

MINUTES  
COMMITTEE OF THE WHOLE MEETING  
CITY OF BERLIN  
TUESDAY, NOVEMBER 2, 2021 7:00 PM  
COMMON COUNCIL CHAMBER

Mayor Bruessel called the Committee of the Whole meeting to order at 7:00 p.m. Present: Ald. Lehr, Boeck, Nigbor, Erdmann, Marks and Burgess. Staff present: Sara Rutkowski, Scott Zabel, Rebecca Bays, Timothy Ludolph, Jodie Olson, Atty. Matt Chier and Susan Thom.

There were no virtual attendees.

There were no general public comments.

Erdmann moved to approve the minutes from the October 5, 2021 Committee of the Whole meeting and October 19, 2021 Special Committee of the Whole meeting. Marks seconded the motion, which carried by voice vote.

Next was Potential Sale of TID#02 E Johnson Street Development Property. Nathan Olson, representing Johnson Street Properties LLC and Jim Thoma stated that the Johnson Street Properties LLC wishes to avail itself of the Development Agreement. They are requesting that the rights and obligations of the Development Agreement and all amendments thereto be assigned by the State Bank of Chilton to Johnson Street Properties LLC. Johnson Street Development is requesting to fully assume the agreement. Jim Thoma stated there are no concrete plans for the property possibly storage and manufacturing later. Decision was made to discuss in close session.

Next was Remediation of Old Safeguard Property at 114 Pierce Street and 119 Commercial Street. Rutkowski reviewed that she had reached out to the WEDC (the SAG Grant) to request funding for the Vapor Intrusion mitigation the cost of \$4,625. The WEDC recommended the City also apply for funding to complete the groundwater testing as needed per the DNR at the same time the cost of \$12,400. Lehr made a motion to recommend to Common Council to request additional funding from Wisconsin Economic Development Corporation (WEDC)-Site Assessment Grant to complete Vapor Intrusion Testing and Ground Water Testing as needed per the DNR. Nigbor seconded the motion, which carried by voice vote.

Next was 2022 Senior Transportation Purchase of Service Contract. Bays reviewed that the Transportation grant was increased from \$24,583.00 to \$29,807.00. The transportation program has been holding steady due to COVID and expect to increase rides in the spring. Erdmann made a motion to combine the 2022 Senior Transportation Purchase of Service Contract and 2022 Berlin Senior Center Agreement for Senior Nutrition. Lehr seconded the motion, which carried by voice vote. Erdmann made a motion to recommend to Common Council to approve the 2022 Purchase of Service Contract with Green Lake County Department of Health & Human Services and authorize the appropriate signatures and approve the 2022 Agreement between Green Lake County DHHS and the City of Berlin for the Berlin Senior Center Meal Program and authorize the appropriate signatures. Lehr seconded the motion, which carried by voice vote.

Next were Ordinance Establishing New Ward Boundaries and Aldermanic Districts. Lehr made a motion to recommend to Common Council to approve and adopt Ordinance #12-21 Establishing New Ward Boundaries and Aldermanic Districts. Marks seconded the motion, which carried by voice vote.

Next was Weights and Measures Fee Schedule. Olson reviewed the proposed Weights and Measures fee schedule. The only change requested is \$2.00 increase for petroleum pumps. The program fee schedule is reviewed annually to ensure a break-even point is maintained. Rates are based on standardized, average amount of time spent to inspect, test and certify devices times the current operating cost per hour. Erdmann made a motion to recommend to Common Council to accept the Sealer of Weights and Measures fee schedule changes for 2022 as presented. Burgess seconded the motion, which carried by voice vote.

Next was Budget Discussion. Olson presented the 2022 City of Berlin Capital Projects/Equipment replacement document. Zabel discussed the Assigned Funds for Street to be utilized for LaFayette Street. Olson stated the shortfall could be made up by short term 5 to 7 year borrowing. Zabel requested to eliminate the Saturday drop off for yard waste at the City Garage due to lack of residents using this service. Olson was directed to remove the overtime for this from the budget. The public hearing on the budget will be held on Tuesday November 16, 2021 at 5:00 pm.

At 7:29 pm Burgess made a motion to convene into closed session pursuant to WI §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)TID#02E Developers Agreement with State Bank of Chilton;* and 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. *((1) Ducks Unlimited Donation Agreement for transfer of Bohn Property Discussion on Union).* Nigbor seconded the motion. A roll call vote resulted six (6) ayes, zero (0) nays and zero (0) absent. Motion passed.

Erdmann made a motion to seat Scott Zabel, Jodie Olson and Sara Rutkowski. Marks seconded the motion, which carried by voice vote.

Discussion continued in closed session.

At 8:02 pm, Burgess moved to reconvene into open session. Nigbor seconded the motion, which carried by voice vote.

Lehr made a motion to recommend to the Common Council to approve the donation agreement between the City of Berlin and Wetland America Trust Inc and authorize appropriate signatures. Burgess seconded the motion, which carried by voice vote.

Burgess made a motion to adjourn. Nigbor seconded the motion, which carried by voice vote.

Susan Thom, Deputy Clerk