

MINUTES  
COMMITTEE OF THE WHOLE MEETING  
CITY OF BERLIN  
TUESDAY, DECEMBER 3, 2019  
CITY HALL COUNCIL CHAMBERS

Mayor Schramer called the December 3, 2019 Committee of the Whole Meeting to order at 7:00 p.m. Roll call present: Ald. Erdmann, Harke, Lehr and Nighbor. Staff present: Atty. Matt Chier, JD Lind, Lindsey Kemnitz, Scott Zabel, Evan Vandenlangenberg and Sara Nighbor.

Erdmann moved to approve the minutes from the November 5, 2019 Committee of the Whole meeting. Lehr seconded the motion, which carried by voice vote.

Next Sara Nighbor informed the Council that the contract is a yearly contract for the 2020 Senior Transpiration Purchase of Service Contract with Green Lake County Department of Health & Human Services. Erdmann moved to recommend to Common Council to approve the 2020 Purchase of Service Contract-CY2020 with Green Lake County Department of Health & Human Services and authorize appropriate signatures. Harke seconded the motion, which was carried by a voice vote.

Next was review of the 2020 Berlin Senior Center Agreement for Senior Nutrition. Sara Nighbor stated this is a yearly contract for the meals the senior center offers. Erdmann mentioned that on the first page the agreement states services to be provided is 5 days per week. She was concerned about holidays that may be during the week and the center is closed. Number seven also should have "to" added after forward, so it should state "forward to the program...". Nighbor is going to work with staff at the County to make the changes. Erdmann made a motion to recommend to Common Council to approve the CY2020 Agreement Between Green Lake County DHHS and the City of Berlin for the Berlin Senior Center Meal Program and authorize appropriate signatures with the recommended changes. Harke seconded the motion, which was carried by a voice vote.

Erdmann made a motion to seat Joel Bruessel at 7:06pm. Lehr seconded the motion, which was carried by a voice vote.

Next was review of Municipal Court Ordinance. Attorney Chier explained the reasoning for the ordinance change is due to Oakfield requesting to join Lakeside Municipal Court. The City of Fond Du Lac drafted an ordinance that would not require the City to amend the ordinance every time a community joins or leaves Lakeside Municipal Court. Attorney Chier drafted a similar ordinance for us to review today. Number seven is required yearly and included the addition of Oakfield to Lakeside Municipal Court for 2020. Lehr made a motion to recommend to the Common Council to approve an ordinance amending the code of ordinances relating to the establishment of a municipal court. Bruessel seconded the motion, which was carried by a voice vote.

Lehr 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 Cities of Fond Du Lac and Ripon, Villages of Brandon, Campbellsport, Fairwater and Oakfield, the Towns of Empire, Osceola, Oakfield, 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 January 1, 2020. Bruessel seconded the motion, which was carried by a voice vote.

Next was discussion on whether parcel 206-01031-0000 is no longer needed for park or public purposes. There were several public comment cards for this item. Jeff Walker N7294 St. Rd. 49 Green Lake doesn't

believe it is right or correct for the city to sell gifted land. Dan Hoppa 235 S. Wisconsin Street spoke against the sale of the parcel. Zach Baus 125 W. Cumberland recommended to keep the parcel as Frisbee golf holes could be added to the property. Catrina Burgess 236 N. Capron Street spoke against the sale of the property and let the Park & Recreation Commission additional time to come up with ideas. Alexandra Rogers 113 S. Church Street spoke in favor of keep the parcel of the land as she heard more speak against the sale of the land.

The Mayor opened the discussion for the Council. Lehr mentioned that the City is not ready to sell the parcel immediately. The Council has been reviewing ways to not raise the taxes, but to increase the tax base. Staff did their job by bringing this forward to the Council. Lehr said the Council represents its tax payers and will represent them. Bruessel added to Lehr's comment about the Council not trying to raise the taxes for the community. Harked asked how many of the parks have been donated to the City? Erdmann listed several of the parks. The Mayor expressed if the sale of the land goes through, that the funds go beyond the parks normal budget. Also would have stipulation that would require to be built on within a year. Lindsey Kemnitz provided the history of the parcel and the surrounding land regarding planning documents and uses since 1947 to current. Kemnitz also mentioned at the Plan Commission meeting they asked when Waushara Street was put in and it was in 1957 after the land was donated. The Mayor also mentioned the parcel of land that was part of Riverside Park that was sold off in 2013. A board member asked how that was initiated. There was an adjacent neighbor that was interested in purchasing it. Lehr said that parcel was sold through public bids and asked if that is required for this parcel. Attorney Chier stated the City can sell the parcel to whomever it wishes as long as it aligns with public interest that is determined by the Common Council.

Mayor Schramer also mentioned a letter the Council received in April stating housing is needed within the community within a certain price range. These units are proposed to fit within that price range. Bruessel stated that if the parcel is not sold, he wants something done with this property. People will need to help with fundraising to come up with the funds. Mayor Schramer asked how much park and recreation land the city currently has. Kemnitz referred to the information provided in the packet. According to the open space and recreation plan currently there is 336 acres. Regional planning recommends 10 acres per 1,000 people. Lehr made a motion to Common Council to politely decline to the developer's request. Lehr stated more dialog can occur in the future. The motion died. Bruessel made a motion to postpone until the Common Council meeting next week. The motion was seconded by Nigbor, which was carried by a voice vote.

At 8:00 p.m. Erdmann made a motion 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. Discussion on negotiations for Paramedic Intercept Services Agreement with SGLC Ambulance Service. Lehr seconded the motion. A roll call vote resulted in five (5) ayes, zero (0) nays and one (1) absent. Erdmann made a motion to seat Evan Vandenlangenberg. Nigbor seconded the motion which carried by voice vote.

At 8:03 p.m. a motion to reconvene into open session was made by Bruessel and seconded by Nigbor Motion carried.

On motion by Nigbor and seconded by Bruessel the meeting was adjourned at 8:04 p.m.

Lindsey Kemnitz, Community Development Director