

CITY OF BERLIN COMMON COUNCIL MEETING MINUTES
TUESDAY DECEMBER 13, 2022 AT 7:00 PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

Mayor Bruessel called the December 13, 2022 Common Council meeting to order at 7:00 pm. Roll call present: Ald. Boeck, Burgess, Dretske, Erdmann, Nigbor and Stobbe. Staff present: Sara Rutkowski, Rebecca Bays, Tim Ludolph, Brian Pulvermacher, Scott Zabel and Midge Seaman

There were no virtual attendees. No Public Comments.

The following items were listed on the Consent agenda for approval and adoption: 4) Waive the reading of all ordinances and resolutions adopted at this meeting; 5) Receive and place on file the written reports from the City Clerk, Treasurer and Building Inspector; 6) Approve the minutes from the November 15, 2022 Common Council Meeting 7) Approve the list of bills. 8) Accept the Recommendation from Committee of the Whole to Approve the Donation from Berlin Community Development Corporation and from Committee of the Whole to accept the Donation Agreement as Presented. 9) Accept the 2023 Purchase of Service Contract with Green Lake County Department of Health & Human Services and authorize the appropriate signatures. 10) Accept the Committee of the Whole recommendation to approve the 2023 Agreement between Green Lake County DHHS and City of Berlin for the Berlin Senior Center Meal Program and authorize the appropriate signatures. 11) Accept the Committee of the Whole recommendation to approve the Fee Schedule and Municipal Forfeiture Bond Schedule as presented for 2023. 12) Accept the recommendation from Parks & Recreation Commission to update the Shelter House and Campground rental fees as presented and 13) Accept the Recommendation from Planning Commission to rezone Parcel #206-00964-0100 from R-1 to R-2. Stobbe made a motion to accept the consent agenda. Burgess seconded the motion. A roll call vote resulted in 6 Ayes 0 Opposed.

The Mayor brought item #14 forward, Resolution 22-10 Establishing Wage Adjustment for Non-Union Employees for 2023. A Motion was made by Nigbor to Accept the recommendation from the Committee of the Whole to approve Resolution 22-10 Establishing a Wage Adjustment for Non-Union Employees for 2023. Erdmann seconded the motion. A Roll Call Vote resulted in 54 ayes and 1 Abstention. Motion Passed.

Item 15 was a resignation of LeRoy Moldenhauer from the Cemetery Board. Erdmann made a motion with regret and appreciation to LeRoy Moldenhauer and asked that a letter of Appreciation be sent to him for the many years of service and dedication to the Oakwood Cemetery Board. Dretske seconded and motion passed by voice vote.

Item 16 saw the appointment of David Hitz to the Zoning Board of Appeals. Motion was made by Stobbe and seconded by Dretske. Motion passed on a voice vote.

The Mayor brought forward a list of four people, Susan Hale, James and Pamela Marks and Ashley D. Stepniewski forward who expressed an interest in becoming Poll Workers for the remainder of the term which ends on December 31, 2023. Burgess moved to approve the four individuals which was seconded by Dretske and passed on a voice vote.

Item 18 was the Armory Polling Location. The motion was made to Approve the Berlin Wisconsin National Guard Armory as the Official Location for 2023 Election Year by Boeck and seconded by Dretske. This passed on a voice vote.

Next was the Liquor License Application for a new restaurant in Berlin called El-Charro, LLC. El Charro filed an application for a Class "B" Beer license and a "Class B" Liquor license for the remainder of the 2022-23 year, set to expire in June 2023 at the location of 103 W Huron St. Erdmann made a motion to approve the Liquor License Application for El Charro, LLC which was seconded by Boeck and passed on a voice vote.

Item 20 was a TID Building Improvement Application from JT Broadway, LLC. Jason Timm, 7493 Wayside Drive, Omro, WI 54963 explained his reason for purchasing the building at 229 Broadway was an investment opportunity. Timm gave a presentation on his desire to bring back the original façade of his building should his application requesting funds be approved. Due to the next item on the Agenda, The Mayor thought it would be best to ask for a motion to table any further discussion on Item 20 until after item 21 was discussed. Stobbe made a motion to table the current discussion until after Item 21 was discussed. Boeck seconded the motion which passed on a voice vote.

Next up was a lengthy discussion on TID Program Possible Guidelines changes, additions or clarifications with the Mayor and several Alderpersons weighing in on the topic. Ultimately, Stobbe made a motion to change the TID Improvement Program and Façade Improvement Program wording from "Primary Zoned as residential or are listed as tax-exempt are not Eligible" to "Properties whose primary use is residential or are listed as tax exempt are not eligible." Nigbor seconded the motion which passed on a voice vote.

Item 20 was brought back to the table for further discussion and consideration. Stobbe made a motion to approve the application and give Mr. Timm \$15K from the TID. Burgess seconded the motion. The motion passed on a voice vote.

Item 22 was a discussion on the use of Delta 8 in the Berlin Area Schools and Possible Ordinance discussion as requested by The High School Principal Bryant Bednarek. Also present for the discussion was Chief Pulvermacher and Dr. Emmet Durtschi, the Superintendent of Berlin Area School System. Bednarek addressed the problems Delta 8 was having on the Berlin Area School System, discussion ensued amongst Council Members. Burgess made a motion for City Attorney to look into drafting possible ordinance(s) concerning the use of Delta 8 and vaping devices. Stobbe seconded the motion. Dretske made a motion to amend to include the words "for those under the age of 21". Stobbe seconded Dretske's motion which carried on a voice vote. The motion as amended then also passed on a voice vote.

Item #23 was Resolution 22-11 Budget Adjustment for City Hall Façade Repairs and Parks Department Snowplow. A motion was made by Burgess to Waive the Committee of the Whole Discussion. Nigbor seconded the motion which carried by voice vote. Department of public Works Superintendent, Zabel stepped up to the microphone to discuss the overages on both the cost of the roof work and the cost of the snow plow. Stobbe made a motion to approve Resolution 22-11 Budget Adjustment for City Hall Façade Repairs and Parks Department Snowplow. Erdmann seconded the motion. A Roll Call vote resulted in 6 ayes and 0 nays.

Item 24 was the Raze & Repair Order at 107 W Huron St. Ludolph gave a presentation on the current state of this Raze & Repair Order. He stated the owner was asked to be present at the meeting and he

did not attend the meeting. Ludolph and the Building Inspector walked by the property and noted supplies had been dropped off. Rutkowski reported they had reached out to the owner for possible funding opportunities. Ludolph reported he gave them information and application for the TID program.

The Mayor brought forward Ordinance #04-22 Amendment to the Ordinance Establishing Regular Meeting Time of the Committee of the Whole and combining that with Ordinance #05-22 Changing the time of the Common Council Meeting. Dretske spoke up and stated he is not in favor of the time change of either meeting due to his personal schedule with Classes. Burgess stated she would rather all members be present. Dretske made a motion to table discussion on both item 24 and 25 meeting time changes. Burgess seconded the motion. Motion passed on a voice vote.

Item #27 was the Appraiser Contract for 2023 (or 2023-25). Rutkowski presented on this item stating that we had not gotten any responses on the original RFP. After reaching out to several appraisers, we received one option and that was the Associated Appraisal Consultants. Erdmann made a motion to accept the contract with Associated Appraisal Consultants. Boeck seconded the motion. Motion passed on a voice vote.

Item 28 was a discussion on the Levy Referendum. Rutkowski informed the group the way the referendum process works and spoke on options the Council Members could or should consider. Discussion ensued – no action taken at this time.

Under Old Business, Boeck asked if on the next agenda, there could be an update on the Park by the Pool.

There was no New Business.

At 9pm Burgess made a motion to adjourn the meeting. Nigbor seconded the motion which carried on a voice vote.