

COMMITTEE OF THE WHOLE MEETING MINUTES

SEPTEMBER 1, 2026 7:00PM

1. Call to order/Roll Call – *Mayor Burgess called the meeting to order at 7:00PM. Alderpersons Cauley, Hill, Klawitter, Przybyl, and Sorenson. Also present were City Administrator, Jessi Balcom; Deputy Clerk-Treasurer, Debra Thiel; Street Superintendent, Scott Zabel; Senior Center and Park Facilities Director, Susan Kiener; and Interim Police Chief, Noah Knetzger.*
2. Seat Virtual Attendees – *None.*
3. Pledge of Allegiance
4. General Public Comments – *None.*
5. Approval of Minutes – *Aldersperson Hill made a motion to approve the minutes of the 8.4.2026 Committee of the Whole meeting and Closed Session Minutes from the 8.4.2026 Committee of the Whole meeting, with a second by Aldersperson Przybyl. Voice vote carried.*
6. Special Event – *Curly Concepts Car Meetup and Family Event from noon -5PM on September 20, 2026. (Set up to begin at 10:30AM). Special Events on Street, Highways, and Municipal Parking Lots to allow use of City owned lot and green space at 255 Webster Street – Aldersperson Hill commented the application was well organized, security, noise, and affirmations from the neighbors were well considered, and the event is a good thing for the city. City Administrator Balcom confirmed the event was signed off by the Police Chief and Street Superintendent. She noted Mr. Kettlewell collected signatures from several neighboring property owners, some properties having more than one signature. Mr. Wyatt Kettlewell gave a summary of his proposed event. Mayor Burgess explained safety at the event was discussed at a previous meeting with Mr. Kettlewell, and she asked Mr. Kettlewell to explain his security plans. He discussed enforcing safety rules with participants and having a separate kids area away from the cars. Aldersperson Hill made a motion to recommend to the Common Council to approve the special event permit to allow temporary use of a city-owned property at 255 Webster Street by Curly Concepts for a car meetup and family event on September 20, 2026, with a second by Aldersperson Sorenson. Voice vote carried.*
7. Street Privilege Permit request by Randy Roxbury for boathouse to remain on the right-of-way of South Adams Avenue along the river – *Mayor Burgess called Brian Brock and he was placed on speaker phone. Mayor Burgess read a portion of the Committee of the Whole minutes from March 2026 discussing the boat house in the right-of-way on South Adams Avenue, which were included on the staff report for this meeting. Mayor Burgess stated that Randy Roxbury applied for the use of the right-of-way for the boat house, and that the Council would not take action on this item, except for a possible recommendation to the Common Council next week. Mr. Brock explained what happened in 2014. He started renovating the building. Someone in the City noticed, and he was told he may need a building permit to renovate it. Although he was paying taxes on the building, the City couldn't find documentation on the building, and Mr. Brock was advised to reach out to Green Lake County because he didn't have any formal paperwork. He restated he was paying taxes, and he stated the property had been in his family for an extended period. Mr. Brock only has bill-of-sale from people to people, however, it doesn't go back to the original owner. Mr. Brock stated a gentleman at Green Lake County dug through the archives of files, paperwork, maps, and zoning documents, but didn't find anything. This gentleman referenced maps and noted the structure had been there for a significant amount of time and stated that in the 1970s and 1980s it wasn't uncommon for the City to say they weren't going to use this and to make a handshake agreement, whether it was the mayor or the common council. He added that it could have been a piece of paper that got lost in somebody's desk drawer or filing cabinet, and not everything was documented the way it should have been in that era. Mr. Brock stated he had a bill-of-sale for the boat house, and he hadn't had issues with the City. Then the City had to*

decide how to move forward and asked similar questions then, as is happening now. Mr. Brock explained it is a fishing premises, his family has maintained it all along, and he'd like to continue to utilize it. At the time, the City agreed to grant a lease for the property because there were no plans to develop or build there, and there was no reason to revoke it. The lease began as a quarterly lease that was switched to an annual lease. He added that the City became concerned about potential injury on the grounds and requested he get a million-dollar insurance policy. He said the City told him he could continue to utilize it if he insured and maintained the grounds and renewed the lease. The only reason the City would change their plans is if there was going to be development, although it was not foreseen to happen in the near future. Mayor Burgess clarified a few of Mr. Brock's statements. The taxes paid were not property taxes, but were personal property taxes on the structure itself. Mr. Brock never owned the property, the City has ownership and there is not a parcel there, it is a continuation of the street. The lease Mr. Brock referred to was not a lease but was a temporary street permit. No one has any documentation or knowledge of anyone owning that land other than the City of Berlin. Alderperson Hill asked why if the property were to be vacated it would revert to the properties adjacent to the right of way. City Administrator Balcom explained this is not a parcel, but road right-of-way, set aside for future road use or utilities. If it is determined that the City is not going to need the land for that purpose, then it goes to the parcels that it is next to. This is the process for any road vacation. Alderperson Hill noted that the City is not attempting to vacate the property and City Administrator Balcom confirmed. Mayor Burgess explained she contacted a former Alderperson who was on the Council in 2014 when this was discussed. She stated he said it was a hard call for the Council at that time as well. He added that this agreement was only for Mr. Brock to continue. Mayor Burgess confirmed the agreement was not in the minutes. Alderperson Hill shared that if the City has no plans to vacate, Brian and his family continue to upkeep the property and insurance, and it doesn't inhibit City personnel, then Council can give a street permit to the owner of the structure, noting it was not permission to own the land and within the Council's power to revoke the permit if excellent use was not kept. Mayor Burgess read a personal statement acknowledging Brian's frustration, especially because his family has used the boathouse for many years, but there is no legal documentation proving ownership or a permanent right to use the City's property. There is a need to be fair to all city taxpayers, and provide the same opportunity to all. Alderperson Hill asked if there was an option to lease the land. Alderperson Klawitter asked if there was an option to get the land zoned for purchase. City Administrator Balcom explained that according to State Statute a long-term lease on public right-of-way cannot be done, which is why she thinks in 2014 the Council used the street permit, which had to be renewed. She added that the Statue says if there is no permit, 10 days are given to remove personal property from the right-of-way. Alderperson Hill asked for the situations in which street permits are given. City Administrator Balcom explained that street and right-of-way permits are usually given for events, walks, and construction projects that may block a portion of the street. Mayor Burgess expressed concern that this topic has been brought to the attention of the public twice since 2014 and that if someone else wanted the same privilege, they could refer to the Council allowing this privilege. Mr. Brock asked if there were any complaints about his boathouse, especially after the front-page news article. Mayor Burgess confirmed there were none. Mr. Brock said he has complied with everything the City has asked including complying with insurance, forms, attending meetings, and sending emails in advance. He added there have not been any complaints about his boathouse nor has anything bad happened to disallow the use. Mr. Brock referred to points he sent to the group and Mayor Burgess said the Council had those points in their possession. Mr. Brock explained his family has had the boathouse, there have been no complaints, they have maintained the land, there are no issues for the City, it is insured, there is no liability, there haven't been any problems, and there haven't been questions from residents. This creates an opportunity for him to hand the boathouse off to Randy Roxbury to enjoy and creates good press for the City of Berlin. He stated he thinks Council should give Mr. Roxbury the opportunity to sign a one-year lease and then reassess it in one year. Alderperson Hill explained the Board of Appeals has three very strict rules. One way to get around the rules is precedence, explaining that when you create precedence, it creates opportunities to do something different than what the City has decided. She also explained that public complaints do not

compare to the legality of an issue. She also explained the Council has to follow the City ordinances and be fair to all. Alderperson Przybyl noted the City Attorney recommended the regulation of the issue be elevated to provide better protection to the City if the Council chose to continue use, and then asked what his best recommendation legally was. City Administrator Balcom said she would ask him if the Council would like, although she hasn't spoken with him regarding this matter since before the March 2026 meeting. She explained he didn't think the right-of-way permit was a lease and the City cannot offer a lease on a right-of-way. She said she could ask if he has an alternative, or if the current right-of-way permit could be edited with extra language. Mayor Burgess stated that depending on the outcome, although the statute gives 10 days for removal, she would like to be flexible. Alderperson Cauley asked if it was known how long the structure was there. Mr. Brock said that it was in his family since he was 12 when his great uncle had it and later sold it to his father. Any documentation at that time was not retained, but guesses that it has been there since the 1970s. Alderperson Hill asked what permission was given to allow Mr. Brock to build on City Property. Mr. Brock explained the building was there when he purchased it. He explained that he thought it was there since around the 1970s, and may have been built by the railroad. Alderperson Sorenson explained that this is why there are rules to get rid of non-confirming structures. This is City property, Mr. Brock now lives in Florida, and this is when you move on and get rid of it. She stated she feels this has reached its life. Scott Zabel, Street Superintendent, stated that the permit used should be understood by both parties that it can be revoked at any time. Alderperson Klawitter stated this is an unfortunate situation, it wasn't documented properly in the past, and this Council has to do things the right and legal way. Alderperson Cauley stated it is unfortunate for the party that wants to purchase the boathouse, but now is a good time to make a break if Mr. Brock is wanting to sell it now. Randy Roxbury, asked if Mr. Brock was asked to remove the boathouse from the City property, if that spot would be opened to the public for fishing. Mayor Burgess said it was her understanding that it would open up, and be City property no different than a park. Zabel stated that the property would be allowed to grow up like the surrounding property in the area. Alderperson Hill made a motion to recommend to the Common Council to deny the permit application for Randy Roxbury, with a second by Alderperson Cauley. Voice vote carried. Alderperson Hill further explained that the current agreement goes until September 29th. It does not do anything about the property yet, but does not transfer permit. Mr. Brock asked what options he has and if the structure needed to be removed by September 29th. Mayor Burgess said the City would reach out to the attorney for guidance on how to move forward and would hopefully have an answer by next week.

8. Campground and Park Facilities Rental Software – Alderperson Przybyl stated she was excited for facility rentals to be online. Susan Kiener, Senior Center and Park Facilities Director stated the main objective has been to make it more convenient and user friendly to the public. Alderperson Hill stated she appreciated Kiener's work and investigation on this project. Alderperson Przybyl made a motion to recommend to the Common Council the recommendation of the Park and Recreation Commission, with a second by Alderperson Hill. Voice vote carried.
9. Health Insurance Renewal – City Administrator explained the employee renewal packet from Vizance was received late this afternoon and that it was sent out via email to department heads to share with everyone. There will be two in-person meetings for employees to get more information or ask questions on September 10th. There was also a video within the email that explains the insurance renewal too. Employees will have until September 18th to make elections. City Administrator Balcom said she reached out to the state plan and received general information back. Because the City of Berlin is an employer of over 50, the City will have to go through the underwriting process, which will cost about \$3,000. Then the City would be told what would need to be paid for a surcharge, up to 24 months. The surcharge is an additional percentage of what it would cost compared to everyone else as new members. They allow people to join quarterly, but it takes several weeks to months to complete the underwriting process. Balcom stated she hoped that by April 2027, the City would receive the costs for Council to discuss. If the State plan was determined to be best, everything could be in place to transfer October 1, 2027. Alderperson Hill asked if Balcom had reached out to the State plan initially. Balcom explained that the State plan

is operated differently and does not provide quotes. You have to go through underwriting and pass a resolution to join. Balcom stated she reached out last year to get general costs, but determined it wasn't feasible especially with the surcharge. She added that she asked the broker to look into the state plan this year, and was told that it was quite a bit more expensive. She noted it was difficult to compare because there are many options within the state plan and they can vary depending on the providers and networks within different territories. To know what it would actually cost, the City has to go through underwriting. Balcom stated a question she has asked is if the City would need to go through underwriting again if the intent was to join in October. Mayor Burgess said she received a lot of negative staff feedback due to the price increase. Discussion on the employee cost share of health insurance going from \$75 per month for a family plan two years ago to the current rates. Administrator Balcom explained the Police Department contract states the 10% employee cost share will go into effect January 1, 2027. The City renews October 1, so the Police Department would still be under the 7.5% with a \$150 cap. She explained the Council can have the Police Department pay the 7.5% with a \$150 cap on the new rates, and have other employees pay the 10% on October 1, or have all employees pay the 10% beginning January 1, 2027. Choosing to implement 10% employee share on January 1 would cost the City about \$15,000. Mayor Burgess read a statement she prepared. She acknowledges employees' frustration over rising health insurance costs, noting that premiums have increased from around \$75 to more than \$400 per month. She wants to see employee wages and benefits be competitive, but the City has a budget deficit and cannot provide raises without making cuts elsewhere. Discussion that the Council has had to make many tough financial decisions and is making efforts to balance the budget. Alderperson Hill stated she would like to see the contributions for all employees begin January 1, but questioned if the City could afford it. Burgess stated that last year contributions for all employees began January 1 to align with the Police Department and that if it is going to continue it needs to be budgeted for. Balcom stated that in November and again in January, a true up will be done to show exactly what was spent, where the City was over and under, and move things around, and decide if reserves would need to be used. Alderperson Przybyl asked if the police contract always began January 1 with their insurance. Balcom explained that is how it is currently written, and they will probably be in negotiation next year for a contract in 2028, 2029, and 2030 because they usually negotiate for three years. Discussion on getting employee groups on the same January 1 cycle. Alderperson Hill made a motion to direct staff to inquire into the state plan underwriting for next year's insurance, with a second by Alderperson Sorenson. Voice vote Carried. Alderperson Przybyl made a motion that the City will continue to fund the difference of the increase for the City workers to match the police department until January 1, with a second by Alderperson Cauley. Voice vote carried.

10. Residency Requirements of Committee, Board, and Commission Members – City Administrator Balcom explained this was under two ordinances, chapter 66 and chapter 2. Chapter 2 is the City Charter Ordinance and requires a longer process that includes publishing in the paper, allowing people to file a petition which would become a referendum question. If no petition comes forward, then the ordinance would be adopted after the time frame. Balcom explained that the Council asked the CDA (Community Development Authority) to be included to have up to two non-resident members, but that is not allowed per State Statutes. Alderperson Przybyl made a motion to recommend to the Common Council the ordinance amendments for residency requirements for the travel and tourism commission, cemetery board, park and recreation commission, and the committee on aging, with a second by Alderperson Klawitter. Voice vote carried.

Mayor Burgess asked if staff was able to divide the health insurance withdrawals from two checks rather than one check. Balcom explained that it will be discussed at the employee health insurance meetings. The withdrawals can only be made per pay period or monthly, and cannot be based on how each individual staff member prefers.

11. Recycling Fee Implementation process – Administrator Balcom explained the letter was going to

be sent out to the list of property owners as this is the best idea of whom will be impacted that may be receiving service that should not be per ordinance, and that this list may be more extensive than is actually being serviced. Staff is working on preparing a full list that will be uploaded onto the tax system with each property and what the fee will be. The fee is \$6.20 per month per residential unit, with homes up to four residential units. Alderperson Przybyl asked who pays for single family homes with two-sets of cans. Deputy Clerk Treasurer Thiel confirmed if a resident requests additional cans, they are responsible for paying for them. No action taken.

12. *Implementation of Pooled Cash Accounting – City Administrator Balcom explained the audit firm suggested moving to pooled cash to improve the process and utilization of software. The City has many accounts that will be put together into one account. They will continue to be tracked separately. Pooling the accounts will allow for fewer transfers between accounts, especially when bills are shared between departments. Utility will be kept separately for the time being. KerberRose recommended Government Solutions, LLC as they will be cheaper than KerberRose and will be more available. Government Solutions, LLC is a retired finance director and has helped other communities with various projects. The goal is to have this implemented by January 1. Some accounts may still need to be separated, for example if certain signers can only sign for certain values. Alderperson Cauley asked what Mountaineer was. City Administrator Balcom explained the accounting software the City uses is not well utilized in this area of the country, and the woman who set it up for the City was in Alaska. Mayor Burgess stated the Council was not aware of this at the time of implementation. Mountaineer works as a third party, exclusively with Accufund, that the City can ask software questions to. Balcom stated the contract has not been sent to the attorney but can if Council wants. Alderperson Hill made a motion to recommend to the Common Council the approval of a consulting agreement with Government Solutions, LLC, not to exceed \$12,000 to assist with the implementation of pooled cash accounting and other recommendations of the City's audit firm, with a second by Alderperson Klawitter. Voice vote carried.*
13. *Adjourn – Alderperson Hill made a motion to adjourn at 8:43PM, with a second by Alderperson Przybyl. Voice vote carried.*

Minutes respectfully submitted by
Brittani Majeskie, Deputy Clerk-Treasurer