

MINUTES
COMMON COUNCIL MEETING
TUESDAY, May 14, 2019 7:00 PM
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, Boeck, Nigbor, Erdmann, Bruessel and Harke. Staff present: Lindsey Kemnitz, Scott Zabel, Dennis Plantz, Evan Vandenlangenberg, Isaac Schwoch, Atty. Matt Chier, Jodie Olson, and Susan Thom.

Daniel Hoppa, 235 N Wisconsin Street spoke regarding the leaving of the basement when demolishing the old Safeguard building would be bad for future development.

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 of the April 9 & 16, 2019; 4) Accept the Committee of the Whole recommendation to schedule a public hearing for June 11, 2019 on the proposed shared-ride taxi service area changes; 5) Accept the Committee of the Whole recommendation to approve the Revised State-Municipal Project Agreement between the City of Berlin and the Wisconsin Department of Transportation for the Ripon Road Project and authorize the appropriate signatures; 6) Accept the Committee of the Whole recommendation to authorize staff to solicit bids thru the RFP process for demolition of the old Safeguard property at 114 Pierce/119 Commercial Street; 7) Accept the Committee of the Whole recommendation to approve and adopt Ordinance #03-19 the Wireless Telecommunications Facilities in the Right-of-Way Ordinance; 8) Accept the Committee of the Whole recommendation to disallow the Garczynski claim and approve Resolution #19-06 Disallowing the Notice of Claim Submitted by Patrick & Bridget Garczynski Dated April 22, 2019; 9) Accept the Plan Commission recommendation to approve the Ordinance #04-19 to Adopt the Amended Comprehensive Plan of the City of Berlin, WI; 10) Approve the list of bills for payment. Mayor Schramer requested that item #8 (to authorize staff to solicit bids thru the RFP process for demolition of the old Safeguard property at 114 Pierce/119 Commercial Street) to be removed from the Consent Agenda. Erdmann made a motion to approve the consent agenda. Boeck seconded the motion. A roll call vote resulted in six (6) ayes, zero (0) nays and zero (0) absent. Motion carried.

Kemnitz reviewed that she consulted with the DNR and investors that leaving the basement in the old Safeguard property and there is no issue for future development on this site. Erdmann made a motion to approve item #8 on the consent agenda as presented. Harke seconded the motion, which carried by voice vote.

Kevin Behnke, lead auditor from Hawkins Ash, presented the 2018 audit results. Behnke stated that the audit process went well and the City of Berlin received an unmodified clean auditor's opinion on the City's financial statements. Behnke reported that the City's internal controls appear adequate for a City of its size. Behnke thanked the City Council and Jodie Olson and staff for all their hard work keeping the books in good condition. Lehr made a motion to accept the 2018 Audit and place it on file. Harke seconded the motion, which carried by voice vote.

Harry Kwidzinski, President of the ABC Group requested a Parade Permit and street closures for July 3, 2019 starting at Clay Lambertson School and ending at Riverside Park North Shelter house area. Erdmann made a motion to approve that ABC Group could hold a mini-parade on the streets as presented contingent upon either proper liability insurance provided or the ABC Group becoming incorporated and

501(3)(c) so that the insurance requirement is waived. Harke seconded the motion which carried by voice vote.

Lehr made a motion to schedule the annual Independence Day Fireworks display on Wednesday, July 3, 2019 to coincide with the ABC Group event at Riverside Park. Bruessel seconded the motion which carried by voice vote.

Next was Hunter Street Speed Limit Petition. Alyssa Tessaro, 274 N Hunter St, Berlin, WI requested to have the speed limit lowered to 25 mph or 15 mph and speed bumps added at the area of Hunter's Pond Subdivision especially on N. Hunter St from corner by cemetery to county line. Alyssa Tessaro stated that the motorists disobey the current 35 mph signs which are an increased safety risks for residents that are leaving their driveway and the children who live in this neighborhood. Alyssa Tessaro stated there has been an increase in Police patrol since the petition was circulated and would like to thank the Council for putting it on the agenda. Chief Plantz reviewed the results of the speed site that was completed April 7, 2019 thru April 22, 2019 as followed: Northbound Hunter Street average speed was 30.83 mph with 85th percentile speed of 35.99 mph and the maximum speed was 59 mph. Southbound Hunter Street average speed was 25.07 mph with 85th percentile speed 30.89 mph and maximum speed was 53 mph. Zabel stated that this would have to be a combine effort with the Town of Berlin. Lehr made a motion to accept the petition to lower the speed limit to 25 mph on the City of Berlin side of the road. Mayor called for a second. No second motion failed. Erdmann made a motion to postpone to the Hunter Street Speed Limit petition to the next council meeting so the staff would have more time to investigate and talk to the Town of Berlin. Boeck seconded the motion. The results of the voice vote were five (5) ayes, one (1) nay (Lehr) and zero (0) absent. Motion carried.

Next Mayor Schramer read the City of Berlin Proclamation designating May 19-25, 2019 as Emergency Medical Services Week. Erdmann made a motion to accept the EMS Week proclamation. Harke seconded the motion which carried by voice vote. The EMERGENCY MEDICAL STAFF in the audience were recognized.

Next was request for Designated Parking at American House, 123 S. Pearl Street. Zabel stated that the American House will be paying the costs. Harke made a motion to adopt Resolution #19-08 Designating Two Parking Spaces in Front of the American House Berlin LLC Facility on South Pearl Street as a Passenger Loading Zone with the attachment. Bruessel seconded the motion. A roll call vote resulted in six (6) ayes, zero (0) nays, and zero (0) absent. Motion carried.

Next was Rezone request, Hertzberg Properties LLC –E. Huron Street. Kemnitz reviewed that an invoice for delinquent personal property taxes for 2012-2018 in the amount of \$3247.00 has been sent to Mr. Hertzberg. Kemnitz would like the approval contingent on any outstanding debts being paid in full. Lehr made a motion to accept the Plan Commission recommendation to approve the rezone of parcels 206-01178-0100 and 206-00178-0200 owned by Hertzberg Properties LLC from R-2 (Residential) to B-1 (Business) along with approval on Ordinance #05-19 contingent upon any outstanding debts to the City of Berlin being paid in full. Harke seconded the motion. A roll call vote resulted in six (6) ayes, zero (0) nays and zero (0) absent. Motion carried.

Next was DNR Resolution for Wisconsin Assessment Money (WAM)-Contractor Services Award Resolution. Erdmann made a motion to approve and adopt Resolution #19-07 Regarding the WI DNR Wisconsin Assessment Money (WAM) Contractor Service Award. Kemnitz reviewed for the City of Berlin to submit the WAM application, the DNR needs the resolution approved. The City of Berlin is applying

for \$22,945 for WAM and \$126,000 for SAG (Site Assessment Grant). The City portion will be about \$9,000 of the \$157,945 project costs. Harke seconded the motion. A roll call vote resulted in six (6) ayes, zero (0) nays and zero (0) absent. Motion carried.

Next were 2019 Federal and State Taxi Grant Contracts. Olson reviewed the state taxi grant amount noted in the agreement is \$53,861 and the federal funding amount is \$103,032. The estimated City's portion for the taxi service will be \$49,170. Harke made a motion to approve and authorize the Mayor to sign the 2019 85.20 Urban Mass Transit Assistance Agreement (State) and Section 5311 Federal Grant Agreement between the City of Berlin and the WI Department of Transportation for Calendar Year 2019, including the Federal Certifications and Assurances. Bruessel seconded the motion, which carried by voice vote.

Next was the 5311 Capital Assistance Taxi Grant Contract. Olson reviewed that the City of Berlin was awarded grant assistance for a new taxi cab in the amount of \$29,600. At budget time we anticipated the need for a non-accessible mini-van and budgeted \$5,400 for a grant match. Running Inc requested a rear-loading van to better serve the residents and reduce wait times which is approximately \$10k higher. Therefore the city grant match portion will be \$7,400 which to an additional \$2k. Lehr made a motion to approve and authorize the Mayor to sign the 2019 Section 5311 Grant Agreement for \$29,600 for a rear-load minivan taxi. Bruessel seconded the motion, which carried by voice vote.

Next were Farmers & Artist Market Farmers Appreciation Special Event Street Closure and Farmers & Artist Market Hometown Heros Special Event Street Closure. Erdmann made a motion to approve both the street closure on Church Street from Park to E Huron Street for Farmer Appreciation on August 13, 2019 and Hometown Heros on September 10, 2019 from 3-9 pm. Lehr seconded the motion which carried by voice vote.

Harke made a motion to grant bartender licenses to Timothy Ryan Dunn, Colleen Amanda Colburn, Bryce Donald Petit, Audrey Genivieve Johnson, Anthony David Copus and Denise Renee Duty-Rumold. Nigbor seconded the motion, which carried by voice vote.

There was no old or new business.

Lehr made a motion to adjourn at 8:05 pm. Nigbor seconded the motion, which carried by voice vote.

Susan Thom, Deputy Clerk