

AGENDA
COMMON COUNCIL MEETING
TUESDAY, NOVEMBER 14, 2017 7:00 PM
COUNCIL CHAMBERS, BERLIN CITY HALL, 2ND FLOOR
MEETING IS OPEN TO THE PUBLIC & CITY HALL IS HANDICAPPED ACCESSIBLE

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

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

3. Waive the reading of ordinances and resolutions. RECOMMENDATION: Waive the reading of all ordinances and resolutions adopted at this meeting.
4. Written reports from the City Clerk, Treasurer, and Building Inspector.
RECOMMENDATION: Receive and place on file the written reports from the City Clerk, Treasurer, and Building Inspector.
5. Minutes from the October 10, 17, & 24 2017, Common Council Meeting.
RECOMMENDATION: Approve the minutes. (*if necessary, closed session minutes can be reviewed in closed session*)
6. Emergency Medical Services Director Position. RECOMMENDATION: Accept the Committee of the Whole recommendation to approve the proposed Emergency Medical Services Director Job Description and authorize staff to move forward with filling the position.
7. 2018 Ambulance Billing Fee Schedule. RECOMMENDATION: Accept the Committee of the Whole recommendation to approve and adopt the 2018 Ambulance Billing Fee Schedule as presented.
8. Farmland Preservation Ordinance Amendment. RECOMMENDATION: Accept the Committee of the Whole recommendation to approve and adopt Ordinance #06-17 Further Amending the Provisions of Farmland Preservation Zoning Code.
9. Assessment Error Tax Refund for 274 N. Hunter Street. RECOMMENDATION: Accept the Committee of the Whole recommendation to approve of tax refund for 274 N. Hunter Street for 2016 Assessor error and approval of Resolution #17-07 to authorize the transfer of \$883.14 from Contingency Account#10-59-90000-390 to Illegal Taxes and Refunds Account #10-51-91000-390 for tax refund to Gordon H. Decker.

10. Resolution Declaring 107 W. Huron Street an Emergency. RECOMMENDATION: Accept the Committee of the Whole recommendation to approve Resolution #17-09 Determining that a Public Emergency Exists in Regard to the 107 W. Huron Street Property Bidding Procedures for Repairs.

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

END OF CONSENT AGENDA

12. Resolution Authorizing the Issuance and Sale of \$1,605,000 General Obligation Promissory Notes. RECOMMENDATION: Approve Resolution #17-10 Authorizing the Issuance and Sale of \$1,605,000 General Obligation Promissory Notes.

13. Annual Review and Proposed Revisions to Weights & Measures Fee Schedule. RECOMMENDATION: Approve and adopt the proposed revisions to Weights & Measures Fee Schedule as submitted by Appleton Health Department Chief Sealer.

14. Dedication of Bus Shelter Structure from Boys & Girls Club to City of Berlin. RECOMMENDATION: Approve and adopt Resolution #17-08 Accepting the Boys & Girls Club of the Tri-County Area Dedication of a Bus Shelter Structure on S. Washington Street Right-of-Way.

15. 2018 Budget. RECOMMENDATION: Discuss and action as appropriate.

16. Appointment to Committee On Aging. RECOMMENDATION: Approve the Mayoral appointment of Tina Marchan to the Committee on Aging for term expiring April 30, 2018.

17. Bartender License Applications: Ashley Nicole Mendoza, Missy Lee Peterson, Jessica Lynn Steger (approved by the PD) RECOMMENDATION: Grant or deny the licenses.

18. 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.)

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

20. Public Appearances.

21. 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) *Discuss potential litigation and action relative to 107 W. Huron Street & 2) Discussion on post-retirement health insurance benefits for union and non-union employees, 3) If necessary, to review the closed session minutes from the October 12 or 24th 2017 Council meeting)*

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

23. 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 10/31/2017									
FUNDS	BEG BALANCE	ADJ/ VOIDS	RECEIPTS	DISBURSEMENTS	BALANCE	INVESTMENTS	TOTAL W/ INVESTMENTS		
GENERAL CITY	\$ 419,029.45		\$ 557,320.50	\$ 596,142.13	\$ 380,207.82	\$ 2,100,000.00	\$ 2,480,207.82		
TAX COLLECTION ACCOUNT	\$ 686.16		\$ -		\$ 686.16	\$ -	\$ 686.16		
WATER INVESTMENTS	\$ 309,817.39		\$ 456,275.72	\$ 124,257.84	\$ 641,835.27	\$ 3,805,179.70	\$ 4,447,014.97		
SEWER INVESTMENTS					\$ -	\$ 1,556,135.26	\$ 1,556,135.26		
SEWER BOND & INT	\$ 53,734.19		\$ 480.50	\$ -	\$ 54,214.69	\$ -	\$ 54,214.69		
BOND & INT RESERVE	\$ -				\$ -	\$ 255,625.56	\$ 255,625.56		
EQUIP REPLACEMENT FUND	\$ 96,082.02		\$ 2,611.22		\$ 98,693.24	\$ 1,255,000.00	\$ 1,353,693.24		
CAPITAL PROJECT BORROWING	\$ -			\$ -	\$ -	\$ -	\$ -		
EMS ACCOUNT	\$ 78,170.93		\$ 30,452.54	\$ 65,035.00	\$ 43,588.47		\$ 43,588.47		
TOTAL OF ALL FUNDS	\$ 957,520.14		\$ 1,047,140.48	\$ 785,434.97	\$ 1,219,225.65	\$ 8,971,940.52	\$ 10,191,166.17		
FUNDS	BANK STATEMENT BALANCE	ADJUSTMENT	OUTSTANDING CHECKS	AVAILABLE BANK BALANCE					
GENERAL CITY	\$ 400,758.65		\$ 20,550.83	\$ 380,207.82					
TAX COLLECTION ACCOUNT	\$ 977.55		\$ 291.39	\$ 686.16					
WATER & SEWER	\$ 649,396.72		\$ 7,561.45	\$ 641,835.27					
SEWER BOND & INT	\$ 54,214.69		\$ -	\$ 54,214.69					
EQUIP REPLACMT FUND	\$ 98,693.24		\$ -	\$ 98,693.24					
CAPITAL PROJECT BORROWING	\$ -		\$ -	\$ -					
EMS ACCOUNT	\$ 43,588.47		\$ -	\$ 43,588.47					
TOTAL OF ALL FUNDS	\$ 1,247,629.32	\$ -	\$ 28,403.67	\$ 1,219,225.65					
					RESPECTFULLY SUBMITTED,				
					JUAN CAMERO				

CITY OF BERLIN				BUILDING REPORT				OCTOBER		2017
TYPE OF PERMIT	No.	MONTH		Permit Cost	YEAR TO DATE		Permit Cost	LAST YEAR TO DATE		Permit Cost
		Estimated Value	No.		Estimated Value	No.		Estimated Value	No.	
Single Family Residence						2	\$1,587.60		3	\$2,960.50
Multi-Family Residence										
Residential Garage						3	\$692.20		4	\$699.04
Residential Garage Alteration						2	\$100.00		3	\$246.28
Residential Alteration	9	\$89,200.00		\$551.00	\$770,970.00	50	\$4,219.62	\$276,049.00	33	\$2,038.00
Commercial								\$71,400.00	2	\$362.40
Commercial Alteration						2	\$3,170.00	\$925,000.00	4	\$4,079.00
Industrial	1	\$410,000.00		\$1,843.62	\$660,000.00	2	\$3,213.62	\$205,000.00	1	\$1,633.60
Industrial Alteration						1	\$225.00	\$264,300.00	2	\$2,346.00
Signs						10	\$6,481.16	\$78,669.00	9	\$625.00
Miscellaneous	3	\$30,650.00		\$309.20	\$125,134.00	21	\$1,254.20	\$48,492.00	15	\$750.00
Demolition						2	\$150.00		2	\$200.00
Hospital								\$22,763.00	1	\$112.00
Church						1	\$50.00	\$60,000.00	1	\$260.00
School										
Driveways	2	\$7,200.00		\$60.00	\$26,850.00	13	\$540.00	\$44,800.00	7	\$205.00
Trailer Homes										
Total Building Permits	15	\$537,050.00		\$2,763.82	\$2,787,819.00	109	\$21,683.40	\$3,033,533.00	87	\$16,516.82
Commercial Plan Approval										
Plumbing Permits	4	\$35,630.00		\$250.00	\$157,676.00	25	\$1,170.00	\$966,864.00	15	\$7,141.00
Electrical Permits	6	\$78,400.00		\$652.20	\$134,564.00	32	\$2,267.40	\$129,433.00	24	\$2,165.00
Heating Permits	5	\$17,705.00		\$350.00	\$182,292.00	47	\$2,275.00	\$790,776.75	64	\$10,125.00
Total Permit Fees				\$4,016.02			\$27,395.80			\$35,947.82
Totals	30	\$668,785.00		\$4,016.02	\$3,262,351.00	213	\$27,395.80	\$4,920,606.75	191	\$36,197.82

*Check Summary Register©

OCTOBER 31 2017

Name	Check Date	Check Amt	
11100 Cash in Bank m FNB			
Paid Chk# 060296	Voided	10/3/2017	\$0.00 Check AddUnused
Paid Chk# 060297	BANK OF AMERICA	10/3/2017	\$75.00 PAYROLL 20 EMPLOYEE H.S.A. DED
Paid Chk# 060298	BMO HARRIS BANK	10/3/2017	\$290.00 PAYROLL 20 EMPLOYEE H.S.A. DED
Paid Chk# 060299	CITIZENS FIRST CREDIT UNION	10/3/2017	\$100.00 PAYROLL 20 EMPLOYEE H.S.A. DED
Paid Chk# 060300	COMMUNITY FIRST CREDIT UNI	10/3/2017	\$165.00 PAYROLL 20 EMPLOYEE H.S.A. DED
Paid Chk# 060301	FARMERS & MERCHANTS BANK	10/3/2017	\$808.07 PAYROLL 20 EMPLOYEE H.S.A. DED
Paid Chk# 060302	FIRST NATIONAL BANK	10/3/2017	\$620.00 PAYROLL 20 EMPLOYEE H.S.A. DED
Paid Chk# 060303	HORICON BANK	10/3/2017	\$100.00 PAYROLL 20 EMPLOYEE H.S.A. DED
Paid Chk# 060304	NORTH SHORE BANK, FSB	10/3/2017	\$75.00 PAYROLL 20 DEFERRED COMPENSATI
Paid Chk# 060305	OLD NATIONAL BANK	10/3/2017	\$100.00 PAYROLL 20 EMPLOYEE H.S.A. DED
Paid Chk# 060306	OPTUM CONSUMER SERVICES	10/3/2017	\$50.00 PAYROLL 20 EMPLOYEE H.S.A. DED
Paid Chk# 060307	BERLIN WATER & SEWER UTILI	10/4/2017	\$73,379.97 3RD QUARTER WATER & SEWER BILL
Paid Chk# 060308	BALLWEG IMPLEMENT CO	10/4/2017	\$333.84 PARTS
Paid Chk# 060309	CAREW CONCRETE & SUPP CO,	10/4/2017	\$588.00 CONCRETE
Paid Chk# 060310	CHARTER COMMUNICATION	10/4/2017	\$171.48 OCTOBER BILLING FOR TV AND INT
Paid Chk# 060311	COMPLETE OFFICE OF WI	10/4/2017	\$1,259.63 CITY HALL OPERATING SUPPLIES
Paid Chk# 060312	D & D CONSTRUCTION, INC	10/4/2017	\$4,623.74 FINAL DRAW STORAGE SHED SIDING
Paid Chk# 060313	DEWHURST, DOUG	10/4/2017	\$508.97 GAS GRILL FOR FIRE DEPARTMENT
Paid Chk# 060314	FARRELL EQUIPMENT & SUPPL	10/4/2017	\$95.88 80 LB BAG SAND MORTAR TYPE S
Paid Chk# 060315	FINISHLINE STUDIOS	10/4/2017	\$35.00 OCTOBER WEB HOSTING
Paid Chk# 060316	HOLIDAY WHOLESALE	10/4/2017	\$52.20 TOWELING FOR PARKS DEPT.
Paid Chk# 060317	MGD INDUSTRIAL CORP	10/4/2017	\$212.14 PAINT AND PARTS FOR STREET DEP
Paid Chk# 060318	NEENAH FOUNDRY	10/4/2017	\$3,823.70 CURB BOX GRATE AND FRAME
Paid Chk# 060319	PETRASZAK EXCAVATING LTD	10/4/2017	\$1,000.00 BACKHOE RENT FOR BOAT LANDING
Paid Chk# 060320	VIKING ELECTRIC SUPPLY	10/4/2017	\$171.20 LIGHT BULBS FOR STREET DEPARTM
Paid Chk# 060321	WALMART COMMUNITY/RFCSSL	10/4/2017	\$62.11 PURCHASES ON WAL-MART COMMUNIT
Paid Chk# 060322	BMO HARRIS BANK	10/10/2017	\$125.00 OCTOBER EMPLOYER H.S.A. CONTRI
Paid Chk# 060323	CITIZENS FIRST CREDIT UNION	10/10/2017	\$125.00 OCTOBER EMPLOYER H.S.A. CONTRI
Paid Chk# 060324	COMMUNITY FIRST CREDIT UNI	10/10/2017	\$312.50 OCTOBER EMPLOYER H.S.A. CONTRI
Paid Chk# 060325	FARMERS & MERCHANTS BANK	10/10/2017	\$1,312.50 OCTOBER EMPLOYER H.S.A. CONTRI
Paid Chk# 060326	FIRST NATIONAL BANK	10/10/2017	\$812.50 OCTOBER EMPLOYER H.S.A. CONTRI
Paid Chk# 060327	LANDMARK SERVICES COOPER	10/10/2017	\$2,940.31 GAS AND DIESEL
Paid Chk# 060328	OLD NATIONAL BANK	10/10/2017	\$125.00 OCTOBER EMPLOYER H.S.A. CONTRI
Paid Chk# 060329	OPTUM CONSUMER SERVICES	10/10/2017	\$125.00 OCTOBER EMPLOYER H.S.A. CONTRI
Paid Chk# 060330	LISA M. OBRIST	10/13/2017	\$750.00 SEPTEMBER LIBRARY CLEANING
Paid Chk# 060331	MID AMERICA BOOKS	10/13/2017	\$0.00 7 BOOKS ON TAPE
Paid Chk# 060332	OSHKOSH OFFICE SYSTEMS	10/13/2017	\$139.48 SEPTEMBER COPIES
Paid Chk# 060333	UNIQUE MANAGEMENT SERVIC	10/13/2017	\$62.65 08-09 PLACEMENTS
Paid Chk# 060334	WINNEFOX LIBRARY SERVICES	10/13/2017	\$597.19 JULY UNIQUE MGMT/IPAD/SOCKET/F
Paid Chk# 060335	APPAREL ART EMBROIDERY, LL	10/13/2017	\$60.00 CAP FOR MEYER AND JAZDZEWSKI
Paid Chk# 060336	BERLIN EMERGENCY MEDICAL	10/13/2017	\$501.90 NARCAN/ATOMIZERS AND SHARPS DA
Paid Chk# 060337	BERLIN OIL PRODUCTS	10/13/2017	\$20.00 TIRE REPAIR FOR SQUAD CAR
Paid Chk# 060338	ERNEST, MARY	10/13/2017	\$22.00 PRINCETON HOMECOMING
Paid Chk# 060339	FOX VALLEY TECHNICAL COLLE	10/13/2017	\$175.00 RADAR OPERATIONS CLASS-MEYER
Paid Chk# 060340	GARRO, PATRICIA	10/13/2017	\$22.00 PRINCETON CROSSING GUARD-HOMEC
Paid Chk# 060341	HAVEY COMMUNICATIONS, INC	10/13/2017	\$227.70 RE-BUILD UNITROL SIREN/LIGHT C
Paid Chk# 060342	ORGANIZATION DEVEL. CONSU	10/13/2017	\$1,455.00 PSYCH EVALUATION AND ASSESSMEN
Paid Chk# 060343	RED THE UNIFORM TAILOR	10/13/2017	\$175.38 TROUSERS FOR KJBLOCK
Paid Chk# 060344	SONDALLE FORD LINCOLN MER	10/13/2017	\$93.69 REPLACE HEADLIGHTS ON 2015 FOR
Paid Chk# 060345	SPLITTGERBER, PAUL A	10/13/2017	\$22.00 PRINCETON CROSSING GUARD-HOMEC
Paid Chk# 060346	TONDELLI, CHRIS	10/13/2017	\$22.00 PRINCETON CROSSING GUARD-HOMEC
Paid Chk# 060347	WCPA CONFERENCE REGISTRA	10/13/2017	\$218.00 POLICE ENTRY EXAMS
Paid Chk# 060348	WINNEFOX COOPERATIVE TEC	10/13/2017	\$571.30 SEPTEMBER MATERIALS FOR MEMBER
Paid Chk# 060349	WINNEFOX LIBRARY SYSTEM	10/13/2017	\$240.00 MOVIE LICENSING 09/20/17-09/19
Paid Chk# 060350	BERLIN OIL PRODUCTS	10/13/2017	\$40.00 OCTOBER PAPERS
Paid Chk# 060351	DEMCO	10/13/2017	\$177.83 LIBRARY OFFICE SUPPLIES-TAPE
Paid Chk# 060352	BAKER & TAYLOR	10/13/2017	\$1,519.92 52 UNITS

General City

*Check Summary Register©

OCTOBER 31 2017

	Name	Check Date	Check Amt	
Paid Chk# 060353	COMPLETE OFFICE OF WI	10/13/2017	\$59.43	TONER FOR WATER DEPT.-SOBIESKI
Paid Chk# 060354	DOLLEVOET, BROOKE	10/13/2017	\$52.70	REIMBURSEMENT FOR GATEWAY PAYM
Paid Chk# 060355	EAGLE ENGRAVING, INC	10/13/2017	\$29.60	ID TAGS-KGARZA, J HERNANDEZ, M
Paid Chk# 060356	EMC INSURANCE COMPANIES	10/13/2017	\$18,400.32	LIABILITY INSURANCE
Paid Chk# 060357	FIVE ALARM FIRE & SFTY EQ, LL	10/13/2017	\$2,394.35	HURST 30 FT HOSE W/QD EXTENSIO
Paid Chk# 060358	FOX VALLEY TECHNICAL COLLE	10/13/2017	\$80.00	STATE PRACTICE EXAM-DRIVER/OPE
Paid Chk# 060359	HILGART, AARON	10/13/2017	\$30.00	REIMBURSEMENT FOR CDL LICENSE
Paid Chk# 060360	OSHKOSH OFFICE SYSTEMS	10/13/2017	\$45.79	MONTHLY COPIES
Paid Chk# 060361	SEAWALL SOLUTIONS	10/13/2017	\$88,410.00	PAYMENT NO. 3 RIVERSIDE PARK S
Paid Chk# 060362	SUN LIFE FINANCIAL	10/13/2017	\$164.00	OCTOBER LIFE INSURANCE
Paid Chk# 060363	ADVANCED DISPOSAL SERVICE	10/19/2017	\$23,799.79	OCTOBER TRASH SERVICE-CITY
Paid Chk# 060364	AL SCHMUDE ELECTRIC LLC	10/19/2017	\$52.80	REPAIR AIR COMPRESSOR AT CITY
Paid Chk# 060365	APPAREL ART EMBROIDERY, LL	10/19/2017	\$160.00	CS410 POLOS FOR AMBULANCE-ANTH
Paid Chk# 060366	APPLETON FINANCE DEPARTM	10/19/2017	\$455.00	OCTOBER WEIGHTS AND MEASURES
Paid Chk# 060367	BAYCOM INC	10/19/2017	\$282.99	MOTOROLA REPAIR SERVICE
Paid Chk# 060368	BERLIN AREA SCHOOL DISTRIC	10/19/2017	\$200.00	USE OF FACILITIES ENERGY CHARG
Paid Chk# 060369	BERLIN LANES LLC	10/19/2017	\$316.80	2017 BOWLING SUMMER PROGRAM
Paid Chk# 060370	BERLIN WATER & SEWER UTILI	10/19/2017	\$47.00	REIMBURSE FOR WATER PAYMENT DE
Paid Chk# 060371	BMI GENERAL LICENSING	10/19/2017	\$342.00	OCT 2017-SEPT 2018 ANNUAL BILL
Paid Chk# 060372	BMO HARRIS BANK	10/19/2017	\$290.00	PAYROLL 21 H.S.A. EMPLOYEE DED
Paid Chk# 060373	BOUND TREE MEDICAL, LLC	10/19/2017	\$134.00	V-VAC STARTER KIT
Paid Chk# 060374	BROOKS, CARINA	10/19/2017	\$15.52	FIELD WORK - RECREATION SUMMER
Paid Chk# 060375	CAREW CONCRETE & SUPP CO,	10/19/2017	\$1,879.00	CONCRETE FOR SEAWALL PROJECT-R
Paid Chk# 060376	CenturyLink	10/19/2017	\$91.34	SEPTEMBER PHONE SERVICE-POLICE
Paid Chk# 060377	CENTURYLINK	10/19/2017	\$60.58	LONG DISTANCE SERVICE FOR SEPT
Paid Chk# 060378	CITIZENS FIRST CREDIT UNION	10/19/2017	\$100.00	PAYROLL 21 EMPLOYEE H.S.A. DED
Paid Chk# 060379	CLASSIC CAB, LTD	10/19/2017	\$11,563.72	SERVICE HOURS FOR SEPTEMBER 20
Paid Chk# 060380	COMMUNITY FIRST CREDIT UNI	10/19/2017	\$165.00	PAYROLL 21 EMPLOYEE H.S.A. DED
Paid Chk# 060381	COMPLETE OFFICE OF WI	10/19/2017	\$33.24	INK CARTRIDGE-SR. CENTER
Paid Chk# 060382	CORPORATE NTRWK SOLUTION	10/19/2017	\$82.00	TICKET # 45519-WORK ON JODIE'S
Paid Chk# 060383	CREATIVE PRODUCT SOURCE, I	10/19/2017	\$120.45	100 WALL CALENDARS
Paid Chk# 060384	CULLIGAN WATER	10/19/2017	\$27.50	SERVICE AT SENIOR CENTER
Paid Chk# 060385	DREXEL BUILDING SUPPLY, INC	10/19/2017	\$32.70	2X8 TREATED LUMBER (3)
Paid Chk# 060386	DTN, LLC	10/19/2017	\$510.00	SEPTEMBER RADAR
Paid Chk# 060387	ELECTRIC MOTOR SERVICE	10/19/2017	\$29.70	CAPACITOR, 216-259 MFD, 220/25
Paid Chk# 060388	EMERGENCY MEDICAL PRODUC	10/19/2017	\$2,011.41	SUPPLY ORDER
Paid Chk# 060389	ESCREEN INC	10/19/2017	\$15.85	DRUG SCREEN-JACOB PETERS
Paid Chk# 060390	FARMERS & MERCHANTS BANK	10/19/2017	\$808.07	PAYROLL 21 EMPLOYEE H.S.A. DED
Paid Chk# 060391	FASTENAL	10/19/2017	\$21.24	HARDWARE FOR PUBLIC WORKS
Paid Chk# 060392	FIRE INSPECTION SERVICES IN	10/19/2017	\$1,426.67	FIRE INSPECTIONS SEPTEMBER
Paid Chk# 060393	FIRST NATIONAL BANK	10/19/2017	\$620.00	PAYROLL 21 EMPLOYEE H.S.A. DED
Paid Chk# 060394	FORMILLER, JOSEPH	10/19/2017	\$1,380.35	THEDA CARE MEDICAL BILL
Paid Chk# 060395	FOX, MICHAEL	10/19/2017	\$677.53	OCT HEALTH INSURANCE PREMIUM-E
Paid Chk# 060396	GREEN LAKE COUNTY	10/19/2017	\$145.50	AUGUST SENIOR VAN USE
Paid Chk# 060397	HORICON BANK	10/19/2017	\$100.00	PAYROLL 21 EMPLOYEE H.S.A. DED
Paid Chk# 060398	ITU ABSORBTECH, INC.	10/19/2017	\$88.32	SUPPLIES FOR PUBLIC WORKS
Paid Chk# 060399	J. F. AHERN COMPANY	10/19/2017	\$155.20	SEP ANNUAL INSPECTION
Paid Chk# 060400	MIDWEST TAPE	10/19/2017	\$491.93	7 BOOKS ON TAPE
Paid Chk# 060401	NEUMAN, KAREN	10/19/2017	\$151.94	MILEAGE TO GREEN LAKE I TEAM M
Paid Chk# 060402	NORTH SHORE BANK, FSB	10/19/2017	\$75.00	DEFERRED COMPENSATION EMPLOYEE
Paid Chk# 060403	NORTHEAST ASPHALT - FDL	10/19/2017	\$1,620.98	5 LT 9.5MM AND 4 LT 12.5 MM
Paid Chk# 060404	OLD NATIONAL BANK	10/19/2017	\$100.00	PAYROLL 21 EMPLOYEE H.S.A. DED
Paid Chk# 060405	OPTUM CONSUMER SERVICES	10/19/2017	\$50.00	PAYROLL 21 EMPLOYEE H.S.A. DED
Paid Chk# 060406	RIDGE STONE PRODUCTS, INC	10/19/2017	\$93.80	2 INCH RIVER ROCK
Paid Chk# 060407	SECURIAN FINANCIAL GROUP	10/19/2017	\$801.69	NOVEMBER LIFE INSURANCE-EMPLOY
Paid Chk# 060408	SONDALLE FORD LINCOLN MER	10/19/2017	\$48.54	LOF-ROTATE TIRE-MULTI POINT IN
Paid Chk# 060409	THE CVIKOTA COMPANY INC	10/19/2017	\$2,121.37	SEPTEMBER COLLECTIONS
Paid Chk# 060410	THEDACARE AT WORK	10/19/2017	\$336.00	EAP CONTRACT-OCTOBER

General City

*Check Summary Register©

OCTOBER 31 2017

Name	Check Date	Check Amt	
11161 UTILITY CASH - FNB			
Paid Chk# 013813	ALLIANT ENERGY/WP&L	10/6/2017	\$467.24
Paid Chk# 013814	BADGER LABORATORIES	10/6/2017	\$1,357.00 BOD/SS/P
Paid Chk# 013815	BERLIN CITY TREASURER	10/6/2017	\$668.89 SEPTEMBER 2017 GAS/DIESEL
Paid Chk# 013816	CRANE ENGINEERING SALES IN	10/6/2017	\$1,037.50 SERVICE - INSPECT/ADVISE
Paid Chk# 013817	FAB TECH WASTEWATER	10/6/2017	\$1,300.00 RESERVOIR-3" PVR CAST IRON
Paid Chk# 013818	FIRST SUPPLY	10/6/2017	\$416.76 CPVC UNION/ADP/ELL/PIPE
Paid Chk# 013819	HYDROCLEAN EQUIPMENT INC	10/6/2017	\$33.15 INLINE FILTER
Paid Chk# 013820	JON LUNDT ELECTRIC, INC	10/6/2017	\$379.50 INSTALL-MUFFIN MONSTER
Paid Chk# 013821	LANDMARK SERVICES COOPER	10/6/2017	\$212.95 FIELDMASTER
Paid Chk# 013822	NORTH CENTRAL LABORATORI	10/6/2017	\$99.48 KIMWIPES/PETRI DISH
Paid Chk# 013823	OMNI GLASS & PAINT, INC	10/6/2017	\$6,486.00 LABOR/MATERIALS-SECOND CLARIFI
Paid Chk# 013824	SABEL MECHANICAL LLC	10/6/2017	\$914.50 MUFFIN MONSTER INSTALL
Paid Chk# 013825	U S CELLULAR	10/6/2017	\$239.01 MALNORY/SOBIESKI/VAN/DUTY
Paid Chk# 013826	WALTCO INC	10/6/2017	\$527.56 SEPTEMBER 2017 BADGER LAB SAMP
Paid Chk# 013827	ADVANCED DISPOSAL SERVICE	10/12/2017	\$201.76 SERVICES FOR OCTOBER 2017
Paid Chk# 013828	ALLIANT ENERGY/WP&L	10/12/2017	\$2,602.82
Paid Chk# 013829	BADGER LABORATORIES	10/12/2017	\$44.00 TOTAL COLIFORM BACTERIA
Paid Chk# 013830	BERLIN JOURNAL NEWSPAPER	10/12/2017	\$43.79 UPS/BADGER LABS-WSLH
Paid Chk# 013831	CAREW CONCRETE & SUPP CO,	10/12/2017	\$480.00 BLOCK CONCRETE
Paid Chk# 013832	CRANE ENGINEERING SALES IN	10/12/2017	\$9,409.57 IMPELLER
Paid Chk# 013833	CUMMINS GREAT LAKES INC	10/12/2017	\$11,091.50 PARTIAL PAYMENT-ONAN GENSET
Paid Chk# 013834	FASTENAL COMPANY	10/12/2017	\$12.29 S/S FHN-S/S FW-S/S HCS
Paid Chk# 013835	G & K SERVICES	10/12/2017	\$163.08 MATS/DUSTMOP
Paid Chk# 013836	MAYO, MATTHEW	10/12/2017	\$141.26 ESKIMO COMFORT-VEST/BIBS
Paid Chk# 013837	RWI PIPE FABRICATORS, INC	10/12/2017	\$192.00 FLG CROSS/BLIND FLANGE
Paid Chk# 013838	USA BLUEBOOK	10/12/2017	\$189.70 MALE ADAPTER/SOCKET
Paid Chk# 013839	WI ENVIRONMENTAL IMPROVE	10/12/2017	\$8,827.28 SDWL - INTEREST
Paid Chk# 013840	ALLIANT ENERGY/WP&L	10/20/2017	\$1,786.32
Paid Chk# 013841	CBS SQUARED INC	10/20/2017	\$900.00 FLUORIDE CHEMICAL FEED
Paid Chk# 013842	CenturyLink	10/20/2017	\$44.42
Paid Chk# 013843	CERTIFIED SCALE	10/20/2017	\$115.00 ANNUAL CALIBRATION
Paid Chk# 013844	CLEARBROOK, INC	10/20/2017	\$1,676.54 POLYCLEAR
Paid Chk# 013845	ESKIMO COMFORT	10/20/2017	\$79.95 GOHLKE-JACKET/BIBS
Paid Chk# 013846	FASTENAL COMPANY	10/20/2017	\$134.88 FILTERS
Paid Chk# 013847	GENERAL ENGINEERING COMP	10/20/2017	\$17,200.00 2017 CROSS CONNECTION SERVICES
Paid Chk# 013848	GOHLKE, COLE	10/20/2017	\$70.05 JACKET/BIBS
Paid Chk# 013849	MARTELLE WATER TREATMENT	10/20/2017	\$4,414.12 LIQUID ALUM
Paid Chk# 013850	PUBLIC SERVICE COMM OF WIS	10/20/2017	\$1,305.36 2017-2018 ADVANCE ASSESSMENT
Paid Chk# 013851	ALLIANT ENERGY/WP&L	10/31/2017	\$5,040.49
Paid Chk# 013852	BERLIN CITY TREASURER	10/31/2017	\$20,473.87 OCTOBER 2017 PAYROLLS
Paid Chk# 013853	DAVIES WATER #1476	10/31/2017	\$400.00 LEAK DETECTION
Paid Chk# 013854	FASTENAL COMPANY	10/31/2017	\$49.88 CLAMPS
Paid Chk# 013855	LINCOLN CONTR SUPPLY INC	10/31/2017	\$235.99 FLOOD LIGHT/BATTERY
Paid Chk# 013856	RIDGE STONE PRODUCTS, INC	10/31/2017	\$324.98 ROAD GRAVEL/LIMESTONE
Paid Chk# 013857	SUPERIOR CHEMICAL CORP	10/31/2017	\$199.04 ORGANIX/SILICONE LUBE
Paid Chk# 013858	UNITED MAILING SERVICES INC	10/31/2017	\$1,057.45 SEPTEMBER 2017 POSTAGE
Total Checks			\$103,046.93

Utility

CITY OF BERLIN

PAYROLL FOR OCTOBER - 2017

NET PAYROLL

	PAYDATE	Payroll #	PAYROLL TITLE	GENERAL CITY	UTILITY		
	10/7/2017	20	General City	53,592.22			
	10/7/2017	20	Utility		9,952.78		
	10/11/2017	20.01	Fireman Qtrly	5,144.78			
	10/10/2017	20.02	Peters Uniform	147.77			
	10/13/2017	20.03	Police OT	6,993.47			
	10/20/2017	21	General City	58,035.01			
	10/20/2017	21	Utility		10,237.49		
			TOTAL MONTHLY PAYROLL	\$123,913.25	\$20,190.27		

DATE: November 8, 2017

To: Mayor and Common Council

FROM: Jodie Olson

RE: Resolution Authorizing the Issuance and Sale of \$1,605,000 General Obligation Promissory Notes

BACKGROUND: You will find the attached draft resolution relating to the refinancing of the bond issue we have been working on. This refinances the remaining \$1,105,000 in principle bonds left on the 2008 issue for street projects. An additional \$500k is added to the issue for the 2018 street project work in the 5th ward. The final version of the resolution will be provided to you prior to the approval at the Council meeting.

RECOMMENDATION: Approve Resolution #17-10 Authorizing the Issuance and Sale of \$1,605,000 General Obligation Promissory Notes.

RESOLUTION NO. 17-10

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
\$1,605,000 GENERAL OBLIGATION PROMISSORY NOTES

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Berlin, Green Lake and Waushara Counties, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of road construction and maintenance projects (the "Project") and refunding obligations of the City, specifically, the General Obligation Refunding Bonds, dated July 8, 2008, maturing in the years 2019 through 2023 (the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the Refunded Obligations for the purpose of achieving debt service savings;

WHEREAS, the City is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes and to refinance its outstanding obligations; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to sell its general obligation promissory notes (the "Notes") to Robert W. Baird & Co. Incorporated (the "Purchaser"), pursuant to the terms and conditions of its note purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal");

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Notes. For the purpose of paying the cost of the Project and the Refunding, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of ONE MILLION SIX HUNDRED FIVE THOUSAND DOLLARS (\$1,605,000) from the Purchaser in accordance with the terms and conditions of the Proposal. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, the Notes aggregating the principal amount of ONE MILLION SIX HUNDRED FIVE THOUSAND DOLLARS (\$1,605,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be issued in the aggregate principal amount of \$1,605,000; shall be dated December 5, 2017; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on March 1 of each year, in the years and principal amounts as set forth on the Pricing Summary

attached hereto as Exhibit B-1 and incorporated herein by this reference. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2018. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes are not subject to optional redemption.

If the Proposal specifies that any of the Notes are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2017 through 2025 for payments due in the years 2018 through 2026 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes, dated December 5, 2017" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed or for the payment of the principal of and the interest on the Notes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Notes and the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and

directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter a Fiscal Agency Agreement between the City and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Notes.

Section 13. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the

extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 16. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 18. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on March 1, 2018 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with the Purchaser to cause timely notice of redemption, in substantially the form attached hereto as Exhibit D and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. Any and all actions heretofore taken by the officers and agents of the City to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to

agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded November 14, 2017.

Richard D. Schramer
Mayor

ATTEST:

Jodie K. Olson
City Clerk

(SEAL)

EXHIBIT A

Note Purchase Proposal

To be provided by the Purchaser and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT B-1

Pricing Summary

To be provided by the Purchaser and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT B-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by the Purchaser and incorporated into the Resolution.

(See Attached)

DRAFT

[EXHIBIT MRP

Mandatory Redemption Provision

The Notes due on March 1, ____, ____, and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on March 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on March 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)]

EXHIBIT C

(Form of Note)

REGISTERED UNITED STATES OF AMERICA DOLLARS
STATE OF WISCONSIN
GREEN LAKE AND WAUSHARA COUNTIES
NO. R- CITY OF BERLIN \$
GENERAL OBLIGATION PROMISSORY NOTE

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
March 1, December 5, 2017 %

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: THOUSAND DOLLARS
(\$)

FOR VALUE RECEIVED, the City of Berlin, Green Lake and Waushara Counties, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2018 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$1,605,000, all of which are of like tenor, except as to denomination, interest rate and maturity date, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying the cost of road construction and maintenance projects and refunding certain obligations of the City, as authorized by a resolution adopted on November 14, 2017. Said resolution is recorded in the official minutes of the Common Council for said date.

This Note is not subject to optional redemption.

[The Notes maturing in the years _____ are subject to mandatory redemption by lot as provided in the resolution authorizing the issuance and sale of the Notes, at the redemption price of par plus accrued interest to the date of redemption and without premium.]

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation and date of the Notes called for redemption, CUSIP number, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in

whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Note shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Berlin, Green Lake and Waushara Counties, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk, and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF BERLIN,
GREEN LAKE AND WAUSHARA COUNTIES,
WISCONSIN

By: _____
Richard D. Schramer
Mayor

(SEAL)

By: _____
Jodie K. Olson
City Clerk

Date of Authentication: _____, _____

CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes of the issue authorized by the within-mentioned resolution of the City of Berlin, Wisconsin.

ASSOCIATED TRUST COMPANY,
NATIONAL ASSOCIATION,
GREEN BAY, WISCONSIN

By _____

Authorized Signatory

DRAFT

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

EXHIBIT D

NOTICE OF FULL CALL*

Regarding

CITY OF BERLIN
GREEN LAKE AND WAUSHARA COUNTIES, WISCONSIN
GENERAL OBLIGATION REFUNDING BONDS, DATED JULY 8, 2008

NOTICE IS HEREBY GIVEN that the Bonds of the above-referenced issue which mature on the dates and in the amounts; bear interest at the rates; and have CUSIP Nos. as set forth below have been called by the City for prior payment on March 1, 2018 at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
03/01/2019	\$205,000	4.375%	085188EJ5
03/01/2020	215,000	4.375	085188EK2
03/01/2021	230,000	4.375	085188EL0
03/01/2022	235,000	4.375	085188EM8
03/01/2023	250,000	4.375	085188EN6

The City shall deposit federal or other immediately available funds sufficient for such redemption at the office of The Depository Trust Company on or before March 1, 2018.

Said Bonds will cease to bear interest on March 1, 2018.

By Order of the
Common Council
City of Berlin
City Clerk

Dated _____

* To be provided by registered or certified mail, overnight express delivery, facsimile transmission or electronic transmission to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 570 Washington Blvd., Jersey City, NJ 07310, not less than thirty (30) days prior to March 1, 2018 and to the MSRB electronically through the Electronic Municipal Market Access (EMMA) System website at www.emma.msrb.org. Notice shall also be provided to Financial Security Assurance Inc., or any successor, the bond insurer of the Bonds.



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Milwaukee, Wisconsin 53202-4426
414.277.5000
Fax 414.271.3552
www.quarles.com

Attorneys at Law in
Chicago
Indianapolis
Madison
Milwaukee
Naples
Phoenix
Scottsdale
Tampa
Tucson
Washington, D.C.

November 8, 2017

VIA EMAIL

Ms. Jodie K. Olson
City Administrator/Clerk/Treasurer
City of Berlin
City Hall
108 North Capron Street
P.O. Box 272
Berlin, WI 54923

Re: \$1,605,000 City of Berlin
General Obligation Promissory Notes

Dear Ms. Olson:

Attached is a draft of the **Authorizing Resolution** to be adopted in connection with the above-referenced financing. We have prepared the Resolution with the information provided to us by Robert W. Baird & Co. Incorporated ("Baird"). Please review the Resolution carefully.

It is our understanding that the Resolution will be considered by the Common Council at its meeting on November 14, 2017.

If you have not already done so, please include the title of the Resolution on the agenda for the meeting. Please then post the agenda in at least three public places and provide it to the official newspaper of the City (or if the City has no official newspaper, to a news medium likely to give notice in the area) and to any other requesting media at least twenty-four hours prior to the meeting (see Section 19.84(1)(b), Wisconsin Statutes). The attached **Certificate of Compliance with Open Meeting Law** must be completed in connection with the meeting at which the Resolution is adopted.

Unless the Common Council has adopted special rules regarding the adoption of borrowing resolutions, a vote of at least a majority of the members of the Common Council is necessary to adopt the Resolution.

You will note in reviewing the Resolution that some of the exhibits will be provided to the City on the day of sale. It is our understanding that Baird will provide us with this information prior to the meeting on November 14, 2017. We will then email a final copy of the Resolution, including all exhibits, on the day of sale (November 14, 2017) prior to the meeting

Ms. Jodie K. Olson
November 8, 2017
Page 2

for the Common Council to review and approve. We will also provide hard copies of the complete finalized Resolution at the time we send the closing documents.

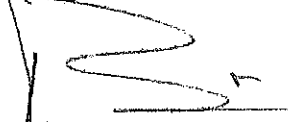
Following the adoption of the Resolution, we request that you return one executed copy of the Resolution, as well as one executed copy of the Certificate of Compliance with Open Meetings Law to us for our review. All of these originally signed documents will be included in the closing transcript. A copy of the Resolution should be incorporated into the minutes of the November 14, 2017 meeting.

We are also attaching a **Municipal Information Questionnaire** and a **Private Activity and Other Tax Matters Questionnaire**. Please review, correct, if necessary, complete and return these questionnaires to us before the November 14, 2017 meeting.

Please feel free to contact me at (414) 277-5775 or any member of the Quarles & Brady LLP public finance team if you have any questions or comments.

Very truly yours,

QUARLES & BRADY LLP



Brian G. Lanser

BGL:SMN:adb

Enclosures

#150065.00012

cc: Mr. Brad Viegut (w/enc. via email)
Ms. Emily Timmerman (w/enc. via email)
Ms. Lori Jackson (w/enc. via email)

**CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW PUBLIC NOTICE REQUIREMENTS**

I, Jodie Olson, City Admin/Clerk-Treasurer
(name) (title)
of City of Berlin
(official name of municipality)

hereby certify that:

1. **Meeting Date.** On the 14th day of November, 2017 a
Common Council meeting was held commencing
(County Board, Common Council, etc.)
at 7 o'clock p.m. at 108 N. Capron Street, Council Chambers.
(location)

2. **Posting.** On the 9th day of November, 2017 at approximately
3 o'clock p.m., I posted or caused to be posted a notice setting forth the time, date,
place and subject matter (including specific reference to the borrowing) of said meeting in the
following public places (include any posting of the notice on the municipality's website and
attach an extra sheet if necessary):

City Hall
Berlin Public Library
First National Bank of Berlin

AND/OR

Publication. The _____
(County, City, etc.)
caused a notice setting forth the time, date, place and subject matter (including specific reference
to the borrowing) of said meeting to be published on the _____ day of _____, 20____
by the following news medium or media (attach an extra sheet if necessary):

(If notice was published rather than posted, attach copy
of published notice).



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Milwaukee, Wisconsin 53202-4426
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Attorneys at Law in
Chicago
Indianapolis
Madison
Milwaukee
Naples
Phoenix
Scottsdale
Tampa
Tucson
Washington, D.C.

November 8, 2017

VIA EMAIL

Ms. Jodie K. Olson
City Administrator/Clerk/Treasurer
City of Berlin
City Hall
108 North Capron Street
Berlin, WI 54923

Scope of Engagement Re: Proposed Issuance of \$1,605,000 City of Berlin
(the "City") General Obligation Promissory Notes (the "Securities")

Dear Ms. Olson:

We are pleased to be working with you again as the City's bond counsel. Thank you for your confidence in us.

The purpose of this letter is to set forth the role we propose to serve and responsibilities we propose to assume as bond counsel in connection with the issuance of the above-referenced Securities. If you have any questions about this letter or the services we will provide, or if you would like to discuss modifications, please contact me.

Role of Bond Counsel

Our bond counsel engagement is a limited, special counsel engagement. Bond counsel is engaged as a recognized independent expert whose primary responsibility is to render an objective legal opinion with respect to the authorization and issuance of municipal obligations. If you desire additional information about the role of bond counsel, we would be happy to provide you with a copy of a brochure prepared by the National Association of Bond Lawyers.

As bond counsel we will: examine applicable law; prepare authorizing and closing documents; consult with the parties to the transaction, including the City's financial advisor or underwriter or placement agent, prior to the issuance of the Securities; review certified proceedings; and undertake such additional duties as we deem necessary to render the bond counsel opinion described below. As bond counsel, we do not advocate the interests of the City or any other party to the transaction. We assume that the parties to the transaction will retain such counsel as they deem necessary and appropriate to represent their interests in this transaction.

Subject to the completion of proceedings to our satisfaction, we will render our opinion that:

- 1) the Securities are valid and binding general obligations of the City;
- 2) all taxable property in the territory of the City is subject to ad valorem taxation without limitation as to rate or amount to pay the Securities; and
- 3) the interest paid on the Securities will be excludable from gross income for federal income tax purposes (subject to certain limitations which may be expressed in the opinion).

The bond counsel opinion will be executed and delivered by us in written form on the date the Securities are exchanged for their purchase price (the "Closing") and will be based on facts and law existing as of its date.

Upon delivery of the opinion, our responsibilities as bond counsel will be concluded with respect to this financing; specifically, but without implied limitation, we do not undertake (unless separately engaged) to provide any post-closing compliance services including any assistance with the City's continuing disclosure commitment, ongoing advice to the City or any other party concerning any actions necessary to assure that interest paid on the Securities will continue to be excluded from gross income for federal income tax purposes, or participating in an Internal Revenue Service, Securities Exchange Commission or other regulatory body survey or investigation regarding or audit of the Securities.

In rendering the opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation.

The services we will provide under this engagement are strictly limited to legal services. We are neither qualified nor engaged to provide financial advice and we will make no representation about the desirability of the proposed plan of finance, the feasibility of the projects financed or refinanced by the Securities, or any related matters.

Diversity of Practice; Consent to Unrelated Engagements

Because of the diversity of practice of our firm, members of our firm other than those who serve you may be asked to represent other clients who have dealings with the City regarding such matters as zoning, licensing, land division, real estate, property tax or other matters which are unrelated to our bond counsel work. Ethical requirements sometimes dictate that we obtain the City's consent to such situations even though our service to you is limited to the specialized area of bond counsel. We do not represent you in legal matters regularly, although we may be called upon for special representation occasionally, and our bond counsel work does not usually provide us information that will be disadvantageous to you in other representations. We do not believe that such representations of others would adversely affect our relationship with you, and we have found that local governments generally are agreeable to the type of unrelated representation described above. We would like to have an understanding with you that the City

consents to our firm undertaking representations of this type. Your approval of this letter will serve to confirm that the City has no objection to our representation of other clients who have dealings with the City, unrelated to the borrowing and finance area or any other area in which we have agreed to serve it. If you have any questions or would like to discuss this consent further, please call us.

We also want to advise you that from time to time we represent financial advisors, placement agents and underwriters of municipal obligations. In transactions that are not related to the issuance of the Securities and our role as bond counsel, we have served and presently serve as counsel to Baird. We expect to be asked to represent advisors, agents and underwriters, including Baird, in future transactions that are similarly unrelated to the issuance of the Securities and our engagement as bond counsel and disclosure counsel. We do not believe that our representation of such clients on unrelated matters will in any way limit our representation of the City. By engaging our services under the terms of this letter, the City consents to our firm undertaking representations of such clients on unrelated matters as described above now and in the future.

A form of our opinion and a form of a Continuing Disclosure Certificate (which we may prepare) may be included in the Official Statement or other disclosure document for the Securities. However, as bond counsel, we will not assume or undertake responsibility for the preparation of an Official Statement or other disclosure document with respect to the Securities, nor are we responsible for performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document. If an Official Statement or other disclosure document is prepared and adopted or approved by the City, we will either prepare or review any description therein of: (i) Wisconsin and federal law pertinent to the validity of the Securities and the tax treatment of interest paid thereon and (ii) our opinion.

Fees

Based upon: (i) our current understanding of the terms, structure, size and schedule of the financing, (ii) the duties we will undertake pursuant to this letter, (iii) the time we anticipate devoting to the financing, and (iv) the responsibilities we assume, we estimate that our fee will be \$8,750. Such fee and expenses may vary: (i) if the principal amount of Securities actually issued differs significantly from the amount stated above, (ii) if material changes in the structure of the financing occur, or (iii) if unusual or unforeseen circumstances arise which require a significant increase in our time, expenses or responsibility. Our fees and expenses may increase if the Securities are insured by a municipal bond insurance company, as municipal bond insurance companies require additional opinions and documents. If at any time we believe that circumstances require an adjustment of our original fee estimate, we will consult with you. It is our understanding that our fee will be paid out of proceeds of the Securities at Closing.

If, for any reason, the financing is not consummated or is completed without the rendition of our opinion as bond counsel, we will expect to be compensated at our normal hourly rates for time actually spent, plus out-of-pocket expenses. Our fee is usually paid either at the Closing out of proceeds of the Securities or pursuant to a statement rendered shortly thereafter. We customarily do not submit any statement until the Closing unless there is a substantial delay in completing the financing.

Terms of Engagement

Either the City or Quarles & Brady may terminate the engagement at any time for any reason by written notice, subject on our part to applicable rules of professional conduct. If the City terminates our services, the City is responsible for promptly paying us for all fees, charges, and expenses incurred before the date we receive termination. We reserve the right to withdraw from representing the City if, among other things, the City fails to honor the terms of this engagement letter – including the City's failing to pay our bills, the City's failing to cooperate or follow our advice on a material matter, or our becoming aware of any fact or circumstance that would, in our view, render our continuing representation unlawful or unethical.

Unless previously terminated, our representation will terminate when we send to the City (or its representative) our final bill for services rendered. If the City requests, we will promptly return the City's original papers and property to you, consistent with our need to ensure payment of any outstanding bills. We may retain copies of the documents. We will keep our own files, including attorney work product, pertaining to our representation of the City. For various reasons, including the minimization of unnecessary storage expenses, we may destroy or otherwise dispose of documents and materials a reasonable time after termination of the engagement.

City Responsibilities

We will provide legal counsel and assistance to the City in accordance with this letter and will rely upon information and guidance the City and its personnel provide to us. We will keep the City reasonably informed of progress and developments, and respond to the City's inquiries. To enable us to provide the services set forth in this letter, the City will disclose fully and accurately all facts and keep us apprised of all developments relating to this matter. The City agrees to pay our bills for services and expenses in accordance with this engagement letter. The City will also cooperate fully with us and be available to attend meetings, conferences, hearings and other proceedings on reasonable notice, and stay fully informed on all developments relating to this matter.

Limited Liability Partnership

Our firm is a limited liability partnership ("LLP"). Because we are an LLP, no partner of the firm has personal liability for any debts or liabilities of the firm except as otherwise required by law, and except that each partner can be personally liable for his or her own malpractice and for the malpractice of persons acting under his or her actual supervision and control. As an LLP we are required by our code of professional conduct to carry at least \$10,000,000 of malpractice insurance; currently, we carry coverage with limits substantially in excess of that amount. Please call me if you have any questions about our status as a limited liability partnership.

Ms. Jodie K. Olson
November 8, 2017
Page 5

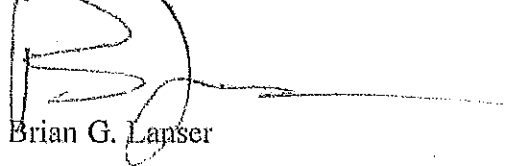
Conclusion and Request for Signed Copy

If the foregoing terms of this engagement are acceptable to you, please so indicate by returning a copy of this letter dated and signed by an appropriate officer, retaining the original for your files. If we do not hear from you within thirty (30) days, we will assume that these terms are acceptable to you, but we would prefer to receive a signed copy of this letter from you.

We are looking forward to working with you and the City in this regard.

Very truly yours,

QUARLES & BRADY LLP



Brian G. Lapsier

BGL:SMN:adb
#150065.00012

cc: Mr. Brad Viegut (via email)
Ms. Emily Timmerman (via email)
Ms. Lori Jackson (via email)

Accepted and Approved:

CITY OF BERLIN

By: Jodie Olson

Its: City Administrator
Title

Date: 11-8-17

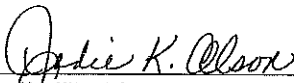
MUNICIPAL INFORMATION QUESTIONNAIRE

1. Official Name of Government Unit: City of Berlin
2. Counties: Green Lake and Waushara
3. Employer I. D. #: 39-6005398
4. Address: City Hall, 108 North Capron Street, P.O. Box 272, Berlin, WI 54923
Phone Number: (920) 361-5400 Fax Number: (920) 361-5454
Email Address: jolson@cityofberlin.net
5. Contact Person, Direct Phone Number and Email Address: Jodie K. Olson, City Administrator/Clerk/Treasurer, jolson@cityofberlin.net
6. Date/Time/Place of Regular Meetings: 2nd Tuesday of each month at 7:00 p.m., City Hall
7. Does Municipality have an official or corporate seal? ☒ YES ☐ NO
8. Name of Official Newspaper, if any: Berlin Journal
☒ WEEKLY ☐ DAILY What day: Thursday
9. Class and form of government (i.e., mayor/ council plan, etc). Mayor/council plan, fourth class
10. Administrators and Officers: *(Please complete with official names (including middle initials) as used to sign legal documents.)*

<u>Name</u>	<u>Elected or Appointed?</u>	<u>Date Term of Office Expires</u>
<u>Richard D. Schramer</u> Mayor <u>berlinmayor@centurytel.net</u>	<u>Elected</u>	<u>4/19</u>
<u>Jodie K. Olson</u> City Administrator/Clerk/Treasurer	<u>Appointed</u>	<u> </u>
<u>Matthew G. Chier</u> Local Attorney <u>Chier Law Office</u> <u>137 E. Huron Street</u> <u>Berlin, WI 54923</u>	<u>Appointed</u>	<u> </u>
Phone Number: <u>(920) 361-9740</u>	Fax Number: <u>(920) 361-9741</u>	
Email: <u>legalsolutions@chierlaw.com</u>		

11. Number of Common Council members? 6 (Please attach current list)
12. Are there any special resolutions or ordinances in effect (other than Wisconsin's Open Meeting law) regarding meeting notices, quorum requirements, etc.? ☐ YES ☒ NO
If yes, please provide detail. _____
13. Are there any proceedings now pending with respect to a change in the form of government or the detachment of territory? ☐ YES ☒ NO
If yes, please provide detail. _____
14. If a City or Village (or Town with Village powers): Has the governing body or electors adopted any charter ordinances under Section 66.0101, Wis. Stats. Or direct legislation under Section 9.20, Wis. Stats. restricting borrowing by the City or Village or Town or are any proceedings for such purposes now pending? ☐ YES ☒ NO
If yes, please provide detail. _____
15. Is there any litigation pending or threatened with respect to the corporate existence, organization, or boundaries of the government unit or the right of title of any officer of the government unit to his or her respective office? ☐ YES ☒ NO
If yes, please provide detail. _____
16. Are there any resolutions in effect which require any officers other than the chief executive officer and clerk, to execute bonds or notes or other documents evidencing indebtedness? ☐ YES ☒ NO
If yes, please provide detail. _____
17. Are there any other facts or circumstances which could have an impact on the issuance of the bonds or notes in question (e.g., litigation other than as set forth above, annexations, etc)? ☐ YES ☒ NO
If yes, please discuss. _____

Prepared and submitted by:


Jodie K. Olson
City Administrator/Clerk/Treasurer

Signed on: 11-8-17

CITY OF BERLIN COMMON COUNCIL

<u>Ward</u>	<u>Council Member</u>	<u>Term Exp</u>
Ward 1	Jim Lehr	April 2018
Ward 2	Roberta Erdmann	April 2019
Ward 3	Tammi Eastling	April 2018
Ward 4	David Secora	April 2019
Ward 5	Felicia Page	April 2018
Ward 6	Ronald Harke	April 2019
Mayor	Richard Schramer	April 2019

Private Activity and Other Tax Matters Questionnaire

City of Berlin, Wisconsin ("Issuer") General Obligation Promissory Notes ("Obligations")

In anticipation of the Issuer's upcoming borrowing, we ask that you answer the questions below which will help us determine whether the borrowing qualifies for tax-exempt financing and what special treatment the Issuer or Obligations may qualify for under the Internal Revenue Code (the "Code") and applicable Treasury Regulations (the "Regulations"). Please direct any questions to any of the Public Finance attorneys at Quarles & Brady LLP at 414-277-5000.

- I. **Private Activity:** Subject to specific exceptions provided for in the Code, the interest on municipal obligations which finance private activities or provide special benefits to private entities is taxable. Please note that for purposes of this questionnaire, a "**Non-Governmental Entity**" means any person, partnership, corporation or other organization that is not a state, city, village, town, county, school district, technical college district or other special district or joint powers authority. The federal government is a Non-Governmental Entity. A 501(c)(3) organization is also a Non-Governmental Entity.

1. Description of the project(s) to be financed or refinanced with the proceeds of the Obligations:
- (i) road construction and maintenance projects (the "New Money Projects") and
 - (ii) street and storm sewer projects and an environmental remediation tax incremental financing project originally financed or refinanced by Note Anticipation Notes, dated April 29, 2008 and refinanced by the General Obligation Refunding Bonds, dated July 8, 2008, being refunded (together with the New Money Projects, the "Project") (please attach list of New Money Projects).

☒ YES ☐ NO a. Does the above description accurately and completely describe the project(s) to be financed with proceeds of the Obligations? **If NO, please make appropriate changes in the language above.**

☐ YES ☒ NO 2. Will any portion of the Project be owned by, or leased (or subleased) to, or sold to a Non-Governmental Entity? **If YES, attach a description of the planned sale or lease.**

☐ YES ☒ NO 3. Will any portion of the Project be managed (pursuant to a management contract or incentive payment contract) by a Non-Governmental Entity? **If YES, attach a copy of the operating or management contract.**

☐ YES ☒ NO 4. Will any portion of the Project be used for research or testing pursuant to an agreement with a Non-Governmental Entity? **If YES, attach a copy of the agreement.**

☐ YES ☒ NO

5. Will any Non-Governmental Entity have a right to use the Project or purchase output from the Project through any procedure or contract which gives preference to that customer over any other? **If YES, attach a description of the arrangement that includes the following:**

a. Customer name.

b. Percentage of annual revenue of the Project attributable to the customer.

☐ YES ☒ NO

6. Are there or will there be any informal agreements, historical arrangements, or other arrangements, written or oral, that convey special legal entitlements to a Non-Governmental Entity, such as granting priority rights or capacity rights to use the Project or granting naming rights to the Project? **If YES, attach a description of the arrangement.**

☐ YES ☒ NO

7. Will any Non-Governmental Entity, receive a special economic benefit from the Project, such as what might occur if the Project is not available for general public use and is functionally related to property used in the trade or business of a Non-Governmental Entity or benefits a small number of nongovernmental persons? **If YES, attach a description of the arrangement.**

☐ YES ☒ NO

8. a. Is there any portion of the Project that is used by private entities or organizations rather than by members of the general public or by employees (or, in the case of school facilities, students) of the Issuer? **If YES, please attach a description of such use.**

☒ YES ☐ NO

- b. Do all members of the general public who use the Project use it on the same basis (for example, a "first come, first served" basis or pursuant to a standard rate schedule)? **If NO, please attach a description of the basis of the use of the project.**

☐ YES ☒ NO

9. Are there any contracts for incidental uses of the Project (e.g., pay telephones, vending machines, newsstands, etc.) by Non-Governmental Entities? **If YES, attach a description of the contracts.**

☐ YES ☒ NO

10. Will any portion of the proceeds from the proposed borrowing be loaned to any other person or entity? **If YES, attach a description of the loan program.**

☐ YES ☒ NO

11. Will a Non-Governmental Entity make payments to the municipality for use of the Project in a manner other than through uniformly applied rates or generally applied taxes? **If YES, attach a description of the payment obligation.**

☐ YES ☒ NO

12. Is the payment of any portion of the debt service on the proposed issue secured (directly or indirectly) by a guarantee from a Non-Governmental Entity or a pledge of private property, pursuant to a development agreement or other arrangement? **If YES, attach a description of the agreement or arrangement.**

☐ YES ☒ NO

13. Is any of the Project or portion of the Project expected to be sold or otherwise disposed of before the last maturity date of the Obligations and any anticipated refinancings thereof?

☐ YES ☒ NO

14. Are there any other facts and circumstances regarding the construction, operation, or use of the project by a Non-Governmental Entity? Please describe: _____

II. Small Issuer Status: The Code grants "small issuer" status for rebate exemption and bank qualification purposes in certain circumstances based on the amount of tax-exempt financing undertaken by an issuer in any given calendar year. By answering the questions below, you will assist us in calculating the total amount of tax-exempt financing issued in the calendar year.

☐ YES ☒ NO

1. Have any tax-exempt lease agreements or tax-exempt lease purchase agreements been entered into in the current calendar year? **If YES, please provide detail including date lease was entered into:** _____

☐ YES ☒ NO

2. Was an IRS Form 8038-G or GC filed with respect to any lease referenced above? **If YES, please provide a copy.**

☐ YES ☒ NO

3. Have any other tax-exempt obligations been issued either by the issuer or any authority of the issuer in the current calendar year other than those where Quarles & Brady LLP served as bond counsel? **If YES, please provide a copy of the 8038-G or GC for such obligations.**

III. Reimbursement: Subject to specific exceptions provided for in the Regulations (the "Reimbursement Regulations"), the interest on municipal obligations which reimburse prior expenditures is taxable. By answering the questions below, you will assist us in determining whether the Reimbursement Regulations have been followed.

☐ YES ☒ NO

1. Have any of the costs of the New Money Projects been paid prior to the date hereof? **If YES, please list the amount, purpose and date of payment of those previous expenditures which you expect to reimburse with proceeds of the Obligations:**

<u>Amount</u>	<u>Date of Payment</u>	<u>Purpose</u>
\$ _____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

☐ YES ☒ NO

2. If the answer to Question 1 above is "yes," has the governing body at any time adopted a resolution authorizing borrowing for the New Money Projects or declaring intent to reimburse or made a declaration of its intent pursuant to a resolution delegating authority to make declarations of intent to finance all or a portion of the New Money Projects with the proceeds of the Obligations or other borrowed money? **If YES, attach a copy of applicable Resolution or other evidence of declaration of official intent and indicate the date of its adoption or indicate such Resolution has been provided previously to Quarles & Brady LLP.**

IV. **Project Timeline:** Generally, the IRS arbitrage rules found in the Code and Regulations limit the investment of the proceeds of tax-exempt obligations. However, if certain tests are met, the proceeds are permitted to be invested for a "temporary period". By answering the questions below, we will be able to determine whether the proceeds of the Obligations qualify for a temporary period.

☒ YES ☐ NO

1. Have you previously or will you within six months enter into contracts requiring payment of at least 5% of the proceeds of the Obligations for the New Money Projects?

☒ YES ☐ NO

2. Have you or will you commence work on the New Money Projects and continue to work on the New Money Projects until they are complete?

☒ YES ☐ NO

3. Do you expect to spend all of the proceeds of the Obligations for the New Money Projects within three years?

V. **Rebate of Investment Earnings:** The basic IRS rebate requirement is that an issuer of tax-exempt obligations must pay to the United States the amount by which the investment earnings on the gross proceeds of any borrowings exceed the amount which would have been earned if the proceeds were invested at the yield on those obligations, plus any earnings on such excess. The rebate amount is required to be calculated and paid to the United States at least every five years. However, there are several exceptions to the rebate requirement. By answering the questions below, we will be able to determine whether you might qualify for an exception. Note: the exceptions to rebate are based on actual facts, not expectations, so the determination of whether an exception applies will only be certain at a future time.

☐ YES ☒ NO

1. Small Issuer Exception: Do you expect to issue more than \$5 million of tax-exempt obligations during the current calendar year?

☒ YES ☐ NO

2. Six Month Expenditure Exception: Do you expect to spend all of the proceeds of the Obligations within 6 months?

☒ YES ☐ NO

3. Eighteen Month Expenditure Exception: Do you expect to spend all of the proceeds of the Obligations allocable to the New Money Projects within 18 months pursuant to the following schedule:

- a. at least 15% within six months of the date of issue;
- b. at least 60% within 12 months of the date of issue; and,

c. 100% within 18 months of the date of issue?

4. Two Year Expenditure Exception.

☒ YES ☐ NO

a. Are at least 75% of the proceeds of the Obligations allocable to the New Money Projects to be used to finance construction expenditures?

☒ YES ☐ NO

b. If the answer to 4(a) is "yes", do you expect to spend the proceeds of the Obligations allocable to the New Money Projects within 2 years pursuant to the following schedule:

- (1) 10% within the six-month period beginning on the date the obligations were issued;
- (2) 45% within the one-year period beginning on the date the obligations were issued;
- (3) 75% within the eighteen-month period beginning on the date the obligations were issued; and,
- (4) 100% within the two-year period beginning on the date the obligations were issued.

VI. **Remaining Proceeds:** Please identify the amount of any unspent proceeds of the outstanding obligations to be refunded (*if none, please indicate none*): NONE

VII. **IRS Audits:** Have the outstanding obligations to be refunded or any prior issue(s) that were refunded by the outstanding obligations to be refunded been subject to an IRS audit?

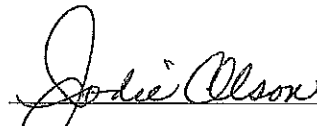
☐ YES ☒ NO

If YES, please provide a brief description and attach the audit and response.

ACKNOWLEDGEMENT AND SIGNATURE

I hereby certify that I am an authorized representative of the Issuer, and that I am authorized by the Issuer to execute this Questionnaire. I am charged with the responsibility to perform such acts as are necessary and proper for the financing, refinancing, construction, acquisition and/or improvement of the Project, and I am acting on behalf of the Issuer in executing this Questionnaire. I certify that I am familiar with the Project and that all information contained herein is true, correct and complete to the best of my knowledge. I am not aware of any facts or circumstances that would cause me to question the accuracy or reasonableness of any information contained in these response or attached documentation. I understand the foregoing will be relied upon by Quarles & Brady LLP in determining the tax-exempt status of the Obligations.

Prepared and submitted by:



Name: Jodie Olson

Title: City Administrator / Clerk-Treasurer

Phone: 920-361-5400

City of Berlin, Wisconsin

Date: 11-8-17

DATE: November 8, 2017

TO: Common Council

FROM: Jodie Olson

RE: Weights & Measures Fee Schedule

BACKGROUND: It has been nine years since the City of Berlin joined the City of Appleton weights and measures program as part of a consortium. The program is working out well and has been beneficial to all concerned.

Attached you will find a revised proposed W&M fee schedule from the Chief Sealer. The only change requested is to gas pumps. The program fee schedule is reviewed annually to ensure a break-even point is maintained. A municipality cannot make monies on a weights and measures program, but can maintain a self-sufficient program by charging back the users of the program. Rates are based on standardized, average amount of time spent to inspect, test and certify devices times the current operating cost per hour. This fee schedule is recommended for all of the municipalities that Appleton Health Department-Weights & Measures Division services. Again, these rates are to ensure the program breaks-even.

RECOMMENDATION: Approve and adopt the 2018 Weights & Measures Fee Schedule as presented.

PROPOSED REVISIONS TO WEIGHTS AND MEASURES FEE SCHEDULE

Base rates for Appleton Health Department Environmental Health and Weights & Measures fees were established in an independent Study authorized and funded by the Common Council in 1993. The final report was referred to as the Griffith Study.

Annually since 1993 we have evaluated the actual cost of services provided, reviewed our current fees for those services rendered, and made recommendations for increases where justified. The Board of Health has acted upon and approved these recommendations when submitted.

In recent years we have used the federally established and nationally recognized Consumer Price Index (CPI) as the factor in determining appropriate fee increases.

In 2003 we did an exhaustive study of the Weights and Measures Section to evaluate feasibility and costs of contracting with several area municipalities. From this study and with the assistance of John Hoft-March of our Finance Department, we recalculated our actual operating cost for operations within the City of Appleton. These figures are now updated annually.

Our device license fee rates are based upon the standardized, average amount of time spent to inspect, test and certify a device times the current operating cost per hour. With the new hourly rate and with special consideration to each fee I have developed the new Recommended Fees shown. Weights and Measures fees are calculated to the nearest whole dollar amount.

With the rate changes submitted we estimate a revenue increase of \$218.

Respectfully submitted,

APPLETON HEALTH DEPARTMENT

Eric Maggio, Chief Sealer
Weights and Measures

PROPOSED REVISIONS TO WEIGHTS AND MEASURES FEE SCHEDULE

NO. OF FEE	LICENSEABLE ITEM DESCRIPTION	CURRENT FEE	AVERAGE CITY LICENSE FEE 2017*	RECOMMENDED FEE	DOLLAR CHANGE	Number Of Device
1	Base Licensing Processing Fee	\$40.00	\$81.67	\$40.00	0	
2	Portion Scale – Low Capacity	\$10.00	\$17.50	\$10.00	0	
3	Scales 0 – 30 lbs	\$19.00	\$32.71	\$19.00	0	
4	Scales 31 – 1000 lbs	\$32.00	\$54.50	\$32.00	0	
5	Scales 1001 – 10,000 lbs	\$52.00	\$65.11	\$52.00	0	
6	Scales 10,001 – 20,000 lbs	\$70.00	\$76.13	\$70.00	0	
7	Point of Sale Systems	\$19.00	\$32.71	\$19.00	0	
8	Prepack Scale	\$19.00	\$32.71	\$19.00	0	
9	Person Weighing Scale	\$30.00	\$30.45	\$30.00	0	
10	High Accuracy Scale with Weights or Pill Counter System	\$40.00	\$56.19	\$40.00	0	
11	Hopper Scales	\$105.00	\$119.35	\$105.00	0	
12	Linear Meter	\$15.00	\$15.75	\$15.00	0	
13	Rules	\$3.00	\$3.15	\$3.00	0	
14	Timing Device	\$8.00	\$16.43	\$8.00	0	
15	Petroleum Pump	\$18.00	\$34.40	\$20.00	\$2.00	109
16	Vehicle Tank and Bulk Meter	\$40.00	\$81.00	\$40.00	0	
17	Postal Scales	\$10.00	\$15.00	\$10.00	0	
18	Estimating Dough Scale and Weights	\$13.00	\$32.71	\$13.00	0	
19	Firewood Dealer	\$20.00	No Others	\$20.00	0	
20	Retail Price Scanner	1 – 8 \$60.00 9 or more \$7.50 each	\$22.00 Each	1 – 8 \$60.00 9 or more \$7.50 each	0	
21	Unclassified Devices and Consultations to Government and Industry	\$52.00 Per Hour	Not Available	\$52.00 Per Hour	0	
22	Late Payment Fee	\$60.00	\$94.33	\$60.00		
23	Penalty Fee for Nonregistration	Triple the Per Device Fee	Not Available	Triple the Per Device Fee	0	
24	Taxi Meters	\$19.00	\$18.90	\$19.00	0	
25	Farm Market Scale	No Charge	\$32.71	\$19.00	0	
26	Reinspection Fee	\$58.00	\$100.00	\$58.00	0	
27	Reinspection Fee 2 nd Visit	N/A	N/A	\$100.00	0	
28	Reinspection Fee 3 rd Visit	N/A	N/A	\$150.00	0	

Note: Last fee increase was in September 2015

*Cities (Green Bay, Madison, Menasha, Milwaukee, and Oshkosh)

RESOLUTION # 17- 08

**A RESOLUTION ACCEPTING THE BOYS & GIRLS CLUB OF THE TRI-COUNTY
AREA DEDICATION OF A BUS SHELTER STRUCTURE ON S. WASHINGTON
STREET RIGHT-OF-WAY**

WHEREAS on May 9, 2017, the City of Berlin Common Council did adopt Resolution #17-03 "*A Resolution to Memorialize and Confirm the Understanding Between the Boys & Girls Club of the Tri-County Area and the City of Berlin on the Construction, Dedication, and Future Maintenance & Responsibility of a Bus Shelter on S. Washington Street Right-of-Way*"; and

WHEREAS the Boys & Girls Club (BGC) did cause the bus shelter structure to be constructed and completed to the satisfaction of the Street Superintendent at no cost to the CITY; and

WHEREAS the BGC now wishes to dedicate the bus shelter structure to the CITY; and

WHEREAS, upon such dedication, the BGC (or its successor) agrees that all future routine and non-routine maintenance responsibilities and associated costs would be the responsibility of the BGC (or its successor). This would include structural or condition repairs, clean-up or repairs from vandalism, maintaining appearance and cleanliness, keeping in safe and usable condition for the public, snow shoveling, removing garbage, etc; and

WHEREAS the BGC (or its successor) agrees to routinely inspect and maintain the overall condition and appearance of the bus shelter structure at all times in the future, with all concerns being addressed in a timely manner;

NOW THEREFORE BE IT RESOLVED that based on the above the City of Berlin Common Council hereby accepts dedication of the bus shelter structure on the S. Washington Street Right-of-Way with the understanding that all future maintenance or repairs and related costs for the structure will be the responsibility of the BGC or its successor.

Passed, approved and adopted this 14th day of November, 2017.

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

CITY OF BERLIN
BOARD, COMMITTEE, COMMISSION & COMMON COUNCIL
APPLICATION FORM

Name: Tina Marchan
Address: N5589 32nd Dr. Pine River WI 54965
Phone: Day 920-361-5821 Evening 920-369-8983

City residency is required for appointment to a City board, committee or commission. Other eligibility requirements may also exist.

Area of Interest:

<input type="checkbox"/> Board of Review	<input type="checkbox"/> Oakwood Cemetery Board
<input checked="" type="checkbox"/> Committee On Aging	<input type="checkbox"/> Parks & Recreation Commission
<input type="checkbox"/> Common Council, Ward # <u> </u>	<input type="checkbox"/> Plan Commission
<input type="checkbox"/> Community Development Authority	<input type="checkbox"/> Police & Fire Commission
<input type="checkbox"/> Housing Advisory	<input type="checkbox"/> Sewer & Water Commission
<input type="checkbox"/> Library Board	<input type="checkbox"/> Zoning Board of Appeals

Applicant Questions (attach additional sheets if necessary)

1. Do you have any issues with attending meetings at the specified times? (See Meeting Schedule)

no

2. Please indicate why you are interested in serving on any of the above Board, Committee or

Commission: As a representative of ThedaCare Berlin / Juliette Manor, I have a vested interest in the Aging population of our community.

3. What knowledge, experience, or abilities do you have that would make you an effective board

member: Administrator of Juliette Manor since 2011. Director of Social Services prior.

4. Please provide any additional information for consideration: I have a lot of leadership experience and experience with aging, and decision making and advocacy related to the aging population.