

MINUTES
COMMON COUNCIL MEETING
TUESDAY, MARCH 12, 2019
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, Nigbor and Secora. Staff present: Lindsey Kemnitz, Scott Zabel, Matt Chier, Jodie Olson and Midge Seaman

No public appearance.

As the Mayor opened the meeting, Ald. Erdmann requested to make a comment. Erdmann asked to put on record to commend, City Administrator Jodie Olson and Ambulance Director Lenny Langkau for all the work they did with the ambulance and that we are now getting the official study done. Erdmann further asked the Council to thank them for their efforts. The Mayor and the Council Members expressed gratitude toward Olson and Langkau as well.

The following items were listed on the Consent Agenda for approval and adoption: 1) Waive the reading of all 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 February 19, 2019 Common Council Meeting; 4) Accept the Committee of the Whole recommendation to accept preliminarily Resolution #19-04 Declaring the Intent to Levy Special Assessment Under Municipal Police Power Pursuant to §66.0703, Stats. Upon Following Designated Areas: N. Capron Street and River Drive and schedule a public hearing for the April 9, 2019 Common Council Meeting; 5) Accept the Committee of the Whole recommendation to award the 2019 street and utility construction project bid to Don E. Parker Excavating, Inc. of Hortonville, WI in the amount of \$1,509,907.98; 6) Accept the Committee of the Whole recommendation to accept the Stipulation Agreement for the Raze or Repair order for 151 N. Wisconsin Street; 7) Approve the list of bills for payment. Secora made a motion to approve the consent agenda. Nigbor seconded the motion. A roll call vote resulted in five (6) ayes, zero (0) nays. Motion carried.

The Annual Berlin Chamber report was given by Mark Finger. A paper was included in the agenda packet listing the expenses for 2018.

Next was the Special Events Street Use Permit for the Farmer's Market Veteran's appreciation night. Looking for approval for the Berlin's Veteran's Foundation for June 4, 2019 with street closure of Church Street between E. Huron and E. Park Ave. From 3:00-7:00pm. Zabel explained it was the same event as last year, the difference being the group is asking for the closure on N. Church this year, rather than N. State Street as they had in 2018. Erdmann made a motion to approve the Special Event street Use Permit for the Berlin Veterans Foundation for June 4. Lehr seconded the motion. The motion passed by voice vote.

The Environmental Remediation of 114 Pierce St. – 119 Commercial Street was presented by Economic Development Director Lindsey Kemnitz. Kemnitz and Zabel met with various contractors, each of them informing the hazards that could be found. Kemnitz emphasized the need to spend money upfront to get a proper inspection so she can request a more accurate amount in the grant application process. Kemnitz received four (4) proposals and there was one that was much lower than the rest. It was Badger Inspections from Fond du Lac. The quote was \$1800.00 versus the next quote at \$3300.00.

Kemnitz is optimistic the Pre-inspection and grant will be done by the end of month. She further explained the money is coming out of TID to pay the inspection cost and thus the need for approval from the Council. Erdmann asked if the \$1800.00 was for Inspection and Abatement and Kemnitz responded just the inspection. The inspector provides a report of what needs to be abated that is thrown into the grant application. Abatement is done first, and then the demolition then the final site investigation can be done. Harke made a motion to authorize staff to move forward with contracting for pre-inspection of the old Safeguard property at 114 Pierce/119 Commercial Street for a cost not to exceed \$3300.00, in this case \$1800.00 from TID#15 funds. Boeck seconded the motion. Secora asked if this was only for the things that are physically attached to the structure such as lead paint, or also what remains in the building. Kemnitz replied it was just the fixed items such as if there is vermiculite in the tiles and/or insulation or lead paint on the concrete etc. A vote was taken and passed by voice vote.

Next was the Repealing and Replacement of an Ordinance establishing a Municipal Court. Jodie Olson reminded the Council in November they passed the same ordinance because the City of Ripon joined the municipal courts and had to pass another ordinance to include them. Now the Village of Rosendale is going to be removing themselves and creating their own Municipal Court as of May 1st. This Ordinance is going to remove the Village of Rosendale as of May 1st. Those municipalities that are left will be our Municipal Court. Erdmann moved to recommend adopting Ordinance #01-19 repealing and replacing the Ordinance establishing a Municipal Court. Lehr seconded the motion. A roll call vote was taken and passed unanimously.

Next was the Municipal Court Intergovernmental Agreement. Olson explained the Intergovernmental Agreement. All this is for is to authorize the Village of North Fond du Lac to administer the Municipal Court for us. There are no other changes from what we had. Lehr made a motion to approve the Intergovernmental Agreement for North Fond Du Lac to provide Municipal Court Services to the Cities of Fond du Lac and Ripon, Villages of Brandon, Campbellsport 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 City of Berlin in Waushara County to Commence on May 1, 2019. Secora seconded the motion. Motion passed by voice vote.

On the agenda next was the Mayoral appointment to the Board of Review. Erdmann made a motion to accept the appointment of Walter Rainboth to the Board of Review for a term expiring July 1, 2024. Harke seconded the motion. Motion passed by voice vote.

Next was the Mayoral appointment for Election Inspectors. Secora made a motion to accept the Mayoral appointment of Election Inspectors Gloria Lichtfuss and Kathryn Fredrick. Motion was seconded by Harke which passed by voice vote.

Erdmann moved to grant the bartenders licenses for Preston Bruce Mahoney, Kayla Nicole Dahm, Destiney Nicole Martoglio, Tammi L. Eastling, and Morgan Christina Dawson, all have been approved by the Berlin Police Department. Motion was seconded by Harke which passed by voice vote.

There was no old business.

At 7:20 p.m. Lehr moved to convene into closed session 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.

(1)Historic Berlin Apartments Assessment Claim. Secora seconded the motion. A roll call vote resulted

in six (6) ayes, zero (0) nays and one (0) absent. Motion carried. Lehr moved to seat Jodie Olson. Boeck seconded the motion, which carried by voice vote.

Discussion continued in closed session.

Secora moved to reconvene into open session at 7:29 pm. Nigbor seconded the motion which carried by voice vote. No action was taken as a result of closed session discussion.

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

Midge Seaman, Deputy Clerk