

MINUTES
COMMITTEE OF THE WHOLE MEETING
CITY OF BERLIN
TUESDAY, JULY 11, 2017, 7:00 PM
CITY HALL COUNCIL CHAMBERS

Mayor Schramer called the July 11, 2017 Committee of the Whole meeting to order at 7:00 p.m.
Roll Call Present: Ald. Harke, Secora, Erdmann, Page, Eastling and Lehr. Staff present: Lindsey Kemnitz, Matt Chier, Jodie Olson and Midge Seaman.

The first item on the agenda was an update on 107 W. Huron property issues. Lindsey Kemnitz provided an update stating the property is going to sheriff's sale on July 18th at 11 a.m. at the Green Lake Court House. Kemnitz stated she made a visit to the site and found that more of the roof had fallen in and the property has deteriorated even more since her last visit. Attorney Chier stated if sold at Sheriff's sale, the new owner will have 30 days to make progress on improvements. The Mayor asked if it is not sold, will it go back to the bank. Atty. Chier stated he believed the bank would need to bid on it as well or it remains as is. Atty. Chier stated if no one bids, the current owner remains the same and raze order stays as is. Lindsey stated there have been some interested parties, including contractors, but when they physically saw the condition of the property and they were no longer interested.

Next Lindsey Kemnitz gave a report and recommendation on the 182 W. Noyes St. Raze Order. Kemnitz stated in the time frame of approximately two weeks, there have been new windows, siding and soffit replaced on this house. There was not a whole roof replacement, however, bad parts of the roof were removed and repaired. On the interior there was plenty of work done as well. Kemnitz recommended removing the raze order. Ald. Erdmann stated she did drive past the property and it looks nice. Ald. Erdmann moved to accept Kemnitz' recommendation of removing the raze order. Ald. Harke seconded the motion. Secora asked if the city had incurred expenses during this time and if they were recoverable. Atty. Chier stated this has not been explored yet. Normally, if it goes to court action it is added to the expense at that time, where this is a different outcome, Atty. Chier stated he would check to see what the proper course of action is. Ald. Erdmann stated the improvements made would increase the value of the home and therefore increase the taxes and we essentially recover it through taxes. The Mayor stated that perhaps we should count our blessings and move on. The Mayor took a voice vote and the motion carried.

Next, Lindsey Kemnitz updated the Council on the hotel project. Kemnitz stated she is in close and constant contact with the developers and states the hotel is still moving forward. At this time, the hospital still owns the property. An LLC was created but awaiting all investors to pay in money before the LLC is filed. The hotel is slated to have 53 rooms and a 5000 sq. ft. conference room. As of last week, the tentative start date is 9/30/2017 with a tentative opening of spring 2018. Ald. Eastling asked if there will be a pool. The Mayor confirmed a pool was in the plan. Kemnitz added there would be a higher end continental breakfast. Ald. Page asked if there would be a bar. The Mayor stated the LLC

may apply for a liquor license to serve in the conference room but likely would not a full bar. Kemnitz stated she would provide further information at a future meeting.

Next was the review and recommendations on Shared-Ride Taxi Related policies. City Administrator, Jodie Olson explained the city recently went through an operational review of the shared-ride taxi service with the WisDOT. The practice of reviewing operations is becoming more common as funding at the Federal level has become tighter and more restrictive. WisDOT recommended five policies to put in place. This meeting will cover four of the five with the incomplete policy being the "Vehicle Maintenance Policy" which should be complete by the July 18, 2017 meeting or August meeting at the latest. Olson then gave an overview of each policy.

The Procurement Protest Procedures Policy she explained is the appeal process for companies bidding on shared-ride tax service in the city of Berlin. If during the bid process there is more than one entity bidding to provide the service, the non-winning bidder may use the appeal process outlined in said policy. Olson stated most of the policy was a template provided by the WisDOT, with a small amount adjusted by Atty. Chier and Olson to customize it to the City's requirements. Ald. Erdmann moved to recommend to Common Council to accept the Procurement Protest Procedures Policy as written along with adding "Section 3F: 5311 Procurement Procedures" to the Bidding Policy. Ald. Eastling seconded the motion which was carried by voice vote.

The second policy is the Safety Management Policy. This policy came straight from a WisDOT provided template. Ald. Page moved to recommend to Common Council to adopt the Safety Management Policy as written. Ald. Secora seconded and the motion was carried by voice vote.

The third policy is the Shared-Ride Taxi Service Disruptive Behavior/Direct Threat Policy. Olson stated she and Atty. Chier meshed together several WisDOT templates to make one that works best for the City of Berlin. This policy gives a clear procedure to follow if the taxi cab is faced with a rider who is disruptive, late, no-show etc. There are two levels of offenses, the first level being less serious and the second being of more serious in nature. Both levels have different penalties. Level 2 offenses allow the taxi company to refuse service to a level 2 offender. A contingency was written in the policy to allow a level 2 offender to ride if there is a "personal attendant" with the offender while the matter is under consideration (in certain circumstances). Ald. Page moved to recommend to Common Council the adoption of the Shared-Ride Taxi Service Disruptive Behavior/Direct Threat policy as written. Ald. Secora seconded the motion which carried by voice vote.

The fourth policy covered by Olson was the Shared-Ride Taxi Service Suspension Appeals Process. Olson explained this policy outlines the steps an offender of the Shared-Ride Taxi Service Disruptive Behavior/Direct Threat Policy takes if they disagree with the shared-ride taxi service contractor. This person would complete the appeal form, turn it in to the City Clerk's office which would then go before the Council. Ald. Secora moved to recommend to Common Council to approve the Shared-Ride Taxi Service Suspension Appeals Process policy. The motion was seconded by Ald. Harke which was carried by voice vote.

Ald. Page made a motion to adjourn into closed session pursuant to WI SS. 19.85(1)(e) for purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Union and non-union post-retirement health insurance benefits). Ald. Eastling seconded the motion. A roll call vote resulted in six (6) ayes, zero(0) nays and zero(0) absent. Motion carried.

A motion was made by Ald. Erdmann to seat Jodie Olson and Cassie Bornick for the closed session discussion. The motion was seconded by Ald. Secora and carried by voice vote.

Discussion continued in closed session.

Erdmann moved to reconvene into open session at 8:20 p.m. Secora seconded the motion, which carried by voice vote.

No action was taken as a result of closed session discussions.

Page moved to adjourn at 8:20 p.m. Secora seconded the motion, which carried by voice vote.

Midge Seaman, Deputy Clerk