

AGENDA
COMMON COUNCIL MEETING
TUESDAY, SEPTEMBER 11, 2018 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 August 14, 2018 Common Council Meeting. RECOMMENDATION: Approve the minutes from the August 14, 2018 Common Council meeting.
6. Union Post-Retirement Health Benefit Agreement. RECOMMENDATION: Accept the Committee of the Whole recommendation to approve the Special Agreement and Amendment to Collective Bargaining Agreement relating to post-retirement health insurance issues.
7. Conditional Use Permit for Fencing: 327 SW Franklin Street-Owner TCG Holdings 5 LLC. RECOMMENDATION: Accept the Plan Commission recommendation of the Conditional Use Permit for a six (6) foot fence in the front yard to extend 6 feet from the front of the house for duration of one year at 327 SW Franklin Street, owner TCG Holdings 5 LLC, subject to possible renewal.
8. Certified Survey Map-537 E. Marquette Street-Owner Richard Hayes.
RECOMMENDATION: Accept the Plan Commission recommendation to approve the Certified Survey Map for 537 E. Marquette Street, owner Richard Hayes.
9. Certified Survey Map-N8720 Willard Road-Owners Wesley and Douglas Bratley.
RECOMMENDATION: Accept the ETZA Plan Commission recommendation to

approve the Certified Survey Map for N8720 Willard Road-Owners Wesley and Douglas Bratley.

10. Certified Survey Map-County Road X & XX, Owner Melissa Zamzow.

RECOMMENDATION: Accept the ETZA Plan Commission recommendation to approve the Certified Survey Map for the Melissa Zamzow property at County Road X & XX.

11. Oakwood Cemetery Rules & Regulations and Accompanying Fee Schedule Update.

RECOMMENDATION: Accept the Oakwood Cemetery Board recommendation to approve and adopt the revised Oakwood Cemetery Rules and Regulations & Fee Schedule and approve and adopt Resolution #18-12 Adopting the Oakwood Cemetery Fee Schedule Changes.

12. Bills List. RECOMMENDATION: Approve the list of bills for payment.

END OF CONSENT AGENDA

13. ATV/UTV Ordinance Request. RECOMMENDATION: Review recommendations from ATV/UTV Adhoc committee, discuss and action as appropriate.

14. Update on Hotel Project. RECOMMENDATION: Listen to update and action as appropriate.

15. Flood Disaster Declaration Proclamation Ratification. RECOMMENDATION: Ratify the September 7, 2018 Mayoral Disaster Declaration Proclamation due to flooding of the Fox River.

16. Bartender License Applications: License Application for Sabeena Kaur Cheema, Evelyn June Yahr, Calvin L. Vesely, Jenna K. Liebe, Shanna E. Deffibaugh, Linda Diane Davidenko, Metin Dzelil, Timothy John Rusch, Kari A. Rusch, and Dava LeAnna Hoffman (approved by the PD). RECOMMENDATION: Grant or deny the licenses.

17. 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.)

18. New Business (To be used to request items of new business be put on a future agenda)

19. Public Appearances.

20. 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. ((1) *EMS Contract with ThedaCare-CHN, and if necessary* (2)

Union negotiation regarding retirement health benefits and upcoming insurance renewal).

21. Reconvene into open session and take appropriate action as a result of closed session discussion.

22. 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.

HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF BERLIN, WISCONSIN:

Dusan G. Glavin

TYPE OF PERMIT	MONTH			YEAR TO DATE			LAST YEAR TO DATE		
	No.	Estimated Value	Permit Cost	No.	Estimated Value	Permit Cost	No.	Estimated Value	Permit Cost
Single Family Residence				2	\$515,000.00	\$2,298.60			
Multi-Family Residence				0	\$0.00	\$0.00			
Residential Garage				0	\$0.00	\$0.00			
Residential Garage Alteration				0	\$0.00	\$0.00			
Residential Alteration	5	\$55,550.00	\$277.50	36	\$642,286.00	\$3,053.80	29	\$338,481.00	\$1,851.90
Commercial				0	\$0.00	\$0.00			
Commercial Alteration				0	\$0.00	\$0.00	2	\$781,000.00	\$3,170.00
Industrial				0	\$0.00	\$0.00	1	\$250,000.00	\$1,370.00
Industrial Alteration				0	\$0.00	\$0.00			
Signs				3	\$12,000.00	\$284.00	6	\$13,915.00	\$531.16
Miscellaneous	4	\$7,525.00	\$200.00	23	\$30,425.00	\$1,308.48	13	\$34,933.00	\$695.00
Demolition				0	\$0.00	\$0.00	1		\$75.00
Hospital				0	\$0.00	\$0.00			
Church				0	\$0.00	\$0.00	1	\$50,000.00	\$50.00
School				0	\$0.00	\$0.00			
Driveways	1		\$50.00	5	\$0.00	\$250.00	7	\$17,150.00	\$230.00
Trailer Homes				0	\$0.00	\$0.00			
Total Building Permits	10	\$63,075.00	\$527.50	69	\$1,199,711.00	\$7,194.88	60	\$1,485,479.00	\$7,973.06
Commercial Plan Approval				0	\$0.00	\$0.00			
Plumbing Permits	4	\$13,234.00	\$106.17	15	\$68,318.00	\$616.34	14	\$22,086.00	\$420.00
Electrical Permits	2	\$2,500.00	\$50.00	17	\$153,600.00	\$1,252.00	10	\$22,214.00	\$390.00
Heating Permits	3	\$8,194.00	\$150.00	43	\$290,911.00	\$2,960.52	24	\$112,773.00	\$1,425.00
				0	\$0.00	\$0.00			
Total Permit Fees			\$833.67	0	\$0.00	\$9,424.74			\$10,208.06
Totals	19	\$87,003.00	\$833.67	144	\$1,802,940.00	\$12,720.74	108	\$1,642,552.00	\$10,208.06

NET PAYROLL

NET PAYROLL				
PAYDATE	Payroll #	PAYROLL TITLE	GENERAL CITY	UTILITY
8/10/2018	16	General City	64,704.29	
8/1/2018	15.01	Franke	98.12	
8/10/2018	16	Utility		10,774.06
8/15/2018	16.01	Police OT	7,582.39	
8/10/2018	16.02	Moreland miss pay #16.02	34.56	
8/16/2018	16.03	Election #16.03	1,701.99	
8/24/2018	17	General City	68,957.04	
8/24/2018	17	Utility		10,894.35
TOTAL MONTHLY PAYROLL			\$143,078.39	\$21,668.41

*Check Summary Register©

AUGUST 31 2018

Name	Check Date	Check Amt	
11161 UTILITY CASH - FNB			
Paid Chk# 014291	BADGER LABORATORIES	8/3/2018	\$1,348.00 BOD/SS/P/AMMONIA
Paid Chk# 014292	BERLIN CITY TREASURER	8/3/2018	\$1,920.64 JULY 2018 GAS/DIESEL
Paid Chk# 014293	BERLIN JOURNAL NEWSPAPER	8/3/2018	\$22.24 UPS TO BADGER LABS
Paid Chk# 014294	KUNKEL ENGINEERING GROUP	8/3/2018	\$1,940.00 2018 UTILITY PROJECT
Paid Chk# 014295	NORTH CENTRAL LABORATORI	8/3/2018	\$166.13 PIPET TIPS/P REAGENT SET
Paid Chk# 014296	SPOEHR, SMITS & BLAZEL, LLC	8/3/2018	\$560.00 KIVI/LIESCH-SEWER LINE ISSUES
Paid Chk# 014297	U S CELLULAR	8/3/2018	\$211.41 MALNORY/SOBIESKI/VAN/DUTY
Paid Chk# 014298	U S POST OFFICE - POSTMASTE	8/3/2018	\$635.78 STAMPS - 200 FOREVER
Paid Chk# 014299	WALTCO INC	8/3/2018	\$565.87 SERVICES FOR JULY 2018
Paid Chk# 014300	ADVANCED DISPOSAL SERVICE	8/10/2018	\$216.95 SERVICES FOR AUGUST 2018
Paid Chk# 014301	BADGER LABORATORIES INC	8/10/2018	\$1,348.00 BOD/SS/P/AMMONIA
Paid Chk# 014302	BERLIN CITY TREASURER	8/10/2018	\$100.00 FOREVER STAMPS
Paid Chk# 014303	BERLIN JOURNAL NEWSPAPER	8/10/2018	\$725.44 2017 ANNUAL DRINKING WATER QUA
Paid Chk# 014304	CCP INDUSTRIES INC.	8/10/2018	\$217.74 TOWELS/SHIRTS
Paid Chk# 014305	CINTAS CORPORATION	8/10/2018	\$180.46 DUST MOP/MATS
Paid Chk# 014306	DAVIES WATER #1476	8/10/2018	\$523.58 COMP UNION/COMP COUP/STIFFENER
Paid Chk# 014307	MARTELLE WATER TREATMENT	8/10/2018	\$7,286.77 LIQUID ALUM
Paid Chk# 014308	NORTH CENTRAL LABORATORI	8/10/2018	\$68.98 BROTH W/ROSOLIC
Paid Chk# 014309	DIVISION OF UNEMPLOYMENT I	8/17/2018	\$1,224.00 BRENNEN THOMA
Paid Chk# 014310	MICHAEL RAETHER	8/17/2018	\$62.15 WATER SEWER BILL REFUND
Paid Chk# 014311	SOBIESKI BROS REPAIR	8/17/2018	\$387.50 SEAL KIT AND LABOR
Paid Chk# 014312	WISCONSIN RURAL WATER ASS	8/17/2018	\$100.00 TRAINING LINDA LIEN
Paid Chk# 014313	BERLIN JOURNAL NEWSPAPER	8/24/2018	\$103.97 UPS TO BADGER LABS
Paid Chk# 014314	CCP INDUSTRIES INC.	8/24/2018	\$120.99 TOILET TISSUE
Paid Chk# 014315	CenturyLink	8/24/2018	\$47.02 CELL PHONE
Paid Chk# 014316	CINTAS CORPORATION	8/24/2018	\$180.46 Mats
Paid Chk# 014317	DAVIES WATER #1476	8/24/2018	\$674.00 LOCATOR REPAIR
Paid Chk# 014318	FERGUSON WATER WORKS #14	8/24/2018	\$148.00 BELTCLIP TRANSCEIVER REPAIR
Paid Chk# 014319	GENERAL ENGINEERING COMP	8/24/2018	\$23,000.00 CROSS CONNECTION SERVICES
Paid Chk# 014320	LANDMARK SERVICES COOPER	8/24/2018	\$232.84 FUEL/OIL
Paid Chk# 014321	MID-AMERICAN RESEARCH CHE	8/24/2018	\$122.58 PRO-GUARD PLUS
Paid Chk# 014322	NORTH CENTRAL LABORATORI	8/24/2018	\$101.76 Spadns
Paid Chk# 014323	SUPERIOR CHEMICAL CORP	8/24/2018	\$141.00 AIR FRESHENER/BREAK AWAY
Paid Chk# 014324	BADGER LABORATORIES INC	8/31/2018	\$1,725.00 TOTAL COLIFORM BACTERIA
Paid Chk# 014325	BERLIN CITY TREASURER	8/31/2018	\$19,992.20 PAYROLL
Paid Chk# 014326	BERLIN JOURNAL NEWSPAPER	8/31/2018	\$399.56 BB/BJ WATER BILL ARTICLE
Paid Chk# 014327	CUMMINS GREAT LAKES INC	8/31/2018	\$761.24 ANNUAL FULL SERVICE
Paid Chk# 014328	DAVIES WATER #1476	8/31/2018	\$538.77 SS REP CLMP
Paid Chk# 014329	FARMERS & MERCHANTS BANK	8/31/2018	\$700,000.00 NEW WATER CD
Paid Chk# 014330	JON LUNDT ELECTRIC, INC	8/31/2018	\$111.00 DISCONNECT FLOCCUATOR MOTORS A
Paid Chk# 014331	KUNKEL ENGINEERING GROUP	8/31/2018	\$5,552.50 2018 STREET & UTILITY
Paid Chk# 014332	L.W. ALLEN LLC	8/31/2018	\$500.06 CUMBERLAND ST L/S PUMP-S/C
Paid Chk# 014333	LINCOLN CONTR SUPPLY INC	8/31/2018	\$1,185.15 DISCHARGE HOSE/COUPLER
Paid Chk# 014334	RIDGE STONE PRODUCTS, INC	8/31/2018	\$227.10 ROAD GRAVEL
Paid Chk# 014335	SUPERIOR CHEMICAL CORP	8/31/2018	\$225.83 BUG OFF REPELLANT
Paid Chk# 014336	THEDACARE AT WORK	8/31/2018	\$34.00 EBT SCREEN
Paid Chk# 014337	U S CELLULAR	8/31/2018	\$211.41 PHONES
Paid Chk# 014338	WI STATE LABORATORY OF HY	8/31/2018	\$25.00 FLUORIDE
Total Checks			\$776,173.08

Utilities Payable

***Check Summary Register©**

AUGUST 31 2018

Name	Check Date	Check Amt	
11100 Cash in Bank m FNB			
Paid Chk# 061561 FOX VALLEY TECHNICAL COLLE	7/17/2018	(\$115.13)	TAYLOR WALLACE FIRE DEPARTMENT
Paid Chk# 061631 Voided	8/3/2018	\$0.00	Check AddUnused
Paid Chk# 061632 APPLETON FINANCE DEPARTM	8/3/2018	\$448.50	2018 AUGUST WEIGHTS AND MEASUR
Paid Chk# 061633 ASSOCIATED BANK GREEN BAY	8/3/2018	\$25,100.00	2008 REFINANCED STREET PROJECT
Paid Chk# 061634 BANYON DATA SYSTEMS INC	8/3/2018	\$680.00	FIXED ASSETS SUPPORT
Paid Chk# 061635 BERLIN CHAMBER OF COMMER	8/3/2018	\$1,306.96	2ND QUARTER HOTEL/MOTEL TAX
Paid Chk# 061636 BERLIN JOURNAL NEWSPAPER	8/3/2018	\$164.00	ENVELOPES FOR CAMPGROUND (500)
Paid Chk# 061637 CAREW CONCRETE & SUPP CO,	8/3/2018	\$784.00	CONCRETE FOR PUBLIC WORKS
Paid Chk# 061638 CEDAR CREST ICE CREAM	8/3/2018	\$724.27	BAC CONCESSIONS
Paid Chk# 061639 CHARTER COMMUNICATION	8/3/2018	\$183.66	2018 AUG SENIOR CENTER SERVICE
Paid Chk# 061640 GREAT LAKES COCA COLA DIST	8/3/2018	\$316.49	CONCESSIONS FOR BAC - COCA COL
Paid Chk# 061641 CONDON TOTAL COMFORT, INC	8/3/2018	\$50.00	REFUND FOR OVERPAYMENT OF PERM
Paid Chk# 061642 CORPORATE NTRWK SOLUTION	8/3/2018	\$625.00	HP SERVICE CARE PACK FOR CITY
Paid Chk# 061643 DOLBY, KALYNN A.	8/3/2018	\$448.80	JUNIOR SUMMER GOLF SIX WEEK PR
Paid Chk# 061644 EMC INSURANCE COMPANIES	8/3/2018	\$18,642.09	AUGUST LIABILITY INSURANCE
Paid Chk# 061645 EMSAR, INC	8/3/2018	\$1,238.06	COT PREVENTATIVE MAINTENANCE
Paid Chk# 061646 FORMILLER, JOSEPH	8/3/2018	\$395.21	AUGUST RETIRE HEALTH INSURANCE
Paid Chk# 061647 FORTNUM, SHARON	8/3/2018	\$64.00	REFUND FOR 2018 YOGA CLASS
Paid Chk# 061648 FRANKE, DIANE	8/3/2018	\$85.00	BEADS AND MATERIALS FOR WRIST
Paid Chk# 061649 GOOD IMPRESSIONS, INC.	8/3/2018	\$32.50	CAMPGROUND FLYERS AND BROCHURE
Paid Chk# 061650 KUNKEL ENGINEERING GROUP	8/3/2018	\$5,491.88	200 CRS - STREET
Paid Chk# 061651 RED POWER DIESEL SERVICE	8/3/2018	\$1,564.24	MAINTENANCE ON 2003 PIERCE DAS
Paid Chk# 061652 SILVA, JACKIE	8/3/2018	\$926.65	AUGUST HEALTH INSURANCE PREMIU
Paid Chk# 061653 VALLEY POPCORN COMPANY, I	8/3/2018	\$817.87	BAC CONCESSIONS
Paid Chk# 061654 ASSOCIATED BANK GREEN BAY	8/3/2018	\$22,556.25	2013 BROADWAY STREET DEBT INTE
Paid Chk# 061655 FINISHLINE STUDIOS	8/3/2018	\$35.00	AUGUST WEB HOSTING
Paid Chk# 061656 BERLIN JOURNAL NEWSPAPER	8/3/2018	\$184.00	1000 TRANSMITTAL MEMO
Paid Chk# 061657 FIRE & SAFETY EQUIPMENT, IN	8/3/2018	\$23.35	5# DC EXTINGUISHER RECHARGE
Paid Chk# 061658 GREEN LAKE COUNTY TREASU	8/3/2018	\$2,262.00	SMILLMAN 2018 ANNUAL MAINTENAN
Paid Chk# 061659 RED THE UNIFORM TAILOR	8/3/2018	\$38.94	PISTOL POUCH, HANDCUFF POUCH -
Paid Chk# 061660 WAUSHARA CO TREASURER	8/3/2018	\$75.00	WAUSHARA SHERIFF'S OFFICE ASSI
Paid Chk# 061661 WISCONSIN SPILLMAN USERS	8/3/2018	\$50.00	2018 ANNUAL MEMBERSHIP
Paid Chk# 061662 ACTION APPRAISERS & CONSU	8/8/2018	\$5,650.00	MAINTENANCE ASSESSMENT SERVICE
Paid Chk# 061663 ADVANCED DISPOSAL SERVICE	8/8/2018	\$24,442.51	JULY 2018 TRASH/RECYCLING SERV
Paid Chk# 061664 BALLWEG IMPLEMENT CO	8/8/2018	\$64.78	PARKS 1600 WING MOWER
Paid Chk# 061665 BERLIN CHAMBER OF COMMER	8/8/2018	\$1,500.00	2018 DONATION TO CHAMBER OF CO
Paid Chk# 061666 BERLIN HISTORICAL SOCIETY	8/8/2018	\$3,000.00	2018 BUDGET AMOUNT
Paid Chk# 061667 BERLIN JOURNAL NEWSPAPER	8/8/2018	\$108.25	SUMMER FUN PG BB
Paid Chk# 061668 BERLIN ROTARY CLUB	8/8/2018	\$50.00	QUARTERLY DUES
Paid Chk# 061669 BERLIN TROPHY & SPEC PROD	8/8/2018	\$524.50	T-SHIRTS FOR BFD FOR CAR SHOW
Paid Chk# 061670 CAREW CONCRETE & SUPP CO,	8/8/2018	\$808.50	CONCRETE FOR PUBLIC WORKS
Paid Chk# 061671 CLASSIC CAB, LTD	8/8/2018	\$12,724.15	JULY 2018 CAB SERVICE
Paid Chk# 061672 COMPLETE OFFICE OF WI	8/8/2018	\$179.86	TONER FOR PRINTERS AT CITY HAL
Paid Chk# 061673 CONVERGENT SOLUTIONS, INC	8/8/2018	\$319.00	1 YEAR ESNA SOFTWARE ASSURANCE
Paid Chk# 061674 CRACK FILLING SERVICE CORP	8/8/2018	\$15,000.00	CRACK SEALING CITY STREETS
Paid Chk# 061675 CULLIGAN WATER	8/8/2018	\$37.50	SOLAR SALE DELIVERY TO BERLIN
Paid Chk# 061676 ESTATE OF PRZYBYL, ROBERT	8/8/2018	\$4,046.99	REIMBURSEMENT FROM RETIREE ACC
Paid Chk# 061677 FIVE ALARM FIRE & SFTY EQ, LL	8/8/2018	\$2,620.77	ANNUAL FLOW TEST OF MSA SCBA
Paid Chk# 061678 HEAVENS TOUCH PHOTOGRAP	8/8/2018	\$200.00	OUTDOOR PHOTORS FOR WEBSITE
Paid Chk# 061679 MGD INDUSTRIAL CORP	8/8/2018	\$88.46	PARTS FOR PUBLIC WORKS
Paid Chk# 061680 MORELAND, DAMIAN	8/8/2018	\$1,545.84	REIMBURSEMENT FOR DAMIAN MOREL
Paid Chk# 061681 OSHKOSH OFFICE SYSTEMS	8/8/2018	\$103.94	JULY BILLIN GFOR COPIER 7040
Paid Chk# 061682 RADKE, TYLER	8/8/2018	\$400.00	FIRE DEPARTMENT SCHOLARSHIP DO
Paid Chk# 061683 RIDGE STONE PRODUCTS, INC	8/8/2018	\$249.09	LIMESTONE AND GRAVEL
Paid Chk# 061684 TRI AIR TESTING, INC	8/8/2018	\$511.60	1989 2013 EDITION AIR ANALYSIS
Paid Chk# 061685 VIVIAL	8/8/2018	\$44.95	AUGUST CENTURYLINK DIRECTOR
Paid Chk# 061686 WOLVERINE FIREWORKS DISPL	8/8/2018	\$5,125.00	FIREWORKS DISPLAY 4TH OF JULY

Col payable

*Check Summary Register©

AUGUST 31 2018

Name	Check Date	Check Amt	
Paid Chk# 061687 BMO HARRIS BANK	8/9/2018	\$478.75	2018 - AUG - EMPLOYER CONTRIBU
Paid Chk# 061688 CITIZENS FIRST CREDIT UNION	8/9/2018	\$325.00	PAYROLL 16 EMPLOYEE H.S.A. DED
Paid Chk# 061689 COMMUNITY FIRST CREDIT UNI	8/9/2018	\$540.00	PAYROLL 16 EMPLOYEE H.S.A. DED
Paid Chk# 061690 FARMERS & MERCHANTS BANK	8/9/2018	\$1,658.57	PAYROLL 16 EMPLOYEE H.S.A. DED
Paid Chk# 061691 FORTIFI BANK	8/9/2018	\$1,637.50	2018 - AUG - EMPLOYER CONTRIBU
Paid Chk# 061692 FOX COMMUNITIES CREDIT UNI	8/9/2018	\$167.50	2018 - AUG - EMPLOYER CONTRIBU
Paid Chk# 061693 HORICON BANK	8/9/2018	\$100.00	PAYROLL 16 EMPLOYEE H.S.A. DED
Paid Chk# 061694 NWB Bank	8/9/2018	\$220.00	PAYROLL 16 EMPLOYEE H.S.A. DED
Paid Chk# 061695 NORTH SHORE BANK, FSB	8/9/2018	\$75.00	PAYROLL 16 EMPLOYEE DEFERRED C
Paid Chk# 061696 OPTUM CONSUMER SERVICES	8/9/2018	\$175.00	PAYROLL 16 EMPLOYEE H.S.A. DED
Paid Chk# 061697 WISCONSIN SCTF	8/9/2018	\$1,104.00	SUPPORT OBLIGATION CASE NO. 16
Paid Chk# 061698 BAKER & TAYLOR	8/15/2018	\$1,590.42	4 UNITS FOR BERLIN LIBRARY
Paid Chk# 061699 BERLIN JOURNAL NEWSPAPER	8/15/2018	\$37.00	1 YEAR SUBSCRIPTION TO BERLIN
Paid Chk# 061700 BERLIN OIL PRODUCTS	8/15/2018	\$40.00	20 PAPERS FOR BERLIN LIBRARY
Paid Chk# 061701 COMPLETE OFFICE OF WI	8/15/2018	\$50.40	POUCHES AND LASER PAPER FOR B
Paid Chk# 061702 HOPP'S PAINTING SERVICE	8/15/2018	\$1,568.00	REMAINDER DUE FOR PAINTING AT
Paid Chk# 061703 KNAUB, SHARI	8/15/2018	\$82.13	REIMBURSEMENT FOR PURCHASES AT
Paid Chk# 061704 LISA M. OBRIST	8/15/2018	\$825.00	JULY CLEANING AT BERLIN LIBRAR
Paid Chk# 061705 OSHKOSH OFFICE SYSTEMS	8/15/2018	\$153.87	LIBRARY COPIES FOR JULY 2018
Paid Chk# 061706 OSHKOSH PUBLIC LIBRARY	8/15/2018	\$175.20	RECEIPT PAPER FOR BERLIN LIBRA
Paid Chk# 061707 OVERBECK, NICOLE	8/15/2018	\$62.25	REIMBURSEMENT FOR VACUUM PURCH
Paid Chk# 061708 UNIQUE MANAGEMENT SERVIC	8/15/2018	\$44.75	JULY 2018 PLACEMENTS FOR BERLI
Paid Chk# 061709 WINNEFOX LIBRARY SERVICES	8/15/2018	\$44.82	JUNE 2018 UNIQUE MANAGEMENT SE
Paid Chk# 061710 WINNEFOX COOPERATIVE TEC	8/15/2018	\$836.77	MATERIALS FOR MEMBERS 72 ITSM
Paid Chk# 061711 BALLWEG IMPLEMENT CO	8/16/2018	\$121.30	PARTS FOR PARKS DEPARTMENT
Paid Chk# 061712 BERLIN JOURNAL NEWSPAPER	8/16/2018	\$610.38	PUBLISH ORDINANCE 06-18
Paid Chk# 061713 BREWER HEATING INC	8/16/2018	\$89.70	FURNACE FILTERS FOR CITY HALL
Paid Chk# 061714 CAREW CONCRETE & SUPP CO,	8/16/2018	\$1,380.50	CONCRETE FOR SIDEWALK REPAIR
Paid Chk# 061715 CENTER FOR LAND USE EDUCA	8/16/2018	\$60.00	HANDBOOKS FOR ZOINING
Paid Chk# 061716 CENTURYLINK	8/16/2018	\$53.75	LONG DISTANCE SERVICE FOR JULY
Paid Chk# 061717 CHIER LAW OFFICE LLC	8/16/2018	\$1,087.80	PHOTOCOPIES AND SCANS-JUNE/JUL
Paid Chk# 061718 COMPLETE OFFICE OF WI	8/16/2018	\$250.97	INK/TONER/OFFICE SUPPLIES
Paid Chk# 061719 DREXEL BUILDING SUPPLY, INC	8/16/2018	\$36.28	SHOP SUPPLIES
Paid Chk# 061720 EMERGENCY MEDICAL PRODUC	8/16/2018	\$120.00	MEDICAL SUPPLIES
Paid Chk# 061721 FARRELL EQUIPMENT & SUPPL	8/16/2018	\$62.99	20X12 CONCRETE FORM TUBE
Paid Chk# 061722 FASTENAL	8/16/2018	\$160.82	PARTS FOR PUBLIC WORKS
Paid Chk# 061723 FIRE INSPECTION SERVICES IN	8/16/2018	\$1,487.50	2018 - JULY - FIRE INSPECTIONS
Paid Chk# 061724 INTERSTATE BATTERY	8/16/2018	\$122.95	BATTERY FOR PUBLIC WORKS
Paid Chk# 061725 ITU ABSORBTECH, INC.	8/16/2018	\$90.97	2018 AUGUST CITY GARAGE SUPPLI
Paid Chk# 061726 LANDMARK SERVICES COOPER	8/16/2018	\$6,294.80	FUEL DELIVERY CITY GARAGE
Paid Chk# 061727 SECURIAN FINANCIAL GROUP	8/16/2018	\$821.32	2018 - SEPTEMBER - LIFE INSURA
Paid Chk# 061728 THE CVIKOTA COMPANY INC	8/16/2018	\$2,394.10	2018 - JULY - COLLECTIONS FOR
Paid Chk# 061729 VALLEY AQUATIC SOLUTIONS, L	8/16/2018	\$1,874.28	SUPPLIES FOR BERLIN AQUATIC CE
Paid Chk# 061730 WIEGEL, ADAM	8/16/2018	\$62.50	REIMBURSE 1/2 LIFEGUARD CLASS
Paid Chk# 061731 WITMER PUBLIC SAFETY GRP, I	8/16/2018	\$87.98	LEATHER RADIO STRAP W/REFLECTI
Paid Chk# 061732 BMO HARRIS BANK	8/21/2018	\$260.00	PAYROLL 17 EMPLOYEE H.S.A. DED
Paid Chk# 061733 CITIZENS FIRST CREDIT UNION	8/21/2018	\$200.00	PAYROLL 17 EMPLOYEE H.S.A. DED
Paid Chk# 061734 COMMUNITY FIRST CREDIT UNI	8/21/2018	\$165.00	PAYROLL 17 EMPLOYEE H.S.A. DED
Paid Chk# 061735 FARMERS & MERCHANTS BANK	8/21/2018	\$596.07	PAYROLL 17 EMPLOYEE H.S.A. DED
Paid Chk# 061736 FORTIFI BANK	8/21/2018	\$825.00	PAYROLL 17 EMPLOYEE H.S.A. DED
Paid Chk# 061737 FOX COMMUNITIES CREDIT UNI	8/21/2018	\$105.00	PAYROLL 17 EMPLOYEE H.S.A. DED
Paid Chk# 061738 HORICON BANK	8/21/2018	\$100.00	PAYROLL 17 EMPLOYEE H.S.A. DED
Paid Chk# 061739 NWB Bank	8/21/2018	\$95.00	PAYROLL 17 EMPLOYEE H.S.A. DED
Paid Chk# 061740 NORTH SHORE BANK, FSB	8/21/2018	\$75.00	PAYROLL 17 EMPLOYEE DEFERRED C
Paid Chk# 061741 OPTUM CONSUMER SERVICES	8/21/2018	\$50.00	PAYROLL 17 EMPLOYEE H.S.A. DED
Paid Chk# 061742 WI COUNCIL 32 AFSCME AFL-CI	8/21/2018	\$363.60	AUGUST UNION DUES
Paid Chk# 061743 WISCONSIN SCTF	8/21/2018	\$1,104.00	CASE # 16-FA-71 PAYROLL 17 DEB
Paid Chk# 061744 BALLWEG IMPLEMENT CO	8/22/2018	\$170.27	3 BLADES FOR PUBLIC WORKS

CC Payables

***Check Summary Register©**

AUGUST 31 2018

	Name	Check Date	Check Amt	
Paid Chk# 061745	CEDAR CREST ICE CREAM	8/22/2018	\$223.39	ICE CREAM CONCESSIONS FOR THE
Paid Chk# 061746	CenturyLink	8/22/2018	\$2,281.89	JULY PHONE CHARGES
Paid Chk# 061747	CHRISTENSEN, DOUGLAS A	8/22/2018	\$763.63	SEPTEMBER HEALTH INSURANCE PRE
Paid Chk# 061748	GREAT LAKES COCA COLA DIST	8/22/2018	\$283.70	SODA/JUICE DELIVERY FOR CONCES
Paid Chk# 061749	COMPLETE OFFICE OF WI	8/22/2018	\$311.93	LAMINATING SHEETS FOR PARK AN
Paid Chk# 061750	DTN, LLC	8/22/2018	\$510.00	AUGUST RADAR CONTROL
Paid Chk# 061751	FIRE & SAFETY EQUIPMENT, IN	8/22/2018	\$70.54	5# DC EXTINGUISHER RECHARGE PL
Paid Chk# 061752	GOOD IMPRESSIONS, INC.	8/22/2018	\$22.50	50 BROCHURES FOR CAMPGROUND/PA
Paid Chk# 061753	HAVEY COMMUNICATIONS, INC	8/22/2018	\$563.45	STROBE LIGHTS FOR RESERVE AMBU
Paid Chk# 061754	JONES, TIMOTHY	8/22/2018	\$1,275.78	SEPTEMBER HEALTH INSURANCE PRE
Paid Chk# 061755	MORTON SALT	8/22/2018	\$21,379.90	2018 ROAD SALT SUPPLY
Paid Chk# 061756	NORTHEAST ASPHALT - FDL	8/22/2018	\$3,792.40	ASPHALT FOR PUBLIC WORKS
Paid Chk# 061757	PACKERLAND PORTABLES	8/22/2018	\$180.00	2 UNITS BERLIN PARKS
Paid Chk# 061758	SLONECKER, CAITLIN	8/22/2018	\$75.00	1/2 REIMBURSEMENT FOR LIFEGUAR
Paid Chk# 061759	VALLEY AQUATIC SOLUTIONS, L	8/22/2018	\$0.00	CONCESSIONS FOR BAC
Paid Chk# 061760	VIKING ELECTRIC SUPPLY	8/22/2018	\$129.85	5 LIGHT BULBS FOR BATHHOUSE
Paid Chk# 061761	BERLIN WATER & SEWER UTILI	8/23/2018	\$24,197.95	2018 - JULY - WATER & UTILITY
Paid Chk# 061762	FARMERS & MERCHANTS BANK	8/31/2018	\$1,000,000.00	TEMPORARY INVESTMENT
Paid Chk# 061763	BANYON DATA SYSTEMS INC	8/31/2018	\$195.00	FUND INVOICING BILL SUPPORT
Paid Chk# 061764	BELLA BY DESIGN	8/31/2018	\$27.95	MAYOR'S CAR CLUB TROPHY
Paid Chk# 061765	BERLIN JOURNAL NEWSPAPER	8/31/2018	\$201.50	CIASS B BEER LICENSE PUBLICATI
Paid Chk# 061766	CORPORATE NTRWK SOLUTION	8/31/2018	\$215.00	MS OFFICE SOFTWARE UPGRADE FOR
Paid Chk# 061767	CRANE, JIM	8/31/2018	\$56.32	YOGA INSTRUCTION
Paid Chk# 061768	EMERGENCY MEDICAL PRODUC	8/31/2018	\$406.11	MEDICAL SUPPLIES FOR BERLIN EM
Paid Chk# 061769	FIRE RESCUE SUPPLY, LLOC	8/31/2018	\$1,442.00	P100 CD DETECTORS FOR EMS
Paid Chk# 061770	FORTIFI BANK	8/31/2018	\$50.00	CANCELLATION OF SHELTERHOUSE R
Paid Chk# 061771	KUNKEL ENGINEERING GROUP	8/31/2018	\$3,802.72	WI SPICE TRAVEL WAY REVIEW
Paid Chk# 061772	MARTIAL ARTS AMERICA	8/31/2018	\$343.20	PARK & REC MARTIAL ARTS SUMMER
Paid Chk# 061773	SCHMID, VINCENT	8/31/2018	\$135.00	REFUND FOR SHELTER HOUSE(S) CA
Paid Chk# 061774	SEAMAN, MIDGE	8/31/2018	\$77.39	TRAVEL EXPENSE FOR ELECTION TR
Paid Chk# 061775	VALLEY POPCORN COMPANY, I	8/31/2018	\$131.10	CONCESSIONS FOR BAC
Paid Chk# 061776	WALMART COMMUNITY/RFCSSL	8/31/2018	\$246.38	PURCHASES MADE BY BERLIN SENIO
Paid Chk# 061777	WENDT, NATHAN	8/31/2018	\$100.00	1/2 REIMBURSEMENT FOR LIFEGUAR
Paid Chk# 061778	WINTER, LINDA	8/31/2018	\$8.00	CAMPING WOOD REFUND
Paid Chk# 525639E	PRZYBYL, TERRY L	8/24/2018	(\$230.87)	
Total Checks			\$1,260,984.75	

C C payables

CUP for 6' fence in front yard setback

September 6th, 2018

TO: Mayor and Common Council

FROM: Lindsey Kemnitz

SUBJECT: CUP for 6' fence in front yard setback

Charles Pfrang the representative of TCG Holdings 5 LLC at 327 SW Franklin Street is requesting to install a 6 foot fence in the front yard setbacks. Attached is a picture of the fence. The reason for the fence is, he is trying to sell the property and wanting to mask the neighbor's blighted property.

Recommendation: Approve Plan Commissions recommendation of the CUP for the 6 foot fence in the front yard to extend 6 feet from the front of the house for a duration of one year at 327 SW Franklin Street.





DATE: September 6th, 2018

TO: Mayor and Common Council

FROM: Lindsey Kemnitz

RE: Certified Survey Map- 537 E. Marquette St.

BACKGROUND:

Richard Hayes owns the parcel at 537 E. Marquette Street. He has since passed away and the family is trying to sell the property. The property is zoned Ag-1 and is required to have a minimum of 5 acres per lot with minimum frontage of 150 feet. The structures on the property meet the setback requirements.

Recommendation: Approve the Plan Commission's recommendation to approve the CSM for 537 E. Marquette Street.

V _____ P _____

Notes:

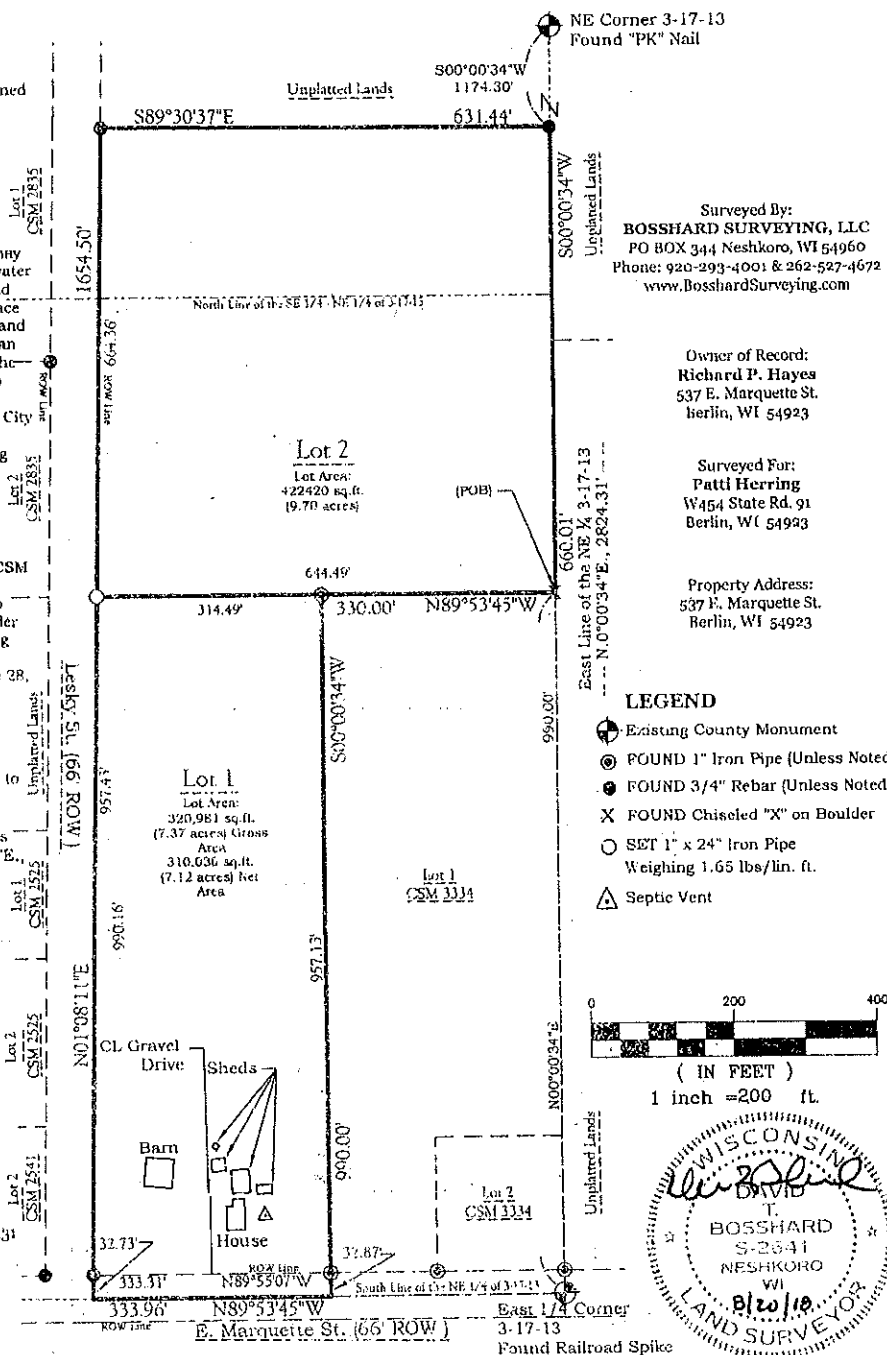
1. This CSM is contained wholly within Parcel #20-01072-0000.
2. No Wetlands per Green Lake County Mapping
3. No Floodplain per FEMA.
4. These parcels may contain area which may be used for surface water drainage for these and other parcels. A surface water drainage plan and an erosion control plan may be required by the City of Berlin prior to issuance of building permits. Contact the City of Berlin for more information regarding these issues.

The purpose of this CSM is to split up Parcel # 206-01072-0000 into three CSM lots in order to meet county zoning requirements.
Date of Survey: June 28, 2018

North is Referenced to
the East Line of the
NE1/4 of 3-17-13,
which is recorded as -
bearing N.00°00'34"E,
per CSM 3334.



Drawn By: JMS
Date: 20180702
Job Number: 18-0131
Sheet: 1 of 3



GREEN LAKE COUNTY CERTIFIED
SURVEY MAP # _____

V _____ P _____

Being A Part of the Fractional NE 1/4 of the NE 1/4,
And Part of the SE 1/4 of the NE 1/4, All Located in
Section 3, Township 17 North, Range 13 East, City
of Berlin, Green Lake County, Wisconsin.

SURVEYOR'S CERTIFICATE:

I, **David T. Bosshard**, Professional Land Surveyor, hereby certify:

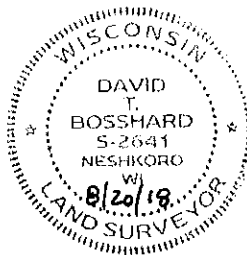
That under the direction of **Patti Herring**, of Berlin, Wisconsin, I have surveyed and mapped
this Certified Survey Map being a part of the fractional NE 1/4 of the NE 1/4, and a part of the SE
1/4 of the NE 1/4, all located in Section 3, T.17N., R.13E., City of Berlin, Green Lake County, WI,
being more fully described as follows:

Beginning at a chiseled X on a boulder at the NE Corner of Lot 1, CSM 3334, hereafter described
as the Point of Beginning (POB); thence N.89°53'45"W., along the North line of said CSM,
330.00 feet to the NW corner of said Lot 1; thence S.00°00'34"W., along the West line of said
CSM, 990.00 feet to the centerline of Marquette Street, also being the South line of the NE 1/4 of
said Section 3; thence N.89°55'07"W., along said centerline, 333.96 feet; thence N.01°08'11"W.,
along a line marking the East Right-of-Way (ROW) of Lesky Street, 1654.50 feet; thence
S.89°30'37"E., to the East line of the NE 1/4 of said Section 3, 631.44 feet; thence S.00°00'34"W.,
along said Section line, 660.01 feet to the POB.
Said land contains 743,401 sq.ft. (17.06 acres).

Subject to all easements and restrictions of record. Portions of this map may lie within
floodplain and wetland boundaries. That said Map is a correct representation of the exterior
boundaries of the land surveyed; That I have fully complied with the Provisions of Section
236.34 of the Wisconsin Statutes and Green Lake County Subdivision Regulations in surveying
and mapping the same to the best of my knowledge and belief.

David T. Bosshard

David T. Bosshard, PLS 2641
June 29, 2018
Drafted by J. Schulz



GREEN LAKE COUNTY CERTIFIED
SURVEY MAP # _____

V _____ P _____

Being A Part of the Fractional NE 1/4 of the NE 1/4,
And Part of the SE 1/4 of the NE 1/4, All Located in
Section 3, Township 17 North, Range 13 East, City
of Berlin, Green Lake County, Wisconsin.

OWNER'S CERTIFICATE:

As Owner(s) we hereby certify that we caused the land on this certified survey map to be surveyed, and mapped and divided as represented on this certified survey map.

Witness the hand and seal of this _____ day of _____, 2018.

Patricia Herring, Personal Representative

STATE OF WISCONSIN)
) ss.
_____ COUNTY)

Personally came before me on _____
The above-named Michael P. Bresnan to me known to be
the person who executed the foregoing instrument and
acknowledged the same.

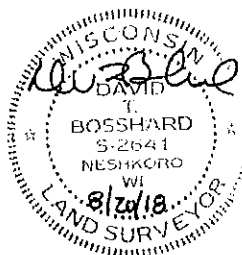
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: _____)

CITY OF BERLIN CERTIFICATE:

Approved this _____ day of _____, 2018.

Signature

Print Name and Title



Drawn By: JMS
Date: 20180702
Job Number: 18-0131
Sheet: 1 of 3

Surveyed By:
BOSSHARD SURVEYING, LLC
PO BOX 344 Neshkoro, WI 54960
Phone: 920-293-4001 & 262-527-4672
www.BosshardSurveying.com

DATE: September 6th, 2018

TO: Mayor and Common Council

FROM: Lindsey Kemnitz

RE: Certified Survey Map- N8720 Willard Road

BACKGROUND:

The property owner is wishing to split 1.345 acres from his existing property for a new home to be built. The property is zoned AG-1 and is allowed to split a parcel below 5 acres if the CSM is approved by Plan Commission.

Recommendation: Approve the Plan Commission's recommendation to approve the CSM for N8720 Willard Road.

Part of Lot 1, Certified Survey Map number 1536, recorded in Volume 6 CSM 1536, being in the Southwest 1/4 of the Northwest 1/4, Section 13, Township 17 North, Range 13 East, Town of Berlin, Green Lake County, Wisconsin

NORTH IS REFERENCED TO THE WEST LINE OF THE NORTHWEST 1/4 AND IS RECORDED TO BEAR N01°02'00"E ON CERTIFIED SURVEY MAP NUMBER 1536. THIS LINE IS OBSERVED TO BEAR N07°14'14"W USING CORS BASED GPS IN THE GREEN LAKE COUNTY COORDINATE SYSTEM AS PUBLISHED BY THE WISCONSIN-SC0

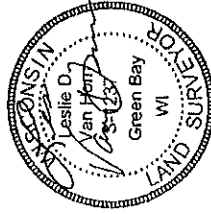
Northwest Corner
Sec 13, Existing Mag Nail

US Public Land Survey System Corner Monument Record on file with County Surveyor

- 1 1/4" OD x 18" Steel Pipe Set 1,13 lbs. Per Lineal Ft.
- Existing 1.25" Iron Pipe (IP)

SCALE: 1" = 120'

VAN HORN & VAN HORN LLC
a.k.a. Benchmark Surveying
832 Kellogg St.
Green Bay, WI 54303
PH 920-437-1044
Lesvh@att.net



August 18, 2018

Owners: Wesley Bratley & Douglas Bratley
Address: N8720 Willard Road
Berlin, WI 54923

002-00216-0100

LOT 1
6 CSM 1536
MAP 1536

13.310 Acres remaining

West 1/4 Corner Section 13
Existing PK Nail at surface

Existing Iron Pipe Imbedded into Tree Trunk

1311.14

589°50'57"E 1344.14'

Part of Lot 1, Certified Survey Map number 1536, recorded in Volume 6 CSM 1536, being in the Southwest 1/4 of the Northwest 1/4, Section 13, Township 17 North, Range 13 East, Town of Berlin, Green Lake County, Wisconsin

Surveyors Certificate

I, Leslie D. Van Horn, Professional Land Surveyor #1237, do hereby certify that I have surveyed, divided and mapped part of Lot 1, Certified Survey Map number 1536, recorded in Volume 6, CSM 1536 (6 CSM 1536), being in the Southwest 1/4 of the Northwest 1/4, Section 13, Township 17 North, Range 13 East, Town of Berlin, Green Lake County, Wisconsin bounded and described as follows:

Commencing at the West 1/4 corner of Section 13;
thence N1°02'00"E 275.00 feet along the west line of the Southwest 1/4 of the Northwest 1/4 and the west line of 6 CSM 1536, to the Point of Beginning;
thence continuing N01°02'00"E 200.00 feet to the northwest corner of 6 CSM 1536;
thence S89°50'57"E 293.00 feet along the north line of 6 CSM 1536;
thence S01°02'00"W 200.00 feet;
thence N89°50'57"W 293.00 feet to the Point of Beginning, containing 1.345 acres. Subject to a right-of-way easement over the west 33 feet thereof for roadway purposes and any other easements and restrictions of record.

I do hereby further certify that I have made such survey under the direction of the owners as listed hereon and that this map is a correct representation of the exterior boundaries of the lands surveyed and the division thereof, and that this survey fully complies with Chapter 236.34 of the Wisconsin Statute, the City of Berlin and is true and correct to the best of my knowledge and belief.

August 18, 2018

Leslie D. Van Horn Dated



Owners Certificate

As owners we hereby certify that we have caused the lands described on this Certified Survey Map to be surveyed, divided and mapped as represented hereon. We also certify that this Certified Survey Map is required by ss236.10 or ss236.12 to be submitted to the City of Berlin for approval or objection.

Wesley Bratley Dated

Douglas Bratley Dated

STATE OF WISCONSIN)
COUNTY OF _____) ss

Personally came before me this _____ day of _____, 2018, the above named owners to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public Dated

Printed Name Expires

RECEIVED FOR RECORDING THIS _____ DAY OF _____, 2018, AT _____ O'CLOCK IN THE _____ AND RECORDED
IN VOLUME _____ OF CERTIFIED SURVEY MAPS OF GREEN LAKE COUNTY ON PAGE _____, MAP NUMBER _____

SARAH GUENTHER REGISTER OF DEEDS

City of Berlin

Approved by the City of Berlin
this _____ day of _____, 2018

DATE: September 6th, 2018

TO: Mayor and Common Council

FROM: Lindsey Kemnitz

RE: Certified Survey Map- County Road X and XX

BACKGROUND:

The property owner has passed away and the children are looking to combine a couple of parcels to create two new parcels in the Town of Aurora. The property is zoned AG-1 and meet the minimum lot size of 5 acres.

Recommendation: Approve the Plan Commission's recommendation to approve the CSM for County Road X and XX currently owned by Melissa Zamzow.

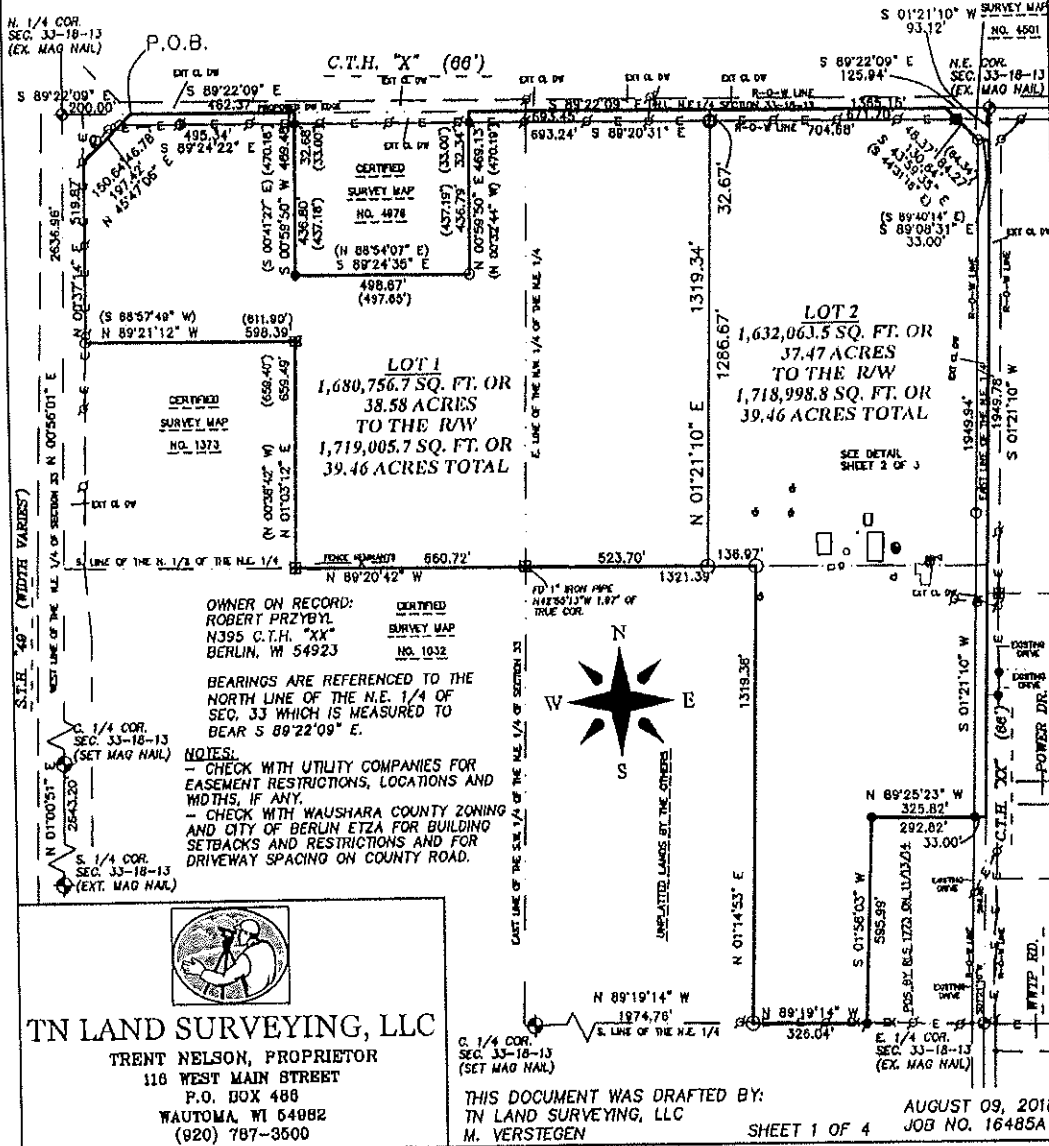
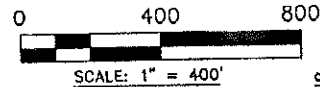
CERTIFIED SURVEY MAP NO. _____

VOL. _____ PAGE _____

A SURVEY AND DIVISION OF PART OF THE N.W. 1/4 OF THE N.E. 1/4, PART OF THE N.E. 1/4 OF THE N.E. 1/4, AND PART OF THE S.E. 1/4 OF THE N.E. 1/4 OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 13 EAST, IN THE TOWN OF AURORA, WAUSHARA COUNTY, WISCONSIN.

LEGEND

- SET 3/4" x 18" IRON ROD WEIGHING 1.5 LBS. PER LINEAL FOOT.
- ⊠ FOUND 1" IRON PIPE
- FOUND 3/4" IRON ROD
- ⊞ ELECTRIC PED
- ⊞ POWER POLE
- E - OVERHEAD ELECTRIC
- () RECORDED AS
- ⊞ SEPTIC VENT
- ⊞ SEPTIC MANHOLE
- ⊞ WELL
- ⊞ TELEPHONE PED
- ⊞ FLAG



CERTIFIED SURVEY MAP NO. _____

VOL. _____ PAGE _____

A SURVEY AND DIVISION OF PART OF THE N.W. 1/4 OF THE N.E. 1/4,
PART OF THE N.E. 1/4 OF THE N.E. 1/4, AND PART OF THE S.E. 1/4
OF THE N.E. 1/4 OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 13
EAST, IN THE TOWN OF AURORA, WAUSHARA COUNTY, WISCONSIN.



CORN CRIB
SHED
SHED
CORN CRIB
LP TANK
SHED
FURNACE
SHED
DWELLING

DETAIL NTS
LOT 2

OWNER ON RECORD:
ROBERT PRZYBYL
N385 C.T.H. "XX"
BERLIN, WI 54823

BEARINGS ARE REFERENCED
TO THE NORTH LINE OF THE
N.E. 1/4 OF SEC. 33 WHICH
IS MEASURED TO BEAR
S 89°22'09" E.

NOTES:
- CHECK WITH UTILITY
COMPANIES FOR EASEMENT
RESTRICTIONS, LOCATIONS AND
WIDTHS, IF ANY.
- CHECK WITH WAUSHARA
COUNTY ZONING AND CITY OF
BERLIN ETZA FOR BUILDING
SETBACKS AND RESTRICTIONS
AND FOR DRIVEWAY SPACING
ON COUNTY ROAD.

LEGEND

- SET 3/4" x 18" IRON ROD WEIGHING
1.5 LBS. PER LINEAL FOOT.
- ✕ FOUND 1" IRON PIPE
- FOUND 3/4" IRON ROD
- ⊗ ELECTRIC PED
- POWER POLE
- E - OVERHEAD ELECTRIC
- () RECORDED AS
- ⊗ SEPTIC VENT
- ⊕ SEPTIC MANHOLE
- ⊗ WELL
- Ⓣ TELEPHONE PED
- ⊙ FLAG

EXT CL DW
S 01°21'10" W 1949.94'
S 01°21'10" W 1949.78'
C.T.H. "XX" (66')



TN LAND SURVEYING, LLC

TRENT NELSON, PROPRIETOR
116 WEST MAIN STREET
P.O. BOX 486
WAUTOMA, WI 54982
(820) 787-3600

THIS DOCUMENT WAS DRAFTED BY:
TN LAND SURVEYING, LLC
M. VERSTEGEN

AUGUST 09, 2018
SHEET 2 OF 4
JOB NO. 16485A

CERTIFIED SURVEY MAP NO. _____

A SURVEY AND DIVISION OF PART OF THE N.W. 1/4 OF THE N.E. 1/4, PART OF THE N.E. 1/4 OF THE N.E. 1/4, AND PART OF THE S.E. 1/4 OF THE N.E. 1/4 OF SECTION 33, TOWN 18 NORTH, RANGE 13 EAST, IN THE TOWN OF AURORA, WAUSHARA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE
STATE OF WISCONSIN)

:SS

WAUSHARA COUNTY)

I, Trent Nelson, Wisconsin Professional Land Surveyor do hereby certify:

THAT I have surveyed, divided, and mapped Parcel being Part of the N.W. 1/4 of the N.E. 1/4, Part of the N.E. 1/4 of the N.E. 1/4, Part of the S.E. 1/4 of the N.E. 1/4 of Section 33, Township 18 North, Range 13 East, in the Town of Aurora, Waushara County, Wisconsin which is bounded and described as follows;

COMMENCING AT THE NORTH QUARTER CORNER (MAG NAIL) OF SAID SECTION 33;
THENCE SOUTH 89°22'09" EAST ALONG THE NORTH LINE OF THE N.E. 1/4 OF SECTION 33, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED;
THENCE CONTINUING SOUTH 89°22'09" EAST ALONG SAID LINE, A DISTANCE OF 462.37 FEET;
THENCE SOUTH 00°59'50" WEST ALONG THE WEST LINE OF C.S.M. NO. 4976, A DISTANCE OF 469.48 FEET;
THENCE SOUTH 89°24'35" EAST ALONG THE SOUTH LINE OF C.S.M. NO. 4976, A DISTANCE OF 498.87 FEET;
THENCE NORTH 00°59'50" EAST ALONG THE EAST LINE OF C.S.M. NO. 4976, A DISTANCE OF 469.13 FEET;
THENCE SOUTH 89°22'09" EAST ALONG THE NORTH LINE OF THE N.E. 1/4 OF SECTION 33, A DISTANCE OF 1365.15 FEET;
THENCE SOUTH 43°59'35" EAST, A DISTANCE OF 130.64 FEET;
THENCE SOUTH 89°08'31" EAST, A DISTANCE OF 33.00 FEET;
THENCE SOUTH 01°21'10" WEST ALONG THE EAST LINE OF THE N.E. 1/4 OF SECTION 33, A DISTANCE OF 1949.78 FEET;
THENCE NORTH 89°25'23" WEST, A DISTANCE OF 325.82 FEET;
THENCE SOUTH 01°58'03" WEST, A DISTANCE OF 595.99 FEET;
THENCE NORTH 89°19'14" WEST ALONG THE SOUTH LINE OF THE N.E. 1/4 OF SECTION 33, A DISTANCE OF 326.04 FEET;
THENCE NORTH 01°14'53" EAST, A DISTANCE OF 1319.38 FEET;
THENCE NORTH 89°20'42" WEST ALONG THE SOUTH LINE OF THE N. 1/2 OF THE N.E. 1/4, A DISTANCE OF 1321.39 FEET;
THENCE NORTH 01°03'12" EAST ALONG THE EAST LINE OF C.S.M. NO. 1373, A DISTANCE OF 659.49 FEET;
THENCE NORTH 89°21'12" WEST ALONG THE NORTH LINE OF C.S.M. NO. 1373, A DISTANCE OF 598.39 FEET;
THENCE NORTH 00°37'14" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF S.T.H. "49", A DISTANCE OF 519.87 FEET;
THENCE NORTH 45°47'06" EAST ALONG SAID LINE, A DISTANCE OF 197.42 FEET TO THE POINT OF BEGINNING.
PARCEL DESCRIBED IS SUBJECT TO ALL EXISTING RIGHT OF WAY, EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

THAT I have made this survey by the direction of the MELISSA ZANZOW for ROBERT PRZYBYL owner of said land.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Land Subdivision Ordinance of Waushara County, Wisconsin.

Trent Nelson,
Wisconsin Professional Land
Surveyor 3132-8

Date

THIS DOCUMENT WAS DRAFTED BY:
TN LAND SURVEYING LLC,
TRENT NELSON

NO. 16485A

SHEET 3 OF 4

CERTIFIED SURVEY MAP NO. _____

A SURVEY AND DIVISION OF PART OF THE N.W. 1/4 OF THE N.E. 1/4, PART OF
THE N.E. 1/4 OF THE N.E. 1/4, AND PART OF THE S.E. 1/4 OF THE N.E. 1/4
OF SECTION 33, TOWN 18 NORTH, RANGE 13 EAST, IN THE TOWN OF AURORA,
WAUSHARA COUNTY, WISCONSIN.

CITY OF BERLIN ETZA ZONING ADMINISTRATOR CERTIFICATE:

APPROVED THIS _____ DAY _____, 2018

DATED THIS _____ DAY _____, 2018

CITY ADMINISTRATOR

Trent Nelson,
Wisconsin Professional Land
Surveyor 3132-8

Date

THIS DOCUMENT WAS DRAFTED BY:
TN LAND SURVEYING LLC,
TRENT NELSON

DATE: September 6, 2018

TO: Mayor and Common Council

FROM: Jodie Olson

RE: Oakwood Cemetery Rules & Regulations and Fee Schedule Update

BACKGROUND: The Oakwood Cemetery Board updated its Rules and Regulations at the last board meeting. Beyond the reformatting of the document, there were some minor additions as noted on the attached draft. The only language removal related to winter burials, which will be from Dec 1-Apr 1 upon request. This is in lieu of language where the winter burial time is left undefined and up to the sexton.

I have included the old and new fee schedules for your review. The fee schedule needs Council approval via resolution, which I have attached for your consideration. Comparisons were done with surrounding area cemeteries and fees were evaluated based on recouping actual costs.

The fees we are approving help offset the direct related expense of burials and maintenance. What we don't recoup from sale of spaces and burial expenses is born by the taxpayers. The Cemetery bequest monies are not used for general operation expenses as they were bequested for specific purposes by the benefactors, such as for chapel repair and maintenance.

RECOMMENDATION: Accept the Oakwood Cemetery Board recommendation to approve and adopt the revised Oakwood Cemetery Rules and Regulations & Fee Schedule and approve and adopt Resolution #18-12 Adopting the Oakwood Cemetery Fee Schedule Changes.



OAKWOOD CEMETERY RULES AND REGULATIONS

CITY OF BERLIN, WI

Revised: September 2018

SECTION 1

A. AUTHORITY TO ESTABLISH RULES AND REGULATIONS

The Oakwood Cemetery Board has authority to establish, review, and enforce Rules and Regulations for Oakwood Cemetery, in accordance with State Law, and City of Berlin Code of Ordinances, Chapter 2, Article IV, Sections 2-408(a)(b) and Chapter 22, Sections 22-1 to 22-21.

SECTION 2

A. HOURS OF OPERATION

1. The Cemetery shall be open daily from 8 A.M. to Dusk, except from December 1st to April 1st of each year, whereby the Cemetery will only be open at the discretion of the Sexton. It shall be the responsibility of the City of Berlin Police Department to unlock and lock the Cemetery gates in accordance with the listed schedule.

B. SALE OF BURIAL LOT EASEMENTS

1. The sale of all burial lot easements shall be in accordance with City of Berlin Code of Ordinances, #148-98 and Chapter 22, Section 22-19, and shall be administered and recorded by the City Clerk's office. All spaces must be paid in full at time of reservation. If a Cemetery Space Reservation Request form has been filed with the Sexton, those space or spaces will be placed on reserve status for up to 14 days. If payment is not made within 14 days of the reservation, the spaces will be placed back on unreserved status and will be available for sale. *added*
2. When a burial lot easement is purchased, the name of the deed holder will be recorded by the City Clerk's office. (Note: At all times no person "owns" a grave. A person merely purchases an easement, which means they are entitled to

the right to be buried in the grave that has been clearly designated by them and the Sexton.)

C. PERPETUAL CARE SYSTEM

1. Perpetual Care shall be provided with all burial lots sold, and is included in the price of said lot. Perpetual care is defined as: Cutting of grass, trimming of surrounding trees and shrubs, and removal of leaves and debris from grave sites.
2. Additional Perpetual Care services may no longer be purchased by the owners of burial lots, as the offering of this service was officially discontinued, by action of the Board, on June 30, 1998. Therefore, the Cemetery is only required to perform this service if arranged prior to that date. The additional service is defined as: Planting of flowers in burial site urns and the sale of said urns.

D. OWNERSHIP

1. Burial lot and individual grave site ownership remains with the City of Berlin.
2. Members of the Cemetery Board, the Sexton, and those reasonably entitled thereto shall have perpetual right over all burial lots or graves, to pass to or from other lots or graves for which no other means of access is available. This is for the purpose of opening or closing graves.

E. TRANSFER OF TITLE TO GRAVES

1. Transfers of burial lot or individual grave site easements, outside the family, is allowed, but is to be administered by the easement owner, through the City Clerk's office, by quit claim deed and may be recorded with the Register of Deeds. *added*
2. Repurchase of easements by the City of Berlin shall be at a cost in accordance with the Fee Schedule.

F. BURIAL PERMITS AND FEES

1. All burials, in and out of town, must be handled under the guidance of a funeral director.
2. Collection of all fees shall be by the City Clerk's office **prior to burial or storage.** No burials or storage will be permitted without fees being paid. *added* The funeral director handling the specific burial is responsible for the payment of the appropriate fees.

3. All permit fees, burial site purchase and repurchase prices, burial and storage costs shall be in accordance with a Fee Schedule, as established by the Common Council by resolution, after recommendation by the Cemetery Board, and attached as part of these Rules and Regulations. The *Oakwood Cemetery Fee Schedule* shall be subject to annual review by the Cemetery Board.
4. Burials will only be allowed Monday – Saturday. Sunday and Holiday burial requests may be considered at the discretion of the Sexton. Additional fees will apply to Sunday and Holiday burials.

G. WINTER BURIALS

1. During the winter months, burials may take place at Oakwood Cemetery, at the prescribed fee as set forth in the *Oakwood Cemetery Fee Schedule*. Families of the deceased may also choose burial after the winter months, at the prescribed fees for storage and standard burial, as set forth in the fee schedule. In these cases, bodies of the deceased will rest in Griffiths Memorial Chapel in Oakwood Cemetery, and arrangements will be made through a local funeral director.

H. BURIAL CONTAINERS

1. The use of an outside burial container is required for all burials.
2. All burial vaults or other containers must be constructed of concrete, steel, or other composition approved by the Cemetery Board. Wooden boxes are not permitted. The requirement of such a container is for the purpose of protection from the environment, ensure against cave-in, and to provide Cemetery areas with safe ground for maintenance, and entrance and exit over burial sites.
 - a. For purpose of cremation: A cremation urn or container must be placed in a permanent outer container, commonly known as an “urn vault”, which is capable of withstanding the weight and pressures of the earth, and maintenance by Cemetery machinery.
 - b. Two (2) cremation urns, of closely related persons, may be buried in one grave.
 - c. One (1) casket and one (1) cremation urn, of closely related persons, may be buried in one grave.

I. FOUNDATIONS AND HEADSTONES

1. No person shall be permitted to place a foundation for a headstone without obtaining a permit from the City Clerk’s office. No grave headstone permit will be issued until it has been verified that the grave is paid for in full. In addition thereto, all permits must be validated by the Sexton, who shall instruct, inspect,

and approve the method of construction and installation thereof. Any deviation from this procedure shall constitute a violation of this Section.

2. The materials used shall be:
 - a. Five (5) shovels of ½" stone
 - b. Three (3) shovels concrete sand
 - c. Two (2) shovels cement
3. Slab for Headstone for Double Space. (*Approximate six (6) feet*)
 - a. 18" longer than headstone on each end
 - b. 6" wider than headstone on each side
 - c. Each slab 3' long or longer must contain three (3) reinforcing rods of 3/8" diameter, equally spaced in width of slab, or concrete mesh
4. Headstone for Single Space for 2 cremations or 1 burial and 1 cremation (*Approximate size 3 feet by 6 inches wide*)
 - a. Slab (4 feet) 6" larger than headstone on 3 sides, and 10 inches on one end
 - b. Specifications for slab applies (Section 3(c) above)
 - c. If a veteran is involved, a ½" pipe to be imbedded in slab at that headstone for a flag marker. Pipe to be 5" long and flush on top.
5. Contact must be made with the Sexton before forms are set, and again when completed and before being poured, to receive approval to proceed.
6. No stones or slabs shall be put in on Sundays or holidays. Special arrangements must be made with the Sexton prior to any installation on Saturdays.
7. The Sexton shall prescribe to the installer the locations and graded backfill for installation of the slab. The installer shall furnish all material.
8. If a monument/headstone becomes unsafe or needs repair, the owner of the said lot or his/her heirs will be notified by letter. If there is no response within a reasonable period of time, the Cemetery Board will arrange to remove the said marker/monument/headstone, and replace it with a suitable plaque, containing the name, as well as date of birth and death. Said marker will be placed even with the ground. The Sexton shall use his judgement in repairing or straightening markers/headstones. Any unusual situation should be taken up with the Cemetery Board.
9. Mausoleums. Plans for any mausoleum, its base and subsequent landscaping, shall be submitted to Sexton, the Public Works Superintendent, and the Cemetery Board for approval, prior to the start of construction. Said construction shall not infringe upon or damage, in any way, the adjoining gravesites, and must conform to the surrounding landscape to present an overall pleasing appearance. Final decision on said construction shall be by the Cemetery Board.

J. PLANTINGS AND CONTAINERS REGULATED

1. The planting of trees, shrubs, or flowers on the grave is prohibited.
2. No person shall plant any shrubbery in the Cemetery without the express permission of the Cemetery Board. Shrubbery is limited to no more than three (3) feet in height. The planting of trees is strictly forbidden.
3. Any plantings which are permitted will be trimmed or removed if, in the judgement of Cemetery officials, this is warranted due to conditions or appearances of the Cemetery. The use of gravel or stones (crushed or pea type) around the monument/grave is expressly forbidden.
4. Any urns, statues, or metal posts for hanging flowers must be in line with the foundation of the grave marker/monument/headstone. Perennials must be planted in pots or containers in line with the marker/monument/headstone.
5. All plastic flowers, except in vases in line with the marker/monument/headstone, are forbidden.
6. A notice for removal of all decorations is posted on the permanent sign beside the entry road to the Cemetery.
7. All flower urns brought to the Cemetery must have a foundation under them, unless an adequate foundation exists.
8. Glass containers for flowers are prohibited in the Cemetery.

OAKWOOD CEMETERY FEE SCHEDULE

Updated: September 2018

Burials in Oakwood Cemetery will only be allowed Monday – Saturday. Sunday and Holiday burial requests may be considered at the discretion of the Sexton. All burials, in and out of town, must be handled under the guidance of a funeral director.

BURIAL FEES:

Opening, Closing, and Entombment of:

REGULAR GRAVES:

Monday — Friday	8:00 AM-3:00 PM	\$825*
Saturday		\$1,100*
Sundays & Holidays		\$1,600*

CHILD GRAVES (dependent on size, not age):

Monday — Friday	8:00 AM-3:00 PM	\$150*
Saturday		\$200*
Sundays & Holidays		\$700*

CREMATION URN GRAVES:

Monday-Friday	8:00 AM-3:00 PM	\$350*
Saturday		\$550*
Sundays & Holidays		\$1,050*

***Overtime Rate:** \$75/hr per required employee. Overtime charges apply to all Mon-Fri burials after 3:00 P.M. and on all Saturday, Sunday and Holiday burials. The minimum overtime charge is two (2) hours per required worker.

Winter Burial Fee: Oakwood Cemetery has winter burials from Dec 1 - Apr 1 upon request.

Regular Graves: A maximum fee of \$300 in addition to normal and customary burial fees.
Urn Graves: A maximum fee of \$150 in addition to normal and customary burial fees.

OAKWOOD CEMETERY FEE SCHEDULE

BURIAL SPACES: The sale of all burial lot easements shall be in accordance with City of Berlin Code of Ordinances, #148-98 and Chapter 22, Section 22-19, and shall be administered and recorded by the City Clerk's office.

Spaces Available: Only spaces in blocks 1-43 are for sale at this time. All spaces must be paid in full at time of reservation.

Space Reservation Policy: If a *Cemetery Space Reservation Request* form has been filed with the Sexton, those space or spaces will be placed on reserve status for up to 14 days. If payment is not made within 14 days of the reservation, the spaces will be placed back on unreserved status and will be available for sale.

Number of Allowed Interments Per Grave:

- ❖ Two (2) cremation urns may be buried in one (1) grave of closely related persons.
- ❖ One (1) casket and one (1) cremation urn may be buried in one (1) grave of closely related persons.

BURIAL SPACE PRICING:

SPACE PRICES:

Old Section (Blocks 1-31)	\$400
New Section (Blocks 32-45 and all additional spaces after block 45)	\$500

SPACE REPURCHASE PRICES: Any repurchase to be controlled by the Sexton and the City Clerk's office.

Blocks 1 – 31	\$100.00 per space for two or more adjacent spaces for repurchase
Blocks 1 – 31	\$ 75.00 per space per each single space
Blocks 32 – 45	\$150.00 per space for two or more adjacent spaces for repurchase
Blocks 32 – 45	\$100.00 per space per each single space

OTHER FEES

Headstone Permit Fee:	\$15
Cemetery Lot Deed Transfer Fee:	\$15
Winter Storage Fees:	\$75 Casket \$35 Urn

OLD

CITY OF BERLIN OAKWOOD CEMETERY FEES July 2013

Opening, Closing of, and Entombment of Regular Graves:

Monday — Saturday	8:00 AM-3:00 PM	\$725
Sunday & Holidays	8:00 AM-3:00 PM	\$1000
Overtime Charges (After 3:00 PM)		\$50 per hour for each worker

Opening, Closing of, and Entombment of Child Graves (dependent on size, not age):

Monday — Friday	\$150
Saturday	\$175
Sunday & Holidays	\$200

Opening, Closing of, and Entombment of Cremation Urn Graves:

Monday-Saturday	8:00 AM-3:00 PM	\$300
Monday-Saturday	8:00 AM-3:00 PM	\$425 – Winter Rates
Sundays & Holidays	8:00 AM-3:00 PM	\$500
Overtime Charges (After 3:00 PM)		\$50 per hour for each worker

All Burials must be handled under the guidance of a funeral director.

Purchase of Cemetery Spaces

Old Section (Blocks 1-31)	\$300
New Section (Blocks 32-45 and all additional spaces after block 45)	\$400

Only spaces in blocks 1-43 are for sale at this time. All spaces must be paid in full at time of reservation.

Notes: Two (2) cremation urns may be buried in one (1) grave of closely related persons. The burial of one (1) casket and one (1) cremation urn in the same grave is permitted.

Winter Burials: Oakwood Cemetery has winter burials, upon request.

Winter burial fee: A maximum fee of \$300 in addition to normal and customary burial fees. The cutoff date for winter burial is determined by the Sexton, subject to weather conditions. *Winter Storage Fees:* Casket \$75

Urn \$35

Headstone Permit Fee: \$10

Repurchase of spaces:

Blocks 1 – 31	= \$100.00 per space for two or more adjacent spaces for repurchase
	= \$75.00 per space per each single space
Blocks 32 – 45	= \$150.00 per space for two or more adjacent spaces for repurchase
	= \$100.00 per space per each single space

Any repurchase to be controlled by the Sexton and the City Clerk's office.



RESOLUTION #18-12

CITY OF BERLIN RESOLUTION ADOPTING OAKWOOD CEMETERY FEE SCHEDULE CHANGES

WHEREAS, the Oakwood Cemetery Board has the responsibility to review and recommend changes to the Oakwood Cemetery Fee Schedule annually; and

WHEREAS, the Oakwood Cemetery Board did review the individual fees within the schedule thoroughly with the Sexton and other staff members to ensure costs were being adequately covered and did determine the schedule needed updating; and

WHEREAS, the Oakwood Cemetery Board compared its fee schedule to other area and surrounding cemeteries to ensure reasonableness;

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Berlin does approve the updated Oakwood Cemetery Fee Schedule as presented.

Passed, approved and adopted this 11th day of September, 2018.

ROLL CALL VOTE:

_____ AYES
_____ NAYS
_____ ABSENT

CITY OF BERLIN

BY: _____
Richard D. Schramer, Mayor

BY: _____
Jodie Olson, City Administrator

APPROVED AS TO FORM:

Matthew G. Chier
City Attorney

ATTEST: _____
Jodie Olson
City Clerk

DATE: September 6, 2018

TO: Common Council

FROM: Jodie Olson

RE: ATV/UTV Ordinance Request

BACKGROUND: Attached are the minutes from the Ad Hoc ATV/UTV committee meetings as a review of the lengthy and in-depth discussions that were held. At the last meeting held on August 20, the committee made a unanimous recommendation to Council that an advisory referendum be held in 2019 for this issue. The Committee further recommended that the referendum question be designed to ask if citizens are in favor of ALL City of Berlin streets being used for an ATV route or have a designated route in and through it.

Unless there is a special election called, the soonest this can get on the ballot would be for the spring election. There is not enough time to meet the legal timing requirements for the November ballot. The first step is for Council to consider and decide if this item is worthy of being a question on a ballot. If so, the question(s) need to be developed and carefully worded with the help of legal counsel. Once the question(s) are finalized and approved by Council, I need to get the question(s) over to the County Clerk at least 70 days before the election.

I was informed by the State that referendums on this issue are popular. We could survey other municipalities that have had similar questions for wording ideas. However, council would need to determine specifically what information they want to garner from the public, and the question designed correctly and fairly in order to get that information.

In the event that an ordinance would be considered in the future, the Committee wanted the following five bullet points be relayed to the Common Council for consideration in any potential ATV ordinance or route:

1. Any ordinance should be consistent with the Green Lake County ATV ordinance.
2. Avoid using the segment of Hwy 49 on Huron/Broadway Street as a route.
3. Avoid busier streets and give preference to less busy streets.
4. If an ordinance were passed, an annual review take place for at least five (5) years.
5. Avoid problematic intersections.

RECOMMENDATION: Review recommendations from ATV/UTV Adhoc committee, discuss and action as appropriate.

MINUTES
CITY OF BERLIN
ADHOC COMMITTEE TO STUDY ATV/UTV ROUTE REQUEST
MONDAY, AUGUST 20, 2018 6:00 P.M.
CITY HALL COUNCIL CHAMBERS

1. ROLL CALL

Kristina Boeck called the Adhoc Committee to Study ATV/UTV Route Request to order at 6:00 p.m. Roll call present: Kristina Boeck, Charlie Beard, Tom Yancy, David Secora and Ed Marks. Staff present: Jodie Olson, Scott Zabel, Matt Chier and Dennis Plantz.

2. APPROVAL OF MINUTES

Yancy noted changes relating to paragraph 3 on page 3 where Harden should be Randy Heise. Beard moved to approve the minutes from the August 6, 2018 meeting with noted changes. Secora seconded the motion which carried by voice vote.

3. GENERAL DISCUSSION ON ATV/UTV ROUTE REQUEST AND RECOMMENDATION TO COMMON COUNCIL

Atty. Chier provided an overview and direction to the committee on their recommendation(s) to Council and outlined possible appropriate topics for recommendations. He also clarified that the committee needed to be cognizant when using streets that border neighboring communities, such as Hunter and N. Wisconsin. These streets have different jurisdictional authorities on the east and west side in areas.

Beard indicated that this is a large enough issue where the public should be included. A referendum would involve all citizens and they can decide. Marks noted he agreed with Beard as this is an important issue and the people can decide. Boeck and Secora indicated they felt the same way. Yancy questioned the cost of a referendum. Jodie Olson noted the cost would be kept way down if it were part of a normal election and not a special election. An exact cost was not known but would include additional publication and coding fees for ballots and machines relating to the question. Olson discussed the difference between a binding and an advisory referendum. She noted that in speaking with the Wisconsin Elections Commission, ATV advisory referendums have been popular and she is currently seeking input from communities who have had them.

Yancy alternatively suggested passing an ordinance with a year trial basis. Boeck noted that some people don't hate the idea of ATVs, but they don't want them on their streets, so passing an

ordinance right away wouldn't work. Beard was not in favor of a one year ordinance. Marks noted he is in favor of a referendum to let the people speak and move forward.

Beard moved to recommend to Common Council an advisory referendum for voting up or down on an ATV ordinance in 2019. Marks seconded the motion. A roll call vote resulted in five (5) ayes, zero (0) nays and zero (0) absent. Motion carried.

Discussion was held on various route ideas and how specific recommendations should be to the Council. If a referendum question would conclude the citizens want ATVs on City of Berlin streets, then Council may send the issue back to the ad hoc committee to review a route. The decision of any route would get passed by Council and not this committee. If a route were to be looked at in the future, it was suggested that the surrounding jurisdictions should be contacted for feedback on what would make sense to connect with them. Yancy was prepared to discuss a potential route, but for now, the committee found too much hypothetical to discuss a specific route.

Beard moved to recommend that the referendum question be designed to ask if citizens are in favor of ALL City of Berlin streets being used for an ATV route or have a designated route in and through it. Secora seconded the motion which carried by voice vote.

Marks moved that the following five bullet points be relayed to the Common Council for consideration in any potential ATV ordinance or route:

1. Any ordinance should be consistent with the Green Lake County ATV ordinance.
2. Avoid using the segment of Hwy 49 on Huron/Broadway Street as a route.
3. Avoid busier streets and give preference to less busy streets.
4. If an ordinance were passed, an annual review take place for at least five (5) years.
5. Avoid problematic intersections.

Secora seconded the motion which carried by voice vote.

Boeck suggested that any members that would like to come to the Council meeting to discuss the findings of the committee were welcome. The agenda will note a potential quorum of the ad hoc committee.

4. ADJOURN

Secora moved to adjourn at 7:23 p.m. Beard seconded the motion, which carried by voice vote.

Jodie Olson, Acting Secretary

MINUTES
ADHOC COMMITTEE TO STUDY ATV/UTV ROUTE REQUEST
Monday, August 6, 2018 6:00 P.M.
CITY HALL COUNCIL CHAMBERS

1. ROLL CALL

Kristina Boeck called the Adhoc Committee to Study ATV/UTV Route Request to order at 6:00 p.m. Roll Call Present: Kristina Boeck, Charlie Beard, Tom Yancy, David Secora and Ed Marks. Staff present: Midge Seaman, Scott Zabel and Dennis Plantz.

2. APPROVAL OF MINUTES

Beard moved to approve the minutes from the July 23, 2018 meeting. Yancy seconded the motion. Secora stated he would like clarification on a comment in the minutes by Mike Russel regarding semi traffic on Water Street. He is not aware there is a reason to have Semi traffic. Other members stated there is a deer hide business being serviced by Semi's next door to the WPL apartment Building. Mike Russell stated they block the roadway at times while backing into the dock. Approval was then carried by voice vote.

Kristina called the first guest speaker, Randy Harden, President of WATVA . Randy distributed a packet of information to the committee and others in attendance. He stated he was at the meeting to support Tom Yancy who has been a member of his Statewide Organization for many years and local clubs in the area. Wisconsin ATV/UTV Organization is an organization supported by a number of local clubs (approximately 100) throughout the State. Randy gave an overview of the packet of information and offered himself as a resource for information and to answer questions anyone might have for them.

One item included in the packet is a brochure on the Annual VIP Ride and Workshops in Adams County coming up in September the 7th. All are invited, just let us know. We have Units there, we invite Local Tourism Directors, every State Lawmaker or staff, and Dept. of Transportation, DNR and Dept. of Tourism usually partake. If you want to come and talk to other towns or cities officials, there is normally a good amount at the event and you can come to speak with them. It is very casual, it is not structured, we provide a meal and hopefully our guest speaker this year will be Stephanie Klett, the Secretary of the State Tourism. You are invited, no obligation, no cost.

Harden closed his presentation by saying he is not trying to be influential, he just wants to be a resource to answer questions and provide as much information people are seeking on ATV/UTV usage. Harden opened himself up to questions. Boeck asked Harden if he is an advocate for the whole state. Harden answered yes. Do you know any towns approximately the size of Berlin? He stated Reedsburg, outside of the Dells. They are probably a little bit bigger. He went on to say there are a number of road routes that come out of Reedsburg, they are not all open but they have select roads open. That might be one that might be very close in size. Secora asked if there is any overall goal of having a network of routes throughout the state either at your level or the by the state? Harden stated that is the term we use "network" it consists of roads and trails in any combination. He stated you can already crisscross the State from East to West in the Northern half of Wisconsin. In the Southwest we have a trail network and

route's going to and from it. And then in this area, Juneau, Marquette and Adams County are starting to hook up as well. The answer is yes. There is no timeline on it, it just kind of evolves and develops. Marks asked how much pressure is put on the manufacturers to make their machines safer so there does not have to be a sticker on each machine that states "Not Safe for Road Use". Harden stated the new UTVs are already road safe, the sticker stems from 3 wheelers and ATVs back in the 80's and it just hasn't been challenged or removed due to the \$100M agreement way back then. Boeck asked if most of the areas begin by individual areas starting routes because residents have asked why we are even bringing this to Berlin when they have nowhere to go from here. How do these clubs form? Boeck asked if most of the areas begin by individual areas starting routes because residents have asked why we are even bringing this to Berlin when they have nowhere to go from here. How do these clubs form?

Next ATV/UTV Routes were discussed. Yancy started out by discussing ways to cut down the traffic crossing Main Street and basically keeping the issue of crossing Main St. to a couple locations, one being Pearl Street and the other being on the West Side of town. He stated he would hope the City would allow ATV/UTV parking on the lot they own by the new bridge and that would allow people to walk to Izzy's Dockside Diner.

Marks read from a statement he wrote; As the Common Council has already okayed the ATV/UTV Policy, it has been given to our group for discussion and input back to them. With our current info regarding safety that I received so far, I would totally be against this. Our next assignment then to gather information and next suggest a route and any conditions of said route. As with any new proposal there will be some happy folks and there will be some folks that will not be happy. I would suggest the route be a designated route only. Not for all streets in Berlin to be open to ATVs and UTVs. Also we need to discuss where the connecting streets are on the outskirts of the city and adjust those routes accordingly where we cannot plan a route in town if we don't know where the connecting routes are going to be. He went on to say he does not think they can give an informed suggestion to the Council until we know where the route will connect with other townships.

Boeck asked Yancy if he drew the map up and if the routes go anywhere? Yancy said he drew up the map but at this time nothing directly attaches to Berlin. His suggestion would be connecting with N. Hunter traveling North and then West onto Dakota Ave, traveling 1 mile to the west and then meeting up with the Town of Warren roads.

During the Route discussion Marks asked if anyone knew how this works on State Highways. Harden answered by saying there was just a new statute passed that any State Highway posted at 35 or less that is within a territorial boundary is eligible without DOT approval if the local unit of government wishes to make it.

Marks voiced his opposition to utilizing Main Street as a route. He stated the Library and Wyndgate and Market Square are all busy and does not think those roads should be used. We have a big parking lot on the S. Capron St. why can't ATV/UTV people park there and walk to those business on the square or near the square.

Yancy stated it would be no different than boaters who would park their boat and walk across streets if they wanted to get to the local businesses.

Secora stated he had some issues with Yancy's map because it contradicts the Police Captain's request at the last meeting. That was to keep it simple. Secora suggested one route through town and not cross Broadway at all until the far west of town, such as going South on SW Franklin and S Washington take SW Ceresco West until McKittrick. That does allow access to many of the businesses downtown and maybe they have to walk a block or two but it would get people used to the idea of having ATV and UTVs in town, increasing our traffic flow. Secora, piggybacking what Marks said that there are no connecting routes from the townships. He felt we are perhaps getting ahead of ourselves.

Yancy stated he spoke to people at the town of Nepeuskun with Harden and they were favorable but they wanted something to connect to. We also talked to the town of Berlin who invited us to present to them. We are visiting with the town of Aurora and we made suggestions for some designated streets to Berlin. They were for it; they spent the money for an ordinance and then put it on hold until Berlin makes a decision so that they can connect to Berlin.

Attorney Matt Chier was called upon to speak by Kristina Boeck. Matt stated he did not want to interrupt the discussion on routes; however, he wanted to make a clarification to something stated earlier. He asked Marks to re-read the start of his written statement. Marks said the Common Council approved the ATV/UTV and Chier corrected him stating No, they did not approve the ATV/UTV in town and he wanted to be sure the AdHoc Committee understood their mission. He stated one of the options is they could still go back and say No they do not want ATV/UTVs in the City of Berlin. I think the Council is going to really want the committee to say where the routes should be, but I wanted you to be clear that one of the options is to say it isn't feasible to have routes in the city.

Secora continued with his proposed route; Come in on Ripon Rd., then get over to S. Pearl by traveling on Union St., traveling on East Ceresco over the new bridge West on SW Franklin, South on S. Washington to SW Ceresco to McKittrick heading North to Broadway. That will then give access to the Greentree Mall businesses, Tractor Supply, West Side Garage, Walmart, Shell, Berlin oil and it does eliminate the risk of going through town and the line of sight by going through those intersections. It also keeps it simple. If this were the route approved by this committee and the Common Council it would give us a chance to see how the regular traffic flows with ATV/UTV vehicles in the mix. This is perhaps a slower step than having more complexity in the route. This seems to accomplish what many of the proponents have identified as wanting to be included while taking away some of the concerns citizens have brought to our attention during these meetings.

Marks offered a little different scenario than Secora and that was basically turning N onto S. Grove street so you could get to McDonald's and The Berlin Aquatic Center and then turning West onto Webster Street, following that West, turning North onto N. Kossuth St., next turning West onto NW Cumberland and when you get to the T Intersection at the end you could travel South to get to the business in the Mall or Walmart or you could head North to meet up with the township routes should they come to fruition.

Yancy stated one other opportunity would be to turn N onto Pierce St. to get to the one way street behind Clem's to get to those businesses then travel West to the McDonalds and Aquatic Center area as stated in Marks' route. Secora questioned how the driver gets back to the SE areas. He felt it would be too many busy intersections to cross by Yancy's description.

Boeck stated she liked Secora's route, she felt it was taking baby steps to help the residents get used to driving with ATV/UTV traffic and vice versa and that if it was successful, she did not see a reason the Council couldn't come back to it and review it again for either further opening the route or ending if there were problems.

Secora stated there were some other communities who have done just that. They opened one or two routes and then revisited it in a year or two and became more generous with the jurisdiction. Also we have several people in attendance who have voiced their concerns and maybe in a year or two with experience they may find they no longer feel there are issues or recognize there are still concerns and a need for more limited routes.

Marks stated Berlin is unique with the River running through it and making crooked streets as well as two bridges. That is good for the Parks system but when you come to something like this; you have to decide what the right choice, if there is a right choice.

Secora brought the topic of newly enacted ordinance in Green Lake County referencing County Trunks and having to go do some evaluation at the county level. Questions to Street Superintendent Zabel and City Attorney Chier, Are the County trunks in the City of Berlin under County Jurisdiction and therefore governed by County or are they considered City Streets and we have authority over how we use them? Chier and Zabel agreed that as long as they are within city limits we have the authority. Chier further stated it is different for the townships; they would need to get approval from the County.

Marks reiterated the need for uniformity. He used the example of if Waushara County allowed ridership of ATV/UTV until 10pm it would not work if we allowed a different timeframe. Secora stated that is what our law enforcement would like to see.

Yancy spoke about a town that had restrictions on road closures during certain times of the year. The City found out people were going around about way to get to the businesses and they decided to open the roads year round to alleviate that issue.

Secora made a point to remind the members that other areas to the North have both trails and roads and they have a different geographic location with an abundance of trail opportunity.

Marks brought up the idea of having a referendum on this topic to leave it up to the people to decide if this is truly what they want in their city. Beard believed this may be a good way to solve the issue.

Yancy spoke about concern in doing that due to the cost factor.

Boeck stated she thought the referendum would be a good idea because it would give everyone a voice.

Boeck told the public in attendance that we were limiting comments to two minutes. Boeck further told the audience there would be no public participation from this date going forward. The next meeting would be for the sole purpose of finalizing the Committee's findings to present to the Common Council.

Public Comments:

Brandon Bonfiglio introduced himself and said he spoke at the very first meeting that was decided it would go to an AdHoc Committee. Bonfiglio thanked everyone who was in attendance and said whether you are for or against, I am on the Waushara County Board and it is generally just crickets off in the audience and nobody is there to support the people making the decisions and it's just good to see everyone here. I hope to see you at future board meetings as well.

The second thing I have is based on what you talked about today. The routes keep coming from other areas town of Aurora obviously borders the City of Berlin and they have discussed a couple of different options in order to get into the City of Berlin and they said they would open up additional areas so one of them I think you already talked about is N. Hunter and it touches Cypress, I don't remember exactly what your route said but it is one of the routes to get into the City of Berlin. The route you chose today meets the criteria. Most of the townships in the area have already thought about what if the City of Berlin would adopt certain ordinances. The second thing has to do with Uniformity, GL CO has put together an ordinance already and the town of Warren, town of Aurora, Town of Poygan have already put together ordinances and maybe it's something you could take a look at for your uniformity.

Jason Johanknect - Introduced himself as living on River Dr. His main concern was for safety of the people and especially his family. He has two kids. He reported statistics he learned from a report on fatalities in Wisconsin on ATV/UTV's.

Dorene Raabe — Lives on River Drive/Water St. Dorene reported on the narrow roads and traffic all along Water Street on the way to River Drive. She spoke about the 15MPH speed limit and stated it is not well patrolled currently. She said she spoke to most people on both sides of the street and nobody, not one person, wants this. She said she is asking for a BINDING Referendum and emphasized it has to be a BINDING referendum.

Selma Ceman stated she lives on River Drive and she would definitely not be in favor of a route through her neighborhood. She again brought up the issue of not enough patrolling now. The conditions would be unsafe and would too, like to see this as a referendum.

Janet Lambert, resident of River Drive, thanked Attorney Chier for clarifying Marks comment about the Council already passing the ATV/UTV initiative. She does not want to see ATV/UTVs in Berlin, thinks it will be dangerous and unnecessary. We are not a resort town, and we definitely do not need this on River drive with the amount of traffic we get now, especially when there are functions at Riverside Park.

Minutes taken by: Midge Seaman, Deputy Clerk

MINUTES
CITY OF BERLIN
ADHOC COMMITTEE TO STUDY ATV/UTV ROUTE REQUEST
MONDAY, JULY 23, 2018 6:00 P.M.
CITY HALL COUNCIL CHAMBERS

1. ROLL CALL

Kristina Boeck called the Adhoc Committee to Study ATV/UTV Route Request to order at 6:00 p.m. Roll call present: Kristina Boeck, Charlie Beard, Tom Yancy, David Secora and Ed Marks. Staff present: Jodie Olson, Scott Zabel and Dennis Plantz.

2. APPROVAL OF MINUTES

Secora moved to approve the minutes from the July 9, 2018 meeting. Marks seconded the motion which carried by voice vote.

3. DISCUSSION ON ATV/UTV ROUTE REQUEST: TOPICS INCLUDE: POLICING, ENFORCEMENT ABILITY, LIABILITY, NOISE, ROADS/TRAFFIC, AND EFFECT ON INFRASTRUCTURE.

Chair Boeck expressed to the audience that discussion needs to stay on point and be relevant with no arguing or harping on an issue. She reiterated that the Common Council makes the decision on allowing or disallowing and this committee is just gathering information for them. Public comments will be held at the end of the meeting and will be limited to two minutes.

Scott Zabel, Street Superintendent indicated he did not see any concerns that ATV/UTVs would harm the road infrastructure, but does have safety concerns. He noted DNR Warden Schreiber had indicated that ATV/UTVs were required to stay on the extreme right of the road. With parking on city streets this will not be possible and he foresees the ATV/UTVs will be using the same lane as traffic as vehicles, which is quite problematic especially around turn lanes.

Secora questioned what guidance there was relating to how ATV signs are to be placed and the city's liability for them. At this time, Zabel doesn't have information regarding this but believes signage cannot be on stop sign posts. The proposed ordinance did indicate the Club would maintain the signage. Zabel suggested that it would be best to keep signage simple and place on existing posts, but he would need to do further research. Captain Block indicated state statute does not specify signage requirements, and only that it needs to be a certain size. Atty Chier indicated that recent ACT193 provides some guidance, but signage requirements differ if all streets are open vs is there is a route. He believes the DNR would provide further guidance and is likely working on developing it right now.

Yancy indicated that for left turns, an ATV would go into the right side of the turn lane, use hand signals to turn. He also indicated municipalities differ in how they want signage placed on posts. The municipality is ultimately responsible for the signage, but the Club would keep an eye on it as well. Yancy provided a sample ATV directional sign to view. The signs do have reflective coatings.

Captain Kevin Block stated he had spoken to Marquette County Chief Deputy Joe Conrath as they have had ATVs throughout the county for 4 or 5 years. From 1/1/16 to 7/23/18 there have been 18 complaints throughout the county. He recommended that if routes were designated that each town ordinance be as standard as possible as there are issues going from town to town when the rules differ. He noted that Poygan drafted a route specific ordinance but allows residents to go anywhere. Block did not know if Marquette County had active enforcement or if it was simply a reactive approach.

Sheriff Mark Podoll noted that there are two townships in Green Lake County that have certain roads open for ATV/UTVs, which are Kingston and Manchester. He stated it was important to understand if opening the roads up for this was for recreational or pleasure. They are dealing with issues by campgrounds and there are hazards to be addressed. He noted that Marquette and Green Lake County populations are similar, but the City of Berlin has a significant population for the county. As population and traffic become denser, it becomes more of an issue. He said ATVs are big up north and they are moving down, but as they move south there is more traffic and more problems. If the County would get complaints they would send the BPD out and if the PD officers were available they would go out. He indicated some towns are saying no to this, such as Marquette. The policing jurisdictions have pursuit policies that they would adhere to based on many different criteria such as traffic, weather, reason for pursuit, etc.

Beard noted that he believes this is likely a ploy to get around while being intoxicated. Block indicated that the same alcohol rules apply as they do to motor vehicles. However, Chier noted violations only go on the ATV record and not against the DMV records and do not affect Driver License points. Block also noted that there has to be reasonable suspicion to stop anyone on an ATV/UTV.

Chier indicated that it is ultimately the city's responsibility for the signage and the city could get sued for signage. ACT193 indicates that there needs to be posting at the beginning of the route, and at any intersection of a highway that not on a route another sign needs to be placed. A route needs to be signed and maintained well and kept free from obstructions such as trees or brush. He suggested the open intoxicants rule can be dealt with via city ordinances. Chier noted that an OWI for recreational vehicles do not have the same penalties as for cars and trucks, but the police can still arrest for an OWI.

Yancy had provided surveys from five communities that have ATV/UTV routes. Committee members voiced concern that the communities surveyed were not comparable to Berlin and more geographically accurate comparisons were needed. He had also contacted the Police Chief in Montello via telephone who indicated the ATV organization self-polices and there have been no accidents and a handful of tickets. Yancy will come back to the next meeting with more information on how other communities are handling seasonality of ATV routes and time of day issues.

Boeck noted some communities pass ATV/UTV ordinances on a one year trial basis to be reviewed annually. Yancy knew of communities who addressed it for several years and then decided to further address it only if issues arose. Marks indicated that the PD or Sheriffs Dept has the right to shut a road down if there is a major issue. Yancy noted that some ordinances are written with language including signage indicating “unless posted closed” if all streets are open.

PUBLIC INPUT

City of Berlin resident Sue Malnory, 645 Broadway, spoke in favor of opening up the streets to ATV/UTVs. She said that she has spoken to many people and posted on social media and most people responding are in favor of it. They could be used not just for bar hopping, but for family activities, going to the parks, restaurants and community events. If the PD can’t keep up, volunteers can monitor and patrol.

City of Berlin resident Mike Trampf, 286 E. Berlin, spoke against any ATV route that would go up Broadway and noted it should not be used as a straight thru road, rather Hunter and other side roads should be used.

City of Berlin resident Jason Johanknecht, 478 River Drive, indicated safety is his main concern. They purchased a house in a 15 MPH zone for a quiet and safe place for their children to be in. With cars many times being on both sides of the road, adding 4-wheelers to the mix could prove dangerous especially since you can’t see over pickup trucks. He is worried about someone driving into the back end of a car or into children going to the park.

City of Berlin resident Shirley Holtmeier, 559 N. Wisconsin Street, indicated her primary concern were the young drivers in the 16-18 year age bracket as she expected they would race. She stated that “signage” is good, but asked who is going to enforce it. She lives on Wisconsin Street which still has semi traffic despite “no truck traffic” signage.

City of Berlin resident Denise Yancy, 159 S. Swetting, spoke relative to her experience with the Marquette and Waushara ATV Clubs. The clubs want to keep the routes open so they have volunteer route patrols to monitor and check signs.

City of Berlin resident Mike Russell, 183 Water Street, indicated he was not in favor of this at all. He described the congestion and busy activity of Water Street and Riverside Park area. There is parking on both sides of the street for the Senior Center, there is a senior parking lot, apartment building and parking lot, a fur building with semi activity, Gneiser's business equipment in the area, walk bridge, and lack of people adhering to stop signs in the area. He noted these areas have bikers, joggers, women pushing children in strollers and it is a bus route for school. He was not in favor.

City of Berlin resident Doreen Raabe, 183 Water Street, questioned why there are petitions being circulated but none of the affected route area residents were asked to sign. She indicated that all petitions should be voided as not one home on Water Street or River Drive have been approached. She felt any petition associated with this ATV issue would get a resounding no from residents that would have to deal with ATV/UTVs 16 hours a day thru quiet neighborhoods.

City of Berlin resident Janet Lambert, 452 River Drive, spoke on behalf of herself and husband Rick. Lambert stated she lives by the North Shelterhouse by Riverside Park, which should be a quiet area, but is not. There have been times when they call the police and the police haven't shown up. She talks to the Chief and he tells her there was another priority. Other times, the police come hours later or they talk to people, but the problem remains. Lambert noted that Plantz says he can deal with this, but it (enforcement) isn't happening now. She questioned why ATV/UTVs need to go thru the downtown and doesn't understand why we would want this on Berlin Streets.

City of Berlin resident Selma Ceman, 348 River Drive, voiced concern over the safety and noise. She feels the traffic downtown is crazy already and to put more there doesn't make sense.

Town of Seneca resident Jerry Downen, W2607 Fox River Shores, Town of Seneca, wants to bring an ATV and 4-Wheeler out front of City Hall for the next meeting to show they are bigger than people think. He noted the Town of Seneca is waiting to make a decision based on what Berlin does. As far as noise, he says the factory puts an appropriate muffler on the machines and the DNR can check sound levels. He stated that there will be some that tear up and down the street.

City of Berlin resident Dan Hoppa, 235 S. Wisconsin Street, looks forward to if the city opening the streets to ATVs. He feels the BPD is over budgeted by \$200K and spends \$10k/month on overtime so there shouldn't be any additional tax dollars needed for this.

City of Berlin resident Robert Harding, 255 Frontier Street, suggested staying off the main drag and using only cross streets.

4. SET FUTURE MEETING DATE AND AGENDA TOPIC

The next two meeting dates are scheduled for Monday, August 6 & August 20 at 6:00 p.m. Topics of discussion will include:

- Review data and opinions on seasonality
- Proposed route review, criteria of routes, impact of all city streets vs designated route
- Guest Speaker from WI ATV UTV Association

5. ADJOURN

Yancy moved to adjourn at 7:36 p.m. Beard seconded the motion, which carried by voice vote.

Jodie Olson, Acting Secretary

MINUTES
CITY OF BERLIN
ADHOC COMMITTEE TO STUDY ATV/UTV ROUTE REQUEST
TUESDAY, JULY 9, 2018 6:00 P.M.
CITY HALL COUNCIL CHAMBERS

1. ROLL CALL

Kristina Boeck called the Adhoc Committee to Study ATV/UTV Route Request to order at 6:00 p.m. Roll call present: Kristina Boeck, Charlie Beard, Tom Yancy, David Secora and Ed Marks. Staff present: Jodie Olson, Scott Zabel and Dennis Plantz.

2. APPROVAL OF MINUTES

Beard moved to approve the minutes from the June 20, 2018 meeting. Marks seconded the motion which carried by voice vote.

3. COMMITTEE DISCUSSION AND ACTION ON MEETING PUBLIC PARTICIPATION

Chair Boeck noted that public participation would be allowed at these meetings if a *public participation form* was filled out and submitted prior to the meeting. Participation would be allowed at the end of the meeting as time permitted and residents would be given priority to speak over non-residents.

4. DISCUSSION ON SAFETY ASPECT OF ATV/UTV ROUTE REQUEST

John Schreiber, Local DNR Conservation Warden for Green Lake and Northern Dodge County, was present as a resource. He worked previously for Chippewa County where he gained knowledge and experience with ATV routes. Schreiber reviewed 2016-17 ATV/UTV Wisconsin death statistics indicating there were 22 fatalities in 2016 and 27 fatalities in 2017. In 2017, 13 crashes were alcohol related and 16 were roadway route related. Of those incidents, the majority of crashes involved drivers who did not complete the ATV safety course or had minimal experience.

Typical violations that the DNR encounters with ATVs are speed and alcohol use. The blood alcohol limit is .08 as with other motor vehicles; however, ATV violations are not attached to driver's licenses, but are just logged in the DNR file. A second alcohol offense is a criminal violation. The first offense is civil and drivers can be cited and released or put into jail depending on the case.

Other typical violations include not wearing helmets on roadways and noise complaints. If an ATV is noisy, it typically will always trigger a complaint. ATVs are required to be no more than 96 decibels, but if the exhaust gets altered it will likely go over the 96 decibels. An ATV that appears too loud, typically is too loud. There is a spark arrester, which is a screen in the exhaust to help inhibit exhaust sparks to reduce fires. ATV owners sometimes intentionally take them out to make the vehicle louder.

There are age requirements for ATV/UTV vehicles. Drivers that are ages 12-15 can drive an ATV with ATV safety course certificate, but cannot ride on the roadway unless they are accompanied by an adult who is within voice contact range. They do not have to be on the same ATV as the adults. Kids under age 12 can ride on trails, but not on the road at all. Ages 16 and up can operate ATVs on roadways without an adult if they have an active ATV safety certificate. UTV drivers have to be 16 and have an active ATV safety certificate.

There are typically darkness restrictions for drivers of no driving half hour before dark or half hour before dawn. Alcohol offenses are most commonly found at nighttime.

Users are required to have lights on at all times when operating on a roadway. ATVs are less visible than cars and are required to have working brakes, taillights, and headlights and an active registration and license on back.

Anyone under the age of 18 has to wear a helmet when operating an ATV on a trail or roadway unless they are actively engaged in an agricultural or hunting/fishing activity.

General contributing factors to ATV accidents are speed, alcohol and inexperience. ATV tires are intended to ride on dirt and rocks which is off-road. The higher rate of speed, the more air the tire gets and provides less adhesion to the road. At speeds greater than 35MPH is when drivers generally lose control.

When asked about the conflicting opinions of ATVs on roads, Schreiber indicated that with the nature of how ATVs are manufactured with low pressure tires, they are more unsafe on the roadways at a higher rate of speed. Generally speaking, if they operate at a lower rate of speed they are safer than operating at a higher rate of speed. The DNR will not advertise and cannot condone that one ATV is safer than another or that they do or do not want ATVs on the road.

Most ATVs are designed for one person, but the law does not prohibit passengers. Some have passengers riding on the racks. The DNR will cite for operating an ATV in careless manner that could cause harm or endanger someone else. UTVs are designed for more than one person, some seat four or more with cargo racks and seat belts. People get confused with helmets and seat belts on UTV's though. Because it is enclosed, they bypass helmets and seat belts and need to be reminded that they are still required. If two people are on an ATV, the DNR likely won't say anything as it is at the DNR discretion.

People cannot make their own homemade UTVs, such as installing seat belts and a roll cage on a gator or golf cart. A UTV has to be manufactured.

Drivers must have proof of taking the ATV safety certificate with them while operating. Proof can be in several forms including a "Go Wild" card, printed off version or the safety card itself. ATV and UTV operators born on or after Jan 1, 1988 who are at least 12 years old for ATV (and at least 16 years old for UTV) must complete an ATV and UTV safety certification course in order to operate on public ATV/UTV trails in WI. Drivers cannot operate with a driver's license and not have a safety certificate. Schreiber noted that most fatal crashes are those that have not taken ATV/UTV safety courses.

ATV/UTVs have to ride single file, can't ride next to each other or two wide, can't race down the road, and have to stay on the extreme right of the roadway side unless making a left hand turn. If making a left hand turn they would move to the center of the lane to safely make a turn. The right hand side of the road is defined as the paved or maintained area. A highway is the whole roadway plus the gravel and shoulder or ditch line of the road. Lights have to be on and speed, noise, and safety laws should be abided. It is a legal requirement that seatbelts be worn in UTV's.

When asked about enforcement methods, Schreiber indicated that routes are policed by spreading the responsibility among the jurisdictions of DNR, City and County. There is no one single authority monitoring. The DNR hotline can be used for complaints or calling into the sheriff's department or local law enforcement. As DNR warden, Schreiber has many other duties and responsibilities beyond ATV monitoring. He can be in any one of the state forests, parks or trail system within an hour drive as well as working fish/gaming and recreational responsibilities as well. In places like Chippewa County they took more of a proactive approach with ATV patrols than he would in a county without a trail system. If he would have spare time, he would work in area with known issues, but couldn't reasonably say at all that they would be able to respond to every ATV call or actively patrol the ATV routes 100% of the time. They would have to rely on 24 hour law enforcement agencies. He is unaware of any trails in Green Lake County at this point.

Beard indicated that with roughly 75 pages of information from various safety organizations, not one of them was a proponent of ATVs on highways and roads, yet we continually increase the area they can go into. Manufacturers print right on the vehicle that it should not to go on roads. With a majority of accidents being on paved roads, it is difficult to understand how we can do this. He questioned why the DNR is not pushing against these going on paved roads and asked Schreiber to take that back to the DNR.

Secora questioned if fatality statistic data could be standardized or put into terms of miles driven or if there is any way of comparing statistical data that could then be used to compare to safety standards of other vehicles. Schreiber stated that there are more statistics the DNR could provide relative to ATV accidents. There is self-reporting, non-fatal, and fatal accidents data which could be used. However, they do not have any miles driven data that could be used. They would have the number of registered machines, but some could be used on private land and not on trails or not even at all. Therefore, this would be a hard number to capture. More information could be provided to give a better picture though. ATV Administrative State Warden Gary Eddie is in charge of coordinating all local government agencies on ATV routes, safety standards, etc. and could be used as an additional resource. He suggested Heather Gottschalk might be good resource for it as well.

Marks referred to the 2017 DNR Annual Report. With the 27 fatalities that year, the number of safety certificates was very low and a majority was experienced with over 100 hours. He suggested maybe everyone riding on a road needs a certificate because these are scary numbers. Yancy indicated the idea behind Jan 1, 1988 rule is that everyone will eventually be required to have a certificate. He felt the more hours you put on and the further you go the more chance something would happen. Boeck indicated there is a risk with everything you do. Beard said that the more going on the streets, the more risk of something happening like accidents, and a blanket statement that there is risk with everything is not appropriate or germane to this situation.

Yancy indicated that the fatalities are not outpacing registrations. Marks voiced concern that people buy the machines knowing they shouldn't go on paved roads, the manufacturers say don't use them on paved roads, so the logic of putting them on paved roads just doesn't add up.

Boeck indicated she had confirmed with a local insurance agent that insurance would cover an ATV travelling on paved roads.

Marks read an e-mail regarding a recent near ATV accident witnessed in Neshkoro and further noted that there wasn't one piece of information sent in to review in the agenda packet that said this was a good idea.

With parked cars in Berlin, there will still be the requirement that ATV/UTVs should operate on the right side of the line of travel and not on curbside where parked cars are. They should not be in the lane of traffic, but are still obligated to operate on the right hand side. Marks inquired of the DNR if ATV has the same rights as an automobile. Schreiber indicated that the DNR only enforces operation on the extreme right hand side. Boeck noted you can purchase a street legal kit. However Yancy reminded that other areas might not require that so it would not be enforceable.

Yancy provide a police report for motor vehicle accidents on Water Street and River Drive for the past five years. There were two reportable property damage only motor vehicle accidents on River Drive. There were three non-reportable motor vehicle accidents and six reportable property damage only motor vehicle accidents on Water Street.

Dan Hoppa, 235 S. Wisconsin Street, spoke indicating that he has an ATV and would prefer to use it versus a motorcycle. He likes the smoothness of riding on the road. He would use it to go to the grocery store and not just barhopping. He noted there are higher deaths because of cell phone usage but they haven't been banned. He was interested to see how many accident-related deaths were from tire pressure and speed. He suggested higher lights and more mirrors required would help with safety.

Don Krause, 311 E. Waushara Street, has been on that street for 45 years now and noticed lots of change, most noticeably population increase. What he hasn't seen over the years is a decrease in the traffic flow or speed on Waushara Street, and enforcement is occasional, but rare. There is now semi-traffic from Willard to E. Waushara and more and more pedestrian traffic, mostly children. He questioned why we would want to now include ATVs on top of that and also why we would want vehicles that were not made for the roadway to be inherited on these roadways. There is a time and place for ATVs but why would we want them on Waushara Street, River Drive, or by our parks system. There are enough issues in the community without adding ATVs to it.

Jerry Dowen, Fox River Shores, Town of Seneca stressed that with safety and education ATV/UTVs are no more dangerous than anything else on the road. He wants to be able to get to the gas stations with his UTV.

Mark Podoll, 203 McKittrick Street, spoke indicating that as the Green Lake County sheriff and an officer he has to be neutral. He noted that northern areas are less populated and have trails and the City of Berlin has more population on its highways. Marquette and Manchester passed

an ordinance to allow ATVs on some of their roads, but Columbia County doesn't allow at all, so a lot of the roads were cut out in that area. He would not be able to manage increased calls for this without adding on several more deputies. He stated that speaking as a City of Berlin citizen, it was not a good idea to open up all roads in the city to ATVs as this city has too much traffic in it. He is not against ATVs, but there is a place and a route for them, and he is opposed to opening the city up for this.

5. SET FUTURE MEETING DATE AND AGENDA TOPIC

The next meeting date is scheduled for Monday, July 23 at 6:00 p.m. Topics of discussion will include:

- Roads & traffic including effect on roads and other infrastructure
- Policing
- Enforcement ability
- Noise
- Liability to City
- Speakers to include Street Superintendent and Police Chief

6. ADJOURN

Beard moved to adjourn at 7:22 p.m. Marks seconded the motion, which carried by voice vote.

Jodie Olson, Acting Secretary

MINUTES
CITY OF BERLIN
ADHOC COMMITTEE TO STUDY ATV/UTV ROUTE REQUEST
WEDNESDAY, JUNE 20, 2018 6:00 P.M.
CITY HALL COUNCIL CHAMBERS

1. ROLL CALL

Kristina Boeck called the Adhoc Committee to Study ATV/UTV Route Request to order at 6:00 p.m. Roll call present: Kristina Boeck, Charlie Beard, Tom Yancy, David Secora and Ed Marks. Staff present: Jodie Olson, Scott Zabel and Dennis Plantz.

2. ELECTIONS FOR CHAIR AND VICE CHAIR

Charlie Beard nominated Kristina Boeck as Chair and asked that nominations be closed. Yancy seconded the motion which carried by voice vote. Beard nominated Ed Marks for vice-chair. Boeck seconded the motion which carried by voice vote.

3. OVERVIEW OF ATV/UTV ADHOC STUDY COMMITTEE PURPOSE & ESTABLISH MEETING GUIDELINES AS NECESSARY:

The purpose of the adhoc committee is to study the ATV/UTV route request submitted by the Waushara County ATV Association. Boeck suggested that the first order of business be to review if we should allow ATVs to go thru town at all prior to looking at modifying the route.

Boeck noted this issue will likely take longer than 30 days and council would need to be notified of that. A target length for meetings was set at one hour, with up to 1.5 hours if a topic needed to be finished. It was noted that Jodie Olson will serve as recording Secretary for the group. There was a consensus that public participation would be allowed at meetings at the discretion of the board. Marks questioned if public participation would be for residents and non-residents and what would the time limit be as there needs to be time for committee discussion.

4. GENERAL COMMITTEE DISCUSSION ON ATV/UTV ROUTE REQUEST FROM WAUSHARA COUNTY ATV ASSOCIATION TO INCLUDE:

a. Goals & Objectives

Safety was stated as the #1 priority and goal among committee members. The proposed route and the vastness of the request to open up all city streets were of concern. Charlie Beard voiced concern over the River Drive area by Riverside Park, where softball and volleyball creates a lot of traffic in that area already and visibility backing up is already difficult. Other goals and objectives would be to determine impact to roads and traffic, policing and enforcement ability, noise pollution to residents

b. Identify Specific Issues to Address:

Committee members identified the following as issues to be considered and addressed while reviewing the ATV/UTV route request:

- Safety
- Roads & traffic including effect on roads and other infrastructure
- Manufacture warnings
- Policing
- Enforcement ability
- Seasonality: Regulate the time of year ATV/UTV's be allowed
- Noise (Noise is limited by 96 decibels. Marks noted that for every 10 decibels noise level is doubled.)
- Cost to City of Berlin taxpayers to maintain patrol

Other member suggestions included:

- Review proposed ordinance in detail with the understanding that the proposed ordinance was not drawn up by the City of Berlin and any such ordinance would need to be of a city structure and design.
- Ensure discussion and community "comparables" that would be presented are fair comparables and are representative of the City of Berlin's situation.
- Try to determine what the economic development impact would be for the City of Berlin. How could this be done realistically? Should City Economic Development Team review the potential economic impact?

With so many concerns to address committee members felt more time would be needed to properly research this issue. Beard moved to recommend to Common Council that the ad hoc committee meet every other week for two months and be extended as necessary. Marks seconded the motion which carried by voice vote.

c. Identify Outside Informational Resources Necessary for Future Meetings

Suggested resources were: DNR Website, ATV Safety Institute, DNR, Staff such as Police, City Attorney, DPW and others as needed, www.fairwarning.org, wisconsinwatch.org, iowawatch.org

Suggested speaker choices included: DNR specialists on safety concerns, local and regional DNR wardens, various guest speakers with experience, and other communities. Yancy suggested Randy Harding, an insurance salesman from Sheboygan belonging to the WI ATV Association. Scheduling speakers would go thru the chair and information to be provided to the committee by its members and be submitted and circulated thru Jodie Olson.

Committee members would like to see maps of surrounding areas where ATV trails exist and connect. Yancy offered to provide mapped routes along with copies of ATV ordinances in other municipalities.

d. Other Related Discussion

- Various types of ATV/UTV's were discussed and the fact that not all are equipped the same. Questions arose relative to if all ATVs have turn signals. Yancy indicated that few do as they are not required to and that hand signals have to be used. Three wheelers are considered an ATV and are also allowed, but they are required to have headlights and

taillights. ATVs can have brake lights, but not always. Committee members questioned the stability and ability of ATVs to stop, slow down, and maneuver on pavement. The stability and maneuverability of 4-wheel units were of specific concern. It was noted that there are manufacturer warnings on ATVs for riding on pavement. There are special tires that can be used for roads; however, enforcement of this is a concern.

- Marks reminded of the past issues in the city relating to the truck route and the signage cluttering issue and yellow poles for truck routes. Felicia Page was in the audience and stated that even though there are truck route signs posted, there are trucks on WI Street all of the time and lots of noise.
- The concept of requiring a city ATV registration was discussed. It was noted that when registering with the DNR, the condition of the ATV or UTV being registered is not verified.
- Boeck indicated the route proposed was too extensive, and provided a preliminary map suggesting ATVs to two city parking lots, where ATV riders could walk to the downtown area destination.
- Yancy stated that disabled people are granted the privilege to ride on paved roads with ATVs and the general public should receive that same privilege.
- The WI legislature gave local municipalities the control to determine if they want ATV/UTVs on their roads. Waupaca County recently passed an ordinance granting municipalities the authority to designate routes on county roads to eliminate the red tape. Some municipalities have not allowed routes at this time because there isn't anything to connect to.
- Beard noted that all ATV riders are not the same and some will break the rules and we have to balance caution and safety with what is going to happen and consider the laws of unintended consequences.

5. SET FUTURE MEETING DATE

The next meeting date is scheduled for Monday, July 9 at 6:00 p.m.

6. ADJOURN

Secora moved to adjourn at 7:14 p.m. Beard seconded the motion, which carried by voice vote.

Jodie Olson, Acting Secretary

DATE: September 7, 2018

TO: Common Council

FROM: Jodie Olson

RE: Flood Disaster Declaration Proclamation

BACKGROUND: The Mayor signed the attached Disaster Declaration Proclamation on September 7 due to the flooding. This is done in case future funding may become available to help offset costs for sand, sandbags, water infiltration of city facilities, etc. Emergency Management Director, Gary Podoll, will be present at the meeting to discuss.

RECOMMENDATION: Ratify September 7, 2018 Mayoral Proclamation of Disaster Declaration due to flooding of the Fox River.



**CITY OF BERLIN, WISCONSIN
DISASTER DECLARATION
PROCLAMATION
September 7, 2018**

WHEREAS on and around September 7, 2018, a disaster, namely flooding has struck the City of Berlin; and

WHEREAS, because of such emergency conditions, the Common Council is unable to meet with promptness; and

WHEREAS, it is necessary and expedient for the health, safety, welfare and good order of the City to proclaim that emergency conditions exist; and

WHEREAS, the disaster has caused the City of Berlin to expand, commit and exhaust all of its available resources; and

WHEREAS, the City of Berlin is asking for county assistance and requests the county to advise the State of Wisconsin of our emergency conditions:

NOW, THEREFORE, pursuant to sections 323.11 and 323.14 (4) of the Wisconsin Statutes, as Chief Elected Official of the City of Berlin in testimony whereof I have hereunto set my hand and have caused the great seal of the City of Berlin to be affixed.

Done at the City hall this 7th day of September, 2018.

Chief Elected Official

NOTE: Under 323.14(4)(b), Stats., this proclamation shall be subject to ratification, alteration, modification or repeal by the governing body as soon as that body can meet, but the subsequent action taken by the governing body shall not affect the proper validity of this proclamation.