

COMMITTEE OF THE WHOLE MEETING
CITY OF BERLIN
TUESDAY, OCTOBER 2, 2018
CITY HALL COUNCIL CHAMBERS

Mayor Schramer called the Committee of the Whole meeting to order at 7:00 p.m. Roll call present: Ald. Lehr, Przybyl, Secora, Boeck, Erdmann and Harke. Staff present: Gary Podoll, Dennis Plantz, Scott Zabel, Jodie Olson, Lindsey Kemnitz, Matt Chier and Susan Thom.

Secora made a motion to approve the minutes from the September 4, 2018 Committee of the Whole meeting. Erdmann seconded the motion, which carried by voice vote.

Gary Podoll reviewed that the Siren Radio Controls were purchased in 1993 are now failing. The North Washington Street siren failed in August and the Clay Lamberton siren which covers a major critical population of schools, hospital and nursing home is in need of being replaced. The cost to replace the two controls is \$8,400 of which \$2,000 could be taken out of the Emergency Management equipment budget. The total cost needed is \$6,400. Erdmann made a motion to recommend to the Common Council to approve the budget transfer request to replace the Siren Radio Controls at Clay Lamberton and North Washington Street and approve Resolution #18-13 Authorizing 2018 Budget Transfer of Contingency Funds for Siren Radio Controls. Harke seconded the motion which carried by voice vote.

Scott Zabel reviewed that the City of Berlin requested proposals for a 5-year garbage and recycling contract. Advanced Disposal and Waste Management submitted proposals, with Advance Disposal submitting the lowest bid. Advanced Disposal provided an option for weekly or every other week recycling pick up with no difference in cost. Waste Management provided a significantly higher bid and did not provide an option for every other week recycling. Advanced Disposal that if the spring pick-up were moved to the 2nd or 3rd week of May they would provide a truck and operator for one week and up to 150 tons for disposal at no-charge. Zabel felt that a per resident limit on the rubbish should be established and that the responsible tax payers should not have to foot the bill for the residents that are not responsible. Zabel reviewed the feasibility of providing a 40 yard dumpster or compactor at the Public Works facility during the summer months in addition to the Spring pick-up. Zabel is concerned with the liability and personal safety relating to the compactor and that the Public Works Department does not have available staff to monitor the drop off site. Zabel stated that it would have to monitor the types of materials that end up in the dumpster and that the service would only be provided to city residents. Przybyl made a motion to recommend to the Common Council to accept the lowest proposal submitted by Advanced Disposal for weekly curbside pickup of garbage and recyclables for a 5 year contract agreement for 2019-2023 and establish spring bulk pick-up parameters as limited to a 12'x4'x4' area on the terrace to be policed by the Street superintendent. After the 2019 spring pick-up the Street Superintendent will provide a review report and adjustments will be made as necessary. Secora seconded the motion which carried by voice vote.

Next was request for assessment Lien Subordination for Gary Peterson, 674 NW Cumberland St. Olson reviewed that in 1999 the Hunter's Pond lift station was installed. Potentially benefitted property owners were assessed but were provided an opportunity to enter into an agreement with the City if they were not immediately hooking up to it. Gary & Linda Peterson were the owners of one of the properties, 674 NW Cumberland, with an assessment of \$10,716.85. Peterson requested that the City of Berlin would subordinate the assessment lien so the potential new owners could get a mortgage. Mayor Schramer stated the discussion will continue in closed session.

Next was review of the Sidewalk Café Permit ordinance to allow alcohol consumption. Benjamin Cloyd, N619 24th Ave Neshkoro, WI 54960, owner of the Riverside Coffee Company LLC stated that he would like to serve beer and wine at the bistro tables along the river which the current sidewalk café permit does not allow. Lehr made a motion to recommend to the Common Council to change the language for the Sidewalk Cafe permit to allow alcohol to be served on the sidewalk and those patrons that are consuming alcohol be seated at a table served by the establishment. Przybyl seconded the motion, which carried by voice vote.

Jeremy Clark, W3114 Chicago Lane, Redgranite, WI 54970 stated that he is looking at purchasing the property at 674 NW Cumberland St and he intends on living there and that he is in a good financial position. Clark would like to request for assessment lien subordination for Gary Peterson's property. The Committee will discuss in closed session.

Next was draft ATV/UTV advisory referendum ballot questions. Olson reviewed the sample ballots questions for the potential spring advisory referendum on the ATV/UTV issue. Olson explained she is waiting on the Wisconsin Election commission to review the questions for the referendum. Lehr made a motion to table the ATV/UTV advisory referendum ballot questions. Motion failed for lack of a second. Secora made a motion to postpone the ATV/UTV advisory referendum ballot questions until we have the information from the Wisconsin Elections Commission. Harke seconded the motion which carried the voice vote.

Next was discussion on the Municipal Court Ordinance. Olson reviewed that the Village of Rosendale will be withdrawing from Lakeside Municipal Court effective May 1, 2019. Erdmann made a motion to recommend to Common Council to approve Ordinance #08-18 establishing a Municipal court for City of Fond du Lac, Villages of Brandon, Campbellsport, Fairwater, Oakfield and North Fond du Lac, Towns of Empire, Osceola, Ripon and Taycheedah in Fond du Lac County, and the Cities of Berlin, Green Lake, Markesan and Princeton in Green Lake County and the City of Berlin in Waushara County effective May 1, 2019. Przybyl seconded the motion, which carried by voice vote.

Secora made a motion to recommend to Common Council to approve the Intergovernmental Agreement for North Fond du Lac to provide Municipal Court Services to the City of Fond du Lac, Villages of Brandon, Campbellsport, Fairwater and Oakfield, the Towns of Empire, Osceola, Ripon and Taycheedah in Fond du Lac County, and the Cities of Berlin, Green Lake, Markesan and Princeton in Green Lake County and the City of Berlin in Waushara County to commence on May 1, 2019. Lehr seconded the motion, which carried by voice vote.

Next was property status update for 107 W Huron Street. Kemnitz reviewed that Mr. Aleman has started on the rear part of the roof and plans on having it closed up prior to winter.

Next was property status update for 130 W Berlin Street. Atty. Chier has proceeded with the raze order. The property owners did not attend the hearing. Atty Chier has received phone correspondence with Kresal regarding what they need to do.

Next was 2018 Street update. Zabel reviewed that the 5th ward utilities are complete. The concrete work and asphalt has a completion date of October 19, 2018.

At 8:05 Erdmann moved to convene into closed session pursuant to Sec 19.85 (1)(e), of the WI Statute's, 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 ThedaCare-CHN* & 2) *Peterson Assessment Lien Subordination Request*). Przybyl seconded the motion. A roll call vote resulted in six (6) ayes, zero (0) nays and zero (0) absent. Motion carried. Erdmann move to seat Jodie Olson and Lindsey Kernitz. Secora seconded the motion, which carried by voice vote. Discussion continued in closed session.

Przybyl moved to reconvene into open session at 8:15 p.m. Secora seconded the motion which carried by voice vote.

The Council invited Jeremy and Angie Clark back into the meeting. Atty. Chier explained that when the Council makes a decision that it needs to benefit all the citizens of Berlin and the subordination for the property at 674 NW Cumberland would not meet that criteria.

No action was required. Secora moved to adjourn at 8:19 p.m. Przybyl seconded the motion which carried by voice vote.

Susan Thom, Deputy Clerk