

MINUTES
COMMON COUNCIL MEETING
TUESDAY, AUGUST 14, 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. Boeck, Erdmann, Harke, Lehr, and Secora. Absent: Ald. Przybyl. Staff present: Lindsey Kemnitz, Jodie Olson, Scott Zabel, and Matt Chier.

Under public comments, Dan Hoppa expressed his opinion that no tax payer funds should be used to send to the League of Wisconsin Municipalities to lobby against the Dark Store Elimination issue. He felt that the legislators responsible should be dealt with instead.

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 from the City Clerk, Treasurer, and Building Inspector; 3) Approve the minutes from the July 17, 2018 Common Council meeting; 4) Accept the Committee of the Whole recommendation 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; 5) Approve the list of bills for payment. Erdmann made a motion to accept the consent agenda as presented. Harke 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 a request from Verizon Wireless to put up a cell phone tower in the area of Oakwood Cemetery next to the existing emergency services tower. Peter Schau, Real Estate Broker from Ton 80 Realty Services, Inc, explained that there are two Verizon towers currently in the Berlin area: one at 34th and County X and another on Green Lake hill at Cnty V & Cnty VV. A third tower is necessary to bolster the signal to offload the increasing traffic, help coverage issues and increase capacity as they deal with more and more devices that are going online. This would be a lease situation where the city would receive rent. As the lessee, Verizon could then sublease the tower to other tenants. He noted that zoning laws typically encourage multi-tenant tower sites to cut down on the number of towers.

Ald. Harke voiced concern over the potential interference a Verizon tower could have being in such close proximity to the emergency services tower. He indicated that the emergency tower was not engineered for digital. He also stated that the antennas would be looking at each other and the emergency tower equipment cannot handle a strong digital presence there. Schau stated they would do due diligence to ensure there were no interference issues and if a problem did arise, they would work with the Sheriff's department to fix it. Ald. Erdmann voiced concern that if there would be potential issues, harm could be done in the meantime and was concerned over the Sheriffs tower getting hacked.

Schau indicated at this stage they are looking for interested landlords in Berlin. The water tower in the cemetery was not tall enough. The water tower in the North Industrial Park was in a lower wet area which would not work for them. They are looking for a high point. A suggestion was made that they look at the Commonwealth apartment building.

Gary Podoll, emergency Management Director, spoke on behalf of the City of Berlin and Green Lake

County emergency government and the Sheriff's Department. He noted that the tower is also utilized for state equipment and the state helped pay for the tower. When the tower was placed in that location, the idea was that nothing else would be there. He was concerned over any interference for emergency services. Atty. Chier indicated that the current easement with the county will not allow the tower to go in the spot that was presented on the provided map. However, there is farmland to the east that could work. However, the Cemetery board approved the use of the land for the Sheriff's tower based on the fact that the land chosen was not suitable for future gravesites. Podoll was asked what an appropriate distance away from the Sheriff's tower would be. Podoll did not know what distance would be ok. Podoll would work with Schau to get a list of all of the equipment that is on the Sheriff's tower so a proper analysis could be done relating to potential interference if a tower would go in the area of the cemetery. Schau will also look at alternate locations within the vicinity to see if something else would work. Any use of Cemetery land will need to go to the Cemetery Board for approval. Erdmann moved to postpone further discussion on Verizon Wireless Tower request until more information was received. Secora seconded the motion, which carried by voice vote.

Lehr moved to approve and adopt Ordinance #07-18 Repealing Licensing Program for Residential Landlords. Boeck seconded the motion. A roll call vote resulted in five (5) ayes, zero (0) nays and one (1) absent. Motion carried.

Lindsey Kemnitz provided an update on the potential hotel which is estimated to be a 4.6M project. The hotel developer is seeking 1.6M in investor equity and the additional 3M to be bank financed. To date, there is \$1M in investment with more investors to talk to. The developer will be here at a September meeting to give a further status update. There is still the option of looking for local contractor investment as well.

Lindsey Kemnitz shared with Council that she was approached by Lynn Mork of Berlin High School regarding 24 new school teachers that will be coming to Berlin. The school will be looking to take the teachers on a tour of the community on August 22 and Council members are invited to City Hall to meet them. Kemnitz has been talking to area businesses for contributions to welcome baskets for the teachers. Businesses have been very receptive. Information regarding the community, including the City's housing incentive program will be included.

Secora moved to approve the Original Alcohol Beverage Retail License application for a Class "B" beer license for Riverside Coffee Company, LLC for license year ending June 30, 2019. Harke seconded the motion which carried by voice vote.

Erdmann moved to grant bartenders licenses to Arielle Ross and Jeanette Maria Surgeon. Secora seconded the motion which carried by voice vote.

There was no old business.

Under new business, Ald. Lehr requested a police department representative be at the September Committee of the Whole meeting to discuss truck traffic and speeding on Wisconsin Street.

At 7:42 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) *EMS Contract with Theda-Care-CHN and 2) Union negotiation regarding retirement health*

benefits and upcoming insurance renewal. Boeck seconded the motion. A roll call vote resulted in five (5) ayes, zero (0) nays and one (1) absent. Motion carried. Erdmann moved to seat Cassie Bornick from the Diedrich Agency for the discussion on the second item relating to health insurance. Secora seconded the motion, which carried by voice vote.

Discussion continued in closed session

Secora moved to reconvene into open session at 8:07 p.m. Boeck seconded the motion which carried by voice vote.

Ald. Erdmann moved to accept the United Health Care renewal of 6% as presented, but if the union does not accept the proposed retiree health insurance coverage proposal by August 31, option 2 will be implemented. Harke seconded the motion, which carried by voice vote.

At 8:10 p.m. Secora made a motion to adjourn. Boeck seconded the motion, which carried by voice vote.

Jodie Olson, City Clerk