

MINUTES
COMMITTEE OF THE WHOLE MEETING
CITY OF BERLIN
TUESDAY, AUGUST 7, 2018
CITY HALL COUNCIL CHAMBERS

Mayor Schramer called the Committee of the Whole meeting to order at 7:00pm. Roll Call: Present; Ald. Boeck, Erdmann, Harke, Lehr, Przybyl and Secora. Staff Present: Lindsey Kemnitz, Scott Zabel, Matt Chier, Jodie Olson and Midge Seaman.

Erdmann made a motion to approve the minutes from July 10, 2018 Committee of the Whole Meeting. Secora noted that although the agenda item referenced the meeting as July 20, the meeting date of the minutes was actually July 10. Przybyl seconded the motion. The motion passed by voice vote.

Discussion on Wisconsin Spice Inc. proposed walkway was removed from the agenda to be discussed at a later date.

The next item was the Verizon Wireless Tower Request. Street Superintendent Zabel stated he was approached by Peter Shaw, a representative from Realty Services for Verizon Wireless, to say they were looking for a place to build a tower as far east in the City of Berlin and as close to Highway 91 as possible. The location they are looking at is the Oakwood Cemetery property in the vicinity of the emergency communications tower. Shaw will be present at next week's Council meeting to further review the proposal and ask questions. Some items to be addressed at that time will be: 1) State rules regarding proximity requirements of phone towers to communications towers; 2) Does Verizon already have a cell phone tower on Green Lake hill and if so, why is another needed?; 3) Is there any potential for interference with the existing emergency communications tower?; and 4) Review input from emergency personnel who use the tower. Ald. Lehr made a motion to table the discussion until the next meeting. The motion was seconded by Erdmann and carried by voice vote.

Attorney Chier reviewed the recent state legislation changes relating to the Residential Landlord Licenses. The legislation severely restricts the information that can be requested from landlord registrations. It also removes the ability of the city to require an annual licensing fee. The law now allows for a one time license fee of \$10 and can only be charged again if the property changes hands. The purpose of the \$10 annual fee is to offset the costs of the city involvement with the Berlin Landlord Group including staff time and meeting mailers. Lindsey Kemnitz reviewed her role with the Berlin Landlord Group and indicated that she and other City Employee attend these meetings to answer questions, including police, utility, public works, zoning and the City Attorney. Chier indicated he spends approximately 5-10 hours per quarter of his City contracted hours for the Berlin Landlord Group. He reminded members that the Berlin Landlord Group is a private association which could continue to be a group and meet quarterly whether the city continued their Landlord Registration ordinance or not. They could charge membership dues in lieu of the landlord licensing fee to cover their costs. He noted that the ordinance could be eliminated or modified. The original intent of the ordinance was to garner information relative to the city landlords and number of available units. The recent legislation

significantly reduces what information can be requested on a licensing form, such as the number of units. However, landlord information can still be gotten from the Water & Sewer Utility records. Przybyl did not find it appropriate for the city to be using tax dollars and resources for this private group. Lehr spoke in opposition to the Landlord Registration and made a motion to recommend to the Common Council to have staff eliminate the ordinance that supports the Landlord group and requirements. The motion was seconded by Kristina Boeck and carried by voice vote.

Next was discussion on the room tax rate. Kemnitz provided supporting documents showing the varying room rates being charged across the state from 1% to 30%. Some members voiced concern that they do not want to deter people from choosing to stay in Berlin versus going to Ripon or Oshkosh by raising the room rate. Erdmann felt it was more appropriate to address this issue when the hotel was brought in. The Committee decided there would be no action taken at this time.

The next item is the 2019 Shared-Ride Taxi Grant Application and RFP. After a short presentation by City Administrator, Jodie Olson, Erdmann made a motion to recommend to Common Council to authorize staff to apply for the 2019 Small Urban Operating Assistance Contract between the State of Wisconsin and the City of Berlin and the 2019 Urban Mass Transit Operating Assistance Contract between the State of Wisconsin, Department of Transportation and the City of Berlin and proceed with the RFP process for the next five-year contract cycle. The motion was seconded by Harke and passed by voice vote.

At 7:45 p.m. Ald. Secora made a motion to convene into closed session pursuant to Sec 19.85 (1)(e), of the WI Statutes, to deliberate or negotiate the purchase of public property, investment of public funds or conduct other specified public business, whenever competitive or bargaining reasons require a closed session. (1) EMS Contract with Theda Care-CHN and (2) Union negotiation regarding retirement health benefits. The motion was seconded by Przybyl. A roll call vote resulted in six (6) ayes, zero (0) nays and zero (0) absent. Motion passed. Discussion continued in closed session.

At 7:58 p.m. Ald. Lehr moved to reconvene into open session. Secora seconded the motion which carried by voice vote. No action was taken as a result of closed session discussions.

Lehr moved to adjourn. Secora seconded the motion which carried by voice vote.

Midge Seaman, Deputy Clerk