

CITY OF BERLIN COMMON COUNCIL MEETING MINUTES
TUESDAY, DECEMBER 12, 2023 AT 7:00 pm
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR

The Mayor called the meeting to order at 7:00pm, Roll Call resulted in six (6) present; Boeck, Burgess, Dretske, Durtschi, Nigbor and Stobbe. Zero absent. Staff in attendance: Sara Rutkowski, Tim Ludolph, Scott Zabel, Attorney Chier and Midge Seaman.

No Virtual Attendees and 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 for the City Clerk, Treasurer and Building Inspector; 6) Approve the minutes from November 7 & 14, 2023; 7) Approve the Bills List. 8) Accept Recommendation from the Committee of the Whole to approve opening two new bank accounts for TID funds and Internal Employee Benefits Fund. 9) Accept the Committee of the Whole Recommendation to approve Uncleared Check financial Policy. Dretske made a motion to accept the Consent Agenda with the minutes being amended as stated. Nigbor seconded the motion which passed on a roll call vote of six (6) Ayes and zero (0) Nays.

10) Gary Landecker, a Developer, joined virtually to give a presentation on a project he would like to do in the City of Berlin. No action was taken at this time, discussion continued in Closed Session.

11) Nigbor made a motion to Accept the City Engineer recommendation on the updated 2024 Standardized Special Assessment Schedule. Boeck seconded the motion which passed on a voice vote.

12) Chad Koehler from Waste Management joined the meeting virtually to give background on the 2024-2028 Garbage and Recycling Contract. Dretske made a motion to waive the Committee of the Whole discussion on this item and Nigbor seconded the motion, which carried on a voice vote. After a couple questions of Mr. Koehler, Dretske made a motion to approve the 2024-2028 Waste Management Service Contract and authorize the appropriate signatures. Burgess seconded the motion, which carried on a voice vote.

13) Rutkowski announced LIR Transportation LLC is the company the 5-year contract by the selection committee for shared ride taxi service in the City of Berlin. Dan from LIR Transportation attended the meeting virtually to give a background on the company and make himself available for questions. Discussion was held concerning the fees for additional rider and for outside city limits transportation. Dretske made a motion to waive the Committee of the Whole discussion on this item. Nigbor seconded the motion which carried on a voice vote. After a few questions by council members, Burgess made a motion to Approve the 2024-2028 Taxi Shared Ride Service Contract with LIR Transportation LLC and authorize the appropriate signatures. Stobbe seconded the motion, which carried on a voice vote.

14) Next on the agenda is the Plan Commission request to Utilize City Attorney to explore concepts related to Indoor horticulture in the B-1 and possibly M Districts. Burgess made a motion to Accept the recommendation from Plan Commission and authorize City Attorney to work with Staff on possible Indoor Horticulture Operations Ordinance suggestions. Stobbe seconded the motion which carried on a voice vote.

15) Tim Ludolph, PDD, gave a brief update on 107 W Huron St Raze & Repair Property. Property owner stated he will have windows installed by Christmas. No action taken.

16) Next was the Poll Worker Appointments for the term of two years beginning 2024 and ending 2025. Stobbe made a motion to Approve and appoint the list of Poll workers as presented. Dretske seconded the motion. This was passed on a voice vote.

17) Letter of resignation from Dan Johnson from the Police & Fire Commission. Dretske made a motion to accept Johnson's resignation from the Police & Fire Commission. This was seconded by Boeck and passed on a voice vote.

18) Next was a request to appoint Ron Ross to the Police & Fire Commission. Dretske made a motion to Accept the appointment of Ron Ross to the Police & Fire Commission with the term ending May 1, 2025. Burgess seconded the motion, which carried on a voice vote.

19) Next on the Agenda was the School Resource Officer Memorandum of Understanding with the Berlin Area School District. Rutkowski explained previously we did a quarterly billing for the SRO which was tough with the timing, now the billing will be tri-annual by the school semester. Dretske made a motion to Approve the School resource Officer MOU with Berlin Area School District as presented. Stobbe seconded the motion. A Roll Call vote resulted in four (4) Ayes, zero (0) Nays with Burgess and Durtschi abstaining.

20) Fee Schedule & Municipal Forfeiture Bond Schedule. Chief Pulvermacher joined virtually to discuss a disconnect between ordinance violation and the fee schedule in some offenses. There were several fee schedule change requests in Zoning as well, citing Kunkel Engineering requesting Inspection fees and permits to be adjusted toward the model Building and Inspection fee schedule. Durtschi made a motion to Accept and Approve all Municipal Bond, Taxi Fee and Regular Fee Schedule changes, with the Zoning Fees based on Fee Schedule model 2024 as presented. Boeck seconded the motion which carried on a voice vote.

21) Next was Resolution #23-14 Establishing Wage Adjustment for Non-Union Employees for 2024. Nigbor made a motion to Approve Resolution 23-14 Establishing a Wage Adjustment for Non-Union Employees for 2023. Stobbe requested a roll call vote. There were five (5) ayes and zero (0) nays with Stobbe abstaining.

22) Resolution #23-15 Budget Adjustment for City Attorney Fees. Dretske made a motion to Waive Committee of the Whole Discussion which was seconded by Nigbor and passed on a voice vote. Durtschi made a motion to Approve Resolution 23-15 Budget Adjustment for legal expenses exceeding city attorney retainer for contract year 2022-2023. Burgess seconded the motion. A roll call vote resulted in six (6) ayes and zero (0) nays.

23) Resolution #23-16 2024 Budget Adjustment Contingency. Dretske waived the Committee of the Whole Discussion which was seconded by Nigbor and passed on a voice vote. Durtschi made a motion to Approve the Committee of the Whole Discussion with adjustments as presented which was seconded by Stobbe. A roll call vote resulted in six (6) ayes and zero (0) nays.

24) There is no Old Business and 25) No New Business to discuss.

26. Dretske made a motion to convene into closed session 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) Discussion on possible Developer Contract.* Nigbor seconded the motion which carried on a voice vote.

Discussion continued in Closed Session.

Nigbor made a motion to reconvene into open session, with a second by Dretske. Motion carried via voice vote.

Motion to adjourn by Stobbe at 9:11 pm, with a second by Dretske. Motion carried via voice vote.

Midge Seaman, Deputy Clerk