COMMON COUNCIL MEETING MINUTES
TUESDAY, OCTOBER 13, 2026 AT 7PM

1. Call to order/Roll Call: *7:00pm Common Council Meeting called to order by Mayor Burgess. Alderpersons in attendance were Przybyl, Hill, Cauley, Femali, Sorenson. Excused was Klawitter. City employees present were City Administrator Balcom, Chief Knetzger and Deputy Clerk Treasurer, Thiel.*
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. - *None*

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.
7. Approve payment of bills.
8. Approve minutes of the 09.08.2026 Common Council meeting, 09.08.2026 Special Nomination Common Council meeting, 08.12.2026 Common Council meeting and 09.08.2026 Closed Session Common Council meeting.
9. Approve the recommendation of the Committee of the Whole to approve the Business Associate Agreement and Employee Benefits Service Agreement with Vizance.
10. Approve the recommendation of the Plan Commission to authorize the approval of a minor subdivision (CSM) of Proposed Lot 1 – W Marquette Street, Parcel #206-01200-0000 + 206-01201-0000. Lot Description: COM 935' W OF W LN OF WISCONSIN ST ON N LN OF MARQUETTE ST: N 165'; W 66'; S 165'; E 66' TO BEG SEC 4 + COM 869' W OF W LN OF WISCONSIN ST ON N LN OF MARQUETTE ST: N 165'; W 66'; E 165'; E 66' TO BEG SEC 4
11. Approve the recommendation of the Plan Commission to authorize the approval of a minor subdivision (CSM) of 359 E Waushara Street, Parcel #206-03452-0410+ 206-03452-0420. Lot Description: LOT 1 +2 CSM 3822

END OF CONSENT AGENDA- *Alderperson Hill made a motion to accept the consent agenda as presented with a second by Alderperson Przybyl. Roll call: 5 ayes – Przybyl, Sorenson, Hill, Femali, Cauley. Absent - Klawitter*

12. Proclamation Honoring 60 Year Anniversary of Fox River Industries. REOMMENDATION: Approve the Proclamation recognizing and honoring the 60th Anniversary of Fox River Industries, LLC. – *The Proclamation Honoring the 60-Year Anniversary of Fox River Industries was read by Mayor Burgess. Alderperson Przybyl made a motion to approve the Proclamation with a second by Alderperson Femali. Recommendation carried by voice vote with one absent.*

13. Alcohol Beverage License Request of Tiki Pins Berlin, LLC – Class "B" Beer License and "Class B" Liquor License, and Outdoor Activity Area Permit and Amusement & Music

Devices Licenses at 114 N. Capron Street. RECOMMENDATION: Review and action as appropriate. – *Joshua and Rachel Holz were at the meeting to answer any questions the council may have in regard to their new business at 114 N Capron Street. They currently own an indoor mini golf and arcade in Oshkosh. Tiki Pins will have pin ball machines, arcade games and tiki drinks. It will be open Thursday – Sunday to start and is more of an adult oriented place. Kids are welcome with adult supervision. Alderperson Femali made a motion to approve the Class "B" Beer License and "Class B" Liquor License and Outdoor Activity Area Permit and Amusement & Music Devices Licenses with a second by Przybyl. Recommendation carried by voice vote with one absent.*

14. Foth Infrastructure and Environment, LLC Agreement for Services. RECOMMENDATION: Approve the agreement with Foth to provide Zoning Administration Services to the City of Berlin as outlined in the Request for Proposals issued on August 21, 2026. – *Balcom talked on this and said that the contract has been reviewed by our Attorney who made some revisions, so it has been sent back to Foth for final approval. Balcom would like them to come in before November 1st, when their contract starts to meet with the current planning and zoning director to see what projects are being worked on and where things are at. She also said how awesome Mr. Ludolph has been with this and wants to leave the city knowing he has done everything he could to make this transition very seamless. Alderperson Hill made a motion to approve the agreement with Foth, pending their agreement with the updated contract, with a second by Alderperson Przybyl. Approval carried by voice vote with one absent.*

15. 2027-2031 Capital Improvement Plan. RECOMMDATION: Approve the 2027-2031 Capital Improvement Plan. *Alderperson Hill made a motion to approve the 2027-2031 Capital Improvement Plan as presented with a second by Przybyl. Recommendation carried by voice vote with one absent.*

16. Ordinance 13-26 to Repeal and Recreate Certain Sections in Chapter 70 of the City of Berlin Municipal Code. RECOMMENDATION: Repeal and Recreate Certain Sections in Chapter 70 "Traffic and Vehicles" to regulate bicycles, e-bikes and e-scooter. *Mayor Burgess moved this up after #14. Alderperson Sorenson made a motion to approve the recommendation to Repeal and Recreate Certain Sections in Chapter 70 "Traffic and Vehicles" to regulate bicycles, e-bikes and e-scooters with a second by Alderperson Cauley. Roll Call: 5 ayes – Sorenson, Przybyl, Femali, Hill, Cauley. Absent - Klawitter*

17. Accept Library Board Resignation. RECOMMENDATION: Accept the resignation of Kay Roethel from the Library Board effective 09.28.2026. *Balcom thanked Kay for her 53 years on the Library Board. She and her knowledge will be missed. Alderperson Femali approved the resignation of Kay Roethel from the Library Board with a second by Alderperson Sorenson who "sadly" accepted the resignation. Recommendation carried by voice vote with one absent.*

18. Firefighter's Park Concurrence Letter for Project ID 6210-00-04/74 to WisDOT. RECOMMENDATION: Approve the Concurrence letter regarding Firefighter's Park on the Highway 49 Project. – *After looking at the map with the change which was by the curb area to make it safer Alderperson Cauley made a motion to approve the Concurrence letter regarding Firefighter's park on the Highway 49 Project with a second by Alderperson Przybyl. Approval carried by voice vote with one absent.*

19. Reschedule the Committee of the Whole meeting of 11.3.2026 to Monday, November 2, 2026 at 7PM due to the General Election. RECOMMENDATION: Move the November Committee of the Whole meeting to Monday, November 2. *Alderperson Hill made a motion to approve the recommendation to move the November Committee of the Whole meeting to Monday, November 2nd, with a second by Alderperson Cauley. This is because of the Election being held on Tuesday, November 3rd. Recommendation carried by voice vote with one absent.*

20. Old Business (To be used to request items of old business be put on a future agenda for further discussion or action; or used to make a motion for reconsideration of an item from the current meeting or immediately previous meeting; or to make a motion to take items off the table which were laid on the table only during the current meeting.) - *None*

21. New Business (To be used to request items of new business be put on a future agenda) - *None*

22. Discussion and possible action regarding the City's interest in the Berlin Armory building.
    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 interest in the Berlin Armory Building at 147 Memorial Drive.*

Alderperson Przybyl made a motion to go into closed session at 7:25pm, with a second by Alderperson Sorenson. Roll Call: 5 ayes – Przybyl, Cauley, Sorenson, Hill, Femali. Absent – Klawitter.

    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.

Alderperson Hill made a motion to go into open session at 7:51pm with a second by Alderperson Przybyl. Voice vote carried.

Alderperson Hill made a motion to authorize the City Attorney and staff to commence legal action as directed including litigation as necessary regarding the Berlin Armory Building with a second by Alderperson Femali. Motion carried by roll call vote (5 aye - Cauley, Femali, Hill, Przybyl, Sorenson, 0 nay, 1 absent - Klawitter).

23. Adjourn - *Motion to adjourn made by Alderperson Hill at 7:53PM with a second by Alderperson Sorenson. Voice vote carried.*

Respectfully submitted by Debbie Thiel, Deputy Clerk Treasurer