

COMMITTEE OF THE WHOLE MEETING MINUTES

AUGUST 4, 2026 7:00PM

1. Call to order/Roll Call: *Meeting called to order at 7:00pm. Alderpersons Przybyl, Hill, Cauley, Stobbe, Klawitter and Sorenson were all in attendance. Staff members present were City Administrator Jessi Balcom, Deputy Clerk Treasurer Debra Thiel, Interim Police Chief Knetzger and Planning and Development Director Tim Ludolph.*
2. Seat Virtual Attendees (if necessary) - *None*
3. Pledge of Allegiance
4. General Public Comments. Registration card required (located at podium in Council Chambers). Comments will be limited to **3 minutes** per registrant. *Bruce Tetzke lives at 151 S. Washington Street and was present to discuss his concerns regarding e-bikes and scooters. There are numerous kids flying through intersections. Numerous vehicles going north and south on Washington must slam on their breaks trying not to hit the kids. Sherry Roxbury of 217 W. Berlin Steet was also in attendance to discuss e-bikes. Kids should not be punished for riding their e-bikes and scooters. They should be treated just like every other bike. They need to follow the rules. They need to be taught how to ride them properly. Turn signals and brake lights on these e-bikes would make a big difference. Kids do follow the rules, I get that not all do and I see it all day long. But to threaten and harass them because they are on their e-bike is not acceptable. Kids need to be kids. They need to learn from their mistakes with adult help.*
5. Approval of Minutes. RECOMMENDATION: Approve the minutes of the 7.7.2026 Committee of the Whole meeting. *Alderperson Hill made a motion to approve the minutes of the 7.7.2026 Committee of the Whole meeting. Przybyl seconded the motion. Motion carried with voice vote.*
6. Cemetery Board requests to apply to ArbNet Arboretum Accreditation Program for Level I Arboretum status. RECOMMENDATION: Listen to presentation, discussion and action as appropriate. *Nancy Gimenez, President of the Oakwood Cemetery Board was in attendance to request applying to ArbNet Arboretum Accreditation Program for Level I Arboretum status. Oakwood was the first cemetery in Berlin established around 1850. There are approximately 500 trees there but in the recent past we have had 60 ash trees die. The last tree survey was done in 2005 so the board decided to have ranger services arborists come and redo the tree survey in 2024. They cataloged each tree which gave us a schedule for planting more trees for long-term management. 87% of our trees are at maturity or over maturity. The ranger noted that diversity is the key to a healthy population. While the trees are well maintained there is some evidence of improper pruning which could be remedied with a training class on pruning. In 2005 Ranger estimated our trees currently in the cemetery to be worth over half a million dollars, which in today's terms would be worth much more, which is why we would like to increase. More than monetary value is its value to the environment, the wildlife and our residents. An arboretum is a living museum of trees and woody shrubs grown and cared for by an organization committed to their stewardship. It is a protected green space, an optimal serene location for relaxation, walking and other activities. It can be used as an outdoor classroom to educate students as well as offer other educational programming to adults. The main thing to know is that there is no cost to become accredited. If we are allowed to go through this, we would be accredited by the Morton Arboretum, which is in Illinois, also known as ArbNet. Right now, we are planting about 6 trees per year. Alderperson Przybyl made a motion to approve the Cemetery's request to apply to ArbNet Arboretum Accreditation Program for Level I Arboretum status. Sorenson seconded the motion. Motion carried with voice vote. A motion was made by Alderperson Hill to recommend common council approval of the arboretum brochure with a second by Cauley. Motion carried with voice vote.*

Mayor Catrina Burgess moved item 11 to item 7 so the public who was there specifically to

discuss the e-bikes would not have to sit through the rest of the meeting if they did not wish to.

7. Bicycles, Electric Bicycles and Electric Scooters - proposed amendment to Chapter 70 Article III of Code of Ordinances. RECOMMENDATION: Review proposed ordinance amendment and action as appropriate. *We have been discussing this for awhile now and have looked at Neenah's ordinance. With the change in technology our ordinance hasn't kept up with the technology change. After doing research Alderperson Hill was in favor of omitting gas powered units. The mayor then commented that she feels the main issue is education. A couple of points were kept in mind. Number one, to improve public safety for everyone using our streets, parks and sidewalks. Number two, educating riders and parents before relying on enforcement. Three is creating regulations that are simple, fair and practical to enforce. Some of the sample ordinances in our community would not be easy to enforce, it's going to put a lot on our officers. Modernizing our bicycle registration program will help identify, educate and promote theft recovery, but mainly for improving the identification and the education by making a parent and the child come in and register the bike. E-bikes should be part of that process, which it currently is not. We should come up with a neon color for each bike so an officer can identify what class of bike it is. By having them come in and register we can give them a copy of the ordinance and the suggested rules. I think having that education is key for protecting high pedestrian areas while allowing responsible e-bike use. We also need to address the unsafe riding behaviors and illegal electric vehicles rather than overregulating responsible riders. We need to come up with sidewalk rules. Are we allowing them on sidewalks? Are we eliminating them on certain portions? Do we want to think about a speed limit on sidewalks? Are they allowed in parks or school zones, reducing speed limits. Some models of bikes are made for passengers, using phones while driving their e-bikes or scooters, night equipment, age restrictions, and helmet requirements. The mayor offered to put a brochure together to hand out when registering their bikes. She has also talked with Dr. Durtschi at the school, and he is onboard with helping to educate the students whether that's our SRO officer giving some extra class time talks, assemblies or wherever is feasible. Discussion on riding the sidewalks and having a speed limit on the sidewalks was something many of the alderpersons would like to see. Interim Chief Knetzger spoke that when it comes to speed limits the radars pick up the biggest object which would be an automobile before an e-bike or scooter. A council member asked if there were rules for dismounting your e-bike before crossing the street and Knetzger stated that they should be yielding to traffic. After much more discussion the mayor asked if they could at least agree on sidewalks. It was recommended to allow e-bikes on sidewalks with 5 miles an hour max, if on the road follows the speed limits and are within 5 feet of curb. Helmets are recommended for safety, riders must not operate other electronic devices, no riding through playgrounds, woodchips, etc. May have a passenger if the bike was designed for more than one rider, have night reflectors, have an age restriction on class 3 e-bikes, no one under 16, knowing that their speeds can go upwards of 20 miles hour. All school zones around town should be followed. Ramp up our registration process to help identify the bike class. Discussion on putting temporary restrictions in place for festivals, community events, construction projects, emergencies may put extra strain on the people in charge of these events to monitor. The farmer's market self regulates by asking them to hop off their bikes and walk them through the park. It was decided to bring back any changes to the Common Council meeting and work on a fee schedule, that lists different citations and what that would look like, but an ordinance needs to be put into place first. Knetzger was asked if there were any violations given out at this time and he responded that he wasn't sure how many contacts they have had but it's only been education, no fines. Hill went on to say that if kids are obeying street rules, road rules and limiting their speed on sidewalks, it should minimize incidents that we are currently seeing. Knetzger followed up by saying that each officer has the discretion of how each case is handled. If there is a reckless fatality, he doesn't want the ordinance to prevent them from issuing a citation because it was a first offense, so having that discretion available to them is a good thing. Education is key but they need the discretion to issue citations for offenses.*
8. Website updates and ADA compliance. RECOMMENDATION: Listen to presentation,

discussion and action as appropriate. *Nathan Hess couldn't be at the meeting but sent in printouts for the council to look at and narrow down some ideas. The council would like to see a sleeker look, more streamlined, a cleaner look. Nathan was putting together themes and then would run it through the program once council decided to see if it passed the ADA compliance.*

9. Health Insurance Renewal. RECOMMENDATION: Listen to presentation, discussion and action as appropriate. *Balcom spoke about this and began with when we first started working on the renewal with our broker it came in at an increase of 28%. After working with them we got it down to 14.9%. Vizance, our broker, went back to the insurance company and dropped it to 11.9%. A couple of other companies were asked to give us quotes and only one other group did and they came in more expensive. If we changed to a higher deductible, it would have saved some money, but we would be making our people change companies two years in a row so that is not the recommendation. Also recommended was moving to a 90-10 split on the premium. 90% would be funded by the city and 10% funded by the employees as that was agreed upon with the police department contract. We currently offer two plans with Robin. We have a focused plan and a broad plan. The focused is a bit less expensive than the broad. The broad has more carriers in it. Robin also offers a select version which is a little more condensed than even the focused plan. It's very similar to the focused plan but doesn't have the Aurora or the Cigna wrap for if you are travelling or have kids outside of our area. That version is the most cost effective, so Balcom is suggesting having both a buy up and buy down option. Fund at 90% the focused version and then if someone wants to continue with the broad or move to the broad, they have to pay the difference. Have a buy-down option if you go with the Select version because it will be cheaper for both parties because the plan itself is cheaper. It was suggested by Stobbe to look at the State Insurance. The city has looked at the state insurance and there has been a buy-in of 30% for so many years, but we will look at it again next year. The increase for this year depending on what employees choose to take is estimated at \$50-\$60 thousand. Balcom will have the broker put together final numbers to be brought back to the council meeting.*
10. Special Event - Flannel Revival at Grizzly's Diner and Tavern from 6-9PM on August 14, 2026. Request for temporary extension of premises of Alcohol Beverage License at 186 Broadway Street to include fenced in outdoor area; Outdoor Activity Areas for Alcohol Beverage Licensed Establishment permit to allow live entertainment and serving of alcohol beverages; and Special Events on Street, Highways, and Municipal Parking Lots to allow use of City owned lots at 119 Commercial Street and 114 Pierce Street (Parcels 206015740000, 20615730000 and 206015720000) for parking. RECOMMENDATION: Review request and permit applications, discussion and action as appropriate. *The council was very happy to hear about this and bring things to the community. Grizzly's has everything good to go and has done his checking with the neighbors about the music. He will have additional staff to direct traffic in and out. Alderperson Hill made a motion to recommend to common Council to approve the temporary expansion for alcohol license for alcohol sales and consumption under the current alcohol beverage license at 186 Broadway Street on August 14 and September 6, 2026, from 5:00-10:30PM. Sorenson seconded the motion. Motion carried with voice vote.*
11. Special Event – Jerry Unger Band at Grizzly's Diner and Tavern from 6-9PM on September 6, 2026. Request for temporary extension of premises of Alcohol Beverage License at 186 Broadway Street to include fenced in outdoor area; Outdoor Activity Areas for Alcohol Beverage Licensed Establishment permit to allow live entertainment and serving of alcohol beverages; and Special Events on Street, Highways, and Municipal Parking Lots to allow use of City owned lots at 119 Commercial Street and 114 Pierce Street (Parcels 206015740000, 20615730000 and 206015720000) for parking. RECOMMENDATION: Review request and permit applications, discussion and action as appropriate. *Hill made a motion to recommend to the common council to approve the outdoor activity areas at alcohol beverage licensing establishments permit for Grizzlies located at 186 Broadway Street and to approve the special event permit to allow the temporary use of the city owned property for the event parking on August 14th and September 6, 2026. Sorenson seconded the motion. Motion carried with voice vote.*

12. Raze order process and status update for 127 W Berlin Street and 194 S Wisconsin Street. RECOMMENDATION: Listen to presentation, discussion and action as appropriate. *Planning and Development Director Ludolph gave feedback from the meeting three weeks ago. He tried to pull together all the information from all the agencies that have been involved and therefore has more of a clear basis for the context and recommendations and also acknowledge that this could go in the direction of raise and repair and still just follow the process the way that was outlined by the attorney. Ludolph clarified that he was looking to pivot that one towards raise and repair understanding situations are not that different from each other. There is some uncertainty as to who the owner is, there have been visits to the building inspector or calls that have indicated that somebody's been flipping and solving the problems that those properties have. There was a title search done, however it seems that it may have happened after the title search was completed, so a bit more investigation needs to be completed. The parcel on Wisconsin appears that there may be another entity that is willing to help them move forward so we want to make sure you are aware of that, but it may or may not make sense to continue down the road and you will have to make that decision hopefully once there is more information. The inspectors are working with the Wisconsin Street one and getting access so that they can do a full assessment. So, if this was raise and repair or raise and remove it could be amended. Stobbe spoke regarding that the Wisconsin Street was discussed last and are we okay then until the building inspector gives us another update? Moved on to the 127 W Berlin Street raise or repair, not a raise and removal. As of July 29th the same owner is listed and there are no other updates as of about 2 hours ago. There were 44 cats removed, there are still animals in that house including rats and a dog. A question was asked, what does that do to a house to have that many animals living in it, does it have to be completely gutted. After much discussion Alderperson Hill made a motion to direct staff to move forward with raise and remove process on 127 West Berlin Street, while current ownership of the house is being determined. Stobbe seconded the motion. Roll Call: 5 ayes, Alderpersons Przybyl, Hill, Cauley, Stobbe and Klawitter. Sorenson abstained.*
13. Residency Requirements of Committee, Board, and Commission Members. RECOMMENDATION: Review and action as appropriate. *Balcom spoke here stating that she has attempted to amend our current ordinance to allow the committees and commissions that had been discussed having up to two nonresidents be allowed to serve on those boards, committees and commissions. As a reminder this is in Chapter 2, which is our Charter Ordinance. Just like when we did the At Large representation, this will require a two third vote of the council and then publication in the newspaper with a note that it won't go into effect for 60 days. And it will only go into effect if no petition is received. If a petition is received, then it would become a referendum question on the next available election, which now will be April. It would go into effect if it passed and it wouldn't if it didn't, so this one takes a little bit longer than a typical ordinance to move forward. But the committees that you wish to have up to two people be able to serve that are not residents included the community development authority which is currently not active, the park and recreation commission, the travel and tourism commission, the cemetery board and the committee on aging, the section of the code says that you have to be a resident as well as the section of the code that specifically refers to the cemetery board and the committee on aging. If everyone is comfortable with this it will be sent to the attorney so he can make sure it's appropriately amended and then bring it back for your decision or if you have any further amendments or changes that you'd like to see*
14. Recycling Fee Implementation process. RECOMMENDATION: Discussion and action as appropriate. *We must send letters out to those who will no longer receive garbage and recycling services from the city effective January 1, 2027. The city has been working with management for quite some time and depending on the information given we will be sending out between 5 and 127 letters. Balcom will keep the council updated.*
15. Ordinance #08-26 amending Chapter 52- Planning, formally adopting the document entitled "City

of Berlin Comprehensive Plan 2046. RECOMMENDATION: Review proposed ordinance amendment and action as appropriate. *This ordinance just needs to be accepted and moved into place. Alderperson Przybyl made a motion to recommend to the common council to adopt the amended Chapter 52 as prepared by the city attorney. Sorenson seconded the motion. Motion carried with voice vote.*

16. Resolution #26-07 to Accept the Bequest of the Fortnum Property (Parcel 206000680000) to the City of Berlin. RECOMMENDATION: Review proposed resolution and action as appropriate. *All the steps have been gone over with the DNR so now we are looking at accepting this. The DNR did send us the clarification letter that we requested. Alderperson Hill made a motion to recommend approval of resolution 2607 to accept the request of the Fortnum Property parcel #206-0006-80-0000 to the city of Berlin. Cauley seconded the motion. Motion carried with voice vote.*
17. Resignation of Alderperson following August Common Council meeting. RECOMMENDATION: Discuss options to fill vacancy on the Council and action as appropriate. *There is a policy of how to fill a vacancy. Another thing that is new this time is you put in place the at large representation ordinance. When you move forward, anyone who is 18 and a resident would be eligible to put in their application for your review as opposed to how it would have worked in the past by ward. So, we can fill a seat until April and then they would have to run again. It would be just that term. When and where should the process notification be published or posted? City website, Berlin Journal and Facebook. Deadline by September 1st. The nomination meeting would be one half hour on September 8, 2026, before the Common Council meeting. Thank you, Samantha, for your years of service.*
18. The Common Council may convene in closed session pursuant to Wis. Stat. §19.85(1)(c) to consider employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, for purposes of discussing the Planning and Development Director position. *Alderperson Stobbe made a motion to go into closed session at 8:54pm, with a second by Przybyl. Roll Call: 6 Ayes, Przybyl, Hill, Cauley, Stobbe, Klawitter, Sorenson*
19. Immediately following the closed session, the City Council will reconvene into open session and may take such action as it deems appropriate regarding the matters discussed in closed session. *Alderperson Przybyl made a motion to go into open session at 10:20pm with a second by Alderperson Cauley. Voice vote carried.*
20. Adjourn. *Motion by Alderperson Cauley to adjourn at 10:21pm, with a second by Stobbe. Voice vote carried.*

Respectfully submitted by Debra Thiel, Deputy Clerk-Treasurer