

AGENDA
COMMON COUNCIL MEETING
TUESDAY, MARCH 12, 2019 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 February 19, 2019 Common Council Meeting. RECOMMENDATION: Approve the minutes.
6. Preliminary Resolution Declaring Intent to Levy Special Assessments for 2019 Street & Utility Improvements. RECOMMENDATION: Accept the Committee of the Whole recommendation to Approve Preliminary Resolution #19-04 Declaring the Intent to Levy Special Assessment Under Municipal Police Power Pursuant to §66.0703, Stats. Upon the Following Designated Areas: N. Capron Street and River Drive and schedule a public hearing for the April 9, 2019 Common Council Meeting.
7. Bid Award for 2019 Street & Utility Improvements Project. RECOMMENDATION: Accept the Committee of the Whole recommendation to award the 2019 street and utility construction project bid to Don E. Parker Excavating, Inc. of Hortonville, WI in the amount of \$1,509,907.98.
8. 151 N. Wisconsin Street Raze or Repair Order. RECOMMENDATION: Accept the Committee of the Whole recommendation to accept the Stipulation Agreement for the Raze or Repair order for 151 N. Wisconsin Street.
9. Bills List. RECOMMENDATION: Approve the list of bills for payment.

END OF CONSENT AGENDA

10. Annual Chamber Report. RECOMMENDATION: Listen to presentation.
11. Special Event Street Use Permit-Farmers Market Veteran Appreciation Night.
RECOMMENDATION: Approve the Special Event Street Use Permit for the Berlin Veterans Foundation for June 4, 2019 with street closure of Church Street between E. Huron and E. Park Ave from 3:00-7:00 p.m.
12. Environmental Remediation of 114 Pierce/119 Commercial Street.
RECOMMENDATION: Listen to update and authorize staff to move forward with contracting for pre-inspection of the old Safeguard property at 114 Pierce/119 Commercial Street for a cost not to exceed \$3,300 from TID#15 funds.
13. Repealing and Replacing Ordinance Establishing a Municipal Court.
RECOMMENDATION: Approve and adopt Ordinance #01-19 Establishing a Municipal Court for Cities of Fond du Lac and Ripon, Towns of Empire, Osceola, Ripon and Taycheedah, the Villages of Brandon, Campbellsport, Fairwater, North Fond du Lac, Oakfield in Fond du Lac County and the City of Berlin in Green Lake and Waushara Counties, the Cities of Green Lake, Markesan and Princeton in Green Lake County.
14. Municipal Court Intergovernmental Agreement. RECOMMENDATION: Approve the Intergovernmental Agreement for North Fond du Lac to Provide Municipal Court Services to the Cities of Fond du Lac and Ripon, Villages of Brandon, Campbellsport, Fairwater and Oakfield and Rosendale, the Towns of Empire, Osceola, Ripon and Taycheedah in Fond du Lac County, and the Cities of Berlin, Green Lake, Markesan and Princeton in Green Lake County and the City of Berlin in Waushara County to Commence on May 1, 2019.
15. Mayoral Appointment to Board of Review. RECOMMENDATION: Accept Mayoral appointment of Walter Rainboth to Board of Review for term expiring July 1, 2024.
16. Mayoral Appointments for Election Inspectors. RECOMMENDATION: Accept the Mayoral appointment of Gloria Lichtfuss and Kathryn Fredrick as Election Inspectors.
17. License Applications- Bartender Licenses for Preston Bruce Mahoney, Kayla Nicole Dahm, Destiney Nicole Martoglio, Tammi L. Eastling, and Morgan Christina Dawson (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)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (1) Historic Berlin Apartments Assessment Claim.

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

23.

24. 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 2/28/2019

FUNDS	BEG BALANCE	ADJ/VOIDS	RECEIPTS	DISBURSEMENTS	BALANCE	INVESTMENTS	TOTAL W/ INVESTMENTS
GENERAL CITY	\$ 2,759,837.55	\$ (6,829.07)	\$ 1,146,871.71	\$ 2,299,229.39	\$ 1,600,650.80	\$ 2,600,000.00	\$ 4,200,650.80
TAX COLLECTION ACCOUNT	\$ 624,065.23		\$ 292,714.68	\$ 916,268.01	\$ 511.90	\$ -	\$ 511.90
WATER INVESTMENTS	\$ 246,670.42		\$ 359,981.78	\$ 134,810.08	\$ 471,842.12	\$ 4,289,997.45	\$ 4,761,839.57
SEWER INVESTMENTS						\$ 2,197,184.45	\$ 2,197,184.45
SEWER BOND & INT						\$ -	\$ -
BOND & INT RESERVE	\$ -					\$ -	\$ -
EQUIP REPLACEMENT FUND	\$ 79,096.79		\$ 8,393.37	\$ -	\$ 87,490.16	\$ 1,255,000.00	\$ 1,342,490.16
CAPITAL PROJECT BORROWING	\$ -			\$ -	\$ -	\$ -	\$ -
EMS ACCOUNT	\$ 107,367.67		\$ 18,786.04	\$ 90,035.00	\$ 36,118.71	\$ -	\$ 36,118.71
TOTAL OF ALL FUNDS	\$ 3,817,037.66		\$ 1,826,747.58	\$ 3,440,342.48	\$ 2,196,613.69	\$ 10,342,181.90	\$ 12,538,795.59

FUNDS	BANK STATEMENT BALANCE	ADJUSTMENT	OUTSTANDING CHECKS	AVAILABLE BANK BALANCE
GENERAL CITY	\$ 1,656,028.80		\$ 55,378.00	\$ 1,600,650.80
TAX COLLECTION ACCOUNT	\$ 992.61		\$ 480.71	\$ 511.90
WATER & SEWER	\$ 473,498.91		\$ 1,656.79	\$ 471,842.12
SEWER BOND & INT			\$ -	\$ -
EQUIP REPLACMT FUND	\$ 87,490.16		\$ -	\$ 87,490.16
CAPITAL PROJECT BORROWING	\$ -		\$ -	\$ -
EMS ACCOUNT	\$ 36,118.71		\$ -	\$ 36,118.71
TOTAL OF ALL FUNDS	\$ 2,254,129.19	\$ -	\$ 57,515.50	\$ 2,196,613.69

RESPECTFULLY SUBMITTED,

Susan M. Hor

February 28, 2019

Month-End Balance to Bank Statement

	General City	Capital Project Bonding	EMS Account	Utility	Tax	ERF	Closed 12/19/18 SEWER & I
City's Beginning Balance	2,759,837.55		107,357.67	246,670.42	624,055.23	79,056.79	
Deposits	1,146,871.71		18,786.04	359,981.78	292,714.68	8,393.37	
Deposit in Transit							
Payroll	(119,818.28)			(21,916.43)			
A/P Payables	(2,029,863.65)			(92,038.65)			
Other Payments	(149,547.46)	0.00	(90,035.00)	(20,805.00)	(269.01)		0.00
TOTAL PAYMENTS	(2,299,229.39)	0.00	(90,035.00)	(134,810.08)	(916,268.01)		0.00
Outstanding Checks:							
Misc/Bank Error	(6,829.07)						
Voided Check							
Payroll	2,936.53						
A/P	52,441.47			1,556.79	480.71		0.00
TOTAL OUTSTANDING CHECKS	55,378.00			1,556.79	480.71		0.00
Balance	1,656,028.80		36,118.71	473,498.91	992.61	87,490.16	
Ending Bank Balance	1,656,028.80		36,118.71	473,498.91	992.61	87,490.16	
					(0.00)		
Deposits:							
WI PS ACH			1,622.95				
WI DOT - STATE AID							
WI DOT - CONN AIDS							
WI DOT - TAXI GRANT							
EMS ACCOUNT TRANSFER							
Pool Concessions							
Pool Aquatic							
Monthly City Deposits	183,807.71		17,163.09	327,403.73	292,714.68	8,393.72	
JAN TAX SETTLEMENT TRANSFER							
Med B NGS HCLCLAIM pmts	6,706.99						
Customer ACH pmts							
Point & Pay				24,057.77			
Tfr Between Accounts	1,006,000.00			8,489.51			
Tfr Between Accounts	4.00						
Accrued Checking Acct. Interest	353.01			30.77		9.65	0.00
	1,146,871.71		18,786.04	359,981.78	292,714.68	8,393.37	
Payments:							
Federal Payroll Tax Payments (RS)	50,352.10						
WI Payroll Tax Payments	9,499.72						
WI tax-							
Great West/Wells Fargo	3,860.00						
Quarterly Sales Tax							
WRF loan princ 31-58-10004-600							
WRF Loan int 31-58-29000-390							
Center St Loan payment							
Service Charge-stop payment							
Direct Deposit Service Fee (ACH)	10.00			4.00			
Retainer	4,948.30						
Network Health Premium	29,194.02						
Returned checks							
WRS Employee Trust Fund	28,676.63						
Fund Tfr			90,000.00		916,000.00		
Credit Card Payment-Elan US Bank	5,466.38			851.93			
EMC INSURANCE CO INSURANCE							
Miscellaneous			\$35.00	0.30			
Positive Pay	30.00						
Health Savings Acct				750.00			
Alliant-Credit Card Payment	16,638.21			19,988.77			
US Cellular	852.10						
Fleetcor - Obdon			90,035.00	20,805.00	916,000.00		
	149,547.46						
H.S.A. payable batch was posted in Feb 2018 It was corrected but checks were already mailed. We were not able to recreate checks so checks show as zero amounts.							

*Check Summary Register©

FEBRUARY 28 2018 to FEBRUARY 28 2019

Name	Check Date	Check Amt	
11100 Cash in Bank m FNB			
Paid Chk# 062435	BERLIN JOURNAL NEWSPAPER	2/1/2019	\$257.50 NOVEMBER 13 COUNCIL MEETING
Paid Chk# 062436	BERLIN ROTARY CLUB	2/1/2019	\$60.00 JODIE OLSON DUES FOR 4TH QUART
Paid Chk# 062437	CHIKOWSKI, ALLEN	2/1/2019	\$50.00 REIMBURSEMENT FOR CHRISTMAS PA
Paid Chk# 062438	MUNICIPAL CODE CORP	2/1/2019	\$1,426.76 12 COPIES OF SUPPLEMENT NO 27
Paid Chk# 062439	vonBRIESEN & ROPER, s.c.	2/1/2019	\$5,064.00 PFC MATTERS
Paid Chk# 062440	WI COUNCIL 32 PER CAP TAX T	2/1/2019	\$454.50 2018 - DECEMBER - POLICE UNION
Paid Chk# 062441	WINNEFOX COOPERATIVE TEC	2/1/2019	\$2,500.00 BERLIN WCTS DEPOSIT ACCOUNT
Paid Chk# 062442	AMAZON CAPITAL SERVICES, IN	2/1/2019	\$596.55 BROTHER PRINTER
Paid Chk# 062443	ASSOCIATED BANK GREEN BAY	2/1/2019	\$475.00 GENERAL OBLIGATION PROMISSORY
Paid Chk# 062444	BALLWEG IMPLEMENT CO	2/1/2019	\$762.34 PARTS FOR PARKS MOWER
Paid Chk# 062445	BERLIN CHAMBER OF COMMER	2/1/2019	\$805.26 4TH QUARTER HOTEL/MOTEL TAX CO
Paid Chk# 062446	CHARTER COMMUNICATION	2/1/2019	\$139.98 2019 - JANUARY - INTERNET SERV
Paid Chk# 062447	CHRISTENSEN, DOUGLAS A	2/1/2019	\$795.35 FEBRUARY HEALTH INSURANCE-CITY
Paid Chk# 062448	CITY INN & BANQUET HALL	2/1/2019	\$125.00 HALL RENTAL FOR SPRING ELECTIO
Paid Chk# 062449	COMPLETE OFFICE OF WI	2/1/2019	\$435.64 INK CARTRIDGE (LINDSEY)
Paid Chk# 062450	CORPORATE NTRWK SOLUTION	2/1/2019	\$171.60 VMWARE SUBSCRIPTION LICENSE -
Paid Chk# 062451	EMERGENCY MEDICAL PRODUC	2/1/2019	\$3,123.44 TRADE DISCOUNT
Paid Chk# 062452	INTERSTATE BATTERY	2/1/2019	\$161.80 4 BATTERIES FOR PUBLIC WORKS
Paid Chk# 062453	ITU ABSORBTECH, INC.	2/1/2019	\$90.97 2019 - JANUARY - UNIFORM BILLI
Paid Chk# 062454	JONES, TIMOTHY	2/1/2019	\$1,325.25 2019 - FEBRUARY - RETIREE HEAL
Paid Chk# 062455	KELLER, RICHARD	2/1/2019	\$2,857.34 2019 - RETIREE HEALTH PAYMENTS
Paid Chk# 062456	KRAUSE, CHAD R	2/1/2019	\$144.29 REIMBURSEMENT FOR OVERPAYMENT
Paid Chk# 062457	OSHKOSH OFFICE SYSTEMS	2/1/2019	\$113.37 2019 - JANUARY - COPIES # 7040
Paid Chk# 062458	SUN LIFE FINANCIAL	2/1/2019	\$188.02 2019 - JANUARY - EMPLOYER PAID
Paid Chk# 062459	SUPERHEAT AND COOLING	2/1/2019	\$210.00 INSTALLATION AND MAINTENANCE O
Paid Chk# 062460	VIKING ELECTRIC SUPPLY	2/1/2019	\$135.00 60 LIGHT BULBS FOR STOCK SUPPL
Paid Chk# 062461	WAYNE CONSULTANTS & MFG, I	2/1/2019	\$295.80 ADDITIVES FOR THE BOILER UNIT
Paid Chk# 062462	MAKURAT, KAY	2/1/2019	\$246.54 REIMBURSEMENT FOR HOTEL EXPENS
Paid Chk# 062463	WITHERS/KC SANITARY SUPPL	2/1/2019	\$1,133.58 PAPER PRODUCTS FOR PARKS AND P
Paid Chk# 062464	BMO HARRIS BANK	2/6/2019	\$0.00 2019 - FEBRUARY - PAYROLL - 3
Paid Chk# 062465	CITIZENS FIRST CREDIT UNION	2/6/2019	\$0.00 2019 - FEBRUARY - PAYROLL - 3
Paid Chk# 062466	COMMUNITY FIRST CREDIT UNI	2/6/2019	\$0.00 2019 - FEBRUARY - EMPLOYER H.
Paid Chk# 062467	FARMERS & MERCHANTS BANK	2/6/2019	\$0.00 2019 - FEBRUARY - EMPLOYER H.S
Paid Chk# 062468	FORTIFI BANK	2/6/2019	\$0.00 2019 - FEBRUARY - EMPLOYER H.S
Paid Chk# 062469	FOX COMMUNITIES CREDIT UNI	2/6/2019	\$0.00 2019 - FEBRUARY - PAYROLL - 3
Paid Chk# 062470	HORICON BANK	2/6/2019	\$0.00 2019 - FEBRUARY - PAYROLL - 3
Paid Chk# 062471	NORTH SHORE BANK, FSB	2/6/2019	\$0.00 2019 - FEBRUARY - PAYROLL - 3
Paid Chk# 062472	OPTUM CONSUMER SERVICES	2/6/2019	\$0.00 2019 - FEBRUARY - PAYROLL - 3
Paid Chk# 062473	VERVE	2/6/2019	\$0.00 2019 - FEBRUARY - PAYROLL - 3
Paid Chk# 062474	WI SCTF	2/6/2019	\$0.00 2019 - FEBRUARY - SUPPORT OBLI
Paid Chk# 062475	BOYS & GIRLS CLUB OF BERLIN	2/8/2019	\$2,000.00 2018 - BOYS AND GIRLS CLUB DON
Paid Chk# 062476	HIETPAS, TRAVIS	2/8/2019	\$103.99 OVERPAYMENT ON INVOICE 0201703
Paid Chk# 062477	KUNKEL ENGINEERING GROUP	2/8/2019	\$313.80 2018 - DECEMBER - INSPECTION S
Paid Chk# 062478	NEWTON, JERRY	2/8/2019	\$10.24 OVERCHARGE ON INVOICE 02017058
Paid Chk# 062479	OSHKOSH OFFICE SYSTEMS	2/8/2019	\$3,063.00 RICOH MPC2004 EX COLOR COPIER
Paid Chk# 062480	POLAKOWSKI, CHARLES	2/8/2019	\$10.24 OVERCHARGE ON INVOICE 02017028
Paid Chk# 062482	ALLEN, STEVE	2/14/2019	(\$78.95) 2017 SPECIAL ASSESSMENT BILLED
Paid Chk# 062482	ALLEN, STEVE	2/14/2019	\$78.95 2017 SPECIAL ASSESSMENT BILLED
Paid Chk# 062483	TCG HOLDINGS 5 LLC	2/14/2019	\$290.79 REIMBURSE SPECIAL ASSESSMENT O
Paid Chk# 062484	BERLIN AREA SCHOOL DISTRIC	2/15/2019	\$736,992.23 FEBRUARY 2019 TAX SETTLEMENT F
Paid Chk# 062485	GREEN LAKE COUNTY TREASU	2/15/2019	\$489,907.52 FEBRUARY 2019 TAX SETTLEMENT F
Paid Chk# 062486	MORAIN PARK TECHNICAL CO	2/15/2019	\$52,264.42 FEBRUARY 2019 TAX SETTLEMENT F
Paid Chk# 062487	WAUSHARA CO TREASURER	2/15/2019	\$27,289.10 FEBRUARY 2019 TAX SETTLEMENT F
Paid Chk# 062488	ACTION APPRAISERS & CONSU	2/15/2019	\$6,350.00 2019 MAINTENANCE ASSESSMENT SE
Paid Chk# 062489	ADVANCED DISPOSAL SERVICE	2/15/2019	\$24,176.27 2019 - JANUARY - CITY HALL GA
Paid Chk# 062490	AIRGAS USA LLC	2/15/2019	\$150.75 OXYINDUSTRIAL 200 CGA PUBLIC W
Paid Chk# 062491	AMAZON CAPITAL SERVICES, IN	2/15/2019	\$91.09 DURACELL 32-MA92-DH00 PROCELL

*Check Summary Register©

FEBRUARY 28 2018 to FEBRUARY 28 2019

Name	Check Date	Check Amt	
Paid Chk# 062492 AMERICAN PUBLIC WORKS ASS	2/15/2019	\$370.00	2019 - MEMBER RENEWAL 3/1/19-0
Paid Chk# 062493 APPLETON FINANCE DEPARTM	2/15/2019	\$942.50	2019 - FEBRUARY - WEIGHTS AND
Paid Chk# 062494 ARING EQUIPMENT COMPANY, I	2/15/2019	\$9.67	PARTS FOR BERLIN PUBLIC WORKS
Paid Chk# 062495 ASSOCIATED BANK GREEN BAY	2/15/2019	\$152,556.25	2013 BROADWAY DEBT-INTEREST
Paid Chk# 062496 BELLA BY DESIGN	2/15/2019	\$7.50	NAME PLATE FOR JOSH NIGBOR
Paid Chk# 062497 BERLIN JOURNAL NEWSPAPER	2/15/2019	\$1,214.00	1/3 PAGE AD DISCOVER US RIVERS
Paid Chk# 062498 BERLIN OIL PRODUCTS	2/15/2019	\$91.76	FUEL DEPT OF PUBLIC WORKS
Paid Chk# 062499 BLACK WOLF HYDRAULICS, LLC	2/15/2019	\$510.95	HYDRAULIC CYLINDER REPAIR FOR
Paid Chk# 062500 BLOCK, KEVIN J	2/15/2019	\$31.49	MEALS FOR WISCONSIN CHIEF'S OF
Paid Chk# 062501 Voided	2/15/2019	\$0.00	Check AddUnused
Paid Chk# 062502 Voided	2/15/2019	\$0.00	Check AddUnused
Paid Chk# 062503 Voided	2/15/2019	\$0.00	Check AddUnused
Paid Chk# 062504 CONVERGENT SOLUTIONS, INC	2/15/2019	\$586.53	PHONE REPAIR - WATER DAMAGE
Paid Chk# 062505 CULLIGAN WATER	2/15/2019	\$19.00	2019 - JANUARY - WATER SERVICE
Paid Chk# 062506 DIVISION OF UNEMPLOYMENT I	2/15/2019	\$1,187.63	BENEFIT CHARGES BRIAN WALL AND
Paid Chk# 062507 DREXEL BUILDING SUPPLY, INC	2/15/2019	\$775.43	LUMBER W/ CUT BERLIN PARKS PIC
Paid Chk# 062508 DTN, LLC	2/15/2019	\$534.00	2019 - FEBRUARY - RADAR SERVIC
Paid Chk# 062509 EMC INSURANCE COMPANIES	2/15/2019	\$18,666.47	2019 - FEBRUARY - GENERAL LIAB
Paid Chk# 062510 EMERGENCY MEDICAL PRODUC	2/15/2019	\$926.55	CURAPLEX POCKET MASK AND AIR C
Paid Chk# 062511 EXPERT TOWING AND RECOVE	2/15/2019	\$199.50	TOWING SERVICES FOR AMBULANCE
Paid Chk# 062512 Voided	2/15/2019	\$0.00	Check AddUnused
Paid Chk# 062513 FARRELL EQUIPMENT & SUPPL	2/15/2019	\$78.00	POWER GRAB THERMO GLOVES FOR P
Paid Chk# 062514 FINISHLINE STUDIOS	2/15/2019	\$35.00	2019 - FEBRUARY - MONTHLY WEB
Paid Chk# 062515 FORMILLER, JOSEPH	2/15/2019	\$287.54	REIMBURSEMENT FOR INSURANCE PR
Paid Chk# 062516 Voided	2/15/2019	\$0.00	Check AddUnused
Paid Chk# 062517 Voided	2/15/2019	\$0.00	Check AddUnused
Paid Chk# 062518 Voided	2/15/2019	\$0.00	Check AddUnused
Paid Chk# 062519 KEMNITZ, LINDSEY	2/15/2019	\$401.18	REIMBURSEMENT FOR HOTEL EXPENS
Paid Chk# 062520 KUNKEL ENGINEERING GROUP	2/15/2019	\$18,003.75	155734100830
Paid Chk# 062521 LANDMARK SERVICES COOPER	2/15/2019	\$8,096.19	2019 - JANUARY - FUEL DELIVERY
Paid Chk# 062522 LPI	2/15/2019	\$371.00	NEWSLETTER RENEWAL
Paid Chk# 062523 Voided	2/15/2019	\$0.00	Check AddUnused
Paid Chk# 062524 Voided	2/15/2019	\$0.00	Check AddUnused
Paid Chk# 062525 OSHKOSH OFFICE SYSTEMS	2/15/2019	\$300.00	2019 - CONTRACT RENEWAL
Paid Chk# 062526 PESCHKE, SANDRA A	2/15/2019	\$587.20	REIMBURSEMENT FROM RETIREE ACC
Paid Chk# 062527 PLANTZ, DENNIS W	2/15/2019	\$71.00	MEALS FOR WISCONSIN CHIEF'S OF
Paid Chk# 062528 PODOLL, GARY V	2/15/2019	\$63.80	TRAVEL TO QUALITY TRUCK OSHKOS
Paid Chk# 062529 QUALITY TRUCK CARE CENTER	2/15/2019	\$243.00	ENGINE 64 ACTUATOR FAILURE REP
Paid Chk# 062530 RUNNING INC. TRANSIT SERVIC	2/15/2019	\$10,351.81	2019 - JANUARY - SHARED RIDE T
Paid Chk# 062531 SCHRADER, JOHN	2/15/2019	\$445.84	2019 - FEBRUARY - REIMBURSEMEN
Paid Chk# 062532 SECURIAN FINANCIAL GROUP	2/15/2019	\$816.18	2019 - MARCH - ADDITIONAL EMPL
Paid Chk# 062533 THE CVIKOTA COMPANY INC	2/15/2019	\$2,530.88	2019 - JANUARY - EMS BILLING
Paid Chk# 062534 VIVIAL	2/15/2019	\$44.95	2019 - JANUARY - CENTURYLINK P
Paid Chk# 062535 WAUSHARA ARGUS	2/15/2019	\$550.00	2019 - COUNTY GUIDE FOR BERLIN
Paid Chk# 062536 WAUSHARA CO TREASURER	2/15/2019	\$25.00	2018 - PET LICENSE - FINAL
Paid Chk# 062538 BAKER & TAYLOR	2/19/2019	\$996.33	MATERIALS FOR LIBRARY MEMBERS
Paid Chk# 062539 BERLIN OIL PRODUCTS	2/19/2019	\$34.00	2019 - JANUARY - PAPERS FOR BE
Paid Chk# 062540 BREWER HEATING INC	2/19/2019	\$410.29	REPLACE V-BELT AT BERLIN PUBLI
Paid Chk# 062541 JUNIOR LIBRARY GUILD	2/19/2019	\$267.00	2019 - FEBRUARY - AUDIOBOOK MA
Paid Chk# 062542 LISA M. OBRIST	2/19/2019	\$832.50	2019- JANUARY - LIBRARY CLEANI
Paid Chk# 062543 OSHKOSH OFFICE SYSTEMS	2/19/2019	\$53.95	2019 - JANUARY - COPIES FOR BE
Paid Chk# 062544 UNIQUE MANAGEMENT SERVIC	2/19/2019	\$71.60	2019 - JANUARY PLACEMENTS
Paid Chk# 062545 WINNEFOX LIBRARY SERVICES	2/19/2019	\$25,622.00	2019 WALS FEE FOR BERLIN PUBLI
Paid Chk# 062546 WINNEFOX COOPERATIVE TEC	2/19/2019	\$967.84	2019 - JANUARY - ANNUAL DUES F
Paid Chk# 062547 WINNEFOX LIBRARY SYSTEM	2/19/2019	\$3,404.06	2019 - JANUARY - OVERDRIVE/EBO
Paid Chk# 062548 BMO HARRIS BANK	2/19/2019	\$260.00	2019 - PAYROLL 4 - EMPLOYEE H.
Paid Chk# 062549 CITIZENS FIRST CREDIT UNION	2/19/2019	\$211.50	2019 - PAYROLL 4 - EMPLOYEE H.
Paid Chk# 062550 COMMUNITY FIRST CREDIT UNI	2/19/2019	\$165.00	2019 - PAYROLL 4 - EMPLOYEE H.

*Check Summary Register©

FEBRUARY 28 2018 to FEBRUARY 28 2019

Name	Check Date	Check Amt	
Paid Chk# 062551 FARMERS & MERCHANTS BANK	2/19/2019	\$596.07	2019 - PAYROLL 4 - EMPLOYEE H.
Paid Chk# 062552 FORTIFI BANK	2/19/2019	\$1,668.75	2019 - PAYROLL 4 - EMPLOYEE H.
Paid Chk# 062553 HORICON BANK	2/19/2019	\$100.00	2019 - PAYROLL 4 - EMPLOYEE H.
Paid Chk# 062554 NORTH SHORE BANK, FSB	2/19/2019	\$75.00	2019 - PAYROLL 4 - EMPLOYEE D
Paid Chk# 062555 OPTUM CONSUMER SERVICES	2/19/2019	\$50.00	2019 - PAYROLL 4 - EMPLOYEE H.
Paid Chk# 062556 VERVE	2/19/2019	\$25.00	2019 - PAYROLL 4 - EMPLOYEE H.
Paid Chk# 062557 WI COUNCIL 32 PER CAP TAX T	2/19/2019	\$458.10	2019 - FEBRUARY - UNION DUES
Paid Chk# 062558 WI SCTF	2/19/2019	\$1,104.00	2019 - FEBRUARY - PAYROLL 04 S
Paid Chk# 062559 ADVANTAGE POLICE SUPPLY IN	2/19/2019	\$842.00	VEST FOR PLANTZ
Paid Chk# 062560 AXON ENTERPRICE, INC.	2/19/2019	\$2,035.00	TASER ASSURANCE PLAN CEW ANNUA
Paid Chk# 062561 BAYCOM INC	2/19/2019	\$2,406.96	2019 - BAYCOM SERVICE AGREEMEN
Paid Chk# 062562 BERLIN OIL PRODUCTS	2/19/2019	\$36.10	GASOLINE FOR SQUAD CAR
Paid Chk# 062563 COPERS, LLC	2/19/2019	\$490.00	2019 - TECHNICAL SUPPORT 01/01
Paid Chk# 062564 GALLS	2/19/2019	\$187.00	JESSICA SCHROEDER UNIFORM -BER
Paid Chk# 062565 KEIL ENTERPRISES	2/19/2019	\$585.00	OPERATION RUSH CLASS HORN, MEY
Paid Chk# 062566 SONDALLE FORD LINCOLN MER	2/19/2019	\$17.48	REPLACE WINDSHIELD WIPER BLADE
Paid Chk# 062567 WISCONSIN DEPARTMENT JUST	2/19/2019	\$1,176.00	TIME ACCESS CHARGE PER MONTH
Paid Chk# 062568 Voided	2/22/2019	\$0.00	Check AddUnused
Paid Chk# 062569 BERLIN WATER & SEWER UTILI	2/20/2019	\$22,076.39	2019 - JANUARY - WATER & SEWER
Paid Chk# 062570 BERLIN JOURNAL NEWSPAPER	2/22/2019	\$172.00	HRG/PLOCKELMAN AD
Paid Chk# 062571 CenturyLink	2/22/2019	\$2,175.52	2019 - JANUARY - LOCAL PHONE S
Paid Chk# 062572 CENTURYLINK	2/22/2019	\$63.74	2019 - JANUARY - LONG DISTANCE
Paid Chk# 062573 CONCENTRA MED COMPLIANCE	2/22/2019	\$125.00	2019 - JANUARY - ANNUAL RANDOM
Paid Chk# 062574 MONROE TRUCK EQUIPMENT	2/22/2019	\$47.66	60 " RVC CONTROL CABLE DPW
Paid Chk# 062575 PENFLEX INC	2/22/2019	\$65.00	2019 - ADMINISTRATIVE FEES BFD
Paid Chk# 062576 SCHRAMER, RICHARD	2/22/2019	\$41.53	BUSINESS LUNCH WITH DEVELOPER/
Paid Chk# 062577 vonBRIESEN & ROPER, s.c.	2/22/2019	\$2,572.92	POLICE NEGOTIATIONS
Paid Chk# 062578 WISCONSIN EMERGENCY MANA	2/22/2019	\$200.00	REGISTRATION FOR PAUL SPLITTGE
Paid Chk# 062579 ASSOCIATED BANK GREEN BAY	2/22/2019	\$205,100.00	2008 STREET PROJECTS - PRINCIP
Paid Chk# 062580 AMAZON CAPITAL SERVICES, IN	2/28/2019	\$109.23	SD CARD READER PORTABLE
Paid Chk# 062581 BERLIN JOURNAL NEWSPAPER	2/28/2019	\$800.00	1/2 PAGE AD "FUN ON THE FOX"
Paid Chk# 062582 BERLIN WATER & SEWER UTILI	2/28/2019	\$151,796.57	REC'D DEL UTILITY HELD @ COUNT
Paid Chk# 062583 CLIA LABORATORY PROGRAM	2/28/2019	\$180.00	CERTIFICATE FEE 8/11/2019-08/1
Paid Chk# 062584 COMPLETE OFFICE OF WI	2/28/2019	\$1,179.60	PAPER FOR CITY HALL
Paid Chk# 062585 EMERGENCY MEDICAL PRODUC	2/28/2019	\$748.58	MEDICAL SUPPLIES
Paid Chk# 062586 FARMERS & MERCHANTS BANK	2/28/2019	\$78.95	2017 SPECIAL ASSESSMENT BILLED
Paid Chk# 062587 FIRE INSPECTION SERVICES IN	2/28/2019	\$1,473.50	2019 - JANUARY - FIRE INSPECTI
Paid Chk# 062588 THEDA CARE	2/28/2019	\$5,513.95	IO DRIVERS, CASE & NEEDLES - B
Paid Chk# 062589 W.S. DARLEY & CO	2/28/2019	\$1,105.11	HOSE CLAMP W/ RUNNING BOARD
Total Checks		\$2,029,863.65	

DATE: February 28, 2019

TO: Committee of the Whole

FROM: Jodie Olson

RE: Preliminary Resolution Declaring Intent to Levy Special Assessments for 2019 Street and Utility Projects

BACKGROUND: There will be special assessments to property owners along the 2019 Street and Utility project site area, mostly for sewer laterals. Residents are invited to a public informational meeting to be held on March 14 to review the plans and discuss potential assessments.

The next step is for Council to approve a preliminary resolution declaring the intent to special assess these property owners and to schedule a public hearing. Once the Preliminary Resolution is passed and a date scheduled for the public hearing (most likely for April 9, 2019), staff will send the required information on the project to the property owners and invite them to the public hearing. After the public hearing, if appropriate, the Council will approve a Final Resolution authorizing to move forward and to special assess the affected property owners.

RECOMMENDATION: Recommend to Common Council to Approve Preliminary Resolution #19-04 Declaring the Intent to Levy Special Assessment Under Municipal Police Power Pursuant to §66.0703, Stats. Upon the Following Designated Areas: N. Capron Street and River Drive and schedule a public hearing for the April 9, 2019 Common Council Meeting.

RESOLUTION #19-04

PRELIMINARY RESOLUTION DECLARING INTENT TO LEVY SPECIAL ASSESSMENT UNDER MUNICIPAL POLICE POWER PURSUANT TO §66.0703, STATS. UPON THE FOLLOWING DESIGNATED AREAS:

**N. Capron Street (W. Liberty to W. Cumberland)
River Drive (W. Cumberland to Park Lane)**

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

1. The Common Council hereby declares its intention to exercise its police power under §66.0703, Stats., to levy special assessments upon property in the assessment district hereinafter described for benefits conferred upon such property by reason of the following public work and improvements:

Installation of sewer laterals on the following streets as shown on the accompanying maps:

**N. Capron Street (W. Liberty - W. Cumberland)
River Drive (W. Cumberland - Park Lane)**

Install, repair, and replace sidewalks as necessary on the following streets, the specific extent of such improvements to be determined and included in the City Engineer's report referenced in paragraph 5 below:

**N. Capron Street (W. Liberty - W. Cumberland)
River Drive (W. Cumberland - Park Lane)**

2. The property to be assessed lies within the following described assessment district:

**N. Capron Street (W. Liberty - W. Cumberland)
River Drive (W. Cumberland - Park Lane)**

ASSESSMENT DISTRICT

3. Before the water & sewer main replacements are made, the Utility Superintendent shall cause water & sewer service laterals to be laid in the street from the water & sewer mains to the lot line of each lot fronting on the street and shall cause the amount charged to each lot for the sewer lateral only shall be entered on the tax roll as a special tax against each lot. The amount charged for said lateral shall be based upon the Housing Task Force Standardized Special Assessment Schedule for the replacement of sewer lateral, as approved by the Common Council, based upon 2019 rates, as long as the lateral is for standard service, but shall in no case exceed 100% of the total cost of the improvements. If larger service is required, the actual cost for the installation of the lateral for said lot shall be accounted for and charged to said lot and entered on the tax roll as a special tax on said lot.

In regard to the sidewalk installation, repairs, and replacements, the Street Superintendent shall keep an accurate account of the expenses incurred in front of each

lot and shall report these costs to the city clerk who shall, pursuant to city ordinance relating to sidewalk replacement, cause ½ of such expense for each applicable lot to be entered on the tax roll as a special tax against the lot. In no case shall the amount assessed to a lot be more than 50% of the total cost of the sidewalk improvements benefiting the lot.

4. The Common Council determines that the improvements constitute an exercise of the police power for the health, safety and general welfare of the City of Berlin and its inhabitants.
5. The City Engineer shall prepare a report which shall consist of:
 - a. Preliminary plans and specifications for the improvements.
 - b. An estimate of the entire cost of the proposed improvements.
 - c. Schedule of proposed assessments.
6. When the report is completed, the City Engineer shall file a copy of the report with the City Clerk for public inspection and, if state property is to be assessed, shall mail a copy of the report to the responsible state agency and, for assessments of \$50,000.00 or more, to the Wisconsin State Building Commission.
7. Upon receiving the report of the City Engineer, the City Clerk shall cause notice to be given stating the nature of the proposed improvements, the general boundary lines of the proposed assessment district (including a small map thereof), the time and place at which the report may be inspected, and the time and place of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a Class I Notice under Chapter 985, Stats., and a copy shall be mailed, at least ten (10) days before the hearing, to every interested party whose address is known or can be ascertained with reasonable diligence.
8. The hearing shall be held in the City Hall Council Chambers at 108 N. Capron St., Berlin, WI 54923 at a time set by the City Clerk in accordance with Wis. Statutes §66.0703 (7).
9. The assessment against any parcel may be paid in cash or in annual installments, the number of which shall be determined at the public hearing on the proposed assessments.

Passed, approved and adopted this 12th day of March, 2019.

ROLL CALL VOTE:

_____ AYES
_____ NAYS
_____ ABSENT

CITY OF BERLIN

BY: _____
RICHARD D. SCHRAMER, Mayor

APPROVED AS TO FORM:

MATTHEW G. CHIER,
City Attorney

ATTEST: _____
JODIE OLSON,
City Clerk



107 Parallel Street
Beaver Dam, WI 53916
920-356-9447
Fax 920-356-9454
kunkelengineering.com

February 18, 2019

Mr. Scott Zabel
Director of Public Works
City of Berlin
108 Capron Street
Berlin, Wisconsin 54923

Mr. Brian Malnory
Director of Utilities
City of Berlin
P.O. Box 272
Berlin, Wisconsin 54923

**Re: 2019 Street & Utility Improvements Project
Construction Contract Award – Recommendation**

Dear Gentlemen:

Please find accompanying this transmittal the "Bid Tabulation" for the above referenced work bid on February 15, 2019. There were five (5) bids received for this project, with bids ranging from \$1,509,907.98 to \$1,718,227.56. All five (5) bids submitted were below the final engineer's cost estimate of \$1,880,550.00. Don E. Parker Excavating, Inc. of Hortonville, Wisconsin submitted the low combined bid of all Sections (Section A through Section E as noted on the accompanying bid tabulation) in the amount of \$1,509,907.98. The Utility Department's portion equates to \$816,321.00, which includes \$1,000 for soil & material testing, while the Public Works Department portion comes to \$693,586.98, which also includes \$1,000 for soil & material testing.

Based upon our review and analysis of the bids, as well as our experience with the contractor's past work efforts, we hereby recommend that the City of Berlin award a construction contract to Don E. Parker Excavating, Inc. of Hortonville, Wisconsin for the 2019 Street & Utility Improvements Project in the amount of \$1,509,907.98.

Should either of you, the City Council or Utility Commission have any questions regarding this transmittal, please feel free to contact me at your earliest convenience.

Sincerely,

KUNKEL ENGINEERING GROUP

Don Neitzel
General Manager

enclosure

cc w/encl: Jodie Olson, Administrator
Peggy LaBuda, Utility Clerk
Brian Parker, Don E. Parker Excavating, Inc.

STIPULATION

WHEREAS, the CITY OF BERLIN ("CITY") issued a Raze Order (the "RAZE ORDER") dated November 6, 2018 to the owners (current title owner(s): Roger A. Kasuboski, a/k/a Roger Kasuboski, a single person ("KASUBASKI") by virtue of a Quit Claim Deed from Renee M Kasuboski, a/k/a Renee Kasuboski dated November 19, 2015 and recorded August 12, 2018 at 12:00 p.m. as Document No. 399286) and holders of encumbrances of record of the real estate located at 151 N. Wisconsin Street, Berlin, Wisconsin 54923, which real estate is legally described as follows:

The North ½ of Lots 1 and 2 in Block 10 in the Original Plat of Strongsville, now City of Berlin, Green Lake County, Wisconsin.

(the "PROPERTY"); and

WHEREAS, as of the date of this Stipulation, KASUBASKI has failed to comply with the RAZE ORDER; and

WHEREAS, the CITY and KASUBASKI have agreed to the terms and conditions of this Stipulation in lieu of the CITY taking further immediate action pursuant to the RAZE ORDER as a result of KASUBASKI's failure to comply with the RAZE ORDER.

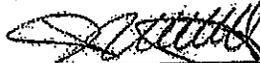
NOW THEREFORE, the CITY and KASUBASKI stipulate to the following:

1. KASUBASKI shall have an extension to comply with the RAZE ORDER as follows:
 - a. No later than June 30, 2019, KASUBASKI shall complete the following on the PROPERTY:
 - i. The interior and exterior of all entryways and porch must be permanently completed in a code compliant state.
 - ii. The Tyvek (or other brand) sheeting on the exterior needs to be replaced and the house completely sided in a code compliant state.
 - b. No later than December 31, 2019, KASUBASKI shall complete the following on the PROPERTY:
 - i. A completely new roof installed in a code compliant state.
 - c. No later than February 11, 2020, KASUBASKI shall remedy all remaining issues described in the Inspection Report completed by Building Inspector Randal E. Backhaus, dated October 19, 2018, which was attached to the RAZE ORDER and was the basis upon which the RAZE ORDER was issued.
2. In the event KASUBASKI fails to comply with any of the requirements described in Paragraph 1 above, by the stated deadlines, the CITY may immediately take action to enforce the RAZE ORDER (notwithstanding any work performed or improvements installed to the PROPERTY during the term of this Stipulation), which may include the following:

- a. The City of Berlin Building Inspector or other designated officer may proceed to raze the building(s) through any available public agency or by contract or arrangement with private persons, or to secure the building(s) and, if necessary, the property on which the building(s) are located if unfit for human habitation, occupancy or use. The cost of razing or securing the building(s) may be charged in full or in part against the real estate upon which the building(s) are located, and if that cost is so charged it is a lien upon the real estate and may be assessed and collected as a special tax. Any portion of the cost charged against the real estate that is not reimbursed under §632.103(2), Stats. from funds withheld from an insurance settlement may be assessed and collected as a special tax.
- b. The City Building Inspector or designated officer may also or alternatively commence and prosecute an action in Circuit Court for an Order of the Court requiring the owner(s) to comply with the order to raze the building(s) issued, or requiring any person occupying the building(s) whose occupancy has been prohibited to vacate the premises, or any combination of the Court orders. A hearing on actions taken in this regard shall be given preference. Court costs shall be at the discretion of the Court.
- c. The CITY shall be entitled to reimbursement from KASUSBASKI and all owners owner(s), if any, jointly and severally, of all costs and expenses, including actual attorney fees, incurred by the CITY in relation to the issuance and enforcement of the RAZE ORDER (including but not limited to expenses incurred prior to this Stipulation).

Dated this 21st day of February, 2019.

CHIER LAW OFFICE LLC


 Matthew G. Chier, WSB#1026856
 City of Berlin Attorney

Dated this 24th day of February, 2019.


 Roger A. Kasuboski

Inspector said roof was fine, just needs repair and doesn't need to be completely new. Other than that, everything else looks fine.

Chamber 2018 Report

2018 Room Tax received: \$6,773.50

Major Expenses where Room Tax was applied:

- Advertising on Facebook, Newspaper, and on the Website: \$2,977.99
- Green Lake Country Visitor Bureau Membership \$1,200.00
- Event Expenses \$5,482.13
 - Business/Citizen of the Year, Holiday Parade, and Taste of Berlin
- Office Upkeep \$10,037.74
 - Insurance, phone/internet, rent, office supplies
- Wages for Office Staff \$18,203.29

TOTAL: \$37,901.15

All data was pulled directly from QuickBooks

Adjusts for 2019:

1. Sponsorship levels being introduced for Taste Of Berlin to help eliminate costs associated with the event.
2. Currently, there is no paid office staff. When one is hired - the position will be at reduced hours.
3. Bringing Business After 5's Quarterly to encourage networking between new and established businesses.
4. Partner with organizations and businesses to provide educational workshops for the chamber members

CITY OF BERLIN PERMIT APPLICATION

Special Events on Streets, Highways, and Municipal Parking Lots

(Provisions of SEC. 18-331 thru SEC.18-337 Municipal Code Apply)

If you need additional space for any answers, attach additional sheets as necessary

18-333 Event On Street/Highway 18-333 Parade 18-333 Event on Municipal Parking Lot

Applicant's Name: Berlin Veterans Foundation Inc Date of Application: 02/07/2019

Applicant's Telephone Number: 920-229-5856 Applicant's DOB/Organized: 11/2004

Applicant's Address: Po Box 411 Berlin Wj 54923

Purpose of Application Request: Veterans Appreciation Night
At Farmers Market 06/04/2019

If applicant is an organization, provide the name(s), title(s) or position(s), address(es), and telephone number(s) of authorizing official(s) (for corporations, all officers and directors; for LLC's, all members and managers; for partnerships, all partners; for trusts, all trustees):

Name, Title, and Address	Telephone Number
<u>Dawn Putera Pres 42202 Puchan Rd Berlin</u>	<u>920-229-2325</u>
<u>Michelle Cassidy VP 181 E Noyes St Berlin</u>	<u>920-267-2755</u>
<u>Ray Sprague VP Secy W2563 Puchan Rd Berlin</u>	<u>920-361-3766</u>
<u>Pat Flinnigan 2nd VP 208 N Capron St Berlin</u>	<u>920-361-0709</u>
<u>Barbara Resop Treas 143 Water St Apt 108 Berlin</u>	<u>920-229-5856</u>

If applicant is an organization (corporation, LLC, partnership, trust, etc), provide the name(s), title(s), or position(s), address(es), and telephone number(s) of person(s) responsible for this request:

Name, Title, and Address	Telephone Number
<u>See Above</u>	

Details of Event: (For extended details, use the back of this form and include drawings of proposed event or route).

What: Veterans Appreciation/hero night at Farmers Market

When: Tuesday June 4, 2019 Start Time and Duration: 3 pm until 7ish

Where: Nathan Strong Park If Parade; Assembly Area: _____

Estimated number of units (if parade) or persons attending (if other event): _____

Does applicant claim exemption from liability insurance as a government agency, religious, fraternal, veterans, charitable, or service organization per Sec. 18-333(b)(2) and or (4). Yes No

If yes, explain: BVF is a 501(c)(3) non profit
(Also submit any supporting documentation for this claim of exemption)

Applicant or Applicant's Agent's Name Signature: Barbara Resop

Name of Person Signing (please print): Barbara J Resop

Title of Person Signing (if applicant is an organization): Treasurer

For Office Use Only Include with Application:

#20 Fee Paid (or) Exempt from fee (governmental procession) Yes No

Neighboring Consent Form (or) Not Applicable Indemnification Form

Liability Insurance (or) Applicant is exempt and approved by City Attorney

Reviewed by: _____ City Attorney [Signature] Chief of Police _____ Street Superintendent

Common Council approval: Yes No NA (Recurring)

Recommendation: Conditions for Approval or Reasons for Denial:

Additional Details:

Berlin Farmers Market and B/F would be inviting military organizations to display their equipment.

Set up to begin around 3 PM and ending at the conclusion of the Market at 7 PM

We would appreciate the City of Berlin dropping off barricades for us to set up at the intersections of Hwy 91 and Church St as well as for East Park Avenue and Church Street.

Also ask the City to reclaim them from the PARK the next day.

We will be using the block of Church Street between Hwy 91 and East Park Avenue. We will not be blocking Hwy 91 nor East Park.



City of Berlin
P.O. Box 272 108 North Capron Street
Berlin, WI 54923
920-361-5400 Phone 920-361-5454 Fax

Indemnification, Defense, and Hold Harmless Agreement

The undersigned, as an applicant for a permit from the City of Berlin, hereby agrees to indemnify, defend, and hold harmless the City of Berlin and its employees and agents against all claims, liabilities, loss, damages, or expenses against or incurred by the City of Berlin on account of any injury to or death of any person, or any damage to property, caused by or resulting from the activities for which the permit was granted.

Specifically this Agreement applies to:

Veterans Appreciation/Hero Night at Farmers Market
(Description of Event)

On: Tuesday, June 4, 2019
(Date(s) of Event)

By: Barbara J Resop, Treasurer
(Name of Applicant)

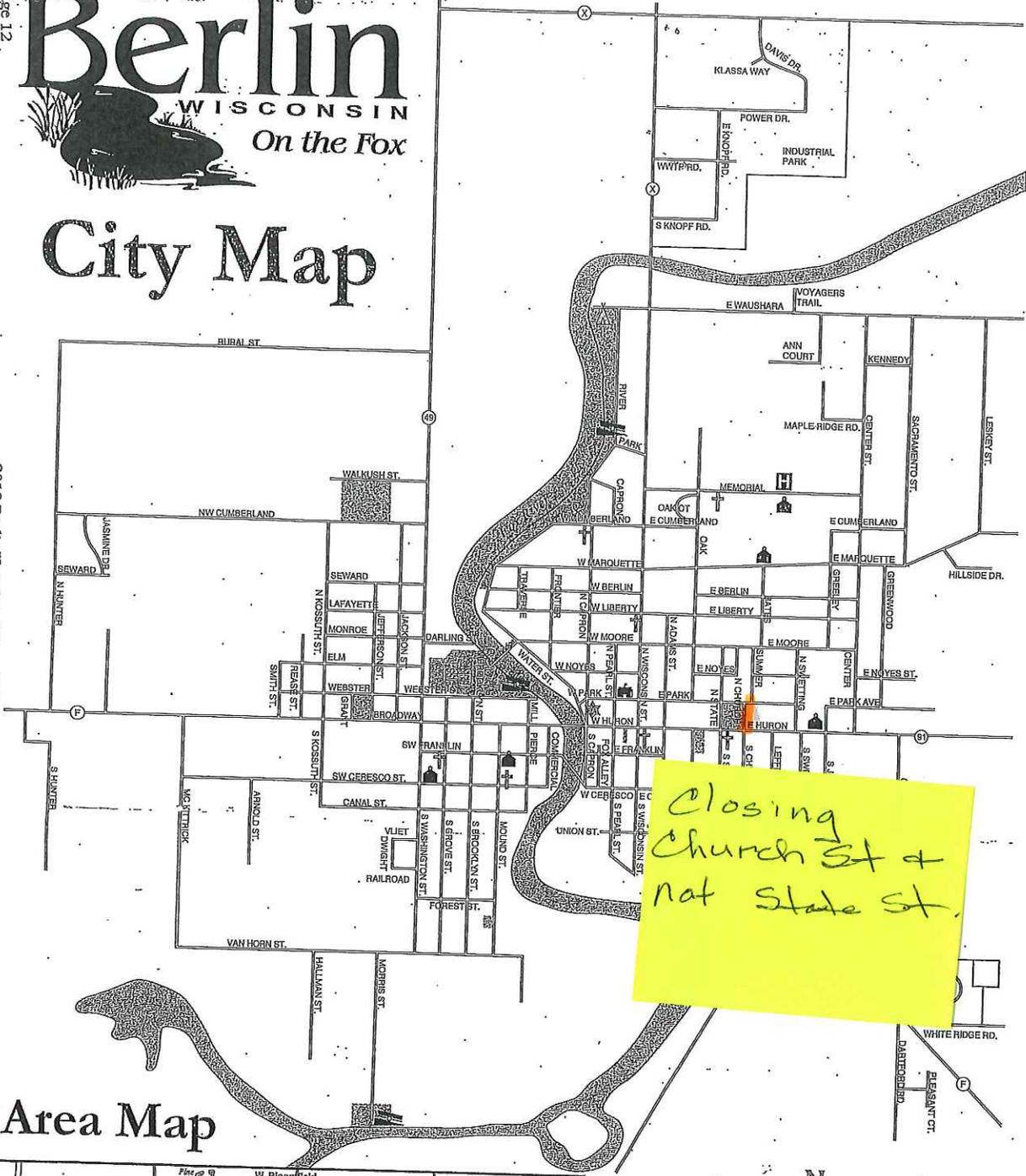
On Behalf Of: Berlin Veterans Foundation, Inc
(Name of Organization and Title if applicable)

If signing on behalf of an organization, you must have authority from the organization to sign an agreement like this. By signing this agreement, you are warranting to the City of Berlin that you have such authority.

Berlin

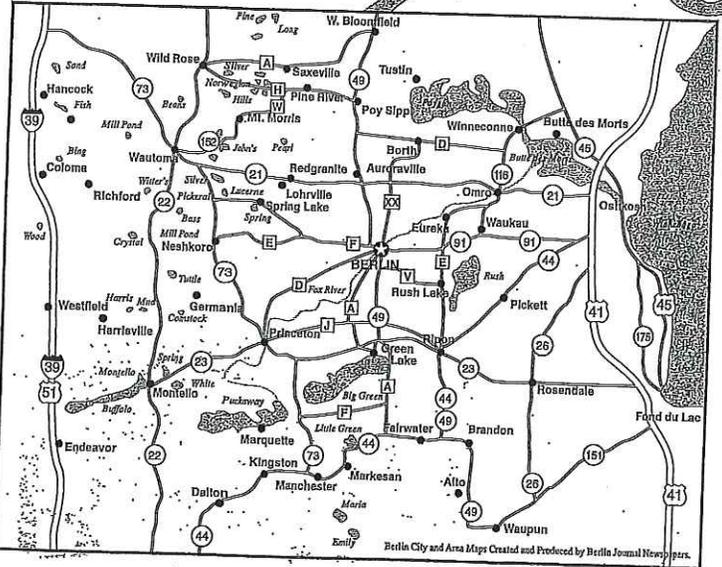
WISCONSIN
On the Fox

City Map



Closing
Church St +
Nat State St.

Area Map



MAP KEY			
	Schools		Hospital
	Churches		Aquatic Center
	Library		Boat Landings
	City Hall/ Police Station		Parks
	Campground		

2012 Berlin Vacation & Travel Planner

2012 Berlin Vacation & Travel Planner

Berlin City and Area Maps Created and Produced by Berlin Journal News, Inc.

DATE: February 28, 2019

TO: Mayor and Common Council

FROM: Lindsey Kemnitz

RE: Safeguard Site

BACKGROUND:

As I have started moving forward with the Site Assessment Grant (SAG) process there has been an expense that is recommended prior to the grant being submitted. The buildings have the potential of asbestos and lead paint and will need to be tested prior to demolition. Staff has walked through the buildings with a couple of abatement contractors and each contractor informs staff of different potential abatement concerns. WEDC recommends the City to conduct a pre-inspection service prior to submit the grant to get accurate numbers on the abatement costs. Once the grant is submitted we are not allowed to request for additional funds if additional costs arise.

Recommendation: Grant staff permission to move forward with pre-inspection service not to exceed \$3,300 from the TID #15

DATE: March 7, 2019

TO: Common Council

FROM: Jodie Olson

RE: Municipal Court Ordinance and Municipal Court Intergovernmental Agreement

BACKGROUND: Last year we approved an ordinance to remove the Village of Rosendale from Lakeside Municipal Court. Then we approved the addition of the City of Ripon in December. At that time, we discussed the need to again pass an updated ordinance and intergovernmental agreement inclusive of the City of Ripon but with the removal of Rosendale again with an effective date of May 1, 2019.

The ordinance and intergovernmental agreement are attached.

RECOMMENDATIONS:

Municipal Court Ordinance. RECOMMENDATION: Approve ordinance #01-19 establishing a municipal court for Cities of Fond du Lac and Ripon, Towns of Empire, Osceola, Ripon and Taycheedah, the Villages of Brandon, Campbellsport, Fairwater, North Fond du lac, and Oakfield in Fond du lac County and the City of Berlin in Green Lake and Waushara Counties, the Cities of Green Lake, Markesan and Princeton in Green Lake County effective May 1, 2019.

Municipal Court Intergovernmental Agreement. RECOMMENDATION: Approve the Intergovernmental Agreement for North Fond du Lac to Provide Municipal Court Services to the Cites of Fond du Lac and Ripon, Villages of Brandon, Campbellsport, Fairwater and Oakfield and Rosendale, the Towns of Empire, Osceola, Ripon and Taycheedah in Fond du Lac County, and the Cities of Berlin, Green Lake, Markesan and Princeton in Green Lake County and the City of Berlin in Waushara County to Commence on May 1, 2019.

ORDINANCE #01-19

AN ORDINANCE ESTABLISHING A MUNICIPAL COURT FOR CITIES OF FOND DU LAC AND RIPON, TOWNS OF EMPIRE, OSCEOLA, RIPON AND TAYCHEEDAH, THE VILLAGES OF BRANDON, CAMPBELLSPORT, FAIRWATER, NORTH FOND DU LAC, OAKFIELD IN FOND DU LAC COUNTY AND THE CITY OF BERLIN IN GREEN LAKE AND WAUSHARA COUNTIES, THE CITIES OF GREEN LAKE, MARKESAN AND PRINCETON IN GREEN LAKE COUNTY

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

Ordinance 10-18, adopted on December 11, 2018, is hereby repealed and replaced with the following:

Section 1-19 of the Code of Ordinances of the City of Berlin is hereby repealed and replaced with the following:

Sec. 1-19. – Municipal Court

(a) Municipal Court Created

Court Established: Pursuant to the authority granted by Chapter 755 of the Wisconsin Statutes, there is hereby created and established a joint municipal court to be designated Lakeside Municipal Court shall take effect and be in full force and effect from and after its passage by the municipalities that are party to the agreement and publication as required by law.

(b) Municipal Judge

Qualifications: The joint court shall be under the jurisdiction of and presided over by a municipal judge who resides in one of the municipalities that is a party to the agreement forming this joint court.

Oath and Bond: The Judge shall, after election or appointment to fill a vacancy, take and file the official oath as prescribed in §757.02(1), Wis. Stats., and at the same time execute and file an official bond in the amount of \$1,000, or an appropriate insurance policy of not less than \$20,000 as prescribed in §66.0609(4), Wis. Stats. The judge shall not act until the oath and bond or appropriate insurance policy have been filed as required by §19.01(4)(c), Wis. Stats., and the requirements of §755.03(2), Wis. Stats., have been complied with.

Salary: The salary of the municipal judge shall be fixed by the Village Board of Village of North Fond du Lac which shall be in lieu of fees and costs. No salary shall be paid for any time during the term during which such Judge has not executed the official bond or appropriate insurance policy or official oath, as required by §755.03, Wis. Stats., and filed pursuant to §19.01(4)(c), Wis. Stats.

(c) **Elections**

Term: The municipal judge shall be elected at large in the spring election for a term of four years commencing on May 1. All candidates for the position of municipal judge shall be nominated by nomination papers as provided in §8.10, Wis. Stats., and selection at a primary election if such is held as provided in §8.11, Wis. Stats. The Elections Division of the Government Accountability Board shall serve as filing officer for the candidates.

Electors: Electors in all municipalities that are parties to the agreement shall vote for judge.

(d) **Jurisdiction**

The municipal court shall have jurisdiction over incidents occurring on or after May 1, 2019, as provided in Article VII, §14 of the Wisconsin Constitution, §755.045 and §755.05, Wis. Stats., and as otherwise provided by State Law. In addition, it shall have exclusive jurisdiction over actions in the municipalities that are parties to the agreement seeking to impose forfeitures for violations of municipal ordinances, resolutions and by-laws.

The municipal judge may issue civil warrants to enforce matters under the jurisdiction of the municipal court under §755.045(2), §66.0119, Wis. Stats.

The municipal court has jurisdiction over juvenile offenders when a municipality that is party to the agreement enacts an ordinance under the authority of §938.17(2)(cm), Wis. Stats.

Court authority to impose alternative juvenile dispositions and sanctions.

- (1) For a juvenile adjudged to have violated an ordinance, a court is authorized to impose any of the dispositions listed in §938.343 and §938.344, Wis. Stats., in accordance with the provisions of those statutes.
- (2) For a juvenile adjudged to have violated an ordinance who violates a condition of a dispositional order of the court under §938.343 or §938.344, Wis. Stats., the municipal court is authorized to impose any of the sanctions listed in §938.355(6)(d), Wis. Stats., in accordance with the provisions of those statutes.

(e) **Municipal Court**

Hours: Lakeside Municipal Court shall be open as determined by order of the Municipal Judge.

Employees: The Judge shall, in writing, appoint such an Administrator, clerks, deputy clerks and assistants as are authorized by the Village Board of North Fond du Lac.

Location: The Municipal Judge shall keep his/her office at a location provided by the Board of Trustees of the Village of North Fond du Lac and shall hold court at locations agreed to by members of Lakeside Municipal Court. The Municipal Judge may issue, process and perform ministerial functions any place in the State of Wisconsin.

(f) Collection of Forfeitures and Costs

Collection of Forfeitures and Costs: The Municipal Judge may impose punishment and sentences as provided by Wis. Stats. Chapters 800 and 938 and as provided in ordinances of the municipalities that are parties to the agreement. All forfeitures, fees, assessments, surcharges and costs shall be paid to the treasurer of the Village of North Fond du Lac in accordance with State Statute. At such time, the Municipal Court shall report to the treasurer the title, nature of offense and total amount of judgments imposed in actions and proceedings in which such monies are collected.

(g) Contempt of Court

Contempt of Court: The Municipal Judge, after affording an opportunity to the person accused to be heard in defense, may punish for contempt as provided in §800.12, Wis. Stats., and/or impose a forfeiture or a jail sentence in accordance with State Statute.

(h) Stipulations and Deposits

Deposits for Ordinance Violations: The Municipal Judge shall establish and submit to the City Councils or Town or Village Boards of the member municipalities for approval in accordance with §800.03(3), Wis. Stats., a schedule of deposits for violations of each ordinance, resolutions and by-laws.

Deposits for Traffic and Boating Violations: The deposit schedule established by the Wisconsin Judicial Conference and the procedures set forth in Chapters 23 and 345, Wis. Stats., shall apply to stipulations and deposits for violations of traffic regulations enacted in accordance with §345.27, Wis. Stats., and boating regulations enacted in accordance with §30.77, Wis. Stats.

Stipulations and Deposits in Lieu of Court Appearance: Persons cited for violations of the member municipalities ordinances, resolutions or by-laws or violations of traffic or boating regulations for which a deposit has been established, shall be permitted to make a stipulation of no contest and a deposit in lieu of court appearance as provided in §800.03, Wis. Stats., §800.04, Wis. Stats., §800.09, Wis. Stats., unless personal appearance is required.

(i) Abolition

The Municipal Court hereby established shall not be abolished while the §755.01(4), Wis. Stats., agreement is in effect.

All other ordinances or parts of ordinances contravening or inconsistent with the provisions of this ordinance are hereby repealed.

This ordinance shall be published as required by law, but shall not take effect until the later of the following dates:

1. The day after publication; or
2. May 1, 2019

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

Passed, approved and adopted this ____ day of __April____, 2019.

ROLL CALL VOTE:

CITY OF BERLIN:

____ AYES
____ NAYS
____ ABSENT

BY: _____
Richard D. Schramer, Mayor

APPROVED AS TO FORM:

ATTEST: _____
Jodie Olson, City Clerk

Matthew G. Chier, City Attorney

**INTERGOVERNMENTAL AGREEMENT FOR THE VILLAGE OF NORTH FOND DU LAC
TO PROVIDE MUNICIPAL COURT SERVICES
TO THE
CITY OF FOND DU LAC & RIPON, VILLAGES OF BRANDON, CAMPBELLSPORT, FAIRWATER, AND
OAKFIELD, THE TOWNS OF EMPIRE, OSCEOLA, RIPON AND TAYCHEEDAH IN FOND DU LAC
COUNTY, AND THE CITIES OF BERLIN, GREEN LAKE, MARKESAN AND PRINCETON IN GREEN
LAKE COUNTY AND THE CITY OF BERLIN IN WAUSHARA COUNTY**

I. PREAMBLE

This Intergovernmental Agreement is entered into, pursuant to Section 66.0301 and Section 755.01(4) of the Wisconsin Statutes by the Cities of Berlin, Fond du Lac, Ripon, Green Lake, Markesan and Princeton, the Villages of Brandon, Campbellsport, Fairwater, Village of North Fond du Lac and Oakfield, and the Towns of Empire, Osceola, Ripon and Taycheedah (together, the "municipalities") for the provision of Municipal Court services by North Fond du Lac to the Cities of Berlin, Fond du Lac, Ripon, Green Lake, Markesan and Princeton, the Villages of Brandon, Campbellsport, Fairwater and Oakfield, and the Towns of Empire, Osceola, Ripon and Taycheedah.

II. SERVICES TO BE PROVIDED FOR MUNICIPAL COURT BY NORTH FOND DU LAC

A. Operational Court Services

The Village of North Fond du Lac shall provide municipal court services as required by law and subject to the ordinances of the municipalities.

B. Personnel

The Village of North Fond du Lac shall employ sufficient staff to perform the municipal court services required by the Agreement and by Wisconsin State Statute.

C. Location and Equipment

The Village of North Fond du Lac shall provide sufficient court office space, as required pursuant to Section 755.09, Wis. Stats. and storage, as well as computers, up-to-date programs and software and other office equipment as deemed necessary to provide court services to member municipalities.

D. Cooperation

The Village of North Fond du Lac shall cooperate with the Court Executive Committee.

III. RESPONSIBILITIES OF MEMBER MUNICIPALITIES

- A. Each member municipality shall provide to the court electronic data in a form compatible with the court computer software.
- B. Each member municipality where court services are held shall provide armed court security for the times during which court is in session.
- C. Member municipalities shall cooperate in the collection of forfeitures by the court. The collection of penalties and surcharges will be in accordance with the requirements of Section 757.05(1)(c), (2), Wis. Stats.

IV. FINANCES

- A.** Each member municipality agrees that the Village of North Fond du Lac may retain court fees collected for each citation disposed of by the court as allowed by the State of Wisconsin to offset operating expenditures. No court fees shall be collected from member municipalities in cases where a forfeiture has been assessed against a defendant in which the court has been unable to collect said forfeiture.
- B.** It is agreed that funds in excess of operating expenses will be retained by the Village of North Fond du Lac and that any expenditures exceeding expenses will be absorbed by the Village of North Fond du Lac. The budget of the municipal court shall be separate from or contained on a separate line from, the budget or line items of all other North Fond du Lac Departments as required under Section 755.01(1), Wis. Stats.
- C.** All forfeitures collected by the court for member municipalities shall be remitted to the municipalities in accordance with state statute.
- D.** The court agrees to vigorously attempt to collect all outstanding forfeitures utilizing statutorily permitted means available to the court.

V. LOCATIONS OF COURT SESSIONS

- A.** Locations for court sessions shall be mutually agreed upon by the municipality and the court.

VI. COURT EXECUTIVE COMMITTEE

- A.** The Lakeside Municipal Court Executive Committee shall be composed of one (1) representative from each member municipality. Each of these members may appoint, at their discretion, an alternate to serve in their place or absence. Members or alternates may not be employees of the municipality's police department.
- B.** The membership shall elect from its members a chairperson to preside at its meetings and a vice-chair to act in the absence of the chair and shall designate a recording secretary. Terms shall be two years. Chair and vice-chair may serve two consecutive terms.
- C.** The Court Executive Committee shall hold annual meetings at a place and time to be fixed by the committee for the purpose of reviewing functions of the court. Special meetings may be held whenever called by its Chair or, on written request of two (2) members of the municipalities. The clerks of the municipalities and the members of the Executive Committee shall be notified at least seven (7) days prior to any regular or special meetings. The Court Executive Committee shall keep a written record of its proceedings. Meeting records shall be kept in the Municipal Court office.
- D.** A majority of the members of the Court Executive Committee at a meeting shall constitute a quorum for all purposes.
- E.** In order for a motion to be adopted or for any recommendations to be made to the court or the Village of North Fond du Lac, a simple majority vote of all members of the committee at the meeting is required.
- F.** The Court Executive Committee may adopt rules, policies, and/or by-laws as it deems necessary.

This Agreement shall commence May 1, 2019. Any party may, with 180 days written notice and at the end of the judge's term, provide notice of termination of its participation in this Agreement. Notice of termination must be in writing and delivered by personal service or by certified mail, return receipt requested, to the clerk of the other municipalities and to the court.

Adopted this _____ day of _____, 20_____

City Manager or Administrator/Village President/Town Chair

Attest: _____
Clerk

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

Name: WALTER J. RAINBOTH
Address: 164 E. Moore St. Berlin
Phone: Day 361-4660 Evening same

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

Area of Interest:

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

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: Needs to be done by somebody

3. What knowledge, experience, or abilities do you have that would make you an effective board member: Retired Professor UW-OSH

4. Please provide any additional information for consideration: