

CITY OF BERLIN COMMON COUNCIL MEETING MINUTES
TUESDAY, May 14, 2024 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. Staff in attendance: Sara Rutkowski, Tim Ludolph, Scott Zabel, Attorney Chier, Damian Moreland, and Caitlin Hilgart.

No Virtual Attendees.

There were two public comments cards. Ammanda Garza, 148 S. Kossuth Berlin, spoke at agenda item #12 about the application for Temporary Class "B" Retailer's License for Friends of the Berlin Aquatic Center for the fundraising event. The second public comment card was from Dean Spielvogel, 121 E Liberty St Berlin, who spoke about the Street Cruiser's Memorial Day Car Cruze.

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 bills list; 7) Approve the minutes from April 9, 2024 Common Council Meeting; 8) Approve the minutes from April 16, 2024 Organizational Common Council Meeting; 9) Accepting the 2023 Year End Report from Travel & Tourism Commission and placing on file; 10) Accepting the recommendation from the Committee of the Whole to approve Resolution 24-05, Resolution Adjusting Urban Area Boundary and authorize signatures. Dretske made a motion to accept the Consent Agenda without item #8, Burgess seconded the motion that passed on a roll call vote of (6) six ayes.

Approve the minutes from April 16, 2024 Organizational Common Council Meeting. Dretske asked for a correction on the recording of the roll call vote be made when convening into closed session regarding the city attorney contract to four (4) ayes, one (1) abstention as Dretske excused himself from that closed session. Also, that it be added that Dretske re-entered the Chambers to vote on the meeting adjournment. Dretske made a motion to approve the Common Council Organizational meeting minutes as presented with the suggested changes being made, Boeck seconded the motion that passed on a voice vote.

Item #11 Boeck made a motion to accept the Mayoral appointment of Timothy Bending to the Park and Recreation Commission for term expiring May 1, 2025, Dretske seconded the motion that passed on a voice vote.

Next item was the application for Temporary Class "B" Retailer's License for the Friends of the Berlin Aquatic Center for Save The Pool fundraising event held on June 29, 2024. Durtschi made a motion to accept the Temporary Class "B" Retailer's License for Friends of the Berlin Aquatic Center, Stobbe seconded the motion that passed on a voice vote.

Next was item #13 UW Health Business Associate Agreement. Item #14 UW Health EMS Agency Medical Direction Agreement and item #15 UW Health Technology Addendum to the EMS Agency Medical Direction Agreement. Dretske made a motion to waive Committee of the Whole discussion and combined all three (3) agenda items together, Boeck seconded the motion that passed on a voice vote. Durtschi made a motion to accept the UW Health Business Associate Agreement, UW Health EMS Agency Medical Direction Agreement, and UW Health Technology Addendum to the EMS Agency

Medical Direction Agreement and authorize all required signatures, Stobbe seconded the motion that passed on a voice vote of four (4) ayes, one (1) abstention from Dretske, and one (1) nay from Burgess.

Item #16 was the recommendation from Plan Commission to create Ad-Hoc Task Force for the North Industrial Park and authorize City Attorney time to assist with projects. Boeck made a motion to waive the Committee of the Whole discussion on this item, Dretske seconded the motion passed that passed on a voice vote. Dretske made a motion to accept the recommendation from the Plan Commission to authorize City Attorney hours assist with the Ad-Hoc Task Force for the North Industrial Park, Burgess seconded the motion that passed on a voice vote.

Item #17 Dretske made a motion to accept the resignation of Zeb Pirkey from the Board of Appeals, also sending a letter of thanks for service, Nigbor seconded the motion that passed on a voice vote.

Item #18 TID 15 Façade Improvement application for the Berlin Lanes LLC at 119-123 N. Pearl St. Burgess made a motion approve \$16,501.63 for the City of Berlin TID 15 for Eric Berndt for the Façade Improvement of the Berlin Lanes, Nigbor seconded the motion that passed on a voice vote.

Item #19 TID 15 Façade Improvement application for JT Recharge LLC at 134 W Huron St. Stobbe made a motion to approve \$1,055.00 to JT Recharge LLC for the TID 15 façade application, Dretske seconded the motion that passed on a voice vote.

Item #20 was the 107 W Huron Raze & Repair. There was discussion held and this item will be moved to next months agenda.

Item #21 was the review bid award for the 2024 Oak St Extension Project. Durtsch made a motion to waive the Committee of the Whole discussion on this item, Nigbor seconded the motion that passed on a voice vote. This item was tabled before discussion could be held.

Item #22 was discussions for Developer's Agreement for Commercial Associates Riverview Court Development on Lot 1 of CSM 3037, tax parcel 206-01082-0200. Dretske made a motion to waive the Committee of the Whole discussion on this item. Nigbor seconded the motion that passed on a voice vote. Gary Laeyendecker presented the update of building cost and interest expense has played a part on the delay of the project. This item was moved to closed session.

Item #23 was the City Forester Appointment. This was an incorrect agenda item based on what was approved for the Organizational Meeting minutes. The City Forester is in Zabel's job description and he presented what the job entailed. Dr. Durtschi will assist Zabel with the Forester position.

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

At 8:27PM Dretske made a motion to convene into closed session and pursuant to Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session (*Initial Discussions for Developer's Agreement for Commercial Associates Riverview Lane Development on Lot 1 of CSM 3037, tax parcel 206-01082-0200*) and included a motion to seat Rutkowski, Attorney Chier, and Ludolph. Nigbor seconded the motion that passed with a roll call vote of six (6) ayes.

Discussion continued in Closed Session.

Stobbe made a motion to move into open session. Boeck seconded the motion that passed on a roll call vote of six (6) ayes.

Item #21 Burgess made a motion to accept the bid from Don E. Parker Excavating, Inc. for the Riverview Dr. and Riverview Court street extension project. Nigbor seconded the motion that passed on a voice vote.

Burgess made a motion to adjourn. Nigbor seconded the motion that carried on a voice vote.

Caitlin Hilgart, Deputy Clerk