

MINUTES
CITY OF BERLIN
COMMON COUNCIL MEETING
TUESDAY, FEBRUARY 8th, 2022 AT 7:00 pm
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

Mayor Bruessel called the February 8, 2022 Common Council meeting to order at 7:00 pm. Roll Call present: Ald Boeck, Burgess, Erdmann, Lehr and Nigbor. Absent: Ald. Marks. Staff present: Sara Rutkowski, Tim Ludolph, Scott Zabel, Jeff Engel, Brian Pulvermacher, Scott Strahan, Zachary Plath, Noah Knetzger, Building Inspector Randy Backhaus, Atty. Chier, and Midge Seaman.

There was one virtual attendee who did not wish to speak.

There was one resident of the General Public, Bruce Tetzke, 151 S Washington St. who wished to speak on the topic of being able to watch meetings online or on tv. Mr. Tetzke stated he was able to watch the meeting on YouTube; however, the Audio was not good after the first 10 or 15 seconds. Basically I can watch but I cannot hear anything is what Tetzke stated.

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 for the City Clerk, Treasurer and Building Inspector; 3) Approve the minutes from January 11, 2022 Common Council meeting; 4) Accept the Committee of the Whole recommendation to approve and adopt Resolution #22-01 Authorize staff Representative to File Applications for Financial Assistance from State of Wisconsin Environmental Improvement Fund. 5) Accept the Committee of the Whole recommendation to adjust EMS wages as presented. 6) Accept the Committee of the Whole recommendation to approve the clerk wages as presented. And 7) Accept the Committee of the Whole recommendation to Approve the list of bills for payment. Erdmann made a motion to approve the Consent Agenda as presented. Lehr seconded the motion. A roll call resulted in five (5) ayes, zero (0) nays and one (1) absent. Motion carried.

The Mayor read the resignation request from Lee Erdmann from the Water & Sewer Commission effective immediately. Lehr made a motion to accept the request with great sadness of losing Erdmann on the Water & Sewer Commission and as the Liaison to that Commission for many years, publicly appreciate all the years and hard work Mr. Erdmann has given to this board. Burgess seconded the motion and asked that a note of appreciation be sent to Mr. Erdmann. The motion passed by voice vote.

Next the Mayor read the request from Derek Kwidzinski asking to accept his resignation from the Board of Appeals due to his move to a different city in Wisconsin. Burgess made a motion to accept Derek Kwidzinski's resignation from the Board of Appeals. Nigbor seconded the Motion which carried on a voice vote. When the Mayor asked if there was further discussion, Burgess made a plea to the Public in an attempt to fill some vacancies on the boards with openings.

Next on the Agenda, the Mayor read a proclamation to the life and legacy of long- time resident, and business owner, Susan Yankowski.

#13 on the Agenda was the Boys and Girls Club Banner Request; Rutkowski introduced Ashley Bartol from the Boys and Girls club who asked the Council if the Boys and Girls Club could place 6 banners on the light poles lining the Bridge on Main Street in honor of the Boys and Girls Club 25th Anniversary for the remainder of 2022. Erdmann made a motion to approve Ms. Bartol's request on behalf of the Boys and Girls Club. Burgess seconded the motion which carried on a voice vote. Erdmann added it is a great accomplishment for the Boys and Girls Club to have made it 25 years and that it is great for the Berlin Community to be able to boast about.

Next the Mayor welcomed Scott Zabel, Director of Public Works to speak about the Elevator at City Hall and the bid process that had recently taken place. Zabel reported there was only one company that put in a bid for the work to be done on the Elevator at City Hall. That company was Otis Elevator, the same company that had been maintaining it for years. He further stated the bid came in at \$109,475 which was under budgeted amount of \$125K for that project. Boeck made a motion to accept the bid from Otis Elevator to repair the City Hall Elevator. Nigbor seconded the motion all were in favor, motion passed.

The next item on the Agenda was a recommendation of waiving the Committee of the Whole Discussion and approving Resolution #22-02 Authorizing Borrowing and Loan forgiveness for CDBG RLF Closeout Program. Rutkowski spoke about how the borrowing and loan forgiveness already occurred in 2021 and explained how this item was needed for the upcoming Audit. She stated the resolution should have occurred in 2021, and we need to fix that error. Lehr made a motion to waive the Committee of the Whole discussion on this item. Erdmann seconded the motion which carried by voice vote. Lehr then made a motion to approve Resolution #22-02 Authorizing Borrowing and Loan Forgiveness for CDBG RLF Closeout program. Nigbor seconded the motion which carried.

The Mayor brought Randall Backhaus forward to give the Building Inspector report for 271 McKittrick St. Backhaus stated the home repairs are heading in the right direction as far as progress is concerned. He then went through all the rooms of the house individually and spoke on the progress in each room. He stated the items that had not been touched as of yet, were items that had normal wear and tear for a home the age it is. He said the property owner is progressing with a major addition to the home to build a kitchen off the back of the house although that is not near completion. He stated the property owner was at the site working on Monday when he stopped by. All in All Backhaus was okay with the progress. Lehr reminded the board, there was a completion date of 90 days.

Next, Backhaus gave an update on the Raze or Repair order at 218 S Grove St. Backhaus stated the home repairs are proceeding in a positive direction. The owner has replaced roof, built on an attached garage with a covered patio off the garage in the back. Owner next will complete soffit, fascia and then move to the interior. Backhaus said owner is working on interior now on days that it is too cold to work outside. Lehr stated this Raze or Repair did not have an end date and there were no complaints from neighbors.

Next was the Police Department Employee Residency Requirement. Rutkowski gave a background and timeline of events leading up to tonight's discussion. She stated the Committee of the Whole was agreeable to extending the residency 50 miles and sent it to the Common Council for approval. At the Common Council meeting, it was pulled off consent agenda to allow the Police and Fire Commission to give their recommendation. The Police and Fire Commission thought 35 miles was too far and unanimously voted on 25 miles. Boeck asked if they gave reasons why they felt that way. She stated they felt that since it was "as the crow flies" it would open up all of Oshkosh and a good chunk of

Neenah and officers would be able to find more opportunity for housing. Boeck would like to see it remain at the 50 mile radius the Council had previously agreed upon because she did not want to lose any good officers. She would rather have good quality employees than make them live somewhere they did not want to live. Lehr reiterated the Commission UNANIMOUSLY voted on 25 miles and 25 miles encompasses their major concern of housing not being available in Berlin. There are also Major concerns with the fact that this did not apply to any of the other departments. The commission stressed that they have worked hard to bring the Police Department off the island that they were on in years past and make them a part of the community. Burgess stated she also was at the Police and Fire Commission and heard the frustration, however, she doesn't feel she can back the 25 mile radius that they recommended due to the fact she didn't feel they were given all the criteria and requirements the Council was given. One major issue not pointed out at Police and Fire Commission is that Berlin Ambulance does not have ANY requirements for residency for the mere fact that they are a 24 hour staff. The Police department is scheduled all 24 hours of the day as well. They are never NOT staffed on the Police Department. You can't compare the Police Department to other departments. You have a Water & Sewer Department with requirements but they are not Staffed 24 hours so you need someone nearby in case of an emergency. They are completely different cases. The workforce is such a difficult thing right now everywhere. If we have police who want to come and work for us and protect us and our citizens then I don't care where they live. A remark was made at Police and Fire Commission that this is part of wearing the uniform, if you don't like it go work at a bank. That hit me hard. Things are different now than 20 years ago. Life has changed and we need to make a change as well to support our officers. The Mayor then went to each of the Council Members to get their opinion. Erdmann stated she was a huge proponent of having our officers nearby, but as Catrina stated things are not the same as they were 20-50 years ago. I love the Officers and what they stand for and I'd rather keep them than lose them because they can't find a home. Erdmann Agrees 50 miles is agreeable. Nigbor then stated having a quality police department is one of the most important things to have in a city. Things have changed over the years; we are no longer living in Mayberry. The Police and Fire Commission recommended 25 miles and I would agree with that. The PFC thought 25 miles was reasonable and 50 was not reasonable. The PFC is over that department. I agree with the PFC: 25 miles touches all the bases of why the Police Officers wanted to extend the miles to begin with. If we extend that to 50 miles we are going to have problems with the other departments. Major problems and we will be back here again discussing this. Lehr made a motion on behalf of the Police and Fire Commission to extend the Police Residency to a 25 mile as recommended by them. Nigbor seconded the motion. Boeck requested a roll call vote. There were 2 ayes 3 nays and 1 absent. The motion did not pass. Burgess made a motion stating she does appreciate the Police and Fire Commission and the Police Officers; however, she would like to go back to the original request of allowing Officers to live within a 50 mile radius. Boeck seconded the motion. A roll call vote resulted in 3 ayes, 2 nays (Lehr, Nigbor) and 1 absent (Marks). Motion Passed.

Old Business: Ald. Boeck requested to re-address the 271 McKittrick Property.
No new Business.

It was determined Closed Session was not needed due to passing the Residency requirement.

Boeck moved to adjourn the meeting at 7:45. Nigbor seconded the motion. Meeting was adjourned.

Respectfully, Midge Seaman, Deputy Clerk