

MINUTES
COMMON COUNCIL MEETING
TUESDAY, MARCH 13, 2018
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

Mayor Schramer called the Common Council meeting to order at 7:00 p.m. Roll call present: Ald. Lehr, Eastling, Page, Erdmann, and Secora. Absent: Harke. Staff present: Lindsey Kemnitz, Brian Malnory, Dennis Plantz, Scott Zabel, Jodie Olson, Matt Chier and Susan Thom.

The following items were listed on the Consent Agenda for approval and adoption: 1) Waive the reading of ordinances and resolutions adopted at this meeting; 2) Receive and place on file the written reports for the City Clerk, Treasurer and Building Inspector; 3) Approve the minutes from the February 13, 2018 Common Council meeting; 4) Accept the Committee of the Whole recommendation to postpone the raze or repair order for 130 W Berlin Street until the May Committee of the Whole meeting; 5) Accept the Plan Commission recommendation to allow a setback variance at 133 Enterprise Drive, due to the wetland encroachment in the rear of the property for the future expansion; 6) Approve the list of bills for payment. Secora made a motion to approve the consent agenda. Eastling seconded the motion. A roll call vote resulted in five (5) ayes, zero (0) nays and one (1) absent. Motion carried.

Next on the agenda was the Preliminary Resolution Declaring intent to Levy Special Assessments for 2018 Street & Utility Improvements. Zabel reviewed the special assessments to the property owners along the 2018 Street and Utility project site area. The residents were invited to a public informational meeting on January 18, 2017 to review the plans and discuss the potential assessments. At 7:08 p.m. Secora moved to seat Ald. Harke. Eastling seconded the motion, which carried by voice vote. Lehr made a motion to approve the Preliminary Resolution #18-03 declaring the Intent to Levy Special Assessment under Municipal Police Power Pursuant to §66.0703, Stats. upon the Following Designated Areas: Elm Street (Jefferson-Washington), Smith Street (Broadway-Elm), and Webster Street (Smith-N Kossuth) and schedule a public hearing for the April 10, 2018 Common Council Meeting. Secora seconded the motion. A roll call vote resulted in six (6) ayes, zero (0) nays and zero (0) absent. Motion carried.

Next was the Ordinance amending the Junked Vehicles and Appliance Code. Eastling made a motion to approve and adopt Ordinance #01-18 Amending the Junked Vehicles and Appliances code. Page seconded the motion. A roll call vote resulted in six (6) ayes, zero (0) nays and zero (0) absent. Motion carried.

Next was the Lead Water Lateral Replacement Ordinance. Harke made a motion to approve and adopt the Ordinance #02-18 for Replacement of Private Lead Water Laterals. Eastling seconded the motion. A roll call voted resulted in six (6) ayes, zero (0) nays and zero (0) absent. Motion carried.

Next was Bid award for 2018 Street & Utility Improvements project. Zabel reviewed the Bid Tabulation. The Water & Sewer Utility had already awarded the Section A Utility portion of the contract to Don E. Parker Excavating, Inc. for \$473,435.30. Lehr made a motion to award a construction contract to Don E Parker Excavating Inc. of Hortonville, WI for the 2018 Street & Utility Improvements project in the amount of \$1,035,068.97 (Section A Utility \$473,435.30 and Section B Public Works (\$561,633.67). Eastling seconded the motion, which carried by voice vote.

Next was Raze or Repair order for 399 Lafayette Street. Kemnitz explained that the home and garage has been razed by Jason Werch the owner. No raze order was filed on the property. No action needed.

Next was Raze or Repair order for 258/260 E Huron Street. Kemnitz reviewed that there was never a raze order placed on the property. Kemnitz explained that after the inspection on March 2, 2018 the property would not meet the criteria to have a raze order placed on the property. No action was needed.

Next was Berlin Veterans Foundation Special Event Street Use Permits. Secora made a motion to approve the Special Event Street Use Permits for the Berlin Veterans Foundation to block off N. State Street from Huron to E. Park for June 5, 2018 3-7 p.m. Veteran Appreciation, August 7, 2018 3-7 p.m. Farmer Appreciation and September 4, 2018 3-7 p.m. Hometown Hero Appreciation contingent upon all requirements being met to include application fees paid. Lehr seconded the motion, which carried by voice vote.

Page moved to grant the bartender license for Robert Peter Jecovicus. Eastling seconded the motion, which carried by voice vote.

There was no old or new business.

At 7:34 p.m. Secora moved 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) Union and non-union health plan renewal/post-retirement health insurance benefits and 2) Post-retirement health insurance benefits for specific union retiring personnel*, if necessary, pursuant to Sec. 19.85 (1)(g) to confer 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 (*107 W. Huron Street litigation*). Eastling seconded the motion. A roll call vote resulted in six (6) ayes, zero (0) nays and zero (0) absent. Secora moved to seat Kemnitz and Zabel for item #3. Eastling seconded which carried by voice vote.

Discussion continued in closed session.

Page 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 discussion.

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

Susan Thom, Deputy Clerk