yeah. Thank you, Director. I think this would go to you. \$5 million grant, at what point down the line do you foresee any city dollars needing to supplement or match the dollars moving forward into the future?

- [Stechschulte] There is no formal match specifically required at this point, Alder. Essentially what we've got is we currently weren't using, in terms of the grant itself, we essentially use the land value, the appraisal value of the donated land from JBS as well as the \$500,000 donation that they made of that property as kind of our match for this program. You'll certainly, as we get into the redevelopment and reuse of the site, as we go through, the intention is obviously to kind of start on the community park aspect of the project first. I think the one main question that we don't know at this point is the actual infrastructure dollar figure that's gonna be required to probably connect the street and utilities through this particular area. We think that this stretch should be covered, the majority of that at this point. But obviously in this pricing environment we're certainly not absolutely positive in that. So I think there'll be some questions I think at some point where we're actually looking at a proposed residential aspect of this development. That's when we'll know for sure if there's gonna be an additional requirement at that point or not.

- So 25.6 acres, will the city maintain ownership of the land for housing development, or would we sell to private developers so we can generate some tax revenue?

- [Stechschulte] Yeah, the idea is that a majority of certainly the residential aspect of the project, we are going to be seeking private developers for certain on that. That is the intent right now. We've certainly looked at community park space and perhaps the urban agriculture sections, either potentially being on city-owned land. Even from the urban agriculture section, right now our intent is to try to work with WPS on trying to utilize the area underneath the power lines there. That's normally an unutilized area anyway. But yeah, we definitely are going to be looking for the residential aspect to generate some taxable value for this project. Absolutely.

- Okay. Thank you. Director Stechschulte, just a question about the breakout on this. Obviously 1.5 million for housing development, two and a half million for a community park, and then a million for the urban farm concept. Admittedly, I thought, presumed maybe, that there'd be a little bit more applied towards the housing development. And look, I'm open to an education here. 3 million for a community park and a million for an urban farm concept. Are we right side up on that kind of proposal? And does the state allow any deviation within this grant agreement that if that park comes in less that you can have a grant agreement change?

- [Stechschulte] Oh, absolutely. Certainly, there's always amendments, procedures that can be looked at on that. And I think that we're really kind of counting on is the redevelopment plan up front. We're really gonna dial those costs in for us at that point. So when we actually have a physical layout, alternatives of conceptually where we think which areas will be prone to what particular parts of the project, at that point, that's gonna allow us to get some pretty good, dial in some specific cost aspects for that. And it could require, there absolutely could be an amendment to these line items. So not a problem.

- So I assume the housing development allocation is for incentives for developers?

- [Stechschulte] At this point, that's what we're anticipating. There might be, depending on exactly... We may need to take some infrastructure out of that as well. But certainly the infrastructure costs probably would be divided across all three of those categories. 'Cause all three of those uses will require some sort infrastructure access.

- Do you anticipate the creation of a residential in that area?

- [Stechschulte] If state statute will allow us to do that at some point, it's certainly something we would like to consider, especially if there is some affordable components of it. If the state would allow us to do so, I think we would definitely want to take a look at that as an option.

- Okay. The reason I'm asking the questions I'm asking, I'm trying to obviously keep as much of that anticipated new accessible value on the tax roll as possible. And you know, when I see something like \$3 million for a park, I mean, is that really the amount that's necessary to build a park, or can we use that to get accessible value in the ground without providing TIF assistance?

- Yeah, I think that ultimately what we on the whatever the selective design for that park facility end up being, and certainly at this point what we've gone forward is trying to kind of identify that as clearly a destination and a communitywide capacity level park facility whatever that would be

envisioned at this point has not been determined. That will be part of the redevelopment planning process that we're getting ready to embark on probably the first of the year.

- Okay. And I know you have a lot of work to do yet on this, and I don't think we necessarily need to dig in on this particular grant agreement. I think it makes a lot of sense obviously to accept this. I just want to know what kind of flexibility we have to move things around, because right now, as we all know housing development, it's really, really difficult to close gaps right now, and to see the amount that we're allocating towards housing versus some of the other items, I just can't help but wonder if it makes more sense to incent the housing component, because if you get the increment, then it's a lot easier to fund the other things.

- No, no, absolutely, Alder. We certainly agree. Certainly this was done really prior to a lot of the costs increasing and going kind of the way they have here the last several months. But certainly staff, I don't think any of us anticipate any issues with reallocating those between those categories if we need to.

- Okay. Thanks. Any other questions? If not, we'll obtain a motion.

- Motion to approve.

- Second.

- Have the motion by Galvin, a second by Brunette. Any discussion? Seeing none, all those in favor say aye.

- Aye. Motion carries. Item three, consideration with possible action on a request by Department of Public Works for a sole source purchase of an Aries TR3320 Pathfinder Tractor with case and an Aries PE3530 CCTV camera with case from JWR Incorporated in the amount of 51,229. There's a lot of acronyms on this agenda. Alders, any questions? If none, we'll entertain a motion.

- Move to approve.

- Second. We have a motion by Brunette, a second by Galvin. Any discussion? Seeing none, all those in favor say aye.

- Aye. The motion carries. Item four for consideration of possible action, Acceptance of the W...

- It should say WEDC.

- Yep, Community Development Investment Grant for up to \$250,000. Alders, any questions? This is really just us being a path through. Pass through, sorry.

- That's correct.

- I do need to abstain on this item, because the grant recipient is a member of my executive committee that oversees my compensation.

- Motion to approve.

- Second.

- We have a motion by Galvin, a second by Hutchison. Any discussion? Seeing none, all those in favor say aye.

- Aye. Proposed motion carries, 3-0-1. Item five, considerations for possible action. The first amendment to the resolution adopting the city's plan for expenditure of funds received pursuant to the American Rescue Plan Act of 2021. This is essentially the directive to put everything in one category. Alder Brunette has a question?

- Yeah, I do have a question about it. So it looks like 4.25 billion of unapproved funds towards the economic impact funds. Just want to clarify that means that we can designate that to any of the original categories.

- Attorney, did you hear the question?

- [Bungert] Yes. My understanding is that it would still have to qualify under the categories that are provided under the rules that were put forward by the US Treasury, but it wouldn't be within the buckets that we had initially or that council had initially adopted.

- You still have to qualify under the federal rule.

- Yeah, that makes sense to me. But I guess the final line, I just want to make sure, it says towards the very end of that line the remaining balance of approximately 4.25 million of unapproved funds toward the economic impact funds. So when I see economic impacts funds, a person could assume that that would be for economic development or likewise. But I just wanna make sure we're clear that we can use that for public safety, for green infrastructure for basically anything as long as it-

- Yes. So essentially, this new resolution is creating two buckets, the lost revenue bucket and then everything else.

- Okay.

- And everything else... The purpose of ARPA funds generally were to rectify or help address negative economic impact felt by communities and local authorities due to the COVID 19 pandemic. So that's why it's phrased that way, because essentially all those categories kind of always circle back to some sort of negative impact or harm that has been felt. And so that's how it's structured for the wishes of council from the last council meeting.

- Okay. So, attorney, then you would say that this would kind of capture the spirit and the letter of what we were discussing at the last council meeting?

- Correct. Essentially you just have two categories. One category that can be utilized for anything so long as it qualifies under the rules, and then the other category for lost revenue.

- Okay. Thank you. Good. Any other questions? Everyone on board?

- Move to approve.
- I'll second that. We have a motion by Brunette, a second by Johnson. Any discussion? Seeing none, all those in favor say aye.
- Aye.
- Motion carries. The next two items have closed session language. I presume we could take both of these items up with one motion to go into closed session. Attorney Bungert, is that good?
- [Bungert] Yes, we could do one motion to go into closed session, however, you'll need to read both as they refer to different reasons, and so we'll discuss them separately in the closed session.
- Sure.
- [Bungert] But you would have to read both reasons for each item separately into the record as to the reason why we're going into closed session.
- Do we need to suspend the rules and take them both up at the same time? Is that a requirement, or can we just read the language?
- No, you can just read the language, 'cause you're not approving anything.
- Okay. Someone want to do that? Is that okay?
- Oh, do I want to do it?
- Read the language, man. See if you're a good reader or not.
- The committee may convene a closed session pursuant to section 19.85 sub G Wisconsin statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved. The committee will thereafter reconvene an open session pursuant to section 19.85 sub 2 Wisconsin statutes to take action on items discussed in closed session if appropriate and to consider the remainder of the agenda. Second one is the committee may convene a closed session pursuant to section 19.85 sub I sub E Wisconsin statutes for purposes of deliberating or negotiating a sale of public properties, investing of public funds, or conducting other specified public business as necessary for competitive or bargaining reasons. The committee will thereafter reconvene an open session pursuant to section 19.85 sub 2 Wisconsin statutes to take action on items discussed in closed session if appropriate and to consider the remainder of the agenda.
- So I'll entertain a motion to take items law six and seven into closed session.
- So move.
- Second.

- We have a motion by Galvin, a second by Brunette. Language has been read. Any discussion? Seeing none, all those in favor say aye.

- Aye.

- Proposed motion carries. We are in closed session. Good. All right. We'll entertain a motion to return to open session

- Motion so moved.

- Second.

- We have a motion by Galvin, a second by Brunette. Any discussion? Seeing none, all those in favor say aye.

- Aye.

- Proposed motion carries. Item six, report of the claims committee.

- I make a motion for staff to proceed as discussed.

- And approve the balance of the report.

- Yes.

- Yep.

- For item six and item seven.

- We're gonna take just six right now.

- Yeah, I'll second. Okay. So that was a motion to proceed as directed and approve the balance of the report. That is the motion by Galvin. We have a second by Brunette. Any further discussion? Seeing none, all those in favor say aye.

- Aye. Proposed motion carries. Item seven, for consideration of possible action to authorize the engagement of Husch Blackwell as outside counsel to provide legal assistance related to the Lambeau Field Stadium lease.

- Make a motion for staff to proceed as directed.

- You need a motion to approve.

- Motion to approve.

- Second.

- Okay, we have a motion to approve by Alder Galvin, second by Alder Hutchison. Is there any further discussion? Seeing none, those in favor say aye.

- Aye. Proposed motion carries. Item eight, for consideration of possible action. The resolution authorizing budget amendments for unbudgeted community events and costs offset by invoices for a total of \$39,719 and 27 cents. Alder Brunette.

- Yeah, thank you. I know we had talked about this three or four months ago, and we have seen a lot of those come up. I mean, chief isn't here, but are we gonna ever see the end of this? We're spending a lot of money on these community events for police overtime. I know they gave the rationale, but-

- We're getting reimbursed.

- Yeah, reimbursed, but I mean is it just going to continue per special event, like every month? 'Cause there's gotta be a better way of...

- The way we currently budget is we budget not knowing how many events we're gonna have. We don't budget for any revenue. And so as we have these events, we build back and then we create that budget for the added expense and the added revenue. So the way we're currently doing it, yes, I foresee that we're gonna see these quite often. The alternative would be to budget a flat amount for revenue. Budget for all those expenses. But then what if you don't have 'em, your expenses could still be in there. Now you don't have the revenue, so we'd be short.

- And that affects us for expenditure restraint, right?

- Yes, that as well.

- Yeah.

- And that's fine, I understand that reasoning, and thanks, Pam, but the thing that kinda concerns me is meeting after meeting, we see these. People look at this as a standalone, 'cause we don't discuss 'em at every meeting. They're thinking what the heck's the city doing? All these community events, unbudgeted overtime, and the perception. And as long as we're all aware of how do we explain it to people who might question.

- Right, 'cause this has been going on for 50 years, and we just recently changed the way we do it.

- So I wonder if perhaps that could be a standing section of the agenda is like budget amendments.

- Yeah, like down at the bottom of...

- Reoccurring-

- Afternoon business.

- Yeah.

- Because I mean, we even talked during the budget process, right? With some of the moving around that there's a strong possibility that staff may have to come forward with more of those this year than in past years. So if that's going to be a recurring theme, let's just create a section for it.

- Possibly, and you might say I'm uninformed as an alderman, but I think I'm informed, but an uninformed person from the public, they look at this, and meeting after meeting, and they might be thinking, what the heck? The City doesn't know how to budget? Like 40,000, 10,000, 30,000 for police and fire. Maybe I'm splitting hairs, but just it'd be a concern to me if I was a member of the public.

- And again, I think with Covid, 2020 was a very good year. There were almost no special events happened. So if we would've budgeted, let's say \$300,000 for special events, revenue coming in and expenses, and then we potentially didn't do any, then we would've been way off budget. Then in this case, we wait until the event comes, and then because it's offset and we have revenues and expenses, we just budget for both of them. And then you see both sides.

- Okay. Did we have a motion?

- Motion so moved.

- Second. Okay, we have a motion by Galvin, second by Brunette. Any further discussion? Seeing none, those in favor say aye.

- Aye.

- Proposed motion carries.

- Good points though, Alder Brunette. Item F informational. Number one, 2022 contingency account. 184,297, unobligated is 57,297. Alders, any questions? All right, the next finance committee meeting will be held on Tuesday, January 10th, 2023 at 4:30 PM.

- A motion to adjourn.

- Second. We have a motion by Alder Brunette to adjourn, a second by Alder Hutchison. All those in favor say aye.

- Aye. Proposed motion carries. We are adjourned.