

MINUTES
COMMON COUNCIL MEETING
TUESDAY, JUNE 9, 2020 7:00 PM
DUE TO THE CONTINUED CONCERN SURROUNDING COVID-19, THE CITY OF
BERLIN IS TEMPORARILY TRANSITIONING THEIR PUBLIC MEETINGS TO A
TELECONFERENCE FORMAT, VIA ZOOM

Mayor Schramer called the Common Council meeting to order at 7:10 p.m. Roll call present: Ald. Boeck, Bruessel, Lehr, Nigbor, Erdmann and Harke. Staff present: Lindsey Kemnitz, Scott Zabel, Brian Pulvermacher, Jodie Olson, and Susan Thom.

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 May 12 & 14, 2020 Common Council meetings; 4) Accept the Water & Sewer Commission recommendation to approve 2019 Compliance Maintenance Annual Report Resolution #20-10; 5) Accept the Committee of the Whole recommendation to accept and place on the 2019 audit on file; 6) Accept the Committee of the Whole recommendation to hold the 2020 fireworks on July 3; 7) Accept the Committee of the Whole recommendation to approve Resolution #20-11 Authorizing 2020 Budget Adjustment for Legal Expenses Exceeding City Attorney Retainer for Contract Year 2019-2020; 8) Accept the Committee of the Whole recommendations to prorate the Class "B" beer and "Class B" liquor licenses fees for the 2020-21 license year down to 10 months due to COVID; 9) Accept the Committee of the Whole recommendation to approve and adopt Ordinance #02-20 Repealing and Recreating Chapter 34, Article II-Fair Housing, of the Municipal Code of the City of Berlin for the Purpose of Adopting Wis. Stats. §106.50, as Amended Relating to the Equal Rights of All Persons to Fair Housing, and Providing Means for the Implementation and Enforcement Thereof; 10) Accept the Committee of the Whole recommendation to approve the Memorandum of Understanding for ADVOCAP Retired and Senior Volunteer Program and authorize the appropriate signatures; 11) Accept the Committee of the Whole recommendation to approve the Agreement between the City of Berlin Senior Center and Inclusa and authorize the appropriate signatures; 12) Accept the Committee of the Whole recommendation to approve Ordinance #03-20 Amending the Code of Ordinances Relating to the Establishment of a Municipal Court; 13) Accept the Committee of the Whole recommendation 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, N. Fond du Lac, Oakfield and St. Cloud, the Towns of Empire, Fond du Lac, Oakfield, 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 July 15, 2020; 14) Approve the list of bills for payment. Ald Erdmann removed the May 12, 2020, minutes from the Consent Agenda. Ald. Erdmann moved to approve the remaining consent agenda seconded by Lehr. A roll call vote resulted in six (6) ayes, zero (0) nays and zero (0) absent. Motion carried.

Next Ald. Erdmann noted that the May 12 minutes on the last page, paragraph 6 at the bottom should say "next was". Ald. Erdmann moved to approve the May 12, 2020 Common Council minutes as amended. Harke seconded the motion which carried by voice vote.

Next was Community Development Block Grant Public Facilities (CDBG-PF) and Close Program Application Matching Funds Resolution. Harke made a motion to approve and adopt Resolution #20-12

Authorizing to Commit Matching Funds for the City of Berlin, WI for application of CDBG grant applications. Brussels seconded the motion. A roll call vote resulted in six (6) ayes, zero (0) nays and zero (0) absent. Motion carried.

Next was Wal-mart Real Estate Business Trust Board of Review Assessment Request for Waiver and Objection. Olson reviewed that the Board of Review is completed. At the Board of Review, Wal-mart filed as assessment objection and request for waiver. The objection listed the current assessment at \$7,260,000 with an opinion of an assessed value at \$3,680,000. The Board of Review has approved the waiver of this assessment by Wal-mart which will go directly to Circuit Court due to the complexity of the assessment.

Next was Update on Re-opening of Public Facilities. Olson stated that City Hall and Berlin Library were opened on June 1, 2020. Zabel reviewed that a decision on the Berlin Aquatic Center will be made at the Park and Recreation special meeting tomorrow at 4:30 pm. Olson reviewed that the Senior Center will be opening June 15, 2020. The Berlin Parks are opened, but the restrooms will be opened only for shelter house reservations. The Campground is opened along with the showers.

Next was State of Emergency Declaration. The Common Council discussed the need to extend the State of Emergency which would end on June 14, 2020. Harke made a motion to extend the State of Emergency until July 14, 2020. There was no seconded. Motion failed. So the State of Emergency will end on June 14, 2020.

Next was Discussion on Virtual Meetings. The Council discussed having virtual meetings and being able to stream it on Cable TV. Lehr stated that there are many hoops to doing these meetings and asked that this would be put on next month agenda.

Lehr made a motion to accept the Mayoral appointment of Dan Johnson to the Police & Fire Commission for term expiring May 1, 2025. Boeck seconded the motion, which carried by voice vote.

Harke made a motion to accept the Mayoral appointment of Catrina Burgess to the Parks & Recreation Commission for term expiring April 20, 2023. Erdmann seconded the motion, which carried by voice vote.

Erdmann made a motion to approve the Sidewalk Café Permit for Riverside Coffee Company, LLC for 168-170 West Huron Street for June 15-September 15, 2020 for hours 7 a.m. – 8 p.m. Lehr seconded the motion which carried by voice vote.

Erdmann made a motion to approve the Sidewalk Café Permit for The Art Bar, LLC, 114 W Huron Street for June 15 – September 15, 2020. Boeck seconded the motion which carried by voice vote.

Next was Action on Annual Licenses: Class "A" and "B" Beer and /or Intoxicating Liquor Licenses, Outdoor Activity, Cigarette & Amusement Devices for License Year July 1, 2020-June 30, 2021. Brussels asked about Izzy's Dockside Diner. Pulvermacher state that there was no reason not to issue a license to them. Erdmann made a motion to grant the licenses presented pending all appropriate approvals and inspections are completed and requirements met. Harke seconded the motion, which carried by voice vote.

Boeck made a motion to approve the Operator License Applications for License Year July 1, 2020-June 30, 2020. Lehr seconded the motion, which carried by voice vote.

Old Business- Boeck asked to follow up on the Chicken License Ordinance update. Olson stated that it will be on the July agenda.

New Business- Lehr, liaison for the Police and Fire Commission, reviewed an informational sheet on the Berlin Police Department Activity that he would like to provide to the Council each month. The Council was in agreement that they would like to see it monthly.

At 8:00 pm. Bruessel made a motion to adjourn. Nigbor seconded the motion which carried by voice vote.

Susan Thom, Deputy Clerk