

AGENDA
COMMON COUNCIL MEETING
TUESDAY, APRIL 11, 2017 7:00 PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR
MEETING IS OPEN TO THE PUBLIC & CITY HALL IS HANDICAPPED ACCESSIBLE

1. Call to order/Roll Call
2. General Public Comments. Registration card required (located at podium in Council Chamber).

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.

3. Waive the reading of ordinances and resolutions. RECOMMENDATION: Waive the reading of all ordinances and resolutions adopted at this meeting.
4. Written reports from the City Clerk, Treasurer, and Building Inspector.
RECOMMENDATION: Receive and place on file the written reports from the City Clerk, Treasurer, and Building Inspector.
5. Minutes from the March 14, 2017 Common Council Meeting. RECOMMENDATION: Approve the minutes.
6. Conditional Use Permit for Saving Grace Salvage – 246 E. Park Avenue.
RECOMMENDATION: Accept the Plan Commission recommendation to approve the CUP for Saving Grace Salvage at 246 E. Park Avenue relating to allowing of storage and display in the parking lot area for special event purposes.
7. Underground Sidewalk Encroachment Issue at 101 W. Huron Street.
RECOMMENDATION: Accept the Committee of the Whole recommendation to authorize the Street Superintendent to use up to \$14,779 to fix the underground sidewalk issue in the city right of way at 101 W. Huron Street subject to confirmation that the property owner will move the equipment out of the right of way space.
8. Bills List. RECOMMENDATION: Approve the list of bills for payment.

END OF CONSENT AGENDA

9. Boys & Girls Club Bus Stop Proposal. RECOMMENDATION: Discuss and action as appropriate.
10. DNR Used Fire Truck Acquisitions. RECOMMENDATION: Accept the Police & Fire

Commission recommendation to approve the acquisition of two used DNR Fire Trucks to be funded by sale proceeds of other department vehicles and the 2017 Fire Dept operating budget.

11. Update on 107 W. Huron Street. RECOMMENDATION: Discuss and action as appropriate.
12. Update on Riverside Park Campground Shower Project. RECOMMENDATION: None. Listen to update only.
13. License Applications- Bartender License for Cody Nial Fischer, Rachael Elizabeth Wolf, Debra Ann Hoppa, and Audrey Genivieve Johnson (approved by the PD).
RECOMMENDATION: Grant or deny the licenses.
14. 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.)
15. New Business (To be used to request items of new business be put on a future agenda)
16. Public Appearances.
17. Motion to convene into closed session pursuant to Sec 19.85(1)(e), of the WI Statutes, to deliberate or negotiate the purchase of public property, investment of public funds or conduct other specified public business, whenever competitive or bargaining reasons require a closed session. (*Discussion on (1) RLF Loan Application request from Nelson Name Plate Company and (2) ETZA contract with Towns*).
18. Reconvene into open session and take action as appropriate as a result of closed session discussions.
19. Adjourn.

Note: In adherence to the City of Berlin Public Meeting Participation Policy, public participation will be allowed under each agenda item at the discretion of the presiding officer, with the exception of the Consent Agenda. Attendees must register their intention to participate on either a general comments section or a specific agenda item prior to the meeting by filling out a Registration Card, which can be obtained from the Internet, City Clerk's office or in the City Hall Council Chambers at the podium. Registration Cards should be turned in prior to the meeting to either the presiding officer or City Clerk.

CITY OF BERLIN -- OFFICE OF THE TREASURER									
		HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF BERLIN, WISCONSIN:							
I herewith present my report as City Treasurer for the month ending		3/31/2017							
FUNDS	BEG BALANCE	ADJ/ VOIDS	RECEIPTS	DISBURSEMENTS	BALANCE	INVESTMENTS	TOTAL W/ INVESTMENTS		
GENERAL CITY	\$ 883,259.42		\$ 1,300,587.76	\$ 1,777,024.51	\$ 406,822.67	\$ 3,250,000.00	\$	3,656,822.67	
TAX COLLECTION ACCOUNT	\$ 1,195,630.74		\$ -	\$ 1,095,944.58	\$ 99,686.16	\$ -	\$	99,686.16	
WATER INVESTMENTS	\$ 312,483.60		\$ 123,888.55	\$ 82,741.84	\$ 353,630.31	\$ 3,355,179.70	\$	3,708,810.01	
SEWER INVESTMENTS						\$ 1,306,985.49	\$	1,306,985.49	
SEWER BOND & INT	\$ 53,687.19		\$ 6.84	\$ -	\$ 53,694.03	\$ -	\$	53,694.03	
BOND & INT RESERVE	\$ -				\$ -	\$ 255,625.56	\$	255,625.56	
EQUIP REPLACEMENT FUND	\$ 101,203.16		\$ 12.89		\$ 101,216.05	\$ 1,255,000.00	\$	1,356,216.05	
CAPITAL PROJECT BORROWING	\$ -			\$ -	\$ -	\$ -	\$	-	
EMS ACCOUNT	\$ 29,618.49		\$ 35,046.29	\$ 35.00	\$ 64,629.78		\$	64,629.78	
TOTAL OF ALL FUNDS	\$ 2,575,882.60		\$ 1,459,542.33	\$ 2,955,745.93	\$ 1,079,679.00	\$ 9,422,790.75	\$	10,502,469.75	
FUNDS	BANK STATEMENT BALANCE	ADJUSTMENT	OUTSTANDING CHECKS	AVAILABLE BANK BALANCE					
GENERAL CITY	\$ 458,392.82		\$ 51,570.15	\$ 406,822.67					
TAX COLLECTION ACCOUNT	\$ 100,000.00		\$ 313.84	\$ 99,686.16					
WATER & SEWER	\$ 360,253.73		\$ 6,623.42	\$ 353,630.31					
SEWER BOND & INT	\$ 53,694.03		\$ -	\$ 53,694.03					
EQUIP REPLACMT FUND	\$ 101,216.05		\$ -	\$ 101,216.05					
CAPITAL PROJECT BORROWING	\$ -		\$ -	\$ -					
EMS ACCOUNT	\$ 64,629.78		\$ -	\$ 64,629.78					
TOTAL OF ALL FUNDS	\$ 1,138,186.41	\$ -	\$ 58,507.41	\$ 1,079,679.00					
					RESPECTFULLY SUBMITTED,				
					<i>Jason M. Moe</i>				

DATE: April 6, 2017

TO: Committee of the Whole

FROM: Lindsey Kemnitz

RE: CUP Saving Grace Salvage 246 E Park Ave.

BACKGROUND:

September 30, 2014 Saving Grace Salvage at 246 E. Park Ave. was approved by Plan Commission for a conditional use permit for adaptive reuse of a church at 246 E. Park Ave. Plan commission approved the permit for the following buildings: former church & former school. Saving Grace Salvage returned to Plan Commission to amend the conditional use to be allowed to use the parking lot for special events such as flea markets.

RECOMMENDATION:

To allow storage and display in the parking lot located at Saving Grace Salvage at 246 E. Park Avenue to a maximum of three events per calendar year, unless approved by plan commission without a public hearing. The parking lot cannot be used for storage and display prior to Friday and must be removed by end of the day Sunday. For the special events no activity is allowed including setup and take down prior to 7am and after 9pm.

*Check Summary Register©

MARCH 31 2017

Name	Check Date	Check Amt	
11100 Cash in Bank m FNB			
Paid Chk# 059360 HAWKINS, ASH, BAPTIE & CO LL	3/3/2017	\$4,540.00	TID #7 CLOSEOUT
Paid Chk# 059361 APPLETON FINANCE DEPARTM	3/3/2017	\$455.00	MARCH 2017 WEIGHTS & MEASURES
Paid Chk# 059362 BAYCOM INC	3/3/2017	\$183.00	110 V SUC SMART CHARGER
Paid Chk# 059363 BERLIN AREA SCHOOL DISTRIC	3/3/2017	\$511,506.20	REFUND TO OVERLYING TAXING DIS
Paid Chk# 059364 COMPLETE OFFICE OF WI	3/3/2017	\$90.61	INK CARTRIDGES FOR LIBRARY DEP
Paid Chk# 059365 FINISHLINE STUDIOS	3/3/2017	\$35.00	March 2017 Web Hosting
Paid Chk# 059366 GREEN LAKE COUNTY TREASU	3/3/2017	\$337,547.03	REFUND TO OVERLYING TAXING DIS
Paid Chk# 059367 HAWKINS, ASH, BAPTIE & CO LL	3/3/2017	\$800.00	2016 AUDIT FEES
Paid Chk# 059368 LANGKAU, LENNY	3/3/2017	\$200.00	TRAINING FOR BERLIN FIRE DEPAR
Paid Chk# 059369 MOORE, EBONY	3/3/2017	\$45.00	CANCEL SHELTERHOUSE RENTAL
Paid Chk# 059370 MORAIN PARK TECHNICAL CO	3/3/2017	\$34,880.39	REFUND TO OVERLYING TAXING DIS
Paid Chk# 059371 NITZ, DAVID A	3/3/2017	\$1,421.00	FEBRUARY BUILDING INSPECTOR WA
Paid Chk# 059372 SEAMAN, MIDGE, PETTY CASH	3/3/2017	\$72.39	REIMBURSE POSTAGE
Paid Chk# 059373 SONDALE FORD LINCOLN MER	3/3/2017	\$27.65	ROUTINE MAINTENANCE FOR SENIOR
Paid Chk# 059374 SUPERHEAT AND COOLING	3/3/2017	\$133.00	MAINTENANCE & REPAIR MUNICIPAL
Paid Chk# 059375 UNITED MAILING SERVICES INC	3/3/2017	\$544.03	FEBRUARY 2017 BILLING
Paid Chk# 059376 YANCY, TOM	3/3/2017	\$66.30	REIMBURSE OVERPAYMENT OF GARNI
Paid Chk# 059377 FASTENAL	3/3/2017	\$4.45	SUPPLIES FOR PUBLIC WORKS DEPA
Paid Chk# 059378 ADVANTAGE POLICE SUPPLY IN	3/6/2017	\$1,557.00	EQUIPMENT FOR K.BLOCK AND G. T
Paid Chk# 059379 BERLIN CONSERVATION CLUB	3/6/2017	\$640.00	2017 LEASE WITH THE CONSERVATI
Paid Chk# 059380 BERLIN JOURNAL NEWSPAPER	3/6/2017	\$110.00	BUSINESS CARDS-KURCZEK & TROCH
Paid Chk# 059381 BERLIN OIL PRODUCTS	3/6/2017	\$28.00	2 WIPER BLADES FOR PLISO-SQUAD
Paid Chk# 059382 HEAVENS TOUCH PHOTOGRAP	3/6/2017	\$45.50	PORTRAIT FOR OFCR GORDON & CPL
Paid Chk# 059383 INTOXIMETERS, INC.	3/6/2017	\$110.00	EQUIPMENT FOR THE BPD
Paid Chk# 059384 RAY O'HERRON CO. INC.	3/6/2017	\$580.00	GLOCK22 FOR POLICE DEPARTMENT
Paid Chk# 059385 SONDALE FORD LINCOLN MER	3/6/2017	\$1,109.30	VEHICLE MAINTENANCE SQUAD 59 2
Paid Chk# 059386 TASER INTERNATIONAL	3/6/2017	\$2,035.00	2017 ASSURANCE PLAN ANNUAL PAY
Paid Chk# 059387 VICKI MURPHY, PETTY CASH	3/6/2017	\$18.71	JARS @ WALMART FOR EVIDENCE CO
Paid Chk# 059388 WESTERN SURETY COMPANY	3/7/2017	\$30.00	NOTARY INSURANCE FOR MIDGE SEA
Paid Chk# 059389 WI DEPT- FINANCIAL INSTITUTI	3/7/2017	\$20.00	NOTARY APPLICATION FEE FOR MID
Paid Chk# 059390 AMERICAN MESSAGING	3/9/2017	\$107.96	2017 LOCKBOX PAYMENT FOR BERLI
Paid Chk# 059391 ASSOCIATED BANK-OSHKOSH	3/9/2017	\$25.00	PAYROLL #5 H.S.A. EMPLOYEE CO
Paid Chk# 059392 BANK OF AMERICA	3/9/2017	\$75.00	PAYROLL #5 H.S.A. EMPLOYEE CO
Paid Chk# 059393 BERLIN JOURNAL NEWSPAPER	3/9/2017	\$695.94	2016 NOV & 2016 DEC COUNCIL ME
Paid Chk# 059394 BMO HARRIS BANK	3/9/2017	\$50.00	PAYROLL #5 H.S.A. EMPLOYEE CO
Paid Chk# 059395 CHARTER COMMUNICATION	3/9/2017	\$173.04	SERVICE FOR MARCH 2017 SENIOR
Paid Chk# 059396 CITIZENS FIRST CREDIT UNION	3/9/2017	\$100.00	PAYROLL #5 H.S.A. EMPLOYEE CO
Paid Chk# 059397 COMMUNITY FIRST CREDIT UNI	3/9/2017	\$115.00	PAYROLL #5 H.S.A. EMPLOYEE CO
Paid Chk# 059398 DIVISION OF UNEMPLOYMENT I	3/9/2017	\$1,693.55	FEBRUARY 2017 UNEMPLOYMENT IN
Paid Chk# 059399 DREXEL BUILDING SUPPLY, INC	3/9/2017	\$541.54	PICNIC TABLES FOR CAMPGROUND
Paid Chk# 059400 EMC INSURANCE COMPANIES	3/9/2017	\$61,609.39	LIABILITY INSURANCE PREMIUM
Paid Chk# 059401 FARMERS & MERCHANTS BANK	3/9/2017	\$643.07	PAYROLL #5 H.S.A. EMPLOYEE CO
Paid Chk# 059402 FIRST NATIONAL BANK	3/9/2017	\$650.00	PAYROLL #5 H.S.A. EMPLOYEE CO
Paid Chk# 059403 GRAINGER	3/9/2017	\$95.40	COMPOST DIAL THERMOMETER FOR T
Paid Chk# 059404 HAWKINS, ASH, BAPTIE & CO LL	3/9/2017	\$8,880.00	PROGRESS BILL FOR 2016 AUDIT
Paid Chk# 059405 HORICON BANK	3/9/2017	\$100.00	PAYROLL #5 H.S.A. EMPLOYEE CO
Paid Chk# 059406 ITU ABSORBTECH, INC.	3/9/2017	\$111.33	2017 BUILDINGS AND GROUNDS DEP
Paid Chk# 059407 LABUDA, DAVID	3/9/2017	\$30.00	CDL LICENSE RENEWAL
Paid Chk# 059408 LANDMARK SERVICES COOPER	3/9/2017	\$4,509.71	FEBRUARY GAS AND DIESEL
Paid Chk# 059409 M&I BANK - RIPON	3/9/2017	\$90.00	PAYROLL #5 H.S.A. EMPLOYEE CO
Paid Chk# 059410 NORTH SHORE BANK, FSB	3/9/2017	\$250.00	PAYROLL #5 DEFERRED COMPENSAT
Paid Chk# 059411 OLD NATIONAL BANK	3/9/2017	\$100.00	PAYROLL #5 H.S.A. EMPLOYEE CO
Paid Chk# 059412 OSHKOSH OFFICE SYSTEMS	3/9/2017	\$69.69	FEBRUARY MONTHLY COPIES
Paid Chk# 059413 SCHROEDER, JESSICA	3/9/2017	\$50.00	MEAL EXPENSE DURING FIELD TRAI
Paid Chk# 059414 SECURIAN FINANCIAL GROUP	3/9/2017	\$810.92	APRIL 2017 BILLING
Paid Chk# 059415 VIVIAL	3/9/2017	\$41.25	2017 MARCH BILLING
Paid Chk# 059416 COMPLETE OFFICE OF WI	3/10/2017	\$597.01	LABELS FOR AMBULANCE

EC payables

*Check Summary Register©

MARCH 31 2017

Name	Check Date	Check Amt	
Paid Chk# 059476 CLASSIC CAB, LTD	3/24/2017	\$1.50	SENIOR CAB FARE
Paid Chk# 059477 CORPORATE NTRK SOLUTION	3/24/2017	\$70.00	GRAPHICS CARD /CABLES FOR EMER
Paid Chk# 059478 FORMILLER, JOSEPH	3/24/2017	\$345.28	2017 FEBRUARY EMPLOYER SHARE H
Paid Chk# 059479 FOX VALLEY TECHNICAL COLLEGE	3/24/2017	\$560.00	EMS Department-AHA
Paid Chk# 059480 GREEN LAKE COUNTY	3/24/2017	\$26.33	2016 SENIOR VAN CELL PHONE CHA
Paid Chk# 059481 INTERSTATE BATTERY	3/24/2017	\$114.95	BATTERY 31P-MHD FOR BERLIN PUB
Paid Chk# 059482 LAPWA	3/24/2017	\$75.00	2017 DUES FOR SCOTT ZABEL-CITY
Paid Chk# 059483 OLSON TRAILER & BODY, LLC	3/24/2017	\$3,918.00	TRAILER PARTS AND SERVICE FOR
Paid Chk# 059484 PIONEER	3/24/2017	\$600.00	SUPPLIES FOR BERLIN PARKS
Paid Chk# 059485 STAHL PLUMBING & HEATING	3/24/2017	\$850.00	WATER BUBBLER INSTALLATION AT
Paid Chk# 059486 SUPERIOR CHEMICAL CORP	3/24/2017	\$8,431.93	MAINTENANCE SUPPLIES FOR AQUAT
Paid Chk# 059487 UNITED MAILING SERVICES INC	3/24/2017	\$321.08	FEBRUARY 2017 MAILING SERVICE
Paid Chk# 059488 AL SCHMUDE ELECTRIC LLC	3/31/2017	\$376.75	STREET LIGHT PARTS AND REPAIR
Paid Chk# 059489 BELLA BY DESIGN	3/31/2017	\$205.40	PLAQUES AND NAMEPLATES FOR BCD
Paid Chk# 059490 BERLIN JOURNAL NEWSPAPER	3/31/2017	\$164.00	CAMPGROUND ENVELOPES
Paid Chk# 059491 COMPASS MINERALS	3/31/2017	\$1,614.91	COURSE SALT
Paid Chk# 059492 PACKERLAND PORTABLES	3/31/2017	\$150.00	RENTALS AT BERLIN CAMPSITES (2
Paid Chk# 059493 SEAMAN, MIDGE, PETTY CASH	3/31/2017	\$92.76	REIMBURSE POSTAGE
Paid Chk# 059494 SUPERIOR CHEMICAL CORP	3/31/2017	\$713.94	GREASE SOLVENT/BLUE OX DETERGE
Paid Chk# 059495 TNEMEC COMPANY, INC	3/31/2017	\$355.50	POTA-POX FC TANK WHITE
Paid Chk# 059496 VIKING ELECTRIC SUPPLY	3/31/2017	\$2,125.22	SUPPLIES (LIGHTS) FOR PUBLIC W
Paid Chk# 059497 WALMART COMMUNITY/RFCSL	3/31/2017	\$31.40	SUPPLIES FOR SENIOR CENTER
Total Checks		\$1,101,991.99	

GC payables

CITY OF BERLIN

PAYROLL FOR MARCH - 2017	
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	Net Payroll	
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[illegible]

DATE: April 6, 2017

TO: Mayor and Common Council

FROM: Jodie Olson, City Administrator

RE: Boys & Girls Club Bus Stop Proposal

BACKGROUND: At the Committee of the Whole meeting, the BGC presented a proposal to install a bus stop shelter in the terrace area along S. Washington Street by the BGC Club. The BGC plans on having the shelter paid for via a donor and are not requesting any city funds for this project. Jordan Wilcox and Jason Presto from the Club indicated that the BGC will take full responsibility for maintaining, cleaning, removing snow, repairing the shelter, etc. The Street Superintendent indicated he did not see a snow plowing issue as snow is plowed to the center of the street.

PROCESS: Typically property donation requests are referred to the P&R and/or Plan Commission for review and recommendation. In reviewing the Code, I do not see that this particular donation situation requires a mandatory referral to either of these committees. Therefore, the Common Council can make a determination.

REQUEST: The only request the Club has of the city is to allow the structure to be placed on the terrace area ROW along S. Washington Street. With that request, Council needs to clarify whether the shelter would actually be dedicated and owned by the city and under the city's liability or whether the shelter would remain property of the BGC.

It gets to be a sticky wicket to allow private property in a city ROW. It simply isn't allowed without a permit. We had that situation with the S. Adams Street encroachment of the boathouse. In that case, the encroachment was permitted by Council, but only via a continual 90-day permitting process. However, that structure is also a *removable* structure. Considering the shelter would be set in concrete, it would be considered permanent in nature and would not make sense to be permitted in this manner. Therefore, unless we want to get into a complicated situation, I believe it is best for the city to accept the dedication of the shelter to the city as long as there is a clear and concise understanding of ownership, responsibility and future maintenance.

AGREEMENT ON MAINTENANCE: Does Council want a formal legal agreement with the BGC on future maintenance such as was done relative to the Marquette Street stormwater pond with BASD? In lieu of legal documents, Council could consider adopting a formal resolution which memorializes the understanding relative to future maintenance and repairs as discussed. This would provide a formal record for future reference in addition to the meeting minutes. This is a pretty minor issue and I just can't see spending money on legal costs.

RECOMMENDATION: Discuss and action as appropriate.



BERLIN FIRE DEPARTMENT
226 Spring St.
Berlin, WI 54923



DATE: April 5, 20017

TO: Berlin City Council, Berlin Mayor, and Berlin City Administrator

FROM: Bob Paugels, Fire Chief
Gary Podoll, Emergency Services Director/Deputy Fire Chief

REF: DNR Used Trucks

Attached you will find the Break Down of the proposed used DNR Fire Trucks to be purchased by the Berlin Fire Department and also the monies from the accounts of the Berlin Fire Department 2017 Budget used to make up the balance needed.

We will be at the Council meeting to explain the project.

Berlin Fire Department
Break Down Of Used DNR Truck Acquisitions

Sold old Jeep (163)	\$7,750.00
Sold old Command Truck	<u>\$5,330.00</u>
Total from sale of old vehicles	\$13,080.00

Wildland Skid Unit from old 63 will be sold to Green Lake Fire Department for **\$3,600.00**.

Will replace Old Jeep (163) with used DNR truck, which we will own.

Will give old 1987 Chevrolet (63) back to State DNR (State owned) and replace with used DNR truck, which we will own.

Used DNR fire ready trucks will cost as follows:

1. DNR Truck with single axle:	\$12,925.00
2. DNR Truck with duals not more than	<u>\$14,425.00</u>
Total amount to DNR for Trucks:	\$27,350.00

So breakdown is as follows:	\$27,350.00 Purchase price of 2 Used DNR Trucks
	-13,080.00 Sale of Old Command and Jeep
	-3,600.00 Sale of Skid Unit to Green Lake Fire Dept.
	<u>-10,670.00 From 2017 Fire Department Budget</u>
	0.00

So in summary we are not adding any additional trucks that we have had already.

If we were to go and buy 2 new vehicles it would cost us well over \$300,000.00.

Bottom line is that we are getting two vehicles for \$27,350.00 and staying within our budget and not asking for any additional money.

**Berlin Fire Department
Used DNR Trucks**

Below you will find monies that would be used from the following accounts to make up cost difference of DNR Used Trucks:

20003-330	\$2,275.00	No one attend Wisconsin Firefighter Conference and Chief didn't attend Wisconsin Chief's Conference.
20003-380	\$6,195.00	Pages we were able to get last year. \$4,300.00 and other \$1,895.00 would come from equipment savings.
20003-390	\$2,200.00	Will not be doing physicals this year, trying to work out with ThedaCare.



