

Minutes  
City of Berlin  
Common Council Meeting  
Tuesday, December 8, 2020 7:00pm  
Council Chambers, Berlin City Hall, 2<sup>nd</sup> Floor

Aldersperson Boeck called the December 8, 2020 Common Council meeting to order at 7:00pm. Roll Call Present: Ald. Boeck, Lehr, Nigbor, Erdmann, Bruessel and Harke. Staff Present: Lindsey Kemnitz, Jodie Olson, Brian Pulvermacher, EMS Staff Joshua Schmidt, Damian Moreland and EMS Director Evan Vandenlangenberg. Mayor Schramer attended the meeting virtually. Also present: Bruce Bohn

Ald. Harke moved to seat Mayor Schramer virtually, seconded by Joel Bruessel which carried by voice vote.

Public Comments: Ken Grams, applicant for the position of Berlin Police Chief attended the meeting and introduced himself to the Common Council.

Next Boeck asked for a motion to approve the Consent Agenda. Erdmann made a motion to accept the Consent Agenda. Bruessel seconded the motion and roll call was taken. There were 6 ayes 0 nays and 0 absent.

Kemnitz gave an update on 107 W Huron St. She commented that Ramon had completed the items requested such as getting the roof sealed and weather proofing the deck. She reported that on the previous Thursday Ramon had sold his property to John M. Ovalle due to some health issues. Discussion ensued with Council Members asking Atty Chier if there was anything more they needed to do. Chier commented there was nothing more pending, therefore, no action is needed.

Boeck brought item #16 forward on the agenda. Because the stop sign on Knopf Road had already been discussed, and was just going through the formality of adopting Ordinance #15-20, Bruessel made a motion to adopt Ordinance #15-20 to Install a Stop sign on Waste Water Treatment Plant Road at Knopf Road. Lehr seconded the motion. A roll call vote resulted in 6 ayes 0 nays 0 absent. Ordinance was adopted.

Before Boeck could bring the next item on the agenda up, Ald. Lehr made an impassioned statement about the current state of Virtual meetings and that his constituents who would like to watch the meetings on TV cannot hear nor participate and feel disconnected from the Government they elected. He stated he feels in his heart this is not fair to them and asked for the council not to extend the Virtual meetings.

Bruessel stated it is terrible when our residents cannot hear and asked Olson how we are progressing with the new equipment to bring up the quality of our virtual meetings. Olson stated we are still getting some pieces in and while speaking to the company doing the installation, they are quite busy because many municipalities have been going through the same issues since the start of Corona Virus and that they indicated they thought January would be the completion date for installation.

Harke made a motion to approve the Temporary Ordinance #16-20 Extension of Effective Period of Temporary Ordinance #05-20 Relating to Electronic or Virtual Attendance or Conducting of Meetings of Governing Bodies. Boeck stated she did not feel comfortable extending it until April. The Mayor stated once we get the new equipment, we will need to extend it until April in order to test it out. Lehr moved

to amend the motion to extend an apology to the public and fix this. Boeck asked for a second. Motion died. Bruessel seconded the motion made by Harke. A Roll Call vote resulted in 4 ayes with Boeck and Lehr both casting nay votes.

Next on the agenda, Boeck asked for a discussion on the Bohn Property Acquisition from the Town of Berlin. Atty Chier stated he sent an email to Atty Blazel, believing he was representing the Town of Berlin in the Bohn Property Acquisition. The town granted permission and the two talked. According to Chier, the two attorneys agreed the need for the resolution was unnecessary and overkill but the town would not budge on their position. Chier stated he felt the DNR restrictions would never be lifted, and therefore if the Resolution was adopted, it would allow us to move forward with the acquisition. There was strong opposition from ald. Bruessel who stated it would set the precedence to allow another entity to have powers over us. Lehr stated he felt the same way as Bruessel but he believed the conservation perpetuity the DNR has with deed restrictions would mean this land would never be developed beyond a restroom, parking lot or trail. Boeck commented with the amount of time Kemnitz and Bohn put into this it would be a shame to let a small thing stand in the way of the great donation of land Mr. Bohn so graciously gave the people. Kemnitz and Mr. Bohn explained to the Council there is a time factor. If we cannot come to an agreement at this meeting we will likely lose the Knowles Nelson Stewardship Grant, perhaps forever, or at the very least have to re-apply next year and it could take a very long time to approve it again. Bohn stated it took 3-5 years to even get to this point. He said there have been multi-generations of the Bohn family running the business here in Berlin and their wish is to bless the city with this beautiful land. Erdmann stated she agrees with both council persons and has a big problem with the Town of Berlin position on this, however, feels it is much too important for the Sportsmen and the citizens of this community, therefore, she is going to swallow her pride and make a motion to accept the resolutions declaring restrictive covenants.

Boeck seconded the motion. Lehr stated as hard as it is for him, we have to remember for hikers, birdwatchers and duck hunters and for just all around naturalist type people, this is going to make Berlin a destination for them. They are going to want to come and enjoy time in our community. Along the way, they may even spend a dollar or two in our businesses. Lehr agreed with Erdmann, but also agreed with Bruessel. However, in the best interest of the Berlin citizens, Lehr stated we must vote this through. A roll call vote was taken resulting in 6 ayes 0 nays and 0 absent.

No Old Business. No New Business.

Before going in to closed session. Atty Chier called into question an item on the closed agenda. He asked that we not include it in today's closed session but postpone it until next meeting. The reason he stated was uncertainty this was legal to discuss in closed session. The item he was referring to was; (1) Consideration of Bartender Operator License Applicant Denial Appeal Request for Amanda Kubinski.

Erdmann made a motion to go into closed session and postpone item #1 to next month. Lehr seconded the motion which passed by roll call vote of 6 ayes 0 nays 0 absent.

Erdmann moved to seat the 3 EMS employees, Joshua Schmidt, Evan Vandenlangenberger and Damian Moreland as well as Olson. Boeck seconded the motion which passed by voice vote.

No action was taken as a result of closed session.

Midge Seaman, Deputy Clerk

