

AGENDA
COMMON COUNCIL MEETING
TUESDAY, JULY 17, 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 June 12, 2018 Common Council Meeting. RECOMMENDATION: Approve the minutes from the June 12, 2018 Common Council meeting.
6. 2017 Audit Presentation. RECOMMENDATION: Accept the Committee of the Whole recommendation to accept the 2017 Audit and place on file.
7. 2019-2023 Garbage and Recycling Request for Proposals. RECOMMENDATION: Accept the Committee of the Whole recommendation to direct staff to send out RFP's for weekly curbside pickup for a garbage and recycling contract effective Jan 1, 2019-Dec 31, 2023 and to include an option additional pick up options in conjunction with spring pick-up.
8. P&L Insurance Renewal. RECOMMENDATION: Accept the Committee of the whole recommendation to accept and approve the renewal quote of \$203,319 from EMC Insurance for Property and Liability Insurance for policy year 7/23/18-7/23/19.
9. City of Berlin Comprehensive Plan Update. RECOMMENDATION: Accept the Plan Commission recommendation to approve the Comprehensive Plan update including maps and approve Ordinance #05-18 to Adopt the Amended Comprehensive Plan of the City of Berlin, Wisconsin.
10. Bills List. RECOMMENDATION: Approve the list of bills for payment.

END OF CONSENT AGENDA

11. ATV Adhoc Committee Update and Recommendation to Extend Committee Duration. RECOMMENDATION: Discuss the ATV Adhoc Committee recommendation to extend the committee duration and action as appropriate.
12. Extra Territorial Zoning Authority (ETZA) Repeal. RECOMMENDATION: Accept the Plan Commission recommendation to repeal the ETZA effective Jan 1, 2019 and approve and adopt Ordinance #06-18 Repealing All Exercise of the City's Extra Territorial Zoning Authority.
13. League of WI Municipalities Dark Store Elimination Campaign. RECOMMENDATION: Approve Resolution #18-11 Urging the Wisconsin State Legislature to Close Commercial Assessment Loopholes.
14. Bartender License Applications: License Application for Barbi L. Mitchell, Stephanie Marie Koscher, Hannah Ruth Wiegman, Linda May Quinonee, Tammy Jean Mulvey, Nicole C. Bushey, Ronald D. DeBauche, Robert Peter, Jecevicus, Sierra Lyn Klawitter, Cheryl Diane Wilson, Charlie Winston Miller, Sarah Elizabeth Hoffman, Karnpal Singh Cheema, Mikhail Evan Grabowski, Stephanie Ann Hempel, Kevin Michael Paramo, (approved by the PD). RECOMMENDATION: Grant or deny the licenses.
15. 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.)
16. New Business (To be used to request items of new business be put on a future agenda)
17. Public Appearances.
18. 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. (*EMS Contract with ThedaCare-CHN*).
19. Reconvene into open session and take appropriate action as a result of closed session discussion.
20. Adjourn.

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

CITY OF BERLIN -- OFFICE OF THE TREASURER

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

I herewith present my report as City Treasurer for the month ending 6/30/2018

FUNDS	BEG BALANCE	ADJ/ VOIDS	RECEIPTS	DISBURSEMENTS	BALANCE	INVESTMENTS	TOTAL W/ INVESTMENTS
GENERAL CITY	\$ 1,423,660.40		\$ 335,831.06	\$ 520,915.88	\$ 1,238,575.58	\$ 2,100,000.00	\$ 3,338,575.58
TAX COLLECTION ACCOUNT	\$ 459.01		\$ -	\$ -	\$ 459.01	\$ -	\$ 459.01
WATER INVESTMENTS	\$ 362,593.19		\$ 230,352.36	\$ 167,777.58	\$ 425,167.97	\$ 3,885,749.76	\$ 4,310,917.73
SEWER INVESTMENTS						\$ 1,988,910.90	\$ 1,988,910.90
SEWER BOND & INT	\$ 54,261.94		\$ 6.47	\$ -	\$ 54,268.41	\$ -	\$ 54,268.41
BOND & INT RESERVE	\$ -				\$ -	\$ 258,488.92	\$ 258,488.92
EQUIP REPLACEMENT FUND	\$ 130,429.46		\$ 15.54		\$ 130,445.00	\$ 1,255,000.00	\$ 1,385,445.00
CAPITAL PROJECT BORROWING	\$ -				\$ -		\$ -
EMS ACCOUNT	\$ 29,469.31		\$ 28,605.59	\$ 35.00	\$ 58,039.90		\$ 58,039.90
TOTAL OF ALL FUNDS	\$ 2,000,873.31		\$ 594,811.02	\$ 688,728.46	\$ 1,906,955.87	\$ 9,488,149.58	\$ 11,395,105.45

FUNDS	BANK STATEMENT BALANCE	ADJUSTMENT	OUTSTANDING CHECKS	AVAILABLE BANK BALANCE
GENERAL CITY	\$ 1,253,444.56		\$ 14,868.98	\$ 1,238,575.58
TAX COLLECTION ACCOUNT	\$ 750.40		\$ 291.39	\$ 459.01
WATER & SEWER	\$ 439,029.90		\$ 13,861.93	\$ 425,167.97
SEWER BOND & INT	\$ 54,268.41		\$ -	\$ 54,268.41
EQUIP REPLACMT FUND	\$ 130,445.00		\$ -	\$ 130,445.00
CAPITAL PROJECT BORROWING	\$ -		\$ -	\$ -
EMS ACCOUNT	\$ 58,039.90		\$ -	\$ 58,039.90
TOTAL OF ALL FUNDS	\$ 1,935,978.17	\$ -	\$ 29,022.30	\$ 1,906,955.87

RESPECTFULLY SUBMITTED,

[Handwritten Signature]

BUILDING REPORT JUNE 2018

CITY OF BERLIN	BUILDING REPORT JUNE 2018											
	MONTH			YEAR TO DATE			LAST YEAR TO DATE					
TYPE OF PERMIT	No.	Estimated Value	Permit Cost	No.	Estimated Value	Permit Cost	No.	Estimated Value	Permit Cost	No.	Estimated Value	Permit Cost
Single Family Residence				0	\$0.00	\$0.00						
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	10	\$277,296.00	\$890.52	24	\$421,062.00	\$1,914.63	21	\$271,320.00			\$1,359.40	
Commercial				0	\$0.00	\$0.00						
Commercial Alteration				0	\$0.00	\$0.00						
Industrial				0	\$0.00	\$0.00						
Industrial Alteration				0	\$0.00	\$0.00						
Signs				0	\$0.00	\$0.00						
Miscellaneous	7	\$8,000.00	\$408.48	2	\$12,000.00	\$202.00	5	\$10,415.00	\$416.16			
Demolition				15	\$17,900.00	\$858.48	11	\$30,433.00	\$995.00			
Hospital				0	\$0.00	\$0.00	1		\$75.00			
Church				0	\$0.00	\$0.00						
School				0	\$0.00	\$0.00	1	\$50,000.00	\$50.00			
Driveways	1			0	\$0.00	\$0.00						
Trailer Homes				3	\$50.00	\$0.00	4	\$13,500.00	\$120.00			
Total Building Permits	18	\$285,296.00	\$1,349.00	44	\$450,962.00	\$3,125.11	43	\$375,668.00	\$2,615.56			
Commercial Plan Approval				0	\$0.00	\$0.00						
Plumbing Permits	1	\$4,500.00	\$104.00	7	\$41,850.00	\$404.00	14	\$22,086.00	\$420.00			
Electrical Permits	1		\$120.00	11	\$92,100.00	\$907.00	10	\$22,214.00	\$390.00			
Heating Permits	7	\$124,040.00	\$890.52	34	\$265,565.00	\$2,560.52	24	\$112,773.00	\$1,425.00			
Total Permit Fees			\$2,463.52	0	\$0.00	\$4,397.63			\$4,850.56			
Totals	27	\$413,836.00	\$2,463.52	96	\$940,877.00	\$7,693.63	91	\$532,741.00	\$4,850.56			

Public Hearing for Comprehensive Plan Update

July 11, 2018

TO: Plan Commission

FROM: Lindsey Kemnitz

SUBJECT: Comprehensive Plan Update

Attached are the changes within the Comprehensive Code that removes the language referring to the ETZA and the Berlin Improvement District. The changes are highlighted, strikethrough if deleted and underlined if added. The amended zoning map, future land use map, and current land use maps are attached for review. The future land use map had no changes to it besides the lot that Juliette Manor was previously on was switched to mixed use. The zoning map now only identifies the zoning for the City of Berlin.

Recommendation: Accept the Plan Commission recommendation to approve the Comprehensive Plan Update

ORDINANCE #05-18

ORDINANCE TO ADOPT THE AMENDED COMPREHENSIVE PLAN OF THE CITY OF
BERLIN, WISCONSIN

The Common Council of the City of Berlin do ordain as follows:

Section 1. Pursuant to section 62.23(2) and (3) of the Wisconsin Statutes, the City of Berlin, is authorized to prepare and adopt a comprehensive plan as defined in section 66.1001(1)(a) and 66.1001 (2) of the Wisconsin Statutes.

Section 2. The Common Council of the City of Berlin, Wisconsin, has adopted written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan as required by section 66.1001(4)(a) of the Wisconsin Statutes.

Section 3. The Plan Commission of the City of Berlin, by a majority vote of the entire commission recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the document entitled "City of Berlin Comprehensive Plan, and Revised November 29, 2011 through June 26, 2018, Public Hearing June 26, 2018, City Council Approved July 17, 2018", pursuant to section 66.1001(4)(c) of the Wisconsin Statutes.

Section 4. The City Plan Commission has held at least one public hearing on the subject matter of this ordinance on June 26, 2018, in compliance with the requirements of section 66.1001(4)(d) of the Wisconsin Statutes.

Section 5. The Common Council of the City of Berlin, Wisconsin, does, by enactment of this ordinance, formally adopt the document entitles, "City of Berlin Comprehensive Plan, and Revised November 29, 2011 through June 26, 2018, Public Hearing June 26, 2018, City Council Approved July 17, 2018" pursuant to section 66.1001(4)(c) of the Wisconsin Statutes.

Section 6. This ordinance shall be codified and numbered in the discretion of the City of the City codifier, subject to final approval by the Common Council.

This ordinance shall take effect the day after publication.

Passed, approved and adopted this 17th day of July 2018.

ROLL CALL VOTE:

_____ AYES

_____ NAYS

_____ ABSENT

APPROVED AS TO FORM:

CITY OF BERLIN

BY: _____
Richard D. Schramer, Mayor

ATTEST: _____
Jodie Olson, Clerk

Matthew G. Chier
City Attorney

Attachment: C

Strategies

Amended 2018

The following strategies that will be used to implement the plan are outlined below. They are to be used as specific methods for accomplishing the goals and objectives outlined in this plan. By reviewing at least annually, it will allow the City to check off those that have been accomplished, begin pursuing the next strategy, adding additional priorities as they present themselves, re-organize existing strategies and re-prioritizing as applicable. Prioritizing will be important not only for accomplishing the most important tasks first but also to identify tasks that are dependent on other strategies.

The strategies are further clarified by adding 'Committees & Organizations' that would serve as the leaders for initiating the tasks. They would also be responsible for notifying other interested parties and identifying additional resources that may be needed. It is assumed that each of the tasks will also involve appropriate City staff. An estimated allotment of time is also provided. Once a task is initiated it should be completed within the defined amount of time. This will assure completion of tasks and allow the City to move on to the next item. When the estimated time states 'On Going' this will be a task, that once initiated becomes a regular function of the City.

COMMITTEES & ORGANIZATIONS

TIME
(IN MONTHS)

Strategy for preserving and protecting the City's natural resources

- *Conduct an environmental/ecological audit to determine which areas need to be protected/preserved. Review and revise as necessary the Zoning Ordinance to ensure that development adjacent to environmentally sensitive areas is appropriate. Control development with zoning tools such as Conditional Use Permits. Identify revisions to zoning, wetland and floodplain maps along with existing stormwater drainage ways.*
 - *City Staff, Plan Commission* *ongoing*
- *Update the subdivision ordinance to include protection of environmental corridors including rivers, streams, wetlands, drainageways and floodplains as well as other environmental resources.*
 - *City Staff, Plan Commission* **Ongoing 5**

Strategies to preserve, protect & enhance the quality of housing in the City

- *Use the powers of a Community Development Authority (CDA) to finance or act as a conduit for financing private development of elderly multi-family housing.*
 - *City Staff, Plan Commission, CDA* **Ongoing**

- Apply for Department of Administration's (DOA) Community Development Block Grant (CDBG) money for site acquisition, preparation and public service costs for low and moderate income housing.
 - City Staff, Plan Commission, CDA Ongoing
- Develop criteria and standards for new housing and distribute through Requests For Proposals (RFPs) to property owners and developers in the area.
 - City Staff, Plan Commission Ongoing
- Survey residents to determine need and interest in alternate types of housing developments and rehabilitation programs.
 - City Staff Ongoing
- Survey church and civic groups to see if any are interested in helping low income and elderly householders with regular maintenance and repairs.
 - City Staff, Commission on Aging Ongoing
- Inform seniors and low-income residents, who are having trouble paying their property taxes, of the deferment program run by the Wisconsin Housing and Economic Development Authority.
 - City Staff Ongoing
- Using the zoning and subdivision ordinances, require buffers or screening between residential areas and adjoining inappropriate uses.
 - City Staff, Plan Commission Ongoing
- Review and revise, if necessary, the zoning ordinance in order to restrict inappropriate uses from developing adjacent to residential areas.
 - City Staff, Plan Commission Ongoing
- Use government sponsored funding sources to help the elderly, low income, and handicapped residents to improve their homes and to make them more accessible.
 - City Staff, CDA Ongoing

Strategies for ensuring the maintenance of a strong local economy.

- Use development incentives to encourage business location and expansion in developed areas.
 - City Staff, Plan Commission, CDA Ongoing
Chamber of Commerce
- Work with the Towns to discourage scattered commercial development.
 - City Staff, City Plan Commission, Co. Plan & Zoning Committee Ongoing
 - ETZA

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- *Use Tax Increment Funding Districts (TIF) to encourage economic development within the City.*
 - **City Staff, Plan Commission, CDA** **Ongoing**
- *In conjunction with the Chamber of Commerce/BCDC establish an incubator for both commercial and industrial entrepreneurs.*
 - **City Staff, Plan Commission** **Ongoing**
Chamber of Commerce, Berlin Community Development Corp.
- *Develop a business mentoring program where more experienced business owners and managers help less experienced owners and managers to start a business, avoid pitfalls and become profitable.*
 - **City Staff, Plan Commission** **Ongoing**
Chamber of Commerce

Strategies for encouraging quality commercial areas in the City.

- *Conduct feasibility/best use analysis for development of vacant/underutilized properties.*
 - **City Staff, Plan Commission, ETZA** **Ongoing**
- *Offer governmental assistance to encourage redevelopment and infill of vacant/underutilized properties, especially focusing on buildings of historic significance.*
 - **City Staff, Plan Commission, CDA** **Ongoing**
Historic Society, Business Improvement District

Strategies for preserving and improving the City's downtown

- *Review and rewrite if applicable the zoning ordinance to encourage infill development and higher densities throughout the downtown business district.*
 - **City Staff, Plan Commission** **Ongoing**
Business Improvement District
- *Review zoning ordinance language and district boundaries to assure that 'highway commercial' does not detract from the historic nature of the downtown.*
 - **City Staff, Plan Commission** **Ongoing**
- *Offer governmental assistance to encourage redevelopment and infill of vacant/underutilized properties, especially focusing on buildings of historic significant.*
 - **City Staff, Plan Commission, CDA** **Ongoing**

Business-Improvement-District

- Develop a parking study of the entire downtown to determine any deficiencies and designate future spaces where needed.
 - City Staff, Plan Commission **Ongoing**
- Develop a capital improvement plan for additional items that will enhance the downtown, such as ornamental lighting, benches, plantings and paver bricks instead of concrete.
 - City Staff, Plan Commission **Ongoing**
- Investigate financial and technical support that may be available if the downtown were designated a State 'Main Street' community.
 - City Staff, Plan Commission **Ongoing**

Business-Improvement-District

Strategies for improving the City's industrial base

- Develop a master plan for industrial space development. Include plans for adequate sewer, water, drainage, transportation links, and design standards.
 - City Staff, Plan Commission, BCDC **Ongoing**
- Use such funding mechanisms as a Tax Increment Finance (TIF) District to encourage industrial development in the City.
 - City Staff, Plan Commission, BCDC **Ongoing**
- Work with the City of Berlin and Green Lake & Waushara County Economic Development Corporations to determine types of businesses are most appropriate for the City.
 - City & Co. Staff, City Plan Commission **Ongoing**
 - Co. Plan & Zoning Committee, **ETZA, TREDC**
- Develop marketing materials for targeted industries.
 - City Staff, Chamber of Commerce **Ongoing**
- Target appropriate businesses through phone calls, mass mailings, brochures and personal contacts.
 - City Staff & ED Team, Chamber of Commerce, BCDC **Ongoing**
- Develop a plan of action for use whenever a business owner shows interest in the City. Determine who will be in charge of implementing each part of the plan.
 - City Staff & ED Team, Chamber of Commerce. BCDC **Ongoing** 6

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Strategies for improving the local transportation systems

- *Conduct a detailed study including a capital improvement plan that would identify the need for additional sidewalks and bike paths.*
 - *City Staff* *Ongoing*

- *Work with the County to determine the feasibility of a regional bike route that would connect the Cities throughout the County and connect the City to the recreational areas around Green Lake County.*
 - *City & Co. Staff, City Plan Commission* *Ongoing*
Park & Rec. Commission, ETZA
Co. Plan & Zoning Committee

- *Monitor DOT traffic studies and conduct independent studies as deemed appropriate. Conduct corridor studies that will examine the effects of increased traffic and the impact on land uses.*
 - *City Staff, Plan Commission* *Ongoing*
Business Improvement District

Strategies for improving cooperation with neighboring communities

- *Establish meetings between governmental staff and elected officials throughout Green Lake County as needed.*
 - *City & Co. Staff, City Plan Commission* *Ongoing*
Co. Plan & Zone Committee, ETZA
City Council, County Board

- *Hold informal meetings to share information between municipal representatives and area business leaders.*
 - *City & Co. Staff, City Plan Commission* *Ongoing*
Co. Plan & Zone Committee, ETZA
City Council, County Board, Chamber

- *When updating the City's Comprehensive Plan notify the adjoining towns and counties of the changes.*
 - *City & Co. Staff, City Plan Commission* *Ongoing*
Co. Plan & Zoning Committee, ETZA

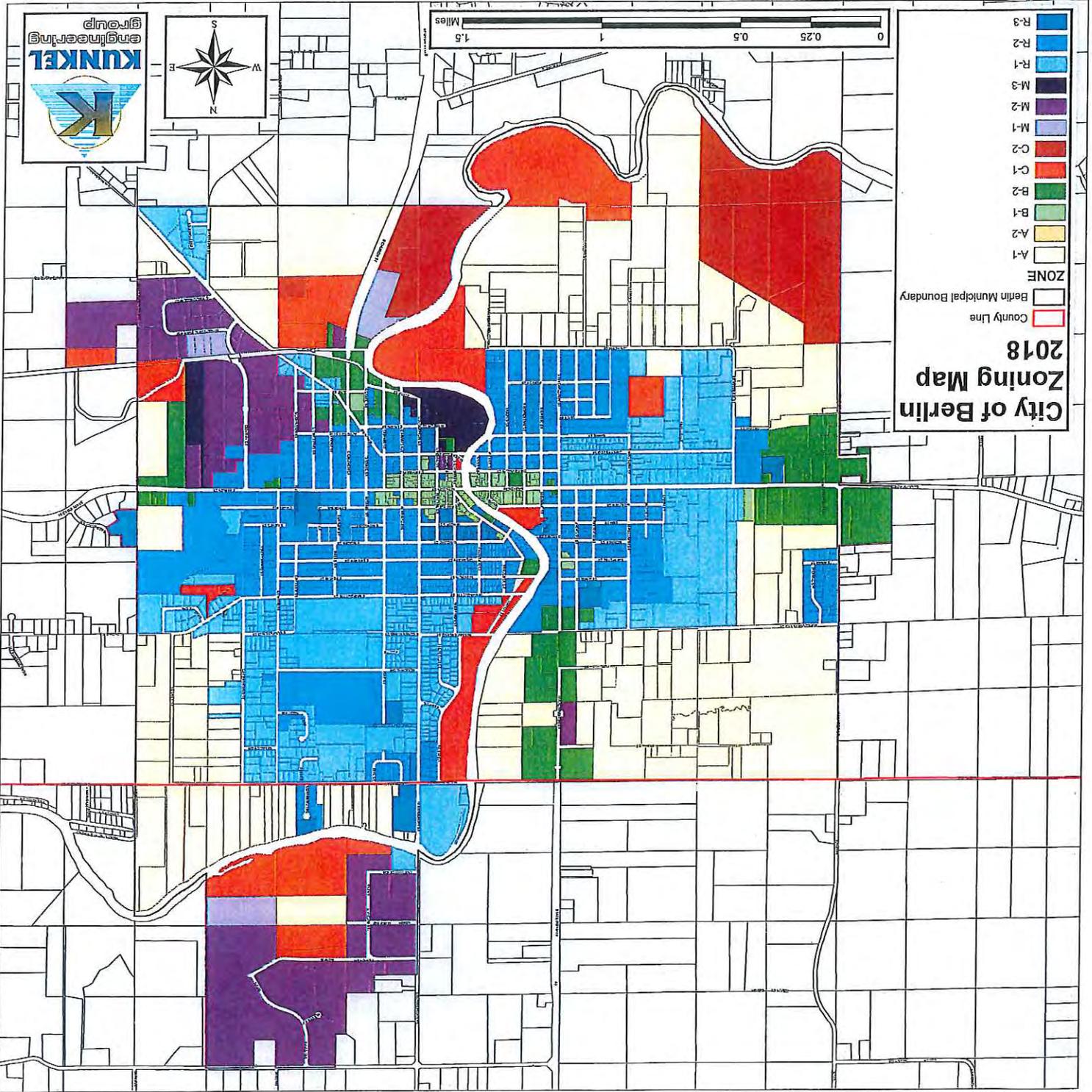
- *On an as needed basis, hold meetings with the City's municipal neighbors. UW-EX Community Resource Development Program can provide educational support for these meetings. The purpose of the meetings will be to discuss current initiatives and shared goals in the areas of land use, conservation and development.*
 - *City & Co. Staff, City Plan Commission* *Ongoing*
Co. Plan & Zoning Committee, ETZA

Strategies for improving the local Utilities and Public Facilities

- *Conduct a Stormwater Management Plan for the City. Pursue grant monies from such sources as: Wisconsin Department of Agriculture Watershed Programs, WDNR Lake Protection Grants or any other sources available.*
 - *City Staff, City Plan Commission, Park & Rec. Commission* *Ongoing*
- *Review and update, if necessary, the wastewater treatment facility plan, including the determination of the need for hiring an engineering firm for a full review.*
 - *City Staff, Sewer and Water Commission* *Ongoing*
- *Annually review the Citywide Park, Recreation and Open Space Plan.*
 - *City Staff, City Council Park & Rec. Commission* *Ongoing*

Strategies for assuring appropriate land uses and land use controls

- *Review and update the Comprehensive Plan once a year.*
 - *City Staff, Plan Commission* *Ongoing*
- *Compare current zoning to the recommended future land use map and where appropriate, rezone properties within the City that are in contradiction to the Comprehensive Plans.*
 - *City Staff, City Plan Commission, ETZA* *Ongoing*
- *In order to track land use changes, develop a computerized citywide parcel map with existing and future land use categories, using the latest Geographical Information Systems (GIS) technology. Requiring all computerized maps to be kept in a format compatible with the countywide system.*
 - *City & Co. Staff, City Plan Commission* *Ongoing*
- *Work cooperatively with the adjoining towns and the counties to discourage scattered commercial developments.*
 - *City & Co. Staff, City Plan Commission Co. Plan & Zoning Committee, ETZA* *Ongoing*
- *Revise the City's subdivision ordinance. Require an area development plan for entire acreage of parcels proposed for development including all future additions with the property. Include in the initial draft of such revised subdivision ordinance proposals providing for the relaxation of certain development requirements for areas of the city containing large parcels of undeveloped land, with the goal of promoting the reasonable residential development of such land into with larger parcel sizes and larger residential structure having a substantial impact on the City's tax base. Such proposals should include the possibility of allowing pole building construction, reducing currently required City road construction standards to standards similar to town roads (i.e. no curb and gutter, sidewalks, etc.). Such proposals should also include the*
Amended 2011



**City of Berlin
Zoning Map
2018**

- R-3
- R-2
- R-1
- M-3
- M-2
- M-1
- C-2
- C-1
- B-2
- B-1
- A-2
- A-1
- ZONE
- Berlin Municipal Boundary
- County Line

*Check Summary Register©

JUNE 30 2018

Name	Check Date	Check Amt	
11100 Cash in Bank m FNB			
Paid Chk# 061349	ADVANCED DISPOSAL SERVICE	6/7/2018	\$8,169.88 2018 BERLIN CITY WIDE CLEAN UP
Paid Chk# 061350	AHC - STAFF DEVELOPMENT	6/7/2018	\$69.00 HEARTSAVER K-12 ECARDS - GREEN
Paid Chk# 061351	AM. MARKETING & PUBLISHING	6/7/2018	\$420.00 ADVERTISING IN HOME PAGES - SR
Paid Chk# 061352	APPLETON FINANCE DEPARTM	6/7/2018	\$448.50 JUNE WEIGHTS AND MEASURES
Paid Chk# 061353	BERLIN JOURNAL NEWSPAPER	6/7/2018	\$442.00 2018-2018 LIQUOR LICENSE PUBLI
Paid Chk# 061354	CEDAR CREST ICE CREAM	6/7/2018	\$622.64 2018 CONCESSION SUPPLIES BAC
Paid Chk# 061355	GREAT LAKES COCA COLA DIST	6/7/2018	\$673.15 PRODUCT FOR CONSESSION STAND A
Paid Chk# 061356	COLE OIL & PROPANE	6/7/2018	\$1,767.32 PROPANE CONTRACT FOR PARK PLAN
Paid Chk# 061357	CORPORATE NTRWK SOLUTION	6/7/2018	\$895.00 COMPUTER FOR DPW
Paid Chk# 061358	CULLIGAN WATER	6/7/2018	\$28.00 CULLIGAN WATER SERVICE AT SENI
Paid Chk# 061359	EMC INSURANCE COMPANIES	6/7/2018	\$20,667.94 GENERAL LIABILITY INSURANCE
Paid Chk# 061360	EMERGENCY MEDICAL PRODUC	6/7/2018	\$1,939.31 MEDICAL SUPPLIES
Paid Chk# 061361	FINISHLINE STUDIOS	6/7/2018	\$35.00 JUNE WEB HOSTING
Paid Chk# 061362	GARZA, JESSICA	6/7/2018	\$10.00 2018 TEE BALL REFUND PARENT'S
Paid Chk# 061363	GREEN LAKE COUNTY	6/7/2018	\$33.00 APRIL VAN USE
Paid Chk# 061364	HEIDI A. HEATH FARMS, INC.	6/7/2018	\$2,000.00 FLOWER PLANTINGS AT CITY PARK
Paid Chk# 061365	JOHNSON CONTROLS	6/7/2018	\$480.00 COOLING TOWER MAINTENANCE
Paid Chk# 061366	KLAWITTER, REBECCA ANNE	6/7/2018	\$30.00 REFUND DUPLICATE BARTENDER LIC
Paid Chk# 061367	KUNKEL ENGINEERING GROUP	6/7/2018	\$2,158.10 APRIL BUILDING INSPECTION CONT
Paid Chk# 061368	OSHKOSH OFFICE SYSTEMS	6/7/2018	\$155.68 MAY COPY CONTRACT MACHINE 6111
Paid Chk# 061369	SECURIAN FINANCIAL GROUP	6/7/2018	\$841.48 JUNE GROUP LIFE INS. EMPLOYEE
Paid Chk# 061370	SILVA, JACKIE	6/7/2018	\$926.65 JUNE RETIREE HEALTH INSURANCE
Paid Chk# 061371	SUPERHEAT AND COOLING	6/7/2018	\$677.00 INSTALL A NEW UP26 PUMP AT CIT
Paid Chk# 061372	SUPERIOR CHEMICAL CORP	6/7/2018	\$156.74 SHEER FORCE POWER FOAM DEGREAS
Paid Chk# 061373	THEDACARE AT WORK	6/7/2018	\$102.00 DRUG SCREENS DEWITT, HILGART,
Paid Chk# 061374	UNITED COOPERATIVE	6/7/2018	\$235.02 SUPPLIES FOR BERLIN PARKS
Paid Chk# 061375	VALLEY POPCORN COMPANY, I	6/7/2018	\$832.67 CONCESSION STAND SUPPLIES
Paid Chk# 061376	VIVIAL	6/7/2018	\$44.95 JUNE DIRECTORY LISTING
Paid Chk# 061377	WIEGEL, ADAM	6/7/2018	\$62.50 REIMBURSE 1/2 LIFEGUARD CLASS
Paid Chk# 061378	AGNESIAN HEALTH CARE	6/7/2018	\$0.00 PRE-EMPLOYMENT DRUG SCREEN MAY
Paid Chk# 061379	BERLIN JOURNAL NEWSPAPER	6/7/2018	\$204.00 BUSINESS CARDS-BPD
Paid Chk# 061380	BERLIN OIL PRODUCTS	6/7/2018	\$70.00 1998 GMC BPD CHK AC SYSTEM AND
Paid Chk# 061381	CORPORATE NTRWK SOLUTION	6/7/2018	\$835.00 HP PRINTER FOR OFFICER'S REPOR
Paid Chk# 061382	GARZA, MARIA TERESA	6/7/2018	\$35.00 TRANSLATION SERVICES 05.11.18
Paid Chk# 061383	GREEN LAKE COUNTY TREASU	6/7/2018	\$716.00 LEADS 2018
Paid Chk# 061384	MEDTOX LABORATORIES, INC	6/7/2018	\$38.08 PRE-EMPLOY DRUGS OF ABUSE SCRE
Paid Chk# 061385	RED THE UNIFORM TAILOR	6/7/2018	\$2,062.41 MAYER UNIFORM
Paid Chk# 061386	SIRCHIE FINGER PRINT LABORA	6/7/2018	\$137.00 TEST 05 DUQUENOIS-LEVINE/10
Paid Chk# 061387	SONDALLE FORD LINCOLN MER	6/7/2018	\$43.45 2015 FORD MAINTENANCE - THE WO
Paid Chk# 061388	THEDACARE LABORATORIES	6/7/2018	\$170.00 BLOOD DRAWS - PATIENT 26556,26
Paid Chk# 061389	AGNESIAN WORK & WELLNESS	6/7/2018	\$476.00 PRE-EMPLOYMENT DRUG SCREEN MAY
Paid Chk# 061391	BMO HARRIS BANK	6/12/2018	\$218.75 JUNE - H.S.A. - EMPLOYER CONTR
Paid Chk# 061392	CITIZENS FIRST CREDIT UNION	6/12/2018	\$125.00 JUNE - H.S.A. - EMPLOYER CONTR
Paid Chk# 061393	COMMUNITY FIRST CREDIT UNI	6/12/2018	\$375.00 JUNE - H.S.A. - EMPLOYER CONTR
Paid Chk# 061394	FARMERS & MERCHANTS BANK	6/12/2018	\$1,062.50 JUNE - H.S.A. - EMPLOYER CONTR
Paid Chk# 061395	FORTIFI BANK	6/12/2018	\$812.50 JUNE - H.S.A. - EMPLOYER CONTR
Paid Chk# 061396	FOX COMMUNITIES CREDIT UNI	6/12/2018	\$62.50 JUNE - H.S.A. - EMPLOYER CONTR
Paid Chk# 061397	NVVB Bank	6/12/2018	\$125.00 JUNE - H.S.A. - EMPLOYER CONTR
Paid Chk# 061398	OPTUM CONSUMER SERVICES	6/12/2018	\$125.00 JUNE - H.S.A. - EMPLOYER CONTR
Paid Chk# 061399	ADVANCED DISPOSAL SERVICE	6/12/2018	\$24,257.59 MAY TRASH/RECYCLE CITY HALL
Paid Chk# 061400	BALLWEG IMPLEMENT CO	6/12/2018	\$79.96 PARTS FOR PUBLIC WORKS
Paid Chk# 061401	BERLIN OIL PRODUCTS	6/12/2018	\$72.92 LP GAS FOR PUBLIC WORKS
Paid Chk# 061402	BYRNE, GEORGE	6/12/2018	\$20.00 BOARD OF REVIEW
Paid Chk# 061403	CHIER LAW OFFICE LLC	6/12/2018	\$989.15 MAY COPIES/SCANS
Paid Chk# 061404	CONVERGENT SOLUTIONS, INC	6/12/2018	\$119.00 REMOTE LABOR
Paid Chk# 061405	DIVISION OF UNEMPLOYMENT I	6/12/2018	\$635.16 DAVID PARKER UNEMPLOYMENT 0
Paid Chk# 061406	DTN, LLC	6/12/2018	\$510.00 JULY RADAR SERVICE

General City

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Name	Check Date	Check Amt	
Paid Chk# 061407 FORMILLER, JOSEPH	6/12/2018	\$480.22	RETIREE MEDICAL REIMBURSEMENT
Paid Chk# 061408 INTERSTATE BATTERY	6/12/2018	\$82.95	BATTERY SP22NF
Paid Chk# 061409 KUBIAK, MARY	6/12/2018	\$20.00	BOARD OF REVIEW
Paid Chk# 061410 LANDMARK SERVICES COOPER	6/12/2018	\$5,919.79	MAY STATEMENT
Paid Chk# 061411 MULDER, DENNIS	6/12/2018	\$20.00	BOARD OF REVIEW
Paid Chk# 061412 PAGE, FELICIA	6/12/2018	\$20.00	BOARD OF REVIEW
Paid Chk# 061413 ROETHEL, PAUL	6/12/2018	\$20.00	BOARD OF REVIEW
Paid Chk# 061414 SPOEHR, SMITS & BLAZEL, LLC	6/12/2018	\$100.00	FILE REVIEW: LEGAL N. INDUSTRI
Paid Chk# 061415 VALLEY AQUATIC SOLUTIONS, L	6/12/2018	\$2,882.99	LEASED CONTROLLERS
Paid Chk# 061416 WIS STATE FIREFIGHTERS ASS	6/12/2018	\$450.00	MEMBERSHIP RENEWAL TO WSFA
Paid Chk# 061417 BMO HARRIS BANK	6/14/2018	\$310.00	PAYROLL 12 EMPLOYEE H.S.A. DED
Paid Chk# 061418 CITIZENS FIRST CREDIT UNION	6/14/2018	\$200.00	PAYROLL 12 EMPLOYEE H.S.A. DED
Paid Chk# 061419 COMMUNITY FIRST CREDIT UNI	6/14/2018	\$165.00	PAYROLL 12 EMPLOYEE H.S.A. DED
Paid Chk# 061420 FARMERS & MERCHANTS BANK	6/14/2018	\$611.07	PAYROLL 12 EMPLOYEE H.S.A. DED
Paid Chk# 061421 FORTIFI BANK	6/14/2018	\$675.00	PAYROLL 12 EMPLOYEE H.S.A. DED
Paid Chk# 061422 FOX COMMUNITIES CREDIT UNI	6/14/2018	\$105.00	PAYROLL 12 EMPLOYEE H.S.A. DED
Paid Chk# 061423 HORICON BANK	6/14/2018	\$100.00	PAYROLL 12 EMPLOYEE H.S.A. DED
Paid Chk# 061424 NWB Bank	6/14/2018	\$95.00	PAYROLL 12 EMPLOYEE H.S.A. DED
Paid Chk# 061425 NORTH SHORE BANK, FSB	6/14/2018	\$75.00	PAYROLL 12 EMPLOYEE H.S.A. DED
Paid Chk# 061426 OPTUM CONSUMER SERVICES	6/14/2018	\$50.00	PAYROLL 12 EMPLOYEE H.S.A. DED
Paid Chk# 061427 WI COUNCIL 32 AFSCME AFL-CI	6/14/2018	\$363.60	JUNE UNION DUES
Paid Chk# 061428 WISCONSIN SCTF	6/14/2018	\$1,104.00	JUNE 2018 PAYROLL 12 SUPPORT O
Paid Chk# 061429 BAKER & TAYLOR	6/14/2018	\$782.59	4 UNITS OF LIBRARY MATERIALS
Paid Chk# 061430 BERLIN OIL PRODUCTS	6/14/2018	\$42.00	21 BERLIN JOURNALS
Paid Chk# 061431 LISA M. OBRIST	6/14/2018	\$825.00	MAY 2018 LIBRARY CLEANING
Paid Chk# 061432 MARTIN SYSTEMS, INC.	6/14/2018	\$444.00	ANNUAL INSPECTION OF ALARM SYS
Paid Chk# 061433 OSHKOSH OFFICE SYSTEMS	6/14/2018	\$283.66	MAY 2018 COPIES #4896 LIBRARY
Paid Chk# 061434 UNIQUE MANAGEMENT SERVIC	6/14/2018	\$26.85	MAY 2018 PLACEMENTS
Paid Chk# 061435 WINNEFOX COOPERATIVE TEC	6/14/2018	\$1,297.61	MAY 2018 MATERIALS FOR LIBRARY
Paid Chk# 061436 BERLIN JOURNAL NEWSPAPER	6/22/2018	\$230.00	NOTICE FOR ANNUAL TID MTG
Paid Chk# 061437 BERLIN OIL PRODUCTS	6/22/2018	\$6.00	CITY GARAGE TUBE
Paid Chk# 061438 CEDAR CREST ICE CREAM	6/22/2018	\$603.83	ICE CREAM SUPPLIES
Paid Chk# 061439 CenturyLink	6/22/2018	\$2,693.17	JUNE POLICE CALL
Paid Chk# 061440 CENTURYLINK	6/22/2018	\$60.63	MAY LONG DISTANCE
Paid Chk# 061441 CLASSIC CAB, LTD	6/22/2018	\$12,534.58	MAY TAXI GRANT
Paid Chk# 061442 GREAT LAKES COCA COLA DIST	6/22/2018	\$189.18	CONCESSION SUPPLIES
Paid Chk# 061443 EMERGENCY MEDICAL PRODUC	6/22/2018	\$639.92	MEDICAL SUPPLIES
Paid Chk# 061444 EMERGENCY SERVICES MARKE	6/22/2018	\$305.00	SUBSCRIPTION RENEWAL
Paid Chk# 061445 FASTENAL	6/22/2018	\$0.00	SCRUBBER BOLTS
Paid Chk# 061446 FIRE INSPECTION SERVICES IN	6/22/2018	\$1,487.50	FIRE INSPECTIONS
Paid Chk# 061447 ITU ABSORBTECH, INC.	6/22/2018	\$90.97	SUPPLIES
Paid Chk# 061448 PACKERLAND PORTABLES	6/22/2018	\$340.00	JUNE RENTAL
Paid Chk# 061449 SCHROEDER, JESSICA	6/22/2018	\$135.95	NEW DETECTIVE & CRIME INVEST T
Paid Chk# 061450 SHEA ELECTRIC & COMM LLC	6/22/2018	\$3,285.41	REPLACE 7AH BATTERIES PROPOSAL
Paid Chk# 061451 SUN LIFE FINANCIAL	6/22/2018	\$381.42	MAY PREMIUMS
Paid Chk# 061452 SUPERIOR CHEMICAL CORP	6/22/2018	\$262.58	ODOR NEUTRALIZER
Paid Chk# 061453 VALLEY AQUATIC SOLUTIONS, L	6/22/2018	\$35.00	AQUATIC SUPPLIES
Paid Chk# 061454 VALLEY POPCORN COMPANY, I	6/22/2018	\$728.98	BERLIN AQUATIC CONCESSIONS
Paid Chk# 061455 WI DEPT OF TRANS BBS	6/22/2018	\$310.11	LABOR-DLVY 05/01 - 05/25
Paid Chk# 061456 WISCONSIN TUBING, INC	6/22/2018	\$528.00	YELLOW SAFETY PIPE
Paid Chk# 061457 BERLIN JOURNAL NEWSPAPER	6/26/2018	\$1,171.50	VACANT BUILDING ORD PUBLICATIO
Paid Chk# 061458 CHRISTENSEN, DOUGLAS A	6/26/2018	\$763.63	JULY HEALTH INSURANCE CHRISTEN
Paid Chk# 061459 FASTENAL COMPANY	6/26/2018	\$10.57	SCRUBBER BOTLTS
Paid Chk# 061460 GREEN LAKE COUNTY	6/26/2018	\$44.00	2018 MAY VEHICLE USE
Paid Chk# 061461 HEAVENS TOUCH PHOTOGRAP	6/26/2018	\$149.00	CITY COUNCIL GROUP
Paid Chk# 061462 JONES, TIMOTHY	6/26/2018	\$1,275.78	REIMBURSEMENT FOR JULY
Paid Chk# 061463 PETERS, JACOB	6/26/2018	\$13.08	2018 MILEAGE 06-11 THRU 0622
Paid Chk# 061464 RUMINSKI FUNERAL SERVICE	6/26/2018	\$20.00	OVERPAID BURIAL FOR CAROLINE B

General City

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JUNE 30 2018

Name	Check Date	Check Amt	
Paid Chk# 061465	SONDALLE FORD LINCOLN MER	6/26/2018	\$48.54 INSPECTION 2016 DODGE CARAVAN
Paid Chk# 061466	BMO HARRIS BANK	6/28/2018	\$310.00 PAYROLL 13 EMPLOYEE H.S.A. DED
Paid Chk# 061467	CITIZENS FIRST CREDIT UNION	6/28/2018	\$200.00 PAYROLL 13 EMPLOYEE H.S.A. DED
Paid Chk# 061468	COMMUNITY FIRST CREDIT UNI	6/28/2018	\$165.00 PAYROLL 13 EMPLOYEE H.S.A. DED
Paid Chk# 061469	FARMERS & MERCHANTS BANK	6/28/2018	\$611.07 PAYROLL 13 EMPLOYEE H.S.A. DED
Paid Chk# 061470	FORTIFI BANK	6/28/2018	\$675.00 PAYROLL 13 EMPLOYEE H.S.A. DED
Paid Chk# 061471	FOX COMMUNITIES CREDIT UNI	6/28/2018	\$105.00 PAYROLL 13 EMPLOYEE H.S.A. DED
Paid Chk# 061472	HORICON BANK	6/28/2018	\$100.00 PAYROLL 13 EMPLOYEE H.S.A. DED
Paid Chk# 061473	NWB Bank	6/28/2018	\$95.00 PAYROLL 13 EMPLOYEE H.S.A. DED
Paid Chk# 061474	NORTH SHORE BANK, FSB	6/28/2018	\$75.00 PAYROLL 13 EMPLOYEE DEFERRED C
Paid Chk# 061475	OPTUM CONSUMER SERVICES	6/28/2018	\$50.00 PAYROLL 13 EMPLOYEE H.S.A. DED
	Total Checks		\$127,582.23

General Atty

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Name	Check Date	Check Amt	
11161 UTILITY CASH - FNB			
Paid Chk# 014193 ALLIANT ENERGYWP&L	6/5/2018	\$234.16	ELECTRIC/GAS
Paid Chk# 014194 BADGER LABORATORIES	6/5/2018	\$914.00	TESTING
Paid Chk# 014195 BERLIN JOURNAL NEWSPAPER	6/5/2018	\$22.96	UPS TO STATE LAB
Paid Chk# 014196 CINTAS CORPORATION	6/5/2018	\$171.31	
Paid Chk# 014197 CLEARBROOK, LLC	6/5/2018	\$1,675.83	POLYCLEAR CD8396 / FUEL SURCHA
Paid Chk# 014198 FASTENAL COMPANY	6/5/2018	\$203.54	6STD CLEVIS HNGR Z AND S/S DRO
Paid Chk# 014199 FERGUSON WATER WORKS #14	6/5/2018	\$120.00	METER TESTING FEE
Paid Chk# 014200 JON LUNDT ELECTRIC, INC	6/5/2018	\$709.89	NEW SLUDGE PUMP
Paid Chk# 014201 LINCOLN CONTR SUPPLY INC	6/5/2018	\$3,213.00	HI-E DRY DEHUMIDIFIERMAX 192 P
Paid Chk# 014202 RITEWAY BUSINESS FORMS	6/5/2018	\$797.19	LASER UTILITY BILL AND FREIGHT
Paid Chk# 014203 UNITED STATES POSTAL SERVI	6/5/2018	\$605.92	POSTAGE QTLY BILLS
Paid Chk# 014204 WALTCO INC	6/5/2018	\$568.12	PICK UP SAMPLES FOR BADGER LAB
Paid Chk# 014205 WI DNR	6/5/2018	\$310.00	WATER USE FEES
Paid Chk# 014206 ADVANCED DISPOSAL SERVICE	6/11/2018	\$216.95	SERVICES FOR JUNE 2018
Paid Chk# 014207 ALLIANT ENERGYWP&L	6/11/2018	\$40.67	
Paid Chk# 014208 BADGER LABORATORIES	6/11/2018	\$1,528.00	BOD
Paid Chk# 014209 BERLIN JOURNAL NEWSPAPER	6/11/2018	\$11.92	UPS TO BADGER LABS
Paid Chk# 014210 CHIER LAW OFFICE LLC	6/11/2018	\$141.20	COMBINED SEWER-MISC
Paid Chk# 014211 CRANE ENGINEERING SALES IN	6/11/2018	\$898.00	SWING CHECK
Paid Chk# 014212 DIGGERS HOTLINE	6/11/2018	\$510.60	PREPAYMENT
Paid Chk# 014213 DIVISION OF UNEMPLOYMENT I	6/11/2018	\$740.00	B THOMA
Paid Chk# 014214 FOUR WAY CONSTRUCTION OF	6/11/2018	\$228.00	UNDERGROUND INSTALLATION PANEL
Paid Chk# 014215 INTERSTATE BATTERY	6/11/2018	\$228.90	MTP-48/H6
Paid Chk# 014216 JON LUNDT ELECTRIC, INC	6/11/2018	\$455.40	CC FUSES AND LABOR FOR SERVICE
Paid Chk# 014217 KUNKEL ENGINEERING GROUP	6/11/2018	\$11,035.00	2018 STREET PROJECT
Paid Chk# 014218 MODERN OVERHEAD DOOR CO	6/11/2018	\$225.00	FIX GEAR-COUNTER SHUTTER
Paid Chk# 014219 RIPON COMMUNITY PUBLICATI	6/11/2018	\$36.90	GENERAL UTILITY OPERATORS AD
Paid Chk# 014220 RWI PIPE FABRICATORS, INC	6/11/2018	\$2,236.00	6" VIC 90, FLANGES, COUPLINGS,
Paid Chk# 014221 THEDACARE AT WORK	6/11/2018	\$68.00	MAYO
Paid Chk# 014222 U S CELLULAR	6/11/2018	\$239.41	
Paid Chk# 014223 UNITED COOPERATIVE	6/11/2018	\$217.60	TRIMEC CLASSIC
Paid Chk# 014224 WATER WELL SOLUTIONS	6/11/2018	\$49,575.00	WELL 5 BOOSTER PUMP INSTALLATI
Paid Chk# 014225 WAUSHARA ARGUS	6/11/2018	\$120.80	GENERAL UTILITY OPERATOR AD
Paid Chk# 014226 WI DNR - ENVIRONMENTAL FEE	6/11/2018	\$3,559.24	ENVIRONMENTAL FEES
Paid Chk# 014227 BARBARA MC QUOWN	6/14/2018	\$110.51	OVERPAID FINAL W/S
Paid Chk# 014228 BERLIN CITY TREASURER	6/14/2018	\$656.52	MAY 2018 GAS/DIESEL
Paid Chk# 014229 U S POST OFFICE - POSTMASTE	6/14/2018	\$100.00	FOREVER STAMPS
Paid Chk# 014230 CCP INDUSTRIES INC.	6/22/2018	\$214.45	RAIN JACKETS
Paid Chk# 014231 CenturyLink	6/22/2018	\$45.04	CELL PHONE
Paid Chk# 014232 ELECTRIC MOTOR SERVICE	6/22/2018	\$24.80	BASE 56T FRAME
Paid Chk# 014233 ESCREEN INC	6/22/2018	\$15.85	NONDOT URINE COLLECTION
Paid Chk# 014234 MARTELLE WATER TREATMENT	6/22/2018	\$4,497.47	LIQUID ALUMINUM SULFATE
Paid Chk# 014235 RUEKERT & MIELKE INC	6/22/2018	\$500.00	PROFESSIONAL SERVICES
Paid Chk# 014236 TONKA WATER	6/22/2018	\$2,981.00	SERVICE WORK
Paid Chk# 014237 USA BLUEBOOK	6/22/2018	\$147.88	METER GASKET RUBBER/ PRESSURE
Paid Chk# 014238 WEST SIDE GARAGE	6/22/2018	\$531.27	2002 CHEVROLET C3500 STARTER
Paid Chk# 014239 Void	6/29/2018	\$0.00	
Paid Chk# 014240 Void	6/29/2018	\$0.00	
Paid Chk# 014241 BADGER LABORATORIES	6/29/2018	\$1,653.00	TOTAL COLIFORM BACTERIA
Paid Chk# 014242 BERLIN CITY TREASURER	6/29/2018	\$28,184.71	JUNE 2018 PAYROLLS
Paid Chk# 014243 BERLIN JOURNAL NEWSPAPER	6/29/2018	\$691.54	UPS TO BADGER LABS
Paid Chk# 014244 CCP INDUSTRIES INC.	6/29/2018	\$398.19	TOWELS/SAFETY VEST/GLOVES/EAR
Paid Chk# 014245 CYPRESS FARMS LLC	6/29/2018	\$1,750.00	UTILITY LANDSPREADING EASEMENT
Paid Chk# 014246 FASTENAL COMPANY	6/29/2018	\$10.81	SPRING PIN/LIFT EYE
Paid Chk# 014247 L.W. ALLEN LLC	6/29/2018	\$661.42	LABOR-FLOW METER CALIBRATIONS
Paid Chk# 014248 LINCOLN CONTR SUPPLY INC	6/29/2018	\$83.99	GRINDER
Paid Chk# 014249 NORTH CENTRAL LABORATORI	6/29/2018	\$96.83	FREE CHLORINE/PHOSVER PP

Utilities

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JUNE 30 2018

	Name	Check Date	Check Amt	
Paid Chk# 014250	SUPERIOR CHEMICAL CORP	6/29/2018	\$148.27	GLASS CLEANER
Paid Chk# 014251	U S CELLULAR	6/29/2018	\$236.41	MALNORY/SOBIESKI/DUTY/VAN
Paid Chk# 014252	WI STATE LABORATORY OF HY	6/29/2018	\$25.00	FLUORIDE
	Total Checks		\$125,623.47	

W. W. W.

CITY OF BERLIN

PAYROLL FOR JUNE - 2018

NET PAYROLL

PAYDATE	Payroll #	PAYROLL TITLE	GENERAL CITY	UTILITY
6/1/2018	11	General City	56,557.36	
6/1/2018	11	Utility		10,102.02
6/15/2018	11.01	Police Overtime	9,029.33	
6/15/2018	12	General City	62,146.35	
6/15/2018	12	Utility		11,682.41
6/5/2018	11.01	Mayo Payout		279.63
6/15/2018	12.01	Stoll missed hr	95.01	
6/29/2018	13	General City	70,252.66	
6/29/2018	13	Utility		11,287.74
TOTAL MONTHLY PAYROLL			\$198,080.71	\$33,351.80

DATE: July 12, 2018

TO: Common Council

FROM: Jodie Olson

RE: ATV Adhoc Committee Update and Recommendation to Extend Committee Duration

BACKGROUND: The ATV Adhoc Committee met on June 20 and July 9 and has another meeting scheduled for July 23. The Committee is researching and discussing the different issues surrounding bringing ATVs onto Berlin streets. Safety was discussed at the last meeting and the next meeting will focus on policing, enforcement, infrastructure concerns and city liability. The Committee is not taking this task lightly and is working to cover all aspects in order to make an informed recommendation to the Council. Committee members have been and would like to continue to meet every two weeks for an extended period of time beyond the 30 days initially given because they do not feel 30 days is adequate to review this issue. Therefore, the committee has made a recommendation to council that they meet every two weeks for an extended period of time.

RECOMMENDATION: Discuss the ATV Adhoc Committee recommendation to extend the committee duration and action as appropriate.

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: July 11, 2018

TO: Mayor and Common Council

FROM: Lindsey Kemnitz

RE: ETZA

BACKGROUND:

On June 26, 2018 the Plan Commission reviewed the Comprehensive Plan with the recommended changes to remove the language specific to the ETZA. The consent agenda has those changes that Plan Commission recommended to Common Council for approval. At the May Common Council it was approved to have staff continue working on the Comprehensive Plan update and to repeal all exercising of the City's Extraterritorial Zoning Authority with an effective date of November 1, 2018. At the May meeting Bob Bahn, Town of Berlin Chair was concerned with the farmland preservation tax credits for his residents. Matt Kirkman and I spoke with the regional representatives from Department of Agriculture, trade and consumer protection about the farmland preservation tax credit. If the City would repeal the ETZA prior to January 1st, 2019, the County will have to rezone the properties and have them certified by DATCP prior to end of 2018. The County may have to amend their Farmland Preservation Plan before the County residents can be eligible for the tax credit.

Recommendation: To change the repeal date to January 1st, 2019.

06-18
ORDINANCE #~~10-18~~

AN ORDINANCE REPEALING ALL EXERCISE OF THE
CITY'S EXTRATERRITORIAL ZONING AUTHORITY

The Common Council of the City of Berlin do ordain as follows:

All exercise of the City's extraterritorial zoning authority pursuant to Wis. Stats. 62.23(7a) is hereby repealed. Accordingly, the Code of Ordinances shall be amended as follows:

Sec. 82-3 of the Code of Ordinances shall be amended as follows:

Sec. 82-3. - Purpose.

The purpose of this chapter is to promote the comfort, health, safety, morals, prosperity, aesthetics and general welfare of the people of the city. ~~When the term "City of Berlin" is used in this chapter, it shall apply to the extraterritorial zoning area (ETZA) as defined in section 82-4.~~

Sec. 82-4 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-4A of the Code of Ordinances shall be amended as follows:

Sec. 82-4A. - Definitions ~~APPLICABLE IN CITY OF BERLIN AND TOWN OF BERLIN ONLY.~~

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not permissive.

...

~~*Extraterritorial zoning area (ETZA)* means the area of the Towns of Berlin and Aurora which have been included in the City of Berlin Extraterritorial Zoning Area pursuant to the adoption of ordinances and resolutions under Wis. Stats. § 62.23(7a).~~

...

~~*Parties in interest* means and includes all abutting property owners, all property owners within 200 feet and all property owners of opposite frontages, including all property owners in the extraterritorial zoning area (ETZA) which may be within the area of notice as provided in this definition.~~

...

Sec. 82-10 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-11 of the Code of Ordinances shall be amended as follows:

Sec. 82-11. - Jurisdiction.

The jurisdiction of this chapter shall apply to all structures, lands, water, and air within the corporate limits of the city and the extraterritorial zoning area (ETZA). The provisions of this chapter shall apply to both the city and the ETZA, except where there are specific provisions as to the ETZA only, and in that case, those provisions shall govern for the ETZA.

Sec. 82-16 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-17 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-18 of the Code of Ordinances shall be repealed in its entirety.

Subsection 82-19(6) of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-21 of the Code of Ordinances shall be amended as follows:

Sec. 82-21. - Site regulations.

(b) *Principal structures.* All principal structures shall be located on a lot. ~~In the city limits only, and not in the extraterritorial zoning area (ETZA),~~ a structure used for farming purposes may not be a principal structure on a lot under five acres in size in A-1 or A-2 districts. Except as otherwise provided hereafter, only one principal structure shall be located, erected or moved onto a lot. ~~In A-1 or A-2 districts in the ETZA, and~~ on lots of five acres or more in A-1 or A-2 districts ~~in the city limits,~~ there may be more than one principal structure on a lot so long as all the structures are consistent with permitted uses for the district. Also, as a conditional use, the plan commission may permit more than one principal structure per lot in any district where more than one such structure is needed for the orderly development of the parcel. Where additional principal structures are permitted, the plan commission may impose additional yard, landscaping or parking requirements, or require a minimum separation distance between principal structures.

Sec. 82-25 of the Code of Ordinances shall be amended as follows:

Sec. 82-25. - River frontage restrictions.

On any lot or parcel of land which includes river frontage in any district ~~in the city or the extraterritorial zoning area (ETZA)~~, no building or land shall be used, and no building dock, accessory building or structure shall be erected or structurally altered within 40 feet of the river bank, and no fill, refuse, pilings or retaining walls shall be erected or structurally altered, except under the following conditions:

...

Sec. 82-26 of the Code of Ordinances shall be amended as follows:

Sec. 82-26. - Hunting with bow or crossbow permitted in all districts subject to restrictions; ~~hunting and target shooting permitted in all districts of ETZA.~~

Hunting with a bow or crossbow, subject to all requirements of section 46-31, shall be a permitted use in all zoning districts. ~~Hunting and target shooting, including the discharge of weapons consistent with such uses, shall be permitted uses in all zoning districts outside of the city limits and within the city's extraterritorial zoning area.~~

Sec. 82-62 of the Code of Ordinances shall be amended as follows:

Sec. 82-62. - Violations; penalties.

...

(b) If an order of the zoning administrator has not been complied with within 30 days after written notice has been mailed to the owner of such property in violation of this chapter, the resident agent or occupant of the premises, the common council, ~~the affected town in the ETZA,~~ the zoning administrator or the city attorney may institute appropriate legal action or proceedings.

...

Sec. 82-68 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-69 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-92 of the Code of Ordinances shall be amended as follows:

Sec. 82-92. - Role of specific city officials in zoning administration.

...

(b) *Common council.*

...

~~(2) — The authority of the common council to make changes in this chapter in regard to the extraterritorial zoning area (ETZA) or rights granted to the Towns of Berlin and Aurora under this chapter shall be subject to the provisions of section 82-17.~~

...

~~(d) — *ETZA provision.* Any amendment or modification to this chapter which affects the ETZA, or the rights granted to the Towns of Berlin and Aurora under other provisions of this chapter, shall not be effective without compliance with the provisions of section 82-17.~~

Sec. 82-122 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-123 of the Code of Ordinances shall be amended as follows:

Sec. 82-123. - Applications for hearings.

...

(f) *Fee.* All appeals and applications filed with the zoning administrator shall be accompanied by payment of the required fee as set forth in the applicable fee schedule adopted by the common council ~~(and ETZA joint plan commission for ETZA applications)~~ on file in the clerk-treasurer's office. If the appellant or applicant elects the contested case method, he shall also pay the amount determined by the board of appeals to cover the additional administrative costs involved.

...

Sec. 82-153 of the Code of Ordinances shall be amended as follows:

Sec. 82-153. - Zoning map.

(a) The city and the extraterritorial zoning area (ETZA) ~~is~~are divided into zoning districts as shown upon a map designated as the Official Zoning Map of the City of Berlin, and made a part of this chapter. The official zoning map, and all the notations, references and other

information shown on such map, are a part of this chapter, and shall have the same force and effect as if the matters and information set forth by such map were fully described in this section. The official zoning map shall be properly attested and kept on file in the clerk-treasurer's office, along with the text of the official zoning regulations.

...

Sec. 82-177 of the Code of Ordinances shall be amended as follows:

Sec. 82-177. - Conditional uses.

In the C-1 conservancy district, conditional uses shall be as follows:

...

~~(2) — Airports in the ETZA district only.~~

Sec. 82-204 of the Code of Ordinances shall be repealed in its entirety.

Subsections 82-227(2) and (3) of the Code of Ordinances shall be repealed in their entirety, and the subsequent subsections in Section 82-227 shall be renumbered accordingly.

Sec. 82-286 of the Code of Ordinances shall be amended as follows:

Sec. 82-286. - Use regulations.

The R-1 residential district is intended to provide for single-family residential development and to protect such areas from the encroachment of incompatible uses. The following uses shall be permitted in the R-1 district:

...

(8) In the city limits (~~expressly excluding any properties in the ETZA~~) and with a license granted under section 10-7(d), keeping of up to six chickens per lot. For purposes of this subsection, "chickens" shall have the meaning set forth in section 10-2.

...

Sec. 82-290 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-315 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-340 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-361 of the Code of Ordinances shall be amended as follows:

Sec. 82-361. - Conditional uses.

In the B-1 district, conditional uses shall be as follows:

- (1) ~~Churches only in the city and not in the extraterritorial zoning area districts.~~
 - (2) ~~A bed and breakfast establishment in the ETZA district only.~~
-

Sec. 82-364 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-390 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-416 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-441 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-466 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-517 of the Code of Ordinances shall be amended as follows:

Sec. 82-517. - Criteria for approval.

As a basis for determining the acceptability of a planned unit development district application to the plan commission, ~~the appropriate ETZA special committee under section 82-518(c)(1), and the city council, and the appropriate town board if applicable under section 82-518(c)(2),~~ the following criteria shall be applied to the application for such district with specific consideration as to whether or not it is consistent with the spirit and intent of this chapter, is consistent with the policies of the city development plan and any county or town development plans as applicable, has been prepared with professional advice and guidance and produces significant benefits in terms of environmental design:

...

(2) *Economic feasibility and impact.* The proponents of a planned unit development district application shall provide evidence satisfactory to the plan commission, ~~the appropriate ETZA special committee under section 82-518(e)(1), and the city council, and the appropriate town board if applicable under section 82-518(e)(2),~~ of its economic feasibility, of available adequate financing, and that it would not adversely affect the economic prosperity of the city or the values of surrounding properties.

(3) *Engineering design standards.* The width of street rights-of-way, width of paving, width and location of street or other paving, outdoor lighting, location of sewer and water lines, provision for stormwater drainage or other similar environmental engineering considerations shall be based on standards necessary to implement the specific function in the specific situation; provided, however, in no case shall standards be less than those necessary to ensure the public safety and welfare as determined by the city-designated engineer ~~and/or town engineer as applicable in the ETZA.~~

...

(6) *Parking areas landscaped.* Parking areas shall be screened from adjacent structures, roads and traffic arteries, with hedges, dense plantings, earth berms, changes in grade, or walls, at levels determined adequate by the common council ~~and appropriate town board if applicable under section 82-518(e)(2),~~ upon recommendation of the plan commission ~~or appropriate ETZA special committee under section 82-518(e)(1).~~ In addition, all parking lots shall be designed to accommodate tree and shrub plantings along internal islands, at levels determined adequate by the common council ~~and appropriate town board if applicable under section 82-518(e)(2),~~ upon recommendation of the plan commission ~~or appropriate ETZA special committee under section 82-518(e)(1).~~

(7) *Preservation and maintenance of open space.* In a planned unit development district, adequate provisions shall be made for the permanent preservation and maintenance of open space or landscaped green area, either by private reservation or dedication to the public, at the city's discretion, ~~or the applicable township's discretion if in the ETZA.~~ A minimum of ten percent of the district shall be open space or landscaped green area.

a. In the case of private reservation, the open area to be reserved shall be protected against building development by conveying to the city, ~~or applicable township if in the ETZA,~~ as part of the conditions for project approval an open space easement over such open areas restricting the area against any future building or use except as consistent with that of providing landscaped open space for the aesthetic and recreational satisfaction of the surrounding residences. Buildings or uses for noncommercial, recreational or cultural purposes compatible with the open space objective may be permitted only where specifically authorized as part of the development plan or, subsequently, with the express approval of the city council ~~and appropriate town board if applicable under section 82-518(e)(1)~~ following approval of building, site and operational plans by the plan commission, ~~or appropriate ETZA special committee if applicable under section 82-518(e)(1).~~

b. The care and maintenance of such open space reservations shall be ensured

by establishment of an appropriate management organization for the project. The manner of ensuring maintenance and assessing such cost to individual properties shall be included in any contractual agreement with the city, or applicable township if in the ETZA, and shall be included in the title to each property.

c. Ownership and tax liability of private open space reservations shall be established in a manner acceptable to the city, or applicable township if in the ETZA, and made a part of the conditions of the plan approval.

(8) *Park dedication.* If a proposed planned unit development district is in the city only, and not in the ETZA, the applicant shall comply with all park dedication, or fees in lieu of dedication, requirements of chapter 62, article IV, as though the proposed district was a subdivision, unless compliance with those sections is waived for the district by the common council, upon recommendation of the plan commission.

(9) *Implementation schedule.* The applicant for a proposed planned unit development district shall submit a reasonable schedule for the implementation of the development to the satisfaction of the city council and appropriate town board if applicable under section 82-518(e)(2), including suitable provisions for assurance that each phase could be brought to completion in a manner which would not result in an adverse effect upon the community as a result of termination at that point.

Sec. 82-518 of the Code of Ordinances shall be amended as follows:

Sec. 82-518. - Procedural requirements.

(a) *Prepetition conference.* Prior to the official submission of the petition for the approval of a planned unit development district, the petitioner should meet with the plan commission, or the appropriate ETZA special committee described under subsection (c)(1) of this section if applicable, to discuss the scope and proposed nature of the contemplated development.

(b) *Petition for approval.* Following the prepetition conference, the petitioner may file a petition with the zoning administrator for approval of a planned unit development district. Such petition shall be accompanied by a review fee as set forth on the fee schedule on file in the clerk-treasurer's office. Such fee shall be in addition to any other zoning change application fee required elsewhere in this chapter. The petitioner shall further be required to pay all applicable legal, engineering or other consultant fees incurred on behalf of the city, ETZA special committee or applicable individual townships as applicable, in its/their review of the development plan and proposed zoning change. The procedure for rezoning to a planned unit development district shall be as required for any other zoning district change under this chapter, except that, in addition thereto, the following information shall be filed by the applicant with the zoning administrator with the petition for rezoning:

(1) *Informational statement.* A statement which sets forth the relationship of the proposed PUD to the city's adopted master plan (comprehensive land use and thoroughfare plan), neighborhood plan, or any adopted component thereof, any applicable

county or township development plan if in the ETZA, and the general character of and the uses to be included in the proposed PUD, including the following information:

d. Any proposed departures from the standards of development as set forth in the city zoning regulations in this chapter, city land subdivision requirements in chapter 62, other city regulations or administrative rules, county and township land subdivision requirements and other regulations or administration rules as applicable to the ETZA, or other universal guidelines.

e. Any other data or information required by the plan commission, the appropriate ETZA special committee described under subsection (c)(1) of this section if applicable, or common council, or appropriate town board if applicable under subsection (c)(2) of this section.

(2) Development plan. A development plan including:

1. Any other plans, documents or schedules required by the plan commission, the appropriate ETZA special committee if applicable under subsection (c)(1) of this section, or city council, or appropriate town board if applicable under subsection (c)(2) of this section.

(c) ~~ETZA PUDs.~~

~~(1) *Special committee.* At any time a petition for a proposed planned unit development district in the ETZA is presented to the city plan commission, a special committee, acting as the plan commission, shall be formed for the purpose of the public hearing and action on the proposal. The special committee shall consist of six members, with three appointed by the city plan commission and three members appointed by the town board of the town in which the proposed site is located. The special committee as so composed shall vote by majority vote of four of its members to recommend approval or disapproval of the proposed district. The final action on the proposed district shall be taken by the city common council, subject to approval by the applicable town board as provided in subsection (c)(2) of this section.~~

~~(2) *Town board approval required.* Any PUD district which is proposed in the ETZA, in the city but which adjoins the ETZA or is within 100 feet of the ETZA shall be subject to the approval of the town board of the township which adjoins or is within 100 feet of the proposed PUD district, in addition to the approval of the city common council.~~

Sec. 82-519 of the Code of Ordinances shall be amended as follows:

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Sec. 82-519. - Basis for approval of the petition.

(a) *Requirements.* The plan commission, ~~or appropriate ETZA special committee if applicable under section 82-518(e)(1),~~ and the city council, ~~and appropriate town board if applicable under section 82-518(e)(2),~~ in making a determination approving a petition for planned unit development, shall find as follows:

...

(b) *Proposed construction schedule.* The plan commission, ~~ETZA special committee if applicable under section 82-518(e)(1), and~~ city council, ~~and appropriate town board if applicable under section 82-518(e)(2),~~ in making their respective recommendation and determination, shall consider the reasonableness of the proposed construction schedule and any staging plan for the physical development of the proposed PUD, commencement of the physical development within one year of approval being deemed reasonable.

(c) *Residential PUD considerations.* The plan commission, ~~ETZA special committee if applicable under section 82-518(e)(1), and~~ city council, ~~and appropriate town board if applicable under section 82-518(e)(2),~~ in making their respective recommendation and determination as to a proposed residential planned unit development, shall further consider whether:

...

(2) The total net residential density within the planned unit development will be compatible with the city master plan (comprehensive land use and thoroughfare plan), neighborhood plan, or components thereof, ~~any applicable county or township development plans if in the ETZA,~~ and shall be compatible with the density of the district wherein located.

...

(d) *Commercial/business PUD considerations.* The plan commission, ~~ETZA special committee if applicable under section 82-518(e)(1), and~~ city council, ~~and appropriate town board if applicable under section 82-518(e)(2),~~ in making their respective recommendation and determination as to a proposed commercial/business planned unit development, shall further consider whether:

...

(e) *Industrial PUD considerations.* The plan commission, ~~ETZA special committee if applicable under section 82-518(e)(1), and~~ city council, ~~and appropriate town board if applicable under section 82-518(e)(2),~~ in making their respective recommendations and determination as to a proposed industrial planned unit development, shall further consider whether:

...

(f) *Mixed use PUD considerations.* The plan commission, ~~ETZA special committee if applicable under subsection 82-518(e)(1), and city council, and appropriate town board if applicable under subsection 82-518(e)(2),~~ in making their respective recommendation and determination as to a proposed mixed use planned unit development, shall further consider whether:

...

Sec. 82-520 of the Code of Ordinances shall be amended as follows:

Sec. 82-520. - Recording and development contract.

(a) *Recording.* Upon final approval of the application and adoption of a zoning change to the planned unit development district by the city council, ~~and appropriate town board if applicable under subsection 82-518(e),~~ the building, site and operational plans for the development, as approved, as well as all other commitments and contractual agreements with the city, ~~ETZA special committee or applicable townships,~~ offered or required with regard to components, project value, character and other factors pertinent to an assurance that the proposed development will be carried out basically as presented in the official submittal plans shall be recorded by the developer within ten days in the applicable county register of deeds' office. Unless and until all of the plans and documents have been recorded, no building permit shall be issued for any construction within the planned unit development district. Detailed construction and engineering plans need not necessarily be completed at the time the zoning is approved, but the approval and recording of the plans may be conditioned upon the subsequent submittal and approval of more specific and detailed plans as the development progresses.

(b) *Development contract.* Before any building permit shall be issued, the applicant and the owner shall enter into an appropriate contract with the city, ~~or applicable townships if in the ETZA,~~ to guarantee the implementation of the landscaping and public improvement portions of the development, such as streets, sewer and water, curb and gutter, lift stations, street lighting, etc., according to the terms and conditions established as a part of the development plan. The installation of all public improvements shall be the responsibility of the developer, unless otherwise provided for in this Code. The city, ~~or applicable townships if in the ETZA,~~ shall have the right, if deemed appropriate, to require the inclusion of a performance bond or letter of credit satisfactory to the city attorney ~~or applicable township attorneys if in the ETZA.~~ Such contract shall be recorded by the developer in the county register of deeds' office within ten days after its execution.

Sec. 82-521 of the Code of Ordinances shall be amended as follows:

Sec. 82-521. - Alterations and lapse of development plan.

Any subsequent change of use of any lot or parcel of land or addition or modification of the plans shall first be submitted for approval to the plan commission, ~~or ETZA special committee if applicable under subsection 82-518(e)(1),~~ and if, in the opinion of the plan commission, ~~or ETZA~~

~~special committee if applicable under subsection 82-518(e)(1), such change or modification constitutes a substantial alteration of the original plans, the procedure provided in sections 82-518 and 82-519 and in this section shall be required before the use is changed or the plans modified. If, in the opinion of the plan commission, or ETZA special committee if applicable under subsection 82-518(e)(1), such change or modification does not constitute a substantial alteration of the original plans and if such change or modification is recommended by the plan commission, or ETZA special committee if applicable under subsection 82-518(e)(1), the change or modification may be made without the approval of the common council. Development plan approval lapses one year after its effective date if substantial development progress has not occurred. The plan commission, or ETZA special committee if applicable under subsection 82-518(e)(1), may grant extensions for good cause.~~

Sec. 82-551 of the Code of Ordinances shall be amended as follows:

Sec. 82-551. - Building permit required; application.

Within the city or extraterritorial zoning area (ETZA), no owner shall build, construct, use or place any accessory building, including prefabricated accessory buildings, until a building permit shall have first been obtained from the building inspector. Application for an accessory building permit shall be made in writing to the building inspector. With such application, there shall be submitted a fee pursuant to chapter 14 of this Code, and a complete set of plans and specifications, including a plot plan or drawing which shall accurately show the location of the proposed accessory building with respect to adjoining alleys, lot lines and buildings. If such application meets all requirements of this article, the application shall be approved.

Sec. 82-552 of the Code of Ordinances shall be amended as follows:

Sec. 82-552. - Principal use to be present.

Except as otherwise provided hereafter, an accessory use or structure in any zoning district shall not be established prior to the principal use or structure being present or under construction. ~~In A-1 or A-2 districts in the ETZA, and e~~On lots of five acres or more in A-1 or A-2 districts ~~in the city limits~~, accessory structures may be constructed prior to the principal structure, so long as the accessory structure is consistent with a permitted use for that district. Any accessory use or structure shall conform to the applicable regulations of the district in which it is located, except as specifically otherwise provided in this chapter.

Sec. 82-553 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-553A of the Code of Ordinances shall be amended as follows:

Sec. 82-553A. - Residential district placement restrictions—APPLICABLE IN CITY OF BERLIN AND TOWN OF BERLIN ONLY.

An accessory use or structure in a residential district within the city may be established subject to the following restrictions:

...
~~(4) — Exceptions for detached garages and accessory buildings in ETZA district. The following exceptions shall apply in the extraterritorial zoning authority district only:~~

~~a. — Maximum square foot restriction. The 900 square foot maximum size allowance upon detached garages may be exceeded under certain circumstances, up to a maximum of 1,400 square feet, only with a conditional use permit, and subject to the following restrictions:~~

~~1. — No conditional use permit increasing the established maximum square foot allowance for detached garages shall be granted for detached garages on lots which are 8,910 square feet or smaller.~~

~~2. — A conditional use permit may be granted increasing the maximum square foot allowance for one detached garage on a lot as follows:~~

~~i. — If the detached garage is on a lot greater than 8,910 square feet up to and including one acre, such maximum square foot restriction for one detached garage may be increased to 1,000 square feet.~~

~~ii. — If the detached garage is on a lot greater than one acre up to and including two acres, such maximum square foot restriction for one detached garage may be increased to 1,100 square feet.~~

~~iii. — If the detached garage is on a lot greater than two acres up to and including three acres, such maximum square foot restriction for one detached garage may be increased to 1,200 square feet.~~

~~iv. — If the detached garage is on a lot greater than three acres up to and including four acres, such maximum square foot restriction for one detached garage may be increased to 1,300 square feet.~~

~~v. — If the detached garage is on a lot greater than four acres up to and including five acres, such maximum square foot restriction for one detached garage may be increased to 1,400 square feet.~~

~~3. — Any conditional use permit granted for detached garages hereunder shall be subject to the mandatory condition that if the parcel upon which such detached garage is placed is subdivided, causing the remaining parcel to be less than the required minimum acres for the size of the detached garage permitted, the conditional use permit shall terminate. Further, the permit applicant must consent to a memorandum of such condition being recorded upon the title to the parcel at~~

~~the applicable county register of deeds office on a form approved by the city attorney.~~

~~b. — *Maximum height restriction.* In addition to the exception to the 15-foot maximum height restriction upon detached garages and accessory buildings provided in section 82-553A(3)(a), such 15-foot restriction may also be exceeded under the following circumstances, without meeting the conditions set forth in section 82-553A(3)(a) 1. and 2. Detached garages and accessory buildings may be up to a maximum of 20 feet in height, only with a conditional use permit, and subject to the following mandatory conditions being imposed upon the permit holder:~~

~~1. — For each one-foot increase in the maximum height allowance, the affected accessory structure must be set back the greater of the following:~~

~~i. — An additional ten feet from the front of the principal structure; or~~

~~ii. — An additional ten feet above the regular front yard setback.~~

~~2. — For each one-foot increase in the maximum height allowance, the required side yard setback for the affected structure shall be increased by five feet.~~

~~3. — For each one-foot increase in the maximum height allowance, the required rear yard setback for the affected structure shall be increased by ten feet.~~

Sec. 82-561 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-561A of the Code of Ordinances shall be amended as follows:

~~Sec. 82-561A. - Lawn accessories — APPLICABLE IN CITY OF BERLIN AND TOWN OF BERLIN ONLY.~~

Walks, drives, paved terraces and decorative garden accessories such as decorative pools (not designed for swimming), fountains, statuary, sundials, flag poles, etc., shall be permitted in setback areas within the city, but shall not be located closer than three feet to an abutting property line, other than a street line.

Sec. 82-563 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-563A of the Code of Ordinances shall be amended as follows:

~~Sec. 82-563A. - Children's play structures — APPLICABLE IN CITY OF BERLIN AND TOWN OF BERLIN ONLY.~~

Play structures shall be considered accessory structures, and shall comply with the requirements of this article accordingly. Play structures shall not be used for storage or be constructed out of materials that would constitute a nuisance.

Sec. 82-569 of the Code of Ordinances shall be amended as follows:

Sec. 82-569. - Metal buildings.

In the R-1 and R-2 districts within the city, no metal buildings exceeding 100 square feet shall be permitted, except:

(1) ~~All metal buildings in the extraterritorial zoning area (ETZA) as of the date of the adoption of the ETZA ordinance shall be legal conforming uses.~~

(2) ~~All metal buildings in the ETZA built before the adoption of the ETZA ordinance, and located on parcels of less than five acres, may be increased by an additional 25 square feet in size for each 1,000 square feet of lot size which is over and above the 8,000 square foot minimum city lot size.~~

(3) ~~Any metal buildings in the ETZA built after the adoption of the ETZA ordinance on parcels of five acres or more may be of any size except as otherwise limited in this chapter.~~

Sec. 82-601 of the Code of Ordinances shall be amended as follows:

Sec. 82-601. - Continuation of existing nonconforming uses and structures.

...

(b) If no structural alterations are made, a nonconforming use of a building may be changed to any use permitted in the same use district as that in which the use existing is permitted according to the provisions of this chapter, provided, when a use district is changed unilaterally by the city ~~(or city and town(s) if in the ETZA)~~ without application by the landowner, an existing nonconforming use in such changed district may be continued or changed to a use permitted in the same use district as that in which the existing use is permitted, provided, all other regulations governing the new use are complied with. If a use district is changed upon application of a landowner, the use of that landowner's property located within the changed use district shall comply with the use requirements of the new district.

...

Sec. 82-644 of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-716 of the Code of Ordinances shall be amended as follows:

Sec. 82-716. - Satellite earth stations.

...

(b) *Permit required; exemptions.* No owner ~~within the city or extraterritorial zoning area (ETZA)~~ shall build, construct, use or place any type of satellite earth station upon his premises until a permit shall has first been obtained from the zoning administrator. Small satellite dish antennas which are 24 inches or less in diameter are exempt from the regulations of this article, except that they shall still not be installed or extend in any public right-of-way, and shall be limited to no more than one unit per recorded lot, except additional units may be permitted upon application for a special exception permit in nonresidential districts.

...

Sec. 82-1016(c) of the Code of Ordinances shall be repealed in its entirety.

Sec. 82-1023 of the Code of Ordinances shall be amended as follows:

Sec. 82-1023. - Hydrologic and hydraulic computations.

All computations of runoff volumes and peak flow rates used in the development of erosion control and stormwater management plans in accordance with this chapter shall be based on the principles of Technical Release 55 (TR-55) "Urban Hydrology for Small Watersheds," published by the Natural Resources Conservation Service (NRCS), United States Department of Agriculture, latest edition. The design storms for the City of Berlin and ~~ETZA District~~ that are needed to determine compliance with this chapter are as follows:

...

This ordinance shall take effect upon the latest of the following dates:

1. The day after publication; or
2. ~~November 1, 2018~~.....

Comment [LKL]: Staff recommends moving the effective date to January 1, 2019 due to the farmland preservation tax credit.

The numeric section numbers and headings shall be subject to modification in the discretion of the codifier, and the approval of the City Attorney, during codification into the City's current Code of Ordinances.

Passed, approved and adopted this ____ day of _____, 20__.

ROLL CALL VOTE:

CITY OF BERLIN

_____ AYES
_____ NAYS
_____ ABSENT

BY: _____
Richard D. Schramer, Mayor

APPROVED AS TO FORM:

ATTEST: _____
Jodie Olson, City Clerk

Matthew G. Chier, City Attorney



RESOLUTION # 18- 11

A RESOLUTION URGING THE WISCONSIN STATE LEGISLATURE
TO CLOSE
COMMERCIAL ASSESSMENT LOOPHOLES

WHEREAS, homeowners in Wisconsin already pay 70% of the total statewide property tax levy; and

WHEREAS, that disproportionate burden is about to get much worse unless the Legislature addresses tax avoidance strategies that national chains like Walgreens, and big box retail establishments like Target and Lowe's are using across the country to gain dramatic reductions in their property tax bills at the expense of homeowners and other taxpayers; and

WHEREAS, a carefully-orchestrated wave of 100s of lawsuits in Wisconsin is forcing assessors to slash the market value of thriving national retail stores, shifting their tax burden to local mom and pop shops and homeowners; and

WHEREAS, Walgreens and CVS stores in Wisconsin have argued in communities across the state that the assessed value of their property for property tax purposes should be less than half of their actual sale prices on the open market; and

WHEREAS, in many cases the courts have sided with Walgreens and CVS, requiring communities to refund tax revenue back to the stores; and

WHEREAS, there are over 200 Walgreens stores located in Wisconsin's cities and villages; and

WHEREAS, Target, Lowe's, Meijer, Menards and other big box chains are using what is known as the "Dark Store Theory" to argue that the assessed value of a new store in a thriving location should be based on comparing their buildings to sales of vacant stores in abandoned locations from a different market segment; and

WHEREAS, the Republican-controlled Indiana state Legislature has on two occasions in the last two years overwhelmingly passed legislation prohibiting assessors from valuing new big box stores the same as nearby abandoned stores from a different market segment; and

WHEREAS, the Michigan state house overwhelmingly passed similar legislation in May of 2016.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Berlin urges the Governor and the Legislature to protect homeowners and main street businesses from having even more of the property tax burden shifted to them by passing legislation clarifying that:

1. Leases are appropriately factored into the valuation of leased properties; and
2. When using the comparable sale method of valuation, assessors shall consider as comparable only those sales within the same market segment exhibiting a similar highest and best use rather than similarly sized but vacant properties in abandoned locations.

Passed, approved and adopted by the Common Council of the City of Berlin on this 17th day of July, 2018.

ROLL CALL VOTE:

_____ AYES
_____ NAYS
_____ ABSENT

CITY OF BERLIN

BY: _____
Richard D. Schramer, Mayor

APPROVED AS TO FORM:

ATTEST: _____
Jodie Olson
Administrator/Clerk-Treasurer

Matthew G. Chier
City Attorney