

COMMON COUNCIL MEETING MINUTES
SEPTEMBER 8, 2026 AT 7PM

1. Call to order/Roll Call – *Mayor Burgess called the meeting to order at 7:00PM. Alderpersons present were Cauley, Femali, Hill, Klawitter, Przybyl, and Sorenson. Also present were City Administrator, Jessi Balcom; Deputy Clerk-Treasurer, Brittani Majeskie; City Attorney, Savannah Ziegler; Berlin Police Officer, Chad Krause; and Berlin Police Chief, Noah Knetzger.*
2. Seat Virtual Attendees – *None.*
3. Pledge of Allegiance
4. General Public Comments – *Richard Schramer, 426 Van Horn Rd., Berlin, spoke regarding the boathouse on South Adams Street. He offered another solution which would involve the City vacating the land and Mr. Brock purchasing the land from the neighboring parcels. He asked the item be removed from the consent agenda to allow Mr. Brock a month to coordinate with the adjacent property owners.*

Discussion held; The item does not need to be removed for Mr. Brock to pursue this process. The item on the consent agenda only denies Mr. Roxbury's permit request.

CONSENT AGENDA: The Consent Agenda contains items which staff considers to be routine and have already been discussed and recommended by a committee, board or commission at a previous meeting. Staff recommends that Council act on all of these items on a single roll call vote. If any member of Council wishes to have any item removed from the Consent Agenda and discussed, the Council member may request that item be removed from the Consent Agenda prior to the adoption.

5. Waive the reading of ordinances and resolutions.
6. Accept and place on file reports from the City Clerk, Treasurer, and Building Inspector (July and August Permit Reports).
7. Approve payment of bills and July reconciliation.
8. Approve minutes from 7.14.2026 Common Council meeting.
9. Approve the recommendation of the Committee of the Whole to DENY the Street Privilege Permit request by Randy Roxbury for a boathouse to remain on the right-of-way of South Adams Avenue along the river.
10. Approve the recommendation of the Committee of the Whole to APPROVE the Special Events on Streets, Highways, and Municipal Parking Lots permit request of Curly Concepts Car Meetup and Family Event from noon – 5PM on September 20, 2026 to allow the use of the City owned lot and green space at 255 Webster Street (set up to begin at 10:30AM).
11. Approve the recommendation of the Committee of the Whole and Parks & Recreation Commission to APPROVE the implementation of campground and park facility rental through online/website with MYSite.
12. Approve the recommendation of the Parks & Recreation Commission to approve the Recreation Facilities/Campground and Shelterhouse Cancellation Policies and eliminate the deposit requirement and charge renters' credit card on file for damages for Park Facilities rentals.
13. Approve the recommendation of the Committee of the Whole to APPROVE a consulting contract with Government Solutions LLC, not to exceed \$12,000, to implement financial and accounting recommendations of the Auditors, including moving to a pooled cash system.
14. Approve the recommendation of the Plan Commission to APPROVE Ordinance # 10-26. Amending the Zoning Code Related to Setbacks for the Side Yard in the Residential District

and Accessory Structures.

END OF CONSENT AGENDA

Alderperson Hill made a motion to approve the consent agenda, with a second by Alderperson Cauley. Roll call vote carried (6 ayes: Cauley, Femali, Hill, Klawitter, Przybyl, and Sorenson; 0 nay; 0 absent).

15. Appeal of Vicious Dog Determination requested by Madyson Main Pursuant to Section 10-10(a) of the City of Berlin Municipal Code. This appeal will be held in a quasi-judicial manner.

- i. The Common Council will hold a hearing on the Appeal. First, the Common Council will hear from the Berlin Police Department. The Common Council will then hear from the Applicant. Next, the Common Council will hear from other interested persons wishing to testify in opposition to the Appeal. The Common Council will then receive any written evidence related to the Appeal - *City Attorney, Savannah Ziegler swore in Chad Krause, Berlin Police Officer. Officer Krause submitted into evidence a copy of his report which included photos. This evidence was documented as Exhibit A, and was passed to all Council Members, Mayor Burgess, City Attorney Ziegler, Steven Dane, and Madyson Main. Officer Krause gave his testimony. The Council questioned Officer Krause.*

City Attorney Ziegler swore in applicant Madyson Main of 133 N. Wisconsin St., Berlin. Ms. Main submitted into evidence a copy of her application to appeal vicious dog determination, her written objection, 15 character statements, and a proposed alternate contract. This evidence was documented as Exhibit B, and was passed to all Council Members, Mayor Burgess, City Attorney Ziegler, Officer Krause, Police Chief Knetzger, and Steven Dane. Ms. Main gave testimony about herself and her dog Fez. The Council questioned Ms. Main.

City Attorney Ziegler swore in character witness Alexis Zehner of 1556 Kingswood Dr., Neenah. Ms. Zehner testified in support of Ms. Main and her dog Fez.

City Attorney Ziegler swore in character witness Mindy Shrock of W4438 County Rd. E, Berlin. Ms. Shrock testified in support of Ms. Main and her dog Fez.

City Attorney Ziegler swore in Steven Dane of 181 S. Church St., Berlin. Mr. Dane submitted into evidence a copy of a veterinary bill with vaccination record, and City of Berlin receipt of dog licensing. This evidence was documented as Exhibit C. Mr. Dane gave his testimony. The Council questioned Mr. Dane.

Officer Krause gave closing statements. Ms. Main gave closing statements. Mr. Dane declined the opportunity to give a closing statement. Alderperson Klawitter asked Mr. Dane for clarification on Exhibit C and Mr. Dane explained.

Mayor Burgess read the evidence into the record. Exhibit A contains a copy of Office Krause's report which included photos. Exhibit B contains Ms. Main's application to appeal vicious dog determination, her written objection, 15 character statements, and a proposed alternate contract. Exhibit C contains Mr. Dane's veterinary bill with vaccination record and City of Berlin receipt of dog licensing.

- ii. The Common Council may convene into Closed Session Pursuant to Wis. Stat. §19.85(1)(a) to deliberate concerning the hearing regarding the appeal of the vicious dog determination pursuant to Section 10-10(a)(1) of the City of Berlin Municipal Code.

Alderperson Hill made a motion to go into closed session, with a second by Alderperson Sorenson. Roll call vote carried (6 ayes: Cauley, Femali, Hill, Klawitter, Przybyl, and Sorenson; 0 nay; 0 absent). Closed session commenced at 7:55PM.

- iii. 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.

Open session resumed at 8:25PM. Alderperson Przybyl made a motion to deny the petitioner's request to reconsider and deny the vicious dog determination pursuant to Section 10-2 of the City of Berlin Municipal Code and direct the City staff to prepare the written decision and circulate it to the Council. Each Council member will be asked to confirm that the written decision is as intended, and if any member disagrees the matter will be set for a subsequent meeting for the sole purpose of reviewing the wording of the written decision reflecting the determination reached today. If you wish to appeal the decision your notice of appeal and required documentation is required to be filed with the Circuit Court within 30 days, with a second by Alderperson Cauley. Roll call vote carried (6 ayes: Cauley, Femali, Hill, Klawitter, Przybyl, and Sorenson; 0 nay; 0 absent).

Mayor Burgess explained that the decision was not a judgement call on the character of Ms. Main. The Council made a decision according to the law. The Council wanted Mayor Burgess to let Ms. Main know the decision was not about Ms. Main as a person.

Ms. Main asked if she would receive a copy of the signatures after the meeting today. Mayor Burgess explained that once documents are prepared by the City Attorney and the City Administrator, the

documents would be sent to Ms. Main and her time frame to comply would begin after. City Administrator Balcom noted Ms. Main would have 10 days to comply with the Ordinance and 30 days to file with the Circuit Court after receipt of the documents.

Mayor Burgess moved agenda item 17 up.

17. Special Event – Think Pink 5K Run/Walk Event from noon to 4PM (walk/run at 1PM) on October 11, 2026. Special Events on Streets, Highways, and Municipal Parking Lots to allow use of the City’s streets. Event to be held at Berlin High School – *Tiffany Morris presented a copy of liability insurance to City Administrator Balcom. Administrator Balcom noted the City of Berlin was not named as insured, and a motion to approve would have to note it was pending. Ms. Morris explained the event was a fundraiser to raise money for breast cancer awareness in the Berlin area. She recently founded 920 Pink to help provide care packages, with a goal to provide grants for women in the area with breast cancer beginning in 2027-2028. She would set up the event at 12PM, registration would begin at 12:30PM, and the walk would begin at 1PM. Alderperson Hill asked if Ms. Morris intended to have this continue as an annual event, and Ms. Morris confirmed yes, as she was inspired by the former CHN Helping Hands Run, which is the same route in the submitted application. Ms. Morris explained there were concerns about the intersections on Wisconsin Street and that there will be volunteers at those intersections to help participants cross. She also stated there will be safety packets provided to participants with road guidelines and runner expectations. Alderperson Hill made a motion to approve the Special Events on Streets, Highways, and Municipal Parking Lots permit to allow the use of City Streets on October 11, 2026 for the Think Pink 5K Run/Walk, such approval is contingent upon the proof of insurance being amended to include the City as insured, with a second by Alderperson Femali. Voice vote carried.*

16. Discussion and possible action regarding authorization for the City Attorney to prosecute municipal cross-appeals of manufacturing real estate assessments Appeal No. 469306112 and Appeal No. 946014976 for the property at 242 S. Pearl Street.

- i. The Common Council may convene into closed session Pursuant to Wis. Stat. § 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, *specifically regarding the City’s municipal cross-appeals of the manufacturing real estate assessments for the property at 242 S. Pearl Street, specifically Appeal Nos. 469306112 and 946014976.*

Alderperson Sorenson made a motion to go into closed session, with a second by Alderperson Przybyl. Roll call vote carried (6 ayes: Cauley, Femali, Hill, Klawitter, Przybyl, and Sorenson; 0 nay; 0 absent). Closed session commenced at 8:36PM.

- ii. 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.

Open session resumed at 8:45PM. Alderperson Hill made a motion to authorize the City Attorney to prosecute and take all actions necessary in connection with the City's municipal cross-appeals of the manufacturing real estate assessments for 242 S. Pearl Street, Appeal No. 469306112 and Appeal No. 946014976, and to submit Common Council's authorization to the State Board of Assessors, with a second by Alderperson Sorenson. Voice vote carried.

17. *Discussed above.*

18. Amend Chapter 66 of the City of Berlin Municipal Code to Authorize Non-Residents to Serve on the Travel and Tourism Commission – *Mayor Burgess explained that constituents wanted boards, committees, and commissions to be opened up to non-residents, and that City Administrator Balcom and the City Attorney did research to determine which boards, committees, and commissions could be opened to non-residents. Alderperson Femali made a motion to approve the recommendation of the Committee of the Whole to approve Charter Ordinance # 11-26, with a second by Alderperson Klawitter. Roll call vote carried (6 ayes: Cauley, Femali, Hill, Klawitter, Przybyl, and Sorenson; 0 nay; 0 absent).*

19. Amend Chapter 2 of the City of Berlin Municipal Code to Authorize Non-Residents to Serve on Certain Boards, Committees and Commissions – *Alderperson Przybyl made a motion to approve the recommendation of the Committee of the Whole to approve Charter Ordinance # 12-26, with a second by Alderperson Klawitter. Roll call vote carried (6 ayes: Cauley, Femali, Hill, Klawitter, Przybyl, and Sorenson; 0 nay; 0 absent).*

20. The Common Council may convene into closed session Pursuant to Wis. Stat. § 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, *specifically for discussion and consideration of benefit negotiations under the Police Association Collective Bargaining Agreement.*

Alderperson Przybyl made a motion to go into closed session, with a second by Alderperson Sorenson. Roll call vote carried (6 ayes: Cauley, Femali, Hill, Klawitter, Przybyl, and Sorenson; 0 nay; 0 absent). Closed session commenced at 8:50PM.

- i. 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.

Open session resumed at 9:50PM. No action was taken.

21. Old Business – *None.*

22. New Business – *None.*

23. Adjourn – *Alderperson Sorenson made a motion to adjourn, with a second by Alderperson Femali. Voice vote carried. Meeting adjourned at 9:52PM.*

*Minutes respectfully submitted by
Brittani Majeskie, Deputy Clerk-Treasurer*